

REGULAR COUNCIL MEETING

AUGUST 10, 2009

The session was called to order at 7:06 p.m. by the President of Council, Ralph DiGuiseppe.

Council offered a moment of silent prayer in memory of former Borough Solicitor, Richard Snyder.

The Council then proceeded to salute the flag.

Present were:

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| Mr. James Lutz | Mr. Patrick Sabatini |
| Ms. Robyn Trunell | Mr. Leo Plenski, Jr. |
| Ms. Betty Rodriguez | Mr. Ralph DiGuiseppe |
| Mr. Anthony Muccie | |

Absent—Michael Harris (vacation), Mayor Joseph Saxton (vacation)

Also present were:

Mr. James Dillon, Borough Manager
Mr. William Salerno, Borough Solicitor
Chief Arnold Porter, Police Chief
Mr. Herbert Slack, Fire Chief
Mrs. Maria Fields, Administrator

PUBLIC PARTICIPATION

Kenneth Bixler, 337 Cleveland Street, asked why the Council Meetings are not broadcast at the same time. He suggested the broadcast times be placed on the website. Mr. Bixler questioned the streets being done in the Road Program.

Jason Cooksley, 493 Pond Street, suggested trash be picked up behind the row homes in the 400 Block of Pond Street. He complained about vandalism in the pocket parking lot behind the 400 Block of Pond Street. Mr. Cooksley recommended speed traps on Pond Street.

Joseph Nelson, 2416 Wilson Avenue asked Council to send a thank you letter to the Calvary Baptist Church for letting the residents to park in their parking lot during the road program.

PUBLIC PARTICIPATION CONT'D.

Chris Chapman, 355 Washington Street, believed his brother was being harassed by the Police Department. He stated the Borough was purposely not picking up the trash at the properties owned by Mr. Cantiello.

SUMMER RECREATION PROGRAM

Summer Counselor Mercedes Rodriguez presented a slide presentation of all of the activities held during the Summer Recreation Program. She along with Counselors Jennifer Jaeger, Matt Gasper, Amanda Spadaccino, and Bridgette Wise along with Coordinator Cyndi Wade wanted to thank Borough Council for their continued support.

Ms. Rodriguez complimented the Counselors for doing a great job with the Summer Recreation Program this year. Mr. Trunell thanked Cyndi Wade for doing an amazing job in coordinating the Program.

2009 ROAD PROGRAM

Mr. DiGuseppe showed a slide presentation of before and after pictures of the recently paved Borough streets.

REGULAR BUSINESS

Mr. Plenski (Mr. Sabatini) moved to approve the minutes of the Regular Council Meeting of July 13, 2009 and the Council Work Session of August 3, 2009 as printed. Unanimous

Mr. Plenski (Mr. Sabatini) moved to accept the Treasurer's Report for the month of June as printed. Unanimous

Mr. Plenski (Mr. Sabatini) moved to accept the Police & D.J.'s Report as printed. Unanimous

Mr. Plenski (Mr. Sabatini) moved to accept the Fire Chief's Report as printed. Unanimous

Mr. Plenski (Mr. Sabatini) moved to accept the Borough Inspector's Report as printed. Unanimous

Mr. Plenski (Mr. Sabatini) moved to accept the H.A.R.B. Report and Decisions of July 27, 2009 as printed. Unanimous

NEW BUSINESS

3. **ORDINANCE - ADOPT ZONING ORDINANCE.**

Mr. Sabatini (Ms. Trunell) moved to adopt the Zoning Ordinance.
Unanimous

4. **MOTION - ADOPT KNOX BOX ORDINANCE.**

Mr. Sabatini (Ms. Rodriguez) moved to adopt the Knox Box Ordinance.
Unanimous

5. **MOTION - AUTHORIZE THE BOROUGH SOLICITOR TO ADVERTISE PROPOSED ORDINANCE REGARDING DOG CONFINEMENT.**

Ms. Rodriguez (Mr. Sabatini) moved to authorize the Borough Solicitor to advertise proposed Ordinance regarding dog confinement.
Unanimous

6. **MOTION - AUTHORIZE ADVERTISING FOR BIDS FOR THE SALE OF TAX PARCEL #4-006-018-002 (FORMER PUMP HOUSE).**

Mr. Muccie (Mr. Sabatini) moved to authorize advertising for bids for the sale of Tax Parcel #4-006-018-002 (former Pump House).

Mr. DiGuseppe asked to bid the sale of the Pump House to see what interest is generated. He said if there is no interest, the building will be demolished because it is an eyesore.

The motion is carried unanimously.

7. **MOTION - AUTHORIZE THE BOROUGH SOLICITOR TO REVISE THE ORDINANCE REQUIREMENTS FOR SWIMMING POOLS ON CORNER PROPERTIES.**

Mr. Lutz moved to authorize the Borough Solicitor to revise the Ordinance requirements for swimming pools on corner properties.

Mr. Muccie seconded the motion because he wanted to know what this proposed Ordinance revision would do if Council revised the Ordinance.

NEW BUSINESS CONT'D.

ITEM #7 CONT'D.

Mr. Lutz said he wanted the requirements for swimming pools for residents who live on corners to be the same as the residents who are not on corners.

Mr. Salerno explained the purpose of the existing Ordinance. He recommended that the Ordinance not be amended. Mr. Salerno stated the existing Ordinance does not prevent pools on corner properties; the pools just have to be behind the setback.

A discussion followed on the motion.

Mr. Lutz suggested changing the Ordinance where residents who live on corner properties have the requirement to install a higher fence; or have an exemption for temporary pools where the resident will remove it by August 31st. He believed the Ordinance needs to be reviewed because residents are being denied the use of a pool because they live on a corner.

Ms. Trunell was concerned about aesthetics.

Mr. DiGuiseppe was concerned about a sight issue if there is a 6' fence around the pool. He added that anything done on the front of a property, he felt should aesthetically benefit the neighbor.

Mr. Lutz felt the existing Ordinance was unfair.

Mr. Salerno said that is why residents can go to the Zoning Hearing Board and ask for a variance. He believed the Zoning Hearing Board is reasonable. Mr. Salerno felt if the restriction is eliminated, then the Borough has no control over something that should not be there.

Mr. DiGuiseppe asked Mr. Lutz if he wished to withdraw the motion because we have to do what is right and let the Zoning Hearing Board deal with it.

Mr. Lutz said there is no sufficient reason why the Borough increases that side yard requirement for residents who live on corners.

NEW BUSINESS CONT'D.

ITEM #7 CONT'D.

Mr. DiGuiseppe asked if Mr. Muccie understands what the Ordinance would do if revised.

Mr. Muccie understands.

A roll call vote was taken.

FAVOR

Mr. Lutz

AGAINST

Ms. Trunell
Ms. Rodriguez
Mr. Muccie
Mr. Sabatini
Mr. Plenski
Mr. DiGuiseppe

The motion was defeated 6-1.

Mr. Sabatini (Mr. Muccie) moved to adjourn the meeting at 8:11 p.m. Unanimous