

COUNCIL MEETING MINUTES

April 22, 2009

7:00 P.M.

Council members present were: Mr. Rapp, Mr. Capuano, Ms. Halleman, Ms. Gifford. Also in attendance were: Mayor Ned Fink, Mr. Rick Prill, Administrator, Mr. Don Sabo, Fire Chief. Absent were: Mr. Trotter, Mr. Blatt and Mr. Grotenhuis.

Mr. Rapp called for the pledge to the flag.

Mr. Rapp reviewed items to be placed on the May 4, 2009 meeting Agenda as follows:

1. Minutes of the 3/18/09 and 4/6/09 Council Meetings have been prepared for review. Mr. Rapp noted that anyone with corrections to the Draft Minutes of 3/18/09 and 4/6/09 should provide them in writing to Mr. Prill.
2. Mr. Prill reported that Cityline Construction has requested release of their Standby Letter of Credit in connection with the work done to the Police Department. Both Chief Stephens and Gus Entler have been asked if any work is still outstanding and both have reported that all work has been completed. It would therefore be in order for the Letter of Credit to be released.
3. Mr. Prill reported that at the last Fire Committee meeting Chief Sabo indicated that Truck #3471, a 1982 GMC vehicle, will most likely not pass the next certification inspection, therefore, the Fire Department will be submitting a letter requesting that the Truck be auctioned off. Chief Sabo confirmed that the Department would like to have the truck auctioned off and will provide a letter making this request.
4. Resolution # 2009-16, approving the Animal Control Services Contract with the Lehigh County Humane Society. Mr. Prill noted that this agreement is up for renewal and should be approved for another year. Council President Rapp noted how much the Borough paid for this service for the past year.
5. Resolution #2009-17, approving a Memorandum of Understanding (MOU) for the 2009 Edward Byrne Memorial Justice Assistance Grant Program award. Mr. Prill noted that under this grant program, the City of Allentown has been designated as the 'Fiscal Agent' to administer the distribution of the grant funds, therefore, each of the communities receiving grand funding must approve the MOU. Allentown will receive 5% of the grant award as compensation for being the 'Fiscal Agent'.

The next items on the agenda were discussion items:

1. Presentation by One Communications. Mr. Prill commented that one of the items he was asked to work on was a review of the Borough's phone system and

charges. Two company's (One Communications and Broadview Network) were asked to review the Borough's phone bills to see if there were any opportunity to generate cost savings. Both companies submitted proposals to the Finance Committee with One Communications showing the most favorable proposal. Mr. Chris Welch and Ms. Terri Powell are in attendance tonight to make a brief presentation to Council with regards to the proposal they have submitted, outlining the proposed cost savings which could be achieved, amounting to approximately \$3,100/year, that they would be looking for a 3 years agreement, and where their company stands in comparison to other potential service providers with regards to revenue generation, expenses and debt. Mr. Capuano commented that he liked the straight forward manner in which their proposal was presented. Ms. Halleman asked how long their company has been in business in the area. Mr. Welch indicated that they have been in Lehigh Valley for approximately 9 years. Mr. Prill noted that on the cost savings analysis sheet, there are three phone numbers which have a line through them which identifies two lines which were determined as not being needed and one fax line in the Police Department which had over-lapping service from two service providers and where the service from one of the providers was being eliminated. Mr. Prill also asked Mr. Welch to comment on how long it would take to transition over to One Communication if the Council approved making this change. Mr. Welch indicated that the process would most likely take approximately 6 weeks.

2. The next item was a letter received from the City of Bethlehem advising the Borough that in their determination the Borough has exceeded its' sewer allocation and no further sewer connection approvals would be granted, in effect establishing a sewer moratorium. Mr. Prill indicated that he has met with Brad Youst and Don Lipson to discuss this matter and at this time Mr. Youst is contacting Bethlehem to set up a meeting where we can discuss with them what records they have which support their position, how they are making their calculations and to present our position which indicates that we have not exceeded the allocation threshold. Mr. Rapp noted that this has been an ongoing issue for a number of years and that no formal allocation has been approved between the Borough and the City of Bethlehem. The Mayor commented that over the years, the City has accepted flow from surrounding communities which has caused the treatment facility to reach its' treatment capacity. Mr. Prill commented that the Borough has undertaken Infiltration and Inflow (I & I) studies and repair work in the past but that we need to be more proactive in the future with the I & I work in an effort to decrease the amount of flow that is getting into the sanitary sewer system. It has been identified that much of the infiltration and inflow is coming from the sewer laterals but under the Borough's current ordinance, these laterals are owned by the property owner, therefore, in order to conduct I & I studies of the laterals and have repair work done, the permission of each property owner will be needed and the cost of making repairs would be the responsibility of the property owner, unless the Borough were to provide funding to cover these costs.
3. The next item is the appointment of members to a Pool Feasibility Study Committee. Ms. Gifford indicated that three individuals have been identified so far, these being Bob Hercik, Brad Youst and Bob Erland, and that she would like to have residents of the Borough appointed who are not users to the Pool to better understand why more residents do not utilize the Pool facility. Mr. Rapp noted

that the State recommends that a Study Committee be kept around 7 members and that with the three individuals already identified, plus the Recreation Committee members, there is not room for a number of other people to be appointed without eliminating some of the Committee members, and that the local business community should be represented as well. Mr. Prill indicated that one of the options the Study Committee would have would be to prepare a questionnaire that could be used to survey the community to better understand why some residents use the Pool but others do not.

