

NAZARETH BOROUGH COUNCIL--REGULAR MEETING--FEBRUARY 4, 2013

The regular monthly meeting of the Borough of Nazareth was held on Monday, February 4, 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 Fred C. Daugherty Jr., Councilpersons 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 was Councilwoman Cynthia Werner.

Recognition of Citizens From the Floor: Communications: Susan Drabic of Moravian Hall Square voiced her support for Michael Rinker to remain as the Borough's EMA Coordinator. Drabic stated that Rinker had helped with many past emergency situations.

Shariah Wells of 154 S. Main Street told Council of the outdoor music which is being played on South Main Street and which affects her quality of life. Wells also asked if parking on West Walnut Street could be altered to allow easier egress from the parking lot behind Ralph's Appliance Store.

Ned Barlieb of 42 N. Broad Street spoke regarding particulars for the Borough's Tax Collector. Barlieb stated that the current wage (\$8,500 annually). Barlieb stated that the wage had not been increased for fourteen years and that Council should also be held to the stated annual office rent for the Tax Collector's term of office.

Robin Keller of Moravian Hall Square also voiced her support for Michael Rinker to remain as the Borough's EMA Coordinator. Keller told Council that she had worked directly with Rinker and that he had been helpful to the staff and residents in the past.

Deborah Olienacz of Alexandria Manor stated her support and that of Alexandria Manor for Mike Rinker to remain as the Borough's EMA Coordinator. Olienacz stated that Rinker had helped with the Hurricane Sandy situation.

Koine Behler of 28 E. Walnut Street told Council that she is disgusted by the lack of morals and leadership on Council. She stated that Council members should be held accountable for their actions and should apologize to the community for their wrongdoings.

Robert Dieter of Easton Road asked Council if something could be done about parking on South Broad Street approaching Jaindy Boulevard. Dieter requested that Council look into restricting parking on at least one side of South Broad Street and that Council investigate if anything can be done about people texting while driving.

Rick Troxell of 126 E. North Street asked Council for the reason it would be purchasing a flat screen TV when the Department already has a television set. Troxell also advised Council to make sure it gets fair value for all properties sold to Colonial Regional Police if and when the Borough begins the purchase of services from them. Troxell stated that Council owes that oversight to the Borough's taxpayers who own what is being sold.

Carl Strye of 703 Seip Avenue urged Council to table the EMA Coordinator nomination to a time after all avenues have been discussed.

The Secretary's minutes from the regular meeting of January 7, 2013 were approved as presented.

On a motion by Jack R. Herbst, seconded by Frank S. Maurek, the Treasurer's Report for the month of January 2013 was approved as follows:

General Fund--Cash on Hand December 31, 2012	\$	125,231.62
Waste & Recycling Fund--Cash on Hand December 31, 2012	\$	71,873.07
General Fund--Total Receipts	\$	371,365.50
Waste & Recycling Fund--Total Receipts	\$	101,422.88
General Fund--Total Receipts & Cash	\$	496,597.12
Waste & Recycling Fund--Total Receipts & Cash	\$	173,295.95
General Fund--Total Disbursements	\$	252,373.14
Waste & Recycling Fund--Total Disbursements	\$	55,041.68
General Fund--Cash on Hand January 31, 2013	\$	244,223.98
Waste & Recycling Fund--Cash on Hand January 31, 2013	\$	118,254.27
Payroll Account	\$	2,308.43
State Fund Checking Account	\$	267.80
State Fund Money Market	\$	1,503.52
Improvement Fund	\$	-0-
Park Account	\$	2,066.36
Pennsylvania Investment Trust Fund (Reg + Term Investment)	\$	375,284.57
Total of All Borough Funds.....	\$	743,908.93

Jack R. Herbst moved and Michael Kopach seconded a motion to approve the payment of bills totaling \$307,414.82. The motion passed unanimously.

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

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

An Ambulance Report for January 2013 was presented and approved.

Economic Development & Paving: Jack R. Herbst moved and Larry Stoudt seconded a motion to approve Resolution No. 3 - 12 - A honoring the 2012 Nazareth Area Chamber of Commerce honoree, Herbs to Your Success as follows:

WHEREAS, the Nazareth Area Chamber of Commerce has instituted an annual "Award of Excellence" given to a person, persons or a business organization who has been deemed to be devoted to improving Nazareth and its surrounding environs, both in a business and social sense,

WHEREAS, the Nazareth Area Chamber of Commerce has selected Herbs to Your Success as the Year 2013 honoree, not only for the great personal and health maintenance services it provides but also for the manner in which it has become an integral part of our community, our downtown and the surrounding areas of our county,

