

**MINUTES  
BOROUGH COUNCIL  
September 3, 2024  
7 P.M.**

The Council Meeting was held in person at Borough Hall. Council members present were Ms. Jordan, Ms. Johnson, Mr. McCandless, Mr. Blatt, Mr. Trabel, and Mayor Johnson. Amy Burkhart (Borough Manager), Jill Fessler (Finance Director), Mr. Berger (Solicitor), and guests were also in attendance.

Council President McCandless called the meeting to order.

**PLEDGE OF ALLEGIANCE**

Council President McCandless asked everyone to rise for the Pledge to the Flag.

**MINUTES**

Council President McCandless asked the Council to approve the minutes as amended from August 21, 2024. 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						

**PRIVILEGE OF THE FLOOR/ PRE-SCHEDULED – NONE**

**MAYOR’S REPORT** – Mayor Johnson wanted to remind everyone that school is back in session. Please be cognizant of the school buses and the kids walking around the neighborhood and slowing down. Just watch where you’re going.

**BOROUGH MANAGER’S REPORT**

- Park/Pool Updates – Borough Manager Burkhart announced that the Park/Pool programs are now closed for the summer as school is back in session. It was a successful year. We were happy to have the reopening year for the pool. We did well, and the staff was great, and they are looking forward to next year. She announced that one of the things that we

must discuss when we have a community asset like a pool is the regular maintenance and upgrades that happen over time. Upgrades and regular maintenance are always needed, and we would like to prioritize them and put them on a 5-to-10-year schedule. We are seeing some issues with the pump for the larger pool. We currently have two pumps there, but the contractor recommends upgrading to one pump. Council President McCandless stated that the flow meters would also need to be replaced. Ms. Johnson noted that we have been putting band-aids on this for years. Council President McCandless agreed and believed it was better to replace it, as it would bring it up to date. Ms. Burkhart stated that the cost to replace the pump is \$35,000. For repair and maintenance at the pool in 2024, we budgeted \$50,000, of which we currently have \$20,000. While it would put us over in 2024, she feels we should replace it in 2024 instead of carrying it over to 2025. She explained that we would know, entering 2025, that this could be put on the long-term item list instead of the short-term list. Ms. Johnson stated the pumps were failing before COVID-19 and that if the pumps aren't working and the water isn't clear, we can't let you into the pool. From a safety perspective, it needs to be done. Ms. Jordan agreed. Council President McCandless explained that Public Works did a great job keeping those pumps up and running.

Council President McCandless asked the Council to approve the repair of the pump at the pool. Ms. Johnson made the motion and Mr. Blatt seconded.

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

- Fire Ladder Truck lightning repair – Borough Manager Burkhart explained that we would discuss the Fire Department's ladder truck. Ms. Burkhart announced that we own the equipment and that the ladder truck has an issue with its lighting bar. She explained that it isn't only that the light won't turn on; other problems are associated with that, which makes the truck shut off, so we need to get this repaired. Our Fire Chief, Chief Riesling, provided us with quotes for fixing the lighting bar. The cost is \$19,000. The same company will do the aerial test for the ladder truck. The total price will be \$20,000. Borough Manager Burkhart recommends using the Fire Fund for the repair portion. We budget \$10,000 in the general fund for repairs and Maintenance, \$ 1,000 for the aerial test from the General Fund, and \$19,000 from the Fire Fund. Mr. Trabel inquired about the age; Council President McCandless explained that it was a 21-year-old truck. He explained that there are still discussions, and we have received quotes for refurbishment versus purchase. He explained that the difference is huge and that we are looking at ½ million for a refurbished truck, 1.6 million to 1.8 million with a three-year wait on a new truck. With the lighting bar fixed, we will be back in operation. Mr. Blatt

asked if this was a band-aid and is it okay to condemn, and Ms. Johnson explained that even if we purchased a new fire truck for 1.8 million, it would still take three years. So, we still need to get this fixed. Council President McCandless explained that we have to band-aid it to get the lights fixed so it is fully operational. Ms. Burkhart explained that there is a motion to approve later on the agenda.

- Update on streets projects – Borough Manager Burkhart announced that we have been paving Lechauweki Ave and Brighton St. and explained that we will complete Brighton St. by the next meeting.
- Update on Garbage and Recycling hauler meeting – Borough Manager Burkhart explained that the garbage and recycling hauler was out to bid, and we had a pre-bid meeting, which three haulers attended. These meetings allow us to determine the best way to serve the community and to keep pricing in line as much as possible. She explained that our garbage is currently unlimited. The haulers recommend that we move to a cart-only system. You can still put out as much garbage as you want, but it must be in a toter that can be wheeled to the truck. Ms. Burkhart explained that this will reduce the workforce that they need, which will reduce the cost of the bid as a whole, and we will limit costs. Secondly, it will prevent garbage from blowing around town. The hauler will provide each dwelling with two 96-gallon toters, one for garbage and one for recycling. The hauler could give a smaller 64-gallon toter if needed. If you have more garbage, you can buy another toter.

