

January 21, 2019

**Emmaus Borough Council
Agenda
January 21, 2019 7:00 pm**



1. Call to Order
2. Pledge of Allegiance
 - 2.a. Mayor Lee Ann Gilbert will administer the Oath of Office to:
Jonas Hausmann, Junior Council Member
3. Personal Appeals, Part I
4. Community Minute
5. Special Presentations
 - 5.a. Shade Tree Plan - Presented by the Emmaus Shade Tree Commission
6. Reading of Minutes
 - 6.a. Council Meeting Minutes - January 7, 2019
7. Decisions on Bids
 - 7.a. Bid Results - Lawn Mowing and Trimming Services
8. Communications
 - 8.a. Joseph Deddo, Jr., President, Emmaus Veteran's Committee - Memorial Day Parade and banner fee waiver request - May 27, 2019.
 - 8.b. Ashley Lorah, EMSP Manager - Soup Crawl Event Request - March 23, 2019.
 - 8.c. Ashley Lorah, EMSP Manager - Request banner fee waiver for East Penn Chamber Restaurant Week - March 3-9, 2019.
 - 8.d. Jill Goetz, 1055 Arch St., Emmaus - Request appointment to the Emmaus Arts Commission.
 - 8.e. Doug Cornish, Head Coach, Emmaus Aquatic Club - Request to rent Community Park Pool.
 - 8.f. John Fernbacher, 2955 Lindberg Ave., Allentown - Letter of Resignation from the Community Garden Commission.

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8.g. Rochelle Romeo Kane, Run Lehigh Valley, Allentown - Funk 5 Miler Event Request - June 8, 2019.

8.h. Sgt. Todd M. Garloff - Letter of Resignation from the Emmaus Police Department.

9. Borough Engineer's Report

10. Solicitor's Report

11. Unfinished Business, Part I

11.a. Ordinance No. 1185 - An Ordinance of the Borough of Emmaus, Lehigh County, Pennsylvania, Requiring Testing, Inspection, Repair, and Replacement of Building Sewers and Sewer Laterals and Providing for Remedies and Penalties for Non-compliance (1st Reading 12/17/2018) (2nd Reading 1/21/2019).

12. New Business

13. Unfinished Business, Part II

14. Items Not on Agenda
Subject to Rule 9

15. Mayor's Report

16. Committee Reports

Public Works/(Highway, Water & Sewer) (Anders, Sorg-McManamon, Labenberg)
Next Meeting – February 13, 2019 at 4:00 p.m.

Committee Meeting Notes - January 9, 2019

Health, Sanitation, and Codes (Shubzda, Sorg-McManamon, Anders)
Next Meeting – January 30, 2019 at 4:30 p.m.

The Knauss Homestead - Fence Permit

Parks and Recreation (Baumgartner, Anders, Shubzda)
Next Meeting – February 5, 2019 at 4:30 p.m.

Monkey Knife Fight Bike Ride

Committee Meeting Notes - January 8, 2019

Public Safety (DeFrain, Hart, Baumgartner)
Next Meeting – February 13, 2019 at 9:15 a.m.

Committee Meeting Notes - January 9, 2019

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General Administration (Labenberg, Baumgartner, DeFrain)

Next Meeting – February 14, 2019 at 9:00 a.m.

Ordinance No. 1185: 2nd Reading

Resolution 2019-6: Disposal of Municipal Records

Resolution 2019-7: Volunteer Appointments

Fields at Indian Creek - Security Reduction Request

Engineer RFP

Farmers' Market move to Triangle

Committee Meeting Notes - January 17, 2019

Budget and Finance (Hart, DeFrain, Labenberg)

Next Meeting – February 4, 2019 at 6:45 p.m.

Resolution 2019-4: Bill List

Committee Meeting Notes - January 7, 2019

Community Relations, Planning and Development (Sorg-McManamon, Hart, Shubzda)

Next Meeting – February 21, 2019 at 4:30 p.m.

