

CALL TO ORDER

President Chris Becker called the October 17, 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
		David Boyko
		Roseann Schleicher
Borough Manager:		Chris L. Boehm
Solicitor:		Patrick Armstrong
Administrative Assistant:		Cynthia Hartzell
Absent:		Greg Hutchison
		Marvin Moyer
		John Yerman
		Mayor Gary Cordner

PUBLIC COMMENTS

a. Prior Public Comments to Council

1. Paul Smith, 421 E Main Street, Macungie – President Becker noted a macadam berm was placed along Fern Street to address Mr. Smith’s runoff concern.

b. Public Comments

1. James Worst, 375 Longsdale Drive, Mertztown PA 19539, commented he was not a Borough resident but used Cotton Street as a bypass to the railroad crossing to drive to work in Emmaus. He remarked about the wait time to exit Church Street onto Main Street since he is unable to use Cotton Street and he thought site distance to pull out onto Main Street from Church Street was unsafe. Mr. Worst suggested placing yield signs at the Cotton Street bridge instead of stop signs.

President Becker informed Mr. Worst that a traffic light is scheduled to be installed in spring. President Becker conveyed the traffic light would help with the traffic at the intersection. President Becker noted a walking bridge is proposed to go across the creek in the future. But, at this time with the pedestrians crossing on the bridge, there is only one lane of traffic and the stop signs are needed to control the traffic. He remarked Council had a lot of discussions about Cotton Street prior to construction.

STONE HILL MEADOWS SKETCH PLAN

Attorney Jim Preston and Tom Dredge of Langan presented 2 sketch plans for the Stone Hill Meadows development. The 2 sketch plans were presented to the Planning Commission and they wanted to hear Council’s comments on the plans. The section in the Borough is Phase 3 of the development with the other 2 phases in Lower Macungie Township. Single family dwellings are proposed in 1 sketch plan which is a continuance of the theme of the other phases. Mr. Dredge remarked the 1st plan noted as Plan A has single family dwellings with .67 acre of open space and the 2nd plan noted as Plan B has

townhouses with about 2 acres of open space split between 3 parcels. He commented that phase 2 and 3 will be engineered together. They are proposing to have \$300,000-\$400,000 homes on a 5,000 square foot property. They proposed to pay the fee in lieu of open space for Plan A. Mr. Dredge noted there is about 74 acres in the Lower Macungie Township section. There was discussion that the whole development would have a private homeowners' association. The storm water will be directed into the Township. Borough Manager Boehm asked about the sewer since the Borough's sewer could not handle this amount and previous plans had the sewer flowing directly into the Lehigh County Authority interceptor. That would be part of the engineering as noted by Mr. Dredge. Council Member Boyko questioned if large vehicles such as trash trucks and fire trucks would be able to maneuver on the road system. Mr. Dredge noted that would be addressed during the engineering process.

Council preferred single family dwellings over townhouses. Council's comments will be taken into consideration. A revised plan will be taken before the Planning Commission.

COUNCIL COMPLIMENTS, COMPLAINTS, PETITIONS AND APPEALS – No compliments, complaints, petitions or appeals from Council

APPROVAL OF MINUTES

- a. October 3, 2016 meeting – Council Member Akinjiola made a motion to approve the October 3, 2016, Council minutes as presented, second by Council Member Schleicher. Motion carried: 4 ayes

APPROVAL OF BILLS FOR PAYMENT

Council Member Schleicher made a motion to approve the bills for payment totaling \$405,287.07, second by Council Member Akinjiola. Motion carried: 4 ayes

CORRESPONDENCE

- a. Macungie Police Department September Monthly Report
- b. Cory Fluck, re: Resignation from Macungie Police Department
- c. Macungie Fire Department September Response and Training Report
- d. Karen Holt, Macungie Institute Building Coordinator, September Monthly Report – Borough Manager Boehm reported Building Coordinator Holt commented there have been a few rentals with alcohol but there have not been any problems.
- e. Macungie Ambulance Corp September Monthly Report
- f. Emmaus Public Library, re: September Agenda, August meeting minutes & Director's Report and August Report
- g. Lower Macungie Township Land Use Assumption Report by KMS Design Group

REPORTSa. Solicitor Armstrong

1. Real Estate Tax Certification Ordinance - Solicitor Armstrong prepared the draft ordinance increasing the tax certification fee from \$15 to \$20. Solicitor Armstrong noted the amendment would need to be adopted before the next election prior to February 15, 2017.

