

**BOROUGH OF FOUNTAIN HILL COUNCIL
COUNCIL MEETING MINUTES**

March 4, 2019
7 P.M.

Council members present were: Ms. Jordan, Mr. Ferencin, Mr. Blatt, Mr. Trotter, Mr. Atkinson, Mayor Gifford, Mr. Trabel, and Ms. Halleman. Also, in attendance were Anthony Branco (Executive Administrator), Cordula Voges (Finance Officer), Pete Lehr (Borough Solicitor), Phillips Armstrong (Lehigh County Executive), the Bethlehem Press and guests.

Council President Atkinson called the meeting to order and asked for everyone to rise for the Pledge to the Flag.

Council was in receipt of the below documents:

Agenda Items

1. Minutes of January 23, 2019 Council Meeting
2. Minutes of February 4, 2019 Council Meeting
3. Request from Ms. Georgina Guranid, 1321 Broadway for re-imbursement sewer and garbage bills
4. ORDINANCE NO. 849
AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE BOROUGH OF FOUNTAIN HILL, CHAPTER 15, PART 3, PROHIBITING PARKING AT VARIOUS TIMES, AMENDING SECTION 302 (c) (3), BY APPROVING THE DELETION/ADDITION OF THE FOLLOWING HANDICAPPED PARKING SPACES
5. Request of St. Peters Lutheran Church softball from April 15 to August 12 (Monday, Tuesday & Thursday evenings). All documents received.
6. Financials to be paid
7. FHPD Monthly Receipts Report
8. Sanitation Report (February)

Non-Agenda Items

1. FHB Police Pension Plan - Compliance Report
2. FHB Non-Uniformed Pension Plan – Limited Procedures Engagement

APPROVAL OF MINUTES

- Minutes of January 23, 2019 Council Meeting
- Minutes of February 4, 2019 Council Meeting

| | Motion | 2nd | Yes | No | Abstain | Absent |
|------------------|--------|-----|-----|----|---------|--------|
| Annamarie Jordan | x | | x | | | |
| Francis Ferencin | | | x | | | |
| Norman Blatt | | | x | | | |

Doug Trotter
 Leo Atkinson
 Philip Trabel
 Helen Halleman
 Mayor Gifford

| | | | | | |
|--|---|---|--|--|--|
| | x | x | | | |
| | | x | | | |
| | | x | | | |
| | | x | | | |
| | | | | | |

PRIVILEGE OF THE FLOOR – Discussion on Agenda Items

Mr. Branco reported that he had inquired with the PA Department of Community & Economic Development (DCED) about funding for the Broadway Project.

The Lehigh County Executive, Mr. Phillips Armstrong, noted that he had learned on a recent visit to Washington, DC that the deduction of municipal taxes might be disallowed for future Federal Income Tax filings.

MAYOR'S REPORT

Mayor Gifford read February's Police Report.

She reminded of the upcoming Easter Egg Hunt on April 20, 2019 at the Playground and invited Fountain Hill residents to participate.

Another Borough Cleanup is planned and its date will be announced on the Borough's Facebook page.

EXECUTIVE ADMINISTRATOR'S REPORT

- 2017 Section 904 grant received in the amount of \$3,467.00
- Notification of DEP Municipal Recycling Grant contract award in the amount of \$60,999.00
- DCED award of \$22,000 for Lechauweki Springs Phase II project – Representative McNeill
- Fire Inspection Appeals Board – all positions, including the membership of Mike Mayrosh, are filled. Mr. Branco asked for a motion to approve of all members.

| | Motion | 2nd | Yes | No | Abstain | Absent |
|------------------|--------|-----|-----|----|---------|--------|
| Annamarie Jordan | | | x | | | |
| Francis Ferencin | | | x | | | |
| Norman Blatt | | | x | | | |
| Doug Trotter | x | | x | | | |
| Leo Atkinson | | | x | | | |
| Philip Trabel | | x | x | | | |
| Helen Halleman | | | x | | | |
| Mayor Gifford | | | | | | |

NEW BUSINESS

- Request from Ms. Georgina Guranid, 1321 Broadway for re-imbusement of sewer and garbage rents

Council requested further fact research and referred the matter back to the Health & Sanitation and House & Ordinances Committees. The request for a motion was tabled.

