

CALL TO ORDER

President Chris Becker called the September 5, 2017, meeting of Macungie Borough Council to order at 7:30 p.m. in Borough Council Chambers, Borough Hall, 21 Locust Street, Macungie, PA.

ATTENDANCE

Council Members:	Alma Akinjiola Chris Becker Greg Hutchison Roseann Schleicher
Borough Manager:	Chris L. Boehm
Solicitor:	Patrick Armstrong
Mayor:	Gary Cordner
Administrative Assistant:	Cynthia Hartzell
Absent:	David Boyko Marvin Moyer John Yerman Jr. Council Member Renee Martin

PUBLIC COMMENTSa. Public Comments

1. Dennis Fritz, 32 S. Lea Street – noise ordinance – This will be carried until President Becker talks to Mr. Fritz.

b. Comments from the Audience on non-agenda items

1. Tim Schantzenbach, 102 Locust Street, Macungie, asked the status on the issue about absent Council Members.

Solicitor Armstrong explained the state law allows a Council Member to be removed only if that person committed a criminal crime. Otherwise an absent Council Member cannot be removed. Council Member Boyko's term is up at the end of 2017 and Council Member Moyer has 2 more years on his term. Council directed Solicitor Armstrong to inquire about the process to remove the Emergency Management Director.

COUNCIL COMPLIMENTS, COMPLAINTS, PETITIONS AND APPEALS – No Compliments, Complaints, Petitions or Appeals from Council

APPROVAL OF MINUTES

a. August 21, 2017 meeting – Council Member Akinjiola made a motion to approve the August 21, 2017, Council meeting minutes as presented, second by Council Member Schleicher. Motion carried: 4 ayes

CONSENT AGENDA

a. Treasurer's report of August 31, 2017

Council Member Schleicher made a motion to approve the August 31, 2017, Treasurer's Report, second by Council Member Hutchison. Motion carried: 4 ayes

b. Payment of invoices as listed totaling \$66,111.80

Council Member Schleicher made a motion to approve the invoices of the September 6, 2017 Consent Agenda after President Becker's questions are answered, second by Council Member Akinjiola. Motion carried: 5 ayes

CORRESPONDENCEa. Lehigh Valley Planning Commission, re: Community Planning and Land Use Regulation course scheduleb. State Attorney General, re: Order of Withdrawal for Withholding of State Aidc. Lower Lehigh Lions Club, re: Proposal to install ADA compliant mechanisms at Macungie Instituted. Lower Lehigh Lions Club, re: Macungie Halloween Parade

Mayor Cordner commented he was in the Halloween Parade last year riding in the police car.

REPORTSa. Solicitor Armstrong

1. Rental Regulation Ordinance - Solicitor Armstrong reviewed the proposed ordinance and made some minor changes to it. Solicitor Armstrong questioned Council on the definition of tenant because the definition includes the owner of the property as an individual who resides in the residential rental unit. President Becker was part of the rental committee and remarked the committee wanted the ordinance to include properties that the owner occupies one part of their property and the ordinance regulates commercial rentals also. Solicitor Armstrong will review and revise the ordinance as discussed tonight. The fees will be discussed further by Council.

b. Mayor

1. Mayor Cordner heard the Wheels of Time event held the weekend before Labor Day weekend was a successful event and well attended.

c. Borough Manager

1. Civil Service Commission – Borough Manager Boehm reported the Civil Service Commission held a meeting. Alma Akinjiola was nominated as Chair, Daniel Lenig was nominated as Vice-Chair and Dorothy Kociuba was nominated as secretary. The Commission worked on updating the

Borough's Civil Service Regulations. The Commission made some changes to the model ordinance that were given to Solicitor Armstrong for review. Their next meeting will be September 20th. The Commission asked Borough Manager Boehm to reach out to Attorney Jeff Stewart to offer the position of the Civil Service Commission Solicitor. Borough Manager Boehm noted a testing schedule has been created and will take the officer testing to begin in November.

