

January 03, 2017

**Emmaus Borough Council
Agenda
January 03, 2017 7:00 PM**



1. Call to Order
2. Pledge of Allegiance
3. Personal Appeals, Part I
4. Community Minute
5. Special Presentations
6. Reading of Minutes
 - 6.a. Council Meeting - December 19, 2016
7. Decisions on Bids
8. Communications
 - 8.a. Teri Sorg-McManamon, Emmaus Arts Commission - 2017 SnowBlast Winter Arts Festival Request
 - 8.b. Naomi Winch, East Penn Democratic Club - Borough Hall Rental
9. Borough Engineer's Report
10. Solicitor's Report
11. Unfinished Business, Part I
 - 11.a. Ordinance No. 1149 - An Ordinance of the Borough of Emmaus, Lehigh County, Pennsylvania, Amending Chapter 15 §602.2.A of the Emmaus Borough Code, Removing a Residential Handicapped Parking Sign on the Public Street Located in Front of 177 Elm Street Within the Borough of Emmaus (1st Reading 12/5/2016) (2nd Reading 1/3/2017).
12. New Business

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13. Unfinished Business, Part II

13.a. Ordinance No. 1152 - An Ordinance of the Borough of Emmaus Amending Chapter 5, Adding Part 6 Chapter 10 to the Borough of Emmaus Code of Ordinances, Entitled "Abandoned Real Property and Blighted Property Registration Ordinance" (1st Reading 12/19/2016) (2nd Reading 1/16/2017).

13.b. Ordinance No. 1153 - An Ordinance of the Borough of Emmaus, Lehigh County, Pennsylvania, Amending Emmaus Zoning Ordinance of 1993, as Amended, Providing for the Regulation of Medical Marijuana Facilities (1st Reading 12/19/2016) (2nd Reading 1/16/2017).

14. Items Not on Agenda
Subject to Rule 9

15. Mayor's Report

16. Committee Reports

Public Works/(Highway, Water & Sewer) (Brown, Anders, DeFrain)

Next Meeting – January 9, 2017 at 3:00 p.m.

Health, Sanitation, and Codes (Shubzda, DeFrain, Brown)

Next Meeting – January 19, 2017 at 4:15 p.m.

Reappoint Roger Steinmayr to the Zoning Hearing Board - new term expires 1/1/2020.

Reappoint Theodore Iobst, II to the Zoning Hearing Board - new term expires 1/1/2020.

Ordinance No. 1152 - 2nd Reading 1/16/17

Ordinance No. 1153 - 2nd Reading 1/16/17

Parks and Recreation (Anders, Barrett, Labenberg)

Next Meeting – February 7, 2017 at 4:00 p.m.

Appoint Jennifer Henry to the Recreation & Entertainment Commission - term expires 6/7/2019.

Public Safety (Gilbert, Barrett, Brown)

Next Meeting – January 4, 2017 at 3:00 p.m.

Ordinance No. 1149 - 2nd Reading

General Administration (Barrett, Labenberg, Gilbert)

Next Meeting – January 4, 2017 at 9:00 a.m.

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Resolution 2017-1 - 2017 Appointments

Hire GIS Interns - Zach Lawlor and Glenn Roedel

Appoint Safety Committee Members

Reappoint Beverly Springer to the Shade Tree Commission - new term expires 1/1/2022.

Reappoint Doug Hall to the Shade Tree Commission - new term expires 1/1/2022.

Reappoint Linda Rose to the Emmaus Library Board - new term expires 1/1/2020.

Reappoint John Stover, Jr. to the Emmaus General Authority - new term expires 1/1/2022.

Reappoint John Stover, Jr. to the Emmaus Vacancy Board - new term expires 1/1/2018.

Budget and Finance (Labenberg, Shubzda, Gilbert)

Next Meeting – January 16, 2017 at 6:45 p.m.

Resolution 2017 - 2 - Bill List

Committee Meeting - December 19, 2016

Community Relations, Planning and Development (DeFrain, Shubzda, Anders)

Next Meeting – January 12, 2017 at 4:00 p.m.

17. Personal Appeals, Part II

18. Borough Manager's Report

18.a. Significant Revenue and Expense Items for December, 2016

19. President's Business

20. Adjournment

The Emmaus Borough Council met in regular session on January 3, 2017 in Borough Council Chambers, 28 S. 4th Street, Emmaus, PA 18049.

