

NAZARETH BOROUGH COUNCIL--REGULAR MEETING--MAY 7, 2018

The regular monthly meeting of the Borough of Nazareth was held on Monday, May 7, 2018 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 Lance E. Colondo, Councilpersons Carl R. Strye Jr., Jessica Teel, Carl A. Fischl, Frank S. Maurek, Michael Kopach, Charles A. Donello and Christopher Crook, Solicitor Alfred S. Pierce, Borough Engineer Albert Kortze and Police Chief Randall Miller. Absent was Public Works Superintendent Robert Reimer.

Recognition of Citizens From the Floor: None.

Communications: The President acknowledged the receipt of a "Thank You" note received from Chief of Police Randall Miller following the passing of his father.

The Secretary's minutes from the regular meeting of April 2, 2018 were approved as presented.

On a motion by Frank S. Maurek seconded by Michael Kopach, the Treasurer's Report for the month of May 2018 was approved as follows:

General Fund--Cash on Hand March 31, 2018	\$	573,335.00
Waste & Recycling Fund--Cash on Hand March 31, 2018	\$	426,940.84
General Fund--Total Receipts	\$	512,181.51
Waste & Recycling Fund--Total Receipts	\$	70,889.03
General Fund--Total Receipts & Cash	\$	1,085,516.51
Waste & Recycling Fund--Total Receipts & Cash	\$	497,829.87
General Fund--Total Disbursements	\$	498,799.46
Waste & Recycling Fund--Total Disbursements	\$	99,669.28
General Fund--Cash on Hand April 30, 2018	\$	586,717.05
Waste & Recycling Fund--Cash on Hand April 30, 2018	\$	398,160.59
ESSA Payroll Account	\$	296.40
Embassy Bank State Fund Checking Account	\$	292,816.95
Embassy Bank Park Account	\$	18,657.57
Embassy Bank Reserve Account	\$	1,454,904.19
Pennsylvania Investment Trust Fund (Reg + Term Investment)	\$	25,095.03
Total of All Borough Funds.....	\$	2,776,647.78

Michael Kopach moved and Carl R. Strye Jr. seconded a motion to approve the payment of bills totaling \$598,468.74.

The motion passed unanimously.

The Report of the Zoning & Code Officer for the month of April 2018 was presented and approved.

An Emergency Management Report for the month of April 2018 was presented and approved.

An Ambulance Report for April 2018 was not received..

Public Works: The Public Works Report for the month of April 2018 was approved as presented.

Carl R. Strye Jr. moved and Frank S. Maurek seconded a motion to approve the installation of Astro-Turf in the area in front of the Park Refreshment Stand at a cost of three thousand (\$3,000) dollars. The funds for this purchase will come from the Borough's Recreation/Developer fees.

The motion passed unanimously.

Carl R. Strye Jr. moved and Carl A. Fischl seconded a motion to hire three (3) summer employees at an hourly rate of thirteen (\$13.00) dollars per hour. Discussion followed. Michael Kopach objected to the motion saying it varied from the policy for budget adherence set by the Borough's Finance Chairman. Kopach stated that the stated rate set at the Budget Workshop for summer help was \$10.00.

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

Carl R. Strye Jr. moved and Carl A. Fischl seconded a motion to direct the Secretary to place two more ads for "Summer Help". Discussion followed. Frank S. Maurek asked the Secretary for the pricing of a business card size ad. Carl R. Strye stated that additional applicants had come forward and that advertising twice was not necessary. Strye amended the motion to the placing of one (1) ad.

The motion passed unanimously.

Carl R. Strye Jr. moved and Frank S. Maurek seconded a motion to purchase six (6) metal picnic tables with umbrellas from Kirby Built Corporation at a cost of fourteen hundred and forty (\$1,440.00) dollars each plus shipping charges for placement at a yet to be determined site at the Pool. Funding for this purchase will come from Rec Fees...final price for this expenditure is eight thousand two hundred fifty one (\$8,251.28) dollars and twenty eight cents.

The motion passed unanimously.

Carl R. Strye Jr. moved and Charles A. Donello seconded a motion to acknowledge that "No Bids" were received from the initial bid solicitation nor "Re-Bids" received from a second public legal advertising solicitation for Rental Equipment. The Public Works Superintendent is therefore directed to seek prices for the Borough's 2018 Rental Equipment.

The motion passed unanimously.

Carl R. Strye Jr. moved and Larry Stoudt seconded a motion to establish a Pool Improvement Fund for the purpose of segregating money to be used for future upgrades to the Borough Pool.

The motion passed unanimously.