Appoint Jill Goetz to the Emmaus Arts Commission (term expires 2/1/2022)

Shade Tree Plan

Committee Notes - January 17, 2019

17. Jr. Council Member's Report

18. Boards and Commissions

18.a. Planning Commission Meeting Minutes - January 10, 2019

18.b. Emmaus Public Library Board of Trustees Meeting Minutes - December 18, 2018

18.c. Civil Service Commission Meeting Minutes - January 15, 2019

18.d. Fire Department 4th Quarter Report

18.e. Ambulance Corp Year-end Report

18.f. EMA Year-end Report

19. Personal Appeals, Part II

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20. Borough Manager's Report

20.a. Significant Revenue and Expense Items for First Half of January, 2019

20.b. Hire Shawn Peischl - Part-time Paramedic

20.c. Hire Keetly Hamill - Part-time Paramedic

21. President's Business

22. Adjournment

EMMAUS BOROUGH COUNCIL

The Emmaus Borough Council met in Regular Session on January 21, 2019 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
Chris DeFrain, Vice President	Absent
Roy Anders	Present
Shana Baumgartner	Present
John W. Hart	Present
Jeffrey Shubzda	Present
Teri Sorg-McManamon	Present
Lee Ann Gilbert, Mayor	Present
Tom Dinkelacker, Solicitor	Present
Shane Pepe, Borough Manager	Present

Mayor Gilbert issued the Oath of Office to new Junior Council member Jonas Hausmann.

PERSONAL APPEALS, PART I - None.

COMMUNITY MINUTE

Mrs. Sorg-McManamon reminded everyone that the SnowBlast Winter Arts Festival will be held on Saturday, February 2, 2019 from noon to 7:00 p.m. Mr. Anders encouraged everyone to support the local Girl Scouts by buying Girl Scout cookies.

SPECIAL PRESENTATIONSEmmaus Shade Tree Commission – Shade Tree Plan

Mr. Labenberg invited Reds Bailey and Doug Hall to approach the podium. Mr. Bailey stated that he has been a member of the Shade Tree Commission for twenty years. He stated that he is present at the Council meeting as a representative of the Shade Tree Commission, along with Doug Hall and Beverly Springer, to present a comprehensive plan to replace street trees within the Borough of Emmaus. He stated that there are many benefits to having street trees. Mr. Bailey presented Mr. Hall. Mr. Hall stated that there have been many studies performed pertaining to the benefits of street trees as they pertain specifically to downtown business districts. He stated that the benefits include: shoppers are willing to drive further to reach a retail district having trees, street trees increase property values in both residential and commercial neighborhoods, tree-lined streets have a calming effect on traffic, and trees beautify commercial districts and enhance the shopping experience. He also stated that historic photographs of downtown Emmaus show that Chestnut Street and Main Street have always been tree-lined. He stated that trees are one of the reasons why the downtown

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Triangle is a popular gathering spot and why it was recently designated a Great Public Space by the Pennsylvania Chapter of the American Planning Association. He stated that the Borough has sought to protect its trees through the enactment of a Shade Tree Ordinance. The updated Ordinance, passed in 2006, established a Shade Tree Commission and assigned it the responsibility of preparing an inventory of existing street trees and a plan for future tree replacements. He stated that the Shade Tree Commission worked on the plan throughout 2018 and the Commission has gotten input from experts and from other Pennsylvania communities. He stated that the plan covers 184 curbside cutouts in the sidewalk for street trees in downtown Emmaus, which is a linear parkway that extends along Chestnut Street and Main Streets between CVS and the Library. He stated that most of the curb cuts have trees and that some of the current street trees have caused problems and that all of the problems have resulted from the types of trees that were selected and planted in the past. He stated that the Commission has supplied a list of trees that can be used as replacements. He also stated that the project is a decades-long project, with individual trees being swapped out as the need arises. The trees being phased out are the Bradford Pear, Sugar Maple, Horse Chestnut, Green Ash and full-size Zelkova trees. They will be replaced by small trees including the Trident Maple, 'Ivory Silk' Tree Lilac, 'City Sprite' Zelkova, and the 'Okame' Ornamental Cherry. The 'Thornless' Honeylocust, 'Princeton Sentry' Ginko and Sycamore trees are larger and will be planted in limited locations. He stated that these trees do not have aggressive root systems, will not lift pavements or crack sidewalks, and will not drop fruit. Mr. Anders thanked Mr. Hall and the Shade Tree Commission for their hard work and asked if the suggested trees will be prone to attract the Spotted Lantern Fly. Mr. Hall responded that the Spotted Lantern Fly is a new pest and it will need to be observed. Mr. Labenberg thanked the Shade Tree Commission for its hard work. He stated that because of diseases spreading in trees, he had been told that the tree placement should be scattered instead of planted by blocks of species. Mr. Hall responded that diseases generally spread because of roots becoming intertwined and he does not believe that this will be a problem.

