

July 16, 2018

**Emmaus Borough Council  
Agenda  
July 16, 2018 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. Council Meeting Minutes - June 18, 2018  
Public Hearing Minutes - June 18, 2018
7. Decisions on Bids
  - 7.a. Overlook Reservoir Demolition Project
8. Communications
  - 8.a. Stephen Baier, 220 Cherokee St. - Request appointment to the Emmaus Garden Commission (term expires 1/1/2022).
  - 8.b. Susan Kowalchik, 3110 Bleiler Rd., Emmaus - Request appointment to the Emmaus Garden Commission (term expires 1/1/2022).
  - 8.c. Kathy Mintzer, Recreation and Entertainment Commission - Request to hold a "Cruise In" Event at Emmaus Community Park on August 19, 2018.
  - 8.d. Kathy Mintzer, Emmaus Halloween Committee - Request to hold the Emmaus Halloween Parade on October 20, 2018.
9. Borough Engineer's Report
10. Solicitor's Report
11. Unfinished Business, Part I

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12. New Business

12.a. Ordinance No. 1179 - 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 570 Broad Street and Adding a Residential Handicapped Parking Sign on the Public Street Located in Front of 228 Furnace Street Within the Borough of Emmaus (1st Reading 07/16/2018).

13. Unfinished Business, Part II

14. Items Not on Agenda

Subject to Rule 9

15. Mayor's Report

Proclamation 2018-439: Emmaus, PA Founders Day

16. Committee Reports

Public Works/(Highway, Water & Sewer) (Anders, Sorg-McManamon, Labenberg)

Next Meeting – September 10, 2018 at 3:30 p.m.

Public Works Projects, Dates, and Timelines as of July 9, 2018

Health, Sanitation, and Codes (Shubzda, Sorg-McManamon, Anders)

Next Meeting – July 25, 2018 at 4:30 p.m.

Committee Meeting Notes - June 27, 2018

Parks and Recreation (Baumgartner, Anders, Shubzda)

Next Meeting – August 7, 2018 at 4:30 p.m.

Public Safety (DeFrain, Barrett, Baumgartner)

Next Meeting – August 14, 2018 at 1:00 p.m.

Ordinance No. 1179 – Handicapped Parking Sign

Committee Meeting Notes - July 11, 2018

General Administration (Labenberg, Barrett, DeFrain)

Next Meeting – July 19, 2018 at 9:00 a.m.

Conditional Use Decision - Switchback Pizza Co.

Committee Meeting Notes - June 21, 2018

Budget and Finance (Barrett, DeFrain, Labenberg)

Next Meeting – August 9, 2018 at 3:30 p.m.

Resolution No. 2018-26: Bill List

July 16, 2018

Town Hall Server Purchase

Committee Meeting Notes - June 18 and July 12, 2018

Community Relations, Planning and Development (Sorg-McManamon, Baumgartner, Shubzda)  
Next Meeting – July 19, 2018 at 4:30 p.m.

Resolution No. 2018-27: 2018 Facade Grant Application

Resolution No. 2018-28: Junior Council Person Program

Appoint Susan Kowalchuk to the Community Garden Commission (term expires 7/16/2021).

Committee Meeting Notes - June 21, 2018

17. Boards and Commissions

17.a. Emmaus Public Library Board of Trustees Meeting Minutes - May 15, 2018

17.b. Emmaus Library - Job Conference 8 Minutes - June 18, 2018

17.c. Emmaus Arts Commission Meeting Minutes - May 21, 2018

17.d. Recreation and Entertainment Commission Meeting Minutes - June 27, 2018

17.e. Employee and Volunteer Safety Committee Meeting Minutes - June 14, 2018

17.f. Planning Commission Meeting Minutes – July 12, 2018

17.g. Ambulance Corps Quarterly Report

17.h. Fire Department Quarterly Report

17.i. Police Department Quarterly Report

18. Personal Appeals, Part II

19. Borough Manager's Report

19.a. Significant Revenue and Expense Items for June, 2018

19.b. Hired Corbin Carraghan, Emmaus, as a Summer Public Works Employee - \$7.25/hr.

