

MACUNGIE BOROUGH COUNCIL
MEETING MINUTES
Monday, May 6, 2024
REGULAR MEETING MINUTES
7:30 P.M.

Council Members:

Ron Karboski
Greg Hutchison
Barry Bloch
Todd Ritter
Robert Rozak
Carl Sell
John Yerman
Ronald Conrad
Pat Armstrong
John Brown

Mayor:

Solicitor:

Borough Manager:

President Karboski called tonight's meeting to order at 7:30 pm.

There was an executive session held at 6:30 pm.

1. Announcements

- i. President Karboski spoke on the meaning of Memorial Day and the importance of the meaning to the Borough of Macungie.
- ii. President Karboski commented on the despicable act that happened in the Borough. Three individuals stole flags from multiple residents in the Borough. The hope is that the individuals are identified and charged accordingly. President Karboski stated this should be elevated to a Hate Crime.
- iii. President Karboski has been invited from the Memorial VFW along with the axillary team to participate in a flag-raising ceremony at 10 am. All Council members, the mayor, and the public are invited to participate to honor those who have served.
- iv. Beginning at 9 am in the MVFD parking lot a 3-block, 100-flag unity walk to the Macungie Memorial Park will take place. Bring any size flag to show your patriotism. Detailed about the walk can be directed to Councilman Rozak.
- v. Councilman Rozak owns GottaGo Transportation and will be handing flags to those who need a flag to support the ceremony and Memorial Day.

2. Barry Isett Engineering

- a. S. Church St. / Bridge Grant - Plans were submitted to PennDOT. PennDOT came back with 9 comments. Plans will be revised and resubmitted to PennDOT. The construction start date of the S. Church St/Hickory Bridge project is targeted for June 2025.
- b. Estates at Brookside – Stan received a phone call from the Lehigh County Conservation District stating they want to resolve this issue. A meeting with LCCD, Jeff Strauss, and BIA will take place on May 7.
- c. MS4 – Currently the Borough's SALDO Storm Water Ordinance consists of two (2) parts. One (1) is how to develop a property, and two (2) is stormwater management. BIA and Solicitor Armstrong propose to divorce part two (2) and create a stand-alone stormwater ordinance that requires LVPC approval.

3. Public Comment

MOTIONS: 050624-A / 050624-B / 050624-C / 050624-D / 050624-E / 050624-F / 050624-G / 050624-H / 050624-I / 050624-J

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- a. Public – none
- b. Council Members – none
- 4. Presentations/Guest Speakers
 - a. None
- 5. Complaints, Petitions, and Appeals
 - a. Vice President Hutchison asked if there was a protest within the Borough, does the Police have the authority to arrest as needed.
- 6. Approval of Minutes
 - a. April 15, 2024
 - i. Councilman Yerman requested two spelling corrections.
 - ii. Councilman Bloch made a motion to approve the meeting minutes. Vice President Hutchison seconded the motion. Motion passed unanimously. (050624-A)
- 7. Financial Agenda
 - a. Treasurer’s Report – pending.
 - b. Approval of Unpaid Bills Report – detail
 - i. Councilman Yerman made a motion to approve the payment of all unpaid bills for \$160,391.41. Vice President Hutchison seconded the motion. Motion passed unanimously. (050624-B)
- 8. Correspondence
 - a. EMS Kick Off Week
 - b. PSAB Pension Report – March 31, 2024
 - c. Emmaus Public Library Director Report – April 2024
 - d. 2024-01 Zoning Hearing Board Notice – May 8, 2024 – 173 Aspen Lane
 - e. 2024-02 Zoning Hearing Board Notice – May 8, 2024 – 200 Robin Rd
 - i. President Karboski made a motion to authorize the Borough Council Solicitor to send a representative to the Zoning Hearing Board meeting on behalf of Council. Councilman Bloch seconded the motion. Motion passed unanimously. (050624-C)
 - f. Tim Romig – Letter May 1, 2024 – Mavis Tire
- 9. Reports
 - a. Macungie Institute Manager Quarterly Report
 - i. April 15, July 15, October 21
 - b. Zoning Monthly Update Report (2nd meeting of the month)
 - c. Solicitor
 - d. Mayor (2nd meeting of the month)
 - i. Macungie Police Department Update (2nd meeting of the month)
 - ii. The Macungie Institute held a blood drive with Miller-Keystone and had a great turnout.
 - iii. Kids in the 31 Scout Pack are interested in American Government and volunteer work.
 - e. Borough Manager
 - i. MVFD VFRA Update
 - 1. Still waiting on obtaining the requested information from the last meeting from MVFD
 - 2. The Auditor General Office confirmed MVFD Fire Relief Association exists.

