

BOROUGH OF SLATINGTON

The Regular Meeting of Council was held on **Monday, September 14, 2015** at 7:00 P.M. in Council Chambers, 125 S. Walnut Street, Slatington, PA 18080.

Presiding: Gwyneth Jones: President of Council

Recording Secretary: Bryon Reed, President Pro Tem

The meeting was called to order by President Jones at 7:00 P.M. with the following in attendance:

ROLL CALL:

PRESENT

Jon Rinker
Bob Steets
Bryon Reed
Gwyneth Jones
David Schnaars
Joseph Wechsler
Galen Freed

ABSENT

OTHERS PRESENT

Mayor Niedermeyer
Ed Healy
Larry Turoscy
Duane Dellecker
Chief Rachman

VISITORS

Carol Gildner Mel Gildner
Bruce Kern Deron Dorwood
Kelley Andrade (Times News)
Rhonde Russell Dwight Miller, Jr.
Kris Burek Richard Sosoka
Robert Herzog, Jr.
Janice Perry Brian Perry
Danielle Kutz

EXECUTIVE SESSION – None

MINUTES OF PREVIOUS MEETINGS – Councilor Freed made a motion, duly seconded by Councilor Schnaars, to accept the following minutes: Council Meeting – August 10, 2015; Special Council Meeting – August 24, 2015; Committee Meetings – August 17, 2015 and August 24, 2015; and, the Public Hearing – August 24, 2015. President Jones declared the motion passed following a Roll Call, voting as follows:

ROLL CALL

AYES

Bob Steets Galen Freed
Bryon Reed Joseph Wechsler
David Schnaars Jon Rinker
Gwyneth Jones

NAYS

None

ABSTAIN

None

COURTESY OF THE FLOOR (Agenda and Non-Agenda items)

You will have five minutes to address Council from the podium. If you reach the five minute limit, you will be given thirty seconds to conclude your remarks. The five minutes applies to your time at the podium. If you exit the podium, you have yielded the floor, and any time you have remaining.

Mel Gildner signed in and was recognized to speak. He made a variety of comments against Councilors regarding the Sunshine Law and thanked them for not allowing him to speak for failure to sign in at the last meeting & not allowing public comment at workshop meetings.

Attorney Ed Healy spoke on Mr. Gildner's misconceptions regarding the Sunshine Law. Councilor Freed encouraged residents with relevant committee business to attend workshop meetings.

Dwight Miller, Jr. signed in and was recognized to speak. He would like to work with the fire company on creating a 911 memorial service in 2016. Council agreed and asked him to work with the Fire Chief and Councilor Rinker on details and report back to Council.

Kris Burek signed in and was recognized to speak. She again spoke on public comment, the Sunshine Law and decorum at meetings.

Richard Sosoka, 130 Cherry Street, signed in and was recognized to speak. He spoke on his unusually high water usage and bill for the quarter. Councilor Reed directed the office staff to have the meter re-read and checked for accuracy.

Janice Perry signed in and was recognized to speak. She complained about a variety of issues related to the Rentschler car dealership and presented pictures of flooding in her neighborhood as a result of Rentschler's excavation & filling activities at 216 Center Street.

The zoning officer was directed to contact the Lehigh County Conservation District and take appropriate action under the zoning regulations to abate the situation.

Danielle Kutz signed in and was recognized to speak. She sought relief from her unusually high water bill caused by a leaking water fixture. Council explained Borough policy and suggested she work out a payment plan with the office.

Brian Perry signed in and was recognized to speak. He spoke on severe water runoff caused by Rentschler's earthmoving activities.

Rhonda Russell signed in and was recognized to speak. She also spoke on the water runoff caused by Rentschler's earthmoving activities.

REPORTS

The reports of various committees, officials and officers are on file in Borough Hall and are available for public inspection.

APPROVAL OF ACCOUNTS PAYABLE/TRANSFER

Councilor Freed made a motion, duly seconded by Councilor Schnaars, to approve payment of the Bills and transfers as presented by the Treasurer. President Jones declared the motion passed following a Roll Call, voting as follows:

<u>ROLL CALL</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>
	Gwyneth Jones Galen Freed	None	None
	Bryon Reed Bob Steets		
	David Schnaars Joseph Wechsler		
	Jon Rinker		

MAYORS/POLICE CHIEF'S REMARKS

The Mayor reported on his appearances and activities for the last month. Further, he reported that PENNDOT is planning on repairing the Main Street Bridge abutments by the end of the year.

