

August 17, 2015

EMMAUS BOROUGH COUNCIL  
Emmaus Borough Council  
Agenda  
August 17, 2015, 7:00 p.m.

1. Call to Order
2. Pledge of Allegiance
3. Personal Appeals, Part I
4. Community Minute
5. Special Presentations

6. Reading of Minutes

July 27, 2015

7. Decisions on Bids

8. Communications

- a. Laura Fetzer, Friends of the 1803 House – Fee waiver to hang banner.
- b. Don Marron, Church of St. Ann – Annual Fall Fest requests.
- c. Jason Custer, Emmaus Wrestling Takedown Club – Fire Truck Pull, October 3, 2015.
- d. Gema Carter, 430 N. 2<sup>nd</sup> Street – Resignation from the Special Entertainment Commission.
- e. Lori Belles, 305 N. 3<sup>rd</sup> Street – Safety concerns of 307 N. 3<sup>rd</sup> Street.
- f. Amy Huber – Petition and Donation.

9. Borough Engineer's Report

10. Solicitor's Report

11. Unfinished Business, Part I

12. New Business

**Ordinance No. 1130 – An Ordinance of the Borough of Emmaus, Lehigh County, Pennsylvania, Amending Chapter 15 §602.2.A of the Emmaus Borough Code, Adding a Residential Handicapped Parking Sign on the Public Street Located in Front of 813 Chestnut Street Within the Borough of Emmaus (1<sup>st</sup> Reading 8/17/15).**

August 17, 2015

EMMAUS BOROUGH COUNCIL

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) (Labenberg, Brown, Holtzhafer)**

Next Meeting – September 3, 2015 at 3:30 p.m.

- a. Fairview Street
- b. South 10<sup>th</sup> Street Culvert
- c. Historical House Agreements
- d. Lateral Clean-outs

**Health, Sanitation, and Codes (Shubzda, Holtzhafer, Anders)**

Next Meeting – August 20, 2015 at 4:30 p.m.

- a. Emmaus and Upper Milford Joint Environmental Advisory Council
- b. Board of Health
- c. Refuse Amendments
- d. IFC Ordinance

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

Next Meeting – September 1, 2015 at 4:00 p.m.

- a. Boro Line Park Direction Sign
- b. **Gema Carter Removal from Special Entertainment Commission**
- c. **Festival Fridays**

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

Next Meeting – September 2, 2015 at 3:00 p.m.

- a. Emergency Operations Plan – Review
- b. **Emmaus Wrestling Takedown Club Event**
- c. **Ordinance No. 1130 - Handicapped Parking Sign**
- d. **Police Officer Hiring**

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

Next Meeting – August 19, 2015 at 9:00 a.m.

- a. Emmaus Public Library Expansion Project
- b. Record Retention
- c. **East Penn Neighbors Helping Neighbors**

August 17, 2015

EMMAUS BOROUGH COUNCIL

- d. **Street Closure Policy**
- e. **Trick or Treat / Parade Dates**

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

Next Meeting – August 27, 2015 at 3:30 p.m.

- a. Capital Plan
- b. **Resolution 2015-21 – Bill List**

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

Next Meeting – September 8, 2015 at 4:15 p.m.

- a. Grant Progress
- b. Committee Structure
- c. Southwestern Lehigh Comprehensive Plan

17. Personal Appeals, Part II

18. Borough Manager's Report

- a. Significant Revenue and Expense Items for July, 2015

19. President's Business

20. Adjournment

Next Resolution: 2015-22

Next Ordinance: #1131

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The Emmaus Borough Council met in regular session on August 17, 2015 in Borough Council Chambers, 28 S. 4<sup>th</sup> Street, Emmaus, PA 18049.

**CALL TO ORDER**

Mrs. Gilbert called the meeting to order at 7:00 p.m.

