

EXECUTIVE SESSION – Borough Council held an executive session at 6:30 p.m. prior to the Council meeting to discuss a personnel matter. No action was taken from the executive session.

ATTENDANCE

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

CALL TO ORDER

President Chris Becker called the January 07, 2019, regular meeting of Macungie Borough Council to order at 7:30 p.m. in Macungie Institute, 510 E. Main Street, Macungie, PA.

COMMUNITY OF DISTINCTION AWARD PRESENTATION. Lehigh County Executive Phillips Armstrong, and Lehigh Valley Planning Commission Executive Becky Bradley were in attendance and presented Community of Distinction road signs to Borough Council, to be displayed in the Borough at Council’s discretion.

Ms. Bradley and Mr. Armstrong discussed the award selection process. They thanked the Borough for their continued work in the community. Mr. Armstrong noted the difficult decision-making process in selecting the award winner. He stated he was very proud of the Borough. Ms. Bradley commented that the criteria process to make the selection included three (3) elements: (1) design, (2) process and (3) impact on the community, which the Borough met with various completed projects, including the Main Street Streetscape, traffic calming and beautifying the area, among other projects.

State Representative Ryan Mackenzie was also in attendance tonight and extended his congratulations to the Borough on being the recipient of the award. President Becker then read correspondence the Borough received from Township Commissioner Ron Beitler at Lower Macungie Township (“LMT”), who also extended the Township’s congratulations to the Borough.

Borough Manager Boehm complimented President Becker on the great presentation he gave to the Executives to win this award.

PUBLIC COMMENTS – None.

COUNCIL COMPLIMENTS, COMPLAINTS, PETITIONS AND APPEALS

a. President Becker read the Borough's 2018 Action List, which was a list of 30 items the Borough completed in 2018. He then read the 2019 Action List, which is a list of proposed items the Borough would like to complete during 2019. President Becker requested the lists be attached to the minutes.

b. Council Member Yerman discussed a complaint he received from a resident regarding vehicles not stopping at stop signs on Race Street, specifically at Cedar and Race Streets. The resident expressed concern of an accident waiting to happen with children playing in the area.

Council Member Yerman requested Mayor Conrad ask the Macungie Police Department ("MPD") to provide their presence at the intersection and either issue tickets or warnings to violators. Mayor Conrad will discuss the issue with the MPD and report back to Council. Council Member Schleicher noted the same issue at Race and West Chestnut Streets.

Richard Stukas, 43 Locust Street, Macungie, PA, commented that the stop sign issue at Cedar and Race Streets has been going on for years. He noted the same problem exists at Locust and Race Street intersection. He expressed concern for children playing in the area.

#### APPROVAL OF MINUTES

a. December 17, 2018 meeting – Council Member Akinjiola made a motion to approve the December 17, 2018 meeting minutes, as written, second by Council Member Yerman. Motion carried: 5 ayes

#### CONSENT AGENDA

a. Treasurer's report of December 31, 2018 – Council Member Schleicher made a motion to approve the December 31, 2018 Treasurer's Report, as presented, second by Council Member Akinjiola. Motion carried: 5 ayes

b. Payment of invoices as listed totaling \$110,166.70 – Council Member Yerman made a motion to approve paying the Consent Agenda invoices, in the amount of \$110,166.70, second by Council Member Schleicher. Motion carried: 5 ayes.

Council Member Yerman questioned the year end carryover amount since the end of year balance was \$100,000 more than budgeted. He would like to see the extra funds moved into the contingency or capital fund. Borough Manager Boehm was directed to prepare a budget transfer to transfer \$100,000 from the General Fund to the General Fund Capital Account for the next meeting.

#### CORRESPONDENCE

a. Municipal Retirement Trust, re: November 2018 Monthly Reports. Council Member Yerman will discuss the reports at the next Council meeting on January 21, 2019 after he has had a chance to review the most recent actuarial reports.

b. Barry Isett & Associates (“BIA”), re: 2018 value of grants assistance. BIA stated they offer up to 100 pro-bono grant writing hours per year to their municipal clients; then listed the grants they helped the Borough attain from 2015-2018.

BIA also provided a notice of PennDOT’s new Policy Conflict of Interest (the “Policy”) and its effect on BIA grant writing assistance to their municipal clients. The new Policy language suggests the level of grant writing assistance BIA provides may no longer be acceptable to PennDOT. BIA is investigating the extent to which the Policy may/may not apply to grant programs.

