

**STOCKERTOWN BOROUGH COUNCIL
MEETING MINUTES OF DECEMBER 7, 2020**

THE BOROUGH OF STOCKERTOWN HELD A COUNCIL MEETING ON MONDAY, DECEMBER 7, 2020 AT 7:30 PM AT BOROUGH HALL.

Attendance

- Council Members present were: Council President Amy Richard, Vice President, Kathleen Zdonowski, Cindy Hower, Joe Gosnell, Rosemarie Wenzelberger and Carl Zito. Pam Davis was absent
- Borough Secretary/Treasurer Anita Caughy, John Soloe and Mayor Ken Zemencsik were present. Solicitor Asteak attended virtually.

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

Pledge of Allegiance

Public Comment

- Eric Wenzelberger of Center Street asked if the Christmas Tree was going to be lit. Amy Richard explained that they have had problems with the lights for the tree.

Council Comment

- Amy Richard explained that Pam Davis has been exposed to COVID 19 which is why she was not attending the meeting. She did test negative but was going to stay away out of caution for everyone.

Secretary / Treasurer Report

- **Motion** by Kathleen Zdonowski, Seconded by Joe Gosnell to approve Council Meeting Minutes of November 11, 2020 and November 16, 2020, as written. Motion carried unopposed.
- **Motion** by Kathleen Zdonowski, Seconded by Cindy Hower to approve accounts payable for the General Fund and Sewer Fund through December 7, 2020. Motion carried unopposed.
- The Borough calendar for 2021 listing all scheduled meetings for advertising was distributed and reviewed by Council. Council Meetings will be held the 1st and 3rd Monday of each month with the exception of holidays and meetings which fall before an election. Those meeting will be schedule for the following Wednesday.
- Phil Malitsch of Hanover Engineering attended the Council meeting to introduce himself to Council. He explained that he would be replacing Joe Rentko, who has resigned from Hanover Engineering. He informed Council that he has been a partner with the firm for 16 years. He has worked with Land Developers and Municipalities and is experienced in balancing the two. He welcomes the opportunity to assist the Borough. Amy Richard welcomed him aboard.

Mayor Report

- Mayor Zemencsik had nothing to report.

Police

- Chief Eric Schwab read out the Calls for Service for the month of November, 2020. He stated that there were 4 narcotics arrests; 1 fire arms arrest; 3 automobile accidents; 1 Criminal Warrant served with an arrest; 51 Traffic Summonses; 19 Traffic Warnings, along with miscellaneous calls for a total of 126 Calls for the month.
- Chief Schwab informed Council that the new police vehicle should be ready by the beginning of the new year.
- Chief Schwab informed Council that he had an altercation with Don Nickerson of Lezzer Lumber regarding the tractor trailers parking in the street and facing the opposite direction on Center Street. Chief Schwab quoted Section 3351 of the Borough Code which is "Stopping, Standing and Parking" which specifically states that "no person shall stop, park or stand any vehicle, whether attended or unattended, upon the roadway when is it practicable to stop, park or stand the vehicle off the roadway". Amy Richard also added that there are ruts on her property from these vehicles and that the trucks are extremely loud. She was hoping that Mr. Nickerson would attend a meeting to discuss the matter.

Zoning

- John Soloe informed Council that last Tuesday night the Zoning Board held a Zoning Hearing for Joshua Tree seeking to expand their non-conforming use. A Decision has been drafted and the Board has a right to Appeal that decision. Council inquired as to the criteria for an appeal of a zoning board decision. John Soloe stated that 5 criteria's must be met in order to grant the extension which he explained in detail. Phil Malitsch of Hanover Engineer weighed in with his opinion. Solicitor Gary Asteak, by phone, explained Joshua Tree's application and the outcome of the hearing. He stated that in order to file an Appeal you would need to set forth the reasons why the zoning board erred. The first step for an Appeal would be to obtain a transcript of the hearing. This matter will be addressed further after the transcript of the hearing is received.

Solicitor

- Solicitor Asteak informed Council that the Borough has been contacted on multiple occasions by Taylor Wos who is acting on behalf of a private agency that was hired by the United States Postal Service to negotiate Leases on their behalf. Mr. Asteak stated that he has verified this information. This agreement was made within the last few years to hire this real estate company to negotiate Leases but require the Landlords to pay their fee as part of their contract. As he understands the process, most people negotiate the Lease and then add the commission on top and make that the rent. He stated that the Borough Code requires the Borough to obtain a Realtor to determine the fair rental value of the post office before we negotiate the Lease. The Lease does not expire until September of 2022 so there is time.

Agenda

- The Borough’s General Fund Budget and Sewer Fund Budget for 2021 have been duly advertised and are ready to be adopted. Amy Richard asked for a Motion to adopt both Budgets as advertised.
- **Motion** by Joe Gosnell, Seconded by Carl Zito to adopt the 2021 General Fund Budget, as advertised, in the amount of \$557,485.00. Motion carried unopposed.
- **Motion** by Cindy Hower, Seconded by Joe Gosnell to adopt the 2021 Sewer Fund Budget as advertised, in the amount of \$231,970.00. Motion carried unopposed.
- The Budget Meeting scheduled for Wednesday, December 16, 2020 will be cancelled.

Adjournment

- **Motion** by Joe Gosnell, Seconded by Carl Zito to adjourn the Council Meeting at 8:29 PM. Motion carried unopposed.

The next regular meeting of Borough Council will be held on December 21, 2020.

The foregoing was approved the **21st** day of **December, 2020**.

President of Council

Attest:_____