

July 18, 2016

EMMAUS BOROUGH COUNCIL

**Emmaus Borough Council
Agenda
July 18, 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. 2015 Volunteer of the Year Award - Emmaus Historical Society
6. Reading of Minutes
 - 6.a. June 20, 2016 Council Meeting
7. Decisions on Bids
8. Communications
 - 8.a. Angela Faidley, 65 S. Lea St., Macungie - Letter of Resignation from the Emmaus Arts Commission (term expires 2/7/2019).
 - 8.b. Jonathan Al-Khal - Letter of Resignation as Part-Time EMT with the Ambulance Corps.
 - 8.c. Jackie Parks, 238 North Street - Request appointment to the Emmaus Planning Commission.
 - 8.d. Vickie Gruver - Letter of Resignation as Part-time EMT with the Ambulance Corps.

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8.e. Dan Mohey, 1774 Virginia Ave., Bethlehem - Request to hold "All Thunderbird Convention Car Show" on September 15, 2016.

9. Borough Engineer's Report

10. Solicitor's Report

11. Unfinished Business, Part I

12. New Business

12.a. Police Sergeant Promotions - Jeremy Schilling, Kevin Schmidt, Jason Apgar and Brian Hamscher
Mayor lobst will Administer the Oath of Office.

12.b. Ordinance No. 1142 - An Ordinance Amending the Borough of Emmaus Zoning Ordinance of 1993, as Amended, by Amending the Zoning Map of June 21, 1993, as Amended, for the Purpose of Designating as an Age Qualified Community Overlay District a 5.52 Acre Tract of Land Located to the North of Chestnut Street (SR 0029) and to the West of Cedar Crest Boulevard, the Same Being Part of the Former Indian Creek Golf Course, Emmaus, Lehigh County, Pennsylvania (1st Reading 7/18/16).

12.c. Ordinance No. 1143 - An Ordinance of the Borough of Emmaus, Lehigh County, Pennsylvania, Amending Chapter 15 §602.2.A of the Emmaus Borough Code, Removing a Residential Handicapped Parking Sign on the Public Street Located in Front of 813 Chestnut Street Within the Borough of Emmaus (1st Reading 7/18/16).

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)

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Next Meeting – August 8, 2016 at 3:00 p.m.

Troy Bower Probationary Period

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

Next Meeting – July 21, 2016 at 3:45 p.m.

Parks and Recreation (Anders, Barrett, Labenberg)

Next Meeting – August 2, 2016 at 4:00 p.m.

Hire Lifeguards

Public Safety (Gilbert, Barrett, Brown)

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

Hire Kent Fitzgerald as a Part-time EMT for the Ambulance Corps.

Hire Jonathan Pfleegor as a Part-time Paramedic for the Ambulance Corps.

Committee Meeting - July 6, 2016

General Administration (Barrett, Labenberg, Gilbert)

Next Meeting – July 20, 2016 at 9:00 a.m.

Advertise RFP for 3rd Party Delinquent Ambulance Collections

Fire Inspection Fee Discount

Agreement with LCA

Committee Meeting - June 22, 2016

Committee Meeting - July 6, 2016

Budget and Finance (Labenberg, Shubzda, Gilbert)

Next Meeting – July 28, 2016 at 3:15 p.m.

Bill List - Resolution No. 2016-25

Committee Meeting - June 20, 2016

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Community Relations, Planning and Development (DeFrain, Shubzda, Anders)
Next Meeting – August 11, 2016 at 4:00 p.m.

Committee Meeting - July 14, 2016

17. Personal Appeals, Part II
18. Borough Manager's Report
 - 18.a. Significant Revenue & Expense Items for June 2016
19. President's Business
20. Adjournment

The Emmaus Borough Council met in regular session on July 18, 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	Absent
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, Dr. Richard Kiem, a veteran of the US Navy who served during the Korean War, former President of the Emmaus Borough Council, and former acting Mayor.

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PERSONAL APPEALS, PART I

A. Joshua Hoch, 180 Jefferson Street – stated that he believes social media is a very important tool for keeping the public informed about Police issues. He stated that social media is fast and free and believes that Press Releases should be published on the Emmaus Borough Police Facebook Page. He stated that he spoke to Debbie Galbrais at the East Penn Press and was told that Chief Palmer is very good about sending the reports weekly. He stated that he was told that the previous Chief did not send reports regularly. He stated that he visited the Police Blotter section on the Emmaus Borough's website and the last posting was from July 5, 2016. Mr. Hoch stated that he believes that if the Police Department utilized social media more frequently, it would help the residents to feel safe as well as build relationships between the Police Department and the Community. Mr. Labenberg referred the item to the Public Safety Committee. Mr. Pepe responded that the Borough website is regularly updated, but the individual in charge of updating the Police section of the Borough website has not been available to update it. He also stated that former Police Chief Faust did send reports to the East Penn Press on a regular basis. Mr. Pepe stated that the Borough appreciates Mr. Hoch's comments and will continue to look into the use of social media.

