

## REGULAR COUNCIL MEETING

ATTENDANCE

Council Members: Alma Akinjiola  
Chris Becker  
Barry Bloch  
Debra Cope  
Greg Hutchison  
Roseann Schleicher  
John Yerman  
Mayor: Ronald Conrad  
Borough Manager: Chris L. Boehm  
Solicitor: Patrick Armstrong  
Administrative Assistant: Selma Ritter

CALL TO ORDER

President Chris Becker called the August 19, 2019, meeting of Macungie Borough Council to order at 7:30 p.m. in the Macungie Institute, 510 E. Main Street, Macungie, PA.

MACUNGIE POLICE DEPARTMENT (“MPD”) – updates and hearing of resident issues by Sergeant Travis Kocher.

a. Sgt. Kocher answered questions regarding the Macungie Police Department’s July 2019 Monthly Report and correspondence he prepared and distributed to Council and/or the other officers. Council Member Yerman commented that Council needs a good understanding of what is going on regarding the movement of work, how resources are applied and what the impact of the report numbers are in terms of police coverage, for planning purposes, including the budget. Sgt. Kocher welcomed the Council Members to come to the MPD and work with him in the CODY Software to obtain the answers they are seeking to clarify the report numbers. He commented that all incidents are different and require a different amount of time an officer would need to work on an incident, even if it would be the same type of incident; he then discussed different variables that could affect the amount of time.

Different types of police activities listed on the report were discussed, along with the need for community involvement to report issues, so the matter(s) can be dealt with in a timely manner. Sgt. Kocher commented that there are 3,000 residents in the Borough and only 10 officers, so community involvement is essential because the police cannot be everywhere at once.

Council Member Akinjiola reported a vehicle was parked by the mailboxes along Village Walk Drive again today, which prevented the post office from delivering the mail. Sgt. Kocher suggested residents call the police when they see a vehicle parked there.

b. Sgt. Kocher discussed the temporary closure of Brookside Road in Lower Macungie Township for repairs, which is increasing the traffic flow on other streets. He will assign an officer to traffic detail during busy times of the day.

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c. The Railroad Tracks, near Race and Main/Route 100 Streets, will be under construction for three days, which will require the road to be closed.

d. There was a vehicle pursuit involving an off road 4-wheeler that traveled through Alburdis and Macungie Boroughs. One person was apprehended and charged with a few offenses.

Council Member Akinjiola commented that the chase went through Brookfield Park, located on Village Walk Drive, which startled the people in the Park, some of which had their children.

e. The MPD vehicles, 703 and 706, were out of commission last week, due to requiring repairs, which caused the other vehicles to be used heavier.

f. The callbox on the exterior of the MPD building was out of order, which required the installation of a new speaker. Sgt. Kocher replaced the speaker himself for a cost of \$6.00.

g. Alcoholic beverages will be available for purchase at the Wheels of Time Car Show (“WOT”) on August 23-25, 2019. It was noted that Macungie Memorial Park (the “Park”) incorporated the alcohol into the event as a venue, through a local private vendor, as the Park controls the concession stands. The WOT requested insurance and certain legal documents from the Park waiving them from any liability.

Due to alcohol being sold, the WOT is strongly requesting the presence of two MPD officers to be fixed at the event. Sgt. Kocher stated the MPD has a tent and banner they can erect next to the MVFD’s tent. Council Member Bloch questioned who would pay for the officers to be present at the event. Sgt. Kocher stated that in past years there was police presence at the event and the WOT was not charged. Council Member Bloch commented that the difference now is that it is a beer garden.

Questions and/or Comments to Sgt. Kocher:

Council Member Yerman questioned if the truck driver that had an accident at Main Street/Route 100 and Chestnut Streets was cited for any traffic violations. The driver was turning north onto Route 100 and got hung up on the telephone pole. Sgt. Kocher stated that it is a violation for large trucks to travel in that area; then, he explained the State of Pennsylvania’s reportable and non-reportable crash system and suspected they may have been cited.

Council Member Schleicher reported that the vehicle that was constantly traveling the wrong way on Cotton Street, at 6:45 a.m., was stopped by the MPD and has not been seen since.

