

NAZARETH BOROUGH COUNCIL--REGULAR MEETING--SEPTEMBER 6, 2016

The regular monthly meeting of the Borough of Nazareth was held on Tuesday, September 6, 2016 at 6:00 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 John N. Samus, Lance E. Colondo, Carl A. Fischl, Frank S. Maurek, Michael Kopach, Charles A. Donello, and Brian F. Regn, Solicitor Alfred S. Pierce, Borough Engineer Albert Kortze, and Highway Superintendent Robert Reimer. Absent was Mayor Carl R. Strye Jr. and Police Commissioner Randall Miller.

President Chiavaroli told Council that he had received a letter and had an announcement and then read aloud the following letter which he had received that morning. The letter was sent to him by Mayor Carl R. Strye Jr.

September 6, 2016  
Dan Chiavaroli  
President, Nazareth Borough Council

Dear President Chiavaroli,

I am informing you of my immediate resignation as Mayor of the Borough Nazareth.

I would like to thank all the council members for their support over my three and a half years of my tenure. We have accomplished a lot together and I am very proud of what we have accomplished.

I would also like to thank all the borough residents and businesses who supported my efforts.

However, I cannot let my issue be a black cloud over the Borough. I truly love this town and would do anything for this community. However, I am at a point in my life where I have to do the right thing for my family and the Borough.

I must say I am sorry the Borough got wrapped up in my issue. The last thing I would ever want to happen is to hurt the citizens and businesses in the town, I love the most.

For the first time in 38 years I will not be serving my community in any capacity. Not too many people can say that. I am proud of my accomplishments and I can say they were all for the benefit of the Borough of Nazareth.

Our police department is moving in the right direction with Commissioner Miller in charge. I am proud to have worked many long days and hours with him. I wish council will keep the path that we worked so hard to pave for the betterment of the department.

I wish you, our hard working councilman, Police commissioner, Randal Miller, Our office staff, Chris and Diana, The entire staff of the Nazareth Police department, Bob Reimer, head of public works, all public works employees and all departments and personnel within the Borough, along with all the citizens of this great community of Nazareth, the best of luck.

May God bless all of you and this great community of Nazareth, PA.

With a heavy heart!

Sincerely,

Carl Strye, Jr.

Council then went into "Executive Session" for a contractual matter.

Daniel Chiavaroli moved and Frank S. Maurek seconded a motion to accept the immediate resignation of Carl R. Strye Jr. as Mayor of the Borough of Nazareth.

The motion passed unanimously.

Recognition of Citizens From the Floor: Sandy Klotz of East Center Street asked if Council was planning on storm water repairs in her area.

President Chiavaroli then called retiring crossing guard Darlene Peters to the front of the chamber. Chiavaroli read aloud Resolution 8 -16 - A which honored Peters for her 35 years of service and presented her with a leather-bound copy of the Resolution. Peters was applauded and congratulated by Council and the assemblage.

Communications: None.

The Secretary's minutes for the regular meeting of August 1, 2016 were approved as presented.

On a motion by Michael Kopach seconded by Larry Stoudt, the Treasurer's Report for the month of August 2016 was approved as follows:

General Fund--Cash on Hand July 31, 2016	\$	164,861.50
Waste & Recycling Fund--Cash on Hand July 31, 2016	\$	415,429.96
General Fund--Total Receipts	\$	313,008.14
Waste & Recycling Fund--Total Receipts	\$	10,196.00
General Fund--Total Receipts & Cash	\$	477,869.64
Waste & Recycling Fund--Total Receipts & Cash	\$	425,625.96
General Fund--Total Disbursements	\$	350,993.45
Waste & Recycling Fund--Total Disbursements	\$	123,872.13
General Fund--Cash on Hand August 31, 2016	\$	126,876.19
Waste & Recycling Fund--Cash on Hand August 31, 2016	\$	301,753.83
ESSA Payroll Account	\$	64,179.68
State Fund National Penn	\$	117,172.67
ESSA Loan Account	\$	65.79
Improvement Fund	\$	-0-
Park Account	\$	209,468.64
Highway & Fire Vehicle Account	\$	-0-
Pennsylvania Investment Trust Fund (Reg + Term Investment)	\$	1,126,507.25
Total of All Borough Funds.....	\$	1,946,024.05

Michael Kopach moved and Charles A. Donello seconded a motion to approve the payment of bills totaling \$474,865.58. The motion passed unanimously.

