

**BOROUGH OF FOUNTAIN HILL
COUNCIL MEETING MINUTES**

May 4, 2020

7:00 PM

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 provided on the Borough’s website (www.fountainhill.org). Remotely participating Council members were: Ms. Jordan, Ms. Johnson, Mr. Rufe, Mr. Trotter, Mr. Atkinson, Mr. Trabel, Ms. Halleman and Mayor Gifford. Also, remotely participating were Cordula Voges (Finance Director), Pete Lehr (Solicitor) and Ed Bachert (Police Chief).

PLEDGE OF ALLEGIANCE

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

Then Council President Atkinson presented tonight’s agenda.

MINUTES

- Minutes of April 6, 2020

	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						
Leo Atkinson			x			
Mayor Gifford						

PRIVILEGE OF THE FLOOR – None.

MAYOR'S REPORT

Mayor Gifford presented Ms. Libby Ortiz concern asking to have the corner curbs – especially between Bishopthorpe and Tomblor Street – painted yellow again to mark no parking close to intersections. Council President Atkinson suggested to discuss under “New Business”.

Mr. Rosario on Warren Street is inquiring about a Fence Permit. The link on the Borough’s website to access the form is broken.

Mayor Gifford asked to discuss the hiring of the part-time Officer, Michael Concilio, as full-time officer. She invited Chief Bachert to comment. Chief Bachert recommended to hire Mr. Concilio

full-time to be able to cover officers' vacation time and thus avoid OT hours. Chief Bachert also pointed out that OT hours have been steadily reduced after having switched to the 12-Hour shift schedule. Council President Atkinson explained that his concern over the COVID-19 potential economic impact and the need to adhere to the 2020 Budget determines the hiring of an additional full-time police officer. Currently, the Budget expenditure line item Overtime (#410.182) captures not only OT hours worked but also contractual OT pay (i.e. double OT pay for hours worked on a holiday). For 2020 and future budgets, the contractual OT will be separated from regular OT. Council President acknowledged a decrease in OT hours worked so far and commended Chief Bachert on his OT hours' management. Chief Bachert noted that Mr. Concilio is fully trained and has completed all necessary hiring steps (such as civil service eligibility), except for passing an oral interview. The Solicitor, Mr. Lehr, noted that Council could make a motion on Mr. Concilio's full-time hiring subject to all elements of employment requirements.

	Motion	2nd	Yes	No	Abstain	Absent
Annamarie Jordan		X	X			
Jamie Johnson			X			
Wilbert Rufe	X		X			
Doug Trotter						
Philip Trabel			X			
Helen Halleman			X			
Leo Atkinson			X			
Mayor Gifford						

Mr. Trotter was unable to vote due to technical problems.

The swearing-in ceremony is to be performed adhering to the social distancing requirements.

BOROUGH MANAGER'S REPORT - None.

NEW BUSINESS

- 2020 Pool and Recreation Programs - cancelation for summer 2020 due to COVID 19

Ms. Johnson recommended to cancel the 2020 Pool and Recreation program in light of the current situation's uncertainty, the YMCA's staffing issues, and the expenditures for unnecessarily preparing the pool. Ms. Johnson mentioned that the park is generally open to the public, but the playground equipment is closed off until Governor Wolf moves the state to a "green status". The solicitor, Mr. Lehr, clarified that Council's reached consensus to cancel the 2020 Pool and Recreation Programs suffices – a motion is not needed.

- Polling Locations for the June 2nd, 2020 Primary election.

Lehigh County had asked Council President Atkinson to offer a polling location in the Borough for the upcoming Primary election because some of the other locations were no longer available. Council President Atkinson suggested the Epic Church, the Fire House, the covered in the Park as potential locations. Council members agreed to reach out and table to the next meeting.

