

COUNCIL MEETING MINUTES

June 7, 2010

7:00 P.M.

Council members present were: Mr. Blatt, Ms. Halleman, Mr. Rapp, Ms. Gifford and Mr. Capuano. Absent were Mr. Trotter, Jr., Mr. Ferencin and Mayor Fink. Also in attendance were Mr. Rick Prill, Administrator, Solicitor Don Lipson, Joe Gatta, Zoning Officer, Chief Stephens 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. April 21, 2010 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 Blatt motioned for approval of the minutes, seconded by Councilman Capuano, the minutes were unanimously approved.
2. May 3, 2010 Regular 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 Councilwoman Gifford, the minutes were unanimously approved.

Council President Rapp opened the meeting to the public for any public comments on any Agenda item. Hearing no comments from the public, Mr. Rapp closed this public portion of the meeting.

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

1. May Crime Statistics report
2. May District Justice report
3. May Vehicle Maintenance report
4. May Abandoned Vehicle report
5. May Ticket report

The next item on the agenda was the Executive Administrator's report. Mr. Prill noted that the Pool had been open this past weekend but the official opening day is June 12th, and the Parks program will be starting on June 14th.

Council President Rapp noted the next item on the agenda was New Business and asked if Council had any matters to bring up. Hearing no comments, Council President Rapp moved to the next item on the agenda - Resolutions:

Resolution # 2010-21 Appointment of Pool and Playground Staff

**BOROUGH OF FOUNTAIN HILL
RESOLUTION NO. 2010-21**

A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF FOUNTAIN HILL, LEHIGH COUNTY, PENNSYLVANIA, APPROVING THE APPOINTMENT OF STAFF FOR SUMMER POOL AND PLAYGROUND OPERATIONS

WHEREAS, Each year the Borough is in need of Part-Time Staff to assist in the Pool and Playground Operations; and

WHEREAS, The Recreation Committee has received and reviewed the hiring recommendations from the Playground Supervisor and Pool Managers of individuals to fill the various staff positions;

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Fountain Hill does hereby approve the appointment of the following staff for the Summer Pool and Playground Operations:

	<u>Last Name</u>	<u>First Name</u>	<u>Position</u>	<u>2010 Hourly Rate</u>
<u>POOL</u>				
	Anderson	Ryan	Lifeguard	\$ 8.00
	Bates	Taylor	Lifeguard	\$ 8.50
	Celia	Anthony	Lifeguard	\$ 8.25
	Downing	Randy	Lifeguard	\$ 8.50
	Entler	Paul	Lifeguard	\$ 8.25
	Glagola	Kristen	Cashier	\$ 7.25
	Glagola	Zach	Asst. Manager	\$ 10.00
	Johnson	Aimee	Cashier	\$ 8.00
	Johnson	Nick	Cashier	\$ 8.00
	Knappenberger	Justin	Lifeguard	\$ 8.50
	Martin	Joseph	Lifeguard	\$ 8.25
	Rau	Eric	Cashier	\$ 7.75
	Redding	Andrew	Asst. Manager	\$ 13.00
	Redding	Bryan	Lifeguard	\$ 8.25
	Sell	Ian	Lifeguard	\$ 8.00
	Specht	Alexander	Lifeguard	\$ 8.50
	Taglang	Mary Catherine	Lifeguard	\$ 8.50
	West	Aaron	Lifeguard	\$ 8.50
	West	Isaiah	Cashier	\$ 8.00
	Young	Jarrid	Lifeguard	\$ 8.00
	Zurick	Hayley	Co-Manager	\$ 13.00
<u>PLAYGROUND</u>				
	Frankerfield	Sean	Park Aide	\$ 7.50
	Redding	Karen	Supervisor	\$ 13.00
	Redding	Mary	Asst. Supervisor	\$ 8.50
	Repasch	Marisa	Park Aide	\$ 7.50
	Spirk	Kristin	Asst. Supervisor	\$ 8.50
	Taglang	Richie	Park Aide	\$ 7.50
	Tomaszewski	Stephen	Asst. Supervisor	\$ 8.50
<u>CONCESSION STAND</u>				
	Stech	Ed	Mgr., Snack Stand	\$ 10.00