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3. President Karboski made a motion to release the 2023 funds of \$19,749.83 to the Macungie Volunteer Fire Department Relief Association. Vice President Hutchison seconded the motion. Motion passed unanimously. (050624-D)
 - ii. Code Enforcement Plan and Result Update – 3 months.
 - iii. FRS Accounting – Final Deadline (April 30) and Migration Update
 1. Weekly payment of invoices – Council agrees to pay invoices weekly and formally approve all paid invoices at each meeting.
 - iv. 2023 Budget Transfers
 - v. Street Sweeping – Coordination with parking enforcement and DPW projects
 1. May 14, 2024 – Start date.
 2. No parking signs and Robocalls will be placed to inform residents.
 3. Cars in violation of the no parking signs will be ticketed.
 - vi. MS4 Status and Plan
 1. Permit was filed.
 2. The Pollution Reduction Plan will be at 90% when the current swale project is complete.
 - vii. Borough Properties Repair Plan
 - viii. Handicap ramps throughout the entire Borough (inspection and repair plan)
 - ix. Bump-outs.
 1. Approximately \$100,000 left; waiting for DCED approval to use the funds.
 - x. Sinkhole Final Update
 - xi. DPW 2024 Projects – Plan and timeline
10. Unfinished Business
- a. None
11. New Business
- a. Kay Builders – Fields at Brookside -Authorization to execute a development agreement.
 - i. Basins are on Brookside Country Club (BCC) property. BCC is not agreeable to maintain or be responsible together with the developer to do ongoing maintenance.
 - ii. Council was agreeable moving forward as long as the developer provided additional Indemnification provisions as well as additional security with improvement of the plan.
 - iii. Since the last meeting Chris McClane attorney for Fields at Brookside, and Solicitors Armstrong have been working together to finalize the development agreement. Two additional items were brought up.
 1. Brookside Country Club is not agreeable to indemnify the Borough they are agreeable to releasing all claims associated with the basins on the Country Club property. Meaning they will not defend the Borough if there is a claim. Kay Builders and the HOA are agreeable to indemnify the Borough with any or all associated claims.
 2. Other portions of the improvements include pedestrian paths, and sanitary and/or water lines, subject to easement being granted to the Borough. Typically, the Borough would require the property owner to dedicate the property to the Borough, Kay Builder is agreeable however the Country Club is not. Language revisions in the agreement have

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been made if by chance something would happen in the future on the Country Club side, Kay Builder would assist the Borough in potentially condemning it.

- iv. Andrew Hoffman with Zator Law on behalf of Brookside Country Club – Stormwater agreement and pedestrian easement are and have been maintained by the developer and never by Brookside Country Club.
 - v. President Karboski made a motion to authorize the agreements to be executed once they are complete and in final form conditional upon the finalization of the satisfactory documents from the Borough engineer and Borough Solicitor. Councilman Bloch seconded the motion. Motion passed unanimously. (050624-E)
 - b. Mavis Tire Plan approval
 - i. President Karboski made a motion to table Mavis Tire. Vice President Hutchison seconded the motion. Motion passed unanimously. (050624-F)
 - c. Lower Macungie Fire Department (LMFD) is celebrating 100 Years of Service; commemorative book advertising opportunities.
 - i. President Karboski made a motion to approve a full-page advertisement for \$500.00. Councilman Ritter seconded the motion. Motion passed unanimously. (050624-G)
 - d. Admin request – Hire additional Full-Time Public Works Employee
 - i. No action is needed due to already approving the position during Budget Season.
 - e. Ordinance Committee
 - i. Gutter and Sidewalk Ordinance – Ownership and weed control.
 - ii. Shade Tree Ordinance – Ownership and responsibilities
 - iii. Concrete Repair Ordinance – (Sidewalk and curbs)
 - iv. No Permit Violations
 - v. Street Parking (Trailers and RVs)
 - 1. President Karboski motioned to appoint Councilman Rozak as Committee Chair. Councilman Yerman seconded the motion. Motion passed unanimously. (050624-H)
 - 2. President Karboski will also be a committee member.
 - f. Information Technology Committee
 - i. President Karboski motioned to appoint Councilman Yerman as committee chairman. Councilman Sell seconded the motion. Motion passed unanimously. (050624-I)
 - ii. President Karboski will also be on the committee.
12. Executive Session
- a. Legal, Personnel, Real Estate
 - i. The council held an Executive Session before the meeting at 6:30 pm.
 - ii. The public portion of the meeting concluded at 9:05 pm and went into Executive Session.
13. Action as a result of executive session
- a. None
14. Adjournment

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- a. President Karboski made a motion to adjourn tonight's meeting at 9:05 pm. Councilman Bloch seconded the motion. Motion passed unanimously. (050624-J)

Respectfully Submitted,

Ashley Rinker

Ashley Rinker, Administrative Assistant