

**STOCKERTOWN BOROUGH COUNCIL  
MEETING MINUTES OF DECEMBER 5, 2022**

THE BOROUGH OF STOCKERTOWN HELD A COUNCIL MEETING ON MONDAY, DECEMBER 5, 2022 AT 7:30 PM AT BOROUGH HALL.

**Attendance**

- Council Members present were: Council President Amy Richard, Vice President, Kathleen Zdonowski, Cindy Hower, Joe Gosnell, Renee Cantwell, Katie Santiago and Pam Davis.
- Solicitor Gary Asteak, Mayor Rosemarie Wenzelberger were present.

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

**Pledge of Allegiance**

**AGENDA APPROVAL**

**Secretary / Treasurer Report**

- **Motion** by Kathleen Zdonowski, Seconded by Cindy Hower to approve Council Meeting Minutes of November 7, 2022, as written. Motion carried unopposed.
- **Motion** by Kathleen Zdonowski, Seconded by Joe Gosnell to approve accounts payable for the General Fund and Sewer Fund through December 5, 2022. Motion carried unopposed.
- **Motion** by Joe Gosnell, Seconded by Renee Cantwell to approve the 2023 Stockertown Borough Meeting Schedule with one change. Top of schedule change "Non Monday Garbage to Non-Wednesday Garbage". Motion carried unopposed.

**Mayor Report**

- Mayor Wenzelberger stated that the Borough will strictly enforce the Snow Emergency Ordinance to remove all cars off of the roads for plowing. There will be parking lots cleared for off street parking for anyone who does not have a driveway which includes Newhart Park, the parking lot at the end of the walking trail and the old Memorial Hall lot.
- Mayor Wenzelberger stated that there will be a meeting Friday afternoon with Dan Monek to discuss the police department. The meeting will be strictly for informational purposes.

**Zoning**

- Amy Richard asked Zoning Officer John Soloe if he knew if anyone was living in the camper at Widow Brown's parking lot. Attorney Asteak stated that if anyone is living in the camper that it is a clear violation of Borough Ordinance which states that there is no sleeping in any vehicles. The matter will have to be investigated.

## Public Works

- Leaf pickup has ended for the season.
- Amy Richard commented that the Borough has been awarded a Grant for a new Public Works truck but we are unable to find one. Ms. Richard informed council that if the Borough orders a new truck, the soonest we would receive one would be December of 2023. Ken Zemencsik will continue to look for an available vehicle.
- Amy Richard stated that individuals are leaving animal feces on the trail even though bags are provided along the trail for residents' convenience. To enforce the law, cameras will be installed in several areas to catch and fine the individuals. Besides dealing with this issue, public works have continued clean up and painting of the Emergency Management building.

## Solicitor

- Attorney Asteak stated that the first item on the agenda is Amending the Vehicle Code Ordinance, Chapter 228. The ordinance has been duly advertised and is ready for consideration for adoption. Amy Richard stated the this Ordinance was mistakenly adopted at a prior meeting and asked for a Motion to appropriately adopt the Ordinance.
- **Motion** by Joe Gosnell, Seconded by Cindy Hower to adopt Ordinance No. 2022-1. Motion carried unopposed.
  - **Ordinance No. 2022-1** Amending the Code of Ordinances of the Borough of Stockertown, Chapter 228, Vehicles and Traffic, Articles VI, General Provisions and Parking to Regulate unattended vehicles on private property, overnight parking of commercial vehicles, parking of commercial vehicles in residential districts, parking of commercial vehicles on Public streets, sleeping/residing in motor vehicles parked in driveways and streets, prohibited hours for commercial deliveries and storage on public highways.
- Attorney Asteak presented Ordinance 2022-2 Fixing the Tax Rate of the Borough at 18 mills for the year 2023. All other tax rates remain the same. This Ordinance has been duly advertised on November 12, 2022 and is ready for consideration for adoption.
- Eric Wenzelberger asked what exactly went up to cause the tax rate to increase. Amy Richard stated that the only items which went up were the utility, fuel oil and gas fees. Nothing else was increased in the budget.
- Amy Richard asked for a Motion to adopt Ordinance 2022-2.
- **Motion** by Joe Gosnell, Seconded by Kathleen Zdonowski to adopt Ordinance 2022-2 fixing the tax rate for 2023.
  - **Ordinance 2022-2** Fixing the Tax Rate for the year 2023 at 18 mills. Motion carried unopposed.
- Attorney Asteak stated that the next item is Resolution 2022-7 implementing Act 57 of 2022 which is mandated by the State and addresses real estate transfer of ownership during the middle of the year. Attorney Asteak informed Council that the language of the Resolution is exactly the language of the Statute recommended by the Borough Association. Amy Richard asked for a Motion to adopt Resolution 2022-7.
- **Motion** by Cindy Hower, Seconded by Pam Davis to Adopt Resolution 2022-7. Motion carried unopposed.

