

CALL TO ORDER

President Chris Becker called the September 18, 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 Marvin Moyer Roseann Schleicher John Yerman
Jr. Council Member:	Renee Martin
Borough Manager:	Chris L. Boehm
Administrative Assistant:	Cynthia Hartzell
Solicitor:	Patrick Armstrong
Absent:	David Boyko Mayor Gary Cordner

PUBLIC COMMENTSa. Prior Public Comments to Council

1. Dennis Fritz, 32 S. Lea Street – noise ordinance - President Becker met with Mr. Fritz. They discussed 2 sections of the codification that he referenced – one in Chapter 230, Nuisance and the other in Chapter 345, Zoning. The wording in the Zoning chapter for town center zoning district for special exceptions is outdoor seating that is open after 11 pm cannot be within 200 feet of a residential property. President Becker wants to measure the distance to residential properties from the patio at The Pub on Main. He suggested posting a sign when exiting The Pub to respect the neighbors. Council agreed with his suggestions and President Becker will report back.

2. President Becker addressed a request he received to have flags hung along Main Street that he commented about at the last meeting. Council Member Schleicher spoke to Town Beautification Committee. As remarked before, the Town Beautification Committee commented the flags hung at the poles would wrap around, get caught and tear. The Committee purchased banners with flags printed on them instead to control costs and they are not willing to purchase more flags. President Becker received a second letter from the person about the flags but it has been addressed.

Council Member Schleicher suggested when the streetscape is done, that maybe flags could be placed in the planters at times. Council Member Hutchison suggested sending a letter to this person telling them that the banners with the flag imprint are used due to the flags being torn regularly.

3. President Becker reiterated Supervisor Smith will work on the street of Village Walk Drive when he finishes the Brookfield Park work.

b. Public Comments

1. Amy Resh, Librarian, Emmaus Public Library, came to introduce herself to Council and update Council on what is happening at the Library. She gave an October calendar showing all the events happening at the Library. She talked about the expansion of the library and that a grant has been received to help with the project, and other things going on at the Library.

2. Dorothy Kociuba, 93 S. Fairview Street, Macungie, questioned if the box alarms for the fire department were changed. President Becker was unaware of any changes. She was concerned about relying on the neighboring fire departments for service because only fire departments listed on box alarms are allow to enter into the Borough. President Becker will look into this matter with the Fire Department.

3. Tim Romig, business owner of 50 Race Street, Macungie, asked if Council contacted the insurance carrier, the auditor general and the state attorney general about the fraud committed by the fire department. Solicitor Armstrong noted a letter was sent to the State Fire Commissioner about the inaccurate list submitted with their grant application. He noted nothing was sent to the insurance company since the fire department is not under the Borough's insurance coverage. And, Borough Manager Boehm confirmed nothing was sent to the state attorney general. Mr. Romig asked the status of the certification for the ladder truck. No one was sure what the fire department was doing with the ladder truck. He asked if he could have the fire fighter certifications that were given to Council since he had previously submitted a Right To Know request for them. There was a discussion that Mr. Romig's previous Right To Know request did not apply to any documents received after his request was submitted.

4. Tim Schantzenbach, 102 Locust Street, Macungie, reported on a fire call to Eyer School where only 3 fire fighters responded from Macungie Fire Department who were not trained to enter a building. He commented about the ladder truck being inspected but has not seen any certification for it. President Becker will check on the certification of the ladder truck.

Mr. Schantzenbach complimented the fire department on receiving a \$155,000 grant for SCBA packs.

COUNCIL COMPLIMENTS, COMPLAINTS, PETITIONS AND APPEALS – No compliments, complaints, petitions or appeals from Council.

