

**STOCKERTOWN BOROUGH COUNCIL  
MINUTES OF July 8, 2015**

THE BOROUGH OF STOCKERTOWN HELD A COUNCIL MEETING ON WEDNESDAY, JULY 8, 2015, AT 7:30 PM AT BOROUGH HALL.

**Attendance**

- Council Members present were: Council President Amy Richard, Vice President, Kathleen Zdonowski, Robin Davis, Joe Gosnell, Cindy Hower, Rosemarie Wenzelberger and Carl Zito.
- Mayor Charlie Davis and Borough Secretary/Treasurer Anita Caughy were present.
- Chief John Soloe and Officer Eric Schwab were present.
- Solicitor Gary Asteak was absent.

**The Meeting was called to order by Council President, Amy Richard, at 7:30 PM**

**Pledge of Allegiance**

**Council Comment**

- Amy Richard informed everyone that council members attended the opening of the Chrin Interchange which was very nice. She wanted to thank Mr. Chrin and the Chrin Family for their generosity and assistance with this massive project. Ms. Richard asked Council if they were agreeable to putting a thank you notice on the Borough's digital sign. All council members agreed. Ms. Richard stated that she has noticed that traffic on Main Street has subsided since the opening.
- Amy Richard also stated that she attended the Rod & Gun Club Youth Day. There were approximately 120 children enjoying the activities.
- Robin Davis reiterated what Amy Richard stated. Ms. Davis also advised council that she received a phone call from a neighbor complaining about a resident mowing his lawn at 10:15 PM. She questioned whether there was a noise ordinance against this. Chief Soloe stated that the noise had to be continuous for 15 minutes or more to violate the ordinance. Mrs. Davis stated that it is rude to other neighbors to be mowing at this hour of the night and it needs to stop.
- Carl Zito stated that the weeds need to be addressed around the borough building especially around the air conditioning units.
- Amy Richard stated that it was Mr. Fry's responsibility and she would address that along with the issue of dumping behind the WWTP. Robin Davis stated that Mr. Frey should be required to clean up what he dumped.
- Rosemarie Wenzelberger apologized to Carl Zito for her comment to him at the last meeting. She also stated that one of her neighbors has had parties in their garage until 1:00 AM and played loud music.

**Public Comment**

- Eric Wenzelberger once again brought up another handicap parking issue. He stated that since Mrs. Todora sent a letter requesting a handicap parking spot that he thinks Council should vote on whether she would be granted a spot. Ms. Richard

stated that there are not enough parking spots on Center Street to warrant holding one spot for an occasional 15 minutes of loading and unloading when Mrs. Todora keeps her car in her garage.

- **Motion** by Amy Richard, Seconded by Kathleen Zdonowski to deny Mrs. Todora's handicap parking spot. Vote went as follows: Motion carried.

	Yea	Nay	Abstain
Amy Richard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Robin Davis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rosemarie Wenzelberger	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cindy Hower	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Joe Gosnell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kathleen Zdonowski	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carl Zito	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### Secretary / Treasurer Report

- **Motion** by Robin Davis, Seconded by Kathleen Zdonowski to approve the Council Meeting Minutes of June 1, 2015 with corrections. Motion carried unopposed.
  - Under Public Comment, Sixth Bullet – Line three - change spot to “spots”.
  - Under Council Comments, Third Bullet – add quotes to “don't tell me about not paying taxes”
- Accounts Payable through July 8, 2015 was reviewed. Amy Richard pointed out the two invoices from the attorney regarding the DEP Appeal in the amount of \$7,025.40 and \$1,241.00. She also referred to the invoice from the Labor attorney in the amount of \$1,002.74 and stated they we still have not received a final answer on that matter. Robin Davis questioned why CoCo, Inc. was paid \$550.00. She was advised that he installed a new updated version of Quickbooks on the Borough computers.
- **Motion** by Joe Gosnell, Seconded by Carl Zito to approve Accounts Payable for the General Fund and Sewer Fund through July 8, 2015. Motion carried unopposed.

### Mayor Report

- Mayor Davis stated that he would no longer be able to attend the Bushkill Stream Conservancy because of health issues. Amy Richard asked Rosemarie Wenzelberger if she would attend as the alternate. Mrs. Wenzelberger agreed to attend the meetings.

### Police Report

- Chief Soloe read out the Call Service Report for the month of June. He stated there were 47 Traffic Summons issued, 22 Traffic Warnings, and 4 Motor Vehicle Accidents along with miscellaneous calls for a total of 97 for the month.
- Chief Soloe informed Council of the traffic blitz which was conducted by two of his officers in front of the Borough Office for vehicles blocking the intersection. Chief Soloe stated that notice had been posted on the Borough's digital sign for many weeks as well as the street signs.

- Chief Sole stated that Stockertown Police were recipients of the Monroe County Grant in order to purchase two new breath testers.
- Amy Richard stated that the Rod and Gun Club donated \$500.00 to Stockertown Police Department for their assistance with the Gun Club's Youth Day and requested a letter of appreciation be sent to the Rod and Gun Club. Chief Soloe advised that a new shot gun was purchased with those funds.

### **Zoning**

- Chief Soloe stated that the Shell Station has changed hands. There will be some minor changes there, but he does not have any paperwork at this time.

### **Public Works**

- A work performed outline prepared by Public Works Director, Alex Hennings, was distributed to council members.
- Amy Richard inquired as to whether the Stockertown Youth Association would be donating the basketball backboards, nets and rims for Metzgar Park. Eric Wenzelberger stated that they have not had a meeting to discuss the matter as yet.
- Nick Zingone of 218 LeFevre Road questioned what the white lines that are painted along his street and property were for. Amy Richard advised him that Public Works would be addressing the water issues. Mr. Zingone asked to speak with Alex of Public Works to better understand the plans.

