

**FOUNTAIN HILL BOROUGH COUNCIL
MINUTES
June 6, 2022
7 P.M.**

The Council Meeting was held in-person at Borough Hall. Council members present were: Ms. Jordan, Ms. Johnson, Mr. Trotter, Mr. Blatt, Ms. Graham, Mr. Trabel and Mayor Johnson. Mr. Rufe was absent. Also, in attendance were Eric Gratz (Borough Manager), Cordula Voges (Finance Director), Dave Berger (Solicitor) and guests.

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 18, 2022

Council President Blatt asked for a motion to approve the minutes.

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

PRIVILEGE OF THE FLOOR/ PRE-SCHEDULED – None.

MAYOR'S REPORT

Mayor Johnson expressed his thanks to Fountain Hill Elementary School for allowing the Borough's Memorial Day celebration to be held in its auditorium.

BOROUGH MANAGER'S REPORT

The Borough Manager provided an update on Mr. Keith Zehner's (Zoning Officer) acclimation to his new role in Zoning/Code Enforcement.

The 2nd tranche of the SLFRF/ARPA is expected to be disbursed in June or July. Mr. Gratz mentioned that the final treasury ruling that all awards below \$10,000,000 may be treated as revenue replacement simplifying the reporting on the use of the funds. Other than that, the future use of the funds is still to be determined.

Mr. Gratz reported that once the sewer lateral and gas lines are restored, the Broadway curb and sidewalk project will be started. However, PennDOT's restoration of the Broadway road surface might have to linger over the winter.

The Warren Street reconstruction project will be outgoing to bidding. The Sioux Street reconstruction will be pushed to 2023 because the Jeter and Delaware Avenue projects came back with higher-than-expected bids.

During the recent PSAB Conference, Mr. Blatt was awarded for 20 years of service and Mr. Trotter for 25 years of service

Mr. Gratz reminded that the Playground Program will start on Monday, June 13. He reported that Ms. Kaylee Levernier (Playground Coordinator) drafted a set of rules for participants. She took inventory of the playground field supplies and reviewed any additional supplies needed.

NEW BUSINESS – None.

RESOLUTIONS

RESOLUTION NO. 2022- 21

A RESOLUTION OF THE FOUNTAIN HILL BOROUGH COUNCIL APPOINTING DR. MARK NOBLE TO THE ZONING HEARING BOARD AS AN ALTERNATE FOR A 5-YEAR TERM.

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

RESOLUTION NO. 2022- 22

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 Solicitor had reviewed and approved the agreement.

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

RESOLUTION NO. 2022- 23

A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF FOUNTAIN HILL, LEHIGH COUNTY, PENNSYLVANIA, AUTHORIZING AN INTERGOVERNMENTAL COOPERATION AGREEMENT BY AND BETWEEN THE TOWNSHIP OF SALISBURY AND THE BOROUGH OF FOUNTAIN HILL FOR THE TRANSMISSION OF SANITARY SEWAGE THROUGH THE BOROUGH.

The Solicitor had reviewed and approved the agreement.

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

ORDINANCES FOR FINAL PASSAGE

All ordinances presented below were advertised and received no public comment to make any changes.

ORDINANCE NO. 863

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE BOROUGH OF FOUNTAIN HILL, CHAPTER 6, CONDUCT, PART 5, SMOKING IN CERTAIN AREAS PROHIBITED, ADDING A DEFINITION SECTION, DEFINING TOBACCO PRODUCTS TO INCLUDE ELECTRONIC SMOKING DEVICES, DEFINING SMOKING TO INCLUDE THE USE OF A TOBACCO PRODUCT, REPEALING SECTION ON PERMITTED SMOKING AREAS, PROVIDING FOR THE SEVERABILITY OF PARTS OF THIS ORDINANCE DEEMED TO BE INVALID; REPEALING ORDINANCES, RESOLUTIONS, OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

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

ORDINANCE NO. 869

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE BOROUGH OF FOUNTAIN HILL, CHAPTER 15, PART 3, §304 PARKING REGULATIONS, AMENDING SECTION (4) PENALTIES TO REPLACE WRITTEN WARNING WITH \$25 FINE FOR FIRST OFFENSE AND INCREASE FINE FROM \$75 TO \$100 FOR THIRD OFFENSE.

The ordinance regards unlawful large truck parking a first offense resulting in an enforceable \$25 fine.

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

ORDINANCE NO. 870

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE BOROUGH OF FOUNTAIN HILL, CHAPTER 27, ZONING, PART 5, ENVIRONMENTAL PROTECTION, SECTION 507 CONTROL OF LIGHT AND GLARE BY AMENDING PROVISIONS RELATING TO OUTDOOR LIGHTING IN ORDER TO PROMOTE SAFETY, SECURITY, NIGHTTIME PRIVACY AND NIGHTTIME ENJOYMENT OF RESIDENTIAL PROPERTY, AS WELL AS MINIMIZE GLARE THAT POSES DANGERS TO THOSE OPERATING MOTOR VEHICLES, PROVIDING FOR THE SEVERABILITY OF PARTS OF THIS ORDINANCE DEEMED TO BE INVALID; REPEALING ORDINANCES, RESOLUTIONS, OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

The amendment is to clarify the light ordinance.

