

President Smith called the regular meeting of the Catasauqua Borough Council to order at 7:00 PM, with the Pledge of Allegiance.

MEMBERS PRESENT:

President Smith, Ms. Kroope, Ms. Mellish, Mr. Bartholomew, Mr. Schlegel, Ms. Weaver.

MEMBERS ABSENT:

Mr. McKittrick.

ALSO PRESENT:

Manager Travers, Solicitor Dinkelacker, Police Chief Kish, and Engineer Gawlik.

MINUTES:

A motion to approve the minutes of the June 4, 2018 regular meeting was made by Mr. Bartholomew, seconded by Ms. Weaver. The motion passed six in favor, none opposed, one absent.

HEARING PERSONS PRESENT:

901 BRIDGE STREET:

Mr. John Corello, 902 Bridge Street, expressed concern over the condition of a neighboring property, 901 Bridge Street. He said the Borough had the grass cut on July 3. He said there is a garbage can that has been knocked over for several days, garbage has been in the can for several weeks. He said Heather Scott, 906 Bridge Street, is also here. He said an adjacent neighbor, Mrs. Diely, said that she cannot sit outside on her patio due to the smell from 901 Bridge Street, and that it has become a quality of life issue. Mr. Corello said he believes the owner received their first citation in June regarding the grass, but the owner has done nothing, except the grass that was cut by the Borough. He said the hedges are overgrown, the house is unkempt and looks vacant except for the fact that there is a car in the drive daily. Mr. Corello said he hopes that the pending Ticketing Ordinance will have “enough teeth” to force absentee landlords and property owners to clean up and maintain their properties.

President Smith explained that this is precisely the reason for such an Ordinance. It will expedite the fine and hearing processes. As it is now the Magistrate is hearing cases about grass/yard maintenance in the wintertime, several months after the original letter and citations were issues.

Ms. Weaver explained the process of the proposed Ticketing Ordinance. She said the first ticket is a warning, an attempt to get compliance from the property owners. She said it is not to make money, but to encourage compliance. In extreme cases the “teeth” is that it is still a ticket/citation. She said Code Enforcement has the option to issue a citation, and if it is not paid and the problem corrected it will go to the Magistrate. Ms. Mellish said that if the owner does not comply they can be ticketed frequently.

Mr. Corello said he would like to see a system where if they don't comply in a timely fashion that the Borough has the ability to hire a landscaper to take care of the property. Ms. Weaver said the Ordinance won't do that, it is just a reminder to people.

President Smith elaborated that the Ordinance would eliminate the lag time between a letter to the property owner, and a citation filed with the Magistrate's office, and the reason the Ordinance has been brought to Council is to have a method of immediate enforcement. They will be issued a warning and if the violation is not corrected, a \$25 ticket will be issued on a regular basis, and if not

paid it will go to the Magistrate. The tickets are meant to get the owners attention quickly.

The Borough Manager said that he hopes that in next year's budget is to fund abatement of certain violations, like grass cutting, which will then be billed to the property owner and if not paid then file a lien against the property. He said he hopes to have an abatement program so that there is money available to hire a landscaper, not Borough employees and equipment, to abate violations. He said the program would be revenue neutral, we would get back the money put out. He said he had a similar program in the Borough he was in before. He said they collected 97% of what they spent; it didn't cost the taxpayers to do this.

President Smith said that historically the Borough did not have such a system in place, and that Council will work with the Manager to put such a system in place.

Mr. Corello said that since 2015 nothing had been done to the property, leaves not raked, garbage not put out, he said they may have shoveled snow once or twice probably because they had received letters from the Borough. He asked what the expectations would be going forward; how often would the grass be cut.

The Manager replied that under a Property Abatement Program it would be approximately every two weeks through the summer, and leaves as needed in the fall, he said they probably would not do snow removal. Mr. Corello said that could be a safety issue as the property is near the middle school.

Ms. Kroope asked if Mr. Travers had seen results, since this would be more expensive than taking care of your own property. Ms. Kroope inquired if this was a rental property.

Heather Scott, 906 Bridge Street, said she is a Realtor who had the property listed for sale at one point. She said the owner explained to her that they had inherited a property that they were moving to, and their adult child was staying there. Mr. Corello said there is more than one person living in the house.

