

October 15, 2018

**Emmaus Borough Council  
Agenda  
October 15, 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. Public Hearing - MS4 Program
6. Reading of Minutes
  - 6.a. Council Meeting Minutes - October 1, 2018
7. Decisions on Bids
8. Communications
  - 8.a. Ashley Lorah, Emmaus Main Street Partners - Request to hold Old Fashioned Christmas on December 1, 2018.
  - 8.b. John Fernbacher, 2955 Lindberg Avenue, Allentown - Request appointment to the Community Garden Commission.
9. Borough Engineer's Report
10. Solicitor's Report
11. Unfinished Business, Part I
  - 11.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).

October 15, 2018

12. New Business

12.a. Ordinance No. 1181 - An Ordinance Authorizing the Borough of Emmaus to Enter into an Intergovernmental Cooperation Agreement with the Boroughs of Alburtis and Macungie and the Townships of Lower Macungie, Lower Milford, and Upper Milford to Implement the Southwestern Lehigh County Comprehensive Plan (October 2017), Including Provisions Relating to Purpose, Powers, and Scope of Authority, Southwest Lehigh Steering Committee, Adoption of Conforming Ordinances, General Consistency, Developments of Regional Significance and Impact, Implementation Roles and Responsibilities, Annual Reports, Amendment and Review of the Plan, Dispute Resolution, Effective Date, and Termination (1st Reading 10/15/18).

12.b. Ordinance No. 1182 - 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 624 Walnut Street within the Borough of Emmaus (1st Reading 10/15/18).

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) (Anders, Sorg-McManamon, Labenberg)  
Next Meeting – December 10, 2018 at 3:30 p.m.

Health, Sanitation, and Codes (Shubzda, Sorg-McManamon, Anders)  
Next Meeting – October 31, 2018 at 4:30 p.m.

Parks and Recreation (Baumgartner, Anders, Shubzda)  
Next Meeting – November 6, 2018 at 4:30 p.m.

Committee Meeting Notes - October 2, 2018

Public Safety (DeFrain, Barrett, Baumgartner)  
Next Meeting – November 14, 2018 at 9:15 a.m.

Ordinance No. 1180 - Remove Handicapped Parking Sign at 640 Minor St.

Ordinance No. 1182 - Remove Handicapped Parking Sign at 624 Walnut St.

Committee Meeting Notes - October 10, 2018

General Administration (Labenberg, Barrett, DeFrain)  
Next Meeting – October 25, 2018 at 9:00 a.m.

Firefighters Collective Bargaining Agreement

October 15, 2018

Ordinance No. 1181 - Comp Plan Intermunicipal Agreement

Resolution No. 2018-35: Lehigh County Hazardous Mitigation Plan

Committee Meeting Notes - October 11, 2018

Budget and Finance (Barrett, DeFrain, Labenberg)

Next Meeting – November 5, 2018 at 6:45 p.m.

Resolution 2018-34: Bill List

Committee Meeting Notes - October 1, 2018

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

Next Meeting – November 5, 2018 at 6:30 p.m.

Committee Meeting Notes - October 1, 2018

17. Boards and Commissions

17.a. EMSP Board Meeting Minutes - October 3, 2018

17.b. Fire Department - 3rd Quarter Report

17.c. Police Department - 3rd Quarter Report

18. Personal Appeals, Part II

19. Borough Manager's Report

19.a. Significant Revenue and Expense Items for First Half of October, 2018

20. President's Business

21. Adjournment

## EMMAUS BOROUGH COUNCIL

The Emmaus Borough Council met in regular session on October 15, 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	Absent
Lee Ann Gilbert, Mayor	Present
Jeffrey Dimmich, Solicitor	Present
Shane Pepe, Borough Manager	Present

PERSONAL APPEALS, PART I - None.

COMMUNITY MINUTE

Mr. Anders reminded everyone that the Halloween Parade will be held on Saturday, October 20, 2018 at 7:30 p.m. with a rain date of Sunday, October 21, 2018 at 6:30 p.m.

