

EMMAUS BOROUGH COUNCIL

**Emmaus Borough Council
Agenda
October 20, 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

October 6, 2014

7. Decisions on Bids
8. Communications
 - a. Bernadine Stahler, 4864 Vera Cruz Road – Resignation from the Emmaus Ambulance Corps.
 - b. Deborah Lillegard, Emmaus Lioness Lions Club – Chase the Chill Event – Reschedule to November 1, 2014, rain date November 2, 2014.
 - c. Peter Gasper, 954 N. 7th Street Circle – Resignation from the Parks and Recreation Commission.
9. Borough Engineer’s Report
10. Solicitor’s Report
11. Unfinished Business, Part I
12. New Business

Ordinance No. 1114 – An Ordinance Repealing Sections 351 Through 356 of Chapter 1 of the Codified Ordinances Involving the Civil Service Commission Rules and Regulations and Adopting Amended Rules and Regulations (1st Reading 10/20/14).

13. Unfinished Business, Part II

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14. Items Not on Agenda, Subject to Rule 9

15. Mayor's Report

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 – November 20, 2014 at 4:30 p.m.

- a. Emmaus and Upper Milford Joint Environmental Advisory Council
- b. Board of Health
- c. Refuse Bills
- d. Codes Enforcement in Committee

Parks and Recreation (Anders, Barrett, Labenberg)

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

- a. Boro Line Park Direction Sign
- b. **Old Fashioned Christmas**

Public Safety (Gilbert, Barrett, Brown)

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

- a. Emergency Operations Plan – Review
- b. Graffiti Ordinance
- c. IFC Ordinance
- d. Landis Circle One-Way
- e. **Ordinance No. 1114 – Amended Civil Service Commission Rules and Regulations**

General Administration (Barrett, Gilbert, Labenberg)

Next Meeting – November 12, 2014 at 9:00 a.m.

- a. Emmaus Public Library Expansion Project
- b. Sale of Properties
- c. Town Hall Remodeling Project
- d. **Appoint Tina Ralls to Library Board (term expires 1/1/2017)**

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- e. **Appoint David Cole to Library Board (term expires 1/1/2016)**
- f. **Appoint Craig Neely to General Authority (term expires 1/1/2018)**

Budget and Finance (Holtzhafer, Shubzda, Gilbert)

Next Meeting – October 23, 2014 at 3:30 p.m.

- a. Capital Plan
- b. **Resolution 2014-41 – Bill List**
- c. 2015 Budget

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

Next Meeting – November 12, 2014 at 4:00 p.m.

- a. Grant Progress
- b. Committee Structure

17. Personal Appeals, Part II

18. Borough Manager’s Report

- a. Significant Revenue and Expense Items for First Half of October, 2014

19. President’s Business

20. Adjournment

Next Resolution: 2014-42
Next Ordinance: #1115

The Emmaus Borough Council met in regular session on October 20, 2014 in Borough Council Chambers, 28 S. 4th Street, Emmaus, PA 18049.

CALL TO ORDER

Mrs. Gilbert called the meeting to order at 7:00 p.m.

Lee Ann Gilbert, President	Present
Brian Holtzhafer, Vice President	Present
Roy Anders	Present
Wesley Barrett	Present
Nathan Brown	Present
Brent Labenberg	Present – Arrived at 7:01 p.m.
Jeffrey Shubzda	Present

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Winfield Iobst, Mayor	Present
Jeffrey Dimmich, Solicitor	Present
Shane Pepe, Borough Manager	Present

PERSONAL APPEALS – PART 1

A. Mark Fischer, 723 N. 2nd Street – voiced concern about his taxes being sent incorrectly to the wrong address after he moved and stated that the Borough did not notify Lehigh County of his new address. He stated that because of this, he did not receive his tax bill for 2013 and 2014. He also stated that he has incurred penalties and late fees and has had a lien placed on his property. He asked that the lien be removed from his property because he did not receive his tax bills and asked that the 10% penalty be rescinded for 2013 and 2014. Solicitor Dimmich stated that the correct legal process was followed before the lien was placed on the property. He stated that the mistake is not the Borough's or the Solicitor's because it is the homeowner's responsibility to pay their taxes.

