

BUDGET WORKSHOP

President Becker read portions of Borough Manager Boehm's Budget Memo, dated November 17, 2019. The Memo noted the general fund revenues were updated to include the Residential Rental License fees of \$30.00 each and Residential Rental Inspection fees for \$60.00 each. The Zoning Officer, Joseph Peterson, will conduct two rental inspections per each day during his regular business hours. The Memo also discussed the Macungie Institute ("MI") Rents and Royalties for 2018 (July – December) and 2019 (to date). The general fund expenditures included a decrease in the Macungie Institute Facility Manager, Borough Manager and Zoning Officer wages.

President Becker commented that his vision for the capital fund was to set funds aside to ensure the Borough could continue to operate in the event the economy declines. He expressed concern of taking funds from the capital fund to pay for expenditures.

Council Member Yerman explained the chart of expenditures and revenues he created, which is to provide a clearer understanding of the 2020 Preliminary Budget. He stated there are only two ways to balance a budget either (1) raise taxes or (2) cut services.

After the 2020 Preliminary Budget revenues and expenditures, along with the projected employee salaries and pension MMO funds were discussed, President Becker discussed the history of the Real Estate Taxes in the Borough from 2014 through 2019. There was a conversation about possibly raising taxes an additional .5 mills in 2020 to balance the budget and properly fund the pensions, which would bring the total Real Estate Tax to 4.75 mills. Council discussed reducing the proposed expenditures and amount of the Borough's funding obligations to non-profit organizations.

Council directed Borough Manager Boehm to change the 2020 Preliminary Budget to reflect an additional \$65,000 to the Capital Fund, 25% of the cost for new heating system for the MI and increase the Uniform and Non-Uniform Pensions to include the suggested total amount of \$50,000 (\$22,500 and 27,500). The budget would also show a \$1,000 reduction ~~for the removal~~ in the cost of the police body cameras (this sentence was changed as per the 12/02/2019 Council meeting).

CALL TO ORDER

President Chris Becker called the November 18, 2019, meeting of Macungie Borough Council to order at 7:30 p.m. in the Macungie Institute, 510 E. Main Street, Macungie, PA.

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
Absent: Selma Ritter, Administrative Assistant

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

a. MPD October 2019 Monthly Report. Mayor Conrad noted portions of Sgt. Kocher’s October 2019 Monthly Report, which included being dispatched to 2,150 incidents (year to date), 195 incidents in October 2019 and 7 persons being arrested.

Mayor Conrad then read Resolution 2019-76 from the County of Lehigh and the November 09, 2019 *Certificate of Recognition*, from State Senator Patrick M. Browne, into the record.

PUBLIC COMMENT

a. Prior Public Comments to Council.

i. Carl Sell requested (1) the amount of engineering fees that were paid for the island at Race and Main Streets, which had to be removed and (2) the cost of painting the crosswalk at Race Street. President Becker reported the cost was approximately \$6,500.00, which was paid out of grant funds that are state tax dollars. Painting of the crosswalk at Race Street will cost \$1,190.00 and would be completed in 2020.

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

i. David Saylor, 2994 Sequoia Drive, Macungie. He spoke on behalf of the Friends of the Macungie Institute (the “Friends”) and questioned the future direction of the MI, specifically (1) if the facility would be a performing arts center, rental facility (as in previous years) or both; and (2) what the other plans are for the facility. He stated since the Friends raise and donate funds to the facility they would like to be included in its future, so they know for what and why they would be raising funds. He suggested the 2020 Council Members, new Borough Manager and the Friends meet together after the new year to discuss the future plans for the MI. President Becker stated it is a great idea for everyone to meet to discuss the building’s repairs, plan and/or a vision for the MI.; he is uncertain of the future direction for the MI.

President Becker then discussed his past request for Council to look at the strategic plan of the Borough and all of the buildings they own, which required hiring a consultant to look at all of the properties and provide a proposed plan on how to best utilize the properties. He stated one suggestion was to relocate the administration portion of Borough Hall to the MI, but it was not meant to take anything away from the MI. No decisions were made, as it was only a discussion.