The Report of the Zoning & Code Officer for the month of August 2016 was approved.

An Emergency Management Report for the month of August 2016 was presented and approved.

An Ambulance Report for August 2016 was not presented.

Law: John N. Samus moved and Carl A. Fischl seconded a motion to vote on an ordinance to place two (2) fifteen (15 min) minute parking zones on South Main Street south of Belvidere Street. The change will place one parking zone on each side of South Main Street. The motion passed unanimously and a “Roll Call” vote followed. Voting “Yes” were Councilmen Samus, Colondo, Fischl, Maurek, Stoudt, Kopach, Donello, Regn and Chiavaroli. Nine (9) voting “Yes” and Ordinance #820 is adopted into the Borough Code of Ordinances.

John N. Samus moved and Charles A. Donello seconded a motion to vote on an ordinance for the official dedication of G.W. Stoudt Boulevard, Sage Street and the Sage Street cul de Sac adding those to the Borough streets listing for the purpose of securing additional PA Liquid Fuels funding. The motion passed unanimously and a “Roll Call” vote followed. Voting “Yes” were Councilmen Samus, Colondo, Fischl, Maurek, Stoudt, Kopach, Donello, Regn and Chiavaroli. Nine (9) voting “Yes” and Ordinance #821 is adopted into the Borough Code of Ordinances.

John N. Samus moved and Michael Kopach seconded a motion to approve Resolution No. 9 - 16 which specifies that in accordance with Act 428 of 1968, that each individual act of disposition...each instance of destruction of documents... shall be approved by a resolution of the governing body of the municipality as follows:

**A RESOLUTION OF BOROUGH COUNCIL of the BOROUGH of NAZARETH, NORTHAMPTON COUNTY, PENNSYLVANIA, DECLARING ITS INTENT TO FOLLOW THE SCHEDULES AND PROCEDURES FOR DISPOSITION OF RECORDS AS SET FORTH IN THE MUNICIPAL RECORDS MANUAL APPROVED ON DECEMBER 16, 2008.**

WHEREAS, a Local Government Records Committee was created by Act 428 of 1968 and empowered thereby to make rules and regulations for records disposition; and,

WHEREAS, the Municipal Records Manual was approved by said committee on December 16, 2008; and,

WHEREAS, the BOROUGH OF NAZARETH desires to dispose of records according to statutory requirements;

NOW, THEREFORE, BE IT RESOLVED by the COUNCIL of the BOROUGH of NAZARETH of, NORTHAMPTON County, Pennsylvania, that it intends to follow the schedules and procedures for disposition of records as set forth in the Municipal Records Manual approved on December 16, 2008.

The motion passed unanimously.

John N. Samus moved and Charles A. Donello seconded a motion to approve Resolution No. 9 - 16 which certifies that Nazareth Borough will follow the schedules and procedures for disposition

of records as set forth in the Municipal Records Manual Approved on December 16, 2008. as follows:

Resolved by the Council of the Borough of Nazareth, Northampton County, Pennsylvania,  
That

WHEREAS, by virtue of Resolution No. 9 -16 - A, adopted September 6, 2016, the Borough of Nazareth declared its intent to follow the schedules and procedures for the disposition of records as set forth in the Municipal Records Manual approved December 16, 2008, and,

WHEREAS, in accordance with Act 428 of 1968, each individual act of disposition shall be approved by resolution of the governing body of the municipality;

NOW, THEREFORE, BE IT RESOLVED That the Council of the Borough of Nazareth, Northampton County, Pennsylvania, in accordance with the above cited Municipal Records Manual, hereby authorizes the disposition of the following public records:

Office

Record title, dates, cubic feet

Office

Record title, dates, cubic feet

The motion passed unanimously.

John N. Samus moved and Charles A. Donello seconded a motion to approve a newly updated Nazareth Borough Organizational Chart showing proper responsibility for each Council Committee, each Manager, each Council person, every Borough employee & volunteer.

