

October 3, 2016

EMMAUS BOROUGH COUNCIL

**Emmaus Borough Council
Agenda
October 03, 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. Mayor Winfield lobst will administer the Oath of Office to:

Carlos Marrero - Patrolman
Don MaGee - Patrolman
Melanie Sayres - Patrolwoman
Kevin Miller - Patrolman
 - 5.b. Mayor Winfield lobst will administer the Oath of Office to:

John Price - Director of Emergency Services / Fire Chief
6. Reading of Minutes
 - 6.a. Council Meeting - September 19, 2016
7. Decisions on Bids
 - 7.a. 2016 I & I Bid Work
8. Communications

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- 8.a. Nancy Reimert, 836 Walnut Street - Letter of Resignation as Secretary of the Emmaus Board of Health (term expires 1/1/2017).
- 8.b. Kathy Yaindl, 850 Lawrence Dr. - Request appointment to the Emmaus Board of Health.
- 8.c. Arthur 'Chuck' Lowitzer, 915 Crest Way - Prayer Rally at Triangle Park.
- 9. Borough Engineer's Report
- 10. Solicitor's Report
- 11. Unfinished Business, Part I
 - 11.a. Ordinance No. 1145 (Amended) - 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 227 N. Seventh Street and 520 N. Third Street Within the Borough of Emmaus (1st Reading 9/6/16) (2nd Reading 10/3/16).
- 12. New Business
 - 12.a. Ordinance No. 1146 - An Ordinance of the Borough of Emmaus, Lehigh County, Pennsylvania, Increasing the Salary of Members of Borough Council and the Mayor, Effective January 1, 2018 and Beyond (1st Reading 10/3/16).
- 13. Unfinished Business, Part II
- 14. Items Not on Agenda
Subject to Rule 9
- 15. Mayor's Report
 - 15.a. Proclamation 2016-405 - Fire Prevention Week
- 16. Committee Reports
 - Public Works/(Highway, Water & Sewer) (Brown, Anders, DeFrain)
Next Meeting – October 10, 2016 at 3:00 p.m.

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Hire Part Time Environmental Specialist / MS4 Project Manager

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

Next Meeting – October 20, 2016 at 3:45 p.m.

Parks and Recreation (Anders, Barrett, Labenberg)

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

Public Safety (Gilbert, Barrett, Brown)

Next Meeting – October 5, 2016 at 3:00 p.m.

Ordinance No. 1145 (Amended) - 2nd Reading

General Administration (Barrett, Labenberg, Gilbert)

Next Meeting – October 12, 2016 at 9:00 a.m.

Resolution No. 2016-45 – Sale of 4052 S. Second Street

Appoint Nancy O'Keefe to the Emmaus Public Library Board (term expires 1/1/2018).

Ordinance No. 1146 - 1st Reading

Cost Estimate for Engineering – Intersection Safety

Committee Meeting - September 28, 2016

Budget and Finance (Labenberg, Shubzda, Gilbert)

Next Meeting – October 17, 2016 at 6:45 p.m.

Bill List - Resolution No. 2016-46

Purchase Detectives' Van

Committee Meeting - September 19 and 22, 2016

Community Relations, Planning and Development (DeFrain, Shubzda, Anders)

Next Meeting – October 13, 2016 at 4:00 p.m.

17. Personal Appeals, Part II

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18. Borough Manager's Report

18.a. Significant Revenue & Expense Items for September, 2016

19. President's Business

20. Adjournment

The Emmaus Borough Council met in regular session on October 3, 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 | Present – Arrived at 7:09 p.m. |
| Chris DeFrain | Present |
| Lee Ann Gilbert | Present |
| Jeffrey Shubzda | Present |
| Winfield Iobst, Mayor | Present |
| Jeffrey Dimmich, Solicitor | Present |
| Shane Pepe, Borough Manager | Present |

PERSONAL APPEALS, PART I - None.

COMMUNITY MINUTE

Mr. Anders stated that the Knauss Homestead is currently seeking members and volunteers. He also stated that the Halloween Committee is seeking volunteers to help with the Halloween Parade.

Mr. Shubzda stated that the Emmaus Arts Commission will kick off its 13th Annual Student Film Festival on Thursday, October 6, 2016 at 6:00 p.m. at Emmaus High School.

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SPECIAL PRESENTATIONS

Mayor Iobst administered the Oath of Office to new Police Officers Carlos Marrero, Don MaGee, and Melanie Sayres.

READING OF MINUTES

Motion by Mr. DeFrain, seconded by Mr. Barrett to adopt the September 19, 2016 Council Minutes as drafted. There were 6 ayes. Motion carried.

DECISION ON BIDS

Mr. Pepe stated that normally, at this time of the year, the sewer I & I project is advertised for bids. The Borough Engineer, Brad Youst, suggested that the Borough look at the PA Costars Contract, as there are certain contractors that conduct sewer I & I maintenance work under the contract. Mr. Pepe stated that the Borough is recommending to approve USG as the sewer I & I contractor for the 2016 project, as per the terms of the Costars proposal and contract. Mr. Pepe stated that the work will not exceed the budgeted amount for the project.

