

STOCKERTOWN BOROUGH COUNCIL MINUTES OF MAY 21, 2012

THE BOROUGH OF STOCKERTOWN HELD A MEETING ON MONDAY, MAY 21, 2012, AT 7:30 PM AT BOROUGH HALL.

Attendance

- Councilors present were: Council President Amy Richard, Council Vice President Paul Zaboy, Sr., Mr. Carl Zito, Mr. Jack Fatzinger, Mr. Joe Gosnell, Ms. Cindy Hower, and Mrs. Rosemarie Wenzelberger.
- Mayor Metzgar attended.
- Borough Solicitor Gary N. Asteak attended, but left at 9:21 pm.
- Additionally present were Police Chief/Zoning Officer John Soloe, Acting Public Works Supervisor Paul Zaboy, Jr., and Secretary Chris Burmood.
- Patrolman Vrabel arrived at 9:21 pm.

Meeting called to order at 7:31 PM by Council President Amy Richard, followed by the pledge of allegiance.

Public Comment

- Earl Kocher, of 300 Old Easton Road, advised that when PPL installed the new pole at the corner of Route 115 and Old Easton Road, they blocked the Stop sign at the end of Southbound Old Easton Road.
- Eric Wenzelberger, of 111 Center Street, wanted to rebut a statement made by his neighbor at a prior meeting regarding rodents on his property. Mr. Wenzelberger advised he put out a trap, which caught a woodchuck and a squirrel. He then stated that the complaining neighbor allows his lawn to grow knee high and has woodchucks under his shed.

Council Comments

- Mr. Zito advised that he spoke with the owner of the property on Winona Street regarding the hollow trees that pose a danger. The owner got estimates from two contractors; one for \$2000 and one for \$4000. The property owner then contacted friends in Nazareth with a bucket truck who will cut down the trees and remove all of the burnable wood.
- Mr. Fatzinger spoke to Charlie Chrin the other day regarding the signalization project. Mr. Chrin advised Mr. Fatzinger to contact the project manager for an estimate on when the project would begin.

Secretary/Treasurer report

- **Motion** by Paul Zaboy, Sr., seconded by Jack Fatzinger, to approve the minutes of the May 7, 2012 as written. Motion carried unopposed, with Mr. Gosnell absent for the vote.
- Mr. Zito questioned a couple of the payables.
- Ms. Richard advised that a figure of \$78,990.80 should be added to the Sewer Fund payables for the Mobile Dredging bill.

Secretary/Treasurer report, cont.

- Mr. Zaboy inquired about the fire truck pump test results and was advised that it passed, and once a few minor repairs and detailed cleaning have been completed, the truck will be advertised through Fire-Tec.
- Ms. Richard also advised that the weeds at the WWTP had not been trimmed.
- **Motion** by Paul Zaboy, Sr., seconded by Carl Zito, to approve the General Fund and Sewer Fund payables as presented, to include the Mobile Dredging invoice. Motion carried unopposed, with Mr. Gosnell absent for the vote.

Mayor's Report

- Mayor Metzgar reported that he had received HUD funding letter last week, and indicated that the Borough may need to respond. Ms. Richard advised that she had previously responded and that the Borough does not qualify for any of the funding programs. Mr. Zaboy clarified that this was for the reclamation of decrepit properties.

Public Works Report

- Paul Zaboy, Jr. (PJ) stated that Public Works had patched the potholes west of the bridge on LeFevre Road.
- He reported that the sand filter at the wastewater treatment plant is continuously binding up, despite the fact they are using the Steiner to Roto-till. With the Steiner, they can only achieve a 3 inch depth, but the flow increases to 150,000 gallons per day initially. After time, the average flow post-tilling is 70,000 gallons per day. He stated that sand replacement will be costly but should be done. Ms. Richard advised that Jeff Morgan, sewer engineer, is researching prices for sand replacement. Until such a time, however, PJ proposed using a larger tilling unit which could be attached to the John Deere skid-steer loader, to achieve a 6 inch depth. He stated that Kevin Franks, the plant operator approved of this idea. Mr. Zito wanted a letter from Mr. Franks verifying this. PJ obtained quotes from three different manufacturers, ranging from \$4585 including shipping to \$5500 with no shipping cost. Paul Zaboy, Sr., inquired about the manufacturers reputations. Ms. Richard suggested looking into possibly renting a unit to test the theory without incurring that great of an expense.

Police Report

- Chief Soloe provided a written report of the monthly police activity, which he read aloud. During the month, police responded to 65 calls and managed 72 total incidents. There were 35 motor vehicle stops with 18 citations. Officers worked 309 hours and drove 1081 miles. Paul Zaboy, Sr. asked if there is data from previous years available for comparison. Chief Soloe advised that it was on the old computer.

Zoning Report

- Ms. Richard asked about the deck and fence at Widow's Tavern. Mr. Soloe advised that he was working closely with the contractor. Ms. Richard asked Mr. Soloe to address the sidewalk sign issue again. Mr. Gosnell asked if there had been any complaints about the tent at Widow's Tavern. Mr. Soloe advised that Ms. Stahley is looking at making it a seasonal addition to her business, and that he is researching the change of use, zoning, and other related issues with Keystone Code Consulting.

Solicitor Report

- Mr. Asteak advised that Upper Saucon has filed a separate lawsuit against the Allentown NIZ. He also advised that the Commonwealth Court had granted the Borough Intervenor status on the case filed jointly by Hanover Township and Bethlehem Township.