CALL TO ORDER

Mr. Labenberg called the Meeting to order at 7:00 p.m.

Brent Labenberg, President	Present
Wesley Barrett, Vice President	Present

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Roy Anders	Present
Nathan Brown	Present
Chris DeFrain	Present
Lee Ann Gilbert	Present
Jeffrey Shubzda	Present
Winfield Iobst, Mayor	Present
Tom Dinkelacker, Solicitor	Present
Shane Pepe, Borough Manager	Present

PERSONAL APPEALS, PART I

A. John Donches, 559 Minor Street – stated that the dates for Committee meetings are not always made available on the Agenda and believes that the minutes for all Committee meetings should be made available to the public. Mr. Pepe stated that the committee notes are available to the public through a Right-to Know form. Mr. Donches stated that he also believes that the Committee meetings should be videotaped. Mr. Pepe responded that Council has indicated that it is not interested in videotaping Committee meetings and that there is a problem with the Granicus system and being able to attach documents to the Agenda for the public to view. Mr. Pepe asked Council for direction on how they would like to proceed with listing the Agenda items. Mrs. Gilbert asked the Solicitor for guidance. Solicitor Dinkelacker responded that the only items that should be listed on the Agenda are the items that are going to be discussed at the current Council Meeting.

COMMUNITY MINUTE - None.

SPECIAL PRESENTATIONS – None.

READING OF MINUTES

Motion by Mr. Barrett, seconded by Mrs. Gilbert to adopt the December 19, 2016 Council Minutes as drafted. There were 7 ayes. Motion carried.

DECISION ON BIDS – None.

COMMUNICATIONS

a. Teri Sorg-McManamon – Emmaus Arts Commission – 2017 SnowBlast Winter Arts Festival Request. Referred to staff. Mr. Labenberg stated that instead of an ice sculpting demonstration, four-time International Extreme Wood Carver, Michael Blaine, will be carving a wood sculpture all day on Saturday. The finished piece will be donated to Borough Council to place at the new Emmaus Borough Hall building.

Motion by Mr. Barrett, seconded by Mr. Brown to grant the Emmaus Arts Commission's request to serve alcohol at Triangle Park for the SnowBlast Winter Arts Festival contingent upon proof of proper insurance. There were 7 ayes. Motion carried.

b. Naomi Winch, East Penn Democratic Club – Borough Hall Rental. Mr. Anders suggested that a Police Officer ensure that Borough Hall is locked properly after the meeting. Mr. DeFrain questioned a fee structure to rent Borough Hall and how to decide who will be granted the right to rent the building. Mr. Pepe stated that if the Borough rents to one organization, the Borough will need to rent to any organization that requests the use of the building. Solicitor Dinkelacker recommended that

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a policy be established to narrow which types of rentals would be eligible. Mr. Barrett stated that he believes that the item should be referred to a Committee. Mr. Labenberg referred the item to the General Administration Committee.

Motion by Mr. Barrett, seconded by Mr. Shubzda to rent Borough Hall on January 15, 2017 from 1:00 – 4:00 p.m. for a rental fee of \$50.00.

Motion by Mrs. Gilbert, seconded by Mr. Anders to Table the request. There were 5 ayes, 2 opposed (Barrett, Brown). Motion carried.

c. John Donches – email request for crosswalk at 13th & Broad Street. Mrs. Gilbert stated that the item will be discussed at the Public Safety Committee Meeting to be held on Wednesday, January 4, 2017 at 3:00 p.m.

BOROUGH ENGINEER’S REPORT – None.

SOLICITOR’S REPORT

Progress.

UNFINISHED BUSINESS, PART I

Ordinance No. 1149 – An Ordinance of the Borough of Emmaus, Lehigh County, Pennsylvania, Amending Chapter 15 §606.2.A of the Emmaus Borough Code, Removing a Residential Handicapped Parking Sign on the Public Street Located in Front of 177 Elm Street Within the Borough of Emmaus (1st Reading 12/5/16) (2nd Reading 1/3/2017).

