

**MINUTES**  
**FOUNTAIN HILL BOROUGH COUNCIL**  
**May 5, 2008**  
**7:00 P. M.**

President Rapp called the meeting to order. Pledge of Allegiance followed. Attendance as follows: Mr. Rapp, Mr. Blatt, Jr., Ms. Halleman, Mr. Trotter, Jr.; Mr. Grotenhuis, Ms. Gifford-Elkington, and Mr. Capuano. Others: Mayor Ned Fink, Mr. Randy Soriano, Executive Secretary; Mr. Donald Lipson, Esquire(Excused); Chief of Police Timothy Stephens; Mr. Gus Entler, Public Works Supervisor; Mr. Dale Koch, Emergency Management Coordinator; Mr. Dan Pope, Fire Chief(Excused); Annemarie Jordan, Library Representative; Mr. Robert Erland, St. Luke's Hospital Liaison(Excused); Press.

President Rapp announced that he will deviate from the Agenda to bring forth the appointment of a Public Works Laborer. Mr. Capuano announced that Council has offered the position of FT Public Works Laborer to Francesco DiMatteo, 1341 Marlow Street, Allentown, PA 18103, with a starting rate of \$13.25/hr. Mr. Rapp stated that Mr. DiMatteo has accepted the offer and Council should officially hire Mr. DiMatteo.

Mr. Capuano made a motion to appoint Mr. Francesco DiMatteo as PW Laborer at \$13.25/hr with other benefits afforded to FT Public Works Department employees in accordance with their Collective Bargaining Agreement. Mr. Grotenhuis seconded the motion. Motion passed by unanimous voice vote.

**APPROVAL OF MINUTES**

On a motion by Mr. Capuano and seconded by Mr. Blatt, Jr., the minutes of the April 7, 2008 Regular Council meeting were approved on a unanimous voice vote.

On a Motion by Mr. Trotter, Jr. and seconded by Mr. Capuano, the minutes of the April 23, 2008 Special Meeting were approved on a unanimous voice vote.

**PRIVILEGE OF THE FLOOR**

No comments.

**MAYOR'S REPORT**

Mayor Fink read the police reports. Mayor Fink read the police crime report for the month of April, 2008 pointing out the changes from the previous year monthly report. Total Crimes: 25 versus 34, a decrease of 9 over the same period. Part I Offenses: 11 versus 9, an increase of 2. Part II Offenses: 14 versus 25, a decrease of 11. Mayor Fink stated that the report was prepared and submitted by Investigator Matthew Schrey. Mayor Fink read the abandoned vehicles report submitted by Officer Hochwarter: Total abandoned vehicles reported-15; Cases Cleared-12; Cleared from Previous Month-2; Towed-3; Cited-2; Unfounded-0. Mayor Fink read the fines and tickets collected during the month of April 2008 totaling \$535. Mayor Fink reported that District Judge Anthony Rapp collected \$3,883.83 in fines.

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Mayor Fink announced that the Borough hired another PT Police Officer, Michael Karavoulis, bringing the complement to eight (8) PT Police Officers.

## **EXECUTIVE SECRETARY'S REPORT**

Mr. Soriano brought forth Resolution 2008-06, which would designate Code Master, Inc. as the Code Building Official for the Borough of Fountain Hill. Mr. Soriano read Resolution 2008-06, as follows:

### **APPOINTMENT OF CODE MASTER INSPECTION SERVICES TO ACT AS BUILDING CODE OFFICIAL**

WHEREAS, Pursuant to the Uniform Construction Code, hereinafter (UCC), the Borough opted to perform their own inspection and administration of the UCC; and

WHEREAS, The Borough Council believes that the best way to administer and enforce the UCC is by Agreement with a third-party agency to act on behalf of the Borough of Fountain Hill; and

WHEREAS, Borough Council has determined that Code Master Inspection Services has the knowledge and staff to provide these services.

NOW, THEREFORE, the Council of the Borough of Fountain Hill does hereby appoint Code Master Inspection Services as third-party agency to act on behalf of the Borough for the administration and enforcement of the UCC, subject to terms and conditions set forth in the attached Agreement, referenced and made part of this Resolution.

Mr. Capuano moved to adopt Resolution 2008-06 and appoint Code Master, Inc., as Code Building Official for the reviews and inspections of building plans per the UCC. Motion seconded by Mr. Trotter, Jr. Unanimous voice vote.

