

Pen Argyl Borough Council held their Meeting for December on Tuesday, December 12, 2023 at 7:00 P.M. in the Borough Social Hall.

Pledge of Allegiance:

Council President Joseph LeDonne opened the Council Meeting with the Pledge of Allegiance.

Roll Call:

Council Members present and responding to roll call: Joseph LeDonne, Tammy Kemp, Janell Connolly, Scott Brumbaugh, Charles Kandl Jr., John Apgar, Stephanie Cooper, and Josephine Hildabrant.

Also present were Borough Solicitor Peter Layman, Borough Manager Robin Zmoda and Borough Secretary Juli Lemak.

Visitors:

None.

Discussion and Final Adoption of Year 2024 Budget:

General Fund - \$2,847,109.00 - 13 Mills (No increase)  
Sewer Fund - \$1,527,600.00  
State Fund - \$285,549.00  
Reserve Fund - \$2,740,100.00  
Garbage Wealth Fund - \$500,000.00  
Reserve Wealth Fund - \$760,000.00

Councilwoman Josephine Hildabrant made a motion to accept and approve final adoption of the year 2024 budget as presented, seconded by Councilwoman Tammy Kemp. Voting in favor of the motion were Council Members: Joseph LeDonne, Tammy Kemp, Scott Brumbaugh, John Apgar, Stephanie Cooper, and Josephine Hildabrant. Council Members Charles Kandl Jr. and Janell Connolly voted no. There being six (6) yes votes and two (2) no votes, the motion carried.

Tax Structure

Real Estate Tax Millage - 13.00 Mills (no increase)  
Per Capita - None  
Local Services Tax (LST) - \$52.00  
Real Estate Transfer Tax - 1% - Shared Equally with School District  
Earned Income Tax - 1% - Shared Equally with School District  
Sewer Rental Fee - \$114.00 Minimum Quarterly Charge per Unit/10,000 Gallons

Tax Structure con't:

\$13.50 per Thousand Gallons over 10,000 Gallons  
\$14.26 per person at Schools  
\$171.10 per quarter for non-metered wells  
Garbage fee- Garbage fee waived for the year 2024

Councilman John Apgar made a motion to accept and approve the Tax Structure for the year 2024, seconded by Councilman Scott Brumbaugh. Unanimous by roll call.

The Borough Assessment Valuation for 2024 is \$66,900,200; 2023 was \$66,817,200; 2022 was \$66,969,800; 2021 was \$67,093,100; 2020 was \$67,029,500; 2019 was \$67,113,200; 2018 was \$67,092,500; and 2017 was \$67,572,400.

One (1) Mill equals \$66,900.20; less 5% uncollectible, collectible amount is \$63,555.19

Prior Years Millage: Years 2020 to present remains at 13 Mills.

Ordinance No. 728 to increase the quarterly sewer rental fees:

Councilwoman Tammy Kemp made a motion to adopt Ordinance #728 to increase the quarterly sewer rental fee to reflect a \$9.00 rate increase to the quarter base rate from \$105.00 to \$114.00, a 8.57% rate increase to the flat rate for unmeasurable water consumption from \$157.59 to \$171.10 and a 8.57% rate increase for the school charge per student from \$13.13 per quarter to \$14.26 effective January 1, 2023, seconded by Councilman Charles Kandl Jr. The motion passed unanimously.

Ordinance #729 for suspending 2024 charges of residential dwelling units' collection of municipal waste:

Councilman Charles Kandl Jr. made a motion to adopt Ordinance #729 to suspend the year of 2024's charges of residential dwelling units' collection of municipal waste, seconded by Councilwoman Josephine Hildabrant. Unanimous by roll call.

Ordinance #730 to repeal Sections 96-11 through 96-22 of the Code of the Borough of Pen Argyl to repeal the Borough's Per Capita Tax:

Councilman John Apgar made a motion to adopt Ordinance #730, to repeal Sections 96-11 through 96-22 of the Code of the Borough of Pen Argyl to repeal the Borough's Per Capita Tax, seconded by Councilwoman Josephine Hildabrant.

Resolution #2023-14 for fixing the Year of 2024 Millage Rate:

Councilman Scott Brumbaugh made a motion to approve Resolution #2023-14 for the Millage Rate of 13.00 Mills for the year of 2024, seconded by Councilwoman Tammy Kemp. Unanimous by roll call.

