

NAZARETH BOROUGH COUNCIL--REGULAR MEETING--JUNE 3, 2013

The regular monthly meeting of the Borough of Nazareth was held on Monday, June 3, 2013 at 7:00 p.m. at the Nazareth Borough Municipal Building. The meeting was called to order by the President, followed by the recitation of the Pledge of Allegiance to the Flag. Present were President Daniel Chiavaroli, Vice President Larry Stoudt, Mayor Carl Strye Jr., Councilpersons Cynthia Werner, Jack R. Herbst, Carl A. Fischl, Frank S. Maurek, Michael Kopach, Charles A. Donello and Christian Audenried, Solicitor Alfred S. Pierce, Chief of Police Thomas Trachta and Highway Superintendent Robert Reimer.

Recognition of Citizens From the Floor: Communications: Trevor Garrett of South Main Street told Council about a disturbing Facebook posting concerning the Nazareth Police Department. Garrett also stated that the Nazareth Police are not responsive to complaints.

Yvette Barker of 42 South Street told Council of her disappointment with her neighborhood, the large number of handicapped parking areas which limit parking on her street and some of the problems with furniture on porches and lack of property maintenance.

Kyle Perkins of 38 South Street also had complaints about the volume of handicapped parking spaces on South Street.

Dina Liberatore of 555 Farmview Road reported on the progress of her campaign to raise money for running a water line to the Dog Park.

Korine Behler of 28 E. Walnut Street asked Council she was upset by the story about a disturbance on South Main Street and the fact that the Chief of Police was being blamed for the manner in which the incident was handled.

Dana Edwards of Belvidere Street told Council that she called the police for an incident on her black but they never showed.

Linda Williams of 4 Belvidere Street told Council she is frightened by the "rif-raf" on her street at night. She stated that the police do not always respond and do not take action when they do. Williams stated that her greatest concern is retaliation from our own police for calling about problems.

Toni Hummel of 353 South Broad Street stated that the police situation is out of hand and that it is time for Council to take action. Hummel also had questions about the Pool Focus Group and its mission.

Harry Adams of Woodside Avenue stated that he had volunteered to help with the Pool Focus Group to help the community and with no personal agendas. Adams said he hoped his fellow Pool Group members were acting in similar fashion.

Harry Lance of South Fairview Street asked if the Pool Focus Group meetings would be open to the public.

Glenn Snyder of 354 E. Prospect Street urged Council to offer more things for young people to do, especially since we do not have our pool open.

Paul Luongo of the Nazareth Economic Development Commission gave a report on their progress, thanked Council for acting on their Nazareth Day requests and asked if they could obtain a copy of the Borough's Zoning Ordinance.

Wayne Schisler urged Council to seek a resolution to the police issue.

Becky Butz of 37 N. Broad Street asked about an agenda item for ratification of the new Building Code. Butz asked why Council would automatically adopt the 2015 version upon its completion without first examining it.

Paul Pugielli, a representative of Brown & Brown of the Lehigh Valley, approached Council with details of the Borough's annual insurance renewal. Pugielli explained the extent of the full service agreement the Borough has had with Brown and Brown to include the administering of Workers Compensation with the State Fund, Benefits Consultation and research plus Human Resource consulting.

Larry Stoudt moved and Jack R. Herbst seconded a motion to approve the renewal of all Borough insurances with Brown & Brown of the Lehigh Valley at a total cost of \$271,663. The renewal includes liability, vehicles, inland marine, contractor's equipment, workmen's compensation and police and professional errors and omissions with Brown & Brown of the Lehigh Valley and the State Workers Insurance Fund and Allied World National Assurance. Total cost of the "Municipal Entity Insurance Package" to include Worker's Compensation coverage is two hundred and seventy one thousand, six hundred and sixty three (\$271,663.00) dollars. The 2012 package cost was \$290, 625. The renewal includes professional services for administering the Borough's Worker's Compensation coverage with the State Fund, administering benefits services for health, dental, optical and life insurances and their yearly renewals plus Human Resource consulting and compliance counseling.

The motion passed unanimously.

The Secretary's minutes from the regular meeting of May 6, 2013 were approved as presented.