Mr. Soriano introduced Ordinance 734 for adoption. Mr. Soriano noted that Ordinance 734 would restate the previous Civil Service Commission Rules and Regulations amendment to Article XIII passed by Council by Resolution. Mr. Soriano noted that Attorney Dave Knerr suggested that Council adopt the amendment to the Rules by Ordinance. Mr. Soriano stated that Ordinance 734 was duly advertised on April 28, 2008 and read the Ordinance, as follows:

**BOROUGH OF FOUNTAIN HILL  
LEHIGH COUNTY, PENNSYLVANIA  
AN AMENDMENT TO THE CIVIL SERVICE RULES AND REGULATIONS  
ORDINANCE 734**

**WHEREAS**, The Civil Service Commission is authorized by Article XIX of the Rules and Regulations to amend its rules; and

**WHEREAS**, The Civil Service Commission amended the Rules and Regulations to add additional requirements to be eligible for promotion to Sergeant and

**WHEREAS**, The Borough Council wishes to approve these additional provisions governing these requirements.

**NOW, THEREFORE, BE IT ORDAINED** that the Civil Service Rules and Regulations, **ARTICLE XIII, PROMOTIONS** is hereby amended. Language added is underscored.

**Section 1301. Permanent Promotions.**(Added Language shown as Underlined)

All permanent promotions shall be based on merits to be ascertained by competitive examinations to be prescribed by the Commission, provided, however, that minimum of 5 years of Full Time Police service with the Borough Police Department **OR 2 years of service as Full Time Borough police officer and 5 years of continued Full Time service with another police department for a total of 7 years** shall be required to be eligible for promotion to Sergeant. Examinations relative to promotion shall be practical in character as will fairly test the qualifications and fitness of persons seeking promotion. Examinations for promotion shall follow the applicable guidelines and

Mr. Trotter, Jr. made a motion to adopt Ordinance 734 as read. Mr. Blatt, Jr. seconded the motion. Ordinance 734 was adopted by unanimous voice vote.

Mr. Soriano stated that Council received a letter from the Fire Chief, Dan Pope, requesting the establishment of No Parking restrictions on the south side of Moravia Street from Clewell Street to S. Lynn Street. Mr. Soriano noted that Council discussed this request at the April 23, 2008 work session and agreed that an Ordinance should be drafted to establish No Parking restrictions on Moravia Street, on the South Side, from Frederick Street to S. Lynn Street. The Police Chief and Public Works Supervisor agreed that this is warranted in order to allow safe access of emergency vehicles due to insufficient road width. Mr. Soriano noted that Council will hold first reading on Ordinance 735 and if approved for advertisement, the Executive Secretary will duly notify all abutting property owners of such proposed measures and restrictions and ask for public comments. Mr. Soriano read Ordinance 735, as follows:

**BOROUGH OF FOUNTAIN HILL  
LEHIGH COUNTY, PENNSYLVANIA  
AN AMENDMENT TO THE CODE OF ORDINANCES, CHAPTER 15, MOTOR VEHICLES AND TRAFFIC, SECTION 302,  
SCHEDULE 1.  
ORDINANCE 735**

**WHEREAS**, The Borough Council of the Borough of Fountain Hill has determined that additional parking prohibitions are warranted on certain streets due to public safety concerns; and

**WHEREAS**, Borough Council has received a request from the Fire Chief to prohibit parking on the North side of Moravia Street because allowing parking on both sides restricts access of fire trucks to the neighborhood; and

**WHEREAS**, Borough Council has determined that such restrictions are reasonable and are needed to ensure the public safety.

**NOW, THEREFORE, BE IT ORDAINED** as follows: Code of Ordinances, Chapter 15, Motor Vehicles and Traffic, Part 3, Section 302, Schedule 1, is hereby amended to prohibit parking on the following streets:

STREET	SIDE	BETWEEN
Moravia Street	South	From Frederick Street to S. Lynn Street

Mr. Capuano made a motion to hold first reading of Ordinance 735 as read. Ms. Gifford seconded the motion. Ordinance 735 was approved for advertisement by unanimous voice vote. Mr. Soriano was directed to notify all abutting property owners affected by this Ordinance.

