

April 16, 2018

**Emmaus Borough Council
Agenda
April 16, 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 - April 2, 2018
7. Decisions on Bids
8. Communications
 - 8.a. Stephanie Gardner - Request use of Triangle Park for Emmaus Film Fest on May 6, 2018.
 - 8.b. Erin Ruyak, Leader of Girl Scout Troop 689 - Request to place Little Free Library at Lions Playground.
9. Borough Engineer's Report
10. Solicitor's Report
11. Unfinished Business, Part I
12. New Business
 - 12.a. Ordinance No. 1175 - 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 733 Walnut Street Within the Borough of Emmaus (1st Reading 4/16/2018).

April 16, 2018

13. Unfinished Business, Part II

- 13.a. Ordinance No. 1172 - An Ordinance Amending the Borough of Emmaus Zoning Ordinance, Chapter 27, §403.4.D(4)(C) of the Codified Ordinances, Establishing Fence Height Regulations for Nursing Homes and Other Types of Facilities Housing Patients with Alzheimer's, Dementia, or Other Memory Impairments (1st Reading 4/2/2018) (2nd Reading 6/18/2018).
- 13.b. Ordinance No. 1173 - An Ordinance Amending Chapter 15 §405 of the Codified Ordinances, Establishing Regulations for Portable Storage Containers (1st Reading 4/2/2018) (2nd Reading 5/7/2018).
- 13.c. Ordinance No. 1174 - An Ordinance of the Borough of Emmaus, Lehigh County, Pennsylvania, Amending Chapter 18, Part 3 of the Code of the Borough of Emmaus to Adopt Ordinance 15346 of the City of Allentown, dated February 1, 2017, Relating to Sewage and Industrial Waste Discharges Into the Borough-Owned Publicly Owned Treatment Works (POTW), Subject to Certain Revisions, Additions and Exceptions (1st Reading 4/2/2018) (2nd Reading 5/7/2018).

14. Items Not on Agenda

Subject to Rule 9

15. Mayor's Report

15.a. Proclamation 2018-431: Arbor Day

16. Committee Reports

Public Works/(Highway, Water & Sewer) (Anders, Sorg-McManamon, Labenberg)

Next Meeting – May 14, 2018 at 3:30 p.m.

Hire Full Time Public Works Employee - Dakota DeLong

Committee Meeting Notes - April 9, 2018

Health, Sanitation, and Codes (Shubzda, Sorg-McManamon, Anders)

Next Meeting – April 25, 2018 at 4:30 p.m.

Ordinance No. 1172 - 2nd Reading 6/18/2018

Ordinance No. 1173 - 2nd Reading 5/7/2018

Ordinance No. 1174 - 2nd Reading 5/7/2018

April 16, 2018

Parks and Recreation (Baumgartner, Anders, Shubzda)

Next Meeting – May 1, 2018 at 4:30 p.m.

Committee Meeting Notes - April 3, 2018

Public Safety (DeFrain, Barrett, Baumgartner)

Next Meeting – May 8, 2018 at 3:00 p.m.

Hire Full Time Paramedics - Johathan Pfleegor and Brian Szabo

Ordinance No. 1175 - 1st Reading 4/16/2018

Committee Meeting Notes - April 10, 2018

General Administration (Labenberg, Barrett, DeFrain)

Next Meeting – April 26, 2018 at 9:00 a.m.

Resolution No. 2018-19: Amended Open Records Policy

Electricity Bid / Auction

Hire Auctioneer

Sergeant Exam

Contract New Banking Services

Committee Meeting Notes - April 12, 2018

Budget and Finance (Barrett, DeFrain, Labenberg)

Next Meeting – May 7, 2018 at 6:45 p.m.