On a motion by Jack R. Herbst seconded by Charles A. Donello, the Treasurer's Report for the month of May 2013 was approved as follows:

General Fund--Cash on Hand April 30, 2013	\$	419,643.73
Waste & Recycling Fund--Cash on Hand April 30, 2013	\$	194,837.37
General Fund--Total Receipts	\$	399,503.23
Waste & Recycling Fund--Total Receipts	\$	31,019.40
General Fund--Total Receipts & Cash	\$	819,146.96
Waste & Recycling Fund--Total Receipts & Cash	\$	225,856.77

General Fund--Total Disbursements	\$	598,595.78
Waste & Recycling Fund--Total Disbursements	\$	108,570.36
General Fund--Cash on Hand May 31, 2013	\$	220,551.18
Waste & Recycling Fund--Cash on Hand May 31, 2013	\$	117,286.41
Payroll Account	\$	2,308.33
State Fund Checking Account	\$	451.17
State Fund Money Market	\$	96,862.27
Improvement Fund	\$	-0-
Park Account	\$	3,728.13
Pennsylvania Investment Trust Fund (Reg + Term Investment)	\$	975,330.89
Total of All Borough Funds.....	\$	1,416,518.38

Jack R. Herbst moved and Larry Stoudt seconded a motion to approve the payment of bills totaling \$707,166.14. The motion passed unanimously.

The Report of the Zoning & Code Officer for the month of May 2013 was approved.

An Emergency Management Report for the month of May 2013 was presented and approved.

An Ambulance Report for May 2013 was presented and approved.

Economic Development & Paving: Cynthia Werner reported that the NEDC would like to place a street banner across Main Street announcing the Saturday Farmer's Market in the Circle.

Police: Jack R Herbst moved and Larry Stoudt seconded a motion to approve a handicapped parking space at 321 South Main Street for Corinne Frantz.

The motion passed unanimously.

Jack R Herbst moved and Carl A. Fischl seconded a motion to vote on an ordinance to change the loading zone and remove a parking meter on the south side of Belvidere Street east of Main Street in the vicinity of Nazareth Daycare. The motion passed unanimously. A Roll Call vote followed. Voting "Yes" were Councilpersons Chiavaroli, Werner, herbst, Fischl, Maurek, Stoudt, Kopach, Donello and Audenried. Nine (9) voting "Yes" and Ordinance #786 is adopted into the Borough Code of Ordinances.

Jack R Herbst moved and Cynthia Werner seconded a motion to approve the rescheduled use of the Pavilion by the grandstand on August 3, 2013 from 6:00 pm till 10:00 pm for a band performance.

The motion passed unanimously.

Jack R Herbst moved and Frank S. Maurek seconded a motion to direct the Secretary to place ads seeking interested persons for the vacant positions on the Borough's Boards and Commissions.

The motion passed unanimously.

Jack R Herbst moved and Carl A. Fischl seconded a motion to authorize the payment of overtime for two (2) police officers to patrol the grounds at the Park during the upcoming Fireman's Carnival.

The motion passed unanimously.

Jack R Herbst moved and Frank S. Maurek seconded a motion to direct the Secretary to send letters to seek a definitive answer from the three (3) members of the Colonial Police Regional Group of their willingness and/or intentions for providing contractual police service to the Borough of Nazareth.

The motion passed unanimously.

Jack R Herbst moved and Larry Stoudt seconded a motion to proceed with the work needed to provide water service to the Borough's Dog Park utilizing funds collected by Dina Liberatore and her group, Friends of the Nazareth Dog Park. Discussion followed. Public Works Superintendent Robert Reimer asked where the water would come from. Michael Kopach questioned the cost of extending a water line to the Dog Park and the practicality of doing so.

Jack R. Herbst requested that the motion be tabled to a future date.

Fire: The Fire Report of monthly activity for the month of May 2013 was approved as presented.

Carl A. Fischl moved and Jack R. Herbst seconded a motion to approve the following change to the makeup of the Nazareth Ambulance Board. Michael Macy will assume the regular Board position formerly that of Fred C. Daugherty Jr. for a term to expire on December 31, 2014.

The motion passed unanimously.

Carl A. Fischl moved and Jack R. Herbst seconded a motion to approve the appointment of Larry Stoudt to the Nazareth Ambulance Board of Directors as an "Alternate" (2 year term) board member for a term to expire on December 31, 2014.

The motion passed unanimously.

Public Property: Frank S. Maurek moved and Jack R. Herbst seconded a motion to approve the Nazareth Economic Development Committee's request for use of two quadrants of the Circle(frozen zones) on Nazareth Day, Saturday, July 20, 2013 and also a "traffic control officer" for that day.

