

CALL TO ORDER

President Chris Becker called the August 6, 2018, meeting of Macungie Borough Council to order at 7:30 p.m. in Macungie Institute, 510 E. Main Street, Macungie, PA.

ATTENDANCE

Council Members:	Alma Akinjiola
	Chris Becker
	Greg Hutchison
	Roseann Schleicher
Mayor:	Ronald Conrad
Borough Manager:	Chris L. Boehm
Solicitor:	Patrick Armstrong
Borough Engineer:	Ryan Kern
Administrative Assistant:	Selma Ritter
Absent:	Barry Bloch
	Marvin Moyer
	John Yerman

PUBLIC COMMENTSa. Prior Public Comments to Council.

1. Vehicles not stopping at the intersection of West End Trail and Village Walk Drive.

b. Comments from the Audience on non-agenda items.

1. Janet Shankweiler - 169 E Main Street, Macungie, PA, requested the Macungie Police Department enforce the speed limit on Route 100 North, coming down the hill, as there are many large trucks traveling at higher rates of speed. She expressed concern that large trucks going that fast would not be able to stop quickly, if necessary. President Becker suggested Ms. Shankweiler attend a Council meeting on the 3rd Monday of the month, when an officer from MPD will be present, to discuss her concerns. Mayor Conrad stated speeding is an issue on all of the streets in the Borough, but he will discuss the matter with the MPD before the next meeting on August 20, 2018.

COUNCIL COMPLIMENTS, COMPLAINTS, PETITIONS AND APPEALS.

1. Council Member Schleicher thanked Macungie Memorial Park for the complementary passes to the Das Awkscht Fescht event. She stated it was very nice of them.

She also commented that Buffy and John Albright complimented the Macungie Police Department for ticketing traffic violators this past week. They appreciated all their work.

2. On July 21, 2018, Council Member Akinjiola asked the mail carrier, delivering mail to the mailboxes on Village Walk Drive, how the parking in front of the mailboxes has been since the MPD has been issuing tickets. He said it only made a little bit of difference.

Council Member Akinjiola brought pictures to tonight's meeting, showing vehicles parked in front of the mailboxes on Village Walk Drive and the mail truck not being able to park there to deliver the mail. She inquired if the curb could be painted yellow, which she believes would deter drivers from parking there. Solicitor Armstrong commented that he believes the Ordinance language covers no parking enforcement by the MPD.

Debra Burns, 317 Village Walk Drive, Macungie, PA, commented that the carrier was told by their "higher up" not to deliver mail there if any cars were parked in front of the mailboxes, because they are afraid of damaging vehicles. She also stated the residents went another week without mail.

President Becker asked Mayor Conrad to discuss the matter with the Macungie Police Department ("MPD") and ask them to enforce the parking restrictions. Mayor Conrad will discuss the matter with the Postmaster and MPD.

APPROVAL OF MINUTES

a. July 16, 2018 meeting – Council Member Hutchison made a motion to approve the July 16, 2018 minutes, as written, second by Council Member Schleicher. Motion carried: 4 ayes.

CONSENT AGENDA

a. Treasurer's report of July 27, 2018 – After Council discussed the report, Council Member Akinjiola made a motion to accept the July 27, 2018 Treasurer's Report, second by Council Member Schleicher. Motion carried: 4 ayes.

b. Approval of invoices as listed totaling \$97,963.74. Council Member Schleicher made a motion to approve the July 27, 2018 Consent Agenda invoices, in the amount of \$97,963.74, second by Council Member Akinjiola. Motion carried: 4 ayes.

