

March 19, 2018

**Emmaus Borough Council
Agenda
March 19, 2018 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 Minutes - March 5, 2018
7. Decisions on Bids
 - 7.a. 2018 Curb and Concrete Contractor
8. Communications
 - 8.a. Christopher Heckler, 216 N. 5th Street - Letter of resignation from the Joint Environmental Advisory Council (term expired 3/7/2018).
 - 8.b. Christopher Gresh, 422 Cherokee Street - Request appointment to the Joint Environmental Advisory Council (vacant term expires 3/7/2021).
 - 8.c. Paulette Labenberg, Recreation and Entertainment Commission - Chocolate and Wine Walk Event - September 15, 2018.
 - 8.d. Bud Carter, Upper Milford Township Manager - Letter of Support of a DCNR Planning Grant to conduct a Comprehensive Recreation Study.
 - 8.e. Edward Farnschlader, 4110 Newport Drive, Emmaus - Letter of resignation from the Recreation and Entertainment Commission (term expires 5/1/2018).
 - 8.f. Jackie Parks, 238 North Street – Request reappointment to the Planning Commission (term expires 4/1/2018).

March 19, 2018

9. Borough Engineer's Report

10. Solicitor's Report

11. Unfinished Business, Part I

11.a. Ordinance No. 1171 - 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 546 Broad Street Within the Borough of Emmaus (1st Reading 3/5/2018) (2nd Reading 4/2/2018).

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 – April 9, 2018 at 3:30 p.m.

Hire Part-Time Public Works Employee

Public Works Promotion to Classification 4

209 S. 2nd Street Fee Waiver

Committee Meeting Notes - March 12, 2018

Health, Sanitation, and Codes (Shubzda, Sorg-McManamon, Anders)
Next Meeting – March 28, 2018 at 4:30 p.m.

Parks and Recreation (Baumgartner, Anders, Shubzda)
Next Meeting – April 3, 2018 at 4:30 p.m.

Emmaus Rotary Club's Motorcycle Ride for Veterans

All Jays Portable Units

Committee Meeting Notes - March 6, 2018

March 19, 2018

Public Safety (DeFrain, Barrett, Baumgartner)

Next Meeting – April 10, 2018 at 3:00 p.m.

Ordinance No. 1171 (2nd Reading 4/2/2018)

Committee Meeting Notes - March 13, 2018

General Administration (Labenberg, Barrett, DeFrain)

Next Meeting – April 12, 2018 at 9:00 a.m.

Resolution 2018-15: 123 Macungie Avenue

Budget and Finance (Barrett, DeFrain, Labenberg)

Next Meeting – April 2, 2018 at 6:45 p.m.

Resolution 2018-14: Bill List

Committee Meeting Notes - March 5, 2018

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

Next Meeting – April 19, 2018 at 4:30 p.m.

Committee Meeting Notes - March 15, 2018

17. Boards and Commissions

17.a. Planning Commission Meeting Minutes - March 8, 2018

18. Personal Appeals, Part II

19. Borough Manager's Report

19.a. Significant Revenue and Expense Items for First Half of March, 2018

20. President's Business

21. Adjournment

EMMAUS BOROUGH COUNCIL

The Emmaus Borough Council met in regular session on March 19, 2018 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	Present
Roy Anders	Present
Wesley Barrett	Present
Shana Baumgartner	Present
Jeffrey Shubzda	Present
Teri Sorg-McManamon	Present
Lee Ann Gilbert, Mayor	Present
Tom Dinkelacker, Solicitor	Present
Shane Pepe, Borough Manager	Present

PERSONAL APPEALS, PART I – None.

COMMUNITY MINUTE

Ms. Baumgartner thanked Chief Palmer and the Emmaus Police Department for continuing to build positive relationships with the community and for their presence at the schools. She applauded Chief Palmer for his presence at the March 14, 2018 demonstration at the Emmaus High School.

SPECIAL PRESENTATIONS – None.

