

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

The Council Meeting was held in-person at Borough Hall. Council members present were: Ms. Jordan, Ms. Johnson, Mr. Rufe, Mr. Trotter, Mr. Blatt, Ms. Graham, and Mayor Johnson. 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

Council President Blatt asked for a motion to approve the minutes of February 7, 2022.

	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						

PRIVILEGE OF THE FLOOR/ PRE-SCHEDULED

Mr. Garrett Podhyski, Assistant Principal of Fountain Hill Elementary School, reported on the experience with the school traffic trial that has been in place since December 2021. He summarized, that 496 children attend Fountain Hill Elementary School of which 130 children are bussed in. He stressed that it is the school's policy to accompany any kindergarten and first grade student who are dropped off to the school's entrance. He is advocating to make the temporary one-way traffic on Moravia Street and Garden Street permanent during the morning/afternoon school hours and have a crossing guard on site there. He thanked Mayor Johnson for having volunteered as a crossing guard during the past month.

To further secure the school traffic Mr. Podhyski requested "Speed Limit" signage around the school and "No Parking" signage – both in English and Spanish – on Church St, Greene Ct, and Garden St during those morning/afternoon school hours. Mr. Blatt referred to the Borough Manager to respond to Mr. Podhyski.

Mr. Gratz pointed out that the vehicle code defines a "school zone" and that a PennDOT approval is required for implementing a school zone speed limit. In addition, the Borough Code requires as

traffic study for any change in school traffic patterns. He suggested to further discuss this issue at a future meeting.

MAYOR'S REPORT

Mayor Johnson confirmed that moving the "Crossing Guard" from Broadway to Church Street in front of Fountain Hill Elementary School helped make school traffic more secure.

BOROUGH MANAGER'S REPORT

- Council Chambers Video Streaming & Retention

Mr. Gratz reported that video streaming is ready to go live. It allows residents to view at any time (without interaction though). Other participants can conference in. Upon Mr. Gratz's recommendation Council consented to store the live streams on its youtube channel. Mr. Berger recommended to formally express Council's decision in a resolution. Mr. Gratz will prepare and present the respective resolution at the next Council Meeting.

- USDA Community Facilities Direct Loan & Grant Program

This program provides affordable funding to develop essential community facilities in rural areas. An essential community facility is defined as a facility that provides an essential service to the local community for the orderly development of the community in a primarily rural area, and does not include private, commercial or business undertakings. Funds can be used to purchase, construct, and / or improve essential community facilities, purchase equipment and pay related project expenses.

Low interest direct loans, grants, or a combination of both are available. Applications for this program are accepted year-round. Funding, if approved, would be used to purchase a new dump truck.

- PennDOT HOP (Highway Occupancy Permit) Update

Mr. Gratz reported that PennDOT approved the Broadway Curb & Sidewalk project (funded through MTF Grant 2019) without residents' permissions.

- **NEW BUSINESS**

- Letter from Mr. John Kopyar regarding Ronca Street Parking

Mr. Gratz presented the letter from Mr. Kopyar asking to address cars parked on both sides of Ronca Street between S Bergen and Lynn Streets preventing proper traffic flow for cars and service vehicles alike. Mr. Gratz suggested to draft an ordinance directing the traffic. Council consented.

- Discussion on Missed Trash/Recycling Pickups

Mr. Gratz provided documentation of frequently missed garbage pickups for the month of February 2022. He also stated that contractors are facing staff shortages and high staff turnover creating problems with the quality of service. In reference to the current contract with Republic Services, the Borough has the right to deduct from the monthly payments made to Republic Services for contract violations or terminate the contract. In regard to the contract termination option Mr. Berger pointed out that only one other contractor had submitted a bid which was much higher than Republic Services' bid. Council agreed that deductions are preferred over contract termination. It was agreed that the validity of the complaints will have to be verified before any payment deductions are taken.

- Zoning Hearing Board Vacancies & Solutions

The Zoning Hearing Board has two vacancies to fill.

The Borough Code allows to drop membership to three members only with one alternate.

The other option is to seek a joint community Zoning Hearing Board with other municipalities. Mr. Gratz pointed out that a joint community Zoning Hearing Board is unrealistic because neighboring Lower Saucon and Salisbury have full boards.

Mr. Gratz recommended to reduce the board to only three members with one alternate.

Council agreed and asked Mr. Gratz to prepare a respective amendment to the ordinance.

- Mask Policy – New CDC Guidance – Lehigh County Low Level

Mr. Gratz reported that Lehigh County follows the new CDC guidance to make mask wearing optional during times of low level COVID infections. He suggested to adopt the same policy. Council consented.

- Large Truck Parking – Chief Bachert

Chief Bachert suggested to amend the respective ordinance regulating large truck parking. To be more effective he suggested to exclude warning and restructure the fines.

Council President Blatt assigned the matter to the House & Ordinance Committee.

Chief Bachert reported that he received an invitation to participate in a contract with a private company "Bus Patrol" to automatically fine any offenders for illegally passing school buses with a \$300 administrative fine. Since these "administrative" fines will be difficult to enforce, he considered to not participate in the "Bus Patrol" program.