Motion by Mrs. Gilbert, seconded by Mr. Brown to adopt Ordinance No 1149 - An Ordinance of the Borough of Emmaus, Lehigh County, Pennsylvania, Amending Chapter 15 §606.2.A of the Emmaus Borough Code, Removing a Residential Handicapped Parking Sign on the Public Street Located in Front of 177 Elm Street Within the Borough of Emmaus on its 2nd Reading. Roll call vote: Mr. Brown, aye; Mr. Shubzda, aye; Mr. Anders, aye; Mrs. Gilbert, aye; Mr. DeFrain, aye; Mr. Barrett, aye; Mr. Labenberg, aye. There were 7 ayes. Motion carried.

NEW BUSINESS – None.

UNFINISHED BUSINESS, PART II

Mr. Labenberg stated that Ordinances 1152 and 1153 will have their 2nd Readings at the January 16, 2017 Council Meeting.

ITEMS NOT ON AGENDA, subject to Rule 9 – None.

MAYOR’S REPORT

Mayor Iobst wished everyone a Happy New Year.

Progress.

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COMMITTEE REPORTS

a. Public Works Committee

The next Committee Meeting is Monday, January 9, 2017 at 3:00 p.m.

Progress.

b. Health, Sanitation, and Codes Committee

Motion by Mr. Shubzda, seconded by Mrs. Gilbert to reappoint Roger Steinmayr to the Zoning Hearing Board to a term expiring on 1/1/2020. There were 7 ayes. Motion carried.

Motion by Mr. Shubzda, seconded by Mrs. Gilbert to reappoint Theodore Iobst, II to the Zoning Hearing Board to a term expiring on 1/1/2020. There were 7 ayes. Motion carried.

The next Committee Meeting is January 19, 2017 at 4:15 p.m.

Progress.

c. Parks and Recreation Committee

Motion by Mr. Anders, seconded by Mrs. Gilbert to appoint Jennifer Henry to the Emmaus Recreation and Entertainment Commission to a term expiring on 6/7/2019. There were 7 ayes. Motion carried.

Mr. Anders stated that the Committee met earlier in the day and discussed the Community Pool. He stated that the Pool Manager has requested permission to advertise to hire lifeguards to work at the pool. Mr. Anders stated that the hourly wage for lifeguards will increase by \$1.00. Mr. Pepe stated that the increase will make the Borough more competitive with the surrounding community pools' wages. Mr. Anders also stated that the Committee discussed a calendar for scheduling field rentals and pavilion rentals.

Progress.

d. Public Safety Committee

The next Committee Meeting is Wednesday, January 4, 2017 at 3:00 p.m.

Progress.

e. General Administration Committee

Resolution 2017 – 1

BE IT HEREBY RESOLVED by Emmaus Borough Council to appoint the following officials to their designated positions for a term expiring on January 3, 2018.

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Ambulance Corps Chief	Jeffrey Hoffman
Animal Control Officer	Allen Lewis
Borough Manager/Secretary	Shane Pepe
Borough Solicitor	Dimmich, Dinkelacker & Anewalt, P.C.
Director of Finance/Treasurer	Christine Snyder
Certified Public Accountant	France, Anderson, Basile & Co.
Civil Service Commission Solicitor	Davison & McCarthy
Code Enforcement Officer/Public Works Inspector	James L. Farnsworth
Earned Income and Local Services Tax Office	H.A. Berkheimer
Emergency Management Coordinator	James Krippe
Engineer (General/Water/Sewer)	Hanover Engineering
Fire Chief/Director of Emergency Services	John Price
Fire Inspector	Daniel Sell
Health Officer	Garry Ritter
Pension Consultant-Police/Non-uniform	Mockenhaupt Benefits Group
Per Capita Tax Office	H.A. Berkheimer
Police Chief	Charles Palmer
Public Works Director	John Dychala
Sewage Enforcement Officers	Jacob A. Schray Gregory Gray Christopher Taylor
Special Labor Counsel	Campbell, Durrant, Beatty, Palombo & Miller, P.C.
Weed/Snow Enforcement Officer	Paula Weiant
Zoning Hearing Board Solicitor	Ronald Corkery, Esq.

Motion by Mr. Barrett, seconded by Mr. Anders to adopt Resolution 2017-1. There were 7 ayes. Motion carried.

Motion by Mr. Barrett, seconded by Mrs. Gilbert to request to hire Zach Lawlor and Glenn Roedel as Interns at an hourly rate of \$7.50. There were 7 ayes. Motion carried.

