

June 20, 2016

**Emmaus Borough Council
Agenda
June 20, 2016 7:00 PM**



1. Call to Order
2. Pledge of Allegiance
3. Personal Appeals, Part I
4. Community Minute
5. Special Presentations
 - 5.a. Emmaus Arts Commission - 2016 Student Art Award Presentation
 - 5.b. Emmaus Ambulance Corps - American Heart Association Recognition
 - 5.c. GFWC PA Woman's Club of Emmaus 75 Year Anniversary Celebration
6. Reading of Minutes
 - 6.a. May 16, 2016 Council Meeting
7. Decisions on Bids
 - 7.a. Leaf Collector Equipment
 - 7.b. 2016-18 Janitorial Services
 - 7.c. 2016 Dump Truck & Ambulance Lease
8. Communications
 - 8.a. Teri Sorg-McManamon, Emmaus Arts Commission - Chalk the Walk Event on July 9, 2016.
 - 8.b. Linda Henry, Animal Food Bank of the Lehigh Valley - Request for Waiver of Fire Inspection Fee.
 - 8.c. Emily Moore - St. Ann's Annual Fall Fest Event Request - September 8-10, 2016

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- 8.d. Adam Beers - Alzheimer Walk Fund Raiser - October 25, 2016
- 8.e. Tina Schantz - Letter of Resignation as Billing Clerk for the Emmaus Ambulance Corps.
- 8.f. Josephine Garber, 423 Beechwood St., Emmaus - Stagnant Water at Meadow Pool.
- 9. Borough Engineer's Report
- 10. Solicitor's Report
- 11. Unfinished Business, Part I
- 12. New Business
 - 12.a. Appoint Chief of Police - Resolution 2016-23
Mayor lobst will Administer the Oath of Office
- 13. Unfinished Business, Part II
- 14. Items Not on Agenda
Subject to Rule 9
- 15. Mayor's Report
 - 15.a. Richard Hontz - Certificate of Appreciation
 - 15.b. Officer Craig Blose - Commodation of Achievement Award
 - 15.c. Proclamation 2016 - 403 - Emmaus Lions Club / K9 Program
 - 15.d. Officer Vince Murante - Introduce New Police Dog
- 16. Committee Reports
 - Public Works/(Highway, Water & Sewer) (Brown, Anders, DeFrain)
Next Meeting – July 11, 2016 at 3:00 p.m.

Committee Meeting - June 13, 2016
 - Health, Sanitation, and Codes (Shubzda, DeFrain, Brown)
Next Meeting – July 21, 2016 at 3:45 p.m.

Fire Ordinance

Committee Meetings - June 16, 2016

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Parks and Recreation (Anders, Barrett, Labenberg)

Next Meeting – July 5, 2016 at 4:00 p.m.

Seasonal Part-Time Employees

Resolution 2016 - 21 - Council of the Arts Grant

Public Safety (Gilbert, Barrett, Brown)

Next Meeting – July 6, 2016 at 3:00 p.m.

Approve EMT Volunteer - Keegan Daugherty

Animal Control Officer Job Description

Advertise for Animal Control Officer Job

Aluminum Can Trailer - Fire Department

Committee Meeting - June 1, 2016

General Administration (Barrett, Labenberg, Gilbert)

Next Meeting – June 22, 2016 at 9:00 a.m.

Resolution 2016 - 20 - Disposal of Municipal Records

Engineer Plans - Phase I Approval

Committee Meeting - May 25, 2016

Budget and Finance (Labenberg, Shubzda, Gilbert)

Next Meeting – June 23, 2016 at 3:15 p.m.

Bill List - Resolution No. 2016-22

Committee Meeting - May 16, 2016

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

Next Meeting – July 14, 2016 at 4:00 p.m.

Committee Meeting - June 9, 2016

17. Personal Appeals, Part II

18. Borough Manager's Report

18.a. Significant Revenue & Expense Items for May 2016

19. **President's Business**

20. **Adjournment**

The Emmaus Borough Council met in regular session on June 20, 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.