The motion passed unanimously.

John N. Samus moved and Michael Kopach seconded a motion to approve an update to Borough employee evaluations. The change would dictate who evaluates each employee and would also establish a schedule and a criteria for when the evaluations are done, where they are kept and what follow up actions occur

The motion passed unanimously.

John N. Samus moved and Larry Stoudt seconded a motion to appoint Alfred Pierce as the new arbitrator for Act 111 Police Contract negotiations.

The motion passed unanimously.

John N. Samus moved and Lance E. Colondo seconded a motion to approve Resolution No. 9 - 16 - E sponsoring the Moravian Historical Society's submission of a Monroe County LSA Gaming grant as follows:

**WHEREAS**, the Borough of Nazareth, Northampton County, is eligible to apply for a Monroe County Local Share Account Gaming Grant,

**WHEREAS**, the Borough of Nazareth as a qualifying applicant is also eligible to sponsor as a municipality, an agency or entity that does not qualify for application to the Monroe County Local Share Account Gaming Grant Program,

**WHEREAS**, the Borough of Nazareth has corresponded with the Pennsylvania Department of Community and Economic Development officially endorsing its position as a municipal sponsor for the Moravian Historical Society,

**NOW, THEREFORE, BE IT RESOLVED**, and it is hereby resolved by the Borough of Nazareth , in Borough Council assembled, that:

1. An endorsement letter to the Pennsylvania Department of Community and Economic Development, including the understanding and assurances contained therein, has been submitted on behalf of the Moravian Historical Society for consideration of receiving said grant from the Monroe County LSA Grant Program.

2. Nazareth Borough Council certifies its sponsorship of the Moravian Historical Society in its efforts to secure a one hundred thousand (\$100,000.00) dollar award to be used for the renovation of one of its facilities.

3. The Borough of Nazareth designates Secretary/Treasurer Paul A. Kokolus as the Borough's grant contact, entrusted with executing all documents related to this project and stating the Borough's and the Moravian Historical Society's belief that this is a valid and viable project which will help the Borough and those who use the buildings and facilities of the Moravian Historical Society.

The motion passed unanimously.

Fire: Lance E. Colondo moved and Charles A. Donello seconded a motion to approve a purchase of \$440.00 from Industrial Communications for batteries, lapel mics, and charging bases.

The motion passed unanimously.

Lance E. Colondo moved and Carl A. Fischl seconded a motion to approve the payment of \$1,468.45 to Wildland Warehouse for various tools to outfit the ATV Quad vehicle

The motion passed unanimously.

Lance E. Colondo moved and Carl A. Fischl seconded a motion to approve an expenditure of \$5,303.60 payable to Fire Pump Systems for annual certification of fire pump & hose tests on all hoses at .22 cents per foot.

The motion passed unanimously.

The Fire Committee report for the month of August 2016 was approved as presented.

Police: Carl A. Fischl moved and Larry Stoudt seconded a motion to approve the request of the Nazareth YMCA to hold the annual Pumpkin Pie 5k Race/Walk on Thanksgiving morning, Thursday, November 24, 2016 from 9:00 am till noon.

The motion passed unanimously.

Carl A. Fischl moved and Michael Kopach seconded a motion to approve the hiring of three (3) substitute crossing guards...William Dietrich, Mel Lazowitz & Karen Shafer

The motion passed unanimously.

Carl A. Fischl moved and John N. Samus seconded a motion to approve the purchase of a new shotgun and the trade in of a Winchester shotgun at a total cost of \$351.60

The motion passed unanimously.

Carl A. Fischl moved and Brian F. Regn seconded a motion to approve the purchase of safety "glow sticks" for distribution to Trick or Treaters at a cost of \$327.00

The motion passed unanimously.

Carl A. Fischl moved and Lance E. Colondo seconded a motion to approve the purchase of two (2) knit style golf shirts with logos for the Police Administrative Assistant at a total cost of \$60.

The motion passed unanimously.

