

November 20, 2017

**Emmaus Borough Council
Agenda
November 20, 2017 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 - November 6, 2017
7. Decisions on Bids
8. Communications
 - 8.a. Don Nickerson - 1765 W. Wood St. - Request reappointment as an Alternate to the Zoning Hearing Board (term expires 1/1/2018).
 - 8.b. Yanitza Taylor, 820 Lawrence Drive - Request appointment to the Emmaus Public Library Board.
 - 8.c. Jean Nagle, Secretary, Emmaus Public Library Board of Trustees - Request reappointment of Nancy O'Keefe to the Library Board of Trustees (term expires 1/1/2018).
 - 8.d. Lisa Marten, President, Emmaus Public Library Board of Trustees - Request reappointment of Jean Nagle to the Library Board of Trustees (term expires 1/1/2018).
 - 8.e. Joseph Deddo, Jr., President, Emmaus Veteran's Committee - Request fee waiver for Moser Pavilion on August 4, 2018.

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- 8.f. Rev. David Schlonecker, Bethel Bible Fellowship Church – Satellite Casinos and KENO Gambling in the Borough.
9. Borough Engineer's Report
10. Solicitor's Report
11. Unfinished Business, Part I
 - 11.a. Ordinance No. 1165 - An Ordinance Establishing a Deferred Retirement Option Plan for the Emmaus Police Department in Accordance with the Provisions of Pennsylvania Act 44 of September 18, 2009, P.L. 396 No. 44, 53 P.S. § 895 - (1st Reading 11/06/2017) (2nd Reading 12/4/2017).
 - 11.b. Ordinance No. 1166 - An Ordinance Amending Chapter 15, Section 214, Establishing a Stop Sign at the Intersection of South Sixth (6th) Street and Bank Street on Bank Street (1st Reading 11/06/2017) (2nd Reading 12/04/2017).
 - 11.c. Ordinance No. 1167 - An Ordinance Amending Chapter 15 §404(a) of the Codified Ordinances, Eliminating Parking on Portions of South Sixth (6th) Street (1st Reading 11/06/2017) (2nd Reading 12/04/2017).
12. New Business
 - 12.a. Ordinance No. 1168 - An Ordinance of the Borough of Emmaus, Lehigh County, Pennsylvania, Amending Chapter 15 §602.2.A of the Emmaus Borough Code, Removing a Residential Handicapped Parking Sign on the Public Street Located in Front of 653 Furnace Street and 130 S. 4th Street Within the Borough of Emmaus (1st Reading 11/20/2017).
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) (Brown, Anders, DeFrain)

Next Meeting – December 11, 2017 at 3:00 p.m.

Health, Sanitation, and Codes (Shubzda, DeFrain, Brown)

Next Meeting – December 14, 2017 at 4:15 p.m.

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Parks and Recreation (Anders, Barrett, Labenberg)

Next Meeting – December 5, 2017 at 4:00 p.m. (Cancelled)

Catholic War Veterans

Fire Company #2

Committee Meeting Notes - November 7, 2017

Public Safety (Gilbert, Barrett, Brown)

Next Meeting – December 6, 2017 at 3:00 p.m.

Ordinance No. 1168 – 1st Reading

General Administration (Barrett, Labenberg, Gilbert)

Next Meeting – December 7, 2017 at 9:00 a.m.

Progressive Pay Policy

Part-Time Employee Holiday Pay Policy

Committee Meeting Notes - November 9, 2017

Budget and Finance (Labenberg, Shubzda, Gilbert)

Next Meeting – December 4, 2017 at 6:45 p.m.

Resolution 2017-32: Bill List

Committee Meeting Notes - November 6, 2017

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

Next Meeting – December 21, 2017 at 4:00 p.m.

Committee Meeting Notes - November 6, 2017

17. Boards and Commissions

17.a. Employee Safety Committee Meeting Minutes - November 7, 2017

17.b. Emmaus Public Library Board of Trustees Meeting Minutes- September 19, 2017

17.c. Planning Commission Meeting Minutes - November 9, 2017

17.d. Pension Board Meeting Minutes – November 8, 2017

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18. Personal Appeals, Part II

19. Borough Manager's Report

19.a. Significant Revenue and Expense Items for First Half of November, 2017

19.b. Resolution 2017-33: 10th Street Culvert

20. President's Business

20.a. Executive Session - Contract Negotiations

21. Adjournment

EMMAUS BOROUGH COUNCIL

The Emmaus Borough Council met in regular session on November 20, 2017 in Borough Council Chambers, 28 S. 4th 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	Absent
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 – None.

