

ATTENDANCE

Council Members:	Angela Ashbrook Alma Akinjiola Barry Bloch Ryan Hanosek Todd Rutledge Roseann Schleicher, Vice-President John Yerman, President
Mayor:	Ronald Conrad
Interim Borough Manager:	Chris L. Boehm
Solicitor:	Patrick Armstrong
Engineers:	Stan Wojciechowski (7:30 p.m. to 7:48 p.m.)
Administrative Assistant:	Selma Ritter (7:30 p.m. to 8:22 p.m.)

CALL TO ORDER

President John Yerman then called the regular Borough Council meeting to order at 7:30 p.m.

ENGINEER’S MONTHLY REPORT (the “Report”) – BARRY ISETT & ASSOCIATES (“BIA”). Engineer Stan Wojciechowski discussed his January 04, 2021 report.

a. Lumber Street Decorative Streetlight Bid Award. Fromm Electric was the apparent low bidder at \$22,800.00 (base bid, 6 streetlights), \$26,600.00 (base bid, plus Alternate to add one streetlight). BIA recommended Council accepts Fromm Electric’s bid.

Motion #1. Council Member Schleicher made a motion to award the base bid of six lights, plus one alternative light, in the amount of \$26,600.00, to Fromm Electric, second by Council Member Bloch. Motion carried: 6 ayes and 1 abstain (Council Member Rutledge abstained from the vote because he works for Fromm Electric).

Interim Manager Boehm suggested electrical outlets be installed on the streetlights, as they did not come with them already installed. She noted there is approximately \$11,305.00 of unused grant funds that could be used to fund the cost. Council Member Rutledge stated photocells and electrical receptacles could be installed inexpensively on the streetlights.

Motion #2. Council Member Yerman made a motion to authorize a change order to add electrical outlet receptacles and button style photocells in each individual streetlight pole on Lumber Street (the same setup as those on the Main Street streetlights), subject to the cost being within the awarded grant fund amount and the technical constraints of the installation, and to purchase extra spare parts to store at the Borough Public Works garage for future repairs, second by Council Member Schleicher. Motion carried: 6 ayes and 1 abstain. (Council Member Rutledge abstained because he works for Fromm Electric.)

Interim Manager Boehm stated no electrical outlet installation work be done until after she, Council Member Rutledge, Public Works employee Michael Smith and Engineer Stan

Wojciechowski compile a cost estimate and change order to present to Council as one unit for their approval.

b. Report Discussions. The following items listed in the Report were discussed in more detail:

i. Bridge Damage. After Tropical Storm Isaias in August 2020, the Borough's vehicular bridges over Mountain Creek were inspected:

- Cotton Street Bridge Damage. The bridge's concrete cutoff walls in front of the stone abutments were damaged and, in some locations, torn apart from the walls. On December 21, 2020 Council awarded the repair bid contract to J. Phillips Excavating & Hauling, LLC, for the amount of \$25,960.00. The contracts have been sent to J. Phillips for signature. The contractor will submit the executed contract to Borough Hall tomorrow for the Borough's signature. The contractor anticipates the job will take two weeks, beginning mid-January 2021.

- Hickory Street Bridge. The center piers, bridge deck and abutments were damaged. BIA determined the bridge is no longer serviceable and closed it to vehicular traffic. PEMA/FEMA disaster funding to fix the bridge has been denied. BIA will continue to seek grants to fund the repairs.

ii. Main Street Streetscape, Phase 4. The bricklayers, Eastern States Paving, has completed their work. Mohawk requested a walk through to determine if there are any deficiencies with their work that require correction. Council Members Bloch and Rutledge (if he is available), along with Zoning Officer Joseph Peterson, will attend the walkthrough to inspect the work and prepare a preliminary punch list.

iii. Borough Authority Projects.

- South Church Street Water Lateral Replacement. A grant was awarded in the amount of \$155,341.63. The Borough Authority is required to match the grant funds in the amount of \$27,413.23, which will cover Engineering (\$12,076.31), Bidding & Inspections (\$9,661.05) and Project Contingencies (\$5,675.87). Bidding documents will be presented to the Borough Authority on January 14, 2021.

ii. Developer's Review/Observation:

- The Estates at Brookside. The Developer is working on gathering the necessary documentation of the dedication as discussed at the December 07, 2020 Council meeting. Once compiled, the documents will be presented to Council at a future meeting.

- Stone Hill Meadows, Phase 3. BIA will attend an on-site meeting with the Developer, Developer's Engineer and Lower Macungie Township's ("LMT") Engineer on January 06, 2021 at 1:00 p.m. to review the required measures, including completion of the improvements along Spring Street.

- Main Street Commons. The contractor could not complete the wearing course before the cold weather set in. However, they were able to provide grading with asphalt to address the drainage concerns on the main driveway, which is a temporary fix until Spring 2021.

