

**MINUTES
BOROUGH COUNCIL
May 6, 2024
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. McCandless, Mr. Blatt, Mr. Trabel, and Amy Burkhart (Borough Manager), Jill Fessler (Finance Director), Mr. Berger (Solicitor), and guests were also in attendance.

PLEDGE OF ALLEGIANCE

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

MINUTES

Council President McCandless asked the Council to approve the minutes from April 17, 2024, as amended. Ms. Jordan made the motion, seconded by Mr. Blatt. Ms. Johnson and Mr. Rufe both abstained, and the remaining members unanimously approved.

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

PRIVILEGE OF THE FLOOR/ PRE-SCHEDULED - NONE

MAYOR'S REPORT – Ms. Johnson reported that the mayor wanted to thank everyone for covering for him at the Little League opening and Arbor Day as he is recovering from rotator cuff surgery.

BOROUGH MANAGER'S REPORT

- Pool Updates – Borough Manager Burkhart reported that the pool is scheduled to open the week of June 10th. We are still hiring additional staff in addition to the staff that will be hired tonight.

- Fee Schedule – Borough Manager Burkhart reported that you should see a revised fee schedule next month. Ms. Burkhart explained that we did pass a fee schedule at the beginning of the year, but some items need to be updated as soon as possible.

NEW BUSINESS

Council President McCandless announced that we received our audits. Everyone should have a copy to review. He announced that we do not have to do anything further. Mr. Berger agreed.

RESOLUTIONS FOR FINAL PASSAGE

RESOLUTIONS FOR FINAL PASSAGE - BOROUGH OF FOUNTAIN HILL RESOLUTION NO. 2024 - 15

A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF FOUNTAIN HILL, LEHIGH COUNTY, PENNSYLVANIA, TO RENEW THE CONTRACT FOR COLLECTION, DISPOSAL, AND RECYCLING SERVICES FOR MUNICIPAL SOLID WASTE FROM RESIDENTIAL AND MUNICIPAL ESTABLISHMENTS WITH REPUBLIC SERVICES OF NJ, LLC D/B/A RARITAN VALLEY DISPOSAL FOR THE PERIOD OF JANUARY 1, 2025, THROUGH DECEMBER 31, 2025

Mr. Blatt asked if we would like to explore other service providers. He wondered if this is so much cheaper than we anticipate the renewal. Ms. Johnson explained that she has been watching other municipalities renew their contracts, and they have been seeing increased rates of 100%.

Ms. Burkhart mentioned our intention and desire is to renew this contract; however, the provider is still reviewing whether they will renew it. Ms. Burkhart explained that both parties must agree. Mr. Blatt and Ms. Johnson both questioned whether both parties must agree.

Mr. Berger explained that when reviewing the contract, we would provide renewal notice, but they could give us notice by the end of June if they still wanted to renew the contract. He explained that our concern is that we get this notice to them now, so we have adequate time to go out to rebid if they say no.

Mr. Trotter asked if there are a limited number of times, we could renew with them and whether there is a cut-off time. Mr. Berger explained that this is our second renewal period with three renewal periods in the agreement.

Council President McCandless asked the Council to approve Resolution No. 2024-15. Mr. Rufe made the motion, seconded by Ms. Johnson, and unanimously approved.

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

**BOROUGH OF FOUNTAIN HILL
RESOLUTION NO. 2024 - 16**

A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF FOUNTAIN HILL, LEHIGH COUNTY, PENNSYLVANIA, TO APPROVE THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE BETHLEHEM AREA SCHOOL DISTRICT AND THE FOUNTAIN HILL POLICE DEPARTMENT ALLOWING THE FOUNTAIN HILL POLICE TO ENFORCE VIOLATIONS OF 75 Pa.C.S.A § 3345

Council President McCandless asked the Council to approve Resolution No. 2024-16. Ms. Johnson made the motion, seconded by Mr. Trabel, and unanimously approved.

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

ORDINANCES FOR FINAL PASSAGE - NONE

MOTIONS

- Request Council Approve the hiring of the following individuals as seasonal temporary Lifeguards for the 2024 Pool Season at a rate of \$18/hour contingent on the submission of all necessary employment documentation.

