

October 6, 2014

EMMAUS BOROUGH COUNCIL

**Emmaus Borough Council
Agenda
October 6, 2014, 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

September 15, 2014

7. Decisions on Bids

2014 Nova Chip Bid – North & Green Streets
2014 – 2017 Bituminous Seal Coating
2014 – 2017 Street Crack Sealing

8. Communications

- a. David Cole, 999 Little Lehigh Dr. – Request appointment to the Library Board.
- b. John Ashley, Esq., Davison & McCarthy – Request to continue to serve as Emmaus Civil Service Commission Solicitor for 2015.
- c. Christopher Heckler, 216 N. 5th Street – Request appointment to the Joint Environmental Advisory Council.
- d. Karri Schreppel, 651 Walnut Street – Resignation from the Special Entertainment Commission.
- e. Chris Boehm, Borough of Macungie – Request Emmaus Fire Department's assistance with traffic control during Macungie Borough's Halloween Parade.
- f. Jessica O'Donnell, Emmaus Main Street Partners – Old Fashioned Christmas, December 6, 2014.

9. Borough Engineer's Report

10. Solicitor's Report

October 6, 2014

EMMAUS BOROUGH COUNCIL

11. Unfinished Business, Part I

- a. **Ordinance No. 1113 – An Ordinance Amending Chapter 15 § 408 Standing or Parking on Roadway for Loading or Unloading and § 602.2.A Handicapped Parking of the Codified Ordinances (1st Reading 9/15/14) (2nd Reading 10/06/14).**

12. New Business

13. Unfinished Business, Part II

14. Items Not on Agenda, Subject to Rule 9

15. Mayor's Report

- a. Proclamation 2014 – 367 – Fire Prevention Week
- b. Proclamation 2014 – 368 – Trick or Treat Night

16. Committee Reports

Public Works/(Highway, Water & Sewer) (Labenberg, Brown, Holtzhafer)

Next Meeting – November 6, 2014 at 3:15 p.m.

- a. Rules & Regulations (update)
- b. Fairview Street
- c. South 10th Street Culvert
- d. Historical House Agreements

Health, Sanitation, and Conservation (Shubzda, Holtzhafer, Anders)

Next Meeting – October 16, 2014 at 4:30 p.m.

- a. Emmaus and Upper Milford Joint Environmental Advisory Council
- b. Board of Health
- c. Refuse Bills

Parks and Recreation (Anders, Barrett, Labenberg)

Next Meeting – October 7, 2014 at 4:00 p.m.

- a. Boro Line Park Direction Sign

Public Safety (Gilbert, Barrett, Brown)

Next Meeting – November 5, 2014 at 3:00 p.m.

- a. Emergency Operations Plan – Review
- b. **Ordinance No. 1113 – 2nd Reading 10/06/14**

October 6, 2014

EMMAUS BOROUGH COUNCIL

- c. Graffiti Ordinance
- d. IFC Ordinance
- e. Landis Circle One-Way

General Administration (Barrett, Gilbert, Labenberg)

Next Meeting – October 15, 2014 at 9:00 a.m.

- a. Emmaus Public Library Expansion Project
- b. Sale of Properties
- c. Town Hall Remodeling Project
- d. **Resolution 2014-38 - Employee and Volunteer Swimming Pool Policy Resolution**
- e. **1803 House – Revised Plan**
- f. **Board & Commission Interview Protocol**
- g. **Resolution 2014-40 – Special Entertainment Commission By-Laws**

Budget and Finance (Holtzhafer, Shubzda, Gilbert)

Next Meeting – October 20, 2014 at 6:45 p.m.

- a. Capital Plan
- b. **Resolution 2014-39 – Bill List**

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

Next Meeting – October 14, 2014 at 4:00 p.m.

- a. LERTA
- b. Grant Progress

17. Personal Appeals, Part II

18. Borough Manager's Report

- a. Significant Revenue and Expense Items for September, 2014

19. President's Business

Executive Session – Legal Matter

20. Adjournment

Next Resolution: 2014-41

Next Ordinance: #1114

October 6, 2014

EMMAUS BOROUGH COUNCIL

The Emmaus Borough Council met in regular session on October 6, 2014 in Borough Council Chambers, 28 S. 4th Street, Emmaus, PA 18049.

