

CALL TO ORDER

President John Yerman called the July 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:	Alma Akinjiola Angela Ashbrook Barry Bloch Ryan Hanosek Todd Rutledge Roseann Schleicher John Yerman
Mayor:	Ronald Conrad
Borough Manager:	Robert H. Glisson
Solicitor:	Patrick Armstrong
Administrative Assistant:	Selma Ritter (left meeting at 9:03 p.m.)

EMMAUS LIBRARY PRESENTATION – Emmaus Public Library (the “Library”) Director, Maryellen Kanarr, provided an update on the Library’s services. She reported the Library building re-opened to the public on July 06th and there are currently 1,300 active Borough of Macungie card holders. If Library cards are not used within three years, they become inactive, then purged. She also discussed their finances, other services (e.g., Summer Reading Club, book drop, Wifi, computer usage) and the number of materials checked out (e.g., printed books) from the Library over the past couple of years. When the Library was closed in April and May, due to the COVID-19 State mandate, they offered online services, then offered curbside service beginning June 15th.

Ms. Kanarr acknowledged Council’s discussion on withholding the Library’s quarterly payments, then asked Council to consider the 1,300 Borough cardholders that use the Library’s services when they make their decision to withhold or cancel Library funding. She then discussed the benefits a library provides to individuals and the community (e.g., a gateway for meeting new people, learning new skills).

The Library’s finances and budget were then discussed. Ms. Kanarr reported due to the COVID-19 pandemic, the Library lost revenues from cancelled room rentals, annual fundraisers (e.g., Friends Book Sale), photocopies, fines and more; the estimated loss from cancelled fundraisers is approximately \$26,089. The combined amount of Emmaus and Macungie Borough’s deferred payments total \$24,354.00. Although the Library was awarded a Paycheck Protection Program (“PPP”) loan, in the amount of \$44,623.00, their revised budget still shows a projected deficit of \$44,960.00 (projected deficit in addition to \$24,354.00 in deferred payments). Currently, the Borough pays approximately \$15.00 per year, per card holder (person). Council briefly discussed if they should release the deferred payment.

MACUNGIE POLICE DEPARTMENT (“MPD”) – Sergeant Travis Kocher was in attendance tonight to provide updates and hear any issues residents may have.

- a. Macungie Police Department, re: June 2020 Report. The report included being dispatched to 160 incidents, 5 Traffic Citations and 5 persons arrested.
- b. Part-Time Police Officer Position. Sgt. Kocher reported two applications were received for the current opening. One of the applicants lives approximately 1.75 hours away from the Borough.
- c. Standard Operating Procedures (“SOP”). Sgt. Kocher reported he has been reviewing the current SOP’s. He then discussed how the policies are revised.
- d. Introduction of Towing Ordinance for Borough; why needed. No discussion.

PUBLIC COMMENT

- a. Prior Public Comments to Council - None.
- b. Comments from the Audience on Non-Agenda Items – Council Member Ashbrook reported a resident inquired about a notice they received, which stated they were due a refund from Berkheimer Tax Collector. Solicitor Armstrong stated they may have received it because the person works in the City of Allentown and the City is withholding their taxes.

COMPLAINTS, PETITIONS, APPEALS AND COMPLIMENTS –

- a. Council Member Schleicher reported there was a shed fire in the Borough on Sunday (7/19/2020). She complimented the Macungie Volunteer Fire Department and other agencies for the good job they did containing and extinguishing the fire.

APPROVAL OF MINUTES

- a. July 06, 2020 – Council Member Schleicher made a motion to approve the July 06, 2020 minutes, as written, second by Council Member Rutledge. Motion carried: 7 ayes.

CONSENT AGENDA

- a. Payment of invoices listed, as of July 21, 2020, totaling \$69,713.35. Some of the invoices listed on the Consent Agenda were briefly discussed.

Council Member Schleicher made a motion to approve the invoices listed on the Consent Agenda, as of July 21, 2020, in the amount of \$69,713.35, second by Council Member Akinjiola. Motion carried: 7 ayes.

CORRESPONDENCE

- a. Macungie Ambulance Corps, June 2020 Monthly Report. They responded to 307 calls during this service month; 23 of the calls were in the Borough of Macungie.