Borough Manager Boehm commented that the new Policy states if an engineering firm writes, helps prepare or submit grant(s) applications, the same engineering firm cannot be hired for the said construction project(s). She commented that she is hoping BIA can find a way to continue to help municipalities with grant writing and construction projects without it being a conflict.

c. Emmaus Library, re: December 18, 2018 Board Meeting Minutes/Packet. No action was taken by Council.

d. Kevin Weider, re: Letter of Interest for Borough Vacancy Board. He expressed interest in being re-appointed to the Board for another one (1) year term, expiring December 31, 2019.

e. Linn Walker, re: Letter of Interest for Borough Authority. He expressed interest in being re-appointed to the Board for another five (5) year term, expiring December 31, 2023.

f. Macungie Ambulance Corp Monthly Report. They responded to 309 calls during this service month; 17 of the calls were in the Borough of Macungie.

g. Leticia Corces, 178 Ridings Circle, Macungie, re: request for sewer fee waiver. Ms. Corces is the homeowner of the property. She requested a sewer fee waiver for approximately 50,000 gallons of water, which she stated slowly ran out of a garden hose onto her front lawn when she was away on vacation. She noted the water drained into her front lawn and did not go into the sewer system.

h. Macungie Volunteer Fire Department, re: December 2018 certificates of classes. The report noted no certificates of classes, due to the holidays, and three (3) new members.

i. Macungie Volunteer Fire Department, re: December 2018 Training Report. Training included review and used SCBA cleanup Station, Rescue Stust porta power, two (2) Department Meetings and Communications.

j. Macungie Volunteer Fire Department, re: December 2018 Response Report. They responded to 4 calls in December 2018, which were all in the Borough of Macungie.

k. Macungie Volunteer Fire Department, re: 2019 Fire Department Officers. The Officers included President Darwin Hoppes, Secretary Omar Abdelfatah, Treasurer Tom Bailey, Fire Chief Mike Natysyn, Deputy Chief Todd Heffner, Assistant Chief Russ George, Captain Mike Smoker, Lieutenant Mike Kocharczyk, Fire Police Captain Darwin Hoppes and Fire Police Lt. Tyler Doyle. President Becker thanked each officer for their service.

1. Cory Zeisloft, 222 S. Walnut Street, Macungie, re: request for sewer fee waiver. He requested a sewer fee waiver for the last 2018 billing cycle. The correspondence stated the home was purchased in September 2018, but they did not move in until December 01, 2018. The new owners were on vacation during the move, when a family member opened a valve in the basement, unaware that the underground line had a rupture, which leaked over a period of 1.5 to 2 weeks. He stated there was approximately 70,000 gallons of water lost. He further stated that the lost water did not enter the sewer system, which he said Allentown Plumbing confirmed.

## REPORTS

a. Solicitor – None.

b. Mayor

i. The Macungie Volunteer Fire Department (“MVFD”) donated Scott Air Packs to the MPD. Four or five of the MPD officers received certification and training on using them. The remaining officers will receive training in the near future.

Mayor Conrad and Council thanked the MVFD for donating the Air Packs to the MPD.

ii. Sergeant Travis Kocher is working on purchasing a new police vehicle. He is hoping to purchase the new vehicle for less than the budgeted amount.

iii. The MPD monthly reports have not been distributed due to the Lehigh County having computer software compatibility issues and not being able to generate the information. The County is working on the issue.

c. Borough Manager

i. DEP Administrative Order Response. Borough Manager Boehm discussed the response letter from the Department of Environmental Protection to Lehigh County Authority, which was an answer to multiple municipalities in the submitted Regional Flow Management Strategy and Inflow & Infiltration (I&I) plans. She commented the report included comments on every municipality’s report except the Borough of Macungie report. There will be a meeting on January 30, 2019 with the signatories to discuss the response. After the meeting, Borough Manager Boehm will provide an update to Council.

The response, Regional Flow Management Strategy and the completed Borough projects to reduce the I&I into the system, were discussed. Borough Manager Boehm also briefly discussed upcoming work that will be performed. She commented that, if necessary, after the Borough completes all of the work, if there are still issues, the Borough can contact the property owners to check the lateral flows.

ii. Police Consortium (the “Consortium”). Borough Manager Boehm provided an update on other municipalities joining the Consortium, which may require an Intermunicipal Agreement. Some Solicitors of other municipalities do not believe an agreement is needed, while others believe one is needed (Solicitor Armstrong believes an agreement is needed). After discussing the matter with Solicitor Armstrong and other municipalities, Borough Manager Boehm

commented she does not feel comfortable moving forward until it is determined if an agreement is needed.