Motion by Mr. Barrett, seconded by Mr. Brown to extend Mr. Fischer's Personal Appeal time by 5 minutes. There were 7 ayes. Motion carried.

Mrs. Gilbert referred the item to the Budget & Finance Committee.

COMMUNITY MINUTE

Mr. Barrett thanked the Halloween Committee, Borough staff, the sponsors, specifically National Penn Bank, the Emmaus Run Inn, emmaussports.com, 187 Rue Principal and DJ Dutch for the success of the National Penn Bank Halloween in Emmaus 5K Race. He stated that there were 305 registered runners with 266 finishing the race and anticipates donating approximately \$3,000 to the Halloween Committee.

Mr. Labenberg thanked Kathy Mintzer, John Eyer and Borough staff for the success of the Halloween Parade. He thanked Wes Barrett for organizing the 8th Annual National Penn Bank Halloween in Emmaus 5K Race.

Mr. Anders reminded everyone that Trick-or-Treat will take place on Thursday, October 30, 2014 from 6:00 to 8:00 p.m. He also reminded everyone that curbside leaf collection began October 20, 2014.

Mr. Shubzda stated that the Emmaus Arts Commission will host its 10th Annual Student Horror Film Festival at the Emmaus Theater on October 26, 2014 at 2:00 p.m.

SPECIAL PRESENTATIONS – None.

READING OF MINUTES

Motion by Mr. Barrett, seconded by Mr. Shubzda to dispense with the formal reading of the October 6, 2014 Public Hearing Minutes. There were 7 ayes. Motion carried.

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Motion by Mr. Shubzda, seconded by Mr. Barrett to adopt the October 6, 2014 Public Hearing Minutes as drafted. There were 7 ayes. Motion carried.

Motion by Mr. Barrett, seconded by Mr. Shubzda to dispense with the formal reading of the October 6, 2014 Minutes. There were 7 ayes. Motion carried.

Motion by Mr. Shubzda, seconded by Mr. Barrett to adopt the October 6, 2014 Minutes as drafted. There were 7 ayes. Motion carried.

DECISION ON BIDS – None.

COMMUNICATIONS

a. Bernadine Stahler, 4864 Vera Cruz Road – Resignation from the Emmaus Ambulance Corps. Mrs. Gilbert directed Mr. Pepe to mail Mrs. Stahler a letter of thanks for her service to the community.

Motion by Mr. Brown, seconded by Mr. Shubzda to accept Bernadine Stahler’s resignation from the Emmaus Ambulance Corps. There were 7 ayes. Motion carried.

b. Deborah Lillegard, Emmaus Lioness Lions Club – Chase the Chill Event – Request to reschedule to November 1, 2014, rain date November 2, 2014.

Motion by Mr. Brown, seconded by Mr. Barrett to grant the Emmaus Lioness Lions Club request to hold the Chase the Chill Event on November 1, 2014, with a rain date of November 2, 2014 at Triangle Park. There were 7 ayes. Motion carried.

c. Peter Gasper, 954 N. 7th Street Circle – Resignation from the Parks and Recreation Commission.

Motion by Mr. Barrett, seconded by Mr. Anders to accept Mr. Gasper’s resignation from the Parks and Recreation Commission. There were 7 ayes. Motion carried.

d. Janie Slamon, Emmaus Public Library – Request reappointment to Emmaus Library Board (term expires 1/1/2015). Referred to the General Administration Committee.

e. Janie Slamon, Emmaus Public Library – Request reappointment of Jean Nagle to the Emmaus Library Board (term expires 1/1/2015). Referred to the General Administration Committee.

f. LTL Consultants – Request to become Borough’s engineering firm. Referred to the General Administration Committee.

g. Joseph Deddo, President Emmaus Veteran’s Committee – Fee waiver request for use of Lion’s pavilion on June 20, 2015. Referred to the Parks and Recreation Committee.

BOROUGH ENGINEER’S REPORT - None.

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SOLICITOR'S REPORT

Solicitor Dimmich reported that the Pennsylvania State Association of Boroughs and the Public Employer Labor Relations Advisory Service are following the firemen's issue closely and its impact on other Fire Departments. He stated that he believes they will file amicus briefs in support of the Borough's position.

Progress.

UNFINISHED BUSINESS, PART I – None.

