

CALL TO ORDER

President John Yerman called the April 20, 2020, regular meeting of Macungie Borough Council to order at 7:30 p.m. Due to the Coronavirus Pandemic (COVID-19), the meeting was held via telecommunications. The change in venue was announced on the Borough website and by a posting notice on the Macungie Institute and Borough Hall doors. The meeting was open to the public where participants could “attend” the meeting by using an assigned web link or telephone number and access code.

ATTENDANCE

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

BOROUGH ENGINEER UPDATE.

a. Engineer’s Report, Dated April 20, 2020. Stan Wojciechowski; P.E. discussed his April 20, 2020 Engineer’s Report, which was an update on the projects in the Borough, including the 2019 CDBG / S. Church Street ADA Ramps, Main Street Safety Project (a/k/a Main Street Streetscape), Estates at Brookside, Sanitary Sewer System, Borough Authority Projects, Stone Hill Meadows-Phase 3, and Main Street Commons. He also provided an update on the approved and pending grants associated with the respective projects.

i. Main Street Streetscape Phase 2, Phase 3 and Phase 4. At this time, most of the construction is delayed due to Governor Wolf’s Stay-At-Home Order related to COVID-19. However, during an inspection, BIA found too much stone and mulch were used around the trees in Phase 2; the contractor was notified.

ii. CDBG Grant Bid; Delayed Bid Opening for 1 Week at Behest of Prospective Bidders. Lehigh County cancelled the grant award date. The bid packages for the project and low bidders were discussed. The lowest Bid is valid for 30-days. This matter was deferred until the May 2020 meeting.

iii. BIA to Provide Some Explanation in Support of Mohawk Contracting & Development, LLC (“Mohawk”) Change Order. Mohawk submitted Change Order #1 and Pay

Application #5 in March 2020. The Change Order was discussed, along with the allowances and credits and passed at the last Council meeting.

iv. BIA to Provide Explanation on Why we Should Pay Mohawk Additional Funds at this Time. Concerns were expressed of getting the outstanding punch items completed if Council released the \$95,992.00 in funds to Mohawk in Pay Application #5. Engineer Wojciechowski discussed the items listed on Payment #5, along with the amount of funds that would be retained; he stated there will be enough funds held to complete the job and punch list items (\$61,814.70).

Council Member Schleicher made a motion to approve the Mohawk Contracting & Development, LLC Pay Application #5, in the amount of \$95,992.00, second by Council Member Rutledge. Motion carried: 6 ayes.

v. BIA to Provide Explanation on How Low Wires Were Missed. Engineer Wojciechowski read a statement from BIA representative, Bryan Smith, on how the wire heights were calculated: “The clearance under the wires were measured several years ago. Unfortunately, the crew members we had took the measurement only on the left side and we did not realize that was the case. As a result, we missed the fact that the wires were lower on the east side. We adjusted the lights during the submittal process so that they can be 14’ tall, which is the lowest that they can go. Based on the measurements in the Phase 3 area, we expected the lights to be just under the lowest wire. Since the wire sag fluctuates some of the lights do touch the wires. We submitted a work ticket to Verizon to adjust the wires. Verizon has been out and raised several lines already, but unfortunately their crews were quarantined because of the COVID-19 situation.” Borough Manager Glisson reported Verizon is scheduled to come back at 8:00 a.m. on Wednesday (4/22/2020) morning.

vi. BIA to Provide an Update on the Church Street Sidewalk Work. The ramp project was bid. Engineer Wojciechowski will provide Council with the bid information at a later date.

vii. BIA to Provide Updated Financial Forecast and Plan For Phases 3, 4, (Including End Date for Invoices and Grant Submissions) for All Open BIA Projects.

b. BIA Remaining Funds Analysis (Pay Application #5), Dated April 17, 2020. This was discussed in section a (iv) above.

MACUNGIE POLICE DEPARTMENT (“MPD”) – Sergeant Travis Kocher was in attendance tonight to provide updates and hear of resident issues.

a. Macungie Police Department (“MPD”), re: March 2020 Report. Sgt. Kocher distributed the February 2020 report to Council via email earlier today; the March 2020 report will be provided at a later date. He stated the preliminary March 2020 call numbers appear to be lower than last month and theft arrests have increased. The MPD Officer that was out sick has recovered from the illness.

- b. Introduction of Towing Ordinance for Borough; why needed. There was no discussion on this matter.

#### PUBLIC COMMENT

- a. Prior Public Comments to Council - None.
- b. Comments from the Audience on non-agenda items – None.

COMPLAINTS, PETITIONS, APPEALS AND COMPLIMENTS. Council Member Schleicher announced the Tax Collector will not be having payment hours at Borough Hall. Real Estate Tax payments should be sent via U.S. Mail to Tax Collector, Cynthia Hartzell, at 60 S. Chestnut Street, Macungie, PA 18062 or placed in the drop box on her property (on the shed) until further notice. Tax Collector Hartzell would prefer no cash payments are left in the drop box.

