

Borough of Hellertown
Council Meeting Minutes
Monday, August 17, 2015

A Borough Facilities Tour was Held on August 10, 2015, at 6:00 p.m.

An Executive Session was Held Prior to the Meeting at 6:30 p.m.

I. Call to Order – Thomas Rieger, 7:11 p.m.

II. Pledge - All

III. Roll Call – Cathy Hartranft

John Bate-	Absent with prior notification
James Hill-	Present
Michael McKenna-	Present
Joseph Pampanin-	Present
Herbert Payung-	Absent with prior notification
Thomas Rieger-	Present
Richard Staffieri-	Present
Mayor Fluck-	Present

Also in attendance were Mike Corriere, Chief Shupp, Bryan Smith, Cathy Hartranft, Tina Krasnansky, Tom Henshaw, and Angie Bauer.

IV. Adoption of Meeting Agendum

Motion made by Richard Staffieri, seconded by Joseph Pampanin, to approve the meeting agendum as written. Motion carried 5-0.

V. Approval of Meeting Minutes

A. Monday, August 3, 2015, Meeting Minutes

Motion made by Richard Staffieri, seconded by Joseph Pampanin, to approve the August 3, 2015, Meeting Minutes as written. Motion carried 5-0.

VI. Courtesies of the Floor

A. Pre-Scheduled Appearances- None

B. Agenda Items- None

C. Non-agenda Items

1. Letter from Eric Hersh

The letter written by Mr. Hersh was read and made a part of the meeting minutes. Letter attached hereto.

Mr. Rieger- This ordinance was put into place after the Borough received a violation notice for non ADA compliance. Since that time, the Borough has successfully obtained almost 1 million dollars in grants and has completed approximately 60 handicap ramps. All ramps were paid for from CDBG funds. The ordinance allows for Mr. Russo to request a repair if a complaint is received; otherwise is it done upon inspection prior to a sale or transfer of property.

Council will draft a response to Mr. Hersh.

VII. Reports from Elected Officials

A. President

Mr. Rieger- There was an Executive Session prior to tonight's meeting to discuss Police personnel matters.

The Borough facilities tour was held August 10, 2015, and went very well. Notes are attached and entered into the record.

Mayor Fluck, Councilmen and the Borough Manager participated in a ribbon cutting for Saucon Dental. The practice is now open.

DiMaio's will have a ribbon cutting for their 30th anniversary.

Community Day is August 22, 2015, from 10:00 a.m.-5:00 p.m.

Mr. Payung provided his report of the status of the Hellertown Library renovations. The Board of Trustees met August 10, 2015, to open bids for the interior renovation of the building. The renovations are being funded by a Keystone Conservation Recreation and Parks Fund Grant. The project was awarded to CMG of Easton in the amount of \$134,000.00. The bid came in about \$100,000.00 under the budgeted funds. They would like to do additional work to the building with the extra funds. A meeting between staff and CMG will meet tomorrow to complete a construction timeline.

B. Mayor

Mayor Fluck- The spa at 1152 Main Street will be opening in about two weeks. The Yo-Fresh should be opening in September.

C. Council

1. Mayor Fluck- Saucon Valley Partnership

Mayor Fluck had nothing to report.

2. John Bate- Saucon Valley Partnership

Mr. Bate was not present for the meeting.

3. James Hill- Hellertown Historical Society/Civil Service Commission/Rail Trail Committee

Mr. Hill reported the Civil Service exams for police officer are completed. Interviews will be held in the upcoming week.

4. Michael McKenna- Hellertown Borough Authority

Mr. McKenna- The Borough Authority will be relining water lines. Water service interruptions should not be limited as they will be running temporary service lines.

5. Herbert Payung- Hellertown Area Library

Mr. Payung was not present for the meeting. His report was read by Mr. Rieger.

6. Joseph Pampanin- Planning Commission/Borough Business Revitalization/ Zoning Hearing Board/Police Pension Board

Mr. Pampanin- The Planning Commission approved HR Block moving from Water Street to the Spring Hill Shopping Center.

7. Thomas Rieger- Hellertown Chamber of Commerce

Mr. Rieger had nothing additional to report.