### **Agenda**

- Amy Richard stated that a warning has been posted on the Borough sign warning of prosecution for dumping on the Borough trail. Robin Davis complimented the new benches and trash cans which were installed along the trail.
- Amy Richard read aloud the Conclusion from the feasibility study which was conducted by Hazen and Sawyer with respect to the DEP Appeal for the WWTP. The conclusion read as follows:

“As summarized in Section 1, the Borough has already attempted any affordable alternatives that might have allowed the WWTP to comply with its NPDES permit in winter, with no success. A significant plant upgrade – although not affordable to the customer base - would result in much more restrictive permit limits. Based on the draft permit limits provided by PA DEP in 2004 (Table 2-7), there are no feasible alternatives to undergo a significant plant upgrade and maintain the existing outfall on the Little Bushkill Creek.

If PA DEP relaxed its limits to be consistent with the DRBC BDT limits, the cost of an upgrade to reliably meet these effluent limits is estimated to be \$3.0 - \$3.5 million (Category 1 alternatives in Table 3-1). If the outfall would have to be relocated to the Shoeneck Creek basin, that would add about \$4.3 million as noted in Section 1, for a total project cost of approximately \$7.5 million.”

Amy Richard stated that the feasibility study is a repetition of what we have been telling the DEP all along.

- Amy Richard informed council that the Stormwater MS4 Waiver has been granted for 5 years at which time the Borough will have to re-apply. A \$2,000 fee will have to be paid.

- Amy Richard stated that the Rails to Trails project is officially finished. DCNR has completed their final walk through and were very pleased with the tranquil nature of our trail. The Final payment request of \$10,000 from the DCNR Grant will be submitted. It was asked whether any council members would like to arrange a dedication. No one offered to take on this task.
- The replacement of the Metzger sign in the park was discussed. Amy Richard suggested that the old sign be pulled out and replaced with a sign similar to those being installed at both ends of the trail. Amy Richard asked if all council members agreed to replace the Metzgar sign and install signs at both end of the trail which would all be uniformed. All Council members agreed.
- Amy Richard began to review the budget but was interrupted by Eric Wenzelberger who wanted to discuss a dedication for Metzgar Park. Amy Richard stated that she does not want to set a precedent. Ms. Richard stated that the park was dedicated in the Mayor's name and she thinks it should stop there. Robin Davis agreed and suggested to Mr. Wenzelberger that if he wanted to have a dedication and since the Mayor was the founder and such an active member of the Stockertown Youth Association that the SYA arrange for it and pay for it from their funds. Mr. Wenzelberger was not very receptive to that idea. Amy Richard asked how everyone felt about having a dedication. Carl Zito, Robin Davis, Kathleen Zdonowski and Amy Richard stated No. Joe Gosnell, Cindy Hower and Rosemarie Wenzelberger withheld an opinion.
- Amy Richard then began to review the **General Budget**. Ms. Richard pointed out that the income is above what was budgeted for many items for the year.

Income as of July 7, 2015	\$480,015.88
Budgeted Income for the year	\$536,506.85

Specific Expense items were discussed in the **General Budget**.

- Under Government Building Maintenance the amount spent is \$2,023.76 and budgeted amount was \$2,000.00. The amount is over due to the Post Office heating unit needing repair which was unforeseen.
- Under Labor Legal Services - \$10,941.65 is for the unfair labor practice suit from one of the officers after the union was dissolved. There is still no official resolution to that suit.
- All other items are well within the budget for the year.

Expenses as of July 7, 2015	\$248,433.28
Budgeted Expenses for the year	\$536,506.85

Amy Richard stated that the **Sewer Budget** looks good for the year. Items over are as follows:

- Under Special Legal Services \$28,424.60 has been expended for the DEP Appeal
- Under Permit Fees - \$2,065.00 for the MS4 Permit Waiver which was \$500 in previous years.

Expenses as of July 7, 2015	\$127,545.03
Budgeted Expenses for the year	\$210,150.00

**Rails to Trails Expenses** were discussed by Amy Richard.

The total amount expended including Grants received came to approximately \$450,000.00. The Borough's portion of that amount is approximately \$170,000.00.

Additional expenses which were specifically from the Tichy lawsuit were as follows:

URDC Expenses	\$ 5,088.00
Gary Asteak Legal Fees	<u>\$15,244.30</u>
Total Tichy Expenses	\$20,332.30

Labor Union Expenses which came out of the Borough investment money was in the amount of \$42,704.18. Amy Richard stated that the Borough could have done a lot with that money for the benefit of the residents.

### **Executive Session**

- **Motion** by Carl Zito, Seconded by Joe Gosnell to enter into Executive Session at 8:20 PM. Motion carried unopposed.
- **Motion** by Joe Gosnell, Seconded by Kathleen Zdonowski to exit Executive Session at 9:10 PM and enter into regular session. Motion carried unopposed.
- **Motion** by Joe Gosnell, Seconded by Carl Zito to terminate the employment of Officer Amal Brown. Motion carried unopposed.

### **Adjournment**

- **Motion** by Carl Zito, Seconded by Robin Davis to adjourn the Council Meeting at 9:13 PM. Motion carried unopposed.

The next regular meeting of Borough Council will be held on Monday, June 15, 2015 at 7:30 PM.

Council Meeting for June 15, 2015 was cancelled.

The foregoing was approved the **3rd** day of **August** , **2015**.

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President of Council

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