Resolution #2023-15 for Earned Income Tax, Local Services Tax (LST) and Property Transfer Tax for the Year of 2024:

Councilwoman Tammy Kemp made a motion to approve Resolution #2023-15 for the Earned Income Tax of 1/2 of 1%, the Local Services Tax (LST) of \$52.00 and 1/2 of 1% Property Transfer Tax for the fiscal year of 2024, seconded by Councilwoman Josephine Hildabrant. Unanimous by roll call.

Resolution #2023-16 to appoint Berkheimer Associates as Collector of the Local Services Tax (LST) and Keystone Collection Group as Collector of the Earned Income Tax for the Year of 2024:

Councilman John Apgar made a motion to approve Resolution #2023-16 to reappoint Berkheimer Associates as Collector of the Local Services Tax (LST) and Keystone Collection Group as Collector of the Earned Income Tax for the fiscal year of 2024, seconded by Councilwoman Janell Connolly. Unanimous by roll call.

Public Works:

All Council Members received a copy of Public Works Director Steven Bender's November report to review.

All Council Members received one (1) gas and oil bid for the year 2024 from Reimer Bros., Inc. Secretary Lemak also requested bids from Tolino's Fuel Service, who declined to bid, and Eastern Propane, who did not submit a bid.

Councilwoman Tammy Kemp made a motion to accept the bid for gas and oil for the year 2024 from Reimer Bros., Inc., for 7,500 Gallons regular ethanol gasoline at \$2.568 per gallon, 1,000 gallons of Sunoco ultra-low sulfur diesel fuel winter blend at \$3.359 per gallon, and 5,000 gallons of heating oil delivered for \$3.299 per gallon, seconded by Councilman John Apgar. Unanimous by roll call.

Councilwoman Stephanie Cooper made a motion to approve the handicapped parking application for Joyce Allison, 411 Broad Street, seconded by Councilman John Apgar. Unanimous by roll call.

Councilwoman Tammy Kemp made a motion to approve the handicapped parking application for Ana Bailey, 202 S. Schanck Avenue, seconded by Councilman Scott Brumbaugh. Unanimous by roll call.

Zoning Report:

All Council Members received a copy of Zoning/Codes Office's November report, Property Maintenance Log report and a copy of a zoning denial letter sent to 21 N Lobb Avenue.

Police Report:

All Council Members received a copy of the Slate Belt Regional Police meeting minutes from October 19, 2023, November 8, 2023, November 16, 2023, and agendas from November 8, 2023, November 16, 2023, and December 5, 2023.

President LeDonne reported at the Police Commission's last meeting they approved the year 2024 meeting schedule to be the first Tuesday and second Thursday of each month.

Fire Chief's Report:

Chief Dean Parsons was not present.

Minutes:

Councilwoman Stephanie Cooper made a motion to approve the Minutes from the Council Meeting of November 19, 2023, seconded by Councilwoman Tammy Kemp. Unanimous by roll call.

Councilwoman Tammy Kemp made a motion to approve the Minutes from the Special Council Meeting of November 28, 2023, seconded by Councilwoman Stephanie Cooper. Voting in favor of the motion were Council Members Joseph LeDonne, Tammy Kemp, Scott Brumbaugh, Janell Connolly, Stephanie Cooper, Josephine Hildebrandt and John Apgar. Councilman Charles Kandl Jr. voted no. There being seven (7) yes votes and one (1) no vote, the motion passed.

Council received the Park Board agenda from November 3, 2023 and minutes from September 13, 2023.

Correspondence:

All Council Members received correspondence from Pennsylvania American Water, water rate filing update.

Mayor's Report:

Mayor Male was not present, however, Councilwoman Tammy Kemp read a thank you letter on his behalf, thanking the following for their contributions to the Community Holiday Party: Mayor and Kim Male, Council and families, Pen Argyl Park Board, Boy Scouts, Stealth Clearing & Demolition, A Scott Enterprises, the Pen Argyl Public Works Department, Pen Argyl Borough Manager, Slate Belt Regional Police Department, Lookout Fire Company Fire Police, Slate Belt Regional Police Department, Denny Miller, Mackenzie Hughes, Giant Wind Gap, Dale's Concessions, Crayola, Blue Triton Brands, Keystone Snacks, and Dr. & Mrs. Robert McEvoy.

