

**STOCKERTOWN BOROUGH COUNCIL  
MEETING MINUTES OF MARCH 21, 2022**

THE BOROUGH OF STOCKERTOWN HELD A COUNCIL MEETING ON MONDAY, MARCH 21, 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, Pam Davis and Kimberly Holden-Forsyth.
- Solicitor Gary Asteak, Mayor Ken Zemencsik and Borough Secretary/Treasurer Anita Caughy were present.

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

**Pledge of Allegiance**

**AGENDA APPROVAL**

- Amy Richard stated that an Executive Session needed to be added to the agenda for a personnel issue. She asked for a Motion.
- **Motion** by Joe Gosnell, Seconded by Kathleen Zdonowski to add an executive session for a personnel issue to the agenda. Motion carried unopposed.

**Guest Speaker**

- Amy Richard introduced guest speaker Geoff Reese from the Lehigh Valley Planning Commission. He presented a power point on the Multi-Municipal Comprehensive Plan called “**NAZPLAN**” that is being prepared by 10 surrounding Boroughs and Townships in the Nazareth area. The Plan presented is a working draft and not the final plan. Each municipality has a representative present to give input for their Borough. Sean Dooley represents Stockertown. Mr. Reese explained that Pennsylvania requires each community to prepare a working Plan with regard to issues within each community. A Plan must be prepared every 10 years. Having several municipalities working together will keep costs down for each. Sean Dooley stated that each community will need to cooperate and collaborate with each other and form an agreement. An outline was presented for Council and residents in attendance to review. Residents were given an opportunity to ask questions. Stockertown was the first municipality to see the presentation. Mr. Reese asked Council to review the draft plan and make any comments or suggestions to them before it is finalized. They are planning to release the final draft in May. Comments will be made at the next council meeting on April 4, 2022.

Gary Asteak explained the process. He stated that they are looking for Plan approval in August. As soon as the final draft is issued, LVPC will provide copies to all municipalities and school districts to whom are entitled to them under the Act. Notices will be sent to the municipalities for a 45-day review. The Planning Commission will have a public meeting to discuss the plan. At the expiration of the 45 days, there will be a public meeting of Borough Council to approve by Resolution of the Comprehensive

Plan. Immediately thereafter, those municipalities who have approved the Comprehensive Plan will begin talking about how to implement the Plan. The Implementation Agreement will then be presented for approval.

### **Council Comment**

- Amy Richard stated that she has a few comments regarding comments made at the last meeting that she feels the need to address so residents have the correct answers to the questions. She stated that there was a comment made about unregistered vehicles or vehicles not parking in the right area at The Goat which was said to be a zoning matter. It is not a zoning issue, it is a police issue
- Ms. Richard also wanted to clarify the issue made by a council member of not having the comments made regarding Hanover Engineering on our agenda when it was advertised. She stated that the comments were made by her under Council Comments which does not need to be advertised on the agenda because it was just an informational comment.

### **Secretary / Treasurer Report**

- **Motion** by Pam Davis, Seconded by Renee Cantwell to approve Council Meeting Minutes of March 7, 2022, as written. Motion carried with one comment by Kim Holden-Forsyth regarding an insurance issue which was tabled at the last council meeting. This item was not in the Minutes because it involved an insurance issue with a private resident and not something for council to vote on.
- **Motion** by Cindy Hower, Seconded by Joe Gosnell to approve accounts payable for the General Fund and Sewer Fund through March 21, 2022. Motion carried unopposed.

### **Mayor Report**

- Mayor Ken Zemencsik read the resignation letter of Officer Nick Ross.
- Amy Richard asked for a Motion to accept Officer Ross's resignation
- **Motion** by Kathleen Zdonowski, Seconded by Joe Gosnell to accept the resignation of Officer Nick Ross. Motion carried unopposed.

### **Public Comment**

- Mr. Daily asked if the Borough has purchased or made a decision to purchase a wood chipper. Amy Richard stated that they have not had a chance to look into one yet but they do plan to do so. Mr. Daily also asked for clarification of how a council meeting runs. Amy Richard explained the procedure to him.
- A resident asked when the Borough would have police coverage. Amy Richard stated that she did not know. She informed the residents that the State Police have been notified that the Borough does not have any police officers on duty at this time. A comment was made that there was a rumor going around that the Borough was trying to disband the police department. Amy Richard emphatically stated that it

was not true and that the Borough is not trying to disband the police department or join a regional department.

