

MACUNGIE BOROUGH COUNCIL
MEETING MINUTES
Monday, January 15, 2024
REGULAR MEETING MINUTES
7:30 P.M.

Council Members:

Ron Karboski
Greg Hutchison
Barry Bloch
Todd Ritter
Robert Rozak
Carl Sell
John Yerman
Ronald Conrad (absent)
Pat Armstrong
John Brown

Mayor:

Solicitor:

Borough Manager:

President Karboski called tonight's meeting to order at 7:30 pm.

1. Barry Isett Engineering Report
 - a. No report
2. Public Comments
 - a. Prior Public Comments to Council
 - i. None
 - b. Comments from the audience on non-agenda items
 - i. Pocono Wildlife and Rehabilitation Center-Kathy Uhler discussed her organization. Borough Manager to send contact information.
3. Complaints, Petitions, Appeals and Compliments
 - i. None
4. Approval of Minutes
 - a. January 2, 2024
 - i. Councilman Rozak made a motion to approve the minutes as written. Vice President Hutchison seconded the motion. Motion passed unanimously.
5. Financial Agenda
 - a. Treasurer's report – None
 - i. Councilman Yerman expressed disappointment and concern over the delay by FRS to have the financial reports completed by year end 2023. President Karboski direct Manager Brown to convey the disappointment and concerns to FRS.
 - b. Approval of invoices as listed.
 - i. Vice President Hutchison made a motion to approve all invoices for \$148,613.96. Councilman Bloch seconded the motion. Motion passed unanimously.
6. Correspondence
 - a. Macungie Ambulance Monthly Report
 - b. Letter of resignation – Kyle Fisher, Part-Time Officer (see 11a)
 - c. Senator Coleman's request to use Borough office/site for outreach (see 11b)
 - d. The PA Department of Labor and Industry has released the 2024 bid threshold.
 - e. Anne Zayaitz Emmaus Public Library New Director notice.
 - f. Michael Hinkle – Letter of interest – Planning Commission (see 11c)
7. Reports
 - a. Macungie Institute Manager Report (2nd meeting of the month)

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- b. Zoning Monthly update (2nd meeting of the month)
 - c. Solicitor
 - d. Mayor
 - i. Macungie Police Department Update
 - e. Borough Manager
 - i. Sewer Debt Service Fee (see 11f)
8. Unfinished Business
- a. VFRA allocation \$19,749.83. Discussion and vote.
 - i. The council discussed how to proceed with the distribution of funds. Statute indicates the funds should go to the recognized fire service provider's VFRA of the Borough. This is MVFD VFRA through December 28, 2023.
 - ii. Recommendation was not to provide to MVFD VFRA due to the status of the MVFD organization citing the Fire Chief resigned, officers have resigned, they are struggling to reorganize, and are not current with their financial obligations. Motion was made by Vice President Hutchison not to provide the VFRA funds to MVFD relief association. Motion was seconded by Councilman Ritter. After the ensuing discussion the motion was withdrawn
 - iii. During the ensuing discussion of the motion, an outline of potential awardees of the funds was provided and reviewed. Certain concerns and contingencies were included.
 - 1. Any award is dependent on the approval of the Auditor General confirming it is OK.
 - 2. Solicitor Armstrong would like to ensure there are no issues with removing or excluding MVFD receiving the funds.
 - 3. The question was raised regarding the status of the VFRA(s) of the potential awardees proposed.
 - 4. Tim Sterzenbach, resident and former Fire Chief, offered commentary regarding issues with proposed allocation of funds.
 - iv. Motion to table item until February 5, 2024, meeting was made by President Karboski and seconded by Councilman Rozak. Motion passed unanimously.
9. New Business
- a. Acceptance of letter of resignation, Kyle Fisher, Part-Time Officer, Macungie Police Department
 - i. Vice President Hutchison made a motion to approve Kyle Fisher's letter of resignation with regret. Councilman Bloch seconded the motion. Motion passed unanimously.
 - b. Senator Coleman's request to use the Borough Office/site for outreach. Discussion and vote.
 - i. Vice President Hutchison made a motion to approve Senator Coleman's request, suggesting the Macungie Institute as a point of interest. President Karboski seconded the motion. Motion passed unanimously.
 - c. Michael Hinkle – Letter of Interest Planning Commission
 - i. President Karboski made a motion to table Mr. Hinkle's letter of interest until communication has been made and requested Mr. Hinkle attend the next Council meeting. Vice President Hutchison seconded the motion. Motion passed unanimously.
 - d. DPW \$1,000 request – Lift Rental to remove holiday décor \$1,500. Discussion and vote.
 - i. President Karboski made a motion to approve the lift rental at \$1,500. Vice President Hutchison seconded the motion. Motion passed unanimously.
 - e. DPW \$1,000 request – Hach Pocket Colorimeter \$646.20. Discussion and vote.
 - i. Vice President Hutchison made a motion to approve the Hach Pocket Colorimeter not to exceed \$700.00. Councilman Bloch seconded the motion. Motion passed unanimously.

