

October 01, 2018

**Emmaus Borough Council  
Agenda  
October 01, 2018 7:00 PM**



1. Call to Order
2. Pledge of Allegiance
3. Personal Appeals, Part I
4. Community Minute
5. Special Presentations
  - 5.a. Nathan Jones - APA-PA Great Public Space Award - Emmaus Triangle Park
6. Reading of Minutes
  - 6.a. Council Meeting Minutes - September 17, 2018
7. Decisions on Bids
8. Communications
  - 8.a. Rebecca Straus, 149 Society Park Court - Request appointment to the Emmaus Shade Tree Commission.
9. Borough Engineer's Report
10. Solicitor's Report
11. Unfinished Business, Part I
12. New Business
13. Unfinished Business, Part II
  - 13.a. Ordinance No. 1180 - 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 640 Minor Street Within the Borough of Emmaus (1st Reading 9/17/18) (2nd Reading 10/15/18).
14. Items Not on Agenda  
Subject to Rule 9

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15. Mayor's Report

15.a. Proclamation 2018-442: Fire Prevention Week

15.b. Proclamation 2018-443: Trick or Treat Night

15.c. Proclamation 2018-444: Breast Cancer Awareness Month

16. Committee Reports

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

Next Meeting – October 8, 2018 at 3:30 p.m.

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

Next Meeting – October 31, 2018 at 4:30 p.m.

Committee Meeting Notes - September 26, 2018

Parks and Recreation (Baumgartner, Anders, Shubzda)

Next Meeting – October 2, 2018 at 4:30 p.m.

Public Safety (DeFrain, Barrett, Baumgartner)

Next Meeting – October 10, 2018 at 9:15 a.m.

General Administration (Labenberg, Barrett, DeFrain)

Next Meeting – October 11, 2018 at 9:00 a.m.

Nathan Miller - 172 Ridge Street Subdivision

RFP's for 2019 Professional Services

Committee Meeting Notes – September 27, 2018

Budget and Finance (Barrett, DeFrain, Labenberg)

Next Meeting – October 15, 2018 at 6:45 p.m.

Resolution 2018-33: Bill List

Committee Meeting Notes – September 17, 2018

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

Next Meeting – October 18, 2018 at 4:30 p.m.

Appoint Rebecca Straus to the Emmaus Shade Tree Commission (term expires 1/1/2023)

Committee Meeting Notes - September 20, 2018

17. Boards and Commissions

17.a. Emmaus Planning Commission Meeting Minutes - September 13, 2018

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- 17.b. Emmaus Public Library Board of Trustees Meeting Minutes - August 21, 2018
- 17.c. Emmaus Board of Health Meeting Minutes - September 20, 2018
- 17.d. Employee and Volunteer Safety Committee Meeting Minutes - September 20, 2018
- 17.e. East Penn Chamber of Commerce Board Meeting Minutes - September 23, 2018
- 17.f. Emmaus Library Job Conference Meeting Minutes - September 24, 2018
- 17.g. EMSP Board Meeting Minutes – August 15, 2018
- 18. Personal Appeals, Part II
- 19. Borough Manager's Report
  - 19.a. Significant Revenue and Expense Items for September, 2018
  - 19.b. Hired Ruth Ann Phillips as the Part-Time Animal Control Officer
- 20. President's Business
- 21. Adjournment

## EMMAUS BOROUGH COUNCIL

The Emmaus Borough Council met in regular session on October 1, 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. Desiree Frantz, 27 N. 4<sup>th</sup> Street** – read a letter voicing many concerns about the group home that is located at 29 N. 4<sup>th</sup> Street. She stated that she does not object to the group home being next to her, but she is concerned about a particular individual who lives at the home. Mr. Labenberg asked Solicitor Dimmich for his input. Solicitor Dimmich responded that it is a difficult situation and suggested that Ms. Frantz contacted the Department of Human Services. Mr. Pepe thanked Ms. Frantz for attending the meeting. He stated that regulating group homes is very difficult for a municipality. He expressed concern that Ms. Frantz’s home is connected to the group home and that the environment is difficult for her to have a peaceful life. Solicitor Dimmich stated that he will contact the Attorney for the owner of the group home, Michael Frazer. Mr. Pepe stated that he spoke to the Mr. Frazer’s Attorney and believes that the situation can be resolved amicably.