CALL TO ORDER

Mrs. Gilbert called the meeting to order at 7:10 p.m.

Lee Ann Gilbert, President	Present
Brian Holtzhafer, Vice President	Present
Roy Anders	Present
Wesley Barrett	Present
Nathan Brown	Present
Brent Labenberg	Present
Jeffrey Shubzda	Present
Winfield Iobst, Mayor	Present
Tom Dinkelacker, Solicitor	Present
Shane Pepe, Borough Manager	Present

PERSONAL APPEALS – PART 1 – None.

COMMUNITY MINUTE

Mr. Anders stated that he attended the Halloween Parade Committee Meeting and Bryan Rice and Judy Hatfield of Fire Company#1 presented the Committee with a donation in the amount of \$5,600. He stated that Fire Company#1 has been fundraising since last year's Halloween Parade. Mrs. Gilbert reminded everyone that the Halloween Parade is in need of volunteers and anyone interested in volunteering should contact Mr. Pepe for Kathy Mintzer's contact information.

Mr. Anders stated that on Sunday, October 12, 2014 at 1:00 p.m., a tour will be held of various Log Cabins located in Northern Lehigh County. The tour will begin at the Shelter House.

Mr. Shubzda stated that the Emmaus Arts Commission will host its 10th Annual Student Horror Film Festival. The event will kick-off at the Emmaus High School Administration Building on Thursday, October 9, 2014 at 6:00 p.m.

Mr. Barrett reminded everyone that the Halloween in Emmaus 5K race will take place on Saturday, October 18, 2014 beginning at 7:00 p.m., just prior to the start of the Halloween Parade. He encouraged anyone interested in entering the race to visit www.emmaus5k.com to register.

Mr. Barrett congratulated the Friends of the 1803 House for the success of its Merry Halloween Event. The Friends of the 1803 House asked Mr. Barrett to convey its thanks to the Public Works Department. Mr. Pepe thanked Mr. Farmer for donating a picture of the 1803 House to the Borough of Emmaus.

Mr. Anders thanked Boy Scout Troop 225 for attending tonight's Council Meeting.

October 6, 2014

EMMAUS BOROUGH COUNCIL

SPECIAL PRESENTATIONS – None.

READING OF MINUTES

Motion by Mr. Labenberg, seconded by Mr. Anders to dispense with the formal reading of the September 15, 2014 Minutes. There were 7 ayes. Motion carried.

Motion by Mr. Brown, seconded by Mr. Anders to adopt the September 15, 2014 Minutes as drafted. There were 7 ayes. Motion carried.

DECISION ON BIDS

Mr. Pepe stated that the Public Works Committee discussed the Nova Chip Project and the Committee recommends throwing out all of the bids for the Nova Chip Project and authorizing the Public Works Department to pave North Street in June, 2015. Mr. Labenberg stated that it was determined that North Street is too heavily traveled to be Nova chipped and the Public Works Department will place a 2” paving overlay in early June, which will be a long-term result.

Motion by Mr. Labenberg, seconded by Mr. Brown to remove the 2014 Nova Chip Bid off the table. There were 7 ayes. Motion carried.

Motion by Mr. Labenberg, seconded by Mr. Brown to throw out the 2014 Nova Chip Bids and to authorize the Public Works Department to pave North Street in May/June 2015 at a cost of approximately \$58,000. There were 7 ayes. Motion carried.

Mr. Pepe stated that the Bituminous Seal Coating and Crack Sealing Bid opening was held on October 1, 2014. Bids were received from Asphalt Maintenance Solutions, LLC and Dosch-King Emulsions, Inc. Staff recommends awarding the 2015-2017 Bituminous Seal Coating Bid to Asphalt Maintenance Solutions, LLC in the amount of \$67,500 and the 2015-2017 Street Cracking Sealing Bid to Dosch-King, Emulsions, Inc., in the amount of \$37,375.