Mr. Bartholomew said that basically this property will not fall under any category, because it will constantly be issued citations. He said the Ticket Ordinance will not matter to the people living there, because they are not the owners. Citations are being issued against the owner, not the tenants. Mr. Bartholomew said tickets left on the door will be ignored and probably not given to the father/owner of the property. If they don't care now they won't care in the future.

There was discussion as to whether tickets will be left on the door or mailed to the property owners. There are different options for issuance of the tickets. President Smith said that 9/10ths of the properties would fit this program, while this one in particular may not, because it is beyond. He said this is just one more tool to be used to enforce the Property Maintenance Code.

Mr. Corello said he told the Manager he would be willing to take a day off work and attend the hearing before the Magistrate as a witness.

RACE STREET CONSTRUCTION:

Mr. Cameron Smith, 626 Second Street, said that the sign on Race Street for the Bridge replacement says that project completion is March 2019 and he wondered if the Borough had heard anything from Penn Dot. He thought it was anticipated

to be done sooner. He said he knows the official detour can only be on State roads, but wanted to know if the Borough was doing anything to prepare for the closure and the impact it will have on the Borough Road, such as a stop sign at 10th Street.

President Smith agreed that the State detour is rather convoluted, but that locals will know better ways, and is not aware of Penn Dot doing anything additional. He said the Borough may look into ways to be proactive; possibly temporary stop signs.

Mr. Cameron Smith, said he realizes he should address the issue with Penn Dot, and will do so.

Ms. Mellish asked for clarification on the end date for the project, she was informed it is still an eight month project scheduled to end in March 2019.

WALNUT STREET TRAFFIC:

Arlana Carocher, 621 St. John Street, addressed the issue of people not stopping at the stops signs along Walnut Street, 3rd and 4th Streets in particular, and the ensuing accidents. She said a bus pulled out in front her this week because it didn't stop and therefore did not see her. She asked if something could be done to check up on these intersections. She said last year she saw some children almost get hit because a bus didn't stop.

President Smith asked the Chief if a traffic study could be done in that area. Chief Kish said 3rd and Walnut had been looked at recently.

Mr. Gawlik, Borough Engineer said he will look into signage to help enhance the current stop signs.

Ms. Weaver moved, seconded by Ms. Mellish, to authorize Mr. Gawlik to explore additional signage at 3rd and 4th Streets at Walnut. The motion passed six in favor, none opposed, one absent.

Ms. Janice Lathrop, 616 2nd Street, said a similar situation exists at 2nd and Pine Streets.

HAMMERLY-PERMIT ISSUE:

Mr. John Hammerly, 115-117 Bridge Street, said he applied for a permit to replace steps at his property. He said he applied for a permit to replace old wooden steps with concrete ones. He provided drawings to Council. He said when he came to fill out the permit the office could not give him a cost for the permit, beyond the initial \$50 application fee. He said when he came to pick up the permit he was told there was a balance due of \$215. He said he refused to pay that and asked for his \$50 back. He was told they could not refund the \$50. He said if he had known it would cost \$215 he wouldn't have gotten a permit and figured something else out. He wants to know why it cost \$265 to pour less than a yard of concrete, a platform and two steps.

The Manager said he would look into the matter. President Smith explained that generally when a permit is applied for there is a \$50 application fee, and then the permit is reviewed by Zoning and then Building, and they determine if the project is allowed and what permits/inspections are required and the fees for such. He said the Schedule of Fees is used to determine the costs.

Mr. Hammerly said it is a Commercial property, to which President Smith explained that they may have something to do with the costs, because of requirements that apply to Commercial properties.

Mr. Hammerly said he had previously gotten a permit and laid 45 feet of sidewalk, signed by Gene Goldfeder, July 20, 2015, and the permit was on \$20. Mr. Hammerly wants to know why there is such a difference, the property was a commercial property then. He doesn't understand the concept of the permits. He said there is an awning across the front of his property, he spent \$120 on shingles and the permit was \$230. President Smith, said that may be for a whole roof.

Mr. Hammerly was instructed to contact Keycodes, the Borough's Building Inspectors, to discuss the process and pricing of permits for additional work that is planned for the property.

President Smith thanked Mr. Hammerly for bringing these issues to the attention of Council. He said the fees had been set by Bruce Trout the Borough's former Building inspector and many need to be reviewed.

