

MINUTES
BOROUGH COUNCIL
June 5, 2023
7 P.M.

The Council Meeting was held in-person at Borough Hall. Council members present were: Ms. Jordan, Ms. Johnson, Mr. Blatt, Mr. Trabel and Mayor Johnson. Mr. Rufe and Mr. Trotter were absent. Also in attendance were Jason Quarry (Public Works Supervisor), Cordula Voges (Finance Director), Keith Zehner (Zoning Officer), Dave Berger (Solicitor), and guests.

PLEDGE OF ALLEGIANCE

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

MINUTES

Approval of the minutes of May 17, 2023, as amended.

	Motion	2nd	Yes	No	Abstain	Absent
Annamarie Jordan	x		x			
Jamie Johnson			x			
Wilbert Rufe						x
Doug Trotter						x
Philip Trabel		x	x			
Stew McCandless			x			
Norman E. Blatt Jr.			x			
Mayor Johnson						

The agenda was amended to include under "New Business" the Fountain Hill Community Coaliton's application to use borough owned properties on 7/15/2023.

	Motion	2nd	Yes	No	Abstain	Absent
Annamarie Jordan			x			
Jamie Johnson	x		x			
Wilbert Rufe						x
Doug Trotter						x
Philip Trabel			x			
Stew McCandless		x	x			
Norman E. Blatt Jr.			x			
Mayor Johnson						

PRIVILEGE OF THE FLOOR/ PRE-SCHEDULED

- Mr. Josh Schwartz of 1238 Moravia Street and Ms. Susan Repasch of 1234 Moravia St had received violation notices of weed infractions. The violation notices included pictures showing plant growth encroaching onto the sidewalk of Mr. Schwartz's property and, on a smaller scale, plants – labeled as weeds - on Ms. Repasch's property. Both parties oppose the violation notices questioning the definition of weeds.

The subsequent discussion centered around the definition of weeds in general and specifically as defined under the borough ordinance. Mr. Zehner reminded that everyone should be equal before the law (objective not subjective) and that the municipal ordinance is more specific defining a weed versus the common definition. Mr. Berger confirmed that statement and cited the plants labeled as weeds under the municipal ordinance.

Both the Council President and Ms. Jordan recommended to review the ordinance and ask Mr. Rufe, the chair of the House & Ordinance Committee, to add this item to the committee's agenda. In the meantime, Council President Blatt asked Mr. Schwartz to cut back the plant overgrowth and not infringe on the sidewalk. Mr. Schwartz agreed.

- Request to use Borough owned property for a "Ball on Fire" event

Ms. Williams of Ink & Paper LLC had submitted an application to use the park/playground for a "Ball on Fire" event from June 30th to July 2nd. Because of scheduling conflicts with the Borough's Playground program, the application needed to be revised. Mr. Franklin of Ink & Paper LLC mentioned that any "entertainment" was to include music and serving of cooked food. Confirmed by Mr. Berger, Council President Blatt noted that the information about entertainment and serving of food needed to be more specific for Council to be able to approve the application. Mr. Franklin thanked for the explanation and withdrew the application to use the Borough Park at this time.

NEW BUSINESS

➤ **Application for Request to Use Borough Owned Properties**

Ink & Paper LLC, Bethlehem – (conditioned on the receipt of a revised application) –

The representative of Ink & Paper LLC withdrew the application for "Ball on Fire" event for Friday, June 30th to Sunday, July 2nd.

➤ **Application for Request to Use Borough Owned Properties**

Nilka Lockhart, 1301 Jeter Ave, Fountain Hill, PA 18015 – **ACTION ITEM**

Graduation Party on Saturday, 6/24/2023

Council decided to table the decision on the application and asked the applicant to attend the next council meeting for more information.

	Motion	2nd	Yes	No	Abstain	Absent
Annamarie Jordan			x			
Jamie Johnson	x		x			
Wilbert Rufe						x
Doug Trotter						x
Philip Trabel			x			
Stew McCandless		x	x			
Norman E. Blatt Jr.			x			
Mayor Johnson						

➤ **Application for Request to Use Borough Owned Properties**

Fountain Hill Community Coalition c/o Nyanda Finley de Santos, 507 Greene Court, Fountain Hill – (received last minute) added to Agenda – **ACTION ITEM**

Free Community Movie in the Park & 2 Food Trucks on Saturday, 7/15/2023 4 – 11 pm

Ms. Nyanda Finley de Santos, the contact person for the Fountain Hill Community Coalition Control for this event, asked to have some control of the lighting in the park (while the movie is being shown). From 6 to 8 pm, food trucks will be serving food. Council President Blatt noted that the Health Inspector will have to inspect the food trucks. Mr. Quarry will have a Public Works member be on site to lock the restrooms and restore the lighting. He stated the Borough will incur overtime expenditures for the extra time.

To support this community event, Council President Blatt recommended to waive the rental fees and potential health inspection fees for this event, but pay the Public Works overtime expenditures. He asked if there was a motion to approve the application, waive the rental/health inspection fees, but carry the overtime expenditure.

	Motion	2nd	Yes	No	Abstain	Absent
Annamarie Jordan		x	x			
Jamie Johnson			x			
Wilbert Rufe						x
Doug Trotter						x
Philip Trabel	x		x			
Stew McCandless			x			
Norman E. Blatt Jr.			x			
Mayor Johnson						

RESOLUTIONS FOR FINAL PASSAGE

RESOLUTION NO. 2023-15

A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF FOUNTAIN HILL, LEHIGH COUNTY, PENNSYLVANIA, AUTHORIZING AN INTERGOVERNMENTAL COOPERATION AGREEMENT BY AND BETWEEN THE BOROUGH OF HELLERTOWN AND THE BOROUGH OF FOUNTAIN HILL FOR RESIDENT USE OF THE HELLERTOWN POOL

The agreement is identical to last year's and was also reviewed by the Solicitor.