Calissa Blynn
 Gianna Brice
 Karim Brice
 Parker Gamer
 Seth Hetrick

Alyssia Matias
 Talia Matos-Keller
 Eddie Melhem
 Jhomairy Ogando
 Aubree Oraschin

Joshua Sterner
 John Tenezaca
 Aiden Walter

Council President McCandless asked the Council to approve the hiring of the following individuals as seasonal temporary Lifeguards for the 2024 Pool Season at a rate of \$18/hour contingent on the submission of all necessary employment documentation. Ms. Johnson made the motion, seconded by Mr. Trotter. Mr. Blatt asked if he had to abstain since one of the names was a child or stepchild of a prior client. Mr. Berger said he would not need to abstain. All council members unanimously approved.

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

- Request Council Approve the hiring of Kaela Frankenfeld as the seasonal temporary Recreation Coordinator for the 2024 Park Season at a rate of \$20/hour contingent on the submission of all necessary employment documentation.

Council President McCandless asked the Council to approve the hiring of Kaela Frankenfeld as the Recreation Coordinator for the 2024 Park Season at a rate of \$20/hour contingent on the submission of all necessary employment documentation. Mr. Trotter made the motion, seconded by Mr. Trabel, and unanimously approved.

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

- Request Council Approve the hiring of Thomas Pojanowski as a Seasonal Temporary Cashier for the 2024 Pool Season at a rate of \$12/hour contingent on the submission of all necessary employment documentation.

Council President McCandless asked the Council to approve the hiring of Thomas Pojanowski as a Seasonal Temporary Cashier for the 2024 Pool Season at a rate of \$12/hour contingent on the submission of all necessary employment documentation. Ms. Johnson made the motion, seconded by Mr. Trabel, and unanimously approved.

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

- Request Council Approve 2024 Season Pool Rates as follows:

Season Pass Rate for Fountain Hill Resident - \$60 / person.
 Season Pass Rate for Non-Resident - \$90 / person.
 Daily Door Rate - \$8 / person
 Daily Door Rate after 4 p.m. - \$5 / person
 Residential Daily Rate (must be purchased at Borough Hall with proof of residency) \$6 / person.

Mr. Trotter asked how we arrived at these rates. Ms. Burkhart explained that we compared neighboring communities and considered a few things. We weren't sure we would be open seven days a week, so we wanted to ensure our rates were affordable and comparable to neighboring areas. We tried to keep it simple and have a per-person rate for season and daily passes. She explained that we don't have that attendance history since we were not open for several years. We hoped this would encourage people to get a season pass and to come to the pool without under-marketing ourselves because we aren't competitive. Mr. Trotter asked, so we feel that these are salable rates. Ms. Burkhart agreed that they are fair and consistent within the community.

Mr. Blatt asked if the projected hours are from 12 P.M. – 7 P.M. Ms. Burkhart confirmed that those are the projected hours. He also asked why we require residents to come to the borough to save \$2.00. Ms. Burkhart explained that is only if they want to, and they can buy them in bulk. Ms. Johnson explained that it is hard for the cashiers to prove residency. Ms. Burkhart agreed that it is easiest to prove residency here.

Mr. Trabel asked what the difference was between a daily door rate and a residential daily rate. Ms. Burkhart explained that if you are a resident and want a reduced rate, you need to come to borough hall and prove your residency and we can sell you a pass for \$6.00.

Council President McCandless asked the Council to approve the 2024 Season Pool Rates. Ms. Jordan made the motion, seconded by Mr. Trabel, and unanimously approved.

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

OLD BUSINESS – NONE

COUNCIL PRESIDENT’S REPORT – Council President McCandless wanted to thank everyone who participated in the Arbor Day program and the residents who participated in the first Spring Spruce Up Day in April. In addition to announcing that the pool is opening, this is a reminder that May 24th is the Memorial Day Program at the triangle.

SOLICITOR’S REPORT – Mr. Berger announced that he has several things to go through.

Comcast Agreement: Mr. Berger hopes to have something by the second meeting of this month or at least by the June meeting. This agreement will be in your packets for the Council’s final review and approval.

