

**BOROUGH OF FOUNTAIN HILL
COUNCIL WORK SESSION MINUTES**

June 22, 2016

7:00 P.M.

Council members present were: Mr. Rapp, Mr. Blatt, Mr. Trabel, Ms. Halleman, Ms. Jordan and Ms. Gifford, and Mr. Trotter, Jr. Mayor Rosado was absent. Also in attendance was Anthony Branco, Executive Administrator, Jason Quarry, Interim Public Works Supervisor, Albert Rohrbach, Zoning Officer, Chief Bachert, and visitors.

Council President Rapp called for the pledge to the flag.

Council President Rapp reviewed items to be placed on the June 6, 2016 meeting agenda as follows:

1. Minutes of May 18, 2016 the Work Session Meeting – DRAFT (Please submit revisions in writing)
2. Minutes of the May 23, 2016 Special Meeting – DRAFT (Please submit revisions in writing)
3. Minutes of the June 6, 2016 Regular Meeting – DRAFT (Please submit revisions in writing)

Presentations:

Ms. Angelia Sinkler and members of the Bacchanalia Committee presented Council with a check of \$11,000.00 for special projects at the pool and playground. The money was raised through events sponsored by the Bacchanalia Committee. The next Wine and Food event will be held again at the Comfort Suites of Bethlehem on March 27, 2017.

Discussion Items:

Ms. Gifford informed Council that the Fire Committee had met to discuss adopting the 2009 UCC Fire Code at the recommendation of Mr. Ray Anthony, Fire Marshall for the Borough. The reason for adopting this type of ordinance is so violations, when encountered during inspections, or after a fire can be addressed and the necessary action taken. Ms. Gifford noted that the current code is outdated, and asked Council to consider revising the Ordinance. Ms. Gifford requested a rough draft of an ordinance for the next work session.

First Reading

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.

Ms. Gifford asked what would Council be doing to residents who payed toward their delinquent accounts rather than towards their current bill;

Mr. Rapp stated that everyone was treated fairly, and the error was in the wording of the ordinance, and not the procedure.

Mr. Blatt asked if interest was charged on late fees, or if they could be charged. Mr. Rapp stated that was a question for the Solicitor.

Ms. Gifford made a motion to accept Ordinance 825 and to make amends per the language of the original ordinance. The motion died for lack of a second.

Mr. Blatt made a motion to accept Ordinance 825, An Amendment to Ordinance 752, seconded by Mr. Trotter.

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

First Reading

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.

Mr. Blatt make a motion to accept Ordinance 826, An Amendment to Ordinance 753, seconded by Ms. Halleman.

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

Ms. Gifford made a motion to adjourn at 7:18 PM, seconded by Mr. Trotter and approved unanimously.

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

By: _____
Lawrence E. Rapp, President of Council

ATTEST:

By: _____
Anthony Branco, Secretary