

March 7, 2016

EMMAUS BOROUGH COUNCIL

**Emmaus Borough Council
Agenda
March 07, 2016 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
 - a. February 16, 2016
7. Decisions on Bids
8. Communications
 - a. Joseph Deddo, Emmaus Veterans Committee - Memorial Day Parade
 - b. Dennis McArdle, Chairman - Request assistance with traffic & crowd control during the Good Will Fire Company No. 1 of Trexlertown 100th Anniversary Parade on July 16, 2016.
9. Borough Engineer's Report

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10. Solicitor's Report

11. Unfinished Business, Part I

Ordinance No. 1135 - An Ordinance Amending Chapter 15 §201 of the Codified Ordinances, Maximum Speed Limits Established on Certain Streets (1st Reading 2/1/16) (2nd Reading 3/7/16).

12. New Business

Ordinance No. 1137 - An Ordinance of the Borough of Emmaus, Lehigh County, Pennsylvania, Amending the Code of Ordinances, Eliminating Part 3 Section G Including Subsections 371, 344, 372, 373, and 375 of Chapter 1, and Amending Part 8 of Chapter 1, Creating a Combined Recreation and Entertainment Commission (1st Reading 3/07/16).

Ordinance No. 1138 - An Ordinance Amending Chapter 15 §404(a) of the Codified Ordinances, Extending the Bus Zone on the South Side of E. Minor Street (1st Reading 3/07/16).

13. Unfinished Business, Part II

14. Items Not on Agenda
Subject to Rule 9

15. Mayor's Report

a. Letter

16. Committee Reports

Public Works/(Highway, Water & Sewer) (Labenberg, Brown, Holtzhafer)
Next Meeting – March 14, 2016 at 3:00 pm

Health, Sanitation, and Codes (Shubzda, Holtzhafer, Anders)
Next Meeting – March 17, 2016 at 3:45 pm

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Parks and Recreation (Anders, Barrett, Labenberg)

Next Meeting – April 5, 2016 at 4:00 pm

- a. The Cradle of Liberty Adventure Race

Public Safety (Gilbert, Barrett, Brown)

Next Meeting –April 6, 2016 at 3:00 pm

- a. Ordinance No. 1135 - 2nd Reading 3/7/16
- b. Hire Cara Biery as Full-Time Paramedic for the Ambulance Corps
- c. Hire April Schiel as Full-Time Paramedic for the Ambulance Corps
- d. Funk 5-Mile Road Race
- e. Ordinance No. 1138 - Extend Bus Zone near Seven Generations School (1st Reading 3/7/16)

General Administration (Barrett, Gilbert, Labenberg)

Next Meeting – March 16, 2016 at 9:00 am

- a. Ordinance No. 1137 - Merging Recreation and Entertainment Commissions (1st Reading 3/07/16)
- b. Appointment of Janet Rader-Burton to the Emmaus Arts Commission - term expires 2/07/19
- c. Service Master Contract - terminate at end of contract 7/1/16
- d. Jay Kleckner Pavilion Fee Waiver Request

Budget and Finance (Holtzhafer, Shubzda, Gilbert)

Next Meeting – March 21, 2016 at 6:45 pm

- a. Resolution 2016-08 - Bill List
- b. 2015 Police Pension Actuary
- c. Subscriber BLS Transport Rates

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

Next Meeting – March 10, 2016 at 4:00 pm

17. Personal Appeals, Part II

18. Borough Manager's Report

- a. Significant Revenue and Expense Items for February, 2016

19. President's Business

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- a. Executive Session - Personnel Matter
- b. Public Presentation - 33 E. Minor Street Architect Plans - March 21st Council Meeting

20. Adjournment

The Emmaus Borough Council met in regular session on March 7, 2016 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
Roy Anders	Present
Nathan Brown	Present
Chris DeFrain	Present
Lee Ann Gilbert	Present
Jeffrey Shubzda	Present
Winfield Iobst, Mayor	Present
Jeffrey Dimmich, Solicitor	Present
Shane Pepe, Borough Manager	Present

PERSONAL APPEALS, PART I

A. Edwin Cruz, 525 Broad Street – encouraged the Borough to become involved with Project Lifesaver. He explained that Project Lifesaver provides a timely response to save lives and reduce potential injury for adults and children who wander off due to Alzheimer’s, autism, and other related conditions or disorders. He stated that the City of Allentown utilizes Project Lifesaver.