d. Junior Council Member – No Report

e. Committees – No Reports

UNFINISHED BUSINESS – PART I

a. 2018 Uniformed and Non-Uniformed Defined Benefit Pension Minimum Municipal Obligation – Borough Manager Boehm reported Council will have to decide by September 29 which amount they will elect for the Borough's Minimum Municipal Obligation for the Uniformed and Non-uniformed defined benefit pensions. This will be carried to the next meeting.

b. Parking in front of mailbox clusters in Brookfield Development – After President Becker commented he was not sure what Council could do about the situation, Solicitor Armstrong suggested an ordinance making parking regulations specific to Village Walk Drive. Council discussed the situation of affecting parking and the police enforcing the area. President Becker asked to find out the number of cluster mailboxes in the Borough. This is to address a letter dated August 14, 2017 from Donald Landry and Debra Burns.

Dave Fatzinger remarked the people that park in front of the cluster boxes are conscience of when the mail is delivered and don't park there at that time. He liked the no parking regulation between 9 am to 12 noon Monday thru Saturday because most people are at work and it does not affect parking.

c. Condition of Village Walk Drive - President Becker reviewed Village Walk Drive with Public Works Supervisor Smith. He emailed pictures to Council and remarked that Supervisor Smith will take care of the bad areas when he finishes the Brookfield Park work. This is to address a letter dated August 14, 2017 from Donald Landry and Debra Burns.

President Becker reported a depression on Hillcrest Drive that Supervisor Smith is monitoring. Borough Manager Boehm suggested having the engineer probe the area to which she was given permission to have the engineer perform a probe of the area.

d. Macungie Volunteer Fire Department - President Becker reported the fire Department has provided some items to work toward completing the action list from Council. He had the list of Fire Department officers and roster which he read. There were vacant positions for the fire department and the fire police. He was also given the list of 2009-2015 list of fire fighters that left the department and why, the certifications and training reports. These documents he passed to Borough Manager Boehm. He had an August training report and response report which will be on the next agenda. President Becker commented that the fire department is working to schedule training with other fire departments.

Dorothy Kociuba questioned why there are vacant office positions but Council was unable to answer that question. She asked about the officers for the firemen's relief association and if there have been any meetings held. Council had no information on the firemen's relief association.

Council urged residents to apply to be on the firemen's relief association.

Brian Frizzell, 5601 Indian Creek Road, Macungie, commented he rejoined the fire department in August after being out of the area for several years. Unlike when he joined years ago, he did not receive the bylaws or Standard Operation Guidelines. He just received a letter that he could not be on the fire department because he falsified information on his application. He explained why he completed the application as he did. He remarked about the training that the fire department claims to be doing.

Tim Schantzenbach commented about the officers of the fire department not being available during the day if a fire call goes out. He asked Council to reach out to the neighboring fire departments to ask for assistance. President Becker reported he has spoken to Alburdis and Lower Macungie Township fire chiefs and they did offer their assistance for fire calls.

President Becker asked Council if they wanted to disband the Macungie Fire Department Review Committee. There was a discussion if the Review Committee was formally appointed.

Council Member Akinjiola made a motion to relieve the Macungie Fire Department Review Committee of their duty, second by Council Member Schleicher.

Dorothy Kociuba commented about all the information the review committee provided to Council. She commented about Council being able to verify that the documents received are accurate, since documents previously were inaccurate. President Becker commented the action list requires the Secretary to certify the documents.

Motion carried: 4 ayes

President Becker thanked Mr. Schantzenbach and the other members of the Review Committee for their work.

