

Borough of Hellertown  
Council Meeting Minutes  
Monday, October 4, 2021

**The Meeting Was Held In Person and Via Zoom**

**An Executive Session Was Held September 20, 2021, and Prior to This Meeting to Discuss Contract Negotiations, Potential Litigation, and Sale of Borough Owned Property**

- I. Call to Order – Thomas Rieger, 7:03 p.m.
- II. Pledge - All
- III. Roll Call – Thomas Rieger

Earl Hill-	Present
James Hill-	Present
Andrew Hughes-	Present
Matthew Marcincin-	Present
Michael McKenna-	Present
Thomas Rieger-	Present
Gil Stauffer-	Present
Mayor Heintzelman-	Present

Also in attendance were Cathy Hartranft, Tina Krasnansky, Angie Thiede, Michael Corriere, Barry Yonney, Chief Shupp, Kris Russo, and Bryan Smith.

- IV. Adoption of Meeting Agendum

Motion made by Michael McKenna, seconded by Earl Hill, to adopt the meeting agendum as written with the addition of Roberta Silverthorn under Prescheduled Appearances. Motion carried 7-0.

- V. Approval of Meeting Minutes

- 1. September 20, 2021

Motion made by Gil Stauffer, seconded by Michael McKenna, to approve the September 20, 2021, meeting minutes as written. Motion carried 7-0.

VI. Courtesies of the Floor

A. Pre-Scheduled Appearance

1. Roberta Silverthorn- Presentation of Completed Silver Award

Ms. Silverthorn has completed her Silver Award Project which was a self-guided history walk throughout the Borough. She thanked Mr. Yonney and the Hellertown Historical Society for their assistance.

2. Lauren Bertucci, Lehigh Valley Chamber- Discussion and Approval of Light-Up Night 2021 and Dine In Dimmick Park Events

Ms. Bertrucci- We are hoping to be able to hold Light-Up Night on November 26, 2021, in person. There will be activities, vendors, and adult beverages for purchase.

Motion made by Michael McKenna, seconded by Gil Stauffer, to approve the Special Event and Alcohol Waiver Requests for Light-Up Night. Motion carried 7-0.

Ms. Bertucci- We are also looking to hold a food truck festival in Dimmick Park on June 4, 2021. There will be food, music, and adult beverages for purchase.

Motion made by Michael McKenna, seconded by Matthew Marcincin, to approve the event as presented and approve the alcohol waiver request. Motion carried 7-0.

3. Jessica O'Donnell and Lauren Bertucci, Lehigh Valley Chamber- Presentation of Check for Proceeds from Pints for a Purpose

Jessica O'Donnell and Lauren Bertucci presented the Hellertown Police Department with a check for \$810.00 which represents a portion of the proceeds from Pint for a Purpose.

B. Agenda Items

James O'Brien, Dave Heffelfinger, and Richard Weddigen all expressed their concern regarding the Borough directing the Solicitor to intervene in the appeal from the owner of 1527 Easton Road.

Mr. Corriere- The property owner filed an appeal. The court issued a Writ to the Borough to provide the record. The judge will not be taking any additional testimony to make his ruling. It would be unprecedented for the Borough to not provide the record to the court.

C. Non-Agenda Items- None

VII. Reports from Elected Officials

A. President

Mr. Rieger- I will require an Executive Session following this meeting to discuss potential and current litigation.

B. Mayor

Mayor Heintzelman thanked Mr. McKenna and Mr. Rieger for their assistance at Pipes for Paws.

I was invited to the Garlic Fest Mayors Cook-Off to represent Hellertown Borough. We did not win this year but Bobbie did an amazing job.

C. Hellertown Historical Society (Gil Stauffer)

Mr. Stauffer had nothing to report.

D. Planning Commission

Mr. Rieger- The next meeting is scheduled for October 12, 2021.

E. Hellertown Area Library Board of Trustees (Matthew Marcincin)

Mr. Marcincin- The Book Bike will be participating in the parade and out for Trick-or-Treat.

F. Hellertown Borough Authority (Earl Hill)

Mr. Hill had nothing to report.

G. Hellertown Chamber of Commerce (Tom Rieger)

Mr. Rieger had nothing additional to report.

H. Saucon Valley Partnership (James Hill)

Mr. Rieger- The Partnership will be approving the updated Multi-Municipal Comprehensive Plan this month.

I. Saucon Rail Trail (Matthew Marcincin)

Mr. Marcincin- The "Hellertown" sign for the Rail to Trail is completed and will be installed shortly.

J. Hellertown Civil Service Commission (James Hill)

Mr. Hill had nothing to report. There is still a vacancy on the board.

VIII. Reports from Appointed Officials

A. Treasurer- None

B. Engineer

Mr. Smith- The Swale Greening Project is in process.

Submittals are being reviewed for the Walnut Street Trail Crossing Project.

C. Solicitor

Mr. Corriere had only agenda items to discuss.

D. Manager

Mrs. Hartranft had only agenda items to discuss.

E. Chief of Police

Chief Shupp had nothing to report.

F. Public Works Director

Mr. Yonney had nothing to report.

G. Zoning/Codes Officer

Mr. Russo had nothing to report.

H. Fire Chief- None

I. Emergency Management- None

IX. Unfinished Business- None

X. New Business

1. Outstanding Obligations- Approval of Payments

Motion made by Earl Hill, seconded by Matthew Marcincin, to approve the payments. Motion carried 7-0.

