

**STOCKERTOWN BOROUGH COUNCIL
MINUTES OF JULY 1, 2013**

THE BOROUGH OF STOCKERTOWN HELD A MEETING ON MONDAY, JULY 1, 2013, AT 7:30 PM AT BOROUGH HALL.

Attendance

- Council members present were: Council President Amy Richard, Council Vice President Paul Zaboy, Sr., Mr. Carl Zito, Mr. Joe Gosnell, Ms. Cindy Hower, Mrs. Rosemarie Wenzelberger, and Ms. Kathleen Zdonowski.
- Mayor Charlie Davis was present.
- Attorney Steven Mills was present on behalf of Borough Solicitor Gary N. Asteak.
- Acting Public Works Supervisor Paul Zaboy, Jr. (PJ) and Secretary Chris Burmood were in attendance.
- Police Chief/Zoning Officer John Soloe arrived at 8:07 pm.

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

Public Comment

- Eric Wenzelberger, of 111 Center Street, stated that he found a dead cat that had been hit by a vehicle. He moved the carcass to the side of the road. He asked who is responsible for removal of dead animal carcasses from the roadways. He was advised that it is not a Borough responsibility.

Council Comments

- None

Secretary/Treasurer Report

- **Motion** by Paul Zaboy, Sr., seconded by Carl Zito, to approve the minutes of the June 17, 2013 meeting, with corrections as noted below. Motion carried unopposed.
 - Page 3, last line of 3rd bullet point of New, Old or Unfinished Business, change the first “with” to “we”.
 - Page 3, Solicitor Report, change “Asteak” to “Mills”.
- In addition to the list of payables provided by Borough Treasurer Rosalie Mondello, Ms. Richard read the payees and amounts of two additional bills, one each for the Sewer Fund and the Rails-to-Trails Development Fund. **Motion** by Paul Zaboy, Sr., seconded by Carl Zito, to approve the General Fund payables through June 28, Sewer Fund payables through June 26, and Rails-to-Trails Fund payables though June 28, 2013, as amended. Motion carried unopposed.

Mayor’s Report

- Mayor Davis advised that the Police Committee met with the Chief and discussed a new set of Standard Operating Procedures (SOPs). The lightbar on the Crown Victoria needs to be replaced. Additionally, the wall-mounted air conditioner in the Police Department office will need to be replaced soon.

Public Works Report

- PJ advised that we are still experiencing binding at the wastewater treatment plant in the sand filter, but that the water is flowing. He advised that the MICROCAT biological material is starting to take effect. PJ recommended drying out the sand filter to kill off the algae.
- PJ stated that the trail construction is going smoothly, thanks to an efficient crew. Mr. Zaboy has been in contact with Hill Imports (Paikes Enterprises) regarding the plan to reconfigure their stormwater runoff. There’s been no response to the letter to A&H regarding their stormwater runoff and its potential impact on the trail. We expect to have specs for bids with respect to the trailheads and crossing soon.

Public Works Report, cont'd.

- PJ advised that he is still receiving complaints about both LeFevre Road and Commerce Way. Patching Commerce is a “nightmare” due to the traffic. The area on Commerce that holds standing water will pose difficulty for patching.
- Mrs. Wenzelberger advised that she witnessed the road crew pick up a branch from the PPC property. PJ advised that the branch had initially come down on Winona Street, and had been moved to PPC property to eliminate the hazard to motorists. But, since it originally came down in the street, it was up to the Borough to remove it.
- PJ stated that all of the Engine Brake signage had been installed at the approved locations.

Solicitor Report

- Mr. Mills had nothing to report.

