

CALL TO ORDER

President Chris Becker called the August 15, 2016, meeting of Macungie Borough Council to order at 7:30 p.m. in Borough Council Chambers, Borough Hall, 21 Locust, Macungie, PA.

ATTENDANCE

Council Members:	Alma Akinjiola
	Chris Becker
	Roseann Schleicher
	John Yerman
Mayor:	Gary Cordner
Borough Manager:	Chris L. Boehm
Solicitor:	Patrick Armstrong
Administrative Assistant:	Cynthia Hartzell
Absent:	David Boyko
	Greg Hutchison
	Marvin Moyer

PUBLIC COMMENTSa. Prior Public Comments to Council

1. Tim Romig questions regarding Creek Alley Vacation – President Becker noted there were three questions that were unable to be answered and were provided in a memo to Council. He read the memo indicating the cost to repair Creek Alley was \$87,732.45 from a Cost Opinion from BIA to excavate and repave Creek Alley with sidewalk, the length of Creek Alley was approximately .10 of a mile or about 510 feet and Creek Alley is part of the street list for liquid fuel funds.

b. Public Comments

1. Connor Lysek – Waiver from Borough Code Section 141-2 Burning Outdoor, would like to construct a flag retirement facility (burning pit) to hold flag retirement ceremonies to burn flags on the property of the VFW, 287 Lehigh Street. He presented construction drawings of the facility and the location of the facility on the property. He has spoken to Zoning Officer Nicholson and the Borough ordinance does not allow for any outside burning except for cooking purposes. The state code has an exception for ceremonial purposes. He asked Council to waive the no burning regulation for the flag retirement burning ceremonies. Kurt Lysek, father to Connor, commented the closest place for a flag retirement ceremony is a distance from here. These ceremonies are done about 3 or 4 times per year.

Solicitor Armstrong suggested amending the ordinance to allow for flag burning ceremonies. After some discussion, Council suggested placing signage that this facility can only be used for flag retirement burning ceremonies.

Council Member Schleicher made a motion to conditionally grant a waiver for official flag burning ceremonies by the Boy Scouts to be done at the VFW, second by Council Member Akinjiola. Motion carried: 4 ayes

2. Mick Seislove – Parade Route Run October 22 – Mick Seislove informed Council that the Lower Lehigh Lions Club would like to hold a fun run before the Halloween Parade. This is to help fund the parade and a community project. The run would start at 6:45 p.m., run the 2-mile parade route and the parade would start at 7:15 p.m. He requested to have the section of South Buttonwood Street closed with no parking between Main Street and Hickory Street for the staging area for the run signups starting at 5 p.m.

Dave Briggs, Lower Lehigh Lions Club parade coordinator, commented he has been the coordinator for a few years and is trying to build up the parade. He noted the cost to have bands at the parade and hoped this will help offset those costs.

Council Member Yerman made a motion to approve the request to close South Buttonwood Street between Main Street and Hickory Street with no parking subject to receiving a formal written request, second by Council Member Schleicher. Motion carried: 4 ayes

### SEWER REHABILITATION PRESENTATION

Harry Garman, Borough Sewer/Water Engineer, attended the meeting to further discuss the sewer rehabilitation required by the EPA Administrative Order (AO). He provided maps showing the priority of rehabilitation to sections of the sewer lines and the cost. He talked about the cured-in place lining to be done in the sewer lines, lining of the laterals from the main to the property line and manhole rehabilitation.

President Becker asked Engineer Garman to prepare an engineer cost estimate for the rehabilitation work. Engineer Garman will prepare the cost estimate for Council.

### COUNCIL COMPLIMENTS, COMPLAINTS, PETITIONS AND APPEALS

- a. Council Member Schleicher commented she is happy with the condition of Race Street since being repaved. She complimented the Public Works crew for doing a good job. President Becker also complimented the Public Works crew for their work on Race Street.
- b. Council Member Schleicher thanked Officer Todd Bernhard for the Coffee with the Cops and Pizza with Police events. She attended the meetings and noted they were well attended.