- **Resolution 2022-7** – A Resolution of the Borough of Stockertown, Northampton County, Pennsylvania to implement Act 57 of 2022 Directing the Tax Collector to waive additional charges for real estate in certain situations.

## Agenda

- Gary Asteak stated that with regard to the tree removal on Lefevre Road, he prepared the Agreement concerning the cost sharing between the Borough and Sean Dooley and Tyler Martin. The Council authorized the agreement at the last meeting to contribute \$800.00 towards the removal. The Agreement contained a “hold harmless” language so the Borough would not be responsible for anything. Attorney Asteak asked that Council ratify the signing of the Agreement since the work has been completed. Amy Richard stated that the tree company did a nice job. It was completed this morning in a couple hours and everything was out of there in no time. Attorney Asteak asked for a Motion to ratify the execution of that Agreement.
- **Motion** by Renee Cantwell, Seconded by Pam Davis to ratify the signing of the Agreement for removal of the tree on Lefevre Road.
- Amy Richard stated that she needed a Motion to adopt the 2023 General Fund Budget in the amount of \$694,661.45. The Budget was duly advertised on November 11, 2022.
- **Motion** by Cindy Hower, Seconded by Joe Gosnell to adopt the General Fund Budget for 2023 in the amount of **\$694,661.45**.
- Amy Richard asked for a Motion to adopt the Sewer Fund Budget for 2023. Amy Richard stated that the sewer fee will remain at the amount of \$50.00 per month for the year 2023.
- **Motion** by Cindy Hower, Seconded by Renee Cantwell to adopt the Sewer Fund Budget in the amount of **\$264,266.00**.
- Council was provided with the 2023 Fee Schedule from Hanover Engineering for informational purposes.

## Public Comment

- No Public Comment

## Executive Session

- Amy Richard asked for a Motion to enter into Executive Session to discuss settlement of the Newpro Land Use Appeal for the Grandview subdivision.
- **Motion** by Joe Gosnell, Seconded by Cindy Hower to enter into executive session at 8:02 PM. Motion carried unopposed.
- **Motion** by Pam Davis, Seconded by Cindy Hower to exit executive session and enter back into regular session at 8:30 PM. Motion carried unopposed.

- **Motion** by Kathleen Zdonowski, Seconded by Pam Davis to approve and execute the Memorandum of Understanding between Stockertown Borough and Newpro IV, Inc. for the Grandview Subdivision settling the Newpro litigation. Motion carried unopposed.

**Adjournment**

- **Motion** by Cindy Hower, Seconded by Pam Davis to adjourn the Council Meeting at 8:35 PM. Motion carried unopposed.

The next regular meeting of Borough Council will be held on December 19, 2022  
The December 19, 2022 Council Meeting was cancelled.

The foregoing was approved the 4<sup>th</sup> day of **January 2023**.

\_\_\_\_\_  
President of Council

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