Ms. Burkhart recommended two addendums to our bid. She wants to change the collection to cart only and move the submission deadline to Wednesday, September 25, 2025. Mr. Trabel asked about yard waste, and Ms. Burkhart explained that it could be placed in the toters. She also explained that our current recycling containers have a bar the haulers need to tip into the vehicles. Council President McCandless stated that our recycling containers will work with the haulers. Ms. Burkhart explained that there would be two separate toters, one for garbage and one for recycling. Ms. Johnson asked if the containers were staying with the home or homeowner. Ms. Burkhart explained that the toters would be branded with the Borough of Fountain Hill and become the homeowner's property. We hope they will leave them with the property if they move.

Mr. Blatt inquired if this needs to be in the specs; otherwise, we won't get a bid. Ms. Burkhart explained that it must be in the specs because it will change the price significantly. There will be a difference in how they evaluate and price it. Mr. Blatt asked if we could bid out both ways, and Ms. Burkhart agreed that we could do both. We currently have two portions of the bid; one is for a 3-year contract with annual renewals, and the other is for a 5-year contract. We could provide four bids with four options to evaluate: two with term and one with unlimited and cart only.

Ms. Jordan asked about tight alleys. Borough Manager Burkhart explained that they would need to wheel the toter to the end and they will place it in the truck. She explained it would be like the current pickup but automated. There was an inquiry

regarding residents who purchased recycling containers that do not have an arm; they would need to use the toters provided by the Garbage and Recycling haulers.

Ms. Burkart announced that there is another motion later in the agenda regarding the extension to the elementary school’s review process for MPC timelines.

**NEW BUSINESS - NONE**

**OLD BUSINESS**

- Comcast Agreement – Mr. Berger announced that everything is in your packet. It is a clean copy of the Comcast Agreement. He explained that a few months ago, he prepared a memo for the Council asking whether there were any questions or comments. Since he hadn’t heard anything, Comcast would like to move forward. Comcast would like to compete with Service Electric and RCN. Mr. Berger mentioned that we set a time limit of two years from the effective date for them to do the work. Comcast asked that this be removed. We are saying that when Comcast is ready to come in and complete the work, we will have an agreement in place that allows them to come in to start doing the work in the right away. He explained that there is a draft resolution for the Council to go ahead and vote on later under the resolutions.
- Garbage and Recycling Hauler Contractor – Borough Manager Burkhart explained that this has already been discussed.
  - i. Discussion of Cart Only
  - ii. Extension of the due date

Mr. Berger explained that we should make the motion for the Cart Only option and Extension of the due date under Old Business since it isn’t listed in the motion section.

Mr. Blatt asked Mr. President, "I would like to make a motion to extend the due date to September 25, and I would authorize that same motion to ask for alternative bids on both." Mr. Blatt made the motion, seconded by Mr. Trabel, and it was unanimously approved.

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

- Handicapped Ordinance- Borough Manager Burkhart explained that we are continuing to work on this ordinance and anticipate it to be completed by the end of 2024 for the beginning of 2025.

Mr. Blatt inquired about the delay in completing the Handicap Ordinance and where we are on the Weed Ordinance. His concern is how we are enforcing the ordinance. Ms. Burkhart explained that it's not that we aren't enforcing the ordinance. We've been so understaffed all summer. We are still trying to hire our code enforcement position. Ms. Jordan explained that it was almost ready. Council President McCandless explained that we are using the quality of life to issue citations. Even though the ordinance has been suspended, people are still cited for tall grass and weeds. He explained that our ordinance was very open-ended. We were able to find an ordinance that, if we make a few changes, will fit in our borough. He explained that there will always be some problems since some of our native species to the state of Pennsylvania are weeds that may have overgrown on properties. Council President McCandless explained that we must deal with this case-by-case.

Mr. Blatt still wondered why the Handicap Ordinance is taking so long to update. Mr. Berger explained that there are a lot of items in the ordinance that, if we are going to change, we need to make sure it gets done right. We are taking the time to ensure that it's done right rather than for something quickly just to get it done. Mr. Berger explained that, from his understanding, we are amending it back to something we had before. Ms. Jordan explained that the goal is to implement this ordinance by the beginning of 2025. Council President McCandless explained that we're trying to ensure we're getting a sound ordinance that is the best and the fairest we can do.

- Lining of Manholes- Borough Manager Burkhart explained that the contract is complete. We are working on getting work scheduled and will keep everyone updated.

**RESOLUTIONS FOR FINAL PASSAGE**

**RESOLUTION 2024-18** - Franchise Agreement between the Borough of Fountain Hill and Comcast. Ms. Jordan made the motion, seconded by Ms. Johnson, and unanimously approved.

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

**ORDINANCES FOR FINAL PASSAGE - NONE**

**MOTIONS**

- Request Council accept and approve the requested Municipal Planning Code Review Period time extension for Elementary School. The request is to extend the Review Period to October 31, 2024.

