

BOROUGH OF SLATINGTON

The Regular Meeting of Council was held on **Monday, November 9, 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
Chief Rachman
Larry Turoscy
Elizabeth Miller

VISITORS

Carol Gildner Mel Gildner
Kris Burek Ed Ziegler
Kelley Andrade (Times News)
Tony & Kathy Carrer
Jeffrey Hausman
Robert Herzog, Jr.
Keith Weaver Justin Grimshaw
Rhonda Russell Doug Welter

EXECUTIVE SESSION – None

MINUTES OF PREVIOUS MEETINGS – Councilor Schnaars made a motion, duly seconded by Councilor Steets, to accept the following minutes: Council Meeting – October 12, 2015; Committee Meetings – October 19, 2015 and October 26, 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.

Carol Gildner – recognized but did not speak

Jeff Hausman – recognized but did not speak

Ronda Russell – recognized but did not speak

Bob Herzog – recognized but did not speak

Doug Welter – recognized but did not speak

Anthony Carrer signed in and was recognized to speak. Mr. Carrer owns property next to Mrs. Jones who is proposing to donate land to the Borough. Mr. Carrer used and maintained a piece of the property for parking since 1987. He had offered to purchase that piece, but Mrs. Jones said don't worry about it, it is your property. Mrs. Jones is proposing to donate the property to the Borough. After having a survey done, Mr. Carrer would be losing some of his driveway. This is to be discussed at executive session.

Keith Weaver - Keith Weaver introduced Justin Grimshaw from IBEW. Justin presented to the Council a proposal for 150 free smoke alarms to be installed in homes by the fire department and the IBEW Electrical Union. There are certain criteria that must be met and Ed Healy will review the program and release form to be filled out by all recipients. Councilor Rinker made a motion, duly seconded by Councilor Schnaars, to authorize the fire department to participate in this

program subject to legal review of the release form to be used. 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	None	None
	Galen Freed		
	Bryon Reed		
	Bob Steets		
	David Schnaars		
	Joseph Wechsler		
	Jon Rinker		

Ed Ziegler signed in and was recognized to speak. Ed spoke about a conversation with Mike Reber from PENNDOT concerning the abutments on Main Street bridge. PENNDOT is doing an engineering study to see how to best replace them. The abutments must remain there for protection according to the engineer. The lighting for the flag at Memorial Park should be adjusted to shine on the flag. He expressed concern that the drivers for Domino's could drive more safely.

Kris Burek signed in and was recognized to speak. She spoke on the rules regarding putting a flag at half mast. She also stated that the current penalty for the utilities is not legal. Kris questioned Duane Dellecker's rate of pay for his several positions in the Borough. Kris questioned Attorney Healy on the affidavit process for members of Borough Council.

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 Schnaars made a motion, duly seconded by Councilor Freed, 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	None	None
	Galen Freed		
	Bryon Reed		
	Bob Steets		
	David Schnaars		
	Joseph Wechsler		
	Jon Rinker		

MAYORS/POLICE CHIEF'S REMARKS

The Mayor reported there will be a seminar, Beyond Codes-Fair Housing and Zoning, on November 12, 2015, and that some one from the council should attend. Councilor Schnaars volunteered. The Halloween Parade was a big success, especially considering the organizers took over in June and fund raising was done in a very short time. The October 17th Spook Trail was held with a good turn out, despite limited volunteers. D&L Half Marathon was also a big success with approximately 800 participants. Some of the money went to the D&L Trail.

The Chief informed the Council that he spoke with the Regional Facility Manager David Harding from Wells Fargo will be closing to some of their branches and has offered some of their office equipment. The Chief will be moving forward with a plan to outfit the officers with at least two (2) body cameras. The department already has the software. We will need a policy for this from the District Attorney's office. Approval from Council will be sought when this policy and expenditure is ready. The Chief read a prepared statement of concerns to Council.

STANDING COMMITTEES

A. Highway

Councilor Galen Freed

- 1. Engineer Street Projects Inspection**- Councilor Freed made a motion, duly seconded by Councilor Schnaars to release the 10% for the work at E. Washington Street. Larry Turoscy inspected the area and stated the work that was

done is functioning properly. The only concern is that when it snows, the snow must be removed. President Jones declared the motion passed following a Roll Call, voting as follows:

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

2. **Asphalt Maintenance Solutions LLC (AMS)** - Larry Turoscy said that not all the work was completed because AMS was very busy this year. If bituminous work can't use liquid fuels funds after September, although PENNDOT will use it till December as long as the temperature is 40 degrees and over. That is why skin patching could not be done. It was suggested that we get in touch with AMS early next year so all the skin patching can be done before the end of September. The crack sealing work that had been done has been approved by Council.

