

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

The regular monthly meeting of the Borough of Nazareth was held on Tuesday, September 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: Jeanette Hartzell requested use of the small softball field in the Park by Nazareth Lacrosse for Fall practices.

Clifford Hess of 153 S. Broad Street told Council about the serious traffic problem on South Broad Street near the Walnut Street traffic signal.

Daniel Chiavaroli announced that he had just received notice that Public Works Superintendent Robert Reimer had finished in third place nationally in the "Build A Better Mousetrap" competition. Reimer had previously finished first in the Pennsylvania competition.

Mayor Strye then introduced the Borough's two most recent hires, part time police officers Jeremy Kale and Eric Schwab.

Communications: None.

The Secretary's minutes for the regular meeting of August 5, 2013 were approved as presented.

On a motion by Michael Kopach seconded by Jack R. Herbst, the Treasurer's Report for the month of August 2013 was approved as follows:

General Fund--Cash on Hand July 31, 2013	\$	76,912.03
Waste & Recycling Fund--Cash on Hand July 31, 2013	\$	152,671.71
General Fund--Total Receipts	\$	498,490.25
Waste & Recycling Fund--Total Receipts	\$	9,809.55
General Fund--Total Receipts & Cash	\$	575,402.28
Waste & Recycling Fund--Total Receipts & Cash	\$	162,481.26
General Fund--Total Disbursements	\$	245,975.64
Waste & Recycling Fund--Total Disbursements	\$	108,789.96
General Fund--Cash on Hand August 31, 2013	\$	329,426.64
Waste & Recycling Fund--Cash on Hand August 31, 2013	\$	53,691.30
Payroll Account	\$	2,308.23
State Fund Checking Account	\$	1,604.65

State Fund Money Market	\$	76,885.68
Improvement Fund	\$	-0-
Park Account	\$	15,030.18
Highway & Fire Vehicle Account	\$	-0-
Pennsylvania Investment Trust Fund (Reg + Term Investment)	\$	725,383.46
Total of All Borough Funds.....	\$	1,204,330.14

Jack R. Herbst moved and Michael Kopach seconded a motion to approve the payment of bills totaling \$347,675.60. The motion passed unanimously.

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

An Emergency Management Report for the month of August 2013 was not presented.

An Ambulance Report for August 2013 was not presented.

Economic Development & Paving: No report.

Police: Jack R. Herbst moved and Carl A. Fischl seconded a motion to approve the closing of downtown streets for the 2013 Halloween Parade to be held on Saturday, October 19, 2013 at 1:00 pm. No parking signs in the metered zone are not to be placed until the parking enforcement officer's final tour of the day after 4:00 pm.

The motion passed unanimously.

Jack R. Herbst moved and Charles A. Donello seconded a motion to add a crossing guard for an additional shift at the "5 Points" intersection for the third shift of school dismissals at 3:15 pm.

The motion passed unanimously.

Jack R. Herbst moved and Charles A. Donello seconded a motion to direct the Engineer to correspond with PennDot to address the feasibility of adding a crosswalk at the intersection of East Walnut Street, Franklin Street and the Liberty and Victory Lane terminus.

The motion passed unanimously.

Jack R. Herbst moved and Cynthia Werner seconded a motion to approve sending Officer Steven Schlieg to the Penn State Justice Institute from September 30, 2013 through October 2, 2013 for officer training at a cost of three hundred and ninety (\$390.00) dollars.

The motion passed unanimously.

Jack R. Herbst moved and Cynthia Werner seconded a motion to approve sending Officer Steven Lindstedt to a three day "field sobriety" training course.

The motion passed unanimously.

Jack R. Herbst moved and Carl A. Fischl seconded a motion to approve sending three (3) officers to Taser Training at a total cost of two hundred (\$200.00) dollars.

The motion passed unanimously.

Jack R. Herbst moved and Charles A. Donello seconded a motion to approve the placing of three (3) additional “school crossing zones” signs...one sign will be placed at the intersection of Center and Belvidere Streets, another at the intersection of Victory Lane and Belvidere Streets and the final sign will be placed at the intersection of Liberty and Belvidere Streets.

The motion passed unanimously.

Jack R. Herbst moved and Carl A. Fischl seconded a motion to approve the purchase of three (3) smart phones...one for Chief of Police Thomas Trachta, a second one for the Public Works Superintendent Bob Reimer and the third for Emergency Management Director Jim Collins.

The motion passed unanimously.

Jack R. Herbst moved and Carl A. Fischl seconded a motion to schedule and conduct a joint meeting of all Borough emergency service providers to include Police, Fire, Emergency Management, Public Works and Ambulance on September 10, 2013 at 7:00 pm at Council Chambers. All department heads and Council liaisons are expected to attend.

The motion passed unanimously.

