

**COOPERSBURG BOROUGH COUNCIL**  
**Regular Meeting Minutes**  
**July 16, 2013**

The meeting of the Coopersburg Borough Council was held on Tuesday, July 16<sup>th</sup>, in Council Chambers at Borough Hall. The meeting was called to order by Council President Felch at 7:00 p.m.

**OPENING CEREMONIES**

No opening ceremonies.

Roll call was taken by Manager Paashaus. Also present were Mayor Mack, Council Members Balascak, Greenland (arrived late), Lundy, Nalichowski, Minarik, Solicitor Gittinger, Engineer Erdman, and Jr. Council Member Hewins. Council Member Walters was absent.

**AGENDA**

A Motion was made by Lundy and seconded by Balascak to accept the Agenda as written. **The Agenda passed by a vote of 5-0.**

**PUBLIC COMMENT**

No Public Comment.

**CONSENT AGENDA**

A Motion made by Balascak and seconded by Lundy to receive the Monthly Financial Statements and approve the Previous Meeting Minutes from June 18, 2013. **Consent Agenda passed by a vote of 5-0.**

**ROUTINE REPORTS**

Routine reports received: Council Information, Police, Police Vehicle Roster (Copies in Official Record).

Council Member Greenland arrived at 7:05 PM.

**ACTION ITEMS**

- a. A Motion was made by Balascak and seconded by Nalichowski to authorize Payment #1 for Contract "A" of the 2013 Sanitary Sewer System Rehabilitation Project to Mr. Rehab, Inc in the amount of \$105,523.72. **Motion passed by a vote of 6-0.**
- b. A Motion was made by Balascak and seconded by Nalichowski to authorize Payment #1 for Professional Services & Inspections of the 2013 Sanitary Sewer System Rehabilitation Project to ARRO Consulting, Inc. in the amount of \$4,950.00. **Motion passed by a vote of 6-0.**
- c. A Motion was made by Balascak and seconded by Minarik to approve Ordinance #640 to Vacate the unopened 200 Block of South Second Street from Thomas Street south to Cherry Street. Solicitor Gittinger clarified that the ordinance was to vacate the entire 200 block rather than just the original proposal of a smaller portion of the street. **Ordinance #640 passed by a vote of 6-0.**
- d. A Motion was made by Balascak and seconded by Lundy to approve Ordinance #641 to Vacate the unopened portion of the 300 Block of South Poplar Alley from its current terminus at the southern edge of Poplar Alley south to the northern edge of the right of way of Cherry Street. **Ordinance #641 passed by a vote of 6-0.**

## REPORTS OF COMMITTEES

1. Infrastructure
  - a. Septic – Council Member Balascak reported that the CDBG work was continuing.
  - b. Highway – Council Member Balascak reported that the Landis Street Storm Sewer project was continuing. The project had several delays.
  - c. A Motion was made by Balascak and seconded by Nalichowski to have the solicitor prepare the proper documents and take the steps needed to designate a handicap parking space on the west side of Second Street, north of the intersection of Second Street and East Station Avenue. There was further discussion regarding the process, the reversal if the space is no longer necessary, enforcement, total cost to the Borough, and the responsibility of Council to govern the entire Borough. The requesting resident attended the July Committee Workshop meeting and met with Felch and Balascak. Council acknowledged that the resident has a need and that the requestor understands that the space would not be a “private spot” but could be used by any appropriately marked handicap vehicle. Greenland was concerned over setting a precedent for future requests. **Motion passed by a vote of 5-1 (Minarik = Nay).**
  - d. Water – Council Member Balascak reported that there were approximately 425 new radio-read meters installed in the Borough. The program is nearing the halfway mark.
2. Public Safety
  - a. Mayor Mack reported that he has a meeting scheduled with Police Chief Trexler to review and discuss the need for additional part-time officers. Two officers have received full-time positions at neighboring communities and will need to be replaced.
  - b. Mayor Mack reported that the process to search for a new Police Chief has not yet begun.
3. Government Relations
  - a. Council Member Minarik reviewed her observations regarding her trip to Dillsburg Borough. She attended their Council Workshop and discussed several things including the following: 3 committees, similar size and population to Coopersburg Borough, no financial discussions until the Budget Meeting, general agenda with many items, all Council met together, Public is welcome to attend, they relied heavily on the Borough Manager, and they announced any need for an Executive Session at the beginning of the meeting. Felch stated that it was wise to understand how other municipalities were governed.
  - b. MECAB – Council Member Nalichowski reported that MECAB will not be meeting until the last Wednesday of September at Wilson Borough.
4. Administration and Finance
  - a. Council President Felch shared a thought regarding the potential to change the pay for Council Members and the Mayor. He stated that any change would need to take place before the upcoming reorganization meeting in January. Felch felt that a “pay per meeting” stipend rather than a fixed annual amount would be a “token statement” about Council’s participation in their roles.
  - b. A motion was made by Balascak and seconded by Minarik to provide an honorarium to the Borough’s Junior Council Person Hewins for her service in 2013 equal to the current Council Stipend. There was discussion regarding any legal limitation for an honorarium to a Junior Council Person. **Motion passed by a vote of 6-0.**

## REPORTS OF PROFESSIONAL ADVISORS

1. Jr. Council: Hewins thanked Council for their consideration with the honorarium.
2. Solicitor: Gittinger stated that there were 3 items to report, 1 currently and 2 for the Executive

Session. Gittinger stated that a residential property in the Borough had their water service turned off for a legitimate reason. Once the repair work had been completed, the public works department was notified to restore service. At that time, the public works employee observed that the water had been illegally restored to the property and that the water meter had been bypassed by a plumbing detour. The property was illegally using water. By ordinance, this could be a criminal issue with extensive fines through the magistrate. Gittinger stated that under the current circumstances and the inability to know if the contractor or resident was the violator, that a surcharge would be appropriate for the unmetered water. A letter of explanation will be sent to the property owner and contractor with the surcharge of \$100.00. If the property does not accept the surcharge, there will be further pursuit with fines at the magistrate's office.

3. Engineer: Engineer Erdman invited Council to ice cream at The Inside Scoop.
4. Borough Manager: No additional Report

### **UNFINISHED BUSINESS**

1. Rails to Trails – Remains on Agenda.
2. Consolidation of the Compost Site – Remains on Agenda
3. Ambulance Building – Mayor Mack reported that Police Chief Trexler will be getting quotes for the potential conversion of the building to a Police Station. More specifics will be in the future.

### **NEW BUSINESS**

1. Solicitor Gittinger reported that there was an extensive discussion with a developer in regards to the Pinebrook Property. The developer presented an 18 page M.O.U. without sufficient time for review prior to the Public Meeting. The current proposal included items such as: A zoning overlay, 38 townhomes, a promise to demolish, and development of the trolley trail walking trail. Felch stated that the M.O.U. needs serious review and would like it dispensed to all of Council for further examination. Felch also reminded Council to refrain from discussion over e-mail and stated: "Do not rush zoning for a quick fix." No Action was taken.

### **EXECUTIVE SESSION**

1. Council held an Executive Session at 8:05 PM, regarding a personnel issue and litigation.
2. Council resumed the Public Session at 8:27 PM.

### **ADJOURNMENT**

Council Member Balascak made a motion to adjourn which was seconded by Lundy. The meeting was adjourned at 8:28 PM.

---

Timothy Paashaus – Borough Manager

---

John Felch, Jr. – Council President