UNFINISHED BUSINESS – PART II

- a. Main Street Streetscape and Church Street Traffic Light Project – The project has started. Borough Manager Boehm commented about a meeting being held Wednesday at 10 am about the curbing but it is not the regular bi-weekly meeting.
- b. SW Lehigh Comprehensive Plan – Council Member Schleicher announced the public meeting on September 25th at 7:00 p.m. with a viewing period at 6:30 p.m. for the public to view the documents. This is being held at Lower Macungie Township Community Center.
- c. Sewer Ordinance Amendment for sewer lateral inspections – Borough Manager Boehm commented she will have a draft ordinance at the next meeting.
- d. Macungie Institute budget – President Becker commented no other discussion is needed on this topic.
- e. Sewer Ordinance Amendment to comply with City of Allentown Industrial Waste Ordinance

NEW BUSINESS

a. Award Bid for Refuse and Recycling Contract - Solicitor Armstrong reviewed all the bids. Borough Manager Boehm noted the low bidder, Advanced Disposal, was for a 5 year contract with 3-1 year extensions for once a week pickup. She received favorable comments from the other municipalities that are serviced by Advanced Disposal and 2 municipalities have renewed their service with Advanced Disposal.

Council Member Hutchison made a motion to award the refuse/recycling contract to Advanced Disposal for the 5 year base term with 3-1 year extensions for once a week collection at the cost of \$1,009,085 effective November 1, 2017, second by Council Member Akinjiola.

Tom Stang, Waste Management, thanked Council for all the years that Waste Management was able to service the Borough.

Motion carried: 4 ayes

b. Lower Lehigh Lions Club Proposal for Macungie Institute – Dave Briggs from the Lower Lehigh Lions Club explained the funds raised from the Fun Run held before the Halloween Parade would be used to pay for the automatic door openers at the main entrance and the inside ramp door to the auditorium at the Macungie Institute. They may also be able to apply for a grant to match funds. If Council approves, he will contact Building Coordinator Holt to have a contractor look at the locations to get a quote for the project.

Council Member Hutchison made a motion to approve the installation of automatic door openers at the main entrance door and at the side door to the auditorium at the Macungie Institute as proposed and funded by the Lower Lehigh Lions Club, second by Council Member Schleicher. Motion carried: 4 ayes

c. Contingency Fund - President Becker asked Council to look at the amount of funds in the contingency fund which funds are set aside to be used in an emergency or another issue. Council commented funds were used from the contingency fund but not replaced. This discussion will continue.

ITEMS NOT ON AGENDA

a. President Becker wanted to follow up on a few topics. Did Harry Buchin contact the Borough to address his request about a bank account which he has not taken any action. Borough Manager Boehm was directed to call Mr. Buchin. The status of the Brookside Country Club assessment appeal has been completed. President Becker received a letter from a former resident requesting to have American flags hung along Main Street. The discussion progressed to asking Town Beautification to look into flags. President Becker asked Borough Manager Boehm the status of renting a room at the Macungie Institute. She has been contacted by someone but has not heard back from that person. Council discussed the Emergency Management Position. Solicitor Armstrong will check into the process to remove and appoint another person. President Becker remarked about the funds spent at Brookfield Park has mostly depleted the Recreation Capital Fund. There were a few other items that were discussed during this meeting.

EXECUTIVE SESSION

Council President Becker called for an executive session at 9:51 p.m. to discuss personnel. The meeting was reconvened at 11:48 p.m. with the following action:

Motion by Roseann Schleicher, second by Greg Hutchison, to conditionally agree to extend the health care benefits for Erin McFarland an additional 6 months (after which said benefits will end unless the employee returns to work) subject to the terms of the existing collective bargaining agreement and further subject to a MOU signed by the employee, union and Borough in a manner and form deemed acceptable to the Borough, and further conditional on confirming with the insurance carrier that Council can extend the benefits for an additional 6 months while the employee is on long term disability. Motion carried: 4 ayes.

ADJOURNMENT

Hearing no further business to be brought before Borough Council, the meeting was adjourned at 11:50 p.m.

Respectfully submitted,

Cynthia Hartzell
Administrative Assistant