

ATTENDANCE

Council Members: Alma Akinjiola  
Angela Ashbrook  
Barry Bloch  
Ryan Hanosek  
Todd Rutledge  
Roseann Schleicher  
Mayor: Ronald Conrad  
Borough Manager: Robert H. Glisson  
Solicitor: Patrick Armstrong  
Engineer: Stan Wojciechowski  
Administrative Assistant: Selma Ritter  
Absent: John Yerman

CALL TO ORDER

Vice-President Roseann Schleicher called the March 02, 2020, regular meeting of Macungie Borough Council to order at 7:30 p.m. in Macungie Institute, 510 E. Main Street, Macungie, PA.

ENGINEER (STAN WOJCIECHOWSKI, P.E.), PRESENTATION of Community Development Block Grant (“CDBG”) for Americans with Disabilities Act (“ADA”) Ramps on South Church Street and Update Streetscape Phases.

i. South Church Street Reconstruction. Engineer Wojciechowski provided plans and specifications for the ADA Ramp project. He stated the street reconstruction, which would run along the entire length of the street, would be a very cost intensive project. Therefore, it will be done in phases to help alleviate the cost to the Borough.

The first phase will be funded by a CDBG, which would include the installation and/or replacement of sixteen (16) ADA Ramps along both sides of South Church Street. The CDBG awarded to the Borough was in the amount of \$61,450.00 for thirteen (13) ramps (4 at Locust Street, 2 at Coach Street, 2 at Cedar Street, 1 at Cherry Street, 2 at Shell Alley and 2 at Dock Street); the grant award requires the Borough to match at least \$17,052.00, which will be applied to the other three (3) ramps (2 ramps at West Chestnut Street and 1 ramp at Spruce Street). Vice-President Schleicher noted the three (3) ramps being funded by the Borough were included in the Borough’s 2020 Budget. Future phases will include a full reconstruction plan of the street, with sewerage, but the design has not been defined at this time. Last week, Lehigh County provided a notice to advance, which requires Council to authorize the advertisement of the notice to bid tonight. Project bids must be submitted online at [www.PennBid.net](http://www.PennBid.net) until 10:00 AM Thursday, April 2, 2020.

Council Member Ashbrook requested a brief explanation on the rest of the phases and more information on the first phase. Engineer Wojciechowski stated the other phases have not been defined because it is not known at this time what to fund and when the work could be done. She then questioned if the ADA Ramps would not have to be torn back out to do another phase. Engineer Wojciechowski stated “that is the intention, yes.”

The street restoration project and ramps were briefly discussed. The ramps have to be ADA compliant when the street is repaved. If storm sewers are installed during the street restoration, it should not affect the ramps, but a full street design has not been done. Phase one of the project would only affect the intersections on South Church Street and not the street reconstruction project itself.

Carl Sell, 46 Locust Street, Macungie, recalled water laying at the intersection of South Church and Cedar Streets, where the current ramp is, during rainy weather. He questioned if the water pooling, ice and snow would deteriorate the new ramps more quickly before the road is fixed. Engineer Wojciechowski replied it would not; he then discussed the proposed work to be done and noted there is a drainage concern in that area, on the sidewalk itself, which BIA is trying to address so it would drain to the street. He stated that until the street is fixed, there is not much that can be done. Mr. Sell commented that the work seems to be getting done backwards, as the street should be fixed before the ramps are installed. Council Member Rutledge commented there is a time sensitivity issue for the grant and if the ramps are not done now, a grant may not be available in the future for them. Council Member Ashbrook stated she does not want to tear out and replace the ramps again when the phase is done.

Council Member Rutledge made a motion to move forward with the CDBG award and bidding the project, second by Council Member Akinjiola. Motion carried: 5 ayes and 1 nay. Council Member Ashbrook opposed because she did not have enough information on the project and what will be done in the future.