8. Richard Staffieri- Rental Property Appeals

Mr. Staffieri had nothing to report.

VIII. Reports from Appointed Officials

A. Treasurer

1. Treasurer's Report & Finance Report

Motion made by Richard Staffieri, seconded by Joseph Pampanin, to receive the Treasurer's Report and Finance Report. Motion carried 5-0.

B. Engineer

Mr. Smith- The contractor is completing the punch list items at Water Street Park. The plantings will be done in fall.

The CDBG Ramp project is currently underway.

Barry Isett & Associates is completing additional forms for PennDOT bridge repair project. It will probably be cost effective to do a winter bid with a spring construction.

C. Solicitor

Mr. Corriere- I received the cost estimate for 33 Penn Street and it is currently under review.

I sent a revised easement agreement to Attorney Miller and informed them to raise the bond by 30 percent.

I am filing a tax appeal for section of Oak Street that is owned by the Borough and should be tax exempt.

D. Manager

Mrs. Hartranft had only agenda items.

E. Chief of Police

1. Monthly Report

Motion made by Joseph Pampanin, seconded by Richard Staffieri, to receive the Police Monthly Report and make a part of these minutes. Motion carried 5-0.

Chief Shupp- I received a few complaints about speeding on Furnace Street. It is the only 15 mph street in Hellertown. The Police Department placed the speed sign in the area. The limit will be strongly enforced.

School will be starting in a week. Targeted enforcement will be held in specific area where there have been issues.

Linda Leewright suggested posting signage to note that school is in session.

F. Public Works Director

1. Monthly Report

Motion made by Joseph Pampanin, seconded by Michael McKenna, to receive the Public Works Monthly Report and make a part of these minutes. Motion carried 5-0.

The Community Day Committee requested an additional 4 handicap parking spaces in the parking lot that go to the pavilion at Dimmick Park. I will make them permanent spaces if Council wishes.

Motion made by Michael McKenna, seconded by Joseph Pampanin, to approve the staff recommendation for four more handicap ramps at Dimmick Park and to authorize staff to amend and advertise the ordinance. Motion carried 5-0.

G. Zoning/Codes Officer

Mr. Russo was not present for the meeting.

H. Fire Chief

1. Quarterly Report

Rick Delmore and Michael Maguire- There have been 212 calls for service. Four more members completed National Firefighter I Course. We are at about 75 percent with National Certification. I would like to thank the entire community for their participation in the carnival. We will have a recap meeting shortly. At Community Day, we will do a bone marrow donor sign-up and provide fire prevention information.

Mr. Rieger thanked all of Dewey for putting together a wonderful carnival.

I. Emergency Management- None

IX. Unfinished Business

1. Cell Phone Policy

Ms. Hartranft- Prepared a cell phone reimbursement policy and procedures. Employees are eligible at the direction of Borough Council. The reimbursement rates are \$20.00 for non-uniform employees and \$60.00 for management. Employees issued Borough phones are not eligible for reimbursement. The reimbursements will be reviewed annually. Reimbursement will be issued monthly. Employee may be required to submit bill when requesting increases. Employee must provide contact information to Borough.

Motion made by Michael McKenna, to accept as presented.

Mr. Pampanin inquired whether information would be discoverable if the employee is using their personal phone for Borough business.

Mr. McKenna amended his motion with the addition that the employee be informed that the information pertaining to the Borough may be discoverable. Seconded by Joseph Pampanin. Motion carried 5-0.

X. New Business

1. Outstanding Obligations- Approval of Payments

Motion made by Richard Staffieri, seconded by Joseph Pampanin, to approve the payments. Motion carried 5-0.

2. Approval of Resolution 15-09, Approving the Destruction of 2001, 2007, 2008, and 2009 Civil Service Applications and Tests- Council Action

Motion made by Michael McKenna, seconded by Richard Staffieri, to adopt Resolution 15-09. Motion carried 5-0.

3. Approval of Resolution 15-10, Requesting PennDOT Multitmodal Transportation Funds for Bridge Repairs- Council Action

Motion made by Richard Staffieri, seconded by Joseph Pampanin, to adopt Resolution 15-10. Motion carried 5-0.

Mr. Rieger- We have already been approved the funds but Penndot requires a resolution. This resolution also names Mrs. Hartranft as administrator.

