

NAZARETH BOROUGH COUNCIL--REGULAR MEETING--JULY 5, 2017

The regular monthly meeting of Council of the Borough of Nazareth was held on Wednesday, July 5, 2017, 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, Mayor John N. Samus, Councilpersons Lance E. Colondo, Jessica Teel, Carl A. Fischl, Frank S. Maurek, Michael Kopach, Charles A. Donello and Brian F. Regn, Solicitor Alfred S. Pierce, Engineer Albert Kortze, Public Works Superintendent Robert Reimer and Police Commissioner Randall Miller.

A representative of the Stars For Our Troops/Stars For Our Heroes Group took the floor to honor first, the Nazareth Police Department as Police Commissioner Randall Miller was called to the fore and presented with an embroidered star which had been removed from a retired US Flag. Miller was presented with additional Stars for members of his Department, all of which contained a "blue line" to signify police support. Fire Chief John Deutsch was then called to the front of the Chamber and also presented with an embroidered Star and additional Stars for his firefighters, all of which contained a "red line" to signify support for our firefighters . Kerri Sue Geiger, representing the Ambulance Corps, was also presented a Star and additional Stars for all those employed by the Nazareth Ambulance Corps. The Ambulance "Stars" had a medical symbol on them showing our support for the services the Ambulance Corps performs.

Jessica Teel moved and Carl A. Fischl seconded a motion to appoint Joe Ionavale Jr. as Second Assistant Fire Chief.

The motion passed unanimously.

Mayor John N. Samus called Joe Ionavale Jr. to the front of the Chamber and administered the oath. Applause and the congratulations of all on Council followed.

President Chiavaroli commented on the annual Kazoo Parade and praised Honorary Grand Marshall Harry Adams for his wonderful "Post Parade Address" given at Council Chambers.

Recognition of Citizens From the Floor. Stephanie Varone, the Borough's Downtown Manager, gave her report and told Council that a micro-brewery to be named Birthright Brewing Company had signed a lease and was coming to the downtown in the former Run Inn space on South Main Street. Varone also told Council that the Brew Pub on Belvidere Street was progressing and would likely be open in late November.

Communications: President Chiavaroli read the Animal Control Report for June 2017.

The Secretary's minutes from the regular meeting of June 5, 2017 were approved as presented.

General Fund--Cash on Hand May 31, 2017	\$	310,519.52
Waste & Recycling Fund--Cash on Hand May 31, 2017	\$	410,474.16
General Fund--Total Receipts	\$	304,468.74
Waste & Recycling Fund--Total Receipts	\$	95,592.54
General Fund--Total Receipts & Cash	\$	614,988.26

Waste & Recycling Fund--Total Receipts & Cash	\$	506,066.70
General Fund--Total Disbursements	\$	422,147.58
Waste & Recycling Fund--Total Disbursements	\$	119,660.48
General Fund--Cash on Hand June 30, 2017	\$	192,840.68
Waste & Recycling Fund--Cash on Hand June 30, 2017	\$	386,406.22
ESSA Payroll Account	\$	164.44
ESSA Loan Account	\$	-0-
State Fund Checking Account - Embassy Bank	\$	226,205.52
State Fund Money Market	\$	-0-
Improvement Fund	\$	-0-
Reserve Funds - Embassy Bank	\$	1,529,424.30
Park Account - Embassy Bank	\$	119,355.39
Pennsylvania Investment Trust Fund (Reg + Term Investment)	\$	25,057.72
Total of All Borough Funds.....	\$	2,479,454.27

Michael Kopach moved and Larry Stoudt seconded a motion to approve the Treasurer’s Report for the month of June 2017 and to pay the bills in the total amount of \$541,808.06. The motion passed unanimously.

An Emergency Management report for the month of June 2017 was not presented.

A Report of activity for June 2017 for the Nazareth Ambulance Corps was presented and approved.

Larry Stoudt moved and Carl A. Fischl seconded a motion to approve the Zoning and Code Enforcement Reports for June 2017. The motion passed unanimously.

Law: Lance E. Colondo moved and Carl A. Fischl seconded a motion to approve Resolution 7 - 17, as follows:

WHEREAS, Chapter 13, Part 1, Sec. 102(1), empowers Council of the Borough of Nazareth to establish fees for transient retail business licenses,

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

1) the fee for a standard single event transient merchant license shall be set at Twenty - Five (\$25.00) Dollars, and the annual fee for a single transient merchant license shall be set at One Hundred (\$100.00) Dollars. Extra copies of a license shall be Five (\$5.00) Dollars each;

2) a charitable organization may obtain a “host transient merchant license” which shall cover multiple transient merchants attending a single event. The host license fee shall be set at Two Hundred (\$200.00) Dollars. The host license shall only be issued under the following conditions:

- The host organization is a 501(c)(3) organization or a Pennsylvania approved charitable organization;
- The host organization must submit a completed host application form with the required fee to the Nazareth Borough Police Department at least thirty (30) days prior to the event. The application shall include a list of all vendors anticipated to attend the event;
- A transient merchant license application must also be submitted for each individual vendor anticipated to attend the host event. No fee shall be charged for individual license applications submitted at least fourteen (14) days prior to the event, any individual license application submitted less than fourteen (14) days prior to the event will not be considered as part of the host fee and shall be charged the standard \$25.00 transient merchant license fee;

3) an additional fee of \$25.00 for expedited processing shall be added to the cost for any standard transient merchant license application or individual vendor license application (submitted as part of a host event) received less than four (4) days prior to the date of the event;

4) no transient merchant licenses, both standard and host, shall be issued for vendors who intend to operate in the Borough Park located on N. Broad Street during the swimming pool season, i.e., Memorial Day weekend to Labor Day weekend; and

5) no "food truck" vendors shall be included under the umbrella of a host transient merchant license, i.e., each food truck vendor operating in the Borough must obtain a standard transient merchant license at the cost of \$25.00 regardless of the event being held.

It must be noted for the Minutes that this Resolution will not take effect until January 1, 2017.

The motion passed unanimously.

Lance E. Colondo moved and Brian F. Regn seconded a motion to advertise for an ordinance regulating the operation of medical marijuana facilities.

The motion passed unanimously.

Fire. Jessica Teel moved and Larry Stoudt seconded a motion to approve the Fire Chief's Report for June 2017.

The motion passed unanimously.

Police. Carl A. Fischl moved and Lance E. Colondo seconded a motion to direct the Secretary to place ads seeking part time Crossing Guards

The motion passed unanimously.

A. Fischl moved and Charles A. Donello seconded a motion to approve making Convent Avenue "One Way" south from 3:00 pm till midnight on Saturday, July 29, 2017 to assist with traffic flow during the Holy Family Church Picnic.

The motion passed unanimously.

Public Property. Frank S. Maurek moved and Charles A. Donello seconded a motion to approve the request of the Nazareth Soccer Club for a tournament at ESSROC Field on Sunday, October 15, 2017 from 7:00 am till dusk. Approval is contingent upon the Nazareth Soccer Club providing proof of insurance. Further, Council will allow up to three (3) food trucks at the event, provided they each obtain their transient merchant permit and they provide proof of their insurance while naming the Borough as an "additional insured" for the event. The food trucks shall be stationed within the parking areas at the Park and will not be permitted to park on either Sage Street, G W Stoudt Boulevard or any other street.

The motion passed unanimously.

Frank S. Maurek moved and Carl A. Fischl seconded a motion to approve use of the Parking Lot in the Park on Saturday, July 29, 2017 from 3:00 pm till 1:00 am as a drop off point for shuttle bus service to the Holy Family Church Picnic

The motion passed unanimously.

Frank S. Maurek moved and Brian F. Regn seconded a motion to approve the rescheduling of the Nazareth/Bath Area Chamber of Commerce sponsored BikeFest and the use of the area around Council Chambers on September 16, 2017 from 1:00 pm till 7:00 pm. A prior approval for this event was given but it was rained out and cancelled on May 13, 2017.

The motion passed unanimously.

Frank S. Maurek moved and Lance E. Colondo seconded a motion to approve the request of the Nazareth Soccer Club for Fall Soccer for use of Essroc Fields for 2017 Fall soccer games, clinics and practices beginning on August 1, 2017 through November 15, 2017. Hours of use would be 3:00 pm till dusk on weekdays, 8:00 am till dusk on Saturdays and noon till dusk on Sundays. A certificate of insurance has been provided.

The motion passed unanimously.

Frank S. Maurek moved and Michael Kopach seconded a motion to approve repairs to the roof of the Firehouse to correct wind damage with work to be done by Anthony LaStella Roofing at a cost of nine thousand eight hundred and fifty (\$9,850.00) dollars. A "down payment" of four thousand, nine hundred and twenty five (\$4,925.00) dollars is required prior to the start of the work with an equal balance (\$4,925.00) payable upon completion. Borough insurance coverage will compensate us for the repairs.

The motion passed unanimously.

Finance. Larry Stoudt moved and Michael Kopach seconded a motion to bill the Nazareth Ambulance Corps \$22,600.00 for vehicular insurance, liability and contents insurance on their 519 Seip Avenue facility and the impact that their vehicle claims history has on regular Borough vehicular insurance.

The motion passed unanimously. There were two (2) abstentions.