Richard Stukas, 43 Locust Street, Macungie, questioned if the future elevations for South Church Street were taken into account to accommodate the ramps, when the street reconstruction is done. Engineer Wojciechowski stated the street design has not been done, so it is difficult to tie in proposed street elevations. He then discussed possible issues that could occur if the curb lines were to be adjusted, the restrictions with changing the elevations, the milling down of the street when it is reconstructed, installation of an appropriate crown to replace what is currently there and construction of the street to meet the ramps.

ii. Main Street, Streetscape, Phase IV, will run from Lea Street to Mountain Creek. Engineer Wojciechowski introduced the project and provided plans and specifications for Phase IV for Council's review and feedback. The bid specifications will require the bidder to have five (5) years of experience to be qualified for the construction award. The bid specifications were discussed, including changes to discuss how the bricks are to be laid and what to put on the bricks.

Engineer Wojciechowski suggested the request for bid proposals be advertised now to provide enough time for the street lights to be purchased, approved by PennDOT and installed. Borough Manager Glisson stated he would provide Council with a draft advertisement for their review, so it can be bid in April 2020.

Phase IV will be funded through a DCED Grant in the amount of \$450,000. Council Member Ashbrook questioned if the funds would cover the engineering fees. Engineer Wojciechowski stated BIA provided a lump sum contract for Phase IV, which would include the design, bidding and contract management. He stated the project could go shorter than to the Mountain Creek [Bridge] if the bids come in higher than BIA expects; then BIA would take 78-feet of roadway out so the grant covers everything. The entire Streetscape project would run to the traffic light at South

Chestnut and Main St./Route 100, which is out of the business district. Borough Manager Glisson stated the Borough also applied for a PennDOT grant for Phase V, which would not require the Borough to match funds. The PennDOT grant has not been announced yet.

Council Member Bloch questioned if there was a reason so many street lights were installed on one block in Phase III and if less street lights could be installed in the next phase. Engineer Wojciechowski stated he did not know, but would provide an answer at the next Council meeting; it may have been determined by candle light power. There was a discussion on how the illumination was measured and thoughts on why so many lights were installed. The original plan showed light pole heights of 16', but they were changed to 14' because of the wires.

Council Member Ashbrook questioned if aesthetic projects could be postponed until Council figures out how to pay for other projects the Borough is already committed to doing, i.e., raingardens, infrastructure and regulation issues. Borough Manager Glisson commented the Cotton Street raingarden was already budgeted for. Council Member Ashbrook stated there is a much larger raingarden project [Glenwood] coming up and Council already spent almost \$2.5 million on projects on the lower portion of the Borough. She suggested using the money for aesthetic projects [Streetscapes] on needed infrastructure and regulation issues Council committed to instead, because the Borough might not have money to spend on Streetscapes right now. Vice-President Schleicher commented she looks at Council being committed to Streetscapes also because once something is started it should be finished and it is important to keep the downtown area looking nice to keep property values up. Council Members Rutledge and Schleicher both agreed this could be a discussion for the 2021 Budget. Engineer Wojciechowski stated the Streetscape is funded through the DCED grant and none of the money would be coming out of the Borough funds. Council Member Ashbrook commented the Borough still had to pay fees for what was done so far, so it is not free. Engineer Wojciechowski commented they are working on that. Borough Manager Glisson commented he expects to receive a spreadsheet soon showing all of the costs for each phase of the Streetscape projects, including the grant funds and the amount the Borough paid. Council Member Ashbrook reminded Council they are currently talking about projects that would be put out to bid in 6-months, which would go into the 2021 budget. She then commented Council is already deciding the funds would have to be accounted for in next year's budget, which she does not think Council should do, because the Borough already has other things they cannot pay for. Moving forward, Council will discuss this further.

Borough Manager Glisson discussed the inspection requirements for the new street lights in the Streetscape, Phase III project. KeyCode is currently reviewing the plans for the inspection, and after the inspection is complete, PPL will turn the power on. He then reported Marino should be installing the street lights in the Streetscape, Phase II project soon. Engineer Wojciechowski commented the Phase II submittal took longer because it had to go through PennDOT, which took a while.

