

BUDGET WORKSHOP

President Guy Ramsey called the workshop to order at 6:30 p.m. in the auditorium of the Macungie Institute, 510 E. Main Street, Macungie, PA. Council continued to discuss the 2012 Budget. Present were Council members Chris Becker, Robert Bogert, David Boyko, Dorothy Kociuba, Jean Nagle, Guy Ramsey and Joseph Sikorski. Also present were Borough Manager Chris Boehm, Attorney Stephanie Kobal and Administrative Assistant Cynthia Hartzell.

Borough Manager Boehm asked to discuss the refuse and recycling bids since the award would have an effect on the budget. She explained there were two options with two terms for services in the refuse bid. The two options were twice a week pickup or once a week pickup with terms of either 3 year contract with 5 – 1 year extensions or 5 year contract with 3 – 1 year extensions. Council was provided a spreadsheet showing the bid amounts from 5 companies highlighting the lowest bids and the annual savings per unit. J.P. Mascaro was the apparent low bidder for the twice a week pickup for both terms and Waste Management was the low bidder for the once a week pickup for both terms. Interstate Waste Services was the low bidder for once a week pickup for the 5 year term, but their bid had significant deficiencies which disqualified the bid.

The major decision Council needed to make was if they wanted to continue with twice a week pickup or change to once a week pickup. Notably once a week pickup has the higher savings at about \$130 annually.

Borough Manager Boehm noted Waste Management was the only company that included deviations from the contract in their bid that would benefit the Borough. One of the additional services offered is a recycling incentive program for property owners to sign up and get credit for their recycling to receive coupons for services that local business have offered. Another service is a curbside collection for Household Hazardous Waste at a cost of about \$1.35 per unit. Borough Manager Boehm noted this service may be considered for 2013 since DEP has passed a disposal ban effective 2013 which does not allow landfills and waste disposal facilities to accept TVs, computers and other electronic devices.

President Ramsey requested a category summary for the revenues like the category summary for the expenses so Council could see the major line items that have changed. Borough Manager Boehm will prepare that for the next workshop. Borough Manager Boehm reviewed the changes she had made to the budget since the last workshop.

The budget workshop ended at 7:30 pm and will continue on October 24, 2011 at 7:00 pm.

CALL TO ORDER

President Guy Ramsey called the October 17, 2011 regular meeting of Macungie Borough Council to order at 7:34 pm in the Auditorium of the Macungie Institute, 510 E. Main Street, Macungie, PA.

ATTENDANCE

Council Members: Chris Becker
 Robert Bogert

Borough Manager: David Boyko
Administrative Assistant: Dorothy Kociuba
Mayor: Jean Nagle
Solicitor: Guy Ramsey
Chris L. Boehm
Cynthia Hartzell
Rickie Hoffman
Attorney Stephanie Kobal

PUBLIC COMMENTS

a. Prior Public Comments

1. Tim Romig's comment about a policy for a replacement time line for police vehicles - President Ramsey remarked he emailed the vehicle timeline he prepared for last year's budget discussions to Mr. Romig and Borough Manager Boehm. The discussion was for a budget plan and not a policy.

b. Public Comments

1. Chief Ed Harry informed Council the police department will be doing foot patrol and he wanted the public to know about the activity. From time to time a police officer will go into neighborhoods and walk the streets for about 15 to 20 minutes at a time.

2. Tim Romig, business owner of 50 Race Street, Macungie, commented that the October 3rd minutes under Public Comments, Number 2, third line should be corrected to read "2011 budget summary". Mr. Romig noted the engine replacement was in 704 and not in 702 and he wanted Council to direct Borough Manager Boehm to correct the budget summary posted on the website so it does not indicate Council adopted a policy. Borough Manager Boehm will revise the 2011 budget summary.

3. Bill Reiss, 430 E. Main Street, Macungie, in reference to Mayor Hoffman's comment last meeting that the police department will be doing more enforcement of crosswalks, asked where the pedestrian should stand so the driver would know to stop. He noted people should be educated on this issue. Chief Harry stated the state law requires the driver to yield to a pedestrian crossing the road at a marked or unmarked crosswalk. The pedestrian could take a step off the curb, however, there is a second part to that law that the pedestrian cannot step out into the crosswalk to cause a safety hazard. Chief Harry pointed out that the lit crosswalk at Poplar and Main Streets is only to make the driver aware that someone wants to cross Main Street.

Council Member Kociuba asked about an accident at Main and Chestnut Streets that involved a tractor trailer and a car. Chief Harry acknowledged that the tractor trailer made the left turn from the right lane and did not see the car in the center lane.

4. Faro Evola, employed at Salvator's Pizza, claims he continues to be harassed by a Macungie police officer. Mr. Evola filed a complaint with Mayor Hoffman who looked into the incident but could not find any evidence to back his complaint. The harassment continued and Mr. Evola called the Mayor but never received a return call. Now he was before Council to let Council know this is occurring and request it be addressed.