B. Martha Lieberman, 333 Ridge Street – stated that she is the coordinator of Project Lifesaver for the Lehigh Valley. She encouraged the Borough to become involved with Project Lifesaver. She stated that she believes she can help the Borough obtain a grant to start the program. She stated that the international recovery time using Project Lifesaver is 30 minutes or less as compared to 4 hours using traditional methods. She stated that there is no extra cost for the Police Department. She also stated that there is a one-time fee of \$350.00 per person to obtain the bracelets. Mr. Labenberg referred the matter to the Public Safety Committee.

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C. Maryanne Berinski, 333 Ridge Street, Apt. 510 – stated that she has an autistic grandson who has wandered off several times and encouraged the Borough to become involved with Project Lifesaver.

COMMUNITY MINUTE

Mr. Labenberg reminded everyone that the Emmaus Farmers' Market will open for the season on Sunday, April 3, 2016 from 10:00 a.m. until 2:00 p.m.

SPECIAL PRESENTATIONS - None.

READING OF MINUTES

Motion by Mrs. Gilbert, seconded by Mr. Shubzda to dispense with the formal reading of the February 16, 2016 Minutes. There were 7 ayes. Motion carried.

Motion by Mr. Barrett, seconded by Mr. DeFrain to adopt the February 16, 2016 Minutes as drafted. There were 7 ayes. Motion carried.

DECISION ON BIDS - None.

COMMUNICATIONS

a. Joe Deddo, Emmaus Veteran's Committee – Memorial Day Parade/Banner Fee Waiver. Referred to staff.

Motion by Mr. Shubzda, seconded by Mr. Anders to grant the Emmaus Veteran's Committee Memorial Day Parade banner fee waiver request. There were 7 ayes. Motion carried.

b. Dennis McArdle, Chairman, Good Will Fire Company No. 1 – Request assistance with traffic & crowd control during the Good Will Fire Company No. 1 of Trexlertown, 100th Anniversary Parade to be held on July 16, 2016. Referred to staff.

BOROUGH ENGINEER'S REPORT –None.

SOLICITOR'S REPORT

Solicitor Dimmich stated that he does not have a specific report and entertained questions from Council. Mrs. Gilbert asked for a status on the potential sale of Borough properties. Solicitor Dimmich responded that progress is moving forward and his office is working on preparing the bids. He stated that court approval is needed for the sale of one of the properties.

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Progress.

UNFINISHED BUSINESS, PART I

Ordinance No. 1135 - An Ordinance Amending Chapter 15 §201 of the Codified Ordinances, Maximum Speed Limits Established on Certain Streets (1st Reading 2/1/16) (2nd Reading 3/7/16).

Motion by Mrs. Gilbert, seconded by Mr. Anders to read Ordinance No. 1135 in short title. There were 7 ayes. Motion carried.

Mr. Labenberg read Ordinance No. 1135 in short title.

Motion by Mrs. Gilbert, seconded by Mr. Brown to adopt Ordinance No. 1135 - An Ordinance Amending Chapter 15 §201 of the Codified Ordinances, Maximum Speed Limits Established on Certain Streets on its 2nd Reading. Roll call vote: Mr. Brown, aye; Mr. Shubzda, aye; Mr. Anders, aye; Mr. Barrett, aye; Mr. DeFrain, aye; Mrs. Gilbert, aye; Mr. Labenberg, aye. There were 7 ayes. Motion carried.

