

**MINUTES**  
**FOUNTAIN HILL BOROUGH COUNCIL**  
**January 5, 2009**  
**7:00 P. M.**

President Rapp called the meeting to order. Pledge of Allegiance followed. Members present: Mr. Rapp, Ms. Halleman, Mr. Grotenhuis, Mr. Blatt, Jr., Mr. Trotter, Jr., Ms. Gifford and Mr. Capuano. Others present were: Mayor Ned C. Fink; Barbara Merkle, Acting Executive Secretary; Donald Lipson, Solicitor; Mr. Gus Entler, Public Works Supervisor; Mr. Brad Youst, Borough Engineer; Mr. Joe Gatta, Code Enforcement Officer; Ms. Annamarie Jordan, Library Representative; Police Chief Timothy Stephens; Mr. Robert Erland, Asst. V. P., St. Luke's Hospital; Press.

Mr. Rapp stated that Mr. Rick Prill was in attendance and the Borough was ready to hire a new Executive Administrator. Mr. Rapp asked Mr. Prill if he would accept the job as Executive Administrator. Mr. Prill stated that he would accept the position. The hire date for Mr. Prill will be effective 1/12/2009. On a motion by Mr. Trotter and seconded by Ms. Gifford, the hiring of Mr. Prill was approved by unanimous voice vote.

### **APPROVAL OF MINUTES**

On a motion by Mr. Capuano and seconded by Mr. Trotter, the minutes of the December 1, 2008 Regular Council meeting were approved by unanimous voice vote.

After 2 corrections were noted by Mr. Blatt, a motion was made by Mr. Blatt and seconded by Mr. Capuano, to approve the minutes of the December 17, 2008 Special Meeting. The minutes were approved by unanimous voice vote.

### **PRIVILEGE OF THE FLOOR**

Mr. Rapp announced that Donna Zongora of 1230 Moravia Street and Susan Repasch of 1234 Moravia Street signed up to speak. Ms. Zongora brought up a problem regarding noise and activities that are going on across the street at 1225 Moravia Street. Chief Stephens stated that he has had numerous calls to 1225 Moravia Street over the past year. Ms. Zongora stated that there is a problem with loud music, car horns, loud talking, yelling from inside the house and also similar problems during shift change. Mr. Gatta will contact the Regional Supervisor of the home and make him aware of the problems. Chief Stephens said that he will increase police patrol in that area.

### **MAYOR'S REPORT**

Mayor Fink swore in the following members of the Fire Department: Donald Sabo, Fire Chief; David Bohrer, Asst. Chief; Rick Reis, Asst. Chief; Dave Eckhart and Denny Hercik, Captains; Kyle Albrecht and Robert Semmel, Lieutenants; Dan Kuhns, Fire Police Capt.; Matt Kuhns, Fire Police Lt. and Dan Pope, Fire Marshall.

Mayor Fink stated that the Civil Service Commission met on January 5, 2009 and approved the Sergeants Promotional List. Employee Shane Anthony has passed all tests and is eligible for promotion to Sergeant.

Mayor Fink read the abandoned vehicles report submitted by Officer Hochwarter for November 2008. Total abandoned vehicles reported-1; Cases Cleared-0; Cleared from Previous Month-4; Towed-0; Cited-0; Unfounded-0. Mayor Fink also read the abandoned vehicles report submitted by Officer Hochwarter for December 2008. Total abandoned vehicles reported-4; Cases Cleared-4; Cases Cleared from Previous Month-1; Towed-3; Cited-3; Unfounded-0. Mayor Fink read the total year end abandoned vehicle report: Total abandoned vehicles reported- 51; Cases Cleared-51; Towed-10; Cited-7; Unfounded-1. Mayor Fink read the police crime report for the month of December, 2008, pointing out the changes from the previous year monthly report. Total crimes: 30 versus 31, a decrease of 1. Part I Offenses: 15 versus 19, a decrease of 4. Part II Offenses: 15 versus 12, an increase of 3. Mayor Fink reported that the department collected in December 2008 \$950.00 in cash and checks that included tickets and police reports. Total cash and checks collected for the year 2008 was \$9,590.00. Mayor Fink read the fines collected in November 2008 by the Magisterial District Judge Rapp. A total of \$2,843.99 for vehicle code violations and \$1,372.06 for crimes code & ordinance violation fees. A grand total of \$4,216.05.

