

**STOCKERTOWN BOROUGH COUNCIL  
MINUTES OF JULY 2, 2012**

THE BOROUGH OF STOCKERTOWN HELD A MEETING ON MONDAY, JULY 2, 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.
- Attorney Steven Mills, was present on behalf of Borough Solicitor Gary Asteak, Esq.
- Additionally present were Police Chief/Zoning Officer John Soloe, Acting Public Works Supervisor Paul Zaboy, Jr., and Secretary Chris Burmood.
- Patrolman Vlabel was present to preserve the order.

**Meeting called to order at 7:33 PM by Council Vice President Paul Zaboy, Sr., followed by the pledge of allegiance.**

**Public Comment**

- Eric Wenzelberger, of 111 Center Street, stated that people were asking him if there were plans to seal the Borough Hall parking area. Mr. Zaboy indicated that the Borough would investigate if it was necessary.

**Council Comments**

- Mrs. Wenzelberger requested a copy of the 2010 Audit. Mr. Zaboy asked her if she meant the 2009 Audit, as the office staff is presently compiling information to be sent to the auditor to prepare the 2010 Audit.
- Mrs. Wenzelberger also asked if the Borough was planning to advertise for a Public Works Supervisor. Mr. Zaboy advised that the plan was to advertise for a Public Works Laborer.
- Mrs. Wenzelberger asked if there would be any officers on patrol on July 4<sup>th</sup>. She advised she had already received calls from a neighbor concerning fireworks. Per Chief Soloe, there would be an officer on duty.
- Mr. Burmood read an email from Forks Fire Chief Chapman advising that no private fireworks permits would be issued by him for anyone in the areas under Forks Fire Coverage.
- Mr. Burmood also read an email from PSAB outlining that the Berwick Borough Landlord/Tenant Registration and Inspection Ordinance had been upheld under final appeal by the Commonwealth Court. He stated that we had requested a copy of the ordinance for comparison purposes.
- Mr. Zaboy stated that the trees at the park had been trimmed and present a much nicer appearance, and is much safer. He wanted to give kudos to Cuttery Tree Service.

**Secretary/Treasurer report**

- **Motion** by Carl Zito, seconded by Jack Fatzinger, to approve the minutes of the June 18, 2012, as presented. Motion carried unopposed.

## Mayor's Report

- Mayor Metzgar was not in attendance.

## Public Works Report

- Paul Zaboy, Jr. (PJ) stated that the wastewater treatment plant is doing well. The tiller has been working phenomenally, and has prevented both binding and weed growth. They have been tilling the sand filter weekly. Per the elder Mr. Zaboy, the tiller has worked out so well, the Borough may be able to postpone the very expensive replacement of the sand for several years. PJ advised that they are maintaining ponds 2 and 3 between four and four-and-a-half feet in depth. The aerators are working well. There was a DEP inspection last week, and the inspector was "very happy" with both the appearance and the operation of the plant, according to PJ. Additionally, plant operator Kevin Franks is also happy with both.
- PJ inquired about the mowing contract, specifically if it applied to the weeds along the wastewater treatment facility fence, because they have not been trimmed. Mr. Burmood was to review the contract and follow up.
- PJ stated that trimming was also lacking at other Borough properties, specifically the ball field. Ms. Hower and Mrs. Wenzelberger asked if we had the contract available for immediate review. Mr. Zaboy suggested that we not review the contract during a public meeting.
- PJ asked if the weeds between the sidewalks and the curbs were homeowner or Borough responsibility. Morgan Schafer, of 304 Old Easton Road, advised that the responsibility of the Borough is from the center of the street to the upper edge of the curb. Beyond that is homeowner responsibility. Mr. Mills advised that sounded correct.

## Police Report

- Chief Soloe had nothing to report. Mr. Zaboy asked to meet with Chief Soloe to discuss requests to be included in the new gaming grant application. Ms. Hower asked what the maximum grant was for. Mr. Zaboy stated \$50,000.00, but that only one application would be accepted per municipality.

## Zoning Report

- Mr. Soloe had nothing to report.