	Motion	2nd	Yes	No	Abstain	Absent
Annamarie Jordan			X			
Jamie Johnson	X		X			
Wilbert Rufe						X
Doug Trotter						X
Philip Trabel		X	X			
Stew McCandless			X			
Norman E. Blatt Jr. Mayor Johnson			X			

MOTIONS

- Approving Payment Application No. 4 as submitted by T Schiefer Contractors, Inc. for the Broadway Curb & Sidewalk project in the amount of \$272,238.21 out of \$356,658.21 as recommended by Hanover Engineering. \$84,420 of the total Payment Application No. 4 are stormwater related and to be approved by the FH Stormwater Authority.

Release of payment is conditioned on an original signed copy of the revised Payment Application being submitted to Hanover Engineering for signing and forwarding to the Borough.

	Motion	2nd	Yes	No	Abstain	Absent
Annamarie Jordan	X		X			
Jamie Johnson			X			
Wilbert Rufe						X
Doug Trotter						X
Philip Trabel			X			
Stew McCandless		X	X			
Norman E. Blatt Jr. Mayor Johnson			X			

OLD BUSINESS

- Pool Update

Ms. Johnson mentioned that estimates for partial concrete work in an area in front of the lifeguard building are being solicited.

- Playground Update

Ms. Johnson stated that the Playground Program will be operating between 9 am and noon and 6 to 9 pm. A police officer will be present at 6 and 9 pm to monitor the transition of the park closing. All participants are required to register. Non- resident participants are charged \$25.

- Little league field

Council President Blatt asked if there was a motion to also amend the agenda to include the Little League’s application to increase the size of the upper field.

	Motion	2nd	Yes	No	Abstain	Absent
Annamarie Jordan			X			
Jamie Johnson	X		X			
Wilbert Rufe						X
Doug Trotter						X
Philip Trabel			X			
Stew McCandless		X	X			
Norman E. Blatt Jr.			X			
Mayor Johnson						

The Little League’s representative asked for permission to convert the softball field to a baseball field and put in a mound (6inch higher than base) at their expense.

	Motion	2nd	Yes	No	Abstain	Absent
Annamarie Jordan			X			
Jamie Johnson	X		X			
Wilbert Rufe						X
Doug Trotter						X
Philip Trabel			X			
Stew McCandless		X	X			
Norman E. Blatt Jr.			X			
Mayor Johnson						

- CDBG Grant 2022 – Jeter Ave (Kieffer to N Hoffert St)

Lehigh County has funding to provide a supplemental award (\$99k). The Borough is waiting for the county to approve the contract to the 2nd lowest bidder, if compliant.

Council President Blatt asked if there was a motion to move forward with the application as described above.

	Motion	2nd	Yes	No	Abstain	Absent
Annamarie Jordan	x		x			
Jamie Johnson			x			
Wilbert Rufe						x
Doug Trotter						x
Philip Trabel		x	x			
Stew McCandless			x			
Norman E. Blatt Jr.			x			
Mayor Johnson						

MAYOR'S REPORT

Mayor Johnson thanked everyone for participating in the Memorial Day celebration.

COUNCIL PRESIDENT'S REPORT

Council President Blatt appreciated everyone's Memorial Day participation.

Mr. Blatt asked drivers to especially observe traffic while the Playground Program is ongoing.

SOLICITOR'S REPORT – None.

COMMITTEE REPORTS

- o Finance (Trotter, Blatt, Jordan)
- o Motion to pay the bills as presented –

Council President Blatt read the payment reports in Mr. Trotter's absence and asked if there was a motion to approve the payments.

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

Stew McCandless
 Norman E. Blatt Jr.
 Mayor Johnson

	x	x			
		x			

- o Public Works (Jordan, Trotter, Rufe)

Mr. Quarry reported that road work in some of the alleys is on the way. The micro-surfacing on Delaware Ave is completed.

- o Police (Blatt, Trotter, Johnson)

Police presence at the park was discussed to close out park program.

- o House & Ordinances (Rufe, Jordan, McCandless)

The next H&O meeting that is scheduled for 6/7/2023 will be announced.

- o Fire (Trabel, Rufe, McCandless) - None.

- o Recreation (Johnson, Rufe, Trabel) - None.

- o Health & Sanitation (McCandless, Johnson, Trabel)

Mr. McCandless read the May collection reports

- o Personnel (Trotter, Blatt, Jordan) - None.

Ms. Jordan invited everyone to check out the newly renovated library.

Ms. Johnson reported that all Council members have specific borough designated email addresses.

PRIVILEGE OF THE FLOOR – Discussion on Non - Agenda Items – None.

EXECUTIVE SESSION – (Personnel and litigation matters) & ADJOURNMENT

At 8:18 pm Council President Blatt asked to adjourn the Council meeting and asked Council to move into an executive session to discuss personnel and litigation matters. Ms. Johnson made the motion, seconded by Mr. Trabel and unanimously approved.

BOROUGH OF FOUNTAIN HILL
 LEHIGH COUNTY, PENNSYLVANIA

By:

Norman E Blatt - President of Council

ATTESTED

BY: _____
Jason Quarry, Interim Borough Manager

SUBMITTED

BY: _____
Cordula Voges, Finance Director

Next Ordinance – 879
Next Resolution – 2023-16

Approved