**EXECUTIVE SECRETARY'S REPORT**

Mr. Rapp noted that Council should reappoint residents serving on boards and commissions whose terms will expire in 2009.

Planning Commission:

- Parmita Perna-Rios.....4 yr. Term (2013)
- Rocky Bayer.....4 yr. Term (2013)
- Vacant.....4 yr. Term (2012)

On a motion by Ms. Halleman and seconded by Mr. Trotter, the motion was approved by unanimous voice vote.

Zoning Hearing Board:

- Connie Skelly Potts .....5 yr. Term (2014)
- Vacant.....5 yr. Term (2014)

On a motion by Ms. Halleman and seconded by Mr. Grotenhuis, the motion was approved by unanimous voice vote.

Civil Service Commission:

- Norman E. Blatt.....3 yr. Term (2012)

On a motion by Mr. Trotter and seconded by Ms. Gifford, the motion was approved by unanimous voice vote. Mr. Blatt abstained.

Mr. Trotter made a motion to reappoint Don Lipson, Esquire, as Solicitor. The motion was seconded by Mr. Capuano. The motion passed by unanimous voice vote.

Mr. Capuano made a motion to reappoint Hanover Engineering as the Borough Engineer. The motion was seconded by Mr. Grotenhuis and was passed by unanimous voice vote.

Mr. Trotter made a motion to reappoint Fonzone & Ashley as Solicitors to the Planning and Zoning Commission. The motion was seconded by Ms. Halleman and was passed by unanimous voice vote.

Mr. Capuano made a motion to appoint Dr. Bonnie Coyle of St. Luke's Hospital to head the Borough of Fountain Hill Health Board. The motion was seconded by Mr. Blatt and was passed by unanimous voice vote.

Mr. Rapp read Resolution 2009-01, which would appoint Hanover Engineering Associates as Sewage Enforcement Officer for the Borough of Fountain Hill. Mr. Rapp read the names of the employees certified by the State to act as SEO's, as follows:

Jeffrey T. Huff 01900  
Janice S. Buskirk 01762  
Scott J. Brown 01716

On a motion by Mr. Capuano and seconded by Ms. Halleman, Resolution 2009-01 was adopted by unanimous voice vote.

Mr. Rapp introduced Resolution 2009-02 which would establish new garbage and recycling rates effective with the first quarter billing in 2009.

BOROUGH OF FOUNTAIN HILL  
LEHIGH COUNTY, PENNSYLVANIA  
RESOLUTION 2009-02

ESTABLISHING FEES FOR THE COLLECTION OF REFUSE AND RECYCLING SERVICES IN THE  
BOROUGH OF FOUNTAIN HILL

WHEREAS, The Borough Council of the Borough of Fountain Hill received bids on July 23, 2008 for the collection and disposal of municipal solid waste and recycling services and opted in 2009 to renew the contract for an additional 3 years.

WHEREAS, the cumulative costs increases for the contract periods from November 1, 2008 to October 31, 2011 are \$39,865; and

WHEREAS, the 2009 Health & Sanitation Budget was adopted with the Borough levying the appropriate revenue to absorb these increases; and

WHEREAS, in order to balance the Health & Sanitation Budget the Borough needs to set new rates for refuse and recycling services.

NOW, THEREFORE, BE IT RESOLVED THAT the following fees will be established for the collection of refuse and recycling in the Borough of Fountain Hill:

Annual cost per dwelling residential unit.....\$450.00

The above fees shall be effective with the 1<sup>st</sup> Quarter of 2009 billing. The billing shall be subject to a 2% discount if paid within thirty (30) days from the date of the billing. A penalty of 10% shall be added after sixty (60) days, if the bill remains unpaid.

Ms. Gifford moved to adopt Resolution 2009-02 as read. Mr. Grotenhuis seconded the Motion. Resolution 2009-02 was approved by unanimous voice vote.

Mr. Rapp reviewed the list of meeting dates for 2009 and asked Council to review and approve the calendar for advertising. Mr. Blatt moved to approve the 2009 Meetings Calendar. The motion was seconded by Mr. Capuano and passed by unanimous voice vote.

Mr. Rapp advised that Mr. Gatta had prepared a letter for Council to request that Keystone Code Consulting & Enforcement, Inc., be the Third Party Code Inspection Service for the Borough. Ms. Halleman made a motion to make this change and was seconded by Mr. Blatt and motion carried by unanimous voice vote.