Resolution 2018-18: Bill List

Committee Meeting Notes - April 2, 2018

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

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

17. Boards and Commissions

17.a. Knauss Homestead Preservation Society Board Meeting Minutes - March 14, 2018

17.b. Employee and Volunteer Safety Committee Meeting Minutes - March 29, 2018

17.c. Planning Commission Meeting Minutes - April 12, 2018

April 16, 2018

- 17.d. Civil Service Commission Meeting Minutes - April 5, 2018
- 17.e. Fire Department Quarterly Report
- 17.f. Ambulance Corps Quarterly Report
- 17.g. Police Department Quarterly Report
- 18. Personal Appeals, Part II
- 19. Borough Manager's Report
 - 19.a. Significant Revenue and Expense Items for First Half of April, 2018
 - 19.b. Hired Sarah Foley, Emmaus, and Brandon Cherhit, Emmaus, as Summer Pool Cashiers, \$7.25/hr.
 - 19.c. Hire 2018 Summer Intern - Alice Fortunato
- 20. President's Business
- 21. Adjournment

EMMAUS BOROUGH COUNCIL

The Emmaus Borough Council met in regular session on April 16, 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
Jeffrey Dimmich, Solicitor	Present
Shane Pepe, Borough Manager	Present

Mr. Labenberg welcomed Cub Scout Pack #25 to the Borough Council Meeting.

PERSONAL APPEALS, PART I

A. **Nick Nonnemacher, 718 W. Berger Street** – thanked Borough Council for allowing Cub Scout Pack #25 to attend the Council meeting and for entertaining questions from the Cub Scout Pack.

COMMUNITY MINUTE

Mr. Pepe thanked Mrs. Sorg-McManamon for her efforts with the PCN Community video. He stated that she organized the entire event and began working on it months ago. He stated that some of the photos from the event have been posted on the Borough’s Facebook page. Mr. Pepe stated that Mr. Barrett and Mayor Gilbert were part of the video as well as business owners, community volunteers, and community activists. He encouraged everyone to watch the video when it is shown on PCN.

Mr. Anders stated that a student at Emmaus High School is holding a fundraiser to buy a new Emmaus Hornet mascot costume. He thanked the student for holding the fundraiser and encouraged everyone to donate. Mr. Labenberg thanked everyone who volunteered for the Earth Day Cleanup Event on April 14, 2018.

SPECIAL PRESENTATIONS – None.

EMMAUS BOROUGH COUNCIL

READING OF MINUTES

Motion by Mr. Barrett, seconded by Mr. DeFrain to adopt the April 2, 2018 Council Minutes as drafted. There were 7 ayes. Motion carried.

DECISION ON BIDS - None.

COMMUNICATIONS

a. Stephanie Gardner – Request use of Triangle Park for Emmaus Film Fest on May 6, 2018. Mr. Labenberg invited Linda Gardner to the podium. Ms. Gardner stated that she is Stephanie’s mom and is present on behalf of her daughter. She stated that her daughter is requesting the use of Triangle Park for a demonstration on drone cinematography. She stated that Duprelon Tizdale will fly the drone and that he holds all of the necessary licensing and insurance needed to legally fly. She stated that they are expecting approximately 25-30 people to participate in the educational part of the event. Ms. Gardner stated that this year her daughter will focus on women in the film industry. Mr. Shubzda asked if Ms. Gardner should fill out an Event Form to which Mr. Pepe responded affirmatively.

Motion by Mr. Anders, seconded by Mr. DeFrain to grant Stephanie Gardner’s request to use Triangle Park on May 6, 2018 from 2:30 p.m. to 5:30 p.m. to host a drone cinematography workshop.

Mr. Barrett asked if the motion should include handing in an Event Form and proof of insurance. Mr. Anders stated that he will amend his motion and Mr. DeFrain stated that he will amend his second.

Motion by Mr. Anders, seconded by Mr. DeFrain to grant Stephanie Gardner’s request to use Triangle Park on May 6, 2018 from 2:30 p.m. to 5:30 p.m. to host a drone cinematography workshop contingent upon handing in an Event Form and proof of insurance. There were 7 ayes. Motion carried.

b. Erin Ruyak, Leader of Girl Scout Troop 689 – Request to place a Little Free Library at Lions Playground. Referred to the Parks and Recreation Committee.

c. Brittney Stephens – Resignation from the Emmaus Arts Commission. Mr. Labenberg directed Mr. Pepe to mail Ms. Stephens a letter of thanks for her contribution to the Arts Commission.

