

**STOCKERTOWN BOROUGH COUNCIL
MINUTES OF MARCH 3, 2014**

THE BOROUGH OF STOCKERTOWN HELD A COUNCIL MEETING ON WEDNESDAY, MARCH 3, 2014, AT 7:30 PM AT BOROUGH HALL.

Attendance

- Council Members present were: Council President Amy Richard, Vice-President Kathleen Zdonowski, Robin Davis, Joe Gosnell, Cindy Hower, Rosemarie Wenzelberger and Carl Zito.
- Mayor Charlie Davis, Police Chief/Zoning Office John Soloe and Borough Secretary/Treasurer, Anita Caughy were in attendance.
- Borough Solicitor Gary Asteak was present.

The Meeting was called to order by Council President, Amy Richard, at 7:30 PM

Pledge of Allegiance

Public Comment

- Eric Wenzelberger stated that the public works crew continues to do a good job with the roads and that he would like to thank them.
- Eric Wenzelberger stated that the Borough Newsletters sitting on the desk by the front door still have the wrong Youth Group phone number. Mrs. Caughy advised that she will bring them in and correct them.

Council Comment

- No comments presented.

Secretary / Treasurer Report

- **Motion** by Carl Zito, seconded by Kathleen Zdonowski to approve the Minutes of January 19, 2014. Motion carried unopposed.
- The General Fund Payables and Sewer Fund payable through March 3, 2014 were reviewed by Council members. Carl Zito asked what the bill for Eckert, Seamans was for and he was advised by Mrs. Caughy that it was attorney fees for the Borough's Labor Union attorney. Carl Zito also questioned what the bill for the City of Allentown was for. He was advised by Chief Soloe that it was for legal updates for the Police Department.
- Kathleen Zdonowski questioned why the Sewer Fund was paying the General Fund. Mrs. Caughy advised her that the Sewer Fund was reimbursing the General Fund for services which were paid out of the General Fund wherein a portion of the bill was for the sewer plant.
- **Motion** by Kathleen Zdonowski, seconded by Carl Zito and Joe Gosnell to approve Accounts Payable for the General Fund and the Sewer Fund through March 3, 2014. Motion carried unopposed.

Mayor Report

- Mayor Davis had nothing to report.

Police Report

- Police Chief John Soloe read out the monthly call service report
- Chief Soloe advised that the Bridge repair on Rt. 191 by the Pizza Hut would begin in about two (2) weeks and last for approximately 1 year. The traffic would be re-routed through Nazareth until work was completed. Chief Soloe also advised that the Tatamy Bridge would be completed prior to November 1st.
- Chief Soloe introduced Adam Shimer who had applied for a part-time police officer position with the Borough. Council was given his resume to read in order to ask questions and vote on hiring him for the position. Chief Soloe advised that Mr. Shimer lives locally, that he lives in Nazareth and works part time in Bangor. Amy Richard asked him what hours he would be able to give the Borough. Mr. Shimer advised that he would give whatever hours the Borough needed.
- **Motion** by Kathleen Zdonowski to appoint Adam Shimer as a part time police officer for the Borough of Stockertown, seconded by Joe Gosnell. A vote was taken and the results are as follows. Motion carried by the majority.

	Yea	Nay	Abstain
Amy Richard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Robin Davis	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rosemarie Wenzelberger	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cindy Hower	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Joe Gosnell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kathleen Zdonowski	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carl Zito	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Zoning Report

- John Soloe advised that a Borough fee schedule needs to be adopted by Resolution for 2014. Amy Richard advised that the fee schedule was approved in January but needs to be adopted by a Resolution.
- **Motion** by Carl Zito to approve the fee scheduled for 2014 as a Resolution, seconded by Kathleen Zdonowski.
- Zoning Officer, John Soloe advised that the Chrin Commerce Plaza Plans were received by the Borough for a 300,000 sq. foot warehouse to be constructed between Upper Nazareth and Tatamy. The warehouse would hold truck bays and that the project would begin around June 1, 2014.
- Borough Solicitor Gary Asteak wanted everyone to be aware of information he learned at a Lower Nazareth conditional use hearing wherein a Professor from Lehigh who is also an Environmental Attorney gave testimony that the Lehigh Valley has the worse quality of air in the nation. The diesel fumes from trucks coming into the area are toxic and are causing the problem.

Public Works

- Amy Richard advised that she is obtaining foam insulation proposals for the Borough buildings.
- Public Works has been working on filling pot holes throughout the Borough

Solicitor Report

- Gary Asteak advised that Mr. Tichy is not cooperating with his own lawyer regarding the Trail issue. Mr. Asteak has filed a Motion to Compel which is scheduled for March 21, 2014. He is hoping that the Court will schedule a Settlement Conference to get Mr. Tichy to the table to discuss the issues. A trial is scheduled for May 12, 2014 if nothing can be resolved.

- Amy Richard advised that Buzzi has once again agreed to contribute stone for the Rails to Trails project.

Old, New or Unfinished Business

- Amy Richard advised that they are still looking at the Codification estimates. She also asked Joe Gosnell, being the heating guy, to look over the estimates for the new Borough heating system before they make any decisions.
- Amy Richard advised that the DEP’s new Permit for the Waste Water Treatment Plant gives the Borough five (5) years to construct and finish a new sewer plant. The DEP insist that the Borough build a new plant which is not feasible. Amy Richard read the drafted letter which will be sent to the DEP which advised that the Borough is not in a position to financially complete this project. DEP never responded to the Borough’s June 21, 2012 letter. The draft letter states the winter ammonia-nitrogen limitations be deleted in the permit based on the following:
 - (1) The WWPT’s inability to meet winter ammonia-nitrogen effluent limits since start up, despite considerable operational efforts by the Borough and despite the fact that the Department’s approved design was supposed to adequately treat ammonia-nitrogen in the winter.
 - (2) The Borough’s financial inability to pay for the very expensive sewage facility upgrades and improvements necessary to attempt to address this issue and, significantly,
 - (3) The fact that the winter ammonia-nitrogen discharges are not having any meaningful impact on the receiving stream.

The Environmental Attorney is hoping that the DEP will sit down and talk to the Borough but does not expect that to happen.

- Amy Richard advised that she is in the process of obtaining information to Refinance the current sewer loan of \$1,300,000.00. Nazareth National thinks they might be able to come down a point on the interest. We are now at 4.7 percent and they think they can come down to 3.9 percent. Amy Richard asks Solicitor Gary Asteak to review the agreement. She asked if anyone has any issues with the Borough refinancing and making monthly payments on a new loan to reduce the interest being paid. No one objected.

Adjournment

- **Motion** by Carl Zito seconded by Joe Gosnell, to adjourn the meeting. Motion carried unopposed at 8:07 PM.

The next regular meeting of Borough Council will be held on Monday, March 17, 2014 at 7:30 PM.

The foregoing were approved the 17th day of March, 2014.

 President of Council

Attest:_____