

Acting President McKittrick called the regular meeting of the Catasauqua Borough Council to order at 7:00 PM with the Pledge to the Flag.

MEMBERS PRESENT:

Mr. Smith (Acting Mayor), Ms. Mellish, Mr. McKittrick, Mr. Schlegel and Ms. Weaver.

ALSO PRESENT:

Manager Goldfeder, Solicitor Anewalt, Police Chief Kish, Engineer Gawlik, and Treasurer Hein.

ABSENT:

Ms. Kroope, Mr. Bartholomew, and Mayor Schlegel.

MINUTES:

A motion to approve the minutes of the August 7, 2017 regular meeting was made by Ms. Weaver, seconded by Ms. Mellish. The motion passed four in favor none opposed.

HEARING PERSONS PRESENT:

TWO-WAY FRONT:

Jody Freyman, 123 Front Street, Catasauqua. Ms. Freyman said it was her understanding that two-way Front Street had to be done and the Borough couldn't sell the property otherwise. She said she thinks it was done too soon; you still have to go up to Second Street to get to Race Street. She thought that tractor trailers wouldn't be allowed on the street anymore. She said the Borough trucks cannot make the corner from Union Street, if it hadn't been a no-parking for street cleaning. She said tractor trailers are speeding up the street, and she is concerned what will happen when traffic increases on the street in both directions.

Mr. McKittrick said he believes that tractor trailers not doing business in the Borough will find alternate routes because they will not want to use Front Street. Mr. McKittrick explained that Front Street does not go all the way to Race Street because Penn Dot needs to make improvements along Race Street and they have not scheduled that work yet.

Ms. Freyman asked why it was done before Penn Dot was ready. Mr. McKittrick said he had been up and down Front Street several times and did not see a problem.

Ms. Freyman said that it is difficult to park on Front Street, getting out of her car is difficult. Ms. Freyman said that even with the stop sign at Union Street cars are still speeding, Mr. McKittrick assured her that the Police Chief would look into this. Chief Kish said he is doing a traffic study, and it shows that traffic is going slower since two-way traffic was implemented.

Ms. Freyman asked about line of sight at the corners. The Chief explained that the fog lines do not restrict parking even if it runs through a parking spot. Ms. Freyman said that people are parking right to the corner, the Chief said that is a violation and if she sees that, she should call the Police Department and report it.

Mr. McKittrick said that it is still new and the kinks are being worked out.

Ms. Freyman asked if they were done with street cleaning, her street had not been cleaned the last three months. Chief Kish explained that streets were not cleaned in July because of the 4th of July holiday, August was because of the Public Works department was helping with the move into the new Municipal Complex, and September was delayed because Public Works had some large water jobs they were working on. Ms. Freyman asked if she could leave her car parked on

Front Street this week. The Chief said yes she could, that they would not be ticketing this time as they were aware there would be no street cleaning this week. He said that October they should be back on schedule.

Ms. Freyman said she thought that tractor trailers would be restricted on two-way Front Street, Ms. Mellish said that at this time there are no plans to restrict tractor trailers. Ms. Weaver said the decision not to restrict tractor trailers was made, with the understanding that it may have to revisit it at a future date.

221 Front Street:

Jessica Tirado, 221 Front Street, Catasauqua, said she appreciates the Borough's attempt to solve the water runoff from the vacant lot next to her home. She said the sandbags were not stopping the water and she is still getting water in her basement where the concrete and brick still are and her backyard is getting flooded. She said she had sent Mr. Smith a video of the water pouring down. She thinks there has to be a better way to solve this problem.

She said she cannot get a contractor to fix her fence, but the contractors she has contacted do not want to touch it because of the Borough property, big rocks are falling into her yard, under her fence. The Manager said he will have someone check about the brick and concrete, and have it moved.

The Manager asked if the sandbags were working everywhere except where it went around the brick and concrete. Ms. Tirado said the sandbags are working at the front, but the house on Railroad Street, to back of the lot, has three rainspouts that are pouring down into the lot as well as the water that comes down Willow Street, and it is going through the brick and concrete. The Manager said if the sandbags are working we can add more around that specific area and channel off as much as possible. He said that what is coming from the neighbor is a problem that will have to be addressed with the neighbor, their water is supposed to be going to the street, not across other's property.