Fire: The Fire Committee report for the month of August 2013 was approved as presented.

Carl A. Fischl moved and Jack R. Herbst seconded a motion to compensate new EMA Director Jim Collins \$1,500.00 for his services for the remainder of 2013. Compensation will be paid during this week’s payroll cycle. Discussion followed and a decision was reached to delay the passage of the motion, pending discussions with Collins.

The motion was “tabled”.

Public Property: Frank S. Maurek moved and Larry Stoudt seconded a motion to approve the request of Bryan Wolf, head baseball coach at Nazareth High School for use of the main baseball field at the Park for the period beginning Labor Day 2013 through October 15, 2013, for his fall baseball team. The approval is contingent on presentation of a certificate of insurance to the Borough. Discussion followed. Jack R. Herbst asked for the protocol if someone not affiliated with the school district, requests use of the field.

The motion passed unanimously.

Frank S. Maurek moved and Larry Stoudt seconded a motion to approve the framing of a historical map of the Borough of Nazareth at a cost of two hundred and eighty five (\$285.00) dollars.

The motion passed unanimously.

Frank S. Maurek moved and Carl A. Fischl seconded a motion to commission the purchase and installation of a new sign for the Municipal Building at 134 S. Main Street at a cost of two hundred and twenty six (\$226.00) dollars.

The motion passed unanimously.

Frank S. Maurek moved and Charles A. Donello seconded a motion to approve the purchase of a trailer to be used for the storage of Borough records. The trailer will be placed in the vicinity of the Borough's Public Works Garage.

The motion passed unanimously.

Frank S. Maurek moved and Carl A. Fischl seconded a motion to approve use of the small softball field in the Park by Nazareth Lacrosse for Fall practices.

The motion passed unanimously.

Frank S. Maurek moved and Larry Stoudt seconded a motion to allow the use of metal detectors inside the Pool area. Discussion followed. The solicitor commented that ownership of whatever is found belongs to the Borough. A "Roll Call" vote followed. Voting "Yes" for permission to use metal detectors in that enclosed area of the Pool was Councilperson Cynthia Werner. One (1) voting "Yes". Voting "No" were Councilpersons Chiavaroli, Herbst, Fischl, Maurek, Stoudt, Kopach, Donello and Audenried. Eight (8) voting "No" and the motion is struck and defeated.

Finance: Larry Stoudt moved and Frank S. Maurek seconded a motion to direct the employment of Valco Capital and Attorney Thomas Smida of the firm Mette, Evans to prepare for an ordinance to borrow \$5,500,000 in compliance with the Unit Debt Act. The purpose of the borrowing is to refinance existing debt and to provide for the construction of a new Pool, new bathhouse, the purchase of a new fire truck and site improvements at 134 S. Main Street.

The motion passed unanimously.

Larry Stoudt moved and Jack R. Herbst seconded a motion to approve the 2014 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 2014**

<b>Normal cost percentage</b>	<b>21.00 %</b>
<b>Administrative Expense Percentage</b>	<b>6.50 %</b>
<b>Total Percentage</b>	<b>27.50%</b>
<b>Estimated 2013 Payroll</b>	<b>\$ 225, 650. 00</b>
<b>Annual Cost</b>	<b>\$ 62, 053. 75</b>
<b>Amortization Contribution Requirement</b>	<b>\$ 0</b>

<b>Financial Requirement</b>	<b>\$ 62,053.75</b>
<b>Member Contributions</b>	<b>\$ 0</b>
<b>10 % of Negative Unfunded Accrued Liability</b>	<b>\$ 223,602.00</b>
<b>Minimum Municipal Obligation</b>	<b>\$ 0 **</b>
<b>Interest Rate Used For Adjustment</b>	<b>7 %</b>

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

Based upon 1/1/2013 Actuarial Valuation

The motion passed unanimously.

Larry Stoudt moved and Jack R. Herbst seconded a motion to approve the 2014 Non-Uniformed Pension Plan Budget which calls for a Borough contribution of thirteen thousand, eight hundred and fifteen (\$13,815.87) dollars and eighty seven cents, after the receipt of state aid as follows:

**BOROUGH OF NAZARETH  
EMPLOYEE ASSOCIATION PENSION PLAN  
BUDGET FOR 2014**

<b>NORMAL COST PERCENTAGE:</b>	<b>BOROUGH:</b>	<b>9%</b>
	<b>NBMA:</b>	<b>7%</b>
<b>ESTIMATED 2013 PAYROLL:</b>	<b>BOROUGH:</b>	<b>\$ 564,620.80</b>
	<b>NBMA:</b>	<b>\$ 324,116.18</b>
<b>ANNUAL COST:</b>	<b>BOROUGH:</b>	<b>\$ 50,815.87</b>
	<b>NBMA:</b>	<b>\$ 22,688.13</b>
<b>STATE ALLOCATION:</b>	<b>BOROUGH:</b>	<b>\$ 37,000.00</b>
	<b>NBMA:</b>	<b>\$ 0</b>
<b>BOROUGH ALLOCATION:</b>		<b>\$ 13,815.87</b>
<b>NBMA ALLOCATION:</b>		<b>\$ 22,688.13</b>

The motion passed unanimously.

