

BOROUGH OF SLATINGTON

The Regular Meeting of Council was held on Monday, April 12, 2010 at 7:00 P.M. in Council Chambers, 125 S. Walnut Street, Slatington, PA 18080.

Presiding: Galen L. Freed, President of Council.

Recording Secretary: Stephen R. Salvesen.

The meeting was called to order by Vice- President Reed at 7:12 P.M. with the following in attendance:

ROLL CALL:

PRESENT

ABSENT

OTHERS PRESENT

VISITORS

Galen Freed (7:08)

None

Mayor Niedermeyer

Mel Gildner

Bryon Reed

Chief Rachman

Gary Phillips

Daniel Stevens

Ed Healy

William Stein

Eldon Roberts

Ted Stevenson

Susan Schneck

Paul Hoffman

David Altrichter

Russell Hallman

Les Glanz

Kris Burek

David Zellers

Larry Buss

Chad Trego

George Moyer

Katherine Moyer

MINUTES OF PREVIOUS MEETINGS

Councilman Hoffman made a motion seconded by Councilman Burek to approve the Council Meeting Minutes of March 8, 2010 and the Council/Workshop Meeting Minutes of March 22, 2010. President Freed declared the motion passed following a Voice Vote of 7-0.

President Freed recognized Chairman Gary Phillips of the Slatington Borough Authority. Chairman Phillips requested a meeting with the Sewer Committee to discuss rewriting the Walnutport Sewer Agreement to make it consistent with the Washington Township Agreement. The date of May 17, 2010 was selected as being suitable for Council committee members, and Chairman Phillips will check with the Authority members and will confirm their availability. The time was set for 6:00 PM and is to be held in Council Chambers. Councilman Burek requested a copy of the agreements prior to the meeting for review.

**COURTESY OF THE FOOR** (Agenda items only)

Melvin Gildner - 528 Pine Street read a prepared statement that called for the resignation of Councilman Roberts. There was no comment from Council.

David Altrichter – The American Legion - Mr. Altrichter described the Civil War Monument Restoration Project and requested any assistance that the Borough might be able to offer to complete the project. There was no comment from Council.

Les Glanz - 1131 Morris Lane talked about directional signs to point the way toward the Trail Head. The Lehigh Valley Heritage Corridor has offered signs, a sample was shown, but these are not quite what the group wanted. Councilman Stevens has grant money for the signs and he will check with Mr. Scott Everett on the wording. Mr. Glanz thanked SSM for supplying a map for the Trail Head sign.

David Zellers - 310 East Washington Street was at Council to address the letter that he received from the Borough telling him that there was a problem with his lateral and that he had sixty (60) days to repair it. He stated that it will take \$5,000 to repair the damage and that he does not have the money and his temporary job with PENNDOT will end in a few weeks. Councilman Burek told Mr. Zellers that he should contact the individual in the letter to apply for a grant/low interest loan for the repair. The Manager told Mr. Zellers that Mr. Bolton would contact him to show him where the smoke came from.

## **REPORTS**

The reports of various committees, officials and officers are on file in Borough Hall and are available for public inspection.

## **APPROVAL OF ACCOUNTS PAYABLE/TRANSFERS**

Councilman Hoffman made a motion seconded by Councilman Stevens that Council authorize payment of the bills and transfers as presented by the Treasurer. Councilman Burek questioned the NOVA \$5,000 check. Councilman Hoffman told Council that the check was for grant money received last year but not forwarded to Nova. President Freed declared the motion passed following a Roll Call, voting as follows:

<u>ROLL CALL</u>	<u>AYES</u>	<u>NAYS</u>
	Eldon Roberts	Galen Freed
	Bryon Reed	Paul Hoffman
	Kris Burek	Russell Hallman
	Daniel Stevens	

## **MAYOR'S/POLICE CHIEF'S REMARKS**

Mayor Niedermeyer attended the "Mayors Meal Day" sponsored by Meals on Wheels of Lehigh County, 4234 Dorney Park Road and four Mayors volunteered: Mr. Ed. Hozza, Mr. Rick Hoffman, Mr. Ed Pawlowski and Mr. Walter Niedermeyer. The Mayor attended the Greater Lehigh Chamber Of Commerce Board Meeting on March 31. In addition, the Mayor worked with the Chief of Police on citizen's reports. On April 21<sup>st</sup>, Bath Borough Council will be touring the building at 9:30 AM. The Borough of Bath has a similar type of building and will be looking for ideas.

