

Pen Argyl Borough Council held their Meeting for May on Tuesday, May 6, 2025 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, Stephanie Cooper, Tammy Kemp, John Apgar, Joann Anderson, Josephine Hildabrant, Scott Brumbaugh and Steven Goffredo.

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

Visitors:

Richard Shaplin, 103 Vine Street, addressed Council regarding ongoing rainwater runoff issues affecting his property. He explained that stormwater flows down Davey Avenue to Mountain Avenue and then onto Vine Street. He noted that a berm once existed between Vine Street and Davey Avenue, which had previously helped to channel runoff straight down the street. However, since the removal of this berm, rainwater now washes onto his property, displacing the ground cover around his trees. During periods of heavy rain, water accumulates and forms a pond near the homes, at times resulting in his basement flooding. President LeDonne and Councilman Goffredo acknowledged the concern and stated that the Borough's engineer will assess the current drainage situation.

Tighe Scott, 1052 E Mountain Avenue, handed an envelope to President LeDonne and requested he reads the letter in private, and Mr. Scott will return to a future meeting to hear a response to his request.

Public Works Report:

All Council Members were given a copy of Public Works Director Steven Bender's April report to review.

All Council members received a copy of the Lobb Avenue mobilization schedule.

All Council members received a copy of bids from B.F. Brown & Company, Inc. for street repairs on E. Main Street (at Arch Street), Vine Street (at E. Main Street), sewer trench repair on Gus Street (at E. Mountain Avenue), and sewer water, gas and miscellaneous trench repairs on Gus Street (at E. Mountain Avenue). Councilman Goffredo spoke with a representative from PennDOT who stated there was a miscommunication on the spec that was previously defined last year, which includes the one-foot cutback including the total cut depth. He left a message for B.F. Brown & Company, Inc. and will explain to them the updated PennDOT information in an effort to have the proposals updated. The discussion was tabled.

Public Works Report con't:

All Council members received an update on the projects managed and provided by Van Cleef Engineers.

All Council members received a copy of an engineering and traffic study for truck restrictions on various streets, provided by Van Cleef Engineers.

Solicitor Layman provided all Council Members with a copy of proposed Ordinance No. 736, prohibiting trucks over 26,001 pounds on various local roads. Councilwoman Josephine Hildabrant made a motion to adopt Ordinance No. 736, amending Chapter 103, Section 103-13 to prohibit trucks with a gross vehicle weight or gross vehicle weight rating of 26,001 pounds or more on certain streets within the Borough, seconded by Councilwoman Joann Anderson. Unanimous by roll call.

All Council Members received a copy of correspondence from Wallover Architects incorporated, regarding the final punch list for the Weona Park bathhouse stabilization project.

All Council Members received a copy of a request from Robert Antonioli, owner, BJ Toy Company, 504 W. Applegate Avenue, for no-parking around the area of the loading docks. Councilman Steven Goffredo made a motion for Solicitor Layman to draft and advertise an ordinance to extend no-parking ten feet from the existing 15 foot restriction on the North side of W. Applegate Avenue traveling east, off the center line of Albion Avenue, at the intersection of Albion Avenue, and no-parking on the east and west side of Albion Avenue from Babbitt Avenue to Applegate Avenue, seconded by Councilwoman Tammy Kemp. Unanimous by roll call.

Zoning Report:

All Council Members were given a copy of Zoning/Codes Office's April report.

Police Report:

All Council Members received a copy of the Slate Belt Regional Police Department's agenda from April 1, 2025 and minutes from March 20, 2025. President LeDonne stated there was a pension presentation at the last meeting by Conrad Siegel and at the meeting held earlier today, three officers received commendation for saving a man's life during a medical incident.

Fire Chief's Report:

All Council members received a copy of the March Fire Chief's report.

Minutes:

Councilwoman Josepine Hildabrant made a motion to approve the Minutes for the Regular Council Meeting of Tuesday, April 1, 2025, seconded by Councilwoman Stephanie Cooper. Unanimous by roll call.

All Council Members received a copy of the Park Board's April 9, 2025 and March 12, 2025 minutes.

Manager Zmoda stated that she prepared the draft minutes from the April 22, 2025 Public Hearing regarding the Slate Hills Enterprises, Inc. Land Development Plan at 412 W. Applegate Avenue. Attorney Hermann prepared the draft of the Decision. Both the minutes and Decision will be released once the transcription is received from stenographer, and the transcript will be attached to both documents.

Correspondence:

All Council Members received a copy of a proposal from The National Weather Station. No motion was made on this matter.

All Council Members received a copy of an email from Kayla Ehle, requesting assistance with a movie she is producing. No motion was made on this matter.

All Council Members received a copy of a brochure from a concerned resident, advising people not to feed the deer. President LeDonne requested the brochure be posted on all the Borough's social media outlets and emailed to residents.

Mayor's Report:

All Council Members received a copy of the March 26, 2025 minutes from the Slate Belt Council of Governments. Mayor Male noted that a shipping container had been received to secure equipment. He also reported that the street sweeper had been in an unreported accident. Moving forward, the street sweeper will be inspected before and after each use to check for potential damage.

Planning Commission:

All Council Members received a copy of a recommendation from King Spry, Herman Freund & Faul, LLC., to approve the waiver request from Slate Hills Enterprises, Inc., to submit a combined preliminary and final land development plan for 412 W. Applegate Avenue.

Planning Commission con't:

All Council Members received a copy of a letter dated March 12, 2025 from Keystone Consulting Engineers, representing the Slate Hills Enterprises, Inc., regarding the proposed Land Development Plan for 412 W. Applegate Avenue with two (2) waiver requests.