### APPROVAL OF MINUTES

- a. July 18, 2016 meeting – Council Member Akinjiola made a motion to approve the July 18, 2016 Council minutes as presented, second by Council Member Schleicher. Motion carried: 4 ayes
- b. August 1, 2016 public hearing and meeting – Council Member Akinjiola made a motion to approve the August 1, 2016 Council minutes as presented, second by Council Member Schleicher. Motion carried: 4 ayes

### APPROVAL OF BILLS FOR PAYMENT

Council Member Yerman made a motion to approve the bills for payment totaling \$226,280.31, second by Council Member Schleicher. Motion carried: 4 ayes

CORRESPONDENCE

- a. Karen Holt, Macungie Institute Building Coordinator, July Monthly Report
- b. Lower Lehigh Lions Club, re: Invite to participate in Macungie Halloween Parade
- c. State Public Employee Retirement Commission, re: Notice of 2016 Distress Determination
- d. LC Board of Assessment Appeals, re: 98 Maple Street Appeal Hearing Notice
- e. Hatboro Dog Club Inc, re: Request for traffic control services from the Macungie Fire Police on October 6-7, 2016
- f. Municipal Retirement Trust June Monthly Report
- g. Laurie Dudash, re: Resignation from Macungie Police Department
- h. Thomas Dinkelacker, Dimmich, Dinkelacker & Anewalt, P.C., re: Emmaus Borough Zoning Ordinance & Map Amendment
- i. Macungie Ambulance Corp July Monthly Report

REPORTS

- a. Solicitor Armstrong
  1. Per Capita Tax Ordinance Amendment - Solicitor Armstrong provided a draft copy of an ordinance to add a military exemption to the Per Capita Tax. President Becker spoke to him prior to the meeting and he is rewording the active military service definition. After some discussion, Council directed Solicitor Armstrong to add the Burning Outdoor amendment to this ordinance. This ordinance will be revised.

Council discussed the use of fire pits and chimineas in the Borough.

2. Defined Contribution Pension Ordinance - Solicitor Armstrong noted he will have the proposed ordinance for Council to review. He explained there will be 2 different ordinances for the 2 different pension plans – defined benefit plan that new employees after January 1, 2016 are not eligible for and defined contribution plan for new employees after January 1, 2016.

Council Member Yerman suggested giving the option to the employee to opt out of the defined contribution pension. Solicitor Armstrong will check with PSAB if that can be done. Solicitor Armstrong will have the draft ordinance for Council for the September meeting.

3. Service Electric Cable Franchise Agreement Renewal - Solicitor Armstrong has tried to contact Service Electric but has not heard back from them.

b. Mayor

1. Police Vehicles - Mayor Cordner did not have any update on Sergeant Kocher's memo on the police vehicles. Mayor Cordner and President Becker will talk to Sergeant Kocher.
2. Church Street speed and truck enforcement - Mayor Cordner reported he passed the comment about speeding and truck enforcement on Church Street to Sergeant Kocher.
3. Use of retarder brakes on Main Street - Mayor Cordner commented that Borough Manager Boehm is waiting to hear back from PennDOT to get information.
4. Junior Council Member - Mayor Cordner noted he may have 2 candidates for Junior Council Member. He will keep Council updated.

b. Borough Manager

1. Next Meeting is Tuesday, September 6<sup>th</sup> – Council discussed earlier in the meeting about having a quorum for the September 6<sup>th</sup> meeting. Borough Manager Boehm suggested it be best to cancel the meeting. Council decided to cancel the September 6<sup>th</sup> meeting. The next meeting will be September 19<sup>th</sup>.
2. 2016 CIPPL Bid – Borough Manager Boehm reported the bid opening for the CIPPL work was held Wednesday. She provided the bid tabulation and noted Keystone Engineering is checking on the lowest bidder. She will have a recommendation for the next meeting.

c. Committees – No reports

UNFINISHED BUSINESS – PART I – No unfinished business for Part I

UNFINISHED BUSINESS – PART II

- a. Main Street Streetscape Plan - President Becker and Borough Manager Boehm met with Bryan Smith, BIA, to discuss the work in the vicinity of the railroad tracks. Norfolk Southern wants one of their flagman at the crossing during the installation of the ramps because of maneuvering in the railroad right-of-way and safety. This is a large cost from Norfolk Southern. Mr. Smith amended the streetscape plan at the railroad tracks and lowering the cost of the streetscape plan. That change in cost can be put toward the Norfolk Southern cost. As requested by PennDOT, Borough Manager Boehm sent a copy of the resolution indicating the Borough has funds for the traffic light.
- b. SW Lehigh Comprehensive Plan – Next Meeting 8/23 at Lower Macungie Township
- c. Rental Inspection Program
- d. LTD Capital Projects
  1. Cotton Street – Project is on schedule.
  2. Church Street Traffic Light

e. 90-day Trial Period for Dock Street one way traveling east, expires October 12<sup>th</sup> – Council discussed the need to adopt an ordinance for Cotton Street before it is completed and to include Dock Street. It was noted the ordinance would be adopted before the 90-day trial period ends for Dock Street.