NEW BUSINESS

Ordinance No. 1114 - An Ordinance Repealing Sections 351 through 356 of Chapter 1 of the Codified Ordinances Involving the Civil Service Commission Rules and Regulations and Adopting Amended Rules and Regulations (1st Reading 10/20/14).

Mr. Pepe reviewed the four basic changes to the Ordinance and Solicitor Dimmich further clarified the changes.

Motion by Mr. Labenberg, seconded by Mr. Anders to read Ordinance No. 1114 in short title. There were 7 ayes. Motion carried.

Mrs. Gilbert read Ordinance No. 1114 in short title.

Motion by Mr. Labenberg, seconded by Mr. Anders to adopt Ordinance No. 1114 - An Ordinance Repealing Sections 351 through 356 of Chapter 1 of the Codified Ordinances Involving the Civil Service Commission Rules and Regulations and Adopting Amended Rules and Regulations on its 1st Reading. Roll call vote: Mr. Labenberg, aye; Mr. Holtzhafer, aye; 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 thanked Kathly Mintzer and the Halloween Parade Committee for the success of the parade. He stated that there were very few incidents at the parade.

COMMITTEE REPORTS

a. Public Works Committee

Progress.

b. Health, Sanitation, and Conservation Committee

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Mr. Shubzda reported that the Committee met on October 16, 2014 at 4:30 p.m., and entertained questions about the Committee report.

The next meeting is November 20, 2014 at 4:30 p.m.

Progress.

c. Parks and Recreation Committee

Mr. Anders reported that the Committee met on October 7, 2014 at 4:00 p.m.

Motion by Mr. Anders, seconded by Mr. Shubzda to grant the Emmaus Main Street Partners' request to host the Old Fashioned Christmas event on December 6, 2014 at Triangle Park. There were 7 ayes. Motion carried.

Mr. Anders entertained questions about the Committee report.

Progress.

d. Public Safety Committee

Mrs. Gilbert reported that the next meeting is Wednesday, November 5, 2014 at 3:00 p.m.

Progress.

e. General Administration Committee

Mr. Barrett reported that the Committee met on October 15, 2014.

Motion by Mr. Barrett, seconded by Mr. Labenberg to appoint Tina Ralls to the Library Board to a term expiring on 1/1/17. There were 7 ayes. Motion carried.

Mr. Barrett stated that he believes Ms. Ralls will be an excellent addition to the Library Board.

Motion by Mr. Barrett, seconded by Mr. Labenberg to appoint David Cole to the Library Board to a term expiring on 1/1/16. There were 7 ayes. Motion carried.

Mr. Barrett stated that he believes Mr. Cole will also be an excellent addition to the Library Board.

Motion by Mr. Barrett, seconded by Mr. Anders to appoint Craig Neely to the General Authority to a term expiring on 1/1/18. There were 7 ayes. Motion carried.

Progress.

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f. Budget and Finance Committee

Mr. Holtzhafer read Resolution 2014- 41 authorizing payment of the October 20, 2014 Bill List, as follows:

Bill List	\$	648,798.95
Payroll #21	\$	123,895.03
Payroll Taxes	\$	<u>41,956.32</u>
Total	\$	814,650.30

Done this 20th day of October 2014.

Motion by Mr. Holtzhafer, seconded by Mr. Shubzda to approve the October 20, 2014 Bill List. There were 7 ayes. Motion carried.

Mrs. Gilbert reminded Council that the first Budget Workshop is scheduled for Tuesday, October 28, 2014 at 4:00 p.m.

Progress.

g. Community Relations, Planning and Development Committee

Mr. Brown reported that the Committee met on October 14, 2014. He reported that the Committee had a candid discussion on its direction and will revisit the matter.

Progress.

PERSONAL APPEALS, PART II – None.

BOROUGH MANAGER’S REPORT

Mr. Pepe reported that the budget binders have been dispersed and reminded Council that the Department Managers will be reviewing their budget requests at the first Budget Workshop on October 28, 2014.

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

Progress.

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PRESIDENT'S BUSINESS

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

The October 20, 2014 Meeting of the Emmaus Borough Council adjourned at 8:00
p.m.

Shane Pepe
Borough Manager

Transcribed by: Paula Weiant
Administrative Assistant
October 23, 2014