3. **Manhole Project** – Councilor Freed made a motion, duly seconded by Councilor Reed, to release payment of \$57,370 to SWERP for completion of the manhole project. Payment was held until the inspection could be completed. President Jones declared the motion passed following a Roll Call, voting as follows:

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

Larry Turoscy stated that they are about 85-90% done with the Victory Park sidewalk project. Larry would like to hold a public hearing concerning for the sidewalks on November 18th at 6:30 pm with all the residences that are along the sidewalk or curb. His office will take care of the notification to the residences.

Larry would also like to hold the same type of meeting on December 2nd or 3rd for the merchants that are affected by the traffic signal on Main & Church Streets. There are two (2) PPL light poles to be removed on Main and Church Streets, which we pay rent on, and replace with new poles & LED lights. Larry will contact PPL to find out what will happen to PPL's poles.

In 2012 Lehigh Engineering was asked to study Oakhurst Drive, due to poor drainage, from Center to Maple Spring. At that time the estimate cost was \$261,000 which included underground storm sewer, piping, grating and new road way. This information can be used on the current report for the grant with new estimates on cost. This is needed by end of December.

Larry has plotted all the deeds for the Main and Church Street & sidewalk projects. Some of the deeds exclude the sidewalk; some go all the way to the curb. The PENNDOT right away ends at the curb, he is not sure where Borough right away ends; if it ends at the back of the sidewalk or if matches the PENNDOT right-of-way. If this is the case, then releases would not be necessary. He asked Ed Healy to check on ordinances concerning right-of-ways for these projects. Larry discussed a possible ordinance that would allow the Borough could install signs & poles in the public sidewalk area. This type of ordinance would eliminate the need for releases.

B. Public Safety

Councilor Jon Rinker

1. **Smoke Detector Program** – Keith Weaver and Justin Grimshaw spoke to Council earlier in the meeting and action was taken under the public comment section.
2. **ACO vehicle** – Councilor Rinker informed the Council that the ACO vehicle is starting to rust. Next year, it will need four (4) new tires and inspection.

- Liquor license at the Sunoco – Councilor Rinker informed Council that a liquor license transfer request was received from the Sunoco Convenience Store for a public hearing to transfer a liquor license into town. Councilor Schnaars made a motion, duly seconded by Councilor Freed to advertise a public hearing 15 minutes prior at the next Council meeting. President Jones declared the motion passed following a Roll Call, voting as follows:

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

- Vigilant Fire Co – Door Replacement Donation – Councilor Rinker informed the Council that the Vigilant is replacing two (2) doors in the rear of the Magistrates office. The Vigilant is donating the \$3,235 cost of the doors to the Borough. Council expressed thanks to the Vigilant for the donation.

C. Human/Community Services **Councilor David Schnaars**

- Lands of Theresa Jones – Councilor Schnaars stated Council should move forward, providing there are no other issues pending. This issue is table for executive session.
- Borough Hall Tree Maintenance- Councilor Schnaars stated that two (2) trees in front of Borough Hall need to be trimmed. Councilor Reed questioned whether is would be more cost effective to have the trees removed. Councilor Schnaars made a motion, duly seconded by Council Rinker, to authorize Josh’s Nursery and Landscaping at a cost of \$600 to trim the two (2) trees at Borough Hall. 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	Bryon Reed	None
Jon Rinker	Joe Wechsler		
David Schnaars			
Galen Freed			

D. Finance **Councilor Joseph Wechsler**

- Office Manager Training- Councilor Wechsler made a motion, duly seconded by Councilor Rinker, to approve a Human Resource training course for the Office Manager. 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	Bryon Reed	Bob Steets	None
Jon Rinker	Joseph Wechsler	Galen Freed	
David Schnaars			

- Proposed Ordinance #672 – Standing Committee Authority – Councilor Wechsler submitted a proposed that would modify section 13-5 of the Borough Code to add authority over respective department operations to Committee Chairpersons when a vacancy exists in the office of Borough Manager. Councilor Wechsler made a motion, duly seconded by Councilor Rinker, to authorize the advertisement of Ordinance #672. President Jones declared the motion passed following a Roll Call, voting as follows:

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

3. Ordinance #673 – Rental Housing/Transfer Inspections – Councilor Wechsler made a motion, duly seconded by Councilor Schnaars, to conduct a legal review and advertisement. 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		

