

# STOCKERTOWN BOROUGH COUNCIL

## MINUTES OF AUGUST 1, 2011

THE BOROUGH OF STOCKERTOWN HELD A MEETING ON MONDAY, AUGUST 1, 2011, AT 7:30 PM AT BOROUGH HALL.

### Attendance

- Councilors present were: Council Vice President Mr. Paul Zaboy, Mr. Jack Fatzinger, Mr. Carl Zito, Mr. Joe Gosnell, Ms. Cindy Hower, and Mrs. Rosemarie Wenzelberger.
- Mayor Sherman Metzgar was also present. Council President, Amy Richard was not in attendance.
- Additionally present were Michael Vargo, Esq. representing the firm of Gary N. Asteak, Borough Solicitor, Charles Davis and Paul Zaboy, Jr. from Public Works, and Secretary Chris Burmood.
- Patrolman Vrabel was on duty to preserve the meeting. Chief Soloe arrived mid-meeting.

**Meeting called to order at 7:30 PM by Vice President Paul Zaboy, Sr. followed by the pledge of allegiance.**

### Bid Openings

1. Mattiola Services, LLC – Skippack, PA	\$24,475.00
2. Bristol Environmental, Inc. – Bristol, PA	\$24,900.00
3. Penoco, Inc. – Pleasant Gap, PA	\$21,674.00
4. Sargent Enterprises, Inc. – Jim Thorpe, PA	\$13,800.00
5. R.L. Abatement, Inc. – Hopewell, PA	\$16,500.00
6. Plymouth Environmental Co. – Norristown, PA	\$19,000.00
7. First Capital Insulation, Inc. – York, PA	\$22,900.00
8. Prism Response, Inc. – Drums, PA	\$12,707.00
9. Crest Environmental Services Corp. – Reading PA	\$12,700.00

Mr. Vargo was detailed to review the three (3) lowest bids to determine if they were proper and complete. He agreed but recommended that the Council refrain from announcing the contract winner until Attorney Asteak had an opportunity to review all of the bids. **Motion**, by Carl Zito to accept low bid for asbestos abatement in Memorial Hall by Crest Environmental Services Corp. for \$12,700.00, provided the bids were complete and proper. Seconded by Jack Fatzinger. Motion carried unopposed.

### Public Comment

- Carl Zito, Jr., of 121 Center Street questioned whether to contact local police or State Police for parking complaints, specifically people parking over painted yellow lines. Mr. Zaboy advised to contact the local police to file a complaint. Mr. Zito then asked about a boat belonging to a non-resident, which has been parked in front of his home in public parking, for over a month. Mr. Zaboy stated that the Borough Police should investigate. Patrolman Vrabel agreed to follow up on the complaint.
- Eric Wenzelberger, of 111 Center Street, stated that parking on Center Street has always been an issue, and asked if there could be expanded parking around Center Street. Mr. Zaboy stated that due to line of sight restrictions and space required for certain commercial truck traffic in the area, parking along Center Street is currently at a maximum.

## Council Comments

- None

## Secretary/Treasurer report

- **Corrections to the minutes of the July 18, 2011 meeting:** typo in Public Comment section should be changed to “not in” from “no tin”; typo in Old Business section should be changed from “startgin” to “starting”. Additionally, Mr. Gosnell requested that his discussion of the marquee sign should include that other models available cost between \$20,000.00 and \$30,000.00.
- **Motion** by Carl Zito, seconded by Jack Fatzinger, to approve the minutes of July 18, 2011 with corrections as noted. Motion carried unopposed.

## Mayoral Report

- Mayor Metzgar reported that he missed the Bushkill Conservancy meeting due to being in the hospital. Mr. Zaboy asked the Mayor to advise Mrs. Wenzelberger when he is unable to attend, so that she may go in his stead.

## Public Works Report

- The jetting and video project by National Water Main Cleaning Company was completed. Copies of the report and DVDs are available in the Borough Office. Per Mr. Davis there were no observed cracks or leaks in the section examined. He stated that there was *one bad spot in Grant's yard. There is a sag in the sewer line, which had some grease build-up.* Additionally, there were stones in the lines down to Soopy's. Mr. Davis requested a copy of the measurements taken by National Water Main Cleaning be added to the “as-builts”. Mr. Davis also recommended replacing the sagging section in Grant's yard. The overall survey conducted by National Water Main Cleaning found two spots for concern, which Public Works will follow up on. Mr. Davis stated that all of the sewer lines were determined to be 6” pipes, with no 8” pipes anywhere, despite the original build specs. Mr. Davis also requested comprehensive sewer plans for Long's Development. He was advised that the plans are likely non-existent.
- Mr. Davis stated that there are some electrical deficiencies at the Wastewater Treatment Plant. He advised that the breaker, wiring, and conduit for the influent and effluent pumps need to be replaced and upgraded due to the increased electrical load. Mr. Kocher suggested that they be placed on sequential circuits so they don't both come on simultaneously following a power outage or surge.
- Mr. Zito asked about road patching on Center Street. Mr. Davis responded that they had patched areas on Center Street and on Commerce Way. Mr. Zito offered to spray paint pothole and other depressions on Center Street. Mr. Davis advised that it would be helpful.

