

NAZARETH BOROUGH COUNCIL—REGULAR MEETING—SEPTEMBER 5, 2017

The regular monthly meeting of Council of the Borough of Nazareth was held on Tuesday, September 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.

Mayor Samus addressed the assemblage about the passing of former Councilman Jack R. Herbst.

The Mayor's prepared remarks follow for the record.

Jack Herbst first came to Council on January 1, 2002...representing the Borough's Third Ward and wisely was immediately named the Borough's liaison to the Recreation Commission. Jack always had the Borough's best interests at heart but we all knew that Jack had a real love for our Borough Park and all we had to offer there. Clearly, from his earliest days on Council, he set out on a mission to improve that facility and give as much as possible to our residents in the Borough Park and our regional park system. Together with former Councilwoman Cindy Werner, they developed a six week Summer Recreation Program which offered arts and crafts, athletic instruction, singing and dancing and guests who talked about our history and our culture. He partnered with former Councilman Michael Davis and current Council Vice President Larry Stoudt in negotiations with the School District to rebuild and upgrade the baseball field in the Park where our high school team still plays as well as the Legion team.

Jack knew that more should be done for our adult residents so again in partnership with Cindy Werner, they initiated a Sunday evening concert series in our Park later to also include movies which were shown in our amphitheater...all offered at no charge to whoever wanted to attend and all as a Borough public service. But for Jack, that was only the start.

In 2007, the Borough purchased its current home at 134 S. Main Street. Moving from its old headquarters at 30 Belvidere Street would not be easy but our own Jack Herbst not only helped to design the new offices but also coordinated the entire move out - move in process and made sure that everyone was comfortable in their new surroundings. They were comfortable and still are today and we have Jack Herbst to thank for that.

But the best was yet to come.

Jack was a dog lover and knew that Borough ordinances prevented animals in our Park. We needed a Dog Park and Jack found the perfect spot for that too....the highest point of our Park just off Black Rock Road. There were plenty of critics and those who questioned the need for a Dog Park and its costs to our citizens so Jack, on his own, found donors and sponsors who erected the fencing system and setup which our pets enjoy to this day, all at almost no cost to the Borough. Our Dog Park has received rave reviews and has several times been named the Lehigh Valley's best Dog Park most recently again in the Spring of 2017. Thank you, Jack Herbst, for having that foresight and for seeing it through to completion.

Some of our youth needed a place to skateboard so again, it was Jack Herbst to the rescue. Grants were written and received, visits to other municipalities and to Northampton County Council sought other funding and cooperation and private citizens and businesses were asked to get behind this effort. It all came together at minimal expense to the Borough and for ten years our Skate Park

has been a reality. Jack Herbst made it all happen. That's what made Jack special...he didn't just dream dreams...he saw to it that they came true.

In 2009, for all his efforts and accomplishments, our Secretary/Treasurer nominated Jack for Councilperson of the Year for the State of Pennsylvania and our very own Jack Herbst was runner-up. He may have finished second in a field of a thousand or so entries but Jack was certainly first in our own hearts and a champion for all of his accomplishments. August 12, 2017 was a sad day for our Borough but Jack's multiple accomplishments will live on...thankfully. Jack Herbst deserves our thoughts, our prayers and our gratitude. He was a tremendous public servant....who always had the ability to see things through to their completion.

Mayor Samus then asked for a moment of silence to honor the memory of former Councilman Jack Herbst.

Recognition of Citizens From the Floor. Sandy Klotz of 481 E. Center Street told Council that she does not favor bonuses for particular people and would prefer that everyone get the same increases in pay.

Michael Fuller of South Green Street asked if the Borough had an ordinance regulating the trapping of animals in the Borough. Fuller asked if there was a further regulation about leaving the trapped animals to die once in the traps.

Diane Paine of 54 S. Broad Street reported that bamboo is still sprouting and growing near a home she owns on New Street. Ms.Paine stated that this is a very dangerous situation as the bamboo is growing under Borough streets and sidewalks.