Motion by Mr. Labenberg, seconded by Mr. Brown to award the 2015-2017 Bituminous Seal Coating Bid to Asphalt Maintenance Solutions, LLC in the amount of \$67,500. There were 7 ayes. Motion carried.

Motion by Mr. Labenberg, seconded by Mr. Brown to award the 2015-2017 Street Crack Sealing Bid to Dosch-King, Emulsions, Inc., in the amount of \$37,375. There were 7 ayes. Motion carried.

COMMUNICATIONS

a. David Cole, 999 Little Lehigh Drive – Request appointment to the Library Board. Referred to the General Administration Committee.

October 6, 2014

EMMAUS BOROUGH COUNCIL

b. John Ashley, Esq., Davison & McCarthy – Request to continue to serve as Emmaus Civil Service Commission Solicitor for 2015. Referred to the Civil Service Commission and the General Administration Committee.

c. Christopher Heckler, 216 N. 5th Street – Request appointment to the Joint Environmental Advisory Council. Referred to the Health, Sanitation, and Conservation Committee.

d. Karri Schreppel, 651 Walnut Street – Resignation from the Special Entertainment Commission. Mrs. Gilbert directed Mr. Pepe to mail Ms. Schreppel a Thank You letter for her service to the community.

Motion by Mr. Brown, seconded by Mr. Shubzda to accept Karri Schreppel's resignation from the Special Entertainment Commission. There were 7 ayes. Motion carried.

e. Chris Boehm, Borough of Macungie – Request Emmaus Fire Department's assistance with traffic control during Macungie Borough's Halloween Parade. Referred to Staff.

f. Jessica O'Donnell, Emmaus Main Street Partners – Old Fashioned Christmas, December 6, 2014. Referred to the Parks and Recreation Committee.

g. Don Nickerson, 1765 W. Wood Street – Request Reappointment to the Zoning Hearing Board (term expires 1/1/15). Referred to the General Administration Committee.

h. Attorney John Stover, 537 Chestnut Street – Request Reappointment to the Vacancy Board (term expires 1/1/15). Referred to the General Administration Committee.

BOROUGH ENGINEER'S REPORT - None.

SOLICITOR'S REPORT

Progress.

UNFINISHED BUSINESS, PART I – None.

NEW BUSINESS

Ordinance No. 1113 - An Ordinance Amending Chapter 15 § 408 Standing or Parking on Roadway for Loading or Unloading and § 602.2.A Handicapped Parking of the Codified Ordinances. (1st Reading 9/15/14) (2nd Reading 10/6/14)

Motion by Mr. Brown, seconded by Mr. Anders to read Ordinance No. 1113 in short title. There were 7 ayes. Motion carried.

Mrs. Gilbert read Ordinance No. 1113 in short title.

Motion by Mr. Brown, seconded by Mr. Barrett to adopt Ordinance No. 1113 - An Ordinance Amending Chapter 15 § 408 Standing or Parking on Roadway for Loading or Unloading and § 602.2.A Handicapped Parking of the Codified Ordinances on its 2nd Reading. Roll call vote: Mr. Labenberg, aye; Mr. Holtzhafer, aye;

October 6, 2014

EMMAUS BOROUGH COUNCIL

Mr. Barrett, aye; Mr. Brown, aye; Mr. Shubzda, aye; Mr. Anders, aye; Mrs. Gilbert, aye. There were 7 ayes. Motion carried.

UNFINISHED BUSINESS, PART II – None.

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

MAYOR'S REPORT

Mayor Iobst read Proclamation 2014-367, proclaiming the week of October 5th through October 11th, 2014 as Fire Prevention Week.

Mayor Iobst read Proclamation 2014-368, proclaiming Thursday, October 30, 2014 as the Borough of Emmaus Trick or Treat Night.

