

**STOCKERTOWN BOROUGH COUNCIL  
MINUTES OF MAY 7, 2012**

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

**Attendance**

- Councilors present were: Council Vice President Paul Zaboy, Sr., Mr. Carl Zito, Mr. Jack Fatzinger, Mr. Joe Gosnell, Ms. Cindy Hower, and Mrs. Rosemarie Wenzelberger.
- Mayor Metzgar attended.
- Attorney Steven Mills attended on behalf of Borough Solicitor Gary N. Asteak.
- Additionally present were Acting Public Works Supervisor Paul Zaboy, Jr. and Secretary Chris Burmood.
- Police Chief/Zoning Officer John Soloe arrived at 8:12 pm.

**Meeting called to order at 7:36 PM by Council Vice President Paul Zaboy, Sr., followed by the pledge of allegiance.**

**Public Comment**

- Eric Wenzelberger, of 111 Center Street, asked about the audit for 2010. Mr. Zito interjected under his breath that it was none of Mr. Wenzelberger's business. Per Mr. Zaboy, the 2010 audit will be done by Vondercrone & Behrens.
- Mr. Wenzelberger then advised that the recycling dumpsters were overflowing, and included large empty vegetable oil containers. He asked if the recycling dumpsters were for residents only or if businesses were allowed to use them. Mr. Zaboy stated he did not think that it was limited to residents. Mr. Wenzelberger also stated that people from outside the Borough might be using the recycling dumpsters.
- Earl Kocher, of 300 Old Easton Road, stated that he had stopped by the Borough Office on Thursday, April 26, to pick up copies of the meeting minutes. He was advised that they were not available, due to compliance with state guidelines. Mr. Zaboy stated that was correct, as we had only learned of the guidelines in late March, which affected all of the April meeting minutes. During his visit to the office, Mr. Kocher stated that Police Chief Soloe had been in the office and interjected during the discussion. Mr. Kocher feels that by interjecting, Chief Soloe overstepped his bounds. Mr. Burmood stated that Chief Soloe had been attempting to clarify the guidelines for Mr. Kocher. Mr. Kocher wanted Council to investigate Chief Soloe's actions.

**Council Comments**

- Mrs. Wenzelberger lodged a complaint against Mr. Zito's interjection during the question posed by her husband regarding the 2010 audit. Both Mr. Zito and Mr. Zaboy had no recall of the comment. Mrs. Wenzelberger advised that it would be memorialized on tape.

### **Secretary/Treasurer report**

- **Motion** by Jack Fatzinger, seconded by Carl Zito, to approve the minutes of the April 16, 2012 meeting with corrections as noted below. Motion carried unopposed.
  - Page 2, 3rd bullet point, 5<sup>th</sup> line, change “form” to “from”
  - Page 3, Agenda Items, cont'd. 1<sup>st</sup> bullet point – Mr. Zaboy indicated his desire to identify the various persons who made comments of thanks to Mr. Davis and Mr. Getz for their years of service and dedication.
    - Council President Richard
    - Council Vice President Paul Zaboy, Sr.
    - Emil Lukas
    - Eric Wenzelberger
    - Unidentified member of Tatamy Road Department
- Mrs. Wenzelberger requested that meeting agenda packets be prepared by Thursdays preceding meetings. Ms. Hower supported this request. Mr. Zaboy voiced no objection, but indicated that last minute changes could be made to a meeting agenda.

### **Public Works Report**

- Paul Zaboy, Jr. (PJ) stated that the wastewater treatment facility is working and the lagoons are at decent levels.
- He reported no more dead fish appearing, and stated that the turtles that feed on the fish appear to be healthy and alive. He also stated that we have not yet received water test results from sampling that took place following the fish kill.
- PJ discussed the geese problem at the wastewater treatment facility, and recommended the purchase of coyote silhouettes as an option.
- PJ reiterated his recommendation to purchase a sewer jetter with both sewer and pressure hoses. He suggested the 8 gallon per minute 3000PSI unit previously discussed. With both sewer and pressure hose, the cost would be \$6,280.80. Mr. Gosnell inquired about how many uses would the 3' sewer hose last through. PJ stated that if properly cared for, the hose could last for a significant number of uses.
- Paul Zaboy, Sr. stated that the two goslings hatched and incubated at the wastewater treatment facility had been released. Ms. Hower asked about the eagle. PJ stated he hasn't seen the eagle in a week.

