

STOCKERTOWN BOROUGH COUNCIL

MINUTES OF JULY 6, 2011

THE BOROUGH OF STOCKERTOWN HELD A MEETING ON MONDAY, JULY 6, 2011, AT 7:30 PM AT BOROUGH HALL.

Attendance

- Councilors present were: Council President Ms. Amy Richard, Vice President Mr. Paul Zaboy, Mr. Jack Fatzinger, Mr. Carl Zito, Ms. Cindy Hower, and Mrs. Rosemarie Wenzelberger. Mr. Joe Gosnell was not present.
- Also present was Mayor Sherman Metzger, Charles Davis from Public Works, and Secretary Chris Burmood.
- Patrolman Vrabel was on duty to preserve the meeting.
- Police Chief/Zoning Officer John Soloe arrived at 8:00 pm.
- Solicitor Gary Asteak, Esq. arrived at approximately 9:00 pm.
- Of note, Mayor Metzger left the meeting at 9:55 pm.

Meeting called to order at 7:33 PM by President Amy Richard followed by the pledge of allegiance.

Public Comment

- Eric Wenzelberger, 111 Center Street, advised of receiving notice of a rate increase from PA American Water Company, and suggested a letter writing campaign requesting reconsideration.
- Earl Kocher, 300 Old Easton Road, expressed his dissatisfaction over the lack of response by the Borough Council and Public Works staff to the issue of rocks and stones left on Sullivan Trail (a state road) by construction vehicles and their encroachment onto his property. He indicated that he always sees Public Works vehicles parked outside the EMA building and other facilities, but does not see staff members actively working around the Borough. He stated his belief that the Borough needs a new Public Works supervisor and that taxpayers are not getting their money's worth. Ms. Richard responded with the observation that very few of council's efforts are acceptable to Mr. Kocher and that he might consider seeking office as a way to achieve results more to his liking.
- Ernie Bartholomew, 100 Hillside Avenue, advised of a public sale on Saturday, August 13, 2011, and requested permission to block the road between 7:00 am and 3:00 pm. Mr. Zaboy asked Mr. Bartholomew if he had barriers available to use. Ms. Richard advised that she would discuss the issue with Police Chief Soloe and contact Mr. Bartholomew on Thursday, July 7th.
- Mr. Kocher advised that Schmauder's Excavating of Wind Gap is having a public auction on Wednesday, July 13, with a jetter truck and water truck available for purchase.
- Morgan Schafer, 304 Old Easton Road, expressed that he was upset that "no one on council has apologized to the taxpayers for losing that asset", referencing the imminent demolition of Memorial Hall. Intense discussion followed regarding the condition of Memorial Hall at the time the lease had ended. Mr. Schafer blamed the council for not maintaining the building. Mr. Zaboy stated that the lessees were responsible for maintenance under the lease. Ms. Richard and Mr. Zaboy stated they believed no apology was necessary. Ms. Richard stated that the condition of Memorial Hall was in decline for many years as various organizations occupying the Hall reinvested minimally in its maintenance and up-keep. Additionally, had the council not maneuvered to purchase the property from the Liberty Hose in late 2004, (approximate cost of less than

\$59,000), it would have been foreclosed on and the Borough would own nothing on that street including the Emergency Services Building. Note of interest; there was no consensus or business plan at that time to justify the expenditures of a new roof, heating system, electrical upgrade, ADA compliance and sewer connection necessary to operate as a public facility.

Council Comments

- None

Secretary/Treasurer report

- Approval of Minutes of June 20, 2011
- **Motion** by Carl Zito, seconded by Paul Zaboy, to approve the minutes of June 20, 2011 as written. Motion carried unanimously.

Mayoral Report

- Mr. Metzgar advised that he had received several telephone calls regarding the Borough-wide yard sale. He stated the dates will be August 20 and 21, and asked if they could be posted in the newsletter.

Rails-to-Trails Update

- Mr. Zaboy advised that he had put in a request for information from design firms. The posting was scheduled to be online Thursday, July 7th, and had a submission date of July 18th.
- Mr. Zaboy then stated that he was no longer receiving assistance from many of the parties that had helped before. Ms. Sherry Acevedo had been injured and was on a limited work schedule, but was helping as much as possible.
- He advised that we currently have a good foundation from the preliminary trail design, and he will strive to keep the costs close to the original estimate of \$200,000.00.
- Mr. Zito asked if water run off in various locations was being addressed. Mr. Zaboy advised that swales and drainage piping are part of the design.
- Mr. Zaboy stated that the design cost cannot exceed 15-20% of overall trail cost.
- The State portion of the grant is \$100,000.00, which we are required to match. The County portion was \$29,000.00, which we are not required to match.
- Mrs. Wenzelberger stated that it was too much money for a mile of trail, and asked if we could do what we need to do with just the \$29,000.00 from the County, and return the \$100,000.00 state portion.
- Mr. Zaboy stated that it is premature to decide it is too expensive prior to having an approved design and cost evaluation.
- He also indicated that there is a 6 month process to obtain the required NPDES permit, and expected construction may not begin until next Spring.

