

May 4, 2015

EMMAUS BOROUGH COUNCIL

Emmaus Borough Council  
Agenda  
May 4, 2015, 7:00 p.m.

1. Call to Order
2. Pledge of Allegiance
3. Personal Appeals, Part I
4. Community Minute
5. Special Presentations
6. Reading of Minutes

April 20, 2015

7. Decisions on Bids
8. Communications
  - a. Brett Lenig, East Penn Emmaus Midget Football Association – Field Fee Waiver.
  - b. Martin Ondrovic – Coordinator, Memorial Day Parade – Invitation for Mayor and Council’s attendance.
  - c. Robert Boehmer, Emmaus Arts Commission – Use of Community Room for High School Art Award.
  - d. Richard Farmer, Friends of the 1803 House – 1803 House Barrier Fence.
9. Borough Engineer’s Report
10. Solicitor’s Report
11. Unfinished Business, Part I

**Ordinance No. 1126 – An Ordinance Amending Chapter 16, Section 103, Subsection 18, Dealing with the Prohibition for Carrying any Firearms in a Public Park and the Use of Deadly Force for Self Protection and for Protection of Third Persons (1<sup>st</sup> Reading 4/6/15) (2<sup>nd</sup> Reading 5/4/15).**
12. New Business
13. Unfinished Business, Part II

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14. Items Not on Agenda, Subject to Rule 9

15. Mayor's Report

**Proclamation 2015-377 - Police Week**

16. Committee Reports

**Public Works/(Highway, Water & Sewer) (Labenberg, Brown, Holtzhafer)**

Next Meeting – May 7, 2015 at 3:30 p.m.

- a. Fairview Street
- b. South 10<sup>th</sup> Street Culvert
- c. Historical House Agreements

**Health, Sanitation, and Codes (Shubzda, Holtzhafer, Anders)**

Next Meeting – May 21, 2015 at 4:30 p.m.

- a. Emmaus and Upper Milford Joint Environmental Advisory Council
- b. Board of Health
- c. Refuse Bills
- d. IFC Ordinance

**Parks and Recreation (Anders, Barrett, Labenberg)**

Next Meeting – May 5, 2015 at 4:00 p.m.

- a. Boro Line Park Direction Sign
- b. **Reappoint Jeffrey McElhaney and Edward Farnschlader to the Parks and Recreation Commission (terms expire 5/1/2018)**
- c. **Recommendation to Hire Concession Stand Attendants**

**Public Safety (Gilbert, Barrett, Brown)**

Next Meeting – May 6, 2015 at 3:00 p.m.

- a. Emergency Operations Plan – Review
- b. **Ordinance No. 1126 – Amend Firearms in Parks (2<sup>nd</sup> Reading 5/4/15)**

**General Administration (Barrett, Gilbert, Labenberg)**

Next Meeting – May 13, 2015 at 9:00 a.m.

- a. Emmaus Public Library Expansion Project
- b. Power DMS

**Budget and Finance (Holtzhafer, Shubzda, Gilbert)**

Next Meeting – May 18, 2015 at 6:45 p.m.

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- a. Capital Plan
- b. Resolution 2015-14 – Bill List**
- c. Financing RFP**

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

Next Meeting – May 12, 2015 at 4:15 p.m.

- a. Grant Progress
- b. Committee Structure

- 17. Personal Appeals, Part II
- 18. Borough Manager’s Report
  - a. Significant Revenue and Expense Items for April, 2015
- 19. President’s Business
- 20. Adjournment

Next Resolution: 2015-15  
Next Ordinance: #1127

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The Emmaus Borough Council met in regular session on May 4, 2015 in Borough Council Chambers, 28 S. 4<sup>th</sup> Street, Emmaus, PA 18049.

**CALL TO ORDER**

Mr. Holtzhafer called the meeting to order at 7:00 p.m.

Lee Ann Gilbert, President	Present
Brian Holtzhafer, Vice President	Present
Roy Anders	Present
Wesley Barrett	Present
Nathan Brown	Absent
Brent Labenberg	Present
Jeffrey Shubzda	Present
Winfield Iobst, Mayor	Absent
Al Stirba, Solicitor	Present
Shane Pepe, Borough Manager	Present

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Due to the absence of Mayor Iobst, Council President, Lee Ann Gilbert, presided as Mayor and Council Vice President, Brian Holtzhafer, presided as Council President.

PERSONAL APPEALS – None.

COMMUNITY MINUTE – None.

SPECIAL PRESENTATIONS – None.

