

**BOROUGH OF FOUNTAIN HILL
COUNCIL MEETING MINUTES**

July 6, 2020

7:00 PM

EXECUTIVE SESSION - An Executive Session was held starting at 6 PM to discuss personal matters regarding the Solicitor and Acting Chief. No action was taken and the Executive session ended at 6:55 PM

Due to the disturbance caused by unknown persons during the June 17, 2020 virtual Council meeting, this July 6, 2020 was held at Borough Hall for Council members only in order to adhere to COVID-19 CDC “social distancing” guidelines.

A meeting notice was placed on the Borough Website on July 2, 2020 informing the residents where to view the meeting as well as supplying a phone number and email address on which comments & questions could be addressed. The meeting was streamed live on *facebook.com/jamiefromfountainhill*. Again, residents had been invited to address questions via email (to the Borough Manager) beforehand or speak on agenda and non-agenda items via phone during the meeting. Due to phone issues, and alternate phone number was provided before and during the meeting for residents.

Council members present were: Ms. Jordan, Ms. Johnson, Mr. Rufe, Mr. Trotter, Mr. Atkinson, Mayor Gifford, and Mr. Trabel. Ms. Halleman refused to wear a facemask and left the meeting at 7:13. Also, in attendance were Anthony Branco (Borough Manager), Pete Lehr (Solicitor), Tom Wargo (Zoning Officer), Wayne Hochwarter (Acting Police Chief) and Jason Quarry (Public Works Supervisor).

At 7:15 PM, Council President Atkinson called the meeting to order and asked for everyone to rise for the Pledge to the Flag.

MINUTES

- Minutes of June 17, 2020

	Motion	2nd	Yes	No	Abstain	Absent
Annamarie Jordan	x		x			
Jamie Johnson			x			
Wilbert Rufe			x			
Doug Trotter			x			
Philip Trabel		x	x			
Helen Halleman						x
Leo Atkinson			x			
Mayor Gifford						

PRIVILEGE OF THE FLOOR

Due to weather conditions, the Borough’s telephone system was interrupted. An alternate Borough cell phone number was announced on the live *facebook* stream throughout the meeting.

- Ms. K. Keptner at 634 S Lynn Street called in the alternate phone number to verify connectivity.
- Mr. M. Spencer at 1035 Jeter Ave raised concerns that the July 6, 2020 Council meeting was not properly advertised and the Executive Session was not sufficiently detailed. He recommended to approve the internally circulated Social Media draft policy that he had a copy of and assisted in drafting.

Mr. Branco noted that all Council meetings are advertised at the beginning of the calendar year and this specific Council meeting was published on the Borough’s website on July 2, 2020. The Solicitor pointed out that any resident can address Council and only Council can ask the Solicitor for legal advice. When asked by Council President Atkinson, Council did not seek legal advice from the Solicitor for this matter.

- Mr. J Pietkiewicz, former Playground staff member, inquired about opening the Playground.
- Ms. C. Bresslen at 661 Norway Place reported that her neighbor’s property at 609 Norway Place is overgrown with grass, weeds and infested by rodents and ticks. She had contacted the Zoning Officer about it as well.

Mr. Wargo had cited the property owner and discussed with Public Works to schedule a time to clean up the property. The Solicitor added that a municipal lien could be filed to seek restitution, followed by initiating a Sheriff’s sale of the property if financially feasible. To address the resident’s immediate complaint Public Works will be cleaning the property. In addition, Council suggested to involve Lehigh County Social Services to address the situation in a more permanent way. Historical information on fines and liens against the property will have to be compiled and further discussed at the next Council meeting.

Mr. Wargo asked for a motion allowing to hire an outside contractor to clean up the property because Public Works is currently short-staffed.

	Motion	2nd	Yes	No	Abstain	Absent
Annamarie Jordan	x		x			
Jamie Johnson			x			
Wilbert Rufe		x	x			
Doug Trotter			x			
Philip Trabel			x			
Helen Halleman						x
Leo Atkinson			x			
Mayor Gifford						

MAYOR'S REPORT

The Arts Establishment will hold an art show “Blooms on Broadway” event in September.

Mayor Gifford read June’s Police report. She commended the Police on patrolling around 4th of July and minimizing fireworks violations. Officers Wood and Fritzinger received positive recognition for their traffic and DUI citations.

BOROUGH MANAGER’S REPORT

Mr. Branco updated Council on the UGI/Borough upcoming road construction projects.

NEW BUSINESS

- Reopening the playground and basketball courts.

Ms. Johnson handed out information on safety guidelines for using parks and public playgrounds. The solicitor pointed out that a statement “... use at your own risk...” implies that the park is open. The residents’ safety and the needed time and cost required to spend on following the recommended CDC guidelines prohibit opening the playground and basketball courts at this time.

- Stormwater Board vacancy
 - Mr. Stew McCandless of 1011 Pawnee ST.
 - Mr. Phil Trabel of 540 S. Benner Ave

A motion was made to appoint Mr. McCandless to the Stormwater Authority Board to finish the vacated term. This term expires on December 31, 2020.

	Motion	2nd	Yes	No	Abstain	Absent
Annamarie Jordan	x		x			
Jamie Johnson			x			
Wilbert Rufe			x			
Doug Trotter		x	x			
Philip Trabel					x	
Helen Halleman						x
Leo Atkinson			x			
Mayor Gifford						

RESOLUTIONS – None.

ORDINANCES – None.

