

NAZARETH BOROUGH COUNCIL--REGULAR MEETING--MAY 6, 2013

The regular monthly meeting of the Borough of Nazareth was held on Monday, May 6, 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, 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 Councilperson Cynthia Werner. Engineer Aaron Sisler was excused from the Meeting.

Recognition of Citizens From the Floor: Communications: Becky Butz of 37 N. Broad Street told Council that the presentation by Wallover Associates was excellent and answered nearly all of the questions about our Pool. Butz also said she was in favor of the joint Recreation Commission idea bringing in representatives from other municipalities.

Betty Ann McCammon of 15 Wood Street asked for a status report on the Police Department. McCammon asked if we are trying to keep our Police Department.

Joseph Lichner of 493 East Center Street questioned a Public Property proposed motion on the Meeting Agenda granting exclusive food/drink vending rights in the Park to the renters of the Refreshment Stand. Lichner asked if the “exclusivity” applied during Nazareth Day or the Firemen’s Carnival. Lichner also stated that Councilperson Cynthia Werner has missed four meetings in 2013.

Dina Liberatore of 488 Farmview Road told Council she is running a raffle at Bikefest to benefit the Borough’s Dog Park.

Rose Lichner of 493 East Center Street asked Council if action could be taken against people who do not clean up after their pets.

Betty Ann McCammon of 15 Wood Street stated that if Councilperson Werner was asked to step down for meeting absences, why is it that several people are on Council with criminal convictions and are not asked to step down from Council.

The Secretary’s minutes from the regular meeting of April 1, 2013 were approved as presented.

On a motion by Larry Stoudt, seconded by Jack R. Herbst, the Treasurer’s Report for the month of April 2013 was approved as follows:

General Fund--Cash on Hand March 31, 2013	\$	772,728.75
Waste & Recycling Fund--Cash on Hand March 31, 2013	\$	85,979.68
General Fund--Total Receipts	\$	554,558.46
Waste & Recycling Fund--Total Receipts	\$	109,753.69
General Fund--Total Receipts & Cash	\$	1,327,238.10

Waste & Recycling Fund--Total Receipts & Cash	\$	195,733.37
General Fund--Total Disbursements	\$	907,594.37
Waste & Recycling Fund--Total Disbursements	\$	896.00
General Fund--Cash on Hand April 30, 2013	\$	419,643.73
Waste & Recycling Fund--Cash on Hand April 30, 2013	\$	194,837.37
Payroll Account	\$	2,308.33
State Fund Checking Account	\$	273.26
State Fund Money Market	\$	102,853.75
Improvement Fund	\$	-0-
Park Account	\$	3,092.89
Pennsylvania Investment Trust Fund (Reg + Term Investment)	\$	975,316.44
Total of All Borough Funds.....	\$	1,696,325.77

Larry Stoudt moved and Jack R. Herbst seconded a motion to approve the payment of bills totaling \$308,490.37. The motion passed unanimously.

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

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

An Ambulance Report for April 2013 was presented and approved.

Frank S. Maurek moved and Larry Stoudt seconded a motion to accept with regret, the resignation of Mayor Fred C. Daugherty Jr.. Daugherty submitted a letter of resignation to Council President Daniel Chiavaroli on April 15, 2013.

The motion passed unanimously.

President Chiavaroli took the floor to begin the process for nominating a new Mayor. Three Borough residents had submitted resumes for consideration...Lance Colondo of 306 East Prospect Street, Councilman Jack R. Herbst of 60 South Street and Carl R. Strye Jr. of 703 Seip Avenue.

Lance Colondo was first to address Council. Colondo stated he would be an involved mayor and would take an active role in running the Police Department and improving the downtown. Councilman Carl A. Fischl asked Colondo a series of questions...What would you change with the current Police contract?...Should negotiations with Colonial Regional fail, what would you do with our Police Department?...and finally...What's your feeling about raising taxes? Colondo responded to all three questions.

Councilman Jack R. Herbst was next to approach Council. Herbst spoke of his twelve years on Council and his first hand knowledge of how our government works. He spoke of his

interaction with other municipalities in seeking funding for both the Skate Park and Dog Park, two projects he sponsored and authored to completion to include securing funding for both. Councilman Carl A. Fischl asked Herbst two questions...Should negotiations with Colonial Regional fail, what would you do with our Police Department?...and....Other than the Police situation and the Pool crises, what other situations are crucial for our Borough? Herbst responded to both questions.

Carl R. Strye Jr. was last to address Council. Strye listed his Fire Company service and his involvement with the Ambulance Board and the Nazareth Day Fireworks Display as proof of his love and passion for the Borough. Councilman Carl A. Fischl asked Strye a series of questions...What are your feelings about the Borough's downtown?...What is your position on the Police situation and the possible purchase of police services?...What are your feelings concerning the Borough and the Fire Company?. Strye responded to all three questions.