There was a discussion on the MI’s financial deficit, including past and present fundraising opportunities to generate income. An unidentified female questioned if Council expects the MI building to pay for itself, including maintenance and staff salaries, with its own income generated

through the functions the MI has. President Becker noted the past MI financial shortfalls of approximately -\$52,000 in 2015, -\$55,000 in 2016, -\$42,000 in 2017, -\$34,000 in 2018, and projected shortfalls of -\$83,000 in 2019 and -\$111,000 in 2020. He commented that Council has always supported the MI, although it does not generate a profit, and Council has always tried to minimize the [deficit] risk for the favor of all of the citizens in the Borough and not to pick on a building, roads or purchases. He further commented that it is Council's responsibility to look at the deficits and make sure the MI does not become a burden and to also decide if a deficit of \$35,000-\$50,000 each year is acceptable. The costs to run and maintain the MI were discussed, which are higher than the rental revenues, along with the types of rentals and MI coordinator's salary. Mr. Saylor commented that they [the Friends] would like to work with Council in brainstorming meetings on how the facility is used, how to generate funds, financials, etc.

COMPLAINTS, PETITIONS, APPEALS AND COMPLIMENTS

a. President Becker commented that Senator Pat Browne has been a wonderful ally to the Borough in helping to obtain grant funds. Recently, Senator Browne informed Council that the Borough was awarded another grant in the amount of \$450,000 for their Commonwealth Finance Authority (CFA) Multimodal Grant Application, for Phase IV of the Main Street Streetscape project. President Becker then read a press release he wrote and sent to Senator Browne regarding the project and grant.

APPROVAL OF MINUTES

a. November 04, 2019. Council Member Akinjiola made a motion to approve the November 04, 2019 minutes as written, second by Council Member Barry Bloch. Motion carried: 7 ayes.

CONSENT AGENDA

a. Payment of invoices listed totaling \$570,608.32. Council discussed some of the items listed on the Consent Agenda. It was noted that the amount seems high because \$325,905.65 of the invoiced funds were for the sewer restoration loan payment. Borough Manager Boehm commented the amount would actually be higher, as the annual sewer restoration loan payment is \$466,000.00, not \$325,905.65.

Council Member Schleicher made a motion to approve the invoices listed on the Consent Agenda, in the amount of \$570,608.32, second by Council Member Akinjiola. Motion carried: 7 ayes.

CORRESPONDENCE

a. Macungie Volunteer Fire Department, re: October 2019 Training Report. Trainings included station cleanup, SCBA, training in Emmaus training grounds, a department meeting and Ran Small Equipment.

b. Macungie Volunteer Fire Department, re: October 2019 Response Report. They responded to 5 calls in the reported month; 5 calls were in the Borough of Macungie.

- c. Macungie Volunteer Fire Department, re: October 2019 Certificate of Classes. The report noted two (2) new members, Anthony Hollenbach and Kadin Brunell; and reported Dillion Urland, Mike Tomlinson and Travis Taylor all finished their fire police classes.
- d. Macungie Ambulance Corp, re: October 2019 Monthly Report. They responded to 312 calls during this service month; 20 of the calls were in the Borough of Macungie.
- e. Haley Aldrich, re: Notice of Submission of Cleanup Plan and Final Report to Department of Environmental Protection (“DEP”) for the Tyler Pipe Facility. The correspondence, dated November 8, 2019, stated it was “in accordance with the Land Recycling Program (Act 2) for the site known as the Tyler Pipe Facility, owned by Tyler Penn LLC and located at 99 W. Main Street and 3550 Brookside Road (previously referenced as 101 North Church Street), Macungie, Pennsylvania. The Report indicates that the Cleanup Plan and Final Report consisting of institutional and engineering controls has attained compliance with the site-specific cleanup standard.”

Council discussed the toxic cleanup that was required by the DEP. Council directed Borough Manager Boehm to contact Haley Aldrich and request the cleanup plan, for Council’s review and comment.

REPORTS

- a. Mayor - None.
- i. Police Chief Position. There was no discussion on this matter.
- b. Solicitor – Solicitor Armstrong commented that he would be participating in the Executive Session later tonight to update Council on a couple of personnel items.
- c. Borough Manager.
- i. Additional Building Code Official. Borough Manager Boehm reported the Borough Zoning Officer, Joseph Peterson, is a certified Building Code Official (BCO) and he offered to be a backup BCO for the Borough. Currently, the Borough’s BCO is Matthew Walter from Barry Isett & Associates. After Council discussed some positive and negative aspects of having a backup BCO for the Borough, they questioned the value and cost in having one. Borough Manager Boehm will discuss the matter with Zoning Officer Peterson and get back to Council.
- ii. Phase 4 Streetscape Grant Award. Borough Manager Boehm was going to announce the \$450,000 Phase IV of the Main Street Streetscape grant award from CFA, which President Becker reported on tonight under Complaints, Petitions, Appeals and Compliments.
- c. Committees - None.

UNFINISHED BUSINESS – PART I – None.