Chief Rachman reported that Sgt. Burke will be activated into the Army from May 20, 2010 to Dec. 31, 2010 at a minimum, and that he will be stationed in Afghanistan. On Wednesday April 14, the Chief will be attending a training session at Fort Indian Town Gap. The Chief reported that in response to a citizen complaint, they were monitoring traffic speeds on Diamond Street. With approximately 87 vehicles using Diamond Street passing 200 Diamond Street, two warning tickets were issued over a three day span. The Chief will need the road stripped in order to accurately access speeds. The Police Department responded to calls at the West End Playground on 3/26, 3/28, 3/29, and 4/8 dispersing crowds of teens after dusk. He noted that this is private property, and there is insufficient posting at the playground.

Mr. Gildner asked the Chief "What determines whether or not a driver gets a warning ticket or a regular ticket"? The Chief said it is officer discretion.

## STANDING COMMITTEES

### A. Finance/Planning/Zoning

1. BOROUGH CREDIT CARD – Councilman Hallman made a motion seconded by Councilman Stevens that Council authorize the Borough Manager to obtain one (1) credit card for Borough use with a buyer’s protection plan. President Freed declared the motion passed following a Roll Call, voting as follows:

ROLL CALL	<u>AYES</u>	<u>NAYS</u>
	Eldon Roberts	Galen Freed
	Daniel Stevens	Paul Hoffman
	Kris Burek	Russell Hallman

2. COUNTY RE-ASSESSMENT – Councilman Hallman made a motion seconded by Councilman Hoffman that Council authorizes the issuance of a refund check to NIS Properties for real estate taxes for 2009. President Freed declared the motion passed following a Roll Call, voting as follows:

ROLL CALL	<u>AYES</u>	<u>NAYS</u>
	Eldon Roberts	Galen Freed
	Bryon Reed	Paul Hoffman
	Kris Burek	Russell Hallman
	Daniel Stevens	None

3. AUTHORITY TRANSFER REQUEST – Councilman Hallman made a motion seconded by Councilman Hoffman for Council to approve Transfer of Funds request from the Authority in the amount of \$6,863.31 to pay various bills.

President Freed declared the motion passed following a Roll Call, voting as follows:

ROLL CALL	<u>AYES</u>	<u>NAYS</u>
	Eldon Roberts	Galen Freed
	Bryon Reed	Paul Hoffman
	Kris Burek	Russell Hallman
	Daniel Stevens	None

4. PER CAPITA EXONERATION – Councilman Hallman made a motion seconded by Councilman Hoffman that Diane Williams, Reba Clymer Alwine, and Ryan Kroboth be exonerated from 2009 Per Capita Tax. President Freed declared the motion passed following a Roll Call, voting as follows:

ROLL CALL	<u>AYES</u>	<u>NAYS</u>
	Eldon Roberts	Galen Freed
	Bryon Reed	Paul Hoffman
	Kris Burek	Russell Hallman
	Daniel Stevens	None

5. WEB SITE CHANGE – Councilman Hallman made a motion seconded by Councilman Hoffman that Council authorize the transfer of the hosting site for the Web to Boroughs.org at a cost of \$299.00. President Freed declared the motion passed following a Roll Call, voting as follows:

ROLL CALL	<u>AYES</u>	<u>NAYS</u>
	Eldon Roberts	Galen Freed
	Bryon Reed	Paul Hoffman
	Kris Burek	Russell Hallman
	Daniel Stevens	None

6. EXETER SUPPLY CO. SETTLEMENT has proposed to settle the dispute over the camera head by splitting the cost of the new replacement camera head. It is recommended by the Borough Manager, that Council accept this offer. Council decided not to accept the offer.