READING OF MINUTES

Motion by Mr. DeFrain, seconded by Ms. Baumgartner to adopt the March 5, 2018 Council Minutes as drafted. There were 7 ayes. Motion carried.

DECISION ON BIDS

Motion by Ms. Baumgartner, seconded by Mr. Barrett to award the 2018 CDBG Curb and Concrete Bid to Zgura Concrete, 4946 Jasper Road, Emmaus in the amount of \$44,760.00. There were 7 ayes. Motion carried.

EMMAUS BOROUGH COUNCIL

COMMUNICATIONS

a. Christopher Heckler, 216 N. 5th Street – Letter of resignation from the Joint Environmental Advisory Council (term expired 3/7/2018). Mr. Labenberg directed Mr. Pepe to mail Mr. Heckler a letter of thanks.

b. Christopher Gresh, 422 Cherokee Street – Request appointment to the Joint Environmental Advisory Council (vacant term expires 3/7/2021).

Motion by Mr. Shubzda, seconded by Mrs. Sorg-McManamon to appoint Christopher Gresh to the Joint Environmental Advisory Council to a term expiring on 3/7/2021.

c. Paulette Labenberg, Recreation and Entertainment Commission – Chocolate and Wine Walk Event – September 15, 2018. Kathy Mintzer was in attendance to discuss the Chocolate and Wine Walk Event. She stated that the idea is to have a chocolate walk and wine tasting event. She stated that wrist bands would be sold to participants. She also stated that businesses located in the downtown would have different types of chocolate to be sampled. The wine tasting would be held at Triangle Park with wineries offering samplings and selling their wine. She stated that the Commission would work with the Emmaus Main Street Partners. Ms. Baumgartner stated that the Committee discussed the item and had several concerns with the event. She stated that the Committee is concerned about the Commission sponsoring an alcohol event. Mr. Pepe stated that he believes that there will be insurance issues with the alcohol portion of the event. Ms. Baumgartner stated that the Committee voiced concern about closing part of the street down at the Triangle. Mrs. Mintzer stated that the event is still in the planning stages. Mr. Barrett stated closing the Triangle should not be a primary concern for downtown events. He believes that businesses must be notified of the event but being able to host events in the downtown is extremely important to the Borough. Mr. Labenberg stated that he believes as of now, the Commission is only looking for the date to be approved. Mr. Pepe responded that he believes the event needs more research and should be sent to the Parks and Recreation Committee for more discussion. Mrs. Mintzer stated that she was asked to attend the Council Meeting to answer questions and that the Recreation and Entertainment Commission will discuss the event in more detail.

d. Bud Carter, Upper Milord Township Manager – Letter of support of a DCNR Planning Grant to conduct a Comprehensive Recreation Study.

e. Edward Farnschlader, 4110 Newport Drive, Emmaus – Letter of resignation from the Recreation and Entertainment Commission (term expires 5/1/2018). Mr. Labenberg directed Mr. Pepe to mail Mr. Farnschlader a letter of thanks.

f. Jackie Parks, 238 North Street – Request reappointment to the Planning Commission (term expires 4/1/2018).

Motion by Mrs. Sorg-McManamon, seconded by Ms. Baumgartner to reappoint Jackie Parks to the Planning Commission for a term expiring on 4/1/2022. There were 7 ayes. Motion carried.

BOROUGH ENGINEER'S REPORT – None.

EMMAUS BOROUGH COUNCIL

SOLICITOR’S REPORT

Progress.

UNFINISHED BUSINESS, PART I – None.

Mr. Labenberg stated that the 2nd Reading of Ordinance No. 1171 will be held at the April 2, 2018 Council Meeting.

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. Pepe stated that staff has hired Robert Simons as a part-time Public Works employee at an hourly rate of \$16.50. He stated that Mr. Simons is a retired Firefighter for the City of Bethlehem and is very qualified for the position.

Motion by Mr. Anders, seconded by Mr. Shubzda to promote Fredrick Wentz Jr. to Classification 4 for the Public Works Department. There were 7 ayes. Motion carried.