Stech	Catherine	Snack Stand	\$	9.00
Stech	AnnMarie	Concession Stand	\$	7.50
Downing	Katherine	Concession Stand	\$	7.50
Lindemuth	Sarah	Concession Stand	\$	7.50
Lindemuth	Joshua	Concession Stand	\$	7.50
Lindemuth	Emily	Concession Stand	\$	7.50

Councilwoman Gifford made a motion to approve 2010-21. The motion was seconded by Councilman Blatt and approved by unanimous vote.

The next item on the agenda is Introduction of Ordinances.

Introduction of Ordinance #759 Amending Chapter 15, Motor Vehicles & Traffic, Providing for Handicapped Parking Spaces:

ORDINANCE NO. 759

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

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE BOROUGH OF FOUNTAIN HILL, CHAPTER 15, PART 3, PROHIBITING PARKING AT VARIOUS TIMES, AMENDING SECTION 302 (c) (3) (Schedule 1(A)), BY ADDING THE FOLLOWING HANDICAPPED PARKING SIGN

- I. SECTION 302 (c) (3) (Schedule 1(A)), shall be amended by adding the following Handicapped Parking spaces and signs:

ADD:

<u>STREET</u>	<u>SIDE</u>	<u>LOCATION</u>
Seneca	Front	# 1017

GENERAL REPEALER

All Ordinances or parts of ordinances, and all resolutions or part of resolutions, inconsistent herewith shall be and are herewith repealed.

3. **SEVERABILITY.** It is hereby declared to be the legislative intent that if a court of competent jurisdiction declares any provisions of this Ordinance to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to those provisions which are expressly stated in the decision to be invalid or ineffective, and all other provisions of this Ordinance shall continue to be separately and fully effective. Borough Council hereby declares that it would have passed this Ordinance and each section or part thereof, other than any part declared invalid, if it has advance knowledge that any part would be declared invalid.

4. **PROCEDURAL DEFECTS IN ENACTMENT.** Any procedural challenge shall be filed in accordance with applicable law.

5. **ENACTMENT.** Under Authority of Law, Borough Council of Fountain Hill hereby enacts and ordains into an Ordinance the attached documents this date of _____. The provisions of this Ordinance shall become effective immediately from the date of passage of this Ordinance.

Date of Borough Council Public Hearing: July 6, 2010

Councilman Capuano moved for the Introduction of Ordinance #759. The motion was seconded by Councilwoman Gifford and Introduced by unanimous vote.

Council President Rapp noted that the next item on the Agenda was the adoption of Ordinances:

Adoption of Ordinance #756 Amendment to Chapter 21, Streets & Sidewalks.

ORDINANCE NO. 756

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

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE
BOROUGH OF FOUNTAIN HILL, CHAPTER 21, STREETS & SIDEWALKS.

BE IT ORDAINED by the Borough Council of the Borough of Fountain Hill, Lehigh County, Commonwealth of Pennsylvania, that Chapter 21 of the Codified Ordinances of the Borough of Fountain Hill be amended to prohibit the obstruction of parking spaces, as follows:

1. Chapter 21, Streets & Sidewalks, Part 5, Obstructing Sidewalks & Gutters, of the Code of the Borough of Fountain Hill shall be amended as follows:
 - A. Part 5, shall be revised to read as follows: Obstructing Sidewalks, Gutters and Streets.
 - a. Section 501, Obstructions Prohibited, shall be revised with the addition of the following: Or to place any object in the street which results in a parking space or area being obstructed.
 - C. Section 503, Penalty, shall be amended to reflect the following: "...and pay a fine of \$300 for a first offense and \$500 for a second and each subsequent offense, and the cost of prosecution, ..."
2. It is hereby declared to be the legislative intent that if a court of competent jurisdiction declares any provisions of this Ordinance to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to those provisions which are expressly stated in the decision to be invalid or ineffective, and all other provisions of this Ordinance shall continue to be separately and fully effective. Borough Council hereby declares that it would have passed this Ordinance and each section or part thereof, other than any part declared invalid, if it had advance knowledge that any part would be declared invalid.
3. Any procedural challenge shall be filed in accordance with applicable law.
4. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
5. This Ordinance shall become effective immediately upon enactment.

