

Pen Argyl Borough Council held their Meeting for May on Tuesday, May 7, 2024 at 7:00 P. M. in the Borough Social Hall.

Pledge of Allegiance:

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

Roll Call:

Council Members present and responding to roll call: Joseph LeDonne, Tammy Kemp, Steven Goffredo, John Apgar, Joann Anderson, Josephine Hildabrant, and Scott Brumbaugh. Councilwoman Stephanie Cooper was absent.

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

Moment of Silence:

A moment of silence was held to honor the passing of former Councilman Angelo Uliana.

Visitors:

Bill and Kathryn Ruggiero, 1916 W. Bangor Road, Bangor, discussed with Council the recommendations from the May 17, 2007 Planning Commission meeting regarding subdividing 108/110 Harding Avenue. The conditions required separate water lines and separate sewer lines to be installed into the house. Bill Ruggiero stated separate water lines are scheduled to be installed but he did not want to go through the burden of separate sewer lines.

Councilwoman Tammy Kemp made a motion to conditionally approve Bill and Kathryn Ruggiero's application for a subdivision at 108/110 Harding Avenue, with the following conditions: a deed covenant containing an easement granting both owners access to the common sewer lateral, the obligations of maintenance and repairs of the easement will be the initial responsibility of the side containing the sewer lateral, the adjacent side will have a right of access to make repairs if the other side does not do so within thirty (30) days, and a cost sharing agreement stating the primary responsibility for the maintenance of the common lateral will be the responsibility of both property owner's and the cost would be split evenly, seconded by Councilman Scott Brumbaugh. Unanimous by roll call.

Ethan Habrial, 100 A Street, complained about his quality-of-life notice of violation.

Christine Rowe, 443 E. Main Street, complained about fire pits burning too close to dwellings, people igniting fires with gasoline, and burning paper and cardboard. President LeDonne informed her a fire pit ordinance is being discussed later in the meeting.

Visitors con't:

Tom Carlo, 306 S. Robinson Avenue requested an update for 301 W Main Street, Solicitor Layman stated the usage is non-existent and the Zoning Officer is hoping to have an updated use soon. He also asked for the status of repaving South Robinson Avenue. Manager Zmoda replied the project will be out for bidding next month and the plan is almost completed, upon completion the plan will be forwarded to PennDOT for review.

Public Works Report:

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

Councilman John Apgar made a motion to hire Cheryl Slingland for the open position of Laborer in the Public Works Department, seconded by Councilwoman Joann Anderson. Unanimous by roll call.

All Council Members received an application for a handicapped parking space at 401 Willim Street. The discussion was tabled for further investigation.

All Council Members received a copy of email correspondence from the Pennsylvania Department of Community & Economic Development Financial Management Center, regarding the American Rescue Plan (ARPA) funding for the aquatic facility. The change of scope of work has been approved to utilize the funding for the Weona Park bathhouse renovation (WPBR).

All Council Members received a copy of correspondence from Wallover Architects with the change of scope of work for the WPBR, with a cost estimate for \$508,548.00. Councilman Steven Goffredo made a motion to approve Wallover Architects to prepare the bidding documents for the WPBR, for \$508,548.00, seconded by Councilwoman Josephine Hildabrant. Unanimous by roll call.

Zoning Report:

All Council Members were given a copy of Zoning/Codes Office's April report and property maintenance log to review.

Manager Zmoda announced there will be a fire pit discussion at the next zoning committee meeting on May 27, 2024 at 7:00 P.M.

All Council Members received a copy of the legal notice for the May 9, 2024 Zoning Hearing to discuss special exception approval for 21 N. Lobb Avenue.

Police Report:

All Council Members received a copy of the Slate Belt Regional Police Department's agenda from April 18, 2024 and March 21, 2024 minutes. President LeDonne stated that at the last meeting they discussed that the two cadets will be sworn in on June 7, 2024. Additionally, they plan to hire two more officers in 2025 and will sponsor them for training in the academy, if necessary.