RESOLUTIONS – none.

ORDINANCES

First Reading

ORDINANCE NO. 849

**BOROUGH OF FOUNTAIN HILL
LEHIGH COUNTY, PENNSYLVANIA**

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE BOROUGH OF FOUNTAIN HILL, CHAPTER 15, PART 3, PROHIBITING PARKING AT VARIOUIS TIMES, AMENDING SECTION 302 (c) (3), BY APPROVING THE DELETION/ADDITION OF THE FOLLOWING HANDICAPPED PARKING SPACES

DELETE:

| STREET | SIDE | LOCATION |
|-----------------|-------|--------------|
| Delaware Avenue | Front | 836 apt. # 1 |
| N. Lynn Street | Front | 815 |
| Russell Ave. | Front | 1129 |

ADD:

| STREET | SIDE | LOCATION |
|----------------|-------|------------|
| Stanley Avenue | Front | 1312 |
| Green Court | Front | 623 Apt. 1 |

GENERAL REPEALER

All Ordinances or parts of ordinances, and all resolutions or part of resolutions, inconsistent herewith shall be and are herewith repealed.

3. **SEVERABILITY.** It is hereby declared to be the legislative intent that if a court of competent jurisdiction declares any provisions of this Ordinance to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to those provisions which are expressly stated in the decision to be invalid or ineffective, and all other provisions of this Ordinance shall continue to be separately and fully effective. Borough Council hereby declares that it would have passed this Ordinance and each section or part thereof, other than any part declared invalid, if it has advance knowledge that any part would be declared invalid.

4. **PROCEDURAL DEFECTS IN ENACTMENT.** Any procedural challenge shall be filed in accordance with applicable law.

5. **ENACTMENT.** Under Authority of Law, Borough Council of Fountain Hill hereby enacts and ordains into an Ordinance the attached documents this date of November 3, 2014. The provisions of this Ordinance shall become effective immediately from the date of passage of this Ordinance.

MOTIONS

- Request of St. Peters Lutheran Church softball team to use the Borough ballfield from April 15 to August 12 (Monday, Tuesday & Thursday evenings). All documents received.

| | Motion | 2nd | Yes | No | Abstain | Absent |
|------------------|--------|-----|-----|----|---------|--------|
| Annamarie Jordan | | | x | | | |
| Francis Ferencin | | | x | | | |
| Norman Blatt | x | | x | | | |
| Doug Trotter | | x | x | | | |
| Leo Atkinson | | | x | | | |
| Philip Trabel | | | x | | | |
| Helen Halleman | | | x | | | |
| Mayor Gifford | | | | | | |

OLD BUSINESS

UCC Appeals Board (9/18/17) –

Mr. Branco reported that Salisbury Township had signed an agreement in the past allowing it to serve also for the Borough of Fountain Hill.

COUNCIL PRESIDENT’S REPORT

- Council President Atkinson asked for a motion to order a plaque dedicating the ballfield to the past Council President, Larry Rapp. Mayor Gifford suggested to include “Love and Dedication...” on the plaque.

| | Motion | 2nd | Yes | No | Abstain | Absent |
|------------------|--------|-----|-----|----|---------|--------|
| Annamarie Jordan | x | | x | | | |
| Francis Ferencin | | | x | | | |
| Norman Blatt | | | x | | | |
| Doug Trotter | | | x | | | |
| Leo Atkinson | | | x | | | |
| Philip Trabel | | x | x | | | |
| Helen Halleman | | | x | | | |
| Mayor Gifford | | | | | | |

- A Recreation Committee meeting was held on February 26, 2019 and another meeting is planned for the end of March, exact dates to be announced.