Date of Borough Council Public Hearing: June 7, 2010

DULY ENACTED AND ORDAINED on this 7th day of June, 2010 by the Borough of Fountain Hill in lawful session duly assembled.

Councilman Blatt moved for the approval of the Adoption of Ordinance #756. Councilman Capuano seconded the motion.

Councilwoman Halleman commented that this is going to be a difficult ordinance to enforce.

Following a brief conversation by Council about this issue, Council proceeded with a vote on the Adoption of the Ordinance. Ordinance #756 was Adopted with Councilwoman Gifford voting No.

Adoption of Ordinance #757 Amendment to Chapter 15, Motor Vehicles & Traffic:

ORDINANCE NO. 757

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

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE BOROUGH OF FOUNTAIN HILL, CHAPTER 15, PART 3, SCHEDULE 1, PROHIBITING PARKING AT ALL TIMES IN CERTAIN LOCATIONS

BE IT ORDAINED by the Borough Council of the Borough of Fountain Hill, Lehigh County, Commonwealth of Pennsylvania, that Chapter 15, Part 3, Schedule 1 shall be amended as follows:

1. Schedule 1, Parking Prohibited at All Times in Certain Locations, shall be amended as follows:

ADD:

STREET	SIDE	BETWEEN
Jeter Avenue	South	Beginning at a point 630 feet east from the intersection of Dodson Street and Jeter Avenue and extending a distance of 85 feet east.

GENERAL REPEALER

All Ordinances or parts of ordinances, and all resolutions or part of resolutions, inconsistent herewith shall be and are herewith repealed.

3. **SEVERABILITY.** It is hereby declared to be the legislative intent that if a court of competent jurisdiction declares any provisions of this Ordinance to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to those provisions which are expressly stated in the decision to be invalid or ineffective, and all other provisions of this Ordinance shall continue to be separately and fully effective. Borough Council hereby declares that it would have passed this Ordinance and each section or part thereof, other than any part declared invalid, if it has advance knowledge that any part would be declared invalid.

4. **PROCEDURAL DEFECTS IN ENACTMENT.** Any procedural challenge shall be filed in accordance with applicable law.

5. **ENACTMENT.** Under Authority of Law, Borough Council of Fountain Hill hereby enacts and ordains into an Ordinance the attached documents this date of May 3, 2010. The provisions of this Ordinance shall become effective immediately from the date of passage of this Ordinance.

Date of Borough Council Public Hearing: June 7, 2010.

DULY ENACTED AND ORDAINED on this 7th day of June, 2010, by the Borough of Fountain Hill in lawful session duly assembled.

Councilman Capuano moved for the approval of the Adoption of Ordinance #757. Councilwoman Halleman seconded the motion and the motion was approved unanimously.

Council President Rapp noted the next item on the agenda were Motions:

1. Councilman Blatt made a motion for the approval of a curb cut crossover for 1215 Wiley Street, noting that Chief Stephens and Public Works Supervisor Jim Levernier have reviewed and approved this request. The motion was seconded by Councilwoman Gifford and approved by unanimous vote.

Council President Rapp noted that the motion for an Executive Session will be removed from the agenda.

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

Councilwoman Halleman noted that the alley behind the house that had previously been burned out at the corner of Bishopthorpe and Cherokee still has debris in it. Joe Gatta indicated that he has issued citations and must now wait until the matter is heard by the District Justice.

