

THE BOROUGH OF STOCKERTOWN HELD A MEETING ON MONDAY, SEPTEMBER 20, 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 Director Charles Davis, Public Works Dept. Paul Zaboy Jr. and Solicitor Gary Astek.
- There were three 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

- **Morgan Shafer – 1.** Asked about the fence at the sewer plant being removed. **2.** Asked why the equipment was taken off the fire truck in the Emergency Management Building. The equipment was stripped by Forks Fire Company in preparation for the engine to be sold.

Council Comments

- **Jack Fatzinger – 1.** Mr. Fatzinger would like a meeting set up with PennDOT to discuss Borough issues. **2.** Mr. Fatzinger is still working with Ed Karch regarding the building located on the Karch property on Commerce Way.
- **Paul Zaboy – Rails to Trails –** Mr. Zaboy noted he has been hoping to get information from Sherry Acevedo in order to move forward with the design phase of the trail. Ms. Acevedo has been busy with conferences.

Secretary/Treasurer Report – Jane Mellert

- **Approval of the September 8, 2010 minutes – A motion was made by Paul Zaboy and seconded by Joseph Gosnell to approve the September 8, 2010 minutes. The motion was carried by unanimous vote.**

The August 2, 2010 minutes are in the process of be revised and will be forwarded to the Borough Council and Mayor in the near future.

- **Trick or Treat –** The Secretary of Tatamy Borough called regarding the date and time for Trick or Treat in the Borough of Stockertown. Palmer Township set the date of October 31st from 6-8PM. Tatamy will probably set the same date and time.

Paul Zaboy made a motion to set the date of October 31, 2010 from 6-8PM for Trick or Treating. Jack Fatzinger seconded the motion and it passed by unanimous vote.

It was noted signs should be posted at both ends of town so traffic slows for the Trick or Treaters.

- **Correspondence**

1. **PPL Account #27180-23004 Tax Exemption Affidavit** – A letter and the Tax Exemption Affidavit were received from Pennsylvania Power and Light on September 20, 2010. Pennsylvania sales tax was removed from the sewer electric bill in July 2010. The affidavit lists sales tax paid by the Borough of Stockertown from July 24, 2007 through June 25, 2010 with the total amount collected of \$1,987.81. PPL can go back three years for the request. The request will be sent into the Department of Revenue with the affidavit and required paperwork.
 2. **USA Bluebook** – Has issued a Pennsylvania Sales Tax credit of \$120.68 for 2010.
 3. **Valley Tire Factory Outlet** – Will send a check for \$24.00 reimbursing PA Sales Tax.
 4. **DEP Recycling Performance Grant** – A grant application was requested. Waste Management will provide the tonnage collected. The grant application is due September 30, 2010.
- **PennDOT** – PennDOT District 5 Representative Charlie Paris will meet with the Office Staff on September 28, 2010 at approximately 11:30 AM. Liquid Fuels maps and the street listing were requested for the Borough file, Public Works Dept. and Municipal Office. He will also discuss questions regarding the road turn back program. Paul Zaboy, Jack Fatzinger, and Carl Zito expressed interest in attending the meeting.
 - **2011 Budget Meetings** – The second 2011 Budget Meeting will be held on October 13, 2010.

Mayoral Report – Sherman Metzgar

- **Bushkill Stream Conservancy** – The Mayor will attend the next meeting. The Bushkill stream is being monitored with a set program for testing.

Solicitor's Report – Gary Asteak

- **Amended Water Shut-Off Agreement between Pennsylvania American Water Company and the Borough of Stockertown** – Gary Asteak noted the agreement was tabled at the last meeting. Mr. Asteak sent a letter dated September 10, 2010 to the Council and Mayor. The letter states the Water Services Act, 53 P.S. 3102.505 provides the specific statutory authority for the proposed Agreement. The Act specifically provides that a Borough requesting and directing the shut-off of water shall pay to the water utility the cost of the shut-off service and the estimated loss of water revenues resulting from such shut-off. The Act goes on to provide the water utility may enter into a long-term agreement for shut-off services. Mr. Asteak explained if a dispute occurs, it can be submitted to the Public Utility Commission, whose decision, unless reversed on Appeal, shall be final. The PUC law changed in 2006 to allow for this procedure. Mr. Asteak recommends the agreement for approval.

The Council discussed the charges the municipality will incur for loss of water revenues when the Borough requests water to be turned off to a resident. It was noted the Borough fee schedule would have to be updated to cover the water company and administrative charges.

Paul Zaboy made a motion to approve the Amended Water Shut-Off Agreement between Pennsylvania American Water Company and the Borough of Stockertown. Carl Zito seconded the motion and it passed by unanimous vote.

- **Polymer Products Company Easement** – The easement agreement was sent to Polymer Products and they are in the process of taking it to their Solicitor and getting the required signatures. The Borough has been given permission to take the tree down. Charlie Davis has not heard back from the water company at this time.
- **Borough of Stockertown Comprehensive Plan of 2010** – The hearing has been advertised by Gary Asteak's office for the next Borough Council meeting on October 4, 2010.

Engineer's Report – Al Kortze, Keystone Consulting Engineers

There was no report for the meeting.

**Public Works Report - Charles Davis
Equipment Replacement Request**

1. **Ford dump truck** - Charles Davis asked Council to consider replacing the yellow Ford dump truck. The Public Works Department can no longer get parts for it.
2. **Chipper** – Charles Davis noted the chipper has to be greased every time it is used. A flange bearing is going out and cannot be mounted. Mr. Davis reported the PW Dept. would have to go to Bethlehem to rent a chipper. The Council discussed the following:
 - a. The cost of renting or purchasing a new chipper.
 - b. How often residents should be offered this service by the Borough.
 - c. Should the service be discontinued due to the cost?
 - d. A notice will go into the next Borough newsletter regarding the chipping of residents' branches.