After further discussion, Council Member Yerman made a motion to prohibit entering Cotton Street from Church Street at the west end on a 90-day trial period effective when Cotton Street is opened to be solidified by a permanent ordinance as time permits, second by Council Member Schleicher. Motion carried: 4 ayes

### NEW BUSINESS

a. Request for traffic control services from the Macungie Fire Police on October 6-7, 2016 – Council Member Schleicher made a motion authorizing the assistance of the Macungie Fire Police on October 6 and 7, 2016 for traffic control, second by Council Member Akinjiola. Motion carried: 4 ayes

b. Resolution 2016-16, Disposition of Municipal Records - Council Member Akinjiola made a motion to adopt Resolution 2016-16, second by Council Member Schleicher.

Roll Call Vote:	Akinjiola – aye	Becker – aye
	Boyko – absent	Hutchison – absent
	Moyer - absent	Schleicher – aye
	Yerman – aye	

Motion carried.

c. Acceptance of Resignation from Laurie Dudash from the Macungie Police Department - Council Member Akinjiola made a motion to accept the resignation of Laurie Dudash as a part time police officer with the Macungie Police Department with regret, second by Council Member Schleicher. Motion carried: 4 ayes

d. Approve Police Department insulation quote – Building Maintenance Smith obtained 3 quotes to insulate the Police Department with spray insulation. During the previous winters the Department was unable to retain the heat comfortably. Building Maintenance Smith recommended hiring Spray Foam Technologies Inc. for the insulation project at the cost of \$6,124.64. President Becker suggested this project should be paid with part of the funds that were to be placed in the Capital Fund for the Police Department renovations. Borough Manager Boehm noted a pre-work meeting will have to be held with the Police Department since no one can be in the area during the work because of the toxic fumes.

Council Member Akinjiola made a motion to hire Spray Foam Technologies to do the insulation project at a cost of \$6,124.64 and to use part of the budget amount for the Police Department renovations, second by Council Member Schleicher. Motion carried: 4 ayes

e. Comments on Emmaus Borough Zoning Ordinance & Map Amendment – Borough Manager Boehm noted Emmaus is creating an age qualifying community overlay in their Borough. The Planning Commission reviewed this information at their August 9<sup>th</sup> meeting and had no comments. Council had no comments on Emmaus' zoning and map amendment. Borough Manager Boehm will inform Emmaus.

f. Resolution 2016-17, PA Small Water and Sewer Program grant - Borough Manager Boehm explained she is submitting a grant application for sewer rehabilitation for \$425,000 and the Borough's match is \$75,000. This Resolution must accompany the grant application.

Council Member Yerman made a motion to adopt Resolution 2016-17, second by Council Member Schleicher.

Roll Call Vote:	Akinjiola – aye	Becker – aye
	Boyko – absent	Hutchison – absent
	Moyer - absent	Schleicher – aye
	Yerman – aye	

Motion carried.

g. Sewer Rehabilitation Project Financing – Borough Manager Boehm provided information for financing for the sewer project from Gary Pulcini for 15, 20 and 25 year terms. Council discussed the length of the loan. Borough Manager Boehm provided the projected sewer rates that would affect the residents. There were three issues that should be looked at: 1) need to find out if the borough can finance due to having a current loan; 2) what is the maximum amount the Borough can borrow? This financing is a bond because of the large amount; and 3) look at a debt schedule for 10 years.

Borough Manager Boehm will look for grants to help with funding.

ADJOURNMENT

Hearing no further business to be brought before Borough Council, the meeting was adjourned at 10:24 pm.

Respectfully submitted,

Cynthia Hartzell  
Administrative Assistant