Council Member Schleicher made a motion to authorize the Solicitor to advertise the ordinance for adoption, second by Council Member Boyko. Motion carried: 4 ayes

2. Council Member Boyko questioned if franchise fees could be collected for digital service. Solicitor Armstrong said there were no franchise fee for digital services.

b. Mayor

1. Use of retarder brakes on Main Street – This issue was tabled until the Mayor was present.

c. Borough Manager

1. Keep Pennsylvania Beautiful Grant Award – Borough Manager Boehm reported the Borough was awarded \$1,000 for the bump out planting in the Streetscape. She noted \$800 was already received and when the project is done, the \$200 balance will be received.

2. BIA Cost Proposal to prepare Pollution Reduction Plan – Borough Manager Boehm informed Council about the new regulations for the NPDES permit by DEP. She has been attending educational meetings on the new requirements. One requirement is to establish a pollution reduction plan. Borough Manager Boehm had BIA provide a cost estimate to do the plan. This will be discussed during budget workshop.

3. Budget workshop – Borough Manager Boehm reminded Council Monday, October 24th at 7 p.m. at Borough Hall is the first budget workshop.

4. Police Building Addition - President Becker noted the Police Department is proposing to put an addition on the north side of the building for a garage and holding cells. Borough Manager Boehm was concerned about the addition built partially on the adjoining property which is owned by the Borough but is not a tax exempt property and said the Solicitor would need to make a determination on how to address this matter. Council discussed doing a lot line adjustment or consolidation.

Council Member Boyko questioned how many times the cells would be used and if the addition is cost effective. President Becker noted this was only for information at this time.

5. President Becker had an invoice for 2 trees to be replaced at 151 S. Church Street and asked Council to approve a 25% deposit for the trees that would be paid out of contingency fund. These trees were removed during the Cotton Street Project and were not part of the project cost estimate. Council discussed the size of the replacement trees and the associated costs. Council approved the tree to be planted on the side of the house but questioned the location and type of tree to be planted in the front

corner. Borough Manager Boehm will have Code Enforcement Officer Nicholson look at the sight triangle exiting Cotton Street for placement of the tree.

d. Committees – No reports

UNFINISHED BUSINESS – PART I

a. Ordinance 2016-03, Per Capita Tax Exemption Amendment and Burning Outdoor Exemption Amendment - Solicitor Armstrong described the amendment to the Per Capita Tax and the Burning Outdoor Chapters of the Codification. He opened the public hearing and closed it after a comment from Council Member Boyko that the VFW is able to perform the flag burning ceremony without changing the Burning Outdoor Chapter. There were no public comments.

Council Member Boyko made a motion to adopt Ordinance 2016-03, second by Council Member Schleicher.

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

Motion carried.

b. Ordinance 2016-04, Defined Benefit Pension Plan - Solicitor Armstrong described the ordinance for the Defined Benefit Pension Plan for non-uniformed employees as per the Teamster Collective Bargaining Agreement. He opened and closed the public hearing with no comments.

Council Member Schleicher made a motion to adopt Ordinance 2016-04, second by Council Member Akinjiola.

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

Motion carried.

c. Ordinance 2016-05, Defined Contribution Pension Ordinance - Solicitor Armstrong described the ordinance for the Defined Contribution Pension Plan for eligible non-uniformed employees as per the Teamster Collective Bargaining Agreement. He opened and closed the public hearing with no comments.

Council Member Schleicher made a motion to adopt Ordinance 2016-05, second by Council Member Akinjiola.

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

Motion carried.

d. Ordinance 2016-06, Cotton Street One Way Ordinance - Solicitor Armstrong described the Ordinance adding the one way on Cotton Street and adding the stop signs located at the Cotton Street bridge. He opened the public hearing. There was a question from James Worst about the stop signs at the bridge. Borough Manager Boehm explained the reason for the stop signs at the bridge is because the pedestrian walkway on the bridge only allows for one vehicle traveling lane. Public hearing was closed.