NOW, THEREFORE, BE IT RESOLVED, and it is hereby resolved by the Borough of Nazareth, in Borough Council assembled, that the Council of the Borough of Nazareth commends and recognizes Herbs to Your Success. Herbs to Your Success has also played an integral part in the area's economic success as it has been actively involved in the social and economic activities of our Borough. Nazareth Borough Council wishes to recognize those businesses whose products, business prowess, community spirit and self sacrifice have made appreciable differences in our Borough and our area. Herbs to Your Success has been a good citizen and has participated in many downtown Nazareth events and additionally has been an active and contributing member of our Chamber of Commerce,

AND NOW, this fourth day of February, 2013, Nazareth Borough Council commends, honors and thanks Herbs to Your Success, its employees and its owner for all their success and accomplishments and congratulates them on the attaining of this prestigious award. Council directs the Secretary to issue a citation memorializing this Resolution for presentation to an outstanding and worthy recipient of this year's "Award of Excellence", Herbs to Your Success.

The motion passed unanimously.

Jack R. Herbst moved and Larry Stoudt seconded a motion to approve Resolution No. 3 - 12 honouring Moravian Hall Square and its CEO Susan Drabic as follows:

WHEREAS, the Borough of Nazareth seeks to recognize those individuals and businesses who affect real change in our community through their business acumen, professionalism and their foresight,

WHEREAS, the Borough of Nazareth benefits from the contributions of those who pursue progress in caring for the retired, the elderly, the chronically ill and those unable to see to their own needs,

WHEREAS, Moravian Hall Square celebrates twenty five years of providing for the very highest quality of assisted living, skilled nursing and the overall wellness of its residents, and has done so successfully through the stewardship of its President and Chief Financial Officer Susan Drabic,

NOW, THEREFORE, BE IT RESOLVED, and it is hereby resolved by the Borough of Nazareth, in Borough Council assembled that congratulations and best wishes be conveyed to Susan Drabic and to Moravian Hall Square for their quarter century of exemplary service to the retired and the elderly of our region. Moravian Hall Square and Ms. Drabic have likewise provided economic vitality in the form of jobs for medical and administrative personnel while exhibiting the foresight to expand the facility and the scope of the services it provides. Lives have been enriched, others comfortably extended and still others saved by the competence and compassion of a staff which Ms. Drabic has held to the highest standard. To the benefit of all involved, Susan Drabic and Moravian Hall Square have succeeded admirably for twenty five (25) years in their mission to bring

only the best in quality living and personal care to its patrons. For that and all else she has done, Susan Drabic is more than worthy of our appreciation and the adulation of our citizens, Borough Council and the residents and employees of the institution she has guided to the lofty success it now enjoys. Accordingly, the Secretary is directed to issue a certificate memorializing this Resolution for presentation to Susan Drabic, an outstanding citizen and business leader for twenty five years of professional excellence.

The motion passed unanimously.

Police: Jack R. Herbst moved and Frank S. Maurek seconded a motion to close Belvidere Street from Main Street to Spruce Street on Saturday, May 11, 2103 for the Nazareth Arts & Fashion Gala. Hours for the Gala are 5:30 pm to 9:30 pm with the street being closed from 11:00 am until the event's end at 9:30 pm.

The motion passed unanimously.

Jack R. Herbst moved and Frank S. Maurek seconded a motion to approve spending up to eight hundred (\$800.00) dollars for the purchase of a television set for use in the police department. The Police Committee will determine the location of the television and limitations of the channels to be accessed. Discussion followed. Charles A. Donello asked why the money is being spent when there is an operating television set already in the Department.

The motion passed unanimously.

Jack R. Herbst moved and Charles A. Donello seconded a motion to approve taser training for department officers, memberships in Keystone Rod & Gun Club for officers, more computer memory for the police department at a price of sixty nine (\$69.00) dollars per computer and the purchase of an assault rifle for twenty one hundred (\$2,100.00) dollars.

The motion passed unanimously.

Fire: The Fire Report for the month of January 2013 was approved as presented.

Carl A. Fischl moved and Jack R. Herbst seconded a motion to nominate James Collins to the Governor as the Borough's Emergency Management Director for the remainder of 2013.

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

Public Property: Frank Maurek moved and Jack R. Herbst seconded a motion to approve use of Essroc Fields by Nazareth Soccer for Spring soccer practice and games from March 1, 2013 through July 31, 2013. Hours approved from March 1st through June 1st are weekdays 3:00 pm till dusk, Saturdays 8:00 am till dusk and Sundays noon till dusk. From June 1st to July 31st all days are approved for 8 am till dusk. Approval is not granted for the use of Kraemer Field as Spring baseball retains use of that field.

The motion passed unanimously.

Frank S. Maurek moved and Larry Stoudt seconded a motion to approve the request of the Nazareth Area Chamber of Commerce to hold its second annual Bike Fest from 1:00 pm till 7:00 pm in the downtown on May 18, 2013. Some street closings are necessary and specifics will be forthcoming.

The motion passed unanimously.

