

**FOUNTAIN HILL BOROUGH COUNCIL
MINUTES
June 7, 2021
7:00 P.M.**

Due to Governor Tom Wolf’s Coronavirus (COVID-19) Emergency Disaster Declaration on March 6, 2020, a virtual/remote public Council Meeting was held via phone/zoom. The remote participation option for residents was published on the Borough’s website www.fountainhill.org. Remotely participating Council members were: Ms. Jordan, Ms. Johnson, Mr. Trotter, Mr. Blatt, Mr. Rufe, Mr. Trabel, Ms. Halleman and Mayor Gifford. Also remotely participating were Cordula Voges (Finance Director), Chief Bachert, Tom Wargo (Zoning Officer), Jason Quarry (Public Works Supervisor), and guests.

PLEDGE OF ALLEGIANCE

Council President Blatt called the meeting to order and asked everyone to pledge allegiance to the Flag.

MINUTES

- Motion to approve of the May 19, 2021 Minutes

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

PRIVILEGE OF THE FLOOR / PRE-SCHEDULED - None

MAYOR'S REPORT

Mayor Gifford will schedule a Borough cleanup for the future. In the meantime, she appealed to residents to keep the Borough beautiful

BOROUGH MANAGER’S REPORT

In the absence of Mr. Branco, Ms. Voges, the Finance Officer, reported that the Application for COVID-19 ARPA Local Fiscal Recovery Funds was submitted online. The COVID-19 ARPA Local Fiscal Recovery Funds Grant totals \$491,840.62 to be disbursed in two equal tranches. The monies must be used for categories specifically outlined in the COVID-19 ARPA Local Fiscal Recovery Funds Grant guidelines. Council President Blatt asked to schedule a Finance Committee meeting to discuss future use of these funds.

NEW BUSINESS

- Request for a Handicap space at 1113 Jeter Ave. by Maryann Kipila

Neither Chief Bachert, nor Mr. Quarry, the Public Works Supervisor, had inspected the parking situation yet. Council President Blatt asked to table the decision to the next meeting.

- Cleaning Services Proposals (1-day pre week)
 - a) J&L Cleaning Services \$125.00/wk. (\$500/mo.)
 - b) Cox Building Services \$ 120.00/wk. (\$480/mo.)
 - c) D.W. Services \$349/wk. (\$1,396/mo.)

Council decided to offer the contract to Cox Building Services (Cox) with the understanding that Cox will furnish all cleaning supplies and that the agreement may be terminated at any time with a minimum of thirty (30) days written notice from either party. Council President Blatt asked for a motion to offer the contract to Cox.

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

- 13th annual Stickball Classic – Saturday August 7, 2021.

The organizers for this event asked to reserve the playground, courts and building for three (3) days - Friday August 6th to setup, Saturday August 7th for the event and Sunday August 8th for rain date. The organizers will have insurance for the event.

Council President Blatt asked for a motion to approve the request and then notify the organizers.

	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			
Norman E. Blatt Jr.			x			
Mayor Gifford						

RESOLUTIONS

RESOLUTION 2021-12

A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF FOUNTAIN HILL, COUNTY OF LEHIGH, COMMONWEALTH OF PENNSYLVANIA, ESTABLISHING A STANDARD SPECIFICATION FOR ROAD RESTORATION PROMULGATED BY THE BOROUGH TO ESTABLISH PAVED ROAD SURFACE OPENING / WEARING COURSE OVERLAY REQUIREMENTS FOR ALL BOROUGH ROADS.

Mr. Trabel asked about the exhibit displayed in the resolution.
 Mr. Lehr explained that the exhibit in the resolution is a standard exhibit to enter into an agreement with any utility company. Since no ordinance was previously adopted in regard to road construction, a resolution suffices.

	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			
Norman E. Blatt Jr.			x			
Mayor Gifford						

Ms Halleman asked about the status of the Broadway Road construction. Council President Blatt explained that it is PennDot’s responsibility to schedule road construction of a state road.

RESOLUTION NO. 2021 - 13

A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF FOUNTAIN HILL, LEHIGH COUNTY, PENNSYLVANIA, REVISING POOL ADMISSION FEES

Mr. Trabel asked for a motion to further increase the pool admittance fees in light of the increased YMCA management fee. Nobody seconded the motion.

Council approved the revision of the Pool Admission Fees as presented in Resolution 2021-13.

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

RESOLUTION 2021 - 14

A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF FOUNTAIN HILL, LEHIGH COUNTY, PENNSYLVANIA - APPOINTMENT OF INTERIM BOROUGH MANAGER

Council President Blatt asked for a motion to extend Mr. Branco’s employment as Interim Manager on the basis of \$100/hr. for no more than 20 hrs./week until a successor is hired with a 2-week transition period.

Mayor Gifford expressed that \$100/hr. is an exorbitant rate and should be re-discussed. Ms. Jordan explained that the subject was already discussed with him and any interim managers do receive a rate of \$125/hr. to \$175/hr.

Council President Blatt then asked for a motion to grant the extension.

	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
Norman E. Blatt Jr.			x			
Mayor Gifford						

- Black Dog Partners –1336 Russell Ave - Hosey property –
Extension of Land Use Application until the end of August 2021

Council President Blatt asked for a motion to approve the request for extending the Land Use Application until the end of August 2021.

	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
Norman E. Blatt Jr.			x			
Mayor Gifford						

SELLING THE POLICE CRUISER (VEH # 57) ON MUNICIBID

Chief Bachert reported that all equipment was removed from Veh #57 and installed in the replacement vehicle.