ACELA ENGINEERING PRESENTATION – MS4 and PRP Projects to be bid in 2019. Engineer Michael Waldron from ACELA Architects & Engineering, provided an update on the PRP Streambank Project, from Chestnut Street along Cotton Street and down Mountain Creek to just before Poplar. He distributed photographs of natural environmentally friendly erosion preventers, i.e., Root Wads (tree stumps), Mudsill and Log Vane Deflector, for Councils review and consideration.

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The project is ready for the Department of Environmental Protection's ("DEP") Permit Applications submission and cost estimates. The permits will dictate the type of work that can be performed. Engineer Waldron stated that the first step in the project is to stabilize the creek bed before incorporating plantings. Project bids should be ready in the spring of 2020.

Easements will be required from nearby property owners. Solicitor Armstrong stated a temporary construction easement will also be required. Engineer Waldron suggested speaking with the property owners, before requesting an easement from them, to educate them on stormwater and creek bed erosion. Borough Manager Boehm suggested meeting with the property owners when the plan is finalized, so they can see what the work would entail.

Council Member Bloch questioned the life span of the Root Wads. Engineer Waldron was unsure of their life span, but he will investigate it and report back to Council.

Engineer Waldron then discussed the streams current water flow and how the restoration project will help water flow to the center of the stream to prevent future stream bank erosion.

PUBLIC COMMENTa. Prior Public Comments to Council.

i. Marci Albert, re: video/security camera use. President Becker and Council Member Schleicher reported they did not find anything in the Borough Ordinances that discussed camera usage onto neighboring properties.

b. Comments from the Audience on non-agenda items. None.COMPLAINTS, PETITIONS, APPEALS AND COMPLIMENTS

a. President Becker noted that Emmaus Public Library's Autumn Social fundraiser event at the Brookside Country Club, which is scheduled for September 27, 2019 from 7:00 p.m. to 10:00 p.m. Tickets are \$60.00 each.

ZONING OFFICER APPOINTMENT. President Becker gave a brief history on the candidate interviews. He and Borough Manager Boehm recommended Council consider Joseph Peterson as the new Zoning Officer. The position would require no more than 29 working hours per week.

Mr. Peterson introduced himself to the public and Council Members. He then expressed thankfulness for the position offer, which he accepted contingent upon an agreed salary. He discussed his employment history and qualifications for the position.

Solicitor Armstrong stated that candidate, Todd Heffner, for the position of Residential Rental Inspector, should be formally notified by the Borough in writing that they are moving in another direction to hire one person as the Zoning Officer, Code Enforcement and Residential Rental Inspector. President Becker stated that he verbally discussed the matter with Mr. Heffner.

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Executive Session #1. President Becker called for an executive session at 9:01 p.m. to discuss a wage offer to Mr. Peterson for the position. The regular Council meeting reconvened at 9:23 p.m.

President Becker made a motion to accept Joseph Peterson as the new Borough's Zoning Officer and Residential Rental Inspector, to work a maximum of 29 hours per week, with a salary of \$38.00 per hour in 2019, contingent upon him passing a background check, second by Council Member Schleicher. Motion carried: 7 ayes. After the motion was made, Mr. Peterson verbally accepted the offer. A formal employment letter will be sent to him for his signature.

APPROVAL OF MINUTES

a. August 05, 2019 minutes. President Becker requested a change to the motion on page 6, to Cost Estimate #02, which he erroneously stated was \$110,894.30, instead of the correct amount of \$57,397.07.

Motion #1. Council Member Schleicher made a motion to amend Cost Estimate #02 from the amount of \$110,894.30 to the correct amount of \$57,397.07, second by Council Member Cope. Motion carried: 7 ayes.

The motion on page 6 of the August 05, 2019 Minutes will be changed to read "Council Member Schleicher made a motion to approve paying Payment Estimate #2, in the amount of ~~\$110,894.30~~ \$57,397.07, second by Council Member Cope. Motion carried: 6 ayes."

