

**BOROUGH OF FOUNTAIN HILL COUNCIL  
COUNCIL MEETING MINUTES**

**June 19, 2019**

**7 P.M.**

Council members present were: Ms. Jordan, Mr. Ferencin, Mr. Blatt, Mr. Atkinson, Mr. Trabel, and Ms. Halleman. Also, in attendance were Anthony Branco (Executive Administrator), Cordula Voges (Finance Officer), Ed Bachert (Police Chief), and guests.

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

Council was in receipt of the below documents:

1. Minutes of May 22, 2019 Council Meeting – Draft -
2. Minutes of June 3, 2019 Council Meeting – Draft –

Council President Atkinson asked everyone to review the Draft Minutes and submit any revisions in writing to the Finance Officer.

PRESENTATION(S) - none.

PRIVILEGE OF THE FLOOR – Discussion on Agenda Items - none.

RESOLUTIONS

**RESOLUTION NO. 2019 - 29**

**A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF FOUNTAIN HILL, LEHIGH COUNTY, PENNSYLVANIA, APPROVING THE APPOINTMENT OF SEASONAL STAFF FOR PLAYGROUND OPERATIONS.**

**WHEREAS**, Each year the Borough is in need of Part-Time Staff to assist with the Playground Operations; and

**WHEREAS**, Borough Council has received the hiring recommendations from the Playground Supervisor and Executive Administrator of individuals to fill the various staff positions;

**NOW, THEREFORE, BE IT RESOLVED** that the Borough Council of the Borough of Fountain Hill does hereby approve the appointment of the following staff for the Summer Playground Operations:

Playground Staff (5 - 9 PM)

Tommy Dipalo                      \$10.00/hr.  
 Mikayla Ruppert                \$10.00/hr.  
 Beiley Hossler                  \$10.00/hr.

Duly Adopted by Borough Council at a meeting held on the 19th day of June, 2019.

Only the Playground Supervisor, his Assistant and 2 Staff members are on the regular payroll. The above additional three (3) Staff are only "fill-in" positions.

	Motion	2nd	Yes	No	Abstain	Absent
Annamarie Jordan			x			
Leo Atkinson			x			
Norman Blatt			x			
Doug Trotter						x
Francis Ferencin		x	x			
Philip Trabel	x		x			
Helen Halleman			x			
Mayor Gifford						

**ATTEST:**

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

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

By: \_\_\_\_\_  
 Leo Atkinson, President of Council

**ORDINANCES**

**First Reading**

**ORDINANCE NO. 852**

AN ORDINANCE ESTABLISHING A UNIFORM CONSTRUCTION CODE BOARD OF APPEALS JOINTLY WITH THE TOWNSHIP OF LOWER SAUCON, NORTHAMPTON COUNTY, PENNSYLVANIA; AND TO

AUTHORIZE THE EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT WITH THE TOWNSHIP OF LOWER SAUCON FOR THIS PURPOSE; PROVIDING FOR THE SEVERABILITY OF PARTS OF THIS ORDINANCE DEEMED TO BE INVALID; REPEALING ORDINANCES, RESOLUTIONS, OR PARTS THEREOF IN CONFLICT HEREWITH; A PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the Borough of Fountain Hill and the Township of Lower Saucon have enacted ordinances adopting the Uniform Construction Code (“UCC”), Act 45 of 1999, 35 P.S. § 7210.101, et seq. (the “Act”); and

**WHEREAS**, Section 301 of the Act directed the Pennsylvania Department of Labor and Industry to promulgate regulations with respect to the administration and enforcement of the Act, which regulations were codified at Title 34 Pa.Code, Chapters 401, 403 and 405 (“Regulations”); and

**WHEREAS**, Section 403.121(d) of the Regulations, 34 Pa.Code § 403.121(d), as authorized by Section 501(c) of the Act, 35 P.S. § 7210.501(c), provides that two or more municipalities may establish a joint board of appeals through an intergovernmental agreement adopted under the authority of the Pennsylvania Intergovernmental Cooperation Act, 53 Pa.C.S. § 2301, et seq.; and

**WHEREAS**, under the Pennsylvania Intergovernmental Cooperation Act, a municipality may enter into an intergovernmental cooperation agreement upon the passage of an ordinance by its governing body; and

**WHEREAS**, the Code of Ordinances of the Borough of Fountain Hill, Chapter 5, Section 104 authorizes Borough Council to establish a UCC Appeals Board jointly with another municipality; and

**WHEREAS**, the Borough Council desires to establish a joint UCC Board of Appeals, to hear and rule on appeals, requests for variances and requests for extension of time as may be filed under Chapter 5 of the Code of Ordinances.

**NOW THEREFORE, BE IT DULY ENACTED** and **ORDAINED** by the Borough Council of the Borough of Fountain Hill that pursuant to Chapter 5, Section 104 of the Code of Ordinances, enforcement and administration of the Uniform Construction Code shall be undertaken jointly with the Township of Lower Saucon, Northampton County, Pennsylvania by means of the establishment of a Joint Uniform Construction Code Board of Appeals.

**NOW THEREFORE, BE IT FURTHER DULY ENACTED** and **ORDAINED** by the Borough Council of the Borough of Fountain Hill that either the President of Borough Council or the Executive Administrator of the Borough, shall be authorized to execute an Intergovernmental

Agreement, in substantially the form attached hereto as Exhibit A, for purpose of creating a joint uniform construction code board of appeals with the Township of Lower Saucon.

### **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 (10) after the meeting at which the Ordinance was enacted by the Council, the date of the succeeding scheduled meeting of Council.

The second (2nd) Reading will be held at the next July Council meeting.

MOTIONS – none.

### **OLD BUSINESS**

- Council President Atkinson announced that a CDBG Grant 2019 for Stanley Avenue/Hoffert Street was awarded.
- The Lehigh County Conservation District released additional \$9,432 as final amendment to the DSA Grant 2018 for Lechauweki Park.
- Council President Atkinson reminded of Community Day held on July 20, 2019 (rain date July 27, 2019) during the hours of 11 a.m. and 3 p.m. in Stanley Park.

He asked for Council approval to have Stanley Avenue closed off for traffic except for residents and vendors dependent on insurance coverage.

	Motion	2nd	Yes	No	Abstain	Absent
Annamarie Jordan	x		x			
Francis Ferencin			x			
Norman Blatt			x			
Doug Trotter						x
Leo Atkinson			x			
Philip Trabel		x	x			
Helen Halleman			x			
Mayor Gifford						

- Mr. Branco informed that the Zoning/Hearing Commission rejected the appeal made by Mr. Bennick for a curb cut on 928 Dodson Street.
- Ms. Jordan announced that the Book Mobile should be in place in early fall 2019.

DISCUSSION ITEMS (NEW BUSINESS) - none.

PRIVILEGE OF THE FLOOR - Discussion on Non - Agenda Items - none.

EXECUTIVE SESSION - none.

**ADJOURNMENT**

At 7:20 p.m. Mr. Trabel made the motion to adjourn, seconded by Ms. Jordan and unanimously approved.

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

By: \_\_\_\_\_  
Leo Atkinson - President of Council

**SUBMITTED BY**

By: \_\_\_\_\_  
Cordula Voges, Finance Officer

**ATTEST:**

By: \_\_\_\_\_  
Anthony Branco, Executive Administrator

Next Ordinance - 854  
Next Resolution - 2019-30