Carl R. Strye Jr. moved and Frank S. Maurek seconded a motion to approve the installation of new electrical wiring, a new 200 amp service and a new panel for the Pavilion in the Park at a cost of six thousand and one (\$6,001.03) dollars and three cents. Discussion followed. Carl Strye stated that the Vigilance Hose Fire Company #1 has pledged support in the amount of thirty five hundred (\$3,500.00) dollars and will also designate another one thousand (\$1,000.00) dollars following the annual Fireman's Carnival which will reduce the Borough's share of the costs.

The motion passed unanimously.

Fire: Jessica Teel presented the Fire Chief's Report for April 2018 and it was approved as presented.

Jessica Teel moved and Christopher Crook seconded a motion to approve the 2018 update to the Borough's Emergency Operations Plan as prepared by the Borough's Emergency Management Director.

The motion passed unanimously.

Jessica Teel moved and Charles A. Donello seconded a motion to approve a donation of seven hundred and fifty (\$750.00) dollars to the Vigilance Hose Fire Company #1 to help subsidize the annual Nazareth Day Fireworks Display to be held at dusk on Saturday, July 21, 2018 in the Borough Park.

The motion passed unanimously.

Police: Carl A. Fischl moved and Christopher D. Crook seconded a motion to approve Resolution No. 5-18, a resolution to hire Brandon Rader as a full time police officer subject to a one

(1 yr) year probationary period and conditioned on the passage of all physical and psychological certifications. The probationary period for Officer Rader will begin on May 15, 2018 as follows:

A Resolution of the Council of the Borough of Nazareth to extend a conditional offer of employment to Brandon L. Rader for the position of full-time patrol officer in the Nazareth Borough Police Department:

WHEREAS, the Borough Council directed the Nazareth Borough Civil Service Commission establish an eligibility list of candidates for the position of patrol officer;

WHEREAS, the Civil Service Commission has certified a list of eligible candidates for the position of patrol officer;

WHEREAS, the Borough Council wishes to extend a conditional offer of employment to a candidate from the certified eligibility list;

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

1. The Borough of Nazareth extends a conditional offer of employment to candidate Brandon L. Rader for the position of full-time patrol officer;
2. This offer is conditioned upon the following:
  - (a) The conditional appointee undergoing a physical medical examination by a physician or other qualified medical professional and a determination by said physician or other qualified medical professional that the conditional appointee is capable of performing all essential functions and tasks of a patrol officer, and
  - (b) The conditional appointee undergoing a psychological medical examination by a psychiatrist or psychologist and a determination by said psychiatrist or psychologist that the conditional appointee is capable of performing all essential functions and tasks of a patrol officer.
3. Upon successful completion of the requirements stated in Paragraph 2(a) and (b) above, the conditional appointee shall be sworn-in to the position of patrol officer on May 15, 2018.
4. The officer's twelve (12) month probation period, seniority for collective bargaining rights, and eligibility for salary and benefits shall all commence effective May 15, 2018.

Discussion followed. Michael Kopach spoke of his opposition to the motion to hire on the basis of the impact it will have on the Borough's finances. Kopach stated that his opposition does not involve the officer at all but merely the financial consequences that an additional full time officer will involve.

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

Carl A. Fischl moved and Jessica Teel seconded a motion to approve the staging of the annual Memorial Day Parade on Monday, May 28, 2018 at 10:00 am through the Borough's downtown and the use of Council Chambers for the Honors Service following the Parade.

The motion passed unanimously.

Frank S. Maurek stated that a loudspeaker system is required for the Memorial Day Parade and that in the past, the Borough has rented the system from Guitar Villa on Nazareth Pike. Last year's Parade cancellation due to the weather left us with a \$100.00 Guitar Villa credit since the system was rented and delivered but never used. Maurek stated that he would make the motion to use the credit and again rent the sound system from Guitar Villa.

Frank S. Maurek moved and Carl A. Fischl seconded a motion to rent the sound system used for the Honors Service at the conclusion of the Memorial Day Parade, from Guitar Villa of Nazareth Pike. The rental will utilize a \$100 credit from 2017 when the closing event was cancelled and the equipment was not used. The 2017 rental amount was two hundred and thirty (\$230.00) dollars.

The motion passed unanimously.

Carl A. Fischl moved and Christopher D. Crook seconded a motion to approve the annual Chamber of Commerce sponsored Kazoo Parade on July 4, 2018 at 10:00 am and the use of Council Chambers at its conclusion.

The motion passed unanimously.

Carl A. Fischl moved and Jessica Teel seconded a motion to approve the purchase of an ENRADD (Electronic Non-Radar Data Device) Wireless System. The Non-Radar Speed Recording device is a Pennsylvania approved non-radar speed-timing system. It was developed as a speed enforcement tool that can be deployed in a wide range of traffic conditions. The system will be purchased from YIS Cowden Group for a price not to exceed four thousand, two hundred (\$4,200.00) dollars.

The motion passed unanimously.