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

Mr. Labenberg asked for a moment of silence to honor and remember Borough resident, Anthony Groller, who was a veteran of the US Navy, former President of the Emmaus Youth Association, coached baseball and softball, served on the Planning Commission for 44 years, and was on the Emmaus Parks and Recreation Commission for 51 years.

PERSONAL APPEALS, PART I

A. Dan Morrie, member of the Lehigh Valley Thunderbirds Club – stated that the Club is requesting permission to host a car show on September 15, 2016. He stated that the Club is working with Butch Rossetti, owner of the Emmaus Theater, to hold the show. The cars will be parked in front of Borough Hall. He stated that there will be approximately 50 cars in the show and the event will be held from noon to 6:00 p.m. He stated that he anticipates approximately 100-150 individuals will attend the show. Mr. Labenberg encouraged Mr. Morrie to complete a Borough event form. Mr. Pepe directed Mr. Morrie to download the form from the Borough's website. Mr. Pepe stated that he has held discussions with Mr. Rossetti and there are concerns about parking the cars.

B. Caitlin Giddings – voiced concerns about an assault rifle store opening up on the block she resides in on Chestnut Street. She questioned the need for another gun store in the Borough and stated that she opposes a gun store in a predominately residential area.

Mr. Barrett asked for a legal opinion on Ms. Gidding's Personal Appeal. Solicitor Dimmich responded that the state representatives and state legislature for the Commonwealth of Pennsylvania passed a bill which prohibits a municipality to regulate any Ordinances which infringe upon gun legislation. Mr. Pepe stated that the current gun shop will be located in a Commercial Zoning District not a Residential District.

C. Edwin Cruz, 525 Broad Street – stated that he previously asked for the street sweeper to clean Broad Street and was told the matter would be discussed. Mr. Pepe stated that the street sweeper has been returned four times for repairs from the fire and has just begun to sweep the residential areas. He stated that the street sweeper is on the Agenda and will be discussed.

COMMUNITY MINUTE

Mr. Brown stated that the Flag Day presentation was well attended and introduced Pat Waller as being present in the audience from the Woman's Association. Mr. Brown stated that there were approximately 80-100 people in attendance. Mr. Brown thanked the Woman's Association, Marge Heatly, Mayor Iobst and the Emmaus Veterans for their support and participation at the event.

Mr. Anders stated that the Summer Kick-Off event was held on June 5, 2016. He stated that the bad weather held off until approximately 5:00 p.m. Mr. Anders announced that Movie Night will be held on Friday, June 24, 2016 at the Emmaus Community Park with Star Wars – The Force Awakens being shown at dark. He invited everyone to attend.

Mr. Brown stated that the Emmaus Main Street Partners hosted their 11th Annual Golf Tournament at Green Pond Country Club with 134 golfers participating. He stated that the event is a very successful fundraiser for the Partners and was well attended.

Mr. Anders stated that beginning the first week of July, the Emmaus Youth Association will begin playing summer basketball at the Williams Street playground and invited everyone to watch a game.

SPECIAL PRESENTATIONS

Teri Sorg-McManamon, Chair of the Emmaus Arts Commission, presented the Emmaus Arts Commission Student Art Award, including a \$500.00 Dick Blick Gift Card, to Jake Woods. Mr. Woods will continue his education in Illustration at Kutztown University.

Ms. Jackson, American Heart Association, presented Chief Hoffman and Lieutenant Knopf with the 2016 Silver Mission Lifeline Performance Achievement Award for the Emmaus Ambulance Corps. She stated that the Borough of Emmaus Ambulance Corps is 1 out of 69 in the state of Pennsylvania and 1 out of 565 in the United States receiving the award.

Mayor Iobst read Proclamation 2016-402 congratulating the GFWC Woman's Club of Emmaus on its 75th Anniversary and wished the Woman's Club continued success with its organization.

READING OF MINUTES

Motion by Mr. Anders, seconded by Mr. Barrett to adopt the May 16, 2016 Minutes as drafted. There were 7 ayes. Motion carried.

