

Borough of Hellertown
Special Council Meeting Minutes
Monday December 12, 2022

The Meeting Was Held In-Person, Via Zoom, and Streamed on Facebook Live

An Executive Session Was Held Prior To The Meeting to Discuss Potential Litigation, Personnel Matters, and Contract Negotiations

I. Call to Order / Pledge of Allegiance– Thomas Rieger, 7:00 p.m.

II. Roll Call – Cathy Hartranft

Theresa Fadem-	Present via Zoom
Earl Hill-	Present
Andrew Hughes-	Present
Matthew Marcincin-	Present
Michael McKenna-	Present
Thomas Rieger-	Present
Liz Thompson-	Present
Mayor Heintzelman	Present

Also in attendance were Cathy Hartranft, Michael Corriere, Barry Yonney Corporal John Donato, Sheri Eichlin, Bryan Smith, and Junior Council Member, Kimberly Moser. Kris Russo and Chief Shupp via Zoom.

III. Adoption of Meeting Agendum

Motion made to adopt the Meeting Agendum by Earl Hill, seconded by Liz Thompson. Motion carried 7-0.

IV. Approval of Meeting Minutes from December 5, 2022

Motion made to approve the Meeting Minutes from December 5, 2022, by Mike McKenna, seconded by Matt Marcincin. Motion carried 7-0.

V. Courtesy of the Floor

- A. Pre-Scheduled Appearances-none
- B. Comments on Agenda Items-none
- C. Comments on Non-Agenda Items-none

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VI. Reports from Elected Officials

- A. President-none
- B. Mayor
- C. Hellertown Historical Society (Earl Hill)-deferred
- D. Planning Commission (Earl Hill)-deferred
- E. Hellertown Area Library Board of Trustees (Matthew Marcincin)-deferred
- F. Hellertown Borough Authority (Earl Hill)-deferred
- G. Hellertown Chamber of Commerce (Tom Rieger)-deferred
- H. Saucon Rail Trail (Theresa Fadem)-deferred
- I. Hellertown Civil Service Commission (Michael McKenna)-deferred
- J. Junior Council (Kimberly Moser)

Saucon Valley High School participated in a Scholastic Scrimmage with Whitehall and won. WPBS will broadcast a recording of the scrimmage on 1/13/2023. Girls & Boys Basketball, Swim, and Wrestling obtained wins on their first games/meet/match. The High School hired a new Assistant Principal.

VII. Reports from Appointed Officials

- A. Treasurer
- B. Engineer
- C. Solicitor (Michael Corriere) none
- D. Manager (Cathy Hartranft) only agenda items
- E. Chief of Police (Chief Shupp) none
- F. Public Works Director (Barry Yonney)
December 14, 2022, last day for leaf collection. Please bag leaves after this week for pickup.
- G. Zoning/Codes Officer (Kris Russo)

VIII. Unfinished Business

IX. New Business

- A. Appointment of Special Legal Counsel for all matters Relating to Lower Saucon Township
Motion to sign Engagement Letter of White & William LLP as Special Legal Counsel, Jeffrey Stewart for all Matters Relating to Lower Saucon Township by Mike McKenna, seconded by Liz Thompson. Motion carried 7-0.

- B. Motion for any fees or costs to be taken from the Reserves Fund by Mike McKenna, seconded by Earl Hill. Motion carried 7-0.

Motion to authorize Special Counsel to respond if necessary to any litigation or objection filed by Lower Saucon Township Council due to the termination of intergovernmental relations or initiate the same on behalf of the borough previously mentioned on this agenda by filing any legal brief, injunction, motion, or the utilization of any other reasonable legal course of action behalf of the Borough by Liz Thompson, seconded by Andrew. Motion carried 7-0.

- C. Authorization to advertise Ordinance 845-Terminating Intermunicipal Agreement with Lower Saucon Township to operate a joint yard waste recycling center known as the Saucon Valley Compost Center.

Motion to advertise Ordinance 845-Terminating Intermunicipal Agreement with Lower Saucon Township to operate a joint yard waste recycling center know as the Saucon Valley Compost Center by Mike McKenna, seconded by Earl Hill. Motion carried 7-0.