APPROVAL OF MINUTES - There was a discussion on the retainage period for providing the public access to the teleconference audio recording of the prior Council meeting, on April 06, 2020, on the Borough website. Solicitor Armstrong stated the recording only needs to be made available to the public on the website if: (1) the Borough did not provide public notice; (2) public participation was not allowed; and/or (3) the public was not allowed to watch it. He noted all of the Borough meetings have been advertised and made available for public participation, therefore, the recordings do not have to be posted on the website.

- a. April 06, 2020 - Council Member Schleicher made a motion to approve the April 06, 2020 minutes, as written, upon Solicitor Armstrong's confirmation tomorrow that the audio recording from the April 06, 2020 Council meeting could be deleted, second by Council Member Rutledge. Motion carried: 6 ayes.

#### CONSENT AGENDA

- a. Payment of invoices listed, as of April 21, 2020, totaling \$127,259.50. Some of the invoices listed on the Consent Agenda were briefly discussed.

Council Member Ashbrook commented she heard Emmaus Borough was withholding their payment to the Emmaus Public Library because they are currently closed. She questioned if Council considered pro-rating or reducing the Borough's contribution(s) to the Library because they are closed and their expenses are not the same as when they are open. She suggested the Borough follow Emmaus Borough's lead and not make a contribution, as she believes there should be some type of reduction.

Council Member Ashbrook made a motion to approve the invoices listed on the Consent Agenda, as of April 21, 2020, except for the Emmaus Public Library contribution, second by Council Member Bloch. Motion carried: 6 ayes.

#### CORRESPONDENCE

- a. Macungie Ambulance Corps, re: March 2020 Monthly Report. They responded to 281 calls during this service month; 23 of the calls were in the Borough of Macungie.
- b. Macungie Volunteer Fire Department, re: March 2020 Response Report. They responded to 8 calls in the reported month; 4 calls were in the Borough of Macungie.
- c. PPL Electric Utilities (“PPL”), re: Macungie Tap Transmission Line Rebuild. The correspondence stated PPL will be evaluating an electric transmission line located on or near Borough property to determine if there are improvements which can be made to make the electric service more reliable. PPL employees and hired subcontractors will be performing the work.
- d. Antique Truck Club of America, re: Cancellation of Request for Fire Police at their June 19-20, 2020 event, which has been cancelled due to the COVID-19 issues.

## REPORTS

- a. Mayor.
  - i. Police Chief Position. There was no discussion on this matter.

Mayor Conrad reported the Borough Emergency Management Coordinator, Michael Natysyn, has been staying in contact with Lehigh County to try to continue obtaining supplies (disposable gloves and masks) for the Borough first responders.

Governor Wolf should be starting the process to re-open the State of Pennsylvania on May 08, 2020. Mayor Conrad reminded everyone to continue using Governor Wolf’s precautionary measures to stop the spread of the COVID-19 pandemic.

- b. Borough Manager. The purchase of emergency management gear, in the amount of \$293.00, was discussed. Two Hundred and Fifty Dollars (\$250.00) was budgeted for the gear and an anonymous donor will pay the balance. The purchase would include goggles, masks, hand sanitizer, shields and disposable gloves. There was a unanimous decision among Council to approve the purchase.
- c. Committees - None.

## UNFINISHED BUSINESS – PART I – None.

- a. Consideration of Residential Rental Ordinance 2018-06 Amendment. Zoning/Code Enforcement Officer Joseph Peterson is still working on the matter. A draft amendment should be available by the next Council meeting.

## UNFINISHED BUSINESS – PART II

- a. Macungie Institute HVAC Plan. No progress has been reported.

