

Pen Argyl Borough Council held their Meeting for November on Wednesday, November 6, 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, Stephanie Cooper, Scott Brumbaugh, Josephine Hildabrant, Steven Goffredo, John Apgar, and Joann Anderson.

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

Visitors:

Adrienne Borger, representative of Waste Management gave a donation of \$10,000 to Pool Pals and gave an update on the landfill.

Josh Mazin, attorney representing Charles and Heather Snyder, 306 E. Babbitt Ave, requested they defer the sewer hook up to their house until they have a problem with their on-lot sewer system, they sell their house, or Council grants a one year-extension to get the funds necessary to pay for the hook up. All Council Members reviewed a copy of the June 3, 2008 minutes where it states Jeff Markovitz, Wastewater Treatment Plant Operator "verified the line stops prior to the property, thus they are not required to hook up according to the Borough Ordinance." Solicitor Layman said the Ordinance states the property is required to connect within sixty (60) days when the sewer line abuts the property. The Borough recently extended the sewer main to his property and the Ordinance requires them to connect. Councilman Goffredo stated Council needs further clarification on where the sewer main is located before a decision is made and Council needs thirty (30) days before making a final decision. No decision was made on this matter, the discussion was tabled.

Gregory Leck, 14 George Street, wanted to know the status of N. Lobb Avenue repairs. Solicitor Layman stated it is an active issue in litigation and the timeline is to be determined and arbitration is scheduled for December. Mr. Leck asked if alleys are considered driveways or public roadways. He mentioned that people park in the middle of the bottom of Acker Street and have informed him he does not have the right to drive down the alley. Solicitor Layman stated alleys are not ordained streets that are not maintained or controlled by the Borough. The rights for the people along the alley have private right-of-way. If the deed calls the alley a boundary, it is the private rights of the owners, not the rights of the Borough. Alleys are based on a case-per-case basis, based upon the rights of the deed. If his house is included in the same subdivision of the alley he may have the same rights along the alley. Mr. Leck stated Beiler Street is an alley with a stop sign at the end. When he is at the end of the alley turning onto S. Robinson Avenue, his line of vision is restricted by a car parked at the meter on the corner. He asked for the regulations on parking meters placed next to the street corner. President LeDonne stated they will check with the PA vehicle code and get back to him.

Public Works Report:

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

Manager Zmoda provided an update on the Weona Park Bathhouse renovation and the S. Robinson Avenue overlay project.

Councilwoman Joann Anderson made a motion to approve the handicapped parking application for Susan Gorzelic, 507 N. Harding Avenue, seconded by Councilwoman Josephine Hildabrant. Unanimous by voice vote.

Councilman Steven Goffredo made a motion to approve the handicapped parking application for Kelly Tucker, 109 B Street, seconded by Councilwoman Tammy Kemp. Unanimous by voice vote.

Councilwoman Stephanie Cooper made a motion to approve the handicapped parking application for Clemencia Polanco, 527 Pen Argyl Street, seconded by Councilwoman Josephine Hildabrant. Unanimous voice vote.

Zoning Report:

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

Councilman John Apgar commented that the Monthly Property Maintenance Log no longer needs to be printed out for Council packets.

Police Report:

All Council Members received a copy of the October 1, 2024 and the October 17, 2024 Slate Belt Regional Police (SBRP) Commission's meeting agendas and packets, and the September 19, 2024 and October 1, 2024 minutes.

President LeDonne commented that during the October 29, 2024 workshop they discussed the SBRP budget. Councilwoman Tammy Kemp made a motion to approve the 2025 SBRP budget for \$703,231.42, seconded by Councilman Steven Goffredo. Unanimous by roll call.

Fire Chief's Report:

Fire Chief Dean Parsons reported in September the fire company responded to 11 calls, spent 234 hours on drills and 1324 hours on calls.

Fire Chief's Report con't:

All Council Members received a copy of a proposal from Sutphen for one (1) custom fire engine, complete and delivered for \$1,080,432.42, which is valid for thirty (30) days. No motion was made on this matter. The Borough was awarded a \$750,000.00 Statewide LSA Grant to go towards the purchase of a new fire truck, Chief Parsons and President LeDonne thanked Manager Zmoda for writing the grant request for the Lookout Fire Company.

All Council Members received a copy of an email from John Parker, requesting to remove the fire siren from Weona Park because it is too loud. Chief Parsons stated the siren is useful and has been there since 1950's.

Minutes:

Councilwoman Tammy Kemp made a motion to approve the Minutes for the Regular Council Meeting of Tuesday, October 1, 2024, seconded by Councilwoman Joann Anderson. Unanimous by roll call.

Councilman Scott Brumbaugh made a motion to approve the Minutes for the Special Council Meetings of Tuesday, October 7, 2024 and Tuesday, October 30, 2024, seconded by Councilwoman Tammy Kemp. Unanimous by roll call.

All Council Members received a copy of the Park Board's October 9, 2024 agenda and September 11, 2024 minutes.

Correspondence:

All Council Members received a copy of Plainfield Township's Ordinance No. 419, to amend Chapter 18 (sewers and sludge disposal), to create a new article 3 entitled sewage sludge, to regulate the land application of sewage sludge and to provide penalties for violating the ordinance.

