

# STOCKERTOWN BOROUGH COUNCIL

## MINUTES OF NOVEMBER 7, 2011

THE BOROUGH OF STOCKERTOWN HELD A MEETING ON MONDAY, NOVEMBER 7, 2011, AT 7:30 PM AT BOROUGH HALL.

### Attendance

- Councilors present were: Council President Amy J. Richard, Vice President Paul Zaboy Sr., Mr. Jack Fatzinger, Mr. Carl Zito, Mr. Joe Gosnell, Ms. Cindy Hower, and Mrs. Rosemarie Wenzelberger.
- Mayor Sherman Metzgar attended, but left at 8:35 pm.
- Additionally present were Paul Zaboy, Jr. from Public Works, Borough Solicitor Gary N. Asteak, Police Chief/Zoning Officer John Soloe, and Secretary Chris Burmood.
- Patrolman Vrabel was present to preserve the meeting.

**Meeting called to order at 7:32 PM by Council President Amy J. Richard, followed by the pledge of allegiance.**

**Motion** at 7:32 pm, by Joe Gosnell to adjourn to Executive Session for personnel matters. The Motion was seconded by Carl Zito. Motion carried unopposed. Paul Zaboy, Sr. abstained from voting and participation in the Executive Session.

**Motion** at 7:45 pm, by Carl Zito to return from Executive Session, seconded by Jack Fatzinger. Motion Carried unopposed.

### Public Comment

- David Danner, of 216 Patriot Lane, advised he was present to address the road problems. He stated that Old Easton Road was "passable", but really wanted to discuss the condition of Commerce Way. He stated that by his count there are at least 15 major potholes. He advised he understands there is no mercantile tax, and limited receipts of liquid fuels funding. However, the businesses located in the Borough west of Route 33 pay extensive property taxes, roughly \$104,000.00 per year. And, the businesses want the Borough to consider addressing the potholes. Ms. Richard thanked Mr. Danner for providing eye-opening figures and agreed that the condition of Commerce Way is bad. She also stated that presently, the Borough does not have enough money to address any road paving issues.
- Eric Wenzelberger, of 111 Center Street, inquired about the Newsletter article proposing a new municipal building on the Memorial Hall site. Ms. Richard stated that such a building would be a future endeavor, and the Borough has no immediate plans for construction. Mr. Wenzelberger reiterated his comments from prior council meetings regarding how the Memorial Hall site was filled in. Ms. Richard described the fill process from the building demolition and stated she expects minimal settling.
- Mr. Wenzelberger also asked about the status of the wastewater treatment plant. Ms. Richard responded that the Borough is awaiting DEP response to the letter prepared and sent with the assistance of sewer engineer Jeff Morgan.

### **Council Comments**

- Ms. Richard read a note from Public Works employee Royce Getz thanking the Council for their thoughts and sympathies.
- Mr. Gosnell asked if the boat & trailer now parked at Memorial Hall was the same one that had the parking issue on Center Street. Mr. Zito advised it was. Discussion followed regarding the boat owner's status as a resident, as he is sharing an apartment with his girlfriend in the Borough. Ms. Richard indicated she has a problem with where the boat is currently located. Chief Soloe advised that he directed the boat's owner to place it there. Ms. Richard requested that Public Works paint parking spot designation lines and post applicable resident only and no parking signs.

### **Secretary/Treasurer report**

- **Motion** by Carl Zito, seconded by Jack Fatzinger, to approve the minutes of the October 17, 2011 meeting with corrections as discussed. Motion carried unopposed.
- **Motion** by Carl Zito, seconded by Joe Gosnell, to approve the minutes of the October 19, 2011 budget meeting as written. Motion carried unopposed.
- Mrs. Wenzelberger expressed her disappointment at having two budget meetings cancelled.

### **Mayoral Report**

- Mayor Metzgar stated that the local government census packet had been received. He stated that he and Ms. Richard filled out the forms and mailed them.
- Mayor Metzgar also mentioned the Rails-to-Trails meeting held on Thursday, November 3<sup>rd</sup>.

### **Public Works Report**

- Paul Zaboy, Jr. indicated he had nothing to report.
- Ms. Richard asked for the Public Works budget requests for 2012 to be submitted by Friday, November 11, 2012.

### **Police Report**

- Chief Soloe stated he would have his budget requests for 2012 in by Wednesday, November 9, 2011.
- Chief Soloe attended a meeting approximately two weeks ago with the Northampton Gaming Authority. He stated that the Authority was blown away by the letter of thanks prepared by the Borough, and that Stockertown was the first local government entity to thank the Authority. Mr. Stoffa thanked Chief Soloe personally.
- The Chief also wanted to publicly acknowledge and thank Officer Soloe and Brown for their efforts with Mr. Perry. Chief Soloe stated that the judicial system worked, and that Mr. Perry was sentenced to serve between 1 and 3 years in a State Correctional Institute.
- Chief Soloe also indicated that he has received tremendous feedback on the new police vehicle.