All Council members received a copy of a letter dated April 23, 2025, from Durney Worthington & Madden, requesting two waivers on behalf of the Slate Hills Enterprises, Inc., for the proposed Land Development Plan at 412 W. Applegate Avenue. The letter requested these waivers are placed on the next Council meeting agenda. The first request was to allow submission of a combined preliminary and final land development plan. The second request pertained to a waiver from section 93-26.B (3)(e)[2] of the SALDO. Manager Zmoda commented that the Planning Commission will consider the second waiver request, at the next Planning Commission meeting on May 15, 2025 at 7:00 P.M.

All Council members received a copy of correspondence from Kent H. Herman, Esq. of King, Spry, Herman, Freund & Faul LLC., addressed to Slate Hills Enterprises, Inc. The letter noted the Planning Commission has considered and recommended approval of a waiver from the requirement to submit separate preliminary and final land development plans. The letter also states that the second waiver will be considered at the next Planning Commission meeting, scheduled for May 15, 2025.

Councilman Scott Brumbaugh made a motion to approve the waiver from Slate Hills Enterprises, Inc. for the proposed Land Development Plan at 412 W. Applegate Avenue, allowing submission of a combined preliminary and final land development plan, as recommended by the Planning Commission, seconded by Councilman Steven Goffredo. Unanimous by roll call.

All Council members received a copy of the Plan Slate Belt, Slate Belt Multi-Municipal Comprehensive Plan's Steering Committee Meeting's April 3, 2025 agenda and fact sheet.

Councilwoman Tammy Kemp made a motion to enter into the Plan Slate Belt's Inter-Municipal Agreement, seconded by President LeDonne. Unanimous by roll call.

All Council Members received a copy of a review letter from Van Cleef Engineer, for the Green & White Park's Minor subdivision plan.

Manger Zmoda stated she will provide an electronic copy of the Lehigh Valley Planning Commission's Annual report via email, if requested, and it is also available on their website.

All Council members received a copy of the Planning Commission's March 20, 2025 minutes.

Solicitor's Report:

Nothing to report for open session.

Sanitation, Solid Waste & Recycling:

All Council Members received a copy of the Wastewater Treatment Plant's April report, and the Collier's Engineering & Design's engineer's report for the 1<sup>st</sup> quarter of 2025.

All Council Members received a copy of an invoice from Plainfield Township for \$5,990.00 for the Dotta Development manhole risers. No motion was made on this matter.

All Council members received a copy of the Municipal Authority's 2024 Audit, as provided by Barbacane Thornton & Company.

All Council members received a copy of an email from Ron Madison from Collier's Engineering & Design, notifying them of a revised proposal to upgrade the Wastewater Treatment Plant's control panel. The proposal amount was reduced from the previously approved \$138,000.00 to \$98,136.00. The reduction is due to the availability of spare parts at the Wastewater Treatment Plant that may be used in the upgrade.

Finance, Tax Exoneration, Insurance & Personnel:

All Council Members were given a copy of the April Treasury Report as prepared and submitted by Borough Manager/Treasurer Zmoda. Councilwoman Josephine Hildabrant made a motion to accept the report, seconded by Councilwoman Tammy Kemp. Unanimous by roll call.

All Council members received a copy of the Borough's 2024 audit, as provided by Barbacane Thornton & Company. A representative from Barbacane Thornton & Company will attend the May 27, 2025 Workshop to explain the audit.

All Council members received a copy of correspondence from MRM Property Liability & Trust, stating the Borough will not receive a dividend check this year. The correspondence explained the divided distributions are based on the program years 2019 through 2023, and the Borough became a member during the 2024-25 program year.

Property & Utilities:

Nothing to report.

Community Outreach:

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

Community Outreach con't:

All Council Members received a copy of the Slate Belt Rising Steering Committee's April 10, 2025 agenda.

Borough Manager's Report:

Borough Manager Zmoda provided Council with her April monthly report.

Councilman Steven Goffredo made a motion to send a letter of intent to the Governor's Center for Local Government Services to request technical assistance with Emergency Medical Services (EMS), at no cost to the Borough, seconded by Councilwoman Joann Anderson. Unanimous by voice vote.

Manager Zmoda noted that she will prepare a draft telecommunications resolution for the June Council Meeting allowing for participation and voting by a telecommunications' device, provided a physical quorum is already established at the meeting place.

Payment of Bills:

The following bills were presented for payment: General Fund, \$50,652.55; Sewer, \$47,367.02, and Reserve Money Market Fund \$43,894.39. Councilman John Apgar made a motion to pay the bills as presented, seconded by Councilwoman Josephine Hildabrant. Unanimous vote by roll call.

Executive Session:

Councilwoman Joann Anderson made a motion to go into Executive Session to discuss potential litigation and personnel, seconded by Councilman Steven Goffredo. The motion passed unanimously by voice vote.

Council went into Executive Session at 8:01 P.M. and reconvened at 9:06 P.M.

Special Note: Borough Secretary Juli Lemak left the meeting at 8:01 P.M. and the rest of the minutes were taken by Borough Manager Zmoda.

Personnel:

Councilwoman Tammy Kemp made a motion to approve the settlement agreement and general release of a wastewater treatment plant employee that will include a confidentiality clause, seconded by Councilman Steven Goffredo. Unanimous by voice vote.

Adjournment:

Councilwoman Joann Anderson made a motion to adjourn, seconded by Councilwoman Josephine Hildabrant. Unanimous by voice vote. The council meeting adjourned at 9:09 P.M.

Respectfully Submitted,

Juli Lemak  
Borough Secretary

Workshop – Tuesday, May 27<sup>th</sup> - 7:00 P. M.

Regular Council Meeting – Tuesday, June 3<sup>rd</sup> - 7:00 P. M.