

May 16, 2016

Emmaus Borough  
Council Agenda  
May 16, 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**
  - 6.a. May 2, 2016 Council Meeting
7. **Decisions on Bids**
8. **Communications**
  - 8.a. Paulette Labenberg, 517 Alpine Circle - Request to be appointed to the Recreation and Entertainment Commission (term expires 6/7/2016).
9. **Borough Engineer's Report**
10. **Solicitor's Report**
11. **Unfinished Business, Part I**

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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. Fifth Street Within the Borough of Emmaus (1st Reading 4/18/16) (2nd Reading 5/16/16).**

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) (Brown, Anders, DeFrain)**

**Next Meeting - June 13, 2016 at 3:00 p.m.**

**1803 House**

**Reimbursement EVA**

**Shed - Cintas Field**

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

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

**Next Meeting - June 7, 2016 at 4:00 p.m.**

**Girl Scout Troop 6571 - Gaga Pit Construction at Community Park**

**Painted Mural on Community Park Bath House**

**Appoint Crystal Klein to the Recreation and Entertainment Commission (term expires 6/7/2019)**

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**Seasonal Part Time Employees**

**Community Day**

**Banner Kiwanis Club**

**Yard Sign**

**Charity Basketball Tournament**

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

**Next Meeting - June 1, 2016 at 3:00 p.m.**

**Ordinance No. 1140 - 2nd Reading (5/16/16)**

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

**Next Meeting - May 25, 2016 at 9:00 a.m.**

**Library Grants Library**

**Resolution 2016-19 - Disposal of Municipal Records**

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

**Next Meeting - May 26, 2016 at 3:15 p.m.**

**Bill List - Resolution 2016**

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

**Next Meeting - June 9, 2016 at 4:00 p.m.**

17. **Personal Appeals, Part II**

18. **Borough Manager's Report**

**Significant Revenue and Expense Items for First Half of May, 2016**

19. **President's Business**

20. **Adjournment**

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The Emmaus Borough Council met in regular session on May 16, 2016 in Borough Council Chambers, 28 S. 4<sup>th</sup> 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
Tom Dinkelacker, Solicitor	Present
Shane Pepe, Borough Manager	Present

**PERSONAL APPEALS, PART I**

**A. Edwin Cruz, 525 Broad Street** – stated that he believes that the street cleaner does not clean the street in the 500 block of Broad Street. He asked if it would be possible for a street sweeper to sweep the block. Mr. Pepe responded that he believes that it does sweep the block but will speak to the Public Works Director about the matter.

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COMMUNITY MINUTE

Mr. Anders invited everyone to attend the Emmaus Community Day and Summer Kick-Off Event on Sunday, June 5, 2016 from noon to 8:00 p.m. at the Emmaus Community Park.

SPECIAL PRESENTATIONS – None.

READING OF MINUTES

**Motion by Mr. DeFrain, seconded by Mr. Barrett to adopt the May 2, 2016 Minutes as drafted. There were 7 ayes. Motion carried.**

DECISION ON BIDS - None.

COMMUNICATIONS

a. Paulette Labenberg, 517 Alpine Circle – Request to be appointed to the Recreation and Entertainment Commission (term expires 6/7/2016).

**Motion by Mr. Anders, seconded by Mrs. Gilbert to appoint Paulette Labenberg to the Recreation and Entertainment Commission to a term expiring on 6/7/2019. There were 7 ayes. Motion carried.**

- b. Emmaus Veteran's Committee, Memorial Day Parade – Referred to staff.
- c. Joint EAC Committee, Earth Day Results Letter – Mr. Labenberg stated that Mr. Shubzda will review the letter during his Committee report.
- d. Seven Generations Charter School – Request to use Emmaus Community Park Pavilion on Wednesday, June 8, 2016 from 9:00 a.m. to 1:00 p.m., and to use Emmaus Community Pool from 10:30 a.m. to 1:00 p.m. at a fee of \$5.00 per student.

**Motion by Mr. Anders, seconded by Mrs. Gilbert to grant the Seven Generations Charter School request to use the Emmaus Community Pool on Wednesday, June 8, 2016 from 10:30 a.m. to 1:00 p.m., at a rate of \$5.00 per student contingent upon pool staffing and availability. There were 7 ayes. Motion carried.**

BOROUGH ENGINEER'S REPORT –None.

SOLICITOR'S REPORT

Solicitor Dinkelacker reported that final Oral Arguments in the PRLB matter will be held at 9:30 a.m. at the Pennsylvania Commonwealth Court on June 8, 2016.

