

CALL TO ORDER

President Chris Becker called the June 5, 2017, 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 Greg Hutchison Roseann Schleicher John Yerman
Borough Manager:	Chris L. Boehm
Solicitor:	Patrick Armstrong
Mayor:	Gary Cordner
Jr. Council Member:	Valeria Cordner Renee Martin
Administrative Assistant:	Cynthia Hartzell
Absent:	Marvin Moyer David Boyko

PUBLIC COMMENTS

a. Prior Public Comments to Council

1. Dave Fatzinger, 218 Village Walk Drive, neighborhood complaints – Mr. Fatzinger addressed Council about some issues he brought before them previously. He gave President Becker a copy of an email from Zoning Officer Nicholson addressing his previous comments and pictures he took showing the business vehicles parked in the neighborhood and the Merchandiser newspapers laying in the street. He remarked on the violation notice that was sent to the resident at 220 Village Walk Drive. He commented about the home occupation regulations but noted there continues to be 4 business vehicles parked in the neighborhood from that business. He also noted a watch children sign is covered by tree branches. Mr. Fatzinger reiterated about the Merchandiser newspaper littering the streets, which the pictures showed.

He commented about a threat directed at him from the resident at 220 Village Walk Drive on a Saturday. He called the police department the following Monday to report the incident and the officer informed him there was nothing he could do because Mr. Fatzinger needed to call when it happened.

Borough Manager Boehm reported Zoning Officer Nicholson views the area during his working hours between 8 & 3 on Tuesday and Thursday. Council Member Yerman suggested having him view the neighborhood at a different time and asked the police to patrol the area to view parking situations.

Mr. Fatzinger requested to have the same type of parking regulation as on West End Trail. Council will take his comment into consideration. Council talked about the newspaper and suggested to start to address the situation by talking first to the Merchandiser about throwing the paper in the street.

b. Public Comments

1. President Becker reported he received an email from Jeanette Polizzi and she was in the audience tonight. Ms. Polizzi, 351 Village Walk Drive, Macungie, wanted to update Council on the situation at her neighbor's property. She recapped the situation from last year. She updated that the house is empty now and is not being kept up by the property owner. She has concerns that the property looks vacant and could attract thieves. She is concerned about the back yard with the grass getting high and attracting rodents again like last year. She commented she is trapping rodents and having them removed at her expense. She had spoken to the neighbors on the other side of the vacant home and they have dealt with rodents also. This will be passed to the Zoning Officer.

2. Diane Angermeier, representative from Macungie Memorial Park, came to the meeting to ask Council to encourage people to volunteer at the Park during the major events. The Park is in need of volunteers for the Antique Truck Show June 16 & 17 and other events.

3. Dorothy Kociuba, 93 S. Fairview Street, Macungie, commented the Memorial Day program was a wonderful program. She commented Mayor Cordner's speech was interesting historically and his comments on heroes that gave their lives for the country.

To answer Mrs. Kociuba's questions about the list of fire companies on the box call numbers and on the certification document from the state, she was told President Becker was working on getting the list together and Council Members Yerman and Schleicher continue to work on the issue of the certification document to hopefully have a report at the next Council meeting. President Becker noted Council has seen the copy of the document. Mrs. Kociuba's questions were 1) did the Borough see the document, 2) was it signed by the Borough or was it submitted without the Borough's knowledge.

4. Tim Romig, business owner of 50 Race Street, Macungie, reported he received the certification document without the signature redacted from the State Fire Commission. He noted it was President Becker's name but it was not notarized. He questioned if it was President Becker's signature or was it forged and by whom. Solicitor Armstrong remarked there is no investigation on the Fire Department. The Fire Department Review Committee is doing an informal review. Council Member Schleicher addressed the signature not being notarized by saying she spoke to a representative at the State Fire Commission who said the signature does not have to be notarized. They said the form is old and has not been updated. The notary requirement was changed in 2012.

Mr. Romig questioned who signed the document and did that person review the certificates that are to be submitted with the document. Solicitor Armstrong commented it is not clear if the municipality has a unilateral obligation to make sure all the Fire Department members are trained. Mr. Romig clarified that there are no other meetings scheduled for the committee to review their report. He questioned if the committee was getting all the information from the Fire Department that was requested and President Becker was unsure. He only knew of some items that were received. The 3 committee members are meeting and finalizing the report; President Becker is not involved in that process any longer. Mr. Romig compared the certificates he received to the spreadsheet that listed the certificates for each member and he commented there were certificates for only 9 of the members on the list. He questioned why put up with a Fire Department that was not truthful. He brought up the questioning of Fire Chief Natysyn by Rob Sentner about a letter at the special meeting. Council did not have any knowledge about a letter but remembered Mr. Sentner making a remark about a number being removed from the box call. It was language not understood by Council.