Police – Acting Sergeant - The Mayor requested that Deron Dorwood be temporarily promoted to Acting Sergeant during the medical absence of Sergeant Taibi. Councilor Schnaars made a motion, duly seconded by Councilor Freed, to temporarily promote Deron Dorwood to the position of Acting Sergeant conditioned upon receiving a letter from the union stating that they recognize this position as being only temporary. President Jones declared the motion passed following a Roll Call, voting as follows:

<u>ROLL CALL</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>
	Gwyneth Jones Galen Freed	None	None
	Bryon Reed Bob Steets		
	David Schnaars Joseph Wechsler		
	Jon Rinker		

STANDING COMMITTEES

A. Highway

Councilor Galen Freed

1. Police Station – Center Street Paving Change Order – The contract for this project did not include a price for macadam work under the carport area or a five (5') feet extension at both the parking lot and east on Center Street for proper pitch and drainage at a cost of \$6,619.60 as reflected in the quote from Bruce George Paving. Councilor Freed made a motion, duly seconded by Councilor Schnaars, to approve the change order subject to withholding 10% of payment for final engineering inspection with \$1,619.60 being reimbursed from the Liquid

Fuels account. President Jones declared the motion passed following a Roll Call, voting as follows:

ROLL CALL	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>
	Gwyneth Jones Galen Freed	None	None
	Bryon Reed Bob Steets		
	David Schnaars Joseph Wechsler		
	Jon Rinker		

2. E. Washington Street Project - Larry Turoscy asked for approval to pay Bruce George Paving & Excavating \$89,248.13 for this project. Councilor Freed made a motion, duly seconded by Councilor Steets, to authorize payment (\$80,323.32) subject to withholding 10% (\$8,924.81) of the payment for final engineering inspection. President Jones declared the motion passed following a Roll Call, voting as follows:

ROLL CALL	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>
	Gwyneth Jones Galen Freed	None	None
	Bryon Reed Bob Steets		
	David Schnaars Joseph Wechsler		
	Jon Rinker		

3. Center Street Project - Larry Turoscy asked for approval to pay Bruce George Paving & Excavating \$20,992.98 for this project. Councilor Freed made a motion, duly seconded by Councilor Steets, to authorize payment (\$18,893.68) subject to withholding 10% (\$2,099.30) of the payment for final engineering inspection with all reimbursed from the Liquid Fuels account. President Jones declared the motion passed following a Roll Call, voting as follows:

ROLL CALL	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>
	Gwyneth Jones Galen Freed	None	None
	Bryon Reed Bob Steets		
	David Schnaars Joseph Wechsler		
	Jon Rinker		

Larry Turoscy reported the engineering inspections should be completed soon and the final 10% payment for all three (3) projects can be scheduled for the October Council meeting.

4. W. Church Street Parking Lot - Larry Turoscy reported that designs are being prepared for PENNDOT review and liquid fuels determination.
5. Victory Park Sidewalks and ARLE Main & Church St. – Larry Turoscy reported both these projects are in the design stage. Once completed, PENNDOT approval is required. Then a meeting, with affected residents, will be scheduled for public input. Designs should be completed by December with the project starting in spring.
6. Crack Sealing Program – Larry announced a meeting with AMS (Asphalt Maintenance Solutions) for Thursday, September 17, 2015, at 10am at the Borough Hall. Councilors Freed and Wechsler will be in attendance.
7. Tie Rods – John Deere Backhoe – Councilor Freed explained that the 2001 John Deere 310SG backhoe is in need of new tie rods. Councilor Free made a motion, duly seconded by Councilor Reed, to replace the tie rods at a cost not to exceed \$2,200. President Jones declared the motion passed following a Roll Call, voting as follows:

ROLL CALL	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>
	Gwyneth Jones Galen Freed	None	None
	Bryon Reed Bob Steets		
	David Schnaars Joseph Wechsler		
	Jon Rinker		