- **RESOLUTIONS**

**BOROUGH OF FOUNTAIN HILL
RESOLUTION NO. 2022 - 13**

**A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF
FOUNTAIN HILL, LEHIGH COUNTY, PENNSYLVANIA, TO APPOINT THE
BOROUGH FIRE MARSHAL AS THE FIRE INSPECTOR.**

Council President Blatt asked for a motion to expand Mr. Ray Anthony's role as Fire Marshall to also include fire inspections, as Borough Code allows it.

	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						

**BOROUGH OF FOUNTAIN HILL
RESOLUTION NO. 2022 - 14**

**A RESOLUTION OF THE FOUNTAIN HILL BOROUGH COUNCIL
APPOINTING THE FOLLOWING INDIVIDUALS FOR CALENDAR YEAR 2022**

Planning Commission

Parmita Perna-Rios

4-year term

3/7/2022 – 12/31/2025

Ms. Perna-Rios agreed to continue to serve on the Planning Commission. Council President Blatt asked for a motion to re-appoint her.

	Motion	2 nd	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						

• **ORDINANCES none**

• **MOTIONS**

- Approve the hiring of a second part-time zoning clerk, not to exceed 20 hours per week. Referred from Personnel Committee

Mr. Gratz reported that the hiring of the second part-time zoning clerk would help better cover zoning administration. The Personnel Committee approved the additional hiring. A qualified candidate is on hand.

	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						

- Authorize the Borough Manger to submit Local Share Grant application for a new police SUV

The PA Race Horse Development and Gaming Act (Act 2004-71) provides for the distribution of gaming revenues through the Commonwealth Financing Authority (CFA) to support projects in the public interest within the Commonwealth of Pennsylvania (former "Casino Grant"). The deadline to submit an application to the CFA is March 15, 2022. Council President Blatt asked for a motion to authorize the Borough Manager to submit the respective application.

	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						

- Authorize the Borough Manger to place the old fire engine on Municibid for sale

Chief Boehr confirmed that all equipment has been removed from the old fire engine. Council President Blatt asked for a motion to authorize the Borough Manger to advertise the old fire engine.

	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					

- Financial responsibility for Sioux Street Sidewalks with paving project area

The sidewalk repairs within the scope of the Sioux Street Reconstruction project are not eligible for Liquid Fuel funding. The cost for the sidewalk only is estimated to be \$46,875. Even though the cost is included in the General Fund Budget for 2022, the Borough could still ask for homeowners' responsibility.

Hanover Engineering will start the bidding in April and the work is scheduled for June.

Council agreed that it is too late to address homeowners. Council President Blatt asked for a motion to authorize the Borough to pay for the sidewalk improvements.

	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						

- Approve Payment Application #7 and #8 to Pipe Services Corporation as recommended by the Borough Engineer

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

	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						

- OLD BUSINESS** none

- **COUNCIL PRESIDENT'S REPORT**

- New Fire Truck Dedication Event - 3/23 11am SLUHN Lobby A

Council President Blatt reminded of the above dedication event on Wednesday March 23, 2022.

- **SOLICITOR'S REPORT**

- Right To Know Officer (RTK)

Mr. Berger suggested for a Borough employee to take back the RTK function since most request relate to Borough internal facts. Mr. Gratz offered to take on that responsibility.

Mr. Gratz will prepare a respective resolution and present to Council at the next council meeting.

- **COMMITTEE REPORTS**

A. Finance (Trotter, Blatt, Jordan)

- Motion to pay the bills as presented

Mr. Trotter read the February payment reports and asked for a motion to approve the payments.

	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						

B. Public Works (Jordan, Trotter, Rufe) none

C. Police (Blatt, Trotter, Johnson)

Chief Bachert reported that the Police will start paying special attention to the Playground area.

D. House & Ordinances (Rufe, Graham, Jordan)

Mr. Rufe reported that a sample ordinance regarding lighting that Mr. Lehr had prepared is still under review.

E. Fire (Trabel, Graham, Rufe)

Mr. Trabel presented the February fire report.

F. Recreation (Johnson, Rufe, Trabel)

Ms. Johnson announced that the park and pool programs will be discussed at the next committee meeting.

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

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

H. Personnel (Trotter, Blatt, Jordan) none

• **SPECIAL OR SELECT COMMITTEES**

Chief Bachert asked to have a police committee meeting soon.

• **PRIVILEGE OF THE FLOOR** – Discussion on Non - Agenda Items

Mr. Richard Kennedy of 630 S Bergen Street asked if trash collection could be the homeowner's choice only versus a borough contract. Council President Blatt responded that there was never much interest from Council in that option.

• **EXECUTIVE SESSION (Personnel & Litigation)**

At 8:09 PM Council President Blatt asked the public to leave for an executive session. He also announced that Council will not return afterwards.

• **ADJOURNMENT**

Council President Blatt asked for a motion to adjourn the public meeting at 8:09 PM. Ms. Johnson 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 – 867

Next Resolution – 2022-15

Approved