

**STOCKERTOWN BOROUGH COUNCIL  
MINUTES OF OCTOBER 3, 2016**

THE BOROUGH OF STOCKERTOWN HELD A COUNCIL MEETING ON MONDAY, OCTOBER 3, 2016, AT 7:30 PM AT BOROUGH HALL.

**Attendance**

- Council Members present were: Council President Amy Richard, Vice President, Kathleen Zdonowski, Robin Davis, Cindy Hower, Joe Gosnell, Rosemarie Wenzelberger and Carl Zito.
- Mayor Charlie Davis and Borough Secretary/Treasurer Anita Caughy were present.
- Attorney Steve Mills from Asteak Law Office, Chief John Soloe and OIC Eric Schwab were present.

**The Meeting was called to order by Council President, Amy Richard, at 7:30 PM**

**Pledge of Allegiance**

**Public Comment**

- There were no public comments.

**Council Comment**

- There were no Council comments.

**Solicitor**

- Attorney Steven Mills from Asteak Law Office stated that after reviewing the five bids which were received for trash collection in the Borough, the lowest bidder was LMR Disposal, LLC. Borough Council received several written positive references regarding LMR and absent any material defects in the bids, Council will award the three year trash collection contract to LMR, the lowest bidder. Tom Stang of Waste Management expressed his concerns with LMR, stating that he reviewed the bids and that LMR and County Waste did not put down the correct amount for the Bond security. Mr. Stang stated that he reviewed the bid submittals and that 10% of the Bid Contract should have been put down, and was not. He felt that the Bond amount is a material defect in the bid. Amy Richard expressed her appreciation for the years of good service from Waste Management. She then informed Mr. Stang that the Bond amount was correct and she read a portion of the Bid Proposal on page 44 which stated as follows: "(dollar amount) representing ten (10%) percent of the amount of the first year lump sum price, is included with this proposal as required security." Mr. Stang acknowledged that he was not familiar with that line and that there were discrepancies in the Bid Specs. Amy Richard acknowledged the discrepancies and stated that the Bid Specs will be rewritten for future advertising, but as for the current contract period, the correct Bond amount was issued. Ms.

Richard asked for a Motion to accept LMR Disposal, LLC for collection of the Borough's Solid Waste.

- **Motion** by Robin Davis, Seconded by Joe Gosnell to accept LMR Disposal, LLC for a three (3) year contract with the Borough for municipal waste at a cost of One Hundred and Sixty Thousand Five Hundred (\$160,500.00) Dollars. Motion carried unopposed.

### Secretary / Treasurer Report

- **Motion** by Kathleen Zdonowski, Seconded by Carl Zito, to approve the Council Meeting Minutes of September 6, 2016. Motion carried unopposed.
- **Motion** by Robin Davis, Seconded by Kathleen Zdonowski, to approve Accounts Payable for the General Fund and Sewer Fund through October 3, 2016. Motion carried unopposed.
- Council was informed that the Liquids Fuel allocation for 2017 was in the amount of \$28,433.48.
- A letter was distributed to Council stating that RCN Telecom Services was in the process of being acquired by Radiate Holdings, L.P. The letter stated that Radiate has no current plans to change the local operations or services offered.

### Mayor Report

- Mayor Davis commented that he observed Public Works cleaning up the trail and removing unnecessary trees and brush. He stated that they did a good job and the trail looks 100% better without all the trees.

### Police

- Chief John Soloe read the Call Service Report. He stated that there were 3 Suspicious Persons, 2 Frauds, 82 Traffic Summons, 35 Traffic Warnings along with several other calls for a total of 159 calls for the month of September, 2016.
- Chief Soloe informed Council that he was awarded the \$25,000 Gaming Grant from the County for a new police car. After some discussion whether to order a SUV or Sedan, it was decided to order a 2017 Ford Interceptor Sedan. The cost of this car is as follows:

Vehicle Price	\$24,827.00
Emergency Equipment	\$ 7,168.17
Graphics	<u>\$ 950.00</u>
Final Price	\$32,945.17

The vehicle will not be available until February or March of 2017.

- Chief Soloe advised Council that Taser Co. no longer services the old model Taser gun which they currently use. Taser Co. offers a program to purchase a new Taser gun package at a cost of \$1,200 for three years plus \$124.00 per year for the three years lease of the new Taser gun. At the end of the three years they will replace the Taser gun with a brand new Taser gun. Amy Richard asked for a Motion to purchase the Taser gun package.
- **Motion** by Joe Gosnell, Seconded by Carl Zito to purchase the Taser gun package at a cost of \$1,200.00 and to lease the new Taser gun at a cost of \$124.00 per year for the next three years at which time they will receive a new Taser gun. Motion carried unopposed.

- Chief Soloe informed Council that they would like to hand out Halloween bags for the kids since it was a big hit last year with the residents. He asked for assistance in purchasing the candy to fill the bags. Amy Richard stated that she would take care of the candy. OIC Eric Schwab stated that he intends to, once again, ask the Boy Scouts to assist in filling the bags.

### **Public Works**

- Public Works has removed the concession stand at the Stockertown ball field and the concrete pad has been poured. The Rod & Gun Club will be responsible for putting up the pavilion. The funds used to pay for the concrete pad came from the Centennial Fund which was previously approved by Council.
- Amy Richard stated that since the Stockertown Youth Association (SYA) has declined multiple requests to assist in any improvements at Newhart Park or any other park, and there are not sufficient funds left in the Centennial Fund, there will be no curtains purchased for the pavilion. The electric has been updated so residents can turn the lights on and off with a switch. The roof has been seal coated and the tables will be painted but no further improvement will be done at Newhart Park.
- Amy Richard advised that she expected to have the road repair for Commerce, LeFevre and Center Street completed before the end of the year. Unfortunately, due to permits necessary from PennDot, the project may not proceed this year. The right-of-way plans have been received from PennDot and the Road Specs are 99% complete. Once the permits are received the Specs can be advertised, but it most likely will not happen until the Spring.