## Solicitor Report

- Mr. Mills stated that a recent Commonwealth Court decision may affect negotiating an extension with Waste Management for garbage and recycling collection. Mr. Asteak's recommendation was to initiate a full bidding process.
- Mr. Mills also advised that a new state budget amendment signed by the governor eliminated the collection of EIT as part of the NIZ. There has been discussion about the NIZ issuing a full accounting of the funds collected so far, and returning the EIT portion to the municipalities and school districts. Municipalities are in agreement and are withdrawing from the NIZ lawsuit. Mr. Mills passed along Mr. Asteak's request for authorization to withdraw from the NIZ lawsuit.
- **Motion** by Cindy Hower, seconded by Carl Zito, to authorize the Asteak Law Offices to formally withdraw from the NIZ lawsuit, provided that all EIT monies collected are returned to the Borough, along with a comprehensive accounting of all monies collected. Motion carried unopposed.

## **Agenda Items**

- Council was given a chart, prepared by Borough Treasurer Rosalie Mondello, of several local townships and boroughs. The chart compare the makeup of the municipal governing bodies and how much the members of those various bodies are paid, as well as the extent of their participation, including the number of meetings, committees, etc. Mr. Zaboy asked Council to review for future discussion.
- Mr. Burmood advised that Ms. Richard had suggested updating the Borough Personnel Handbook, by including language about performing background checks and drug tests for all Borough employees. Council agreed to consider, but had no objection.
- Mr. Zaboy asked if the SYA had considered the request for assistance to fund replacement of the ball field bleachers. According to Mrs. Wenzelberger and Ms. Hower, they had not held a meeting yet. Without the Mayor present, they were not prepared to fully discuss the matter. They did suggest using money from the Centennial Fund instead. They asked about the condition of the existing bleachers. Per PJ, the framework is "OK" and safe, but he would not say how much longer it would remain that way. The existing frames would need further maintenance, including sanding and repainting, and the railings needed to be replaced. Mrs. Wenzelberger asked how many man-hours had been spent on painting the bleachers. PJ responded that it took two laborers three days at 5-6 hours per day. Mrs. Wenzelberger commented that it should have been considered to replace the bleachers before this work had been done. Eric Wenzelberger asked why we don't remove the bleachers and let people bring their own chairs, like Forks Township. He also asked if anyone had ever fallen on or from the bleachers. He further stated that eh Centennial Fund monies had been earmarked for extending the Newhart Park pavilion, and asked how that money could be used to replace the bleachers instead. Council agreed not to decide on any purchase of new bleachers at this point, but Mr. Zaboy asked them to consider it as he hopes to move forward on this at the next meeting.

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

- Chrin is currently working on the signalization project, which includes the installation of ADA cutouts in the sidewalks. No work has been done at the interchange yet.
- Our Public Works was given time by the Chrin project manager to install a storm sewer pipe under the proposed new sidewalk cutout at the trailhead on the south side of Industrial Boulevard. During the installation, Public Works clipped a buried wire to the County streetlights. County Public Works Bridge Division sent out an electrician to repair, at no charge as no one had marked them pursuant to the PA One Call request.
- Ms. Hower asked when the county streetlight in front of her home was going to be replaced. Mr. Burmood was tasked to follow that up with County Public Works Bridge Division.
- Mr. Zaboy was to meet with the surveyor on July 3<sup>rd</sup> about the north end of the recreational trail.
- PJ advised that people are dumping yard waste down by the WWTP access road near the creek. He requested permission to install "No Dumping" signs, and mention the issue in the next newsletter. Per Mr. Zaboy, that is PPC property, not the Borough's. As such, we need to contact David Derstine before we can put up signs. Mr. Burmood was tasked with contacting David Derstine, of PPC, regarding the issue.
- Earl Kocher, of 302 Old Easton Road, requested a copy of the approved minutes. Heated discussion followed regarding the uploading of approved minutes on the website, versus when free copies would no longer be issued.

**Adjournment**

- **Motion** by Jack Fatzinger, seconded by Carl Zito, to adjourn the meeting at 9:46 pm.  
Motion carried unopposed.

The next regular meeting of Borough Council will be held on Monday, July 16, 2012 at 7:30 PM.

The foregoing were approved the 16<sup>th</sup> day of July, 2012.

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President of Council

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