B. Highway

1. PARKING PERMITS – Vice-President Reed made a motion seconded by Councilman Hallman that Council approve issuance of parking permits for the Borough owned parking lots that currently do not have permit parking and that the appropriate signs are erected in these lots. President Freed declared the motion passed following a Roll Call, voting as follows:

ROLL CALL	<u>AYES</u>	<u>NAYS</u>
	Eldon Roberts	Galen Freed
	Bryon Reed	Paul Hoffman
	Kris Burek	Russell Hallman
	Daniel Stevens	None

2. 2010-CDBG GRANT RESOLUTION – Vice-President Reed made a motion seconded by Councilman Burek that Council adopt Resolution R-01-10 – Authorizing Submission of the 2010 CDBG Submission to Lehigh County. President Freed declared the motion passed following a Roll Call, voting as follows:

ROLL CALL	<u>AYES</u>	<u>NAYS</u>
	Eldon Roberts	Galen Freed
	Bryon Reed	Paul Hoffman
	Kris Burek	Russell Hallman
	Daniel Stevens	None

Vice-President Reed suggested to Council that the existing Committee Workshop Meetings are lasting much too long and those residents wishing to address a specific committee about their concerns, might have to wait until 10:00 PM for their concerns to be heard. Councilman Hoffman made a motion seconded by Vice-President Reed that the Manager advertise that Council will be changing its Workshop Meetings Schedule to the following: Highway, Sewer and Water Committees will meet on the third (3<sup>rd</sup>) Monday of each month at 6:30 PM effective May 1, 2010 and that the Human/Community Services, Public Safety and Finance/Planning/Zoning Committees will meet on the fourth (4<sup>th</sup>) Monday of each month at 6:30 PM effective May 1, 2010. President Freed declared the motion passed following a Roll Call, voting as follows:

ROLL CALL	<u>AYES</u>	<u>NAYS</u>
	Eldon Roberts	Galen Freed
	Bryon Reed	Daniel Stevens
	Kris Burek	Russell Hallman
		Paul Hoffman

C. Human/Community Services

1. ARTS FESTIVAL – Councilman Stevens made a motion seconded by Councilman Hoffman to approve Future Focus’s request to hold the 2010 ARTS FEST between

10:00 AM and 4:00 PM on Saturday September 25<sup>th</sup> in the 500 & 600 blocks of Main Street, that specific approval is obtained for the Slatington Fire Police to be utilized and to authorize the Borough Manager to inform Future Focus of Council's action. President Freed declared the motion passed following a Voice Vote of 7-0.

2. AMERICAN LEGION REQUEST – Councilman Stevens made a motion seconded by Councilman Hallman that Council approve the Parade request by the American Legion Post 16, to hold its annual Memorial Day Parade on Monday, May 31, 2010. The parade will form at Main Street and Second Street at 9:30 AM and start at 10:00 AM. The parade will proceed South on Main Street to the Union Cemetery for services and the return route will be North on Main. President Freed declared the motion passed following a Voice Vote of 7-0.
3. NORTHERN LEHIGH EDUCATION FOUNDATION REQUEST – Councilman Stevens made a motion seconded by Councilman Hoffman that Council grant permission to the Northern Lehigh Education Foundation to hold their “Run of the Dawgs 5K Run/Walk and 1K Fun Run Charity Event” and to hang a banner across Main Street just east of the General Morgan Bridge from mid April until June 5, 2010 and that they must contact PENNDOT for their permission; and also to notify the foundation of Council's decision. President Freed declared the motion passed following a Voice Vote of 7-0.
4. AMERICAN FLAGS – Councilman Stevens made a motion seconded by Councilman Hoffman that Council authorize the expenditure of \$1950.00 for flag and pole replacements and that the Borough Manager reinstitute the Adopt-A-Flag Program to recover the expenditure. Councilman Burek asked, “what will happen if the donations do not cover the expenditure”? Manager Salvesen responded that the Borough would absorb the cost. President Freed declared the motion passed following a Roll Call, voting as follows:

ROLL CALL	<u>AYES</u>	<u>NAYS</u>
	Eldon Roberts	Kris Burek
	Bryon Reed	Paul Hoffman
	Daniel Stevens	Russell Hallman

5. SLATINGTON MEMORIAL PARK – Councilman Stevens requested that Spotts, Stevens and McCoy redo the bid documents for the Memorial Park. The Borough has received \$40,000 in Grant funds from the State for the park and is expecting additional grant funds that are waiting for County Commissioners' approval. Grants must be read twice prior to approval. When these funds are received, we will have approximately \$125,000 in grant money for the park. State funds must be expended by December 31, 2010 thus the need for updated bid documents.
6. TRAILS RULES – Councilman Stevens had distributed copies of the proposed Trail rules to Council and gave a copy to Mr. Chad Trego. It was suggested that this item be tabled and that it be placed on the agenda for discussion at the next Workshop Meeting.
7. SLATINGTON FIRE DEPARTMENT REQUEST – Councilman Stevens made a motion seconded by Vice-President Reed to have Council approve the request of the Slatington Fire Department to hold their annual carnival May 4

to May 8 and to authorize the Borough Manager to inform the Fire Department of Council's action. President Freed declared the motion passed following a Roll Call, voting as follows:

