

**BOROUGH OF FOUNTAIN HILL
COUNCIL MEETING MINUTES
July 5, 2016, 2016
7:00 P.M.**

Council members present were: Mr. Rapp, Mr. Blatt, Mr. Trabel, Ms. Halleman, Ms. Jordan. Ms. Gifford, Mr. Trotter and Mayor Rosado. Also in attendance were Anthony Branco, Borough Administrator, Mr. Don Lipson, Esq., Jason Quarry, Chief Ed Bachert, Fire Chief Dave Boehner, Zoning Officer Albert Rohrbach, and visitors

Council President Rapp called for the pledge to the flag.

Council President Rapp indicated the next item on the agenda was the approval of minutes:

1. Minutes of the May 18, 2016 Work Session Meeting.
Mr. Blatt motioned for approval of the minutes seconded by Ms. Jordan. The minutes were unanimously approved.
2. Minutes of the May 23, 2016 Special Meeting.
Ms. Jordan motioned for approval of the minutes seconded by Mr. Trotter. The minutes were unanimously approved.
3. Minutes of the June 6, 2016 Regular Meeting.
Mr. Trotter motioned for approval of the minutes seconded by Mr. Blatt. The minutes were unanimously approved

Council President Rapp opened the meeting to the public for any comments on Agenda items or by those persons registered to speak. None

Mayor's Report

Mayor Rosado read the Police report for June, and the District Judge report. The Mayor also informed Council that everything seems to be going well at the pool and playground, and directed Chief Bachert to increase patrols of the pool and playground during the upcoming heat wave.

Mayor Rosado congratulated Mr. Branco and Chief Bachert for obtaining a gaming grant.

Executive Administrator's Report:

- Resignation of Ms. D. Christine Wisley as Crossing guard
Mr. Branco will send a letter of thanks to Ms. Wisley for her service.
- Mr. Branco informed Council that he had received notice from Virginia Haas, Community Revitalization & Development Manager that the Gaming Grant Committee has recommended to the County Commissioners that the Police department be awarded \$50,678.00, and the Fire department be awarded \$30,616.00

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

Presidents Report:

Mr. Rapp informed Council that the Russell Avenue reconstruction project had been completed in 18 days, and that the Contractor was a pleasure to work with.

Mr. Rapp thanked Jason Quarry and the PW dept. for all their work in getting the pool up and running for the summer swim season.

Solicitor Report: N/R

Council President Rapp moved onto Resolutions:

RESOLUTION NO. 2016 - 22

A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF FOUNTAIN HILL, LEHIGH COUNTY, PENNSYLVANIA, APPROVING THE CIVIL SERVICE PATROL OFFICER ELIGIBILITY LIST

WHEREAS, The Borough’s examination process for Patrol Officer candidates has been completed and the following eligibility list has been certified by the Civil Service Commission at their 6/29/2016 meeting; and **WHEREAS**, The Civil Service Commission is recommending that Borough Council approve the Patrol Officer eligibility list;

Last Name	First Name	Weighted Score	Final Rank
Tosado	Eric	97.57	1
Penn	Richman	95.58	2
LoPresti	Noah	91.64	3
Cusick	Gage	88.62	4
Imrani	Reza	87.06	5
Gunshore	Jared	81.61	6
McBride	Randall	78	7
Rommel	Joseph	77.92	8
Vazquez	Jose	75.1	9
Noeckes	Tanner	72.97	10

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Fountain Hill that the aforementioned Civil Service Patrol Officer Eligibility List be and is hereby approved.

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

Duly Adopted by Borough Council at a meeting held on the 5th day of July, 2016.