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- f. Sewer Debt Service Fee Ordinance # 2024-01 Eliminating the Sewer Debt Service fee of \$64.50 per quarter. Approval to publish legal notice. Discussion and vote.
 - i. Councilman Yerman introduced an analysis in support of discontinuing collection of the service fee. After the discussion on the matter, President Karboski made a motion to authorize Pat Armstrong to advertise Ordinance 2024-01 which would eliminate the fee. Councilman Yerman seconded the motion. Motion passed unanimously.
- g. Kay Builders | Fields at Brookside requesting authorization to record development plan before the PA DOT HOP Permit / M950AA Approval. Discussion and vote
 - i. President Karboski made a motion to move forward with recording the plans before the PA DOT HOP Permit with the conditions (detailed below). Vice President Hutchison seconded the motion. Motion passed unanimously.
 - 1. Conditional approval requirements for motion:
 - a. No Building permits will be issued prior to the HOP Permit being issued.
 - b. No Certificates of Occupancy will be issued prior to the HOP Permit being issued.
 - c. All agreements (per Armstrong) are satisfied.
 - d. Kay Builders post requisite security deposit.
 - e. HOP Permit is the only exception being granted.
- h. Per Resolution 2023-05 approved at the 12/04/2023 meeting authorizing the requisite conveyance documents associated with the necessary deed(s) of dedication for Macungie Brough property referenced herein to be conveyed to Penn DOT; Kay Builders is requesting that referenced deed be executed by the Council President.
 - i. Councilman Sell made a motion to allow Council President Karboski to execute the required deed per Resolution 2023-05 with the condition that the legal description has been confirmed by all parties. Councilman Yerman seconded the motion. Motion passed unanimously.
- i. Graffiti Solution Proposal. Discussion and vote.
 - i. President Karboski asked all council members to review Chapter 230.
 - ii. The council discussed creating a repeat offender definition to add to the Nuisance Ordinance. President Karboski made a motion to have the solicitor review and recommend modifications to nuisance ordinance per the discussion. John Yerman seconded. Motion passed unanimously.
- j. Porch and Outside Furniture Solution Proposal. Discussion and vote.
 - i. President Karboski made a motion to table any discussion until the next meeting. Councilman Yerman seconded the motion. Motion passed unanimously.
- k. Lehigh County Election Drop Box Camera Installation and MOU. Discussion and vote.
 - i. The council expressed concern regarding the condition of the drop box area in Borough Hall utilized by Lehigh County, specifically where the temporary camera system is mounted. The MOU requires repair and maintenance of this area. The council would like a better solution to prevent recurring damage. Councilman Yerman made a motion for the Borough Manager to request Lehigh County repair the current damage and generate a better solution. President Karboski seconded the motion. Motion passed unanimously.
- l. Authorization to extend Certificate of Deposit. Discussion and vote.
 - i. President Karboski made a motion to authorize the Borough Manager to extend the multiple Certificate(s) of Deposit at the manager's discretion. Vice President Hutchison seconded the motion. Motion passed unanimously.

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10. Executive Session

- a. Real Estate, Legal, Personnel

11. Action as a result of executive session

12. Adjournment

- a. Councilman Ritter made a motion to adjourn tonight's meeting at 11:07 pm. Vice President Hutchison seconded. Motion passed unanimously.