APPROVAL OF MINUTES

a. September 5, 2017 meeting – Council Member Schleicher made a motion to approve the September 5, 2017 Council minutes as corrected, second by Council Member Akinjiola. Motion carried: 6 ayes

APPROVAL OF BILLS FOR PAYMENT

Council Member Hutchison made a motion to approve the bills for payment totaling \$136,040.18, second by Council Member Schleicher. Motion carried: 6 ayes

Council Member Hutchison asked if President Becker was able to find out about the Dries bill from the last bill approval list. President Becker reported the bill was multiple items that were purchased over one month.

CORRESPONDENCE

- a. Karen Holt, Macungie Institute Building Coordinator, August Monthly Report - President Becker gave a list of questions to Borough Manager Boehm to find out if Building Coordinator Holt followed up on any of them.
- b. Macungie Volunteer Fire Department August Response and Training Report
- c. Lower Macungie Township, re: Emergency Operations Plan Update
- d. Macungie Ambulance Corp August Report
- e. Police Bargaining Association President Michael Mullen, re: Grievance for Uniform Allowance
- f. Pennsylvania DEP, re: Allen Organ Air Quality Permit
- g. Pennsylvania DEP, re: Recycling Program Performance Grant awarded for 2015 in the amount of \$6,612
- h. Municipal Retirement Trust August Monthly Report

REPORTS

- a. Mayor - No Report in his absence
- b. Borough Manager
 1. Non-Uniformed Defined Benefit Pension Joinder Agreement Amendment – Borough Manager Boehm explained this amendment came about with an employee retiring and requesting an estimate for their pension payment. The Borough's new actuary found out that the health insurance opt-out amount was not included in pensionable wages. Since it is not specifically noted in the joinder agreement, the actuary recommended it be amended to address the exclusion of medical insurance opt out as pensionable wages. Solicitor Armstrong reviewed the amendment and noted the only change is under Compensation.

Council Member Schleicher made a motion to move forward with the ordinance for the Non-Uniformed Defined Benefit Pension Joinder Agreement Amendment, second by Council Member Yerman. Motion carried: 6 ayes

2. Pennsylvania House Bill 1620 – Borough Manager Boehm explained this bill would allow for wireless facilities to be located within the municipality's right of way without any approval or regulation. Code Enforcement Officer Ken Nicholson was requesting Council's permission to send a letter opposing the bill.

Council Member Yerman made a motion to send the letter as written by Zoning Officer Nicholson to the State Representative, second by Council Member Schleicher. Motion carried: 6 ayes

c. Junior Council Member – No report.

d. Committees – President Becker added the parking on Village Walk Drive to the Planning Commission agenda. Council Member Yerman noted the Planning Commission is also reviewing the cleanup list for the zoning ordinance and could add the mailbox issue.

UNFINISHED BUSINESS – PART I

a. 2018 Uniformed and Non-Uniformed Defined Benefit Pension Minimum Municipal Obligation – Borough Manager Boehm explained Council needed to decide which minimum amount they want to be obligated to pay to the pension funds by September 29th. She explained this is only the minimum. Council can decide to increase the amount in the budget or at the time of payment if they want to add funds.

Council Member Becker made a motion to pay the Minimum Municipal Obligation for the Uniformed Pension of \$60,513 and the Minimum Municipal Obligation for the Non-Uniformed Pension of \$37,399, second by Council Member Hutchison. Motion carried: 6 ayes

UNFINISHED BUSINESS – PART II

a. Main Street Streetscape and Church Street Traffic Light Project – President Becker reported the project is going fine. He reported he received a schedule but it may have to be extended due to the time frame of getting the traffic light masts. That will be monitored.

Barry Bloch commented about the location of a bump out being installed at Race Street and remarked the intersection is not wide enough for vehicles to pass especially tractor trailers turning in from Main Street to go to Allen Organ or BDI Machinery.

President Becker commented the plans were designed using modeling for large vehicles to make the turn. He remarked that a survey crew was going out the next morning to survey the right of way at 50 Race Street to address Mr. Romig's concern.

