

**THE BOROUGH OF STOCKERTOWN HELD A MEETING ON WEDNESDAY, SEPTEMBER 8, 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, Planning Commission Chairman Sean Dooley, Public Works Director Charles Davis, Public Works Dept. Paul Zaboy Jr. and Steven Mills of Asteak Law firm.
- 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**

- **John Kocher – 1.** Questioned the correction of the August 2, 2010 meeting minutes.  
**2.** Called the phone number for the Police Department and left a message in the month of August regarding truck traffic near his property. Police Chief Soloe will contact Mr. Kocher regarding his concern.

**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 and there is still hope of grounds and a recreation area. **3. Gambling Fund Grants -** Jack Fatzinger reminded Council about the Gambling Revenue disbursement from Monroe County. The application period ends at the end of September.
- **Carl Zito – 1.** Inquired about the spreader. The spreader was taken to Einfalt's and the Borough received a check. **2.** Inquired where the wood chipping is taking place. Charles Davis explained the process to the Council. Mr. Davis explained the system is working well now because residents can dump branches and leaves behind the EMA building. In the spring and summer, there are a large percentage of leaves in the chips and they are not good to use for mulch. In the fall, the wood chips are good for use and residents pick them up to use.

**Secretary/Treasurer Report – Jane Mellert**

- **Approval of the August 16, 2010 minutes –** A motion was made by Paul Zaboy and seconded by Jack Fatzinger to approve the August 16, 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.

- **Account Balances** – Jane Mellert handed out account balance reports for the Borough cash accounts to the Council and Mayor. All accounts except the General Fund Checking have been reconciled up to August 31, 2010. The August bank statement for the GF Checking has not been received to date. Certificate of deposit accounts are not included on the reports. The balances are as follows:

**SEWER FUND**

KNBT Sewer Fund Checking	\$190,038.46
KNBT Sewer Fund Savings	\$ 47,408.83

**GENERAL FUND**

KNBT General Fund Checking	\$ 17,200.70
KNBT Real Estate Collection Checking	\$101,948.82
KNBT General Fund Savings	\$ 89,336.41
KNBT Centennial Fund Checking	\$ 648.14

**HIGHWAY AID FUND**

KNBT Highway Aid Checking	\$103,394.44
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**RECREATION FUND**

KNBT Recreation Fund Checking	\$ 3,810.04
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- **2011 Budget Meetings** – The first 2011 Budget Meeting will be held on September 15, 2010. Jane Mellert handed out a Budget Request Form and letter to the Council and Mayor. The letter and form will be copied to the Public Works and Police Departments.
- **Stockertown Borough Moving Permit** – Jane Mellert has several sample moving permits from neighboring municipalities. The moving permit needs to be updated to include additional information for the Earned Income Tax Collector and the School District. This will be placed on the next meeting agenda.
- **Correspondence**
  1. **RCN Status Update** – August 26, 2010 RCN Corporation completed a transaction with Yankee Cable Acquisition, LLC – RCN logo will be maintained and there will be no change in any of RCN’s operations in the Borough of Stockertown
  2. **Praxair** – Connie Marakovits dropped of a letter she received addressed to the Stockertown Borough Tax Collector. Praxair is requesting to pay real estate taxes by electronic funds transfer. The Real Estate Tax Collector currently deposits tax payments into a Borough account. – **The electronic fund transfer was not approved. This is an account the Tax Collector deposits real estate funds she collects.**
  3. **Pennsylvania State Association of Boroughs** – The deadline for comments on revisions to the Borough Code is September 10, 2010.
  4. **PA State Association of Boroughs** – Fall Leadership Conference Wyndham Gettysburg on October 15-17, 2010 – **The Borough does not participate in this conference.**
  5. **COG Meeting** – September 14, 2010 at the Chrin Community Center

### **Mayoral Report – Sherman Metzgar**

- **Tatamy Bridge Replacement** - Mayor Metzgar read in the paper the Tatamy bridge will be replaced. A hearing will be held regarding the process. He doesn't know if the Borough will receive notification of the hearing. The Council and Mayor want the Borough to be notified regarding the bridge replacement. Traffic will have to be redirected during the construction.

### **Solicitor's Report – Steven Mills from Gary Asteak Law Offices**

- **Amended Water Shut-Off Agreement between Pennsylvania American Water Company and the Borough of Stockertown** – Gary 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. Paul Zaboy, Amy Richard and Joseph Gosnell do not agree with the charges in the agreement and want the opportunity to talk to the water company. The agreement was tabled until the next meeting.
- **Polymer Products Company Easement** – The easement agreement was sent to Polymer Products and they are in the process of taking it to their Solicitor.
- **Borough of Stockertown Comprehensive Plan of 2010** – The hearing has been advertised for September 13, 2010.