Carl A. Fischl moved and Charles A. Donello seconded a motion to approve the use/closure of Belvidere Street from Main to Broad Streets on June 3, 2017 from 1:00 pm till 7:00 pm by the Nazareth/Bath Chamber of Commerce in coordination with the Greater Lehigh Valley Food Alliance for the Second Annual Food Truck Festival. Discussion followed. Larry Stoudt asked why the event was not being moved to Veterans Memorial Square.

The motion passed unanimously.

Carl A. Fischl moved and Charles A. Donello seconded a motion to approve sending Officer Randall Pompei to laser training in Lakehurst, New Jersey in October of 2016. All of Pompei's expenses will be paid for this training.

The motion passed unanimously.

President Chiavaroli announced the Hiring Committee for a part time police officer to include Carl A. Fischl, Lance E. Colondo and Brian F. Regn.

Public Property: Frank S. Maurek moved and Brian F. Regn seconded a motion to approve Resolution No. 9 -16 - B which certifies the Borough's submission of a 2016 Open Space Parks Rehabilitation Grant for Park improvements as follows:

**WHEREAS**, the Council of the Borough of Nazareth recognizes that the Borough needs to provide Park and recreation facilities that contribute to the quality of life and the economic health of our community; and

**WHEREAS**, the County Council of Northampton County has established the Northampton County Open Space Initiative supported by a referendum overwhelmingly passed by Northampton County voters on November 5, 2002; and

**WHEREAS**, the program provides for funding grants that may be used by the municipality to acquire land for park purposes and for park development or rehabilitation; and

**WHEREAS**, the Borough of Nazareth, Northampton County, Pennsylvania wishes to participate in the Municipal Park Acquisition and Development Program; and

**WHEREAS**, the Municipality will have available \$23,796.21 and will budget in 2017 for the additional needed monies.

**NOW, THEREFORE, BE IT RESOLVED** by the governing body of the Borough of Nazareth, Northampton County, Pennsylvania, as follows;

1. That the Borough of Nazareth, Northampton County, Pennsylvania hereby approves the filing of an application for funds under the Park Acquisition and Development Program.
2. That Borough Secretary/Treasurer Paul A. Kokolus, is hereby authorized and directed to execute and file the appropriate forms with the Northampton County Open Space Advisory Board.

The motion passed unanimously.

Frank S. Maurek moved and Brian F. Regn seconded a motion to approve an Eagle Scout Project for Samuel Borick for the building and placement of four (4) "Free Little Libraries" library boxes throughout our Borough. Boxes would be placed in the Circle, at the Pool, at Council Chambers and at the Dog Park

The motion passed unanimously.

Frank S. Maurek moved and Michael Kopach seconded a motion to approve the approve the reserving of the ball field at Veteran's Memorial Square on September 17, 2016 at 10:00 am for a softball game between the staff of the Nazareth YMCA and the employees of Moravian Hall Square

The motion passed unanimously.

Frank S. Maurek moved and Michael Kopach seconded a motion to approve use of the Circle by Nazareth Girl Scouts troops from late September until the first weekend of November to display their scarecrows.

The motion passed unanimously.

Frank S. Maurek moved and Michael Kopach seconded a motion to approve the use of the area around Council Chambers and the use of Council Chambers itself on May 13, 2017 from 1:00 pm till 7:00 pm by the Nazareth Area Chamber of Commerce for the Fifth Annual Bike Fest

The motion passed unanimously.

Frank S. Maurek moved and Carl A. Fischl seconded a motion to approve the use of the area around Council Chambers and the use of Council Chambers itself on April 29, 2017 from 1:00 pm till 7:00 pm by the Nazareth/Bath Chamber of Commerce for the 4th Annual NazJazz Festival

The motion passed unanimously.

Frank S. Maurek moved and Larry Stoudt seconded a motion to approve the payment of the "retainage" amount of \$15,116.44 to Penn Quaker Excavating for completion of the Main Street Parking Lot Project. The Borough Engineer has approved payment of the "retainage".

The motion passed unanimously.

Frank S. Maurek moved and Brian F. Regn seconded a motion to approve Resolution No. 9 -16- C endorsing the submission of a 2016 Northampton County Growing Greener Grant for improvements in the Park.

The motion passed unanimously.