Mr. Labenberg congratulated Mr. Wentz on obtaining his pool certification and qualifying for Class 4.

Mr. Pepe stated that the Public Works Department was called to the property located at 209 S. 2nd Street outside of normal work hours for a water leak. The leak was on the inside of the home and was determined to be the responsibility of the property owner. The property is owned by Phyllis Peters. Because the Public Works Department was called to the property outside normal working hours, the Borough incurred overtime for the call and per Policy, Ms. Peters was charged \$50.00. Ms. Peters is requesting relief of the \$50.00. The Committee discussed the matter and denied Ms. Peters request for relief.

Mr. Anders reported that the next Committee meeting is April 9, 2018 at 3:30 p.m.

Progress.

EMMAUS BOROUGH COUNCIL

b. Health, Sanitation, and Codes Committee

Mr. Shubzda reported that the next Committee meeting is March 28, 2018 at 4:30 p.m.

Progress.

c. Parks and Recreation Committee

Ms. Baumgartner reported that the Committee met prior to tonight's meeting to discuss the Emmaus Rotary Club's Motorcycle Ride for Veterans event on Saturday, May 12, 2018 from 7:00 a.m. to 3:00 p.m. with a rain date of Sunday, May 13.

Motion by Mr. Anders, seconded by Mr. Shubzda to grant the Emmaus Rotary Club's request to hold the Motorcycle Ride for Veterans event on Saturday, May 12, 2018 from 7:00 a.m. to 3:00 p.m. with a rain date of Sunday, May 13, 2018.

Mayor Gilbert asked if a Police Officer is needed for the event. Mr. Shubzda responded that there will be 5-10 motorcycles leaving the Community Park at a time. Mr. Pepe suggested amending the motion to have the final determination by Police Chief Palmer.

Motion by Mr. Anders, seconded by Mr. Shubzda to grant the Emmaus Rotary Club's request to hold the Motorcycle Ride for Veterans event on Saturday, May 12, 2018 from 7:00 a.m. to 3:00 p.m. with a rain date of Sunday, May 13, 2018 contingent upon Police Chief Palmer's decision of having a Police Officer at the event. There were 7 ayes. Motion carried.

Ms. Baumgartner reported that the Borough received a three-year agreement with All Jays for handicapped accessible port-o-lets. She stated that the price will remain the same for three years and All Jays will purchase new port-o-lets for exclusive use by the Borough.

Motion by Ms. Baumgartner, seconded by Mr. DeFrain to enter into a three-year agreement with All Jays, 3996 Lorene Drive, Macungie, PA 18062 for 4 handicapped accessible port-o-let units in the amount of \$125.00 per month per unit. There were 7 ayes. Motion carried.

Ms. Baumgartner reviewed the Committee minutes and entertained questions about them.

The next Committee meeting is April 3, 2018 at 4:30 p.m.

Progress.

EMMAUS BOROUGH COUNCIL

d. Public Safety Committee

Mr. DeFrain reported that the Committee discussed the school zone at Lincoln Elementary School and that the Committee will discuss all of the school zones.

Mr. DeFrain reported that the next Committee meeting is April 10, 2018 at 3:00 p.m.

Progress.

e. General Administration Committee

Resolution 2018-15 – A Resolution Conditionally Approving the Preliminary/Final Subdivision Plan for 123 Macungie Ave. Solicitor Dinkelacker explained that the lot is almost 3 acres with half of a duplex currently on the lot. The proposal is for the corner portion of the lot to be subdivided to create a second lot. He explained that the Planning Commission recommends approving the Plan. Solicitor Dinkelacker explained that conditions of approval are standard conditions.

Motion by Mr. Shubzda, seconded by Mr. Barrett to adopt Resolution 2018-15. There were 7 ayes. Motion carried.

Mr. Labenberg reported that the next Committee meeting is April 12, 2018 at 9:00 a.m.