B. Public Safety

Councilor Jon Rinker

1. Borough Hall – Handicap Ramp Repairs – Councilor Rinker informed Council that repairs to the handicap ramp are necessary. Marlatt Masonry submitted an estimate to remove all loose mortar & cut off bottom edge of existing stucco, install bonding agent, install stucco, caulk concrete false cuts & around railing joints and install weatherproofer on all ramp surfaces. Councilor Rinker made a motion, duly seconded by Councilor Freed, to authorize this repair at a cost not to exceed \$2,370. President Jones declared the motion passed following a Roll Call, voting as follows:

ROLL CALL	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>
	Gwyneth Jones Galen Freed	None	None
	Bob Steets Joe Wechsler		
	David Schnaars Jon Rinker		
	Bryon Reed		

2. Generator Service Agreements - Councilor Rinker presented two generator service agreements covering generators at the WWTP, pumping station and water plant. He is waiting for a service proposal for the new generator at the Borough Hall. This item will be reviewed and discussed at the committee meeting.

C. Human/Community Services

Councilor David Schnaars

1. Corena Oslin – Parks & Recreation Committee Resignation – Councilor Schnaars made a motion, duly seconded by Councilor Steets, to accept the resignation of Corena Oslin from the Parks & Recreation Committee, due to moving out of town, with regret. President Jones declared the motion passed following a Roll Call, voting as follows:

ROLL CALL	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>
	Gwyneth Jones Bob Steets	None	None
	Bryon Reed Joe Wechsler		
	David Schnaars Jon Rinker		
	Galen Freed		

2. Venture Group – The Gathering – The Venture Group is requesting permission to hold the 12th annual “Gathering” at the Trout Run Covered Bridge & Slate Heritage Trail on Saturday, October 3, 2015, from 1pm till dusk; to use the maintenance building parking area; to have the Fire Department shift the heliport to the airport and to supply garbage cans in accordance with their letter of request. Councilor Schnaars made a motion, duly seconded by Councilor Reed, to approve this request. President Jones declared the motion passed following a Roll Call, voting as follows:

ROLL CALL	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>
	Gwyneth Jones Galen Freed	None	None
	Bryon Reed Bob Steets		
	David Schnaars Joseph Wechsler		
	Jon Rinker		

3. NL Recreation Authority – Councilor Schnaars reported there will be a public hearing on October 12, 2015, at 6:45pm, to take public comment on a proposed Ordinance to create the Northern Lehigh Recreation Authority in conjunction with Washington Township. Washington Township will hold their public hearing on October 6, 2015. The proposed Ordinance is available at the Borough Hall for public review.

D. Finance

Councilor Joseph Wechsler

1. Standing Committee Authority – Councilor Wechsler presented a proposal to modify the Slatington Borough Code to add authority over respective department operations

to Committee Chairpersons when vacancy exists in the office of Borough Manager. Councilor Wechsler made a motion, duly seconded by Councilor Freed, to authorize preparing and advertising this ordinance. President Jones declared the motion passed following a Roll Call, voting as follows:

ROLL CALL	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>
	Gwyneth Jones Galen Freed	Bryon Reed	None
	Jon Rinker Bob Steets		
	David Schnaars Joseph Wechsler		

2. Tax Exemption Request - Councilor Wechsler made a motion, duly seconded by Councilor Schnaars, to approve tax exemptions due to non-resident status to Matthew Brandon & Kristina Hahn. President Jones declared the motion passed following a Roll Call, voting as follows:

ROLL CALL	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>
	Joseph Wechsler Galen Freed	None	None
	David Schnaars Gwyneth Jones		
	Bryon Reed Jon Rinker		
	Bob Steets		

E. Sewer/Solid Waste

Councilor Bob Steets

1. DRBC Violation Notice – Councilor Steets made a motion, duly seconded by Councilor Schnaars, to amend the motion made at the August 24, 2015, Special Meeting, to increase the transfer to the Slatington Borough Authority from \$1,500 to \$3,000 for the DRBC violations to include February & March 2015. President Jones declared the motion passed following a Roll Call, voting as follows:

ROLL CALL	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>
	Gwyneth Jones Galen Freed	None	None
	Bryon Reed Bob Steets		
	David Schnaars Joseph Wechsler		
	Jon Rinker		

A discussion ensued regarding possible WWTP ownership options. The Sewer Committee will contact the Lehigh County Authority (LCA) to look into this further.