Motion #2. Council Member Akinjiola made a motion to approve the August 05, 2019 minutes, with the one noted correction, second by Council Member Bloch. Motion carried: 7 ayes.

CONSENT AGENDA

a. Payment of invoices as listed totaling \$183,405.92. Council Member Schleicher made a motion to approve the invoices listed on the Consent Agenda, dated August 20, 2019, in the amount of \$183,405.92, second by Council Member Cope. Motion carried: 7 ayes.

CORRESPONDENCE

a. Community Action Committee of the Lehigh Valley ("CACLV"), re: Municipal Fund Appeal. CACLV is seeking a \$2,000.00 donation from the Borough to support people experiencing the crisis of homelessness across the Lehigh Valley, through the Coordinated Entry System. This request will be discussed during a Borough budget workshop in the fall.

b. Macungie Ambulance Corp, re: July 2019 Monthly Report. They responded to 346 calls during this service month; 28 of the calls were in the Borough of Macungie.

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REPORTSa. Mayor.

- i. Macungie Police Department, re: July 2019 Monthly Report. No discussion.
- ii. Report on Speeding Citations. No discussion.
- iii. Police Chief Position. To date, Mayor Conrad has not received a proposal from Sgt. Kocher. If no proposal is brought to him by the end of 2019, the matter will be removed from the Agenda.
- iv. Body Camera(s) Policy. Mayor Conrad stated he reviewed the Body Camera Policy and is satisfied with it as written; he did not see anything he thought should be removed from or added to it. In the future, he would like to view and compare other MPD Standard Operating Procedures (“SOP”) with other municipalities’ SOP’s to compare them to each other.

Addition Item Not on Agenda. Mayor Conrad reported that he asked the MPD to increase patrol on Lehigh Street, in response to a complaint Council Member Hutchison received from a resident, prior to the last Council meeting.

Installing more speed boards in the Borough, to get drivers attention, was briefly discussed. Council Member Cope commented that grant funds may be available to pay for them.

b. Borough Manager.

- i. Railroad Crossing Repairs on Main Street/Route 100 are scheduled to begin on Friday, September 13, 2019 at 6:00 p.m. through Monday, September 16, 2019 at 5:00 a.m. There will be two detour routes; one for trucks and the other for cars. But, the routes have not been confirmed yet.
- ii. Lehigh County Chamber Grant Presentation. Borough Manager Boehm confirmed that she and President Becker will be attending the event on August 28, 2019, from 5:00 p.m. to 7:00 p.m.
- iii. Main Street Streetscape, Phase 3. There was a pre-construction meeting today for Phase 3. Construction is scheduled to begin on September 30, 2019, with a tentative completion date of December 31, 2019. The project contracts are ready for the Borough’s signature. Borough Manager Boehm briefly discussed the meeting topics.

President Becker noted that certain components of the street lights have not been approved by PennDOT yet, as different PennDOT departments need to approve different parts of the lights. He commented that it could take until March 2020 before they are installed. Borough Manager Boehm stated she discussed the matter with Matt Szuchyt, from Senator Pat Browne’s office, and they will try to help with the PennDOT approval.

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iv. The Borough has received an invoice from PennDOT for \$20,000.00 for overpaid of grant funds for Phase 1 of the Streetscape Project. Borough Manager Boehm has been trying to work with PennDOT on the matter, but their financial records do not match the Borough's records. Borough Manager Boehm is attempting to schedule a meeting with the PennDOT Comptroller to resolve the outstanding balance.

Council Member Hutchison questioned how long the brick paver and electrical wiring work would be guaranteed, in Phase 2 of the Main Street Streetscape project. President Becker and Borough Manager Boehm replied that the PennDOT project grant for Phase 2 did not include any warranties or maintenance bond. Council Member Hutchison then asked if an inspector was onsite to ensure the work was done properly. Borough Manager Boehm stated that Traffic Planning & Design was onsite throughout the entire project. She then noted that Phase 3 of the project will have a maintenance/performance bond because that is not a PennDOT grant project.

c. Committees.

i. Borough Manager Search Committee. Council Member Yerman reported he and Council Member Schleicher reviewed the resumes that were submitted so far. He commented that there are three very qualified candidates. He asked each Council Member to email him the top five qualifications they are seeking in a candidate, so he can form a spreadsheet, which will help rate the desired qualifications to each candidate. Borough Manager Boehm reminded Council that the resume submission deadline is September 16, 2019.