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

Michael Kopach moved and Charles A. Donello seconded a motion to approve the payment of one hundred thirty five thousand nine hundred twenty nine (\$135,929.14) dollars and fourteen cents for Payment No. 1 to RGC Development, LP for storm sewer work done on Convent Avenue and Phoenix Street.

The motion passed unanimously.

Ecology: The Ecology Report for the month of August 2013 was approved as presented.

Law: Christian Audenried moved and Frank S. Maurek seconded a motion to hire the firm of Spillman/Farmer as the architects for the Borough's new Pool.

The motion passed unanimously.

Christian Audenried moved and Charles A. Donello seconded a motion to purchase a new server for the Borough's computers at a cost not to exceed twenty four hundred (\$2,400.00) dollars.

The motion passed unanimously.

Christian Audenried moved and Jack R. Herbst seconded a motion to purchase a "Firewall" for the Borough's computers at a cost not to exceed nine hundred (\$900.00) dollars.

The motion passed unanimously.

Christian Audenried moved and Michael Kopach seconded a motion to approve Resolution No. 9 -13-A honoring Stella Strunk a resident of Moravian Hall Square on the celebration of her one hundredth (100<sup>th</sup>) birthday. Ms. Strunk will turn 100 on September 20, 2013 as follows:

WHEREAS, the Council of the Borough of Nazareth desires to recognize outstanding citizens who have distinguished themselves as members of our community and individuals worthy of our praise and gratitude, and in this instance an individual whose long life has been of particular note,

WHEREAS, Stella Strunk, now a resident of Moravian Hall Square, celebrates her 100<sup>th</sup> birthday having led a fulfilling life,

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 recognizes and appreciates the contributions of devoted family service that Stella Strunk has given in support of her family and husband during her one hundred (100) years on this earth. Nazareth is proud of all its citizens but particularly those who through their long lives have distinguished themselves and have continuously enriched the lives of those around them.

AND NOW, this twentieth day of September, 2013, Nazareth Borough Council commends and honors Stella Strunk on her one hundredth (100<sup>th</sup>) birthday and directs the Secretary to issue a certificate memorializing this Resolution for presentation to a citizen of our area upon the anniversary of this most special birthday.

The motion passed unanimously.

Christian Audenried moved and Jack R. Herbst seconded a motion to approve Resolution No. 9 -13 certifying the condemnation of nine (9) acres of land between Sage Street and G.W. Stoudt Boulevard from Essroc Cement Company as follows:

A Resolution of the Council of the Borough of Nazareth authorizing the condemnation of that certain tract or lot or ground being 8.9319 acres known as Tax Parcel No. J7-16-2A more fully described in Exhibit A attached hereto and made a part thereof, for the improvements thereon situated for the purpose of public playgrounds, public parks and the erection of buildings and facilities for public purposes, including ambulance service, fire service and to support the Borough Public Works Department and Police Department and their respective activities and for recycling facilities and related services for solid waste management.

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

1. The Borough selects and appropriates the 9 acre plot more fully described in Exhibit A for the purposes described above.
2. The Borough Solicitor is authorized and directed to prepare and file with the appropriate Court a Declaration of Taking which shall be executed by the President of Borough Council to take any action that may be necessary and desirable to carry out the intent and purpose of this Resolution.
3. The Borough shall acquire fee simple title.
4. The institution of such proceedings and any damages which may be agreed upon or awarded to any party in interest, including the owner of said property, shall be paid out of the general funds of the Borough of Nazareth.

The motion passed unanimously.

Mayor: The Police Report for the month of August 2013 was approved as presented.

Jack R. Herbst moved and Charles A. Donello seconded a motion to approve the purchase of a 2014 Interceptor Police Vehicle.

The motion passed unanimously.

Solicitor: No report.

Engineer: No report.

Old Business: Carl A. Fischl told Council that the Code Enforcement Officer should be directed to take immediate action against property owners who do not comply with the Borough's Property Maintenance Ordinance.

New Business: Larry Stoudt recommended that a new speeding check point be established on East Center Street between Broad Street and New Street.

There being no further business, on a motion by Larry Stoudt, seconded by Jack R. Herbst, the meeting was adjourned at 7:50 p.m.

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Paul A. Kokolus, Secretary

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Daniel Chiavaroli, President