

STOCKERTOWN BOROUGH COUNCIL MINUTES OF MARCH 5, 2012

THE BOROUGH OF STOCKERTOWN HELD A MEETING ON MONDAY, MARCH 5, 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, Mr. Joe Gosnell, Ms. Cindy Hower, and Mrs. Rosemarie Wenzelberger.
- Mayor Sherman Metzgar was present, but left at 8:40 pm.
- 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 7:35 PM by Council President Amy J. Richard, followed by the pledge of allegiance.

Public Comment

- Eric Wenzelberger, of 111 Center Street, stated that his open enrollment period for Aflac was November and December 2011, but that Mr. Barbieri of Aflac was advised not to come to the Borough until February. Mr. Wenzelberger asked why. Ms. Richard advised that it had been done to allow newly eligible employees to enroll in Aflac.
- Mr. Wenzelberger again raised the issue of the manufactured home at 75 Main Street not complying with the building code. Ms. Richard asked Mr. Wenzelberger why he was not directing his questions to the Zoning Officer directly. Mr. Wenzelberger stated he wanted to erect a similar structure, but did not want the hassle of starting the process only to find out that he would be violating the building code. Again, Ms. Richard asked Mr. Wenzelberger why he did not direct his questions directly to Mr. Soloe, and inquired if Mr. Wenzelberger was intimidated by Mr. Soloe. She further advised that the modular home was inspected by the Borough's Code Enforcement Officer at Keystone Code Enforcement, and if there had been any concerns about not meeting code, it would have been raised by Keystone.
- Mr. Wenzelberger then advised that he had discussed, with other municipalities, the sale of the bucket truck and chipper for scrap, stating that the municipalities he talked to "had never heard of such a thing".
- Earl Kocher, of 300 Old Easton Road, stated that the pothole at the corner of Main Street and Old Easton Road had been repaired. He assumed the truck would have been equipped with a broom and shovel, and asked why the stone debris had not been cleaned up. Paul Zaboy, Jr. apologized, and stated he had not been on site for the repairs. He was unaware that debris had been left behind, and stated he would arrange to have it cleaned up. Mr. Kocher stated the stones were already in his yard from vehicle traffic.

Public Comment, cont'd.

- Mr. Kocher also stated that the taxpaying residents should be advised on how many police stops and citations had occurred each month. Ms. Richard asked Chief Soloe to provide a verbal report at each meeting.
- Morgan Schafer, of 304 Old Easton Road, said he had to sign a paper for the \$52 collected by Berkheimer, which the Borough would not receive. Mr. Zaboy advised that the \$52 was Local Services Tax which the Borough would receive, and advised Mr. Schafer that Earned Income Tax was the tax that would be collected by Keystone under direction from the Northampton County Tax Collection Commission set up under Act 32.

Council Comments

- No Council comments were presented.

Secretary/Treasurer report

- **Motion** by Paul Zaboy, Sr., seconded by Carl Zito, to approve the minutes of the February 22, 2012 meeting with correction as mentioned by Mr. Gosnell and Mr. Zaboy. Motion carried unopposed.

Mayoral Report

- Mayor Metzgar asked about the sinkhole on the old school property owned by Ed Ruland, with respect to its proximity to the southern trailhead of the recreational trail project. Mr. Gosnell suggested enforcing repair of unsafe areas. Mr. Astreak recommended that the Zoning Officer photograph the sinkhole, for posterity, should there be any resultant liabilities incurred, or litigation over enforcement. Mr. Zaboy advised that the trail property would be markedly delineated from Mr. Ruland's property.

Public Works Report

- Paul Zaboy, Jr. (PJ) advised that the roller was repaired, specifically a new core to the radiator. The cost, including pick up and delivery was \$225. Now work can continue on the patching projects.
- PJ also stated he planned to ask for more stone for another repair project. He advised that the Public Works crew has been conducting pothole repairs around the Borough using a newer material. He stated the newer material was easier to work with, stores well, and is holding up well to use, but that it is a bit more expensive.
- PJ also suggested a process of patching repairs for LeFevre Road, including a 90 foot swath and a 60 foot swath. He advised they have adequate signage and recommended that after the morning rush hour would be an ideal time to have the least impact on traffic flow.
- Paul Zaboy, Sr. questioned who the contact at Buzzi Unicem was. He further stated that he doesn't want to exploit the donation of stone for road projects to the detriment of the Rails-to-Trails project. Ms. Richard stated that Mr. Fatzinger made it clear to Buzzi that this donation was additional to the one agreed upon for the recreational trail.
- Mobile Dredging is setting up at the wastewater treatment plant for sludge removal.
- The fence around the generator is complete.