NEW BUSINESS

Ordinance No. 1137 – An Ordinance of the Borough of Emmaus, Lehigh County, Pennsylvania, Amending the Code of Ordinances, Eliminating Part 3 Section G Including Subsections 371, 344, 372, 373, and 375 of Chapter 1, and Amending Part 8 of Chapter 1, Creating a Combined Recreation and Entertainment Commission (1st Reading 3/07/16).

Motion by Mr. Barrett, seconded by Mrs. Gilbert to read Ordinance No. 1137 in short title. There were 7 ayes.

Mr. Barrett read Ordinance No. 1137 in short title. Mr. Labenberg explained that this Ordinance will combine the Parks and Recreation Commission and the Special Entertainment Commission. Mr. Labenberg stated that he believes the terms of Commission should be staggered.

Motion by Mr. Barrett, seconded by Mr. Shubzda to adopt Ordinance No. 1137 - An Ordinance of the Borough of Emmaus, Lehigh County, Pennsylvania, Amending the Code of Ordinances, Eliminating Part 3 Section G Including Subsections 371, 344, 372, 373, and 375 of Chapter 1, and Amending Part 8 of Chapter 1, Creating a Combined Recreation and Entertainment Commission on its 1st Reading. Roll call vote: Mr. Brown, aye; Mr. Shubzda, aye; Mr. Anders, aye; Mr. Barrett, aye; Mr. DeFrain, aye; Mrs. Gilbert, aye; Mr. Labenberg, aye. There were 7 ayes. Motion carried.

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Ordinance No. 1138 – An Ordinance Amending Chapter 15 §404(a) of the Codified Ordinances, Extending the Bus Zone on the South Side of E. Minor Street (1st Reading 3/07/16).

Motion by Mrs. Gilbert, seconded by Mr. Brown to read Ordinance No. 1138 in short title. There were 7 ayes. Motion carried.

Mr. Labenberg read Ordinance No. 1138 in short title.

Mrs. Gilbert explained that there has been an issue with bus parking at the Seven Generations Charter School. The buses are currently parking on S. 2nd Street while waiting to pick-up the students. This Ordinance will allow for an additional 120' of parking on E. Minor Street and will allow 3 more full size buses to park on the street. The parking will be designated by signs. Mr. Barrett stated that the school will communicate to the bus drivers about the additional parking.

Motion by Mr. Barrett, seconded by Mrs. Gilbert to adopt Ordinance No. 1138 - An Ordinance Amending Chapter 15 §404(a) of the Codified Ordinances, Extending the Bus Zone on the South Side of E. Minor Street on its 1st Reading. Roll call vote: Mr. Brown, aye; Mr. Shubzda, aye; Mr. Anders, aye; Mr. Barrett, aye; Mr. DeFrain, aye; Mrs. Gilbert, aye; Mr. Labenberg, aye. There were 7 ayes. Motion carried.

UNFINISHED BUSINESS, PART II – None.

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

MAYOR'S REPORT

Mayor Iobst read a letter from Chief Faust announcing his retirement from the Borough of Emmaus Police Department effective March 25, 2016. Mayor Iobst congratulated Chief Faust and wished him the best of luck in the future. Mr. Labenberg stated that there are not enough kind words that can be said about the Chief and the professionalism that he has brought to the Police Department. He stated that he does not believe that anyone can ever fill his shoes.

Progress.

COMMITTEE REPORTS

a. Public Works Committee

Mr. Brown reported that the next Committee Meeting is March 14, 2016 at 3:00 p.m.

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b. Health, Sanitation, and Codes Committee

Mr. Shubzda reported that the next Committee Meeting is March 17, 2016 at 3:45 p.m.

