

COOPERSBURG BOROUGH COUNCIL

Regular Meeting Minutes

February 17, 2015

The meeting of the Coopersburg Borough Council was held on Tuesday, February 17th, in Council Chambers at Borough Hall and called to order by Council President Felch at 7:00 p.m.

OPENING CEREMONIES

Council President Felch opened the meeting by reading a Poem called "My Coopersburg". This poem/hymn was taken from a book dated 1916.

Roll call was taken by Manager Paashaus. Also present were Mayor Hovis, Council Members Balascak, Mack, Greenland, Pica, Thrapp, Solicitor Alpert, and Engineer Erdman. Council Member Lundy was absent.

AGENDA

The Agenda was ordered adopted without any changes or objections.

PUBLIC COMMENT

No Public Comment.

CONSENT AGENDA

A Motion was made by Pica and seconded by Thrapp to receive the Monthly Financial Statements, receive the Monthly Reports (Council information, Police report, Vehicle Roster, Fire Report), and approve the Previous Meeting Minutes from January 20, 2015. **Consent Agenda passed by a vote of 6-0.**

EXECUTIVE SESSIONS

1. Council President Felch stated that Council held an Executive Session regarding personnel and a legal matter on February 2, 2015.

SPECIAL REQUEST

1. Susan Gibbs, Tax Collector, was present to discuss several items regarding tax collection in the Borough and legal updates needed. Gibbs introduced Debra Herstine, Tax Collector from Upper Saucon Township and Kristina Bealer (Fairview Street). Gibbs summarized her reasons for attending by stating that a resolution is needed for Tax Certification Fees, Council needs to affirm her appointing of a Deputy Tax Collector, updates to the Tax Collector Reform, and future dates of her absence.
 - a. Council discussed each issue one at a time and started with the Deputy Tax Collector situation. Solicitor Alpert gave a summary of the law and definition of "Incapacitation". The Deputy is not considered an assistant and would only function as the Tax Collector in times of incapacitation deemed necessary by Council. Gibbs stated that she has been helped from time to time when she would not be present to collect the taxes. There was further clarification regarding incapacitation and that travel was not considered a qualifying need. Felch stated that the Deputy is appointed by the Tax Collector, approved by Council, and any need for the Deputy would be initiated by Council. A Motion was made by Balascak and seconded by Thrapp to endorse the Tax Collector's nomination of Kristina Bealer as Deputy Tax Collector under ACT 164 in the event of incapacitation. There was further discussion regarding the definition, the appointment, the difference between an Assistant vs. a Deputy, and the need to add the Deputy to the Insurance Bond. **The Motion passed by a vote of 6-0.**
 - b. Felch asked Gibbs what Jurisdictions she collected taxes for. Gibbs stated that she collected Real Estate Taxes for the Borough of Coopersburg and School Taxes for the Borough's portion

of the Southern Lehigh School District. Gibbs stated that she receives income from the Borough of Coopersburg and the School District for her services. Felch asked Gibbs how she would be able to collect taxes if she was away from home in the past. Gibbs stated that this was the first time that she would not be present. There was further discussion regarding the dates that Gibbs would not be present, possible extensions, and collection schedule. Gibbs stated that she has someone collect her mail and some residents request her to hold their checks beyond the due date to avoid penalties. Council requested that she not advertise the hours that she will be traveling and only accept checks with the post-marked date. The solicitor will research the absentee rules.

- c. Felch stated that Gibbs sent him a communication in the mail requesting a resolution be drafted to deal with the collection of fees for tax certification when a certification is needed by title companies and the transfer of real estate. Felch read the sample resolution that stated the fee would be \$15 and could be requested, collected, and retained by the Tax Collector. Gibbs stated she completes approximately 50 certifications annually at a fee of \$15 each. There was further discussion regarding the fee for service, real estate settlement requirements, the Borough Office fees, and retention of the fee. Felch stated that he had deep concern over this issue, and that an elected official should not in any way take anything for an undetermined personal reward. Gibbs asked why Council was trying to take this fee away from her. Felch clarified that Council was not making any definite decision regarding the fee that evening and stated he found it offensive to use a public position for personal remuneration. There was further discussion regarding past practices and the content of a future resolution. Felch stated that Council needed to set the amount of the fee and decide if the Tax Certification Fee was allowed to be retained by the elected Tax Collector. A Resolution will be drafted for a future meeting.
- d. Gibbs stated that the new Reform Bill requires Tax Collectors to be certified and have continued education each year. Gibbs wanted Council to help pay for the training costs. Felch requested details and facts to determine Council's participation. Gibbs will give details when they are available.

ACTION ITEMS

1. A Motion was made by Mack and seconded by Pica to approve the temporary traffic restrictions on portions of several Borough roads on May 23, 2015 during the Coopersburg 5k and Kid's Fun Run. **Resolution 2015-1 passed by a vote of 6-0.**

REPORTS OF COMMITTEES

1. Infrastructure
 - a. Septic – Council Member Balascak reported that Council packets included a summary of the projected work to be completed using the CDBG funding for 2015.
 - b. Highway – Council Member Balascak reported that the highway department was busy clearing streets after several small snowfalls, and the committee will be reviewing solutions for excess water flow issues on South Main Street.
 - c. Water – A Motion was made by Balascak and seconded by Thrapp to appoint Kristina Bealer to the Coopersburg Municipal Authority Board. **The Motion passed by a vote of 6-0.**
2. Public Safety/Governmental Relations
 - a. Mayor Hovis reported that a plaque was created thanking the Animal Hospital for their care of Officer Grimm during his life and service to the Borough. There was further discussion regarding additional appreciation in the form of a letter and a financial contribution. More information will be needed to make the appropriate contribution. Officer Grimm will be taken off of the future Agenda.
3. Administration and Finance

- a. No additional report

REPORTS OF PROFESSIONAL ADVISORS

1. Solicitor: No additional report.
2. Engineer: Engineer Erdman reported that Pinebrook Manor's plans were recorded.
3. Borough Manager: No additional report.

UNFINISHED BUSINESS

1. Compost site will remain on the Agenda.
2. Municipal Parking will remain on the Agenda.

NEW BUSINESS

1. No new business

ADJOURNMENT

Council Member Pica made a motion to adjourn which was seconded by Felch. The meeting was adjourned at 8:15 PM.

Timothy Paashaus – Borough Manager

John Felch, Jr. – Council President