Frank S. Maurek moved and Brian F. Regn seconded a motion to approve Resolution No. 9 - 16 - A which certifies the Borough's submission of a 2016 Monroe County Local Share Award Grant to fund the installation and or repair of five (5) different roofs on Borough buildings and facilities as follows:

WHEREAS, the Borough of Nazareth, Northampton County, Pennsylvania, is eligible to apply for a Monroe County Local Share Account Gaming Grant,

WHEREAS, the Borough of Nazareth seeks to repair and/or replace five different roofs on Borough buildings and facilities due to their deteriorating condition and their age,

WHEREAS, the work of replacing these five (5) roofs has been deemed critical because of the potential damage from rainwater, seepage and dangerous mold that may occur from repair neglect,

NOW, THEREFORE, BE IT RESOLVED, and it is hereby resolved by the Borough of Nazareth, in Borough Council assembled, that the Borough seeks the assistance of the Monroe County Local Share Account Grant Program to help fund this very vital project. The Borough Municipal Office Building, the Borough's Culture and Arts Center at 30 Belvidere Street, the Park Refreshment Stand, the Picnic Pavilion and the Borough Storage Garage all have roofs which are aged and seriously deficient. Thousands of regional and Nazareth Borough residents use these buildings to pay their taxes, appear for District Magistrate John Capobianco or to meet with State Representative Joseph Emrick. Many attend concerts and art exhibitions at our Arts Center while swimmers and Park goers patronize the Refreshment Stand in our Park. Our Park Storage Garage

houses necessary Public Works equipment and Pool supplies while the Picnic Pavilion is the home of a multitude of family reunions, parties, summer outings and the annual D-Day Remembrance Celebration. All have roofs badly in need of repair and based on all those that are served there, they take on an even more critical role. The assistance of the Local Share Account Monroe County Gaming Grant program is solicited to help fund this most important project. The Borough seeks eighty four thousand, eight hundred and seven (\$84,807.00) dollars in Monroe County LSA grant assistance and is prepared to provide twenty five thousand (\$25,000.00) dollars in grant match funding to make this project a reality and rectify this ongoing problem. The Borough Secretary/Treasurer is therefore discharged to write a grant proposal and request consideration for this funding and to place the grant match amount in the Borough's 2017 Municipal Operating Budget.

The motion passed unanimously.

Finance: Larry Stoudt moved and Brian F. Regn seconded a motion to approve Withdrawal #5 - Escrow from ESSA Bank in the amount of \$15,116.44 to pay the final "retainage" to Penn Quaker Excavating for the Main Street Parking Lot. The Borough Engineer has inspected the completed work and has recommended payment of the retainage amount.

The motion passed unanimously.

Larry Stoudt moved and Brian F. Regn seconded a motion to approve the submission of a list of delinquent taxes, Refuse & Recycling fees and sewer charges to Northampton County for the September 2016 Upset Sale.

The motion passed unanimously.

Larry Stoudt moved and Brian F. Regn seconded a motion to approve re-designating Borough bank accounts for Refuse and Recycling, the General Account, the Park Account, the State Liquid Fuels Account, the District Attorney Account and moneys in PLGIT to Embassy Bank. Essa Bank will also continue with Borough Refuse and Recycling payment collections along with Embassy Bank.

The motion passed. There was one (1) abstention.

Larry Stoudt moved and Frank S. Maurek seconded a motion to approve the 2017 Police Pension Budget which requires no Borough contribution due to its "over funded" status as follows:

**BOROUGH OF NAZARETH  
POLICE ASSOCIATION PENSION PLAN  
BUDGET FOR 2017**

<b>Normal cost percentage</b>	<b>21.00 %</b>
<b>Administrative Expense Percentage</b>	<b>7.10 %</b>
<b>Total Percentage</b>	<b>28.10%</b>
<b>Estimated 2016 Payroll</b>	<b>\$ 385, 500. 00</b>

<b>Annual Cost</b>	<b>\$ 108, 325. 50</b>
<b>Amortization Contribution Requirement</b>	<b>\$ 0</b>
<b>Financial Requirement</b>	<b>\$ 108, 325. 50</b>
<b>Member Contributions</b>	<b>\$ 0</b>
<b>10 % of Negative Unfunded Accrued Liability</b>	<b>\$ 277, 048. 00</b>
<b>Minimum Municipal Obligation</b>	<b>\$ 0 **</b>

**\*\* Minimum Municipal Obligation = \$ 0.00 ...since assets exceed Present Value of Future Benefits.**

Based upon 1/1/2015 Actuarial Valuation

The motion passed unanimously.