Mr. Soriano read a letter from Daniel Troiani, 1374 Stanley Avenue, requesting a curb cut in the rear of his property to accommodate a parking pad.

Mr. Blatt, Jr. moved to approve the curb cut for Mr. Daniel Troiani, 1374 Stanley Avenue, in the rear of the property, contingent on Mr. Troiani receiving favorable zoning approval and comply with all other required Codes. Motion was seconded by Mr. Trotter, Jr. Motion passed by unanimous voice vote.

Mr. Soriano noted that the Recreation Committee met with last year's Playground Supervisor, Karen Redding, to discuss this year's position. Mr. Soriano noted that the Recreation Committee is recommending again the hiring of Karen Redding.

Ms. Gifford moved to hire Ms. Karen Redding for the position of Playground Supervisor with a pay of \$10.50/hr. Motion seconded by Mr. Capuano. Unanimous voice vote

Mr. Soriano read the letter of resignation from Richard Reppert, resigning as Chairman of the Shade Tree Commission.

Mr. Blatt, Jr. made a motion to accept with regret the resignation of Richard Reppert from the Shade Tree Commission and authorize Mr. Soriano to transmit a thank you letter to Mr. Reppert and advertise for the vacancy. Motion was seconded by Ms. Halleman. Unanimous voice vote.

Mr. Soriano acknowledged the presence of Mr. Stephen Repasch, former Mayor of the Borough of Fountain Hill. Mr. Repasch informed Council on two events. The first was the Annual 5K Race in honor of the George Yasso Foundation. Mr. Repasch noted that the proceeds go towards scholarship for Borough students/athletes. The 5K race event will take place on July 19, 2008 starting at 9:00 a.m. at the Pool. Mr. Repasch would like to use the Pool as in previous years. Council approved the request. Mr. Repasch announced that the Bacchanalia event is scheduled for October 11, 2008 and will be held at the Comfort Suites, Bethlehem. Mr. Repasch noted that this event raises money for the Playground and has raised a considerable amount over the past five years. Mr. Repasch noted that last year's event raised \$5,000. Mr. Repasch expressed a concern on behalf of the PITA Committee that there has not been any accounting on the money raised and the Committee has not been consulted with projects envisioned in the Stanley Avenue Recreation Area Master Site Plan. Mr. Repasch stated that Council should explain how the money is being spent. President Rapp noted that the reasons for not involving the PITA Committee were that the Borough has pretty much completed the development phases and is now in the process of acquiring land that will be needed to complete the other phases. Mr. Rapp also noted that the Borough has submitted a Pool Feasibility Study Grant Application to DCNR in order to study the development of Phase IX, the rehabilitation of the Pool Bathhouse and decking. Mr. Soriano added that the money donated and raised by the Bacchanalia Committee has been kept in a separate Playground Account totaling to date \$21,690.32. Mr. Soriano noted that he has prepared a full detailed accounting of the Playground Fund and will forward Mr. Repasch the report. Mr. Soriano noted that the PITA Committee has been dormant for the past few years since the Borough has not raised enough money to complete the other phases and will also need additional land to do so. President Rapp added that a second appraisal has been commissioned for the Land Acquisition. Mr. Soriano noted that he envisions the PITA Committee involvement if the Borough is awarded the Grant for the Pool Feasibility Study. President Rapp commented that he does not object meeting with the PITA Committee to discuss the use of the Playground Funds.

## **NEW BUSINESS**

None.

## **PRESIDENT'S REPORT**

Mr. Rapp offered no report.

## **SOLICITOR'S REPORT**

No Report.

## **FINANCE COMMITTEE'S REPORT**

Mr. Trotter, Jr. noted that Council received the Financial Report for March, 2008.

Mr. Trotter, Jr. read the Bills Payables for April 2008, for all of the funds: General Fund-\$138,760.10; Sewer Fund-\$83,795.67; Health & Sanitation Fund-\$44,633.18; Liquid Fuels Fund-\$0.

Mr. Trotter, Jr. moved to accept the list of Bills Payables as presented. Motion was seconded by Mr. Grotenhuis. The motion passed by unanimous voice vote.

Mr. Soriano announced that the Independent Auditor has prepared the Audit and Financial Statements for the FY end December 31, 2007 and a report is available upon request to any member of Council. Ms. Halleman requested a copy and was handed one by Mr. Soriano.

