

July 15, 2019

**Emmaus Borough Council
Agenda
July 15, 2019 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. Public Hearing Minutes - June 17, 2019
 - 6.b. Council Meeting Minutes - June 17, 2019
7. Decisions on Bids
 - 7.a. Janitorial Bid
8. Communications
 - 8.a. Cori Rolon, Meals on Wheels of the Greater Lehigh Valley - Request for financial donation.
 - 8.b. Bill Durso, St. Ann's School - St. Ann School 70th Anniversary Run/Walk Event.
 - 8.c. Nigel Watt, 120 N. 5th St. - Request appointment to the Planning Commission (vacant term expires 4/1/2023).
 - 8.d. Gregory Saeger, 227 Delong Ave. - Request appointment to the Planning Commission (vacant term expires 4/1/2023).
 - 8.e. Lucy McLeod, 208 N. 7th St. - Speeding on Harrison St., Berger St. and Macungie Ave.
 - 8.f. Keith Plunkett, Funk Brewing, 19 S. 6th St. - Request street closure for Funktoberfest on August 30 & 31, 2019.
 - 8.g. Jennifer Derr, Brothers & Sisters Against Suicide - Cobra's Credo - Inaugural Awareness Ride / Vendor Fair at Community Park on October 5, 2019.

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9. Borough Engineer's Report
10. Solicitor's Report
11. Unfinished Business, Part I
12. New Business
 - 12.a. Ordinance No. 1192 - An Ordinance Amending Chapter 15 §404(a) of the Codified Ordinances, Eliminating Parking on Portions of the West Side of South Seventh Street (1st Reading 7/15/2019).
13. Unfinished Business, Part II
 - 13.a. Ordinance No. 1191 - An Ordinance Amending the Borough of Emmaus Zoning Ordinance of 1993 as Amended, to Delete Definitions and Regulations Relating to "Place of Worship" and to Substitute Therefore a New Definition and Provide Regulations Identifying Permitted Accessory Uses and Further Authorizing the Use of Certain Accessories for Commercial Reasons Subject to Conditional Use Approval by Borough Council (1st Reading 6/17/2019) (2nd Reading 8/19/2019).
14. Items Not on Agenda
Subject to Rule 9
15. Mayor's Report
 - 15.a. Proclamation 2019-466: Founders Day
16. Committee Reports

Public Works/(Highway, Water & Sewer) (Anders, Sorg-McManamon, Labenberg)
Next Meeting – August 14, 2019 at 4:00 p.m.

Full-Time Public Works Employee Hiring

Committee Meeting Notes - July 10, 2019

Health, Sanitation, and Codes (Shubzda, Sorg-McManamon, Anders)
Next Meeting – July 31, 2019 at 4:30 p.m.

Committee Meeting Notes - June 26, 2019

Parks and Recreation (Baumgartner, Anders, Shubzda)
Next Meeting – August 6, 2019 at 4:30 p.m.

St. Ann's 70th Anniversary Run/Walk Event

Committee Meeting Notes - July 2, 2019

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Public Safety (DeFrain, Hart, Baumgartner)
Next Meeting – August 14, 2019 at 9:15 a.m.

Shawn Lubenetski - Promotion

Ordinance No. 1192 - 1st Reading

Committee Meeting Notes - July 10, 2019

General Administration (Labenberg, Baumgartner, DeFrain)
Next Meeting – July 18, 2019 at 9:00 a.m.

Ordinance No. 1191 - 2nd Reading 8/19/2019

Budget and Finance (Hart, DeFrain, Labenberg)
Next Meeting – July 18, 2019 at 11:00 a.m.

Resolution 2019-28: Bill List

Significant Revenue & Expense Items for June 2019

Committee Meeting Notes - June 17, 2019

Community Relations, Planning and Development (Sorg-McManamon, Hart, Shubzda)
Next Meeting – July 18, 2019 at 4:30 p.m.