DECISION ON BIDS

Mr. Pepe stated that the Borough received one bid from Stephenson Equipment, Inc., for a used 2004 Truck Mounted Leaf Collector in the amount of \$39,800 with an option to install a rear camera system in the amount of \$2,000. Mr. Pepe stated that a majority of the leaf collector purchase will be funded through an escrow account. Mr. Anders stated that the purchase of a leaf collector will streamline the leaf collection process.

Motion by Mr. Brown, seconded by Mrs. Gilbert to award the Leaf Collector bid to Stephenson Equipment, Inc. for a used 2004 Tarco/Freightliner Brand Leaf Collector in the amount of \$39,800 including the option to install a rear camera system in the amount of \$2,000. There were 7 ayes. Motion carried.

Mr. Pepe stated that on June 16, 2016, the Borough received several bids for janitorial services. Mr. Pepe thanked Mr. DeFrain for locating a mistake on the bid results and stated that staff is recommending the bid be awarded to Executive Building Services.

Motion by Mr. Brown, seconded by Mr. DeFrain to award the bid for janitorial services to Executive Building Services for a two-year contract for Option 2 and 2-A, which includes the cleaning of Central Station and 33 E. Minor Street. There were 7 ayes. Motion carried.

Mr. Pepe stated that the Borough received a very good rate from at least two different bidders for the financing of a lease of an ambulance and dump truck. Staff recommends adopting Resolution 2016-24 approving the Lease Agreement between the Borough of Emmaus and Fulton Leasing Company/Lafayette Ambassador Bank.

Resolution 2016-24 – A Resolution Approving the Lease Agreement with Option to Purchase with Fulton Leasing Company/Lafayette Ambassador Bank.

Motion by Mrs. Gilbert, seconded by Mr. Shubzda to adopt Resolution 2016-24. There were 7 ayes. Motion carried.

COMMUNICATIONS

- a. Teri Sorg-McManamon, Emmaus Arts Commission – Chalk the Walk Event on July 9, 2016. Referred to staff.
- b. Linda Henry, Animal Food Bank – Request for waiver of Fire Inspection Fee. Referred to the Health, Sanitation and Codes Committee.
- c. Emily Moore – St. Ann’s Annual Fall Festival Event Request – September 8-10, 2016. Referred to staff.
- d. Adam Beers – Alzheimer Walk Fund Raiser – October 25, 2016. Referred to the Public Safety Committee.
- e. Tina Schantz - Letter of Resignation as Billing Clerk for the Emmaus Ambulance Corps. Mr. Labenberg directed Mr. Pepe to mail Mrs. Schantz a letter of thanks for her time served as Billing Clerk.
- f. Josephine Garber, 423 Beechwood St., Emmaus – Stagnant Water at Meadow Pool. Referred to the Health, Sanitation and Codes Committee.
- g. Rachel Kugalis, Chairman, Very Merrie Halloween – Very Merrie Halloween Banner waiver. Referred to the General Administration Committee. Mr. Barrett stated that he believes this is a repeat request and the matter should be referred to staff. Mr. Pepe responded that he believes that a Policy needs to be adopted for fee waiver requests from non-profit organizations and suggested that the matter be referred to the General Administration Committee. Mr. Labenberg referred the item to the General Administration Committee.

BOROUGH ENGINEER’S REPORT –None.

SOLICITOR’S REPORT

Solicitor Dimmich reported that final Oral Arguments were held in the PRLB matter at the Commonwealth Court. He also reported that a meeting was held with Lehigh County Authority to discuss the sewer issues. He stated that he is currently working on the SRO Memorandum of Understanding.

Progress.

UNFINISHED BUSINESS, PART I - None.

NEW BUSINESS

Resolution 2016-23 – A Resolution of the Council of the Borough of Emmaus, Lehigh County, Pennsylvania, Appointing Charles Palmer as the Chief of Police of the Emmaus Police Department.

Motion by Mrs. Gilbert, seconded by Mr. Brown to appoint Sergeant Charles Palmer as the Chief of Police for the Emmaus Police Department. There were 7 ayes. Motion carried.

Motion by Mrs. Gilbert, seconded by Mr. Anders to adopt Resolution 2016-23. There were 7 ayes. Motion carried.

