

COUNCIL MEETING MINUTES
December 16, 2009
7:00 P.M.

Council members present were: Mr. Rapp, Mr. Blatt, Mr. Capuano, Mr. Grotenhuis, Ms. Gifford and Mr. Trotter, Jr.. Ms. Halleman and Mayor Fink were absent. Also in attendance were: Rick Prill, Administrator and Chief Stephens.

Council President Rapp called for the pledge to the flag.

Mr. Rapp reviewed items to be placed on the January 4, 2010 meeting Agenda as follows:

1. Minutes of the 11/18/09 Council Meeting, 12/7/09 Regular Meeting have been prepared for review. Mr. Rapp noted that anyone with corrections to the Draft Minutes of the 11/18/09 and 12/7/09 meetings should provide them in writing to Mr. Prill.
2. Council members have received a copy of the 1/4/10 Reorganization meeting agenda packet for review and asked if there were any additions or revisions that needed to be made to the draft agenda. Mr. Prill noted that on the proposed Council meeting dates for 2010, one regular meeting falls on Monday, July 5th, which would normally be a Holiday for the Borough. Council President Rapp noted that Council will need to agree on a change of dates for this meeting.

Council President Rapp indicated the next item on the agenda was a presentation by St. Luke's Hospital with regards to proposed revisions to the Brighton Street road reconstruction plan.

Attorney Marie Rudzinski introduced herself, indicating that Attorney Joe Bubba had another commitment this evening and could not make this presentation. Present from the Hospital were Engineer Dave Tettermer, Anita Kingsbauer, Robert Erland, and Attorney Joe Malloney representing Reeb Millwork. Ms. Rudzinski noted that the purpose of tonight's presentation is to review with Council some changes / revisions that have been made to the proposed plan involving the reconstruction and realignment of Brighton Street, which will be outlined by Mr. Tettermer.

Mr. Tettermer reviewed the following items:

- The original plan showed Brighton Street connecting with the new road to be constructed near the entrance to the Hospital parking garage. It has been determined that due to grade issues, the connection of Brighton Street to the new roadway is not possible, therefore, the plan has been changed to reflect Brighton Street being terminated at a cul-de-sac adjacent to where the Borough's sewer

pumping station is located. The proposed cul-de-sac will be designed to allow for emergency vehicles to turn around in.

- The proposed new roadway will have an 8% grade near the point of connection with Ostrum Street. It was noted that St. Luke's Place has an approximate 10% grade so this new road will have less of a grade. Along the section of the road by the entrance/exit to the parking garage, the roadway levels out and the grade down to the connection with Riverside Drive will be approximately 7%.
- The existing on-street parking area along Ostrum Street will remain, however, a new sidewalk will be installed along the back side of this parking area for pedestrians, and a second parking lot will be installed below the on-street parking area. The current proposed parking configuration will add 30 new parking spaces.
- The plan is showing a sidewalk to be installed along the new roadway, from Ostrum Street to Riverside Drive.

Councilman Blatt asked how Reeb employees will access the Reeb property. Mr. Tetterer noted that most of the employees will probably use Riverside Drive to get to the Reeb property.

Chief Stephens indicated some concern about the point where pedestrians would cross the new roadway, at the intersection with Ostrum Street, noting that this could be a busy intersection for pedestrians to be crossing.

Mr. Prill asked Mr. Tetterer to provide a timeline for when the plan will be submitted to the Planning Commission for review, and when Reeb might be filing a subdivision plan as well.

Mr. Tetterer indicated that he anticipates that plan submission will be submitted in time for review to be started at the February Planning Commission meeting.

Council President Rapp asked about the anticipated completion date for the whole project.

Mr. Tetterer indicated that the project should be completed by the end of 2011.

Chief Stephens asked about the width of the new roadway.

Mr. Tetterer noted that the new roadway will have a 30' cartway and 5' shoulder. The newly constructed Riverside Drive will have a 24' cartway with two 5' shoulders.

Mr. Maloney indicated that Reeb Millwork will be coordinating with St. Luke's with regards to the submission of a subdivision plan which is needed for the construction of the new roadway through Reeb Millwork property. At the present time Reeb Millwork has a building addition plan before the Planning Commission, which is on hold, and a request will be forthcoming shortly requesting that this matter be postponed to a later date.

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

1. 2010 Lehigh County Gaming Revenue Application
2. ARRA Justice Practitioner Job Creation grant program

Mr. Prill outlined that the County has approximately \$112,000 in casino revenue that is being made available to municipalities by way of a grant application process. The deadline for submitting applications is January 15, 2010, and the Committee review the applications anticipate making awards by the end of February. The other program is a new State grant program, which in part, is providing a total of \$1.0 million in grant funding statewide which can be used to hire new Police Officers or for paying overtime for increased levels of patrols. This program has an application deadline of 12/31/09, so a decision would be needed soon on submitting an application.

