

**STOCKERTOWN BOROUGH COUNCIL
MEETING MINUTES OF JUNE 6, 2022**

THE BOROUGH OF STOCKERTOWN HELD A COUNCIL MEETING ON MONDAY, JUNE 6, 2022 AT 7:30 PM AT BOROUGH HALL.

Attendance

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

- No items were added to the Agenda

Secretary / Treasurer Report

- **Motion** by Cindy Hower, Seconded by Kimberly Holden-Forsyth to approve Council Meeting Minutes of May 2, 2022, as written. Motion carried unopposed.
- In reviewing the General Fund Payables, Amy Richard informed everyone that GFL Environmental purchased County Waste back in 2020 and they have just officially changed their name. Kimberly Holden-Forsyth questioned the list of invoices from Fry's Four Season. She was advised that they were each for separate weeks of mowing but the invoices were submitted together.
- **Motion** by Joe Gosnell, Seconded by Cindy Hower to approve accounts payable for the General Fund and Sewer Fund through June 6, 2022. Motion carried unopposed.

Mayor Report

- The Mayor had nothing to report.

Police

- There were no reports provided from the Police Chief.

Zoning

- John Soloe stated that the issues which have come up in the Borough are being taken care of.

Public Works

- Amy Richard informed Council that the grading at the sewer plant is almost complete. She stated that the roads will be cleaned once they are finished.
- Amy Richard informed Council that she has received and interviewed two applicants for public works laborers. The applicants have been vetted and there were no issues. The Borough is in great need for public works employees. She asked for a Motion to hire Edward Puccio, Jr. and Caden Dailey, both from Stockertown.
- **Motion** by Cindy Hower, Seconded by Joe Gosnell to hire Edward Puccio, Jr. and Caden Dailey as part-time public works laborer. Motion carried unopposed.

Solicitor

- Solicitor Asteak stated he had nothing to report.

Agenda

- Amy Richard stated that Lezzer Lumber presented a Land Development Plan. Solicitor Asteak explained the plan. He stated that it is a Preliminary/Final Land Development Plan which has been vetted by the Planning Commission. He addressed the final review letter of June 2, 2022 from Hanover Engineering as well as a letter dated June 3, 2022 from the Planning Commission which was provided to all council members recommending conditional approval. The second letter from the Planning Commission dated June 3, 2022 recommended a "No Truck Parking Ordinance".
- The project proposes to add 9,600 SF parking lot with 24 additional parking spaces and a 450 feet long truck access roadway to the western portion of the existing parcel. The intent is to maximize parking space for customers and employees and provide a primary access point for large multi axle trucks.
- There were many discussions among the Planning Commission addressing the issues and concerns of residents. The Planning Commission is satisfied with the revisions made by Lezzer Lumber in accordance with Hanover Engineering comments and their recommendations outlined in their June 3, 2022 letter.
- Solicitor Asteak requested a Motion to approve the Lezzer Lumber facility expansion Preliminary/Final Land Development Plan subject to compliance with Hanover Engineer's review letter of June 2, 2022 and the compliance of the Planning Commission comments in their letter of June 3, 2022 with the condition that there will be no recording of the Plan until the Plan is revised in accordance with the comments stated and Borough receive the executed Grant of Right-of-Way for the widening of the two streets and an Improvements Agreement which guarantees that all of the land development has been completed.
- **Motion** by Kim Holden-Forsyth and Seconded by Joe Gosnell to approve the Lezzer Lumber facility expansion Preliminary/Final Land Development Plan subject to compliance with Hanover Engineer's review letter of June 2, 2022 and the compliance of the Planning Commission comments in their letter of June 3, 2022 with the condition that there will be no recording of the Plan until the Plan is revised in accordance with the comments stated and the Borough receives the executed Grant of Right-of-Way for the widening of the two streets and an Improvements Agreement which guarantees that all of the land development has been completed. Motion carried unopposed.

- Solicitor Asteak stated that there was one other request by the Planning Commission to restrict truck parking on Center Street. This matter is now up for discussion before an Ordinance is prepared. Mr. Asteak stated that the Borough Engineer would have to prepare a letter or recommendation.

