

**BOROUGH OF FOUNTAIN HILL  
COUNCIL WORK SESSION MINUTES  
February 17, 2016  
7:00 P.M.**

Council members present were: Mr. Rapp, Mr. Blatt, Mr. Trabel, Ms. Halleman, Mr. Trotter, Jr. Ms. Jordan and Mayor Rosado. Ms. Gifford was absent. Also in attendance was Anthony Branco, Executive Administrator

Council President Rapp called for the pledge to the flag.

Council President Rapp reviewed items to be placed on the March 7, 2016 meeting agenda as follows:

1. Minutes of the January 20, 2015 work session meeting have been prepared for review.
  2. Minutes of the February 1, 2016 regular meeting have been prepared for review.
- Mr. Rapp noted that anyone with corrections to the draft Minutes of the meetings should provide them in writing to Mr. Branco.

**Presentations:**

Mr. Timothy Schrantz –WSA Insurance

Mr. Schrantz presented Council with a proposal for Borough insurance which he explained to Council. Mr. Schrantz distributed a partial client list for Council to review as well as Certificates from vendors and clients.

Mr. Blatt asked who the insurer was, and who the Workers Comp carrier was. Mr. Schrantz responded Britt Global, USA a part of Fairfax Insurance is the carrier, and SWIFT is currently the Workers Comp carrier. Mr. Schrantz stated that he and Mr. Branco are working on possibly splitting the Borough Workers Comp from the Fire Department Workers Comp, thus possibly saving the Borough thousands of dollars. Mr. Schrantz is also looking at private Workers Comp insurers.

Mr. Trotter asked the following questions;

- How long has WSA been affiliated with Britt Global;
- The possible split of the Workers Comp with the fire department and the borough each having their own policies, what does it hinge on;
- In the event of a bad experience, how likely is Britt to drop the borough’s coverage?

Mr. Schrantz stated that WSA has been affiliated with Britt for 6 or 7 years. WSA was the first agency in the area and the City of Bethlehem was the first client. As for the Workers Comp., WSA is doing something different. By splitting the borough and the fire department the MOD, which is the number that is used to set the rates, will be lower for the borough, but increase for the fire department since the claims we are paying for have generated from the fire department. Finally as to Britt dropping coverage if we have a bad event, Mr. Schrantz stated that that would absolutely not happen.

**Discussion Items:**

St Peters Lutheran Church – use of softball field

	Motion	2nd	Yes	No	Abstain	Absent
Philip Trabel	X		X			
Carolee Gifford						X

Norman Blatt		X			
Annamarie Jordan		X			
Larry Rapp		X			
Doug Trotter	X	X			
Helen Halleman		X			
Mayor Jose Rosado					

Broughal Middle School – use of softball field

	Motion	2nd	Yes	No	Abstain	Absent
Philip Trabel	X		X			
Carolee Gifford						X
Norman Blatt			X			
Annamarie Jordan			X			
Larry Rapp			X			
Doug Trotter		X	X			
Helen Halleman			X			
Mayor Jose Rosado						

Colin Hutchinson– use of ball field

	Motion	2nd	Yes	No	Abstain	Absent
Philip Trabel	X		X			
Carolee Gifford						X
Norman Blatt			X			
Annamarie Jordan			X			
Larry Rapp			X			
Doug Trotter		X	X			
Helen Halleman			X			
Mayor Jose Rosado						

First Reading

ORDINANCE NO. 824

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

AN ORDINANCE AMENDING PART 4, SECTIONS 402, 404, 405, PROVIDING THAT PROPERTY OWNERS SHALL OBTAIN A WARRANT OF SURVEY FOR CONSTRUCTION, ALTERATION OR IMPROVEMENTS TO SIDEWALKS GREATER THAN 50 FEET IN LENGTH; PROVIDING FOR CONFORMANCE TO PLANS AND SPECIFICATIONS, PROVIDING FOR FEES FOR INSPECTIONS; **PROVIDING FOR THE SEVERABILITY OF PARTS OF THIS ORDINANCE DEEMED TO BE INVALID; REPEALING ORDINANCES, RESOLUTIONS, OR PARTS IN CONFLICT WITH THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Borough of Fountain Hill (hereinafter the “Borough”) wishes to amend Part 4, Sections 402, 404, AND 405 by altering the circumstances necessary for obtaining a Warrant of Survey; and

**WHEREAS**, the Borough wants to provide new regulations for the inspection and Warrant of Survey for sidewalks.

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED** by the Borough of Fountain Hill, Lehigh County, Pennsylvania, in lawful fashion duly assembled as follows:

- I. Part 4 - Sidewalks, Curbs and Gutters - Section 402** shall be amended as follows:

**§402. Warrant of Survey.**

A. Sidewalks In Excess of Fifty Feet. The property owner, after notification as provided in §401, shall obtain, provided the construction shall be in excess of fifty (50) feet of sidewalk, a warrant of survey from the Borough Secretary for a fee set in accordance with the schedule of fees established in §403, and shall receive line and grade from the Borough Engineer. When line and grade stakes have been set by the Borough Engineer, they shall be protected by the property owner affected. If the property owner does not proceed with construction in accordance with line and grades so established and the stakes set, within 30 days, the property owner shall procure a new warrant of survey, and the line and grade shall be established by the Borough Engineer. The Borough does not guarantee a line and grade as indicated by the stakes set unless said stakes are used at once or properly protected until used.