Agenda Items

- Mr. Burmood discussed a letter received from PennDOT along with mylars specific to the signalization project. He advised that the project engineer had also received the letter and forwarded it to the contractor to make the recommended changes. Additionally, the mylars needed to be signed and returned to PennDOT. The Borough will receive copies of the diagrams once full approval is obtained. **Motion** by Paul Zaboy, Sr., seconded by Carl Zito, to sign off on the PennDOT mylars for the signalization project. Motion carried unopposed.
- Mr. Burmood read a letter from Signal Service which indicated certain repairs necessary to bring the Main Street intersection back into PennDOT guidelines.
- Ms. Richard had a long telephone discussion with Borough Engineer Al Kortze regarding the traffic study for the proposed 4 way stop at Faith and Jubilee. According to Mr. Kortze, stop signs cannot be used to regulate speed. The recommendations were for switching the direction of the existing stop signs, posting of speed limit signs, a bump – type speed retarder, and “SLOW” markings painted on the street surface, along with increased education and enforcement. If none of those work, the Borough can then consider a 4 way stop. Ms. Zdonowski asked if that opened up the Borough to liability either way. Mr. Mills advised that going against the recommendations of the engineering traffic study posed a greater potential of liability. Ms. Richard advised against switching the current stop signs to the other direction, and instead install “rumble” strips.
- Borough resident, Katie Santiago, stated she was here to confirm some speculation by others:
 - First, she inquired about the Recreation Fund that Mayor Metzgar had been involved with. Ms. Richard advised that the Recreation Fund was financed by fees from building permits, and that those monies were used for park improvements, including upkeep on playground equipment and the purchase of new bleachers for the ballfield. Ms. Richard and Mr. Zaboy then advised that the Recreation Fund should not be confused with the Stockertown Youth Association, a completely separate entity Mayor Metzgar had been actively involved with.
 - Mrs. Santiago then asked about the calls to the Police Department regarding the disruptions in Long’s Development since October. She complained that she had left several messages for the Chief, and the length of time it took for him to contact her. When he did, he recommended a neighborhood watch. The disruptions turned to vandalism, including pools being spray painted, and large rocks being left in driveways. An officer came out to investigate for the first time in March. The disruptions are still ongoing, with no resolution.
 - Mrs. Santiago then asked about the status of Officer Collins. Ms. Richard advised that Mr. Collins resigned, and declined to comment further on the matter. Mrs. Santiago asked about a lawsuit involving Mr. Collins and a settlement, wondering if any settlement would be paid out of tax dollars. Ms. Richard advised that there is a settlement agreement pending, and that she would be unable to comment on the matter until the agreement was finalized. Ms. Richard advised that the Police Department has unionized. The Borough has hired a labor lawyer. Mrs. Santiago asked about the impact on the budget. Would that minimize police coverage? Ms. Richard advised the Borough would try to stretch things to keep coverage. She advised that the police budget would be impacted by the labor negotiations. Mrs. Santiago also asked about the makeup of the current police force.

Agenda Items, cont'd.

- Upon Chief Soloe's arrival, he addressed Mrs. Santiago's concerns about the disruptions, citing increased patrols and manpower up in Long's Development, but that the suspects would see the marked patrol cars long before the police would spot them. Absent photographic proof or someone caught in the act, it is a difficult situation to resolve.
- Mrs. Santiago also asked about the fatal motorcycle accident. Per Chief Soloe, **the fatality was the only person on the motorcycle.**

Police Report

- Chief Soloe stated that except for the hooligans in Long's Development, it has been quiet.

Zoning Report

- Jody Stahley, owner of Widow's Tavern, addressed Council regarding her tables on the sidewalk, as well as her intent to request a permanent extension from the LCB to expand her business to the outside. The issue of the tables was resolved, as long as they do not interfere with the minimum width of sidewalk use required by the ADA. Ms. Stahley also discussed police pulling over motorists right in front of her establishment. "That isn't safe, or good for business." She asked Mr. Soloe about the fire escape plans, which he advised were on his desk. With respect to her expansion plans, she stated that to obtain the permanent extension from the LCB, she will require Borough approval. However, a site plan showing proposed upgrades and changes must be submitted to Planning Commission, prior to approval by Council. Insofar as her annual Anniversary Party goes, Borough Council has no objection to allowing that single function to occur.

Motion at 8:45pm by Paul Zaboy, Sr., seconded by Carl Zito, to adjourn to Executive Session after a short break.

Motion at 9:06pm by Carl Zito, seconded by Paul Zaboy, Sr., to exit Executive Session and return to regular session.

New, Old, or Unfinished Business

- Council discussed the year-to-date general and sewer fund budgets, examining a number of line item expenditures in both.
- **Motion** by Paul Zaboy, Sr., seconded by Carl Zito, to recognize the Police Department SOPs as presented by Chief Soloe. Motion carried unopposed.
- Mrs. Wenzelberger asked council to separate the sign from Mayor Metzgar Park from the Recreational Trail signs. Mr. Zaboy advised that it would be kept separate, but that the appearance should be somewhat similar, given their proximity.

Adjournment

- **Motion** at 10:10pm by Carl Zito, seconded by Paul Zaboy, Sr., to adjourn the meeting. Motion carried unopposed.

The next regular meeting of Borough Council will be held on Monday, July 15, 2013 at 7:30 pm.

The foregoing were approved the 15th day of July, 2013.

President of Council

Attest: _____