After some discussion it was decided that Manager Travers would look into the issue and would contact Mr. Hammerly.

ORDINANCES & RESOLUTIONS:

ORDINANCE #1371:

AN ORDINANCE ESTABLISHING STANDARDS AND GUIDELINES FOR THE DESIGN, INSTALLATION, OPERATION AND MAINTENANCE OF GREASE INTERCEPTORS FOR COOKING ESTABLISHMENTS IN ORDER TO CONTROL THE DISCHARGE OF FATS, OILS AND GREASE INTO THE SANITARY SEWER SYSTEM IN ACCORDANCE WITH THE NPDES PERMIT FOR THE CATASAUQUA WASTE WATER TREATMENT PLANT.

Ms. Weaver moved, seconded by Mr. Bartholomew, the motion passed six in favor, none opposed, one absent on a roll call vote.

ORDINANCE:

ORDINANCE ESTABLISHING A PROGRAM FOR THE ISSUANCE OF TICKETS FOR VIOLATIONS OF CERTAIN BOROUGH ORDINANCES RATHER THAN THE ISSUANCE OF CITATIONS AS AN INITIAL FORM OF DUE PROCESS.

Ms. Kroope said she had tried to get a copy of Slatington's ordinance, as it was used as an example to develop the Borough's. Ms. Kroope asked if anyone had a copy of it since she had been unable to obtain it. The Manager said he had not been able to get a copy either.

President Smith said he thought the Committee had looked at several different Ordinances. Ms. Weaver said the Committee had looked at Allentown, Emmaus, Freemansburg and others. She said that 25 similar Ordinances had been passed throughout the State; and that they are all similar but not exactly the same as they are tailored to the individual municipality.

Ms. Kroope said she reviewed the Allentown Sweep Program. She said it is different from ours and she called and got some clarification on their program. She explained that only the Sweep Officers write tickets, not the Code Officers; she also said it goes before the Magistrate, not a Code Hearing Board, and never becomes a criminal offense.

Solicitor Dinkelacker explained that the Borough's ordinance does not apply to

Zoning only the Property Maintenance Code, which is done by the Code Enforcement officer. He said there may be some flexibility between departments depending on existing Ordinances.

Ms. Kroope asked for clarification on the appeal process and why it has to go through the Code Hearing Board. Ms. Weaver and President Smith explained the difference between the Code Hearing Board and the Code Appeals Board and that the fees for the Appeal Board would be established by Resolution after the Ordinance is passed.

Mr. Bartholomew asked how this would have worked with 901 Bridge Street. He asked if they would have been issued tickets every day, and how many would be issued before it went to the Magistrate.

The Solicitor used the Weed Ordinance as an example, explaining that everyday a property is in violation is a separate offense, authorized by the MPC, IPMC and Borough Code. Enforcement of any kind of Ordinance requires some degree of discretion on the part of the person enforcing it, whether the person has appealed the ticket or not, are they disregarding it, etc.

In response to a comment from Mr. Bartholomew regarding 901 Bridge Street, Manager Travers said that he had done Code Enforcement for years, and that when citations are issued daily for the same violation the Magistrate's office gets aggravated, because it creates a lot of work for them. He said his policy had been to issue 1 citation a week for 4 weeks, the fifth week daily citations were issued, then back to once a week. The Magistrate sends out letters regarding each citation, and if they do not respond a bench warrant is issued. Daily citations will upset the Magistrate because of the work placed upon his office.

It was explained that Allentown's Ordinance is not really comparable to the Borough's because they have a much larger staff to enforce and oversee their "Sweep Program".

Ms. Kroope expressed concern that Code Enforcement may abuse the ticketing and issue them excessively to certain properties and not others. She also asked if the tickets would be mailed to the owners or left at the property. It was explained that a copy would be mailed to the address of record.

Ms. Kroope said she would still like to get a copy of the Slatinton Ordinance to review and that she had not been aware of the Emmaus, Freemansburg and other municipalities' Ordinances.

Solicitor Dinkelacker further explained that the Lehigh County Council of Government's Blight Committee handed out a standard form to follow for the Ordinances. The Solicitor said that he also represents Emmaus and the Ordinances are very similar in regard to due process and hearings. He said Catasauqua's is more limited and forgiving than a standard "sweep ordinance".