READING OF MINUTES

Motion by Ms. Baumgartner, seconded by Mr. Anders to adopt the January 7, 2019 Council Minutes as drafted. There were 6 ayes. Motion carried.

DECISION ON BIDS

Mr. Pepe stated that there were three bids received for the Lawn Mowing Services bid. He stated that the bid specifications allow the Borough to eliminate any piece of the bid at the beginning of every year and the Borough reserves the right to take off any properties on the bid at any point. Mr. Pepe suggested that, in the future, the Parks and Recreation Committee review the properties that were included in the bid. Mr. Anders asked the time frame of the mowing season to which Mr. Pepe responded March into November contingent upon weather.

Motion by Mr. Hart, seconded by Ms. Baumgartner to award the Lawn Mowing Services contract to All Year, Inc., for a three-year contract in the amount of \$54,631.29

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for 2019, \$55,161.57 for 2020, and \$55,696.71 for 2021. There were 6 ayes. Motion carried.

COMMUNICATIONS

- a. Joseph Deddo, Jr., President, Emmaus Veteran’s Committee – Memorial Day Parade and banner fee waiver request – May 27, 2019. Mr. Labenberg referred the item to staff.
- b. Ashley Lorah, EMSP Manager – Soup Crawl Event Request – March 23, 2019. Mr. Labenberg referred the item to staff.
- c. Ashley Lorah, EMSP Manager – Request banner fee waiver for East Penn Chamber Restaurant Week – March 3-9, 2019. Mr. Labenberg referred the item to the Community Relations, Planning and Development Committee.
- d. Jill Goetz, 1055 Arch St., Emmaus – Request appointment to the Emmaus Arts Commission.

Motion by Mrs. Sorg-McManamon, seconded by Mr. Hart to appoint Jill Goetz to the Emmaus Arts Commission to a term expiring 2/1/2022. There were 6 ayes. Motion carried.

- e. Doug Cornish, Head Coach, Emmaus Aquatic Club – Request to rent Emmaus Community Park Pool. Mr. Labenberg referred the item to staff.
- f. John Fernbacher, 2955 Lindberg Ave., Allentown – Letter of Resignation from the Community Garden Commission. Mr. Labenberg directed Mr. Pepe to mail Mr. Fernbacher a letter of thanks.
- g. Rochelle Romeo Kane, Run Lehigh Valley, Allentown – Funk 5 Miler Event Request – June 8, 2019. Mr. Labenberg referred the item to staff.
- h. Sgt. Todd M. Garloff – Letter of Resignation from the Emmaus Police Department effective April 30, 2019.

BOROUGH ENGINEER’S REPORT – None.

SOLICITOR’S REPORT

Solicitor Dinkelacker reported that J.P. Mascaro has until January 28, 2019 to file an appeal.

Progress.

UNFINISHED BUSINESS, PART I

Ordinance No. 1185 – An Ordinance of the Borough of Emmaus, Lehigh County, Pennsylvania, Requiring Testing, Inspection, Repair, and Replacement of Building Sewers and Sewer Laterals and Providing for Remedies and Penalties for Non-Compliance (1st Reading 12/17/2018) (2nd Reading 1/21/2019).