Appoint Lindsey Kleinberg to the Emmaus Arts Commission - term expires 2/07/2021

Appoint Sarah Plaza to the Emmaus Arts Commission - term expires 2/01/2021

Committee Meeting Notes - June 20, 2019

17. Jr. Council Member's Report

18. Boards and Commissions

18.a. Emmaus Public Library Board of Trustees Meeting Minutes - May 21, 2019

18.b. Employee and Volunteer Safety Committee Meeting Minutes - June 19, 2019

18.c. Zoning Hearing Board Meeting Minutes - June 27, 2019

18.d. Recreation and Entertainment Commission Meeting Minutes- June 26, 2019

18.e. Department Quarterly Reports

19. Personal Appeals, Part II

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20. Borough Manager's Report

20.a. Drew Labenberg - GIS Intern

20.b. Hired Nicole Nailor (Emmaus) and Rebekah Waterman (Allentown) as PT EMTs

20.c. Hired Ashley Davidson (Allentown) and Madison Mauro (Emmaus) as Pool Lifeguards - \$8.25/hr.

20.d. Hired Brendon Ward, Emmaus, as a PT Seasonal Public Works Employee - \$7.75/hr.

20.e. Hired Blake Reed, Emmaus, as a PT Seasonal Public Works Employee - \$7.25/hr.

21. President's Business

22. Adjournment

EMMAUS BOROUGH COUNCIL

The Emmaus Borough Council met in Regular Session on July 15, 2019 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
Shana Baumgartner	Present
John W. Hart	Present
Jeffrey Shubzda	Present
Teri Sorg-McManamon	Present
Jonas Hausmann, Jr. Council Member	Present
Lee Ann Gilbert, Mayor	Present
Jeffrey Dimmich, Solicitor	Present
Shane Pepe, Borough Manager	Present

PERSONAL APPEALS, PART I

A. Gene Clock, President, Knauss Homestead Preservation Society – invited everyone to attend the Emmaus Founders Day Event to be held at the Emmaus Moravian Church Pavilion on Saturday, July 27, 2019 from 6:00 to 8:00 p.m., rain or shine.

COMMUNITY MINUTE

Mr. Shubzda stated that the Emmaus Arts Commission's "Gnome Sweet Gnome" auction raised \$1,710.00. He stated that there were 72 total bids and 3 Buy it Nows, with an average bid of \$110.00.

Ms. Baumgartner stated that the Recreation and Entertainment Commission continues to host the Free Concerts in the Park. She stated that the next concert will be held on Sunday, July 21, and the Swing Time Dolls will be performing. She stated that The Large Flowerheads will perform on July 28th and a large crowd is anticipated. Mr. Pepe stated that an email was sent to Council for volunteers to help at the concert.

SPECIAL PRESENTATIONS – None.

READING OF MINUTES

Motion by Mr. Shubzda, seconded by Mr. Hart to adopt the June 17, 2019 Public Hearing Minutes as drafted. There were 7 ayes. Motion carried.

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Motion by Mr. Anders, seconded by Mrs. Sorg-McManamon to adopt the June 17, 2019 Council Minutes as drafted. There were 7 ayes. Motion carried.

DECISION ON BIDS

Mr. Labenberg stated that Mr. Pepe drafted a Memorandum concerning the Janitorial Bid and has asked Council to reject the current bid. He stated that Mr. Pepe has prepared another bid and is recommending that Council vote to rebid based on the new RFP.

Motion by Ms. Baumgartner, seconded by Mr. Shubzda to reject the current Janitorial RFP and rebid based on the new RFP. There were 7 ayes. Motion carried.

COMMUNICATIONS

a. Cori Rolon, Meals on Wheels of the Greater Lehigh Valley – Request for financial donation. Mr. Labenberg stated that Mr. Pepe will respond to the request.

b. Bill Durso, St. Ann's School – St. Ann's School 70th Anniversary Run/Walk Event. Mr. Labenberg invited Mr. Durso to the podium. Ms. Baumgartner stated that the Parks and Recreation Committee discussed the item and the only piece of information missing is proof of insurance. Mr. Durso stated that the event is part of a larger celebration for the school's 70th anniversary. Mr. Durso stated that they are anticipating approximately 250 racers and the school will have 30-40 volunteers for the event. Mr. Labenberg questioned the logistics of the race. Mr. Durso responded that the route has not been finalized.