Mr. Bartholomew asked that a vote be taken.

Ms. Mellish moved, seconded by Ms. Weaver, the motion failed on a roll call vote, yeas: Ms. Mellish, Ms. Weaver, President Smith; nays: Mr. Schlegel, Mr.

Bartholomew, Ms. Kroope. The Mayor broke the tie with a nay vote. The motion did not pass.

RESOLUTION:

A RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE COMMONWEALTH FINANCING AUTHORITY UNDER THE MULTIMODAL TRANSPORTAITON FUND GRANT PROGRAM.

Mr. Bartholomew moved, seconded by Ms. Weaver, the motion passed six in favor, none opposed, one absent.

SECRETARY/MANAGER:

Manager Travers reported.

WATER & SEWER

The Manager reported that there were 19.3 million gallons of water pumped to the system in June 2018 for a daily average of 643,000gallons. There were 29.43 million gallons of sewage treated for a daily average of 0.98 million gallons. The reports are available for review.

MUNICIPAL:

The Manager asked Council to make a motion to list “out of service” vehicles and equipment for sale on Municibid.

Ms. Weaver moved, seconded by Ms. Mellish, the motion passed five in favor, none opposed, one absent, Mr. Bartholomew had stepped out of Chambers.

TREASURER’S POSITION:

The Manager reported that he had received 32 resumes for the Treasurer position and had narrowed the applicants to six and would begin interviews. He said he would then narrow the list down for a round of second interviews, he asked if they wanted to be involved in the second interviews.

President Smith asked Council if they were ok with the Manager narrowing the list of candidates to 2 or 3 and presenting that to Council for review and discussion, or if they wanted to interview the 2 or 3 final candidates. Council agreed with this.

TREASURER’S REPORT:

A motion to approve the Treasurer’s Report was made by Mr. Bartholomew, seconded by Ms. Mellish. The motion passed the motion passed five in favor, none opposed, Mr. Schlegel had stepped out of Chambers.

MAYOR:

Mayor Schlegel reported.

GEORGE TAYLOR HOUSE:

The Mayor reported that the 4th of July event at the George Taylor House had been a success and expressed her thanks to all who came out to help, especially Manager Travers and Jeff Miller. She said Officer Sedgewick, who was off duty, for brining water to the musicians and helped with the cake.

FIRE DEPARTMENT:

The Mayor commended the Fire Department for their response to a fire at 25 W. Race Street, her brother in law’s property, on the 4th of July. She said their quick response saved the building.

POLICE DEPARTMENT:

The Mayor commended the Police and Sheriff’s Departments for the apprehension of the rape suspect.

PARK BATHROOMS:

The Mayor said the park bathrooms are being locked at night and that patrols have been increased at the park.

Mr. Bartholomew asked about a helicopter that had been flying around his house the other night. He thought it was a police helicopter. Chief Kish said he had report of a police helicopter flying in the area.

The Mayor said Northampton's Mayor had contacted her about it also.

Mr. Bartholomew said it was flying low and the airport does not usually aircraft to fly that low in that area.

FIREWORKS:

In response to a question from the Mayor, the Chief said they had received some complaints about fireworks, but there were no exact addresses given when people called in, making it difficult to locate where they are being lit off. He said they have not written any tickets.

Mr. Bartholomew said he called the Communications Center on the July 3, and was asked for exact addresses. He asked if he was supposed to go out looking for where they were being lit off. Why can't the cops find where they are coming from? The police should be making more patrols and making their presence more visible.

The Mayor said this is the worst law the State has passed and this is the worst year for fireworks.

Ms. Corrocher, 621 St. John Street, said that people think it is now legal to light off fireworks, and asked if the Borough could send out a notice with bills explaining the fireworks laws and restrictions.

President Smith suggested that something be sent out with the water/sewer bill.

In response to a question from Mr. Schlegel, Chief Kish said the Noise Ordinance is in effect at 10pm.

JUNIOR COUNCIL:

None present.

SOLICITOR:

Mr. Dinkelacker reported.

The Solicitor said he had not had a chance to prepare a report for this evening's meeting. He said he would take questions; there were no questions.

