

Emmaus Borough
Council Agenda
April 18, 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. April 4, 2016 Council Meeting
7. Decisions on Bids
8. Communications
 - a. Rachel Cubellis, Chairperson, Friends of the 1803 House - Request to hold A Very Merrie Halloween event on October 1, 2016.
9. Borough Engineer's Report
10. Solicitor's Report

11. Unfinished Business, Part I

Ordinance No. 1139 - An Ordinance of the Borough of Emmaus, Lehigh County, Pennsylvania, Amending Chapter 15 §602.2.A of the Emmaus Borough Code, Adding a Residential Handicapped Parking Sign on the Public Street Located in Front of 224 Adrain Street Within the Borough of Emmaus (1st Reading 3/21/15) (2nd Reading 4/18/16).

12. New Business

Ordinance No. 1140 - An Ordinance of the Borough of Emmaus, Lehigh County, Pennsylvania, Amending Ordinance 1099 and Chapter 15 §602.2.A of the Emmaus Borough Code, Removing a Residential Handicapped Parking Sign on the Public Street Located in Front of 28 S. Fifth Street Within the Borough of Emmaus (1st Reading 4/18/16).

13. Unfinished Business, Part II

14. Items Not on Agenda Subject to Rule 9

15. Mayor's Report

Proclamation 2016-395 - Arbor Day

16. Committee Reports

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

Next Meeting – May 9, 2016 at 3:00 p.m.

- a. Plant two (2) trees around the Triangle

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

Next Meeting – April 21, 2016 at 3:45 p.m.

Parks and Recreation (Anders, Barrett, Labenberg)

Next Meeting – May 3, 2016 at 4:00 p.m.

- a. LMMS End of Year Picnic
- b. Hire Part-time Public Works Employee for 2016 Summer Season

Public Safety (Gilbert, Barrett, Brown)

Next Meeting – May 4, 2016 at 3:00 p.m.

- a. Ordinance No. 1139 - 2nd Reading

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- b. Ordinance No. 1140 - 1st Reading
- c. Appointment of Michael Wilson as an Alternate Member to the Civil Service Commission (term expires 1/1/2020)
- d. Police Chief Job Description

General Administration (Barrett, Labenberg, Gilbert)

Next Meeting – April 27, 2016 at 9:00 a.m.

Budget and Finance (Labenberg, Shubzda, Gilbert)

Next Meeting – April 28, 2016 at 3:15 p.m.

Bill List - Resolution 2016-16

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

Next Meeting – May 12, 2016 at 4:00 p.m.

- 17. Personal Appeals, Part II
- 18. Borough Manager's Report
 - a. Significant Revenue and Expense Items for First Half of April, 2016
 - b. Resolution 2016 - 15 - Disposing of Municipal Records
- 19. President's Business
- 20. Adjournment

The Emmaus Borough Council met in regular session on April 18, 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.

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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– None.

COMMUNITY MINUTE

Mrs. Gilbert reminded everyone that a Drug Awareness Community Forum will be held at 6:30 p.m. on Wednesday, April 20, 2016 at the Emmaus High School Auditorium. The forum is open to the public.

READING OF MINUTES

Motion by Mr. Barrett, seconded by Mrs. Gilbert to dispense with the formal reading of the April 4, 2016 Minutes. There were 6 ayes, 1 abstention (DeFrain). Motion carried.

Motion by Mr. Anders, seconded by Mr. Brown to adopt the April 4, 2016 Minutes as drafted. There were 6 ayes, 1 abstention (DeFrain). Motion carried.

DECISION ON BIDS - None.

COMMUNICATIONS

- a. Rachel Cubellis, Chairperson, Friends of the 1803 House – Request to hold A Very Merrie Halloween event on October 1, 2016. Referred to staff.
- b. Kathleen Mintzer, President, Emmaus Youth Association – Request to place shed on Cintas ballfield. Referred to the Parks and Recreation Committee.
- c. Kathleen Mintzer, 524 North Street – Request for appointment to the Recreation and Entertainment Commission. (Parks & Recreation Commission term expires 5/1/2016).

Motion by Mr. Barrett, seconded by Mrs. Gilbert to appoint Kathleen Mintzer to the Recreation and Entertainment Commission to a term expiring on 5/1/2019. There were 7 ayes. Motion carried.

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d. Kathleen Mintzer, Recreation and Entertainment Commission – Request to host Movies Under the Stars on June 24, July 15, and August 19, 2016 at Emmaus Community Park football field. Referred to staff.

