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Tuesday 4th of October 2022 - October Council Meeting Minutes

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Pen Argyl Borough Council held their Meeting for September on Tuesday, October 4, 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 was absent.

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

Huratiak Homes, LLC:

Justin Huratiak, President of Huratiak Homes, LLC, requested two waivers regarding slope and driveway width, as recommended by the Planning Commission for parcel number E9-24-1, 410 South Main Street.

Councilwoman Janell Connolly made a motion to approve a waiver from Section §93.27.B(2)(j) of the Subdivision and Land Development Ordinance (SALDO), as recommended by the Planning Commission, to allow finish slopes on all cuts and fills to be 50% in lieu of the 33% maximum in areas along basin and swale side slopes, with additional slope areas immediately adjacent to such stormwater features as depicted on the proposed slope exhibit to also be 50% in lieu of the 33% maximum, **for the proposed residential development at 410 South Main Street, as recommended by the Planning Commission**, seconded by Councilman John Apgar. Unanimous by roll call.

Councilman Charles Kandl Jr. made a motion to approve a waiver from Section §93.20.B(3) of the SALDO, as recommended by the Planning Commission, to increase the driveway width to a maximum of 30 feet at the street line, as shown on the plan, instead of 24 feet as required in the SALDO, for the proposed residential development at 410 South Main Street, seconded by Councilman John Apgar. Unanimous by roll call.

Councilman John Apgar made a motion to issue a will serve letter to Huratiak Homes, LLC for the proposed residential development at 410 South Main Street, contingent upon; approval of sewage planning module by the Pennsylvania DEP; execution of a feasibility review agreement and sewage conveyance flow study that is approved by the Borough; Borough approval of the proposed sanitary sewer extension design, construction, and testing of the sewage facilities; and Borough approval and

recording of the proposed Land Development Plans, seconded by Councilman Charles Kandl, Jr. Unanimous by roll call.

Visitors:

Ethan Habrial, 100 A Street, expressed his frustrations with his solar panel application and the zoning officer's decisions.

Public Works Report:

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

Councilwoman Tammy Kemp made a motion to accept RC Construction's bid for the Weona Park concession stand improvement project, contingent upon the surety company not pulling the bid bond and contingent upon RC Construction providing a performance and payment bond, seconded by Councilwoman Stephanie Cooper. Unanimous by roll call.

Councilwoman Tammy Kemp made a motion to participate in PennDOT's vulnerable road user safety program which will provide a pedestrian countdown signal at the intersection of Blue Valley Drive (RT 512) and East Main Street, seconded by Councilman John Apgar. Unanimous by roll call.

Councilwoman Tammy Kemp made a motion to approve the handicapped parking application for Walter Heath, 423 West Mountain Avenue, seconded by Councilwoman Stephanie Cooper. Unanimous by roll call.

Zoning Report:

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

Police Report:

All Council Members were given a copy of Slate Belt Regional Police Commission's meeting minutes from August 18, 2022 and September 6, 2022, also agendas from September 6, 2022 and September 15, 2022.

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Fire Chief's Report:

Fire Chief Parsons reported during the month of September they responded to 8 calls for service, spent 198 hours on drills and 210 hours on calls.

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Minutes:

Councilwoman Tammy Kemp made a motion to approve the Minutes for the Council Meeting of September 6, 2022, seconded by Councilman John Apgar. Unanimous by roll call.

All Council Members received September 14, 2022 Park Board agenda and minutes from August 10, 2022, Slate Belt Chamber of Commerce's August 19, 2022 agenda and August 19, 2022 minutes, and Northampton County Council of Governments September 14, 2022 agenda.

Correspondence:

All Council Members received a letter from the Blue Mountain Community Library thanking Council for allowing the library to hold their Summer Storytime Program at Weona Park on August 10, 2022 and August 24, 2022.

Councilwoman Tammy Kemp made a motion to approve the temporary bonfire lease for Wednesday, October 25, 2022 through Wednesday, November 2, 2022 with the Pen Argyl School District, seconded by Councilwoman Stephanie Cooper. Unanimous by roll call.

All Council Members received an invitation to Senator Mario Scavella's retirement party on November 5, 2022.

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Mayor's Report:

All Council Members were provided the Slate Belt Council of Governments meeting minutes from September 28, 2022, Mayor Male attended.

Planning Commission:

All Council Members received a copy of correspondence from the Plainfield Township Planning Commission, requesting Pen Argyl Borough perform a detailed review of the municipal boundaries shown on the Huratiak Homes land development plan and the Revitalization Plan and notify Plainfield Township of the findings. No action was taken on this matter.

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

All Council Members received the Plan Slate Belt Municipal Comprehensive Plan Introduction and Overview.

All Council Members received a copy of the Subdivision Application form for a proposed housing development located on tax map ID# E9-10-1-0625 and E9-10-1-0626, from Nic Zawarski & Sons Development Corp, entitled Carousel Hill Development.

Solicitor:

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Nothing for open session.

Sanitation, Solid Waste & Recycling:

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

All Council Members received the Authority minutes from August 1, 2022 and agenda from September 19, 2022.

All Council Members received correspondence from Adrienne Fors, Waste Management representative,

regarding holiday tree collection on January 13, 20 and 27, 2023.

Finance, Tax Exoneration & Insurance:

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

Councilman Charles Kandl Jr. made a motion to accept the Investment Account Agency Agreement for the Capitol Reserve Fund and the Garbage Fund, as recommended by the Finance Committee, seconded by Councilwoman Josephine Hildabrant. Unanimous by roll call.

Councilwoman Tammy Kemp made a motion to cash the Sewer Fund CD at \$110,724.78 and transfer to the Sewer Fund, seconded by Councilwoman Josephine Hildabrant. Unanimous by roll call.

Property & Utilities:

All Council Members received a copy of a letter notifying residents of the condition of the Community Center within Weona Park, to be sent to the public by the end of October.

Community Outreach:

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

All Council Members received a copy of Slate Belt Rising's July 14, 2022 minutes and September 8, 2022 agenda.

Borough Manager's Report:

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

Manager Zmoda provided all council members with a draft request for proposals for municipal engineering services for their review. If there will be no changes, she will send to firms to be returned by end of October.

Payment of Bills:

The following bills were presented for payment: General Fund, \$203,977.00; Sewer Fund, \$55,969.45; and Reserve Money Market Fund, \$17,817.91. Councilman Charles Kandl Jr. made a motion to pay the bills as presented, seconded by Councilwoman Josephine Hildabrant. Unanimous 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. The motion passed unanimous by voice vote.

Council went into Executive Session at 9:29 P.M. and reconvened at 9:46 P.M.

Special Note: Borough Administrative Assistant Juli Lemak left the meeting at 9:29 P.M. and the rest of the minutes were taken by Borough Manager Zmoda.

Adjournment:

Councilwoman Tammy Kemp made a motion to adjourn, seconded by Councilwoman Stephanie Cooper. Unanimous by voice vote. Council meeting adjourned at 9:46 P.M.

Respectfully Submitted,

Juli Lemak  
Borough Secretary

Workshop - Tuesday, October 25, 2022 - 7:00 P. M.

Regular Council Meeting - Tuesday, November 1, 2022 - 7:00 P. M.

Budget Workshop - Monday, November 7, 2022 - 7 P.M.