- b. Consideration of Sonya Spotts Interest to Enter Into Rental Agreement With Borough of Macungie for 24 S. Church Street. Borough Manager Glisson will follow up with Ms. Spotts on the status of her review of the draft Rental Agreement.
- c. Yard Waste Passes. The Borough is still waiting for Lower Macungie Township to send the passes to them.
- d. Consideration of Conditional Bid Award for Raingarden Project. Borough Manager Glisson reported the low bidder, Stonewood Landshaping, Inc., would be receiving their bond soon and they would not be using any subcontractors for the work.
- e. Council Member Bloch to work with Council Member Hanosek on additional long term rentals in the MI. i.e. Council Member Bloch's idea of a day care. Council Member Bloch requested the language to his suggestion for a long-term rental be changed from "day care" to "long-term" as a day care was an example of the type of long-term rental that could be sought.
- f. Team of Council Members Ashbrook, Rutledge and Yerman, along with Borough Manager Glisson to start working on filling Assistant Treasurer/Borough Clerk position. President Yerman provided an update on the advertisements for posting the position. The schedule will be updated and redistributed.
- g. Council Member Ashbrook to Develop an Approach for Council to Review Purchases Before They Occur. Council Member Ashbrook gave a brief history on the project, which is to establish an approval process for the department heads to provide Council with an idea of their expenses before spending the funds. She reported Quick Books does have an expenditure voucher feature, which may be able to be used. She suggested getting though the new hires before establishing a process to get their input on how it should be handled.
- h. Public Works Department - Removal of Stormsewer Bags From Bump Outs. Most of the bags have been removed from the bump outs. The last bag should be removed by Wednesday, April 8<sup>th</sup>.
- i. Public Works Department to Provide Schedule for 2020 Cross Walk Painting, Council to Consider if This is an Area to Postpone for 2020. Borough Manager Glisson reported Public Works Supervisor, Tracy Smith, will paint the crosswalk across Race Street, by the railroad tracks. He stated the paint they would be using won't hold up as well as thermoplastic, but it would save the Borough money. The double yellow lines on Cotton Street will also be painted. This item was carried.
- j. Zoning/Code Enforcement Officer, Joseph Peterson, to Provide Update on Sidewalk Repairs for Phase 4 Letter, List of Repairs. This item was carried to the next Council meeting to allow time for an assessment on how many property owners this would affect.
- k. ACELA to Provide an Update on the Raingarden. No update was provided.

- l. Status of the New Safer Public Works Schedule. Borough Manager Glisson stated the alternating Public Works schedule work seems to be working well.
- m. Council Member Yerman to order Zoom on a Monthly Basis, Will Provide Receipts. No update was provided.
- n. Corrected Streetscape Spending Report. No update was provided.

#### NEW BUSINESS

- a. Chimney Removal/Roof Repair at Borough Hall. Alan Kunsman Roofing & Siding, Inc. provided an estimate, in the amount of \$3,175.00, for the removal of the current chimney and sealing the roof. The estimate did not include repairs to the damaged interior ceiling.

The function of the two flues on top of the chimney were discussed. Borough Manager Glisson will confirm that the flues are not currently being used, before the work is done. The Borough Public Works Department will temporarily repair the damaged interior wall and ceiling.

- b. Street Sweeping Contract. In past years, the Borough paid for two street sweepings annually. Borough Manager Glisson suggested deleting the spring sweeping and only having it done once per year. Solicitor Armstrong suggested BIA check with the MS4 stormwater requirements to insure it can be done once per year. There was a unanimous consensus among Council to delete the spring street sweeping.
- c. Providing Safe Working Environment for the Manager and Admin Staff. There was a discussion on the possibility of adjusting the Borough office staff hours/schedules and Administrative Assistant Ritter working from home.

Administrative Assistant Ritter estimated approximately 75-80% of her workload could be done from home; the other 20-25% would need to be done at the office. She expressed concern of Governor Wolf's precautionary COVID-19 measures (social distancing of 6', wearing of masks and restricting face-to-face interactions) not being taken seriously at Borough Hall. This matter will be discussed in Executive Session later this evening.

- d. Get the Macungie Institute Trustees Functioning Again. Council Member Hanosek reported he has been communicating with the Macungie Institute Trustees.

#### ITEMS NOT ON AGENDA (Mayor and Council members only)

- a. Council Member Bloch questioned if anyone sent a thank you letter for the black bear donation. Borough Manager Glisson confirmed a letter was sent.
- b. Council Member Rutledge questioned the status of the Employee Handbook revisions. Council Member Schleicher stated a memo regarding the matter would be included in the May 04, 2020 packets for Council's discussion.

c. President Yerman reported Governor Wolf signed Senate Bill 841, which would make teleconference meetings more legal and also allows municipalities to waive property tax late fees until the end of December 2020. Solicitor Armstrong stated the law that was passed is in two parts: (1) Council could waive late fees until December 31, 2020; and (2) extend the discount rate payment period to August 31, 2020.

There was a unanimous consensus among Council to approve Solicitor Armstrong to prepare a resolution by the next Council meeting to waive property tax late fees. President Yerman will attend a webcast on the matter tomorrow.

EXECUTIVE SESSION, IF NECESSARY - President Yerman called for an Executive Session at 09:09 p.m. to discuss dealing with personnel. The regular Council meeting reconvened at 9:48 p.m. with no action was taken.

Borough Manager Glisson will ensure more diligence is made for wearing of masks and social distancing. He will also consult with Administrative Assistant Ritter on moving her work station to Council Chambers on the 2<sup>nd</sup> floor of Borough Hall.

#### ADJOURNMENT

Hearing no further business to be brought before Borough Council, Council Member Rutledge made a motion to adjourn the meeting at 9:50 p.m., second by Council Member Bloch. Motion carried: 6 ayes.

Respectfully submitted,

/s/ *Selma Ritter*

Selma Ritter  
Administrative Assistant