WWTP Report – Charles Davis

- **Breakpoint Chlorination/Dechlorination Project**
Charles Davis reported the wall is in and backfilled with the soil dug out for the wall placement. He will get Lieberman to bring in the #2 modified stone.
- **Heater** – Charles Davis reported there is a problem in the chlorine building. The chlorine is eating up the heater. A stainless steel heater would cost about \$3,000. Since the Chlorination/Dechlorination Project pilot project is not permanently approved by the DEP the stainless steel heater will not be approved. Mr. Davis will order a heater similar to the one in the building.
- **Sewer Clean Outs** – Charles Davis noted the problems associated with homes not having clean outs installed. Paul Zaboy noted according to the Ordinance new homes should have a clean out placed near the dwelling property boundary. Mr. Davis noted the clean outs should be in the Borough right of way in order to access them without going onto private property to work on the sewer lines.
- **Waste Water Treatment Plant** – Charles Davis presented two No Trespassing signs for the Council to view. Forty (40) black with orange letter signs costing \$2.49 each will be purchased for posting on the sewer plant property.

Emergency Management Administrator – Charles Davis

- **Radios for Emergency Management** – Jane Mellert reported the forms for the radio purchase from Industrial Communications Company were signed and faxed. The radios should arrive in one to two weeks.

Police Report – Chief John Soloe

- A report was not submitted.
- **Buckle Up PA** – Chief John Soloe reported to Council there is a \$500 to \$1,000 grant available for the click it or ticket program. Chief Soloe is applying for the grant and will need the required signatures.

Fire Service Report – Charles Chapman, Chief Forks Fire Dept

- A report was not submitted for this meeting.

Planning and Zoning Reports – Sean Dooley, Planning Commission Chairman

- **Comprehensive Plan Hearing** – The Comprehensive Plan hearing was held on September 13, 2010. A letter of recommendation to adopt the plan was submitted to Council by Chairman Sean Dooley. The minutes of the hearing from the Planning Commission meeting were submitted by Secretary/Treasurer Jane Mellert.
- **Draft Parks, Recreation, and Open Space Management Ordinance** – The Ordinance was discussed by Council. Gary Asteak was copied on Ordinance #165 passed in 1979 for his review. Council tabled the Ordinance until Gary Asteak's review is received.
- **Draft Park Event/Meeting Reservation Application** – The application was reviewed previously by Council. The application was tabled until the Parks, Recreation and Open Space Management Ordinance is reviewed.
- **Draft Engine Suppression/Brake Retarder/Engine Brake Ordinance** – Joe Gosnell spoke to Sean Dooley regarding the enforcement of the Ordinance. Mr. Gosnell noted Sean understands it would be a difficult Ordinance to enforce. Mr. Gosnell would like Stockertown to put up signs and some kind of restrictions.

Paul Zaboy made a motion not to pursue the Engine Suppression/Brake Retarder/Engine Brake Ordinance. Carl Zito seconded and it was passed by unanimous vote.

Police Chief John Soloe reported a decimeter would cost approximately \$500. The meter would need to be calibrated every sixty days with an approximate cost of \$20 each time.

Zoning Officer – John Soloe

- A report was not submitted.
- John Soloe noted he received an email from Jane Mellert with a swimming pool draining question. A property owner asked about running a hose to Main Street in order to drain a five thousand gallon pool. The water will go into the storm water system. Jane will call them and let the property owner know it is OK to drain the pool.

Old Business

- **Lehigh Valley Trails Summit at DeSales University in Center Valley-** on September 30th and October 1st. Paul Zaboy, Charlie Davis, Sherman Metzgar, and Paul Zaboy Jr. will attend.
- **Rails to Trails Project – 1.** Paul Zaboy reported a letter to M.T. Automotive and the property owner were mailed. **2.** A letter should go out giving notice to the rest of the property owners along the trail. The trail development information has been in the Borough newsletter. **3.** Paul is waiting on a list of experienced trail design organizations from Sherry Acevedo, Trails Specialist for the Delaware & Lehigh Canal National Heritage Corridor.

New Business

- **Borough Insurance** – Amy Richard received two quotes for the Borough insurance package.
 1. **Brown and Brown of the Lehigh Valley – Selective Insurance** \$16,764 without terrorism coverage. Selective offers Heart and Lung coverage. The blanket total aggregate is \$1,985,790.
 2. **Brown and Brown of the Lehigh Valley – Praetorian Insurance Co.** \$15,800. Praetorian does not offer Heart and Lung coverage and there is not blanket coverage.
 3. **Sims Agency** – Did not provide a quote in the required time frame.

Amy Richard noted Memorial Hall is insured for \$559,271 plus \$182,498 for content coverage and costs \$1,600-\$2,000 to insure. The building is not in use and has a mold problem.

Paul Zaboy made a motion to approve the quote from Selective Insurance in the amount of \$16,764 without terrorism coverage. Cindy Hower seconded the motion and it passed by unanimous vote.

Brown and Brown offer a dividend/profit sharing program. A check will be coming in from Brown and Brown in the amount of \$257.66 for the year 2010. Amy Richard requested Brown and Brown check their records for the 2009 check in the amount of \$609.12 to see if it had been cashed. Paul Zaboy requested a breakdown of the insurance premiums by department for the budget process.

- **Adjournment**
 - **A motion was made by Jack Fatzinger to adjourn the meeting at 8:51 PM. The motion was seconded by Cindy Hower and passed by unanimous vote.**

The next regular meeting of Borough Council will be held on Monday, October 4, 2010 at 7:30 PM.

Respectfully Submitted,

Jane A. Mellert, Secretary
Borough of Stockertown