President Becker commented he has thought about this issue and remarked that he concluded it is better to be served by a fire department in the Borough. He wants to work to better the fire department for that reason.

#### COUNCIL COMPLIMENTS, COMPLAINTS, PETITIONS AND APPEALS

- a. Council Member Schleicher complimented Valeria Corder on her graduation and wished her luck in the future.
- b. Council Member Schleicher congratulated Borough Manager Boehm and the Macungie Farmers Market for receiving 2 certificates of recognition, 1 was from Senator Patrick Browne and the other was from Representative Ryan MacKenzie.

#### APPROVAL OF MINUTES

- a. May 15, 2017 meeting – Council Member Akinjiola made a motion to approve the May 15, 2017, Council meeting minutes, second by Council Member Hutchison. Motion carried: 5 ayes

#### CONSENT AGENDA

- a. Treasurer's report of May 31, 2017

Council Member Schleicher made a motion to approve the May 31, 2017, Treasurer's Report, second by Council Member Hutchison. Motion carried: 5 ayes

- b. Payment of invoices as listed totaling \$155,767.42

Council Member Hutchison made a motion to approve the invoices of the Consent Agenda, second by Council Member Akinjiola. Motion carried: 5 ayes

President Becker noted the new Public Works truck has been purchased to which Borough Manager Boehm commented about the expanding plow on the truck.

President Becker questioned if the Fairview Street residents are working on their sidewalks. Borough Manager Boehm noted one resident is unable to afford the work. Borough Manager Boehm will be working with that resident to get the sidewalk completed and repay the Borough for the cost of the sidewalk work.

President Becker and Council Members explained to Mrs. Kociuba the street will be graded to address the water issue. No storm sewer system will be installed.

#### CORRESPONDENCE

- a. Municipal Retirement Trust April Monthly Report
- b. Susquehanna Municipal Trust Risk Control Survey from May 15, 2017 – A Risk Control Survey for the Workers Compensation Insurance was done on May 15, 2017. There were 3 findings listed and the Borough must address if the findings have been, will be or will not be completed. Borough Manager

Boehm reported the first finding is the Accident & Illness Prevention Program which will be completed with the creation of the Safety Policy that possibly will be adopted at the next meeting. The second finding is chain saw chaps are part of protective equipment needed when operating a chain saw. Borough Manager Boehm will purchase the chaps to complete the protective equipment required to complete this finding. The last finding is to have motor vehicle checks done on all the employees. Borough Manager Boehm will complete this finding.

- c. Roadsafe Traffic Systems, re: Closure of Gehman Road for Railroad Crossing Maintenance – The railroad crossing at Gehman Road in Lower Macungie Township will be closed for maintenance work and the traffic detour will be through the Borough on Church Street.
- d. Lehigh County Board of Assessment Appeals, re: Act 515 Breach Hearing for 150 Spring Street
- e. Karen Holt, Macungie Institute Building Coordinator, May 2017 Monthly Report – The report announced the Open House event on June 12. President Becker requested the Borough Manager provide Council with a budget vs actual to discuss the Macungie Institute budget.

## REPORTS

- a. Solicitor Armstrong
  - 1. Borough Safety and Loss Control Policy - Solicitor Armstrong reviewed the policy and had some changes. One change he asked Council about was the safety committee being responsible to develop written policies. Solicitor Armstrong suggested changing the wording to assist with written policies. Council discussed and preferred to keep the wording as it reads. A second change for discussion was wording for the committee to investigate, evaluate and document actions which Solicitor Armstrong wanted to change to assist. This wording will remain as is. The policy will be on the next agenda for adoption.
- b. Mayor
  - 1. Mayor Cordner thanked Dorothy Kociuba for her compliment.
  - 2. Mayor Cordner reported President Becker and he met with Sergeant Kocher and Corporal Mullen. The discussion was about the manpower. He commented with an officer out on sick leave and other officers leaving, the manpower is thin.
- c. Borough Manager
  - 1. Street lights upgrade to LED – Borough Manager Boehm reported the street lights on Village Walk Drive will be changed. Borough Manager Boehm clarified that for PPL to change all the street lights in the Borough, the cost would increase \$82 per bill. She asked Council if they want to move forward with the contract. After some discussion, Council agreed to move forward if all the street lights in the Borough are changed to LED lighting and the additional cost is \$82 per month per bill. Borough Manager Boehm will verify the cost and move forward with the contract.
  - 2. Macungie Institute Open House – Borough Manager Boehm reminded Council about the Open House at the Macungie Institute on Monday, June 12<sup>th</sup> from 5-7 p.m.

