

**MINUTES
BOROUGH COUNCIL
August 7, 2023
7 P.M.**

The Council Meeting was held in-person at Borough Hall. Council members present were: Ms. Jordan, Ms. Johnson, Mr. Rufe, Mr. Trotter, Mr. Blatt, Mr. McCandless, Mr. Trabel and Mayor Johnson. Also in attendance were Jason Quarry (Interim Borough Manager & Public Works Supervisor), Cordula Voges (Finance Director), Keith Zehner (Zoning Officer), Ed Bachert (Police Chief), Dave Berger (Solicitor), and guests.

PLEDGE OF ALLEGIANCE

Council President Blatt called the meeting to order and asked for everyone to rise for the Pledge to the Flag.

Ms. Johnson made the motion to amend the agenda to include the discussion on Moravia St. Mr. Rufe seconded it. The motion passed and the agenda was amended.

MINUTES

Approval of the minutes of July 19, 2023

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

PRIVILEGE OF THE FLOOR/ PRE-SCHEDULED

- **Proposed Zoning Text Amendment – St Luke’s Hospital**

Ms. Melissa Shafer, Associate Director for Public Relations at St Luke’s Hospital, asked Council to look favorably regarding the submission of a zoning text amendment that will cure the hospital’s current zoning permit denial (RE the advertisement for the children’s hospital) and the necessity to approach an ordinance deficiency as a variance. The borough’s typical zoning limitation for signs appears to be overly restrictive for a multi-acre, campus-type institutional type setting with a multi-wing/multi-department building with many entrances and parking lots to associate with those different wings.

Mr. Zehner (Zoning Officer) and Mr. Quarry (Interim Borough Manager) fully support the proposed zoning text amendment.

Council President Blatt referred the matter to the House & Ordinance Committee.

- **Playground Program Closure**

Council President Blatt asked the attendees to assign a spokesperson to avoid repetitive presentations regarding the Playground Program closure. On behalf of the attendees, Ms. Anne Marie Lee of 1215 Russell Ave stated that parents were taken by surprise by the sudden closure of the Playground Program. Parents were aware of some problems related to the playground program. However, they felt the problems were “fixable” and still guaranteed a safe environment for the children. Ms. Lee hoped that the Playground Program will return in the future. She also mentioned that a group of parents have child clearances and would be willing to help with the program.

Ms. Jennifer Levernier, mother of Kaylee Levernier (Playground Program Manager), made a plea for support for her daughter. Kaylee had put her “heart and soul” into the program and loved the children. She was not made aware that volunteers required background checks.

Council President Blatt stressed that while the official Playground Program has been closed for the remaining nine days of the season the general park and playground area are still available during park hours.

Council President Blatt turned to Ms. Johnson, the Recreation Committee Chair. Ms. Johnson stressed the importance of the Playground Program and its value to the community. Even though the park program is not a licensed program, certain rules apply to it. Ms. Johnson described the events as they were shared with the Playground manager, Interim Borough Manager, Police and Committee members that led to the decision to close the summer playground program with the focus on the children’s safety. Ms. Johnson will continue to support a playground program and the opening of the pool in the future. She invited all interested parties to attend the upcoming Recreation Committee meeting on August 23rd at 6 pm.

Council President Blatt referred the attendees to the upcoming Recreation Meeting for a Question & Answer session.

Ms. Jennifer Levernier stated that a lot of responsibility in regard to hiring the playground staff was given to her 21-year old daughter.

- **Speed Control for School Routes**

Mr. Brian Ferencin of 1210 Broadway inquired about Council’s investigation if speed bumps on some school routes could be installed. Chief Bachert stated that alleys are not a throughfare and are not designed for 2-way traffic. Speed bumps would not be practical for alleys. Council President Blatt instead suggested to potentially have “Watch For Children” signs at each end of the alley.

