

COUNCIL MEETING MINUTES
February 1, 2010
7:00 P.M.

Council members present were: Mr. Rapp, Mr. Trotter, Jr., Mr. Blatt, Ms. Halleman, Mr. Ferencin, Ms. Gifford and Mr. Capuano. Also in attendance were: Mayor Fink, Mr. Rick Prill, Administrator, Solicitor Peter Lehr, Chief Stephens, Sook Choi, Finance Director, Joe Gatta, Zoning Officer and Public Works Supervisor Jim Levernier.

Council President Rapp called for the pledge to the flag.

At this time Council President Rapp indicated the next item on the agenda was the approval of minutes:

1. December 16, 2009 Work Session meeting minutes. Any corrections/revisions were to have been submitted to Mr. Prill. Hearing no further comments regarding revisions/corrections, Council President Rapp called for a motion and second for approval of the minutes. Councilman Capuano motioned for approval of the minutes, seconded by Councilman Trotter, the minutes were unanimously approved.
2. January 4, 2010 Reorganization meeting minutes. Any corrections/revisions were to have been submitted to Mr. Prill. Hearing no further comments regarding revisions/corrections, Council President Rapp called for a motion and second for approval of the minutes. Councilman Trotter motioned for approval of the minutes, seconded by Councilwoman Gifford, the minutes were unanimously approved.

Council President Rapp opened the meeting for any public comments on any Agenda item. Mr. Rapp noted that Mr. Terry Markovic had signed up to speak.

Mr. Terry Markovic indicated that as President of the Fountain Hill Little League, he had received a letter from the Principal of the Broughal Middle School asking for the girl's softball team to be able to use the Fountain Hill softball field for practice and games. Mr. Markovic indicated that of the 14 members on the team, 10 of them are Fountain Hill residents and he feels that they should be allowed to use the field. Councilman Capuano asked if there would be any conflict with little league games? Mr. Markovic indicated that there might be a couple week overlap between seasons but that any conflicts would be worked around. Council President Rapp indicated that he had contacted the BASD and was advised that the district charges \$25/day for the use of their ballfields. BASD also charged the Borough \$100/bus when students from Broughal attended and participated in the Memorial Day program. The Borough has a facility usage fee in our Code Book and that once we receive a formal request from BASD on this, we can schedule a meeting with the district to discuss issues involved in using the field. Councilwoman Gifford provided Mr. Prill with the letter that had been received from the Principal of Broughal Middle School.

Mr. George Williams addressed Council with regards to the discussion about possibly re-zoning the property owned by the Bethlehem Water Authority. He feels that changing the zoning to Institutional, which had been one of the suggestions made at the last Planning Commission meeting, would be a waste of time and money for the Borough. Councilman Capuano asked Mr. Williams if he was representing the Planning Commission with his comments and if re-zoning it to Open Space would be more acceptable? Mr. Williams indicated that he was here tonight as a resident and that an Open Space zone would be more appropriate.

Hearing no further comments from the public, this public portion of the meeting was closed.

Council President Rapp noted the next item on the agenda was the Mayor's report. Mayor Fink reviewed the following Police Department reports:

1. January District Justice fines report
2. January ticket report
3. January Abandoned Vehicle report
4. January Vehicle maintenance report

The next item on the agenda was the Executive Administrator's report. Mr. Prill commented on the following item:

1. A letter has been received from the County outlining a requirement of the Federal Communications Commission which is requiring the discontinued use of wideband radio frequencies as of 12/31/2012, and that the County has identified a funding source which they will be submitting an application to in an effort to secure funding for the replacement of radios, scanners, pagers, etc. that use wideband frequencies and cannot be upgraded to narrowband frequencies. The County is inviting any municipality to join in with them on this application. We are currently gathering information from the Fire, Police and Public Works Departments regarding their radio inventories to see which ones might need to be replaced before the deadline. Council also needs to keep this requirement in mind over the next two budget cycles as it may be necessary to put funding in the 2011 and 2012 budgets to replace these radios and pagers.

Council President Rapp noted the next item on the agenda was New Business:

1. Discussion re – Bethlehem Water Authority property re-zoning. Councilman Blatt made a motion to table this matter to the February work session. The motion was seconded by Councilwoman Gifford. Councilman Trotter commented that he feels that consideration should be given to re-zoning this property as Open Space. Hearing no further comments, the motion was approved.
2. Appointment of a new member to the Planning Commission. Council President Rapp indicated that requests have been received from Councilwoman Halleman and Councilwoman Gifford who are both interested in being appointed to the

vacant position on the Planning Commission. Council President Rapp asked if there were any motions for this appointment. Councilman Blatt made a motion to appoint Councilwoman Gifford. The motion was seconded by Councilman Capuano. Councilman Ferencin made a motion to appoint Councilwoman Halleman. Hearing no second to Councilman Ferencin's motion, a vote was taken on Councilman Blatt's motion and the motion was approved with Councilwoman Halleman and Councilman Ferencin voting No.