UNFINISHED BUSINESS – PART II

- a. Main Street Streetscape Phase 2. President Becker reported the street light bases and shade trees have been installed. He commented the lights themselves would most likely be installed in February or March 2020. The final walkthrough (inspection) was discussed, which would be completed by Barry Isett & Associates, along with a Borough representative.
- b. Main Street Streetscape Phase 3. Borough Manager Boehm reported on the status meeting for Phase 3, which was held today. She reported the trees (City Sprite Zelkova) and street lights would not be installed until March 2020 because PennDOT's deadline to plant trees is November 30th and the streetlights need to be ordered. The trees will be purchased from the same nursery as those in Phases 1 and 2.
- c. Borough Manager Request for Retirement Medical Benefits and Reimbursement of accumulated sick and vacation time.
- d. Joint Building Board of Appeals Vacancy.
- e. Memorial Plaque Criteria. Item was carried from November 04, 2019 meeting for the 2020 Council Members to determine. No action was taken by Council tonight.

NEW BUSINESS

- a. Appointment of Borough Manager. Robert Glisson discussed his education, qualifications and work history experience for the Borough Manager Position. He then expressed enthusiasm in serving the Borough and working with Council and the staff. He is currently house hunting to relocate within the required 20 miles from the Borough.

Council Member Schleicher made a motion to appoint Robert Glisson as the Borough Manager, beginning December 16, 2019, at a salary of \$68,000.00, second by Council Member Hutchison. Motion carried: 7 ayes.

- b. Authorization to Sign 2020 L.C. Humane Society Agreement for Animal Control Services. Council Member Hutchison made a motion to sign the 2020 Lehigh County Humane Society Agreement for Animal Control Services, second by Council Member Akinjiola. Motion carried: 7 ayes.
- c. Appointment of BIA as Design Engineer for the Main Street Streetscape Phase 4 Construction - The title of this item was changed due to Barry Isett & Associates submitting a proposal, in the amount of \$45,000.00, for engineering services for the Main Street Streetscape Phase 4 Construction rather than bid specifications. Borough Manger Boehm stated all the engineering fees would be paid by the CFA grant. After the engineering fees are paid, there would be \$405,000.00 in grant funds available to use for the project.

Council Member Becker made a motion to approve Barry Isett & Associates proposal, in the amount of \$45,000.00, to prepare plans and bid documents for Main Street Streetscape Phase 4 Construction, second by Council Member Bloch. Motion carried: 7 ayes.

d. Authorization to advertise the following ordinances:

i. Ordinance Amending Borough Manager Residency Requirement. Solicitor Armstrong stated all the proposed Ordinance 2019-03 does is change the provision in Chapter 53 of the Code of Ordinances amending the residency requirements for the Borough Manager to reside within 20 miles of the jurisdictional limits of the Borough, instead of the current 5-mile requirement.

Council Member Yerman made a motion to approve proceeding with advertisement of Ordinance No. 2019-03, for consideration of adoption at the December 16, 2019 public meeting of Council, second by Council Member Hutchison. Motion carried: 7 ayes.

ii. Ordinance Amending Sewer Surcharge Rates for 2020. Borough Manager Boehm stated the surcharge rates in the proposed Ordinance 2019-04 have been changed to meet Lehigh County Authority's ("LCA") rates. She commented that this is a pass-through, as after certain businesses within the Borough are tested, then LCA sends the Borough a bill for the service, which the Borough passes onto the business owners. These charges are for commercial properties only and not for residences.

Council Member Hutchison made a motion to approve proceeding with advertisement of Ordinance No. 2019-04, for consideration of adoption at the December 16, 2019 public meeting of Council, second by Council Member Cope. Motion carried: 7 ayes.

e. H2O PA Grant.

i. Resolution 2019-15, Authorizing Grant Submission. Borough Manager Boehm explained this grant would be used for the sewer lateral lining, which Harry Garman from Barry Isett & Associates discussed at the last Council meeting.

Council Member Hutchison made a motion to adopt Resolution 2019-15, authorizing submission of an H2O PA Grant, second by Council Member Cope. Motion carried: 7 ayes.

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

Motion Passed.

ii. Authorization to sign commitment letter. The commitment letter is part of Resolution 2019-15.

f. PIM Corporation Payment Request #1, in the amount of \$80,703.00 for the sewer manhole rehabilitation work. The funds would be a transfer from the sewer loan.