CORRESPONDENCE

a. Upper Milford Township – Board of Supervisors, re: proposed Ordinance #157. Ordinance #157 was enclosed for Macungie Borough Council's review and comment(s). No action was taken by Macungie Borough Council.

b. Municipal Retirement Trust and Quarterly Reports. No action was taken.

c. Emmaus Library, re: July 17, 2018 Board Meeting Minutes/Packet. No action was taken.

d. Lower Macungie Township, re: Ordinance amending Chapter 22B. Enclosed a copy of an Ordinance amending Chapter 22B for Macungie Borough Council's review, comment(s) and recommendations. No action was taken by Macungie Borough Council.

e. Community Action Committee of Lehigh Valley, re: municipal fund appeal. Requested a \$2,000 donation from Macungie Borough to support the Coordinated Entry System, through the Lehigh Valley Regional Homeless Advisory Board, which helps people experiencing homelessness across the Lehigh Valley. No action was taken by Macungie Borough Council.

f. Lehigh Valley Planning Commission, re: review comment(s) for Home Occupation. The LVPC reviewed Macungie Borough's proposed amendments to their Home Occupations use and stated the matter is of local concern. No action was taken by Macungie Borough Council.

REPORTS

a. Solicitor.

1. Turkey Hill L.P.'s application requesting to transfer Liquor License #E4682 from Keystone Pizza Partners, LLC in South Whitehall Township, Pennsylvania into the Borough of Macungie was briefly discussed by Solicitor Armstrong, including a short synopsis of its history. A Consent Order (agreement), was distributed to Borough Council, which included all of the conditions in the appeal, plus one additional stipulation, relating to the time for off-premises consumption (takeout) of alcohol being between 10:00 am and 12:00 am, on any day of the week, and in-store consumption hours being between 10:00 am and 11:00 pm, any day of the week.

Council Member Hutchison made a motion to approve the Consent Order, second by Council Member Akinjiola. Motion carried: 4 ayes.

Council President Becker signed the Consent Order for the transfer of Turkey Hill's liquor license. Solicitor Armstrong will forward the Consent Order to Turkey Hill's council for execution. After execution, the Consent Order will then be sent to the Court for the Judge's signature. Once the Court approves the Consent Order, the Resolution, which is attached to the Consent Order as Exhibit, will go before Council for adoption and execution.

2. The Sewer Later Inspection Ordinance will be discussed under item C of New Business.

b. Mayor.

1. Police Badge. Invoice #26154-5, shown on the July 17, 2018 Consent Agenda, was for a regular police badge for Sergeant Travis Kocher.

2. Act 44 Grant Agreement. He provided an update that Sergeant Kocher is working on the procedures for the electronic GPS bracelets, which will be distributed to people who are prone to wander, including people with Alzheimer's and Autism.

c. Borough Manager.

1. Lehigh County Authority 2017 Final Charges. LCA has finalized the 2017 sewer billing. The Borough will be receiving a \$32,544.16 credit from Lehigh County Authority which be put towards the 2018 2nd Quarter billing.

2. 2019 MMO. Council needs to decide which amounts they want to pay for the 2019 Minimum Municipal Obligation (“MMO”) by September 30, 2018.

3. SWLCP Implementation Agreement. An update was given on July 31, 2018 Southwest Lehigh Comp Plan Committee meeting. Representatives from Emmaus Borough attended the meeting, including one Council Member. There was a nice discussion on Emmaus Borough’s reasoning not to sign the Implementation Agreement (the “Agreement”). An amended Agreement was prepared and sent to Emmaus Borough for their review and signature. If Emmaus is agreeable, the Agreement will be sent to the other municipalities for signature and another Implementation Agreement Ordinance will need to be adopted.

4. PA Gaming Grant. The regulations have Borough Manager Boehm asked Council to think about what project they would want to apply for.

Additional Comment, Not on Report.

Traffic Planning and Design, Inc. (“TPD”) Invoice. PennDOT is having issues with the computer program TPD is using for Streetscape Phase I, and PennDOT cannot read the documents to close out Phase I, which is causing the grant not to be closed out. Macungie Borough needs to submit a time extension, because PennDOT’s program does not work and the current extension expires August 11, 2018. Due to not having enough time to review and discuss the matter, Council did not approve submitting a time extension.

d. Committees. None.

UNFINISHED BUSINESS – PART I - None.

UNFINISHED BUSINESS – PART II.

a. Main Street Streetscape Phase 2.

1. Authorization for Borough Manager to approve Engineering Agreement L00334 with Traffic Planning and Design, Inc. Council Member Becker made a motion to approve the Project Specific Agreement L00334, in the amount of \$44,736.53, second by Council Member Schleicher. Motion carried: 4 ayes.