President Becker commented that Council is not in the position to understand what the Borough would gain or lose by entering into the Consortium; he requested more information. The matter will stay on the Council Agenda to discuss at another time, after more information is received.

d. Committees. President Becker discussed the items listed on the Borough Council Committees Report. He noted which items were completed, outstanding and additional item(s) to be added:

i. Budget and Finance Committee (Mayor Conrad, President Becker and Council Member Schleicher) – No action or changes.

ii. Administration Personnel Committee (Mayor Conrad, President Becker and Council Member Schleicher).

- Teamster Collective Bargaining Contract and Police has been completed.
- Pension - Council Member Yerman will review the pensions and discuss the matter at the next Council meeting.
- Employee Handbook Review – Council desired to add language relating to the Short-Term and Long-Term Disability, but adding the language is unlikely at this time, due to the 2019 Teamster’s contract being approved.

iii. Public Safety Committee (Mayor Conrad, Council Members Moyer and Yerman)

- Chemical Response for disaster matters, i.e. railroad. How to respond to such an emergency is in the Emergency Handbook, but it is not covered very well. The Emergency Mgt. Coordinator and Assistant Emergency Mgt. Coordinator will work on the matter.
- Emergency Mgt. Coordinator, Assistant Emergency Mgt. Coordinator – Both positions have been filled.
- Update Emergency Management Plan – The Emergency Mgt. Coordinator and Assistant Emergency Mgt. Coordinator are working on updating the plan.

iv. Public Works, Sewer & Facilities, Planning/Zoning/Code Enforcement (Council Members Hutchison, Bloch and Yerman)

- Petition – Village Walk Parking & Weight Restriction – the matter has been resolved through adoption of Ordinance 2018-05.
- Street Opening Requirements – Borough Manager Boehm will provide Council with a copy of the Allentown Ordinance which David Boyko had provided.
- Sidewalk Ordinance – This item is complete.

President Becker requested the Street Paving Plan be added to the report. Public Works Supervisor, Tracy Smith, is working on the plan, which will show what streets need to be paved or repaired. Supervisor Smith will provide quarterly updates to Council.

- v. Community Revitalization & Events (Council Members Akinjiola and Schleicher)
  - Macungie Holiday – The event was held on December 08, 2018 and was well attended. A post-evaluation meeting will be held next week.

UNFINISHED BUSINESS – PART I - None

UNFINISHED BUSINESS – PART II - None

NEW BUSINESS

a. Emmaus Public Library 2019 Agreement. The Agreement stipulates an annual fee of \$19,822.00 (or four quarterly payments of \$4,955.50) be paid to the Emmaus Public Library in exchange for library cards being issued to the residents of Macungie Borough without charge.

After discussing the Agreement, Council Member Yerman made a motion to approve the Borough of Macungie entering into the Emmaus Public Library 2019 Agreement, in the amount of \$19,822.00, second by Council Member Schleicher. Motion carried: 5 ayes.

b. Appoint to the following Boards:

1. Linn Walker to a 5-year term on the Borough Authority, expiring 12/31/2023. President Becker made a motion to re-appoint Linn Walker to a 5-year term on the Borough Authority, expiring on December 31, 2023, second by Council Member Yerman. Motion carried: 5 ayes.

President Becker commented that he attends Authority meetings frequently and finds Mr. Walker to be very knowledgeable with Authority matters and highly valuable to the Borough.

2. Kevin Wieder to a 1-year term on the Vacancy Board, expiring 12/31/2019. Council Member Yerman made a motion to re-appoint Kevin Wieder to a 1-year term on the Vacancy Board, expiring on December 31, 2019, second by Council Member Bloch. Motion carried: 5 ayes.

c. Adoption of Resolution 2019-1, Designation of Depositories and Appointing Signatories for 2019. Council Member Bloch made a motion to adopt Resolution 2019-1, second by Council Member Akinjiola. Motion carried: 5 ayes.

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

Motion Passed.

d. Adoption of Resolution 2019-2, Approval of Banners Across Rt. 100. Council Member Schleicher made a motion to adopt Resolution 2019-2, second by Council Member Bloch. Motion carried: 5 ayes.

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

Motion Passed.

e. BCIU Service Agreement for Real Estate Tax Services 2019-2020. Borough Manager Boehm stated the Agreement was revised to show the correct rates. The only increase was in the tracking rate, which went from \$525 to \$575. She recommended Council approve the 2019-2020 Agreement at the proposed rates.

Council Member Schleicher made a motion to approve the 2019-2020 BCIU Service Agreement for Real Estate Tax Services, second by Council Member Akinjiola. Motion carried: 5 ayes.

f. Leticia Corces request for sewer fee waiver. Borough Manager Boehm commented that the family's average water usage is 16,000-17,000 gallons, per billing quarter; Ms. Corces' last bill was for 72,000 gallons of water. If the waiver is approved for the 50,000 gallon credit, it would relieve Ms. Corces from having to pay \$177.00 in sewer fees.

