

BOROUGH OF BATH Monday, January 6, 2020
COUNCIL 6:30 PM
MEETING Room #102 - Council Chambers
121 South Walnut Street
Bath, PA 18014



BIANNUAL COUNCIL REORGANIZATIONAL & REGULAR MONTHLY COUNCIL MEETING

CALL TO ORDER

PRESIDING OFFICER: The Honorable Fiorella Reginelli-Mirabito, Mayor of Bath

SWEARING IN OF NEWLY ELECTED MEMBERS OF COUNCIL
(To be sworn in by The Honorable Fiorella Reginelli-Mirabito, Mayor of Bath)

Affidavits of Residency

- a) Barry Fenstermaker Oath of Office
- b) Phyllis Andrews Oath of Office
- c) Mark Saginario Oath of Office
- d) Frank Hesch Oath of Office

PLEDGE OF ALLEGIANCE TO THE FLAG

ROLL CALL

REQUIRED ATTENDEES			
MAYOR OF BATH			
Mayor - Fiorella Mirabito	A	E	P
MEMBERS OF BOROUGH COUNCIL			
Councilman Mark Saginario	A	E	P
Councilwoman Michele Ehrgott	A	E	P
Councilman Barry Fenstermaker	A	E	P
Councilwoman Carol Bear-Heckman	A	E	P
Councilwoman Phyllis Andrews	A	E	P
Councilman Tony Kovalovsky	A	E	P
Councilman Frank Hesch	A	E	P
BOROUGH ADMINISTRATION			
Borough Manager – Brad Flynn	A	E	P
Office Administrator – Marena Rasmus	A	E	P
Borough Solicitor – Blake Marles	A	E	P
Borough Engineer – Ryan Christman	A	E	P
Zoning Officer – Shawn Leidy	A	E	P

NOMINATION AND ELECTION OF OFFICERS

- a) NOMINATION AND ELECTION OF COUNCIL PRESIDENT
 - 1) The Mayor turns over the gavel and meeting to the newly elected Council President
- b) NOMINATION AND ELECTION OF COUNCIL VICE PRESIDENT
- c) NOMINATION AND ELECTION OF COUNCIL PRESIDENT PRO TEM

OTHER APPOINTMENTS BY MOTION OF COUNCIL

- a) **ADMINISTRATION** – Reappointing Bradford T. Flynn as Borough Manager, Secretary, and Treasurer
- b) **LEGAL** – Reappointing Stevens & Lee, P.C. – Blake C. Marles, Esq. as Borough Solicitor and James F. Kratz, Esq. as Assistant Borough Solicitor
- c) **ENGINEERING** – Reappointing Keystone Consulting Engineers, Inc. as Borough Engineer and Sewage Enforcement Office
- d) **CODE & ZONING ENFORCEMENT** – Reappointing Shawn Leidy & CodeMaster as the Code and Zoning Enforcement Officer and UCC/BCO Plan Review Office
- e) **BATH PLANNING COMMISSION** – Reappointing three (3) seats among the following candidates:
 - 1. Mark Saginario
 - 2. Harrell Geter
 - 3. Phillip West
 - 4. Christopher Butera
 - 5. Darrin Heckman
- f) **PROPERTY MAINTENANCE** – Unlisted
- g) **ZONING HEARING BOARD** – Reappointing Emanuel Mirabito as a Board Member of the Zoning Hearing Board (*See Resolution #2020-003*)
- f) **BATH BOROUGH MUNICIPAL AUTHORITY** – Reappointing Anthony Kovalovsky as a Board Member of the Bath Borough Municipal Authority

APPOINTMENT BY RESOLUTION OF COUNCIL

- a) Unlisted; RFP for Auditing Services

COURTESY OF THE FLOOR – US CENSUS 2020 INFORMATION

(Limited to 3 to 5 minutes per speaker. Speaker/speaking by proxy is prohibited. Recording devices must be kept on the person performing the recording.)

Public Comment (Citizens & Taxpayers) – RULES OF CIVILITY

Thank you for coming to the meeting!

- 1. *Please state your name for the record.*
- 2. *Identify the agenda item or topic you wish to address.*
- 3. *Limit your comments to 3 to 5 minutes.*
- 4. *Please avoid foul language or derogatory remarks.*
- 5. *Remember that your comments are part of the public record.*
- 6. *Everyone to be treated with equal respect.*

**Council President may hold a second Public Comment at the end of the meeting to discuss any topic.*

APPROVAL OF COUNCIL MEETING MINUTES

- a) December 2, 2019 Regular Session of Council

APPOINTED COUNCIL MEMBER COMMITTEE REPORTS & REPORT OF ELECTED OFFICIALS

- a) Personnel, Finance, and Administration Committee
- b) Fire Department
- c) NAZCOG
- d) Public Safety
- e) Public Works & Facilities
- f) Environmental Steering Committee
- g) Community Development Committee
 - 2019 Preservation Award

CHAMBER OF COMMERCE LIASON REPORTS

- a) Greater Area Bath Chamber of Commerce

MAYOR'S REPORT

- a) Fiorella Reginelli-Mirabito, Mayor
 - PA State Police Report
 - Neighborhood Watch Meeting – February 19th at 6PM

PUBLIC SAFETY REPORTS

- a) EMC
- b) Zoning Officer; Code Enforcement & Permits
 - Rental Inspection
- c) Parking Enforcement Program

BOROUGH ADMINISTRATION REPORTS

- a) Borough Engineer
- b) Public Works
- c) Water Authority
- d) Borough Manager
- e) Borough Solicitor
- f) Tax/Sanitation Collection
- g) Treasury (*General Fund/Tax Account*)

BATH PLANNING COMMISSION MEETING MINUTES

- a) October 21, 2019 Planning Commission Meeting Minutes.

