

**Emmaus Borough Council**  
**Agenda**  
**October 17, 2016 7:00 PM**



1. Call to Order
2. Pledge of Allegiance
3. Personal Appeals, Part
4. Community Minute
5. Special Presentations
  - 5.a. Emmaus Rotary Club Donation Presented to the Ambulance Corps
6. Reading of Minutes
  - 6.a. Council Meeting - October 3, 2016
7. Decisions on Bids
8. Communications
  - 8.a. Linda Rose, 542 North Street - Request reappointment to the Emmaus Public Library Board (term expires 1/1/2017).
  - 8.b. Roger Steinmayr, 419 First Street - Request reappointment to the Emmaus Zoning Hearing Board (term expires 1/1/2017).
  - 8.c. Attorney John Stover, Jr., 537 Chestnut Street - Request reappointment to both the Emmaus Vacancy Board and the General Authority (terms expire 1/1/2017).
  - 8.d. Theodore lobst, II, 413 S. Fifth Street - Request reappointment to the Emmaus Zoning Hearing Board (term expires 1/1/2017).
  - 8.e. Eli Bracken, 190 Main Street - Letter of Resignation from the Joint Environmental Advisory Council (term expires 3/7/2019).
9. Borough Engineer's Report

10. Solicitor's Report

11. Unfinished Business, Part

12. New Business

12.a. Ordinance No. 1147 - An Ordinance Amending Chapter 15 §406 of the Codified Ordinances, Establishing Restricted Parking on Certain Days and Hours in Front of 400 Jubilee Street (1st Reading 10/17/16).

13. Unfinished Business, Part II

13.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 10/03/16) (2nd Reading 11/07/16).

14. Items Not on Agenda Subject to Rule 9

15. Mayor's Report

16. Committee Reports

Public Works/(Highway, Water & Sewer)(Brown, Anders, DeFrain)

Next Meeting – November 14, 2016 at 3:00 p.m.

Lawn Mowing Contract Extension

Committee Meeting - October 10, 2016

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 – November 1, 2016 at 4:00 p.m.

Committee Meeting - October 4, 2016

Public Safety (Gilbert, Barrett, Brown)

Next Meeting - November 2, 2016 at 3:00 p.m.

Ordinance No. 1147 - 1st Reading (10/17/16)

Committee Meeting - October 5, 2016

General Administration (Barrett, Labenberg, Gilbert)

Next Meeting – October 26, 2016 at 9:00 a.m.

Resolution No. 2016-47 - A Resolution Conditionally Approving the Preliminary /Final Land Development Plan for the Emmaus Public Library (Expansion Project).

Ordinance No. 1146 - 2nd Reading (11/07/16)

Committee Meeting - October 12, 2016

Budget and Finance (Labenberg, Shubzda, Gilbert)

Next Meeting – October 27, 2016 at 3:15 p.m.

Bill List - Resolution No. 2016-48

Committee Meeting - October 3, 2016

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

Next Meeting – November 10, 2016 at 4:00 p.m.

Committee Meeting - October 13, 2016

17. Borough Manager's Report

17.a. Significant Revenue & Expense Items for First Half of October, 2016

18. President's Business

19. Adjournment

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The Emmaus Borough Council met in regular session on October 17, 2016 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
Wesley Barrett, Vice President	Present
Roy Anders	Present
Nathan Brown	Present
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

A. **John Donches, 559 Minor Street** – requested an update on his previous personal appeals to have all Committee Meetings posted on the Borough’s website. Mr. Pepe responded that the download process is difficult and still being worked on. Mr. Donches voiced concern about Borough Council receiving pay raises and stated that the October 3, 2016 minutes reflect that Council has not received a pay raise in 43 years. He stated that he believes Council received one in the last 10 years and does not currently need a pay raise. Mr. Labenberg responded that a pay raise was discussed 4 years ago but never voted on it. Mr. Donches questioned if Mr. Pepe’s budget message is available to the public. Mr. Pepe responded that if Mr. Donches makes a formal request, he will provide it to him.

### COMMUNITY MINUTE

Mrs. Gilbert reminded everyone that on Saturday, October 22, 2016, the Emmaus Police Department will take part in National Drug Take Back Day. She stated that the lobby will be open at the Police Station for drop off.

Mr. Anders stated that leaf collection will begin shortly and encouraged everyone to follow the guidelines set by the Borough.

Mr. Barrett thanked BB&T Bank for sponsoring the Halloween 5K Race. He stated that there were 388 race registrants. Mr. Barrett thanked the Emmaus Run Inn, the Emmaus High School Cross Country Team, and all the volunteers that helped with the race.

