

COUNCIL MEETING MINUTES
May 19, 2010
7:00 P.M.

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

Council President Rapp called for the pledge to the flag.

Council President Rapp recognized State Representative Joe Brennan who had been invited to the meeting to discuss the new EIT collection program, re – Act 32, and more specifically the weighted vote system provided for in the Act.

Representative Brennan thanked Council for the opportunity to meet and discuss this matter and briefly reviewed a history of the Act and noted that the issue of the weighted voting system is of concern to smaller municipalities across the State. He noted that legislation has been introduced that would change the law allowing for a system of one (1) vote per municipal or school representative. This legislation has been referred to the Finance Committee.

Councilman Blatt noted that school districts lobbied very hard for the weighted vote system and will likely lobby strongly against this legislation. The weighted vote system is inherently unfair.

Representative Brennan urged Council to contact other State elected representatives to express the Borough's concern about this issue and indicated that he would keep the Borough apprised of the progress of this piece of legislation.

Councilman Capuano asked Representative Brennan about the status of the 'Freeman' Bill?

Representative Brennan commented that the 'Freeman' Bill has to do with the redistribution of emergency funds from the State's General Fund to municipalities with a high percentage of tax exempt properties in their respective communities. The legislation is still being considered but given the deficit that the State is facing with the upcoming budget, he doubts that anything will happen with the legislation.

Council President Rapp asked Representative Brennan about any progress being made regarding improvements to Broadway by PennDOT.

Representative Brennan noted that he has contacted PennDOT in the past about this but their response has been that Broadway is not a high priority project for them. He indicated he will contact PennDOT again on this matter.

Representative Brennan also noted that since the US Department of Transportation turned down the States' proposal to toll Rt. 80, this will result in a \$600 million deficit in the State budget that will have to be filled with other revenue from currently unknown sources.

Council President Rapp thanked Representative Brennan and recognized Stephen Repasch who is here to make a request regarding the 2010 George Yasso Memorial 5K Race.

Mr. Repasch indicated that the race is scheduled for July 17th and the committee is once again requesting permission to conduct the race in the Borough and to use the Pool facility as the Start / Finish area. Mr. Repasch also noted that St. Luke's Hospital has once again agreed to sponsor the event. Councilwoman Gifford made a motion approving the request. The motion was seconded by Councilman Capuano and unanimously approved.

Mr. Rapp reviewed items to be placed on the June 7, 2010 meeting Agenda as follows:

1. Minutes of the 4/21/10 and 5/3/10 Council Meetings have been prepared for review. Mr. Rapp noted that anyone with corrections to the draft Minutes of the 4/21/10 and 5/3/10 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. A handicapped parking space application has been received and approved by Chief Stephens for 1017 Seneca. This will be placed on the June 7th meeting agenda.
2. A recommendation has been received from Chief Stephens for a 'No Left Turn' from Uncas Street onto Delaware Avenue but subsequent to this it was determined that the intersection itself is located in the City of Bethlehem, therefore the Borough does not have jurisdiction to place such a traffic restriction at this intersection.

Council President Rapp recognized Mr. Tom Maloney. Mr. Maloney indicated that Reeb Millworks has gone to great lengths to work with St. Luke's on the road improvement project which should be very beneficial to everyone when completed. Currently, Reeb Millwork employees are prohibited from using the Riverside Drive access to Reeb Millwork as a result of an agreement with Norfolk Southern, therefore they must use other local roads in the immediate area when they leave the facility. Some of these employees need to be able to turn left from Uncas onto Delaware Avenue, and that if they were prohibited from doing so, they would only end up going to other intersections which would potentially create new traffic congestion at these locations.

Councilman Blatt asked Mr. Maloney when he thinks the new road will be completed? Mr. Maloney indicated that he is not in a position at this time to provide a specific time frame. Mr. Blatt noted that he does not feel the road will be going in anytime soon.

3. Council President Rapp noted that a question has been raised by the Lehigh County Office of Community Development whether the Borough would be willing to make a commitment of 10% towards the amount of a grant that might be awarded for handicapped curb ramp funding.

Councilman Blatt commented that homeowners who have had to pay 100% of the cost of handicapped curb ramp installation in the past may be upset if other residents end up not having to pay for the same improvements.

Councilwoman Halleman stated that the property owners should not have to pay the full cost of these improvements since it is a federally mandated program.

Councilwoman Gifford made a motion to approve the commitment of 10% towards the CDBG handicapped curb ramp project should grant funds be awarded. The motion was seconded by Councilman Trotter and approved with Councilwoman Halleman voting No.

Council President Rapp noted that there was no Council Action required on any matters and moved on to the next agenda item, Announcements.

1. A press conference will be held at Borough Hall on Monday, May 24th, at 1:00 pm, with County Executive Don Cunningham with regards to the award of casino revenue funds to the Borough for the Delaware Avenue road project.

Council President Rapp noted that Council members have received a packet of information with regards to a company that is looking at getting approval for the installation of a Bottom Dollar food store in the Borough.

Council President Rapp noted that Mr. Prill had one item to bring up. Mr. Prill indicated that letters were recently sent out to residents on Tombler Street advising them of the Borough's plan to make road improvements in 2011 and that they would be required to make curb / sidewalk / handicapped curb ramp improvements in conjunction with the road project. Some of these residents have asked for a meeting with the Public Works Committee to express concerns about the project given the current economic climate. Mr. Prill indicated that he will be setting up a Public Works Committee meeting with the residents in the next couple of weeks.

Council President Rapp noted that Council members have received a notice about Community Day and urged all members to volunteer for the program.

Hearing no further comments, Mr. Rapp indicated that Council would be adjourning into Executive Session regarding a matter of pending litigation and would not be reconvening into open session. Mr. Rapp asked for a motion to adjourn. Councilman Capuano made a motion to adjourn, seconded by Councilwoman Gifford and the motion passed at 7:45 pm.

Minutes approved on July 6, 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					

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

By: _____
Lawrence E. Rapp, President of Council

ATTEST:

By: _____
Ricky L. Prill, Borough Secretary