Larry Stoudt moved and Lance E. Colondo seconded a motion to approve the 2017 Non-Uniformed Pension Budget calling for a Borough contribution of \$10,308.50 above the amount the Borough will receive in state pension aid.

**BOROUGH OF NAZARETH  
EMPLOYEE ASSOCIATION PENSION PLAN  
BUDGET FOR 2017**

<b>NORMAL COST PERCENTAGE:</b>	<b>BOROUGH:</b>	<b>9%</b>
	<b>NBMA:</b>	<b>7%</b>
<b>ESTIMATED 2016 PAYROLL:</b>	<b>BOROUGH:</b>	<b>\$ 525, 650.00</b>
	<b>NBMA:</b>	<b>\$ 345, 120.00</b>
<b>ANNUAL COST:</b>	<b>BOROUGH:</b>	<b>\$ 47, 308.50</b>
	<b>NBMA:</b>	<b>\$ 24, 158.40</b>
<b>STATE ALLOCATION:</b>	<b>BOROUGH:</b>	<b>\$ 37, 000.00</b>
	<b>NBMA:</b>	<b>\$ 0</b>
<b>BOROUGH ALLOCATION:</b>		<b>\$ 10,308.50</b>
<b>NBMA ALLOCATION:</b>		<b>\$ 24,158.40</b>

The motion passed unanimously.

Public Works: The Public Works Report for the month of August 2016 was approved as presented.

Ecology: The Ecology Report for the month of August 2016 was approved as presented.

Technology: Brian F. Regn moved and Lance E. Colondo seconded a motion to approve the purchase of two (2) computer boxes from East Coast Network Services. The computer boxes will monitor our stock of chemicals and the funds-\$2,204.36 - will come out of Public Works Minor Equipment Purchases

The motion passed unanimously.

Council then went into Executive Session.

Brian F. Regn moved and Charles A. Donello seconded a motion to appoint John N. Samus as Mayor to serve until the first Monday in January of 2018.

The motion passed unanimously.

President Daniel Chiavaroli congratulated John Samus who had accepted the nomination as Mayor and applause followed.

Frank S. Maurek moved and Lance E. Colondo seconded a motion to accept the resignation of John N. Samus as a Councilman from the Borough's Second Ward thus vacating the term due to end on the first Monday of January 2018.

The motion passed unanimously.

Frank S. Maurek moved and Brian F. Regn seconded a motion to direct the Secretary to advertise the Second Ward Council opening with an application deadline of Friday, September 23, 2016. The motion includes the naming of a new Councilperson at the October 2016 Borough Business Meeting.

The motion passed unanimously.

The Police Report for the month of August 2016, presented by Carl A. Fischl was approved as presented.

Solicitor: No report.

Engineer: No report.

Old Business: Michael Kopach asked Council if any thought had been given to selling the property that the Borough owns south of Schoeneck Road. Kopach asked if we should have the property appraised and attempt to sell it.

New Business: Mayor John N. Samus asked Council if a decision was forthcoming on the remaining money in the ESSA Bank Escrow account. The Borough faces an October 31, 2016 deadline for use of the money. Solicitor Alfred S. Pierce told Council that he wrote into the Borrowing Agreement that the Borough can borrow the balance and use it for payment of the November 2016 Debt Service due to ESSA Bank. Currently, the Escrow Account contains one hundred and seventy four thousand, seven hundred and twenty three (\$174,723.30) dollars and thirty cents of remaining borrowing ability meaning that the Borough can still borrow that amount before the October 31, 2016 deadline.

There being no further business, on a motion by Larry Stoudt, seconded by Charles A. Donello, the meeting was adjourned at 7:35 p.m.

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Paul A. Kokolus, Secretary

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Daniel Chiavaroli, President