Cori Drosnock of New Street stated that she and her husband have the house where the bamboo is growing and told Council that it is a nuisance but not a monster. Drosnock told Council that they are attempting to remove the bamboo and she apologized for the time which Council has wasted on this matter.

Communications: President Chiavaroli read a letter of thanks from Karen and Stefan Herbst, wife and son of late Councilman Jack Herbst for the flowers which the Borough had sent upon Herbst's August 12, 2017 passing.

The Secretary's minutes from the regular meeting of August 7, 2017 were approved as presented.

General Fund--Cash on Hand July 31, 2017	\$	328,369.87
Waste & Recycling Fund--Cash on Hand July 31, 2017	\$	457,289.44
General Fund--Total Receipts	\$	212,472.28
Waste & Recycling Fund--Total Receipts	\$	13,757.21
General Fund--Total Receipts & Cash	\$	540,842.15
Waste & Recycling Fund--Total Receipts & Cash	\$	471,046.65
General Fund--Total Disbursements	\$	410,833.91
Waste & Recycling Fund--Total Disbursements	\$	-0-

General Fund--Cash on Hand August 31, 2017	\$	130,008.24
Waste & Recycling Fund--Cash on Hand August 31, 2017	\$	471,046.65
ESSA Payroll Account	\$	64,400.38
ESSA Loan Account	\$	-0-
State Fund Checking Account - Embassy Bank	\$	213,146.95
State Fund Money Market	\$	-0-
Improvement Fund	\$	-0-
Reserve Funds - Embassy Bank	\$	1,355,753.07
Park Account - Embassy Bank	\$	197,387.68
Pennsylvania Investment Trust Fund (Reg + Term Investment)	\$	25,086.71
Total of All Borough Funds.....	\$	2,456,829.68

Michael Kopach moved and Charles A. Donello seconded a motion to approve the Treasurer's Report for the month of August 2017 and to pay the bills in the total amount of \$410,833.91. The motion passed unanimously.

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

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

A Zoning and Code Enforcement Reports for August 2017 was not presented.

Law: Lance E. Colondo moved and Charles A. Donello seconded a motion to approve advertising for an ordinance providing for the regulation of planting, controlling and the removal of bamboo including penalties and other remedies for violations.

The motion passed unanimously

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

The motion passed unanimously.

Jessica Teel moved and Carl A. Fischl seconded a motion to donate \$1,000 to the Vigilance Hose Fire Company to help subsidize the Halloween Parade.

The motion passed unanimously.

Jessica Teel moved and Lance E. Colondo seconded a motion to donate \$1,000 to the Vigilance Hose Fire Company to help subsidize Fire Prevention Week

The motion passed unanimously.

Police. Carl A. Fischl moved and Brian F. Regn seconded a motion to approve payment of the 50% security deposit payable to Appalachian Landscaping for the work to be done at Veteran's Memorial Square and Council Chambers. In July of 2017, the Borough was awarded its second consecutive Greater Lehigh Valley Chamber of Commerce Main Street Foundation Grant. The amount of the deposit is \$2,049 with the grant providing an additional \$2,000.

The motion passed unanimously.

Carl A. Fischl moved and Larry Stoudt seconded a motion to hire part time Police Officer John Thompson upon completion and passage of all background checks and needed certifications.

The motion passed unanimously.

Carl A. Fischl moved and Lance E. Colondo seconded a motion to hire a part-time Police Administrative Assistant pending completion of the interview process and the recommendation of the Hiring Committee, and the passage of regular background checks. The candidate will begin employment as soon as possible..

The motion passed unanimously.

Carl A. Fischl moved and Lance E. Colondo seconded a motion to approve an agreement for a contractual change to Section 7, letter b of the new Police Labor Agreement saying that "Each Police Officer who has completed at least one (1) year of service shall be granted vacation that is prorated from the date of the first year anniversary to the end of that calendar year.

The motion passed unanimously.