- b. Barry Isett & Associates, re: Kline's Island Draft Sewer System Interim Act 537 Plan - Source Reduction Program Update for 2nd Quarter of 2020. In December 2019, the Borough applied for an H2O PA Grant, through Pennsylvania Department of Community and Economic Development (DCED). The status of the grant approval is still pending.
- c. Macungie Volunteer Fire Department, re: June 2020 Response Report. They responded to 5 calls during this service month; 3 of the calls were in the Borough of Macungie.
- d. Borough Planning Commission Recommendations from 06/16/2020 Meeting, which included (1) Marci Albert's Request for Chapter 230 Nuisances Ordinance Change; (2) Jeffrey and Steffany Hartman Sidewalk Installation (was due to be installed by 06/01/2020); and (3) the Estates at Brookside. President Yerman briefly discussed the three recommendations.

President Yerman provided a brief history on Ms. Albert's complaints regarding alleged noise and other issues coming from her neighbor's property. The matter was sent to the Planning Commission, but they stated it was not a SALDO issue, it is more of an Ordinance issue, which would go before Council; the Planning Commission then sent the matter back to Council. Ms. Albert's request will be deferred until President Yerman's draft proposal on "how to move forward and what to do" is distributed to Council and discussed at the August 03rd Council meeting. Council Member Schleicher reported she has discussed this with Ms. Albert.

Blake Martin, 971 Vine Street, Macungie, questioned how a person that does not live in the Borough could request a change to a Borough Ordinance. President Yerman commented, to date, there have been complaints, petitions signed and suggestions, which he does not believe have real traction and now Council has to figure out a way to move forward. He noted it involves citizens inside the Borough, not just outside it. He commented his proposal was drafted to get a broader discussion with the citizens in the Hillcrest Drive area to figure out what behaviors need to be resolved and how it could be enforced.

REPORTS

a. Mayor.

i. Police Chief Position. Council Member Ashbrook questioned if a Police Chief is still a consideration or if the matter could be removed from future agendas, as it has been on the agenda for a long time but never discussed. If it is removed and becomes a consideration in the future, it could be added back on to the agenda. President Yerman stated it could be removed.

ii. Fireworks Reminder. Mayor Conrad reminded the Borough residents fireworks need to be ignited at least 150 feet away from a dwelling, even if the building is closed because it is still considered a dwelling. He commented due to the proximity of the buildings, there is nowhere in the Borough fireworks could be set off. Residents should call the MPD to enforce the fireworks law.

b. Manager.

i. Basement Flooding. Borough Manager Glisson reported four homes on South Church Street had basement flooding during the last hard rainfall, which was caused by ADA ramp installation

construction. Public Works Supervisor Tracy Smith filled the areas with stone to redirect the stormwater so it would not go into the basements. The contractor will be working with the property owners to repair the damage. President Yerman clarified the contractor should be working with the property owners and the Borough should not be involved. Borough Manager Glisson stated the Borough would be providing oversight to ensure the work is done to the property owners' satisfaction.

ii. Donation. A thank you letter was sent to the Woman's Club of Macungie for their donation to the Macungie Institute.

iii. Jeffrey and Steffany Hartman (collectively, the "Hartmans") Sidewalk Installation. Borough Manager Glisson sent the Hartmans an email notifying them they need to install the sidewalk on their property by the end of August 2020.

c. Committee – None.

UNFINISHED BUSINESS – PART I.

a. Consideration of Residential Rental Ordinance 2018-06 Amendment. No discussion.

b. Employee Handbook Manual Dress Code Revision. Borough Manager Glisson discussed the new language and reason for the revised language, which was done to include allowance for the bicycle police and Public Works Department to wear shorts. He stated the only change in the language is that in parentheses. The proposed revisions for Page 18

1. F. *Personal Appearance*, would then read:

... "Borough employees should dress in an appropriate and professional manner. Shorts (except those uniform shorts allowed for Public Works employees by contract and shorts authorized within the Police Department, by the Chief and/or Officer in Charge, e.g. bike patrol, undercover work, etc.), tennis shoes, flip flops, revealing clothing and/or other attire deemed inappropriate and/or unprofessional by the Borough Manager and/or Borough Council shall not be worn by Borough employees during regular working hours." ...

Council Member Schleicher made a motion to accept the new language for the Employee Handbook Manual Dress Code revision, second by Council Member Rutledge. Motion carried: 7 ayes.