SPECIAL PRESENTATIONS

Jason Smith, Hanover Engineering, presented the Emmaus Borough proposed Pollutant Reduction Plan (PRP) required for the 2019-2024 NPDES Municipal Separate Storm Sewer Systems (MS4) Permit. He stated that the plan is to reduce 10% of the sediments from stormwater in the Borough. He also stated that the plan is a draft and will have changes made to it. Mr. Smith stated that the Borough has received public comments on the plan. Mr. Smith reviewed the plan and stated that the approximate total construction cost over a time period of five years for seven basin retrofits, planting 50 trees within the target area and 15 filter bags is \$702,000. He stated that this does not include street sweeping costs. Mr. Smith stated that other municipalities have instituted a stormwater fee to help fund the project. He entertained questions about the proposed Pollutant Reduction Plan. Mr. Pepe stated that he received an email earlier in the day with a public comment. Mr. Pepe thanked Mr. Smith for his hard work on the proposed Plan and stated that the Borough has a lot of hard work in the future. Mr. Smith stated that once the Best Management practices are implemented over the 5-year term there will be expectations to monitor them. Mr. Anders asked how much sediment bags cost and how long they last. Mr. Smith responded that the cost is approximately \$500.00 a bag and the bags are semi-permanent, but with engineering and design, expect the cost to be \$1,000.

EMMAUS BOROUGH COUNCIL

Public Comment – None.

READING OF MINUTES

**Motion by Mr. DeFrain, seconded by Mr. Barrett to adopt the October 1, 2018 Council Minutes as drafted. There were 6 ayes. Motion carried.**

DECISION ON BIDS – None.

COMMUNICATIONS

- a. Ashley Lorah, Emmaus Main Street Partners – Request to hold Old Fashioned Christmas on December 1, 2018. Mr. Labenberg referred the item to staff.
- b. John Fernbacher, 2955 Lindberg Avenue, Allentown – Request appointment to the Community Garden Commission. Mr. Labenberg referred the item to the Community Relations, Planning and Development Committee.
- c. Faith Presbyterian Church, Reverend Rebecca Mallozzi – Request use of Triangle to hold an informal Christmas Eve Service on December 24, 2018 at 11:00 p.m. Referred to staff.
- d. Eva Seibert – Request appointment to the Community Garden Commission. Mr. Labenberg referred the item to the Community Relations, Planning and Development Committee.

BOROUGH ENGINEER’S REPORT – None.

SOLICITOR’S REPORT

Progress.

UNFINISHED BUSINESS, PART I

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 (1<sup>st</sup> Reading 9/17/18) (2<sup>nd</sup> Reading 10/15/18).

**Motion by Mr. DeFrain, seconded by Mr. Barrett to adopt 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 on its 2<sup>nd</sup> Reading. Roll call vote: Mr. DeFrain, aye; Mr. Barrett, aye; Ms. Baumgartner, aye; Mr. Shubzda, aye; Mr. Anders, aye; Mr. Labenberg, aye. There were 6 ayes. Motion carried.**

## EMMAUS BOROUGH COUNCIL

NEW BUSINESS

Ordinance No. 1181 – An Ordinance Authorizing the Borough of Emmaus to enter into an Intergovernmental Cooperation Agreement with the Boroughs of Alburtis and Macungie and the Townships of Lower Macungie, Lower Milford, and Upper Milford to Implement the Southwestern Lehigh County Comprehensive Plan (October 2017), Including Provisions Relating to Purpose, Powers, and Scope of Authority, Southwest Lehigh Steering Committee, Adoption of Conforming Ordinances, General Consistency, Developments of Regional Significance and Impact, Implementation Roles and Responsibilities, Annual Reports, Amendment and Review of the Plan, Dispute Resolution, Effective Date, and Termination (1<sup>st</sup> Reading 10/15/18).

**Motion by Mr. Shubzda, seconded by Mr. DeFrain to adopt Ordinance No. 1181 - An Ordinance Authorizing the Borough of Emmaus to enter into an Intergovernmental Cooperation Agreement with the Boroughs of Alburtis and Macungie and the Townships of Lower Macungie, Lower Milford, and Upper Milford to Implement the Southwestern Lehigh County Comprehensive Plan (October 2017), Including Provisions Relating to Purpose, Powers, and Scope of Authority, Southwest Lehigh Steering Committee, Adoption of Conforming Ordinances, General Consistency, Developments of Regional Significance and Impact, Implementation Roles and Responsibilities, Annual Reports, Amendment and Review of the Plan, Dispute Resolution, Effective Date, and Termination on its 1<sup>st</sup> Reading. Roll call vote: Mr. DeFrain, aye; Mr. Shubzda, aye; Mr. Anders, aye; Ms. Baumgartner, aye; Mr. Barrett; Mr. Labenberg, aye. There were 6 ayes. Motion carried.**

Ordinance No. 1182 – An Ordinance of the Borough of Emmaus, Lehigh County, Pennsylvania, Amending Ordinance 1099 and Chapter 15 §202.2.A of the Emmaus Borough Code, Removing a Residential Handicapped Parking Sign on the Public Street Located in Front of 624 Walnut Street within the Borough of Emmaus (1<sup>st</sup> Reading 10//15/18).