READING OF MINUTES

**Motion by Mr. Barrett, seconded by Mr. Labenberg to dispense with the formal reading of the April 20, 2015 Minutes. There were 5 ayes. Motion carried.**

**Motion by Mr. Barrett, seconded by Mr. Anders to adopt the April 20, 2015 Minutes as drafted. There were 5 ayes. Motion carried.**

DECISION ON BIDS – None.

COMMUNICATIONS

a. Brent Lenig, East Penn Emmaus Midget Football Association – Field Fee Waiver Request.

**Motion by Mr. Anders, seconded by Mr. Labenberg to grant the East Penn Emmaus Midget Football Association (E.P.E.M.F.A.) fee waiver request for the use of Community Park fields from August 1, 2015 through November 30, 2015. There were 5 ayes. Motion carried.**

b. Martin Ondrovic, Coordinator, Memorial Day Parade – Invitation for Mayor and Council's attendance. Referred to staff.

c. Robert Boehmer, Emmaus Arts Commission – Use of Community Room for High School Art Award.

**Motion by Mr. Shubzda, seconded by Mr. Anders to grant the Emmaus Arts Commission's request to use the Borough of Emmaus Community Room on May 18, 2015 from 6:00 – 6:45 p.m. There were 5 ayes. Motion carried.**

d. Richard Farmer, Friends of the 1803 House – 1803 House Barrier Fence. Mr. Farmer and Mr. Hawman were in attendance at tonight's Council Meeting. Mr. Farmer explained that the proposed historical fence will be completed as an Eagle Scout project along a portion of the boundary between the 1803 House property and the active railroad right-of-way. He also explained that the 1803 House hosts many events and is proposing the fence to prevent inadvertent entry into the railroad right-of-way. Mr. Farmer stated that the 1803 House will comply with all the applicable codes and ordinances and will deal with Mr. Farnsworth to obtain the proper permits.

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**Motion by Mr. Anders, seconded by Mr. Labenberg to grant the Friends of the 1803 House's request to construct a historical fence along a portion of the boundary between the 1803 House property and the active railroad right-of-way. There were 5 ayes. Motion carried.**

e. Emmaus Arts Commission – Library in a Garden. Mr. Farmer reviewed the site plan for the proposed Library in a Garden sculpture garden at the Emmaus Public Library.

BOROUGH ENGINEER'S REPORT – None.

SOLICITOR'S REPORT

Progress.

UNFINISHED BUSINESS, PART I

Ordinance No. 1126 – An Ordinance Amending Chapter 116, Section 103, Subsection 18, the Special Rules for Triangle Park, Dealing with the Prohibition for Carrying any Firearms in a Public Park and the use of Deadly Force for Self Protection and for Protection of Third Persons (1<sup>st</sup> Reading 4/6/15) (2<sup>nd</sup> Reading 5/4/15).

**Motion by Mr. Labenberg, seconded by Mr. Shubzda to read Ordinance No. 1126 in short title. There were 5 ayes. Motion carried.**

Mr. Holtzhafer read Ordinance No. 1126 in short title.

**Motion by Mr. Barrett, seconded by Mr. Shubzda to adopt Ordinance No. 1126 – An Ordinance Amending Chapter 116, Section 103, Subsection 18, the Special Rules for Triangle Park, Dealing with the Prohibition for Carrying any Firearms in a Public Park and the use of Deadly Force for Self Protection and for Protection of Third Persons on**

**its 2<sup>nd</sup> Reading. Roll call vote: Mr. Labenberg, aye; Mr. Barrett, aye; Mr. Shubzda, aye; Mr. Anders, aye; Mr. Holtzhafer, aye. There were 5 ayes. Motion carried.**

NEW BUSINESS – None.

UNFINISHED BUSINESS, PART II – None.

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

MAYOR'S REPORT

Mrs. Gilbert read Proclamation 2015 – 377, proclaiming May 10 through May 16, 2015 as Emmaus Police Department Week.

Mr. Labenberg suggested that the Borough recognize the Police Department and all Borough emergency crews during their designated weeks.

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Progress.

COMMITTEE REPORTS

a. Public Works Committee

Mr. Labenberg reported that the next Committee Meeting is May 7, 2015 at 3:30 p.m.

Progress.

b. Health, Sanitation, and Codes Committee

Mr. Shubzda thanked Mr. Delong, Upper Milford Township Manager, for his Earth Day 2015 recap Memorandum. In his Memorandum, Mr. Delong stated that 115 (30-gallon) bags of garbage, 36 (30-gallon) bags of recycling and 9 car tires were collected during the event.