- **Speed Limits Adjacent to Playground and Park**

Mr. Connor Moriarty of 1125 Stanley Ave reported that vehicles frequently speed on Stanley Ave. A traffic study would be needed to lower the speed limit. Council President Blatt suggested to budget the cost for a traffic study and/or the cost for speed bumps.

In the interim, Ms. Anne Marie Lee of 1215 Russell Ave suggested to have a sign “Rolling Stop Will Cause Fine” be installed. Council President Blatt stated that the issue will be looked into.

NEW BUSINESS

- **Recreation and Conservation Grants (DCNR) –Pickleball Court**

The Recreation Committee will be applying for a grant to promote a pickleball court.

- **2024 Minimum Municipal Obligation for the Police Pension Plan**

The MMO (\$415,841) is the municipality’s 2024 bill for the Police Pension Plan and must be paid by December 31, 2024. The obligation must be met with general fund monies or any General State Aid to Municipal Pensions to which the Borough may be entitled under Act 205.

- **Proposed Land Development – 950-960 Broadway**

On 7/3/2023 Council had approved the owners’ application for the waiver to reduce the two-step land development application process to a one-step process. A final preliminary land development plan has been provided to Council. The project will entail demolishing the existing strip shopping plaza, an out-parcel building (former bank), merging the two lots into one, and erecting a three story twelve (12) unit apartment building and parking lot. At the 6/12/2023 meeting, the Planning Commission had voted to recommend to Council to approve the preliminary land development plan contingent to 3rd party approvals.

Mr. Rufe asked Mr. Zawarski of Fountain Hill Properties, LLC (property owner) if a mixed use had been considered. Mr. Zawarski responded that the parking requirements that come with mixed use could not have been fulfilled.

Council President Blatt asked if there was a motion to approve the applicant’s final preliminary land development plan subject to the third-party letter (as presented to Council) including additional conditions.

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

- **Proposed Zoning Text Amendment RE Sign – St Luke’s Hospital**

Mr.Zehner noted that St Luke’s will provide the draft for an ordinance text amendment.

- **Moravia Street – traffic one-way during school drop off hours**

School will start in two weeks. As a temporary solution, Moravia Street was restricted to one-way traffic during school drop-off hours (8:30-9 am and 3:30-4 pm). The temporary traffic restriction is not enforceable though. Ms. Johnson recommended permanently restricting traffic during school drop-off hours. Council President Blatt stated that an engineering traffic study was needed. Council agreed and authorized Mr. Quarry to contact Hanover Engineering accordingly.

DRAFT RESOLUTIONS FOR REVIEW & FINAL PASSAGE

RESOLUTION NO. 2023-17
 BOROUGH OF FOUNTAIN HILL POLICE PENSION PLAN
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 (2023)

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

RESOLUTION NO. 2023-18
 BOROUGH OF FOUNTAIN HILL POLICE PENSION PLAN
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 (2024)

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

- MOTIONS**

- Playground Summer Program Closure**

The Playground Summer Program was closed administratively. Mr. Berger recommended a motion to officially shut down the 2023 Playground Summer program. Council President Blatt asked if there was a motion to shut down the 2023 Playground Summer program.

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

Council President Blatt voted NO based on the Police recommendation.

- Waiver of the Maintenance Bond & Release of Letter of Credit – 736 Delaware Ave**

Hanover Engineering (HEA) has confirmed that the 736 Delaware Ave Land Development project has been satisfactorily completed. HEA recommended to waive the request for a 18-Month Maintenance Bond, since more than 18 months have passed since the improvements were constructed. The escrow balance for 736 Delaware Ave is zero. Therefore, HEA also recommended releasing the Letter of Credit issued by Fidelity Bank (held as security).

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

Council President Blatt abstained because Dr. Salib of 736 Delaware Associates LLC is his personal physician.

- **DRAFT ORDINANCES FOR REVIEW & ADVERTISEMENT - None**
- **ORDINANCES FOR FINAL PASSAGE – None.**
- **OLD BUSINESS**
 - **Jeter Ave Reconstruction – CDBG Grant 2022**

The Lehigh County Commissioners approved the award of an additional \$99,344 for the above project at the 7/26/2023 Board of Commissioners meeting. Hanover Engineering notified Gaver Industries, Inc.dba Barker & Barker Paving accordingly and submitted all contract documents to the contractor.