19.c. Hired Thomas Klocek as the Fire Inspector

20. President's Business

Executive Session – Real Estate and Personnel

21. Adjournment

## EMMAUS BOROUGH COUNCIL

The Emmaus Borough Council met in regular session on July 16, 2018 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
Chris DeFrain, Vice President	Present
Roy Anders	Present
Wesley Barrett	Present
Shana Baumgartner	Present
Jeffrey Shubzda	Present
Teri Sorg-McManamon	Present
Lee Ann Gilbert, Mayor	Present
Jeffrey Dimmich, Solicitor	Present
Shane Pepe, Borough Manager	Present

PERSONAL APPEALS, PART I

A. **Richard T. Farmer, 221 N. 3<sup>rd</sup> Street, President, Friends of the 1803 House** – stated that the Friends of the 1803 House is a member of the Heritage Alliance, along with many other organizations, and that a Proclamation will be read later in the evening. He stated that the idea for the Proclamation began with John Schmoyer, in collaboration with Gene Clock. He stated that Gene Clock, who is President of the Knauss Homestead, and John Schmoyer, who is Treasurer, believe that Founders Day should be established within the Borough of Emmaus to honor the men and women that created the community.

COMMUNITY MINUTE – None.

SPECIAL PRESENTATIONS – None.

READING OF MINUTES

**Motion by Mr. Barrett, seconded by Mr. DeFrain to adopt the June 18, 2018 Council Minutes as drafted. There were 7 ayes. Motion carried.**

**Motion by Ms. Baumgartner, seconded by Mr. Barrett to adopt the June 18, 2018 Public Hearing Minutes as drafted. There were 7 ayes. Motion carried.**

DECISION ON BIDS

Mr. Pepe stated that the Overlook Reservoir Demolition Project Bids came in over budget. He stated that the project has been ongoing for 8 years and there were many hurdles to overcome. He stated that the bids ranged from \$79,320.00 to \$170,191.54. Staff

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recommends hiring Neuber Demolition Environmental Services, Inc. with the add alternate A-1, Spring House demolition, in the amount of \$79,320.00. Mr. Pepe stated that the funds will be taken out of Line Item 06.448.761 – Water Meter Replacement, which will balance the deficit for the project.

**Motion by Mr. Anders, seconded by Ms. Baumgartner to approve the Overlook Reservoir Demolition Project Bid to Neuber Demolition Environmental Services, Inc. with the add alternate A-1, Spring House demolition, in the amount of \$79,320.00 with the following conditions: the satisfactory review of the bid and supporting documents by the Borough Solicitor and Engineer, the satisfactory completion and verification of operation of the Engleman replacement water supply system, and approval by Salisbury Township of the site grading plan, which has been submitted to Salisbury Township and the Lehigh County Conservation District. There were 7 ayes. Motion carried.**

Mr. Anders asked how long the project will take to complete. Mr. Pepe responded that he does not have a timeline on the completion but believes that the project will be completed by the end of 2018. Mr. Labenberg questioned why the decision was made to demolish the Spring House. Mr. Pepe responded that the recommendation to demolish the Spring House was made by the Borough Engineer.

COMMUNICATIONS

- a. Stephen Baier, 220 Cherokee St. – Request appointment to the Emmaus Garden Commission (term expires 1/1/2022).
- b. Susan Kowalchuk, 3110 Blieler Rd., Emmaus – Request appointment to the Emmaus Garden Commission (term expires 1/1/2022).
- c. Kathy Mintzer, Recreation and Entertainment Commission – Request to hold a “Cruise In” Event at Emmaus Community Park on August 19, 2018.

**Motion by Mrs. Sorg-McManamon, seconded by Ms. Baumgartner to grant the Recreation and Entertainment Commission’s request to hold a “Cruise In” Event to be held at the Emmaus Community Park on August 19, 2018 from 2:00 p.m. to 8:00 p.m. There were 7 ayes. Motion carried.**

- d. Kathy Mintzer, Emmaus Halloween Committee – Request to hold the Emmaus Halloween Parade on October 20, 2018 at 7:30 p.m., with a rain date of October 21, 2018 at 6:30 p.m. Referred to staff.

BOROUGH ENGINEER’S REPORT – None.

SOLICITOR’S REPORT

Solicitor Dimmich stated that a Refuse and Recycling Pre-Bid meeting will be held on Wednesday, July 18, 2018 at 11:00 a.m. He also discussed the upcoming EPA submission for

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the Sewer Administrative Order. Solicitor Dimmich discussed complications regarding adjacent properties to the 2<sup>nd</sup> Street Reservoir.

Progress.

UNFINISHED BUSINESS, PART INEW BUSINESS

Ordinance No. 1179 – 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 570 Broad Street and Adding a Residential Handicapped Parking Sign on the Public Street Located in Front of 228 Furnace Street Within the Borough of Emmaus (1<sup>st</sup> Reading 7/16/18).