ROLL CALL	<u>AYES</u>	<u>NAYS</u>	<u>ABSENTIONS</u>
	Eldon Roberts	Galen Freed	None
	Bryon Reed	Daniel Stevens	Paul Hoffman
	Kris Burek	Russell Hallman	

8. 2010 FOUR COUNTY FIREMAN'S PARADE – Councilman Hoffman requested that this item be tabled until he had time to finish his letter to Council.

#### D. Public Safety

1. AUTHORIZATION TO DRAFT AND ADVERTISE ORDINANCE NO. 648  
Councilman Hoffman made a motion seconded by Councilman Hallman to authorize the solicitor to draft Ordinance 648 changing parking violation fees and to advertise the ordinance for adoption at the next Council Meeting of May 10, 2010. President Freed declared the motion passed following a Roll Call, voting as follows:

ROLL CALL	<u>AYES</u>	<u>NAYS</u>
	Eldon Roberts	Galen Freed
	Bryon Reed	Paul Hoffman
	Kris Burek	Russell Hallman
	Daniel Stevens	None

2. PARKING TICKETS – Councilman Hoffman made a motion seconded by Councilman Burek that Council authorize the purchase of 200 ticket books from 5000 Forms Inc. after adoption of Ordinance NO. 648, at a cost of \$6.41 per book of twenty-five (25) tickets per book. President Freed declared the motion passed following a Roll Call, voting as follows:

ROLL CALL	<u>AYES</u>	<u>NAYS</u>
	Eldon Roberts	Galen Freed
	Bryon Reed	Paul Hoffman
	Kris Burek	Russell Hallman
	Daniel Stevens	None

#### D. Sewer/Solid Waste

1. BOROUGH CREDIT CARD MACHINE – Councilman Burek made a motion seconded by Councilman Hoffman that Council approves leasing a Credit Care Machine from Transifirst, LLC at a cost of \$29.98 per month for a forty-eight (48) month lease term, subject to review by the solicitor. Vice-President Reed wanted to know if the cost of re-printing the Sewer/Water/Garbage bills had been calculated. Manager Salvesen said it had not been. He requested SSM re-define the matrix for calculating the bills to include a discount for cash. Printing of the blank bills were included in the budget as supplies. President Freed declared the motion passed following a Roll Call, voting as follows:

ROLL CALL	<u>AYES</u>	<u>NAYS</u>
	Eldon Roberts	Galen Freed
	Bryon Reed	Paul Hoffman
	Kris Burek	Russell Hallman
	Daniel Stevens	

2. LIFT STATION INSPECTION AGREEMENT – Councilman Burek made a motion seconded by Councilman Hoffman that Council authorize the expenditure of \$1,195.00 semi-annually for Rapid Pump & Meter Service Company, Inc. for inspection of the sewer lift station. President Freed declared the motion passed following a roll Call, voting as follows:

ROLL CALL	<u>AYES</u>	<u>NAYS</u>
	Eldon Roberts	Galen Freed
	Bryon Reed	Paul Hoffman
	Kris Burek	Russell Hallman
	Daniel Stevens	

E. Water

1. Councilman Roberts stated that the Borough’s Water supply is safe for human consumption based on the latest test reports.
2. FLUSHING SCHEDULE – Councilman Roberts made a motion seconded by Councilman Hallman that Council approve the 2010 Water System Flushing Schedule as outlined in the Borough Manager’s March 19, 2010 Memo to Council. President Freed declared the motion passed following a Roll Call, voting as follows:

ROLL CALL	<u>AYES</u>	<u>NAYS</u>
	Eldon Roberts	Galen Freed
	Bryon Reed	Paul Hoffman
	Kris Burek	Russell Hallman
	Daniel Stevens	