2. Helisieve Control Panel – After discussing quotes received, Councilor Steets made a motion, duly seconded by Councilor Freed, to authorize Flow Data to install a new Helisieve Control Panel at the WWTP at a cost not to exceed \$9,620. President Jones declared the motion passed following a Roll Call, voting as follows:

ROLL CALL	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>
	Gwyneth Jones Galen Freed	None	None
	Bryon Reed Bob Steets		
	David Schnaars Joseph Wechsler		
	Jon Rinker		

3. Appoint Rhoads & Sinon Special Council for PennVest Loan Restructuring – Attorney Healy explained that PennVest is requiring a new arrangement with the Borough for restructuring the PennVest Loan. After discussion, Councilor Steets made a motion, duly seconded by Councilor Schnaars, to appoint Rhoads & Sinon as Bond Council for this restructuring not to exceed the terms of their September 9, 2015, proposed letter of engagement. President Jones declared the motion passed following a Roll Call, voting as follows:

ROLL CALL	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>
	Gwyneth Jones Galen Freed	None	None
	Bryon Reed Bob Steets		
	David Schnaars Joseph Wechsler		

Jon Rinker

4. Authorize Advertisement – Ordinance for Guaranteed Sewer Revenue Note – Attorney Healy requested approval to prepare and advertise an Ordinance for the Guaranteed Sewer Revenue Note as part of restructuring the PennVest loan. Councilor Steets made a motion, duly seconded by Councilor Reed, to authorize the preparation and advertisement of this Ordinance. President Jones declared the motion passed following a Roll Call, voting as follows:

ROLL CALL	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>
	Gwyneth Jones Galen Freed	None	None
	Bryon Reed Bob Steets		
	David Schnaars Joseph Wechsler		
	Jon Rinker		

5. Authority Bills – As the next Authority meeting is scheduled for September 28, 2015, no bills are presented at this time.

Attorney Healy reported on information from Ted Stevenson (Rettew Associates) that, due to the retirement of the DEP program manager, a delay has been encountered with the transfer of the Authority permit.

F. Water/Special Sewer Committee **Councilor Bryon Reed**

1. Water Test Statement – Water was tested and found safe for human consumption.
2. LCA Water Meter - Councilor Reed reported the LCA bulk water meter is reading less than actual usage and must be replaced. Councilor Schnaars made a motion, duly seconded by Councilor Steets, to replace this meter at a cost not to exceed \$5,000 subject to review of the Water Committee. President Jones declared the motion passed following a Roll Call, voting as follows:

ROLL CALL	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>
	Gwyneth Jones Galen Freed	None	None
	Bryon Reed Bob Steets		
	David Schnaars Joseph Wechsler		
	Jon Rinker		

G. Slatington Sesquicentennial Committee **Councilor David Schnaars**

Councilor Schnaars reported on that the 150th Committee is still receiving revenue from sales of booklets and is still distributing funds. They will send a report of activities.

UNFINISHED BUSINESS

1. VFD - Pump Station – A discussion was had regarding the variable flows of the three pumps at the sewer pump station; checking for head pressure, calibration and voltage imbalances. Councilor Steets made a motion, duly seconded by Councilor Freed, to authorize Flow Data to perform an evaluation of the pumping station at a cost not to exceed \$5,000 subject to review of the Water Committee. President Jones declared the motion passed following a Roll Call, voting as follows:

ROLL CALL	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>
	Joseph Wechsler Galen Freed	None	None
	David Schnaars Gwyneth Jones		
	Bryon Reed Jon Rinker		
	Bob Steets		

EXECUTIVE SESSION – President Jones announced an executive session immediately following the Council meeting for the purpose of discussing collective bargaining issues.

At 10:00 Councilor Freed made a motion to adjourn the meeting.

Karen Gill
Assistant Borough Secretary