RESOLUTION NO. 2016-23

A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF FOUNTAIN HILL, LEHIGH COUNTY, PENNSYLVANIA, APPROVING PAYMENT REQUEST NO. 1 TO LIVENGOOD EXCAVATORS INC., FOR THE RUSSELL AVENUE RECONSTRUCTION PROJECT

WHEREAS, Livengood Excavators Inc. has submitted Payment Request No. 1 for the Russel Avenue Reconstruction project and the Borough Engineer has reviewed and approved the work performed to-date and is recommending the approval of the payment request;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Fountain Hill that:

1. Payment Request No. 1, from Livengood Excavators Inc., in the amount of \$112,273.89, be approved.

Duly Adopted by Borough Council at a meeting held on the 5th day of July, 2016.

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

Council President Rapp moved onto Ordinances:

ORDINANCE 825

AMENDMENT TO ORDINANCE NO. 752

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE BOROUGH OF FOUNTAIN HILL CHAPTER 18, SEWERS AND SEWAGE DISPOSAL, PART 2, RATES AND CHARGES, SECTION 210, COLLECTION OF SEWER RENTS.

WHEREAS, the Borough of Fountain Hill enacted Ordinance No. 752 Amending Chapter 18 Sewers and Sewage Disposal, Part 2, Rates and Charges, Section 210, Collection of Sewer Rents; and

WHEREAS, the Borough wishes to amend Section 210 of the Code of Ordinances.

NOW, THEREFORE, BE IT DULY ENACTED AND ORDAINED by the Borough Council of the Borough of Fountain Hill:

That Chapter 18, Part 2, of the Code of the Borough of Fountain Hill shall be amended as follows:

§210 Collection of Sewer Rents, Paragraph B, Subparagraph 2(a) which provides as follows:

“(a) In the event that a property owner makes payments on a delinquent account, those payments shall be first applied to satisfying the delinquent charges until such delinquent charges are paid in full, at which time any excess monies collected will be applied against current fees, costs, interest, penalties and principal account balance”.

In all other respects, Section 210 is ratified and reaffirmed.

GENERAL REPEALER

All ordinances or parts of ordinances, and all resolutions or parts of resolutions, inconsistent herewith shall be and are herewith repealed.

SEVERABILITY

The provisions of this Ordinance are severable. If any provision, sentence, clause, phrase, section or part thereof shall for any reason be found unconstitutional, illegal or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, phrases, sections, or parts thereof, but the same shall remain in effect. It is hereby declared to be the intent of the Borough of Fountain Hill that this Ordinance shall stand notwithstanding the invalidity of any part included herein.

EFFECTIVE DATE

The provisions of this Ordinance shall become effective in accordance with the Borough Code, 8 Pa.C.S.A. 3301.3, the date when the Mayor approves the Ordinance, or the date of enactment by the Council over the veto of the Mayor, or for an Ordinance not returned by the Mayor at the next scheduled meeting of council occurring at least ten days after the meeting at which the Ordinance was enacted by the Council, the date of the succeeding scheduled meeting of Council.

ORDAINED and ENACTED this 5th day of July, 2016, in lawful session duly assembled:

	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			
Helen Halleman	X		X			
Mayor Jose Rosado						

ORDINANCE 826

AMENDMENT TO ORDINANCE NO. 753

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE BOROUGH OF FOUNTAIN HILL CHAPTER 20, SOLID WASTE, PART 1, COLLECTION, SECTION 111 COLLECTION OF FEES FOR THE COLLECTION AND DISPOSAL OF SOLID WASTE

WHEREAS, the Borough of Fountain Hill enacted Ordinance No. 753 Amending Chapter 20, Part 1, to add Section 111, Collection of Fees for the Collection and Disposal of Solid Waste; and

WHEREAS, the Borough wishes to amend Section 111 of the Code of Ordinances.

NOW, THEREFORE, BE IT DULY ENACTED AND ORDAINED by the Borough Council of the Borough of Fountain Hill:

That Chapter 20 of the Code of Ordinances of the Borough of Fountain Hill shall be amended as follows:

§111 Collection of Fees for the Collection and Disposal of Solid Waste, Section 111 B(2)(a) which provides as follows:

“(a) In the event that a property owner makes payments on a delinquent account, those payments shall be first applied to satisfying the delinquent charges for solid waste

collection and disposal until such delinquent charges are paid in full, at which time any excess monies collected will be applied against current fees, costs, interest, penalties and principal account balance”.