Christian Audenried moved to nominate Carl R. Strye Jr. as mayor to serve the unexpired term of Fred C. Daugherty Jr. through the first Monday of January 2014. Larry Stoudt seconded the motion. A Roll Call vote was called for by the President. Voting "Yes" for Strye's nomination were Councilpersons Maurek, Stoudt, Kopach, Donello and Audenried. Five (5) voting "Yes" to the affirmative. Voting "No" were Councilmen Chiavaroli, Herbst and Fischl. Three (3) voting "No" or to defeat the motion. The motion carried and Carl R. Strye Jr. is nominated as Mayor of the Borough of Nazareth.

Economic Development & Paving: Jack R. Herbst moved and Charles A. Donello seconded a motion to contract with Wallover Associates and approve an AIA B141 Contract for services connected with the Borough's development of a plan for a new Pool.

The motion passed unanimously.

Jack R. Herbst moved and Michael Kopach seconded a motion to direct the Secretary to advertise for an informal "public meeting" on May 16, 2013 at 7:00 pm at Council Chambers to address the Pool situation and future plans for a new Pool.

The motion passed unanimously.

Jack R. Herbst moved and Frank S. Maurek seconded a motion to direct the Secretary to place information about the May 16, 2013 Pool Meeting on the Borough website.

The motion passed unanimously.

Police: Jack R. Herbst moved and Michael Kopach seconded a motion to approve a handicapped parking space at 40 South Street for Beth Wasem..

The motion passed unanimously.

Jack R. Herbst moved and Charles A. Donello seconded a motion to approve the purchase of ammunition and weaponry at a total cost of \$550.00.

The motion passed unanimously.

Jack R. Herbst moved and Charles A. Donello seconded a motion to direct the Secretary to place ads for “Part Time” police officers. Discussion followed and Jack R. Herbst stated that the applications should be copied and duplicates are to be given to the Chief of Police

The motion passed unanimously.

Jack R. Herbst moved and Larry Stoudt seconded a motion to vote on an ordinance prohibiting parking on the west side of South Broad Street between Meeser and Bacon Streets. The advertised ordinance will be amended to eliminate the placing of a “Stop” sign on South Green Street at the intersection with West Walnut Street. The motion passed unanimously. Voting “Yes” were Councilmen Chiavaroli, Herbst, Fischl, Maurek, Stoudt, Kopach, Donello and Audenried. Eight (8) voting “Yes” and Ordinance #785 is adopted into the Borough Code of Ordinances.

Jack R. Herbst moved and Michael Kopach seconded a motion to accept the resignation of William Coker from the Borough’s Civil Service Commission

The motion passed unanimously.

Jack R. Herbst moved and Carl A. Fischl seconded a motion to advertise for 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.

Jack R. Herbst moved and Larry Stoudt seconded a motion to approve the use of the Pavilion by the grandstand on August 4, 2013 from 6:00 pm till 10:00 pm for a band performance.

The motion passed unanimously.

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

Carl A. Fischl moved and Jack R. Herbst seconded a motion to accept the resignation of Fred C. Daugherty Jr. from the Borough’s Ambulance Board.

The motion passed unanimously.

Public Property: Frank S. Maurek moved and Jack R. Herbst seconded a motion to approve payment of the costs for a Job Johnny and a handicapped Job Johnny near the Gazebo in the Park. The motion was amended during its presentation to add another Job Johnny to the Log Cabin.

The motion passed unanimously.

Frank S. Maurek moved and Larry Stoudt seconded a motion to approve the request of Holy Family Church for use of the parking lot at the Park for shuttle bus parking service for their church picnic on Saturday, July 27, 2013 from 3:00 pm till 1:00 am and to make Convent Avenue “One Way” traveling south on the same day.

The motion passed unanimously.

Frank S. Maurek moved and Carl A. Fischl seconded a motion to continue to provide “exclusive rights” to the refreshment stand in the Park to be the sole purveyor of food and drink to be sold to the general public on a retail basis. Renters of the pavilions or any Park venue can have caterers provide food and drink to their guests but they cannot offer any refreshments, beverages or food for public sale while in the Park. Discussion followed. Jack R. Herbst requested that a proviso be added to the motion stating “unless the purveyor(renter of the refreshment stand) agrees”.

The motion passed unanimously.

Frank S. Maurek moved and Jack R. Herbst seconded a motion to close the Park Pool for the 2013 Summer Season and to “*not*” do the \$61,000 “temporary pool fix”.

The motion passed unanimously.

Frank S. Maurek moved and Jack R. Herbst seconded a motion to proceed with planning for a new Pool. Discussion followed. Christian Audenried requested that the motion be reworded to read “explore options for a new Pool”. No one dissented to the wording change.

The motion passed unanimously.

Frank S. Maurek moved and Larry Stoudt seconded a motion to approve use of Council Chambers on May 15, 2013 by the third grade class of the Bushkill Elementary School.

The motion passed unanimously.

Finance: Larry Stoudt moved and Jack R. Herbst seconded a motion to pay the outstanding balance of two hundred and forty two thousand, six hundred and twelve (\$242,612.00) dollars due to Neptune-Benson for the new pool filters.

