

**STOCKERTOWN BOROUGH COUNCIL
MINUTES OF AUGUST 20, 2012**

THE BOROUGH OF STOCKERTOWN HELD A MEETING ON MONDAY, AUGUST 20, 2012, AT 7:30 PM AT BOROUGH HALL.

Attendance

- Councilors present were: Council President Amy Richard, Council Vice President Paul Zaboy, Sr., Mr. Carl Zito, Mr. Jack Fatzinger, Mr. Joe Gosnell, Ms. Cindy Hower, and Mrs. Rosemarie Wenzelberger.
- Mayor Metzgar was in attendance.
- Attorney Steven Mills was in attendance on behalf of Borough Solicitor Gary Asteak, Esq. Police Chief/Zoning Officer John Soloe, Acting Public Works Supervisor Paul Zaboy, Jr., and Secretary Chris Burmoor were present.
- Patrolman Vrabel was present to preserve the order.

Meeting called to order at 7:36 PM by Council President Amy Richard, followed by the pledge of allegiance.

Public Comment

- Earl Kocher, of 302 Old Easton Road, asked about the cancelled Budget meeting for August 15th. Mr. Burmoor neglected to post a sign indicating that the meeting had been cancelled by full agreement of Council.

Council Comments

- Ms. Richard read a letter of resignation by Councilman Jack Fatzinger, effective September 6th.

Secretary/Treasurer report

- **Motion** by Paul Zaboy, Sr., seconded by Jack Fatzinger, to approve the minutes of the August 6, 2012 meeting, with corrections, as noted below. Motion carried unopposed.
 - On page 2, the last line under second bullet point in Solicitor Report, change "bud" to "bid".
 - On page 4, end of first line and beginning of second line of fourth bullet point under New, Old, or Unfinished Business, cont'd prior to Executive Session, redact "fund grant" as redundant.
- **Motion** by Paul Zaboy, Sr., seconded by Carl Zito, to approve the General Fund and Sewer Fund payables for August as presented. Motion carried unopposed.

Mayor's Report

- Mayor Metzgar advised that the borough picnic took place on August 11, 2012. It was a beautiful day, and approximately 80 people attended.
- The mayor advised that he would attend the Bushkill Stream Conservancy meeting scheduled for August 21st.

Public Works Report

- Paul Zaboy, Jr. (PJ) extended his gratitude to Council for approving his 10 days of consecutive paid time off (PTO), for the birth of his daughter.
- During PJ's vacation, Charlie Davis was brought in temporarily to supervise Public Works. Scott Deribin and Rich Wager were brought on board temporarily, and accomplished a lot of tasks.
- The wastewater treatment plant is working very well. The pump in the UV filter building broke down and was taken care of by Mr. Davis and Public Works personnel. Ms. Richard asked if the sand filter had been tilled earlier in the day, and was advised it had been.

Police Report

- Chief Soloe read the monthly police log, which included 73 calls, and 1452 miles driven. Paul Zaboy, Sr. inquired about 911 hang up calls. Chief Soloe advised that most were by cell phones. Ms. Richard asked about projectiles in the 600-700 blocks of Main Street. The Chief advised there were no new complaints, and that the gun club had "beefed up" the backstop.

Zoning Report

- Mr. Soloe had nothing of consequence to report. Mr. Zito asked if anything had been done about the weeds at 316 Main Street. Per Mr. Soloe, a letter had been sent that day. Ms. Richard asked about the status of Widow's Tavern. Mr. Soloe advised that he is taking care of it.

Solicitor Report

- Mr. Mills advised that the Notice to bid for the garbage contract had been sent out and advertised.
- According to Mr. Mills, Mr. Asteak will be looking into the ongoing issue with Fry's Four Seasons regarding the trimming. Mr. Asteak had just been provided with copies of all of the correspondence top Fry's on the issue.
- Ms Richard discussed the tree removal proposal submitted by Sean Dooley, of LeFevre Road, and asked what the Borough's liability would be. Mr. Dooley had asked for financial assistance with pruning an Ash tree on LeFevre Road. He also asked if he could have Borough approval for removal of four English Walnut trees on the joint Dooley/Borough property line. Mr. Dooley also requested permission to fell three of those trees himself onto Borough property, with promises to repair any lawn damages. He also requested Borough Public Works assistance with removal of the four stumps. With respect to the Ash tree, Paul Zaboy, Sr. advised that any trees in the right-of-way are the property owner's responsibility, not the Borough's. **Motion** by Paul Zaboy, Sr., seconded by Joe Gosnell, to allow Sean Dooley to cut down the English Walnut trees along the joint property line during the Winter, with Public Works to assist in stump removal, provided that the trees are verifiably on the property boundaries. Motion carried 6-1, with Mr. Fatzinger the lone dissent vote.
- Ms. Richard advised that the Aflac additional coverage payments issue would be tabled until another time.

