

Borough of Alburtis
Meeting Minutes
January 29th, 2025

The January 29th, 2025, meeting of Borough Council was called to order by Council President at 7:00 p.m. in the Borough Hall, 260 Franklin Street, Alburtis, PA. The meeting was also live streamed on Zoom. An executive session for personnel was held prior to the council meeting.

Council members in attendance:

Ron DeIaco, Steve Hill, Hector Moss, Mehmet Birtek, Chad Atkins, Ashlynn Rivera, John Aleszczyk

Associates of Alburtis in attendance:

Stephen Nemeth- Manager, Kathleen Palmer- Mayor, East Penn Press

Associates of Alburtis in attendance via zoom:

David Knerr- Solicitor

Visitors in attendance:

Gary DeRoner, Mike Gerhart, Steve Werley, Ray Ricketts, Linda Lauer, Rocco Caracciolo

Visitors in attendance via zoom:

Nicole Steiner, Tom, Brooke, Fire tablet, Mary N

PUBLIC COMMENT

Linda Lauer mentioned that trash keeps landing in my yard. This is what comes into my yard, and I have a fence around my yard. I don't know how it's coming in. We get phone calls, you know. Don't put your trash out, tie it down. Do whatever you have to secure it. I've gotten bank receipts. I have names and everything else. When I get trash in my yard, and this is trash pizza boxes that you can look through the trash. This happened once before, and I was going to come up here and I thought, this is petty. I'm not going to come up and bother you people. Something is petty. But then it happened again. It's like this is ridiculous. If something comes in my yard and it has a name and address on. I consider that littering. Can't those people get fined, or whatever you do? This is just trash blowing around because people don't take their stuff out and they don't secure it. Dave Knerr mentioned we have a section that says you can't place any refuse in any street alley or other public place. or on private property, outside of a completely enclosed building. unless the refuse is placed in proper receptacles for collection, which are securely tied or closed, to prevent any enclosed materials from escaping. So yes, as you obviously would expect, they can't, you know, just leave it so that it happens now, if it's, you know, extremely windy day, and something blows well, that's that might be one excuse. But if, as has been complained, this just happens all the time. You certainly have a means of enforcing it. It's a 62, section 802. Ron Delaco asked Okay. So, Dave, if she has litter that's flown in her yard with someone's name and address on it. Then she gives it to the police department to fine talk to that person. Well, I think she certainly can give it to them to talk to the person I mean. You know. Dave mentioned it's not necessary. You should go to that place. But you know again, I mean, I don't think we're going around being garbage police here. I think you know a word to the wise can go a long way. The intention was to be enforced by the borough manager, not by the police department. Oh, wait a minute. I take that back. There's another section that does allow a violation to be cited by the police officer, but it doesn't go to Enforcement proceedings except through the borough manager.

Ray Ricketts stated my wife really appreciates this every week recycling, Thank you.

MAYOR'S REPORT

No Mayor Report.

Approval of Meeting Minutes of January 8th, 2025

Steve Hill made a motion to approve the Minutes of January 8th, 2025, Chad Atkins 2nd the motion, and a unanimous vote followed. Motion passes 7-0.

Delaco- yay	Hill- yay	Moss- yay	Atkins- yay	Rivera- yay	Birtek- yay	Aleszczyk- yay
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BILLS FOR PAYMENT – January 29th, 2025

Chad Atkins made a motion to pay the bills of January 29th, Hector Moss 2nd the motion, and a unanimous vote followed, motion passes with a 7-0 vote.

Delaco- yay	Hill- yay	Moss- yay	Atkins- yay	Rivera- yay	Birtek- yay	Aleszczyk- yay
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FISCAL CONSULTANT’S REPORT

Mehmet Birtek made a motion to approve the Fiscal Consultant’s Report of December, Ashlynn Rivera 2nd the motion, and a unanimous vote followed. Motion passes 7-0.

Delaco- yay	Hill- yay	Moss- yay	Atkins- yay	Rivera- yay	Birtek- yay	Aleszczyk- yay
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New Business

ORDINANCE 593

AN ORDINANCE INCREASING THE FEE FOR A POLICE ACCIDENT REPORT TO TWENTY-FIVE DOLLARS (\$25.00), INCREASING THE FINE FOR MOST TRAFFIC CONTROL VIOLATIONS TO FORTY-FIVE DOLLARS (\$45.00), AND INCREASING THE AMOUNT OF TICKETS FOR PROMPT PAYMENT OF MOST TRAFFIC CONTROL VIOLATIONS TO TWENTY-FIVE DOLARS (\$25.00) WHEN PAID WITHIN SEVENTY-TWO (72) HOURS, AND TO THIRTY-FIVE DOLLARS (\$35.00) WHEN PAID THEREAFTER BUT WITHIN TEN (10) DAYS.

