
Tuesday 1st of November 2022 - November Council Meeting Minutes

Pen Argyl Borough Council held their Meeting for November on Tuesday, November 1, 2022

at 7:00 P. M. at 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, Charles Kandl Jr., John Apgar, Janell Connolly, Stephanie Cooper, and Josephine Hildabrant. Councilman Scott Brumbaugh attended remotely via phone.

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

Visitors:

Ethan Habrial, 100 A Street, quoted scripture, compared Council to Communists and stated there is no freedom in the Borough because Council follows the laws of the Borough Code and the Commonwealth of Pennsylvania. He went on to say, "if you do not like being called names then get off the darn Council."

Gerald Lennon, 361 Crestmont Street, Plainfield Township, expressed his concerns about extending Horizon Drive. Council President LeDonne informed him the Planning Commission recommended to Council the street is not be extended and will be voted upon later in the meeting.

Tom Carlo, 306 S. Robinson Avenue, asked if Council would write a letter to Plainfield Township opposing the expansion of Waste Management. No action was taken on this matter.

-

Public Works Report:

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

Manager Zmoda informed all Council Members the concession stand upgrade at Weona Park will begin tomorrow. Also, the structures for the design of the playground have been chosen and a donation was received from the Woman's Club in memory of one of their members.

Councilwoman Tammy Kemp made a motion to approve the bill for the temporary fencing around the Community Center not to exceed \$5,000, seconded by Councilwoman Josephine Hildabrant. Unanimous by roll call.

-

Councilman Charles Kandl Jr. made a motion to close the center section of Weona Park to include the playground and pavilion for concession stand improvements, the reconstruction of the playground, and demolition of the Community Center at Manager Zmoda and Public Works Director Steve Bender's discretion seconded by Councilwoman Stephanie Cooper. Unanimous by roll call.

-

Zoning Report:

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

All Council Members received a review letter from the Lehigh Valley Planning Commission to modify parking requirements for certain uses, and conditionally allow existing buildings within the IL Light Industrial, Commercial District to be converted into apartments.

Councilwoman Tammy Kemp made a motion to advertise the zoning amendment to modify parking requirements for certain uses, and conditionally allow existing buildings within the IL Light Industrial, Commercial District to be converted into apartments, seconded by Councilwoman Stephanie Cooper. Unanimous by roll call.

Councilman Charles Kandl Jr. made a motion to advertise the stormwater ordinance, seconded by Councilwoman Janell Connolly. Unanimous by roll call.

All Council Members received a special exception request letter from Victoria Doney, 312 N Robinson Avenue to allow her residence to be used as an Airbnb. The letter, along with her application, will be presented to Zoning at the next hearing.

Police Report:

All Council Members were given a copy of Slate Belt Regional Police Commission's meeting minutes from September 15, 2022 and agenda from October 20, 2022.

Councilwoman Tammy Kemp made a motion to approve the resolution authorizing Manager Zmoda to apply for the Department of Community and Economic Development's Northampton/Lehigh County Local Share Grant application for \$57,080.00 for one (1) police vehicle for the Slate Belt Regional Police Department, seconded by Councilwoman Josephine Hildabrant. Unanimous by roll call.

-

Fire Chief's Report:

Fire Chief Parsons reported during the month of October they responded to 12 calls for service, spent 212 hours on drills and 198 hours on calls.

-

Minutes:

Councilman Charles Kandl Jr. made a motion to approve the Minutes for the Council Meeting of October 4, 2022, seconded by Councilwoman Tammy Kemp. Unanimous by roll call.

All Council Members received October 12, 2022 Park Board agenda and September 14, 2022 minutes.

Correspondence:

All Council Members received a copy of correspondence from the Pennsylvania Department of Environmental Protection (DEP) to Penn Slate, Inc., approving the transfer of the surface mining permit from Penn Big Bed Slate Co., Inc. to Penn Slate, Inc.

All Council Members received a copy of correspondence from DEP to Grand Central Sanitary Landfill, Inc., notification for the renewal of the NPDES Permit.

Mayor's Report:

All Council Members were provided the Slate Belt Council of Governments meeting minutes from October 26, 2022, Mayor Male attended.

Councilman Charles Kandl Jr. made a motion to approve the proposal from ACM Associates, Inc. for \$530.00, to conduct an asbestos building inspection for the Community Center, seconded by Councilman John Apgar. Unanimous by roll call.

Planning Commission:

All Council Members received a copy of the Planning Commission's October 20, 2022 agenda and minutes from September 22, 2022 meeting, as provided by Barry Isett & Associates Inc.

All Council Members received a copy of the will serve letter to Huratiak Homes, LLC., sent by Solicitor Layman.

-

All Council Members received a copy of correspondence from the Northampton County Conservation District to Huratiak Homes, LLC (HH), review of the Notice of Intent for PAG-02 NPDES General Permit Coverage for the proposed residential development at 410 South Main Street.