Agenda Items

- Mr. Burmood presented a table with recent heating oil prices form several local companies. He explained that given our three year average usage, the Borough really didn't require a "budget" plan or a locked in price plan, as we would only need one delivery to provide for the full year's needs. Council agreed to continue purchasing heating oil from Farm & Home when we need it. As for the diesel tank, PJ stated we can no longer use that, due to a bacteria which has infiltrated the diesel fuel. He recommended tank removal as the most cost-effective solution.

Agenda Items, cont'd.

- Ms. Richard advised that a couple weeks prior, Mr. Fatzinger discussed asking around to various persons and companies about any interest in contributing donations for an electronic sign. She asked Mr. Fatzinger to wait until she had heard from Mr. Asteak whether that could be done. Mr. Asteak simply responded to Ms. Richard's query with a "yes". Mr. Fatzinger then contacted a variety of people, including Mr. Asteak, to see if anyone would consider donating. Mr. Asteak contacted the Borough office about this, indicating that this put him in an awkward position. Ms. Richard suggested setting up an account prior to actual collection of any monies. Mr. Zaboy inquired about the ethical conflict of asking entities that contract with the Borough for donations. Mr. Mills indicated that it posed a potential conflict and may be inappropriate. Mr. Mills also stated his belief that there should be no ethical conflicts in asking businesses located in the Borough. **Motion** by Carl Zito, seconded by Jack Fatzinger, to continue seeking donations for the electronic sign, without restrictions. Motion failed 2-4, with Mr. Zito and Mr. Fatzinger the only "Yea" votes. **Motion** by Paul Zaboy, Sr., seconded by Joe Gosnell, to allow for the solicitation of funds for the electronic sign, excluding appointed or contracted providers of services to the Borough, and include the setting up of a fund and requisite bank accounts for this limited purpose. Motion carried 4-3, with Mrs. Wenzelberger, Mr. Zito, and Mr. Fatzinger casting dissenting votes.
- Ms. Richard tabled discussion of contracting with drug-testing companies.
- The new bleachers were expected to be shipped on or about August 28. The Borough will seek proposals for installing concrete slabs or strips. Serfass construction has already been consulted. Soopy's Concrete to be contacted to determine if any interest.
- Ms. Richard asked about the greenhouse Quonset for the sand filter, specifically if all the parts are there and if the Borough can get rid of them. Mr. Zaboy suggested scrapping the parts.

New, Old, or Unfinished Business

- Further discussion of the Personnel Handbook was tabled for the next meeting.
- The original approval for the time clocks was for one unit with a cap of \$600.00 to include appropriate software. Ms. Richard was able to purchase a biometric unit for the EMA building and a punch code unit for the office, with software, for \$665.00. Council agreed that this was an acceptable purchase.
- Mr. Gosnell advised that a couple weeks ago, when he let his dog out, he observed a dead kitten. The next day, he observed a dead groundhog. Neither appeared to have traumatic injuries. A neighbor had advised that someone up the block had been putting out poison for stray cats. Mr. Soloe advised that poisoning animals is a criminal offense. Mr. Gosnell's neighbor also advised that he had been finding snakes.
- Mr. Gosnell discussed the crosswalk at Main and Grant, specifically the tripping hazard posed by the raised edge. He also stated that the residents and landlord of 403 Main had asked about the stoppage of the signalization project. Mr. Gosnell was advised that the timetable for that is up to PennDOT and Chrin, and that the Borough has no input or control.
- Mr. Gosnell asked if the State Street extension could be graded differently. Due to the placement of the manhole, it cannot. He also asked about the hedge trimming along the extension. While the Borough has trimmed the hedges in the past, it is the property owner's responsibility.
- Mr. Gosnell also asked if the Borough had a deal with the Nazareth library. Per Mr. Zaboy, the Nazareth Library changed several years ago to a per capita charge process, and wanted \$11,000.00 from the Borough, regardless of how many or how few Borough residents used the library's services. Non-residents can pay for library privileges in Nazareth, but they do not get the "Access" card for use at other libraries.
- Mr. Kocher requested a copy of the minutes, if not available on the website.

Adjournment

- **Motion** by Paul Zaboy, Sr., seconded Carl Zito, by to adjourn the meeting at 8:53 pm.
Motion carried unopposed.

The next regular meeting of Borough Council will be held on Wednesday, September 5, 2012 at 7:30 PM.

The foregoing were approved the 5th day of September, 2012.

President of Council

Attest: _____