Council Member Hutchison stated that he previously asked to be on the Borough Manager Search Committee, along with Council Members Schleicher and Yerman, and would like to review the resumes that were received for the position. Some of the other Council Members and Borough Manager Boehm did not recall that he asked to be on the Committee, but they agreed he would be added to the Committee.

UNFINISHED BUSINESS – PART I.

i. Appointment of Zoning Officer. No further action was taken by Council.

UNFINISHED BUSINESS – PART II

a. Jeffrey and Steffany Hartman (collectively the “Hartmans”) Sidewalk Waiver Request. The Borough's notice for the Hartmans to attend tonight's meeting was not sent to them in a timely manner, so they could not attend. The Hartmans requested the matter be deferred to the September 03, 2019 meeting. There was a unanimous consensus among Council to defer the matter to the September 03, 2019 meeting, at which time a decision will be made by Council.

b. Main Street Streetscape Phase 2 Update.

i. Marino Corporation, re: Two Week Schedule, Aug. 12-24, 2019. No action was taken by Council.

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c. Borough Manager Request for Retirement Medical Benefits and Reimbursement of accumulated sick and vacation time. No action was taken by Council.

d. MVFD Agreed Upon Engagement Procedures Agreement (“AUEP”). The Macungie Volunteer Fire Department’s (“MVFD”) Treasurer, Thomas Bailey, from Bailey and Associates, discussed the AUEP report, dated August 09, 2019, which was prepared by Haffner & Associates and distributed to Council.

Mr. Bailey discussed the process for ensuring accuracy and balancing of the MVFD’s financial records. Mr. Haffner made two recommendations to the MVFD: (1) prepare a budget and (2) prepare a deposit log. Mr. Bailey stated a budget will be prepared for 2020 and he created a deposit log, which he began using last week. Mayor Conrad and Council Members Hutchison and Yerman stated they are satisfied with the report.

Council Member Yerman made a motion for the Borough of Macungie to release the remaining MVFD funds, second by Council Member Becker. Motion carried: 7 ayes.

NEW BUSINESS.

President Becker requested that the volunteer Deputy Emergency Management Coordinator position be advertised. Council Member Cope suggested asking Volunteer Firefighter Joel Kerridge if he would be interested in the position, as he recently earned several different *Hazardous Materials* Certificates. Mayor Conrad will discuss the matter with Firefighter Kerridge.

President Becker commented that the *Emergency Management Plan* updates are almost completed and may be ready to be presented to Council in October 2019.

EXECUTIVE SESSION #2. President Becker called for a second Executive Session at 9:53 p.m. to discuss a personnel matter. The Council meeting was reconvened at 10:32 p.m. with no decisions made.

ITEMS NOT ON AGENDA.Council Member Bloch:

a. He was asked if the Borough had flags for Flag Day. Borough Manager Boehm replied that there are no flags, but there are flag banners.

b. He questioned if the swale would be installed by the Allen Organ property before other construction is done in the Stone Hills Meadows Development (the “Development”), as Council Member Bloch noticed a lot of stormwater runoff in the area. Council Member Yerman commented that the water running through the swale does not come from the Development itself, but rather from the properties above the Development and they are not tied together. Council Member Bloch expressed concern of the stormwater runoff possibly causing flooding once some homes are built. President Becker briefly discussed the signed agreement between Allen Organ

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and the Development that addresses the water runoff, which he said will solve any issues. Council briefly discussed the stormwater runoff and the plan designs in place to address it.

ADJOURNMENT.

Hearing no further business to be brought before Borough Council, Council Member Bloch made a motion to adjourn the meeting at 10:39 p.m., second by Council Member Schleicher Motion carried: 7 ayes.

Respectfully submitted,

/s/ *Selma Ritter*

Selma Ritter  
Administrative Assistant