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

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

Michael Kopach moved and Charles A. Donello seconded a motion to hire Benjamin Recker, Lizzie Deutsch, William Deutsch and Stefen Herbst as summer employees for the Public Works

Department. Their employment will end on Labor Day or before and is contingent on them being college students.

The motion passed unanimously.

Michael Kopach moved and Charles A. Donello seconded a motion to approve the bids for miscellaneous highway materials and rental equipment as approved by the Borough Engineer.

The motion passed unanimously.

Ecology: Charles A. Donello moved and Michael Kopach seconded a motion to approve the placing of shrubbery and flowers at the Murante property for the proposed carwash on Easton Road. This would amend the requirements of the Subdivision Land Development Act, Chapter 24, Section 409-2D which would require the planting of trees in this instance.

The motion passed unanimously.

Charles A. Donello moved and Christian Audenried seconded a motion to approve an “E-Cycling” event at the Park on May 25, 2013 from 10:00 am till 2:00 pm for pickup of electronic items by Advanced Green Solutions.

The motion passed unanimously.

Charles A. Donello moved and Frank S. Maurek seconded a motion to advertise the “E-Cycling” event at the Park on May 25, 2013 with a quarter page (1/4 pg) ad in the Nazareth Key. Discussion followed. The Secretary/Treasurer asked for a clarification about the host of the event and the Borough paying the approximate one hundred and ninety (\$190.00) dollars for the advertising. The President called for a Roll Call vote. Voting “Yes” were Councilmen Fischl, maurek, Kopach, Donello and Audenried. Five (5) voting “Yes”. Voting “No” were Councilmen Chiavaroli, Herbst and Stoudt. Three (3) voting “No” and the motion carries.

The Refuse and Recycling Report for the month of April 2013 was approved as presented.

Law: Christian Audenried moved and Jack R. Herbst seconded a motion to accept the proposed \$3,500 settlement for the case involving the use of a taser by one of our police officers. The settlement amount will be paid by the Borough’s insurer.

The motion passed unanimously.

Christian Audenried moved and Larry Stoudt seconded a motion to accept the resignation of Fred C. Daugherty Jr. from the Borough’s Planning Commission.

The motion passed unanimously.

Christian Audenried moved and Jack R. Herbst seconded a motion to advertise and hold a “special meeting” on June 10, 2013.

The motion passed unanimously.

Christian Audenried moved and Jack R. Herbst seconded a motion to approve Resolution 5-13-A honoring Eagle Scout Michael Facinelli, Resolution 5 -13 - B honoring Eagle Scout Ryan Perna, Resolution 5 -13 - C honoring Eagle Scout Zachary Johnson, Resolution 5 -13 - D honoring Eagle Scout Lucas Baum, Resolution 5 -13 - E honoring Eagle Scout Michael Linkowski and Resolution 5 -13 - F honoring Eagle Scout Andrew Marth. Discussion followed. Jack R. Herbst spoke to the hard work required to attain the rank of Eagle Scout and the credit which each young man and their parents deserve.

The motion passed unanimously.

Christian Audenried moved and Jack R. Herbst seconded a motion to advertise for an ordinance which would dedicate various streets received from the Moravian Church. Discussion followed and several Councilmen asked for an explanation. The process of dedicating streets officially makes them eligible for inclusion in the Borough's Annual Liquid Fuel Reimbursement

The motion passed unanimously.

Christian Audenried moved and Jack R. Herbst seconded a motion to approve Resolution 5-13 honoring Catherine Salmento, recipient of the Girl Scout Gold. Award 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 Girl Scout Catherine Salmento, a young citizen of the Borough of Nazareth who has attained the prestigious Girl Scout Gold Award,

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 Catherine Salmento, a member of the Girl Scouts of Eastern Pennsylvania, upon completion of the requirements for the highest award in Girl Scouting, the Gold Award. This award requires that a Girl Scout challenge the world and in particular their corner of the world while they strive to find greatness inside themselves and share their ideas and passions with their communities. Catherine Salmento has satisfied all of these challenges and is deserving of this most distinguished award. 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 so on this day it recognizes this exceptional young lady.

AND NOW, this sixth day of May, 2013, Nazareth Borough Council commends and honors Catherine Salmento for receiving the Girl Scout Gold Award and directs the Secretary to issue a certificate memorializing this Resolution for presentation to an outstanding young citizen of the Borough of Nazareth.

The motion passed unanimously.

Mayor: Mayor Strye thanked Council for its support and added that the Pool issue will be a major issue for Council in the coming months. Strye suggested that all methods of raising money to finance the Pool construction be put to use.

Solicitor: No report.

Engineer: No report.

Old Business: None.

New Business: Carl A. Fischl asked if the Zoning Officer could be directed to police the downtown for violations

There was a request for an “Executive Session” and the regular meeting was adjourned to the “Executive Session” at 8:36 pm.

There being no further business at 9:43 pm, following the Executive Session, on a motion by Larry Stoudt, seconded by Jack R. Herbst, the meeting was adjourned.

Paul A. Kokolus, Secretary

Daniel Chiavaroli, President