3. Council President Rapp noted that Council has received two draft ordinances for review involving the collection of delinquent sewer and solid waste charges. Since Council has not had time to review these proposed ordinances in detail, he asked for a motion to table discussion on them to the February work session meeting. Councilwoman Gifford made a motion to table these draft ordinances to the February work session meeting. Councilman Capuano seconded the motion and the motion was approved.

Council President Rapp moved to the next item on the agenda - Resolutions:

Resolution # 2010-09 Approving the Appointment of a Part-Time Police Officer.

**BOROUGH OF FOUNTAIN HILL
RESOLUTION NO. 2010-09**

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 upon his successful completion of physical and psychological testing and upon his being sworn in by Mayor Ned Fink:

Jose Vasquez

Councilman Capuano made a motion to approve Resolution No. 2010-09. The motion was seconded by Councilman Ferencin and approved unanimously.

Resolution # 2010-10 Approving the Appointment of a Public Works Employee.

**BOROUGH OF FOUNTAIN HILL
RESOLUTION NO. 2010-10**

**A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF FOUNTAIN HILL,
LEHIGH COUNTY, PENNSYLVANIA, AUTHORIZING THE APPOINTMENT OF A NEW
PUBLIC WORKS EMPLOYEE**

WHEREAS, The Personnel Committee has interviewed thirteen candidates for an open Laborer / Truck Driver position in the Department of Public Works; and

WHEREAS, The Personnel Committee is recommending the appointment of Mr. David Whiteman to this open position, and

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Fountain Hill does hereby appoint Mr. David Whiteman to the full-time position of Laborer / Truck Driver, effective February 8, 2010, subject to his successfully completing a six (6) month probationary period.

Councilman Trotter made a motion to approve Resolution No. 2010-10. The motion was seconded by Councilman Blatt and approved unanimously.

Councilwoman Halleman expressed concern that no Borough residents were considered during this interviewing process. Councilman Blatt indicated that this is incorrect and that all applicants received the same consideration and that during the selection process, two Borough residents were interviewed, one having been interviewed twice, but that a recommendation was made to hire one of the other finalists.

Council President Rapp asked if any members of Council had any Old Business to bring up.

Councilman Blatt noted disappointment that Representative Joe Brennan has not responded to Council's invitation to attend a meeting to discuss the Earned Income Tax Collection program underway. It was suggested that a second letter be sent.

Regarding the proposal received from the DeAngelis family to donate two parcels of property to the Borough, Councilman Capuano indicated that he has looked at these lots and that there is no access to the lots which means that they cannot be built on at this time. The donation proposal has a stipulation included that he feels is problematic. If the proposal was accepted, these lots would come off of the tax roles, and potentially at some point in the future, there might be access to these lots, and if the Borough ever wanted to do anything with them, they would first have to be offered back to the DeAngelis family who might then be able to sell the lots. He feels that if Council chooses to accept the offer that it needs to be without any stipulations attached.

Hearing no comments, Council President Rapp asked for the Solicitor's Report. Mr. Lehr indicated that he had no report at this time.

Under President's Report, Mr. Rapp commented that he and Mayor Fink met with Bob Donchez at Representative Brennan's Office to discuss the sewer issue with the City of Bethlehem. Mr. Donchez indicated that he was not aware of this issue and said he would check into it. Mr. Donchez contacted the Borough later indicating that he had spoken to the City Public Works Director who is willing to meet with the Borough to discuss this issue.

Council President Rapp proceeded to Committee Reports:

Finance Committee: Councilman Trotter reported on the following:

1. 2009 year-end figures have been provided and the good news is that revenue exceeded anticipated revenues and that revenues exceeded expenditures, resulting in the finances being in the black for the year.
2. Reviewed the amount of bills to be paid by Fund and made a motion for the approval of the Bill List. The motion was seconded by Councilwoman Gifford. Councilwoman Halleman had a couple of questions on specific bills, following which the motion was approved unanimously.

Public Works Committee: Councilman Capuano reviewed the following:

1. January monthly report.
2. Council President Rapp noted that new banners have been hung in the parking lot and they look very nice.