- Yellow lining at corner curbs

Chief Bachert explained that no parking tickets are currently issued. This ticketing policy might change considering drivers' non-compliance with parking rules. Since curbside painting requires a special paint, it is not recommended that residents randomly take it upon themselves to paint curbsides. The issue was discussed between the Borough Manager, Public Works and the Chief to possibly get some assistance from work-release people. Absent from work-release assistance, Council President Atkinson asked to get an update from the Borough Manager and explore the situation and follow up at the next Council meeting.

RESOLUTIONS

RESOLUTION 2020-27

APPROVING THE SUBMISSION OF APPLICATIONS TO LEHIGH COUNTY FOR 2020 CDBG FUNDING

BE IT RESOLVED, that the Council of the Borough of Fountain Hill does hereby authorize Anthony Branco, Executive Administrator, to act as the official to prepare and submit the 2020 Community Development Block Grant Application to the County of Lehigh for funding for the purchase of a new rescue pumper for the Fountain Hill Volunteer Fire Company

	Motion	2nd	Yes	No	Abstain	Absent
Annamarie Jordan			X			
Jamie Johnson			X			
Wilbert Rufe			X			
Doug Trotter			X			
Philip Trabel	X		X			
Helen Halleman		X	X			
Leo Atkinson			X			
Mayor Gifford						

ORDINANCES

ORDINANCE NO. 857

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE BOROUGH OF FOUNTAIN HILL, CHAPTER 15, PART 3, SECTION 302 (c)(3), TO ADD CERTAIN HANDICAPPED PARKING SPACES

BE IT ORDAINED by the Borough Council of the Borough of Fountain Hill, Lehigh County, Commonwealth of Pennsylvania, that Chapter 15, Part 3, Section 302(c)(3), shall be amended as follows:

ADD:

STREET	SIDE	LOCATION
Hertzog St.	Front	710
Tombler St.	Front	844
Hertzog St.	Front	1219
S. Bergen St.	Front	611

	Motion	2nd	Yes	No	Abstain	Absent
Annamarie Jordan			X			
Jamie Johnson		X	X			
Wilbert Rufe			X			
Doug Trotter			X			
Philip Trabel			X			
Helen Halleman	X		X			
Leo Atkinson			X			
Mayor Gifford						

2. **GENERAL REPEALER.** All Ordinances or parts of ordinances, and all resolutions or part of resolutions, inconsistent herewith shall be and are herewith repealed.

3. **SEVERABILITY.** It is hereby declared to be the legislative intent that if a court of competent jurisdiction declares any provisions of this Ordinance to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to those provisions which are expressly stated in the decision to be invalid or ineffective, and all other provisions of this Ordinance shall continue to be separately and fully effective. Borough Council hereby declares that it would have passed this Ordinance and each section or part thereof, other than any part declared invalid, if it has advance knowledge that any part would be declared invalid.

4. **PROCEDURAL DEFECTS IN ENACTMENT.** Any procedural challenge shall be filed in accordance with applicable law.

5. **ENACTMENT.** Under Authority of Law, Borough Council of Fountain Hill hereby enacts and ordains into an Ordinance the attached documents this date of May 4, 2020. The provisions of this Ordinance shall become effective immediately from the date of passage of this Ordinance.

MOTIONS

- Motion to promote Tom Wargo to regular full time after the 6-month probationary period and increase his salary by \$3,000 annually

	Motion	2nd	Yes	No	Abstain	Absent
Annamarie Jordan	X		X			
Jamie Johnson			X			
Wilbert Rufe		X	X			
Doug Trotter			X			

Philip Trabel			X			
Helen Halleman			X			
Leo Atkinson			X			
Mayor Gifford						

- Motion to approve and sign the Police Contract 1/1/2019 to 12/31/2022

Mr. Lehr, the solicitor, clarified that it was not necessary for Ms. Johnson and Mr. Rufe to abstain from voting on this subject, since they were not on Council at the time the contract was negotiated.

x

	Motion	2nd	Yes	No	Abstain	Absent
Annamarie Jordan			X			
Jamie Johnson		X	X			
Wilbert Rufe			X			
Doug Trotter	X		X			
Philip Trabel			X			
Helen Halleman			X			
Leo Atkinson			X			
Mayor Gifford						

- Motion to direct Mr. Branco to proceed with the process of applying for the PennVest grant/loan program for sanitary sewer renovation and repair.