4. Resolution R-12-15 - The credit card policy will be tabled for the next meeting.

5. Rentschler LLC – property Lease Extension – Councilor Wechsler informed the Council that Rentschler submit a request to extend the parking lot agreement with the Borough on property located on their north side of their body shop. The Committee recommends extending the lease for 10 years at the rate of \$880.00 per year plus property tax. Councilor Wechsler made a motion, duly seconded by Councilor Schnaars, to extend the lease as recommended. 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	Bob Steets	None
	Jon Rinker Joseph Wechsler		
	David Schnaars		
	Bryon Reed		

6. Preliminary Budget – Councilor Wechsler presented the 2016 preliminary budget. After discussion, Councilor Wechsler made a motion, duly seconded by Councilor Schnaars, to advertise the 2016 preliminary budget. 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
	Jon Rinker Joseph Wechsler		
	David Schnaars Bob Steets		

Bryon Reed left the meeting at 9:10 – no vote.

7. Tax Exemption Requests - Councilor Wechsler made a motion, duly seconded by Councilor Schnaars, to approve a tax exemption request to Brian Hay due to non-resident status & to John M. Dooley, George Reindecker & Benita Moser for being deceased. 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		
	Bob Steets Jon Rinker		

E. Sewer/Solid Waste

Councilor Bob Steets

1. Process Evaluation – Councilor Steets made a motion, duly seconded by Councilor Schnaars, to submit Karl Schreiter’s report to the DEP by November 17. 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
	Jon Rinker Bob Steets		
	David Schnaars Joseph Wechsler		

2. Pump Station Roof – Councilor Steets has received four quotes to fix the roof. Councilor Steets made a motion, duly seconded by Councilor Freed to accept the proposal and contract with Mint Construction for a cost of \$7,400. 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	Galen Freed
	Jon Rinker	Joseph Wechsler	David Schnaars
	Joseph Wechsler		None

3. Slatington Borough Authority Bills – A motion was made by Councilor Steets, duly seconded by Councilor Freed, to pay the Slatington Borough Authority bills of \$3,406.81; Steckel & Stopp \$1,862.60 (September); Rettew Assoc. \$800.00 (Oct. 2); Brown & Brown \$500.00 (Bonds for Treasurer & Asst. Treasurer); Joan Cheesbrough \$125.00 (September Minutes); & David Frederick \$119.21 (Misc. expenses March-September). 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
	Jon Rinker	Bob Steets	None
	David Schnaars	Joseph Wechsler	

4. Advanced Disposal Contract Extension - A motion was made by Councilor Steets, duly seconded by Councilor Schnaars, to renew Advanced Disposal's contract for one (1) year at the same 2015 price of \$352,487.57. 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
	Jon Rinker	Bob Steets	None
	David Schnaars	Joseph Wechsler	

5. LEL & Sulfide Meter – A motion was made by Councilor Steets, duly seconded by Councilor Schnaars, to have LRM to install a new sulfide meter at a cost of \$2,170. 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
	Jon Rinker	Bob Steets	None
	David Schnaars	Joseph Wechsler	

6. Acceptance of 5 Easements from the Authority – A motion was made by Councilor Steets, duly seconded by Councilor Wechsler, to accept the assignment of five (5) easements from the Slatington Borough Authority as part of the disbanding of the Authority. 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
	Jon Rinker	Bob Steets	None
	David Schnaars	Joseph Wechsler	

7. Three construction agreements and assignments – A motion was made by Councilor Steets, duly seconded by Councilor Freed, to accept the assignment of three (3) construction agreements and their warranty rights from the Slatington Borough Authority and to authorize the President to sign. 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

Jon Rinker Bob Steets
David Schnaars Joseph Wechsler

F. Water/Special Sewer Committee

Councilor Bryon Reed

- 1 Water Operating Permit – Ed Healy informed the Council that the 20 year water operating permit will expire. A motion was made by Councilor Steets, duly seconded by Councilor Freed, to authorize application to renew the permit. 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
Jon Rinker	Bob Steets		
David Schnaars	Joseph Wechsler		

2. Water Test Statement - Water was tested and found safe for human consumption.

G. Slatington Sesquicentennial Committee

Councilor David Schnaars

Nothing to report.

UNFINISHED BUSINESS – the Council will review the Council and Committee 2016 meeting schedules. This will be tabled.

EXECUTIVE SESSION – President Jones called for an Executive Session and recessed the Regular Meeting at 9:27 pm. At 9:45 pm she reconvened the Regular Meeting. In Executive Session, matters of personnel and legal issues were discussed.

At 9:40 pm Councilor Schnaars made a motion to adjourn the meeting.

Karen Gill
Assistant Borough Secretary