

**BOROUGH OF FOUNTAIN HILL COUNCIL
COUNCIL MEETING MINUTES**

**August 5, 2019
7:00 PM**

Council members present were: Ms. Jordan, Mr. Ferencin, Mr. Blatt, Mr. Trotter, Mr. Atkinson, Mayor Gifford, Mr. Trabel, and Ms. Halleman. Also, in attendance were Anthony Branco (Borough Manager), Cordula Voges (Finance Director), Pete Lehr (Solicitor), Ed Bachert (Police Chief), 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 August 5, 2019 Council meeting:

1. Minutes of June 19, 2019 Council Meeting
2. Minutes of July 1, 2019 Council Meeting
3. Handicap parking request – Ms. Vicky Morales of 1220 Russell Ave.
4. Sign Request – Mr. Michael Kistler
5. Letters of interest for Stormwater Authority
 - Mr. Thomas Lansek
 - Ms. Kelsey Morrison
6. Stormwater Draft Ordinance – first reading
7. Bills payable list

APPROVAL OF MINUTES

- Minutes of June 19, 2019 Council Meeting
- Minutes of July 1, 2019 Council Meeting

	Motion	2nd	Yes	No	Abstain	Absent
Annamarie Jordan	x		x			
Francis Ferencin			x			
Norman Blatt			x			
Doug Trotter			x			
Leo Atkinson			x			
Philip Trabel		x	x			
Helen Halleman			x			
Mayor Gifford						

PRIVILEGE OF THE FLOOR

- Pre-Scheduled Appearances – none
- Discussion on Agenda Items - none

MAYOR'S REPORT

Mayor Gifford thanked all organizers and participants who had helped with Community Day held on 7/28/2019.

Mayor Gifford read July's Police report.

Mayor Gifford had met with the new Fountain Hill Elementary School Principal and welcomed the Principal's effort to emphasize the school's role in the community.

BOROUGH MANAGERS REPORT

Mr. Branco notified Council of Mr. Rohrbach's (Planning & Zoning Officer) resignation as of 8/16/2019. Council thanked him for his service and recommended to draw a letter of appreciation for him.

Mr. Branco had contacted both Hanover Engineering and KeyCodes for a proposal to temporarily fill this vacancy. As a holder of the Building Code Certificate, Mr. Branco could also serve as the Building Code Official (BCO) in the interim.

Ms. Halleman suggested to hire a Planning & Zoning Officer on a full-time basis going forward. Council agreed and concluded that compensation details would depend on the candidates' qualifications and would be further discussed. Council asked the Borough Manager to place an ad on one of the online forums to hire a full-time Planning & Zoning Officer.

	Motion	2nd	Yes	No	Abstain	Absent
Annamarie Jordan			x			
Francis Ferencin			x			
Norman Blatt		x	x			
Doug Trotter	x		x			
Leo Atkinson			x			
Philip Trabel			x			
Helen Halleman			x			
Mayor Gifford						

NEW BUSINESS

- Handicap parking request – Ms. Vicky Morales of 1220 Russell Ave.

	Motion	2nd	Yes	No	Abstain	Absent
Annamarie Jordan	x		x			
Francis Ferencin					x	
Norman Blatt			x			

Doug Trotter
 Leo Atkinson
 Philip Trabel
 Helen Halleman
 Mayor Gifford

		x			
		x			
		x			
	x	x			

The Handicap sign will be installed and the respective ordinance will be amended.

- Request from Mr. Michael Kistler of 716 Hertzog to place a charity org. event sign at the triangle on Broadway

Annamarie Jordan
 Francis Ferencin
 Norman Blatt
 Doug Trotter
 Leo Atkinson
 Philip Trabel
 Helen Halleman
 Mayor Gifford

Motion	2nd	Yes	No	Abstain	Absent
		x			
		x			
	x	x			
		x			
		x			
x		x			
		x			

- Municipal Stormwater Authority possible candidates – discussion

In reference to the July 29, 2019 Memorandum to Council (provided to Council), four (4) potential candidates interested in serving on the board of the authority were introduced. During the meeting, Mr. Patrick Figueroa, member in the audience, offered to serve as the fifth board member. Council accepted the candidates:

Annamarie Jordan
 Francis Ferencin
 Norman Blatt
 Doug Trotter
 Leo Atkinson
 Philip Trabel
 Helen Halleman
 Mayor Gifford

Motion	2nd	Yes	No	Abstain	Absent
		x			
	x	x			
x		x			
		x			
		x			
		x			
		x			

Commercial entities and residents will be invited to a day-time and night-time information sessions respectively to learn about the creation of the Municipal Stormwater Authority.