SPECIAL PRESENTATIONS

Dustan Raines, on behalf of State Representative Justin Simmons – congratulated Mr. Pepe on being named the 2016 Borough Manager of the Year by the Greater Lehigh Valley Chamber.

BOROUGH ENGINEER'S REPORT –None.

SOLICITOR'S REPORT

Solicitor Dimmich reported that an Executive Session will be necessary at the May 4, 2016 meeting to discuss the proposal that was submitted by LCA.

Progress.

UNFINISHED BUSINESS, PART I

Ordinance No. 1139 – An Ordinance of the Borough of Emmaus, Lehigh County, Pennsylvania, Amending Chapter 15 §602.2.A of the Emmaus Borough Code, Adding a Residential Handicapped Parking Sign on the Public Street, Located in Front of 224 Adrain Street Within the Borough of Emmaus (1st Reading 3/21/16) (2nd Reading 4/18/16).

Motion by Mr. Barrett, seconded by Mr. Brown to read Ordinance No. 1139 in short title. There were 7 ayes. Motion carried.

Mr. Labenberg read Ordinance No. 1139 in short title.

Motion by Mr. Barrett, seconded by Mr. Anders to adopt Ordinance No. 1139 - An Ordinance of the Borough of Emmaus, Lehigh County, Pennsylvania, Amending Chapter 15 §602.2.A of the Emmaus Borough Code, Adding a Residential Handicapped Parking Sign on the Public Street, Located in Front of 224 Adrain Street Within the Borough of Emmaus 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

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Ordinance No. 1140 – An Ordinance of the Borough of Emmaus, Lehigh County, Pennsylvania, Amending Ordinance 1099 and Chapter 15 §602.2.A of the Emmaus Borough Code, Removing a Residential Handicapped Parking Sign on the Public Street Located in Front of 28 S. 5th Street Within the Borough of Emmaus (1st Reading 4/18/16).

Motion by Mrs. Gilbert, seconded by Mr. Brown to read Ordinance No. 1140 in short title. There were 7 ayes. Motion carried.

Mr. Labenberg read Ordinance No. 1140 in short title.

Motion by Mrs. Gilbert, seconded by Mr. Barrett to approve Ordinance No. 1140 - An Ordinance of the Borough of Emmaus, Lehigh County, Pennsylvania, Amending Ordinance 1099 and Chapter 15 §602.2.A of the Emmaus Borough Code, Removing a Residential Handicapped Parking Sign on the Public Street Located in Front of 28 S. 5th Street Within the Borough of Emmaus on its 1st Reading. Roll call vote: Mr. Brown, aye; Mr. Shubzda, aye; Mr. Anders; 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 Proclamation 2016-395, declaring April 29, 2016 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.

COMMITTEE REPORTS

a. Public Works Committee

Mr. Brown reported that the next Committee Meeting is May 9, 2016.

Progress.

b. Health, Sanitation, and Codes Committee

Mr. Shubzda thanked the Emmaus/Upper Milford Joint Advisory Council for hosting the Earth Day Community Cleanup on Saturday, April 16, 2016 at Emmaus Community Park. He stated that the EAC collected 3 truck-loads of electronics, collected

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household goods and hosted a document shredding event. Mr. Shubzda thanked the Borough of Emmaus and Upper Milford Township Public Works Departments for collecting the trash that was gathered at the event. He also thanked all of the volunteers who participated. He stated that attendance was down, but there were approximately 100 volunteers who participated. Mr. Pepe stated that the Borough of Emmaus shredded 6,980 lbs. of paper. He stated that the Borough will hold discussions about partnering with Upper Milford to host a combined paper shredding event.

Mr. Shubzda reported that the next Committee Meeting is April 21, 2016 at 3:45 p.m.

Progress.

c. Parks and Recreation Committee

Mr. Anders reported that the Committee met on April 5, 2016. He stated that there are several items for official action.

Motion by Mr. Anders, seconded by Mr. Shubzda to grant Lower Macungie Middle School's request to use the Emmaus Community Pool and picnic area on Monday, June 6, 2016 for the 7th grade end of school picnic at a rate of \$5.00 per student. There were 7 ayes. Motion carried.

Motion by Mr. Anders, seconded by Mrs. Gilbert to hire Reed Custer as a part-time summer Public Works employee at an hourly rate of \$7.25. There were 6 ayes, 1 abstention (Shubzda). Motion carried.