Motion by Mr. Shubzda, seconded by Mr. Anders to hire USG to conduct sewer I & I maintenance work as per the PA Costars Contract. There were 6 ayes. Motion carried.

COMMUNICATIONS

a. Nancy Reimert, 836 Walnut Street – Letter of Resignation as Secretary of the Emmaus Board of Health (term expires 1/1/2017). Mr. Labenberg stated that Mrs. Reimert has been on the Board of Health for 28 years and directed Mr. Pepe to mail her a letter of thanks for her many years of service to the Borough.

b. Kathy Yaindl, 850 Lawrence Drive – Request appointment to the Board of Health.

Motion by Mr. Shubzda, seconded by Mr. Anders to appoint Kathy Yaindl as the Secretary of the Board of Health. There were 7 ayes. Motion carried.

c. Arthur ‘Chuck’ Lowitzer, 915 Crest Way – Request to hold Rosary Rally on Saturday, October 15, 2016 from Noon until 1:00 p.m. at Triangle Park. Mr. Labenberg stated that Mr. Lowitzer has requested to hang a banner at the Triangle about 8’ x 3’. He stated that the banner will express the purpose of the Rally, which is to pray for our country. Mr. Pepe stated that Mr. Lowitzer does not need approval to hold the event. Mr. Labenberg and Mr. Anders voiced concerns about hanging a banner at Triangle Park. Solicitor Dimmich stated that he is in agreement with Mr. Labenberg and Mr. Anders concerns and voiced concern about hanging a banner with religious

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connotations. Mr. Pepe responded that he will notify Mr. Lowitzer that the banner cannot be hung at Triangle Park.

Mayor Iobst administered the Oath of Office to John Price as the new Director of Emergency Services/Fire Chief.

BOROUGH ENGINEER'S REPORT—None.

SOLICITOR'S REPORT

Solicitor Dimmich reported that he drafted a Memorandum explaining the process of taking an Oath of Office.

Progress.

UNFINISHED BUSINESS, PART I

Ordinance No. 1145 – 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 227 N. Seventh Street and 520 N. Third Street Within the Borough of Emmaus (1st Reading 9/6/16) (2nd Reading 10/3/16).

Motion by Mrs. Gilbert, seconded by Mr. Brown to adopt Ordinance No. 1145 - 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 227 N. Seventh Street and 520 N. Third Street Within the Borough of Emmaus on its 2nd Reading. Roll call vote: Mr. Brown, aye; Mr. Shubzda, aye; Mr. Anders, aye; Mrs. Gilbert, aye; Mr. DeFrain, aye; Mr. Barrett, aye; Mr. Labenberg, aye. There were 7 ayes. Motion carried.

NEW BUSINESS

Ordinance No. 1146 – An Ordinance of the Borough of Emmaus, Lehigh County, Pennsylvania, Increasing the Salary of Members of Borough Council and the Mayor, Effective January 1, 2018 and Beyond (1st Reading 10/3/16).

Motion by Mr. Barrett, seconded by Mrs. Gilbert to adopt Ordinance No. 1146 - An Ordinance of the Borough of Emmaus, Lehigh County, Pennsylvania, Increasing the Salary of Members of Borough Council and the Mayor, Effective January 1, 2018 and Beyond on its 1st Reading. Roll call vote: Mr. Brown, aye; Mr.

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Shubzda, aye; Mr. Anders, nay; Mrs. Gilbert, aye; Mr. DeFrain, aye; Mr. Barrett, aye; Mr. Labenberg, aye. There were 6 ayes, 1 opposed (Anders). Motion carried.

Mr. Anders stated that he will vote against the Motion because he believes that the economy is struggling and does not support an increase at this time. Mr. Barrett responded that no one voting for the Ordinance can accept the increase. Mr. Labenberg stated that Council has not received an increase in 43 years and members of Council cannot receive the increase until they are either elected or re-elected. The pay increase will take effect for anyone elected and taking office in 2018.

Mr. Pepe stated that the 2nd Reading of the Ordinance will be on November 7, 2016.

Mayor Iobst administered the Oath of Office to new Police Officer Kevin Miller.

UNFINISHED BUSINESS, PART II – None.

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

MAYOR'S REPORT

Mayor Iobst thanked the American Red Cross and the Borough of Emmaus Fire Department for installing free smoke detectors in his house and throughout the community.

Mayor Iobst read Proclamation 2016-405, declaring October 9-15 as Fire Prevention Week and urged all residents in the Borough of Emmaus to find out how old the smoke alarms are in their homes and to replace them if they are more than 10 years old, and to participate in the many public safety activities and efforts of the Borough of Emmaus Fire and Emergency Services during Fire Prevention Week 2016.

Progress.