Hector Moss made the motion to approve Ordinance 593, motion 2nd by Mehmet Birtek and a roll call vote followed. Motion passes 7-0.

Delaco- yay	Hill- yay	Moss- yay	Atkins- yay	Rivera- yay	Birtek- yay	Aleszczyk- yay
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ORDINANCE 594

AN ORDINANCE AMENDING THE BOROUGH’S OFFICIAL ZONING MAP UNDER CHAPTER 21 OF THE ALBURTIS CODIFIED ORDINANCES (RELATING TO ZONING) SO THAT THE PROPERTIES NOW KNOWN AS 380 CHURCH STREET (LEHIGH COUNTY TAX ASSESSMENT PARCEL IDENTIFICATION NUMBER 546386451494-1), 381 CHURCH STREET (PIN 546386274914-1), AND 386 SCENIC VIEW DRIVE (PIN 546386427194-1) ARE LOCATED WITHIN THE R-2 MEDIUM-DENSITY RESIDENTIAL ZONING DISTRICT RATHER THAN THE L-1 LIGHT INDUSTRIAL-OFFICE RESEARCH ZONING DISTRICT; AND AMENDING CHAPTER 21, ARTICLE V OF THE ALBURTIS CODIFIED ORDINANCES (RELATING TO ZONING—REGULTIONS FOR R-2 MEDIUM-DENSITY RESIDENTIAL DISTRICT) TO MAKE THE FOLLOWING RESTRICTIONS ON LOTS WITHIN THE ONE HUNDRED (100) YEAR FLOODPLAIN OR WITHIN THREE HUNDRED (300) FEET OF THE ONE HUNDRED (100) YEAR FLOODPLAIN: (1) TWO- FAMILY DETACHED DWELLINGS ARE NOT PERMITTED BY RIGHT; (2) CERTAIN RESIDENTIAL USES, BED AND BREAKFAST FACILITIES, AND RECREATIONAL AND EDUCATIONAL FACILITIES OR INSTITUTIONS ARE NOT ALLOWED AS CONDITIONAL USES; (3) THE MINIMUM LOT AREA FOR SINGLE-FAMILY DETACHED DWELLINGS, INCLUDING SECTIONAL OR MODULAR DWELLINGS, IS 6,500 SQUARE FEET; AND (4) THE MAXIMUM DENSITY OF RESIDENTIAL DWELLING UNITS SHALL BE TWO (2.0) UNITS PER ACRE.

David Knerr mentioned One of the one of the ways of doing that included provisions to restrict the maximum number of units to 2 times the acreage of the property, not including street right of ways, and particularly I knew that the area of the property was 5.2 3 acres, not including the street rights of way, so that would allow them to have 10 and not more than 10. And that was how many units were shown on their plan. Now, since that time, just basically a week or so ago, in looking at some review comments from the Borough Engineer. Jaindl's engineers realized that it's possible that someone could request that the right of way, for Church Street would be expanded from its current 33 feet to 60 feet so that it would be, you know, as wide as like scenic view drive is over there now, you know my initial. My initial point to them was, I didn't think that that would be something we would want to do,

for the simple reason that Lower Macungie is closing the road. So, it's not going to be going anywhere. There's only going to be 5 houses on one side of the road. There aren't going to be houses on the other side of the road, because that's a non-developable floodplain area. the more impervious surface you put by making a road the worse you make the flooding situation. So, you know, on the whole, I didn't think it was something that they needed to worry about. But of course, that's easy for me to say, and they were worried about it because you would have the right if you wanted to say, I want 60 feet. It would be perfectly legitimate for you to ask that. So, their engineers then went back and took a look at their calculations and concluded that if it was made 60 feet wide, that they would fall below 5 acres, and therefore would not be able to do what was shown on that sketch plan. So, as a result, they've come back and requested that we change that ordinance, so that what they had in mind and what you had in mind in putting this ordinance up for a vote was to allow that something along the lines of that plan from a zoning perspective. Now, again, we're only dealing with the zoning ordinance here. We're not making any changes to any of the other ordinances that apply such as floodplain and stormwater management, and subdivision and land development. They still have to meet all those requirements. of those ordinances, and other and federal law and State law as well, but they but as far as the zoning ordinance itself would concern this, the intention was to change it from the permitted industrial and commercial uses that are allowed there now to residential uses, because they felt, and frankly, because your comprehensive plan also says, the best use of this property is as residential, not as commercial or industrial. So, with that in mind, I sent everyone on council a recommendation to change the reference to 2 times the property, not including rights of way to 2 times, not including the rights of way as they exist before the subdivision plan is approved. So, in other words, that means it's the current 33 feet, not if you changed it to 60 feet. We're still going to measure by the current 33 feet, and which would allow them to do what was intended on the sketch plan. So, they're asking that we table the ordinance tonight. And since we're making, we make this change to the ordinance. We would have to go through the re-advertising process and resubmittal to a you know the commenting bodies for their comments, and then we'd adopt it. In the beginning of March. The council agreed to table until March 12, 2025; John asked for Steve Nemeth to keep track of all legal and engineering fees associated with this.

