

**MINUTES
BOROUGH COUNCIL
August 21, 2024
7 P.M.**

The Council Meeting was held in person at Borough Hall. Council members present were Ms. Jordan, Ms. Johnson, Mr. Trotter, Mr. McCandless, Mr. Blatt, Mr. Trabel, Mayor Johnson, Amy Burkhart (Borough Manager), Jill Fessler (Finance Director), and guests.

Council President McCandless called the meeting to order.

PLEDGE OF ALLEGIANCE

Council President McCandless asked everyone to rise for the Pledge to the Flag.

EXECUTIVE SESSION – NONE

MINUTES

Council President McCandless asked the Council to approve the minutes as from August 5, 2024. Mr. Blatt made the motion, seconded by Mr. Trabel; Ms. Jordan abstained since she wasn't present at the last meeting. The remaining members unanimously approved.

	Motion	2nd	Yes	No	Abstain	Absent
Annamarie Jordan					x	
Jamie Johnson			x			
Wilbert Rufe						x
Doug Trotter			x			
Stewart McCandless			x			
Norman E. Blatt Jr.	x		x			
Philip Trabel		x	x			
Mayor Johnson						

PRIVILEGE OF THE FLOOR/ PRE-SCHEDULED – Discussion on Agenda Items

NEW BUSINESS

- Park / Pool End of Season updates
 - Lifeguards

Borough Manager Burkhart announced that the park will close tomorrow, with the staff receiving praise for their excellent work. The pool will be open for the next two weekends, and two additional staff members may be hired from the YMCA to help if needed. Council President McCandless confirmed the weekend pool schedule, while plans for Labor Day are still pending confirmation. Ms. Burkhart highlighted the positive community response to the park and pool operations, with Mr. Blatt commending the professionalism of the staff. Attendance at the pool averaged around 150 people per day, as per Ms. Burkhart's report to Mr. Trabel. Council President McCandless reminded residents to check Facebook, contact Borough Hall, and check the posting at the pool for updates on the Labor Day schedule.

- Uniformed MMO 2025 – Borough Manager Burkhart explained that we need to review our MMOs for 2025. We received our MMO from Mockenhaupt for \$437,323, which is for the Uniformed Personnel Pension Fund.
- Non-Uniformed MMO 2025 – Borough Manager Burkhart announced two plans through PMRS for the Non-Uniformed MMOs. We have our defined benefit plan, in which the contribution will be \$54,499.00, and our Cash Balance Plan will be \$19,548.05. We wanted to notify the Council of these amounts since these will be the amounts budgeted in 2025. Also, we want to make you aware of our municipal obligations.
- Elementary School Update Review of waiver for backing in and out of Church Street. Borough Manager Burkhart discussed a Planning Commission meeting regarding Land Development for the Elementary School. The School District made changes to comply with Zoning and SALDO Ordinances. They sought relief, which was granted by the Zoning Hearing Board. However, the engineer identified some issues in the SALDO and Zoning regulations. The Planning Commission recommended approval of the preliminary and final plan, along with several waivers. These waivers have conditions that must be met before being presented to the Council for action. The process is ongoing, with additional items on review letters needing to be addressed before final approval can be granted.

Borough Manager Burkhart explained that one of the recommended waivers that Mr. Berger wanted me to bring to your attention was a waiver that doesn't allow people to develop driveways that would require people to back into the driveway and back out of the driveway. They would have to turn around in the driveway itself. The Elementary School on Garden St. has a small parking lot for trash receptacles and delivery spots, which would require box truck deliveries and trash haulers to back out onto Garden Street. The new plans include a waiver allowing box trucks to back into the parking lot and pull out onto Church St. However, garbage trucks would still need to pull into the parking lot and back onto Church St. This will need to be waived since the SALDO requires it. Again, she explained that Mr. Berger wanted me to bring this to the Council to see if they had any conditions.

Mr. Blatt asked if we knew why their architect didn't make a larger pad so they could turn around. Ms. Burkhart explained that she believes it's due to the limitation of size and space. Mr. Blatt thought they were taking part of the playground away and moving the building closer to Norway. He feels that they could have increased the size of the pad. Ms. Johnson explained that the school would be a larger building, which would take up more space. Mr. Blatt didn't like the idea of backing out onto Church St. Council President McCandless explained that they were backing out onto Garden St now since there was no place to turn around. Council President McCandless asked Chief Bachert how large the trucks were and explained that they were the size of U-Hauls. They agreed that it would be a 20-foot box truck. Borough President McCandless announced they would need much room to turn these trucks around. Council President McCandless explained that they would need to limit the time of day to Monday-Friday. He explained that the driver had limited sight and there would need to be someone as a spotter.