RESOLUTIONS – none.

ORDINANCES

First Reading

ORDINANCE NO. 853

AN ORDINANCE OF THE BOROUGH OF FOUNTAIN HILL, LEHIGH COUNTY, PENNSYLVANIA, CREATING A STORMWATER MUNICIPAL AUTHORITY FOR THE PURPOSES OF MANAGING STORMWATER ISSUES WITHIN THE BOROUGH

WHEREAS, the Borough of Fountain Hill finds that stormwater management is necessary to protect the general health, safety, and welfare of the residents of the Borough. Therefore, the Borough of Fountain Hill determines that it is in the best interest of the public to create a Municipal Authority for the purposes of managing stormwater systems within the Borough.

NOW THEREFORE, BE IT DULY ENACTED and ORDAINED by the Borough Council of the Borough of Fountain Hill:

- 1. The Borough of Fountain Hill hereby signifies its intention and desire to organize an Authority under the Act of May 2, 1945, P.L. 382 and its amendments, and known as the "Municipality Authorities Act of 1945."
- 2. The President and Secretary of the Borough Council are hereby authorized and directed to execute, on behalf of the Borough of Fountain Hill, Articles of Incorporation for said Authority in substantially the following form:

ARTICLES OF INCORPORATION

TO THE SECRETARY OF THE COMMONWEALTH OF PENNSYLVANIA

In compliance with the requirements of the Act of May 2, 1945, P.L. 382 and its amendments known as the "Municipality Authorities Act of 1945" the Borough of Fountain Hill, a municipal corporation located in the County of Lehigh and Commonwealth of Pennsylvania, desiring to incorporate an Authority thereunder, does hereby certify:

1. The name of the Authority is Fountain Hill Stormwater Authority, its registered office being Borough Hall, Fountain Hill, Pennsylvania.
2. Said Authority is formed under the provisions of Act of May 2, 1945, P.L. 382 and its amendments, known as "Municipality Authorities Act of 1945".
3. No other Authority has been organized under the Municipality Authorities Act of 1945 or under the Act, approved the 29th day of June, 1935, P.L. 463, and none is in existence in or for the Borough of Fountain Hill, the incorporating municipality.
4. The name of the incorporating municipality is the Borough of Fountain Hill.
5. The names, addresses and terms of office of the first members of the Board of Authority to be formed hereby are as follows:
6. The project or projects to be undertaken by said Authority shall be projects permitted and authorized by the laws of the Commonwealth of Pennsylvania as the Borough of Fountain Hill may from time to time by Resolution or Ordinance specify.
7. A certified copy of the Ordinance of the Borough of Fountain Hill authorizing the creation of said Authority, together with proof of publication of Notice of Filing of these Articles of Incorporation, are each submitted herewith.
8. The existence of the Authority shall terminate fifty (50) years from the date of filing, unless extended by an amendment to these Articles of Incorporation

IN WITNESS WHEREOF, the Borough of Fountain Hill, the incorporating municipality have caused these Articles to be executed by its proper officers and have caused to affixed hereto the municipal seal of said incorporating municipality this ____ day of _____, A.D., 2019.

3. The President and Secretary of the Borough Council are further directed to cause a notice of the substances of this Party, including the substance of the above Articles of Incorporation and of the proposed filing of the above Articles of Incorporation to be published once in the Morning Call, a newspaper published and of general circulation in the County of Lehigh, and in the Lehigh Law Journal, as directed by the Municipalities Authorities Act of 1945 and its amendments.

4. The President and the Secretary of the Borough Council are directed to file the said Articles of Incorporation, together with the necessary proofs of publication, with the Secretary of the Commonwealth, and to do all other acts and things necessary or appropriate to effect the incorporation of the "Fountain Hill Stormwater Municipal Authority," including the payment of any filing fees in connection therewith.