Progress.

b. Parks and Recreation Committee

Mr. Anders reported that the Committee met on March 1, 2016. He stated that the Committee received a request for the Cradle of Liberty Adventure Race, a 60-mile charity race to benefit the Gift of Life Donor Program. He stated that the race will begin and end at the parking lot near the South Mountain Gateway Trail and the Klines Lane Soccer Field. The race will be held on June 4, 2016.

Motion by Mr. Anders, seconded by Mr. Barrett to approve the Cradle of Liberty Adventure 60-mile charity race to be held on June 4, 2016.

Mr. Labenberg stated that the approval is conditional upon proof of liability insurance. Mr. Anders amended his first and Mr. Barrett amended his second.

Motion by Mr. Anders, seconded by Mr. Barrett to approve the Cradle of Liberty Adventure 60-mile charity race to be held on June 4, 2016, conditional on proof of liability insurance. There were 7 ayes. Motion carried.

Mr. Anders stated that the Funk 5-miler will be held on the same date as well as softball tournaments.

Mr. Anders stated that the high school baseball team will be playing on the field at Community Park and has started practicing on the field. Mr. Anders stated that the Committee discussed placing an artificial tree at the Triangle and reported that Mr. Dychala has been researching the item. Mr. Labenberg stated that Council fought over removing the old tree and told the community that it would always have a fresh Christmas tree at the park. He noted, however, that the makeup of Council has changed and stated that it would be worth debating. Mr. Anders stated that Mr. Dychala calculated the cost of setting up and taking down the tree. He priced 30 ft. artificial trees with Rileighs Outdoor Decor. Mr. Anders stated that Rileighs would be responsible for storing the tree. Mr. Anders stated that Community Park received considerable damage during the recent flash flood. All of the mulch and dirt in the playground washed away and the sides of the road eroded. He also stated that the baby pool had 3" of mud in it.

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Mr. Anders thanked the Public Works Department and stated that they have been working diligently to replace the playground mulch and clean up the other damage that occurred. Mr. Labenberg stated that the Borough is unable to use its own mulch and had to purchase enough mulch to cover 12" deep across the entire playground. He stated that this cost several thousand dollars.

Progress.

d. Public Safety Committee

Mrs. Gilbert reported that the Committee met in Executive Session on March 2, 2016 for the purpose of conducting interviews for Full-Time Paramedic positions.

Motion by Mrs. Gilbert, seconded by Mr. Barrett to hire Cary Biery as a Full-Time Paramedic for the Emmaus Ambulance Corps at an hourly rate of \$22.50 with a starting date of 4/1/16. There were 7 ayes. Motion carried.

Motion by Mrs. Gilbert, seconded by Mr. Barrett to hire April Schiel as a Full-Time Paramedic for the Emmaus Ambulance Corps at an hourly rate of \$22.50 with a starting date of 4/1/16. There were 7 ayes. Motion carried.

Motion by Mrs. Gilbert, seconded by Mr. Barrett to grant Run Lehigh Valley's request for the Funk 5-Miler Road Race to take place on June 4, 2016. There were 7 ayes. Motion carried.

Progress.

e. General Administration Committee

Motion by Mr. Barrett, seconded by Mrs. Gilbert to appoint Janet Rader-Burton to the Emmaus Arts Commission to a term expiring on 2/07/19. There were 7 ayes. Motion carried.

Mr. Barrett stated that Mrs. Rader is a business owner in the community and has some very positive ideas for the Commission.

Mr. Barrett reported that the Committee had a lengthy discussion about the cleaning of Town Hall, the Police Station and other Borough properties. Mr. Barrett stated that the Committee recommends terminating the contract with Service Master at the expiration of their July 1, 2016 contract. Mr. DeFrain confirmed that thirty day notice is required prior to termination and asked if Council wanted to wait to make the motion. Mr. Pepe responded that he recommends terminating the contract.

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Motion by Mr. Barrett, seconded by Mrs. Gilbert to terminate the cleaning contract with Service Master effective July 1, 2016. There were 7 ayes. Motion carried.