## **PUBLIC WORK'S COMMITTEE REPORT**

Mr. Capuano read the April 2008 report submitted by Mr. Entler. Mr. Capuano read the hours worked by the crew on the various activities listed for the month, total hours 655. Mr. Capuano explained the various tasks associated with the labor hours. Mr. Capuano thanked the Department for helping the Shade Tree Commission plant the trees for their Arbor Day ceremony. Ms. Halleman asked the Department to plant some landscaping in front of the pool building.

## **POLICE COMMITTEE'S REPORT**

Mr. Rapp offered no report.

Chief Stephens reported that the Civil Service Commission is continuing their work on the preparation of an eligibility list and the four applicants tested all passed their written exams. The next step will be the Oral exam.

## **HOUSE COMMITTEE'S REPORT**

Mr. Blatt, Jr. noted that the Committee did not meet this month.

Mr. Soriano noted that Chris Portner has revised the Specifications after the internal review was made for the Renovations to the Police Station. Mr. Soriano noted that he can now finish up the ITB and advertised the work by the end of May, receive Bids in June and award a Contract in July.

Mr. Soriano announced that he met with Chief Stephens to begin the preparation of the Request for Proposals for the Security cameras system at the Playground. A draft should be available for the Committee's review by the May work session.

## **FIRE COMMITTEE'S REPORT**

Mr. Grotenhuis read a report for the month of April 2008 from the Fire Chief consisting of 21 calls, \$0 damages and 267 volunteer labor hours.

## **RECREATION COMMITTEE'S REPORT**

Ms. Gifford stated that the Committee met and discussed the following items:

Pool-Meeting with Gillian Raines to discuss hiring of staff and Activities. RS to check her availability.

Playground-Cmt met with Karen Redding-Karen willing to come back. Cmt. discussed the following:

- Opening of Playground-June 16, 2008 to August 8, 2008.-Notify Committee of any unforeseen changes.
- Police presence requested from 6-7:30 pm during registration week.
- Loitering problems-Mostly from the times the playground is closed (Noon to 6:00 p.m.)-Discuss with Chief of Police need to post No Loitering signs or other enforcement measures.
- PW Dept to conduct major maintenance Items-Karen will supply a list to Gus Entler.
- Employees may not work both at the Pool and Playground-Distribute hours fairly and equitably.
- Calendar of Events to be posted on the Website-Karen will make available an electronic version to Randy.
- Playground Parents Association(PPA)-Karen is handling this alone-Only member-Minimal profit-Money used for pizza night and other smaller events.
- No Sleepover events.-Explore a Bingo Night.
- Registration Fee for Non-Residents(\$20).
- Letters to Last Year's employee to be sent out by RS.

## **HEALTH & SANITATION COMMITTEE**

Ms. Halleman read the Sewer and Health & Sanitation report for the month of April, as follows: Garbage Current- \$45,634.75; Garbage Delinquent-\$4,448.42; Recycling Containers-\$30; Grant Recycling-\$0. Total Garbage collections-\$50,113.17. Sewer Residential; Current \$43,676.36; Sewer Residential Delinquent- \$5,963.59; Commercial Current-\$16,081.51; Commercial Delinquent-\$0; Salisbury-\$0; Star Village Sewer Assessments-\$0; St. Luke's Hospital Pump House Reimbursement-\$0. Total Sewer collections-\$65,721.46. Grand Total-\$115,834.63.

Mr. Blatt, Jr. stated that the amount of delinquent garbage and sewer that remains uncollected may precipitate the Borough to hire a collection agency like Portnoff Associates to go after these accounts.

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**SPECIAL OR SELECT COMMITTEES**

No Report.

**SECOND PRIVILEGE OF THE FLOOR**

Ms. Annemarie Jordan asked if the Borough has submitted a request to share the Casino revenue money that will be generated by the Sands. President Rapp noted that an effort was made by the Borough to tap into the Fund, but because Fountain Hill is in Lehigh County, they were told by Northampton County that they should ask Lehigh County for their share. President Rapp stated that the County Executive, Don Cunningham, has promised that the Borough will receive a share of the County money.

**ADJOURNMENT**

On a motion by Mr. Capuano and seconded by Ms. Gifford the meeting was adjourned. The time was 7:50 p.m.