

THE BOROUGH OF STOCKERTOWN HELD A MEETING ON MONDAY, OCTOBER 18, 2010, 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, Mr. A. Joseph Gosnell, and Mrs. Rosemarie Wenzelberger.
- **Also present:** Mayor Sherman Metzger, Police Chief/Zoning Officer John Soloe, Patrolman Joe Vrabel, Public Works Dept. Paul Zaboy Jr., Planning Commission Members Sean Dooley and David Danner and Solicitor Gary Asteak.
- There were sixteen additional people in the audience.

The meeting was called to order at 7:30 PM by President Amy Richard followed by the Pledge of Allegiance.

Public Comment

- **Sean Dooley** – Mr. Dooley would like Council to be proactive in addressing the situation of weeds and grass coming up through the sidewalks.
- **Marguerite Obulaney** – Ms.Obulaney (601 Main St) explained there is a berm in front of her house and she is getting water from the gas station across the street. The State put a crown in the street but it made the water situation worse. Ms. Obulaney had to replace her whole basement wall this summer due to damage from the summer rain. She asked if Council could address the problem with the State (PennDOT). Council gave the assignment to Jack Fatzinger.
- **Joyce Marakovits** – Inquired about when the Route 33 construction would be complete. Council does not know when the State will be done with the project.

Memorial Hall Public Comment

- **Sean Dooley** – Mr. Dooley made several points regarding the future of Memorial Hall. Sean noted the following:
 1. Do not sell the property he noted the school as an example.
 2. Building new will not be cheaper than restoring.
 3. Council should verbalize their vision for the future.
 4. Razing the building will cost approximately \$50,000 plus.
 5. It is very difficult to remediate mold. The building is closed up and not getting enough air which will promote mold growth.
 6. Council continues to have costs associated with the structure, such as, insurance.
 7. It would cost approximately \$30,000 to \$40,000 to stabilize and restore the roof until a plan is put into place.
 8. If Council does not act now they could loose everything.
- **Councilor Jack Fatzinger** – Mr. Fatzinger noted rehab cannot occur unless there is a use.

- **Councilor Carl Zito** – Mr. Zito agreed with Sean Dooley and noted Stockertown is the only town that does not have an historical building. Volunteers could run the building and a box could be put out in front of the building for donations.
- **Councilor Paul Zaboy** – Mr. Zaboy noted the idea to use the building for a community-based activity is admirable. The Council held a meeting over a year ago and there were many ideas at that time for the building. In the 15 to 16 month time frame, the building has further deteriorated and no one has come forward to take on the project.
- **Councilor Rosemarie Wenzelberger** – Ms. Wenzelberger noted due to insurance purposes people were locked out.
- **Paul Zaboy Jr.** – Mr. Zaboy Jr. noted the building is mold central. **Robin Davis** a former Councilor confirmed his comment.
- **Councilor Paul Zaboy** – Mr. Zaboy noted there has not been a heating system in the building since it was shut down.
- **Council President Amy Richard** – Ms. Richard explained after the 2009 meeting she expected someone to come forward to take on the project. To date this has not happened.
- **Brenda Butz** – Ms. Butz noted when she was at the last meeting she asked where are you going to get this kind of money to rebuild. The Borough has to have money before going into debt. It will end up on the taxes to refurbish the building.
- **Councilor Jack Fatzinger** – Mr. Fatzinger used to belong to the club and it was great. There has to be a use established before refurbishing could be started.
- **Councilor Paul Zaboy** – Mr. Zaboy noted it has been four years since the building had any use. The Borough had to put money into it in order to get it insured.
- **Joyce Marakovits** – Ms. Marakovits wanted to know what the objection is to selling the property.
- **Council Paul Zaboy** – Mr. Zaboy noted the purchaser would probably raze the building and then a whole block of real estate would be lost. The real estate needs to be kept for the future.
- **Sean Dooley** – Mr. Dooley noted selling is an option that needs to be discussed. He further noted we as a community might not know what the land could be used for in the future. The Borough could tear it down and preserve the land for the future.
- **Council President** – Ms. Richard noted a restaurant did come in and looked at the building but wanted it after it was renovated.
- **Minnie Betz**- Ms. Betz noted the town needs a bigger place for Christmas and Halloween parties. The Rod and Gun Club is used now and it is not big enough. A community center is needed and there could be many uses for the center, such as, renting it out, bingo, etc. She asked if a community center would be built if the building is taken down.