**Motion by Mr. Barrett, seconded by Mr. DeFrain to adopt Ordinance No. 1179 - 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 570 Broad Street and Adding a Residential Handicapped Parking Sign on the Public Street Located in Front of 228 Furnace Street Within the Borough of Emmaus on its 1<sup>st</sup> Reading. Roll call vote: Mrs. Sorg-McManamon, aye; Mr. Shubzda, aye; Mr. Anders, aye; Ms. Baumgartner, aye; Mr. DeFrain, aye; Mr. Barrett, aye; Mr. Labenberg, aye. There were 7 ayes. Motion carried.**

Mr. Labenberg stated that the 2<sup>nd</sup> Reading of Ordinance No. 1179 will be held at the August 20, 2018 Council Meeting.

UNFINISHED BUSINESS, PART II – None.

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

MAYOR'S REPORT

Mayor Gilbert read Proclamation 2018-439, declaring July 30<sup>th</sup> of each year as Founders Day, 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.

Mayor Gilbert stated that Trick or Treat will be held on Friday, October 26, 2018 from 6:00 p.m. to 8:00 p.m.

Progress.

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COMMITTEE REPORTSa. Public Works Committee

Mr. Anders reviewed the 2018 Public Works projects, dates, and timelines. He stated that the 10<sup>th</sup> Street Culvert project is scheduled to start the 1<sup>st</sup> week of August and will be completed in early October.

Progress.

b. Health, Sanitation, and Codes Committee

Mr. Shubzda reported that the next Committee meeting is July 25, 2018 at 4:30 p.m.

Progress.

c. Parks and Recreation Committee

Ms. Baumgartner stated that the next Committee meeting is August 7, 2018 at 4:30 p.m. Mr. Anders stated that on Friday, July 27, 2018, the Recreation and Entertainment Commission will host the movie Coco at the Emmaus Community Park. Ms. Baumgartner reminded everyone that the Summer Concert Series is continuing and the concerts have been very successful.

Progress.

d. Public Safety Committee

Mr. DeFrain reported the Emmaus Police Department will host National Night Out on August 7, 2018 from 6:00 p.m. to 8:00 p.m. He stated that Jubilee Street will be closed during that time period. He also stated that there will be an open house of the Police station, hot dog grilling, DJ Dutch spinning tunes, and a dunking booth, where Mayor Gilbert will be dunked.

Mr. DeFrain stated that the next Committee meeting is August 14, 2018 at 1:00 p.m. He stated that several hours of the meeting will be an Executive Session for Police candidate and Police Sergeant interviews.

Progress.

e. General Administration Committee

**Motion by Ms. Baumgartner, seconded by Mrs. Sorg-McManamon to approve the Conditional Use Decision of Switchback Pizza Company, LLC. There were 7 ayes. Motion carried.**

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Mr. Anders stated that the Emmaus Police Department has received their accreditation and congratulated them.

Mr. Labenberg stated that the next Committee meeting is July 19, 2018 at 9:00 a.m.

Progress.

f. Budget and Finance Committee

Resolution 2018-26, authorizing payment of the July 16, 2018 Bill List, as follows:

<b>Bill List</b>	<b>\$</b>	<b>424,524.54</b>
<b>Payroll #13 and #14</b>	<b>\$</b>	<b>298,878.66</b>
<b>Payroll Taxes</b>	<b>\$</b>	<b><u>93,220.97</u></b>
<b>Total</b>	<b>\$</b>	<b>816,624.17</b>

Done this 16<sup>th</sup> day of July 2018.

**Motion by Mr. Barrett, seconded by Mr. DeFrain to adopt Resolution 2018-26. There were 7 ayes. Motion carried.**

**Motion by Mr. Barrett, seconded by Mr. DeFrain to contract IntegraOne to obtain a new Town Hall server in the amount of \$96,138.74 through the CoStars contract. There were 7 ayes. Motion carried.**

**Motion by Mr. Barrett, seconded by Mr. DeFrain to enter into a lease agreement with Fulton Leasing Company for IT Equipment for 60 months at a rate of 3.9%. There were 7 ayes. Motion carried.**

Mr. Barrett stated that Mr. Pepe put the natural gas rate out to bid. He stated that the Borough was previously paying \$6.424 per unit of gas and will now pay \$4.09 per unit of gas. The savings is approximately \$14,284.00 over three years.

**Motion by Mr. Barrett, seconded by Mr. DeFrain to enter into a 3-year contract with Snyder Brothers, Inc. for natural gas.**

Solicitor Dimmich stated that the motion should be amended to include upon his review. Mr. Barrett amended his motion and Mr. DeFrain amended his second.

**Motion by Mr. Barrett, seconded by Mr. DeFrain to enter into a 3-year contract with Snyder Brothers, Inc. for natural gas at a rate of \$4.09 per unit contingent upon the Solicitor’s review. There were 7 ayes. Motion carried.**

Progress.



