

August 19, 2019

**Emmaus Borough Council
Agenda
August 19, 2019 7:00 pm**



1. Call to Order
2. Pledge of Allegiance
3. Personal Appeals, Part I
4. Community Minute
5. Special Presentations
 - 5.a. Mike Gibson - Update on Borough Visioning Committee
6. Reading of Minutes
 - 6.a. Council Meeting Minutes - July 15, 2019
7. Decisions on Bids
 - 7.a. Bid Results - Janitorial Services
8. Communications
 - 8.a. Kathy Mintzer, Recreation and Entertainment Commission - Emmaus Halloween Parade, Saturday, October 19, 2019; rain date Sunday, October 20, 2019.
 - 8.b. Jeffrey Ott, Ott Consulting, Inc. - Resignation from the Building Board of Appeals (term expires 1/1/2024).
 - 8.c. Knauss Homestead - Request to Paint House
 - 8.d. 1803 House - Bites and Brews
9. Borough Engineer's Report

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10. Solicitor's Report

11. Unfinished Business, Part I

11.a. Ordinance No. 1191 - An Ordinance Amending the Borough of Emmaus Zoning Ordinance of 1992, 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 8/19/19).

11.b. 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) (2nd Reading 8/19/19).

12. New Business

13. Unfinished Business, Part II

14. Items Not on Agenda

Subject to Rule 9

15. Mayor's Report

15.a. Report - August 2019

16. Committee Reports

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

Next Meeting – September 11, 2019 at 4:00 p.m.

Full-Time Public Works Employee Hiring

Committee Meeting Notes - August 14, 2019

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

Next Meeting – August 28, 2019 at 4:30 p.m.

Committee Meeting Notes - July 15 & 31, 2019

Parks and Recreation (Baumgartner, Anders, Shubzda)

Next Meeting – September 3, 2019 at 4:30 p.m.

Committee Meeting Notes - August 6, 2019

Public Safety (DeFrain, Hart, Baumgartner)

Next Meeting – September 11, 2019 at 9:15 a.m.

Ordinance No. 1192 - 2nd Reading

August 19, 2019

Police Sergeant Vincent Murante

Police Sergeant Robert Alburger

Committee Meeting Notes - August 14, 2019

Budget and Finance (Hart, DeFrain, Labenberg)

Next Meeting – September 3, 2019 at 6:45 p.m.

Resolution 2019-30: Bill List

Significant Revenue & Expense Items for July 2019

Ambulance Subscriptions

Committee Meeting Notes - July 15 & August 15, 2019

General Administration (Labenberg, Baumgartner, DeFrain)

Next Meeting – September 12, 2019 at 9:00 a.m.

Ordinance No. 1191 - 2nd Reading

Conditional Use Decision - South Mountain Cycle & Cafe and Mountain View Vineyard, Inc.

The Shelter House Society Lease

Vinart Lease - Parking Spaces at 33 E. Minor Street

Committee Meeting Notes - August 1 and August 15, 2019

Community Relations, Planning and Development (Sorg-McManamon, Hart, Shubzda)

Next Meeting – September 19, 2019 at 4:30 p.m.

Resolution 2019 - 29: A Resolution Conditionally Approving the Preliminary / Final Subdivision and Revised Preliminary / Final Land Development Plans of Cedar Crest Chestnut Development, L.P. (Proposed Convenient Store)

Committee Meeting Notes - July 18, 2019 and August 15, 2019

17. Jr. Council Member's Report

18. Boards and Commissions

18.a. Employee and Volunteer Safety Committee Meeting Minutes - July 10, 2019

18.b. Emmaus Public Library Board of Trustees Meeting Minutes - June 18, 2019

18.c. Pension Board Meeting Minutes - August 14, 2019

August 19, 2019

- 18.d. Zoning Hearing Board Meeting Minutes - July 25, 2019
- 18.e. Recreation and Entertainment Commission Meeting - July 31, 2019
- 18.f. Board of Health Meeting Minutes - July 18, 2019
- 19. Personal Appeals, Part II
- 20. Borough Manager's Report
 - 20.a. Promotion to Firefighter 1 - Logan Schwartz
 - 20.b. Hired Scott Christman - Part-Time EMT
 - 20.c. Hired David Reitnauer - firefighter
 - 20.d. Hired Justin Benner - firefighter
- 21. President's Business
 - 21.a. Executive Session - Real Estate
- 22. Adjournment

