

November 05, 2018

**Emmaus Borough Council
Agenda
November 05, 2018 7:00 PM**



1. Call to Order
2. Pledge of Allegiance
3. Personal Appeals, Part I
4. Community Minute
5. Special Presentations
6. Reading of Minutes
 - 6.a. Council Meeting Minutes - October 15, 2018
7. Decisions on Bids
8. Communications
 - 8.a. Eva Seibert, 1921 Duffield Ct., Allentown - Request appointment to the Community Garden Commission.
 - 8.b. Wendy Bartkus, 704 Fernwood St., Emmaus - Request appointment to the Community Garden Commission.
 - 8.c. Bernadette Goetz, 1055 Arch St., Emmaus - Request appointment to the Emmaus Arts Commission.
 - 8.d. Melynda Yesenia Cameron, 314 N. 2nd St., Emmaus - Request appointment to the Emmaus Arts Commission.
 - 8.e. Ashley Lorah, Emmaus Main Street Manager - Pop-up Christmas Tree Shop on Triangle Park.
9. Borough Engineer's Report
10. Solicitor's Report
11. Unfinished Business, Part I
 - 11.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

November 05, 2018

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) (2nd Reading 11/5/18).

11.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) (2nd Reading 11/5/18).

12. New Business

13. Unfinished Business, Part II

14. Items Not on Agenda
Subject to Rule 9

15. Mayor's Report

15.a. Quarterly Report - List of Activities

16. Committee Reports

Public Works/(Highway, Water & Sewer) (Anders, Sorg-McManamon, Labenberg)
Next Meeting – December 10, 2018 at 3:30 p.m.

Hire Full-Time Public Works Employee

Health, Sanitation, and Codes (Shubzda, Sorg-McManamon, Anders)
Next Meeting – November 28, 2018 at 4:30 p.m.

Committee Meeting Notes - October 31, 2018

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

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

Ordinance No. 1182 - 2nd Reading

General Administration (Labenberg, Barrett, DeFrain)
Next Meeting – December 6, 2018 at 9:00 a.m.

Ordinance No. 1181 - 2nd Reading

Hire Haberstumpf Roofing as Library Roof Consultant

November 05, 2018

Budget and Finance (Barrett, DeFrain, Labenberg)

Next Meeting – November 19, 2018 at 6:45 p.m.

Resolution No. 2018-37: Bill List

Committee Meeting Notes - October 15, 2018

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

Next Meeting – November 14, 2018 at 4:30 p.m.

Resolution No. 2018-36: Final Lot Line Adjustment Plan for 421-431 State Ave.

Appoint John Fernbacher to the Community Garden Commission - term expires 1/1/2021

Appoint Eva Seibert to the Community Garden Commission - term expires 1/1/2021

17. Boards and Commissions

17.a. Emmaus Public Library Board of Trustees Meeting Minutes - September 18, 2018

17.b. Employee and Volunteer Safety Committee Meeting Minutes - October 18, 2018

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

17.d. Emmaus Planning Commission Meeting Minutes - October 11, 2018

18. Personal Appeals, Part II

19. Borough Manager's Report

19.a. Significant Revenue and Expense items for October, 2018

19.b. Hired Melissa Hennis - Part-Time EMT

20. President's Business

21. Adjournment

EMMAUS BOROUGH COUNCIL

The Emmaus Borough Council met in regular session on November 5, 2018 in Borough Council Chambers, 28 S. 4th Street, Emmaus, PA 18049.

CALL TO ORDER

Mr. DeFrain called the Meeting to order at 7:01 p.m.

Brent Labenberg, President	Present – Arrived at 8:05 p.m.
Chris DeFrain, Vice President	Present
Roy Anders	Present
Wesley Barrett	Present
Shana Baumgartner	Present
Jeffrey Shubzda	Present
Teri Sorg-McManamon	Present
Lee Ann Gilbert, Mayor	Present
Jeffrey Dimmich, Solicitor	Present
Shane Pepe, Borough Manager	Present

PERSONAL APPEALS, PART I

A. Tom Godusky, 137 N. 2nd Street – Voiced concerns that there are no crosswalks at the corner of 2nd and North Street. He stated that it is a very heavily traveled intersection and believes that it is a safety concern. He stated that in 1997 he was informed by the Borough Manager that Dan DeLong would repair Howard Street. He also stated that in 2001 he received a letter stating that Howard Street would be ordained to have work done. He stated that as of today, work has not been done on the street. He stated that recently many streets were resurfaced but nothing has been done to Howard Street. He asked if someone with authority could look at the street because he believes that it is a safety issue due to all of the ruts in the street. Solicitor Dimmich responded that individual Council members can look at the street but have no authority to fix the street. He stated that the individuals who have the authority to fix the street are the Public Works Director or Borough Manager.