**Motion by Mr. Barrett, seconded by Mr. Anders to adopt Ordinance No. 1182 - 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 624 Walnut Street within the Borough of Emmaus on its 1<sup>st</sup> Reading. Roll call vote: Mr. DeFrain, aye; Ms. Baumgartner, aye; Mr. Barrett; Mr. Anders; Mr. Shubzda, aye; Mr. Labenberg, aye. There were 6 ayes. Motion carried.**

Mr. Labenberg stated that Ordinance Nos. 1181 and 1182 will have their 2<sup>nd</sup> Readings at the November 5, 2018 Council meeting.

UNFINISHED BUSINESS, PART II – None.

EMMAUS BOROUGH COUNCIL

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

MAYOR’S REPORT

Mayor Gilbert reminded everyone that Trick or Treat will be held on Friday, October 26<sup>th</sup> from 6:00 to 8:00 p.m. She stated that the Emmaus Police Department will hand out candy and will be grilling hot dogs and invited everyone to visit the Police Department.

Progress.

COMMITTEE REPORTS

a. Public Works Committee

Mr. Anders reported that the next Committee meeting is December 10, 2018 at 3:30 p.m.

Progress.

b. Health, Sanitation, and Codes Committee

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 reported that the next Committee meeting is November 6, 2018 at 4:30 p.m.

Progress.

d. Public Safety Committee

Mr. DeFrain reported that the next Committee meeting is November 14, 2018 at 9:15 a.m.

Progress.

e. General Administration Committee

**Motion by Mr. DeFrain, seconded by Mr. Barrett to enter into a Collective Bargaining Agreement between the Emmaus Professional Firefighters Local 5004 and Emmaus Borough from 2018-2021. There were 6 ayes. Motion carried.**

EMMAUS BOROUGH COUNCIL

Resolution 2018-35: Lehigh County Hazardous Mitigation Plan

**Motion by Mr. Anders, seconded by Mr. Barrett to adopt Resolution 2018-35. There were 6 ayes. Motion carried.**

Mr. Labenberg stated that the next Committee meeting is October 25, 2018 at 9:00 a.m.

Progress.

f. Budget and Finance Committee

Resolution 2018-34, authorizing payment of the October 15, 2018 Bill List, as follows:

<b>Bill List</b>	<b>\$</b>	<b>360,593.57</b>
<b>Payroll #21</b>	<b>\$</b>	<b>146,118.22</b>
<b>Payroll Taxes</b>	<b>\$</b>	<b><u>45,592.95</u></b>
<b>Total</b>	<b>\$</b>	<b>55,304.74</b>

Done this 15<sup>th</sup> day of October 2018.

**Motion by Mr. Barrett, seconded by Mr. DeFrain to adopt Resolution 2018-34. There were 6 ayes. Motion carried.**

Progress.

g. Community Relations, Planning and Development Committee

Mr. Pepe stated that upon Mrs. Sorg-McManamon’s return, the November Committee meeting will be rescheduled.

Progress.

PERSONAL APPEALS, PART II - None.

BOROUGH MANAGER’S REPORT

Mr. Pepe reported that the Significant Revenue and Expense Items for the first half of October 2018 are in the iPads and entertained questions about them. Mr. Labenberg stated that the four top expenses on the Significant Revenue and Expense Items are pension items and they total over 1 million dollars.



## EMMAUS BOROUGH COUNCIL

Mr. Pepe reported that the first budget workshop will be held on Thursday, October 25, 2018. He reminded Council to email him if they are unable to attend any of the workshops. Mr. Pepe thanked Mrs. Yaindl and Mrs. Snyder for their hard work on the proposed budget. Mr. DeFrain clarified that the budget workshop will be held on Tuesday, October 23, 2018 at 4:00 p.m.

Mr. Anders asked for an update on the 10<sup>th</sup> Street Culvert Project. Mr. Pepe responded that the Borough has received a construction schedule. Construction will begin on October 29, 2018 and the schedule has the culvert open to traffic by December 5, 2018. Mr. Pepe stated that the project has not begun because of the contractor, weather issues, and the Borough's engineer. He stated that it has nothing to do with the convenience store project, which was suggested at the last Planning Commission Meeting.

Progress.

PRESIDENT'S BUSINESS - None.

Progress.

ADJOURNMENT

**Motion by Mr. Barrett, seconded by Ms. Baumgartner to adjourn the October 15, 2018 Emmaus Borough Council Meeting. There were 6 ayes. Motion carried.**

The Meeting adjourned at 7:51 p.m.

Shane M. Pepe  
Borough Manager

Transcribed by: Paula Weiant  
Administrative Assistant  
October 16, 2018