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Monday 9th of May 2022 - May Council Meeting Minutes

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Pen Argyl Borough Council held their Meeting for May on Monday, May 9, 2022 at 7:00 P. M. at Lookout Fire Hall Building.

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, Charles Kandl Jr., John Apgar, Janell Connolly, Stephanie Cooper, Josephine Hildabrant and Scott Brumbaugh.

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

Visitors:

Ethan Habrial, 100 A Street, expressed his frustrations with his solar panel application. Council President Joseph LeDonne reminded him that he may appeal the project through the Slate Belt Council of Governments. Council does not have the power to over-ride the zoning officer's requirements as he is following the Uniform Construction Code and Solicitor Layman had sent him correspondence reiterating that message.

Public Works Report:

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

Councilman Charles Kandl Jr. made a motion to approve the proposal from Barry Isett & Associates for \$40,250.00 in engineering services for park concession stand improvements, partially funded through a Livable Landscape grant and a Local Share Account grant, seconded by Councilwoman Josephine Hildabrant. Unanimous by roll call.

All Council Members received a copy of email correspondence from Jeffrey Steinmetz, 113 N. Harding Avenue, a truck that went on Harding Avenue was stuck making a left turn going to MC2 for several minutes and had to roll onto the sidewalks to make the turn. He attempted to contact MC2 with no response and requested a Borough representative contact MC2 regarding the issue. Manager Zmoda reported chapter 103, section 13 of the Pen Argyl Borough Code Book states trucks are excluded from certain streets and part of Harding Avenue is included on the list, between Pennsylvania Avenue and Babbitt Avenue. A "No Trucks" sign will be placed on the corner of Harding Avenue and Pennsylvania Avenue.

All Council Members received a copy of correspondence from Plainfield Township to PennDOT, requesting a no parking sign on the north side of George Street. In response to PennDOT's request, Plainfield Township has requested a scoping meeting with PennDOT and Pen Argyl Borough.

President LeDonne reported street sweeping will begin on May 23<sup>rd</sup> and end on May 27<sup>th</sup>.

Zoning Report:

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

All Council Members received the Zoning Hearing Board's meeting minutes from March 24, 2022.

Police Report:

All Council Members were given a copy of the Slate Belt Regional Police Commission's minutes from February 17, 2022 and March 17, 2022, March calls for service and the April 21, 2022 agenda.

Councilwoman Stephanie Cooper made a motion to send the Charter Agreement to the Solicitor to draft and advertise the Ordinance, seconded by Councilman Scott Brumbaugh. Unanimous by roll call.

Fire Chief's Report:

President LeDonne read the fire company's report. The fire company responded to 8 calls for the month of April, spent 206 hours on calls and 194 hours on drills.

Minutes:

Councilman Charles Kandl Jr. made a motion to approve the Minutes for the Council Meeting of April 11, 2022, conditionally, with a correction from page 1, under the section of "Visitors" to change 314 N. Lobb Avenue to 210 N. Lobb Avenue, seconded by Councilwoman Tammy Kemp. Unanimous by roll call.

All Council Members received the April 13, 2022 Park Board Agenda and minutes from March 9, 2022.

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Correspondence:

All Council Members received a flyer for Waste Management's Community Open House & Safety Day on May 21, 2022.

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Correspondence con't:

All Council Members received notification from Pennsylvania State Association of Boroughs, during the next business meeting on May 25, 2022, Borough delegates will vote on a proposed change to the Constitution that would grant the Board of Directors emergency powers if a state of emergency is declared.

All Council Members received a request from the Abbottstown Borough Manager to adopt a Resolution to support the legalization of cannabis in Pennsylvania, to include the expungement of previous crimes related to cannabis. No action was taken on this matter.

All Council Members received notification from Pennsylvania American Water, a rate increase was filed with the Pennsylvania Public Utility Commission.

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Mayor's Report:

Nothing to report.

Council received a copy of the April 27, 2022 Slate Belt COG Meeting.

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Planning Commission:

All Council Members received the Plan Slate Belt Multi-Municipal Comprehensive Plan Steering Committee's agenda from May 4, 2022, and April 6, 2022 minutes.

Councilman Charles Kandl Jr. made a motion to authorize Barry Isett & Associates to draft a stormwater ordinance in accordance with the model provided by the Department of Environmental Protection for \$3,350.00, seconded by Councilwoman Janell Connolly. Unanimous by roll call.

Solicitor:

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All Council Members received notification from Peter Layman, Esq., of his new phone number and address.

All Council Members received a copy of correspondence from Peter Layman, Esq. to Ethan Habrial, 100 A Street.

