

Borough of Hellertown  
Council Meeting Minutes  
Tuesday, September 2, 2014

I. Call to Order – Thomas Rieger, 7:04 p.m.

II. Pledge - All

III. Roll Call – Cathy Hartranft

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

IV. Adoption of Meeting Agendum

Motion made by Joseph Pampanin, seconded by Herbert Payung, to approve the meeting agendum as written with the addition of New Business #7, Resolution to Apply for Monroe County Gaming Grant. Motion carried 5-0 (Mr. McKenna was not present for vote).

V. Approval of Meeting Minutes

A. Monday, August 18, 2014, Meeting Minutes

Motion made by Joseph Pampanin, seconded by Herbert Payung, to approve the August 18, 2014, Meeting Minutes as written. Motion carried 5-0 (Mr. McKenna was not present for the vote).

VI. Courtesies of the Floor

A. Pre-Scheduled Appearances

1. Louise Trexler, Saucon Valley Alumni Association-Presentation of Alumni Directory

Mayor Fluck accepted the Saucon Valley Alumni Directory to keep at Borough Hall for the residents of the Borough.

B. Agenda Items- None

C. Non-agenda Items

Richard Frankenfield, 192 Front Street- Last week, we found a sign on our property that the sheds and rubbish encroaching on or over the property line would have to be moved within 60 days or we would be fined. When we put the shed in, we spoke to Mr. Doncevic and he said that we did not need a permit since we were replacing an existing shed. I am here seeking a uniform ruling.

Glen Trap, 170 Front Street- The Rail Trail is SEPTA property and the Borough cannot enforce boundary lines. I refuse to move my garden if it is still producing by the end of the sixty days.

Mr. Rieger- The lease agreement that the Borough has with SEPTA does allow the Borough to enforce the property lines.

Mrs. Hartranft- This issue was brought to the Borough's attention from the Saucon Rail Trail Oversight Commission. There are sheds and debris in the right-of-way. The intent of the letters was to get the area cleaned up. The sheds on the property line will be grandfathered.

Mr. Pampanin- Currently, we have a sidewalk ordinance in place where any repairs have to be made before a home can be sold or transferred. I feel we should do something similar with the sheds. That way, there would be a uniform policy.

Janet Frankenfield will spearhead the cleanup effort.

Mr. Rieger- We will speak with Mr. Russo tomorrow for clarification and Council will revisit the shed issues.

## VII. Reports from Elected Officials

### A. President

#### 1. Discussion and Appointment of Linda Leewright to the Planning Commission- Council Action

Mr. Rieger- The Borough received one letter of interest for Planning Commission from Linda Leewright. We did not receive any letters of interest for the Civil Service Commission. We will need to fill the position but it cannot be an elected official.

Motion made by Michael McKenna, seconded by John Bate, to appoint Linda Leewright to fill the vacancy of Jennifer Yanek.  
Motion carried 6-0.

Council had announced that Trick or Treat would be held on October 31, 2014, from 4:00 p.m. to 6:00 p.m. Due to overwhelming discussions on social media, the recommended change is to have it from 5:00 p.m. to 8:00 p.m. on October 31, 2014.

Motion made by Michael McKenna, seconded by James Hill, to hold Trick or Treat on October 31, 2014, from 5:00 p.m. to 8:00 p.m.  
Motion carried 6-0.

The Spirited Community Parade is scheduled for October 19, 2014, at 2:00 p.m.

### B. Mayor- None

### C. Council

Mr. Payung- There is still time to register for the Hellertown Area Library's Get Bookin 5K on September 28, 2014.

There is one student interested in the junior councilperson program. I will leave the posting up until Friday to see if there is any additional interest.

Mr. Rieger- The interested student is Giacomo Pazzaglia. He is involved with football, soccer, theater, and Future Business Leaders of America.

#### VIII. Reports from Appointed Officials

##### A. Treasurer- None

##### B. Engineer

Mr. Smith- During a field visit to the Harris Street Bridge by Bob Cox, it was noted that there were horizontal cracks in the latex surface. He contacted the contractor and requested that they conduct the first of several six month inspections of the bridge. A site visit was conducted on August 28, 2014, with the Borough Manager, contractor and a representative from the latex overlay manufacturer. The manufacturer noted this is a typical condition found when the surface coating is able to dry faster than the subsurface. The hairline cracks are superficial and only on the surface. He recommends a latex crack sealer be applied over the entire surface. The contractor will apply this if Council approved. There is no cost to the Borough. Follow-up inspections will continue as per the contract.