Public Comment

- Katie Santiago of Hope Street asked for clarification of the appointment of the new Mayor. Amy Richard stated that by law a new Mayor needs to be appointed within 30 days. She stated that at the time of the last meeting, there was only one interested party and one suggestion. Council only had two weeks before the next Council Meeting to complete the appointment. There were no other applicants who stated any interest in the position. Given the situation with the nonsense going on in Stockertown, it was necessary to appoint the person who was interested at that time. Council was familiar with Mrs. Wenzelberger, she served on Council for over 20 years and she had submitted a letter of interest at the time she left her position on council. Gina Talijan and Jacky McCurdy asked why residents weren't notified of the open position for someone who might want to run. Attorney Asteak stated council has no obligation by law to advertise for the position or delay the appointment. Amy Richard stated that no one has run for that position during the regular elections so it didn't seem likely that anyone would step up for the position now. It was necessary to appoint a mayor quickly because of the issues which require a mayor to be involved. The time was limited since the next meeting was scheduled in 2 weeks. There was no way to get notice out to residents and wait for anyone to send a letter of interest and then be vetted before the time limit was up. Amy Richard stated that anyone who is interested in an elected position, whether Council or Mayor, should go to the courthouse and get a petition, fill it out and get your name on the ballot.
- Ken Sauer of KEJA 108, LLC who owns the property at 108/110 Bushkill Street attended the meeting at the request of the Borough Secretary to ask for an adjustment in the EDU's being charged for that property. The property was once 5 separate units but was converted somewhere along the line to 4 units. Mr. Sauer stated that when he purchased the property it was advertised as 4 units. He was requesting a reduction in the EDU's charged for the property. Gary Asteak informed him that if he agrees that he will be limited to 4 EDU's then Council can agree to reduce the amount. Council did not have any issues with reducing the EDU's. Solicitor Asteak requested that he send a letter with the request and council will address it at the next meeting.
- Gina Talijan of Jubilee Drive questioned Amy Richard about a blog on line which called Ms. Richard a racist and asked her what she was going to do about it. Ms. Richard asked her what she wanted her to do about it. Ms. Richard explained what was actually said. She stated that back in 2020 in the middle of the night in her own home she was responding to a text from Chief Schwab when she stated that she was watching the "jungle monkeys" on TV burning buildings, jumping all over cars and destroying police vehicles. She explained that from her point of view, when she was in India, there were literally hundreds of "jungle monkeys" who would jump over people, slap at us and spit on everyone and that is what she was thinking of when she made that comment. She stated that there were black and white people

destroying the vehicles and burning down the town. There was no racist comment intended. She said she was commenting on the violence she was watching. She stated that Chief Schwab took it upon himself to send the text to Mr. O'Hara to make a deal out of it and put it in his blog. She stated that no one knows what's in my heart. She told Ms. Talijan to do what she wants with it. She asked if that response satisfies her because that is all she has to offer. Ms. Talijan stated that Ms. Richard should respond back to him. Solicitor Asteak and many council members, including Ms. Richard felt that the comments should be ignored. It is not worth commenting on. Ms. Talijan disagreed and felt that too many things were being ignored in the Borough and continued to read off some of the nasty comments which were posted on line. Joe Gosnell stated we should be looking at the intentions of the person who submitted the information to the blog. Ms. Richard stated that she chooses to rise above the comments.

- Jacky McCurdy of Hope Street asked what was the status of the Borough's Police Department. Amy Richard informed her that we still have a police department but that the Chief was out on sick leave again. The State Police are still monitoring the Borough.
- Eric Wenzelberger of Center Street informed Council that the noise from Polymer Products is back.

Council Comments

- Kimberly Holden-Forsyth commented that the flags at the Veterans Memorial are the wrong size and that the American Flag was not lowered for several holidays. Amy Richard stated that she would make a note of that and advise the appropriate personnel.
- Amy Richard stated that she needs a motion to enter into executive session for a personnel matter and that no business would be conducted after the session.
- **Motion** by Joe Gosnell, Seconded by Cindy Hower to enter into executive session at 8:20 PM. Motion carried unopposed.

Adjournment

- **Motion** by Joe Gosnell, Seconded by Cindy Hower to exit executive session and to adjourn the Council Meeting at 8:42 PM. Motion carried unopposed.

The next regular meeting of Borough Council will be held on June 20, 2022

The foregoing was approved the **20th** day of **June, 2022**.

President of Council

Attest: _____