

**BOROUGH OF FOUNTAIN HILL
COUNCIL MEETING MINUTES
February 19, 2020
7:00 PM**

Council members present were: Ms. Jordan, Ms. Johnson, Mr. Rufe, Mr. Trotter, Mr. Atkinson, Mayor Gifford, Mr. Trabel, and Ms. Halleman. Also, in attendance were Anthony Branco (Borough Manager), Cordula Voges (Finance Director), Tom Wargo (Zoning Officer), Jason Quarry (Public Works Supervisor) and guests.

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

The documents listed below were provided to Council for the February 19, 2020 Council meeting:

- Agenda
- Minutes of February 3, 2020
- Loy Daniels – Handicap request
- CMIS Zoning/UCC software
- Memo UCC inspections
- Resolution 2020-24

MINUTES

Council President Atkinson asked for a motion to approve the Minutes of February 3, 2020.

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

PRESENTATION(S) – NONE.

PRIVILEGE OF THE FLOOR – NONE.

RESOLUTIONS

Mr. Branco stated that the Borough is a municipality that has opted in to enforce the PA Uniform Construction Code (UCC). The Borough has two Borough Code Officials (BCOs), Mr. Branco and Mr. Wargo, and also utilizes a third-party contractor. Mr. Branco asked for a motion to approve the below Resolution No 2020-24 opposing House Bill (HB) 349.

RESOLUTION NO. 2020 - 24

A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF FOUNTAIN HILL, LEHIGH COUNTY, PENNSYLVANIA EXPRESSING OPPOSITION TO PENNSYLVANIA HOUSE BILL 349 OF 2019 REQUIRING MUNICIPALITIES ENFORCING THE PENNSYLVANIA UNIFORM CONSTRUCTION CODE THROUGH UTILIZATION OF THIRD PARTY AGENCIES TO RETAIN TWO THIRD PARTY AGENCIES TO ACT ON BEHALF OF THE MUNICIPALITY

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

ORDINANCES – NONE.

MOTIONS – NONE.

OLD BUSINESS

- Council President Atkinson announced that the Commonwealth of PA Department of Community and Economic Development (DCED) Borough Office Security Grant in the amount of \$400k was disbursed. The project consists of installing both visible defenses as a deterrent as well as structural components such as bullet proof glass and steel security doors. The project needs to be completed by 12/31/2020.
- Façade Grant Program
Council President Atkinson reported that the Solicitor is reviewing the Borough of Hellertown’s and the City of Bethlehem’s Façade Grant programs.

DISCUSSION ITEMS (NEW BUSINESS)

- Loy Daniels 1219 Russell Ave – request Handicap space – TABLED

The decision was tabled because the Police Department has not had a chance to inspect the site. In addition, Council decided to not include any applicant’s medical information when presented to Council for privacy issues. It was recommended to update the current application process.

- Zoning/UCC software request by Mr. Wargo – Finance Committee

Mr. Wargo presented the Carrigan Municipal Information System (CMIS) and recommended to purchase it. The CMIS is web-based and its core system provides access to varied information pertaining to properties in a single location including: Permits, inspections, violations, scanned documents, zoning board decisions, zoning information, property maintenance records, service requests, land use, and many more items. Additional modules are available. The initial cost to for the CMIS system is \$19,500 plus an annual Support/Host fee of \$2,400.

Mr. Wargo justified the purchase based on the detection of multiple non-registered rental units (from 300 rental units to over 1,100 rental units) since October of 2019. The increase in the number of rental units requires multifold costly management efforts and is offset by the increase in revenue from occupancy licenses.

Mr. Patrick Figueroa on 820 N Clewell St. supported the purchase of the CMIS because it will help detect, track, and help acting upon both legal and illegal rental activities in the Borough. Mr. Figueroa especially referred to the tight parking situation in the Borough caused by multiple tenants in one residence.