BOROUGH ENGINEER’S REPORT – None.

SOLICITOR’S REPORT

Solicitor Dimmich reported that the Borough received an Arbitration Award for promotional Police Officers. He also reported that an issue has arisen with the Tax Collector

EMMAUS BOROUGH COUNCIL

and a property issue. He stated that he will draft a Memorandum on the issue and that the matter may need to be addressed with Council at a later date.

Progress.

UNFINISHED BUSINESS, PART I - None.

NEW BUSINESS

Ordinance No. 1175 – An Ordinance Amending 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 733 Walnut Street Within the Borough of Emmaus (1st Reading 4/16/2018).

Motion by Mr. Barrett, seconded by Mr. Anders to adopt Ordinance No. 1175 - An Ordinance Amending 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 733 Walnut Street Within the Borough of Emmaus on its 1st Reading. Roll call vote: Mr. DeFrain, aye; Mr. Barrett, aye; Ms. Baumgartner, aye; Mrs. Sorg-McManamon, aye; Mr. Shubzda, aye; Mr. Anders, aye; Mr. Labenberg, aye. There were 7 ayes. Motion carried.

Mr. Labenberg stated that the 2nd Reading of Ordinance No. 1172 will be held at the June 18, 2018 Council meeting.

Mr. Labenberg stated that the 2nd Readings of Ordinance No. 1173, 1174, and 1175 will be held at the May 7, 2018 Council meeting.

UNFINISHED BUSINESS, PART II – None.

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

MAYOR'S REPORT

Mayor Gilbert read Proclamation 2018-431, declaring April 27, 2018 as Arbor Day in the Borough of Emmaus, and urged all citizens to support the planting of trees and to promote the well-being of this and future generations.

Progress.

EMMAUS BOROUGH COUNCIL

COMMITTEE REPORTSa. Public Works Committee

Mr. Anders reported that the Borough received over 30 applications for a full-time Public Works position. He stated that the process included interviews by John Dychala and Mr. Pepe of approximately fourteen individuals in the first round. The field was narrowed down to the top three candidates. He stated that all three candidates were very highly qualified for the position. The Public Works Committee interviewed all three candidates and the Committee voted unanimously to recommend to Council for official action to hire Dakota DeLong as a full-time Public Works employee. Mr. Pepe stated that hiring Mr. DeLong is contingent upon a background check, his preliminary wage, and the amount of time set for his preliminary wage.

Motion by Mr. Anders, seconded by Mrs. Sorg-McManamon to hire Dakota DeLong as a full-time Public Works employee contingent upon Mr. DeLong's completion of a background check and an hourly rate of \$22.41 per hour, which is 90% of the Public Works 1 rate and moving to Class 2 after 90 days as required by contract, with a pay rate of \$24.18, which is 90% of a Class 2 rate. There were 7 ayes. Motion carried.

Mr. Labenberg welcomed Mr. DeLong to the team and stated that he is a great addition to the Public Works team. Mr. Pepe stated that Mr. DeLong is highly qualified and very well rounded. He stated that he is knowledgeable in electrical, carpentry, plumbing, and construction and just completed a certification course for residential wiring. Mr. Anders stated that Mr. DeLong was very professional and very energetic and will be a great asset to the Borough.

Mr. Anders reported that the Public Works Committee met prior to tonight's Council meeting to discuss the Library project. The Library has requested that the Public Works Department install 150' of storm drain pipe. Mr. Anders stated that the Committee requested a cost estimate from both the Public Works Department and the Library contractor to install the pipe. Mr. Anders stated that the Committee reviewed the cost estimates and determined that the work should be completed by the contractor. He stated that, although the costs to complete the work was similar, the Library's contractor could begin the work sooner. Mr. Pepe stated a motion is not needed, but it is important to recognize that the Library asked the Borough to complete the work. He stated that there are a number of reasons why the Public Works Department should not complete the work. The first reason is that it would involve three Public Works employees working at the Library for an entire week. He stated that the Public Works Department is already behind in its work due to the weather and this would put them even further behind. Secondly, the Committee looked at what the cost would be to the Library. He stated that the cost for the Public Works Department to complete the work was \$9,000.00 and the cost for the contractor was \$7,500.00. He stated that it also releases the Borough from any liability issues between the Public Works Department and the contractor.