Emergency Management

- Charles Davis submitted his letter of resignation as Emergency Management Coordinator. Ms. Richard read the letter.
- **Motion** by Paul Zaboy to accept Mr. Davis' resignation. Seconded by Mr. Zito. Motion carried unopposed.

Police Report

- Chief Soloe provided a breakdown of all police response in the Borough between January 1 and June 30, 2011 (See attached list).
- He introduced Mr. Nathan Correll to council as a prospective future police officer for the Borough. Mr. Correll discussed his interest in the Borough and surrounding areas. Chief Soloe recommended that Mr. Correll be considered for hire as a new officer.

- **Motion** by Ms. Richard to hire Mr. Correll. Seconded by Jack Fatzinger. Motion carried unopposed.
- Mr. Zito raised the issue of a large gentleman associated with the tattoo parlor, revving his motorcycle engine between 8:30 and 10:00 pm. Chief Soloe advised that (the person in question was approachable, and) he would follow up.

Zoning Report

- Mr. Soloe stated that the owner of Joshua Tree had advised him several weeks ago that a grinding service was due in within a couple weeks to handle the debris piles. The piles remain in place. Mr. Soloe stated he would follow up.
- Mr. Zito questioned Mr. Soloe about the issue of high weeds at the residence for rent/sale near Ms. Hower's home. Mr. Soloe advised that the real estate company has been contacted to address the issue. Mr. Zito also asked about the high weeds on the empty lot on Crown View.
- Mr. Kocher raised the issue of the Remodeling at Tony's Pizza and its impact on sewer EDUs, and that council should have some idea of how many EDUs the entire building should have been allocated and charged for. Mr. Soloe stated that this would only be the case had building permits been issued for the interior changes, which occurred several owners and decades before. Mr. Wenzelberger questioned the creation of a second business, specifically the tattoo parlor, at 104 Main Street with out an increase in EDUs, whereas homeowners were prohibited from similar projects.

Public Works Report

- We need to obtain prices on replacement sand for the sand filter at the WWTP. Mr. Davis stated he was unclear about the amount of sand needed. Ms. Richard suggesting obtaining prices based on 80 cubic yards.
- Mr. Zito stated that the bench at Christmas Tree Park was about ready to collapse, as pins had been removed. Mr. Davis stated that he was unaware of it, but would address it, now that he has been advised.
- Mr. Zito asked about weed spraying on Center Street. Mr. Schafer stated that a homeowner can spray his own property, but a public official requires certain licensing to spray.
- Mr. Zito also commented on the unmatched yellow safety paint for the no parking areas.

Solicitor's Report

- Former Fire Chief Catino was sentenced on July 1, 2011 to serve consecutive 15 month probation sentences and pay full restitution. Upon full payment, probation would end.
- Mr. Asteak advised he sent a sample engine brake retarder ordinance to Sean Dooley.
- There has been no further action on the Post Office Lease. Mr. Asteak recommended that the Borough settle for no less than the current rent amount, with cost of living/inflation increases over the life of the lease.

Agenda Items

- Ideas for submission for Gaming Grant funds:
 1. New chipper for Public Works - Mr. Davis & Ms. Richard
 2. New bucket truck for Public Works – Mr. Davis
 3. Park Pavilion expansion – Ms. Hower
 4. Handicap curbing and crosswalk installation on Main Street – Mr. Wenzelberger
 5. New computer equipment for Borough Hall – Paul Zaboy
 6. Security cameras – Paul Zaboy
- A spreadsheet compiled by Mr. Burmood comparing Radar Speed signs from four vendors was presented to council. Discussion ensued over costs of various power

options and different models. The council decided on the SpeedSentry 12 Solar by All Traffic Solutions in State College, PA.

- **Motion** by Paul Zaboy to purchase two solar powered units at a cost not to exceed \$6,500.00. Seconded by Mr. Fatzinger. Motion carried unopposed.
- Per Ms. Richard, Ed Behrens, of Vondercrone and Behrens, now wants to research all sewer bills from 2009 to look for cash discrepancies. Mr. Asteak questioned what our contract with Vondercrone and Behrens specified regarding the scope of the 2009 audit, and suggested that the firm be held to the terms of the contract, with all requested materials made available for inspection at Borough Hall. Mr. Asteak to follow up with letter to Vondercrone & Behrens.

Old Business

- Ms. Richard advised that an account has been set up with Visa Debit Card access for petty cash purposes with Merchant's Bank. Signers on the account are Ms. Richard, Mr. Davis, Ms. Mondello, and Mr. Burmood.
- Mr. Fatzinger indicated that the traffic lights project in Tatamy was nearing completion and the work on 191 in the Borough should commence soon. Mr. Zaboy asked that the Borough Office be notified in advance.

Adjournment

- **Motion** by Paul Zaboy to adjourn the meeting. Seconded by Jack Fatzinger. Motion carried unanimously at 10:03pm.

The next meeting of Borough Council will be held on Monday, July 18, 2011 at 7:30 PM.

The foregoing were approved the 18th day of July, 2011.

President of Council

Attest:_____