B. Andy Lee, candidate for State Representative in the 131st District – introduced himself and stated that he is running against Justin Simmons for State Representative in District 131 and encouraged everyone to vote. Mr. Barrett thanked Mr. Lee for attending the Council Meeting.

C. Ashley Lorah, Emmaus Main Street Partners Manager – provided an update on the Old-Fashioned Christmas event to be held on Saturday, December 1, 2018. She stated that there will be a Cheers Trail that will lead participants throughout the downtown. She also stated that there will be a Candy Cane Lane for children to participate in arts and crafts, a free movie at the Emmaus Theater, trolley rides, Santa and Mrs. Claus, musical performances, and the annual tree lighting ceremony. She encouraged everyone to attend the event and to visit the other organizations that are also hosting events on the same day.

EMMAUS BOROUGH COUNCIL

COMMUNITY MINUTE

Mr. Shubzda thanked the Emmaus Arts Commission for hosting the 14th Annual Student Film Festival at the Emmaus Theater. He stated that there were 25 films entered and it was a very successful event. He congratulated the winners from Lower Macungie Middle School and Liberty High School. Mr. Anders stated that the Emmaus High School Field Hockey team has won its 30th straight title. Mr. Barrett thanked everyone that helped with the 5K Race and thanked First Commonwealth Financial Credit Union for sponsoring the event and for their \$2,500 donation. He stated that there were 399 registrants for the race and the event raised over \$10,000. He stated that part of the money raised will be donated to the Entertainment and Recreation Commission towards the 40th Annual Summer Concert Series held at the Emmaus Community Park. Ms. Baumgartner reminded everyone that the Emmaus Public Library will hold its ribbon cutting for the new Children's Wing on November 8, 2018 from 2:00 p.m. to 3:00 p.m. Mr. DeFrain thanked the Public Works Department for their efforts after the weekend storm.

SPECIAL PRESENTATIONS - None.

READING OF MINUTES

Motion by Mr. Anders, seconded by Mr. Shubzda to adopt the October 15, 2018 Council Minutes as drafted. There were 6 ayes. Motion carried.

DECISION ON BIDS – None.

COMMUNICATIONS

a. Eva Seibert, 1921 Duffield Ct., Allentown – Request appointment to the Community Garden Commission.

Motion by Mrs. Sorg-McManamon, seconded by Ms. Baumgartner to appoint Eva Seibert to the Community Garden Commission.

Mr. Pepe stated that the term expires on 1/1/2021. Mrs. Sorg-McManamon amended her motion and Ms. Baumgartner amended her 2nd to include to a term expiring on 1/1/2021.

Motion by Mrs. Sorg-McManamon, seconded by Ms. Baumgartner to appoint Eva Seibert to the Community Garden Commission to a term expiring 1/1/2021. There were 6 ayes. Motion carried.

b. Wendy Bartkus, 704 Fernwood St., Emmaus – Request appointment to the Community Garden Commission. Mr. DeFrain referred the item to the Community Relations, Planning and Development Committee.

EMMAUS BOROUGH COUNCIL

c. Bernadette Goetz, 1055 Arch St., Emmaus – Request appointment to the Emmaus Arts Commission. Mr. DeFrain referred the item to the Community Relations, Planning and Development Committee.

d. Melinda Yesenia Cameron, 314 N. 2nd St., Emmaus – Request appointment to the Emmaus Arts Commission. Mr. DeFrain referred the item to the Community Relations, Planning and Development Committee.

e. Ashley Lorah, Emmaus Main Street Manager – Pop-up Christmas Tree Shop on Triangle Park. Mr. DeFrain referred the item to the Parks and Recreation Committee.

BOROUGH ENGINEER’S REPORT – None.

SOLICITOR’S REPORT

Solicitor Dimmich reported that he and Mr. Pepe attended a very arduous and heated injunction hearing on November 1, 2018 regarding the refuse contract. He stated that the hearing is continued until November 21, 2018. Solicitor Dimmich requested an Executive Session to discuss the hearing.

Solicitor Dimmich reported that on November 2, 2018, Officer Schmidt filed a PA Labor Relations Complaint against the Borough of Emmaus.

Progress.

UNFINISHED BUSINESS, PART I

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) (2nd Reading 11/5/18).

Motion by Mr. Barrett, seconded by Mrs. Sorg-McManamon 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 2nd Reading. Roll call vote: Ms.