Mr. Rapp advised that this is the second reading of Resolution 2009-03 – Zoning Ordinance for Borough of Fountain Hill. Mr. Blatt made a motion to approve the Resolution and was seconded by Ms. Halleman and motion carried by unanimous voice vote.

## **NEW BUSINESS**

Mr. Blatt thanked Mr. Rapp, Mr. Capuano, Sook and Barbara for the fine job they have done in the past few months in the absence of Mr. Soriano.

Mr. Rapp announced that the Civil Service Commission has a re-organizational meeting tonight. Mr. Stech is president; Mr. Rapp is secretary and Mr. Blatt as the third party.

## **SOLICITOR'S REPORT**

Attorney Lispon stated that he passed out a proposed Ordinance about the Right To Know Law, which is effective 1/1/2009. The Borough will have to name somebody to be in charge of Borough records. Mr. Rapp said we will name Mr. Rick Prill in February to that position.

## **PRESIDENT'S REPORT**

## **FINANCE COMMITTEE'S REPORT**

Mr. Trotter made comments regarding the 2009 budget. He also said the Borough is closing on a solid financial note for 2008 and wanted to thank the Department Heads Chief Stephens & Gus Entler. They did a very good job in controlling their budgets and they are to be commended.

Mr. Trotter, Jr. read the totals for the Bills Payable for December, 2008, as follows: General Fund-\$92,538.21; Sewer Fund-\$49,546.85; Health & Sanitation- \$49,180.17: Liquid Fuels-\$45,328.54.

On a motion by Mr. Trotter, Jr. and seconded by Mr. Grotenhuis, the Bills Payable for December 2008 were approved by unanimous voice vote.

## **PUBLIC WORK'S COMMITTEE REPORT**

Mr. Capuano read the report prepared by the Public Works Supervisor and the various tasks performed by the crew for the month of December. Mr. Capuano stated he would get a meeting together to review applications for a new hire for Public Works.

## **POLICE COMMITTEE'S REPORT**

No Report

## **HOUSE COMMITTEE'S REPORT**

Mr. Blatt reported that the cameras in the lobby and the parking lot are installed and working.

## **FIRE COMMITTEE'S REPORT**

Mr. Grotenhuis read the December 2008 report.

## **RECREATION COMMITTEE'S REPORT**

Ms. Gifford announced that the winners of the House Decorating Contest will be announced shortly. Mr. Capuano stated that we applied for a grant to pay for the pool feasibility study. The State will be here in February to look at the pool.

## **HEALTH & SANITATION COMMITTEE**

Ms. Halleman read the report prepared by Ms. Choi: Garbage Current-\$70,047.22; Garbage Delinquent-\$2,949.04. Recycling Containers-\$40. Total Garbage collections-\$73,036.26. Sewer Residential Current-\$67,929.10. Sewer Residential Delinquent-\$4,032.23. Commercial Current-\$86,752.85. Commercial Delinquent-\$1,211.98. Salisbury-\$0; Star Village Sewer Assessments-\$198.46. St. Like's Pumping Station-\$0. Total Sewer collections-\$160,124.62. Total Garbage and Sewer Collections-\$233,160.88.

## **SPECIAL OR SELECT COMMITTEES**

Mr. Rapp thanked Ms. Choi, Ms. Merkle and Council members for the hard work they have done during the absence of an Executive Administrator.

Gus Entler – No Report

Chief Stephens – No Report

AnneMarie Jordan – No Report

Brad Youst reported that the Spiegel/Stanley storm sewer project is being wrapped up on paper. The project will come in approximately \$640.00 below the bid amount. Mr. Youst also advised that the City of Bethlehem has submitted a revision to the update of Act 537.

Mr. Rapp thanked Mr. Pope for his many years of effort and time that he gave to the Fire Department.

Mr. Rapp also told Chief Stephens to tell Officer DelRosario that he did a fine job on the Police Blotter.

**SECOND PRIVILEGE OF THE FLOOR**

None

**ADJOURNMENT**

On a motion by Mr. Capuano and seconded by Ms. Gifford, the meeting was adjourned. The time was 8:05 p.m.

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Minutes approved on February 2, 2009.

Motion to Approve  
Minutes:

	Motion	2nd	Unanimous Yes	No	Abstain
Tavis Grotenhuis			X		
Carolee Gifford					
Norman Blatt					
Fred Capuano		X			
Larry Rapp					
Doug Trotter	X				
Helen Halleman					

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Lawrence Rapp, Council President

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Rick Prill, Borough Secretary