Front Street

Elaina Fry, 310 Mauch Chunk Road, Coplay, speaking on behalf of her parents. She said she and her siblings heard a rumor that two-way Front Street was done so quickly so the Borough could get funding for the new municipal building, because it needed to be on a two way street for the Fire Department. Mr. McKittrick said that was incorrect information.

Ms. Fry said when she drives her Dodge Ram down the street, she is afraid someone is going to hit her, because she has a wide vehicle and the mirrors stick out. She does not have this issue when she drives her Ford Escape. She said people are parking across the street from the laundry mat, where they are not supposed to be parking. Ms. Fry said she had to stop in the road and wait for several cars to pass, so she could by.

Ms. Fry said she sits on the porch with her parents and has seen cars going through the stop sign on Front at Union without stopping. She said if a patrol car were to watch the intersection they would be writing a lot of tickets.

Ms. Fry asked if when the Borough knows there will be not street cleaning, is there a way to notify the residents. Mr. McKittrick said that residents need to assume every month that the street cleaning will be done, because sometimes it is a last minute thing that causes it to be postponed or cancelled.

The Manager said it was the intention that street cleaning and other maintenance should have been done. The signs are not just for street cleaning, it helps the Police Department identify abandoned, illegal vehicles.

Ms. Fry asked what will happen in the winter with snow emergencies, and whether Front Street would have one or two lanes of traffic open, and where will people be able to park. Mr. McKittrick said during a snow emergency there will be no parking on one side of the street, and snow will be plowed to the curb, the same as in the past.

Ms. Fry asked about the white lines curving in at the intersections and cutting off some of the handicap parking spots. The Chief explained that these are fog lines that designate the sides of the road, and that if they impede on a legal parking space they do not restrict parking. It is the yellow lines that determines the legal distance of 20 feet from the intersection.

Mr. McKittrick thanked everyone for their comments and said that the proper departments will address their issues, and if they do not get success to please come back again.

ORDINANCES & RESOLUTIONS:

RESOLUTION #12-17

A RESOLUTION RECOGNIZING THE HISTORIC CATASAUQUA PRESERVATION ASSOCIATION.

Ms. Weaver moved, seconded by Ms. Mellish, to pass the Resolution Recognizing the Historic Catasauqua Preservation Association, allowing them to obtain a Liquor License to sell alcoholic beverages at the Grand Opening Blast. The motion passed four in favor, none opposed.

SECRETARY/MANAGER:

Manager Goldfeder reported.

WATER & SEWER:

There were 25,157,000 gallons of water pumped to the system in August 2017 for a daily average of 811,000 gallons. There were 33,770,000 gallons of sewage treated for a daily average of 1,090,000 gallons.

STATUTORY REQUIREMENT:

The Manager reported that each year the Pension Plan administrators prepare what is known as the Minimum Municipal Obligation, it is how much the Borough is required by law to contribute to our employees', both uniformed and non-uniformed, pension plans. He said that if every community, every municipal organization, the State and all the others that are required to make their contributions, made their full contributions, the pension issues that you hear and read about, about how bad they are, would not be nearly as bad. While most pension plans are underfunded, that is not unusual, the goal is to put in an amount of money each year, so that over time if nobody leaves, no disability pension, no catastrophic financial problems with the investments, it works out at the end of the day that everyone still has their full pension.

The Manager reported that for 2018, the required MMO for the Police Pension Plan is \$189,708. The contribution for the Non-Uniformed Employee's Pension Plan is \$62,950. Both of these will be included in the 2018 Budget. The Manager explained that not all of this comes from local tax dollars, the Municipal pension plans in Pennsylvania are funded in a number of ways. According to Act 205, the current law that governs pension plans states that the first thing you do if the Plan is overfunded, you have to use a portion of that excess money to fund

the plan, so that you eventually come into balance. If you are underfunded you have to put extra in. The employee's plan is overfunded and has a funding adjustment next year of \$21,000. So even though the plan requires \$84,000, the balance required is \$462,950.

The Manager said the second way the plan is funded is through the investment return. The plan assumes a certain percent on its investments, most years it hits its mark. The third way is from a contribution from the State. Each year on our property insurances, home owners, fire insurance, etc., there is a tax on that insurance equal to 2% of the premium, and the State distributes that money to all Municipal pension plans. Recently all communities have been getting approximately \$3,500 per unit towards funding our plans. If that holds true then of the roughly \$190,000 that Borough has to put in for the Police Plan, the Borough will have to contribute out of local tax dollars about \$100,000. For the employees' plan there is a very good likelihood, given the number of employees and the State contribution, that there will not be any local tax dollars that go toward the employee plan, because the State contribution will be close to the full amount necessary.