EMMAUS BOROUGH COUNCIL

Baumgartner, aye; Mr. Barrett, aye; Mrs. Sorg-McManamon, aye; Mr. Shubzda, aye; Mr. Anders, aye; Mr. DeFrain, 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 §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) (2nd Reading 11/5/18).

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 2nd Reading. Roll call vote: Ms. Baumgartner, aye; Mr. Barrett, aye; Mrs. Sorg-McManamon, aye; Mr. Shubzda, aye; Mr. Anders, aye; Mr. DeFrain, aye. There were 6 ayes. Motion carried.

NEW BUSINESS – None.

UNFINISHED BUSINESS, PART II – None.

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

MAYOR’S REPORT

Mayor Gilbert stated she prepared her Quarterly Report and entertained questions about it.

Progress.

COMMITTEE REPORTS

a. Public Works Committee

Motion by Mr. Anders, seconded by Mr. Barrett to hire Sean Lawrence as a full-time Public Works Employee contingent upon the successful completion of a background check and Mr. Pepe determining the salary. There were 6 ayes. Motion carried.

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

Progress.

EMMAUS BOROUGH COUNCIL

b. Health, Sanitation, and Codes Committee

Mr. Shubzda reported that the next Committee meeting is November 28, 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 scheduled for November 14, 2018 at 9:15 a.m. has been cancelled.
Progress.

e. General Administration Committee

Motion by Mr. Barrett, seconded by Mr. Anders to hire Haberstumpf Roofing as a roof consultant for the Emmaus Public Library at a fee of \$18,000.00. There were 6 ayes. Motion carried.

Ms. Baumgartner clarified that this item is within the budget and will save money. Mr. Anders asked if there is a time frame for the work to be done. Mr. Pepe responded that the plan is to start prepping immediately.

Progress.

f. Budget and Finance Committee

Resolution 2018-37, authorizing payment of the November 5, 2018 Bill List, as follows:

Bill List	\$	529,106.11
Payroll #22	\$	141,703.56
Payroll Taxes	\$	<u>43,512.82</u>
Total	\$	714,322.49

Done this 5th day of November 2018.

EMMAUS BOROUGH COUNCIL

Motion by Mr. Barrett, seconded by Ms. Baumgartner to adopt Resolution 2018-37. There were 6 ayes. Motion carried.

Progress.

g. Community Relations, Planning and Development Committee

Resolution 2018-36 – A Resolution Conditionally Approving the Final Lot Line Adjustment Plan for Frederick L. Saracino (421-431 State Ave).

Solicitor Dimmich stated that the Lot Line Adjustment Plan is governed by SALDO and must be approved by Borough Council. He stated that there are four minor waivers and it is a simple Lot Line Adjustment consolidating four lots into two lots.

Motion by Mrs. Sorg-McManamon, seconded by Mr. Shubzda to adopt Resolution 2018-36. There were 6 ayes. Motion carried.

Motion by Mrs. Sorg-McManamon, seconded by Ms. Baumgartner to appoint John Fernbacher to the Community Garden Commission to a term expiring 1/1/2021. There were 6 ayes. Motion carried.

Mrs. Sorg-McManamon reported that the next Committee meeting is Wednesday, November 14, 2018 at 4:30 p.m.

Progress.

PERSONAL APPEALS, PART II

A. **Ashley Lorah, Emmaus Main Street Partners** – reminded everyone that Shop Small Business Saturday will be held on Saturday, November 24, 2018.

BOROUGH MANAGER'S REPORT

Mr. Pepe reported that the Significant Revenue and Expense Items for October 2018 are in the iPads and entertained questions about them.

Mr. Pepe reported that staff has hired Melissa Hennis as a part-time EMT for the Emmaus Ambulance Corps. He stated that she will be a great addition to the staff.

Mr. Pepe reported that the Convenience Store, the Commerce Center on Broad Street and Phases IV and V of the Fields at Indian Creek will be on the Agenda for the Planning Commission meeting to be held on Thursday, November 8, 2018. He stated that he expects the meeting to be lengthy with recommendations from the Commission for Council.

Progress.

EMMAUS BOROUGH COUNCIL

PRESIDENT'S BUSINESS

Mr. DeFrain recessed the meeting at 7:34 p.m. for an Executive Session to discuss legal issues with no action anticipated.

Mr. Labenberg reconvened the meeting at 8:48 p.m.

Progress.

ADJOURNMENT

Motion by Mr. Barrett, seconded by Mrs. Sorg-McManamon to adjourn the November 5, 2018 Emmaus Borough Council Meeting. There were 7 ayes. Motion carried.

The Meeting adjourned at 8:49 p.m.

Shane M. Pepe
Borough Manager

Transcribed by: Paula Weiant
Administrative Assistant
November 6, 2018