Mr. Labenberg thanked the Halloween Parade Chairwoman, Kathy Mintzer, the Halloween Committee, and all of the volunteers that helped with the Parade.

Mr. Brown reminded that soliciting permits are required and encouraged residents to ask for ID and a permit when being approached by a solicitor.

Mr. Pepe encouraged all residents to visit the Borough website and subscribe to the Swiftreach network to receive auto dial notifications.

### SPECIAL PRESENTATIONS

The Emmaus Rotary Club presented the Emmaus Ambulance Corps with a check in the amount of \$3,200 to purchase suction machines and equipment. Mr. Labenberg thanked the Rotary Club for its donation. Mr. Pepe thanked the Rotary Club for its partnership with the Borough.

### READING OF MINUTES

**Motion by Mr. DeFrain, seconded by Mr. Barrett to adopt the October 3, 2016 Council Minutes as drafted. There were 7 ayes. Motion carried.**

DECISION ON BIDS – None.

## COMMUNICATIONS

- a. Linda Rose, 542 North Street – Request reappointment to the Emmaus Public Library Board (term expires 1/1/2017). Referred to the General Administration Committee.
- b. Roger Steinmayr, 419 First Street – Request reappointment to the Emmaus Zoning Hearing Board (term expires 1/1/2017). Referred to the Health, Sanitation and Codes Committee.
- c. Attorney John Stover, Jr., 537 Chestnut Street – Request reappointment to both the Emmaus Vacancy Board and the General Authority (terms expire 1/1/2017). Referred to the General Administration Committee.
- d. Theodore Iobst, II, 413 S. Fifth Street – Request reappointment to the Emmaus Zoning Hearing Board (term expires 1/1/2017). Referred to the Health, Sanitation and Codes Committee.
- e. Eli Bracken, 190 Main Street – Letter of Resignation from the Joint Environmental Advisory Council (term expires 3/7/2019). Mr. Pepe congratulated Eli and wished him well with his new job position in Boston.
- f. Steve Walbert, 329 S. 2<sup>nd</sup> Street – Concerns about one-way on Landis Circle. Mr. Anders stated that there are cars that go the wrong way on the street and believes that directional signs might help with Mr. Walbert's concerns. He stated that he is not in favor of placing a speed bump on Landis Circle. Referred to the Public Safety Committee.
- g. Lauren Jesmain, 915 Chestnut Street – Letter of interest to serve on the Recreation and Entertainment Commission. Referred to the Parks and Recreation Committee.
- h. Dr. Michael Waddell, Emmaus Arts Commission – Request to use Community Room for Emmaus Arts Commission's annual photo contest on Saturday, December 2, 2016. Referred to Staff.
- i. Chuck Lowitzer – Letter of thanks to Mrs. Yaindl for assistance in arranging the Rosary Rally.

BOROUGH ENGINEER'S REPORT–None.

## SOLICITOR'S REPORT

Solicitor Dimmich reported that he drafted a Memorandum pertaining to the LCA matter.

Progress.

UNFINISHED BUSINESS, PART I – None.

## NEW BUSINESS

Ordinance No. 1147 – An Ordinance Amending Chapter 15§406 of the Codified Ordinances, Establishing Restricted Parking on Certain Days and Hours in Front of 400 Jubilee Street. (1<sup>st</sup> Reading 10/17/16).

Mrs. Gilbert explained that there are two drafts of the Ordinance which deals with the internet exchange zone. She stated that the Committee discussed having the 15 minute parking exchange zone located on the north side of Jubilee Street, located across from the Police Department. The Police suggested locating the exchange zone directly in front of the Police Department. Mrs. Gilbert stated that she believes having an exchange zone located directly in front of the Police Department will interfere with the day-to-day operations of the Police Department. Mr. Pepe stated that anyone would be able to park in the spot. He also stated that parking in the exchange zone will be limited to 15 minutes. Mr. Barrett questioned if the camera would be re-angled if the exchange zone was located across from the Police Station. Mr. Pepe responded

affirmatively. Mr. DeFrain asked if the Police Department would have a full view if the zone was located across from the Police Station. Mr. Labenberg stated that Police Chief Palmer recommends placing the exchange zone in front of the Police Station and he will vote in favor of having it at this location for safety reasons.