Council President McCandless asked the Council to accept and approve the requested Municipal Planning Code Review Period time extension for Elementary School. The request is to extend the Review Period to October 31, 2024. 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 the expenditure for the repair of the Ladder Truck to be paid from the Fire Fund.

Council President McCandless asked the Council to approve the expenditure for the repair of the Ladder Truck to be paid from the Fire Fund Mr. Trabel 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
Doug Trotter						x
Philip Trabel	x		x			
Stewart McCandless			x			
Norman E. Blatt Jr.			x			
Mayor Johnson						

**COUNCIL PRESIDENT’S REPORT** - Council President McCandless announced that on October 26<sup>th</sup> we will have the drug return from 10 A.M. – 2 P.M. and boxes will be at the Police Station.

Mr. Trabel asked about the recycling drop-off. Borough Manager Burkhart explained that we do not have one scheduled now, but she would contact Northampton County and keep everyone informed.

Council President McCandless wanted to thank everyone throughout the Borough, Police, Fire, and every department for their work this summer to ensure all these programs ran the way they did. Fantastic job. Thank you to Public Works for all the extra they did. Thank you for all your hard work, including the office staff. Everyone did a great job.

**SOLICITOR’S REPORT**

- Zoning Hearing Board continued to October 21, 2024 – 913 Seneca

Mr. Berger announced that the variance requests for 913 Seneca, which is the applicant to add the third dwelling unit, got pushed to October 21. The reason is that the applicant wasn’t there with a parking plan to show that they could satisfy parking requirements. If they can’t, they will need a variance as well. This is why it was pushed to October.

**COMMITTEE REPORTS**

- A. Finance (Trotter, Blatt, Jordan)

Ms. Johnson asked for a motion to pay the bills as presented. Ms. Johnson motioned and seconded by Ms. Johnson, and unanimously approved.

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

- B. Public Works (Jordan, Trotter, Rufe) - None

- C. Police (Blatt, Trotter, Johnson)

Mr. Blatt announced that we had a Police Committee meeting today. Chief Bachert reported that we wrote 206 citations last month. He explained that we are going to be out again this month for Drive Safety Fountain Hill. We’re targeting aggressive driving, speeding, pedestrians, tinted windshields, and expired inspections. He confirmed that it includes the pedestrian crosswalks.

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

Council President McCandless reported that we had a few almost complete ordinances. One is with the solicitor, and one will be coming to the solicitor soon. Hopefully, we can get them squared away for the year's end and implement them by January 1, 2025.

E. Fire (Trabel, Rufe, McCandless)

Mr. Trabel announced that we had twenty-four emergency calls for August, with an average of 4.5 members per call and one structure fire. We have thirteen people on our recruitment right now.

F. Recreation (Johnson, Rufe, Trabel)

Ms. Johnson just wanted to reiterate the thank you for making this season like a comeback season. We had great staff and turnout. She thanked Borough Manager Burkhart for coming right in and taking the bull by the horn. So, thank you.

Mr. Blatt also commented on how well the pool and park operated. They should pat themselves on the back. Council President McCandless asked if they would be holding a meeting this month. Ms. Johnson wasn't sure yet. Mr. Blatt brought up the pickleball court and the litter box at the park. Council President McCandless explained that we will be discussing this further.

Ms. Jordan explained that Public Works went up a few times in two weeks and has been keeping it clean. She spoke to Mr. Quarry, and he explained that it wasn't quite that bad. Ms. Jordan explained they have been up there at least three times and are watching it. Council President McCandless said that we will still meet with Public Works and Recreation if we are still considering Pickle Ball in the future and will still be the location for it. The cost will need to be reviewed. Ms. Jordan asked if we could take the sand out and plant grass. Council President McCandless stated that we must keep it as safe as possible. Ms. Jordan explained that she didn't feel this should be a daily job for Public Works. Council President McCandless agreed but said we must discuss and develop a game plan.

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

Council President McCandless read the August Sewer/Garbage collection reports.

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

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

**SPECIAL OR SELECT COMMITTEES -**

**LIBRARY-** Ms. Jordan announced that there would be a Sip and Stich down at the Books on the Hill. Just check Facebook for the time. They have a date for the next four months. You can do a little needlework, get a book, have a little drink of wine, and have some fun.

**PRIVILEGE OF THE FLOOR -** Discussion on Non - Agenda Items - Mr. Trabel announced that he wanted to mention something regarding recreation. He explained that he read an article that recently in Nazareth they started a physical outdoor gym. Also, he reported that Aliquippa is doing the same thing. Ms. Johnson explained that she agreed and thought it was a good idea. Council President McCandless agreed and mentioned that this is in place in Bethlehem Township.

**ADJOURNMENT**

At 7:55 pm Council President McCandless asked to adjourn the Council meeting. Ms. Johnson made the motion, seconded by Mr. Trabel, and unanimously approved.

	Motion	2 <sup>nd</sup>	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