Councilman Blatt reported that the deed for the DeAngelis property has been signed and he will be forwarding the deed to Solicitor Lipson.

Hearing no further comments, Council President Rapp noted that he did not have a Council President's Report other than to invite everyone to participate in the June 26th Community Day program.

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

Council President Rapp proceeded to Committee Reports:

Finance Committee: In Councilman Trotter's absence, Councilman Capuano reported on the following:

1. 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 Councilman Blatt.

Councilwoman Halleman asked about the status of the credit card payment services issue. Council President Rapp indicated that the Finance Committee will be discussing this matter when it meets later this month.

Hearing no further comments regarding the approval of bills, the motion was approved unanimously.

Public Works Committee: Councilman Capuano reviewed the following:

1. May monthly report.

2. Reported that the micro-surfacing work is scheduled to be done Tuesday and Wednesday of this week, weather permitting.

Police Committee:

1. Council President Rapp indicated he had no report.

House & Ordinance Committee:

Councilman Blatt indicated he had no report

Fire Committee: Councilman Blatt reviewed the following:

1. May monthly report.

Recreation Committee: Councilwoman Gifford commented on the following:

1. Pool passes are available for sale for this season.

Health & Sanitation Committee:

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

5/30/2010			Current & Prior Billings	May	Quarterly Collections	Balance Due
			<u>Due</u>	<u>Receipts</u>	<u>To-Date</u>	<u>Due</u>
<u>Garbage Collections</u>						
	Current	(Billed Mar. 2010)	\$174,589.64	\$ 17,001.27	\$161,319.59	\$ 13,270.05
	* Prior / Delinquent		\$136,270.46	\$ 7,524.54	\$ 28,011.13	\$108,259.33
	Recycling Cans		\$ -	\$ -	\$ 140.00	\$ -
	Grant/Recycling		\$ -	\$ -	\$ -	\$ -
	Total		<u>\$310,860.10</u>	<u>\$ 24,525.81</u>	<u>\$189,470.72</u>	<u>\$121,529.38</u>

Sewer Collections

Residential	Current	(Billed Mar.2010)	\$149,719.12	\$ 13,968.31	\$138,140.32	\$ 11,578.80
Residential	* Prior/Delinquent		\$121,295.56	\$ 7,326.14	\$ 23,814.95	\$ 97,480.61
Commercial	Current	(Billed 4th Qtr '09)	\$ 87,460.63	\$ 270.66	\$ 86,978.43	\$ 482.20

*						
Commercial	Prior/Delinquent	(Prior to 4th Qtr. '09)	\$ 6,478.91	\$ -	\$ 1,058.92	\$ 5,419.99
	Salisbury Twp.		\$ -	\$ 600.00	\$ 1,089.00	\$ -
	Star Village		\$ -	\$ 198.46	\$ 396.92	\$ -
	St. Luke/Pump House		\$ -	\$ -	\$ -	\$ -
	Total		<u>\$364,954.22</u>	<u>\$ 22,363.57</u>	<u>\$251,478.54</u>	<u>\$114,961.60</u>
	Grand Total		<u>\$675,814.32</u>	<u>\$ 46,889.38</u>	<u>\$440,949.26</u>	<u>\$236,490.98</u>

* **Prior/ Delinquent - Outstanding Bills except Current Bill.**

Council President Rapp asked if there were any reports from any Special or Select Committees. Hearing no reports, Council President Rapp opened the meeting up to any public comments.

Mr. Tom Palmer commented that on both 5/28 and 5/29, there were smoke conditions in the apartments next door as a result of one of the tenants smoking newspaper and wanted to thank the efforts of the Fire Department for their quick response to these two situations. He also noted that the tenant is being removed from the building.

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 7:28 pm.

Minutes approved on July 6, 2010.

	Motion	2nd	Yes	No	Abstain
Mark Ferencin			Absent		
Carolee Gifford		X	X		
Norman Blatt			X		
Fred Capuano			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: _____
Rick Prill, Borough Secretary