COMMITTEE REPORTS

a. Public Works Committee

Mr. Labenberg reported that the Committee met on October 2, 2014. He reported that the Committee has completed the Public Works Rules and Regulations update and is waiting to meet with the Union. He also reported that the Fairview Street drainage issue is a budget issue and will be addressed in 2015 and the S. 10th Street Culvert project will be budgeted for in 2015. He reported that the Committee is moving forward with the Historical House Agreements.

Mr. Labenberg entertained questions about the Committee Report. Mr. Anders asked about the status of the Boroline handicapped parking issue. Mr. Labenberg responded that the Committee briefly discussed the matter but the Public Safety Committee would issue the parking spot.

Progress.

b. Health, Sanitation, and Conservation Committee

Mr. Shubzda reported that the next Committee Meeting is October 16, 2014 at 4:30 p.m.

Progress.

c. Parks and Recreation Committee

Mr. Anders reported that the next Committee Meeting is October 7, 2014 at 4:00 p.m.

Mr. Labenberg noted that the Ride to Conquer Event will have a beer truck sponsored by the Emmaus Main Street Partners at the Event and questioned why Borough Council did

October 6, 2014

EMMAUS BOROUGH COUNCIL

not approve the request. Mr. Pepe responded that the Main Street Partners were contracted through the organization handling the event, and Council approved this through the Borough's agreement with the organizers.

Progress.

d. Public Safety Committee

Mrs. Gilbert entertained questions about the Committee Report. Mr. Labenberg questioned if the request for Landis Circle to become one-way is moving forward. Mrs. Gilbert responded that the Traffic Officer will continue to review the request.

Progress.

e. General Administration Committee

Resolution 2014-38 – A Resolution Updating the Employee and Volunteer Personnel Policy Manual to Establish a Uniform Swimming Pool Usage Policy.

Motion by Mr. Barrett, seconded by Mr. Labenberg to adopt Resolution 2014-38. There were 7 ayes. Motion carried.

Resolution 2014-40 – A Resolution Adopting the Emmaus Special Entertainment Commission By-Laws.

Motion by Mr. Barrett, seconded by Mr. Labenberg to adopt Resolution 2014-40. There were 7 ayes. Motion carried.

Mr. Holtzhafer questioned the Borough's level of commitment to the Commission. He stated that the Commission lost approximately \$6,000 in 2014. Mr. Pepe responded that the \$6,000 will be taken out of a surplus from previous years. Mr. Labenberg responded that he believes that the Commission is working very hard to have a successful 2015 and suggested Council give the Commission one more year to prove themselves. Mr. Pepe thanked Paulette Labenberg for her hard work and dedication to the Commission.

Mr. Barrett reported that the Committee recommends authorizing Administrative Assistant, Kathy Yaindl, to schedule Board member candidate interviews after consulting with the Committee Chairperson rather than continuing with the current protocol.

Motion by Mr. Barrett, seconded by Mr. Anders to authorize Administrative Assistant, Kathy Yaindl, to schedule Board member candidate interviews immediately after consulting with the Committee Chairperson. There were 7 ayes. Motion carried.

Resolution 2014-36 – A Resolution Approving the Transfer of Liquor License R-9300.

October 6, 2014

EMMAUS BOROUGH COUNCIL

Motion by Mr. Barrett, seconded by Mr. Anders to adopt Resolution 2014-36 transferring Liquor License R-9300 from Oliver Shankwells, 1869 S. 4th Street, Allentown, PA to 187 Main Street, Emmaus, PA. There were 7 ayes. Motion carried.

Mr. Pepe explained that the 1803 House presented a revised plan for the lot line adjustment. The original map included the ultimate right-of-way. Rodale was not comfortable with this so the map has been changed to eliminate the ultimate right-of-way. Solicitor Dinkelacker further explained the SALDO requirements for the right-of-way.

Motion by Mr. Labenberg, seconded by Mr. Barrett to waive Section 504.2.B of the SALDO – Dedication of Right-of-Way for the 1803 House lot line adjustment. There were 7 ayes. Motion carried.