- D. Authorization to advertise Ordinance 846-Terminating Intermunicipal Agreement with lower Saucon Township to permit Lower Saucon residents to be charged resident rate at Hellertown Pool and terminating the annual rebate payment schedule.

- E. Motion to advertise Ordinance 846-Terminating Intermunicipal Agreement with lower Saucon Township to permit Lower Saucon residents to be charged resident rate at Hellertown Pool and terminating the annual rebate payment schedule by Mike McKenna and seconded by Earl Hill. Motion carried 7-0.

- F. Authorization to advertise Ordinance 847-Repealing Ordinance 673 and Terminating the Intermunicipal Agreement with Lower Saucon Township and Saucon Valley School District and withdrawing from the Saucon Valley Partnership.

Motion to advertise Ordinance 847-Repealing Ordinance 673 and Terminating the Intermunicipal Agreement with Lower Saucon Township and Saucon Valley School District and withdrawing from the Saucon Valley Partnership by Mike McKenna, seconded by Earl Hill. Motion carried 7-0.

G. General Public Discussion and Possible Action Regarding Hellertown Borough & Lower Saucon Township relations.

Mr. Rieger opened discussion on the relationship between Hellertown Borough and Lower Saucon. Over the years, there have been many, many positive partnerships and collaborations with Lower Saucon Township. The current situation is unfortunate. Hellertown Borough is thriving community that is experiencing many positive endeavors such as grant opportunities, Light Up Night, Pool Renovations, Dimmick Park, and the new Public Works Building and land development projects that require our focus. He stated that Lower Saucon residents are still able to access pool admission, however will be charged a non-resident rate.

Ms. Thompson stated she was disappointed that Lower Saucon Township could not collaborate or be transparent with their own residents, the Hellertown Area library and Hellertown Borough Council for the last 11 months.

Priscilla DeLeon-Resident and Council Member of Lower Saucon stated she has been unable to get information from Lower Saucon Council about the library and compost center, even under her reports. She receives more information through live streamed Southern Lehigh School Board meeting. Ms. DeLeon is only one of the five Council Members willing to collaborate. Mayor Heintzleman commended Ms. DeLeon for participating in community events. Ms. Fadem also thanked Ms. DeLeon and hoped for a return to continue maximizing resources for the communities.

AnnMarie Gonsalves-complimented both Hellertown Borough and Lower Saucon Township and asked both communities to sit together and move forward.

Mr. Rieger disclosed a letter was received this afternoon (Dec. 12, 2022) from Lower Saucon Township Zoning Officer that since Hellertown is ending joint Operations at the Compost Center that Hellertown Borough is potentially in violation of Lower Saucon Township zoning ordinance.

H. Authorizations to pay the bills through the end of 2022

Motion to authorize to pay the bills through the end of 2022 by Matt Marcincin, seconded by Earl. Motion carried 7-0.

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I. Authorizations to pay Baseline in the amount of \$56,604

Original cost was \$65,104 for the Durham Street Crossing-includes one crosswalk, two handicapped ramps, and a sidewalk. Hellertown did receive a credit of \$8500.

Motion to pay Baseline in the amount of \$56,604 by Mike McKenna, seconded by Earl Hill. Motion carried 6-1 (Mr. Hughes opposed).

J. Escrow Release in the amount of \$89,905.34 Starbuck Land Development

Mr. Smith reported all required work requirements were met for Hellertown Borough and PennDOT. Motion by Mike McKenna, seconded by Terri Fadem to release the escrow in the amount of \$89,905.34 Motion carried 7-0.

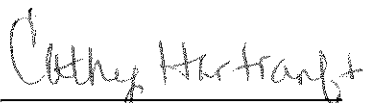
X. Announcements

Mr. Reiger announced January 3, 2023, meeting will start at 6:00. The traditional Reorganization Dinner will follow afterwards at the Carriage House. Dinner is open to all Council members, Staff, Public Works, Board and Police. Cost is \$25 per person and spouses/significant others are welcome to attend. Any leftover funds will be donated to the library fund.

XI. Adjournment

Motion by Mike McKenna seconded by Liz Thompson to adjourn the meeting at 8:00 pm.

Respectfully submitted,


Cathy Hartranft, Secretary