Motion by Mrs. Gilbert, seconded by Mr. Brown to direct the Civil Service Commission to administer a non-competitive examination to Chief Charles Palmer. There were 7 ayes. Motion carried.

Mr. Pepe stated that the examination is per the terms of the Resolution. Solicitor Dimmich explained that passing the non-competitive examination protects the Chief's rank with the Civil Service.

Mayor Iobst administered the Oath of Office to Chief Charles Palmer.

UNFINISHED BUSINESS, PART II – None.

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

MAYOR'S REPORT

Mayor Iobst issued a Certificate of Appreciation to Richard Hontz for over thirty-two years of service to the Borough of Emmaus as Animal Control Officer. Chief Palmer issued an Award for Achievement to Mr. Hontz for his service as Animal Control Officer.

Mayor Iobst read Proclamation 2016-403 thanking the Lions Club for entering into partnership with the Borough of Emmaus in 1990 and assisting in developing the K-9 Program for the Borough of Emmaus. The Mayor extended the Borough's sincerest appreciation and gratitude to all the current and former members of the Emmaus Lions Club for their outstanding service to the Borough of Emmaus. Chief Palmer introduced K-9 Officer Vincent Murante and the Borough's newest K-9, Ronnie. He presented the Lions Club with a Certificate of Appreciation.

Progress.

Mr. Labenberg recessed the Meeting at 7:54 p.m.

Mr. Labenberg reconvened the Meeting at 8:00 p.m.

COMMITTEE REPORTS

a. Public Works Committee

Mr. Brown reported that the Committee is discussing the use of LED lighting for the street lights throughout the community.

Mr. Brown reported that the next Committee meeting is July 11, 2016 at 3:00 p.m.

Progress.

b. Health, Sanitation, and Codes Committee

Mr. Shubzda reported that the Committee has completed a draft of the Fire Ordinance and asked Council to review the draft by the next Council meeting. Mr. Barrett asked if there was a particular section or topic that Council should focus on. Mr. Pepe responded that Council should review Page 2, which deals with Outdoor Fires and the lot lines. He said that the Borough receives many complaints from residents living in row homes with concerns about their neighbors having outdoor fires. He also suggested that Council review the inspection fees associated with fire services. Mr. Pepe thanked Daniel Sell and Jim Farnsworth for their hard work on the Ordinance. He stated that the Committee welcomes comments and concerns from Council and the Borough Solicitor. Mr. Labenberg stated that the 1st Reading of the Ordinance will take place at the July 18, 2016 Council Meeting.

Progress.

c. Parks and Recreation Committee

Mr. Anders reported that the Committee did not meet in June, but there are several items for official action.

Motion by Mr. Anders, seconded by Mrs. Gilbert to hire Nathan Zimmerman, Emmaus, at an hourly rate of \$7.25 and John Mulder, Emmaus, at an hourly rate of \$7.25 as summer Public Works employees; Kenna Kita, Emmaus, at an hourly rate of \$7.25, Matthew Kohls, Macungie, at an hourly rate of \$7.25, Sarah Kohler, at an hourly rate of \$7.25 as Lifeguards; Marena Trauger, Allentown, at an hourly rate of \$7.25 and Devyn Kneller, Emmaus, at an hourly rate of \$7.25 as Pool Cashiers; a pay rate increase for Patricia Seislove, at an hourly rate of \$8.00, Luke Pukanecz, at an hourly rate of \$7.75, Hannah Maron, at an hourly rate of \$7.50, Alex Duke, at an hourly rate of \$7.75 and Rachel Heiny, at an hourly rate of \$7.75 as lifeguards. There were 7 ayes. Motion carried.

Resolution 2016-21 – A Resolution Authorizing the Formal Submission of a Pennsylvania Council of the Arts Project Street Grant Application.

Motion by Mr. Anders, seconded by Mr. Shubzda to adopt Resolution 2016-21. There were 7 ayes. Motion carried.

The next Committee Meeting is July 5, 2016 at 4:00 p.m.