### **Agenda**

- **Waste Water Treatment Plant (WWTP)** – The Entech Proposal received by the Borough for the Design, Permitting and Bidding Services for the Waste Water Treatment Plant (WWTP) needs to be approved. This proposal is for the approval of Nelson Environmental's OPTAER SAGR System from Canada which guarantees to reduce the ammonia to levels required by the DEP. The DEP is forcing the Borough to correct this issue absent of any documented or environmental harm to the streams. Amy Richard stated that this whole process is very painful for her to proceed with because of the cost involved which will affect every resident. Council is being strongly advised to approve Phase 1 – Preliminary Engineering, at a cost of \$50,600.00 which allows Entech to send their findings to the DEP for approval of the SAGR system and allow the Borough to implement it. Ms. Richard stated that she feels this whole process is utterly ridiculous and is being forced upon the Borough by the DEP only because they refuse to lower the ammonia limits during the winter months which they initially approved when the sewer plant was designed in 1994. All Council members agreed with Ms. Richard's perception of this whole process. Ms. Richard stated: "The DEP has made it very clear that we have to proceed with this option because we are in violation and the Court has given us an extension to pursue the plausibility of this option and to find financing or the Borough will be fined. They don't care how we find it, where we find it or if we find it." Ms. Richard is meeting with State Representative Joe Emrick on October 14<sup>th</sup> in hopes of some assistance with dealing with the DEP and/or obtaining Grants to assist with financing this project.

Amy Richard read the outline for Entech's Engineering Proposal prior to Council taking a vote to approve this phase.

### **Phase 1 – Preliminary Engineering**

Entech will produce sufficient drawings, specifications, and design to support a Pennsylvania Department of Environmental Protection (PADEP) Water Quality Management (WQM) Permit application and Delaware River Basin Commission (DRBC) Permit application. This phase will consist of the following asks:

- Conduct a site topographic and boundary survey.
- Attend a PADEP pre-application meeting.
- Conduct site visits and data collection.
- Evaluate the existing sand filter structure.
- Evaluate the electrical service.
- Determine the reuse/disposal of the filter sand reuse/disposal.
- Provide hydraulic calculations related to the implementation of SAGR.
- Coordinate with Nelson Environmental for PADEP acceptance of SAGR, as an approved innovative technology for implementation in Pennsylvania.
- Coordinate with equipment vendors for the design (Algae screen, SAGR influent pumping).
- Coordinate with local rock quarries and mulch suppliers.
- Provide initial design plans (hydraulic profile and process & instrumentation diagrams, process plans, electrical plans, and structural plans).
- Provide initial project manual and technical specifications.
- Provide equipment and instrumentation selection and incorporate into design.
- Attend a client review meeting.

The cost breakdown for each of the Four Phases is as follows:

○ Phase 1 – Preliminary Engineering	\$50,600
○ Phase 2 – Permitting	\$ 9,200
○ Phase 3 – Final Design	\$56,400
○ Phase 4 – Bidding Assistance	<u>\$13,600</u>
<b>Total</b>	<b>\$129,800</b>

Ms. Richard stated “the bottom line, we have to approve the Preliminary Engineering phase at \$50,600 with no guarantees from the DEP”. Amy Richard asked for a Motion.

- Motion by Carl Zito, Seconded by Kathleen Zdonowski to approve Phase I – Preliminary Engineering at a cost of \$50,600. Amy Richard asked for a voice vote. Motion carried by majority vote. Let the record show that all Yea votes were casted reluctantly.

	Yea	Nay	Abstain
Amy Richard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Robin Davis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cindy Hower	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Joe Gosnell	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Kathleen Zdonowski	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carl Zito	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rosemary Wenzelberger	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Preliminary Budget Review

- Sewer Budget was reviewed and everything was on budget except for the Engineering and Legal Fees due to the DEP matter.
- General Budget was checked and reviewed by each item. Everything was on budget. As soon as the Borough receives the County assessment, Council can prepare a final Budget.

### Old, New or Unfinished Business

- Council discussed which night to celebrate Halloween. It was decided to hold it on the actual date of Monday, October 31, 2016 from 6:00 pm to 8:00 p.m.
- **Motion** by Robin Davis, Seconded by Carl Zito to approve Halloween on Monday, October 31, 2016 from 6:00 p.m. to 8:00 p.m.
- **Motion** by Carl Zito, Seconded by Joe Gosnell to enter in Executive Session at 8:55 p.m.
- **Motion** by Carl Zito, Seconded by Joe Gosnell to Exit Executive Session and enter into Regular Session at 9:09 p.m.
- **Motion** by Robin Davis, Seconded by Carl Zito to approve the Police Benefit Package which includes 3 PTO days, 10 Incentive Days and an increase in the hourly rate for OIC Eric Schwab and Chief John Soloe. Motion carried unopposed.

### Adjournment

- **Motion** by Carl Zito, Seconded by Robin Davis to adjourn the Council Meeting at 9:16 PM. Motion carried unopposed.

The Budget Meeting scheduled for October 12, 2016 has been cancelled.

Council Meeting for October 17, 2016 was cancelled.  
Council Meeting for November 7, 2016 was cancelled.

The foregoing was approved the **16th** day of **November, 2016**.

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President of Council

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