EMMAUS BOROUGH COUNCIL

Mr. Anders reported that Doug Hall and Reds Bailey were in attendance to discuss several issues regarding the Shade Tree Commission. They discussed planting two trees for Arbor Day on April 27, 2018. The trees were donated by the Emmaus Rotary Club and Lincoln Elementary School.

Progress.

b. Health, Sanitation, and Codes Committee

Mr. Shubzda reported that the Earth Day cleanup event held at Emmaus Community Park on Saturday, April 14, 2018 was very successful. He thanked the Emmaus and Upper Milford Joint Advisory Council, the Emmaus Borough Public Works Department and the Upper Milford Township Public Works Department. He stated that there was a large group of volunteers collecting garbage and that 3 truck-loads of electronics were collected. He also stated that the shredding event was very successful.

Mr. Shubzda reported that the next Committee meeting is April 25, 2018 at 4:30 p.m.

Progress.

c. Parks and Recreation Committee

Ms. Baumgartner reported that the Committee met on April 3, 2018. She reported that the Committee discussed a variety of topics including field maintenance, hiring lifeguards, and discussed how to increase volunteerism on the Recreation and Entertainment Commission. She entertained questions about the Committee minutes.

Ms. Baumgartner reported that the next Committee meeting is May 1, 2018 at 4:30 p.m.

Progress.

d. Public Safety Committee

Mr. DeFrain reported that the Committee met on April 10, 2018 at 3:00 p.m. He reported that 10 applicants were interviewed for two Full-Time Paramedic positions by Mr. Pepe and the Department Heads. He stated three applicants were advanced for the final interview, but one took a different job. He stated that the Committee interviewed the top two candidates and recommends hiring Jonathan Pfleeger and Brian Szabo.

Motion by Mr. DeFrain, seconded by Mr. Barrett to hire Jonathan Pfleeger as a Full-Time Paramedic contingent upon Mr. Pfleeger's completion of a background check and an hourly rate of \$21.67, for the first ninety days of employment, with an increase to \$24.08.

EMMAUS BOROUGH COUNCIL

Mr. Barrett asked if the Motion should be stated as a probationary period to which Mr. Pepe responded affirmatively. Mr. DeFrain amended his motion and Mr. Barrett amended his second.

Motion by Mr. DeFrain, seconded by Mr. Barrett to hire Jonathan Pfleegor as a Full-Time Paramedic contingent upon Mr. Pfleegor's completion of a background check and an hourly rate of \$21.67, with an increase to an hourly rate of \$24.08 upon completion of his 90-day probationary period. There were 7 ayes. Motion carried.

Motion by Mr. DeFrain, seconded by Mr. Barrett to hire Brian Szabo as a Full-Time Paramedic contingent upon Mr. Szabo's completion of a background check and an hourly rate of \$21.67, with an increase to an hourly rate of \$24.08 upon completion of his 90-day probationary period. There were 7 ayes. Motion carried.

Mr. Anders asked if these hires are replacements. Mr. Pepe responded that one hire is a replacement and the other hire was budgeted for. He stated that both candidates are extremely qualified for the position. He stated that the Borough sent both candidates to the Emergency Management Institute to conduct an independent skill assessment. He stated that both candidates scored very well at the assessment. He stated that Mr. Pfleegor currently works as a part-time Paramedic for the Borough and Mr. Szabo has worked for fifteen years in the EMS field. He stated that the Paramedic field is very difficult to find applicants, and in the past, in some instances, the Borough has settled on a candidate, but in this case, the applicants are very qualified and the Borough is lucky to have hired Mr. Pfleegor and Mr. Szabo.