EMMAUS BOROUGH COUNCIL

The Emmaus Borough Council met in Regular Session on August 19, 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. Don Carl, 642 Chestnut Street, Emmaus, PA 18049 - voiced concern about trees that were planted on Chestnut Street. He stated that his house is the only house on the south side with a tree and when it was planted, he was not in favor of the tree being placed there. He also stated that he is required to perform sidewalk repairs in order to obtain an updated home insurance policy. He stated that the tree is located on Borough property and the Borough should be responsible for the repairs. He stated that the roots of the tree have uplifted the curb. He also stated that he believes the Borough should remove the tree and fix the concrete. Solicitor Dimmich responded that this is a Shade Tree Commission issue. Mr. Labenberg referred the item to the September 12, 2019 General Administration Committee.

COMMUNITY MINUTE

Mrs. Sorg-McManamon stated that a ribbon cutting will be held at 187 Main Street for Cap of PA. Mr. Anders stated that he and several other Council members attended the Open House for AI Orthodontics. He stated that the event was well attended and the building is beautiful. Mr. Labenberg stated that he was in attendance and the event was very well attended. Mr. Pepe complimented the Recreation and Entertainment Commission for the success of the event held in recognition of the 40th Anniversary of the Summer Concert Series. He stated that it was very well organized and attended.

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SPECIAL PRESENTATIONSUpdate on Borough Visioning Committee -

Planning Commission Chairman, Michael Gibson, provided an update on the Planning Commission's Visioning Committee's 10-year plan. Mr. Gibson stated that the initial goal of the Committee was to provide goals and the level of action recommended for each goal. He stated that the Committee is moving forward and has a great mix of both residents and business members. He stated that many factors are considered during the meetings, including the changing demographics of the Lehigh Valley and climate change. He stated that the Committee has struggled to define how the Borough sees itself and asked for input from Council and the Borough's Committees. He stated that many short-term and long-term residents are not aware of the many assets the Borough offers, including the Community Garden and Furnace Dam. Mr. Gibson presented pictures of ideas of how the Borough may look in ten years. Mr. Labenberg asked if the Committee has a time-line for reaching the different stages of its plan. Mr. Gibson responded that he believes the Committee will have a final plan for Council sometime in January or February. Mr. Anders thanked Mr. Gibson and the Visioning Committee for their hard work. Mr. Pepe stated that Mr. Gibson has created a great vision for the Planning Commission and he appreciates the effort that the Committee has put forth. Mr. Gibson thanked Borough Council and the Mayor for the funds that have been provided for the different studies that they have approved for the Borough. Mr. Labenberg thanked Mr. Gibson for his leadership and his passion for the Visioning Committee.

READING OF MINUTES

Motion by Mr. DeFrain, seconded by Mr. Anders to adopt the July 15, 2019 Council Minutes as drafted. There were 7 ayes. Motion carried.

DECISION ON BIDS

Mr. Labenberg stated two bids were received for Janitorial Services. He stated that Council recommends awarding the bid to Executive Building Services for Option 1A and 2A.

Motion by Mr. Hart, seconded by Ms. Baumgartner to award the Janitorial Services Bid to Executive Services for Option 1A and 2A. There were 7 ayes. Motion carried.

COMMUNICATIONS

a. Kathy Mintzer, Recreation and Entertainment Commission – Emmaus Halloween Parade, Saturday, October 19, 2019; rain date Sunday, October 20, 2019. Referred to staff.

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- b. Jeffrey Ott, Ott Consulting, Inc. – Resignation from the Building Board of Appeals (term expires 1/1/2024). Mr. Labenberg thanked Mr. Ott for his service to the community.
- c. Knauss Homestead – Request to Paint House. Referred to the General Administration Committee.
- d. 1803 House – Bites and Brews. Referred to staff.
- e. Faith Presbyterian Church – Christmas Eve Service at Triangle Park. Referred to staff.
- f. Knauss Homestead – Request for fence. Referred to the Community Relations, Planning and Development Committee.

BOROUGH ENGINEER’S REPORT – None.

SOLICITOR’S REPORT

Progress

UNFINISHED BUSINESS, PART I – None.

