

COUNCIL MEETING MINUTES

March 17, 2010

7:00 P.M.

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

Council President Rapp called for the pledge to the flag.

Mr. Rapp reviewed items to be placed on the April 5, 2010 meeting Agenda as follows:

1. Minutes of the 2/17/10 and 3/1/10 Council Meetings have been prepared for review. Mr. Rapp noted that anyone with corrections to the draft Minutes of the 2/17/10 and 3/1/10 meetings should provide them in writing to Mr. Prill.

Council President Rapp noted that Representative Joe Brennan was scheduled to attend this evenings meeting but was unable to make it and will attend the April 5th Council meeting in response to Council's request regarding the EIT Collection program.

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

1. Zoning change request re – 950 Broadway, recommendation of the Planning Commission.

Councilwoman Gifford reported that this matter has been discussed by the Planning Commission and their recommendation is for Council to give consideration to approving an amendment to the Zoning Ordinance to allow for the check cashing business at 950 Broadway as a special exception in the Town Center Zone.

Councilman Blatt commented that he does not understand why the Zoning Hearing Board rejected this application in the first place. Mr. Blatt also recommended that this matter be combined with the proposed change of zone for the Bethlehem Water Authority matter.

Councilwoman Gifford made a motion authorizing Don Lipson to prepare an Ordinance amending the Zoning ordinance for both the zone change request for the owner of 950 Broadway and for the zone change involving the Bethlehem Water Authority property to an Open Space zone. The motion was seconded by Councilman Capuano and approved by unanimous voice vote.

2. Proposed donation of property by the DeAngelis family. Councilman Blatt reported that he has discussed the issue of the proposed conditions with the family and they have agreed to withdraw the conditions and offer to donate the property to the Borough without any conditions. Council was in agreement with accepting the donation on this basis. Council President Rapp noted that this will be placed on the April 5th Council agenda. Councilman Blatt also noted that he will prepare the draft of the deed at no cost to the Borough and provide it to Mr. Lipson for review.
3. Appointment of Tax Collector. Mr. Prill indicated that unfortunately, both Councilman Trotter and Councilman Blatt have not had the opportunity to review the background information on the two candidates so it would be appropriate to hold this matter to the April 5th Council meeting.

Councilwoman Halleman asked if a full background check has been performed? Council President Rapp indicated that a criminal and credit check

has been performed by Mr. Prill. Ms. Halleman stated that she feels that the Police should have done this and that a full background check should be done. Mr. Rapp noted that the Police would pull the same information that Mr. Prill has secured. The only difference would be talking to references and neighbors.

Councilman Blatt commented that a more thorough check may be needed.

Councilwoman Gifford feels a more in-depth check should be done.

Council President Rapp noted that this will be placed on the April 5th meeting agenda.

4. Proposed Cell Tower.

Mr. Prill noted that at a previous COG meeting, the Tower One company had made a presentation and that following this meeting, a representative of the Company meet with Mr. Rapp and Mr. Capuano and looked at a site near the Dodson Street Baseball Field and it was felt that this might be a good location for a cell tower. A representative of the Company is here tonight to give a brief overview and presentation of the Company and answer any questions Council might have.

Mr. Romanowski introduced himself and provided a brief overview of their Company and what would be proposed for this potential site. He indicated that if a cell tower were to be installed, all up-front costs would be borne by the Company, they would then lease space to interested carriers, and the revenue generated from the lease agreements would be split 40% to the Borough and 60% to Tower One. The cell tower would be a mono-pole construction and could house up to six carriers.

Councilwoman Gifford asked if the Company installs environmentally sensitive poles, such as flag poles or poles disguised as trees?

Mr. Romanowski indicated that they can design these type of towers but that they do not like to because it limits usability of the number of carriers that can locate on the pole, and thereby diminishes the revenue being generated.

Councilwoman Halleman asked what the benefits of a tower would be?

Mr. Romanowski indicated that benefits include revenue generation, meeting a growing need of the industry, and allowing for a tower to be installed where it is wanted versus where it may not be wanted.