PUBLIC COMMENT

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

COUNCIL COMPLIMENTS, COMPLAINTS, PETITIONS AND APPEALS

- a. Council Member Rutledge thanked the Borough Public Works Department and Macungie Police Department for a job well done with snow removal during the last storm.

APPROVAL OF MINUTES

- a. December 09, 2020 (Budget Workshop). Council Member Schleicher made a motion to approve the December 09, 2020 minutes, as written, second by Council Member Akinjiola. Motion carried: 7 ayes.
- b. December 14, 2020 (Budget Workshop). Council Member Rutledge made a motion to approve the December 14, 2020 minutes, as written, second by Council Member Schleicher. Motion carried: 7 ayes.
- c. December 16, 2020 (Budget Workshop). Council Member Akinjiola made a motion to approve the December 16, 2020 minutes, as written, second by Council Member Rutledge. Motion carried: 7 ayes.

CONSENT AGENDA

- a. Treasurer's Report of December 31, 2020. Interim Manager Boehm commented the ending balance (\$431,686.75) was higher than anticipated. She suggested Council make a list of items that were cut from the 2021 Budget for Council to reconsider funding in 2021.

Council Member Rutledge made a motion to approve the December 31, 2020 Treasurer's Report, as presented, second by Council Member Schleicher. Motion carried: 7 ayes.

- b. Approval of invoices for payment. Some of the invoices listed on the Consent Agenda were briefly discussed.

Council Member Schleicher made a motion to approve paying the invoices listed on the Bills for Payment, as of January 05, 2021, in the amount of \$166,604.32, as presented, second by Council Member Rutledge. Motion carried: 7 ayes.

CORRESPONDENCE

- a. Ronald Beitler, re: Regional Sewer Capacity Issues. In his correspondence, dated December 30, 2020, Mr. Beitler stated LMT "will be drafting a resolution to send to the attention of Federal and State Officials early next year in an effort to raise attention to regional sewer capacity issues, administrative order and the Kline's Island financial time bombs. We want to ensure that there is an infrastructure bill in 2020 that our federal reps are advocating hard for us.

To that end, before we write the resolution we wanted to try to get on Susan's [Wild] calendar early Jan for a zoom meeting." He inquired if anyone from Alburtis and/or Macungie Borough's would be interested to sit in on the meetings.

Interim Manager Boehm suggested a meeting to obtain background information on the matter. Council Member Yerman and BIA Engineer, Harry Garman, will attend the meeting.

b. Betty Silfies, re: Resignation as Planning Commission Member. She resigned her position as a Planning Commission Member due to moving out of the Borough.

Council Member Yerman made a motion to accept Betty Silfies resignation, and to thank her for her service to the Borough, second by Council Member Schleicher. Motion carried: 7 ayes.

c. Macungie Volunteer Fire Department ("MVFD"), re: 2021 Building Trustees List. The list stated the Trustees should be contacted if there are any issues with the building.

d. Burn Prevention Network, Certificate of Merit Awarded to Macungie Volunteer Fire Department ("MVFD"). The MVFD was recognized for the extraordinary seamless teamwork they displayed with assisting to save 87 lives under very challenging circumstances at the Heather Glen Senior Living fire on September 22, 2019.

e. County of Lehigh, re: Small Business Administration ("SBA") Loans. The notice, dated December 22, 2020, stated SBA was offering low interest disaster loans to businesses and residents of Lehigh County that were affected by Tropical Storm Isaias on August 04, 2020. Interested parties can contact Lehigh County's Emergency Manager Office at (610) 782-4600 or they can apply online at DisasterLoan@sba.gov. President Yerman suggested the notice be mailed to property owners along Main Street in the Borough who were affected.

f. PennDOT, re: Route 100 & West End Trail Traffic Signal. The correspondence stated as of December 16, 2020, the thirty (30) day test of the new traffic signal equipment ended. It is PennDOT's understanding the final paving and pavement markings will be completed by the contractor [Main Street Commons] in Spring 2021.

g. Municipal Retirement Trust, re: November 2020 Monthly Trust Report. No comments or discussion.

## REPORTS

a. Mayor Conrad wished everyone a Happy New Year.

b. Solicitor.

i. Ownership of Walls on Mountain Creek at Route 100. No discussion.

c. Borough Manager.

i. Authorization to Advertise for Borough Manager Position. The matter will be discussed in Executive Session later this evening.

ii. CDL Drug and Alcohol Testing Consortium. In October 2020, the Borough received a letter from Whitehall Township stating they would no longer be facilitating the drug and alcohol testing for the Lehigh County Consortium and, at that time, no other municipality offered to facilitate the Consortium. Several of the other municipalities formerly in the Consortium are now using St. Luke's testing services. Interim Manager Boehm discussed the matter with St. Luke's and was informed their fees would be less than the Borough is currently paying. If approved, the PWD crew would be utilizing the St. Luke's facility on Route 100 and they would be included in a PennDOT pool of CDL drivers, which is needed for the Borough's small crew. A contract for St. Luke's services was distributed to Council for their consideration tonight. If approved, an Ordinance may be need, if determined by the solicitor.