Council Member Becker made a motion to recommend approval of the sewer fee waiver request for 50,000 gallons, totaling \$177.00, contingent upon Lehigh County Authority's approval, second by Council Member Bloch. Motion carried: 5 ayes.

g. Ratify the 2019 Teamsters Contract. It was noted that the Teamsters have already voted to ratify the 2019 contract.

Council Member Becker made a motion to accept the 5-year Teamsters Union Contract with Macungie Borough, dated January 01, 2019 through December 31, 2023, second by Council Member Schleicher. Motion carried: 5 ayes.

h. 2019 Fee Schedule. Council discussed the fees in the proposed schedule. President Becker questioned why the reproduction fees for document copies had not been increased. He commented that no other facility, i.e. Staples, copies at such a low rate and requested the Borough increase the rate by 20%. They also discussed adding the following fees to the 2019 Fee Schedule:

- Rental Inspection fee, along with the required License Fee.
- Sanitary Sewer Later Video Inspection fee for property owners that do not have the inspection done, as required by Ordinance 2018-02. Council noted that it is the property owner's responsibility to have the inspection done and incur the cost of it. But, if property owner does not have it done, the Borough would do it as a last resort, at a much higher rate, and bill the property owner.

Borough Manager Boehm will contact the Borough Engineer for a fee to perform the sewer video inspections and make the requested adjustments to the 2019 Fee Schedule for distribution to Council for the next meeting.

i. Cory Zeisloft request for sewer fee waiver. Borough Manager Boehm commented that Mr. Zeisloft recently purchased the property from his grandfather. While Mr. Zeisloft requested a waiver

for 70,000 gallons of lost water, the Borough calculated the leakage loss at 51,250 gallons, as it appeared Mr. Zeisloft did not deduct the normal sewer usage. If the waiver is approved for 51,250 gallons, it would relieve Mr. Zeisloft from having to pay \$181.43 in sewer fees.

Council Member Becker made a motion to recommend approval of the sewer fee waiver request in the amount of 51,250 gallons, totaling \$181.43, contingent upon Lehigh County Authority's approval, second by Council Member Bloch. Motion carried: 5 ayes.

#### ITEMS NOT ON AGENDA

a. Executive Session. President Becker stated there will be an Executive Session before the next Council meeting on January 21, 2019, at 6:30 p.m., regarding real estate.

b. Proposed Ordinance, re: tax credit for volunteers of Fire Department or Ambulance Corp. The tax credit(s) would be for volunteers only; not paid staff members. Solicitor Armstrong distributed draft ordinances to Council, so they could see how they read. Solicitor Gresh stated the tax credit options could be for Real Estate Tax and/or a lump sum Earned Income Tax ("EIT") credit. He suggested putting the proposed Ordinance on the next Council Agenda for discussion, if Council wishes to proceed with discussion on it.

Motion #1: Council Member Yerman made a motion for Council to move forward with discussing a proposed Real Estate tax credit for fire department and/or ambulance volunteers residing in the Borough of Macungie, second by Council Member Becker. Motion carried: 5 ayes.

Motion #2: Council Member Yerman made a motion for Council to move forward with discussing a proposed Earned Income Tax credit for fire department and/or ambulance volunteers residing in the Borough of Macungie, second by Council Member Becker. Motion carried: 5 ayes.

Council briefly discussed if the credit(s) would be for people volunteering in the Borough or other municipalities. Solicitor Gresh stated it would depend on how the Ordinance would be written, but it could apply to one or both. Council decided to discuss who would receive the credit(s) at another time.

Solicitor Gresh stated that the ordinance would be written in a way that volunteers would be required to meet certain volunteering criteria and the chief of the agency would have to annually verify that they met the criteria.

Council Member Yerman noted that the motions were only made to see if the Council Members wanted to discuss the possibility of a proposed tax credit Ordinance.

Council Member Yerman commented that Council's discussions on the matter would include the criteria the volunteers would be required to meet, what type of credit would be given, and if the volunteers would be required to live and/or volunteer in the Borough, among other things.

EXECUTIVE SESSION – None.

ADJOURNMENT

Hearing no further business to be brought before Borough Council, Council Member Schleicher made a motion to adjourn the meeting at 9:02 p.m., second by Council Member Akinjiola. Motion carried: 5 ayes.