Motion by Mr. Labenberg, seconded by Mr. Barrett to approve the 1803 House Revised Plan. There were 7 ayes. Motion carried.

Progress.

f. Budget and Finance Committee

Mr. Holtzhafer read Resolution 2014- 39 authorizing payment of the October 6, 2014 Bill List, as follows:

Bill List	\$	215,057.47
Payroll #19 & #20	\$	213,326.09
Payroll Taxes	\$	<u>88,684.34</u>
Total	\$	517,067.90

Done this 6th day of October 2014.

Mr. Holtzhafer entertained questions about the Committee Report. Mr. Labenberg thanked Mr. Pepe for saving the Borough \$4,000 on the purchase of natural gas.

Progress.

g. Community Relations, Planning and Development Committee

Mr. Brown reported that on September 30, 2014, the Borough hosted the Southwest Lehigh Planning Commission in Council Chambers to revise the Plan. The revision of the Plan will cost \$180,000. The Commission applied for a grant in the amount of \$90,000. The Lehigh Valley Planning Commission will contribute \$15,000 towards the Plan. The remainder of \$75,000 will be divided amongst six municipalities. Each municipality will be responsible for \$12,500 and there is \$7,500 budgeted in 2014 for this item. Mr. Brown stated that the Commission is going to request a grant from Lehigh County to defer the cost of the Plan. He requested that the Budget and Finance Committee escrows the \$7,500 into the 2015 Budget. The next meeting will be held on October 28, 2014 at 7:00 p.m. at Lower Macungie Township.

October 6, 2014

EMMAUS BOROUGH COUNCIL

Mr. Brown reported that he attended the Emmaus Main Street Partners' meeting. He stated that Jeff McElhaney is President of the Partners and he congratulated Jessica O'Donnell, Manager of the Partners, for her hard work. Mr. Brown reported that the Partners have reduced their debt in about half.

Progress.

PERSONAL APPEALS, PART II

A. Charles Harter, 582 Glenwood Street – stated that he resides adjacent to Boroline Park. He voiced concern about parking at Boroline Park and suggested that a handicapped parking spot is added. He stated that he believes there is a safety issue for the children because there are no sidewalks on the street and the police do not patrol the street very often. He stated that there is a sign at the upper end of the park with dates for No Parking and that the Borough Ordinance does not have dates for no parking. He also stated that he has requested that the curbs are repainted. Mrs. Gilbert responded that she will add the matter to the Public Safety Committee Agenda.

PRESIDENT'S BUSINESS

Mrs. Gilbert recessed for an Executive Session at 8:05 p.m. to discuss a legal matter with no official action anticipated.

Mrs. Gilbert reconvened the meeting at 9:14 p.m. with no official action required.

BOROUGH MANAGER'S REPORT

Mr. Pepe reported that the Significant Revenue and Expense Items for September 2014 are in the Council binders and offered to entertain questions about them.

Mr. Pepe reported that the Ride to Conquer Cancer Event will be held October 10th and October 11th at Emmaus Community Park. He stated that there will be approximately 450 bike riders participating in the event. He stated that the Ride to Conquer Cancer raised \$2.5 million dollars in Washington, DC and he believes that the Abramson Family, a large sponsor of the event, will be in attendance. Mr. Pepe stated that set-up will begin on Wednesday, October 8, 2014 for the Event. Mr. Pepe reported that Crayola will be shooting a commercial at Williams Street and Kiwanis for a new product.

Mr. Labenberg asked for a status on the proposed budget. Mr. Pepe responded that he is on schedule with the proposed budget and Council will have a preliminary budget by October 17, 2014. He stated that October 28, 2014 is the first workshop with the Department Managers.

October 6, 2014

EMMAUS BOROUGH COUNCIL

Motion by Mr. Barrett, seconded by Mr. Labenberg to adjourn. There were 7 ayes. Motion carried.

The October 6, 2014 Meeting of the Emmaus Borough Council adjourned at 9:25 p.m.

Shane Pepe
Borough Manager

Transcribed by: Paula Weiant
Administrative Assistant
October 10, 2014