Parking Easement Agreement 950-960 Broadway: Mr. Berger explained that there have been significant changes in the plans. The shopping center, initially proposed for conversion, will now remain a shopping center. However, the separate bank building will be converted to apartments. As part of the Zoning approval, the Zoning Hearing Board made it a condition that the Board will need to review and approve a parking easement agreement. The easement agreement will memorialize residents being able to use the parking lot of the shopping center to park for that property. We are reviewing the draft and sharing it with Hanover Engineering. We would like to have this agreement finalized by the second meeting of this month or by the first meeting in June.

Update to Elementary School Project: Mr. Berger explained that his understanding was that they would be submitting updated plans for the Planning Commission within the next month. Mr. Berger expects they must go before the Zoning Hearing Board for variances and other things like parking. Mr. Berger will use this to shoehorn what he marks as the Planning Commission update and the Zoning Hearing Board updates. Mr. Berger explained that in the future, in these meetings, he will update you on the status of items submitted to the Planning and Zoning Hearing Board. This will allow the council to decide whether you want to send him to a Zoning Hearing Board meeting.

COMMITTEE REPORTS

A. Finance (Trotter, Blatt, Jordan)

Mr. Trotter motioned to pay the bills as presented, seconded by Ms. Jordan, and unanimously approved.

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

B. Public Works (Jordan, Trotter, Rufe)

Ms. Jordan has nothing to report.

C. Police (Blatt, Trotter, Johnson)

Mr. Blatt has nothing to report.

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

Council President McCandless reported that we met and are working on a few ordinances. The handicap parking ordinance should hopefully be finished by the next or first meeting in June. The weed ordinance should be completed by the next or first meeting in June. The last ordinance that we are working on is the noise ordinance.

E. Fire (Trabel, Rufe, McCandless)

Mr. Trabel announced that we had twenty incidents for April, with an average of 3.65 firefighters per call and 25.23 total hours spent on emergency calls. Mr. Trabel asked if we had lost some volunteers, and Council President McCandless confirmed we had.

F. Recreation (Johnson, Rufe, Trabel)

Ms. Johnson announced that we will have a recreation meeting on Wednesday the 15th at 6 P.M. We will discuss the hours for the park recreation program. We are still determining if we will open in the morning and the evening. She reported that we are still looking for cashiers and park staff and possibly for the concession stand. If the pool is sufficiently staffed, we would love to open the pool seven days a week from 12 P.M. to 7 P.M. Mr. Blatt asked when the park opens. Ms. Johnson explained that we would open the park on the same day as the pool on the week of June 10th.

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

Mr. Rufe read the April Sewer/Garage collection reports.

H. Personnel (Trotter, Blatt, Jordan) - NONE

I. IT Committee (Johnson, Rufe, Jordan) - NONE

Council President McCandless announced we received a memo from Ms. Dirico explaining that she received a phone call from a former borough resident whose husband had recently passed away. Council President McCandless explained that we had two marble slabs that together said Norway Place. Her husband removed the Place slab from the borough as a child and buried it in his backyard. He dug it up and buried it in his backyard when he moved. Since he has passed away, his wife wanted us to be aware and see if we wanted it back in the borough. Mr. Rufe said he would have a placard typed up to explain the history. The council agreed to bring it home and display it in the memorabilia case.

SPECIAL OR SELECT COMMITTEES - St. Luke's announced that next week, we will complete the restorative work that we began last fall. It will run from St. Luke Place, connecting to Delaware Ave., and include Ostrum St. Mr. Blatt asked how long it would take and whether the roads would be closed. St. Luke reported that a crew would monitor the traffic and that the work should be completed within a day.

LIBRARY

Mr. Rufe has nothing to report.

PRIVILEGE OF THE FLOOR - Discussion on Non - Agenda Items - NONE

EXECUTIVE SESSION

Council President McCandless announced that after adjournment an executive session will be held for personnel and Burke litigation.

ADJOURNMENT

At 7:32 pm Council President McCandless asked to adjourn the Council meeting. Ms. Johnson made the motion, seconded by Mr. Trabel, and unanimously approved.

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

ATTESTED

BOROUGH OF FOUNTAIN HILL
LEHIGH COUNTY, PENNSYLVANIA

BY: _____
Amy Burkhart, Borough Manager

By: _____
Stewart McCandless - President of Council

SUBMITTED

BY: _____
Jill Fessler, Finance Director

Next Ordinance – 883
Next Resolution – 2024-14