Mr. Barrett reported that Jason Kleckner has requested a fee waiver for the use of the Arts Pavilion on April 2, 2016. The event will be held prior to the official opening of the park. Mr. DeFrain asked for clarification of Council recommending the fee waiver. Mr. Barrett responded that Council remains very consistent on Arts Pavilion fee waiver requests and believes that the Committee recommended waiving the fee because the event is going to be held prior to the official opening of the park. Mr. Pepe stated that he believes it is important to note why Mr. Kleckner is requesting the pavilion. Mr. Labenberg stated that Mr. Kleckner's son, Jason, built a 200 ft. Colonial style wooden fence around the 1803 House as his Eagle Scout project. The Kleckner family spent several thousand dollars and hundreds of their own hours creating the fence. His Eagle Scout ceremony will take place in the Arts Pavilion.

Motion by Mr. Barrett, seconded by Mr. Anders to grant Mr. Kleckner's fee waiver request for the use of the Arts Pavilion on April 2, 2016. There were 7 ayes. Motion carried.

Mr. Anders thanked Jessica, Teresa and Tina for their hard work and effort with the Ambulance billing.

Progress.

f. Budget and Finance Committee

Mr. Labenberg read Resolution 2016-8, authorizing payment of the March 7, 2016 Bill List, as follows:

Bill List	\$	413,921.00
Payroll #4 & #5	\$	298,595.15
Payroll Taxes	\$	<u>81,473.19</u>
Total	\$	793,989.34

Done this 7th day of March 2016.

Motion by Mrs. Gilbert, seconded by Mr. Shubzda to approve the March 7, 2016 Bill List. There were 7 ayes. Motion carried.

Motion by Mrs. Gilbert, seconded by Mr. Brown to approve the Police Pension Actuarial Study. There were 7 ayes. Motion carried.

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Motion by Mr. Brown, seconded by Mrs. Gilbert to decrease the BLS Non-Emergency Transport fee for Ambulance subscribers from \$450.00 + \$10.00 per mile to \$300.00 + \$8.00 per mile. There were 7 ayes. Motion carried.

Progress.

g. Community Relations, Planning and Development Committee

Mr. DeFrain reported that the next Committee Meeting is March 10, 2016 at 4:00 p.m. He stated that the Southwest Lehigh Comprehensive Plan will make a presentation to the Planning Commission on March 10, 2016 at 7:00 p.m. He also stated that the Committee is still looking for nominations for Volunteer of the Year. He stated that he attended the Emmaus Main Street Board Meeting and will discuss it during the Committee Meeting.

Progress.

PERSONAL APPEALS, PART II – None.

BOROUGH MANAGER'S REPORT

Mr. Pepe reported that the Significant Revenue and Expense Items for February, 2016 are in the Ipads and entertained questions about them.

Progress.

PRESIDENT'S BUSINESS

Mr. Labenberg reported that at the March 21, 2016 Council Meeting there will be a public presentation on the progress being made at 33 E. Minor Street. He also stated there was a memorandum on the In-Car digital traffic citation system and that the system is saving a lot of man hours needed to manually write tickets. He also stated that Chief Faust drafted his annual report and encouraged Council to read it. Mr. Barrett stated that he believes the report shows some of the positive trends that are occurring in the community.

Progress.

ADJOURNMENT

Mr. Labenberg recessed the meeting at 7:50 p.m. for an Executive Session to discuss a personnel matter with no official action anticipated.

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Mr. Labenberg reconvened at 8:35 p.m. with no official action taken.

Motion by Mr. Barrett, seconded by Mr. Anders to adjourn the March 7, 2016 Emmaus Borough Council Meeting. There were 7 ayes. Motion carried.

The Meeting adjourned at 8:35 p.m.

Shane M. Pepe
Borough Manager

Transcribed by: Paula Weiant
Administrative Assistant
March 11, 2016