B. Sidewalks Equal to or Less Than Fifty Feet. The property owner, after notification as provided in §401, shall obtain, if the construction shall be less than or equal to fifty (50) feet of sidewalk, a warrant of survey from the Borough Secretary for a fee set in accordance with the schedule of fees established in §403, and shall receive line and grade from the Director of Public Works. When line and grade stakes have been set by the Director of Public Works, they shall be protected by the property owner affected. If the property owner does not proceed with construction in accordance with line and grades so established and the stakes set, within 30 days, the property owner shall procure a new warrant of survey, and the line and grade shall be established by the Director of Public Works. The Director of Public Works does not guarantee a line and grade as indicated by the stakes set unless said stakes are used at once or properly protected until used.

**II. Part 4 - Sidewalks, Curbs and Gutters - Section 403** shall be amended as follows:

**§403. Fee for Warrant of Survey.**

1. Any person applying to the Borough of Fountain Hill for a warrant of survey establishing lines and grades in connection with the construction of curbs, gutters and/or sidewalks in accordance with Section 402 shall pay to the Borough for each warrant of survey issued fees based upon the following:

Type	Fee
Office review fee	
<u>For the first 50 feet</u>	\$100
<u>For each foot in excess of 50 feet</u>	<u>\$1.00/foot</u>
Escrow:	
Type	Fee
Sidewalk only with no survey work/cutsheet required	\$350
Curb or sidewalk requiring survey work and cutsheet	\$800
Curb and sidewalk requiring survey work and cutsheet	\$1,100
<u>Handicapped ramps</u>	<u>\$2,500</u>

2. ~~Any~~ The fees established in this Ordinance herein may be revised by resolution from time to time approved by a majority of Borough Council.

**III. Part 4 - Sidewalks, Curbs and Gutters - Section 404** shall be amended as follows:

**§404. Conformance to Plans and Specifications.**

All owners of property abutting any public street of the Borough of Fountain Hill, or abutting the sides of State Highways within the Borough limits, when constructing curb, gutter and/or sidewalk, driveways, or crossing or passages to yards, garages or other structures, shall perform such work in strict conformity with the plans and specifications filed in the Borough Office. ~~of the Borough Engineer in whose office may be found standards and specifications for curbs, gutters, driveways, sidewalks and tree plates.~~

**IV. Part 4 - Sidewalks, Curbs and Gutters - Section 405** shall be amended as follows:

**§405. Driveway and Sidewalk Construction; Permit and Fee.**

1. Driveway. Any person desiring to construct private driveways from the street to the property line shall obtain a permit from the Borough of Fountain Hill and pay to the Borough Secretary a fee of \$5-~~\$10.00~~ for 20 feet of curb cut, plus \$0.240 per foot for footage in excess of 20 feet. Plans and specifications for such work shall be approved by Borough Council, and work shall be subject to the inspection and approval of the Borough Engineer. Fees may be revised by resolution from time to time.

2. Sidewalk. Any person desiring to construct sidewalks shall obtain a permit from the Borough of Fountain Hill and pay to the Borough Secretary a fee of \$5.00 This permit shall be valid for a period of 90 days from date of issue, and no work shall be done after any permit has expired unless a new permit has been obtained. Plans and specifications for such work must conform and be approved by the Borough Engineer and all work shall be subject to his inspection and approval. Fees may be revised by resolution from time to time.

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

**VI. 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.

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

**VIII. ENACTMENT.** Under Authority of Law, Borough Council of Fountain Hill hereby enacts and ordains into an Ordinance the attached documents this date of March 7, 2016. The provisions of this Ordinance shall become effective immediately from the date of passage of this Ordinance.

Date of Borough Council Public Hearing: March 7, 2016.

**Public Works**

- Approval for advertisement for bids for of a 2004 LeeBoy paver

	Motion	2nd	Yes	No	Abstain	Absent
Philip Trabel			X			
Carolee Gifford						X
Norman Blatt			X			
Annamarie Jordan	X		X			
Larry Rapp			X			
Doug Trotter			X			
Helen Halleman		X	X			
Mayor Jose Rosado						

- Electronic recycling event for September

	Motion	2nd	Yes	No	Abstain	Absent

Philip Trabel		X	X			
Carolee Gifford						X
Norman Blatt			X			
Annamarie Jordan	X		X			
Larry Rapp			X			
Doug Trotter			X			
Helen Halleman			X			
Mayor Jose Rosado						

Mr. Branco asked Council approval to send Ms. Sebesta to a 3 day seminar ( April 24 to April 27) for Finance officers in State College. Cost of the seminar and room will be \$625 plus millage.

	Motion	2nd	Yes	No	Abstain	Absent
Philip Trabel			X			
Carolee Gifford						X
Norman Blatt			X			
Annamarie Jordan		X	X			
Larry Rapp			X			
Doug Trotter			X			
Helen Halleman	X		X			
Mayor Jose Rosado						

Mr. Blatt stated that Mr. Branco should be directed to contact Mr. Mayrosh to resurrect the plans for the demolition/re-construction of the Public Works building on N. Clewell Street.

	Motion	2nd	Yes	No	Abstain	Absent
Philip Trabel			X			
Carolee Gifford						X
Norman Blatt	X		X			
Annamarie Jordan			X			
Larry Rapp			X			
Doug Trotter		X	X			
Helen Halleman			X			
Mayor Jose Rosado						

Council President asked for a motion to adjourn into executive session to discuss personnel matters. No action would be taken and the Council would then adjourn.

Mr. Trotter made the motion, seconded by Mr. Blatt at 7:50 P.M.

\*\*\*\*\*

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

By: \_\_\_\_\_  
Lawrence E. Rapp, President of Council

**ATTEST:**

By: \_\_\_\_\_  
Anthony Branco, Secretary