3. BACK WASH SLUDGE PUMP – Councilman Roberts made a motion seconded by Vice-President Reed that Council authorizes the expenditure of \$3,861.75 for parts for the Backwash Sludge Pumps, SN 94-4093-am for the Water Plant from Envirep Inc. President Freed declared the motion passed following a Roll Call, voting as follows:

ROLL CALL	<u>AYES</u>	<u>NAYS</u>
	Eldon Roberts	Galen Freed
	Bryon Reed	Paul Hoffman
	Kris Burek	Russell Hallman
	Daniel Stevens	

4. UTV PURCHASE – Councilman Roberts presented material on a 650 cc Discovery (UTV) and noted that this utility vehicle would best suite the demands of the Water Department personnel. The unit has a hydraulically operated dump body and a hydraulic wench on the front. A vehicle such as this will certainly save wear and tear on the trucks presently being used to service the water shed area at a cost of \$6,399.95. Councilman Hoffman requested that this item be tabled. Councilman Hoffman is preparing a Grant application to DCNR for a similar unit for the Borough’s EMS unit and can include a second unit for the Water Department. Council agreed.

**UNFINISHED BUSINESS**

Councilman Hoffman brought up the two items listed under unfinished business. Councilman Hoffman made a motion seconded by Vice-President Reed that Council appoint the firm of Spotts, Stevens and McCoy as Borough Engineers for the remainder of 2010. President Freed declared that the motion had failed following a Roll Call, voting as follows:

ROLL CALL	<u>AYES</u>	<u>NAYS</u>
	Paul Hoffman    Galen Freed	Bryon Reed    Kris Burek Daniel Stevens    Eldon Roberts Russell Hallman

Councilman Hoffman reported that he had developed scenarios using the Sewer and Water Matrix at a base fee of \$25.00 and \$10.00 per 1,000 gallons of water used and that would yield sufficient cash to meet budgeted expenses. This meant that the Non-resident fee would be \$50.00 plus usage. Council wanted to look at additional numbers. Although the proposed scenario would save low end users money, they represent only 27% of the water customer base.

**STAFF REPORTS**

**Engineer**

Ted Stevenson of SSM reported two items to Council. The first was in response to a complaint from a resident at 635 West Church Street about the drop in pavement from the road surface to the Storm Sewer inlet. It appeared that the roadway has been overlaid several times and the top and the adjacent area around the shoulder area were never adjusted to grade. The edge of pavement is approximately 9” above the inlet which is creating a hazardous driving condition. PENNDOT has been notified of the situation in a letter dated March 4, 2010 and was asked to address the situation ASAP and that some sort of warning device be placed in the area until repairs are made. Photos showing the area were included for reference. PENNDOT has assigned a job number and has placed warning devices around the area.

The second item brought to Council’s attention was that Chairman Phillips, Borough Manager Salvesen, Mr. John Keck and Ted Stevenson had met with Mrs. Wagner on April 5th to discuss the easement around her property. Mrs. Wagner will send the documents to her attorney for review. In addition to any language changes required by her attorney, Mrs. Wagner wants the parking lot paved and a stub placed on the main sewer line for future lateral hookup. The rationale for paving the lot is the frail condition of the existing macadam and the damage that will occur when heavy equipment is brought in for the sewer line installation.

**Borough Manager**

Manager Salvesen gave Council an update on the notification process to the residents as a result of the smoke testing performed last year. Manager Salvesen requested a motion from Council authorizing the submission of the 2010-CDBG grant application which is for \$200,000 for Storm Sewer and paving to encourage proper storm water runoff in the Borough’s low income areas. Councilman Stevens made a motion seconded by

Councilman Hoffman that Council authorizes the submission of the 2010-CDBG grant. President Freed declared the motion passed following a Roll Call, voting as follows:

<u>ROLL CALL</u>	<u>AYES</u>	<u>NAYS</u>
	Eldon Roberts	Galen Freed
	Bryon Reed	Paul Hoffman
	Kris Burek	Russell Hallman
	Daniel Stevens	None

**COURTESY OF THE FLOOR**

Mr. Larry Buss addressed Council asking for forgiveness of the late penalties for his Sewer and Water bills. Council denied the request.

**ADJOURNMENT**

There being no further business to bring before Council, on a motion by Councilman Hoffman, the meeting was adjourned at 10:00 PM.

Stephen R. Salvesen  
Council Secretary