The fourth place the funding comes from is employee contributions toward their own retirement plans. The Police currently contribute 8% of their pay to the Police Pension Plan, the employees do not. The Police do because they are underfunded and the contribution has to be made. The \$190,000 the Borough is required to put in, is after the employees' contribution and after the investment income, but not after the State aid, because we will not know that amount until sometime in October.

PHASE 2 OF STREET PROGRAM:

The Manager reported that tonight Council will be approving the Street Resurfacing Project Phase 2 contract. Once that is approved and the contract is signed the contractor will schedule both Phase 1 and 2 of the project, hopefully for later this month.

POMPA AGREEMENT:

The Manager reported that under Planning & Zoning tonight, action will be taken to Support with Conditions the Pompa's request to Zoning Hearing Board. The Manager explained that Mr. Pompa had applied to the Zoning Hearing Board for a variance to operate Craft Beverage Production Facility, which was approved. During the course of the hearing it was discovered that the Ordinance and State law are at odds with what they can sell, market, or have in their tasting room. The Planning & Zoning Committee have been working with the Pompas to remedy this. The suggestion was that the most streamlined method to resolve the issue is to have the Pompas return to the ZHB requesting a variance to establish a facility allowing them to essentially sell anything, however with conditions that would match their State license. While they are going to the ZHB as if to establish a bar or tavern, it is not the full blown bar or tavern as one would think. They are restricted by their PLCB License and the conditions being put forth by the Borough that will be addressed under P&Z later in the agenda.

The Manger reported that the P&Z Committee is looking at amending the Zoning Ordinance to provide a lot of these same conditions and modifications, but the Solicitor believes that it will take several months to go through the process. This is the most streamlined way to get the Pompas' where they want to be a lot quicker.

ALLEN TOWNSHIP:

The Manager reported that he had received the Revised Final Draft of the Comprehensive Plan for Allen Township. They spent some time revising their Comprehensive Plan to account for projected growth and the direction they want to go. Since we are an abutting municipality we received a copy. There is one copy of the Plan in the Caucus room for Council's review. If anyone wants a copy the Manager will send it to you electronically.

TREASURER'S REPORT:

A motion to approve the Treasurer's Report was made by Ms. Mellish, seconded by Ms. Weaver. The motion passed four in favor, none opposed.

MAYOR:

Acting Mayor Mr. Smith, said he no report.

HALLOWEEN PARADE:

Mr. Schlegel on behalf of the Mayor reported that the Halloween Parade is scheduled for October 18, rain date October 25. He said they still need donations. Most people do not realize that the Bands are not free, costing \$500-\$800, even the High School Bands. Mr. McKittrick stated that the Halloween Parade receives no tax payer funds.

TRICK OR TREAT:

Trick or Treat is Friday, October 27, 6-8 PM for Catasauqua and North Catasauqua. Ms. Freyman asked for clarification on the date, because traditionally trick or treat is on Saturday, she was informed that it was switched to Friday this year.

K-9 FUNDRAISER:

The Mayor would like to have a Yard Sale on September 30, as a fundraiser for the K-9 Unit, at the Fire Training Field.

Mr. Schlegel, on behalf of the Mayor, asked for a status update on Officer Rothrock. The Manager replied that at this time it is not open for public discussion and offered to have a private session after the meeting to provide the latest update.

Mr. Schlegel asked if the Manager had received a copy of the Police Bargaining Unit's letter of Arbitration. The Manager responded that he had.

In response to a question from Mr. Schlegel regarding the Civil Service Commission, the Manager said he had spoken to Dawn Fisher, and she said they had scheduled a reorganization meeting. Mr. McKittrick said he had also discussed this with Ms. Fisher.

Mr. Schlegel requested on behalf of the Mayor, a full cost of the Municipal Complex and all information.

JUNIOR COUNCIL:

Not present.

SOLICITOR:

Mr. Anewalt reported.

Mr. Anewalt said the written report had been distributed and he would answer any questions.

Ms. Mellish stated that the report, under the Business Registration Ordinance, states that they are waiting comments from Gene, the Committee and herself, and she believes that has been provided, and that she was expecting a draft ordinance at tonight's Committee meeting. Solicitor Anewalt said he had not information on this matter and will look into it.