Mr. Sell questioned if the contractor, Mohawk Construction, has been paid for the work in Phase III yet. Engineer Wojciechowski stated they have not been paid in full; BIA discovered work issues, which have been brought to the Borough's attention for them to determine how much of the workmanship issues they are going to enforce. The issues have been placed on a punch list for Mohawk's reworking, which includes damaged curbs and sidewalks, chipped bricks, damaged bump outs and uneven bricks. Mr. Sell stated the brick work is "atrocious" and Mohawk should not be paid until it is fixed. He discussed some of the issue he saw, including 3" wide of poly fills

and open joints. Engineer Wojciechowski stated he would look at the issues, then provide Council with a one page follow up summary identifying all of the issues, what was addressed, what was not addressed and what will be addressed. Mr. Sell requested he attend the walkthrough with Engineer Wojciechowski.

A copy of the Main Street Improvements-Phase IV Contract Documents and Specifications, along with the plan, will be at Borough Hall for the public's review.

#### PUBLIC COMMENT

a. Prior Public Comments to Council. Vice-President Schleicher recalled two prior comments, which were already addressed at the previous Council meeting: (1) Mr. Sell questioned if the reconstruction project for South Church Street was being budgeted for, which President Yerman replied it was not; and (2) Phillips Armstrong, Lehigh County Executive, discussed the importance of every person being accounted for in the 2020 Census and the new voting law.

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

i. Ashely Lorah, Greater Lehigh Valley Chamber of Commerce, introduced herself. She then provided a brief discussion on what the East Penn Chamber does and their upcoming events in the area. Their calendar of events can be found on their website at <https://web.lehighvalleychamber.org/events>. She also announced the Lehigh Valley grants are now available to be applied for.

Rebecca Young-Ivory discussed a parking lot/traffic problem at a row of five businesses from 17 through 23 E. Main Street, Macungie near the dance studio ("Dance Studio Lot"). She stated her business and Tom Bartholomew's businesses are being affected a little bit by the problem. She provided a map of the area, which included the businesses that use the same parking lot, the ingress/egress into the parking lot and a proposed access road. Ms. Young alleged the problem was exacerbated when the traffic light was installed at South Church and Main Street/Route 100, because vehicles leaving the parking lot cannot turn right onto Main Street and vehicles traveling South cannot turn left into the parking lot. She stated she and Mr. Bartholomew have access parking lots on Lumber Street and vehicles traveling South turn left onto Lumber and use their parking lots for U-turns to come back out onto Main Street, which occurs several times a day. She proposed an access road on the property located at 23 E. Main Street, from the Dance Studio Lot to Creek Alley, to allow ingress and egress for traffic, which she believes would solve the issue. She stated her suggestion would take cooperation of all of the property owners. She then requested a meeting with all of the property owners.

Vice-President Schleicher suggested a better way to start may be for Ms. Young to send the other business owners a letter regarding the situation, along with a map for them to give their patrons outlining how to legally maneuver to the parking lot through the Borough streets, i.e. vehicles traveling South on Route 100/Main Street would turn left onto Mill Street (by the Flower Park), go around the back, turn left onto Lehigh Street, right onto Lumber Street, then right onto Main Street, before trying to set up a meeting. She recalled the Borough sending letters to all of the property owners before the traffic light went in to try to discuss the matter, but they would not come out to talk.

Council suggested several possibilities to resolve the issue, including the property owners putting obstructions up to deter U-turns. Ms. Young stated they did put signs up, but they don't help. It was recalled that there used to be access onto North Church Street, but a property owner put large rocks there to block the access. A meeting with the property owners will try to be scheduled.

Tom Bartholomew, State Farm Insurance, 129 E. Main Street, Macungie, he recalled, prior to Lumber Street being reconstructed, there was an enforceable "No U-Turn" sign posted on the old dirt Lumber Street and after the reconstruction of the road, the sign was no longer there. He suggested an enforceable No U-Turn sign(s) be installed again on Lumber Street where it used to exist. He alleged the excessive U-turn use is causing property damage to his driveway and it is a safety hazard. Mayor Conrad cautioned a sign may deter drivers from making a U-turn on Lumber Street, but it may not have any effect to keep them from going on Mr. Bartholomew's property.