4. Ordinance #799, Amending Alarm Systems- Council Action

Motion made by Joseph Pampanin, seconded by Michael McKenna, to adopt Ordinance #799. Motion carried 5-0.

5. Ordinance #800, Amending Chapter 425, One Way Roadways Established- Council Action

Mrs. Hartranft- This is the ordinance that makes part of Division Street, Oak Street, and Rohn Road one-way.

Motion made by Michael McKenna, seconded by Joseph Pampanin, to approval Ordinance #800.

Motion carried 5-0.

6. Discussion on Rules and Signage for Water Street Park; Rules and Signage for Basketball and Volleyball Courts; and Permitting Pavilion, Volleyball Court and Basketball Court Use

Mrs. Hartranft- With substantial completion of the park, we are trying to be proactive and post the rules. I tried to consolidate the rules and did refer to the ordinance on the signs.

There would be a separate sign placed at the volleyball and basketball court with rules.

Does council want to permit the use of the pavilion and basketball court?

Council is in agreement for permitting all of the facilities.

Motion made by Michael McKenna to direct Mrs. Hartranft to draft a fee schedule for the next meeting and order the signage for the courts and park.

It was decided that league play would be permitted on Mondays, Wednesdays, and Thursday.

Motion was seconded by Joseph Pampanin. Motion carried 5-0.

7. Discussion on Borough Facilities Tour

Mr. Pampanin- This is the first time I was fully aware of the difficulty of police operations. The facilities seem chopped up and usability is less than should be. The Public Works does a lot with facilities that they have. Everything is very spread out. There is a large investment of park services in the center part of town. I am hopeful that the opportunities will arise in the northern end. We should look at upgrading the Bachman Street trail entrance and at accessibility to the pool.

Mr. Hill- The tour was very enlightening. The Police Department needs renovation. It will take a lot of finances to solve space issues.

Mr. McKenna – It was a great tour. I feel we are holding onto a lot of stuff and it's just sitting around. The facilities should be cleaned out and get additional funds with the scrap.

Richard Staffieri- I think Mr. Henshaw and Chief Shupp should review the items and they should be the ones who decide what is to be discarded.

Mayor- The police and administrative staff areas need to be renovated. Public Works needs to be moved. The pool needs to be updated and made more accessible.

Mr. Rieger- The Police Department is currently biggest issue but they are only one cog in the equation. Thomas Iron works area is underutilized. There is a lot of stuff that is being held onto. A few broken windows on Borough buildings need immediate repair, steps at Dimmick Park need repair, and cannot stop at just saving the properties they need to be continually addressed. This issue will span many councils. A regular disposition of records schedule should be created.

Chief- What is the next step. I wouldn't know what to ask for to get grant funding. Would like to start taking steps forward.

Mr. Smith- Compared to a lot of municipalities, Hellertown tends to be more of the well cared for and are steps ahead of most. Grants are a great opportunity.

Mrs. Hartranft- The tour was great and really helped to visualize everything. A lot of issues are maintenance. I think it was good seeing everything going into budget season to prioritize funding.

Mr. Delmore- The Dewey Fire Company also started a committee for an expansion and would be willing to partner with the Borough.

Council would like to tour the fire company buildings at a later date.

8. Approval of Application and Certification Payment Request #5 to Whiting-Turner for Water Street Park Project in the Amount of \$117,808.00- Council Action

Motion made by Michael McKenna, seconded by Richard Staffieri, to approve payment #5 to Whiting-Turner. Motion carried 5-0.

Mr. Rieger- I was thinking of the budget schedule. The proposed budget sessions would be September 28, October 12, and October 26, if needed, beginning at 6:00 p.m.

Motion made by Michael McKenna, seconded by Joseph Pampanin, to advertise the budget session schedule as presented. Motion carried 5-0.

XI Announcements

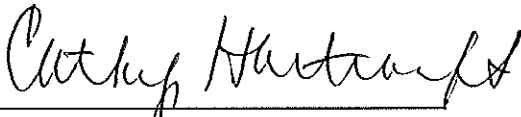
Mr. Rieger- Community Day is this Saturday, August 22, 2015, from 10:00 a.m. to 5:00 p.m.