Agenda Items

- The new Borough Code was signed into law by Governor Corbett on May 17th, with an effective date of June 16th. Training opportunities will be forthcoming.
- Ms. Richard advised that she had sought out proposals for trimming of tree branches that post an immediate risk to persons or property, especially in Newhart Park. After discussing the imperative safety issue, Council agreed unanimously that 2 proposals would suffice. Ms. Richard then advised that Joshua Tree submitted a proposal in the amount of \$8,568.00, and Cuttery Tree Service submitted a proposal in the amount of \$3,325.00. **Motion** by Paul Zaboy, Sr., seconded by Jack Fatzinger, to move forward with the proposal by Cuttery Tree Service. Motion carried unopposed, with Ms. Hower abstaining, due to Cuttery Tree Service being owned by her brother.
- COG was holding an emergency management seminar on May 22, 2012, for local elected officials. Mr. Zaboy advised he was attending. No other members of Council had confirmed attendance with COG.
- Mr. Burmood advised of notice through PSAB that the US DOT had relaxed deadlines for replacement of traffic signs until the current signs have worn out rather than the arbitrarily set deadline initially enacted.
- Prompted by an email from the Tax Collection Committee, a determination has to be made on whom shall collect delinquent EIT, with certain paperwork needing to be filed if it is to be turned over to Keystone. Council discussed keeping collection of delinquent EIT with Berkheimer. **Motion** by Paul Zaboy, Sr., seconded by Carl Zito, to retain Berkheimer as the collector of delinquent EIT. Motion carried unopposed.
- Mr. Burmood advised Council that Quick Books has the ability to be set up for email billing, and recommended that we open that option to sewer customers, as a cost saving measure with respect to postage, paper, toner, and envelopes. Additionally, we could offer monthly email billing, quarterly email billing, and leave open the option for some customers to retain paper billing on a quarterly basis. Mr. Asteak advised that a written authorization should be prepared for those switching to email billing advising that the customer is responsible to keep their email address up-to-date with the Borough Office. There was also some discussion about getting the Borough set up to accept credit/debit card payments and even electronic payments. Council agreed to further discuss at the next meeting.

New, Old, or Unfinished Business

- The US Postal Service has agreed in principle to accept the terms of the lease renewal, by keeping the same rental rate for the next five years, with the option for another 5 years beyond that at a slightly increased rate. **Motion** by Paul Zaboy, Sr., seconded by Jack Fatzinger, to execute the lease agreement with the US Postal Service, subject to Solicitor approval. Motion carried unopposed.
- **Motion** by Paul Zaboy, Sr., seconded by Carl Zito, to approve **Resolution 2012-2**, Adoption of the Emergency Operations Plan 2012. Motion carried unopposed.
- Discussion of the 2010 Audit was tabled by consent of Council.

New, Old, or Unfinished Business, cont'd.

- Ms. Richard gave thanks to Sean Dooley and the rest of the Planning Commission for their diligent work in preparing the Engine Brake Ordinance for review. Mr. Gosnell stated his belief that the Ordinance had to be adopted prior to submission for review by PennDOT. Mr. Asteak advised that it should undergo the PennDOT review prior to undertaking the costly process of enacting. Mr. Zaboy raised the question of how the ordinance would be enforced and what the cost of enforcement would be. Per Chief Soloe, it would be relatively simple to enforce by police when on duty. Mr. Gosnell advised that having the ordinance in place would give Council the choice on whether to enforce or not. **Motion** by Joe Gosnell, seconded by Cindy Hower, to authorize transmission of the proposed engine brake ordinance to PennDOT for review. Motion carried unopposed.
- Ms. Richard discussed the possibility of reducing the size of Council from 7 to 5, due to a lack of participation by many residents. She explained that the process would entail a petition signed by 5% of registered electors. Mayor Metzgar advised that previously that number had been approximately 300, which would require the petition to be signed by at least 15 registered electors from the Borough. We would also need a certification of the 2010 Census for accurate population figures. The petition would have to be filed with the County Court. It would be advertised for public hearing, after which a judge or panel of judges would decide whether to reduce the size of Council. There appeared to be minimal interest by Council.
- Mr. Zaboy stated that for the Rails-to-Trails project, we are going to have to reaffirm the survey at M&T Auto, as well as to reaffirm the current stake placements. The surveyor has requested not only the original extra \$1,800.00 for additional duties agree upon in the original agreement, plus an additional \$2,000.00 to conduct these reaffirmations. **Motion** by Paul Zaboy, Sr., seconded by Joe Gosnell, to add \$2,000.00 to the agreement with Rhodomeyer, the contracted surveyor for the Rails-to-Trails project for further survey work/clarification of boundaries. Motion carried 5-2, with Mrs. Wenzelberger and Ms. Hower dissenting.
- Ms. Richard advised she had received a complaint by Becky Goldenberg regarding the culvert at the Rod & Gun Club. The culvert appears to be intact, but with some rubbish and what appears to be a ladder in the creek bed on the upstream side. Per Mr. Zaboy, that culvert is not on her property, nor is it on Borough property.
- Eric Wenzelberger asked if the Council reduction was a Council matter or an individual one. Ms. Richard advised that it is not for Council to do, that it is an individual matter. She further stated that it was a prospect she was considering for the betterment of the Borough and a decrease on use of taxpayer monies.

Adjournment

- **Motion** by Paul Zaboy, Sr., seconded by Carl Zito, to adjourn the meeting. Motion carried unopposed.

The next regular meeting of Borough Council will be held on Monday, June 4, 2012 at 7:30 PM.

The foregoing were approved the 4th day of June, 2012.

President of Council

Attest: _____