COMMUNITY MINUTE

Mr. Anders stated that the new fall flags have been hung and they look great. He also stated that Wentz Hardware is closing and the business has been in the downtown for 75 years. He wished them a Happy Retirement. Mayor Gilbert stated that Wednesday, October 3, 2018 is National Coffee with a Cop Day. She invited everyone to Café Bachi’s, located at 1301 Chestnut Street, between the hours of 7:00 a.m. to 8:30 a.m. to enjoy a cup of coffee with a Police Officer from the Borough. Mr. Shubzda stated that the Emmaus Arts Commission will kickoff its Annual Student Film Festival on Thursday, October 4, 2018 at Emmaus High School. The Festival is open to Middle School and High School students.

## EMMAUS BOROUGH COUNCIL

SPECIAL PRESENTATIONS

Mr. Labenberg invited Mrs. Sorg-McManamon, Ms. Baumgartner, Mr. Shubzda, and Nathan Jones to the podium. Mr. Jones presented Emmaus Triangle Park the 2018 Great Public Space Award from the American Planning Association Pennsylvania Chapter.

READING OF MINUTES

Mrs. Sorg-McManamon stated that in the September 17, 2018 minutes, it stated Ms. Baumgartner reported when the next Community Relations, Planning and Development meeting would be held. Mrs. Sorg-McManamon stated that she was the one who made the report. Mr. Pepe stated that the minutes will be amended to reflect the change.

**Motion by Mr. Barrett, seconded by Mr. Shubzda to adopt the September 17, 2018 Council Minutes as amended. There were 7 ayes. Motion carried.**

DECISION ON BIDS – None.

COMMUNICATIONS

- a. Rebecca Straus, 149 Society Park Court – Request Appointment to the Emmaus Shade Tree Committee. Mr. Labenberg stated that the item will be addressed during the Committee Report.
- b. Nathan Miller, 172 Ridge Street – Withdrawal of proposed Sub-Division.

BOROUGH ENGINEER'S REPORT – None.

SOLICITOR'S REPORT

Progress.

UNFINISHED BUSINESS, PART I - None.

NEW BUSINESS

Mr. Labenberg stated that the 2<sup>nd</sup> Reading of Ordinance No. 1180 will be held at the October 15, 2018 Council Meeting.

UNFINISHED BUSINESS, PART II – None.

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

## EMMAUS BOROUGH COUNCIL

MAYOR'S REPORT

Mayor Gilbert congratulated Sergeant Murante and his K-9 partner, Ronnie, for their 2<sup>nd</sup> place finish in the Narcotics Detection category, and 3<sup>rd</sup> place finish in Obedience category at the East Coast Canine Trials, which took place on Sunday, September 30, 2018.

Mayor Gilbert read Proclamation 2018-442 proclaiming October 7-13, 2018 as Fire Prevention Week throughout the Borough, and urged all of the people of Emmaus to practice the three simple calls-to-action to reduce their risk to fire and be prepared in the event of one.

Mayor Gilbert read Proclamation 2018-443 proclaiming Friday, October 26, 2018 as "Trick or Treat Night" in the Borough with all trick or treat activities to be conducted between the hours of 6:00 p.m. and 8:00 p.m. She requested that households indicate their willingness to participate by keeping their porch or exterior lights on.

Mayor Gilbert read Proclamation 2018-444 proclaiming October as Breast Cancer Awareness Month and encouraged all citizens in the community to prevent breast cancer through increased education and regular screenings.

Progress.

COMMITTEE REPORTSa. Public Works Committee

Mr. Anders reported that the next Committee meeting is October 8, 2018 at 3:30 p.m.

Progress.

b. Health, Sanitation, and Codes Committee

Mr. Shubzda reported that the Committee met on September 26, 2018. He stated that the Committee is working on changes to several Ordinances.

Mr. Shubzda reported that the next Committee meeting is October 31, 2018 at 4:30 p.m.

Progress.

c. Parks and Recreation Committee

Ms. Baumgartner announced that the Borough was awarded the DCED Parks and Trailways Study Grant.

Ms. Baumgartner reported that the next Committee meeting is October 2, 2018 at 4:30 p.m.

EMMAUS BOROUGH COUNCIL

Progress.

d. Public Safety Committee

Mr. DeFrain reported that the next Committee Meeting is October 10, 2018 at 9:15 a.m.