COMPLIMENTS, COMPLAINTS, PETITIONS AND APPEALS

- a. Council Member Kociuba complimented Borough Manager Boehm on the Fall Newsletter.
- b. President Ramsey, read a personal statement he prepared on his position regarding the events of the Mayor and Police Department. He appealed to Mayor Hoffman to stop the appeal. Mayor Hoffman responded to President Ramsey's statement. In response to a comment from the Mayor, Chief Harry noted he did not hear Mayor Hoffman's telephone conversation with District Attorney Martin when he was sitting in the District Attorney's office during the phone call. Council Member Nagle commented on Council's intervention in the Mayor/ Police issue despite the Borough Solicitor's recommendation and the Judge's ruling on the court case. She felt Council should let the Mayor and the police department work out the situation without Council's involvement.

APPROVAL OF MINUTES

- a. October 3, 2011 meeting – Council Member Sikorski made a motion to approve the October 3, 2011 meeting minutes with corrections, second by Council Member Bogert. Motion carried: 5 ayes, 2 abstain (Council Members Becker and Nagle were absent)

CORRESPONDENCE

- a. State Auditor General, re: Pension State Aid
- b. Emmaus Public Library, re: September meeting draft minutes and budget
- c. Karen Holt, Macungie Institute Building Coordinator, September Report

REPORTS

- a. Solicitor
 1. 52 Race Street Corrective Action Plan – This will be addressed under Unfinished Business Part I.
 2. Wastewater Ordinance Revisions - Attorney Kobal continues to follow up with Allentown Solicitor Fruhwirth.
 3. Uniform Construction Code Amendment - Attorney Kobal noted the amendment is under final review by Solicitor Siegfried.

4. Sidewalk Ordinance – Attorney Kobal will work on the ordinance after the workshop that is to be scheduled.
 5. Attorney Kobal noted she will provide a status report to Council on the Monday morning of the Council meeting of what cases are outstanding and which Attorney is working on each case.
- b. Mayor
1. Halloween Parade and Trick or Treat - Mayor Hoffman noted the Halloween Parade is this Saturday at 7:30 pm and Trick or Treat night is on October 31 from 6 to 8 pm. As requested by Council Member Becker, Mayor Hoffman will check with the Macungie Fire Police about patrolling during Trick or Treat.
- c. Borough Manager
1. Regional police meeting – Borough Manager Boehm continues to schedule a date for the regional police meeting with DCED. She noted they prefer an afternoon meeting.
 2. Next Budget workshop – Borough Manager Boehm reported the next budget workshop is October 24 at 7:00 pm.
 3. MI Executive Policy Manual – Building Coordinator Karen Holt and the Macungie Institute Trustees proposed an amendment to the Executive Policy Manual. Borough Manager Boehm explained that the Macungie Institute is a no impact building in the neighborhood. A group requested to hold an event outside of the building. Borough Manager Boehm will talk with the Trustees and provide a copy of the amendment for Council to review at the next Council meeting.

UNFINISHED BUSINESS - PART I

- a. 52 Race Street Corrective Action Plan – Borough Engineer Erdman recommended an “As built” plan be recorded indicating the original and new location of the drainage pipe. The plan would be signed and sealed by the Borough Engineer and signed by Council. Engineer Erdman feels the “As built” plan is the best way to record the plan to let anyone viewing it know that a change was made and Council’s signatures on the plan indicates Council approved the plan.

Council Member Becker made a motion to agree with Bill Reiss submitting an As-built drawing prepared by his engineer and to submit the document within 10 working days from today to Keystone Consulting Engineers for review of the amended location of the drainage pipe, second by Council Member Nagle. Motion carried: 7 ayes

In Council’s discussion, Attorney Kobal will inform Bill Reiss’ attorney that the As-built plan must be delivered to Engineer Erdman’s office in 10 business days for review.

Tim Romig commented on violations at 52 Race Street that are required to be addressed before completion of the settlement agreement. Borough Manager Boehm was directed to speak with Zoning Officer Nixon about the issues.

UNFINISHED BUSINESS - PART II

- a. Temporary business banners – This item is being carried.
- b. Emergency Management Plan Update - Council Member Boyko will provide a date to Borough Manager Boehm to setup a workshop.
- c. Wastewater Ordinance Revisions – This item will be carried.
- d. Uniform Construction Code Ordinance Amendment – This item will be carried.
- e. Vacating Unopened Streets – This item will be carried.
- f. Sidewalk Ordinance – This item will be carried.

Dave Wentz asked if Council would be changing the speed limit on Vine Street as discussed previously. President Ramsey noted Council will have to meet with Chief Harry to discuss the speed limits of the Borough streets. Chief Harry informed Council that a street without speed limit signs has a speed limit of 25 mph which is inconsistent with the Borough ordinance.

- g. Glass Steagall Legislation - President Ramsey noted this topic was becoming more public. Council decided to drop this issue.
- h. Red Cross Agreement – Council decided there is no further discussion on this item and it will be removed from the agenda.

