

**COUNCIL MEETING MINUTES**  
**January 20, 2010**  
**7:00 P.M.**

Council members present were: Mr. Rapp, Mr. Blatt, Mr. Capuano, Mr. Ferencin, Ms. Gifford, Ms. Halleman and Mr. Trotter, Jr.. Also in attendance were: Mayor Fink, Rick Prill, Administrator and Jim Levernier, PW Supervisor.

Council President Rapp called for the pledge to the flag.

Mr. Rapp reviewed items to be placed on the February 1, 2010 meeting Agenda as follows:

1. Minutes of the 12/16/09 Council Meeting, 1/4/10 Reorganization Meeting have been prepared for review. Mr. Rapp noted that anyone with corrections to the Draft Minutes of the 12/16/09 and 1/4/10 meetings should provide them in writing to Mr. Prill.

Council President Rapp moved on to the next agenda item regarding review and/or discussion on the following matters:

1. Appointment of a new Tax Collector. Four (4) residents of the Borough have expressed interest in being considered for the position and Council President Rapp asked that the Finance / Personnel Committee members schedule a meeting for Monday, January 25<sup>th</sup>, at 6:00 pm, to interview the candidates.
2. Councilwoman Halleman has submitted a letter requesting to be appointed to the vacant position on the Planning Commission. In response to a question asked, Council President Rapp noted that State statute allows for two (2) officers or employees of the Borough to serve on the Planning Commission. Councilwoman Gifford indicated that she would also be interested in serving on the Planning Commission. Council President Rapp indicated that this matter will be placed on the February 1<sup>st</sup> meeting agenda for further discussion.
3. The US Census Bureau has submitted a request asking if space was available at Borough Hall, from March 19<sup>th</sup> – April 19<sup>th</sup>, for a Census Bureau representative to meet with residents of the Borough who might need assistance in completing the Census form. Councilman Capuano suggested that if the weather was not too cold that possibly one of the refreshment stands could be used. It was noted that the weather would be too cold during this time frame to use a refreshment stand and that providing space at Borough Hall would not be a problem.

4. A letter has been received from Mr. Brian DeAngelis, indicating that the DeAngelis family is offering to gift two vacant lots to the Borough, at a value of \$12,500, with the conditions that they be used as a wildlife conservancy and never be sold or given to anyone, otherwise the land would revert back to the DeAngelis family. Councilman Blatt noted that he will recuse himself from any deliberations in this matter since he is representing the DeAngelis family with their estate. Following a brief discussion, this matter was referred to Don Lipson for his review and input.
5. The Planning Commission has asked Council to consider re-zoning the land currently owned by the Bethlehem Water Authority which is currently zoned MD-R (Medium Density Residential). At their last meeting the Planning Commission discussed this issue and felt that the current zone opened the door for possible development of the property in the future and that consideration of rezoning it should be given to prevent any development of the land in the future. The Planning Commission had considered incorporating it into the adjacent Institutional zone but that this designation includes some permitted uses that Council might not want. Another suggestion had been made about creating an Open Space zone which could be written as Council felt was necessary to protect the land.

Council discussed this matter and considered the need to make a change at all. Councilwoman Halleman indicated that a Planner from URDC has assisted the Borough in the preparation of the Comprehensive Plan and suggested that this Planner should be brought in to work with Council in reviewing this matter. Councilman Blatt commented that he is not sure the Borough should take any action on this suggestion. Councilman Capuano indicated he feels Council needs an explanation as to why it was zoned MD-R and why the need to change it.

Councilman Capuano made a motion to place this matter on the 2/1/10 agenda for consideration of re-zoning the property as Open Space. The motion was seconded by Councilman Trotter.

Council President Rapp opened the meeting to the public for any comments. Parmita Perno-Rios, who is a member of the Planning Commission, offered some comments on the suggestion made by the Solicitor for the Commission on a possible definition for an Open Space zone and noted that there was a brief discussion about the Bethlehem Water Authority having been approached in the past about using the land for a cell tower.