Mr. Stewart McCandless on 1011 Pawnee St welcomed the system’s management capabilities and therefore freeing up the zoning officer’s time to expand all inspection efforts.

Mr. Mike Spencer on 1035 Jeter Ave also supported the purchase of the CMIS despite its cost.

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

- 2021 CDBG discussion – Wiley St Reconstruction

In 2019, Lehigh County Department of Community Development (LC DCED) and the Borough signed an agreement for the reconstruction of Stanley Ave under the 2019 Community Development Block Grant (CDBG) funding program (based on low to moderate income housing residents) for an award of \$284,050. The project consists of the full depth reconstruction of portions of two Borough streets:

- Stanley Ave from Bergen St east to N Hoffert St. and
- N. Hoffert St from Stanley Ave north to Jeter Ave.

In conjunction with the 2019 CDBG funded Stanley Ave reconstruction project, Mr. Branco and the Public Works Committee suggest to redo Wiley St for an estimated cost of \$159k (paid for by Liquid Fuels funds).

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

Mr. Branco also pointed out that two “Paper Streets” (i.e. not shown on any map), a grass alley (East of Lynn St) and a paved alley, intersect with Wiley St. Both alleys currently have curbing. Since road construction requires handicap ramps at curbs, Mr. Branco suggested to eliminate the curbs and pave straight across. The straight across paving would then eliminate the need to include handicap ramps in the road construction and keep costs down.

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

For future consideration by Council, Mr. Branco also mentioned the option given by the Borough Code that the Borough vacates these alleys and turns them over to the adjacent neighbors.

Finally, Mr. Branco asked for a consensus from Council to discuss with Lehigh County DCED the 2020/21 CDBG project funding eligibility. Potential projects would include: Storm Sewer (specifically the required culverts on Broadway that are not covered by PennDOT), Sanitary Sewer, or Fire pump truck. Council consented.

In addition, Mr. Atkinson mentioned to explore funding for Park improvements behind WAWA either through CDBG funding or outside of it.

- Planning Commission recommended to hire Norris McLaughlin as solicitor.

The Planning Commission and the Borough can have the same solicitor. Mr. Branco mentioned that Norris McLaughlin has two attorneys specialized in planning and as such would not be a conflict of interest.

Mayor Gifford opposed hiring Norris McLaughlin.

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

PRIVILEGE OF THE FLOOR – Discussion on Non - Agenda Items

Mr. Branco reported that several attorneys were suggested to the Zoning/Hearing Board as solicitors. Any applicants will be interviewed in an Executive Session at Borough Hall on March 5, 2020 at 5:30 pm. Mr. Branco also pointed out that until a replacement for Attorney Ashley has been selected, Mr. Ashley will still serve as the attorney on record.

Mr. Quarry, Public Works Supervisor, reported on the Borough’s practice of winter road maintenance. He especially addressed previous Council discussions about “brining roads”. He stressed that brining is not only costly (approx. \$25k for a brining system), but also environmentally detrimental. He explained that current winter road maintenance includes pre-salting (with rock salt) roads with steep hills in anticipation of winter storms.

Mr. Quarry commented on marking handicapped parking lots with paint. He noted that handicapped parking requires a 22 ft space per Borough Code. He did not recommend to mark handicapped parking spaces because of the term limits. Any resident's violation of observing handicapped parking could be enforced by the Police ticketing instead. Mayor Gifford agreed to discuss with the Police Department and point them to specific complaints.

Mr. Mike Spencer at 1035 Spencer Ave welcomed the recent sales proceeds for the sale of 1336 Russell Ave and asked for meaningful allocation of those sales proceeds. In regard to the increased budget expenditure for Bulk Sewer Charges, Mr. Spencer suggested to prioritize Sewer Rehabilitation areas mostly affected by influx and infiltration.

EXECUTIVE SESSION – as needed – NONE.

ADJOURNMENT

At 8:22 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 Ordinance – 857
Next Resolution – 2020-25