The motion passed unanimously.

Frank S. Maurek moved and Jack R. Herbst seconded a motion to approve the request of Dana Vlasics Flynn for the staging of the 2014 Warm Hearts 5K Race, Saturday, February 22, 2014..10:00 am – 11:00 am utilizing several Borough streets.

The motion passed unanimously.

Frank S. Maurek moved and Charles A. Donello seconded a motion to contract with Daniel's Landscaping to restore portions of the fencing, add gates and horseshoe locks to the Dog park. Cost of the designated work is four thousand, nine hundred and twenty four (\$4,924.16) dollars and sixteen cents a majority of which will be supplemented by an insurance claim.

The motion passed unanimously.

Frank S. Maurek moved and Jack R. Herbst seconded a motion to approve the request of the Nazareth Soccer Club for Fall 2013 practices and games.

The motion passed unanimously.

Frank S. Maurek moved and Jack R. Herbst seconded a motion to approve a graduation party at Sauerzopf Field on June 29, 2013 from 1:00 pm till 8:30 pm Approval includes a denial for the requested use of alcohol. No alcohol can be present or consumed.

The motion passed unanimously.

Frank S. Maurek moved and Larry Stoudt seconded a motion to approve the annual Block Party on Friday evening, July 19, 2013 from 7:00 pm till 11:00 pm. Belvidere Street will be closed at 6:00 pm.

The motion passed unanimously.

Frank S. Maurek moved and Jack R. Herbst seconded a motion to approve the 2014 Chamber of Commerce Bike Fest on Saturday, May 17, 2014.

The motion passed unanimously.

Finance: Larry Stoudt moved and Frank S. Maurek seconded a motion to direct the retention of VALCO Capital, Ltd. and Attorney Thomas Smida of Mette, Evans & Woodside to prepare the appropriate financing transcript and an Ordinance for borrowing \$5,500,000.00 in compliance with the Local Government Unit Debt Act. The purpose of the borrowing is to refinancing existing Borough debt and to provide for the construction of a new municipal pool and new bathhouse, the purchase of a new fire truck, and site improvements at 134 S. Main Street, Nazareth, Pennsylvania. Discussion followed. Jack R. Herbst asked for particulars on what site improvements were planned for 134 S. Main Street.

The motion passed unanimously.

Larry Stoudt moved and Jack R. Herbst seconded a motion to approve a salary of eight hundred and thirty three (\$833) dollars per month for June 2013, July 2013 and August 2013 as compensation for Pool/Park/Summer Rec Program Director Jeanette Hartzell. The salary adjustment takes into account the Pool closing for all of 2013. Ms. Hartzell will receive a total 2013 salary of ten thousand (\$10,000.00) dollars for the Park and Recreation services she will be doing.

The motion passed unanimously.

Public Works: The Public Works Report for the month of May 2013 was approved as presented.

Michael Kopach moved and Charles A. Donello seconded a motion to direct the Borough Engineer to advertise for bids for the Spring Street Stormwater Project.

The motion passed unanimously.

Michael Kopach moved and Jack R. Herbst seconded a motion to approve the purchase of a Best Line "Bobcat" Skidsteer for the purchase price of thirty thousand five hundred and four(\$30,504.00) dollars. This expenditure was designated for purchase in the 2013 Borough Operating Budget.

The motion passed unanimously.

Michael Kopach moved and Charles A. Donello seconded a motion to vote on an ordinance to certify the adoption of certain streets in the Borough obtained from the Moravian Church for inclusion in the Borough's Appendix H...Streets and Sidewalks. The motion passed unanimously. A Roll Call vote followed. Voting "Yes" were Councilpersons Chiavaroli, Werner, Herbst, Fischl, Maurek, Stoudt, Kopach, Donello and Audenried. Nine (9) voting "Yes" and Ordinance #787 is adopted into the Borough Code of Ordinances.

Ecology & Lighting: The Ecology Report for May 2013 was approved as presented.

Law: Christian Audenried moved and Charles A. Donello seconded a motion to adopt the 2012 version of the Property Maintenance Code and to automatically adopt the 2015 version when it is completed.

The motion passed unanimously.

Christian Audenried moved and Michael Kopach seconded a motion to advertise to seek RFP's from prospective Pool Design and Pool Architect firms for the providing of services for the proposed new Pool.