#### COUNCIL COMPLIMENTS, COMPLAINTS, PETITIONS AND APPEALS.

a. Vice-President Schleicher reported the Sip and Paint event, on February 21, 2020, was a success and everyone had a great time. She also reported she received a lot of nice comments regarding the new street lights on Main Street.

#### APPROVAL OF MINUTES

a. February 18, 2020. Council Member Akinjiola made a motion to approve the February 18, 2020 meeting minutes, as written, second by Council Member Bloch. Motion carried: 6 ayes.

#### CONSENT AGENDA

a. Treasurer's report of February 27, 2020 – Council Member Rutledge made a motion to approve the February 27, 2020 Treasurer's Report, as presented, second by Council Member Bloch. Motion carried: 6 ayes

b. Payment of invoices as listed totaling \$114,736.23 – Council briefly discussed the invoices.

Council Member Akinjiola made a motion to approve paying the Consent Agenda invoices, as of March 03, 2020, in the amount of \$114,736.23, second by Council Member Rutledge. Motion carried: 6 ayes.

#### CORRESPONDENCE

a. Municipal Retirement Trust, re: January 2020 Monthly Trust Report. No action taken.

b. Emmaus Library, re: February 2020 Board Meeting Minutes/Packet. No action taken.

c. Ronald Karboski, re: Letter of Interest to remain on Zoning Hearing; Consider Motion to Re-Appoint Mr. Karboski to Zoning Hearing Board, 3 year term, expiring March 31, 2023. Mr. Karboski submitted a letter of interest to remain on the Zoning Hearing Board for another term. In his letter, he noted he was first appointed to the Zoning Hearing Board in 2010 and currently holds the position of Chair on the Board.

Council Member Ashbrook made a motion to re-appoint Ronald Karboski to the Zoning Hearing Board for a 3 year term, expiring March 31, 2023, second by Council Member Bloch. Motion carried: 6 ayes.

## REPORTS

### a. Solicitor.

i. Towing Ordinance. Solicitor Armstrong provided Council with a draft Towing Ordinance, which was tailored from Emmaus Borough. A section for providing the vehicle owner(s) with a notice, before a towing would occur, will be added to the draft. He will also include the PA Statutes for abandoned vehicles. The Ordinance would enforce public right-of-way parking.

### b. Mayor.

i. Police Chief Position. No discussion by Council.

ii. Breakfast with A Cop Event. Mayor Conrad reported the MPD participated in the Breakfast With a Cop event, on February 23, 2020. Corporal Michael Mullen and Officers Kyle Bernhard, Todd Bernhard and Daniel Wiedemann were there to interact with the community.

### d. Borough Manager.

i. Committee Appointments expiring March 31, 2020 - No update.

ii. MS4, Pollution Reduction Plan Update. The Cotton Street Raingarden project has been advertised. A non-mandatory meeting for interested bidders will be held on March 06, 2020 at the Macungie Volunteer Fire Department.

### iii. Council Member Bloch:

- Painted Crosswalk at Race and Main Streets. He questioned the status of the painted crosswalk at Race and Route 100/Main Streets. Borough Manager Glisson will inquire about the status.

- Abandoned Vehicles at the Flower Park. He questioned if Tyler Pipe has been notified about the vehicles parked at the Flower Park. He commented he felt Tyler Pipe should be notified and asked to put signs up.

### d. Committees - None.

## UNFINISHED BUSINESS – PART I

a. Consideration of Residential Rental Ordinance 2018-06 Amendment – Vice-President Schleicher reported the Borough Zoning Officer, Joseph Peterson, is still working on this and will report back to Council when his research is complete.