David Trumbauer, 46 W. Main Street, Macungie, PA. Council Member Hutchison commented on a discussion he had with Mr. Trumbauer, relating to his disapproval of having pavers/bricks installed on his property. Mr. Trumbauer gave Council Member Hutchison a few examples of issues that arose, in other communities, where pavers/bricks were installed on sidewalks and over time, they shifted, lifted and/or became slippery, which creates possible liability issues from someone falling on slippery bricks. He expressed concerns of having issues with the bricks and does not want them installed on his property.

b. Residential Rental Ordinance - Establish Fees and Inspector. Solicitor Armstrong gave a brief description of the revised Ordinance, dated August 05, 2018, and Council briefly discussed it.

A fee, if any, for the inspection has not been determined, at this time. However, President Becker stated that if a fee is established, it will be based on the salary for the inspector.

Borough Manager Boehm asked if the checklist can be adopted by resolution and referenced in the Ordinance for revision simplicity, instead of having it attached to the ordinance as an exhibit. Solicitor Armstrong stated the checklist has to be part of the Ordinance, because it is the minimum standards, which will be used to enforce the ordinance and inspections.

President Becker directed Borough Manager Boehm to have the Code Enforcement Officer schedule a meeting of the Rental Ordinance Committee to discuss Council's issues of concern. The ordinance was tabled to allow the committee to meet and make a recommendation to Council.

NEW BUSINESS

a. Authorization of Final Payment to Insituform in the amount of \$57,395.68. Council Member Schleicher made a motion to authorize final payment to Insituform, in the amount of \$57,395.68, second by Council Member Hutchison. Motion carried: 4 ayes.

b. Stone Hill Meadows, Land Development Plan Approval. Engineer Tom Dredge, Attorney Lisa Pereira and Construction Manager Eric Schrock attended tonight's meeting on behalf of Applicant, Stone Hill Meadows ("Stone Hill"). Dan Hummel, representative for Allen Organ Company, was also in attendance.

Attorney Pereira stated Allen Organ's storm water runoff issues have been resolved. She presented a copy of a Storm Water Drainage Easement to Council, which was signed by Allen Organ. Engineer Dredge commented their desire tonight was to obtain plan approval.

At tonight's meeting, the applicant was seeking to receive Council approval on the waiver requests, approval and signatures on the traffic signal plans and approval of the Preliminary/Final Plan. Engineer Dredge gave a short history and update on Stone Hill's development/subdivision, which will consist of single-family units. He noted Phase 1 (24 units) & 2 (85 units) are in Lower Macungie Township and Phase 3 (31 units) is in the Borough of Macungie. Each Phase will have a large, active, open space for people to use and a trail system for people to walk. There will not be a swimming pool or playground in any of the open spaces. Attorney Pereira stated the Declaration will specify the open space will remain open space, will be active so children can plan on it and maintained by a Homeowners Association ("HOA"). The development will be accessible to the general public and will be maintained by the HOA. Solicitor Armstrong stated that in addition to the HOA Declaration, an easement will be granted to Macungie Borough, ensuring the HOA maintains the open space and the open space remains open space. Engineer Dredge stated the Macungie Planning Commission gave conditional plan approval for the development, which Engineer Kern confirmed.

Waivers. Engineer Dredge then discussed the Waivers and/or Deferral Requests in the Barry Isett & Associates ("BIA") review letter, dated July 31, 2018:

Waiver #1, §305-7A & SALDO §305-9A. A waiver was requested relating to the plan being considered as preliminary/final, as it has been in front of the Planning Commission numerous times and Borough Council.

Waiver #2, §305-15A.A. The applicant requested a waiver to allow the plan scale of 1" = 40', which is not in the SALDO as an acceptable scale.

Waiver #3, §305-15A.D(20). A waiver was requested from showing the specific trees on the plan. The planning Commission did not recommend approval of this waiver and instead recommend that the trees of greater than eight inches in diameter be shown on the plans. The waiver request was withdrawn, as the trees are shown on the plan.

Waiver #4, §305-20.A.E.4. The applicant requested a waiver from meeting the specified lot depth to width ratios for Lots 3, 4, 5, 6 and 23. These lots have a ratio greater than three to one.