XII. Executive Session-None

XIII. Adjournment

Motion made by Richard Staffieri, seconded by Joseph Pampanin, to adjourn the meeting at 8:44 p.m. Motion carried 5-0.

Adopted by the Hellertown Borough Council this 8th Day of September 2015.



Borough Secretary

Eric D Hersh

1234 Main Street
Hellertown, PA 18055
7610-748-1288
th8erguy@yahoo.com

August 16, 2015

Borough of Hellertown
685 Main Street
Hellertown, PA 18055

Honorable Mayor Richard T. Fluck and Borough Council Members:

I am writing to request the immediate repeal of Code §385-13 Ordinance Number 770: in regard to sidewalks, curbs, and handicap ramps.

This ordinance is unjust and holds current Hellertown Residents hostage to their homes. Here are my concerns:

Sidewalks. If the issue with sidewalks is safety—which should be the root reason for the ordinance—why are we not fixing all sidewalk issues in the Borough? Why wait until the sale of a home or the inevitable accident or tripping? Let me relate this in an analogy: We know wearing safety belts prevents injury, so we take measures to buckle up as we get behind the wheel. What benefits would be found if the seat belt was fastened after I was thrown from a car? Or should I wait to fasten the belt until I sell my car to a new owner? Safety is safety; it should be preventive not reactionary. If a section of sidewalk is deemed unsafe, for the safety of all citizens it cannot wait until an accident or sale of a home.

I have included photographs from the neighborhood where I personally have tripped while walking. Please see Fig. 1-6.

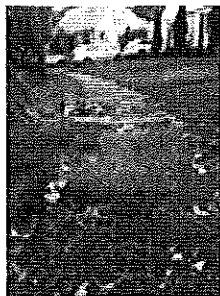


Fig. 1



Fig. 2



Fig. 3

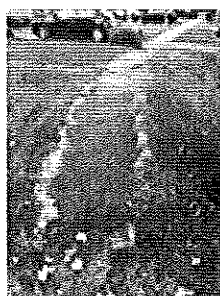


Fig. 4

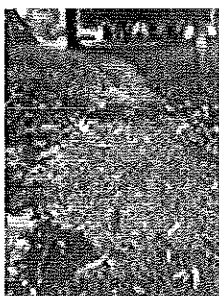


Fig. 5

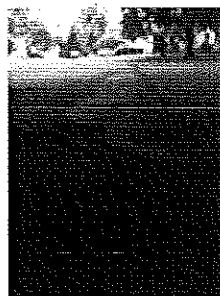


Fig. 6

Curbs. Why are curb repairs to be charged to the homeowner when the root cause of the damage is attributed to the municipality maintenance of streets and snow removal? Repairs on curbs should be at the cost to the Borough due to the high amount of damage caused during the winter months of snow removal. Please see Fig. 7-9.

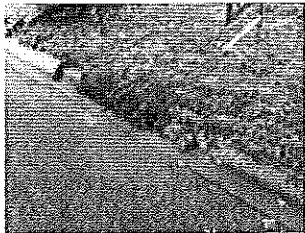


Fig. 7 Curb damage

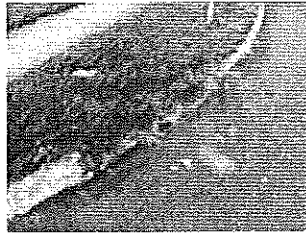


Fig. 8 Curb damage

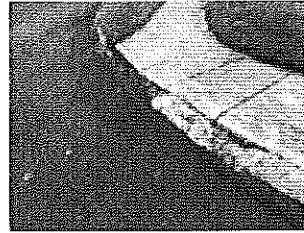


Fig. 9 Curb damage

Handicap Ramps. I have many concerns here:

1. Why are residents required to uphold ordinances that the Borough itself is not invested in fulfilling? Below are several photographs taken around Hellertown, including Saucon Valley School District Campus, Police Station, Dewey Firehouse, Dimmick Park. Residents should not be *forced* to comply until the Borough itself has completed its own investments in its codes and ordinances. Please see Fig. 10-18.