All Council Members received a copy of correspondence from Plainfield Township, thanking Pen Argyl Borough and Wind Gap Borough for allowing them to participate in the November 2, 2024 electronic recycling event.

All Council Members received correspondence from Linda Capone, 309 Pen Argyl Street, complaining that her neighbor's trees were planted on the edge of the property at 303 Pen Argyl Street and they shed pine needles onto her property. She requested a regulation that prevents residents from planting trees on the property lines. No motion was made on this matter.

Mayor's Report:

All Council Members were given a copy of the October 23, 2024 Slate Belt Council of Government's meeting minutes and the Lehigh Valley Planning Commissions' October 29, 2024 general assembly agenda. Mayor Male attended the Lehigh Valley Planning Commission meeting on October 29, 2024, and reported that they discussed infrastructure, resources, funding and zoning.

Planning Commission:

All Council Members received a copy of correspondence from Plainfield Township inviting Pen Argyl Borough and Wind Gap Borough to join them in creating a regional comprehensive plan, and Pen Argyl Borough and Wind Gap Brough's response.

Solicitor's Report:

Nothing for open session.

Sanitation, Solid Waste & Recycling:

All Council Members received a copy of the Wastewater Treatment Plant's October report, Collier's Engineering & Design's 3<sup>rd</sup> quarter update, and email correspondence from Diversified Technologies about an online utility payment update, and changes to the site.

All Council Members received a copy of Plainfield Township Borad of Supervisor's October 23, 2024 special meeting agenda and Wind Gap Borough's letter of support for the Grand Central rezoning and expansion.

Councilwoman Tammy Kemp made a motion to create a policy to begin the process for litigation for delinquent sewer bills that owe \$5,000.00 or more per unit, seconded by Councilwoman Stephanie Cooper. Unanimous by roll call.

All Council Members received a copy of the Municipal Authority's November 4, 2024 agenda and May 6, 2024 minutes.

Councilwoman Tammy Kemp made the motion to approve giving \$2,500 to fund the Municipal Authority for the remainder of 2024 and \$15,000 to fund 2025, with the stipulation that any unused portion of the funds are returned to the Borough at the end of each year, and they are to be funded \$15,000 each year thereafter with the same stipulation, seconded by Councilwoman Joann Anderson. Unanimous by roll call.

Finance, Tax Exoneration, Insurance & Personnel:

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

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

Councilman Steven Goffredo made the motion to hire a seasonal employee for the Wastewater Treatment Plant, to be paid between \$18 and \$22 per hour, to work no more than 120 days, seconded by Councilwoman Josephine Hildabrant.

All Council Members received a copy of an email from tax collector Michael Zavacky, starting in 2025, he will change his open office days to conclude on March 31 instead of May 31st, and if requested, taxpayers may make appointments after March 31<sup>st</sup>.

All Council Members were given a copy of the third (3<sup>rd</sup>) quarter budget review, as prepared and submitted by Borough Manager/Treasurer Zmoda.

Property & Utilities:

Nothing to report.

Community Outreach:

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

President LeDonne reminded all Council Members Cookies, Carols & Claus tree lighting is Friday, December 6, 2024.

Borough Manager's Report:

Borough Manager Zmoda provided Council with her October monthly report.

All Council Members received a copy of correspondence from the Lookout Fire Company thanking Manager Zmoda for writing and obtaining the \$750,000 LSA grant.

Councilwoman Tammy Kemp made a motion to adopt Resolution No. 2024-04, the Lehigh Valley 2024 Hazard Mitigation Plan update, seconded by Councilwoman Stephaine Cooper. Unanimous by roll call.

Payment of Bills:

The following bills were presented for payment: General Fund, \$31,283.48; Sewer, \$104,102.07, and Reserve Money Market Fund, \$111,638.61. Councilman John Apgar made the motion to pay the bills as presented, with the exception that Alfero Co, Inc. revises the following line items on their bill; item eight (8), "windows/installation" to move \$25,000.00 to the "stored material" column; and line item number one (1) to remove the 5,500.00 under "completed this period", seconded by Councilman Steven Goffredo. Unanimous by roll call.

Visitors:

Ann Weaver, 600 Pen Argyl Street, stated the Green & White moved their meeting to 8:30 P.M. and that her daughter's car was hit on three (3) occasions on N. Harding Avenue all by trucks going to MC2.

Executive Session:

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

Council went into Executive Session at 8:28 P.M. and reconvened at 8:45 P.M.

Special Note: Borough Secretary Juli Lemak left the meeting at 8:28 P.M. and the rest of the minutes were taken by Borough Manager Robin Zmoda.

Adjournment

Councilwoman Tammy Kemp made the motion to adjourn, seconded by Councilman John Apgar. Unanimous by voice vote. The council meeting adjourned at 8:46 P.M.

Respectfully Submitted,

Juli Lemak  
Borough Secretary

Budget Workshop – Monday, November 11, 2024 – 7:00 P.M.

Tentative Budget Adoption & Workshop – Tuesday, November 26, 2024 - 7:00 P. M.

Budget Adoption & Regular Council Meeting – Tuesday, December 10, 2024 - 7:00 P. M.