The motion passed unanimously.

Christian Audenried moved and Carl A. Fischl seconded a motion to approve the formation of the Pool Focus Group and the following appointees...Harry Adams, Amy Lutte, Margaret Barry, Donald Keller, Jeanette Hartzell, Keith Knecht, Erin Bowers and Frank Frey. Cynthia Werner commented that she was originally going to vote "No" to the motion but will now hesitantly vote "Yes".

The motion passed. There was one (1) "No" vote.

Christian Audenried moved and Jack R. Herbst seconded a motion to schedule and hold a "Special Public Meeting" for proposed changes to the Zoning Ordinance on June 10, 2013 at 7:00 pm at Council Chambers, 159 West Center Street.

The motion passed unanimously.

Christian Audenried moved and Jack R. Herbst seconded a motion to approve Resolution No. 6 - 13 as follows:

WHEREAS, the Borough of Nazareth seeks to recognize those individuals who have distinguished themselves by their extraordinary accomplishments in the classroom or through their civic contributions to the community,

WHEREAS, Council of the Borough of Nazareth desires to recognize the achievements of Andrew S. Brodt, an exceptional young citizen of the Nazareth area,

NOW, THEREFORE, BE IT RESOLVED, and it is hereby resolved by the Borough of Nazareth, in Borough Council assembled, that Council of the Borough of Nazareth commends and recognizes the achievements of Andrew S. Brodt, a member of the Boy Scouts of America, upon becoming an Eagle Scout. Council wishes to recognize the achievements of the young people of our community, particularly those participating in civic organizations who have achieved exceptional levels of performance in serving their community.

AND NOW, this third day of June, 2013, Nazareth Borough Council commends and honors Andrew S. Brodt for achieving the rank of Eagle Scout and directs the Secretary to issue a certificate memorializing this Resolution for presentation to an outstanding young citizen of the Nazareth area.

The motion passed unanimously.

Mayor: Mayor Carl Strye Jr. presented the Police Report for May 2013.

Solicitor: No report.

Engineer: No report.

Old Business: Police Chief Thomas Trachta thanked the Pennsylvania State Police for their service in the Borough during periods when no officers were available. Trachta urged citizens to be patient until the police staffing situation is resolved .

New Business: Carl A. Fischl asked that residents adhere to the Borough's Property Maintenance Code and care for their homes and properties.

There being no further business at 9:48 pm, following two (2) Executive Sessions, on a motion by Larry Stoudt, seconded by Jack R. Herbst, the meeting was adjourned to a Special Advertised Public Meeting to be held on June 10, 2013 at 7:00 pm at Council Chambers.

Paul A. Kokolus, Secretary

Daniel Chiavaroli, President

NAZARETH BOROUGH COUNCIL--SPECIAL MEETING--JUNE 10, 2013

A "Special" meeting of the Borough of Nazareth was held on Monday, June 10, 2013 at 7:00 p.m. at the Nazareth Borough Municipal Building. The meeting was called to order by the President. Present were President Daniel Chiavaroli, Vice President Larry Stoudt, Councilpersons Cynthia Werner, Jack R. Herbst, Carl A. Fischl, Frank S. Maurek, Michael Kopach, Charles A. Donello and Christian Audenried, Solicitor Alfred S. Pierce, Chief of Police Thomas Trachta and Highway Superintendent Robert Reimer. Absent were Mayor Carl Strye Jr., Councilmen Jack R. Herbst, Michael Kopach and Charles A. Donello.

Attorney Mark Jonas spoke on the issue of amending the Zoning Ordinance and allowing the addition of ten (10) extra beds to an existing Assisted Living Facility.

Carl A. Fischl had questions about any changes to the existing emergency management plan and evacuation procedures and if the adding of ten new beds would change that.

Cynthia Werner asked if enough parking was available for the added residents and their visitors.

Larry Stoudt moved and Carl A. Fischl seconded a motion to vote on an ordinance. The motion passed unanimously. A Roll Call vote followed. Voting "Yes" were Councilpersons Chiavaroli, Werner, Fischl, Maurek, Stoudt and Audenried. Six (6) voting "Yes" and Ordinance #788 is adopted into the Borough Code of Ordinances.

Larry Stoudt moved and Frank S. Maurek seconded a motion to adjourn the Meeting at 7:10 pm.

Paul A. Kokolus, Secretary

Daniel Chiavaroli, President