B. Edwin Cruz, 525 Broad Street – thanked the Borough for implementing Project Lifesaver.

COMMUNITY MINUTE

Mr. Shubzda stated that the Emmaus Arts Commission recently held its Chalk-the-Walk Event and Rain Barrel auction at Triangle Park. He stated that both events were very successful. He stated that the next event is the Student Horror Film Festival.

SPECIAL PRESENTATIONS

Mr. DeFrain introduced Dr. Michael Waddell. Dr. Waddell stated that the Emmaus Commemorative Gardens Foundation has recently taken over the funding of the Volunteer of the Year brick and read the previous Volunteer of the Year Award recipients:

- 2005 – Dr. John C. Kirschman
- 2006 – Kathleen M. Mintzer
- 2007 – Elda Acker
- 2008 – Frank & Josephine Sadrovitz & Emmaus Garden Club
- 2009 – 2009 Anniversary Celebration Committee
- 2010 – Emmaus Main Street Partners
- 2011 – John Eyer
- 2012 – Bob Boehmer

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2013 – Martha Vines

2014 – Teri Sorg-McManamon

Mr. DeFrain presented the 2015 Volunteer of the Year Award and brick to the Emmaus Historical Society. He stated that the Emmaus Historical Society has been involved in the Community since 1992 and has recently renovated and moved into 218 Main Street. He stated that the membership to the Society has grown from 600 members to over 1,000. He thanked the Historical Society for preserving the Borough's history.

READING OF MINUTES

Motion by Mr. Anders, seconded by Mr. Barrett to adopt the June 20, 2016 Minutes as drafted. There were 6 ayes. Motion carried.

DECISION ON BIDS – None.

COMMUNICATIONS

- a. Angela Faidley, 65 S. Leas St., Macungie – Letter of Resignation from the Emmaus Arts Commission (term expires 2/7/2019).
- b. Johnathan Al-Khal – Letter of Resignation as Part-Time EMT with the Ambulance Corps.
- c. Jackie Parks, 238 North Street – Request appointment to the Emmaus Planning Commission. Referred to the Health, Sanitation & Codes Committee.
- d. Vickie Gruver – Letter of Resignation as Part-time EMT with the Ambulance Corps. Mr. Labenberg thanked Mrs. Gruver for serving with the Emmaus Ambulance Corps for 28 years.
- e. Dan Mohey, 1774 Virginia Ave., Bethlehem – Request to hold “All Thunderbird Convention Car Show” on September 15, 2016. Referred to the Public Safety Committee.

BOROUGH ENGINEER'S REPORT –None.

SOLICITOR'S REPORT

Solicitor Dimmich reported that he is finishing the SRO Memorandum of Understanding with the East Penn School District. Solicitor Dimmich also reported that, as per the Borough Manager's instruction, he is working with Attorney Landon to draft a proposed agreement with LCA.

Progress.

UNFINISHED BUSINESS, PART I - None.

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NEW BUSINESS

Motion by Mr. Anders, seconded by Mr. Shubzda to promote Officer Jeremy Schilling to the rank of Sergeant of the Emmaus Police Department.

Mrs. Gilbert stated that there is language that must be added to the motion and stated the correct wording of the motion.

Mr. Anders amended his motion and Mr. Shubzda amended his second.

Motion by Mr. Anders, seconded by Mr. Shubzda to promote Officer Jeremy Schilling to the rank of Sergeant of the Emmaus Police Department contingent upon the successful completion of 1 year probation. There were 6 ayes. Motion carried.

Motion by Mrs. Gilbert, seconded by Mr. Barrett to promote Officer Kevin Schmidt to the rank of Sergeant of the Emmaus Police Department contingent upon the successful completion of 1 year probation. There were 6 ayes. Motion carried.

Motion by Mrs. Gilbert, seconded by Mr. Anders to promote Detective Jason Apgar to the rank of Sergeant of the Emmaus Police Department contingent upon the successful completion of 1 year probation. There were 6 ayes. Motion carried.

