

MACUNGIE BOROUGH COUNCIL
MEETING MINUTES DRAFT
MONDAY, SEPTEMBER 19, 2022
REGULAR MEETING
7:30 P.M.

Council Members:

John Yerman, President
Greg Hutchison, Vice President
Barry Bloch (Absent)
Todd Rutledge
Lisa Yeager (Absent)
Carl Sell
Ron Karboski
Ronald Conrad (Absent)
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. BIA report is discussed in Unfinished Business as well as New Business
- b. Stormwater Management Ordinance. BIA discussed the need to separate the Borough's Stormwater Management from SALDO and create a standalone ordinance stormwater ordinance to match DEP's model.
- c. Vice President Hutchison made a motion to authorize BIA and the Solicitor to remove the stormwater from SALDO from the ordinance and amend the ordinance to include a stand-alone Stormwater section. Councilman Karboski seconded the motion. Motion passed unanimously. (091922-R)

2. Public Comments

- a. Janet Sell requested letters regarding any sidewalk replacement program be sent to affected property owners as soon as possible to provide ample time to comply.

3. Complaints, Petitions, Appeals, and Compliments

- a. Vice President Hutchison asked the Public Works to fix the stop sign at Cotton Street. The sign needs to be placed properly. Borough Manager John Brown will reach out to Public Works.

4. Approval of the Minutes

- a. After some minor changes were requested to the minute's Councilman Rutledge made a motion to approve the September 6, 2022, meeting minutes. Councilman Sell seconded the motion. Motion passed 4-1. (091922-A)

5. Meeting Management – No comments

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6. Consent Agenda

- a. Councilman Karboski made a motion to approve the invoices in the amount of \$102,682.79. Councilman Rutledge seconded the motion. Motion passed unanimously. (091922-B)

7. Correspondence

- a. Brenda Bower's letter of resignation effective 9/16/2022
 - i. Councilman Karboski made a motion to accept Mrs. Bower's letter of resignation with regret. Councilman Rutledge seconded the motion. Motion passed unanimously. (091922-C)
- b. Officer Tyler Smith's letter of resignation effective 9/21/2022
 - i. Councilman Karboski made a motion to accept Officer Tyler Smith's letter of resignation with regret. Councilman Rutledge seconded the motion. Motion passed unanimously. (091922-D)
- c. Sgt Travis Kocher – request appointment of Kyle Bernhard to the open 30- hour position
 - i. Councilman Karboski made a motion to approve the appointment of Kyle Bernhard. Councilman Rutledge seconded the motion. Motion passed unanimously. (091922-E)
- d. Auditor General- Volunteer Fireman's Relief Fund \$19,610.65
 - i. Councilman Karboski made a motion to approve the payment of \$19,610.75. Vice President Hutchison seconded the motion. Motion passed unanimously. (091922-F)
- e. Ron Karboski – memo on Mountain Creek Deteriorating Walls – 9/13/2022
 - i. BIA will quote for a Forensics Team and an Environmental Team to evaluate wall deterioration and an Environmental Team to evaluate the stream brush removal at Mountain Creek and East Main St. Property owners will need to be approached for permission.
 - ii. Pat Armstrong will review any ordinance regarding the enforcement of repairs. Currently, no easements exist, and no record of acceptance of creek walls by the Borough.
- f. Macungie Ambulance Monthly Report – no comment
- g. Macungie Institute Manager Report (2nd meeting of the month) – nothing to report
- h. Macungie Police Department Monthly Update (2nd meeting of the month)
- i. Zoning Monthly Update Report (2nd meeting of the month) – No comment

8. Reports

- a. Solicitor – no comment
- b. Mayor – not in attendance
- c. Manager – assistant to the Borough Manager Nina Solivan will be filling in as the assistant treasurer/ borough clerk due to the resignation of Brenda Bower.