- On April 6, 2019, the Fountain Hill Bacchanalia Committee will hold its annual wine and food tasting event called a "Bacchanalia" that raises money for the Fountain Hill Playground and Recreation Improvement Fund. This year's funds will be raised for the "Backpack Buddies" program, a kid-friendly nutrition program that serves Fountain Hill Elementary school kids at-risk of hunger. The kids will receive a weekly package of food to get them through the weekend until Monday's school breakfast.

SOLICITOR'S REPORT – none.

COMMITTEE REPORTS

A. Finance (Trotter, Blatt, Jordan)

Mr. Trotter read the different funds' Check Detail reports and asked Council to approve of the payments.

| | Motion | 2nd | Yes | No | Abstain | Absent |
|------------------|--------|-----|-----|----|---------|--------|
| Annamarie Jordan | | | x | | | |
| Francis Ferencin | | | x | | | |
| Norman Blatt | | x | x | | | |
| Doug Trotter | x | | x | | | |
| Leo Atkinson | | | x | | | |
| Philip Trabel | | | x | | | |
| Helen Halleman | | | x | | | |
| Mayor Gifford | | | | | | |

As discussed during the last Finance Committee meeting, Mr. Trotter suggested to eliminate the 2% discount on sewer and garbage rents (i.e. \$4.46/quarter on the base rates for sewer and garbage) for payments made within the 1st month after billing.

| | Motion | 2nd | Yes | No | Abstain | Absent |
|------------------|--------|-----|-----|----|---------|--------|
| Annamarie Jordan | | | x | | | |
| Francis Ferencin | | | x | | | |
| Norman Blatt | | | | x | | |
| Doug Trotter | x | | x | | | |
| Leo Atkinson | | x | x | | | |
| Philip Trabel | | | x | | | |
| Helen Halleman | | | x | | | |
| Mayor Gifford | | | | | | |

B. Public Works (Jordan, Atkinson, Trotter)

Ms. Jordan read the Public Works Hours Worked reports for February and thanked the Public Works team for their snow removal efforts.

C. Police (Atkinson, Trotter, Gifford) - none

D. House & Ordinances (Blatt, Halleman, Jordan)

The number of members serving on the committee decreased from seven to five members.

E. Fire (Trabel, Ferencin, Halleman)

Mr. Trabel read February's report as provided by the Voluntary Fire Department.

F. Recreation (Ferencin, Atkinson, Blatt)

Mr. Ferencin is in discussion with Lorenzo's Pizza or possibly Food Trucks for the summer months to make use of the Borough facilities.

G. Health & Sanitation (Halleman, Ferencin, Trabel)

Ms. Halleman read February's Sewer and Garbage rent collections reports.

H. Personnel (Trotter, Blatt, Jordan) – none.

SPECIAL OR SELECT COMMITTEES

Ms. Jordan reported that the Bethlehem Area Public Library hosted a fundraiser by partnering with Kindness is Magic Inc. and paying off student lunch debt and erase library fines at Fountain Hill Elementary School.

PRIVILEGE OF THE FLOOR – Discussion on Non - Agenda Items

- The Borough levies a Business Privilege and/or Mercantile (BPM)Tax on a business located in the Borough, including gross receipts from rental properties. Berkheimer is the Borough's BPM tax collector. Licenses are included with the mailing of the Tax Forms.

The House & Ordinance Committee will review the process for acquiring a Business License including registration of rental properties.

EXECUTIVE SESSION (if needed) – none.

ADJOURNMENT

At 8:15 PM, Mr. Trabel made the motion to adjourn, seconded by Ms. Jordan and unanimously approved.

**BOROUGH OF FOUNTAIN HILL
LEHIGH COUNTY, PENNSYLVANIA**

By: _____
Leo Atkinson - President of Council

SUBMITTED BY

By: _____
Cordula Voges, Finance Officer

ATTEST:

By: _____
Anthony Branco, Executive Administrator

Next Resolution 2019-23
Next ordinance # 850