Council Member Rutledge made a motion to approve President Yerman to sign of the DOT Regulated Random Testing Consortium Agreement with St. Luke's, second by Council Member Yerman. Motion carried: 7 ayes.

d. Committees – None.

#### UNFINISHED BUSINESS

a. Residential Rental Ordinance 2018-06 2021-01, Public Hearing 01/04/2021. It was noted Ordinance 2021-01 is an amendment to the previously adopted Ordinance 2018-06 and checklist.

President Yerman opened the Public Hearing at 8:04 p.m. There were no comments or questions from Council Members or the public on Ordinance No. 2021-01 and/or its accompanying Attachment A (Checklist). President Yerman then closed the Public Hearing at 8:05 p.m.

Council Member Rutledge made a motion to adopt Ordinance 2021-01, second by Council Member Akinjiola. Motion carried: 6 ayes and 1 nay (Council Member Bloch opposed).

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

Motion Passed.

b. Verizon Proposal to Place 5G Antennas in Five Locations and Proposed Agreement for Wireless Communications for Council consideration (Ordinance at Planning Commission). No discussion.

c. Public Works Department, re: Monthly Report on Upcoming Projects; Due at 2<sup>nd</sup> Council Meeting of month. No discussion.

d. Streets; Reports of Flooding. President Yerman stated the reports were tracked and no further flooding issues were noted. The matter will be removed from future Council Agendas.

e. Estates at Brookside Request to Forgo the Maintenance Period Requirement. No discussion.

- f. Stone Hill Meadows Outstanding Invoices Add Number. “Add number” was deleted because it was an internal note. Interim Manager Boehm reported the invoices have been paid.
- g. Committee Vacancies.
1. Planning Commission Vacancy, term expiring 03/31/2022. No discussion.
- h. Katie Swartwood Request for Reimbursement of Repair Costs for Broken Water Pipe. A claim has been filed with the Borough insurance company and the Borough is awaiting a reply.
- i. Public Works Department Equipment Replacement Plan – Template Provided, Waiting for Public Works Supervisor Tracy Smith to Respond. A template containing the equipment’s name, age, anticipate life span and cost to replace it was requested from the Public Works Supervisor, Tracy Smith. President Yerman suggested some of the Borough 2020 surplus funds be set aside for the equipment replacement.

#### NEW BUSINESS

- a. Borough Clerk/Assistant Treasurer Appointment. Second interviews were held for the two top candidates.

Council Member Schleicher made a motion to offer Brenda Bower the full-time position as Borough Clerk/Assistant Treasurer, at the rate of \$21.00 per hour, beginning January 11, 2021, contingent upon her credit and background checks coming back good, second by Council Member Bloch. Motion carried: 7 ayes.

- b. Appointment of Kevin Wieder to the Vacancy Board, for a 1-year term expiring 12/31/2021. Interim Manager Boehm explained the Vacancy Board consists of one person and is used only when a Council Member resigns and Council cannot agree on a replacement within the 30 day time period. The Vacancy Board works with Council to fill the position.

Council Member Bloch made a motion to appoint Kevin Wieder to the Vacancy Board, for a 1-year term expiring December 31, 2021, second by Council Member Yerman. Motion carried: 7 ayes.

- c. Appointment of Chris Becker to the Water Authority, for a 5-year term expiring 12/31/2025. Council Member Schleicher made a motion to appoint Christopher Becker to the Water Authority, for a 5-year term expiring December 31, 2025, second by Council Member Bloch. Motion carried: 7 ayes.

- d. Purchasing Threshold. At their May 04, 2020 Council established a threshold policy for discretionary purchases of \$1,500.00 or more. Purchases at or over the threshold amount require Council’s approval before the purchase is made. There was a discussion on lowering the threshold to \$750.00 or \$1,000.00. Interim Manager Boehm commented a \$1,000.00 threshold would be better so monthly reoccurring invoices over \$750.00 could be paid without delay.

ITEMS NOT ON AGENDA (Mayor and Council members only) – None.

EXECUTIVE SESSION, IF NECESSARY – President Yerman called for an Executive Session at 8:22 p.m. to discuss financial and personnel issues. The regular Council meeting reconvened at 9:23 p.m. with no action taken.

ADJOURNMENT

Council Member Bloch made a motion to adjourn the meeting at 9:23 p.m., second by Council Member Rutledge. Motion carried: 7 ayes.

Respectfully submitted,

/s/ *Selma Ritter*

Selma Ritter  
Administrative Assistant