### **Solicitor Report**

- Mr. Mills stated that the Petition to Intervene in the NIZ lawsuit had been filed.

### **Agenda Items**

- A citizen complaint regarding dogs running free and defecating in the Lincoln Street Park was discussed. Council directed PJ to investigate the cost of procuring more signs advising that dogs must be on leashes and that canine urination and defecation on Borough property was in violation of the ordinance.
- Per Mr. Zaboy, with a target date of July 1<sup>st</sup>, the Borough will be seeking to start posting all approved meeting minutes on the Borough website. Current minutes will be posted upon final approval. There will be no free paper copies after that. Mr. Wenzelberger stated that some municipalities leave copies with their agenda for the next meeting. Mr. Zaboy stated that the Borough would not be doing that.

## **Police Report**

- Chief Soloe requested an executive session following the regular meeting to discuss a personnel issue.

## **Zoning Report**

- Mr. Soloe had nothing to report.

## **Agenda Items, cont'd.**

- At several Borough properties, there are loose or dead branches that pose risks to safety and utilities. The Borough is contemplating having contracted tree maintenance to address the problem areas. We are seeking written or telephonic quotes. Any interested companies should contact Mr. Burmood.
- In order to sell the fire truck, Fire-Tec recommended having a pump test done. We scheduled one for Thursday, May 10<sup>th</sup>, by a Drexel Hill company, Fire One. The cost is \$350.00.
- On Thursday, June 14<sup>th</sup>, the Meyner Center at Lafayette College will be hosting the tenth annual Forum on Local Government. Formal invitations will be sent mid-May.

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

- The Engine Brake Ordinance was tabled for further discussion when Mr. Asteak will be available.
- Due to some ambiguous language in the Fee Schedule, there has been some confusion when certain fees are due and payable. Additionally, there was confusion over the PA State UCC Educational Fund Fee, which is only required when a third party inspection is necessary for any new zoning permits. There was discussion on where to revise the Fee Schedule to reflect that. Hopefully we will be able to adopt changes at the next meeting.
- The Borough received correspondence which included a settlement offer from the City of Allentown with respect to the NIZ lawsuit. Mr. Mills stated that it was an attempt by the City of Allentown to allow the NIZ to move forward.
- Alex Soloe submitted a copy of the new Emergency Operations Plan using the state-promulgated format. Due to the confidentiality of the material, the copy will be available at the Borough office for review. Alex indicated that he will need a Resolution number to accompany the plan when it is submitted for approval by County and State officials.
- Mr. Zaboy read a Thank You card to Council from Royce Getz.
- Mayor Metzgar advised of a letter he had received from Buzzi Unicem. Buzzi Unicem is seeking to proceed with an emissions control project at their facility, specifically by improving their largest scrubbers. They are filing an application with PA DEP on May 18<sup>th</sup>, which will initiate a 30 day comment period.
- Mr. Wenzelberger asked if there is a program to seal the cracks in parking lots and sidewalks, where weeds are growing through. Mr. Zito asked if he meant the sidewalks by the Ruland property. Mr. Zaboy stated that those sidewalks are Mr. Ruland's responsibility. Mr. Gosnell inquired about the weeds growing between the sidewalks and the roads. Mr. Zaboy stated that individual homeowners can treat those weeds chemically, but for the Borough to do so would necessitate significant costs to have staff undergo training and licensing requirements.
- Mrs. Wenzelberger asked if the park was ready for parties. She was advised that the entire park reservation schedule is being provided to Public Works, and updates will be provided as new reservations are made.

**Adjournment to Executive Session**

- **Motion** by Jack Fatzinger, seconded by Carl Zito, to adjourn to executive session for a personnel matter, with no further business of council to occur after executive session. Motion carried unopposed at 8:35 pm.
- **Motion** by Carl Zito, seconded by Jack Fatzinger, to return to regular. Motion carried unopposed at 8:50 pm.

**Adjournment**

- **Motion** by Cindy Hower, seconded by Carl Zito, to adjourn the meeting. Motion carried unopposed at 8:50 pm.

The next regular meeting of Borough Council will be held on Monday, May 21, 2012 at 7:30 PM.

The foregoing were approved the 21<sup>st</sup> day of May, 2012.

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President of Council

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