

MACUNGIE BOROUGH COUNCIL
MEETING MINUTES DRAFT
MONDAY, October 3, 2022
REGULAR MEETING
7:30 P.M.

Council Members:

John Yerman, President
Greg Hutchison, Vice President
Barry Bloch
Todd Rutledge
Lisa Yeager
Carl Sell
Ron Karboski
Ronald Conrad
Patrick Armstrong
John Brown
Nina Solivan

Mayor:

Solicitor:

Borough Manager:

Assistant to the Manager:

President Yerman called the meeting to order at 7:30 pm.

1. Barry Isett Engineering Report
 - a. PennDOT – No work on Hickory and South Church can start until the agreement with PennDOT is signed.
 - b. BIA met with members of the Council including John Brown and Joe Peterson to discuss sidewalks on South Church Street. (See Unfinished Business a(1,2,3))
2. Public Comments
 - a. None comments
3. Complaints, Petitions, Appeals, and Compliments
 - a. Vice President Hutchison questioned a memo sent and never received an answer. It was advised that this be discussed in Executive Session.
4. Approval of the Minutes
 - a. Councilman Bloch made a motion to approve the September 19, 2022, meeting minutes. Councilman Karboski seconded the motion. The motion passed unanimously. (100322-A)
5. Meeting Management
 - a. Meetings have been moving smoothly. This item will be removed from the agenda.
6. Consent Agenda
 - a. Treasurer's Report
 - b. Approval of invoices as listed
 - i. Councilman Karboski made a motion to approve the invoices in the amount of \$182,222.38. Councilman Rutledge seconded the motion. The motion passed unanimously. (100322-B)
7. Correspondence
 - a. General Municipal Pension System State AID allocation of \$ 72,526.32 Macungie (see New Business 12(d)).
 - b. PADOT 2023 Liquid Fuels Estimated Allocation notice \$79,366.75 and Act 32 Highway Transfer Estimated Payment of #3,320.0
 - c. Municipal Retirement Trust Report through August 31, 2022
 - d. Halloween Parade Committee – Invitation to Judge Parade Floats

MOTION: 100322-A / 100322-B / 100322-C / 100322-D / 100322-E / 100322-F / 100322-G / 100322-H / 100322-I / 100322-J / 100322-K / 100322-L / 100322-M / 100322-N / 100322-O

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- i. Councilman Karboski and Mayor Conrad expressed interest and will reach out to the Halloween Parade Committee.
 - e. Macungie Institute manager report (2nd meeting of the month)
 - f. Macungie Police Department (2nd meeting of the month)
 - g. Zoning Monthly Update Report (2nd meeting of the month)
 - 8. Reports
 - a. Solicitor
 - i. Attorney Armstrong commented on the retaining walls in the Borough. Attorney Armstrong mentioned there is a Nuisance Ordinance. The Borough does have an international Property Program is an extreme avenue and the Borough would need to figure out if they are ready to go that far. He is unaware if the Borough is actually at that stage to move further. The wall in themselves are in Borough Code.
 - b. Mayor
 - i. Officer Matthew Santiago introduction – not at tonight’s meeting.
 - ii. Trick or Treat will be held on 10/31. Mayor Conrad noted that if you plan on participating, please ensure your porch light is on.
 - c. Borough Manager
 - i. Staff transition update
 - 1. Nina Solivan transitioned into the assistant treasurer/ clerk position temporarily. Nina commented that this is not a job that anyone can come into and handle. She commended Brenda for a job well done.
 - ii. Borough Manager request – remote work approval (see New Business 12(g)).
9. Unfinished Business
 - a. Borough Sidewalk – Concrete contractor Proposal/Plan – discussion and vote
 - i. Councilman Karboski made a motion allowing BIA to create an SOP and complete inspections of curbs and sidewalks on S. Church St. Councilman Sell seconded the motion. The motion passed unanimously. (100322-C)
 - ii. BIA will draft letters to residents on S. Church Street that need to have the sidewalks repaired.
 - iii. Councilman Karboski made a motion allowing BIA to find a contractor to do the necessary repairs for the residents that are not willing to cooperate. (100322-O)
 - b. Officer Tyler Smith – Letter of Resignation effective 9/21/2022.
 - i. The previous motion was not roll-called. In tonight’s meeting, everyone is in favor.
 - c. Code of Ethics and Conduct discussion and vote
 - i. Councilman Karboski made a motion to approve the Code of Ethics and Conduct proposal suggesting the signature box and C1 sanction be removed. Vice President Hutchison seconded the motion. Motion passed 6-7 (100322-D)
 - d. 2022-17 Tabled – check signing
 - i. Councilman Rutledge made a motion to approve Resolution 2022-17 Check Signing. President Yerman seconded the motion. Motion passed 6-7. (100322-E)
 - e. Change order #2 Trench Drains Streetscape V - \$7,158.00