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g. Community Relations, Planning and Development Committee

Resolution 2018-27 - A Resolution Authorizing the Application for the Keystone Communities Program Façade Grant and Authorizing the Borough Manager and/or Council President to Enter into a Grant Agreement if Awarded.

**Motion by Mrs. Sorg-McManamon, seconded by Mr. Anders to adopt Resolution 2018-27. There were 7 ayes. Motion carried.**

Resolution 2018-28 – A Resolution of the Emmaus Borough Council Authorizing Participation in the Pennsylvania State Association of Boroughs Junior Council Person Program.

**Motion by Mrs. Sorg-McManamon, seconded by Mr. Anders to adopt Resolution 2018-28. There were 7 ayes. Motion carried.**

**Motion by Mrs. Sorg-McManamon, seconded by Ms. Baumgartner to appoint Susan Kowalchuk to the Community Garden Commission to a term expiring 1/1/2022. There were 7 ayes. Motion carried.**

Mrs. Sorg-McManamon reported that Emmaus Triangle Park has won the designation of one of the 2018 Great Places in Pennsylvania under the category of great public spaces from the Pennsylvania Chapter of the American Planning Association. Mr. Pepe thanked Mrs. Sorg-McManamon for her efforts in entering Triangle Park for the award.

Mrs. Sorg-McManamon reported that the next Committee meeting is July 19, 2018 at 4:30 p.m.

Progress.

PERSONAL APPEALS, PART II

**A. Lynn Donches, 559 Minor Street** – asked if the 2<sup>nd</sup> Street Reservoir project will delay the installation of water meters in the Borough. Mr. Pepe responded that the water meter project is completed and the remaining funds will be used for the 2<sup>nd</sup> Street Reservoir project. She stated that there were many fireworks set off in her neighborhood and asked if there is a Borough Noise Ordinance. Mr. Labenberg responded that there is a State Ordinance which sets many rules concerning fireworks and suggested that the residents should contact the Police with safety issues. Mrs. Donches asked if that is a 911 call. Mr. Pepe responded that Borough residents should call the Police non-emergency phone number with any issues. Mr. Labenberg also stated that the Public Safety Committee is addressing the issue. Solicitor Dimmich stated that he has looked at this issue in detail and does not know how a Borough can pass any Ordinance that is in contravention to the state statute that permits it. He stated that it is an enforcement issue, but the definition of consumer fireworks is very lengthy and

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difficult to enforce. Mr. Pepe stated that the issue is a large concern throughout the Lehigh Valley.

B. **John Donches, 559 Minor Street** – voiced concern about fireworks and suggested that the Borough and Townships gather together and address the concern with Harrisburg. He stated that there should be no left turn allowed coming out of WAWA. He stated that he is not in favor of grants and does not believe the government should be involved with private industry.

BOROUGH MANAGER'S REPORT

Mr. Pepe stated that the Chamber Foundation awarded the Library and the Borough a \$1,000 grant for a crosswalk improvement from the Williams Street playground to the Library. He stated that the Foundation also awarded the Main Street Partners, Arts Commission and the Borough a \$1,000 grant to paint fire hydrants. The Borough will partner with the Emmaus Arts Commission to paint decorative hydrants throughout the Borough, concentrating on the business district. He stated that the grant money was issued through private money.

Mr. Pepe reported that the Significant Revenue and Expense Items for June are in the iPads and entertained questions about them. Mr. Pepe also reported that staff hired Corbin Carraghan, Emmaus, as a summer Public Works employee at an hourly rate of \$7.25 and Thomas Klocek as the Fire Inspector replacing Daniel Sell. Mr. Barrett stated that Daniel Sell made a huge improvement in the Borough's fire inspection system. Mr. Pepe stated that Mr. Sell made a large impact on the fire inspection program for the Borough and thanked him for his hard work. Mr. Pepe stated that Mr. Klocek previously worked with Mr. Sell and will be a great asset to the Borough.

Progress.

PRESIDENT'S BUSINESS

Mr. Labenberg recessed the meeting at 8:09 p.m. for an Executive Session to discuss real estate and personnel issues with no action anticipated.

Mr. Labenberg reconvened the meeting at 8:30 p.m.

Progress.

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ADJOURNMENT

**Motion by Mr. DeFrain, seconded by Mr. Barrett to adjourn the July 16, 2018 Emmaus Borough Council Meeting. There were 7 ayes. Motion carried.**

The Meeting adjourned at 8:30 p.m.

Shane M. Pepe  
Borough Manager

Transcribed by: Paula Weiant  
Administrative Assistant  
July 24, 2018