COMMITTEE REPORTS

a. Public Works Committee

Motion by Mr. Brown, seconded by Mr. DeFrain to hire Ryan Palsgrove as a temporary part-time Environmental Specialist/MS4 Project Manager at an hourly rate of \$15.00. There were 7 ayes. Motion carried.

Mr. Pepe stated that Mr. Palsgrove holds a Bachelor's Degree in Environmental Science and has spent a lot of time on freshwater and watershed ecology. He also stated that the MS4 permit requirements are very labor intensive and he is very knowledgeable

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in his understanding of the requirements. Mr. Pepe stated that the Borough will need to hire an additional Intern to complete the GIS work being done by the Borough.

Mr. Brown reported that the next Committee Meeting is Monday, October 10, 2016 at 3:00 p.m.

Progress.

b. Health, Sanitation, and Codes Committee

The next Committee Meeting is Thursday, October 20, 2016 at 3:45 p.m.

Progress.

c. Parks and Recreation Committee

Mr. Anders stated that he received an email from Kate Heflin on behalf of the Girl Scouts asking permission to host the 2nd Pumpkin Chuckin' Event on November 13, 2016 from 12:30 to 3:00 p.m. at Emmaus Community Park.

Motion by Mr. Anders, seconded by Mrs. Gilbert to grant Ms. Heflin's request to host the Girl Scouts Pumpkin Chuckin' Event on November 13, 2016 from 12:30 to 3:00 p.m. at Emmaus Community Park. There were 7 ayes. Motion carried.

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

Progress.

d. Public Safety Committee

Mrs. Gilbert reported that the next Committee Meeting is Wednesday, October 5, 2016 at 3:00 p.m.

Progress.

e. General Administration Committee

Resolution 2016-45 – A Resolution Authorizing the Sale of 4052 South Second Street Pursuant to the Borough Code.

Motion by Mr. Barrett, seconded by Mrs. Gilbert to adopt Resolution 2016-45. There were 7 ayes. Motion carried.

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Mr. Pepe thanked Mrs. Yaindl for her hard work locating the Sales Agreement from 1941, saving the Borough thousands of dollars, and Solicitor Dimmich for his work on making sure that the Borough was following the proper procedures to sell the property.

Motion by Mr. Barrett, seconded by Mrs. Gilbert to adopt Resolution 2016-45. There were 7 ayes. Motion carried.

Motion by Mr. Barrett, seconded by Mrs. Gilbert to appoint Nancy O’Keefe to the Library Board for a term expiring on 1/1/2018. There were 7 ayes. Motion carried.

Motion by Mr. Barrett, seconded by Mrs. Gilbert to authorize the Borough Manager to obtain a cost estimate from the Borough Engineer to perform Intersection Engineer design work at each of the major intersections that have red traffic signals. There were 7 ayes. Motion carried.

The next Committee Meeting is Wednesday, October 12, 2016 at 9:00 a.m.

Progress.

f. Budget and Finance Committee

Resolution 2016-46, authorizing payment of the October 3, 2016 Bill List, as follows:

| | | |
|---------------|----|------------------|
| Bill List | \$ | 255,255.74 |
| Payroll #20 | \$ | 118,138.11 |
| Payroll Taxes | \$ | <u>41,500.29</u> |
| Total | \$ | 414,894.14 |

Done this 3rd day of October 2016.

Motion by Mr. Shubzda, seconded by Mrs. Gilbert to adopt Resolution 2016-46. There were 7 ayes. Motion carried.

Motion by Mrs. Gilbert, seconded by Mr. Barrett to purchase a Detective’s van for the Police Department at a cost of \$22,600. There were 7 ayes. Motion carried.

Mr. Pepe clarified that there are a few leftover 2016 vans and the van will be \$4,500 less than buying the 2017 version.

The next Committee Meeting is October 17 at 6:45 p.m.

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Progress.

g. Community Relations, Planning and Development Committee

The next Committee Meeting is October 13, 2016 at 4:00 p.m.

Progress.

PERSONAL APPEALS, PART II – None.

BOROUGH MANAGER'S REPORT

Mr. Pepe reported that the Borough received a \$1,000 Safety Grant at the annual Susquehanna Municipal Trust meeting. He stated that the money will be used to purchase a flammable liquid storage cabinet for the Public Works Department. He also reported that the Borough received the 3rd place Safety Award. He stated that it is the 2nd year in a row that the Borough has received an award out of 80 municipalities within the Trust.

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

Mr. Labenberg thanked Mr. Pepe for creating the Safety Committee and for winning the award.

Progress.

PRESIDENT'S BUSINESS – None.

ADJOURNMENT

Motion by Mr. Barrett, seconded by Mr. Brown to adjourn the October 3, 2016 Emmaus Borough Council Meeting. There were 7 ayes. Motion carried.

The Meeting adjourned at 7:48 p.m.

Shane M. Pepe
Borough Manager

Transcribed by: Paula Weiant
Administrative Assistant
October 7, 2016