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Motion by Mr. Shubzda, seconded by Mr. Anders to adopt Ordinance No. 1185 - An Ordinance of the Borough of Emmaus, Lehigh County, Pennsylvania, Requiring Testing, Inspection, Repair, and Replacement of Building Sewers and Sewer Laterals and Providing for Remedies and Penalties for Non-Compliance on its 2nd Reading. Roll call vote: Mrs. Sorg-McManamon, aye; Mr. Shubzda, aye; Mr. Anders, aye; Mr. Hart, aye; Ms. Baumgartner, aye; Mr. Labenberg, aye. There were 6 ayes. Motion carried.

NEW BUSINESS – None.

UNFINISHED BUSINESS, PART II – None.

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

MAYOR’S REPORT

Progress.

COMMITTEE REPORTS

a. Public Works Committee

Mr. Anders reported that the Committee met on Wednesday, January 9, 2019 at 4:00 p.m. He entertained questions about the Committee notes.

Progress.

b. Health, Sanitation, and Codes Committee

Mr. Shubzda reported that the Knauss Homestead submitted a letter and an application for a fence permit. He stated that the item will be discussed at the next Committee meeting to be held on Wednesday, January 30, 2019 at 4:30 p.m.

Progress.

c. Parks and Recreation Committee

Motion by Ms. Baumgartner, seconded by Mr. Anders to grant the request by Keith Plunkett to hold the Monkey Knife Bike Ride on April 6, 2019.

Ms. Baumgartner stated that it is a 65-mile bike ride and will have approximately 300 riders. Mr. Anders stated that he hopes this event will become a yearly event in the Borough. Mr. Pepe stated that last year they raised \$18,000 for ACS.

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Ms. Baumgartner entertained questions about the Committee notes and reported that the next Committee meeting is February 5, 2019 at 4:30 p.m.

Progress.

d. Public Safety Committee

Ms. Baumgartner stated that the next Committee meeting is Wednesday, February 13, 2019 at 9:15 a.m.

Progress.

e. General Administration Committee

Resolution 2019-6 – A Resolution in Accordance with the Municipal Records Act of January 18, 1968 (P.L. 961, No. 428) as Approved for Local Government Records by the Pennsylvania Historical and Museum Commission Bureau of Archives and History, as Approved by the Commonwealth of Pennsylvania on December 18, 2008 and Amended July 23, 2009, Authorizing the Borough of Emmaus to Dispose of Certain Municipal Records.

Motion by Mr. Anders, seconded by Mrs. Sorg-McManamon to adopt Resolution 2019-6. There were 6 ayes. Motion carried.

Resolution 2019-7 – A Resolution of the Council of the Borough of Emmaus, Lehigh County, Pennsylvania, Reaffirming All Volunteers Previously Appointed for the Year 2019.

Motion by Mr. Shubzda, seconded by Ms. Baumgartner to adopt Resolution 2019-7. There were 6 ayes. Motion carried.

Solicitor Dinkelacker stated that the Fields of Indian Creek has requested a security reduction. He stated that as the public improvements are completed, the security that has been posted for the completion of the public improvement is reduced by the amount of the work that has been performed. He stated that the Borough Engineer approved the request and recommended the amount of the security deposit to be released.

Motion by Mrs. Sorg-McManamon, seconded by Mr. Hart to grant the Fields at Indian Creek Security Reduction request in the amount of \$257,027.09. There were 6 ayes. Motion carried.

Motion by Mr. Anders, seconded by Ms. Baumgartner to authorize the Borough Manager to advertise for a Request for Proposal for Borough Engineer. There were 6 ayes. Motion carried.

Mr. Labenberg stated that the next Committee meeting is February 14, 2019 at 9:00 a.m.

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Progress.

f. Budget and Finance Committee

Resolution 2019-4, authorizing payment of the January 21, 2019 Bill List, as follows:

Bill List	\$	387,077.55
Payroll #2 & P/R #26 adjustment	\$	157,175.30
Payroll Taxes	\$	<u>51,008.62</u>
Total	\$	<u>595,261.47</u>

Done this 21st day of January 2019.