Ms. Jordan asked if the new plan was that they would go out to Church. The Council President McCandless confirmed that was correct. Ms. Johnson recommended that the pickup and drop-off should happen at non-prime times. Council President McCandless agreed. Mr. Blatt asked who will monitor our restrictions on these waivers. Ms. Johnson said that the Zoning Officer would be responsible. Council President McCandless said the school district and the driver would have to take control of this. Chief Bachert explained that it isn't a crime. It is more of a violation. Mr. Trabel asked where the pad would go. Council President McCandless said they would use Spring St. and Church St to turn around. Mr. Blatt said we need to enforce the No Parking signs. Council President McCandless explained that this is a continuation of what is already there. Ms. Burkhart appreciates the feedback. She can share this with Mr. Berger and the school district and remind the Council that these are the recommendations and that it is up to the Council to approve these plans.

OLD BUSINESS

- Street Projects Update – Lechauweki – Brighton - Borough Manager Burkhart explained that there are three items that I would like to bring to everyone's attention under Street Updates. She announced that we received a request to utilize and close Hoffert St between Delaware and Stanley by St. Paul's Lutheran Church. St. Paul's is planning their Community Day on August 31, 2024. Ms. Burkhart explained that they would like to close the street from 9 A.M. – 3 P.M. for that celebration. She explained that she had contacted Public Works and the Police and would look for any feedback.

Borough Manager Burkhart announced that we currently have construction on Lechauweki St. Mr. Quarry explained that they said it should be paved tomorrow.

Next week, on Monday, they hope to begin with Brighton. This will complete our Street Projects for 2024.

Council President McCandless asked the Council to approve St. Paul’s Lutheran Church use of Hoffert St. for their Community Day. Ms. Jordan made the motion, seconded by Mr. Trotter, and unanimously approved.

	Motion	2nd	Yes	No	Abstain	Absent
Annamarie Jordan	x		x			
Jamie Johnson			x			
Wilbert Rufe						x
Doug Trotter		x	x			
Stewart McCandless			x			
Norman E. Blatt Jr.			x			
Philip Trabel			x			
Mayor Johnson						

Council President McCandless announced that they are also asking for the presence of the Fire Department and the Police.

- Garbage and Recycling Hauler Contractor Update - Borough Manager Burkhart announced that the Garbage and Recycling Hauler Contractor is currently out to bid. It was posted on PennBid last week. The due date for those bids is September 18. We have a pre-bid meeting at Borough Hall on August 28, 2024, at 1 P.M. She explained that questions are due by Monday, September 9, 2024. Ms. Burkhart explained that you can submit your questions online. PennBid is an online forum. We will also contact all the Garbage and Recycling Haulers in the area to make sure they are aware of the bid and can provide that information for us. She announced that we do have two specific requests. The first is for a 3-year contract with three 1-year renewals, which we currently have. The second is a 5-year flat. Mr. Blatt inquired about the number of days they would pick up. Borough Manager Burkhart explained that pick-up is for one day a week. We are also allowing bidders to use automated and regular equipment. Mr. Trabel asked what they mean about automated. Ms. Burkhart explained that an individual doesn't pick up the garbage but has a mechanical arm that picks up garbage and dumps it in the truck. Mr. Trabel inquired about the cans. Ms. Burkhart explained that they are required to provide cans that are approved by the Borough and the hauler. As part of the bid, they must provide the cans if they need residents to have specific cans. Mr. Trabel asked if they were to provide both garbage and recycling. Ms. Burkhart explained that if they require a particular can, they must provide it. Council President McCandless stated that our recycling containers have the arm that would be needed.

- Lining of Manholes Update - Borough Manager Burkhart explained that at the last meeting, we had a motion to approve the Lining of Manholes. She reported that we are still working on the contract.
- Code Enforcement Position Update - Borough Manager Burkhart explained that we are still receiving applications for Code Enforcement.

MOTIONS

- Request Council approve the hiring of the following individuals as Seasonal Temporary Lifeguards for the 2024 Pool Season at a rate of \$18/hour contingent on the submission of all necessary employment documentation.
 - Christine McCann
 - Aidan Villegas

Council President McCandless asked the Council to approve the hiring of the following individuals as Seasonal Temporary Lifeguards for the 2024 Pool Season at a rate of \$18/hour contingent on the submission of all necessary employment documentation. Mr. Blatt inquired if it was for the next two weeks. Council President McCandless agreed. Mr. Blatt made the motion, seconded by Mr. Trabel, and unanimously approved.