- **Sioux Street Reconstruction Project**

Grace Industries will commence the work the week of August 14, 2023. The project consists of milling, grading, and paving the roadway between the intersections of S Bergen St and S Hoffert St. In addition, they will replace some curbs and sidewalks between these intersections.

- **MAYOR'S REPORT**

Mayor Johnson reminded that school will start soon and asked everyone not to speed.

- **COUNCIL PRESIDENT'S REPORT**

Council President Blatt reported that the "Summer Soak" was a success and thanked the Fire Department and the Community Coalition for their support.

He also thanked the volunteers working at the pool on behalf of the Community Coalition.

- **SOLICITOR'S REPORT none**

- **COMMITTEE REPORTS**

- Finance (Trotter, Blatt, Jordan)
Motion to pay the bills as presented

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

- Public Works (Jordan, Trotter, Rufe)

Mr. Quarry reported that the paving season is in full swing. PennDOT will start paving Broadway soon. The Borough paving projects on Dorothy & Roosevelt Ave, Sioux Street, and Jeter Ave will move forward.

Mr. Quarry reminded that the Borough is still looking for a Crossing Guard.

- Police (Blatt, Trotter, Johnson)

Chief Bachert stated that the pedestrian crossing and speed limits on Delaware Ave will be enforced in the next weeks.

- House & Ordinances (Rufe, Jordan, McCandless)

Mr. Rufe reported that the House & Ordinance Committee had a constructive meeting regarding "weeds" and will address properties that are currently "outside" of the ordinance. He encouraged the public to attend the next committee meeting on September 6 at 5:30 pm.

- Fire (Trabel, Rufe, McCandless)

Mr. Trabel read last month's fire report.

- Recreation (Johnson, Rufe, Trabel) – None.

Ms. Johnson, Technology Chair, stressed again that Council members use the new official Borough emails. She also made the motion to be appointed as the Social Media Manager and appoint Mr. Quarry as her backup.

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

- o Health & Sanitation (McCandless, Johnson, Trabel)

Mr. McCandless read the Sewer/Garbage collection reports for July.

- o Personnel (Trotter, Blatt, Jordan) – None.

Council President Blatt recently attended the PSAB legal seminar. At the seminar, presenters recommended to update personnel policies and entertain annual personnel performance reviews.

- **PRIVILEGE OF THE FLOOR** – Discussion on Non - Agenda Items

Mr. Connor Moriarty of 1125 Stanley Ave Connor asked if the playground staff would be paid until the end of the season. Council President Blatt noted that they will be paid for hours worked only.

Ms. AnneMarie Lee inquired if the 950-960 Broadway property is listed for sale and if all the businesses will be closed. She was referred to the earlier discussed preliminary land development plan.

Council President Blatt announced the Community Coalition will hold a training session on August 11th. Volunteers are invited to attend.

Mr. Rufe reported that the use of the “Books on the Hill” library is slowly increasing.

Council recommended holding another Electronic Recycling event in 2023. Mr. Quarry will inquire with State Representative Jeanne McNeil’s office for assistance.

- **EXECUTIVE SESSION** – Personnel Matter & ADJOURNMENT

At 8:16 pm Council President Blatt asked to adjourn the Council meeting and asked Council to move into an executive session to discuss personnel matters. Ms. Johnson made the motion, seconded by Mr. Trabel and unanimously approved.

BOROUGH OF FOUNTAIN HILL
LEHIGH COUNTY, PENNSYLVANIA
By:

Norman E Blatt - President of Council

ATTESTED

BY: _____
Jason Quarry, Interim Borough Manager

SUBMITTED

BY: _____
Cordula Voges, Finance Director

Next Ordinance – 879
Next Resolution – 2023-19

Approved