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UNFINISHED BUSINESS, PART I

**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 (1<sup>st</sup> Reading 4/18/16) (2<sup>nd</sup> Reading 5/16/16).**

Mr. Labenberg stated that he will no longer request a motion to read Ordinances in short title.

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

**Motion by Mr. Barrett, seconded by Mrs. Gilbert to adopt 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 on its 2<sup>nd</sup> 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 – 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. Brown reported that Mr. Farmer and Mr. Hawman presented a letter to the Committee requesting reimbursement for emergency roof work that had to be done to the 1803 House. He stated that there was \$4,885.96 of slate repair work to protect the roof from further leaking. The repair was necessary to protect the structural integrity of the building. During the Committee meeting, Mr. Pepe asked if the Friends of the 1803

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House could wait until January, 2017 to receive reimbursement, as it would be easier to budget for the Borough. Mr. Farmer and Mr. Hawman agreed. Mr. Barrett asked for clarification on when the reimbursement would occur. Mr. Brown responded the reimbursement would occur in 2017. Mr. Pepe clarified that structural repairs are the responsibility of the Borough. Mrs. Gilbert suggested reviewing the 2016 Budget in October and reimbursing the Friends of the 1803 House after the review.

**Motion by Mr. Brown, seconded by Mr. Barrett to reimburse the Friends of the 1803 House \$4,885.96 in 2017 for emergency roof work on the 1803 House. There were 7 ayes. Motion carried.**

Mr. Brown reported that the EYA is requesting to place a shed at Cintas Field to house a tractor. The Committee discussed the placement of the shed. Mr. Dychala will work with the EYA to determine the best location for the shed.

**Motion by Mr. Brown, seconded by Mr. Barrett to grant the EYA's request to place a shed at Cintas Field. There were 7 ayes. Motion carried.**

Mr. Brown reported that because the 10<sup>th</sup> Street Culvert will not be completed this year, the Public Works Department will focus on repairing significant potholes throughout the town and will complete several road projects in the Borough. The 2016 road projects will include: Long Street (John Street to Macungie Ave), Willow Street (North Street to Seem Street), Grape Street (North Street to Ridge Street), Warren Street (Long Street to Ridge Street), and Long Street (N. 2<sup>nd</sup> To N. 3<sup>rd</sup> Street).

Mr. Shubzda stated that the 2<sup>nd</sup> Street railroad crossing continues to deteriorate and asked what can be done. Mr. Labenberg suggested involving the Borough's State Representatives. Mr. Pepe stated that he will mail the railroad another letter about the condition of the railroad crossing and will contact the Borough's State Representatives.

The next Committee Meeting is Monday, June 13, 2016 at 3:00 p.m.

Progress.

b. Health, Sanitation, and Codes Committee

Mr. Shubzda reviewed the results of the 2016 Earth Day. He stated that 132, 30-gallon trash bags and 2 tires were collected. He also stated that 13,375 pounds of electronics recycling were collected as well as 109 pounds of alkaline batteries and 12 pounds of rechargeable batteries. He stated that NextCut Paper Shredding shredded 6,980 pounds of documents from residents and recycled 4 cubic yards of corrugated paperboard.

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The next Committee Meeting is Thursday, May 19, 2016 at 3:45 p.m.

Progress.

c. Parks and Recreation Committee

Mr. Anders reported that the Committee met on May 3, 2016. He stated that there are several items for official action.

Mr. Anders reported that members of Girl Scout Troop 6571 are preparing to earn their Bronze Badge and requested permission to build a Gaga Pit at Community Park.

**Motion by Mr. Anders, seconded by Mr. Barrett to grant Girl Scout Troop 6571's request to build a Gaga Pit at Emmaus Community Park. There were 7 ayes. Motion carried.**

Mr. Anders reported that Gene Kleppinger is finishing his Eagle Scout project. He painted the Bath House at Community Park as well as the Pump House. He is requesting permission to paint a small mural on the Bath House. Mr. Labenberg thanked him for his hard work.

**Motion by Mr. Anders, seconded by Mr. Barrett to grant Gene Kleppinger's request to paint a small mural on the Bath House. There were 7 ayes. Motion carried.**

**Motion by Mr. Anders, seconded by Mr. Shubzda to appoint Crystal Klein to the Recreation and Entertainment Commission to a term expiring 6/7/19. There were 7 ayes. Motion carried.**

**Motion by Mr. Anders, seconded by Mrs. Gilbert to hire Whitney Hillanbrand, Allentown, as a Concession Stand Attendant at an hourly rate of \$7.25, Richard Hazzard, Macungie, as a Lifeguard at an hourly rate of \$7.25 and returning employee Victoria Delhagen, Lifeguard, at an hourly rate of \$7.50. There were 7 ayes. Motion carried.**

Mr. Anders reported that the Recreation and Entertainment Commission is not able to hang a banner for Community Day over the street due to several other banners that were previously booked to be hung. The Commission is requesting permission to hang the banner at Triangle Park. The Borough has previously allowed the Arts Commission to hang a SnowBlast banner on the fence several times and this would promote a Borough event. The Committee voted to approve the request.