	Motion	2nd	Yes	No	Abstain	Absent
Annamarie Jordan			x			
Jamie Johnson			x			
Wilbert Rufe						x
Doug Trotter			x			
Stewart McCandless			x			
Norman E. Blatt Jr.	x		x			
Philip Trabel		x	x			
Mayor Johnson						

- RESOLUTION NO. 2024-17

A RESOLUTION OF THE BOROUGH OF FOUNTAIN HILL RELATIVE TO THE ESTABLISHMENT AND MAINTENANCE OF EMPLOYEES PENSION, ANNUITY, INSURANCE AND BENEFIT FUND OR FUNDS, TO AMEND CERTAIN PROVISIONS OF THE PENSION PLAN OR PROGRAM APPLICABLE TO THE POLICE EMPLOYEES OF SAID BOROUGH

Borough Manager Burkhart explained that this is a resolution that we pass annually specific to the Uniform Pension Plan because the employee contribution being 4%. Mokenhaupt requires that we provide this to indicate that is what we are approving of as the Borough.

Council President McCandless asked the Council to approve Resolution No. 2024-17. Mr. Blatt made the motion, seconded by Mr. Trabel, and unanimously approved.

	Motion	2nd	Yes	No	Abstain	Absent
Annamarie Jordan			x			
Jamie Johnson			x			
Wilbert Rufe						x
Doug Trotter			x			
Stewart McCandless			x			
Norman E. Blatt Jr.	x		x			
Philip Trabel		x	x			
Mayor Johnson						

COUNCIL PRESIDENT REPORT

Council President McCandless announced that last weekend, we had the Last Soak of the Season for the Borough. It was a great success and a blast. He explained that it lasted until 7:45 P.M. The Fire Department was happy to help the community. Thank you to everyone who came and supported it.

PRIVILEGE OF THE FLOOR – Discussion on Non - Agenda Items

Ms. Jordan inquired about the light at Delaware and Broadway, which Chief Bachert confirmed there were no calls about. Mr. Quarry confirmed that Signal Service will be out this week to repair the light, which is believed to be stuck. Ms. Jordan explained that the issue caused backups back to Bergen. Mr. Bachert explained that they usually reset the light. Council President McCandless asked residents to be patient, as the light has been reported and will be repaired. Mr. Quarry announced that school begins on August 26th. Council President McCandless reminded everyone to watch for the children and expect many buses.

Mr. Blatt asked about the Pickel Ball Court Grant. Borough Manager Burkhardt explained that we didn't apply for a Pickel Ball Court Grant since we didn't do any recreation plans. When we spoke to DCNR, they informed us that we needed to do recreational planning first and then apply for a grant for the court. Ms. Burkhardt announced that we applied for a Pool Feasibility Study through DCNR. She explained that we pushed that off since we needed to complete some recreational planning. We want to receive community input on what we want to see at the park. Ms. Johnson said that we will be having a meeting in September and will discuss this then.

Council President McCandless asked Mr. Quarry what cleaning up the volleyball court would take. We want to remove the sand, plant grass, and remove the poles. It is a bacteria hazard since it is used as a litter box. Mr. Quarry explained that we can certainly remove it if we want it removed. Ms. Burkhardt explained that this would be an excellent opportunity for recreation to make a list and see the priority items and what is most beneficial to the community. She explained that we have limited resources, so we want to spend them in the most helpful way for our community. Ms. Johnson said they could send something from the committee via social media. Ms. Johnson explained that we did this for the pool and had a response rate of less than 1%. Feedback is as good as the people that respond. Ms. Johnson explained that if we can get

this out before the next meeting, we can discuss it at that meeting. Ms. Jordan asked if we could still remove the sand since it is a health hazard. Ms. Johnson asked if we could put it on the agenda so they can let the community know before we make that decision. Council President McCandless said let's get some feedback and put it on the agenda for Tuesday, September 3rd.

Mr. Trabel asked about the community garden that was discussed a few years ago. Ms. Johnson said it depends where the retention pond will be located. Ms. Johnson announced that she would love to have it at the pool. Council President McCandless said that this was being discussed at the Stormwater Authority meeting. Mr. Trabel mentioned that communities create meadows so you wouldn't have to mow it. Council President McCandless said that it was discussed at the Stormwater Authority meeting to make it a nature area with paths. Ms. Johnson explained that we would need to know what the costs are before anything is done. Council President McCandless agreed.

ADJOURNMENT

At 7:42 P.M. Council President McCandless asked to adjourn the Council meeting. Mr. Trabel made the motion, seconded by Ms. Johnson, and unanimously approved.

	Motion	2nd	Yes	No	Abstain	Absent
Annamarie Jordan			x			
Jamie Johnson		x				
Wilbert Rufe						x
Doug Trotter			x			
Stewart McCandless			x			
Norman E. Blatt Jr.			x			
Philip Trabel	x		x			
Mayor Johnson						

ATTESTED

BOROUGH OF FOUNTAIN HILL
LEHIGH COUNTY, PENNSYLVANIA

BY: _____
Amy Burkhardt, Borough Manager

By: _____
Stewart McCandless - President of Council

SUBMITTED

BY: _____
Jill Fessler, Finance Director

Next Ordinance – 883
Next Resolution – 2024-14