Progress.

d. Public Safety Committee

Motion by Mrs. Gilbert, seconded by Mr. Brown to appoint Keegan Daugherty as a volunteer EMT for the Emmaus Ambulance Corps. There were 7 ayes. Motion carried.

Motion by Mrs. Gilbert, seconded by Mr. Brown to adopt the Job Description for Animal Control Officer (ACO) for the Borough of Emmaus. There were 7 ayes. Motion carried.

Motion by Mrs. Gilbert, seconded by Mr. Anders to advertise for the Animal Control Officer (ACO) position for the Borough of Emmaus. There were 7 ayes. Motion carried.

Motion by Mrs. Gilbert, seconded by Mr. Brown to grant the Emmaus Fire Department's request to place an aluminum can trailer on the property located at the rear of Central Station. There were 7 ayes. Motion carried.

Mr. Anders discussed setting up an internet purchase location in the Borough. Mr. Pepe responded that he is in favor of the idea but suggested that the Borough Solicitor review the idea due to liability issues.

The next Committee meeting is July 6, 2016 at 3:00 p.m.

Progress.

e. General Administration Committee

Motion by Mr. Barrett, seconded by Mrs. Gilbert to adopt Resolution 2016-20 – 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. There were 7 ayes. Motion carried.

Mr. Barrett stated that the Committee discussed Phase I of the Engineering plans for the Town Hall complex and the Committee recommends Council's approval.

Motion by Mr. Barrett, seconded by Mrs. Gilbert to approve Phase 1 of the Engineering plans for the Town Hall complex.

Mr. Pepe suggested that the motion be contingent upon reviews by the Borough's Code Official and the Borough Engineer.

Mr. Barrett amended his motion and Mrs. Gilbert amended her second.

Motion by Mr. Barrett, seconded by Mrs. Gilbert to approve Phase 1 of the Engineering plans for the Town Hall complex contingent upon review by the Borough's Code Official and the Borough Engineer. There were 7 ayes. Motion carried.

The next Committee Meeting is June 22, 2016 at 9:00 a.m.

Progress.

f. Budget and Finance Committee

Resolution 2016-22, authorizing payment of the June 20, 2016 Bill List, as follows:

Bill List	\$	392,759.03
Payroll #11 and #12	\$	242,763.23
Payroll Taxes	\$	<u>84,081.03</u>
Total	\$	719,603.29

Done this 20th day of June 2016.

Motion by Mrs. Gilbert, seconded by Mr. Shubzda to adopt Resolution 2016-22. There were 7 ayes. Motion carried.

Mr. Labenberg stated that the June 23, 2016 Budget & Finance Committee meeting has been cancelled.

Progress.

g. Community Relations, Planning and Development Committee

Mr. DeFrain reported that on Wednesday, June 29, 2016, the Main Street Partners and East Penn Chamber of Commerce will host an event at Triple Sun Spirits Company from 5:30 p.m. to 7:30 p.m.

The next Committee meeting is July 14, 2016 at 4:00 p.m.

Progress.

PERSONAL APPEALS, PART II – None.

BOROUGH MANAGER'S REPORT

Mr. Pepe reported that the Significant Revenue and Expense Items for May, 2016 are in the Ipads and entertained questions about them.

Mr. Pepe stated that the Emmaus Community Pool will open Saturday, June 25. Mr. Anders thanked Mr. Pepe for attending several meetings for organizations in town. Mr. Pepe responded that the Woman's Club is a fantastic group of women and he is happy to attend meetings for organizations in town.

Progress.

PRESIDENT'S BUSINESS

Mr. Labenberg stated that there is a lot going on in the Borough and there is a lot to be proud of in the community. He stated that it was great to see a full house in Council Chambers for tonight's meeting.

Progress.

ADJOURNMENT

Motion by Mr. Barrett, seconded by Mr. DeFrain to adjourn the June 20, 2016 Emmaus Borough Council Meeting. There were 7 ayes. Motion carried.

The Meeting adjourned at 8:27 p.m.

Shane M. Pepe
Borough Manager

Transcribed by: Paula Weiant
Administrative Assistant
June 27, 2016

June 20, 2016

19. President's Business

20. Adjournment