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**Motion by Mr. Anders, seconded by Mr. Barrett to grant the Recreation and Entertainment Commission's request to hang a Community Day banner at Triangle Park. There were 7 ayes. Motion carried.**

Mr. Anders reported that the Kiwanis Club requested to place a yard sign at Triangle Park for its Pancake Festival. The Committee discussed the previous motion and denied the request due to the Kiwanis Club being an outside organization, but suggested that they place it near the library.

Mr. Anders reported that Matt Young is requesting the use of the Williams Street Playground basketball courts for a charity basketball tournament on Sunday, June 26, 2016 from 11:00 a.m. to 6:00 p.m. with a rain date of Sunday, July 3, 2016 for a fee of \$30.00 per court.

**Motion by Mr. Anders, seconded by Mr. Barrett to grant Matt Young's request to use the Williams Street Playground basketball courts for a charity basketball tournament on Sunday, June 26, 2016 from 11:00 a.m. to 6:00 p.m., with a rain date of Sunday, July 3, 2016 for a fee of \$30.00 per court. There were 7 ayes. Motion carried.**

The next Committee Meeting is June 7, 2016 at 4:00 p.m.

Progress.

d. Public Safety Committee

Mrs. Gilbert reported that the Committee met in Executive Session to discuss Personnel matters. She stated that an Executive Session is necessary prior to the next Committee meeting to review a document that was received from the Borough Manager.

Progress.

e. General Administration Committee

**Motion by Mr. Barrett, seconded by Mr. Anders to grant the request from the Emmaus Public Library to authorize the Borough Manager to sign and assist with the management of the 2016 Pennsylvania Keystone Grant Application. There were 7 ayes. Motion carried.**

**Motion by Mr. Barrett, seconded by Mr. Anders to adopt Resolution 2016-19 – 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**

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**Amended July 23, 2009, Authorizing the Borough of Emmaus to Dispose of Certain Municipal Records. There were 7 ayes. Motion carried.**

The next Committee Meeting is May 25, 2016 at 9:00 a.m.

Progress.

f. Budget and Finance Committee

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

<b>Bill List</b>	<b>\$</b>	<b>220,962.34</b>
<b>Payroll #10</b>	<b>\$</b>	<b>123,009.38</b>
<b>Payroll Taxes</b>	<b>\$</b>	<b><u>42,769.52</u></b>
<b>Total</b>	<b>\$</b>	<b>386,741.24</b>

Done this 16<sup>th</sup> day of May 2016.

**Motion by Mr. Shubzda, seconded by Mrs. Gilbert to approve Resolution 2016-18. There were 7 ayes. Motion carried.**

The next Committee meeting is May 26, 2016 at 3:15 p.m.

Progress.

g. Community Relations, Planning and Development Committee

Mr. DeFrain reported that on May 19, 2016, the Emmaus Main Street Partners will host a Mixology event from 5:30 p.m. to 7:30 p.m. at Fiesta Ole'. He also reported that the next Emmaus Main Street Partners Board Meeting is June 1, 2016.

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 May are in the Ipads and entertained questions about them. Mr. Shubzda questioned the Auto Dial Notification fee and Mr. Pepe explained that the fee is yearly.

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Mr. Pepe stated that the PA DEP is offering a job to one of the past interns and congratulated the intern. Mr. Pepe updated Council on the Community swimming pool explosion. He stated that two Public Works employees received minor injuries and were very lucky that they did not receive serious injuries. Mr. Pepe stated that he will update Council on the expected date that the pool will open as he receives more information on the damage. He also stated that the pool will not open for Memorial Day. Mr. Labenberg stated that he spoke to both employees and that they are in good spirits. He also stated that the Borough will put in an insurance claim but it is unclear if the Borough will receive any money.

Progress.

PRESIDENT'S BUSINESS

Progress.

ADJOURNMENT

**Motion by Mr. Barrett, seconded by Mr. Shubzda to adjourn the May 16, 2016 Emmaus Borough Council Meeting. There were 7 ayes. Motion carried.**

The Meeting adjourned at 7:55 p.m.

Shane M. Pepe  
Borough Manager

Transcribed by: Paula Weiant  
Administrative Assistant  
May 24, 2016