In all other respects, Section 111 is ratified and reaffirmed.

GENERAL REPEALER

All ordinances or parts of ordinances, and all resolutions or parts of resolutions, inconsistent herewith shall be and are herewith repealed.

SEVERABILITY

The provisions of this Ordinance are severable. If any provision, sentence, clause, phrase, section or part thereof shall for any reason be found unconstitutional, illegal or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, phrases, sections, or parts thereof, but the same shall remain in effect. It is hereby declared to be the intent of the Borough of Fountain Hill that this Ordinance shall stand notwithstanding the invalidity of any part included herein.

EFFECTIVE DATE

The provisions of this Ordinance shall become effective in accordance with the Borough Code, 8 Pa.C.S.A. 3301.3, the date when the Mayor approves the Ordinance, or the date of enactment by the Council over the veto of the Mayor, or for an Ordinance not returned by the Mayor at the next scheduled meeting of council occurring at least ten days after the meeting at which the Ordinance was enacted by the Council, the date of the succeeding scheduled meeting of Council.

ORDAINED and ENACTED this 5th day of July, 2016, in lawful session duly assembled:

	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						

Council President Rapp moved onto Motions: none

Council President Rapp moved onto New Business: none

Council President Rapp moved onto Old Business:

Ms. Halleman asked Solicitor Lipson if he had ever received the contract with Service Electric. Mr. Lipson stated he had not, but State law allows a 5% surcharge that Service Electric is required to submit to the Borough.

Ms. Halleman stated that her daughter who lives in Lower Saucon pays less for service then she does, and with school taxes going up she wants to help the residents who are on fixed incomes.

Mr. Trabel informed Council that he had Spoken To Senator Boscola at the Senior Fair regarding the increase in school taxes and possible relief for homeowners.

Council President Rapp proceeded to Committee Reports:

Finance Committee:

Mr. Trotter reviewed the amount of bills paid in each Fund, and made a motion for the approval of the bills. The motion was seconded by Ms. Gifford and was approved unanimously.

Public Works Committee:

Ms. Jordan presented the June Public Works report.

Police Committee:

Chief Bachert notified Council that Officer Wood received an award for the most citations (902) issued in Lehigh and Northampton counties for Aggressive Driving Enforcement from the Regional Task Force for Aggressive Driving. Mayor Rosado commended Chief Bachert and Officer Wood for their work.

Mr. Blatt asked Chief Bachert if anything could be done to enforce pedestrians in the crosswalks. Mr. Blatt noted that cars do not stop for pedestrians who are in the crosswalk crossing Delaware Avenue. Chief Bachert stated that he had just mentioned an enforcement program he would like to implement for crosswalks, and would be doing so in the future.

Mayor Rosado stated that signs would be a good visible reminder. Chief Bachert agreed, and stated that they cost about \$100 per sign.

Chief Bachert informed Council that he would like to hire Mr. Eric Tosado as a full time officer at the July 20, 2016 Workshop Meeting. Mr. Tosado is currently employed by the Borough as a part-time officer.

House & Ordinance Committee: N/R

Fire Committee:

Ms. Gifford read the June fire report. There were 21 calls.

Recreation Committee: N/R

Health & Sanitation Committee:

Ms. Halleman read the June Sewer and Sanitation report.

Council President Rapp asked if there were any reports from any Special or Select Committees.

Ms. Jordan informed Council that the ribbon-cutting on the Library's new children's was held at the main branch of the Bethlehem Public Library, and that it was a wonderful celebration enjoyed by all in attendance.

Council President Rapp opened the meeting up to any public comments.

Ms. Gifford made the motion to adjourn to at 7:30p.m. The motion was seconded by Mr. Trotter, and the motion was unanimously approved.

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

By: _____
Lawrence E. Rapp, President of Council

ATTEST:

By: _____
Anthony Branco, Secretary