Barry Bloch, Tim Romig and Tim Schantzenbach continued to dispute the turning radius onto Race Street with the location of the bump out on the west side of Race Street. Bill Reiss, owner of BDI Machinery, requested to see the truck modeling plan. Mr. Romig requested a copy of the truck modeling plan also. President Becker gave him a copy of the plan and will provide a copy to Mr. Reiss.

b. SW Lehigh Comprehensive Plan – Council Member Schleicher reminded everyone about the public meeting on September 25th at 7:00 p.m. at Lower Macungie Township. The doors will be open at 6:30 p.m. to view maps from the comprehensive plan. A quorum of Council must be present at the hearing. Four Council Members agreed to attend the public hearing.

c. Sewer Ordinance Amendment for sewer lateral inspections – Borough Manager Boehm is working on this.

She reported she is attending a meeting Tuesday to discuss rebase lining the sewer allocation.

d. Sewer Ordinance Amendment to comply with City of Allentown Industrial Waste Ordinance – Solicitor Armstrong reviewed the city's amendment which there were only a few changes to the ordinance Council adopted in 2009. He will create an ordinance with the changes.

e. Rental Inspection Ordinance – Solicitor Armstrong revised the ordinance as discussed at the last meeting and emailed it to Council for review. Solicitor Armstrong changed the tenant definition to not include owner and did not include commercial rentals. Council discussed inspecting a unit in the building if it was occupied by the owner and decided to only inspect the tenant occupied units. Council will have to decide on the fees and who will be doing the inspections.

f. Contingency Fund - President Becker suggested the contingency fund should have about \$600,000 in it and wants to make a 10-year plan to build up the fund.

g. Parking in front of cluster mailboxes on Village Walk Drive – Council discussed how to address the parking at the mailboxes. They figured the only problem is in the Brookfield development. There are other mailboxes in the Borough but parking is not an issue and the mailboxes are set back on the other side of the sidewalk. Solicitor Armstrong suggested listing the exact location of the no parking for each mailbox but after some discussion, he will check if it could be listed another way.

h. Emergency Management Coordinator - President Becker was informed about a session that is being held at Lehigh County and asked Council if they would approve of the Deputy Emergency Management Coordinator attending the session since the current Emergency Management Coordinator is in absentia. Council was in agreement.

Borough Manager Boehm informed Council that David Boyko's 10 E. Main Street property address had been changed to an Allentown address as noted by Lehigh County Assessment Office. Council decide to send him another letter to inform him that Council is moving forward to appoint another Emergency Management Coordinator.

NEW BUSINESS

- a. Civil Service Commission – Borough Manager Boehm reported the Commission is meeting on Wednesday to move forward with the Rules and Regulations of the Civil Service Commission and adopt the resolution for the amendment. Council will get the amended rules and regulations and resolution to adopt at the next meeting.
- b. Police Union Grievance - Solicitor Armstrong read the grievance and recommended discussing this in executive session.
- c. Resignation of Kyle Fisher – Part Time Officer Kyle Fisher submitted a resignation letter dated September 12, 2017 to be effective 2 weeks from that date.

Council Member Hutchison made a motion to accept the resignation of Kyle Fisher with regret, second by Council Member Schleicher. Motion carried: 6 ayes

ITEMS NOT ON AGENDA

- a. Borough Manager Boehm asked when an ordinance needed to be passed making N. Church Street one way traveling south onto Main Street. After discussion, it was determined Solicitor Armstrong would prepare an ordinance.

EXECUTIVE SESSION

Council President Becker called for an executive session at 10:26 p.m. to discuss personnel. The meeting was reconvened at 12:12 a.m. with the following action:

Council Member Hutchison made a motion to acknowledge the grievance and to pay the \$500 uniform allowance to Erin McFarland conditioned upon it being included in the MOU being prepared by the Borough Solicitor for her 6 months of medical benefits, second by Council Member Schleicher. Motion carried: 6 ayes

ADJOURNMENT

Hearing no further business to be brought before Borough Council, the meeting was adjourned at 12:14 a.m.

Respectfully submitted,

Cynthia Hartzell
Administrative Assistant