## Police Report

- Chief Soloe advised that Patrolman Trainee Correll had undergone all of his physical fitness and psychological evaluations, and that we are waiting final results from Municipal Police Officers' Education and Training Commission.
- Chief Soloe also advised that he had been in negotiations with representatives at Dick Milham regarding the purchase of a new police interceptor vehicle for the Borough, utilizing the 2010 Northampton County Gaming Grant Proceeds and a partial contribution by the Borough. He has settled on the current Ford Explorer police interceptor model, and has negotiated the price down from \$40,480.00 to approximately

\$34,000.00 through the Co-Stars purchasing program. Mr. Zaboy confirmed that the unit will be in service for the Winter Season.

### **Zoning Report**

- Mr. Soloe advised he is taking care of Mr. Long's LLC up on Crown View, with the weeds, but is awaiting a response.
- Per Mr. Zaboy, Mr. Davis had requested "as-builts" for Long's Development, and asked if they were available. Mr. Soloe stated he has some plans but can not confirm their accuracy. Had Al Kortze (of Keystone Consulting Engineers) been involved in the project from day one, everything would be located per the plans. Mr. Zaboy stated that East Penn had been the civil engineering firm. Mr. Soloe indicated that the placement of infrastructure may not be entirely accurate.
- Mr. Zito asked about weeds along the curbing and sidewalks. There was discussion about whose responsibility it was to take care of weeds growing in the cracks between the weeds and curbs, the Borough or individual homeowners. It was reiterated that if the Borough was to be responsible, Borough personnel would be mandated to undergo training and licensing in order to spray for weeds, due to federal and state legislation. There was also discussion about getting a tar buggy and doing a tar strip along the curb/asphalt border. The discussion was tabled for a future meeting.

### **Solicitor's Report**

- Mr. Vargo stated that the Crest Environmental bid and the other two low bids appeared to be in compliance. Mr. Vargo reiterated his recommendation that the Borough announce the awarding of the contract until Mr. Asteak had the opportunity to double check his work. Mr. Gosnell advised that the Borough was paying Mr. Asteak's firm for Mr. Vargo's representation and expertise and suggested that the Borough may not desire to pay for the services provided twice. Council elected to move forward and award the contract to Crest Environmental Services Corporation, as per vote following Mr. Zito's motion.
- Mrs. Wenzelberger asked what further expenses were going to be involved in the demolition of Memorial Hall. She was advised that there should be no further expenses incurred. She stated for the record that she expected no future suggestion of the Borough selling the property.

### **Agenda Items**

- Mr. Zaboy put together two grant proposals/applications. One for the computer and server project for Borough Hall and the EMA Building, and one for the security camera project for the same facilities. However, per his telephone conversation with Alicia Karner, the only possible way to submit applications is if the grant proposals are directly related to gaming or casino functions, and county counsel had passed a resolution in support. As such, the grant applications were not submitted.

### **Rails-to-Trails Update**

- Mr. Zaboy sent an email to those council members who had expressed an interest in assisting in going through the design firms' letters of interest. He received no replies. Ms. Hower stated she was expecting a telephone call. Mr. Zito did not receive the email, as Mr. Zaboy did not have Mr. Zito's proper email address. Mrs. Wenzelberger suggested tabling the decision until all council members received copies of the letters of interest and reviewed them. Mr. Zaboy stated that per Mr. Asteak, if more than 3 council

members were involved, they would have to hold an open meeting and advertise it first. Mrs. Wenzelberger reiterated her desire to table the matter until all materials were copied and disseminated to council. Ms. Hower agreed to table the matter. Mr. Zaboy explained that council had previously approved the process and pursued the grant funding. The Borough has already received the grant money. Mr. Zaboy advised that penalties may apply if the project does not move forward. The Borough has already received an extension from DCNR to choose a design firm and proceed. Additionally, if we return grant money, we may not be eligible for future grant funding.

- Mr. Zaboy advised that he had selected Urban Research & Development Corporation, a firm in Bethlehem, to do the design. URDC had done the preliminary design, and had worked on neighboring trail projects.
- **Motion** by Jack Fatzinger, seconded by Joe Gosnell, to accept URDC as the Rails-to-Trails design firm. Votes for: Mr. Zaboy, Mr. Fatzinger, Mr. Gosnell, and Mayor Metzgar. Votes opposed: Mrs. Wenzelberger, Ms. Hower, and Mr. Zito. Motion carried.
- Mr. Wenzelberger expressed his concern about safety at the northern terminus of the trail, specifically no crosswalk across Route 191. He was advised again that PennDOT regulations prohibit crosswalks on state highways in rural or semi-rural settings for liability reasons.

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

- First budget meeting of 2011 will take place at 7:30 on Wednesday, August 17, 2011 to review year-to-date and expected expenditures.
- PA Water Rescue requested permission to conduct a coin-toss fundraiser at the traffic light on Saturday, August 6, from 8:00 am to 3:00 pm. **Motion** by Carl Zito, seconded by Jack Fatzinger, to allow the fundraiser to proceed as requested. Motion carried unopposed.
- Mr. Fatzinger advised that Chrin wants to begin the traffic light project late summer/early fall, and the plan includes traffic lights and handicap curb cuts. Mr. Fatzinger stated that Chrin wants the Borough to issue a letter to the editor backing the interchange project. Council declined to provide such correspondence.

#### **Adjournment**

- **Motion** by Carl Zito to adjourn the meeting. Seconded by Jack Fatzinger. Motion carried unanimously at 9:34 pm.

The next meeting of Borough Council will be held on Monday, August 15, 2011 at 7:30 PM.

The foregoing were approved the 15<sup>th</sup> day of August, 2011.

---

President of Council

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