Public Property: Frank S. Maurek moved and Charles A. Donello seconded a motion to approve the use of a food truck for the May 20, 2018 Micro-Soccer tournament at Essroc Fields pending the purchase of all necessary permits and the passage of required background checks by our Police Department.

The motion passed unanimously.

Frank S. Maurek moved and Larry Stoudt seconded a motion to approve the conducting of Aquatic Exercise Classes at our Pool for one hour each morning and one hour each evening. Pass

holders will be charged thirty five (\$35.00) dollars for participation and non-pass holders will pay forty five (\$45.00) dollars.

The motion passed unanimously.

Frank S. Maurek moved and Michael Kopach seconded a motion to approve use of Veteran's Memorial Square on Nazareth Day, July 21, 2018 from 7:00 am till 5:00 pm by the Nazareth Day Commission. The event may necessitate a street closure.

The motion passed unanimously.

Frank S. Maurek moved and Michael Kopach seconded a motion to approve the use of Veteran's Memorial Square for one hour mid-week sessions by the Greater Valley YMCA for yoga classes

The motion passed unanimously.

Frank S. Maurek moved and Charles A. Donello seconded a motion to amend and expand a previous approval for the September 30, 2018 Car Cruise and Show in the Borough Park for the Lehigh Valley Chamber of Commerce and Morningstar Senior Living to now include vendors and food trucks. The approval is pending the purchase of all necessary permits and the passage of required background checks by our Police Department for all vendors and those operating food trucks.

The motion passed unanimously.

Frank S. Maurek moved and Carl R. Strye Jr. seconded a motion to approve a Borough policy for events, parades, facility use, the use of athletic fields, Park and Regional Park rentals and group Pool use. The policy will sets rules and requirements, timetables, contract approval, surety deposits, permit requirements and background checks for all requested uses of Borough parks, streets and facilities.

The motion passed unanimously.

Frank S. Maurek moved and Carl A. Fischl seconded a motion to direct the Solicitor to compose an appropriate contract which addresses all of the necessary requirements of the Borough's Pavilion/Park/Regional Parks /Event Policy.

The motion passed unanimously.

Frank S. Maurek moved and Charles A. Donello seconded a motion to direct the Secretary/Treasurer to post the Borough's Pavilion/Park/Regional Parks /Event Policy on the Borough website and to also post the contract form for potential renters on the website as well.

The motion passed unanimously.

Finance: Larry Stoudt moved and Charles A. Donello seconded a motion to approve a donation of fifty (\$50.00) dollars to American Legion Post 415 to help subsidize costs associated with the annual Memorial Day Parade

The motion passed unanimously.

Law: Michael Kopach moved and Carl R. Strye Jr. seconded a motion to advertise for an ordinance prohibiting parking on the south side of West Prospect Street just east of South Green Street

The motion passed unanimously.\

Michael Kopach moved and Charles A. Donello seconded a motion to advertise for an ordinance prohibiting parking on the east side of South Main Street from a point on the southeast corner of the Circle.

The motion passed unanimously.

Michael Kopach moved and Carl A. Fischl seconded a motion to advertise for an ordinance amending Chapter 10 of the Borough Code of Ordinances, regulating the disposal of grass clippings and yard waste on Borough streets, setting procedures for reduction in waste and remediation and providing for liability of homeowners and setting civil and criminal penalties.

The motion passed unanimously.

Michael Kopach moved and Larry Stoudt seconded a motion to approve the appointment of Cynthia Anderson to a one (1 yr) year term on the Borough's Nazareth Day Commission.

The motion passed unanimously.

Michael Kopach moved and Charles A. Donello seconded a motion to establish a thirty (\$30.00) dollar fine for violation of the Borough's new Yard Waste Ordinance if that ordinance is approved at the June 2018 Business Meeting.

The motion passed unanimously.

Michael Kopach moved and Jessica Teel seconded a motion to abolish the Borough's Economic Development Commission as a Borough Commission.

The motion passed unanimously.

Michael Kopach moved and Larry Stoudt seconded a motion to appoint Chris Noll as the Borough's Sewerage Enforcement Officer.

The motion passed unanimously.

Ecology: The Ecology Report for the month of April 2018 was approved as presented.