Council Member Schleicher made a motion to adopt Ordinance 2016-06, second by Council Member Akinjiola.

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

Motion carried.

e. Ordinance 2016-07, Service Electric Cable Franchise Agreement - Solicitor Armstrong explained this ordinance is to adopt the franchise agreement with Service Electric Cable. He opened the public hearing. President Becker pointed out a section in the agreement that may address Council Member Boyko’s question for franchise fees for digital service. Solicitor Armstrong explained that section was part of the Gross revenue description which is what the franchise fees are based on. The public hearing was closed with no comment from the public.

Council Member Schleicher made a motion to adopt Ordinance 2016-07, second by Council Member Akinjiola.

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

Motion carried.

UNFINISHED BUSINESS – PART II

a. Main Street Streetscape Plan – The Borough is still waiting for Norfolk Southern Agreement to provide to PennDOT.

b. SW Lehigh Comprehensive Plan – Council Member Schleicher reported the committee continues to review the draft plan.

c. Rental Inspection Program

d. LTD Capital Projects

1. Church Street Traffic Light

NEW BUSINESS

a. Stone Hill Meadows Sketch Plan – This was addressed earlier in the meeting.

b. Resolution 2016-20, Refuse Fee for 2016 – 2017 – Borough Manager Boehm reported the rate is based on the current contract with Waste Management which has been extended for 1 year at the same 5th year rate. The rate remains at \$247.48 annually. Council Member Boyko made a motion to adopt Resolution 2016-20, second by Council Member Schleicher.

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

Motion carried.

c. Acceptance of Cory Fluck’s Resignation from the Macungie Police Department - Council Member Schleicher made a motion to accept the resignation of Cory Fluck from the Macungie Police Department with regret, second by Council Member Boyko. Motion carried: 4 ayes

d. Comments on Lower Macungie Township Land Use Assumptions Report - Solicitor Armstrong commented this report is part of a process to establish traffic impact fees. Council discussed requesting a meeting with Lower Macungie Township to talk about giving part of the fee to the Borough for traffic traveling through the Borough from Lower Macungie Township developments.

e. Resolution 2016-21 Authorization to submit Traffic Signal Approval Application – Borough Manager Boehm explained the resolution was need to submit along with the PennDOT applications for the bumpouts at Church, Poplar and Chestnut Streets.

Council Member Schleicher made a motion to adopt Resolution 2016-21, second by Council Member Akinjiola.

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

Motion carried.

f. 90-day Trial Period for Dock Street one way traveling east – Borough Manager Boehm noted the trial period expired on October 12th and Council needed to decide if Dock Street was to remain a one-way street or revert back to a two-way street.

After a short discussion, Council Member Boyko made a motion to make Dock Street a one-way street traveling east from Church Street to Lea Street and authorize Solicitor Armstrong to prepare the ordinance and advertise for adoption, second by Council Member Schleicher. Motion carried: 3 ayes, 1 nay (President Becker)

Solicitor Armstrong will prepare the ordinance for adoption at the November 7th meeting.

ITEMS NOT ON AGENDA

a. Borough Manager Boehm created an ordinance requiring inspection of the sewer laterals before sale of a property and gave it to Council for their review. She reviewed the ordinance. Council

suggested having a list of plumbers who perform sewer lateral inspections available for the property owners. Borough Manager Boehm will work on getting a list together.

Council discussed the I&I work needed to be done and moving forward with the financing.

b. President Becker informed Council he has been helping the Fire Department with their budget and they will be asking for an increase in their allocation from Borough Council in the form of a real estate tax. This will be discussed at the budget workshop.

c. Council discussed the absenteeism of Council Member Moyer. Several attempts were made to contact him without success. Council decided to send a letter to Council Member Moyer asking for his intentions as a Council Member.

ADJOURNMENT

Hearing no further business to be brought before Borough Council, the meeting was adjourned at 10:31 pm.

Respectfully submitted,

Cynthia Hartzell
Administrative Assistant