Sanitation, Solid Waste & Recycling:

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

Sanitation, Solid Waste & Recycling con't:

All Council Members received a copy of an engineering report from Collier's Engineering & Design to the Authority.

All Council Members also received a notice from the Plainfield Township Planning Commission to landowners within 200 feet of a land development. An application has been made by Grand Central Sanitary Landfill for the building of a new Waste Management Recycling Facility to replace an existing facility. A Planning Commission Meeting to discuss Grand Central Landfill's land development application will be held on May 16, 2022.

All Council Members received a copy of correspondence to residents from Waste Management, with information regarding the relocation of the recycling building.

Councilwoman Stephanie Cooper made a motion to turn off the water to the American Legion if they fail to make sewer payments, as outlined in Manager Zmoda's May 4, 2022 letter to the American Legion, seconded by Councilwoman Josephine Hildabrant. Unanimous by roll call.

#### Finance, Tax Exoneration & Insurance:

Councilman Charles Kandl Jr. made a motion to accept the April treasurer report as prepared and submitted by Borough Manager/Treasurer Zmoda, seconded by Councilwoman Josephine Hildabrant. Unanimous by roll call.

All Council Members received a copy of the first quarter report and the Finance, Tax Exoneration & Insurance Committee's agenda from April 12, 2022.

Councilman Charles Kandl Jr. made a motion to draft an investment policy statement as recommended by the Finance Committee, in accordance with the model provided by Fidelity Bank, seconded by Councilwoman Josephine Hildabrant. Unanimous by roll call.

#### Property & Utilities:

All Council Members received the Property Committee's May 4, 2022 agenda.

Councilman Charles Kandl Jr. made a motion to approve an additional \$920.00 to The Brothers That Just Do Gutters, to provide brackets for the gutters, seconded by Councilman John Apgar. Unanimous by roll call.

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Councilman John Apgar reported the Property Committee inspected the Community Center (CC) and recommended to Council that the building be demolished. The floor of the CC is flooded, full of mold, and there is so much damage over the years that it would be too costly to remediate all the damage which includes drainage and structural issues. Manager Zmoda recommended they take the property committee's recommendation back to the park board.

Special Note: At 8:27 P.M. Solicitor Peter Layman arrived at the meeting.

Councilman Charles Kandl Jr. made a motion to approve the copier lease proposal, as provided by Edwards Business Systems for \$14,820.00, a 60 month lease at \$247.00 a month, seconded by Councilman John Apgar. Unanimous by roll call.

#### Community Outreach:

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

All Council Members received a copy of Slate Belt Rising's April 13, 2022 agenda and March 10, 2022 minutes.

All Council Members received a social media summary, as provided by Councilwoman Tammy Kemp.

All Council Members received a copy of correspondence from Diversified Technology, they developed a new webpage entitled "Citizen Action Center", where residents can apply for and pay for permits and bills. Council agreed to look into being a part of the process.

All Council Members received a copy of their assignments for Founders Day, as provided by Councilwoman Tammy Kemp.

#### Borough Manager's Report:

All Council Members were given a copy of Borough Manager Zmoda's April report.

All Council Members received the S.R. 33 Winter Storm Maintenance Meeting April 20, 2022 agenda. Manager Zmoda attended the meeting and reported S.R. 33 will have the same truck restrictions as S.R. 22 and S.R. 78 during winter storms.

All Council Members received the Joint Meeting of Northampton County Council of Governments April 13, 2022 agenda.

#### Borough Manager's Report con't:

All Council Members received correspondence from Plainfield Township, pavement restoration work will take place along S.R. 33 from Bushkill Township to Plainfield Township from May 15<sup>th</sup> through July 31<sup>st</sup>, with a lane restriction in place.

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#### Payment of Bills:

The following bills were presented for payment: General Fund, \$50,356.23; Sewer Fund, \$57,799.19; State

Fund \$3,584.03 and Reserve Money Market Fund, \$2,393.07. Councilman Charles Kandl Jr. made a motion to pay the bills as presented, seconded by Councilman Scott Brumbaugh. Unanimous by roll call.

Adjournment

Councilman Scott Brumbaugh made a motion to adjourn, seconded by Councilwoman Tammy Kemp. Unanimous by voice vote. Council meeting adjourned at 9:32 P.M.

Respectfully Submitted,

Juli Lemak

Borough Secretary

Workshop - Tuesday, May 31, 2022 - 7:00 P. M.

Regular Council Meeting – Tuesday, June 7, 2022 - 7:00 P. M.