## Zoning Report

- The new home at 75 Main Street is near completion, and he expects a Certificate of Occupancy to be issued within a week or two.

## Solicitor's Report

- Mr. Asteak advised that the annual Real Estate Tax Ordinance, specifically the millage rate, should be advertised once the budget is ready for advertising.

## Agenda Items

- Per Ms. Richard, Mr. Behrens is still working on the 2009 audit. She stated she has contacted other auditors about performing the 2010 audit. She indicated a general reluctance, given the theft issue as well as the fact that the 2009 audit is not complete. Discussion followed regarding beginning an audit when a prior year's audit is still incomplete.
- Paul Zaboy, Sr. briefly discussed a proposal letter by R.H. Rhodomoyer Consulting, Inc. to survey the property boundaries for the recreational trail project. Per Mr. Zaboy, Mr. Rhodomoyer comes highly recommended by URDC and the Delaware–Lehigh National Heritage Corridor. The proposal was for \$3,200.00 to do a complete survey for the first phase of the project, with an additional \$1,800.00 to be held for additional surveying, visits, and/or meetings once the first phase of the project was completed. Mr. Zaboy recommended the Council accept the proposal. Morgan Schaefer asked if the proposal included concrete markers with pins. Discussion followed over the necessity for concrete markers and pins, versus any increased cost factor. Mr. Gosnell and Mr. Fatzinger requested clarification. Mr. Zaboy advised he would follow up. **Motion** by Jack Fatzinger, seconded by Carl Zito, to accept proposal by Rhodomoyer to be surveyor for recreational trail project. Motion carried 5-2 with Ms. Hower and Mrs. Wenzelberger voting "Nay".
- Mr. Zaboy then discussed the November 3<sup>rd</sup> meeting with PennDOT, URDC and DCNR regarding the trail crossing at Industrial Boulevard. URDC and DCNR recommended to take the trail crosswalks up to the exit ramps. PennDOT suggested creating a "safe harbor" island between the eastbound and westbound lanes of Industrial Boulevard, and crossing directly between the trail entrances. This would require a decrease in the speed limit of Industrial Boulevard to 35 mph or lower, which the Borough would have to formally request from PennDOT. Council discussed the best place to decrease the speed limit and settled on the railroad tracks west of Commerce Way. Mr. Zaboy asked Council to make the request of PennDOT. **Motion** by Joe Gosnell, seconded by Jack Fatzinger, to make formal request to PennDOT to decrease the speed limit on Industrial Boulevard to 35 mph from 45 mph. Motion carried unopposed.
- Per Mr. Fatzinger, the Chrin signalization project to start within 2 weeks.
- Ms. Richard read the internal memo by Representative Marcia Hahn regarding possible introduction of legislation to repeal certain DEP regulations requiring mandatory riparian buffers of 150 feet from waterways designated as high quality or exceptional value waters.
- Council discussed the proposed Annual Service Agreement from The Center for Animal Health & Welfare. The Center has changed it's prices to \$150 per animal, and municipalities can no longer select who is authorized to bring in stray companion animals. This means that anyone from Stockertown could take an animal in, and the Borough would be billed a minimum of \$150. Chief Soloe advised that Easton pays an Animal Control Officer \$24,000.00 per year, and has already spent \$18,000.00 this year in animal fees with The Center. Ms. Richard suggested the Borough look for an alternative, and that Council table this matter until another time.

**New, Old, or Unfinished Business**

- Ms. Richard announced the results of the Executive Session from the beginning of the meeting. There was a **motion** by Carl Zito, seconded by Joe Gosnell, to appoint Paul Zaboy, Jr. Acting Supervisor of Public Works until Mr. Davis returns, with a \$2.00 per hour raise, retroactive to August 8, 2011. Paul Zaboy, Sr. did not participate in the Executive Session and abstained from the vote.
- Earl Kocher, of 300 Old Easton Road, requested a copy of the approved minutes.

**Adjournment**

- **Motion** by Carl Zito, seconded by Jack Fatzinger, to adjourn the meeting. Motion carried unopposed.

There is a Budget meeting scheduled for Wednesday November 16, 2011 at 7:30 pm. The next regular meeting of Borough Council will be held on Monday, November 21, 2011 at 7:30 PM.

The foregoing were approved the 16<sup>th</sup> day of November, 2011.

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President of Council

Attest: \_\_\_\_\_