9. Unfinished Business

- a. Security Borough Hall – discussion and vote

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- i. Council, Borough Manager, and Staff will need to determine what level of security is needed at Borough Hall
- ii. Councilman Karboski motioned to have Public Works move forward with the project based on the \$ 9500 estimate previously approved by Council and have DPW provide an estimated completion time. Councilman Sell seconded the motion. Motion passed unanimously. (091922-G)
- b. Borough Sidewalk – concrete contractor proposal/ plan
- c. Check Signing
 - i. Resolution 2022-17 Endorsement of Checks by the Borough Manager was presented to Council at the start of the meeting.
 - ii. Councilman Karboski made a motion to table the Resolution until the next meeting. Vice President seconded the motion. Motion passed unanimously. (091922-H)
- d. Estates at Brookside dedication
 - i. Proposal outline
 - ii. Cost to maintain – by Public Works Department
 - 1. Estate at Brookside. BIA outlined the dedication requirements for both the roadway and the basin. BIA has inspected the road and is all approved. Solicitor Armstrong is Ok with the roadway dedication but wanted to clarify potential liabilities around the basin since the developer will not receive a Notice of Termination (N.O.T) from DEP. Formal requests for road and/or basin dedication will be made at future meetings.
 - 2. Councilman Karboski motioned to allow Attorney Pat Armstrong to gather documentation of the roads. Councilman Rutledge seconded the motion. Motion passed unanimously. (091922-I)
- e. Borough Hall/Police/Macungie Institute HVAC
 - i. Update BIA fee for Police, Borough Hall, and Macungie Institute (new business 10(a)).

10. New Business

- a. BIA proposal for HVAC project(s) at Police, Borough Hall, and Macungie Institute – discussion and vote
 - i. John Lewis (Contractor) reviewed and revised the estimate to include all three (3) estimates into one (1). BIA will revise their quotation to include Borough Hall and Police Department only.
 - ii. \$27,500.00 is set aside for this project. Bundling can potentially save the Borough Hall part of the project.
 - iii. Councilman Karboski made a motion for BIA to move forward with designs for the Police Departments and Borough Hall as an add-on. Vice President Hutchison seconded the motion. Motion passed unanimously. (091922-J)
- b. Streetscape V- change order #1 Unused Allowance of \$9,307.18 – vote
 - i. Councilman Rutledge made a motion to accept the unused allowance in the amount of \$9,307.18. President Yerman seconded the motion. Motion passed 4-5 (091922-K)

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- c. Streetscape V – change order #2 Trench Drains \$7,158 – vote
 - i. Councilman Sell made a motion to deny Change order #2 for trench drains. Councilman Sell stated this could have been prevented long ago. Vice President Hutchison seconded the motion. Motion passed unanimously (091922-L)
- d. Public Works Department \$1,000 request – Water Truck Replacement - \$8,890.00 for the Chassis Transfer
 - i. Councilman Rutledge made a motion to approve the Water Truck Replacement in the amount of \$8,8900 for the Chassis Transfer. Councilman Karboski seconded the motion. Motion passed unanimously. (091922-M)
- e. Lehigh County MOU use of Borough Hall for election drop box location for November 8, 2022, election - vote
 - i. Councilman Karboski made a motion to allow the election drop box to be placed at Borough Hall. President Yerman seconded the motion. Motion passed unanimously. (091922-N)
- f. Appointment of Officer Kyle Bernhard to the open 30-hour position -vote
- g. Garage sale/Yard sale permit during car festivals – discussion and vote
 - i. President Yerman made a motion to change the yearly Fee Schedule to show Garage sales/Yard Sales require a permit but be free of charge during DasAwk Fest and Wheels of Time. Councilman Rutledge seconded the motion. Motion passed unanimously. (091922-O)
- h. Macungie Police Department MOU adding 12-hour shift option – discussion and vote
 - i. Councilman Rutledge motioned to authorize revising the work schedule of 8-hour and 10-hour shifts to include 12 hours to better utilize manpower subject to the conditions contained within the MOU. Councilman Karboski seconded the motion. Motion passed unanimously. (091922-P)
- i. Code of Ethics and Conduct – discussion and vote
 - i. Tabled until the next meeting.
- j. Exit interview- discussion and vote
 - i. Attorney Pat Armstrong will review this further and present them to the council at the next meeting
 - ii. The council would like to see exit interviews offered to employees. In that interview, it would be thought to be the Borough Manager, the council as a whole, and an exit interview committee.

11. Executive Session, personnel matters, real estate

- a. The public portion of the meeting concluded at 9:55 pm and went into executive session.

12. Action as a result of the executive session

- a. The executive session concluded at 10:34 pm with no actions taken.

13. Adjournment

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- a. Councilman Karboski made a motion to adjourn tonight's meeting at 10:35 pm. Councilman Sell seconded the motion. Motion passed unanimously. (091922-Q)

Respectfully Submitted
Ashley Rinker
Administrative Assistant, Ashley Rinker