Motion by Mr. Hart, seconded by Mr. Shubzda to adopt Resolution 2019-4. There were 6 ayes. Motion carried.

Mr. Hart reported that the next Committee meeting is February 4, 2019.

Progress.

g. Community Relations, Planning and Development Committee

Mrs. Sorg-McManamon congratulated Mr. Hausmann and stated that the Committee is very excited to work with him.

Mrs. Sorg-McManamon thanked Mr. Bailey and Mr. Hall for their extensive work on the Shade Tree Plan.

Motion by Mrs. Sorg-McManamon, seconded by Ms. Baumgartner to approve the Borough of Emmaus Shade Tree Plan. There were 6 ayes. Motion carried.

Mrs. Sorg-McManamon reported that the BB&T bank located at 235 Main Street will be moving and the parking lot will no longer be available to the Emmaus Farmers' Market. She stated that the Farmers' Market has been proactive in looking for another space and is requesting permission to move to Triangle Park and S. Fourth Street. Mrs. Sorg-McManamon stated that the move could make the single biggest impact on the downtown retail community. The move could create a lot of additional traffic downtown. She also stated that of the roughly 9,000 farmers' markets across the country, statistics show the most successful ones are within a downtown center. Mr. Anders asked if there was a concern with traffic trying to reach the Mercantile Club. Mrs. Sorg-McManamon responded that this should not be an issue. Mr. Labenberg voiced concern about the one-way alley that comes out onto Fourth Street and how it will affect those neighbors. Mayor Gilbert responded that it is one-way going west. Mr. Pepe stated that there are logistical and safety issues that need to be addressed. Mr. Hart stated that the kick-off would be the winter version of the Market and would not include closing down Fourth street until May.

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Motion by Mrs. Sorg-McManamon, seconded by Mr. Hart to grant the Emmaus Farmers' Market request to move to Triangle Park and the block of S. Fourth Street between Chestnut Street and Jubilee Street, contingent upon logistical details to be worked out. There were 6 ayes. Motion carried.

Mrs. Sorg-McManamon entertained questions about the Committee notes. She stated that the next Committee meeting is February 21, 2019 at 4:30 p.m.

Progress.

h. Junior Council Member's Report

Mr. Hausmann thanked Council and said that it is an honor to represent the student body at the Council meeting. He reported that mid-term exams will begin this week at Emmaus High School.

Progress.

PERSONAL APPEALS, PART II - None.

BOROUGH MANAGER'S REPORT

Mr. Pepe reported that the Significant Revenue and Expense Items for the first half of January 2019 are in the iPads and entertained questions about them.

Mr. Pepe reported that the 10th Street Culvert was due to open last Thursday and is unsure why it did not open. He stated that Council approved a bill in the amount of \$142,000 for the concrete and a \$200,000 bill from the contractor, which was approved today. He stated that it was the majority of the bills and that at the conclusion of the project, a third bill will be submitted for the remainder of the project. He stated that there were no change orders and the project was on budget.

Mr. Pepe reported that staff has hired Shawn Peischl and Keetly Hamill as part-time Paramedics for the Emmaus Ambulance Corps. He stated that staff is proud to have them continue their careers with the Borough.

Mr. Anders asked for a status update on Wawa. Mr. Pepe reported that the Wawa Convenience store will be on the February 4, 2019 Council Agenda. He stated that there is a lot of information and Council will have time to review it. Mr. Labenberg stated that the General Administration Committee reviewed the plan and every safety issue that was a concern was addressed.

Progress.

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PRESIDENT'S BUSINESS

Progress.

ADJOURNMENT

Motion by Mrs. Sorg-McManamon, seconded by Ms. Baumgartner to adjourn the January 21, 2019 Emmaus Borough Council Meeting. There were 6 ayes. Motion carried.

The Meeting adjourned at 7:55 p.m.

Shane M. Pepe
Borough Manager

Transcribed by: Paula Weiant
Administrative Assistant
January 23, 2019