

November 17, 2014

EMMAUS BOROUGH COUNCIL
Emmaus Borough Council
Agenda
November 17, 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

November 3, 2014

7. Decisions on Bids

2014-2015 Heating Oil, Kerosene, Unleaded Fuel & Diesel Fuel

8. Communications

- a. Teri Sorg-McManamon and Kathleen Prindible, Emmaus Arts Commission – Request permission to use the Community Room during the Old Fashioned Christmas event.
- b. Carol Bastian, 415 N. 5th Street – Request reappointment to the Emmaus General Authority (term expires 1/1/2015).

9. Borough Engineer's Report
10. Solicitor's Report
11. Unfinished Business, Part I
12. New Business
13. Unfinished Business, Part II
14. Items Not on Agenda, Subject to Rule 9
15. Mayor's Report
16. Committee Reports

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

Next Meeting – December 4, 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 – December 18, 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 – December 2, 2014 at 4:00 p.m.

- a. Boro Line Park Direction Sign

Public Safety (Gilbert, Barrett, Brown)

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

- a. Emergency Operations Plan – Review
- b. Graffiti Ordinance
- c. IFC Ordinance
- d. Landis Circle One-Way

General Administration (Barrett, Gilbert, Labenberg)

Next Meeting – November 26, 2014 at 9:00 a.m.

- a. Emmaus Public Library Expansion Project
- b. Sale of Properties
- c. Town Hall Remodeling Project
- d. **Fields at Indian Creek Water & Sewer**
- e. **Resolution 2014-48 - 190 Main Street Subdivision**

Budget and Finance (Holtzhafer, Shubzda, Gilbert)

Next Meeting – November 18, 2014 at 4:00 p.m. (Budget Workshop)

- a. Capital Plan
- b. **Resolution 2014-47 – Bill List**
- c. 2015 Budget

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- d. **Change to Pension Plan Documents – Definition of Spouse**
- e. **Pension Amortization Pension Option**

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

Next Meeting – December 9, 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 November, 2014

19. President’s Business

20. Adjournment

Next Resolution: 2014-49

Next Ordinance: #1115

The Emmaus Borough Council met in regular session on November 17, 2014 in Borough Council Chambers, 28 S. 4th Street, Emmaus, PA 18049.

CALL TO ORDER

Mr. Holtzhafer 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
Jeffrey Shubzda	Present
Winfield Iobst, Mayor	Absent
Jeff Dimmich, Solicitor	Present
Shane Pepe, Borough Manager	Present

Due to the absence of Mayor Iobst, Council President, Lee Ann Gilbert, presided as Mayor and Councilman Holtzhafer, presided as Council President.

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PERSONAL APPEALS – PART 1 – None.

COMMUNITY MINUTE – None.

SPECIAL PRESENTATIONS – None.

READING OF MINUTES

Motion by Mr. Barrett, seconded by Mr. Labenberg to dispense with the formal reading of the November 3, 2014 Public Hearing Minutes. There were 6 ayes. Motion carried.

Motion by Mr. Barrett, seconded by Mr. Anders to adopt the November 3, 2014 Public Hearing Minutes as drafted. There were 6 ayes. Motion carried.

Motion by Mr. Brown, seconded by Mr. Barrett to dispense with the formal reading of the November 3, 2014 Minutes. There were 6 ayes. Motion carried.

Motion by Mr. Labenberg, seconded by Mr. Anders to adopt the November 3, 2014 Minutes as drafted. There were 6 ayes. Motion carried.

DECISION ON BIDS

Mr. Pepe reported that on November 12, 2014 four bids were received for the 2014-2015 No. 2 Heating Oil, Kerosene, Unleaded Fuel, and Diesel Fuel Bid. He reported that the

bid prices all went down by about 50 cents. Staff recommends awarding the 2014-2015 No. 2 Heating Oil Bid to Pipeline Petroleum in the amount of \$2.591/gal., the Kerosene Bid to Harned Durham in the amount of \$3.181/gal., the Unleaded Fuel Bid to Lehigh Fuels in the amount of \$2.363/gal., and the Diesel Bid to Harned Durham in the amount of \$2.763/gal.

Motion by Mr. Anders, seconded by Mr. Shubzda to award the 2014-2015 No. 2 Heating Oil Bid to Pipeline Petroleum in the amount of \$2.591/gal., the Kerosene Bid to Harned Durham in the amount of \$3.181/gal., the Unleaded Fuel Bid to Lehigh Fuels in the amount of \$2.363/gal., and the Diesel Bid to Harned Durham in the amount of \$2.763/gal. There were 6 ayes. Motion carried.

COMMUNICATIONS

a. Teri Sorg-McManamon, Kathleen Prindible, Emmaus Arts Commission – Request permission to use the Community Room and upstairs hallway during the Old Fashioned Christmas event.

Motion by Mr. Anders, seconded by Mr. Shubzda to grant the Emmaus Arts Commission's request to use the Community Room and upstairs hallway at Borough Hall on Saturday, December 6, 2014 from 6:15 p.m. to 9:00 p.m. There were 6 ayes. Motion carried.

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- b. Carol Bastian, 415 N. 5th Street – Reappointment to the Emmaus General Authority. Referred to the General Administration Committee.
- c. Stephen Baier, 220 Cherokee Street – Letter of Resignation from the Joint Environmental Advisory Council.