ENGINEER’S REPORT:

Mr. Gawlik reported.

A written report was issued. Mr. Gawlik addressed the highlights of the report.

GENERAL GOVERNMENT:

Ms. Mellish Reported.

BUSINESS REGISTRATION:

Ms. Mellish said the Business Registration Ordinance has been put off until next month. Ms. Mellish said she hopes to have the Ordinance ready for action at the November Council Meeting.

FEST ‘O FALL:

Saturday, October 7, 2017. Ms. Mellish said she has no information with regard to the George Taylor House participation.

PUBLIC SAFETY:

Mr. McKittrick reported.

UPCOMING ORDINANCES:

Mr. McKittrick reported that there are several ordinances coming up in October regarding parking, and on regarding the Ordaining and Opening of Bridge Street.

In response to a question from Mr. McKittrick, Chief Kish said that his department will be making it a priority to enforce 2 Hour parking as posted.

PUBLIC UTILITIES:

Mr. Schlegel reported.

GREASE TRAPS:

Mr. Schlegel reported that the Committee is waiting on a report and sample ordinance from Karl Schrieter regarding grease traps.

SHADE TREE:

Mr. Schlegel reported that the Shade Tree Commission has called a special meeting for tomorrow evening, and would he be able to access the building.

PLANNING & ZONING:

Ms. Weaver reported.

BRACY CHANGE ORDER #4

Ms. Weaver moved, seconded by Mr. Schlegel, to take Action on Change Order #4-Bracy Construction. This Change Order does not modify the Contract sum, it authorizes billing against the allowances in the Contract.

Ms. Mellish asked for a brief synopsis of the Change Order. The Manager said it was for adding some overhead door key switches, wood trim for the window opening at the main office, mounting light fixtures, changing out some soap dispensers, and some additional blocking for the roof done in the beginning of the project. The Manager said the cost is \$10,000, and that it is being charged against the allowance built into the contract so there is no change to the contract amount.

The motion passed four in favor, none opposed.

In response to a question from Mr. McKittrick the Manger said that there are several amounts of money being withheld from Bracy at this time, until all items are satisfactorily met.

ZONING HEARING BOARD

Ms. Weaver moved, seconded by Ms. Mellish, to take Action on a Recommendation to Support, with Conditions, the Application of the Pompa’s to the Zoning Hearing Board for a Variance Related to the Tasting Room Component in Conjunction with Their Craft Beverage Facility.

Ms. Weaver read the conditions. Ms. Weaver said the Pompas were present and

asked if they had anything to add. Mr. and Mrs. Pompa said they agree with the conditions. The Zoning Hearing Board is scheduled to meet on Tuesday, September 19, 2017.

Mr. McKittrick asked the Pompas to clarify that they would not be selling other's products in quantity, only in the tasting room

The motion passed, four in favor, none opposed.

IRON WORKS RPF:

Ms. Weaver reported that the Request for Proposals is out, and the property is for sale as of August 25, 2017. A lot of attention is being generated by the Lehigh Valley Business who published the RFP. A preproposal meeting is scheduled for September 19. It is for anyone who is interested, they can ask questions and tour the site.

Ms. Weaver said they hope to have a preferred developed by the end of the year. Mr. Helmer, Taggart Consultant, will be the contact person for the RFP.

GRAND OPENING BLAST:

The Grand Opening Blast and Dedication for the Municipal Complex is scheduled for September 16, 12-5 PM. Ms. Weaver said one of the missions of the G.O.B. is to attract potential developers, and encouraged everyone to attend, and participate in the celebration and take a tour of the new building.

PUB CRAWL:

Ms. Mellish asked if HCPA could extend the hours of their service into the Pub Crawl that evening. She said HCPA would close up around 10.

Ms. Mellish in response to a question from Ms. Weaver said that it would be part of the Crawl, but they would close about 10 PM. She said they would like to stay open to raise more funds to help support the Blast and also the HCPA.

The Manager suggested that if Council approves the request, they do it subject to approval of the Borough insurance company. Ms. Mellish said HCPA has their own insurance, and have done events at the Park and George Taylor House. The Manager said that those were done during Borough functions, but this request is for outside of the Borough function, and that may be a concern for the insurance company.