Mr. Prill referred to a memo he had provided to Council wherein he identifies a couple of possible grant application options for the Lehigh County gaming revenue funding. One option might be to apply for multi-year funding for the reconstruction of Delaware Avenue which is estimated to cost approximately \$1.0 million. If the Borough could secure grant funds for this project, it would involve the Borough borrowing the money necessary to award a contract and pay for the project, and then use the gaming revenue grant funds to pay the debt service cost for the borrowed funds. A second option could involve applying for funding to pay for a new Police Officer to be hired. One anticipated benefit of using the grant funds for this purpose would be a savings that could be achieved in the reduction of Part-Time and Overtime costs within the budget, estimated to be approximately \$38,000. Another option might be to submit a couple of applications to the County, one being a multi-year project and another being a single year project application.

Council President Rapp noted that these options will be reviewed by Committee and a decision made in order to meet the deadlines for submitting applications on these programs.

Council President Rapp moved on to the next agenda item, Council Action, noting that there were three items for approval as follows:

1. In connection with the bid awarded to PAN, Inc. for the reconstruction of N. Clewell Street, two items need to be approved as follows:
 - a) Motion to approve Change Order No. 1, which approves the use of the extra grant funds available for the resurfacing of sections of School Street.
 - b) Motion to approve Payment No. 1 (first / final) in the amount of \$59,948.00.

Councilman Capuano made a motion to approve Change Order No. 1 and Payment No. 1. The motion was seconded by Councilman Blatt and approved by unanimous vote.

2. Resolution #2009-47 Approving a Revision to the Borough's Personnel Policy & Employee Manual re – Smoking Policy.

**BOROUGH OF FOUNTAIN HILL
RESOLUTION NO. 2009-47**

**A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF FOUNTAIN HILL,
LEHIGH COUNTY, PENNSYLVANIA, APPROVING A REVISION TO ADDENDUM 2 –
SMOKING POLICY, OF THE BOROUGH PERSONNEL POLICY & EMPLOYEE MANUAL**

WHEREAS, Act 27 of 2008 (Clean Indoor Air Act) of the Pennsylvania General Assembly prohibits smoking in public places and workplaces; and

WHEREAS, Addendum 2 – Smoking Policy, of the Borough Personnel Policy & Employee Manual has been revised to bring the Borough's Smoking Policy into conformance with Act 27 of 2008;

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Fountain Hill does hereby adopt the revised Smoking Policy.

Duly Adopted by Borough Council at a meeting held on the 16th day of December 2009.

Councilman Trotter made a motion to approve Resolution #2009-47. The motion was seconded by Councilwoman Gifford and approved by unanimous vote.

Council President Rapp moved onto the next agenda item, Correspondence, and noted that a letter has been received from Kline & Kline, regarding a hearing to establish Tax Collector Bond levels. Mr. Prill noted that this is a procedural matter that takes place every couple of years and that the letter is more of a matter of information. It notes that the current statutory amount of the bond required for the Borough's Tax Collector equals \$1,360,000, and that if Council felt that this amount needed to be changed, then we would need to attend the hearing. However, if no change to the amount is proposed, then no action is needed by Council. Mr. Prill commented that the current amount of the bond appears to be more than adequate and no action is required on this matter.

Council President Rapp indicated that he had the following announcements:

1. The Borough's current Tax Collector has moved out of the Borough, therefore, she will be resigning her position effective 12/31/09. Pursuant to State statute, Council has 30 days from the date of resignation to appoint a new Tax Collector. Mr. Tavis Grotenhuis has expressed an interest in being appointed as Tax

Collector so this proposed appointment will be included on the Council's 1/4/2010 Reorganization meeting agenda for consideration.

Councilman Blatt recommended that this vacancy should be advertised, placing it on the Borough's website until the end of the year.

Councilman Trotter agreed that it should be advertised.

Council President Rapp asked Mr. Prill to place the vacancy on the website.

2. Council President Rapp asked if there was any interest in conducting a House decorating contest again this year?

Councilwoman Gifford said she fully supports this contest being done again this year.

3. Council President Rapp thanked Councilman Grotenhuis for his years of service as a member of Council.

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 7:50 pm.

Minutes approved on February 1, 2010.

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

Lawrence E. Rapp, President of Council

Rick Prill, Borough Secretary