Council Blatt raised concerns that the amendment might require the Zoning Hearing Committee's review. He asked the Solicitor to review the procedural process and suggested to

table the vote on the ordinance. Council President Blatt asked for a motion to table the final vote on the amendment.

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

MOTIONS

- Awarding the bid for the Jeter Avenue reconstruction project in the amount of \$172,087 (base and contingency) to Kobalt Construction (lowest qualified bidder)

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

- Awarding the bid for the Delaware Avenue resurfacing in the amount of \$237,891 (base and contingency) to Asphalt Maintenance Solutions (lowest qualified bidder)

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

- Awarding the bid for the Broadway and Delaware Avenue pedestrian crossing project in the amount of \$239,456 (base and contingency) to Marino Corporation (lowest qualified bidder). The project is funded by PennDOT's TASA Grant (\$203,829) and the remainder by funds from the General Fund (\$22,870.77).

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

- Approving the hiring of Ryan Gunia as a part-time seasonal recreation assistant at the rate of \$15/hour.

The background and child clearance checks were completed.

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

- Approving the hiring of Andrew Levernier as a part-time seasonal recreation assistant at the rate of \$15/hour.

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

- Approving the transfer of \$12,531 from the Health and Sanitation Fund to the General Fund to cover the repair of the leaf collection machine used for leaf recycling.

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

- Extending the probationary period of Brian Lean (Public Works) until such time that his CDL Class A exam can be scheduled.

The testing center is 5-6 weeks behind schedule.

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

OLD BUSINESS

- Potential motion to amend the Fountain Hill Pool vote

Mr. Zovko of 507 Greene Ct. reported on the recent citizens' committee meeting held at Borough Hall. 25 residents had participated. An application to be tax-exempt under section 501(c)(3) of the Internal Revenue Code has been submitted and bylaws have been drawn. Mr. Zovko noted that donations can only be accepted when the 501(c)(3) application has been approved and he will be looking for funding sources then.

Mr. Zovko praised the spirit of the group (60 active members plus additional 130 interested members). They are looking for new ideas for the pool such as expanding swimming activities and life-guarding requirements.

He will update the Borough Manager on a monthly basis. The next citizens' committee meeting will be held some time in July.

Based on the citizens' initiative, Council President verified with Mr. Berger that one motion to amend the existing motion to permanently close the pool for the 2022 season **and** a second motion to keep the equipment active should the pool be open in 2023 are needed.

Council President Blatt asked for a motion to amend the existing motion to permanently close the pool for the 2022.

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

Council President Blatt asked for the 2nd motion to keep the equipment active should the pool be open in 2023.

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

COUNCIL PRESIDENT'S REPORT

Council President Blatt thanked everyone who had contributed to and participated in the Memorial Day Event on May 27, 2022 held at Fountain Hill Elementary School.

SOLICITOR'S REPORT

- Mr. Berger asked for a direction from Council regarding the existing collection actions dealing with seriously delinquent accounts. Before taking any of the accounts to sheriff's sales he recommended to set a delinquent balance threshold.

Ms. Jordan suggested to set up a Finance Committee meeting reviewing further action on these accounts.

- Mr. Berger stated that amendments to the zoning code do not need to go to the Zoning Committee. However, Mr. Zehner (Zoning Officer) corrected that this is only true for amendments to zoning codes that originated in the Zoning Committee.

COMMITTEE REPORTS

- Finance (Trotter, Blatt, Jordan)

Council President Blatt asked for a vote on the motion made by Mr. Trotter to pay the bills as presented.

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

- Public Works (Jordan, Trotter, Rufe) – None.
- Police (Blatt, Trotter, Johnson) – None.
- House & Ordinances (Rufe, Graham, Jordan) – None.
- Fire (Trabel, Graham, Rufe)

Mr. Trabel read the May fire report.

- Recreation (Johnson, Rufe, Trabel)

Ms. Johnson reported that the Playground summer program will run from June 13 to mid-August. The August end date will depend on staffing.

A movie night at the park and the establishment of a community garden are still considered.

- Health & Sanitation (Graham, Johnson, Trabel)

Ms. Graham read the May Sewer/Garbage collection report.

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

SPECIAL OR SELECT COMMITTEES

Mr. Dave Boehrer reported that a fire emergency vehicle practice was held.

Ms. Jordan reminded that Books on the Hill has an ongoing summer program on Mondays in place.

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

EXECUTIVE SESSION (As Needed) – None.

ADJOURNMENT

At 7:57 PM Council President Blatt asked for a motion to adjourn. Mr. Trabel made the motion, seconded by Ms. Johnson and unanimously approved.

BOROUGH OF FOUNTAIN HILL
LEHIGH COUNTY, PENNSYLVANIA

By:

Norman E Blatt - President of Council

SUBMITTED:

BY: _____
Cordula Voges, Finance Director

ATTEST:

By: _____
Eric Gratz, Borough Manager

Next Ordinance – 871
Next Resolution – 2022-24

APPROVED