LCA update on the regional sewer plan- Liesel Gross

Tabled until February

Borough speed limit reduction discussion

Hector Moss mentioned that I just asked for it to be added to the agenda, because we continue to have a major speeding problem within the borough. Just trying to look at avenues, and you know just things that we can do to help the speeding process. I mean, obviously, we don't have enough officers, and we can't afford to have an officer at every single stop sign and monitoring every time. So, I wanted to bring back the reducing speed limit for discussion again. In certain areas it can just be within borough limits. I know we don't have any control over PennDOT, but in most residential areas the speed and just, it continues, and it's continuing to get excessive. Kathy Palmer mentioned that we could talk to the school and try to get them to have crossing guards if that's what seems to be the issue is these kids crossing and these cars speeding through. Steve Hill mentioned this board objected to that school being there because of this very issue. There's no parking at that school. They must use the AACC parking lots if they have functions and all it's parked from up on 3rd Street, clear down out Second Street. You don't see any schools in the East Penn School district. There's not one school that's built like the schools here and that's my soapbox. It's just at that time of the day there, and the parents are not to blame. Kathy Palmer they just think that they own every right up there to park, whoever they want, and you can talk to the chief. He has issued every single morning out there, and he is there every morning to try and control the situation. The parents are the worst part of the situation. It's really sad because you should be there for the safety of your kids. Right? Chad Atkins mentioned once when returning from the school, there was a mom comes and just pulls in there, double parks. You know the driveway to the house that goes in the back there is no car that's parked there. I said something to him like, you know, you're not allowed to park there. It's a yellow light, and you're double parked just smiles ha, ha! And goes and gets her kid. David Knerr mentioned I do think it's important to know, you know, while you

certainly want to be talking to the school district. They're going to end up having to call you, because to the extent that you, these people, are going to be going out into the street and holding up stop signs and all that stuff. They need your permission to do that.

Bartlett tree service yearly quotes

Hector Moss made the motion to approve Bartlett Tree Service on yearly maintenance, motion 2nd by Chad Atkins and a roll call vote followed. Motion passes 7-0.

DeIaco- yay	Hill- yay	Moss- yay	Atkins- yay	Rivera- yay	Birtek- yay	Aleszczyk- yay
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Painting with the police- AACC

Nicole Steirer from the AACC mentioned So the event is set for March 12th. It's with the painting place in Macungie from 4 to 5. They're looking to have the presence of the police department there again this year, like they did last year. So, looking forward to making it an annual event. This will be held at the community center. So, we're just looking to get the okay for that. Kathy Palmer mentioned that the chief said that he penciled the date in and again, it's going to come down to with only one officer on. They won't want to do overtime. So, if there's a call, but there's a situation he has to leave. So, I want everybody to have that understanding.

Chad Atkins made the motion to approve the officers partaking in the event. Mehmet Birtek seconded the motion, and a unanimous vote followed. Motion passes 5-0-2.

DeIaco- yay	Hill- yay	Moss- abstain	Atkins- yay	Rivera- abstain	Birtek- yay	Aleszczyk- yay
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Senator Coleman Alburtis Borough Pop Up Office – March 20th 10am-2pm

Stephen Nemeth mentioned that March 20th Senator Coleman will be hosting a pop-up office here at borough hall. So, for anybody that has needs like any tax, rent, rebate questions or any like State legislative questions, veteran issues. You're welcome to stop by and ask him and his aides.

Closing comment:

David Knerr mentioned Just wanted to. Make a brief comment. I don't know. Some of you may remember Attorney Bill Malkames coming numerous times. That was a wonderful gentleman and 91 years old, and he just passed away a few days ago. So, I just wanted to pass it on, because truly a Titan in the legal community, and a truly wonderful man and I, just, you know, wanted to express my condolences to his family, and I'm know that there are.

Ron DeIaco stated thank you for sharing that with us, then asked for a motion to adjourn at 7:44 p.m. was made by Chad Atkins, 2nd by Mehmet Birtek and a unanimous vote followed.

Meeting minutes were taken and submitted by:

Stephen Nemeth

 Stephen Nemeth, Borough Manager.