Council Member Hutchison made a motion to approve PIM Corporation Payment Request #1, in the amount of \$80,703.00 for the sewer manhole rehabilitation work, conditioned upon the Borough receiving all the certified payrolls, second by Council Member Schleicher. Motion carried: 7 ayes.

g. Budget Transfers. Borough Manager Boehm submitted several Budget Transfers for consideration:

<u>Amount</u>	<u>From Account</u>	<u>To Account</u>
• \$57.25	08.429.196 HRA	08.429.154 STD
• \$320.00	01.406.375 Office Maintenance & Repairs (\$100.00) 01.406.351 Commercial Insurance Policy (\$220.00)	01.406.213 Minor Equipment
• \$182.71	08.429.451 Traffic Control	08.429.250 Maintenance & Repair Parts
• \$2,210.54	01.406.354 W.C. Ins.	01.406.341 Advertising
• \$133.77	01.406.160 Pension	01.406.154 Short Term Disability
• \$476.05	01.436.310 Stormwater PRP Plan	01.436.246 Storm Sewer Main/Repair
• \$323.28	01.433.220 Signs & Markings	01.438.245 Street Patching
• \$283.76	01.410.461 Civil Service Commission (\$122.49) 01.410.351 Commercial Insurance (\$161.27)	01.410.450 Service Contracts
• \$5,107.59	01.410.132 Patrolman 1	01.410.136 Part Time Wages
• \$215.38	01.410.196 HRA	01.410.154 STD
• \$109.37	01.410.460 Seminars	01.410.373 Maint & Repair Bldg

Council Member Hutchison made a motion to approve the Budget Transfers, collectively, second by Council Member Akinjiola. Motion carried: 7 ayes.

New Business Items Not On Agenda.

h. Resignation of Macungie Institute Facility Manager, Timothy Brown. Manager Brown tendered his resignation, with his last day of employment being November 22, 2019.

Council Member Schleicher made a motion to accept Timothy Brown's resignation as the Macungie Institute Facility Manager, with regret, second by Council Member Bloch. Motion carried: 7 ayes.

i. Stone Hill Meadows Request for Security Release #3, in the amount of \$85,777.92. President Becker read the BIA letter, dated November 13, 2019, which stated BIA reviewed the items submitted by the Developer, they examined the actual constructed/completed quantities at the site and recommended the release of the Improvements Security in the amount of \$85,777.92.

Council Member Schleicher made a motion to release the escrow to Stone Hill Meadows, second by Council Member Hutchison. Motion carried: 7 ayes.

ITEMS NOT ON AGENDA (Mayor and Council members only)

a. An email from Jeffrey and Steffany Hartman, dated November 18, 2019, was distributed to Council tonight, regarding their sidewalk waiver request. The matter will be discussed at the next Council meeting on December 02, 2019, to allow Council sufficient time to review the document.

b. Solicitor Armstrong provided an update on the 457 voluntary retirement plan notification from MetLife, which the employees are entitled to. The changes would be made via an amendment application. He reported they are having trouble tracking down documentation to compare it to, to ensure there are no significant changes. Another Attorney at the Solicitor's office looked at it and does not see any red flags with what the document is doing, but he would like to compare it to the current plan. The support MetLife has been supplying will stop at the end of December 2019, but the plan itself would still be available. Solicitor Armstrong suggested Council conditionally authorize proceeding with advertising the Ordinance for one of their meetings in December 2019.

There was a unanimous consensus among Council to bundle the advertisement with the other two Ordinances, to save on advertisement fees. Solicitor Armstrong noted the Ordinance would authorize the Borough to execute the amendment agreement that was proposed by MetLife and Brighthouse.

EXECUTIVE SESSION, IF NECESSARY. President Becker called for an Executive Session at 8:47 p.m. to discuss two personnel matters. The regular Council meeting reconvened at 9:15 p.m., with the following action taken:

Council Member Becker made a motion to give Borough Manager Chris L. Boehm \$11,600.00 for her 20 years of dedicated service to the Borough, contingent upon her signing a separation agreement in a manner acceptable to the Borough. Also, within the separation agreement would be her unused vacation buyout of 10 days or 80 hours at \$32.56/hr. equaling \$2,604.80 and unused sick time buyout of 70 days at \$50.00 per day equaling \$3,500.00, second by Council Member Hutchison. Motion carried: 7 ayes.

ADJOURNMENT

Hearing no further business to be brought before Borough Council, Council Member Cope made a motion to adjourn the meeting at 9:18 p.m., second by Council Member Schleicher. Motion carried: 7 ayes.

Respectfully submitted,

/s/ *Chris L. Boehm*

Chris L. Boehm
Borough Manager
(Secretary, *pro tem*; transcribed written notes)

/s/ *Selma Ritter*

Selma Ritter
Administrative Assistant
(*Audio Recording Transcription*)