Motion by Ms. Baumgartner, seconded by Mr. Hart to approve the St. Ann's School 70th Anniversary Run/Walk Event to be held on Saturday, October 26, 2019 contingent upon proof of insurance and approval of the final route for the race. There were 7 ayes. Motion carried.

c. Nigel Watt, 130 N. 5th St. – Request appointment to the Planning Commission (vacant term expires 4/1/2023). Mr. Labenberg stated that Mr. Watt was interviewed prior to tonight's meeting.

d. Gregory Saeger, 227 Delong Avenue – Request appointment to the Planning Commission (vacant term expires 4/1/2023). Mr. Labenberg stated that Mr. Saeger was interviewed prior to tonight's meeting.

e. Lucy McLeod, 208 N. 7th Street – Speeding on Harrison Street, Berger Street and Macungie Avenue. Mr. Labenberg referred the item to the Public Safety Committee for further discussion.

f. Keith Plunkett, Funk Brewing, 19 S. 6th Street – Request street closure for Funktoberfest on August 30 and 31, 2019. Mr. Labenberg invited Mr. Plunkett to the podium. Mr. Plunkett stated that Funk Brewery is requesting a street closure in front of the brewery on S. 6th Street between Bank and Railroad Street. He stated that two food trucks would be parked in the space. He stated that the request is for one day, Saturday, August 31,

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from 9:00 a.m. until midnight. He stated that the event will be held from noon to 11:00 p.m. on Saturday, but they will need time for set up and tear down. Mr. Labenberg voiced concern about the event being six weeks away and not having enough time to fully discuss the event at the Committee level. He stated that he is concerned that more people will attend than anticipated and asked if there will be barricades for crowd control. Mr. Plunkett stated that he anticipates approximately 400 people attending the event over the two days and he will place barricades for crowd control. He stated that there will be adequate parking for the event at Fire Company #1. He stated that if the request is not approved, the event will be held in the fenced in area behind the brewery and the storage unit lot next to Funk. Mr. Pepe stated that, for safety reasons, he believes the best option will be to close off S. 6th Street at Chestnut Street. He also stated that there are many logistical issues and approvals needed prior to the event. Mr. Anders asked if there will be a fence placed around the event for crowd control. Mayor Gilbert voiced concern about the train and safety concerns and suggested barricades. Ms. Baumgartner asked for more information about the request for August 30th. Mr. Plunkett responded that August 30th will be a regular business day, with the brewery opening at 4:00 p.m. Mr. Hart stated that he fully supports Funk Brewery but does not believe there is enough time to fully discuss the event and is not in support of the street closure. He stated that he will vote against the motion.

Motion by Mr. Shubzda, seconded by Mr. Anders to grant Funk Brewery's request to hold Funktoberfest on August 31, 2019 from 9:00 a.m. to midnight on August 31, 2019, contingent upon approvals by the Borough Manager, Public Works Director, and Emergency Services personnel, proof of insurance, and adequate parking. There were 5 ayes, 2 opposed (Baumgartner, Hart). Motion carried.

g. Jennifer Derr, Brothers & Sisters Against Suicide – Cobra's Credo – Inaugural Awareness Ride/Vendor Fair at Community Park on October 5, 2019. Mr. Labenberg asked Ms. Derr to approach the podium. Ms. Derr stated that she is a founder of the organization and the event will be held in honor of Julian Familia. She stated that the organization is hoping to host a yearly event. She stated that there will be a motorcycle ride in the morning, beginning at the Emmaus Fire Department and ending at Community Park. She stated that there will be approximately 40-50 vendors at the event, food trucks, and a band at the event. She stated that the Arts Pavilion is available on the date and they have already made the payment, contingent upon approval from Council. They are anticipating approximately 200-300 people will attend the event. Ms. Baumgartner asked if there will be enough volunteers to help with the event. Ms. Derr stated that she will have adequate volunteers. Mr. Pepe voiced concern about a larger crowd than anticipated.

Motion by Mr. Anders, seconded by Ms. Baumgartner to grant the Brothers & Sisters Against Suicide – Cobra's Credo – Inaugural Awareness Ride/Vendor Fair at Emmaus Community Park on October 5, 2019 from 8:00 a.m. to 6:00 p.m. contingent upon approval by the Public Works Director and proof of insurance. There were 7 ayes. Motion carried.

BOROUGH ENGINEER'S REPORT – None.

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SOLICITOR'S REPORT

Progress

UNFINISHED BUSINESS, PART I – None.