Mr. Labenberg stated that they are both Kutztown University students. He stated that the Interns have saved the Borough a large amount of money. Mr. Pepe stated that the Interns will finish the maps for the MS4 permit.

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Motion by Mr. Barrett, seconded by Mrs. Gilbert to appoint the following individuals to the Safety Committee:

**Administration: Shane Pepe, term expires 1/1/19;
Codes Enforcement: Jim Farnsworth – term expires 1/1/19;
Police: Todd Garloff, term expires 1/1/19; alternate – Adam Polster;
Ambulance: Tom Gauntner – term expires 1/1/18; alternate – Jeff Hoffman;
Public Works: Marvin Jennings – term expires 1/1/18, alternate – John Dychala;
Clerical: Cyndi Pandl – term expires 1/1/18;
Fire: Paul Shankweiler – term expires 1/1/19. Alternate – John Price.**

There were 7 ayes. Motion carried.

Motion by Mr. Barrett, seconded by Mr. Anders to approve the 2017 Safety Committee Meeting Schedule. There were 7 ayes. Motion carried.

Motion by Mr. Barrett, seconded by Mrs. Gilbert to reappoint Beverly Springer to the Shade Tree Commission to a term expiring on 1/1/2022. There were 7 ayes. Motion carried.

Motion by Mr. Barrett, seconded by Mr. DeFrain to reappoint Doug Hall to the Shade Tree Commission to a term expiring on 1/1/2022. There were 7 ayes. Motion carried.

Motion by Mr. Barrett, seconded by Mr. DeFrain to reappoint Linda Rose to the Emmaus Library Board to a term expiring on 1/1/2020. There were 7 ayes. Motion carried.

Motion by Mr. Barrett, seconded by Mrs. Gilbert to reappoint John Stover, Jr. to the Emmaus General Authority to a term expiring on 1/1/2022. There were 7 ayes. Motion carried.

Motion by Mr. Barrett, seconded by Mr. DeFrain to reappoint John Stover to the Emmaus Vacancy Board to a term expiring on 1/1/2022. There were 7 ayes. Motion carried.

The next Committee Meeting is Wednesday, January 4, 2017 at 9:00 a.m.

Progress.

f. Budget and Finance Committee

Resolution 2017-2, authorizing payment of the January 3, 2017 Bill List, as follows:

Bill List	\$	70,785.76
Payroll #25	\$	133,057.37
Payroll Taxes	\$	45,991.88
Total	\$	249,835.01

Done this 3rd day of January 2017.

Motion by Mr. Shubzda, seconded by Mrs. Gilbert to adopt Resolution 2017-2. There were 7 ayes. Motion carried.

The next Committee Meeting is January 16, 2017 at 6:45 p.m., prior to the Council Meeting.

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g. Community Relations, Planning and Development Committee

The next Committee Meeting is Thursday, January 12, 2017 at 4:00 p.m.

Progress.

PERSONAL APPEALS, PART II

A. Lynn Donches, 559 Minor Street – thanked Council for tabling the motion requesting to hold meetings at Borough Hall. She asked for an explanation on the Emmaus Vacancy Board. Mr. Pepe explained that every municipality is required, by law, to have a Vacancy Board. The Board is established so that if an elected official was to vacate their position, and Borough Council could not name a replacement within thirty days, then it would become the responsibility of the Vacancy Board to obtain candidates to fill the position. Mr. Labenberg stated that the Borough has never used the Vacancy Board.

BOROUGH MANAGER'S REPORT

Mr. Pepe reported that the Significant Revenue and Expense Items for the month of December, 2016 are in the iPads and entertained questions about them.

Mr. Pepe stated that the Accounting Department is currently working on the end of year reconciliation, closing out the Budget and working on opening up the new year. He stated that due to the way the holidays fell, some reports may be late.

Progress.

PRESIDENT'S BUSINESS

Progress.

ADJOURNMENT

Motion by Mr. Barrett, seconded by Mrs. Gilbert to adjourn the January 3, 2017 Emmaus Borough Council Meeting. There were 7 ayes. Motion carried.

The Meeting adjourned at 7:37 p.m.

Shane M. Pepe
Borough Manager

Transcribed by: Paula Weiant
Administrative Assistant
January 6, 2017