- **Councilor Paul Zaboy** – Mr. Zaboy noted the corner stone of the building would be saved. The Council may put it back in the building or do something honorable with it. Everyone has to realize it is going to be a considerable amount of dollars to take down, renovate, or rebuild.
- **Council President Amy Richard** – Ms. Richard has significant ideas for the property. A high rise for senior citizens could be built with a community center in the building or a municipal complex could be built in phases.
- **Councilor Paul Zaboy** – Mr. Zaboy is also thinking about a new Borough Hall. More room is needed for activities, the Zoning records should not be out in the open, a social hall, and emergency area could be added. The plan could be done over an extended period of time.
- **Council President Amy Richard** – Ms. Richard noted the post office wants to expand and there is not room for the expansion. The current building could be rented out.
- **Councilor Paul Zaboy** – Mr. Zaboy noted grants or a bond issue could fund the project.
- **Robin Davis** – Ms. Davis opinion is to take down the building and save whatever can be saved. Put a small park there for now. It will take ten to fifteen years before a new building would be built in this economy.
- **Councilor Jack Fatzinger** – Mr. Fatzinger inquired if Council wanted preliminary sketches of a building. **Council President Amy Richard** replied not yet when we get to that point.
- **Councilor Joseph Gosnell** – Mr. Gosnell noted the first and most logical step is to raze the building. The cost of razing the building is a drop in the bucket compared to refurbishing it.

The residents present were asked to raise their hand if they were in favor of razing the building. Ten residents were in favor. One resident was opposed.

- **Council President Amy Richard** – Ms. Richard noted the appraised land value without the building was \$125,000. The appraisal was done in 2009.

The money to raise the building will come from existing funds not the raising of taxes.

Council President Amy Richard noted the razing will have to go out for bid. The high-end estimate excluding asbestos removal is \$45,000. There is asbestos in the floor tiles and possibly in the underground pipe. The salvage on the property will be the property of the contractor razing the building.

Councilor Rosemarie Wenzelberger – Would like assurance if the building is raised another building housing a community center will be built in its place.

It was noted a new building is the desire of several council members but a guarantee cannot be given. The current economic times affect revenues and the Council does not want to see the tax rate increase.

Amy Richard made a motion to move forward with the razing of Memorial Hall. Paul Zaboy seconded the motion. The motion passed by unanimous vote.

- **Council Comments**
There were no Council Member comments.

Secretary/Treasurer Report – Jane Mellert

- **Approval of the October 4, 2010 minutes**

A motion was made by Paul Zaboy and seconded by Joseph Gosnell to approve the October 4, 2010 minutes. The motion was carried by unanimous vote.

- **2011 Budget Meetings** – The third 2011 Budget Meeting will be held on November 10, 2010.
- **Correspondence – None**

Mayoral Report – Sherman Metzgar

1. Halloween Party is this Sunday from 2-4PM at the Rod and Gun Club. Trick or Treat is on October 31st from 6-8PM.
2. The Memories of Stockertown Book should be done on Thursday. Amy Richard noted the hours the Memories Book can be purchased will be posted. A schedule will be set up with Council Members taking shifts. The Halloween Party for adults and children will be held on October 24th from 2-4 PM at the Rod and Gun Club.

Solicitor’s Report – Gary Asteak

1. **Univar USA Minibulk – Solicitor Asteak** reviewed the Univar Sales Agreement. Mr. Asteak explained the tanks for the chemicals would be provided at no charge if the Borough purchases the chemicals through Univar. The agreement is ready for signature. Paul Zaboy noted the agreement is for the Waste Water Treatment Plant chemicals for the removal of ammonia from the sewer plant final product. The chemicals are for the Chlorination/Dechlorination pilot project, which is being done to meet the State requirements.
2. **PA Department of Revenue – Solicitor Asteak** read from a letter from the Pennsylvania Department of Revenue regarding a decision made by the appeals board. Council President Amy Richard sent in an appeal requesting the removal of penalties filed against the Borough in the late filing of payroll taxes by the former Borough Secretary. The penalties will be removed and only the taxes and interest must be paid. Mr. Asteak highly credited Ms. Richard for her work. Ms. Richards reported there are four additional appeals with the Internal Revenue Service.
3. **Eileen Devery vs. Borough of Stockertown – Solicitor Asteak** reported to Council a lawsuit regarding a sewer hook up was received. An executive session will need to be held in order to discuss the issue.

Engineer’s Report – Al Kortze, Keystone Consulting Engineers

There was no report for the meeting.

Public Works Report - Charles Davis

Charles Davis was not present.

WWTP Report – Charles Davis

Charles Davis was not present.

- **Breakpoint Chlorination/Dechlorination Project**

Paul Zaboy Jr. gave an update on the progress of the site preparation for the Chlorination/Dechlorination pilot project tanks. A checklist was previously compiled for the project. Paul Zaboy noted he requested three foot of asphalt around the tanks as in the scheduled lay out. Council discussed the project.

Emergency Management Administrator – Charles Davis

- No report

Police Report – Chief John Soloe

- **Buckle Up PA Grant - Chief John Soloe** reported to the Council the Buckle Up PA Grant approval was received. There will be additional patrol hours two weeks before Thanksgiving and in the spring. Tickets will be given for not wearing seat belts. There will be a zero tolerance level for people not buckled up.
- **Chief Soloe** reported that last Monday a person was hit by a tractor-trailer in the parking lot going back to Mayflower. A person was medi-vaced out and there were traffic problems related to the accident.