Police Report

- Chief Soloe advised he would have a report for the next meeting.

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 and complete the project by mid-September.

Solicitor Report

- Mr. Asteak had nothing to report..

Agenda Items

- Mowing proposals were submitted by three companies, on a per cut basis, as follows:

CapCo. \$350.00, with weed whacking at WWTP \$125.00 additional
Fry's Four Seasons \$500.00, including weed cutting and blowing
JS Home Maintenance \$335.00, verbally indicated WWTP weeds included

Ms. Richard suggested tabling this until the next meeting. PJ compiled a cost-analysis of the mowing, calculating 1 mower at five hours per day - five days per week, plus 1 trimmer five hours a day - two days a week. His figure was \$655.00, and did not include new equipment or major repairs. Per Mr. Fry of Fry's Four Seasons, his average is 25-28 cuts per year.

- Ms. Richard provided a copy of a letter she sent to State Senator Boscola and State Representative Emrick imploring them to remove the EIT collection from the Allentown NIZ taxing authority. Mr. Gosnell stated he was "1000% behind the letter". Per Mr. Zaboy, Hanover Township may challenge the legality of the NIZ. Mr. Asteak has not researched case law, as he has not been asked to do so.
- Requests for rental of the ball field were received from Derek Silfies of the Cornerstone Church for his church softball team, and Ed Olsen for a youth baseball team for practice. Council posed no objections to either group's request. Mr. Burmood is to work out scheduling.
- A request for a coin toss fundraiser was submitted by Scott Strausser of the Epilepsy Awareness Group. Ms. Richard recommended against it. Mr. Zaboy questioned the legality of such a fundraiser. Mr. Asteak stated he did not know if the Borough had the authority to allow the stoppage of traffic on state highways. He advised that such authorization might lead to incurred liabilities. Council agreed that they were not in the position to authorize this type of fundraising activity.

Agenda Items, cont'd

- Ms. Richard advised that the 2009 Audit has been completed by Vondercrone & Behrens, and that Mr. Behrens has requested payment in full of the balance of \$4,260.00 at the time of pickup. The total cost for the audit is \$8,810.00. Ms. Richard requested permission to pay. Additionally, Mr. Behrens' estimate for a DCED audit only for the 2010 fiscal year was \$3,500.00 to \$4,000.00. Mr. Burmood advised that the Borough had received correspondence from DCED demanding the 2010 audit and associated financial statement form, and threatening to withhold future allocations until it was submitted. Mr. Burmood stated he had contacted DCED and explained the current situation, and DCED has agreed to allow us more time. Mr. Asteak recommended that we pay for the Audit, submit it as required, and move forward. **Motion** by Carl Zito, seconded by Jack Fatzinger, to pay Vondercrone & Behrens for the 2009 Audit and move forward with the 2010 audit. Motion carried 5-2, with Ms. Richard and Mr. Zaboy casting the "Nay" votes.
- Council discussed proposed changes to the Public Works Supervisor Job Description list. A few minor alterations were suggested and agreed upon. **Motion** by Paul Zaboy, Sr., seconded by Carl Zito, to accept the modifications for the Working Public Works Supervisor Job Description. Motion carried unopposed.

New, Old, or Unfinished Business

- Mr. Wenzelberger mentioned, with respect to the removal of animal remains as mentioned in the Public Works Supervisor Job Description, that the Bushkill Stream Conservancy recommends immediate removal, so that any disease does not make it into the water supply.
- Mr. Kocher requested a copy of the approved minutes.
- Mr. Fry asked when the mowing bids would be decided upon, indicating that he reserved a time slot for the Borough, but had other potential clients waiting, should he not receive the contract. Ms. Richard stated that it would be announced at the next Borough Council meeting on March 19th.

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 19th day of March, 2012.

President of Council

Attest: _____