Frank S. Maurek moved and Charles A. Donello seconded a motion to approve the request of the Nazareth Area Chamber of Commerce to hold the annual Martin on Main event in the downtown from 10:00 am till 7:00 pm on August 3, 2013. Some street closings are necessary and specifics will be forthcoming.

The motion passed unanimously.

Frank S. Maurek moved and Larry Stoudt seconded a motion to grant permission to FedEx to place a drop box in the Borough in the area of the flagpole at 30 Belvidere Street. Discussion followed. Jack R. Herbst asked if other locations had been looked at.

The motion passed unanimously.

Frank S. Maurek moved and Carl A. Fischl seconded a motion to approve the paying of a “down payment” deposit for the equipment to be used in the Pool Filter Project at the Park. The manufacturer, Neptune Benson, is requesting a payment of twenty five thousand, four hundred and six (\$25,406.00) dollars of the \$264,000 final cost.

The motion passed unanimously.

Finance: Larry Stoudt moved and Jack R. Herbst seconded a motion to set the following rates and standards for the elected tax collector for the term January 1, 2014 through December 31, 2017. The elected tax collector will be compensated \$8,500 per year for the collection of Borough real estate taxes and will continue to receive \$5.00 for each tax duplicate bill. Rent for the office at 132 S. Main Street will be \$960 for the year 2014. The collector will be required to make weekly deposits of receipts and will provide the Treasurer with a report by the tenth day of each month.

The motion passed unanimously.

Larry Stoudt moved and Frank S. Maurek seconded a motion to direct the Secretary to advertise parameters, rates, compensation and office rental fees for the tax collector for the term beginning in 2014. Ads will be placed during February of 2013 so that interested persons can register to run for the office of tax collector.

The motion passed unanimously.

Larry Stoudt moved and Michael Kopach seconded a motion to approve Resolution No. 2-13-B as follows:

WHEREAS, Council of the Borough of Nazareth received a proposal for the purchase of a certain easement and right-of-way for the purpose of constructing and maintaining a sanitary sewer line over certain lands of the Borough of Nazareth known as the Nazareth Borough Park;

WHEREAS, Council of the Borough of Nazareth is desirous of entering into an agreement for the sale of the said easement;

NOW, THEREFORE, BE IT RESOLVED, and it is hereby resolved by the Borough of Nazareth, in Borough Council assembled, that Council shall enter into an agreement for sale of said easement under the following terms and conditions:

1. The easement shall be for the construction, use, maintenance, repair and replacement of a sanitary sewer line, being at least thirty (30) feet in width, to provide access for the said purposes.

2. The cost of construction of the said sanitary sewer line shall be borne by Morning Star Senior Living, Inc., which shall also be responsible to restore any property disturbed to its original condition.

3. Installation shall be in accordance with all applicable statutes, ordinances and regulations of the Commonwealth of Pennsylvania, the Borough of Nazareth and the Nazareth Borough Municipal Authority.

4. The easement shall be constructed and located in accordance with Exhibit A, attached hereto and made a part hereof.

5. The easement shall exist for such time as it shall be used for a sanitary sewer line.

6. The easement shall be granted to the Nazareth Borough Municipal Authority.

7. The Morning Star Senior Living, Inc., purchaser of the said easement, shall pay the sum of \$275,000 in the form of \$50,000 payable prior to the commencement of construction of the sanitary sewer line, and twenty-five (25) annual payments thereafter of \$9,000 each, the first payment to be on the one-year anniversary of the initial payment.

Further, the officers of Council of the Borough of Nazareth are authorized to execute such suitable agreements, deeds of easement and accessory documents prepared by the Borough Solicitor to implement this Resolution.

The motion passed unanimously.

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

Michael Kopach moved and Charles A. Donello seconded a motion to approve the purchase of one (1) portable radio and six (6) mobile radios at a total cost of five thousand eight hundred and seventy five (\$5,875.00) dollars.

The motion passed unanimously.

Michael Kopach moved and Christian Audenried seconded a motion to send Keith Knecht and Erin Bowers to “pesticide training”.

The motion passed unanimously.

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

Law: No report.

Mayor: Mayor Daugherty presented the Police Report for January 2013.

Solicitor: No report.

Engineer: No report.

Old Business: Carl A. Fischl told Council about the difficulty of the decision to name a new EMA Coordinator. Fischl went on to say that all three (3) candidates were competent and qualified and that “availability” became a crucial factor in his decision to make a nomination.

New Business: Michael Rinker asked Council if he was still the Borough’s EMA Coordinator. The President told Rinker that he remains the Coordinator until the Governor receives the letter of nomination and follows that with an official appointment.

There being no further business at 8:08 pm, following an Executive Session, on a motion by Larry Stoudt, seconded by Jack R. Herbst, the meeting was adjourned.

Paul A. Kokolus, Secretary

Daniel Chiavaroli, President