Motion by Mr. Barrett, seconded by Mr. Labenberg to accept Mr. Baier’s letter of resignation from the Joint Environmental Advisory Council. There were 6 ayes. Motion carried.

- d. Ellen Wilson, 34 Keystone Avenue – Reappointment to the Emmaus Arts Commission. Referred to the General Administration Committee.
- e. William Stahler, 4864 Vera Cruz Road, Emmaus – Letter of Resignation from the Emmaus Ambulance Corps as an EMT.

Motion by Mr. Brown, seconded by Mr. Labenberg to accept Mr. Stahler’s letter of resignation from the Emmaus Ambulance Corps as an EMT. There were 6 ayes. Motion carried.

- f. Community Action Committee of the Lehigh Valley – Donation Request. Referred to the Budget and Finance Committee.

BOROUGH ENGINEER’S REPORT - None.

SOLICITOR’S REPORT

Progress.

UNFINISHED BUSINESS, PART I – None.

NEW BUSINESS – None.

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. Labenberg reported that the meeting scheduled for Thursday, November 6, 2014 at 3:15 p.m. was cancelled. The next Committee meeting is December 4, 2014 at 3:15 p.m.

Progress.

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b. Health, Sanitation, and Conservation Committee

Mr. Shubzda reported that the next Committee meeting is December 18, 2014 at 4:30 p.m.

Progress.

c. Parks and Recreation Committee

Mr. Anders reported that the next Committee meeting is December 2, 2014 at 4:00 p.m.

Progress.

d. Public Safety Committee

Progress.

e. General Administration Committee

Mr. Barrett reported that the Committee met on November 12, 2014. The Committee discussed an email forwarded by Mr. Pepe regarding water and sewer lines at the proposed

Fields at Indian Creek. The Committee recommends to allow LCA to own and operate the sewer and water lines at the proposed Fields at Indian Creek, with the Borough charging for sewer tapping fees.

Motion by Mr. Barrett, seconded by Mr. Labenberg to allow LCA to own and operate the sewer and water lines at the proposed Fields at Indian Creek development, with the Borough charging for sewer tapping fees. There were 6 ayes. Motion carried.

Resolution 2014-48 – A Resolution Conditionally Approving the Final Land Development Plan of Daniel Hendricks and Hunter Hendricks (Lot Line Adjustment 190 Main Street, Emmaus, PA).

Mike Kuklas, Ott Consulting, and Mr. Hendricks, owner of the property, approached the podium. Mr. Kuklas explained the proposed Lot Line Adjustment at 190 Main Street. Mr. Kuklas entertained questions from Council. Mr. Holtzhafer reviewed the SALDO waivers included in the Resolution.

Motion by Mr. Barrett, seconded by Mr. Anders to adopt Resolution 2014-48. There were 6 ayes. Motion carried.

The next Committee meeting is scheduled for November 26, 2014 at 9:00 a.m.

Progress.

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f. Budget and Finance Committee

Mr. Holtzhafer read Resolution 2014-47 authorizing payment of the November 17, 2014 Bill List, as follows:

Bill List	\$	287,680.12
Payroll #22	\$	110,825.08
Payroll Taxes	\$	<u>37,957.15</u>
Total	\$	436,462.35

Done this 17th day of November 2014.

Motion by Mr. Shubzda, seconded by Mr. Anders to approve the November 17, 2014 Bill List. There were 6 ayes. Motion carried.

Mr. Holtzhafer reported that the Borough received a letter from Conrad Siegel identifying a change that is necessary in the Borough of Emmaus Police and Employee's Pension Plan. The change is necessary in order to comply with Pennsylvania law after the court decision to overturn 23 Pa.C.S sections 1102 and 1704. This compliance amendment redefines the term "spouse" to recognize any marriage license issued by any state. Mr. Holtzhafer reported that a motion is needed to draft an Ordinance defining the term spouse to be adopted at the December 1, 2014 Council Meeting.

Motion by Mr. Barrett, seconded by Mr. Shubzda to authorize Mr. Pepe to draft an Ordinance defining the term spouse for the Borough of Emmaus Police and Employee's Pension Plan. There were 6 ayes. Motion carried.

Motion by Mr. Labenberg, seconded by Mr. Shubzda to not enter into the Pension Amortization Option. There were 6 ayes. Motion carried.

Progress.

g. Community Relations, Planning and Development Committee

Mr. Brown reported that the Committee met on November 12, 2014. He reported that the Committee reviewed numerous unused plans and studies that were adopted in the Borough over the past ten years. In 2015, the Committee is going to review the plans and begin to create a 5-10 year plan.

Progress.

PERSONAL APPEALS, PART II – None.

BOROUGH MANAGER'S REPORT

Mr. Pepe reminded Council that there will be two Budget Workshops held during the week of November 17-21.

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Mr. Pepe reported that the Significant Revenue and Expense Items for the 1st half of November, 2014 are in the Council binders and offered to entertain questions about them.

Progress.

PRESIDENT'S BUSINESS

**Motion by Mr. Barrett, seconded by Mr. Brown to adjourn. There were 6 ayes.
Motion carried.**

The November 17, 2014 Meeting of the Emmaus Borough Council adjourned at 7:22 p.m.

Shane Pepe
Borough Manager

Transcribed by: Paula Weiant
Administrative Assistant
November 21, 2014