The next items on the agenda need Council action:

1. Resolution #2009-14: Authorizing the Submission of a Grant Application to DCNR. Mr. Prill noted that this grant application is for funding to construct a sand volleyball court at the Stanley Avenue Recreation Area and that the deadline for submission of the application is 4:00 pm, 4/24/09. Councilwoman Gifford made a motion to approve the Resolution. The motion was seconded by Councilwoman Halleman and approved by voice vote.
2. Resolution #2009-15: Authorizing the Appointment of an Acting Chief of Police. Mr. Prill noted that in order to maintain a proper chain-of-command in the Police Department on those occasions when Chief Stephens is away on vacation, or for training or out because of an illness, that another Officer in the Department needs to be named as Acting Chief. The Resolution names Officer Shane Anthony as the Acting Chief in Chief Stephens absence during calendar year 2009. Councilwoman Halleman made a motion to approve the Resolution. The motion was seconded by Councilman Capuano and approved by voice vote.
3. Mr. Prill reported that the Borough's Package insurance policies, covering Property, Crime Fidelity, Inland Marine, General Liability, Pesticide Herbicide, Police Professional Liability, Public Officials, Automobile and Umbrella, are up for renewal at the end of this month and that the Borough's broker, T. J. McHale & Co., has solicited quotes from insurance companies and that Selective Insurance, who is the Borough's current carrier, has submitted the most favorable quote at \$47,049, which is \$3,030 less than last year's premium. This premium does not include Terrorism coverage, which has a premium of \$1,064, but which was declined by Council last year.

The Borough's Workers Compensation coverage is also due to renew and Mr. McHale attempted to get Selective Insurance to provide coverage but they declined, therefore the policy will continue to be covered by the PA State Workers Insurance Fund, at an annual premium of \$59,864.

Councilwoman Halleman indicated that the Borough should be soliciting quotes from other insurance companies and feels that we should be using a local insurance agent located on Broadway to handle this for the Borough. Mr. Prill noted that Mr. McHale, as the Borough's broker, does solicit quotes from various insurance companies but that Selective has provided the most competitive pricing and that it would be a Council decision to make a change in brokers. Council President Rapp reminded Council that a decision to change brokers was made a

few years ago and at that time the Borough approved having its' insurance policies covered by another insurance company but when a workers compensation claim was filed through this company, the company then proceeded to drop the Borough's coverage. The Borough then went back to T.J. McHale & Co. who as able to talk Selective Insurance to once again provide coverage for the Borough with the exception of the Workers Compensation policy. Mr. Rapp indicated that he does not want to see the Borough go through this again and feels that T.J. McHale & Co. have been providing good service to the Borough. And, if the Borough were going to look at making a change in Brokers, that Council should then also be looking at soliciting quotes for other professional services including legal, engineering, etc.

Hearing no further comments, Councilman Capuano made a motion to approve the renewal of the Workers Compensation policy with the PA State Workers Insurance Fund and the Package policy with Selective Insurance. The motion was seconded by Councilwoman Gifford and approved by voice vote.

Council President Rapp asked if there was any new business to address.

Councilman Capuano commented that with the passing of former Mayor George Laughlin that there is a 2 block long alley by his house that does not have any property addresses on it that he would like Council to consider renaming in honor of Mr. Laughlin. Council members commented that they felt this was a good idea so Councilman Capuano indicated that he will discuss it with Mr. Laughlin's family to see if they would like this done and will report back to Council.

Council President Rapp reminded everyone that the Borough's Arbor Day program is scheduled for Friday, 2:00 pm, at the Stanley Avenue Recreation Area and that everyone is invited to attend.

Hearing no further comments, Councilman Capuano moved to adjourn the meeting. The motion was seconded by Councilwoman Gifford and the meeting adjourned at 8:00 p.m.

Minutes approved on June 1, 2009.

	Motion	2nd	Yes	No	Abstain
Tavis Grotenhuis			X		
Carolee Gifford		X	X		
Norman Blatt					X

Fred Capuano	X		X		
Larry Rapp			X		
Doug Trotter			X		
Helen Halleman			Absent		
Mayor Ned Fink					

Lawrence E. Rapp, Council President

Rick Prill, Borough Secretary