Police Committee:

1. Chief Stephens introduced the two new Part-Time Police Officers that have been hired.
2. Councilwoman Halleman asked the Chief about the status of the Department accreditation effort. Chief Stephens noted that the effort is moving forward and he feels they are close to having the accreditation team visit the Department for a review.

House & Ordinance Committee: Councilman Blatt indicated he had no report.

Fire Committee: Councilman Ferencin reviewed the following:

1. January monthly report.
2. Chief Sabo has reported that a grant in the amount of \$73,500 has been received from the federal office of Emergency Management and this grant will be used to purchase new air packs.

Recreation Committee: Councilwoman Gifford commented on the following:

1. A meeting was held to discuss the Borough's first Community Day program.

2. A meeting will be scheduled to discuss the upcoming summer Recreation program.

Councilwoman Halleman noted that Council still has not received the year-end reports for the Pool and Playground programs.

Health & Sanitation Committee:

1. Councilwoman Halleman reviewed the January monthly report for Garbage and Sewer operations as follows:

1/28/2010		Current & Prior Billings	2010 Jan. Receipts	Quarterly Collections To-Date	Balance Due
<u>Garbage Collections</u>					
Current * Prior / Delinquent Recycling Cans Grant/Recycling	(Billed Dec. '09)	\$174,239.82	\$27,927.95	\$138,559.81	\$ 35,680.01
		\$138,311.33	\$ 4,510.02	\$ 9,539.01	\$128,772.32
		\$ -	\$ -	\$ 20.00	\$ -
		\$ -	\$ -	\$ -	\$ -
Total		<u>\$312,551.15</u>	<u>\$32,437.97</u>	<u>\$148,118.82</u>	<u>\$164,452.33</u>
<u>Sewer Collections</u>					
Residential * Current	(Billed Dec. '09)	\$151,341.36	\$23,776.74	\$119,586.02	\$ 31,755.34
Residential Prior/Delinquent		\$126,922.53	\$ 8,128.22	\$ 11,744.80	\$115,177.73
Commercial * Current	(Billed 3rd Qtr '09)	\$ 88,947.39	\$ -	\$ 80,293.07	\$ 8,654.32
Commercial Prior/Delinquent	(Prior to 3rd Qtr. '09)	\$ 8,080.03	\$ 188.59	\$ 188.59	\$ 7,891.44
Salisbury Twp.		\$ -	\$ -	\$ -	\$ -
Star Village		\$ -	\$ 198.46	\$ 396.92	\$ -
St. Luke/Pump House		\$ -	\$ -	\$ -	\$ -
Total		<u>\$375,291.31</u>	<u>\$32,292.01</u>	<u>\$212,209.40</u>	<u>\$163,478.83</u>
Grand Total		<u>\$687,842.46</u>	<u>\$64,729.98</u>	<u>\$360,328.22</u>	<u>\$327,931.16</u>

* Prior/ Delinquent - Outstanding Bills except Current Bill.

Council President Rapp asked if there were any reports from any Special or Select Committees.

Chief Stephens thanked Council for their hiring of the two new Part-Time Police Officers, noting that this will be beneficial to the Department.

Community Officer Apgar addressed Council reporting on the following:

1. Meetings for this year's Halloween program are continuing.
2. The committee organizing the Easter Egg program for Fountain Hill children is moving forward.
3. He is working on getting Senior Citizens involved with the Easter program as well as others.
4. He is also working on coordinating the holding of meetings at the Senior Citizen Center.
5. He noted that a Community Day program committee is organizing and that they are looking for volunteers and sponsors for this program.
6. He is pursuing applying for community grants.

At this time, Council President Rapp opened the meeting up to any public comments.

One of the parents of a girl's softball team member asked what will be happening next regarding the request for the use of the softball field. Council President Rapp indicated that the Borough will need to schedule a meeting with representatives of the school to discuss the request. Mr. Prill noted that the Borough needed to receive a letter from the school. Councilwoman Gifford indicated she had received a letter and passed it along to Mr. Prill.

Hearing no further comments, the public session was closed.

Hearing no further comments from Council, Council President Rapp asked for a motion to adjourn. Councilman Capuano made the motion, seconded by Councilwoman Gifford and approved unanimously. The meeting adjourned at 8:05 pm.

Minutes approved on March 1, 2010.

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

ATTEST:

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

By: _____
Rick Prill, Borough Secretary

By: _____
Lawrence E. Rapp, President of Council