Council President Blatt asked for a motion to authorize Chief Bachert to place the vehicle on Municibid for sale.

	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
Norman E. Blatt Jr.			x			
Mayor Gifford						

ORDINANCES – None.

MOTIONS – None.

COUNCIL PRESIDENT’S REPORT

Council President Blatt mentioned that the Memorial Day gathering - even though limited – was nice.

SOLICITOR'S REPORT

Mr. Lehr reported on the delinquent Sewer & Garbage accounts. After the deadline for the Final Demand letters had expired, Norris law will now file Municipal Liens and a complaint with the Magistrate’s office.

Council President Blatt asked about the Salisbury Township litigation. Mr. Lehr was not aware of any filings by Salisbury TWP; the original order still stands. He remarked that the time frame for the contract will expire soon.

COMMITTEE REPORTS

A. Finance (Trotter, Blatt, Jordan)

- Motion 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			
Helen Halleman					x	
Norman E. Blatt Jr.			x			
Mayor Gifford						

Since Ms. Halleman did not explain why she abstained, Council President Blatt decided to take her vote as a NO.

B. Public Works (Jordan, Trotter, Rufe)

Public Works is working to get the pool ready, cutting grass and painting curbs on Delaware Ave.

Council President Blatt was contacted about the need for a crosswalk at the intersection of Delaware Ave and Bishopthorpe St. Mr. Lehr affirmed that a traffic study would be needed.

C. Police (Blatt, Trotter, Johnson)

Chief Bachert reported that some arrests were made for shooting illegal fireworks.

As a follow-up on a recent request for additional police surveillance on Stanley Ave Ms. Johnson stressed that surveillance was still needed because Stop Signs are still disregarded.

On behalf of a resident, Ms. Johnson praised the Police Department’s handling of a situation involving a multi-racial man in a psychiatric crisis.

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

E. Fire (Trabel, Halleman, Rufe)

Mr. Trabel read the May Fire Report. He also mentioned that the Voluntary Fire Department is looking for new members.

Council President Blatt encouraged any resident to volunteer as firefighter.

F. Recreation (Johnson, Rufe, Trabel)

- Ms. Johnson reported that the YMCA is still short of life guards. Only one life guard is fully certified. She herself and two other candidates are in training. The YMCA suggested to open the pool on weekends only until life guards are found. Weekend hours would be Friday from 2 PM to 7 PM and Saturdays – Sundays noon to 7 PM with only the pools open that can be staffed by four life guards.
- Ms. Johnson asked for a motion to approve hiring her son, Max Johnson, as cashier to fill one vacant position.

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

- Ms. Johnson was approached by the Cancer Society recommending to extend the current non-smoking ordinance to e-cigarettes and other non-smoke products. The Cancer Society would pay for any signage costs.
Council President deferred voting on the matter until an ordinance will be presented.

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

Ms. Halleman read the May Sewer & Garbage collection report.

H. Personnel (Trotter, Blatt, Jordan)

Mr. Trotter inquired if the applicant for the zoning secretary position had responded. Council President Blatt reported that a response was still outstanding.

SPECIAL OR SELECT COMMITTEES – None.

PRIVILEGE OF THE FLOOR – Discussion on Non - Agenda Items

- Mr. Mike Langton of 1215 Broadway and Mayor Gifford had attended the Memorial Day Wreath Placement on the cemetery to honor fallen soldiers. Mayor Gifford thanked the Fire and Police Departments for participating.
- Mr. Jeffrey Remling of 1105 Delaware brought up his concerns regarding the opening of the tavern "Game Time" on Broadway. Per Mr. Remling, only four parking spaces are currently provided. He argues that the Borough's Parking Ordinance No 602 was not met and the Zoning Officer's judgment was faulty. He argues that the parking situation must go before the Zoning Hearing Board. Council President Blatt stated that the applicant has the right to appeal against the Zoning Officer's decision. The Zoning Hearing Board is only reviewing variances. Per Mr. Remling the Borough would face a liability if legally challenged. Mr. Lehr, the Solicitor, recommended to not respond to the liability issue.

Mr. Jeffrey Remling also questioned the tavern conforming to the need of keeping the impervious ground cover to 90% as per Ordinance No 603. Mr. Rufe commented that part of the tavern's property has changed because it was concreted over. Mr. Remling is considering avenues of appealing the Zoning Officer's decisions by requesting a judicial remedy in the form of a writ of mandamus while forcing Council to pay for legal fees. Mayor Gifford asked about the procedure to address Mr. Remling's concerns. Council President Blatt responded and confirmed by Mr. Lehr that permits once issued can be rescinded if the applicant did not comply. The next step could be to bring the matter before the Zoning Hearing Board.

EXECUTIVE SESSION (if needed) – None.

ADJOURNMENT

Council President Blatt reminded that the July 7, 2021 Council meeting will be held in person at Borough Hall.

At 8:43 PM Council President Blatt asked for a motion to adjourn. Ms Johnson made the motion, seconded by Mr. Trabel and unanimously approved.

 BOROUGH OF FOUNTAIN HILL
 LEHIGH COUNTY, PENNSYLVANIA

By: _____
 Norman E. Blatt Jr.- President of Council

SUBMITTED

By: _____
 Cordula Voges, Finance Director

ATTEST:

By: _____
Anthony Branco, Borough Manager

Next Resolution 2021-15
Next ordinance 863