Motion by Mr. Barrett, seconded by Mr. Shubzda to promote Officer Bryan Hamscher to the rank of Sergeant of the Emmaus Police Department contingent upon the successful completion of 1 year probation. There were 5 ayes, 1 abstention (Gilbert). Motion carried.

Mayor Iobst administered the Oath of Office to Sergeants Schilling, Schmidt, Hamscher, and Apgar.

Mr. Labenberg stated that he is proud of the Emmaus Police Department and thanked them for their service to the Community.

Mr. Labenberg called for a brief recess at 7:24 p.m.

Mr. Labenberg resumed the meeting at 7:30 p.m.

Ordinance No. 1142 – An Ordinance Amending the Borough of Emmaus Zoning Ordinance of 1993, as Amended, by Amending the Zoning Map of June 21, 1993, as Amended, for the Purpose of Designating as an Age Qualified Community Overlay District A 5.52 Tract of Land Located to the North of Chestnut Street (SR 0029) and to

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the West of Cedar Crest Boulevard, the Same Being Part of the Robert K. Young, Trustee Tract, Emmaus, Lehigh County, Pennsylvania (1st Reading 7/8/16).

Motion by Mr. Anders, seconded by Mrs. Gilbert to adopt Ordinance No. 1142 - An Ordinance Amending the Borough of Emmaus Zoning Ordinance of 1993, as Amended, by Amending the Zoning Map of June 21, 1993, as Amended, for the Purpose of Designating as an Age Qualified Community Overlay District A 5.52 Tract of Land Located to the North of Chestnut Street (SR 0029) and to the West of Cedar Crest Boulevard, the Same Being Part of the Robert K. Young, Trustee Tract, Emmaus, Lehigh County, Pennsylvania on its 1st Reading. Roll call vote, Mr. Shubzda, aye; Mr. Anders, aye; Mrs. Gilbert, aye; Mr. DeFrain, aye; Mr. Barrett, abstain; Mr. Labenberg, aye. There were 5 ayes, 1 abstention (Barrett). Motion carried.

Solicitor Dimmich reminded Council that it is necessary for a Public Hearing to be held after 45 days. Mr. Pepe responded that the 2nd Reading will be held in September. He stated that the 45 day period began on Friday, July 22, 2016.

Ordinance No. 1143 – An Ordinance of the Borough of Emmaus, Lehigh County, Pennsylvania, Amending Chapter 15 §602.2A of the Emmaus Borough Code, Removing a Residential Handicapped Parking Sign on the Public Street Located in Front of 813 Chestnut Street Within the Borough of Emmaus (1st Reading 7/18/16).

Motion by Mrs. Gilbert, seconded by Mr. DeFrain to adopt Ordinance No. 1143 - An Ordinance of the Borough of Emmaus, Lehigh County, Pennsylvania, Amending Chapter 15 §602.2A of the Emmaus Borough Code, Removing a Residential Handicapped Parking Sign on the Public Street Located in Front of 813 Chestnut Street Within the Borough of Emmaus on its 1st Reading. Roll call vote: Mr. Shubzda, aye; Mr. Anders, aye; Mrs. Gilbert, aye; Mr. DeFrain, aye; Mr. Barrett, aye; Mr. Labenberg, aye. There were 6 ayes. Motion carried.

The 2nd Reading will be August 15, 2016.

UNFINISHED BUSINESS, PART II – None.

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

MAYOR’S REPORT – None.

COMMITTEE REPORTS

a. Public Works Committee

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Mr. Anders reported that the Committee received a Memorandum from Mr. Pepe recommending to retain Troy Bower as a full-time Public Works employee. Mr. Bower's pay will be upgraded to the Class 4: Mechanic pay at an hourly rate of \$26.70.

Motion by Mr. Anders, seconded by Mr. DeFrain to hire Troy Bower as a full-time Public Works employee at an hourly rate of \$26.70. There were 6 ayes. Motion carried.

The next Committee Meeting is Monday, August 8, 2016 at 3:00 p.m.

Progress.

b. Health, Sanitation, and Codes Committee

Mr. Shubzda reported that the next Committee Meeting is July 21, 2016 at 3:45 p.m. Mr. Pepe reminded the Committee that the Fire Code will be reviewed during the meeting.

Progress.

c. Parks and Recreation Committee

Motion by Mr. Anders, seconded by Mrs. Gilbert to hire Erica Freeman, Fogelsville at an hourly rate of \$7.25 and Kaleigh Beers, Emmaus at an hourly rate of \$7.25 as lifeguards at the Emmaus Community Pool. There were 6 ayes. Motion carried.