5. The initial project to be undertaken by the Authority shall be:

- a. To manage the stormwater issues affecting the Borough.
- b. This Borough requests the Authority to undertake and consummate the initial project specified in Section 5(a) with all reasonable dispatch and diligence.
- c. This Section shall not be construed to preclude this Borough from specifying other projects, by future action of this Borough, which may be undertaken by the Authority.
- d. Enactment of this Section is deemed necessary for the benefit of and preservation of the public health, peace, comfort and general welfare of citizens of this Borough and will increase the prosperity of citizens of this Borough.

GENERAL REPEALER

All ordinances or parts of ordinances, and all resolutions or parts of resolutions, inconsistent herewith shall be and are herewith repealed.

SEVERABILITY

The provisions of this Ordinance are severable. If any provision, sentence, clause, phrase, section or part thereof shall for any reason be found unconstitutional, illegal or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, phrases, sections, or parts thereof, but the same shall remain in effect. It is hereby declared to be the intent of the Borough of

Fountain Hill that this Ordinance shall stand notwithstanding the invalidity of any part included herein.

EFFECTIVE DATE

The provisions of this Ordinance shall become effective in accordance with the Borough Code, 8 Pa.C.S.A. §3301.3, the date when the Mayor approves the Ordinance, or the date of enactment by the Council over the veto of the Mayor, or for an Ordinance not returned by the Mayor at the next scheduled meeting of council occurring at least ten days (10) after the meeting at which the Ordinance was enacted by the Council, the date of the succeeding scheduled meeting of Council.

MOTIONS – none.

OLD BUSINESS - none.

COUNCIL PRESIDENT’S REPORT

Council President Atkinson thanked all participants in the Community Day activities.

Council President Atkinson reported that in continuation of the discussions in the Police Committee meeting the State Police will be invited to explain possible partial patrol services at the next September Council Meeting.

Council President announced that the 2018 904 Performance Recycling Grant was awarded for \$24,616, \$6,150 more than initially expected.

SOLICITOR'S REPORT – none.

COMMITTEE REPORTS

A. Finance (Trotter, Blatt, Jordan)

Mr. Trotter read the Check Detail reports for the month of July.

	Motion	2nd	Yes	No	Abstain	Absent
Annamarie Jordan		x	x			
Francis Ferencin			x			
Norman Blatt			x			
Doug Trotter	x		x			
Leo Atkinson			x			
Philip Trabel			x			
Helen Halleman			x			
Mayor Gifford						

B. Public Works (Jordan, Atkinson, Trotter)

Ms. Jordan read the Public Works hours worked during the month of July.

Ms. Jordan asked for a motion to allow Mr. Quarry (Public Works Supervisor) to sell the dilapidated Ambulance vehicle that has been used as a utility truck.

	Motion	2nd	Yes	No	Abstain	Absent
Annamarie Jordan	x		x			
Francis Ferencin		x	x			
Norman Blatt			x			
Doug Trotter			x			
Leo Atkinson			x			
Philip Trabel			x			
Helen Halleman			x			
Mayor Gifford						

C. Police (Atkinson, Trotter, Gifford)

The Police Chief noted that the 2019 National Night Out police and community gathering is still scheduled to take place.

D. House & Ordinances (Blatt, Halleman, Jordan) - none.

E. Fire (Trabel, Ferencin, Halleman)

Mr. Trabel read the July fire report.

F. Recreation (Ferencin, Atkinson, Blatt) – none.

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

Ms. Halleman read the July collection reports for Sewer/Garbage.

H. Personnel (Trotter, Blatt, Jordan) – none.

SPECIAL OR SELECT COMMITTEES – none.

PRIVILEGE OF THE FLOOR – Discussion on Non - Agenda Items – none.

EXECUTIVE SESSION –

At 8:30 PM Council retreated for an executive session to discuss the possible sale of a Borough property with the Solicitor.

Council returned from the Executive Session at 8:42 PM on a motion by Mr. Ferencin.

A motion was made by Mr. Blatt, seconded by Mr. Trabel directing the Solicitor to advertise for bids to sell the property located at 815 Logan St. with a minimum bid of \$8,550.00. The Borough reserves the right to reject all bids. Council also authorized the ad be placed in the Bethlehem Press.

ADJOURNMENT

The meeting adjourned at 8:45 PM on a motion by Mr. Trabel.

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

By: _____
Leo Atkinson - President of Council

SUBMITTED BY

By: _____
Cordula Voges, Finance Officer

ATTEST:

By: _____
Anthony Branco, Borough Manager

Next Resolution 2019-28
Next ordinance # 853