ENGINEER'S REPORT:

Mr. Gawlik reported.

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

RACE STREET BRIDGE:

In response to a question from Mr. Schlegel, the Engineer said the Race Street project is expected to be finished March 2019.

In response to an inquiring the Mayor heard from Sam of D'n D Market about signs that will let people know that the businesses in the area of the Bridge, Chief Kish said he has a sign layout in his office available for review.

President Smith and Mr. Bartholomew gave examples of Penn Dot's signage during previous projects. Said Penn Dot is very accommodating to local businesses.

Cameron Smith asked for contact information for the local area. Mr. Gawlik said he would get the information for him.

GENERAL GOVERNMENT:

Ms. Mellish said she had nothing to report.

PUBLIC SAFETY:

Ms. Weaver said she had nothing to report

PUBLIC UTILITIES:

Mr. Schlegel reported.

SEWER LINES:

Mr. Schlegel reported that the Committee had discussed that it is homeowners' responsibility to maintain the lateral lines from their homes to the street. A memo was sent out to all residents/homeowners with the July Water/Sewer bill.

SHADE TREE:

Mr. Schlegel thanked the Solicitor for his assistance in adapting a new method of enforcing our shade tree program. Town inspection is set for next Tuesday, and there are some trees/stumps that in dire need of removal.

Ms. Mellish asked if it would be possible to get a Chestnut tree planted in the park. She said she noticed the County had provided some and they are all planted in one place. Mr. Schlegel said he would look into it.

PLANNING & ZONING:

Ms. Weaver reported.

118 BRIDGE:

At the request of President Smith, Ms. Weaver explained three options for the sale/disposal of the old Borough Hall at 118 Bridge Street. 1) Sale to Highest Bidder. 2) Exchange for real property. 3) Sale to LC Housing Authority (who do not pay property taxes).

Ms. Weaver said the current plan is for the Borough Manager to pitch to an interested party tomorrow, giving them till the end of the month to respond. If they fail to respond or reject the offer, the Manager will then approach the LC Housing Authority; if necessary then it will go up for sale/bid.

Ms. Mellish inquired how we can negotiate with one person, separate from the three options. President Smith explained that Council can choose which option is in the Borough's best interest, and move forward from there to the other options.

The Mayor asked if Council is asking for a swap, and if the property assessment would be equal to the value of the building. President Smith replied that the sale of property should be discussed in closed session. He said the Solicitor has assured us the swap is acceptable.

LVPC HAZARD MITIGATION:

Ms. Weaver said he Hazard Mitigation Prep Plan is ready and will presented here tomorrow evening at 7 pm. The plan needs to be adopted, by at least one municipality in Lehigh and Northampton Counties, by Mid October to be effective. She said Catasauqua has the most actions of any of the municipalities, a good thing because the actions are potential fundable projects.

In response to a question from Ms. Mellish, Ms. Weaver gave a brief overview of the plan.

LVPC TRAFFIC CALMING:

Ms. Weaver said the LVPC is hosting a "Traffic Calming" workshop on August 8. She asked Chief Kish and Mayor Schlegel to attend with her. The Mayor said she will be on vacation and unable to attend.

RECREATION:

Ms. Kroope reported.

GTH 4th:

Ms. Kroope reported that she and the Mayor worked with the Manager and Jeff Miller to get everything together and organized and had a successful event.

THANK YOU:

Ms. Kroope expressed her thanks to the Manager and said what a great benefit to the Borough. She said he helped out with the pool issues at the beginning of the season and with 4th of July at GTH. She appreciates his support.

Ms. Kroope also thanked Jeff Miller for his assistance; and President Smith for accepting the Mayor's Proclamation acknowledging the 250th Anniversary of the George Taylor House.

Ms. Kroope thanked State Representative Jeanne McNeill for attending, Ken Serfass and the Antebellum Marine Band, and many others who attended and helped make it a great event.

She thanked Mr. Joe Garrera of the Lehigh County Historical Society and volunteers for their help in preparing and helping throughout the day.

LC HISTORICAL SOCIETY:

Ms. Kroope said she and the Mayor are planning to meet with Mr. Garrera to discuss the future of the GTH and using the 501c3, and possibly hiring someone to do fundraising. She said if anyone else is interested in attending the meeting to let her know.