Fire Service Report – Charles Chapman, Chief Forks Fire Dept

- **August and September Reports were submitted.**

Planning and Zoning Reports – Sean Dooley, Planning Commission Chairman

- The draft Parks and Park Event/Meeting Reservation Application is in the review process.

Zoning Officer – John Soloe

- A report was not submitted.

Old Business

- **Northampton County Gaming and Economic Redevelopment Authority – Council** President Amy Richard reported four grants were applied for last week under the Northampton County Gaming revenue from Sands Casino. A grant for a police car, truck, and other items were applied for and it took time to compile the applications.
- **Rails to Trails Project – PennDOT** will hold an all day seminar in their Allentown office on rails to trails issues as they relate to PennDOT in November. Paul Zaboy and Sherman Metzgar plan to attend the PennDOT meeting.
- **Amended Water Shut-Off Agreement between Pennsylvania American Water Company and the Borough of Stockertown Update –** The Agreement was signed and mailed back to the water company for signatures. A return copy has not been received.
- **Polymer Products Company Easement –** The easement agreement was sent to Polymer Products regarding the right of way to the sewer plant. Amy Richard still does not have the signed agreement. Ms. Richard will make contact with Mr. Derstine.

New Business

- **PSAB Letter dated September 29, 2010 - House Bill 1231 Firefighter Workers' Compensation Cancer Bill**

Paul Zaboy made a motion to send a letter in support of PSAB concerns. The definition for the compensation of the Firefighter Workers' Compensation for cancer is too broad. The motion was seconded by Carl Zito and passed by unanimous vote.

- **Stockertown Borough Fee Schedule –** At the last meeting, a change was requested and made for the Water Termination Loss of Revenue Fee on page 13 item number 300.11. There

is no amount listed because it is a variable amount. The fee is for each day the water is shut off. The fee is calculated as 20 percent above the PA Water Company's daily revenue loss charge. If a residents, water is turned off charges of \$50 for Delinquent Sewer Account Notification and \$50 for a Water Termination Processing Fee will apply as well as approximately \$6 per day until the water is turned back on.

The Council discussed the steps in turning off the water and if the bill remains unpaid placing a lien on the property.

A motion was made by Joe Gosnell to change the Water Termination Loss of Revenue Fee on page 13 item number 300.11 to a fee calculated at 20 percent above the PA Water Company's daily revenue loss charge. The motion was seconded by Carl Zito and passed by unanimous vote.

Future Agenda Items

- **PennDOT** – Jack Fatzinger will contact PennDOT regarding issues he is working on.

Executive Session

A motion was made by Joseph Gosnell to enter into an Executive Session at 8:36 PM regarding the lawsuit titled Eileen Devery vs. Borough of Stockertown. The motion was seconded by Cindy Hower and passed by unanimous vote.

A motion was made by Joseph Gosnell to exit the Executive Session at 8:56 PM. The motion was seconded by Carl Zito and passed by unanimous vote.

2011 Budget

- Treasurer Jane Mellert distributed account balance reports for the General Fund, Highway Aid, Sewer Fund, and Recreation Fund, to the Council and Mayor.
- Quickbooks actual reports, Excel budget summary information, and Excel detail breakdowns were reviewed at the meeting for parks, culture, Police Department, Emergency Management, Fire Services, General Government, and Public Works.
- It was noted some of the listed items for parks could be paid for out of the Recreation Fund.
- Hours for some of the employees may be scaled back for 2011.

Police Department Budget

- As per the last budget meeting, the heating oil, electric, water, and building maintenance will have the following breakdown for 2011.
 1. **Police 45%**
 2. **Public Works 45%**
 3. **Fire 5%**
 4. **Emergency Management 5%**

It was noted Chief Soloe believes the percentage of utilities for the Police Department is too high.

Waste Water Treatment Plant

- Treasurer Jane Mellert handed out an up to date Statement of Revenues and Expenditures In Comparison To the Budget Report for the Sewer Fund.

Public Works Department

Charlie Davis was absent from the meeting.

- Utilization of equipment maintenance schedules were discussed for the Road Department equipment. Council members voiced concerns about not wanting to raise taxes to purchase another truck. It was noted the Borough applied for a grant to purchase a new truck. The Borough would share in the cost by funding a new chassis for \$15,530. Options for snow plowing were discussed. The Road Department has quote of \$13,164.00 for a Yamaha UTV with hydraulics. Trading in the crew cab pick-up was also discussed.

A motion was made by Joseph Gosnell to enter into an Executive Session at 10:51 PM regarding personnel. The motion was seconded by Carl Zito and passed by unanimous vote.

Adjournment

- **A motion was made by Joseph Gosnell to adjourn the meeting at 11:06 PM. The motion was seconded by Carl Zito and passed by unanimous vote.**

Council will hold a 2011 Budget and continuing business meeting on Wednesday, November 10, 2010 at 7:30 PM.

The next regular meeting of Borough Council will be held on Monday, November 1, 2010 at 7:30 PM.

Respectfully Submitted,

Jane A. Mellert, Secretary
Borough of Stockertown