### **Engineer's Report – Al Kortze, Keystone Consulting Engineers**

There was no report for the meeting.

### **Public Works Report - Charles Davis**

- **Reports – Jobs completed for August and Work Planned for September**
- **Lawn Mower Quotes from Roy Steiner Sales and Service and Hilltop Sales and Service were presented from Roy Steiner Sales and Service \$16,743.84 and Hilltop Sales and Service \$20,506.55** – Charles Davis explained the engine blew in the Steiner and when they have a mower down the bucket has to be taken off of the other tractor. The bucket is used frequently. The John Deere is almost a 0 turn mower. There are currently two working mowers. One works well and one is repaired. Paul Zaboy noted the Steiner's aren't holding up the way they used to.
- **John Deere Mowing Tractor Parts - \$1,415.50** – The mower is on the back of the tractor and it is more difficult to mow with in the park and sewer plant. It is a 4 wheel drive farm style tractor and there are no hydraulics on it. The tractor was given to the Borough by Hercules Cement. Repairing the John Deere is a cheaper option than purchasing a new mower.
- **EMS Building Metal Fencing Quote - Generator fencing at the EMS Building \$829.12** – Charles Davis gave a breakdown of everything needed for the fencing.

**A motion was made by Paul Zaboy to approve the purchase of the generator fencing in the amount of \$829.12. Jack Fatzinger seconded the motion and it was approved by unanimous vote.**

- **Ballfield Port a John** – The port a john needs to be removed from the ball field by October. Charles Davis will contact Allstate to have it removed.

## **WWTP Report – Charles Davis**

- **S C Engineers, Inc. – Breakpoint Chlorination/Dechlorination Pilot Study**

**A DEP letter from Brian Busher, P.E. to Jeff Morgan regarding WQM Application No. 4807407A was received by the Borough on September 7, 2010.** The letter states the DEP is limiting the study to one third of the plant flow. A final report of the performance of the pilot study should be submitted to the Department within 60 days of completion of the study. Failure to provide all of the data to the Department as requested along with a complete final report will be considered cause for the Department to disapprove any further pilot testing. If the pilot project is successful and Stockertown wants to incorporate breakpoint Chlorination and de-chlorination as a permanent process, the NPDES permit will need to be amended and the Water Quality Management Permit Application No. 4807407 will need to be amended to reflect the current equipment being pilot tested.

Charles Davis reported there was a DEP inspection today with Kevin Franks. A written report from the meeting hasn't been received at this time.

- **WWTP Generator Repair** – Charles Davis reported the Public Works Department will try and repair it in October after the lawn work is done. Amy Richard suggested getting a quote from Easton Electrical to repair the unit. Charles Davis noted that could cost more than the generator is worth.
- **Status of trip to Harrisburg to purchase a new larger generator** – Charles Davis is ready to go anytime. They will not take a trailer to transport any purchases.

## **Emergency Management Administrator – Charles Davis**

- **Radios for Emergency Management** – Charlie Davis submitted copies of quotes from Industrial Communications Company for distribution to the Council at the August 16, 2010 meeting. Jeffry Steiert, Systems Manager at the Northampton County Emergency Management center was contacted. The Borough has authorization from the County to use the radios to be purchased.

The quotes are as follows:

# 1365 – 3 Motorola HT1250 UHF Portable Radio \$795 each – Total \$2,385.00

# 1354 – Control base station, desk microphone, base station antenna – Total \$1,500.00

**A motion was made by Paul Zaboy to purchase the radios, and equipment in the amount of \$3,885.00. The motion was seconded by Cindy Hower and passed by unanimous vote.**

- **Prescription Drug Take Back** – A notice was received from Thomas Dittmar Environmental Conservation Coordinator Northampton County DCED

Notices regarding the prescription drug take back program were posted on the municipal bulletin board, in the post office and at other locations.

## **Police Report – John Soloe**

- A report will be submitted for the September 20, 2010 meeting.

### **Fire Service Report – Charles Chapman, Chief Forks Fire Dept**

- A report was not submitted for this meeting.

Charles Davis asked what is happening with the fire truck. The truck has been stripped. The Borough still owes approximately \$26,000. Charles Davis saw in a magazine that it may only be worth \$5,000.