Progress.

e. General Administration Committee

**Motion by Mr. Barrett, seconded by Mr. DeFrain to put out RFP's for all professional services as well as contracts that expire for 2019. There were 7 ayes. Motion carried.**

Mr. Labenberg stated that the next Committee meeting is October 11, 2018 at 9:00 a.m.

Progress.

f. Budget and Finance Committee

Resolution 2018-33, authorizing payment of the October 1, 2018 Bill List, as follows:

<b>Bill List</b>	<b>\$</b>	<b>1,362,584.87</b>
<b>Payroll #20</b>	<b>\$</b>	<b>143,387.14</b>
<b>Payroll Taxes</b>	<b>\$</b>	<b><u>44,624.49</u></b>
<b>Total</b>	<b>\$</b>	<b>1,550,596.50</b>

Done this 1<sup>st</sup> day of October 2018.

**Motion by Mr. Barrett, seconded by Mr. DeFrain to adopt Resolution 2018-33. There were 7 ayes. Motion carried.**

Progress.

g. Community Relations, Planning and Development Committee

**Motion by Mrs. Sorg-McManamon, seconded by Ms. Baumgartner to appoint Rebecca Straus to the Emmaus Shade Tree Commission to a term expiring 1/1/2023. There were 7 ayes. Motion carried.**

Mrs. Sorg-McManamon welcomed Maryellen Kanaar as the new Library Director.

## EMMAUS BOROUGH COUNCIL

Mrs. Sorg-McManamon reported that the next Committee meeting is October 18, 2018 at 4:30 p.m.

Progress.

PERSONAL APPEALS, PART II

**A. Joseph Simmoroli, South Mountain Memory Care** – asked for clarification on why Council did not vote on a sign being placed at 7<sup>th</sup> & Chestnut Street. Mr. Labenberg responded that there was not a quorum at the Public Safety Committee and therefore, there was no recommendation made to Council. He stated that, at the Council Meeting, a Council member did not make a motion to vote on the sign. Mr. Barrett responded that the sign was discussed at the September 17, 2018 Council Meeting. Mr. Simmoroli asked for clarification on why the sign was denied. Mr. Barrett stated that historically the Borough does not post directional signs for businesses and believes that every business would request one if the Borough did grant the request.

BOROUGH MANAGER'S REPORT

Mr. Pepe reported that the Public Works Department and the Clerical Staff will wear pink shirts on Fridays in the month of October for Breast Cancer Awareness.

Mr. Pepe stated that the convenience store to be named at a later date has formally submitted plans and will be placed on the October 11, 2018 Planning Commission Agenda. He also stated that staff hired Ruth Ann Phillips as the Animal Control Officer. He stated that staff is excited to have her on board. Mr. Pepe reported that the Significant Revenue and Expense Items for September 2018 are in the iPads and entertained questions about them. He also reported that besides the \$65,000 DCED Park Grant, the Borough received a \$158,000 Small Water and Sewer Grant to continue I & I efforts. Mr. Labenberg asked Mr. Pepe what the Borough's contribution towards each grant is. Mr. Pepe responded that the Borough's contribution is \$25,000 for the DCED Park Grant, and a 25-30% match for the Small Water and Sewer Grant. He stated that the Borough budgeted for the I & I project and will contribute more towards the Grant.

Mr. DeFrain asked Mr. Pepe what role the public can play during the Planning Commission meeting. Mr. Pepe responded that there is a Public Appeal time for safety issues and anything related to land development. He stated that the Planning Commission will not listen to the concerns about competition.

Mr. Anders thanked Mr. Pepe for all his hard work preparing the budget binders.

Progress.



EMMAUS BOROUGH COUNCIL

PRESIDENT'S BUSINESS

Mr. Labenberg stated that Mr. Pepe has been working very hard, staying until 8:00 or 9:00 p.m. most nights. He asked Council to be aware of Mr. Pepe's schedule and only contact him if it is important.

Mr. Labenberg recessed the meeting at 7:41 p.m. for an Executive Session to discuss contract negotiations with no action anticipated.

Mr. Labenberg reconvened the meeting at 8:22 p.m.

Progress.

ADJOURNMENT

**Motion by Mr. Anders, seconded by Mr. Barrett to adjourn the October 1, 2018 Emmaus Borough Council Meeting. There were 7 ayes. Motion carried.**

The Meeting adjourned at 8:22 p.m.

Shane M. Pepe  
Borough Manager

Transcribed by: Paula Weiant  
Administrative Assistant  
October 4, 2018