UNFINISHED BUSINESS – PART II

a. Get the Macungie Institute Trustees ("Trustees") Functioning Again (Council Point of Contact; Council Member Hanosek). Council Member Hanosek reported the recent Trustees meeting went well; Trustee Greg Hutchison was contacted and he attended the meeting.

i. Macungie Institute HVAC Plan - No discussion.

ii. Possible Long-Term Rentals - No discussion.

b. Verizon Proposal to Place 5G Antennas in Five Locations and Proposed Ordinance for Wireless Communications (at Planning Commission). Solicitor Armstrong reported he sent his comments on the Contract to the Verizon representative a couple of weeks ago and is waiting for a reply.

c. Interim Act 537 Plan (Wastewater Treatment Plan for LVA - at Planning Commission; Council to vote on 3 Aug. Meeting). No action or discussion.

d. Approve New Zoning Hearing Board Fees - Resolution 2020-03 Revised. Borough Manager Glisson discussed the proposed language change, which would include a rate increase for Commercial Appeals to \$850.00 (from \$670.00), plus the actual costs for advertising and Mail Certified Notices. The Residential Appeal rate would remain the same at \$370.00.

Borough Manager Glisson then stated only the first page of Resolution 2020-03, reflecting the changes, was provided to Council because the other 10 pages of the Resolution are remaining the same.

Council Member Schleicher made a motion to accept the revisions to Resolution 2020-03, second by Council Member Rutledge. Motion carried: 7 ayes.

e. Website Issues. Three proposals were received for the Borough computers. President Yerman stated none of the proposals included fixing the Administrative Assistant's computer issue(s); the proposals were on their company's services, which make them money, and not the Borough's needs. Proposals from ~~other~~ the same Information Technology (IT) firms will be sought with more specific requirements.¹

f. Request for Chapter 230 Nuisances Ordinance Change - Proposal for Progress in Hillcrest Neighborhood. No discussion.

g. Approve Grant Signatories for Lumber Street Streetlights. Solicitor Armstrong discussed the process for the grant request, including the requirement for a resolution to be adopted. Borough Manager Glisson stated the grant contract would not be changed, but he would confirm this with his contact. He also reported Barry Isett & Associates is already working on the bid for the streetlight poles. The Borough will get 3 bids for connectors and wiring.

President Yerman made a motion to authorize Borough Manager Glisson and Council President Yerman to sign the contract. Motion carried: 7 ayes.

NEW BUSINESS

a. Brookside Country Club ("BCC") Development Status. Council Member Rutledge reported BCC would be attending the August 18, 2020 Planning Commission meeting to provide an update.

¹ At the August 03, 2020 Council meeting, President Yerman clarified the proposals sought would be from the same Information Technology (IT) firms, but with more specific requirements.

b. Unregistered Residential Rental Properties Letter. Zoning Officer, Joseph Peterson, prepared a letter to the 215 property owners of residential rental properties that have not registered their property with the Borough yet. Borough Manager Glisson stated this letter is for Council’s information and no action is required tonight. He discussed the letter and reported the required registration form per unit, with accompanying \$30.00 application fee, would be due to the Borough within 10-days from the date of the letter.

c. Approval of Funding Draw #8, in the amount of \$23,178.25 to Sewer Fund. Borough Manager Glisson explained the Draw and the work that would be performed.

Council Member Akinjiola made a motion to approve Sewer Loan Fund Draw #8, in the amount of \$23,178.25, second by Council Member Rutledge. Motion carried: 7 ayes.

d. Approval of Resolution 2020-09 for Main Street Streetscapes Phase V Multimodal Grant Application. This Resolution is required for the Multimodal Transportation Fund grant application, in the amount of \$1,561,230.00, from the Commonwealth Financing Authority, which is to be used for Phase V of Downtown Streetscape Improvements. President Yerman stated the only fee the Borough would pay is the \$100.00 application fee and Council is making it really clear in the application that the Borough would not be contributing any money and wants a waiver from the matching funds requirement; and if they don’t waive the fees, all of Council has already agreed they would turn down any grant funds awarded.

Council Member Yerman made a motion to approve Resolution 2020-09 for Main Street Streetscapes Phase V Multimodal Grant Application, conditioned upon the matching funds requirement being waived, second by Council Member Bloch. Motion passed: 6 ayes and 1 nay.