Mr. DeFrain reported that the next Committee meeting is May 8, 2018 at 3:00 p.m. He stated that he will not be in attendance for the meeting. Mr. Pepe responded that he discussed changing the meeting time and day to Wednesday morning with Ms. Baumgartner and she is in agreement. He stated that this will begin after the May 8 meeting.

Progress.

e. General Administration Committee

Resolution 2018-19 – A Resolution Reestablishing the Position of Open Records Officer, Providing for an Alternate Open Records Officer, Establishing the Chief of Police as the Open Records Officer for the Police Department, and Providing for the Terms and Conditions Governing the Borough's Compliance With the Pennsylvania Right-to-Know Law.

Motion by Mr. Barrett, seconded by Mr. Anders to adopt Resolution 2018-19. There were 7 ayes. Motion carried.

Mr. Pepe stated that the Resolution allows the Chief of Police to handle all Open Records requests while he is on vacation and names him as the Open Records Officer in the Police Department.

EMMAUS BOROUGH COUNCIL

Motion by Mr. Shubzda, seconded by Mr. Labenberg to authorize Mr. Pepe to conduct an electric auction for a term of 1-3 years. There were 7 ayes. Motion carried.

Motion by Mr. Anders, seconded by Mr. Shubzda to authorize Mr. Pepe to hire an Auctioneer and conduct an auction this summer. There were 7 ayes. Motion carried.

Motion by Mr. DeFrain, seconded by Mrs. Sorg-McManamon to direct the Civil Service Commission to conduct the testing process for the position of Police-Sergeant. There were 7 ayes. Motion carried.

Motion by Mr. Barrett, seconded by Mr. DeFrain to contract Lafayette Ambassador Bank as the Borough’s new depository and banking service. There were 7 ayes. Motion carried.

Mr. Barrett stated that there is a net annual earning of approximately \$21,000.00 with Lafayette Bank and that the fees are approximately \$3,000.00 less. Mr. Pepe stated that having a local branch was a large consideration.

Mr. Labenberg entertained questions about the Committee minutes. He stated that the next Committee meeting is April 26, 2018 at 9:00 a.m.

Progress.

f. Budget and Finance Committee

Resolution 2018-18, authorizing payment of the April 16, 2018 Bill List, as follows:

Bill List	\$	207,324.88
Payroll #8	\$	133,575.89
Payroll Taxes	\$	<u>41,276.97</u>
Total	\$	382,177.74

Done this 16th day of April 2018.

Motion by Mr. Barrett, seconded by Mr. DeFrain to adopt Resolution 2018-18. There were 7 ayes. Motion carried.

Progress.

g. Community Relations, Planning and Development Committee

Mrs. Sorg-McManamon thanked everyone who participated in the Friday taping for the PCN segment on the Boroughs of Pennsylvania. She stated that she received an email complimenting the Borough on being the best segment that was taped so far. Mayor Gilbert

EMMAUS BOROUGH COUNCIL

stated that the taping was a fun event. Mr. Barrett concurred with Mayor Gilbert and was happy to see the Borough showcased. He asked if Mrs. Sorg-McManamon knows when the episode will be aired. She stated that she believes it will be shown on May 3, 2018 but an email will be sent with an exact date.

Mrs. Sorg-McManamon reported that the next Committee meeting is April 19, 2018 at 4:30 p.m.

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 April, 2018 are in the iPads and entertained questions about them. He reported that staff has hired Sarah Foley and Brandon Cherhit, both from Emmaus, as Summer Pool Cashiers at an hourly rate of \$7.25. He stated that Alice Fortunato is interested in a Summer Internship and referred the item to the Community Relations, Planning and Development Committee.

Progress.

PRESIDENT'S BUSINESS

Progress.

ADJOURNMENT

Motion by Mr. Barrett, seconded by Mr. Anders to adjourn the April 16, 2018 Emmaus Borough Council Meeting. There were 7 ayes. Motion carried.

The Meeting adjourned at 7:52 p.m.

Shane M. Pepe
Borough Manager

Transcribed by: Paula Weiant
Administrative Assistant
April 19, 2018