UNFINISHED BUSINESS – PART II

- a. Main Street Streetscape Phase 2, Phase 3 and Phase 4. N/A. The phases were discussed under the Engineer's presentation earlier tonight.
- b. Committee Appointments expiring March 31, 2020. Letters have been sent to the members currently holding the positions asking them to submit a letter of interest to Borough Hall if they would like to remain in the position for another term.
  - i. Civil Service Commission Alternate, 2 year term.
  - ii. Macungie Institute Board of Trustees, 3 year term.
- c. Replacement Bear for Macungie Institute. Council Member Bloch will inquire about the replacement bear status with the donor, then provide an update to Council at the next meeting.
- d. Macungie Institute HVAC Plan. Borough Manager Glisson reported there was nothing new with the Plan. However, the furnace stopped working and a replacement part was installed; it has been working since. Different grant possibilities are being researched for the HVAC replacement.
- e. Discuss Sonya Spotts Interest to Enter Into Rental Agreement With Borough of Macungie for 24 S. Church Street; Solicitor. Borough Manager Glisson provided an update on the floor in the building. The scope revealed the floor is in better condition than expected; there is a stone base and it is on pier bases and there is good air circulation underneath. A meeting is scheduled for tomorrow morning to discuss what repairs may be needed.

The draft commercial rental lease, monthly rental rate and proposed repairs were discussed. Ms. Spotts offered to do cosmetic renovations inside the building and the Borough would do the other work, including a new subfloor, gutters, siding and reinforcement of the rear door frame. The Public Works Department suggested a 30-day vacancy period of the building for the work to be done.

Council Member Rutledge made a motion to authorize Borough Manager Glisson to speak on behalf of Council to offer the monthly rental rate to remain at \$450.00 per month until the end of the 2020 year, then Council will re-address the monthly rental rate for 2021, second by Council Member Bloch. Motion carried: 6 ayes.

- f. Yard Waste Passes. The Borough of Emmaus yard waste passes will be ordered now and will cost \$20.00 for Macungie residents. The Lower Macungie Township passes will be \$25.00 each, but they have not been finalized yet.
- g. Towing Ordinance Discussion – discussed above.

NEW BUSINESS

- a. Consideration to Approve Ryan Keiser in Public Works to Seek Certification as a Wastewater Operator. This matter will be discussed in Executive Session later this evening.

ITEMS NOT ON AGENDA

a. Ladder at Macungie Institute (“MI”). Council Member Hanosek requested authorization for the Friends of the Macungie Institute (the “Friends”) to fix the pull down ladder to the attic at the MI, so it extends to the floor. Currently, it is 3-4 feet off the floor and a chair is needed to reach the first prong on the ladder. Borough Resident Mr. Sell volunteered to install the ladder’s extension and the Friends offered to pay refurbishing it, with no cost to the Borough.

Council Member Hanosek made a motion to authorize the Friends of the Macungie Institute to fix the pull down ladder to the attic at the Macungie Institute, so it extends to the floor, second by Council Member Ashbrook. Motion carried: 6 ayes.

b. Macungie Farmers Market Update. Vice-President Schleicher stated the Macungie Farmers Market will be returning to the Borough this year, on Thursday evenings. They are proposing to hold it at the new property Macungie Memorial Park purchased, next to the Devine School, located at Lumber and Lehigh Streets.

c. February 19, 2020 Planning Commission Record Clarification. Council Member Rutledge stated for the record that he and Council Members Bloch and Schleicher all attended the Borough Planning Commission meeting as concerned citizens of the Borough regarding the proposed development at the Brookside Country Club and they did not deliberate as Council Members to make a decision. He noted President Yerman is also a Commissioner on the Planning Commission.

Solicitor Armstrong reaffirmed the Planning Commission meetings are advertised public meetings and the Council Members did not go there with the intent to deliberate for Council business; they were there to watch the Planning Commission conduct their meeting.

EXECUTIVE SESSION – Vice-President Schleicher called for an Executive Session at 9:14 p.m. to discuss a personnel matter. The regular Council meeting reconvened at 9:55 p.m. with no discussions or action taken.

ADJOURNMENT

Hearing no further business to be brought before Borough Council, Council Member Hanosek made a motion to adjourn the meeting at 9:56 p.m., second by Council Member Rutledge. Motion carried: 6 ayes.

Respectfully submitted,

/s/ *Selma Ritter*

Selma Ritter  
Administrative Assistant