NEW BUSINESS

Ordinance No. 1192 –An Ordinance Amending Chapter 15 §404(a) of the Codified Ordinances, Eliminating Parking on Portions of the West Side of South Seventh Street (1st Reading 7/15/19).

Motion by Mrs. Sorg-McManamon, seconded by Mr. DeFrain to adopt Ordinance No. 1192 –An Ordinance Amending Chapter 15 §404(a) of the Codified Ordinances, Eliminating Parking on Portions of the West Side of South Seventh Street on its 1st Reading. Roll call vote: Mrs. Sorg-McManamon, aye; Mr. Shubzda, aye; Mr. Anders, aye; Ms. Baumgartner, aye; Mr. DeFrain, aye; Mr. Hart, aye; Mr. Labenberg. There were 7 ayes. Motion carried.

Mr. Labenberg stated that Ordinance No. 1192 will have its 2nd Reading at the August 19, 2019 Council Meeting.

UNFINISHED BUSINESS, PART II

Mr. Labenberg stated that Ordinance No. 1191 will have its 2nd Reading at the August 19, 2019 Council Meeting.

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

MAYOR'S REPORT

Mayor Gilbert reported that the Emmaus Police Department will host its Open House on Tuesday, August 6, 2019 from 5:30 to 8:30 p.m. She stated that the Open House will feature a car show, food trucks, tours of the Police Department, and DJ Dutch playing music.

Mayor Gilbert read Proclamation 2019-66, proclaiming July 30th of each year henceforth as a special day to show appreciation of the settlers in 1747 who established a Moravian Congregation of 44 people that evolved into the village of Emmaus, Pennsylvania which we enjoy and govern.

Progress.

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COMMITTEE REPORTSa. Public Works Committee

Motion by Mr. Anders, seconded by Ms. Baumgartner to hire Kyle Christman as a full-time Public Works employee at an hourly rate of \$23.31.

Mr. Pepe suggested that Mr. Anders amend his motion to include that the hourly rate is 90% of the current Public Works I rate. Mr. Anders amended his motion and Ms. Baumgartner amended her second.

Motion by Mr. Anders, seconded by Ms. Baumgartner to hire Kyle Christman as a full-time Public Works employee an hourly rate of 90% of the current Public Works I rate, at \$23.31. There were 7 ayes. Motion carried.

Motion by Mr. Anders, seconded by Mrs. Sorg-McManamon to hire Matias Cruz as a full-time Public Works employee at an hourly rate of 90% of the current Public Works I rate, at \$23.31. There were 7 ayes. Motion carried.

Mr. Anders stated that Mr. Dychala was in attendance at the Committee Meeting and discussed Work Orders, Sewer Lateral Inspections, and upcoming projects.

Progress.

b. Health, Sanitation, and Codes Committee

Mr. Shubzda stated that, prior to tonight's Council Meeting, the Committee interviewed Karen Latsch, Nigel Watt, and Gregory Saeger for the Planning Commission vacancy. He stated that all three individuals were qualified and the Committee recommends appointing Nigel Watt to the Planning Commission. Mr. Shubzda asked if Mr. Watt will be able to continue to serve on the Emmaus Board of Health if he is appointed to the Planning Commission. Solicitor Dimmich responded that he believes so, but will verify the information.

Motion by Mr. Shubzda, seconded Mr. Anders to appoint Nigel Watt to the Planning Commission to a term expiring 4/1/2023. There were 7 ayes. Motion carried.

Mr. DeFrain stated that he has had several residents comment on the great job that Whitetail Disposal is doing. Mr. Pepe responded that it has been a very smooth transition with them and they have been very reactive to the resident's requests. He stated that staff is also very happy with them. Mr. Pepe stated that he is working with Whitetail Disposal, the state, and Lehigh County for the October 5, 2019 Borough Dumpster Day and Hazardous Waste Event.

Mr. Shubzda stated that the next Committee meeting is July 31, 2019 at 4:30 p.m.

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Progress.

c. Parks and Recreation Committee

Ms. Baumgartner reviewed the Committee notes and entertained questions about them. She stated that the next Committee meeting is August 6, 2019 at 4:30 p.m.

Progress.

d. Public Safety Committee

Motion by Mr. DeFrain, seconded by Ms. Baumgartner to promote Shawn Lubenetski to the position of Lieutenant within the Emmaus Fire Department. There were 7 ayes. Motion carried.