	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			
Leo Atkinson			X			
Mayor Gifford						

OLD BUSINESS

- Façade Program – Rec and Community Development Committee (on hold)

Council President recommended to postpone the Façade Program in light of the current uncertain situation and potentially use those funds to respond to the current dire economic situation that the local community is facing complementing other government programs.

In addition, Council President Atkinson encouraged everyone to think of ideas to assist local businesses and/or residents during the pandemic.

- Parking Ordinance – H&O

Mr. Rufe has not received any feedback from other municipalities. He is pursuing parking rule that place a lesser burden on small business owners along the business corridor. He is seeking to include the chairpersons of the Planning Committee, Mr. Christopher Bennick, and the Zoning Committee, Mr. Spencer, in the discussion. Mr. Rufe intends to present a draft ordinance establishing a parking corridor for small businesses to the solicitor in the next days and then have its First Reading at the next Council meeting.

- Social Media

Council President Atkinson directed Council’s attention to the draft policy that was prepared by the Borough Manager and the solicitor for the use of Social Media and establishing an official Borough presence on social media. It will be voted on at the next Council meeting.

COUNCIL PRESIDENT’S REPORT

Council President Atkinson applauded how the local community responded to the pandemic.

SOLICITOR'S REPORT – None.

COMMITTEE REPORTS

A. Finance (Trotter, Atkinson, Jordan)

Mr. Trotter read the April Check Detail reports and asked for approval.

	Motion	2nd	Yes	No	Abstain	Absent
Annamarie Jordan			X			
Jamie Johnson		X	X			
Wilbert Rufe			X			
Doug Trotter	X		X			
Philip Trabel			X			
Helen Halleman			X			
Leo Atkinson			X			
Mayor Gifford						

B. Public Works (Jordan, Trotter, Rufe)

Ms. Jordan thanked all the departments for keeping the Borough running.

C. Police (Atkinson, Trotter, Johnson)

Council President Atkinson thanked the Police Department for policing during the pandemic. Chief Bachert mentioned the calls received are steady.

D. House & Ordinances (Rufe, Halleman, Jordan) – None.

E. Fire (Trabel, Halleman, Rufe) – None.

F. Recreation (Johnson, Rufe, Trabel)

Ms. Johnson raised the subject of establishing a Community Garden in the Borough on an empty field above the pool to be considered by Council. The tilling for an 8’ x 4’ plot would could \$50.00. Funds not spent on recreation could be re-assigned to this project. Council President asked Ms. Johnson to gather some information on how to establish/run a community garden.

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

Ms. Halleman read the April Garbage and Sewer collection reports.

H. Personnel (Trotter, Atkinson, Jordan) – None.

SPECIAL OR SELECT COMMITTEES

Ms. Jordan reminded that the library services are available online.

PRIVILEGE OF THE FLOOR – Discussion on Non - Agenda Items

Mr. Brian Ferencin, 1210 Broadway, reported that the alley between S. Hoffert and S. Bergen and the area in his neighborhood is deteriorated. He asked the Borough to publish a list of road projects and its timeline on its website and share with the public. Ms. Jordan will reach out to Public Works and check out the alley between S. Hoffert and S. Bergen.

Mr. Mike Spencer, 1035 Jeter Ave., shared Mr. Ferencin’s concerns. He also welcomed the discussion of the Social Media policy.

EXECUTIVE SESSION (if needed) – None.

ADJOURNMENT

At 9:30 pm Council President Atkinson asked for a motion to adjourn. Ms. Jordan made the motion, seconded by Ms. Johnson and unanimously approved.

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

By:

Leo Atkinson - President of Council

SUBMITTED BY

By: _____

Cordula Voges, Finance Director

ATTEST:

By: _____
Anthony Branco, Borough Manager

Next Resolution - 2020-28
Next ordinance - 858