PRESIDENT'S COMMENTS

NEW BUSINESS

- a) Ratification to pay Monthly bills

IN PROGRESS BUSINESS

- a) Update of the PennDOT 248 Re-alignment Project
- b) Nor-Bath Trail Updates

CAPITAL IMPROVEMENT PROJECTS

- a) Roads
- b) MS4
- c) Facilities/Parks

MOTIONS/ACTION ITEMS

- a) Motion to advertise proposed Ordinance No. 2020-688; amending and restating Chapter 625 of the Code of Ordinances
- b) Motion to advertise proposed Ordinance No. 2020-689; Creating new Handicapped Parking Space

RESOLUTIONS

- a) Resolution No. 2020-001 – Intermunicipal Agreement with Upper Nazareth Township
- b) Resolution No. 2020-002 – Disposition of Specific Borough Records
- c) Resolution No. 2020-003 – Appointment of Zoning Hearing Board Member
- d) Resolution No. 2020-004 – Establishing a Safe Exchange Zone

ORDINANCES

Ordinance Status/Number, & Title	<i>Concept and/or Discussion</i>	First Reading	Second Reading	Third/Final Reading - Passage
<i>FOR COUNCIL CONSIDERATION & ADVERTISING</i> – Proposed Ordinance No. 2020-688 AN ORDINANCE AMENDING AND RESTATING CHAPTER 625 (VEHICLES and TRAFFIC) OF THE CODE OF ORDINANCES	X	X		
<i>FOR COUNCIL CONSIDERATION & ADVERTISING</i> – Proposed Ordinance No. 2020-689 AN ORDINANCE ESTABLISHING HANDICAPPED PARKING		X		
<i>UNDER LEGAL REVIEW</i> – Proposed Ordinance TO AMEND CHAPTER 419 ‘NUISANCES’ AMENDING MOTOR VEHICLE NUISANCES				
<i>UNDER LEGAL REVIEW</i> – Proposed Ordinance TO AMEND THE CODE OF THE BOROUGH OF BATH BY ADDING A NEW CHAPTER 485, TO BE ENTITLED “QUALITY OF LIFE,” WHICH CHAPTER PROVIDES A TICKETING PROGRAM TO RESOLVE PROPERTY BLIGHT AND MAINTENANCE VIOLATION ISSUES IN A MORE EXPEDITIOUS MANNER, PROCEDURES FOR ISSUING TICKETS AND PENALTIES FOR VIOLATION OF THE CHAPTER	X			
<i>UNDER LEGAL REVIEW</i> – RECOMMENDED CHANGES TO THE FOLLOWING ORDINANCES IN 2019: CHAPTER 123 ‘MANAGER’; CHAPTER 205 ‘AIR POLLUTION’; CHAPTER 212 ‘ALARMS, ALARM SYSTEMS AND 911 EMERGENCY TELEPHONE SYSTEM’; CHAPTER 317 ‘FIREWORKS’; CHAPTER 451 ‘PEDDLING AND SOLICITING’; CHAPTER 470 ‘PROPERTY MAINTENANCE CODE’; CHAPTER 497 ‘RENTAL PROPERTY’; AND CHAPTER 675 ‘ZONING’	X			

(NOTE: Ordinance adoption doesn’t necessarily follow every step. Ex: An ordinance could be read on ‘Final’ and adopted as law.)

CORRESPONDENCE FORWARDED TO COUNCIL BY EMAIL

- a) 12/09/2019 – Mayor/Council; Chapter 625 Amendments and Exhibit A
- b) 12/11/2019 – Mayor/Council; Chapter 625 Amendments and Exhibit A
- c) 12/20/2019 – Mayor/Council; DEP-NERO Gravel Hill Public Meeting Notice

CURRENT SUBDIVISION/LAND DEVELOPMENT TIME LIMIT EXTENSIONS

EXECUTIVE SESSION (Pursuant to Title 65 Pa. C.S.A § 701 – The Sunshine Act)

Exemptions set forth in Title 65 Pa. C.S.A § 708 - *Executive Sessions* of the Sunshine Act:

- a) § 708 (a)(1) Employment;
- b) § 708 (a)(4) Solicitor Consultancy
- c) § 708 (a)(7) Public Safety/Emergency Preparedness

GENERAL COMMENTS OR ITEMS TO BE PLACED ON NEXT AGENDA

- a) Open for further discussion.

ADJOURNMENT

(The next Regular Monthly Council Meeting is scheduled for Monday, February 3, 2020)
(The next Bi-Monthly Council Meeting is scheduled for Wednesday, March 11, 2020)