Lee Ann Gilbert, President	Present
Brian Holtzhafer, Vice President	Present
Roy Anders	Present
Wesley Barrett	Present
Nathan Brown	Absent
Brent Labenberg	Present

August 17, 2015

EMMAUS BOROUGH COUNCIL

Jeffrey Shubzda	Present
Winfield Iobst, Mayor	Present
Tom Dinkelacker, Solicitor	Present
Shane Pepe, Borough Manager	Present

PERSONAL APPEALS

**A. Teri McManamon & Andrew Kerstetter - Representing the Emmaus Historical Society** – Mrs. McManamon and Mr. Kerstetter invited everyone to attend the Grand Opening of the Emmaus Historical Society to be held at its new location at 218 Main Street. The event will be held on Saturday, September 12, 2015 from Noon to 8:00 p.m. and Sunday, September 13, 2015 from 10:00 a.m. to 4:00 p.m. There will be house tours, refreshments, food, music, a ribbon cutting and many other events. Activities are free to the public.

**B. Amy Huber, 609 Chestnut Street** – presented a petition with 430 signatures requesting crosswalk signals, pedestrian crossing signs, watch children signs, and to lower the speed limit from 35 mph to 25 mph on Chestnut Street. She stated that she recently held a fundraiser to help defray the costs of the signals/signs and raised \$800.00. She reported statistics of accidents on Chestnut Street. She encouraged the Police Department to strictly enforce the speed limit on Chestnut Street. Mrs. Gilbert responded that the matter has been referred to the Public Safety Committee. She stated that a traffic study must be completed and there is a cost associated with the study. She also stated that because Chestnut Street is a state road, Mr. Pepe has been in contact with PennDot. Mr. Pepe stated that crosswalk signs will cost approximately \$28,000-\$29,000 per intersection. Mrs. Gilbert stated that the Borough is investigating grants to help defray the cost. Mr. Barrett explained to Ms. Huber that the matter is being discussed at the Public Safety Committee meetings, but unfortunately the process is very slow. He encouraged Ms. Huber to contact Mr. Pepe or Borough Council if she has any questions. Mr. Pepe thanked Ms. Huber for writing a letter to the state. Mr. Labenberg thanked Ms. Huber for her fundraising efforts.

COMMUNITY MINUTE

Mr. Labenberg reported that he attended the Frozen movie event and believes there were approximately 300 people in attendance. Mr. Anders thanked Jeff McElhaney for donating the screen and thanked the Public Works Department for putting the screen together.

Mrs. Gilbert thanked Mrs. Pohlmann for her kindness and empathy shown towards a distraught individual who came into Town Hall.

SPECIAL PRESENTATIONS - None.

READING OF MINUTES

**Motion by Mr. Labenberg, seconded by Mr. Anders to dispense with the formal reading of the July 27, 2015 Public Hearing Minutes. There were 6 ayes. Motion carried.**

August 17, 2015

EMMAUS BOROUGH COUNCIL

**Motion by Mr. Barrett, seconded by Mr. Labenberg to adopt the July 27, 2015 Public Hearing Minutes as drafted. There were 6 ayes. Motion carried.**

**Motion by Mr. Barrett, seconded by Mr. Shubzda to dispense with the formal reading of the July 27, 2015 Minutes. There were 6 ayes. Motion carried.**

**Motion by Mr. Anders, seconded by Mr. Shubzda to adopt the July 27, 2015 Minutes as drafted. There were 6 ayes. Motion carried.**

DECISION ON BIDS – None.

COMMUNICATIONS

- a. Laura Fetzer, Friends of the 1803 House – Fee waiver to hang banner.

**Motion by Mr. Holtzhafer, seconded by Mr. Shubzda to grant the Friends of the 1803 House banner fee waiver request. There were 6 ayes. Motion carried.**

- b. Don Marron, Church of St. Ann – Annual Fall Fest requests. Mrs. Gilbert referred the item to Staff.

- c. Jason Custer, Emmaus Wrestling Takedown Club – Fire Truck Pull, October 3, 2015. Mrs. Gilbert stated that the Public Safety Committee has discussed the item and recommends Council's approval to hold the event.

**Motion by Mr. Barrett, seconded by Mr. Anders to grant the Emmaus Wrestling Takedown Club's request to hold a Fire Truck Pull on Saturday, October 3, 2015 from 9:00 a.m. to 11:00 a.m. at the Emmaus High School parking lot. There were 5 ayes, 1 abstention (Shubzda). Motion carried.**

- d. Gema Carter, 430 N. 2<sup>nd</sup> Street – Resignation from the Special Entertainment Commission.

