

**STOCKERTOWN BOROUGH COUNCIL  
MINUTES OF MARCH 19, 2012**

THE BOROUGH OF STOCKERTOWN HELD A MEETING ON MONDAY, MARCH 19, 2012, AT 7:30 PM AT BOROUGH HALL.

**Attendance**

- Councilors present were: Council President Amy J. Richard, Council Vice-President Paul Zaboy, Sr. , Mr. Carl Zito, Mr. Jack Fatzinger, Ms. Cindy Hower, and Mrs. Rosemarie Wenzelberger. Mr. Joe Gosnell arrived at 8:10 pm.
- Mayor Sherman Metzgar was present.
- Borough Solicitor Gary N. Asteak attended.
- Additionally present were Police Chief/Zoning Officer John Soloe, Acting Public Works Supervisor Paul Zaboy, Jr., and Secretary Chris Burmood.

**Meeting called to order at 7:30 PM by Council President Amy J. Richard, followed by the pledge of allegiance.**

**Motion** at 7:30 pm by Carl Zito, seconded by Paul Zaboy, Sr., to adjourn to Executive Session in reference to a personnel matter. Motion carried unopposed. Mr. Gosnell was not present to vote.

**Motion** at 7:38 pm by Cindy Hower, seconded by Carl Zito, to exit Executive Session and resume the regular meeting session. Motion carried unopposed. Mr. Gosnell was not present to vote.

**Public Comment**

- None

**Council Comments**

- Mr. Fatzinger indicated that he was concerned about PPL replacing power poles along Old Easton Road. He inquired if the Borough Office had been notified. PPL work crews have shown up with new poles, and have left the new poles on private property, out of the right of way along streets. Paul Zaboy, Jr. stated that Public Works had received a PA One Call notification to mark the sewer lines, and that was the only notification received by his department. Mr. Burmood advised of the complaint by the homeowner at 32 Main Street, who stated they began digging to install a new pole right in the middle of her property road frontage. Mr. Burmood advised he has an inquiry lodged with a local PPL representative and will obtain further information.

### **Secretary/Treasurer report**

- Ms. Richard advised that a Treasurer Report would be available for the next meeting.
- **Motion** by Carl Zito, seconded by Jack Fatzinger, to approve the minutes of the March 5, 2012 meeting with corrections suggested by Paul Zaboy, Sr. as noted in bold italics below:

#### **Zoning Report**

- Mr. Soloe stated he had met earlier in the day with Roger Mellon of Chrin to discuss the interchange. Currently the interchange is in the design phase. They expect to break ground in August **2012** and complete the project by mid-September **2013**.

During the vote, Mr. Zaboy advised he was not finished reading the minutes, and voted Nay. After a couple minutes, he changed his vote to Yea, and the motion carried unopposed. Mr. Gosnell was not present for the vote.

### **Mayoral Report**

- Mayor Metzgar remarked that he had been approached with a request for a second infant/child swing at the Lincoln Street Park. Paul Zaboy, Jr. indicated he would check to see if the Borough had a unit available for installation, otherwise he would order one with council's permission.
- The mayor also advised that he had received a survey request by UGI regarding gas lines in the Borough. The only gas lines are in Long's Development. The mayor turned over the survey request to Ms. Richard for completion.

### **Public Works Report**

- Paul Zaboy, Jr. (PJ) advised that the dredging (sludge removal at the WWTP) was complete. The operator was happy with the level of residual sludge. They were awaiting final sign off by the WWTP engineer.
- PJ also asked about repainting the bleachers at the gun club ball field, specifically if there was a color preference by council. After brief discussion, Ms. Richard advised PJ to paint them green or grey, to blend in.

### **Police Report**

- Chief Soloe verbally advised the type and number of police responses as well as hours worked and miles driven by officers from mid-February through mid-March.

### **Zoning Report**

- Mr. Soloe advised that prior to the meeting, he met with Mrs. Hill of Paikes Enterprises regarding their zoning request to install a door at their property located at 100 Industrial Boulevard. There was no need for Mrs. Hill to make any presentation to council as had been requested.

### **Solicitor Report**

- Mr. Asteak had nothing to report..

## **Agenda Items**

- Copies of the 2009 Audit as prepared by Vondercrone & Behrens were presented to Council. Ms. Richard pointed out the deficiencies listed on the last page by Mr. Behrens, and stated that most of those deficiencies were cleared up during the processing of the audit itself. Ms. Richard stated she has checked with two other firms about having them prepare the 2010 Audit, and asked council for permission to proceed. Council offered no objection. Mr. Asteak requested getting a timeframe from the firms, given how far behind in mandatory reporting to DCED and other state agencies the Borough presently is.
- At this juncture, Ms. Richard advised she was going to hold off on discussing the mowing bids until later in the meeting, and proceeded to Old, New, and Unfinished Business.