2. Discussion and Authorization to Advertise Ordinance 837, Vacating Portion of Oak and Hemlock Streets, Pursuant to the Statute- Council Action

Mr. Corriere- The Borough received a request to vacate a portion of Oak and Hemlock Streets. The ordinance will need to be advertised on two consecutive weeks. The property owner has provided funds for an escrow account to cover the advertising cost. Unless a petition for hearing is filed, this will appear on the agenda for the second meeting in November.

Mr. Rieger- The Borough was provided photographs showing trucks using this area to turn around.

Motion made by Michael McKenna, seconded by James Hill, to authorize the advertisement of Ordinance 837. Motion carried 6-1 (Mr. Rieger opposed).

3. Authorization to Expend Funds for Topographical Study and Subdivision Application for Farm Property- Council Action

Mr. Smith- This is a two-step process. A survey needs to be completed and plans prepared for subdivision. The survey cost is \$10,000.00 and the subdivision cost is \$25,000.00.

Mrs. Hartranft- The cost would be taken from the Capital reserve. When receiving bids for the sale of Borough owned property, the sale must close within 60 days which would not be enough time to complete these items.

Motion made by Earl Hill, seconded by Gil Stauffer, to proceed with completing the topographical study and subdivision application. Motion carried 7-0.

4. Authorization for Solicitor to Intervene in Appeal by Property Owner of 1527 East Road- Council Action

Motion made by Earl Hill, seconded by Gil Stauffer, to authorize solicitor to intervene in appeal by property owner of 1527 Easton Road.

Roll Call:

Earl Hill-	Yes
James Hill-	No
Andrew Hughes-	Yes
Matthew Marcincin-	Abstained
Michael McKenna-	Yes
Thomas Rieger-	No
Gil Stauffer-	Yes

Motion carried 4-2.

5. Authorization to Pay Invoice #6 to TPD for the Main Street Safety Project in the Amount of \$11,899.50- Council Action

Motion made by Earl Hill, seconded by Michael McKenna, to pay invoice #6 to TPD in the amount of \$11,899.50. Motion carried 7-0.

6. Discussion on ZHB-21-04: The appeal of Satto Properties LLC 3136 Hamilton Blvd, Allentown, PA 18104. Appellants seek special exception approval under section 450-12(c)2 *apartments in combination with stores or offices* and relief from section 450-20(a)2 *parking requirements*, to allow the conversion of light warehouse/manufacturing space into an additional owner-occupied residential unit. The subject property is located at 1075 Main St, Hellertown, PA. Parcel ID Q7SW2A-202209715, in the Mixed Zoning District

Mr. Russo- The property has been for sale. Currently, the warehouse space is vacant. The property owner is looking to convert the warehouse space into an owner-occupied unit.

Mr. Leiberman noted that there are 5 parking spaces in the back of the building.

Mr. Russo- An estimate would be that the applicant would need an additional 2 parking spaces. They will still be leasing the space to the Organic Mattress Store.

Motion made by Gil Stauffer, seconded by Andrew Hughes, to send a letter to the Zoning Hearing Board to recommend against granting the parking variance. Motion carried 6-1 (James Hill opposed).

7. Approval of Costs Associated with Additions to Public Works Facility- Council Action

Motion made by Michael McKenna, seconded by James Hill, to approve Change Order #1 which changes the concrete floor from 6' to 8' at a cost of \$29,890.00. Motion carried 7-0.

Motion made by Earl Hill, seconded by James Hill, to approve Change Order #2 which adds 2, 14'x14' overhead doors at a cost of \$16,900.00. Motion carried 7-0.

Motion made by Earl Hill, seconded by James Hill, to approve Change Order #3 which installs electrical as per MEP plans at a cost of \$155,480.00. Motion carried 7-0.

Motion made by Earl Hill, seconded by James Hill, to approve Change Order #4 which installs HVAC as per MEP plans at a cost of \$108,498.00. Motion carried 7-0.

Motion made by Earl Hill, seconded by James Hill, to approve Change Order #5 which installs plumbing as per MEP plans at a cost of \$128,330.00. Motion carried 7-0.

Motion made by Earl Hill, seconded by James Hill, to approve Change Order #6 which installs sprinkler system, nitrogen generator, and sprinkler alarm at a cost of \$231,260.00. Motion carried 7-0.

Mrs. Hartranft- The total for the additional items is \$542,028.00.

Motion made by Gil Stauffer, seconded by Michal McKenna, to take the additional costs from the fund balance. Motion carried 7-0.

8. Authorization to Pay Invoice #8 to Marino Corp for the Main Street Safety Project in the Amount of \$37,196.80- Council Action

Motion made by Earl Hill, seconded by Michael McKenna, to pay Invoice #8 to Marino Corp in the amount of \$37,196.80. Motion carried 7-0.

XII Announcements- None

XIII. Executive Session

Motion made by Earl Hill, seconded by Andrew Hughes, to adjourn to Executive Session at 8:12 p.m. Motion carried 7-0.

Mr. Corriere advised that the Executive Session was being held to discuss potential and current litigation.

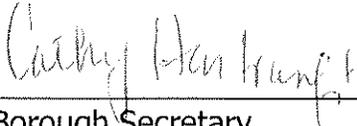
Motion made by Michael McKenna, seconded by Earl Hill, to reconvene from Executive Session at 8:30 p.m. Motion carried 7-0.

No action was taken.

XIV. Adjournment

Motion made by Michael McKenna, seconded by Earl Hill, to adjourn the meeting 8:31 p.m. Motion carried 7-0.

Adopted by the Hellertown Borough Council this 18<sup>th</sup> Day of October 2021.

  
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Borough Secretary