### **Planning and Zoning Reports – Sean Dooley, Planning Commission Chairman**

- **Comprehensive Plan Hearing** – September 13, 2010.
- **Draft Parks, Recreation, and Open Space Management Ordinance** – The Ordinance was discussed by Council. Council tabled the Ordinance until Gary Asteak's review is received. It will be placed on the September 20, 2010 meeting agenda.
- **Draft Park Event/Meeting Reservation Application** – The application was reviewed. Council will decide if a fee should be charged to cover employee time for opening and closing the park. The application will be placed on the September 20, 2010 meeting agenda.
- **Draft Engine Suppression/Brake Retarder/Engine Brake Ordinance** – Council members have concerns of how the Ordinance can be enforced. Sean Dooley noted the Planning Commission is not keen on unenforceable Ordinances, but they believe this is a deterrent type of issue. Federal laws trump any ordinance that regulates use of a safety device. The Ordinance is geared to the 80 decibel level. The State rules on posting of the signs. In order to adopt an Engine Suppression/Brake Retarder/Engine Brake Ordinance an engineering report would need to be conducted. The tentatively approved Ordinance would then be sent to PennDOT for review. Pennsylvania has standardized signs for this. The following concerns were noted:
  1. Will the police need training in order to enforce the Ordinance?
  2. What is the cost of a certified and calibrated decibel meter?
  3. What is the cost of an engineering study for the Ordinance?
  4. Will this be a difficult Ordinance to enforce?

Carl Zito and Paul Zaboy voiced they are not in favor of the Ordinance. Joseph Gosnell would like at least the presence of signs. The Ordinance was tabled in order to get additional information on decibel meters.

John Soloe noted during the construction of the Tatamy bridge traffic will be detoured. The project may last 12-15 months.

### **Zoning Officer – John Soloe**

- A report was not submitted.
- John Soloe noted when trying to collect money from foreclosures go to Sherriff's sale at Northampton County a fee of \$135 needs to be sent in and filed by the Solicitor. The fee is to file the lien. Jane Mellert noted she had called the County assessment office when the paperwork was filed for the upset sale properties and asked if anything else needed to be submitted and the response was no. Jane will call again and ask Gary Asteak.

### Old Business

- **Lehigh Valley Trails Summit at DeSales University in Center Valley-** on September 30<sup>th</sup> and October 1<sup>st</sup>. The seminar schedule was handed out. Paul Zaboy suggested Planning and Design 1-5 and Bus A Lehigh Gap Nature Center. Paul Zaboy, Charlie Davis, Sherman Metzgar, Paul Zaboy Jr., and Joseph Gosnell will attend. Five people were previously approved. Slips will be handed into the office so one check can be sent in for the registration.
- **Rails to Trails Project – 1.** Paul Zaboy reported the Borough has confirmation to do a trail crossing across Industrial Boulevard. Curbs and sidewalk will have to be put in. **2.** Sherry Acevedo, Trails Specialist for the Delaware & Lehigh Canal National Heritage Corridor sent information on a seminar to be held toward the end of October. Stockertown will participate in the seminar.
- **Bushkill Street Turn-Back –** Paul Zaboy reported he is waiting for PennDOT to contact the Borough regarding the turn back of Bushkill Street. He would like to use a portion for the rails to trails project.
- **Cameras for the Municipal Building –** Paul Zaboy will get information on putting cameras on the inside and outside of the municipal building. Items from Council Members mailboxes and maps have been missing. Mr. Zaboy will have a report of the next meeting.

### New Business

- **PA One Call –** Charles Davis noted PA One Call asked for sewer lines to be marked on Faith Ave. Mr. Davis has no way of finding the lines he needs a plastic pipe finder. Paul Zaboy noted there are drawings missing for the sewer lines. Charles Davis noted the maps aren't accurate. Mr. Davis will get prices for a plastic pipe finder.
- **Fee Schedule Amendments –** The amendments will be reviewed at another meeting.
- Mr. Kocher formally asked for a copy of the minutes passed from the August 16, 2010 meeting..
- **Adjournment**
  - **A motion was made by Paul Zaboy to adjourn the meeting at 9:30 PM. The motion was seconded by Jack Fatzinger and passed by unanimous vote.**

A 2011 Budget meeting will be held on September 15, 2010.

The next regular meeting of Borough Council will held on Wednesday, September 20, 2010 at 7:30 PM.

Respectfully Submitted,

Jane A. Mellert, Secretary  
Borough of Stockertown