## **New, Old, or Unfinished Business**

- Paul Zaboy, Sr. advised he and Paul Zaboy, Jr. had met with PennDOT at the District 5 office in Allentown. Len Policelli of URDC attended the meeting as did representatives from PennDOT District 5 as well as PennDOT headquarters in Harrisburg. Sherry Acevedo of DCNR attended via conference call. They addressed three issues in the meeting:
  - The proposed speed limit decrease on Industrial Boulevard was not resolved, and it won't be revisited until the Chrin signalization project has been completed. Regardless of whether a reduction is permitted, a safety island can be built between the northbound and southbound lanes for trail users. The speed limit will dictate the type and design of the safety island. There will associated signage either way. If the speed limit is reduced, a crosswalk may be allowed. Ms. Hower asked about the island affecting the ability for vehicle to turn into the alley. Mr. Zaboy indicated it should not be a problem.
  - With respect to drainage, the Borough was advised that trail storm drains can be connected to the PennDOT storm drain system.
  - Ms. Richard inquired about installation of manholes. Per Mr. Zaboy, the final grades are necessary. As for a timeframe, that cannot be determined until the design is complete, but the design process can now move forward. Mr. Asteak asked when the design is expected to be completed. Mr. Zaboy indicated that it should be done in a couple weeks. The storm sewer work will have to be bid out and completed before trail construction can begin, as does the installation of sanitary sewer manholes along the trail bed. Mr. Zaboy stated that the grant runs out in December 2013, but he expects all construction to be completed well before that date.
- Mr. Burmood advised that he had received a telephone call earlier in the day from Pam Youngkin with the Challenger Baseball team, inquiring about ball field availability. Mr. Burmood reminded Council that three other parties have also requested rental of the field. Mr. Burmood stated he was trying to work out a schedule that all four parties would be agreeable to. Council had no objection to the Challenger Baseball team being allowed use of the ball field as per tradition.

**Agenda Items, cont'd.**

- Ms. Richard reviewed the four mowing proposals received in detail, including the three presented at the March 5 council meeting and the proposal entered by LLTC one week after the other proposals had been opened. Ms. Richard and Mr. Burmood had prepared a cost analysis from the proposals based on 30 weeks of mowing and 20 weeks of mowing/weed whacking at the WWTP.

J&S Home Maintenance: \$10,050.00  
 Capriotti Co, LLC: \$13,000.00  
 LLTC, Inc. (Joe Lerch): \$12,980.00  
 Fry's Four Seasons, Inc.: \$15,000.00

Ms. Richard suggested against selecting a contractor who has a primary occupation other than landscaping, citing potential overtime issues with primary employment as well as time constraints with equipment failure. Ms. Richard polled Council and it was unanimous to select a vendor whose primary occupation was lawn care, narrowing the choice to Fry's Four Seasons and Capriotti Co, LLC. Mrs. Wenzelberger suggested to exclude Capriotti Co., LLC, because the proposal was not as descriptive and detailed as the one from Fry's Four Seasons, Inc. She advised that she also preferred to give business to a Borough resident and therefore her choice would be Fry's Four Seasons. Mr. Asteak advocated that the Borough was obligated to accept the lowest responsible bid. Ms. Hower, Mrs. Wenzelberger, Mr. Zito, and Mr. Fatzinger voted to award the contract to Fry's. Ms. Richard, Mr. Zaboy, and Mr. Gosnell voted to award it to Capriotti Co, LLC. Mr. Asteak indicated that the minutes should reflect the reasons why the Borough did not accept the lowest bidder. Per Mrs. Wenzelberger, Mr. Zito, and Ms. Hower, the selection was based upon giving the contract to a Borough resident, as well as the one with the more comprehensive proposal. Borough residents Eric Wenzelberger and Earl Kocher indicated their support for choosing a Borough resident. Mr. Asteak again warned Council of the impropriety of this decision and the inability of him to defend it, if necessary.

**New, Old, or Unfinished Business, cont'd.**

- Jack Fatzinger recommended that we try to obtain as-builts from PPL regarding the pole replacement project. Mr. Burmood advised he would request them from his contact later this week when discussing the streetlight issues, as scheduled.
- 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 at 9:10 pm.

The next regular meeting of Borough Council will be held on Monday, March 19, 2012 at 7:30 PM.

The foregoing were approved the 19<sup>th</sup> day of March, 2012.

\_\_\_\_\_  
 President of Council

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