Borough Manager Boehm requested written request for this waiver, as she did not see one.

Waiver #5, §305-20.A.F(6)(a). The applicant requested a waiver for Lots 13, 14 and 23 from meeting the minimum offset distance for the centerline of a driveway for a single-family residential lot, which is not to be closer than 50' to an intersection of street centerlines.

Waiver #6, §305-29A.A(10). Applicant requested a waiver to allow removal of trees with a 6" or more diameter. Applicant intends to preserve as many existing trees as possible that are outside of the grading limits. The Planning Commission recommended that the waiver be revisited after the mature trees have been shown on the plans with an indication where trees are to remain. (Waiver #6 is linked to Waiver #3.)

Engineer Dredge described Waiver #6 as being related to not removing certain trees within a roadway, sidewalk or 15' from a building foundation. The trees that are proposed to remain are identified on the Landscaping Plan, several of which were within the open space.

Engineer Kern noted the trees on the property line need to be saved for a buffer between the properties. He also stated the applicant needs to ensure that trees on other properties are not removed. Council expressed concern that trees, which are to be saved, may be removed when grading the property for storm water drainage. Engineer Dredge stated he can move the grade a few feet, so it won't affect the trees. Mr. Schrock agreed to replace any trees that were to be saved, but were removed, with trees of the same type and size. The trees along the Allen Organ property will be saved. In addition, Stone Hill will be planting a few dozen trees during development.

Borough Manager Boehm requested a written request for this waiver, as she did not see one.

Waiver #7, Exhibit 296-10, §4.03. A waiver was requested for the construction of the concrete curbs, to provide a curb depth of 21" and reveal of 6" to be consistent with what is proposed in all three Phases of the development.

Waiver #8, Exhibit 296-10, §4.05.3. A waiver was requested to allow an apron depth of 6” and a sidewalk depth of 4” to be consistent with what is proposed in all three phases of the development. Engineer Kern stated he has no issue with this request.

Engineer Kern stated that Barry Isett & Associates does not have an issue with any of the waivers. He also stated that the applicant met the open space conditions for the development.

The water runoff issues on the Allen Organ property were discussed. Mr. Hummel confirmed that the storm water runoff issues had been satisfied and an agreement was signed. Engineer Dredge described how the water runoff will flow through pipes, inlets and/or swales to transfer the water into the Swabia Creek.

Conditions. Engineer Kern stated Council should consider the conditions listed in the Barry Isett & Associates review letter, dated July 31, 2018. He briefly discussed the following Comments:

Comment A.4 is related to the road name Creek Road, which was changed to Robin Road. The street name still appears as Creek Road on Sheets 1 and 3 and should be revised.

Engineer Kern stated Phase 3 needs two points of access. Therefore, he recommended that Phase 3 be conditioned upon Lower Macungie Township approving Phase 2, and applicant constructing Phase 2, which would ensure two points of access for Phase 3, including Robin Road.

Solicitor Armstrong reiterated the two conditions (1) the Phase 3 plan, in Macungie Borough, not be recorded until the Lower Macungie Township Phase 2 plan is approved and recorded; and (2) no certificate of occupancy will be issued for Phase 3 until Robin Road in Phase 2 is completed and open for public access from Lower Macungie Township into Macungie Borough.

Comment A.5 is about open space and trail improvements, provided for recreational facilities, meeting all of the requirements in §305-27A.C and §345-43. Engineer Kern stated that after several discussions between applicant and the Borough Planning Commission, the Planning Commission recommended the improvements that were discussed. Engineer Kern suggested Council should consider if the Planning Commission recommendations are still suitable, since several revisions were made.

Comment B.11 The deed and protective and restrictive covenants should be listed on the cover sheet, as was done on the Phase 2 plans on Sheet GI-001.

Comment B.12 discusses the Carbonate Geology Study recommending a Geotechnical Investigation be performed. Engineer Dredge provided an update on the investigation. He stated that all of the concerns, which generated the investigation, were within Phase 2, and no issues were in Phase 3 of Macungie Borough. At tonight’s meeting, Engineer Dredge stated the site testing is completed and documentation will be provided to Macungie Borough.