Progress.

c. Parks and Recreation Committee

**Motion by Mr. Anders, seconded by Mr. Labenberg to reappoint Jeffrey McElhaney to the Parks and Recreation Commission for a term expiring 5/1/2018. There were 5 ayes. Motion carried.**

**Motion by Mr. Anders, seconded by Mr. Barrett to reappoint Edward Farnschlader to the Parks and Recreation Commission for a term expiring 5/1/2018. There were 5 ayes. Motion carried.**

**Motion by Mr. Anders, seconded by Mr. Barrett to hire Erin Deppe, Emmaus, at an hourly rate of \$8.00; Patricia Deiter, Macungie, at an hourly rate of \$8.00; Sarah Schmeltzle, Emmaus, at an hourly rate of \$7.75; Maria Dimou, Emmaus, at an hourly rate of \$7.50; Garret Hoffman, Emmaus, at an hourly rate of \$7.50; Kennedy Spencer, Emmaus, at an hourly rate of \$7.50; and Taylor Stenroos, Emmaus, at an hourly rate of \$7.25 as Concession Stand Attendants. There were 5 ayes. Motion carried.**

Mr. Labenberg stated that the concession stand is currently undergoing renovation. Mr. Pepe stated that the concession stand will now meet code requirements. He also stated that the renovation was budgeted but that all of the renovations may not be completed this year.

Progress.

d. Public Safety Committee

Progress.

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e. General Administration Committee

Mr. Barrett reported that the next Committee Meeting is May 13, 2015 at 9:00 a.m.

Progress.

f. Budget and Finance Committee

Mr. Shubzda read Resolution 2015-14 authorizing payment of the May 4, 2015 Bill List, as follows:

<b>Bill List</b>	<b>\$</b>	<b>269,947.45</b>
<b>Payrolls #9</b>	<b>\$</b>	<b>113,827.04</b>
<b>Payroll Taxes</b>	<b>\$</b>	<b><u>39,447.78</u></b>
<b>Total</b>	<b>\$</b>	<b>423,222.27</b>

Done this 4<sup>th</sup> day of May 2015.

**Motion by Mr. Shubzda, seconded by Mr. Anders to approve the May 4, 2015 Bill List. There were 5 ayes. Motion carried.**

Mr. Holtzhafer reported that Gary Pulcini attended the Committee Meeting to discuss the financing of the Rodale building with the Committee. Mr. Pulcini presented several different financing options as well as what the current interest rates are now. The Committee recommends using a wrap-around loan. Mr. Holtzhafer explained that if the Borough would lose the current tenant, the Borough would only be able to rent to a tax-exempt business. The Borough could rent up to 10% of the property square footage to a non-tax exempt entity. Mr. Pulcini stated that the Borough needs to design Bid Specifications and make sure that all banks bid the same way. The RFP will be sent to a list of 29 different banks. Mr. Anders asked what the closing date would be, to which Mr. Pepe responded August 16, 2015.

**Motion by Mr. Shubzda, seconded by Mr. Labenberg to hire Gary Pulcini to prepare the Request for Proposal for a wrap-around loan. There were 5 ayes. Motion carried.**

Progress.

g. Community Relations, Planning and Development Committee

Mr. Shubzda reported that the Main Street Partners will be in attendance at the next Committee Meeting on May 12, 2015 at 4:15 p.m. Mr. Pepe stated that members of the Planning Commission will also be in attendance to discuss the Southwest Comprehensive Plan. Mr. Anders stated that the Emmaus Farmers' Market held its Grand Opening garland cutting ceremony on Sunday, May 3, 2015.

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PERSONAL APPEALS, PART II - None.

BOROUGH MANAGER'S REPORT

Mr. Pepe reported that he is requesting an Executive Session. He also reported that the Civil Service process is ongoing. The candidates are currently undergoing their polygraph tests and background checks must be completed by May 16, 2015. A recommendation is needed for hiring at the June Council Meeting. Mr. Pepe reported that the Police Department is currently undergoing its Accreditation process.

Mr. Pepe reported that the Significant Revenue and Expense Items for April, 2015 are in the Council binders and offered to entertain questions about them.

Progress.

PRESIDENT'S BUSINESS

Mr. Holtzhafer recessed the meeting at 7:40 p.m. for an Executive Session to discuss legal issues with no official action anticipated.

Mr. Holtzhafer reconvened at 8:07 p.m. with no official action taken.

**Motion by Mr. Labenberg, seconded by Mr. Anders to adjourn. There were 5 ayes. Motion carried.**

The May 4, 2015 Meeting of the Emmaus Borough Council adjourned at 8:07 p.m.

Shane Pepe  
Borough Manager

Transcribed by: Paula Weiant  
Administrative Assistant  
May 7, 2015