Public Property. Frank S. Maurek moved and Charles A. Donello seconded a motion to approve the low bid of twenty four thousand nine hundred and fifty (\$24,950.00) dollars by Martyn Technical Services, Inc. of Bath, PA for repairs to the roof at 134 S. Main Street. The Borough Engineer has approved this bid.

The motion passed unanimously.

Frank S. Maurek moved and Michael Kopach seconded a motion to approve payment of Application #1 of twenty four thousand nine hundred and ninety five (\$24,995.00) dollars to Martyn Technical Services, Inc. of Bath, PA for completion of the replacement of the roof at 30 Belvidere Street. The Borough Engineer has approved this payment release.

The motion passed unanimously.

Frank S. Maurek moved and Charles A. Donello seconded a motion to approve Resolution No. 9 -17 which certifies the Borough's submission of a 2017 Monroe County LSA Gaming Grant for the purchase and equipping of a 2018 Ford Expedition XL Police SUV ...seeking \$42,799.63 in assistance.

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 purchase a 2018 Ford Expedition XL SUV (SSV) Police vehicle, as per the price and specifications of the 2017 COSTARS cooperative and add it to the Borough Police fleet,

WHEREAS, the addition of a four wheel drive, larger capacity Police vehicle has been deemed critical because of increases in traffic monitoring, crime incidents, ambulance assists, snow emergencies and the transport of multiple personnel and materials,

NOW, THEREFORE, BE IT RESOLVED, and it is hereby resolved by the Borough of Nazareth, in Borough Council assembled, that the Borough of Nazareth seeks the assistance of the Monroe County Local Share Account Grant Program to help fund and purchase this very vital Police vehicle. The assistance of the Local Share Account Monroe County Gaming Grant program is solicited to help fund this most important project. The Borough seeks forty two thousand, seven hundred and ninety nine (\$42,799.63) dollars and sixty three cents in Monroe County LSA grant assistance and is prepared to provide twelve thousand (\$12,500.00) dollars in grant match funding to make this project a reality and provide for the purchase and outfitting of this vehicle. 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 2018 Municipal Operating Budget.

The motion passed unanimously.

Frank S. Maurek moved and Carl A. Fischl seconded a motion to approve the request of Action Karate for use of a pavilion in the Park on October 22, 2017 from 4:00 pm till 6:00 pm. Action Karate will be required to present a certificate of co-insurance 30 days prior to the event..

The motion passed unanimously.

Frank S. Maurek moved and Larry Stoudt seconded a motion to approve repairs to the flat roof in the Park by Martyn Technical Services of Bath, PA at a cost of seven thousand, six hundred (\$7,600.00) dollars.

The motion passed unanimously.

Frank S. Maurek moved and Michael Kopach seconded a motion to approve payment of the retainage of one thousand, two hundred and fifty (\$1,250.00) dollars to Eugene Hankee and Son for completion of the Circle Lighting Project. The Borough Engineer has approved this payment release.

The motion passed unanimously.

Frank S. Maurek moved and Lance E. Colondo seconded a motion to approve Resolution No. 9 - 17-A which certifies the Borough's submission of a 2017 Open Space Parks Rehabilitation Grant for Park...seeking \$3,946.71 in assistance 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 \$3,946.71 and will budget in 2018 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.

Finance. Larry Stoudt moved and Carl A. Fischl seconded a motion to approve a three (3 yr) year contractual agreement with Police Commissioner Randall Miller to serve as the Chief of Police for the Nazareth Police Department, effective January 1, 2018.

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

Larry Stoudt moved Michael Kopach 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 2017 Upset Sale.

The motion passed unanimously.