NEW BUSINESS

- a. Award Bid for Refuse and Recycling Contract –Representatives from J.P. Mascaro and Waste Management were in attendance at the meeting. Both companies addressed Council about the service they would provide to the Borough. It was noted the once a week collection would have once a month pickup for bulk items such as furniture.

Debra Cope, 208 Village Walk Drive, Macungie, noted that personally she could not see having once a week pickup because they live in a dense residential townhouse area with no place to store the garbage. She thought once a week pickup would not be a good idea for the Borough because of the close proximity of the houses.

After hearing comments from the public and the vendors, Council discussed the options and took a straw vote.

Following the straw vote, Council Member Becker made a motion to award the bid for the 2011 refuse and recycling contract to J.P. Mascaro for the 5 year base term with 3-1 year extensions for twice a week collection at the cost of \$1,495,788, second by Council Member Bogert. Motion denied: 3 ayes, 4 nays (Council Members Boyko, Kociuba, Nagle and Sikorski).

Council Member Sikorski made a motion to award the bid for the 2011 refuse and recycling contract to Waste Management for the 5 year base term with 3-1 year extensions for once a week collection at the cost of \$1,218,852, second by Council Member Kociuba. Motion carried: 4 ayes, 3 nays (Council Member Becker, Bogert and Ramsey).

Borough Manager Boehm noted the Borough property owners will be notified by a message on the utility bills that will be mailed this week. The information will also be posted on the Borough website, a phone notification will be sent and a postcard will be mailed to all residents prior to the October 31st collection. In addition an ad will be placed in the East Penn Press. The once a week collection for refuse and recycling will start the week of Oct 31. Linda Emery, Waste Management, informed Council Waste Management would send a truck around town on Thursday of the first week as a courtesy just in case trash has been placed at the curb.

Borough Manager Boehm questioned if Council would want the quarterly refuse billing based on an average of the total 5 years of the contract or based on the annual amount of the bid, which would cause the resident's bill to increase annually. After a discussion, Council Member Sikorski made a motion to bill the refuse based on the annual cost, not on the average of the total contract, second by Council Member Kociuba. Motion carried: 7 ayes

b. Budget Transfers

- \$59.55 from 08.429.213 (Small Equipment Items) to 08.429.210 (Office Supplies)
- \$428.55 from 01.430.374 (Vehicle Maintenance & Repair) to 01.430.250 (Vehicle Parts)
- \$205.56 from 01.430.260 (Minor Equipment-Streets) to 01.430.231 (Fuel-Trucks)
- \$188.91 from 01.433.220 (Signs & Markings) to 01.430.220 (Operating Supplies-Streets)
- \$240.72 from 01.409.260 (Minor Equipment Building) to 01.406.450 (Service Contracts)
- \$92.28 from 01.406.210 (Office Supplies) to 01.406.337 (Personal Car Usage)
- \$1,379.19 from 01.408.313 (Engineering) to 01.406.341 (Advertising)
- \$4,805.58 from 01.410.135 (30 Hour Police Wages) to 01.410.136 (Part Time Police)
- \$10.08 from 01.410.156 (Blue Cross/Blue Shield Police) to 01.410.158 (Life Insurance - Police)
- \$2,080.18 from 01.410.156 (Blue Cross/Blue Shield Police) to 01.410.238 (Uniform-Police)
- \$408.41 from 01.410.132 (Patrolman I) to 01.410.230 (Fuel Oil-Police Station)
- \$526.92 from 01.410.132 (Patrolman I) to 01.410.450 (Police Service Contracts)
- \$1,103.44 from 01.410.132 (Patrolman I) to 01.410.373 (Maintenance Repairs Building)
- \$3,752.76 from 01.410.132 (Patrolman I) to 01.410.183 (Police Overtime)
- \$100.00 from 08.429.220 (Operating Supplies) to 08.429.325 (Postage)
- \$40.50 from 08.429.245 (Street Patching) to 08.429.236 (Housekeeping Supplies)
- \$205.54 from 08.429.384 (Machinery Rental) to 08.429.231 (Fuel-Trucks)
- \$334.85 from 08.429.314 (Legal) to 08.429.230 (Fuel Oil-Garage)

- \$354.82 from 08.429.313 (Engineering) to 08.429.250 (Maintenance & Repair Parts)
- \$19.79 from 08.429.220 (Operating Supplies) to 08.429.460 (Seminar)

Council Member Nagle made a motion to approve the budget transfers as presented, second by Council Member Sikorski. Motion carried: 7 ayes

EXECUTIVE SESSION

President Ramsey called an executive session at 9:55 pm.

The Council meeting reconvened at 10:38 p.m. President Ramsey reported that Council discussed a personnel issue and litigation during executive session and no action was necessary.

ADJOURNMENT

Hearing no further business to be brought before Borough Council, the meeting was adjourned at 10:40 pm.

Respectfully submitted,

Cynthia Hartzell
Administrative Assistant