POOL:

Ms. Kroope said the pool is doing great, good attendance numbers and reviews for the YMCA running it. She said the snack stand is working out and things are running smoothly.

Mr. Schlegel said he asked if the Committee had considered a Go Fund Me campaign to raise money for the GTH roof and steps and other repairs and operating costs. Ms. Kroope said she has started looking into it, and needs to find out if it is legal. She is looking into other options, some of which may provide matching funds.

President Smith said this may be something to discuss among other funding options, at the meeting with Mr. Garrera.

Ms. Kroope said there are other social media options for fundraising, like Kickstart. She is looking into whether or not there might be one being used for other historical locations.

Mr. Bartholomew asked if it is legal to approach PPL and UGI, and other companies doing business in the Borough for donations. The Solicitor said there is nothing that precludes us from soliciting donations.

Ms. Kroope said there were communications issues with the GTH Organization and that needs to be tweaked. She said one of the things she would like to see done is better use of the 501c3 to help with control of donations and grants.

Mr. Bartholomew commended the Borough employees for handling all the problems that arose at the Borough Pool this year.

PUBLIC WORKS:

Mr. Bartholomew reported.

STREET RESTORATION:

Mr. Bartholomew moved, seconded by Mr. Schlegel, to advertise the Street Opening/Restoration Ordinance for action at the August meeting. The motion carried six in favor, none opposed, one absent.

President Smith and the Engineer, explained the Ordinance has been thoroughly

vetted by the Engineer and Solicitor. He said it is to protect Borough assets, and is stronger than the current ordinance, and uses Penn Dot Construction Standards.

Ms. Lathrop asked if the Ordinance would cover damage to Borough planter by a contractor while doing street work. The Solicitor said that if damage is caused in the process of doing work, they are responsible for repairs/replacement.

STREET MAPPING:

Mr. Bartholomew said that Jeff MacHose arranges to have the streets mapped out to determine where water mains are located. He said he saw a man out measuring today.

MASCARO:

Mr. Bartholomew said Mascaro’s trucks had leaked oil on the streets, and asked if the Manager had talked to them about this issue.

FRONT STREET CURBING:

Mr. Bartholomew asked what Council would like to do about some of the damaged and old curbs. The Solicitor said curbs and sidewalks are addressed in the Borough Code, and are the responsibility of the abutting property owners.

President Smith said he spoke with Jeff MacHose about an inventory of the sidewalks along Front Street.

BILLS & ACCOUNTS:

<u>General Fund</u>	<u>Water</u>	<u>Sewer Plant</u>
\$ 334,226.62	\$26,476.45	\$71,293.06
<u>Sewer Collection</u>	<u>Community Development</u>	<u>Gross Payrolls</u>
\$153,026.23	N/A	\$242,188.70

Bills and Accounts were approved on a motion by Mr. Bartholomew, seconded by Ms. Kroope. The motion passed six in favor, none opposed, one absent.

CURB CUTS:

Ms. Arlana Carocher, 621 St. John Street, said that since the handicap curb cuts were installed near her home, Water Street Alley and Pine Street, water is running down the sidewalk and in the winter it kept icing up and she is worried about the school kids getting hurt if it something isn’t done to correct the drainage.

Ms. Kroope said that Penn Dot developed the specs for the Curb Cuts and the Borough has to follow them. The Solicitor and President Smith will look into the issue and see if something can be done.

UNFINISHED BUSINESS:

Ms. Kroope said that Amy Roth, 211 Faith Drive, had contacted her about her neighbor’s retaining wall permit. The wall is now falling into her yard. The Manager said he is aware of the situation and is working on it.

Mayor Schlegel said she is talking with Rep. McNeill to work together with the Borough, School District and Police Department to address the growing opioid epidemic.

Ms. Kroope said the Recreation Committee is looking into summer activities for middle school kids, who have aged out of the Fun In the Sun program.

Ms. Kroope asked if thank you letters to be sent out to the volunteers who helped with the GTH 4th of July. President Smith directed her to provide the office with a list.

NEW BUSINESS:

None.

HEARING OF PERSONS PRESENT: None.

ADJOURNMENT:

There being no further business the meeting was adjourned at 9:08 pm.

Respectfully submitted,



Steve Travers
Secretary/Manager