Comments C.13, 14, 15 and 16, relating to the Final Plan - Developer will comply with the requests.

Comment D.21 Cherry Alley is indicated on the Plan as an unopen alley with an inlet at the end of it. There is an existing right-of-way. The Applicant proposes to dedicate the proposed portion of Cherry Alley, located on the site, to Macungie Borough.

Council discussed the dedication offer. If accepted, the Borough would have to maintain the road. Engineer Kern stated he does not recommend the Borough accept the dedication.

Engineer Dredge stated the roads will be private roads, with an easement granted to the Borough, in case the HOA dissolves or does not maintain the property. There will be one HOA for 3 Phases of the development. The streets will be built to Macungie Borough specifications.

After consideration of the dedication of Cherry Alley, Council decided not to accept it. As per the recommendation in the BIA review letter, dated July 31, 2018, if the dedication is not accepted, the plans must be revised to address final ownership of the area of the alley. BIA recommend that the area should not remain as a separate, stand alone, non-conforming lot. Solicitor Armstrong noted that there will be a storm water maintenance agreement, which will include an easement, showing the HOA will maintain the property.

Comment D.22 The Soil Erosion and Sediment (E&S) Pollution Control Plans must be reviewed and approved by the Lehigh County Conservation District (LCCD). Receipt of LCCD approval should be prior to, or made a condition of, final plan approval. Engineer Dredge stated a second technical review was received a couple weeks ago, which was being addressed now, and expected to have the response sent back within the week. The permit will be forthcoming after that.

Comment D.23 A PA DEP NPDES permit is required for the earth disturbance and the storm water discharges associated with this project. Receipt of the permit should be prior to, or made a condition of, final plan approval.

Engineer Dredge commented that storm water from Phase 3 will flow into Phase 2. Solicitor Armstrong requested a written easement right between the HOA and Lower Macungie Township for the transfer of the storm water's drainage right. Engineer Dredge stated the easements will include language for the storm water transfer.

Comment D.30 Lower Macungie Township Plan Approval Resolution Condition 9 indicated that the applicant must pay any and all rollback taxes due on the site as a result of withdrawing the parcels from conservation. Proof of this issue being resolved, to the satisfaction of the Solicitor, should be provided prior to recording of the Phase 3 plans. Prior to construction of a unit and/or issuance of a building permit, for any structure, in Macungie Borough, applicant must provide proof of payment showing they satisfied the rollback tax requirement(s).

Comments H.49-55 relate to the public water system. Engineer Dredge stated the applicant will comply with all the conditions. He also stated that the water for Phase 1 and 2 will come from Lehigh County Authority; Phase 3 water will come from Macungie Borough and will connect to Cedar Street. Applicant will also upgrade the Spring Street line from a 4" pipe to 8", when the street is rebuilt, which will include curbing and sidewalk on one side of the street.

Comments I.56-61 relate to landscaping. Engineer Dredge stated the applicant will comply with all the conditions.

Comment J.62 relates to sanitary sewers. Engineer Dredge stated the applicant will comply with all the conditions.

Comments K.63-72 relate to various additional comments, regarding plan revisions. Engineer Dredge stated the applicant will comply with all the conditions.

Miscellaneous. After discussing the BIA review letter, dated July 31, 2018, miscellaneous comments, conditions and/or concerns were made:

1. Borough Manager Boehm asked for an additional condition be applied to the conditional approval for applicant to pay all outstanding invoices due Macungie Borough.

2. Council Member Hutchison questioned the division of services in the Phases. Attorney Pereira stated Phase 1 and 2 will utilize Lower Macungie Township's services and Phase 3 will utilize the Borough of Macungie's services.

3. Glenn Williams, 169 E. Main Street, Macungie, PA, questioned how it would affect the sewer lines. President Becker explained all of the sewer lines in the development would eventually go to Lehigh County Authority, but each municipality would be required to maintain the lines in their municipality, after applicant pays for the installation.