Motion mad by Michael McKenna, seconded by Joseph Pampanin, to have the contractor move forward with application of the latex crack sealer. Motion carried 6-0.

##### C. Solicitor

Mr. Corriere- A contempt hearing has been scheduled for September 26, 2014, for 1231 2<sup>nd</sup> Avenue.

I should have the results of the deed search for Water Street Park later this week. There is a possibility that there is no deed and in that case we can do a deed from the Borough to the Borough.

The 53 P.S. 10508 reports have been issued for 60 Main Street and 33 Penn Street.

D. Manager

Mrs. Hartranft had only agenda items.

E. Chief of Police

Chief Shupp- I attended the monthly meeting with HRI and PennDOT. The information was the same as what was presented at the meeting at Borough Hall on August 20, 2014.

F. Public Works Director

Mr. Rieger- The Public Works Department has been paving with Lower Saucon Township the past few weeks. When will you continue with the Borough paving projects?

Mr. Henshaw- We are going to try to complete one or two alleys next week.

G. Zoning/Codes Officer

Mr. Russo was not present for the meeting.

H. Fire Chief- None

I. Emergency Management- None

IX. Unfinished Business

1. Discussion on Route 412 Project

Mr. Rieger- The discussion on the Route 412 project was highly publicized. HRI has been putting extra man hours in when they are able. Their plan is to have all of the major construction complete by the end of 2015.

2. Discussion on Permit to Draw Water from Grist Mill Pond

Stacie Torkos, Hellertown Historical Society- I spoke with Mark Walters from Walters Excavating. He provided me with an updated cost estimate. What are the costs of the slag permits?

Mr. Smith- The tests are about \$500.00 per each test. The permits are more costly. The E & S plan for the pond would be approximately \$3,500.00 The Thomas Iron Works site would need an E & S plan, a DEP Permit, and then another permit to move the slag which would cost \$8,500.00. The process would probably take about six months.

Ms. Torkos- Neighbor's Home & Garden has agreed to donate some topsoil for the project.

Mr. Rieger- There is no money budgeted for this project and the Water Street Park project came in higher than expected.

Mr. Henshaw- Lower Saucon Township has 11,000 cubic yards of fill. Mr. Walters has agreed to help in any way that he can.

Mr. Pampanin- I would like to see a plan based on using the fill from Lower Saucon Township and to outline what kind of E & S measures will be necessary.

Motion made by John Bate, seconded by Michael McKenna, to table this matter until the September 15, 2014, meeting and allow Mrs. Hartranft, Mr. Henshaw, Mr. Rasich, and Mr. Walters to create a new cost estimate. Motion carried 5-1 (Mr. Rieger opposed).

3. Discussion on Saucon Rail Trail Oversight Commission's Request to Place Crush Crete 100 Feet on Approach to Wagner Dam

Mrs. Hartranft- The Saucon Rail Trail Oversight Commission sent a letter to Council and Council tabled the matter at the last meeting for further review and cost estimate.

Mr. Henshaw- Mr. Rasich was not able to get me a cost estimate. One issue with completing the work is the trail will have to be closed completely for about one week.

Motion made by John Bate to table this matter until a cost estimate is available.

Mr. Hill- I am opposed to doing this project at all. If children wish to throw rocks from the bridge, they will just find a rock from further away and it is a lot of labor for the Public Works Departments.

Mr. Bate withdrew his motion.

Motion made by John Bate, seconded by James Hill, to not proceed with the project. Motion carried 6-0.

X. New Business

1. Outstanding Obligations- Approval of Payments

Motion made by Michael McKenna, seconded by Herbert Payung, to approve the payments. Motion carried 6-0.

2. Award Bid for Water Street Park Improvements- Council Action

Mr. Smith- The Borough received three bids. The lowest bid was from Whiting Turner for \$1,067,000.00. If the Borough removed alternates 1, 2, 3, 4, 5, and 7 and then added alternate 8, the total award would be \$823,400.00.

Mr. Rieger- We have a resolution prepared to apply to the Monroe County Gaming Authority for additional funding toward the project.