Larry Stoudt moved and Michael Kopach seconded a motion to bill the Memorial Library of Nazareth and Vicinity \$4,861.72 for building liability and the umbrella policy, contents insurance, building valuation coverage and the Public Officials policy for the period June 1, 2017 through May 31, 2018. Discussion followed. Councilman Carl Fischl stated that the Library had agreed, as a gesture of goodwill and cooperation, to pay the entire amount of the billing even though there is some question whether the Library is at all liable for the "building liability" portion of the premium given that the Borough retains ownership of the building.

The motion passed unanimously.

Public Works. Michael Kopach moved and Larry Stoudt seconded a motion to accept the Public Works Report for June 2017.

The motion passed unanimously.

Michael Kopach moved and Charles A. Donello seconded a motion to create the position of Foreman within the Public Works Department with the "appointee" to be paid a one (\$1.00) dollar per hour stipend.

The motion passed unanimously.

Michael Kopach moved and Brian F. Regn seconded a motion to approve a new five year labor contract with the Public Works employees to begin on July 1, 2017 and end on June 30, 2022 calling for wage increases of 9% in Year One and 3% in Years Two, Three, Four and Five, a Five (5%) percent healthcare contribution annually for each of the five years to be adjusted each year as per the Highmark Blue Shield PPO 500 rates and the buyback of sick days as per the agreed upon formula contained in an attachment to the contract. All other tenets of the previous contract will remain the same in terms of vacation, personal days, clothing allowance, prescription plan, longevity and funeral time.

The motion passed unanimously.

Ecology & Lighting. Charles A. Donello moved and Lance E. Colondo seconded a motion to approve a project to move and reinstall the fence at the western end of Public Works Garage Borough property and resurface an area at a total cost of twelve thousand, four hundred and twenty three (\$12,423.50) dollars and fifty cents. Work will include removing and relocating 120 feet of existing seven foot tall, lineal fence and adding 30 additional feet of fencing and a 4 foot "swing" gate. An additional 64 feet of 6 foot tall lineal fencing will be added. Pro Max Fencing of Reading, PA will do the fencing portion of the project at a cost of \$5,756.00 while an additional \$6,667.50 will be spent to resurface a parking area in that general location bringing the total cost to \$12,423.50.

The motion passed unanimously.

Charles A. Donello moved and Michael Kopach seconded a motion to recommend approval of a payment request of eleven thousand two hundred and fifty (\$11,250.00) dollars payable to Eugene Hankee & Son for work performed at the Main Street Circle Gas Light Installation Project.

The motion passed unanimously.

Charles Donello reported that the Circle Lighting Project was nearing completion and should be operational by Nazareth Day.

Technology. Brian F. Regn moved and Lance E. Colondo seconded a motion to approve the purchase of one (1) Trimble "RIGNSS" Receiver from Keystone Products to assist our Public Works Superintendent with the Borough's MS4 Program. Cost of the receiver is two thousand, four hundred and ninety five (\$2,495.00) dollars.

The motion passed unanimously.

Mayor. Mayor John Samus read the June Police Report and the Mayor's Report for July 2017. Mayor Samus commented on the progress that the Police Department has been making to include citations issued during the recent Seat Belt Program. Mayor Samus also commented on the increased truck traffic passing through our Borough and the awarding of Borough Resolutions to two (2) eagle Scouts at a recent Court of Honor. Samus also stated that the Borough had received a four thousand, five hundred and twenty three (\$4,523.00) Trumbauer Foundation Grant for Police Department use.

Old Business: Frank S. Maurek moved and Brian F. Regn seconded a motion to direct the Engineer to advertise for bids for roof repairs needed for 30 Belvidere Street.

The motion passed unanimously.

An emotional Harry Adams addressed Council with words of "Thanks" for the honor of presiding at the Kazoo Parade. Adams compared Nazareth to a Norman Rockwell painting and said that the Borough has meant so much to him since moving here in 1995. He encouraged Council to try and help to keep Nazareth the way it is and not change anything while emphasizing that we in Nazareth have something that is very precious.

Frank S. Maurek moved and Charles A. Donello seconded a motion to accept the roofing repair bid of \$2,386.00 of Northern Roofing for roof repairs and the TPO covering that are needed for 30 Belvidere Street.

The motion passed unanimously.

New Business: Frank Maurek told Council that signs must be posted in and around the Park Pavilions stating that use of tables and pavilions was restricted to those who had "paid" rental agreements. Maurek stated that he would seek the advice of the Solicitor for the proper wording for these signs before having them made and posted.

Frank S. Maurek moved and Lance E. Colondo seconded a motion to direct the Engineer to advertise for bids for roof repairs needed for 134 S. Main Street.

The motion passed unanimously.

There being no further business, on motion by Larry Stoudt, seconded by Carl A. Fischl, the meeting was adjourned at 7:23 pm.

Paul A. Kokolus, Secretary

Daniel Chiavaroli, President