Mr. Anders commended Officer Kloss for his continued outreach within the community. Mr. Pepe commended the entire Police Department for their continued outreach within the community and stated that the community views the Emmaus Police Department very positively.

Mr. DeFrain stated that the next Committee meeting is Wednesday, August 14, 2019 at 9:15 a.m.

Progress.

e. General Administration Committee

Mr. Labenberg stated that the July 18, 2019 meeting is cancelled and that the next Committee meeting is Thursday, August 1, 2019 at 9:00 a.m.

Progress.

f. Budget and Finance Committee

Resolution 2019-28, authorizing payment of the July 15, 2019 Bill List as follows:

Bill List	\$ 1,050,076.97
Payroll #13 & #14	\$ 343,901.98
Payroll Taxes	\$ <u>110,646.36</u>
Total	\$ 1,504,625.31

Done this 15th day of July 2019.

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Motion by Mr. Hart, seconded by Mr. DeFrain to adopt Resolution 2019-28. There were 7 ayes. Motion carried.

Mr. Hart thanked Mr. Pepe for preparing the 2020 Budget meeting schedule Memorandum. Mr. Pepe responded that there will be date changes made to the Memorandum.

Mr. Hart reported that the next Committee meeting is August 15, 2019.

Progress.

g. Community Relations, Planning and Development Committee

Motion by Mrs. Sorg-McManamon, seconded by Mr. Hart to appoint Lindsey Kleinberg to the Emmaus Arts Commission to a term expiring on 2/7/2021. There were 7 ayes. Motion carried.

Motion by Mrs. Sorg-McManamon, seconded by Mr. DeFrain to appoint Sarah Plaza to the Emmaus Arts Commission to a term expiring on 2/1/2021. There were 7 ayes. Motion carried.

Mrs. Sorg McManamon thanked Mr. Hausmann for attending the Committee meeting and stated that she hopes he attends future meetings.

Mrs. Sorg-McManamon reported that the next Committee meeting is Thursday, July 18, 2019 at 4:30 p.m.

Progress.

h. Junior Council Member's Report

Mr. Hausmann reported that he attended the Community Relations, Planning and Development Committee meeting and stated that he is excited to be part of the process.

PERSONAL APPEALS, PART II – None.

BOROUGH MANAGER'S REPORT

Mr. Pepe reported that the Towns at South Mountain have been before the Planning Commission several times and the Plans will be before Council in the near future. He also reported that the property at 300 Furnace Street is under Agreement and they will be asking for a Zoning District change from an I-L District to an R-H District.

Mr. Pepe reported that staff hired Drew Labenberg as the GIS Intern for the summer at an hourly rate of \$9.00. He stated that staff will also hire a fall intern. Mr. Pepe also

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reported that staff hired Nicole Nailor and Rebekah Waterman as part-time EMT's for the Emmaus Ambulance Corps at an hourly rate of \$14.82; Ashley Davidson and Madison Mauro as Pool Lifeguards at an hourly rate of \$8.25; and Brendon Ward and Blake Reed as Part-Time Seasonal Public Works Employees at an hourly rate of \$7.25. Mr. Shubzda asked if the Life Guard positions are filled. Mr. Pepe stated that there will be part-time positions available in August.

Mr. Pepe stated that he will begin vacation on July 17, 2019 and will return on July 29, 2019 and will be unavailable to answer emails while he is on vacation.

Mr. Pepe stated that, according to Solicitor Dimmich, Nigel Watt will be able to remain on the Emmaus Board of Health and serve on the Planning Commission.

Progress.

PRESIDENT'S BUSINESS

Mr. Labenberg reminded Council that Mr. Shubzda needs their bios for the Borough's website.

Mr. Labenberg recessed the meeting at 8:13 p.m. for an Executive Session to discuss personnel matters with no action anticipated.

Mr. Labenberg reconvened the meeting at 8:33 p.m.

Progress.

ADJOURNMENT

Motion by Mr. Hart, seconded by Mr. DeFrain to adjourn the July 15, 2019 Emmaus Borough Council Meeting. There were 7 ayes. Motion carried.

The Meeting adjourned at 8:34 p.m.

Shane M. Pepe
Borough Manager

Transcribed by: Paula Weiant
Administrative Assistant
July 24, 2019