Respectfully submitted,

/s/ *Selma Ritter*

Selma Ritter  
Administrative Assistant

January 1, 2019

Reference: Mayor, Borough Manager & Macungie Council;

Subject: Completed Action List for 2018 & Action List for 2019

From: Chris Becker

Completed Action List for 2018- Not necessarily in order.

1. Received bids for a MS4 engineering firm (Acela Engineering) to perform our 5 year plan for remediation of infiltration of sediment into our water ways.
2. Developed a model MS4 Plan w/ Acela. Macungie Park 10/15/18 request to be included.
3. Purchased a new backhoe along with forks for lifting with the bucket.
4. Completed Phase 1 of the Street Scapes Plan.
5. Installed a new traffic light at Church and Main Streets.
6. Started a Feasibility Study for the Borough's Capital Real-estate and essential usages of its Buildings relating to Administration & Police needs in the future.
7. Worked with the Fire Department to insure training, member volunteering and readiness.
8. Replaced the windows in the Police wing of Borough Hall.
9. Made heating system repairs to the MI.
10. Passed a Vehicle Parking Ordinance and Mail Box Ordinance on Village Walk Drive.
11. Secured a second grant to supply funding for a part of Phase II of Streetscape.
12. Planted a Zelkova City Sprite tree in Brookfield Park.
13. Long awaited repaving of Main Street by PennDot was completed.
14. Handicapped door openers where installed at the MI thanks to the Lower Lehigh Lions Club and the Friends of MI.
15. Signage was installed at the MI thanks in part to a grant received from the Lehigh Valley Chamber Foundation.
16. Sewer restoration continued in the Borough of its main sewer lines.  
Projects in 2018 added up to \$340,000.00 of completed work performed.
17. Sewer Lateral Ordinance was passed requiring the homeowner's to video inspect their sewer lines at time of sale.
18. Water Authority continued to perform Capital projects throughout the Borough thanks to their foresight in securing a Capital Plan of action and funding the necessary rehabilitations needed, including the refurbishing of the Hillcrest Water Tank & Replacement of Well pump #1.  
Replacement of radio read water meters continues.
19. The Borough of Macungie was recognized as a Community of Distinction. A Major Honor.
20. Budged Funds to go into the Capital Fund- \$ 48,700.00 additionally to supply annual funding.
21. Budged Funds to go into the Contingency Fund- \$ 50,000.00 annually.
22. Budged Funds to go into a Post Retirement Police Medical Benefits Fund- \$ 25,000.00 annually.
23. Started a New Borough Web-Site.
24. Hired a new Administrative assistant.

25. Hired a new MI coordinator.
26. Appointed a new Emergency Management Coordinator and assistant.
27. Passed a Rental Property Inspection Ordinance.
28. Developed and implemented The Macungie Borough Employee Safety Manual.
29. LCA request to decrease EDU capacity from 250 gpd to 223 gpd was denied.
30. Recycling event with Alburdis.

Action List for 2019- Not necessarily in order.

1. Police Vehicle purchase.
2. Police vehicle sale.
3. Update Emergency Management Plan - update for 2018 still needs to be completed.
4. Construct PennDOT Phase II Mainstreet Streetscape Plan.
5. Install ADA Ramp at Railroad Crossing-(Romig Property): Included in CDBG from Lehigh County. Plus remediating water ponding at the area in the street.  
Resolution 2018-09 CDBG funding.
6. Resurfacing Street- Maintained a commitment to fund \$90,000.00 annually, plus a carryover of \$32,827.00 from 2018 to help with the Church Street repaving project.
7. Borough Comprehensive Feasibility Study of the Buildings and their usage.
8. Borough Hall air-conditioning system- to be done as necessary but to be planned through the feasibility study.
9. Macungie Institute building heating system.
10. Police Center- Changes to be made through the feasibility study decisions.
11. Sewer Revitalization plan continued-valued at \$506,000.00.
12. Implement a working plan for the MI headed by the MI coordinator- March targeted date to receive the proposed plan.
13. Continue to work and deal with House Bill 1620- effecting communication francize fees.
14. Grant expenditures received for distribution- \$ 581,407.00; these values are specifically targeted. (See 2019 budget).
15. MS4 corrective action to begin per the 5 year plan.
16. Water Authority continued to perform Capital projects throughout the Borough thanks to their foresight in securing a Capital Plan of action and funding the necessary rehabilitations needed, including the installation of a generator at Well pump #2, which is being funded with the PaDEP Small Water/Sewer Grant Program. Replacement of radio read water meters to continue.
17. Install a Rental Inspector to oversee the rental inspection program.
18. Recycling events to be continued.
19. Open Call for Transportation projects= Grant.
20. Police Chief- Mayor