MOTIONS

- Motion to extend the Emergency Declaration in place until September 8, 2020

	Motion	2nd	Yes	No	Abstain	Absent
Annamarie Jordan			x			
Jamie Johnson			x			
Wilbert Rufe			x			
Doug Trotter	x		x			
Philip Trabel		x	x			

Helen Halleman					x
Leo Atkinson		x			
Mayor Gifford					

- The Borough of Fountain Hill Council had declared a local disaster emergency relating to COVID-19 on or about March 20, 2020 and extended it to July 6, 2020. Council agreed to further extend the local disaster emergency relating to COVID-19 to September 8, 2020.

	Motion	2nd	Yes	No	Abstain	Absent
Annamarie Jordan			x			
Jamie Johnson			x			
Wilbert Rufe			x			
Doug Trotter	x		x			
Philip Trabel		x	x			
Helen Halleman						x
Leo Atkinson			x			
Mayor Gifford						

- Conditionally grant to Gaver Industries the CDBG contract to reconstruct Stanley Avenue from N. Bergen to N. Hoffert and N. Hoffert from Stanley Ave to Jeter Ave for the amount of \$240,975.00. This is conditioned on Gaver signing and returning to the Borough the Notice of Intent to Award, which has been issued to them.

	Motion	2nd	Yes	No	Abstain	Absent
Annamarie Jordan		x	x			
Jamie Johnson			x			
Wilbert Rufe			x			
Doug Trotter			x			
Philip Trabel	x		x			
Helen Halleman						x
Leo Atkinson			x			
Mayor Gifford						

OLD BUSINESS

- Revised Social Media Proposals 2020-29

The most recently updated Social Media Policy will be distributed and discussed at the next Council meeting.

- Verizon 5G proposal

Mr. Rufe recommended to negotiate with Verizon offering free public WIFI in certain areas in addition to the license fee.

- Garbage & Recycling RFP

Council asked to include Yard Waste pick up, weekly regular trash collection with the option of a 2nd pick up, optional provision of containers, and mandatory recycling in the RFP.

- Parking Ordinance – H&O – None.

COUNCIL PRESIDENT’S REPORT

Ms. Mattes at 860 Tombler St had submitted a Thank You letter to Council for its recommendation to prevent illegal parking on her block.

Council President Atkinson recommended to cancel the 2nd July and August Council meetings. Council consented.

SOLICITOR'S REPORT

The Planning Commission’s decision on Black Dog Partners’ land development application regarding 1336 Russell Ave is pending until July 13, 2020.

The Solicitor asked for a motion to extend to July 27, 2020.

	Motion	2nd	Yes	No	Abstain	Absent
Annamarie Jordan			x			
Jamie Johnson			x			
Wilbert Rufe			x			
Doug Trotter	x		x			
Philip Trabel		x	x			
Helen Halleman						x
Leo Atkinson			x			
Mayor Gifford						

Should Black Dog Partners not consent to an extension of time for Borough Council to act on the land development application, the solicitor asked for a motion to deny all waivers and rejects the plan based on the defects cited in the engineer’s review letter, as well as any defects that may be cited by the Planning Commission in its review of the application and hereby direct the Solicitor in such event to prepare and deliver the Borough Council’s written decision to the applicant.

	Motion	2nd	Yes	No	Abstain	Absent
Annamarie Jordan			x			
Jamie Johnson	x		x			
Wilbert Rufe			x			
Doug Trotter			x			
Philip Trabel		x	x			
Helen Halleman						x
Leo Atkinson			x			
Mayor Gifford						

14. COMMITTEE REPORTS

A. Finance (Trotter, Atkinson, Jordan)

- Payment of bills

	Motion	2nd	Yes	No	Abstain	Absent
Annamarie Jordan		x	x			
Jamie Johnson			x			
Wilbert Rufe			x			
Doug Trotter	x		x			
Philip Trabel			x			
Helen Halleman						x
Leo Atkinson			x			
Mayor Gifford						

B. Public Works (Jordan, Trotter, Rufe)

Alan Blakeslee’s probation will be extended by an additional week to allow him to explain his absence from work. If he does not respond, his absence will be considered a voluntary termination. If he responds, the Public Works Committee will review his response and potentially extend his probationary period for an additional six months.

	Motion	2nd	Yes	No	Abstain	Absent
Annamarie Jordan	x		x			
Jamie Johnson			x			
Wilbert Rufe			x			
Doug Trotter		x	x			
Philip Trabel			x			
Helen Halleman						x
Leo Atkinson			x			
Mayor Gifford						

C. Police (Atkinson, Trotter, Johnson)

The next Police Committee meeting will be held in August via Zoom.

D. House & Ordinances (Rufe, Halleman, Jordan) - NONE.

E. Fire (Trabel, Halleman, Rufe) – NONE.

F. Recreation (Johnson, Rufe, Trabel)

The potential location for a Community Garden is considered the area above the pool. However, DCNR will be consulted for approval.

The next Committee meeting will be held in August via Zoom.

G. Health & Sanitation (Halleman, Johnson, Trabel)

Council members had received the June collection reports for Sewer and Garbage.

H. Personnel (Trotter, Atkinson, Jordan) – NONE.

SPECIAL OR SELECT COMMITTEES

Tom Wargo informed Council there are still many landlords who have not yet paid their rental fees, nor have applied for property inspections as required by Ordinance. He will speak to the Solicitor.

PRIVILEGE OF THE FLOOR – Discussion on Non - Agenda Items

- Mr. J Pietkiewicz, former Playground staff member, inquired about opening the Playground.

The playground will stay completely closed.

ADJOURNMENT

At 8:55 PM Council President Atkinson asked for a motion to adjourn. Ms. Jordan made the motion, seconded by Ms. Johnson and unanimously approved.

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

By:

Leo Atkinson - President of Council

SUBMITTED BY

By: _____
Cordula Voges, Finance Director

ATTEST:

By: _____
Anthony Branco, Borough Manager

Next Resolution 2020-30

Next ordinance 858