Progress.

f. Budget and Finance Committee

Resolution 2018-14, authorizing payment of the March 19, 2018 Bill List, as follows:

Bill List	\$	411,043.86
Payroll #6	\$	141,001.15
Payroll Taxes	\$	<u>44,819.14</u>
Total	\$	596,864.15

Done this 19th day of March 2018.

Motion by Mr. Barrett, seconded by Mr. DeFrain to adopt Resolution 2018-14. There were 7 ayes. Motion carried.

Progress.

EMMAUS BOROUGH COUNCIL

g. Community Relations, Planning and Development Committee

Mrs. Sorg-McManamon reported that the Committee met on March 15, 2018 at 4:30 p.m. She stated that the Committee discussed the Volunteer of the Year Award and will shift the award to September to coincide with the annual Borough Employee and Volunteer Picnic. She also reported that Emmaus Community Garden member Chris Smith was in attendance at the meeting to discuss the possibility of creating an Emmaus Community Garden Commission. She stated that the purpose of the Commission is to establish protocols, policies and best management practices for the benefit of all who participate in the Community Garden. Mr. Labenberg asked if the final rules would be approved by Borough Council. Mr. Pepe responded that, although he did not attend the meeting, he spoke with Mrs. Sorg-McManamon, and upon Council approval will begin the process of drafting an Ordinance. The Ordinance will be reviewed by the Committee and then Borough Council will review and vote on the Ordinance.

Motion by Mrs. Sorg-McManamon, seconded by Mr. Shubzda to authorize Mr. Pepe to begin the process of creating an Emmaus Community Garden Commission Ordinance. There were 7 ayes. Motion carried.

Mrs. Sorg-McManamon reported that the Committee discussed recommending to Borough Council to send a letter to Norfolk Southern outlining the Borough's concerns of increased train speed through Emmaus as a hazard/risk to the residents and encouraging them to consider reverting back to the original speed limit in the designated areas. Mr. Barrett stated that he believes that drafting a letter of concern will not impact Norfolk Southern's decision. He stated that he believes Norfolk Southern's decision is based on wanting to increase the number of trains on the tracks. Mr. Anders stated that he supports the letter and voiced concerns about safety and controlling the speed of the trains. Mr. Labenberg stated that he believes that some of the trains are already going that fast and there are crossing gates at all of the train intersections in the Borough for safety precautions. He stated that he will not support drafting a letter to Norfolk Southern and the decision to increase the speed has already been made. Mrs. Sorg-McManamon stated that it is very important to support the safety of its residents and for the Borough to draft the letter to voice its concerns.

Motion by Mrs. Sorg-McManamon, seconded by Mr. Shubzda to authorize Mr. Pepe to draft a letter of concern to Norfolk Southern outlining the Borough's concerns of increased train speed through Emmaus and to consider reverting back to the original speed limit in the designated areas. There were 5 ayes, 2 opposed (Barrett, Labenberg). Motion carried.

The next Committee meeting is April 19, 2018 at 4:30 p.m.

Progress.

PERSONAL APPEALS, PART II – None.

EMMAUS BOROUGH COUNCIL

BOROUGH MANAGER'S REPORT

Mr. Pepe reported that the Significant Revenue and Expense Items for the first half of March, 2018 are in the iPads and entertained questions about them.

Mr. Pepe stated that he attended the PELRAS Labor Conference with Chief Hoffman and it was a very valuable experience. Mr. Pepe stated that the traffic scoping meeting was held with PennDot concerning the proposed Wawa. He stated that PennDot will begin a traffic study shortly. Mr. Pepe stated that the next step for Council will be approving the subdivision plan, but he is unsure of when that will occur.

Progress.

PRESIDENT'S BUSINESS

Progress.

ADJOURNMENT

Motion by Mr. Barrett, seconded by Mr. DeFrain to adjourn the March 19, 2018 Emmaus Borough Council Meeting. There were 7 ayes. Motion carried.

The Meeting adjourned at 7:53 p.m.

Shane M. Pepe
Borough Manager

Transcribed by: Paula Weiant
Administrative Assistant
March 19, 2018