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- i. Councilman Sell mentioned that the Borough hired an engineering firm for the Trench Drains. Mr. Sell brought this issue up during construction and explained that the cost of this could have been well below the proposed cost.
 - ii. Councilman Sell is requesting that BIA be the one who pays for the Trench Drains to be put in.
 - iii. Borough Manager John Brown will work with Councilman Sell to work with BIA regarding who should be responsible for payment and work.
- f. Rain Garden
- i. This is part of our MS4 program. The Borough needs to figure out a way to improve the appearance of the Rain Garden.
 - ii. Questions arose as to if we were in violation of our own ordinance.
 - iii. The weeds are overgrown, and no flowers are growing.
 - iv. As of now this will be placed on hold until next spring. The contractor will not be asked to come back, and payment will be made, next spring the Borough will need to decide what to do.
 - v. Councilman Karboski made a motion to not move forward until next spring. Councilman Bloch seconded the motion. The motion passed unanimously. (100322-F)
- g. Chain of Command discussion
- i. Borough Manager Brown asked that any request from Council go directly to him instead of the office staff.

10. New Business

- a. Police CBA 2022-2025 – Final version – vote
 - i. Councilman Rutledge made a motion to approve the Police CBA 2022-2025. Councilwoman Yeager seconded the motion. The motion passed unanimously. (100322-G)
- b. Resolution 2022-18: Setting Refuse and Recycling Fee November 1, 2022, to October 31, 2023 – discussion and vote.
 - i. The Borough of Macungie awarded the lowest competitive bidder to Whitetail Disposal
 - ii. 3-year term with the option for 2 1-year extensions for a once-a-week collection starting November 1, 2022.
 - iii. The 3-year contract bid price was \$1,744.062. The new contract will increase the monthly refuse and recycling rate per household to \$43.75
 - iv. Refuse and Recycling industries are experiencing significant inflationary increases in labor, diesel fuel, and equipment.
 - v. Councilman Rutledge made a motion to accept Resolution 2022-18. Councilman Sell seconded the motion. The motion passed unanimously. (100322-H)
- c. DPW \$1,000 Request – F550 Dump Truck Replacement – permission to place orders during November 7-10, 2022, order window. Discussion and vote
 - i. There is only a three-day window to place the order for the new truck
 - ii. There is no money involved with placing the order.
 - iii. Councilman Karboski made a motion to approve the request from Public Works. Councilman Rutledge seconded the motion. The motion passed unanimously. (100322-I)

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- d. Pension State Aid \$72,526.32 – allocation deposit. Discussion and vote
 - i. Councilman Karboski made a motion to approve the allocation deposit. Councilman Rutledge seconded the motion. The motion passed unanimously. (100322-J)
- e. HVAC Borough Hall and Police Department only - \$14,500.00 discussion and vote
 - i. Discussed under BIA
- f. 2023 Budget Workshop Calendar - discussion and vote
 - i. President Yerman made a motion to approve the 2023 Budget Workshop Calendar. Councilwoman Yeager seconded the motion. The motion passed unanimously. (100322-K)

2023 Budget Workshop Schedule			
Month	Date	Time	
October	17	6:00 PM	Council meeting to follow
	24	7:00 PM	
	31	7:00 PM	
November	7	6:00 PM	Council meeting to follow
	14	7:00 PM	
	21	6:00 PM	Council meeting to follow
	28	7:00 PM	
December	5	6:00 PM	Council meeting to follow
	12	7:00 PM	
	19	6:00 PM	Council meeting to follow

Location: 510 E. Main Street Macungie PA

- g. Streetscape V – final payment – retainage - discussion and vote
 - i. Hold until the next meeting.
- h. Streetscape VI – payment request #3 – discussion and vote
 - i. Tree Grates was installed.
 - ii. Councilman Karboski made a motion to approve payment request #3. Councilman Bloch seconded the motion. The motion passed unanimously. (100322-L)
- 11. Executive Session, personnel matters, real estate
 - a. The public portion of the meeting concluded at 9:34 pm and went into Executive Session.
- 12. Action as a result of executive session
 - a. President Yerman made a motion to approve Borough Manager John Brown to work remotely 1-2 days per week. Councilwoman Yeager seconded the motion. Motion passed 6-7. (100322-M)
 - b. Councilman Karboski was against it due to Nina Solivan still needing to be trained and the fact that the Borough is short-staffed.

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- c. Councilman Karboski asked for financial information from the 2021-current from the Fire Company. Borough Manager John Brown will reach out to the Fire Company and provide the Council with the information.
- d. Councilman Karboski asked that the Executive Sessions be more specific on the agenda. Attorney Armstrong will look into the legalities of what is allowed to be put out for the public.

13. Adjournment

- a. Councilwoman Yeager made a motion to conclude tonight's meeting at 10:05. Councilman Bloch seconded the motion. Motion passed unanimously. (100322-N)