- Katie Santiago of Hope Street stated that she has not seen any police in the community for a long time. She wanted to know when police would be patrolling the area again. Amy Richard stated that the Borough currently does not have any other police officers other than the Chief, who is on medical leave, and Officer Shimer who works 2 or 3 days a month. Patrolling will begin as soon as the Borough can hire additional police officers.
- Jacky McCurdy of Hope Street was concerned with the turn-around time for a State Police officer to get to Stockertown in an emergency. Amy Richard stated that the State Police have been informed in person and by mail that the Chief is on medical leave and that the Borough does not have any officers so they will cover Stockertown. Attorney Asteak stated that 911 will dispatch the closest officer.
- Blair Talijan stated that he was a former State Police officer and wanted to suggest that the Borough request the State Police to do patrol checks. If each police car would drive through Stockertown during their patrol, that would provide visibility. He stated that the Borough could then request how many patrols checks were done for the week or month in Stockertown. Amy Richard thanked him and stated that it was a great suggestion and she would contact them.
- Chief Eric Schwab stated that he was approached at the Belfast Deli by a Belfast Trooper that the Borough was disbanding the police department. Amy Richard stated the she had previously responded to him on that issue that he should not listen to gossip. She stated that the Borough is not disbanding the Stockertown Police Department. Solicitor Asteak ask Chief Schwab if he had asked the trooper where he got that information. Chief Schwab stated that he could not remember and that he would have to think about it.
- Robert Eckhart of Lincoln Ave. wanted to address the number of tri-axels which are coming in and out of Buzzi Unicem every day. He stated that there is an extreme amount of garbage being dropped on the roads from one end of town to the other. Mr. Eckhart also addressed the noise coming from the plant. He asked why they are able to destroy the Borough when they don't even pay taxes.
- Amy Richard stated she would explain the tax issue. Sometime in 1980, the Council at that time had the option to implement a mercantile tax on businesses. They opted not to. She stated that there is no business tax on any businesses in the Borough and that cannot be overturned at this point. Solicitor Asteak stated that the Statute expired on the Borough's right to overturn it. Amy Richard stated that the mercantile tax is out of their control, it is a state issue. Business do pay real estate taxes. Pam Davis stated she was very upset when she heard that Stockertown does not collect a mercantile tax and that she looked into it thoroughly. She pressured the Council at that time try to fight for it and they were unsuccessful. Ms. Davis suggested that residents send letter and try to fight the State to overturn this issue

and she would be right with them. Solicitor Asteak suggested that the residents, as tax payors, should call their State Representative and State Senator to insist they allow Stockertown to adopt a mercantile tax. He explained that the Borough never had a mercantile tax and when Harrisburg offered this tax, the Council at that time did not accept it or implement the tax. Harrisburg no longer offers this option.

- Mr. Auchenbach addressed the dust coming from Buzzi Unicem and suggested a filtering system be required. It was suggested that he call the DEP to report the issue.
- Eric Wenzelberger stated that Polymer not only has not corrected the noise issue but they are now putting abrasive fumes into the air. Solicitor Asteak stated that this is a zoning issue and will have to be addressed by the zoning officer when he returns from vacation.
- Kathleen Dimmich of Birch Street questioned how long the Borough will be locked into the current sewer rate with Easton Sewer Authority. Amy Richard stated that the Borough is locked into Easton Sewer Authority permanently. The cost is based on water usage which goes into their plant. Currently the Borough has been able to hold the costs and absorb some of the expenses since the residents were hit hard with a real estate tax increase this year due to the garbage contract. Amy Richard stated that she does not know what the charges will be next year because she does not know what Easton will charge. She did state that at some point the sewer charges will go up.
- Amy Richard wanted to emphasize that non-flushable items still cannot be flushed. Flushable wipes are NOT Flushable.

Amy Richard asked if there were any other comments. There were none. She then asked for a Motion to go into executive session.

- **Motion** by Joe Gosnell, Seconded by Cindy Hower to go into executive session at 9:07 PM for a personnel issue. Motion carried unopposed.
- **Motion** by Cindy Hower, Seconded by Kathleen Zdonowski to exit executive session and enter back into regular session at 9:15 PM. Motion carried unopposed.
- **Motion** by Cindy Hower, Seconded by Joe Gosnell to advertise for a Special Meeting on Thursday night, March 24, 2022. Motion Carried unopposed.

**Adjournment**

- **Motion** by Cindy Hower, Seconded by Joe Gosnell to adjourn the Council Meeting at 9:18 PM. Motion carried unopposed.

The next regular meeting of Borough Council will be held on April 4, 2022

The foregoing was approved the 4<sup>th</sup> day of **April, 2022**.

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President of Council

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