Ordinance No. 1191 – An Ordinance Amending the Borough of Emmaus Zoning Ordinance of 1993, as Amended, to Delete Definitions and Regulations Relating to “Places 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 6/7/19) (2nd Reading 8/19/19).

Motion by Mr. Anders, seconded by Mr. DeFrain to adopt Ordinance No. 1191 - An Ordinance Amending the Borough of Emmaus Zoning Ordinance of 1993, as Amended, to Delete Definitions and Regulations Relating to “Places 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 on its 2nd Reading. Roll call vote: Mrs. Sorg-McManamon, aye; Mr. Shubzda, aye; Mr. Anders, aye; Mr. Hart, aye; Mr. DeFrain, aye; Ms. Baumgartner, aye; Mr. Labenberg, aye. There were 7 ayes. Motion carried.

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) (2nd Reading 8/19/19).

Motion by Mr. Shubzda, seconded by Mr. Hart 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 2nd Reading. Roll call vote: Ms. Baumgartner, aye; Mr. DeFrain, aye; Mr. Hart, aye; Mr. Labenberg,

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aye; Mr. Anders, aye; Mr. Shubzda, aye; Mrs. Sorg-McManamon, aye. There were 7 ayes. Motion carried.

NEW BUSINESS – None.

UNFINISHED BUSINESS, PART II – None.

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

MAYOR’S REPORT

Mayor Gilbert stated that her Quarterly report is available on the iPads. She stated that she issued many Proclamations. She also stated that school will begin on Monday, August 26, 2019 and reminded everyone to be careful at school crossing zones. She stated that the Police are in need of Crossing Guards.

Progress.

COMMITTEE REPORTS

a. Public Works Committee

Motion by Mr. Anders, seconded by Ms. Baumgartner to hire Matthew Bachert as a full-time Public Works employee. There were 7 ayes. Motion carried.

Mr. Pepe stated that Mr. Bachert is an Emmaus Fire Fighter and believes that he will be a great asset to the community.

Progress.

b. Health, Sanitation, and Codes Committee

Mr. Shubzda thanked Mr. Pepe, Mr. Farnsworth, and Ms. Weiant for helping to conduct the interviews for the Assistant Code Official position. He stated that 80 applications were received and approximately 20 candidates were interviewed. He stated that the Committee interviewed the top three candidates this afternoon and a decision has been made by the Health, Sanitation and Codes Committee. He stated that the candidate will be hired at the September 3, 2019 Council Meeting.

Mr. Shubzda stated that the Committee reviewed the blighted property list and discussed the priority properties. Mr. Shubzda reviewed the Committee notes and entertained questions about them. He stated that Dumpster Day will be discussed at the next Committee meeting.

Mr. Shubzda stated that the next Committee meeting is August 28, 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 Committee is making progress with the RFP's. She stated that the final Summer Concert will be held on Sunday, August 25, 2019.

Ms. Baumgartner stated that the next Committee meeting is September 3, 2019 at 4:30 p.m.

Progress.

d. Public Safety Committee

Motion by Mr. DeFrain, seconded by Ms. Baumgartner to retain Vincent Murante to the permanent rank of Sergeant within the Emmaus Police Department. There were 7 ayes. Motion carried.

Motion by Mr. DeFrain, seconded by Mrs. Sorg-McManamon to retain Robert Alburger to the permanent rank of Sergeant within the Emmaus Police Department. There were 7 ayes. Motion carried.

Mr. DeFrain entertained questions about the Committee notes.

Mr. DeFrain stated that the next Committee meeting is Wednesday, September 11, 2019 at 9:15 a.m.

Progress.

e. General Administration Committee

Motion by Mr. Shubzda, seconded by Mrs. Sorg-McManamon to approve the Conditional Use Decision for the Application of South Mountain Cycle & Café and Mountain View Vineyard, Inc. There were 7 ayes. Motion carried.

Motion by Mr. DeFrain, seconded by Ms. Baumgartner to approve the 10-year Lease Agreement between the Borough of Emmaus and the Shelter House Society. There were 7 ayes. Motion carried.

Mr. Anders stated that the Shelter House will pay the Borough \$1.00 per year.

Motion by Mr. Anders, seconded by Mr. DeFrain to approve the Parking Lot Lease Agreement between the Borough of Emmaus and Vinart Realty Associates. There were 7 ayes. Motion carried.