There is a savings of \$15,000.00 to remove the phasing. The park will need to be closed. The Farmers' Market can be relocated to Dimmick Park.

The mobilization would take place March 15, 2015, with a completion date by the end of June. We do not have the funding for the lighting but I would take the Engineer's recommendation and lay the conduit before the concrete is poured.

Motion made by Herbert Payung, seconded by Joseph Pampanin, to award the bid to Whiting Turner at a cost of \$1,067,000.00, with the

removal of alternates 1, 2, 3, 4, 5, 7, and the addition of alternate 8 for a total cost of \$823,400.00. A change order will be completed if the grant funding is received. Motion carried 6-0.

3. Adoption of Ordinance 794, Authorizing Participation in the Delaware Valley Workers' Compensation Trust- Council Action

Mrs. Hartranft- The Borough received notice that the Workers' Compensation Insurance rate would be raising. Staff and our insurance agent looked into various options and decided to go with Delaware Valley Workers' Compensation Trust. The switch was effective as of August 1, 2014.

Motion made by Michael McKenna, seconded by Joseph Pampanin, to adopt Ordinance 794. Motion carried 6-0.

4. Approval of Street Banner Request from Saucon Valley Woman's Club from October 6, 2014, through November 2, 2014- Council Action

Motion made by John Bate, seconded by James Hill, to approve the Street Banner Request. Motion carried 6-0.

5. Approval of 2015 Mountain House Day Camp User's Agreement for Hellertown Pool- Council Action

Mrs. Hartranft- At the last meeting, Council authorized me to create an agreement for the Mountain House Day Camp. It mirrors the YMCA agreements but is more specific. Approximately 30-70 camps and 12 staffers will utilize the pool two times per week for about 2 hours. Mountain House will provide transportation and lifeguards. They have agreed to pay the Borough \$1,000.00 for the nine week usage.

Motion made by Michael McKenna, seconded by Joseph Pampanin, to approve the Pool User's Agreement for Mountain House Day Camp. Motion carried 6-0.

6. Approval of Payment Requests from Baraket Concrete Construction for ADA Handicap Ramp Project in the amounts of \$33,073.20 and \$750.00- Council Action



Mr. Smith- We received the final two invoices from Baraket Concrete Construction for the ADA Handicap Ramp Project. This project is funded by the CDBG. The total project cost is \$79,791.74. This year's project completed most of the ramps along Depot Street.

Motion made by Michael McKenna, seconded by Joseph Pampanin, to pay the remainder of the contract. Motion carried 6-0.

7. Adoption of Resolution to Apply to Monroe County Gaming Authority for Additional Funds Toward the Water Street Park Improvements- Council Action

Mr. Rieger- This resolution would allow the Borough to apply for the additional funds for the Water Street Park project. The Borough would be seeking an additional \$243,400.00. There is a \$100.00 application fee.

Motion made by Michael McKenna, seconded by Joseph Pampanin, to adopt the resolution to apply to Monroe County Gaming Authority for additional funds toward the Water Street Park Project. Motion carried 6-0.

XI. Announcements

Mr. Rieger- There will be celebrity bartending at Bravehearts Pub on Wednesday, September 3, 2014, to benefit the Saucon Valley Spirited Community Parade and Dimmickfest. Mr. Henshaw, Mr. Payung, Mr. Heintzelman, Mr. Popachik, and Pastor Spohn will be bartending.

XII. Executive Session

Motion made by Joseph Pampain, seconded by Herbert Payung, to adjourn to Executive Session at 8:25 p.m. Motion carried 6-0.

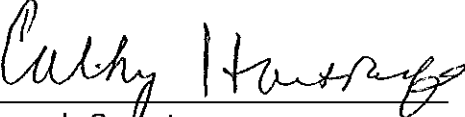
Mr. Corriere advised that the Executive Session was being held to discuss personnel, contracts, and litigation.

Council reconvened from Executive Session at 9:00 p.m. Mr. Corriere reiterated that the purpose of the Executive Session was to discuss personnel and litigations.

XIII. Adjournment

Motion made by Michael McKenna, seconded by Joseph Pampanin, to adjourn the meeting at 9:02 p.m. Motion carried 6-0.

Adopted by the Hellertown Borough Council this 15<sup>th</sup> Day of September 2014.

  
Borough Secretary