Technology: Christopher D. Crook moved and Charles A. Donello seconded a motion to approve Resolution No. 5 - 18 - C waving the prohibiting of alcohol and open containers containing alcohol and allowing sidewalk tables for the specific location of the public space in front of Birthright Brewing Company at 57 S. Main Street from May 1st through October 31st of each year as follows:

A Resolution of the Council of the Borough of Nazareth to waive the application of Chapter 6, Part 2 of the Borough of Nazareth Code of Ordinances against Birthright Brewing and its customers located at 57 S. Main Street, Nazareth, Pennsylvania:

WHEREAS, Chapter 6, Part 2 of the Code of Ordinances prohibits the consumption of alcohol in any public place within the Borough;

WHEREAS, the Birthright Brewing Company located at 57 S. Main Street desires to serve alcoholic beverages to its customers for consumption at outside tables located on the sidewalk area adjacent to Main Street;

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 waives the application of Chapter 6, Part 2 of the Borough of Nazareth Code of Ordinances against Birthright Brewing and its customers located at 57 S. Main Street, Nazareth, Pennsylvania under the following conditions:

1. All outdoor seating at this location shall be placed immediately in front of and adjacent to 57 S. Main Street and shall not impede the flow of pedestrian traffic on the public sidewalk;
2. The consumption of alcohol shall be restricted to the outdoor seating area immediately in front of and adjacent to 57 S. Main Street;
3. Outdoor seating shall only be utilized between the hours of 11:00 A.M. and 10:00 P.M. from May 1<sup>st</sup> to October 31<sup>st</sup>.
4. This waiver of Chapter 6, Part 2 is done entirely at the discretion of the Borough Council and may be revoked by Borough Council at any time, for any reason.

The motion passed unanimously.

Christopher D. Crook moved and Larry Stoudt seconded a motion to rename the lot at 128 S. Main Street as "Main Street Public Parking". Discussion followed. Frank S. Maurek stated that new and more prominent signs be placed so that people would recognize the availability and the convenience of parking in the lot.

The motion passed unanimously.

Christopher D. Crook moved and Charles A. Donello seconded a motion to add larger and more visible signage throughout the Borough for the "Main Street Public Parking" lot at 128 S. Main Street.

The motion passed unanimously.

Christopher D. Crook moved and Jessica Teel seconded a motion to approve the sale of the Borough's Parking Kiosk previously used at the 128 S. Main Street parking area, to another municipality for five thousand (\$5,000.00) dollars.

The motion passed unanimously.

Christopher D. Crook moved and Larry Stoudt seconded a motion to accept the Nazareth Economic Development Commission Report for the month of April 2018.

The motion passed unanimously.

Christopher D. Crook moved and Larry Stoudt seconded a motion to retroactively accept the monthly reports of the Nazareth Economic Development Commission for January 2018, February 2018 and March 2018 and enter the reports as "accepted" into the official record.

The motion passed unanimously.

Mayor: Mayor Lance E. Colondo presented the Police Report for April 2018. Mayor Colondo told Council that the next Neighborhood Watch Meeting would be at 6:00 pm at Council Chambers on Thursday, May 24, 2018 and invited all to attend. Mayor Colondo also told Council about his overseeing and endorsement of the B B & T Lighthouse Project which has funded the Borough's purchase and planting of \$1,500 of flowers throughout the Borough. Employees of B B & T will help with the plantings on May 17th and may 18th. Mayor Colondo also informed Council that he had been formally put into place as a "wedding officiant" meaning that he could perform weddings anywhere within the Borough.

Solicitor: No report.

Engineer: Borough Engineer Albert Kortze reported on his recent letter to PennDot regarding the new billboard being erected near the South Green Street and Easton Road intersection.

Police Chief: No report.

Old Business: Christopher Crook spoke of the danger that the new billboard sign at the Green Street/Easton Road intersection presents for motorists and the potential for serious accidents there. Crook requested follow up letters to PennDot emphasizing that the traffic signal visual is confusing in that drivers often do not know which traffic light controls their driving as they are very close together and within the same sightline.

Carl R. Strye Jr. asked if Council could request some type of warning or blinking light or a flashing beacon to alert drivers on Route 248 traveling east that the first light was the one for them to follow.

New Business: Carl R. Strye Jr. told Council that the Pool cover is off and everything is on track for a successful Pool opening on May 26, 2018. Strye also explained his rationale for the Council motion and approval to begin a Pool Improvement Fund. Strye explained that Pool is generating revenue and profits for the Borough and should present something new along with upgrades to keep our business there going strong. The new Pool Improvement Fund will provide the mechanism for accruing monies so that we can offer a new look and better services over the coming years.

Mayor Colondo reported that a request has been made to add a Porta Potty to the Circle to serve the Farmer's Market. He stated that the consensus within Council is that this should be a "No".

Larry Stoudt reported that Channel 69 News had told listeners that last week's Jazz Fest was wrongly reported as a cooperative venture of the Nazareth/Bath Chamber of Commerce and Imagine Events Concepts.

The Meeting was then adjourned to an "Executive Session" at 7:04 pm.

There being no further business at 7:38 pm, on a motion by Larry Stoudt, seconded by Carl A. Fischl, the Meeting was adjourned.

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Paul A. Kokolus, Secretary

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Daniel Chiavaroli, President