- d. Junior Council Member – No report
- e. Committees – No reports

#### UNFINISHED BUSINESS – PART I

- a. SW Lehigh Draft Comprehensive Plan and Inter-municipal Agreement – Council Member Schleicher announced a Joint meeting with Planning Commission on June 13<sup>th</sup> at 7:30 p.m. at Borough Hall. Borough Manager Boehm reported the intergovernmental agreement has been finalized. It has to be adopted and can be done at the same time of the adoption of the comprehensive plan.

#### UNFINISHED BUSINESS – PART II

- a. Main Street Streetscape Plan
- b. Rental Inspection Program
- c. LTD Capital Projects
  - 1. Church Street Traffic Light
- d. Sewer Ordinance Amendment for sewer lateral inspections
- e. Grace Lutheran Church Parking Request

#### NEW BUSINESS

- a. Approval of Payment #1 in the amount of \$94,452.98 to Standard Pipe Services LLC – Borough Manager Boehm commented the inspector signed off on the invoice indicating approval of the work.

Council Member Hutchison made a motion to approve Payment #1 to Standard Pipe Services LLC in the amount of \$94,452.98, second by Council Member Schleicher. Motion carried: 5 ayes

- b. Bid Award Recommendation to PennDOT for the Main Street Streetscape and Church Street traffic light project to Marino Corporation for \$639,301.30 – There were 4 bids received by PennDOT for the streetscape and traffic light project. The lowest bid came in higher than the estimated cost for the whole project. PennDOT will be giving additional funds for the streetscape portion but more funds are needed for the streetscape portion. President Becker updated Council that the street light portion is lower than the estimated cost leaving remaining funds in the capital loan fund. He would like to use the remaining funds from the capital loan fund to put toward the streetscape portion. The streetscape is a capital improvement so the funds can be used for it. Council agreed to use the remaining funds for the streetscape project.

Council Member Yerman made a motion to approve the Main Street Streetscape and Church Street traffic light project bid to Marino Corporation in the amount of \$639,301.30 and authorize the Borough Manager to approve the bid and supplements on the PennDOT ECMS system, second by Council Member Akinjiola.

Question - Solicitor Armstrong asked if he should review the agreement. Borough Manager Boehm noted he will be able to review the agreement after she approves the bid on the PennDOT system.

Motion carried: 5 ayes

c. Resolution 2017-10, Acceptance of TAP Grant Funds – Borough Manager Boehm commented the resolution was amended to include any additional TAP funds.

Council Member Hutchison made a motion to adopt Resolution 2017-10, second by Council Member Akinjiola.

Roll Call	Alma Akinjiola – aye	Chris Becker - aye
	David Boyko – absent	Greg Hutchison – aye
	Marvin Moyer – absent	Roseann Schleicher – aye
	John Yerman – aye	

Motion carried.

d. Comments to recommendations from the Risk Control Survey – This was addressed under Correspondence.

e. Emergency Management Director position – Council has had concerns with Council Member Moyer not attending Council meetings and since the fire at Council Member Boyko's house, no one has had any contact with him. To follow up with a comment from Council Member Schleicher, President Becker called both Council Members and received no return call. He suggested sending a letter to both of them that either they attend the Council meetings or resign from their position. Council Member Boyko is also the Borough Emergency Management Coordinator. Council Member Hutchison suggested sending a separate letter to Council Member Boyko about resigning from the Emergency Management Coordinator position.

Council Member Yerman made a motion to send letters to Council Members Moyer and Boyko to either come to the meetings or resign from the position and send a letter to Council Member Boyko to resign as the Emergency Management Coordinator, second by Council Member Schleicher. Motion carried: 5 ayes

f. Appointment of Seasonal Employee – The seasonal employee, Terry Heil, has left. Public Works Supervisor Smith interviewed two applicants and recommended hiring Mackenzie Ward as the part time seasonal employee.

Council Member Hutchison made a motion to hire Mackenzie Ward for the part time seasonal employee at the hourly rate of \$10.00 per hour up to 40 hours per week, second by Council Member Akinjiola. Motion carried: 5 ayes

ITEMS NOT ON AGENDA – No other items for discussion.

EXECUTIVE SESSION

Council President Becker called for an executive session at 10:03 p.m. to discuss personnel. The meeting was reconvened at 10:10 p.m. with no action taken.

ADJOURNMENT

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

Respectfully submitted,

Cynthia Hartzell  
Administrative Assistant