The next Committee Meeting is August 2, 2016 at 4:00 p.m.

Progress.

d. Public Safety Committee

Motion by Mrs. Gilbert, seconded by Mr. Barrett to hire Kent Fitzgerald as a part-time EMT for the Emmaus Ambulance Corps at an hourly rate of \$13.58 contingent upon the successful completion of a skill assessment. There were 6 ayes. Motion carried.

Motion by Mrs. Gilbert, seconded by Mr. DeFrain to hire Jonathan Pfleegor as a part-time Paramedic for the Emmaus Ambulance Corps at an hourly rate of \$21.48 contingent upon the successful completion of a skill assessment. There were 6 ayes. Motion carried.

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Mrs. Gilbert stated that the Committee discussed Project Lifesaver and thanked an anonymous donor for a donation of \$4,000.00 towards the program. Mr. Pepe stated that the Borough's goal is to have the program start in September.

Mr. Anders asked the Solicitor for input on an online purchase meeting place. Solicitor Dimmich responded that he believes the Municipal Torts Act protects the Borough.

Progress.

e. General Administration Committee

Motion by Mr. Barrett, seconded by Mrs. Gilbert to advertise for a Request for Proposal for an Ambulance Bill Collection Service for the Borough of Emmaus. There were 6 ayes. Motion carried.

Mr. Barrett reported that the Committee discussed Fire Inspection fees for non-profit organizations and recommends that the Borough discounts the Fire Inspection fee for non-profit groups to ½ of the regular fee.

Motion by Mr. Barrett, seconded by Mrs. Gilbert to discount the Fire Inspection Fee for non-profit groups to ½ the regular cost of the fee. There were 6 ayes. Motion carried.

Motion by Mr. Barrett, seconded by Mr. Anders to authorize the Borough Solicitor to draft an Agreement between the Borough and LCA to settle the financial dispute. There were 6 ayes. Motion carried.

The next Committee Meeting is July 20, 2016 at 9:00 a.m.

Progress.

f. Budget and Finance Committee

Resolution 2016-25, authorizing payment of the July 18, 2016 Bill List, as follows:

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Bill List	\$	523,328.08
Payroll #13 and #14	\$	261,587.67
Payroll Taxes	\$	<u>93,321.90</u>
Total	\$	878,237.65

Done this 18th day of July 2016.

Motion by Mrs. Gilbert, seconded by Mr. Shubzda to adopt Resolution 2016-25. There were 6 ayes. Motion carried.

Mr. Labenberg reported that the July 28, 2016 Budget and Finance Committee meeting is cancelled.

Progress.

g. Community Relations, Planning and Development Committee

Mr. DeFrain reported that the Emmaus Main Street Partners' Economic Development Committee has received a \$1,500 grant from the Chamber of Commerce for parking signs to be placed in the Borough. He reported that the Façade Committee met to begin planning for the next grant application.

The next Committee meeting is August 11, 2016 at 4:00 p.m.

Progress.

PERSONAL APPEALS, PART II

A. Joanne Smida, 516 North Street – voiced concerns about residents using fire pits. She stated that some residents are using fire pits without screens and they are turning into bonfires. Mr. Pepe stated that he will send Ms. Smida a copy of the Ordinance via email after the Ordinance is reviewed at the next Health, Sanitation and Codes Committee. Mr. Labenberg invited Ms. Smida to attend the next Committee meeting.

BOROUGH MANAGER'S REPORT

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

Mr. Pepe stated that he will be on vacation from Friday, July 22 to Tuesday, August 2 and will be available via email. He stated that he will attend an MS4 Seminar

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with John Dychala and Jim Farnsworth on Wednesday, July 20. He also stated that Fire Union negotiations will be held on Tuesday, July 19, 2016.

Progress.

PRESIDENT'S BUSINESS

Mr. Labenberg requested an update on the new Borough building in August. Mr. Pepe responded that Council will see engineer drawings by the end of July, 2016.

Progress.

ADJOURNMENT

Motion by Mr. Anders, seconded by Mr. Barrett to adjourn the July 18, 2016 Emmaus Borough Council Meeting. There were 6 ayes. Motion carried.

The Meeting adjourned at 7:54 p.m.

Shane M. Pepe
Borough Manager

Transcribed by: Paula Weiant
Administrative Assistant
July 29, 2016