Councilwoman Halleman asked who is responsible for repairs to the pole or if the pole were to fall?

Mr. Romanowski indicated that Tower One is responsible for any repairs and maintenance to the structure and equipment.

Councilman Capuano asked what the length of the contract would be?

Mr. Romanowski indicated that the carriers look for a 25 year term, which is broken down into 5 year increments.

Mr. Romanowski summarized by saying that the first step would be for the Borough to approve a professional services agreement engaging the services of Tower One. The Company would then begin marketing the site to the carriers, and once an anchor tenant (carrier) signed on, then the process of design and approvals would be initiated.

Council President Rapp noted that this matter will be placed on the April 5th Council agenda.

5. Council President Rapp reported that Broughal Middle School is still interested in using the softball field for their girls softball team and that the Bethlehem Area School Board was supposed to have voted on the application at the Monday meeting. We are waiting for word back from the District on the status of this approval.
6. The next item were review of two proposed ordinances that will be on the April 5th Council agenda for Introduction, as follows:

Ordinance # 754 Amendment to the Bicycle Ordinance

Ordinance # 755 Approving No-Parking on the East side of Bishopthorpe Street, between Delaware and Ostrum

Council President Rapp indicated that a medical leave of absence has been received for Sergeant Shane Anthony.

Council President Rapp indicated that there is one Resolution on the agenda for Council Action as follows:

**BOROUGH OF FOUNTAIN HILL
LEHIGH COUNTY, PENNSYLVANIA
RESOLUTION 2010-15**

APPROVING THE SUBMISSION OF APPLICATIONS TO LEHIGH COUNTY FOR 2010 CDBG FUNDING

WHEREAS, The Borough of Fountain Hill is experiencing an aging storm water infrastructure that has resulted in the deterioration of storm sewer pipes throughout the Borough; and

WHEREAS, The Borough Council, commissioned the Borough Engineer to develop a plan for the replacement and/or rehabilitation of the storm sewer system to address the ongoing deterioration problem and to alleviate localized flooding problems; and

WHEREAS, an opportunity has arisen in 2010 for the Borough to participate in a joint storm sewer installation project with the Township of Salisbury and the Borough fully supports this project as part of our continuing effort to address localized flooding, erosion and siltation problems in the Borough's storm water system, and

WHEREAS, In addition to the ongoing storm sewer rehabilitation program, the Borough desires to apply for funding for the installation and/or reconstruction of handicapped curb ramps along various roadways that are planned for reconstruction;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the Borough of Fountain Hill does hereby authorize Rick Prill, Executive Administrator, to act as the official to prepare and submit the Community Development Block Grant Applications to the County of Lehigh for funding of the ongoing storm sewer rehabilitation project and for the handicapped curb installation / reconstruction project.

Councilman Blatt made a motion to approve Resolution # 2010 – 15. Councilwoman Gifford seconded the motion and the motion was approved by unanimous vote.

Council President noted the next item on the agenda was Announcements, and presented the following items:

1. Community Day celebration – the Committee needs upfront funds which will be reimbursed by St. Luke's Hospital and is requesting Borough funds be used until the St. Luke's funding is received.

Councilman Blatt made a motion to approve this request. Councilwoman Gifford seconded the motion and the motion was approved by unanimous vote.

2. A second request from the Community Day Committee is whether or not the Borough will be contributing towards this program? Following a brief discussion about this request, Councilman Blatt made a motion to approve \$1,000 being donated towards the Community Day Celebration program. The motion was seconded by Councilwoman Gifford and approved by unanimous vote.
3. Easter Egg Hunt Program: Council members were asked to donate money towards a prize.
4. The Borough has received word from Lehigh County that we are being slated to receive \$48,802.15 of Casino revenue this year.

Councilwoman Halleman asked that this be confirmed in writing. Council President Rapp provided Councilwoman Halleman with a copy of the Bill that has been introduced by the County Commissioners.

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 7:47 pm.

Minutes approved on May 3, 2010.

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

ATTEST:

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

By: _____
Ricky L. Prill
Borough Secretary

By: _____
Lawrence E. Rapp
President of Council