4. Solicitor Armstrong suggested Council provide an "action letter" outlining the conditions, with the Barry Isett & Associates review letter, dated July 31, 2018, attached as an exhibit. He noted the plan will not return before Council, if they conditionally approve it. After the changes are made to the plan, it would go back to Engineer Kern for review and approval.

5. Mr. Schrock reminded Council that the traffic signal plans still need to be approved and signed by the Borough. Borough Manager Boehm stated the traffic signal plans will be on the next Council agenda for approval, along with authorization requests to sign the resolutions. Engineer Kern stated Barry Isett & Associates and PennDOT have reviewed the plans and found them to be acceptable; they only require approval of Borough Council.

Motion Relating to Waivers: Council Member Hutchison made a motion to conditionally approve the requested Waivers, set forth in the Barry Isett & Associates review letter, dated July 31, 2018, specifically Sections 305-7A, 307-9A, 305-15A.A(1), 305-20AE.4 (with the understanding that applicant needs to submit a written request for Waiver 305-20AE.4), 305-20A.F(6)(a), 305-29A(10) (with the understanding that applicant needs to submit a written request for Waiver 305-29A(10) as well as the additional conditions for this waiver set forth this evening relating to the protection and preservation of trees during construction; in addition to applicant agreeing to replace any trees lost during construction in a manner acceptable to Borough Council with a minimum height of 15'; also conditional upon the Borough Engineer reviewing the trees to be removed compared to the trees to remain;, as well as waivers for Exhibit 296-10, Section 4.03,

with respect to Concrete Curbing, and Exhibit 296-10, Section 4.05.3, with respect to Typical Driveway and Apron Detail, second by Council Member Schleicher. Motion carried: 4 ayes.

Motion Relating to Plan: Council Member Hutchison made a motion for conditional plan approval, conditioned upon: (1) applicant complying with and resolving all of the outstanding items in the Barry Isett & Associates review letter, dated July 31, 2018; (2) providing Macungie Borough with the proposed Homeowners Association documents to confirm that they address all the issues discussed this evening with respect to the private improvements to be maintained by the Homeowners Association; (3) applicant submitting revised plans addressing all of the items set forth in the review letter dated, July 31, 2018; (4) applicant complying with the requirements of the Lehigh County Conservation District, Department of Environmental Protection and NPDES permits; (5) the rollback taxes being paid and proof of payment being provided to Macungie Borough; (6) no building permits will be issued for any structure constructed within Macungie Borough in Phase 3 prior to appropriate easements for storm water facilities; (7) water and sewer to be provided by Lower Macungie Township or Macungie Borough; (8) the plan shall not be recorded prior to the Lower Macungie Township Phase 2 plan being finally approved and recorded; (9) no Certificate of Occupancy being issued for any structure in Macungie Borough Phase 3 until the completion of Robin Road; (10) applicant satisfying all of the outstanding invoices for professional service fees owed to Macungie Borough; (11) applicant reviewing and providing the Homeowners Association documents addressing the trash pickup and any other incidental issues resulting from the plan being in both Macungie Borough and Lower Macungie Township; (12) Macungie Borough receiving documentation showing the Carbonate Geology Study/Investigation site testing is completed/approved and (13) the traffic signal lights being approved and signed, second by Council Member Akinjiola. Motion carried: 4 ayes.

c. Ordinance 2018-02, Sewer Lateral Inspection Ordinance Public Hearing and Adoption. The Sewer Lateral Inspection Ordinance 2018-02, was advertised for public hearing and adoption, in accordance to the Borough Ordinance. It was advertised in the East Penn Press Newspaper on July 18, 2018, at Borough Hall and on the Macungie Borough website.

The public hearing was opened at 9:03 pm. Solicitor Armstrong discussed the Ordinance and inspection requirements. He noted an inspection would be required at the time a property is sold/conveyed, when the use is changed from residential to commercial or if an issue is seen when Macungie Borough is making repairs on the sewer main line. If an issue is seen by the Borough, the property owner would be responsible to fix the deficiencies. The inspection is required to be performed by a Licensed Master Plumber ("LMP"). The inspection and any repairs will be at the expense of the property owner. A report and video of the lateral inspection shall be given to Macungie Borough.