**Motion by Mr. Anders, seconded by Mr. Labenberg to accept Gema Carter's resignation from the Emmaus Special Entertainment Commission. There were 6 ayes. Motion carried.**

- e. Lori Belles, 305 N. 3<sup>rd</sup> Street – Safety concerns at 307 N. 3<sup>rd</sup> Street. Referred to the Health, Sanitation and Codes Committee.

- f. Amy Huber, 609 Chestnut Street – Petition and donation.

- g. Barnaby Ruhe – Request for World Boomerang Tournament, October 10, 2015.

**Motion by Mr. Labenberg, seconded by Mr. Holtzhafer to grant Mr. Ruhe's request to hold the World Boomerang Tournament, October 10, 2015 at the Emmaus Community Park and to waive the fee for the use of the field. There were 4 ayes, 2 opposed (Barrett, Anders). Motion carried.**

August 17, 2015

EMMAUS BOROUGH COUNCIL

Mr. Labenberg amended his motion to include a fee for the use of the lights at the field. Mr. Holtzhafer did not amend his second.

**Motion by Mr. Labenberg, seconded by Mr. Barrett to charge a \$40.00 light usage fee for the use of the lights at the Emmaus Community Park field. There were 5 ayes, 1 opposed (Holtzhafer). Motion carried.**

BOROUGH ENGINEER'S REPORT – None.

SOLICITOR'S REPORT

Solicitor Dinkelacker reported that they are waiting on a decision on the Commonwealth case.

Progress.

UNFINISHED BUSINESS, PART I

Ordinance No. 1130 – An Ordinance of the Borough of Emmaus, Lehigh County, Pennsylvania, Amending Chapter 15 §602.2.A of the Emmaus Borough Code, Adding a Residential Handicapped Parking Sign on the Public Street Located in Front of 813 Chestnut Street Within the Borough of Emmaus (1<sup>st</sup> Reading 8/17/15).

**Motion by Mr. Barrett, seconded by Mr. Anders to read Ordinance No. 1130 in short title. There were 6 ayes. Motion carried.**

Mrs. Gilbert read Ordinance No. 1130 in short title.

**Motion by Mr. Shubzda, seconded by Mr. Anders to adopt Ordinance No. 1130 – An Ordinance of the Borough of Emmaus, Lehigh County, Pennsylvania, Amending Chapter 15 §602.2.A of the Emmaus Borough Code, Adding a Residential Handicapped Parking Sign on the Public Street Located in Front of 813 Chestnut Street Within the Borough of Emmaus on its 1<sup>st</sup> Reading. Roll call vote: Mr. Shubzda, aye; Mr. Anders,**

**aye; Mr. Labenberg, aye; Mr. Holtzhafer, aye; Mr. Barrett, aye; Mrs. Gilbert, aye. There were 6 ayes. Motion carried.**

Mr. Pepe stated that the Ordinance will have its 2<sup>nd</sup> Reading at the September 21, 2015 Council Meeting.

NEW BUSINESS – None.

UNFINISHED BUSINESS, PART II – None.

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

August 17, 2015

EMMAUS BOROUGH COUNCIL

MAYOR'S REPORT

Progress.

COMMITTEE REPORTS

a. Public Works Committee

Mr. Labenberg reported that the Committee discussed the historical buildings. He noted that the meeting minutes incorrectly state that Dean Dries attended the meeting. It should read that Dean Bortz attended the meeting on behalf of the Shelter House.

Progress.

b. Health, Sanitation, and Codes Committee

Mr. Shubzda reported that the next Committee meeting is August 20, 2015 at 4:30 p.m.

Progress.

c. Parks and Recreation Committee

Mr. Anders reported that Mr. Pepe and the General Administration Committee are continuing to discuss the merger between the Special Entertainment Commission and the Parks and Recreation Commission.

Progress.

d. Public Safety Committee

Mrs. Gilbert reported that the Civil Service Commission has released the eligibility list with the top three candidates for the Emmaus Police Department. She reported that the Public Safety Committee met in Executive Session to conduct an interview prior to tonight's Council Meeting.