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Mr. Labenberg stated that Vinart will lease 60 parking spaces in the parking lot located at 33 E. Minor Street. He stated that Vinart will pay \$1,200.00 per month to lease the spaces. Mr. Hart stated that the Lease is a month-to-month Agreement.

Motion by Mrs. Sorg-McManamon, seconded by Ms. Baumgartner to approve the installation of an automated phone system for Town Hall. There were 7 ayes. Motion carried.

Ms. Baumgartner asked if there are fees associated with installing the system. Mr. Pepe stated that the phone system was always capable of being automated. The only fees incurred will be the day they hook up the system.

Mr. Labenberg reported that the next Committee meeting is September 12, 2019 at 9:00 a.m.

Progress.

f. Budget and Finance Committee

Resolution 2019-30, authorizing payment of the August 19, 2019 Bill List as follows:

Bill List	\$ 1,459,800.07
Payroll #15, #16 & #17	\$ 539,114.67
Payroll Taxes	\$ <u>173,690.12</u>
Total	\$ 2,172,604.86

Done this 19th day of August 2019.

Motion by Mr. Hart, seconded by Mr. DeFrain to adopt Resolution 2019-30. There were 7 ayes. Motion carried.

Mr. Hart reviewed the Significant Revenue & Expense Items for July 2019. He reported that the Committee is discussing the Ambulance Subscriptions Program and the Committee will make a recommendation for the proposed 2020 Budget.

Motion by Mr. Hart, seconded by Mr. DeFrain to give a maximum of a \$150.00 discount for copays and deductibles to subscribers. There were 7 ayes. Motion carried.

Mr. Hart reported that the next Committee meeting is September 3, 2019 at 6:45 p.m.

Progress.

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g. Community Relations, Planning and Development Committee

Resolution 2019-29 – A Resolution Conditionally Approving the Preliminary/Final Subdivision and Revised Preliminary/Final Land Development Plans of Cedar Crest Chestnut Street Development, L.P. (Proposed Convenience Store).

Motion by Mrs. Sorg-McManamon, seconded by Mr. Hart to adopt Resolution 2019-29. There were 7 ayes. Motion carried.

Mrs. Sorg-McManamon entertained questions about the Committee meeting notes.

Mrs. Sorg-McManamon reported that the next Committee meeting is Thursday, September 19, 2019 at 4:30 p.m.

Progress.

h. Junior Council Member's Report

Mr. Labenberg thanked Mr. Hausmann for attending the summer Council meetings.

Mr. Hausmann reported that school will begin on Monday, August 26, 2019. He stated that he is working on a project dealing with vape issues at the high school. He also reported that he has been attending the Community Relations, Planning and Development Committee meetings.

PERSONAL APPEALS, PART II

A. Mike Gibson, 230 Ridge Street – asked if the Planning Commission could receive a copy of the Blighted Properties report when it is completed. He asked who will own the O&M's for the Wawa stormwater retention. Mr. Pepe responded that the Borough will own the O&M for the stormwater coming off of the new public road and the stormwater coming off of the property will be Wawa's responsibility.

BOROUGH MANAGER'S REPORT

Mr. Pepe reported that Probationary Firefighter Logan Schwartz has been promoted to the rank of Firefighter 1. He reported that staff has hired Scott Christman as a part-time EMT. He stated that staff has hired David Reitnauer and Justin Benner as part-time Firefighters. He stated that they are both highly qualified individuals.

Progress.

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PRESIDENT'S BUSINESS

Mr. Labenberg reported that the Emmaus Community Pool has already met its revenue goals for the summer. He also stated that the businesses on the Triangle have reported that their business has increased tremendously since the Farmers' Market has moved to the Triangle.

Mr. Labenberg recessed the meeting at 8:05 p.m. for an Executive Session to discuss a real estate matter with no action anticipated.

Mr. Labenberg reconvened the meeting at 8:32 p.m.

Progress.

ADJOURNMENT

Motion by Ms. Baumgartner, seconded by Mr. Hart to adjourn the August 19, 2019 Emmaus Borough Council Meeting. There were 7 ayes. Motion carried.

The Meeting adjourned at 8:33 p.m.

Shane M. Pepe
Borough Manager

Transcribed by: Paula Weiant
Administrative Assistant
August 21, 2019