Council discussed the types of "video" formats that will be accepted, which included a thumb drive, flash drive, DVD, PDF or Email; whichever format is used, it must have clear imaging.

President Becker commented that property owners do not know what LMP's are certified or who they are. He stated possible liability concerns, which were expressed at previous Council meetings, if the Borough were to provide a list of LMP's. Council discussed having a list of qualified LMP's, along with a disclaimer that Macungie Borough is not recommending any LMP on the list, a property owner is not bound to use any LMP on the list, and the list is only to assist

the public with finding a qualified LMP. Solicitor Armstrong stated he would err on the side of caution and not provide a list of LMP's. He also reminded Council that the public meeting tonight is to review and possibly adopt the Ordinance, as written.

George Caflin, 103 S. Fairview Street, Macungie, PA, is in the process of selling his property and commented on his frustrations of calling plumbers to inquire if they could do the inspection to Macungie Borough's satisfaction. He found the initial cost for the inspection and video to be expensive, and noted any repairs would be an additional cost, along with re-inspection and another video. Mr. Caflin expressed dissatisfaction with having another inspection done, if deficits are found. He then discussed the quotes he received and told Council he was also informed that the plumbers could show the date and time throughout the video, but not the property address.

Mr. Caflin suggested Macungie Borough have a list of LMP's or bid for plumber contracts, so property owners would know who to call. He commented this would ensure the Borough they can trust the plumber to conduct the inspections to their satisfaction. President Becker stated that a governmental agency cannot select one plumber.

Debra Burns, 317 Village Walk Drive, Macungie, PA, asked if a video would be necessary, if the LMP states on the inspection form they are qualified, as this could eliminate the need for a video. She also suggested Council looks at Upper Macungie Township's form for inspection suggestions.

Glen Williams, 169 E. Main Street, Macungie, PA, asked why the Borough would burden themselves with inspections, as he believes sewer inspections should be handled between the buyer and seller. President Becker explained the process of water and sewer discharge and the governmental requirements, set by the Department of Environmental Protection, to reduce the amount of sewer transmission. Solicitor Armstrong stated the Borough has the obligation to reduce its I&I in sewers.

He also asked who would be responsible for the accuracy of the video and report if someone purchased the property and there was an issue with the building sewer, although an inspection and video were done. Solicitor Armstrong stated Macungie Borough has no liability in the arrangement or agreement between a property owner and contractor.

Janet Shankweiler, 169 E Main Street, Macungie, PA, asked for confirmation and clarification on the possibility of Macungie Borough seeing an issue when they are making repairs on the sewer main line, in front of the house, and the home owner being responsible to make the repairs. Borough Manager Boehm stated that the Borough will not be conducting random inspections. Solicitor Armstrong stated that a property line is connected to the main line and if the Borough sees a potential issue when working on the main line, the Borough would perform an inspection and the property owner would be required to make the repairs. In this instance, no video would be required.

President Becker thanked the public for coming to the meeting and sharing their comments and concerns. The public hearing was closed at 9:45 p.m.

Council Member Akinjiola made a motion to adopt Ordinance 2018-02, requiring Sewer Lateral Inspections, as written second by Council Member Hutchison. Motion carried: 4 ayes.

Roll Call Vote:	Akinjiola – aye	Becker – aye
	Bloch – Absent	Yerman – Absent
	Schleicher – aye	Hutchison – aye
	Moyer - Absent	

Motion Passed.

President Becker stated that although the Ordinance is adopted and enforceable, the Borough will not enforce it until the inspection list is approved by Council.

ITEMS NOT ON AGENDA.

Council Member Hutchison commented that Public Works Supervisor, Tracy Smith, would like to do milling on Church Street. He questioned why Church Street was selected, versus other streets in the Borough. Borough Manager Boehm will look into it.

EXECUTIVE SESSION. Council President Becker called for an executive session at 10:41 p.m. to discuss a personnel matter. The Council meeting reconvened at 10:50 p.m. with no action taken by Council.

ADJOURNMENT. Hearing no further business to be brought before Borough Council, the meeting was adjourned at 10:50 p.m.

Respectfully submitted,

/s/ Selma Ritter

Selma Ritter
Administrative Assistant