**Motion by Mr. Barrett, seconded by Mr. Holtzhafer to make a Conditional Offer of Employment to Adam Polster as an Emmaus Police Officer contingent upon the following: must pass a physical examination, must pass a psychological examination, must successfully complete all of the requirements of the PA Act 120 Certification, and must successfully complete a one-year term of probation. There were 6 ayes. Motion carried.**

**Motion by Mr. Barrett, seconded by Mr. Anders to appoint Psychological Associates of Bethlehem, P.C., to conduct Adam Polster's psychological examinations. There were 6 ayes. Motion carried.**

August 17, 2015

EMMAUS BOROUGH COUNCIL

**Motion by Mr. Barrett, seconded by Mr. Anders to appoint East Penn Medical Practice, Inc., of Emmaus to conduct Adam Polster’s physical examination. There were 6 ayes. Motion carried.**

Progress.

e. General Administration Committee

Mr. Barrett reported that the Committee met on August 5, 2015 at 9:00 a.m. Representatives from the East Penn Neighbors Helping Neighbors were in attendance to discuss the possibility of renting the house located at 151 E. Minor Street. The organization is a non-profit organization designed to help homeless families with children in the East Penn School District become self-sustainable in the future. The process for negotiating a lease with EPNHN will begin after closing on the Rodale building occurs.

**Motion by Mr. Barrett, seconded by Mr. Holtzhafer to negotiate a lease with the East Penn Neighbors Helping Neighbors organization for the rental of the house located at 151 E. Minor Street after the closing of the property. There were 6 ayes. Motion carried.**

Mr. Barrett reported that the Committee discussed the Street Closure Policy. Mr. Holtzhafer asked for clarification on what “all affected parties” stands for. Mr. Pepe responded that he believes the policy should follow the Zoning guidelines of notifying in writing all properties located within 200 feet of the street closure.

**Motion by Mr. Barrett, seconded by Mr. Anders to adopt the Street Closure Policy. There were 6 ayes. Motion carried.**

**Motion by Mr. Barrett, seconded by Mr. Labenberg to formally appoint the Mayor of the Borough of Emmaus to determine Trick-or-Treat night and parade dates within the Borough of Emmaus. There were 6 ayes. Motion carried.**

Mayor Iobst stated that Trick-or-Treat night in the Borough of Emmaus will be held on Thursday, October 29, 2015 from 6:00-8:00 p.m.

Progress.

f. Budget and Finance Committee

Mr. Holtzhafer read Resolution 2015-20 authorizing payment of the August 17, 2015 Bill List, as follows:

<b>Bill List</b>	<b>\$</b>	<b>427,093.82</b>
<b>Payroll #16</b>	<b>\$</b>	<b>131,918.20</b>
<b>Payroll Taxes</b>	<b>\$</b>	<b><u>45,736.77</u></b>
<b>Total</b>	<b>\$</b>	<b>604,748.79</b>

Done this 17<sup>th</sup> day of August 2015.

August 17, 2015

EMMAUS BOROUGH COUNCIL

**Motion by Mr. Holtzhafer, seconded by Mr. Shubzda to approve the August 17, 2015 Bill List. There were 6 ayes. Motion carried.**

Progress.

g. Community Relations, Planning and Development Committee

Mr. Shubzda reported that the Committee met on August 11, 2015. He reported that the Committee discussed the GAP study and vacant properties in the Borough. He also reported that the Committee discussed public parking signs at the Jubilee Street parking area.

Progress.

PERSONAL APPEALS, PART II - None.

BOROUGH MANAGER'S REPORT

Mr. Pepe reported that the Significant Revenue and Expense Items for July, 2015 are in the Council binders and offered to entertain questions about them.

Progress.

PRESIDENT'S BUSINESS

Mrs. Gilbert encouraged Council to carefully review their Committee Agenda items and to only address items that are a priority due to the current heavy work load. She stated that there were 50 applications received for the Director of Emergency Services position. Thirteen applicants have been selected for the first interview round at the Committee level and interviews will begin on Thursday, August 20, 2015. After the initial interview process, the candidates that are chosen to continue will be interviewed by full Council. Mrs. Gilbert stated that the final interviews will be conducted on Monday night, September 14, 2015. She asked Council to check their schedules for availability.

**Motion by Mr. Barrett, seconded by Mr. Labenberg to adjourn. There were 6 ayes. Motion carried.**

The August 17, 2015 Meeting of the Emmaus Borough Council adjourned at 7:55 p.m.

Shane Pepe  
Borough Manager

Transcribed by: Paula Weiant  
Administrative Assistant  
August 21, 2015