Ms. Mellish moved, seconded by Ms. Weaver, to conditionally approve HCPA to extend the sale of alcohol beyond the hours of Grand Opening Blast, subject to approval by the insurance agency.

Ms. Mellish said if approval is not granted they would most likely move their stand to HCPA property.

In response to a question from Ms. Weaver concerning how long HCPA had been contemplating this, Ms. Mellish said they had been trying to set up a meeting with the Manager and Blast committee for a couple of weeks. Ms. Weaver said the Blast committee has been the same for all the blasts.

Mr. Smith said that if this something that will enhance the Blast and raise money for the HCPA, and if there is no issue with the insurance company, Council should support it.

Mr. Schlegel said he is in favor of HCPA raising money, but that he cannot endorse anything that encourages alcohol consumption.

Mr. McKittrick said they will be providing alcohol during the Blast, and the real issue is that Council was blindsided by this request at the last minute, and did not have time to consider it.

The motion passed on a roll call vote of three in favor, one opposed, Mr. Schlegel voting no.

RECREATION:

Ms. Mellish reported.

GEORGE TAYLOR HOUSE:

Ms. Mellish reported that Ms. Kroope wanted to make sure the Committee got a copy of the George Taylor House agreement. The Manager said he had not received the latest draft at this time.

The Committee said they would like the Solicitor to meet with Joe Garera with the Lehigh County Historical Society, before the final agreement is signed.

REASSIGNMENT OF GTH

Ms. Mellish said it was suggested at the last meeting that the George Taylor House oversight was being moved to the General Government Committee. Mr. Smith answered that since the George Taylor House is budgeted under General Government and in light of recent events that it would be appropriate to move oversight to General Government. Mr. McKittrick said that it makes sense since General Government oversees Borough owned properties.

President of Council assigned oversight of the George Taylor House from the Recreation Committee to the General Government Committee.

SUMMER CONCERT SERIES:

Ms. Mellish acknowledged the great job Jeff Miller did on the Summer Concert Series, even with a lot of rainy Friday nights and rescheduled concerts.

The Manager said Mr. Miller is already at work on next year's concerts.

Mr. McKittrick commented on the fact that even though alcoholic beverages are allowed at the concerts, there were no issues. Chief Kish confirmed this.

SKATE PARK:

Mr. Smith asked if there was any resolution to the ¼ pipe issue. The Manager said he would look into it.

PUBLIC WORKS:

Mr. Schlegel reported.

JEFF MACHOSE:

Mr. MacHose had open heart surgery about two weeks ago, and that reports are he is coming along well and Mr. McKittrick said that he ran into him and that he is looking good.

2017 STREET PROGRAM PHASE 2:

Mr. Schlegel moved, seconded by Ms. Weaver, to award the contract for the 2017 Street Resurfacing Program, Phase 2 to Bracalente Construction, for the bid amount of \$61,569. The motion passed four in favor, none opposed.

BILLS & ACCOUNTS:

<u>General Fund</u>	<u>Water</u>	<u>Sewer Plant</u>
\$1,125,437.17	\$37,465.38	\$100,845.53
<u>Sewer Collection</u>	<u>Community Development</u>	<u>Gross Payrolls</u>
\$14,106.93	\$0.00	\$133,821.16

Bills and Accounts were approved on a motion by Ms. Mellish, seconded by Mr. Schlegel. The motion passed four in favor, none opposed.

UNFINISHED BUSINESS: None.

NEW BUSINESS:

STREET PROGRAM: In response to a question from Ms. Fry, the Manager said that portions of Tioga and Delaware Avenue, are being resurfaced under Phase 2 of the Street Program.

FEST 'O FALL: Ms. Lathrop expressed concern about whether the hayride that usually goes down Front Street would be affected by the two-way traffic. Mr. Smith said that it may be tight and have to go slower that it should be able to get through. Chief Kish said that there should be no problem, and recommended that they mark the rear of the vehicle with a caution triangle.

HEARING OF PERSONS PRESENT: NONE

OCTOBER COUNCIL MEETING The October Council meeting will be held on Monday, October 2, 2017, at 7 PM.

EXECUTIVE CLOSED SESSION: Council went into closed Executive Session at 8:15 PM to discuss a personnel matter. They returned at 8:45 PM and conducted additional business.

ADJOURNMENT: There being no further business, the regular meeting of Council adjourned at 8:45 PM.

Respectfully submitted,

Eugene L. Goldfeder
Secretary/Manager