**Motion by Mr. Anders, seconded by Mr. DeFrain to adopt Ordinance No. 1147 – An Ordinance Amending Chapter 15§406 of the Codified Ordinances, Establishing Restricted Parking on Certain Days and Hours in Front of 400 Jubilee Street on its 1<sup>st</sup> Reading. Roll call vote: Mr. Brown, nay; Mr. Shubzda, aye; Mr. Anders, aye; Mrs. Gilbert, nay; Mr. DeFrain, aye; Mr. Barrett, aye; Mr. Labenberg, aye. There were 5 ayes, 2 opposed (Brown, Gilbert). Motion carried.**

The 2<sup>nd</sup> Reading of the Ordinance will be held at the 11/7/16 Council Meeting.

UNFINISHED BUSINESS, PART II – None.

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

#### MAYOR’S REPORT

Progress.

#### COMMITTEE REPORTS

a. Public Works Committee

Mr. Brown reported that the Committee met on Monday, October 10, 2016. He reported that the Committee discussed the benefits and drawbacks of extending the current lawn contract with All Year Lawn Services for the calendar year of 2017. He stated that the current contract is \$50,700 and that the Committee recommends extending the contract through 2017.

**Motion by Mr. Brown, seconded by Mr. DeFrain to extend the current lawn mowing contract with All Year Lawn Services through 2017. There were 7 ayes. Motion carried.**

The next Committee Meeting is November 14, 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

The next Committee Meeting is November 1, 2016 at 4:00 p.m.

Progress.

d. Public Safety Committee

Mrs. Gilbert reported that the next Committee Meeting is Wednesday, November 2, 2016 at 3:00 p.m.

Mrs. Gilbert thanked the East Penn Animal Hospital for a donation of \$1,000 in free veterinarian care to the Emmaus Police Department. Mrs. Gilbert also stated that the Emmaus Police Department's K9, Ronny, will receive a bullet proof and stab protective vest thanks to a charitable donation from the non-profit organization Vested Interest in K9s, Inc. K9 Ronny's vest is sponsored by The Landis Family Foundation.

Progress.

e. General Administration Committee

Resolution 2016-47 – A Resolution Conditionally Approving the Preliminary/Final Land Development Plan for the Emmaus Public Library (Expansion Project).

Mr. Pepe invited Krista Pegnetter to the podium to explain the expansion project and to answer Council's questions. Mr. Pepe stated that Mrs. Pegnetter will be leaving the Borough and congratulated her on her new position. He thanked her for her service to the Community as the Library Director and as a Board member for the Emmaus Public Library.

**Motion by Mr. Barrett, seconded by Mrs. Gilbert to adopt Resolution 2016-47. There were 7 ayes. Motion carried.**

Progress.

f. Budget and Finance Committee

Resolution 2016-48, authorizing payment of the October 17, 2016 Bill List, as follows:

<b>Bill List</b>	<b>\$ 1,180,733.31</b>
<b>Payroll #21</b>	<b>\$ 125,543.15</b>
<b>Payroll Taxes</b>	<b>\$ <u>42,914.91</u></b>
<b>Total</b>	<b>\$ 1,349,191.37</b>

Done this 17<sup>th</sup> day of October 2016.

**Motion by Mr. Shubzda, seconded by Mrs. Gilbert to adopt Resolution 2016-48. There were 7 ayes. Motion carried.**

The next Committee Meeting is October 27, 2016 at 3:15 p.m.

Mr. Labenberg reminded Council that the first Budget Workshop will be held on October 25, 2016 at 4:00 p.m.

Progress.

g. Community Relations, Planning and Development Committee

The next Committee Meeting is November 10, 2016 at 4:00 p.m.

Progress.

PERSONAL APPEALS, PART II – None.

BOROUGH MANAGER'S REPORT

Mr. Pepe reported that the budget binders have been prepared and are in the iPads and the Mayor's copy is on his desk.

Mr. Pepe reported that the Significant Revenue and Expense Items for the first half of October 2016 are in the iPads and entertained questions about them.

Mr. Pepe read the Communications that were placed on the desk. Mr. Labenberg asked if the Communications could be placed in the Communications section of the October 17, 2016 Council Minutes. Mr. Pepe answered affirmatively.

Progress.

PRESIDENT'S BUSINESS – None.

ADJOURNMENT

**Motion by Mr. Brown, seconded by Mr. Barrett to adjourn the October 17, 2016 Emmaus Borough Council Meeting. There were 7 ayes. Motion carried.**

The Meeting adjourned at 7:40 p.m.

Shane M. Pepe  
Borough Manager

Transcribed by: Paula Weiant  
Administrative Assistant  
October 7, 2016