Fire Chief's Report:

Fire Chief Dean Parsons reported in April the fire company responded to 7 calls, spent 221 hours on drills and 195 hours on calls.

Minutes:

Councilwoman Tammy Kemp made a motion to approve the Minutes for the Regular Council Meeting of Tuesday, April 2, 2024, seconded by Councilman Scott Brumbaugh. Unanimous by roll call.

All Council Members received a copy of the Park Board's April 10, 2024 agenda and March 13, 2024 minutes.

Correspondence:

All Council Members received correspondence from the Just Dance Dance Studio requesting sponsorship for their events. No motion was made on this matter.

All Council Members received a copy of the letter attached to the Lehigh Valley Planning Commission's Annual Report. Manager Zmoda will email the report at a Council Member's request.

All Council Members received a copy of the Lehigh County Conservation District's vector borne disease control program for Lehigh and Northampton County.

All Council Members received a copy of correspondence from Green Knights Football Touchdown Club requesting sponsorship. Councilwoman Tammy Kemp made a motion to sponsor a full-page ad in their 2024 program for \$100.00, seconded by Councilwoman Joann Anderson. Unanimous by roll call.

Mayor's Report:

Mayor Male provided all Council Members with the Slate Belt Council of Governments (SBCOG) April 24, 2024 minutes. He reported the Slate Belt Council of Governments applied for a grant for two light stands from Generac. He further advised all Council Members that sponsorship requests were mailed for Summer Sounds, and the schedule for Summer Sounds is Philadelphia Funk on June 16<sup>th</sup>, Joyous on June 30<sup>th</sup>, Waitin on Sundown on July 14<sup>th</sup>, Riverside Rhythm on July 28<sup>th</sup>, and Large Flower Heads on August 11<sup>th</sup>. Mayor Male will attend the Lehigh Valley Planning Commission General Assembly meeting on June 14<sup>th</sup>.

Planning Commission:

All Council Members received a copy of an email from Justin Huratiak, President of Huratiak Homes, LLC (HH), acknowledging receipt of the letter from Solicitor Layman explaining Borough Council voted to not alter the terms of the conditional approval Council granted to HH in 2023 regarding trees in the buffer area.

All Council Members received a copy of email correspondence from Mark Bahnik, Van Cleef Engineering, outlining his phone conversation with Justin Huratiak. Justin Huratiak was present and discussed his preference for not having a sewer easement within the development. Solicitor Layman will discuss the feasibility to have a planned agreement for emergency sewer access into the development with sewer engineer, Ron Madison.

All Council Members received a copy of correspondence from the Lehigh Valley Planning Commission to Earthres Group, Inc., the Act 537 review of the sewage facilities planning module of the Grand Central Sanitation material recycling facility (GCS RF) in Plainfield Township.

All Council Members received a copy of a correspondence from the Lehigh Valley Planning Commission (LVPC) to the Plainfield Township Zoning Hearing Board, a review of their proposed zoning amendment to their Commercial/Industrial District, to include recycling process facilities accessible to the public.

All Council members also received a copy of correspondence from the LVPC to the Plainfield Township Zoning Hearing Board, reviewing the proposed zoning ordinance amendment for domesticated chickens.

All Council Members received a copy of the Planning Commission April 18, 2024 agenda and February 15, 2024 minutes.

Solicitor's Report:

Councilwoman Tammy Kemp made a motion to for Solicitor Layman to advertise proposed Ordinance No. 732, amending Chapter 53 of the code to prohibit the owner or legal occupant of any property from authorizing or permitting the discharge of any weapon within the Borough limits and establishing such violation as a summary offense, and increasing the penalty for such violation, seconded by Councilwoman Joann Anderson. Unanimous by roll call.

Sanitation, Solid Waste & Recycling:

All Council Members received a copy of the Wastewater Treatment Plant's April report.