All Council Members received the preliminary/final plan review from Barry Isett & Associates for the HH proposed residential development at 410 South Main Street.

All Council Members received a copy of correspondence from Colliers Engineering & Design to the Planning Commission, sanitary sewer sketch plan review for Carousel Hill Subdivision, located at Delabole Junction and Middletown Road (CH), proposed residential development.

All Council Members received a copy of correspondence from Barry Isett & Associates to the Planning Commission, review of the CH sketch plan review.

All Council Members received a copy of the draft Planning Commission meeting minutes from October 20, 2022.

Councilwoman Tammy Kemp made a motion to not extend Horizon Drive inside the HH proposed development, but to have an easement dedicated by HH for future emergency access, as recommended by the

development, but to have an easement dedicated by HH for future emergency access, as recommended by the Planning Commission, seconded by Councilwoman Josephine Hildabrant. Unanimous by roll call.

Councilman Charles Kandl Jr. made a motion to approve the waiver to allow for a preliminary/final plan submission for the HH proposed residential development, as recommended by the Planning Commission, seconded by Councilwoman Janell Connolly. Unanimous by roll call.

A committee was created to meet with the developer of HH to discuss any concerns arising for the HH development, to be comprised of HH, Councilmembers Scott Brumbaugh, Josephine Hildabrant, John Apgar and Joseph LeDonne; Craig Reduzzi; Mayor Male and representatives from Colliers Engineering and Barry Isett Associates.

Solicitor:

-

Nothing for open session.

Sanitation, Solid Waste & Recycling:

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

All Council Members received the Authority minutes from September 19, 2022, and agenda from October 3, 2022.

All Council Members received Colliers Engineering & Design's 3rd quarter engineers report.

Finance, Tax Exoneration & Insurance:

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

All Council Members received a copy of the Northampton County's Tax Collection Committee minutes of October 13, 2022 and the finance, tax exoneration, insurance & personnel agenda from October 3, 2022, as prepared by Borough Manager/Treasurer Zmoda.

Councilwoman Tammy Kemp made a motion to accept the auditor proposal from Barbacane Thornton & Company, to lock in the rates for three years, to include a clause to exit the contract without penalty after the first year, seconded by Councilman John Apgar. Unanimous by roll call vote.

Councilman Charles Kandl Jr. made a motion to approve the meetings for the rest of the year; Budget Workshop, November 7, 2022; Special Council Meeting/Tentative Budget Adoption, November 29, 2022 at 7:00 P.M.; Final Budget Adoption/Borough Council Meeting, December 13, 2022 at 7:00 P. M.; and no workshop for December, seconded by Councilwoman Stephanie Cooper.

Councilman Charles Kandl Jr. made a motion to advertise; the first Council meeting of 2023 to be held on January 3, 2023, Council Meetings to be held the first Tuesday of every month at 7:00 P.M. in the Borough Social Hall, and the workshop to be the last Tuesday of every month at 7:00 P.M. in the Borough Social Hall, seconded by Councilman John Apgar. Unanimous by voice vote.

-

Property & Utilities:

Nothing.

Community Outreach:

-

Secretary Juli Lemak provided Council with the October feral cat report.

-

Borough Manager's Report:

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

Manager Zmoda provided all council members with the agenda from the Northampton County's Broadband Meeting minutes on October 17, 2022.

Payment of Bills:

The following bills were presented for payment: General Fund, \$29,609.75; Sewer Fund, \$61,221.41; and Reserve Money Market Fund, \$19,835.35. Councilman Charles Kandl Jr. made a motion to pay the bills as presented, seconded by Councilwoman Stephanie Cooper. Unanimous by roll call.

-

Executive Session:

Councilwoman Tammy Kemp made a motion to adjourn Executive Session to discuss personnel and potential

Councilwoman Tammy Kemp made a motion to go into Executive Session to discuss personnel and potential litigation, seconded by Councilman John Apgar. The motion passed unanimously by voice vote.

Council went into Executive Session at 8:30 P.M. and reconvened at 8:41 P.M.

Special Note: Borough Administrative Assistant Juli Lemak left the meeting at 8:30 P.M. and the rest of the minutes were taken by Borough Manager Zmoda.

Disruptive Conduct Ordinance:

Councilwoman Josephine Hildabrant made a motion to amend the disruptive conduct ordinance to delete the Chief of Police from the review board, seconded by Councilman Charles Kandl Jr. Unanimous by voice vote.

Adjournment:

Councilwoman Tammy Kemp made a motion to adjourn, seconded by Councilwoman Josephine Hildabrant. Unanimous by voice vote. Council meeting adjourned at 8:44 P.M.

Respectfully Submitted,

Juli Lemak

Borough Secretary

Budget Workshop – Monday, November 7, 2022 – 7:00 P.M.

Tentative Budget Adoption & Council Workshop – Tuesday, November 29, 2022 – 7:00 P.M.

Regular Council Meeting & Budget Adoption – Tuesday, December 13, 2022 – 7:00 P. M.