Larry Stoudt moved Brian F. Regn seconded a motion to approve the 2018 Police Pension Budget as submitted by the Treasurer calling for no Borough contribution because the Plan is overfunded as follows:

**BOROUGH OF NAZARETH
POLICE PENSION PLAN
BUDGET FOR 2018**

Normal Cost Percentage	21.3%
Administrative Expense Percentage	7.50%
Total Percentage	28.8%
Estimated 2017 Payroll	\$ 375,000.00
Annual Cost	\$ 108,000.00
Amortization Contribution Requirement	\$ -0-
Financial Requirement	\$ 108,000.00
Member Contributions Anticipated	\$ -0-
10% of Negative Unfunded Accrued Liability	\$ 268,046.00
Minimum Municipal Obligation	\$ -0- *

Based upon 01/01/2017 Actuarial Valuation

Submitted to Nazareth Borough Council, September 5, 2017

* Minimal Municipal Obligation = \$0.00...since Plan Assets exceed Present Value of Future Benefits

The motion passed unanimously.

Larry Stoudt moved Michael Kopach seconded a motion to approve the 2018 Non-Uniformed Pension Budget as submitted by the Treasurer calling for a Borough contribution of \$9,522.50 above the amount the Borough will receive in state pension aid as follows:

**BOROUGH OF NAZARETH
EMPLOYEE ASSOCIATION PENSION PLAN
BUDGET FOR 2018**

Normal Cost Percentage	Borough:	9.00%
	NBMA:	7.00%
Estimated 2017 Payroll	Borough:	\$ 550,250.00
	NBMA:	\$ 360,330.00
Annual Cost	Borough:	\$ 49,522.50
	NBMA:	\$ 25,223.10
State Allocation	Borough:	\$ 40,000.00
	NBMA:	\$ -0-

Allocations Required

Borough: \$ 9,522.50
NBMA: \$ 25,223.10

The motion passed unanimously.

Larry Stoudt moved and Frank S. Maurek seconded a motion to direct the Treasurer to make payment of the retainage of one thousand, two hundred and fifty (\$1,250.00) dollars to Eugene Hankee and Son for completion of the Circle Lighting Project.

The motion passed unanimously.

Larry Stoudt moved and Charles A. Donello seconded a motion to direct the Treasurer to make payment of Application #1 of twenty four thousand nine hundred and ninety five (\$24,995.00) dollars to Martyn Technical Services, Inc. of Bath, PA for completion of the replacement of the roof at 30 Belvidere Street. The Borough Engineer has approved this payment.

The motion passed unanimously.

Larry Stoudt moved Brian F. Regn seconded a motion to enroll the Borough in an Employee Assistance Program (EAP) which provides crisis counseling, clinical support, safety guidance and productivity enhancement to all who work for the Borough. The EAP will be administered by Integrated Behavioral Health, specialists in Work Life Consultation. Each Borough employee who Council enrolls will receive three (3) yearly consultation sessions at no cost to the employee, if they seek assistance following a referral by the IBH management team. Cost to the Borough is \$1.33 per month per employee for the contracted period. The Borough will assume all enrollment fees and monthly costs and employees will be presented with an ID card which will direct them to call IBH directly in times of crisis or need with complete confidentiality between the employee and IBH and no referral or notification back to the Borough.

The motion passed unanimously.

Public Works. Michael Kopach moved and Charles A. Donello seconded a motion to accept the Public Works Report for August 2017.

The motion passed unanimously.

Ecology & Lighting. Charles A. Donello moved and Michael Kopach seconded a motion to have thirty six (36) trees throughout the Borough trimmed and pruned by Hoppes Tree Service at a cost of approximately two thousand (\$2,000.00) dollars.

The motion passed unanimously.

Charles A. Donello moved and Lance E. Colondo seconded a motion to approve the Ecology Report of monthly activity for August 2017

The motion passed unanimously.

Technology. No report.

Mayor. Mayor John N. Samus presented the Police Report for August 2017.

Old Business: None.

New Business: President Chiavaroli recommended that someone from Council step forward to assist with the Nazareth COG in providing information of the Lehigh Valley Planning Commission's preparation of the Multi-Municipal Regional Plan.

Michael Kopach asked the Borough Secretary/Treasurer if anyone had purchased a Business Parking Placard. No have been purchased to date.

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