Mr. Anders reported that the Committee discussed the Operation Cherish event. He stated that the event has been moved to August and will be held in the Arts Pavilion. Mr. Anders reported that the Committee will continue to discuss the Summer Parks Program. Mr. Pepe stated that he will have a meeting with several organizations that are interested in hosting the program this year and Council will receive further information at the next Council Meeting. Mr. Anders reported that the Committee discussed placing an artificial tree at Triangle Park.

Progress.

d. Public Safety Committee

Mrs. Gilbert reported that the Committee met on Wednesday, April 6, 2016 at 3:00 p.m.

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Motion by Mrs. Gilbert, seconded by Mr. Barrett to appoint Michael Wilson as an Alternate to the Civil Service Commission to a term expiring 1/1/20. There were 7 ayes. Motion carried.

Mrs. Gilbert reported that the Committee discussed the Chief of Police job description and that official action is needed by Council to adopt the job description. Solicitor Dimmich stated that the job description does not state whether the Borough is going to seek Civil Service protection for the Chief to which Mr. Pepe responded affirmatively. Solicitor Dimmich explained that there are options when hiring a new Chief. One option is to submit the Chief's name for a non-competitive examination to be administered by the Civil Service Commission. If the Chief passes, the Chief will be subject to Civil Service protection. If Council does not submit the name, the Chief will be an at-will employee. Mr. Labenberg stated that the matter will be discussed and determined at a later date.

Motion by Mrs. Gilbert, seconded by Mr. Brown to adopt the Borough of Emmaus Chief of Police job description. There were 7 ayes. Motion carried.

Mrs. Gilbert stated that the job description will be posted and Mr. Pepe prepared a detailed timeline for hiring and promotions.

Mrs. Gilbert reported that Martha Leiberman and Edwin Cruz were in attendance at the Committee Meeting to further discuss Project Lifesaver. The Committee supports the program, provided that there is funding available for the program. Mr. Brown stated that he supports the program and suggested that Ms. Leiberman perform a demonstration of Project Lifesaver.

Motion by Mrs. Gilbert, seconded by Mr. Anders to support Project Lifesaver and to seek funding options for the program. There were 7 ayes. Motion carried.

Mrs. Gilbert reported that the Committee will review the Animal Control Officer's job description and will discuss the hourly rate for the position.

Mr. Anders thanked the Borough Fire Department for their efforts during the train fire.

Progress.

e. General Administration Committee

Mr. Barrett reported that the Committee met on Wednesday, April 13, 2016. He reported that the Committee will continue to discuss better communication with the East Penn School District. Mr. Barrett stated that he believes the policy will streamline the

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process for Council receiving their mail and will eliminate the need for the Police Department to deliver the mail packets to Council’s residences.

Mr. Labenberg stated that the Public Works Department planted the tree on Alpine Circle.

The next Committee Meeting is April 27, 2016 at 9:00 a.m.

Progress.

e. Budget and Finance Committee

Motion by Mrs. Gilbert, seconded by Mr. Shubzda to read Resolution 2016-16. There were 7 ayes. Motion carried.

Mr. Labenberg read Resolution 2016-16, authorizing payment of the April 18, 2016 Bill List, as follows:

Bill List	\$	292,915.70
Payroll #8	\$	171,885.20
Payroll Taxes	\$	<u>67,784.92</u>
Total	\$	532,585.82

Done this 18th day of April 2016.

Motion by Mr. Anders, seconded by Mrs. Gilbert to approve Resolution 2016-16. There were 7 ayes. Motion carried.

Progress.

g. Community Relations, Planning and Development Committee

Mr. DeFrain reported that the Committee met on Thursday, April 14, 2016 and entertained questions about the Committee Report. He stated that he has been attending the Emmaus Main Street Partners and the Economic Development Committee meetings.

The next Committee Meeting is May 12, 2016 at 4:00 p.m.

Progress.

PERSONAL APPEALS, PART II – None.

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BOROUGH MANAGER'S REPORT

Mr. Pepe reported that the Significant Revenue and Expense Items for the 1st half of April, 2016 are in the I pads and entertained questions about them.

Resolution 2016-15 – 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 Mrs. Gilbert, seconded by Mr. DeFrain to adopt Resolution 2016-15. There were 7 ayes. Motion carried.

PRESIDENT'S BUSINESS

Progress.

ADJOURNMENT

Motion by Mr. DeFrain, seconded by Mrs. Gilbert to adjourn the April 18, 2016 Emmaus Borough Council Meeting. There were 7 ayes. Motion carried.

The Meeting adjourned at 7:46 p.m.

Shane M. Pepe
Borough Manager

Transcribed by: Paula Weiant
Administrative Assistant
April 21, 2016