Planning Commission:

All Council Members received a copy of the Plan Slate Belt Agenda from December 7, 2023 and meeting minutes from November 2, 2023.

Councilwoman Tammy Kemp made a motion to approve the waiver for the submission of preliminary and final plans combined for the Railroad Avenue Land Development project, as recommended by the Planning Commission, pending outside agency approval, seconded by Councilwoman Stephanie Cooper. Unanimous by roll call.

Solicitor:

Nothing to report.

Sanitation, Solid Waste & Recycling:

All Council Members received a copy of the Wastewater Treatment Plant November report and the Municipal Authority's December 4, 2023 agenda and August 8, 2023 minutes.

All Council Members received a copy of a revised memo from Colliers Engineering & Design, W. Main Street sanitary force main replacement, project status summary.

Councilman Charles Kandl Jr. made a motion to approve Change Order #2 from R-III Construction for the W. Main Street sanitary force main replacement project, to extend the completion date from December 31, 2023 to January 31, 2024, due to supply chain issues for the flowmeter, seconded by Councilwoman Tammy Kemp. Unanimous by roll call.

Finance, Tax Exoneration, Insurance & Personnel:

Councilwoman Josephine Hildabrant made a motion to approve the November Treasury Report as submitted by Borough Manager/Treasurer Zmoda, seconded by Councilwoman Tammy Kemp. Unanimous by roll call.

Councilman Charles Kandl Jr. made a motion to rescind the November 9, 2023 Council Meeting motion, to rescind the approval of the Animal Control Services Agreement with Pibbles Paws Safe Haven, seconded by Councilwoman Stephanie Cooper. Unanimous by roll call.

Borough Council tabled the decision regarding the placement of the Triton donation.

Property & Utilities:

Nothing to report.

Community Outreach:

Borough Secretary Juli Lemak provided Council with the November feral cat report.

Councilman Charles Kandl Jr. made a motion to sign the contract with No Nonsense Neutering, allowing no more than 10 cats neutered, for a rate of \$40 per cat for the year 2024, seconded by Councilwoman Tammy Kemp. The motion passed unanimous by roll call.

Councilwoman Tammy Kemp made a motion to retain Hometown Press to make and distribute newsletters on behalf of the Borough in 2024, seconded by Councilwoman Josephine Hildabrant. Unanimous by voice vote.

Councilwoman Tammy Kemp made a motion to approve the purchase of twenty (20) snowflake holiday lights for no more than \$10,000.00, seconded by Councilwoman Josephine Hildabrant. Unanimous by roll call

Borough Manager's Report:

Council Members received a copy of Borough Manager Zmoda's November report.

Manager Zmoda provided all council Members with a copy of a letter from the Northampton County Department of Community & Economic Development, announcing a \$90,000 grant award for phase 2 of the playground at Weona Park, with more information to follow in the Spring of 2024.

Payment of Bills:

The following bills were presented for payment: General Fund, \$16,801.65; Sewer Fund, \$43,790.73 and Reserve Money Market Fund, \$68,660.24. Councilwoman Tammy Kemp made a motion to pay the bills as presented, seconded by Councilman John Apgar. Unanimous by roll call.

Special Note: Borough Secretary Juli Lemak left the meeting at 7:54 P.M. and the rest of the minutes were taken by Borough Manager Zmoda.

Executive Session:

Councilwoman Tammy Kemp made a motion to go into Executive Session to discuss potential litigation, seconded by Councilman John Apgar. Council Members voting in favor of the motion were Joseph LeDonne, Tammy Kemp, Scott Brumbaugh, Janell Connolly, Stephanie Cooper, Josephine Hildabrant and John Apgar. Councilman Charles Kandl Jr. voted no. There being seven (7) yes votes and one (1) no vote, the motion carried. Council went into Executive Session at 7:54 P.M. and reconvened at 8:49 P.M.

Adjournment:

Councilwoman Tammy Kemp made a motion to adjourn, seconded by Councilwoman Janell Connolly. Unanimous by voice vote. Council meeting adjourned at 8:52 P.M.

Respectfully Submitted,

Juli Lemak  
Borough Secretary

Council Meeting – Tuesday, January 2, 2024 – 7:00 P. M.