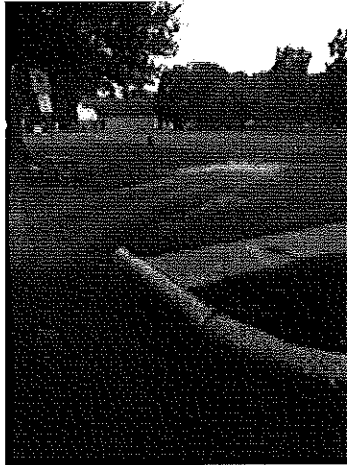


Fig. 10, Library, No ramp



Fig. 11, Dimmick Park, No truncated domes

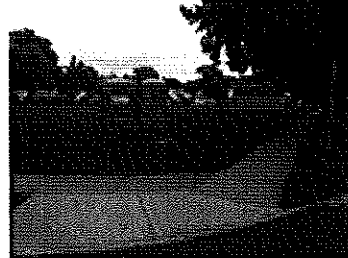


Fig. 12, Dimmick Park, No truncated domes

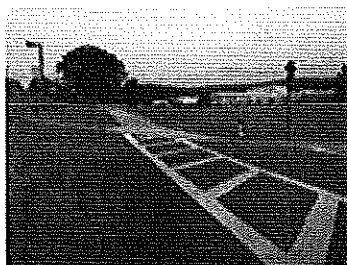


Fig. 13, SV District, no truncated domes



Fig. 14, SV District, no truncated domes

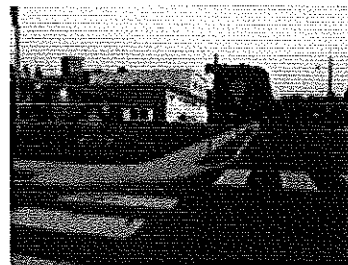


Fig. 15, Dewey Fire House, no truncated domes



Fig. 16, Hellertown Police, no truncated domes

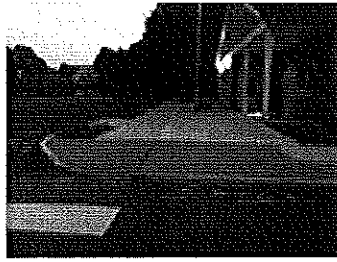


Fig. 17, Post Office, no truncated domes

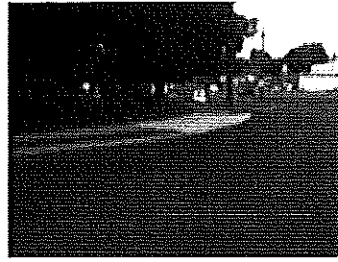


Fig. 18, Borough Authority, no truncated domes

2. What is the reasoning behind handicap ramps? I am assuming positive intent, and the reason is to grant access to citizens who maybe confined to a wheelchair. My question is thus: If I am *forced* to pay to install a handicap ramp on my corner, when all other corners in my neighborhood do not have said ramps, how is a wheelchair confined citizen able to re-access the sidewalk opposite of my corner? This person would have two choices: go back up my ramp to the sidewalk or continue his/her journey down the street itself. If access is the reason, the access must be granted equally to all and thus all corner properties must have handicap ramps installed. This should be at the expense of the Borough. If access is not the reasoning, then the whole point is superfluous. Please see Fig. 19-29.

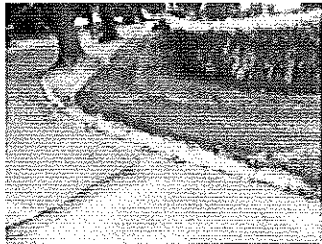


Fig. 19, 981 Juniper Corner

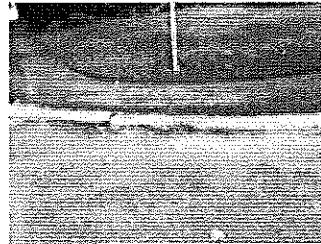


Fig. 20, Adjacent Corner

This specific ordinance must be immediately repealed and refunds must be issued to citizens who have been held hostage to this underdeveloped, unjust code. Everyone should be allowed to access and enjoy the sidewalks in this neighborhood. We all pay our taxes to ensure these are upheld by our Borough. My taxes have paid for handicap ramps in other parts of the Borough that I personally do not frequent. What deems these more important? What is the justification for the selection process for which ramps will be paid for and which residents must pay for?