6. The Planning Commission had also had a discussion about the sewer allocation issue with the City of Bethlehem and how the Borough is facing a sewer moratorium because the City is not approving any new sewer allocations. Council had a general discussion about this being a long standing issue between the Borough and the City and that it continues to be an issue

that has yet to be resolved. It was noted that an agreement had been reached previously whereby the Borough would have an allocation of 700,000 gallons but that the agreement was never signed by the City, therefore, no such allocation exists.

Parmita Perno-Rios offered comment indicating that part of the Planning Commission discussion was with regards to the future development of a Town Center and how this sewer allocation issue would prevent any such development until it could be resolved.

7. The deadline for submitting a grant application to DCNR is April 21, 2010, and a proposal is being made for the reconstruction of the Dodson Avenue baseball field to make the field a regulation size field. Two options have been looked at, with one being backfilling of the right field area for an estimated cost of \$268,000, and the other being lowering the entire field by 6' and using the fill to extend the right field area at an estimated cost of \$255,000. Mr. Prill noted that in addition to submitting an application to DCNR, that we would also seek funding from the County and St. Lukes. Council approved the submission of the DCNR grant application.

Council President Rapp moved on to the next agenda item, Council Action, noting that there was one item for approval as follows:

1. Resolution #2010-08 Approving the Appointment of a Part-Time Police Officer:

**BOROUGH OF FOUNTAIN HILL  
RESOLUTION NO. 2010-08**

**A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF FOUNTAIN HILL,  
LEHIGH COUNTY, PENNSYLVANIA, APPROVING THE APPOINTMENT OF PART-TIME  
POLICE OFFICER**

**WHEREAS**, Periodically, the Borough is in need of additional Part-Time Police Officers to provide necessary staffing in the Police Department; and

**WHEREAS**, The Police Committee has reviewed and approved the hiring recommendation of Chief Stephens;

**NOW, THEREFORE, BE IT RESOLVED** that the Borough Council of the Borough of Fountain Hill does hereby approve the appointment of the following Part-Time Police Officer, said appointment being effective January 25, 2010 and upon his being sworn in by Mayor Ned Fink:

Justino Arroyo

Duly Adopted by Borough Council at a meeting held on the 20th day of January, 2010.

Councilman Blatt made a motion to approve Resolution #2010-08. The motion was seconded by Councilwoman Gifford and approved by unanimous vote.

Council President Rapp indicated that he had the following announcements:

1. A letter has been received from Chief Sabo of the Fire Department indicating that the Department has been awarded a grant in the amount of \$10,734.47 from the Office of PA Emergency Management.
2. The Planning Commission has approved a change in their meeting time from 7:00 pm to 6:30 pm.
3. Mr. Prill has submitted a memo asking for approval to proceed with a Public Works Garage feasibility study with funding donated by St. Luke's Hospital. Council approved proposals being received for a feasibility study.
4. The Finance Committee has met with Solicitor Lipson to continue working on an revised ordinance to address the collection of garbage and sewer delinquencies and that Mr. Lipson will be making a couple of revisions to the draft ordinance and that it should be ready for Council review shortly.

Council President Rapp asked if any Council members had anything else to discuss. Councilman Ferencin asked about the process being proposed for the interviewing of the Tax Collector candidates and indicated that he feels all Council members should have the opportunity to interview the candidates. Councilman Blatt agreed that this should be a full Council process given the importance of the position involved. Council agreed to hold a special meeting on Monday, January 25<sup>th</sup>, at 6:00 pm, to interview the candidates.

Hearing no further comments, Mr. Rapp asked for a motion to adjourn. Councilman Capuano made a motion to adjourn, seconded by Councilwoman Gifford and the motion passed at 8:08 pm.

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Minutes approved on March 1, 2010.

	Motion	2nd	Yes	No	Abstain
Mark Ferencin	X		X		
Carolee Gifford			X		
Norman Blatt			X		
Fred Capuano		X	X		
Larry Rapp			X		
Doug Trotter			X		
Helen Halleman			X		
Mayor Ned Fink					

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Lawrence E. Rapp, President of Council

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Rick Prill, Borough Secretary