Roll Call Vote: Akinjiola – aye Ashbrook – nay
 Bloch – aye Hanosek - aye
 Rutledge – aye Schleicher – aye
 Yerman – aye

Motion Passed.

e. Memorial Plaque Consideration, re: Passing of Norman Havlish. Mr. Havlish passed away on July 10, 2020. Council Member Schleicher discussed his volunteer contributions to the Borough, which included being a good neighbor, participating in Borough events, and he was a youth basketball and soccer coach for Macungie Youth Association; he was also a Council Member from January 23 1989 (filling a vacancy) through September 05, 1995, when he resigned from the position to move to Lower Macungie Township.

Council Member Schleicher nominated Norman Havlish’s name to be placed on the Memorial Plaque, second by Council Member Yerman. Motion Passed: 7 ayes.

f. Council Discussion for Meetings to Resume at Macungie Institute. No discussion.

g. Status of Stone Hill Meadows Stormwater Impact at Allen Organ. President Yerman discussed the stormwater runoff that is going onto the Allen Organ property from the Stone Hill property, which is causing issues. The Developer has been made aware of the problem. Borough

Manager Glisson, Engineer Wojciechowski, an Allen Organ representative and the Stone Hill Developer will meet to discuss the issue(s).

President Yerman recalled the flooding issue on Willow Street during a past hard rainfall. Borough Manager Glisson, Engineer Wojciechowski and the Stone Hill Project Manager walked around the construction site and found several issues. Borough Manager Glisson reported when he visited the site again regarding the inlets, he noticed sandbags that would redirect the stormwater into the inlets. He anticipates Stone Hill will continue to work on the problems. Lower Macungie Township is also concerned about the water runoff issue(s).

h. Public Works Department (“PWD”), re: Report on Upcoming Projects. President Yerman provided the history on why Council requested a report. Council requested they receive a monthly update from the PWD showing what work has been completed. There was a discussion on if the PWD would be doing paving work in the Borough. President Yerman explained some of the issues that arose when they do the paving (i.e., other work in the Borough does not get done when they are paving and when other Municipality crews help the Borough PWD in turn they help the other Municipalities, plus the streets are under construction for longer periods of time compared to when a third-party does the work). The Borough PWD will pave smaller jobs and the larger jobs will be farmed out to a third-party.

ITEMS NOT ON AGENDA (Mayor and Council Members Only).

a. Council Member Schleicher questioned why the Borough flags are at half-staff and if they can resume full-staff. Borough Manager Glisson will check into this.

b. Council Member Bloch questioned: (1) if the Hartmans sidewalk installation will be completed by the time the new bank’s sidewalks are completed, or if the Hartman’s will drag on installing it. President Yerman stated the deadline for installation has been moved several times and the new deadline is the end of August 2020, then Council will decide if the Borough would install the sidewalk for them and lien the property; and (2) how the wreaths would be attached to the Main Street streetlights, since the bars were removed. Council Member Schleicher stated the wreaths will ~~be attached on top of the globes by a bracket~~ go around the globes and attach to the light pole itself, not on the ~~poles~~ bars that were removed² Council Member Bloch commented he did not believe the lids on top of the lights would be strong enough to hold the wreaths. Council Member Schleicher commented the company that sold the wreaths would not have sold them to the Borough if they could not be attached to the lights and the booklet showed them attached to light poles.

read “Council Member Schleicher stated the wreaths will ~~be attached on top of the globes by a bracket~~ go around the globes and attached on top of the globes by a bracket to the pole itself, not on the ~~poles~~ bars that were removed.”

EXECUTIVE SESSION, IF NECESSARY – At the request of Borough Manager Glisson, President Yerman called for an Executive Session at 9:02 p.m. to discuss a personnel matter. The

² At the August 03, 2020 Council meeting, Council Member Schleicher clarified the wreaths would go around the globes and attach to the light pole itself, not on the bars that were removed.

regular Council meeting reconvened at 9:15 p.m. President Yerman announced no decisions were made but a future proposal will be discussed.

ADJOURNMENT - Hearing no further business, Council Member Rutledge made a motion to adjourn the July 20, 2020 meeting at 9:16 p.m., second by Council Member Bloch. Motion carried: 7 ayes.

Respectfully submitted,

/s/ *Selma Ritter*

Selma Ritter
Administrative Assistant