I would also appreciate the minutes from the Borough Council Meeting in which this ordinance was passed, so I may raise awareness of any sitting members who approved the ordinance come election time. In our time in Hellertown, our roots have grown deep and many of our neighbors are outraged by this ordinance and support its repeal.

I have enlightened both Senator Lisa Boscola and Representative Robert Freeman of this mishandling of Borough authority. If the need should arise, I will continue to take this matter up with any and all powers that be. If you would like to speak on this matter more, I can be reached at the above telephone number and address.

Sincerely yours,

Eric D. Hersh

HELLERTOWN POLICE DEPARTMENT MONTHLY REPORT

July 2014

This is the monthly report for the Hellertown Police Department from July 1st through July 31st, 2015.

During the month of July the Police received 390 calls for service. We did receive 8 Theft, 10 Domestic/Assault, 4 Fraud, 2 Sex Offense calls and 9 traffic collision calls. We wrote 78 citations.

The Police Department filed 27 charges including 4 for Narcotics Possession, 2 for DUI, 2 for Prowling at Night, 2 for Theft and 3 for Illegal Possession of a Firearm.

The Dewey carnival was a huge success for us this year, we had a tent up every night offering free anti-bullying items and fingerprinting. We met a lot of people from outside of Hellertown and they had a lot of good things to say regarding our town. Officer McCartney completed his apprenticeship MCSAP training and is now on his own. We will be completing our fall firearms qualifications in August. Any questions or concerns please feel free to stop in or call.

Chief Robert Shupp III

**PUBLIC WORKS AND PARKS DEPARTMENT
MONTHLY REPORT
JULY 2015**

1 Activity Completed

Trimmed trees and picked up branches in Dimmick Park.
Power washed backhoe and loader.
Released filters and skimmed conversion box daily.
Cleaned catch basins before and after storms.
Cut down tree and trimmed tree at Water St. park.
Installed bandshell shade.
Carnival prep.and cleanup from 7/13 -7/20
Backwashed pool filters and splash pad filter weekly.
Hung 5 by 8 flag on band shell.
Power washed aluminum bleachers and dug outs at Eastend field.
Replaced deck pulley and belt on 455JD.
Cleaned Plaza fountain and park fountain.
Cleaned trucks
Power washed upper pool deck and pool pavilion area.
Installed new loading zone sign at Saucon Manor.

2 Other

Released filters and checked pool daily.
Cleaned shops and lunch room weekly.
Repaired umbrella for pool
Trimmed trees around signal pole on Rails to Trails.
Emptied bin and pushed pile at Compost Center every Mon.
Ran to Pro Pool for pool supplies.
Helped Authority with 2 paving jobs.
Paved bad areas at pavilion and band shell.
Fixed signage on High St. and on Durham St.
Power washed pavilion and band shell floor .
Traffic control Fri.and Sat. for carnival.
Removed Dewey banner and flags along Main st.
Checked and filled dog waste bag dispensers weekly.
Barricades to post office lot for contractor.
Checked and replaced fluorescent tubes in Borough Hall.
Ran #11 to Merkin in N.J.for hyd. repair.
Cleaned out storage area at pool.
Hung Community day banner.

3 PROJECTS WORKED ON/COMPLETED DURING THE MONTH

Hauled sweepings waste to landfill
Worked on trimming hedgerows,bushes and tree's.
Filled potholes with coldpatch
Moved benches and bleachers back from front of band shell.

4 NUMBER OF TIMES CALLED OUT AFTER WORKING HOURS

5 MEETINGS AND/OR TRAINING ATTENDED (ALL DEPARTMENT PERSONNEL)

Council Meetings
Safety meeting
Meeting with Manager and Bob L. on #13 inspection.
Meeting with Manager and Brian at Water St. park.
Met with Manager on Lance Eure.
Staff meeting with Manager.
Water st. park meetings.

6 COMPLAINTS

7 OTHER

Cleaned restrooms daily.
Emptied trash barrels Mon. and Fri.
Cut cemetery weekly.
Cleared mill race and pond grates weekly.