All Council Members received a copy of the West Main Street forced main contract closeout documents as provided by Colliers Engineering & Design.

Councilman Scott Brumbaugh made a motion to approve Resolution no. 2024-02 for fixing fees for applications and permits for the establishment, repair, altercation, or abandonment of on-lot septic systems, and setting Stephen Dadio as primary sewage enforcement officer and Phil Scheibel as alternate, seconded by councilwoman Josephine Hildabrant. Unanimous by voice vote.

Councilwoman Tammy Kemp made a motion to approve a small tools request for the Wastewater Treatment Plant for \$3,608.91, seconded by Councilman Scott Brumbaugh. Unanimous by roll call.

Manager Zmoda informed all Council Members that when the Waste Management sludge removal bid was approved last year the contract included two (2) one-year extensions. The sludge hauling extension for 2024 has increased to \$128.75. Councilwoman Tammy Kemp made the motion to approve the one-year extension of the sludge hauling contract with Waste Management for \$128.75 per ton, seconded by Councilman Steven Goffredo. Unanimous by roll call.

Manager Zmoda informed all Council Members the Authority completed their audit, and Wastewater Treatment Plant employee, John Spadoni will be sitting for his operator's exam in November of this year.

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 Joann Anderson made a motion to accept the report, seconded by Councilwoman Josephine Hildabrant. Unanimous by roll call.

Finance, Tax Exoneration, Insurance & Personnel con't:

Borough Manager/Treasurer provided all Council Members with a copy of the first quarter budget quarterly report.

Councilwoman Tammy Kemp made a motion to accept the 2023 municipal audit, seconded by Councilwoman Josephine Hildabrant, unanimous by roll call.

Property & Utilities:

Nothing to Report.

Community Outreach:

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

All Council Members received a copy of the Slate Belt Rising Steering Committee April 11, 2024 minutes.

Borough Manager's Report:

Borough Manager Zmoda provided Council with her April monthly report.

Payment of Bills:

The following bills were presented for payment: General Fund, \$32,397.95; Sewer, \$52,242.38, and Reserve Money Market Fund, \$43,414.99. Councilwoman Tammy Kemp made a motion to pay the bills as presented, seconded by Councilman Steven Goffredo. Unanimous vote by roll call.

Executive Session:

Councilwoman Tammy Kemp made a motion to go into Executive Session to discuss potential litigation, seconded by Councilwoman Josephine Hildabrant. Unanimous by voice vote.

Council went into Executive Session at 8:50 P.M. and reconvened at 9:06 P.M.

Special Note: Borough Secretary Juli Lemak left the meeting at 8:50 P.M. and the rest of the minutes were taken by Borough Manager Zmoda.

Slate Belt Regional Police Collective Bargaining Agreement:

Councilwoman Tammy Kemp made a motion to approve the 2024-2027 Slate Belt Regional Police Collective Bargaining Agreement, seconded by Councilman Steven Goffredo. Unanimous by voice vote.

Councilwoman Tammy Kemp made a motion to go into Executive Session to discuss potential litigation, seconded by Councilwoman Josephine Hildabrant. Unanimous by voice vote.

Council went into Executive Session at 9:12 P.M. and reconvened at 10:01 P.M.

Parcel Number E8 8 17:

Councilman Steven Goffredo made a motion to get a quote to appraise two (2) portions of parcel number E8 8 17 and proceed if the cost does not exceed \$2200.00, seconded by Councilman John Apgar. Unanimous by voice vote.

Adjournment

Councilwoman Tammy Kemp made a motion to adjourn, seconded by Councilman Scott Brumbaugh. Unanimous by voice vote. The council meeting adjourned at 10:03 P.M.

Respectfully Submitted,

Juli Lemak  
Borough Secretary

Workshop – Tuesday, May 28<sup>th</sup> - 7:00 P. M.

Regular Council Meeting – Tuesday, June 4<sup>th</sup> - 7:00 P. M.