COMMUNITY MINUTE – None.

SPECIAL PRESENTATIONS – None.

READING OF MINUTES

Motion by Mr. Shubzda, seconded by Mr. DeFrain to adopt the November 6, 2017 Council Minutes as drafted. There were 6 ayes. Motion carried.

DECISION ON BIDS – None.

COMMUNICATIONS

a. Don Nickerson, 1765 W. Wood St. – Request reappointment as an Alternate to the Zoning Hearing Board (term expires 1/1/2018). Mr. Labenberg stated that the item will be addressed in January, 2018.

b. Yanitza Taylor, 820 Lawrence Drive – Request appointment to the Emmaus Public Library Board. Referred to the General Administration Committee.

c. Jean Nagle, Secretary, Emmaus Public Library Board of Trustees – Request reappointment of Nancy O’Keefe to the Library Board of Trustees (term expires 1/1/2018). Mr. Labenberg stated that the item will be addressed in January, 2018.

d. Lisa Marten, President, Emmaus Public Library Board of Trustees – Request reappointment of Jean Nagle to the Library Board of Trustees (term expires 1/1/2018). Mr. Labenberg stated that the item will be addressed in January, 2018.

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e. Joseph Deddo, Jr., President, Emmaus Veteran's Committee – Request fee waiver for Moser Pavilion on August 4, 2018.

Motion by Mr. Barrett, seconded by Mr. Anders to grant the Emmaus Veteran's Committee fee waiver request for the Moser Pavilion on August 4, 2018. There were 6 ayes. Motion carried.

f. Rev. David Schlonecker, Bethel Bible Fellowship Church – Satellite Casinos and KENO Gambling in the Borough. Referred to the General Administration Committee.

g. Emmaus Public Library – Request to place free standing illuminated, electric sign display at Library – Referred to the General Administration Committee.

BOROUGH ENGINEER'S REPORT – None.

SOLICITOR'S REPORT

Solicitor Dimmich reported that he has received a response from the Environmental Protection Agency on the LCA sewer issue. He stated that he attended a meeting with the signatories and the City of Allentown and believes that the Allentown sewer plant upgrade will be placed on hold indefinitely.

Progress.

UNFINISHED BUSINESS, PART I

Mr. Labenberg reported that Ordinances No. 1165, 1166, and 1167 will have their 2nd Readings at the December 4, 2017 Council Meeting.

NEW BUSINESS

Ordinance No. 1168 – An Ordinance of the Borough of Emmaus, Lehigh County, Pennsylvania, Amending Chapter 15§602.2.A of the Emmaus Borough Code, Removing a Residential Handicapped Parking Sign on the Public Street Located in Front of 653 Furnace Street and 130 S. 4th Street Within the Borough of Emmaus (1st Reading 11/20/2017).

Motion by Mr. Anders, seconded by Mrs. Gilbert to adopt Ordinance No. 1168 – An Ordinance of the Borough of Emmaus, Lehigh County, Pennsylvania, Amending Chapter 15§602.2.A of the Emmaus Borough Code, Removing a Residential Handicapped Parking Sign on the Public Street Located in Front of 653 Furnace Street and 130 S. 4th Street Within the Borough of Emmaus on its 1st Reading. Roll call vote: Mr. Shubzda, aye; Mr. Anders, aye; Mrs. Gilbert, aye; Mr. DeFrain, aye; Mr. Barrett, aye; Mr. Labenberg, aye. There were 6 ayes. Motion carried.

UNFINISHED BUSINESS, PART II – None.

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

MAYOR’S REPORT

Progress.

COMMITTEE REPORTS

a. Public Works Committee

Mr. DeFrain reported that the next Committee meeting is December 11, 2017 at 3:00 p.m.

Progress.

b. Health, Sanitation, and Codes Committee

Mr. Shubzda asked Mr. Pepe when J.P. Mascaro will be attending a Council Meeting. Mr. Pepe responded that they will attend the December 4, 2017 Council Meeting. Mr. Anders asked if the Borough has been fining J.P. Mascaro for their inadequate service. Mr. Pepe responded that the Borough is following the contract and Council’s previous agreement. Mr. Pepe encouraged Council to be fully prepared for the meeting with specific examples, addresses and questions.

Progress.

c. Parks and Recreation Committee

Mr. Anders reported that the Committee met on November 7, 2017. The Committee discussed removing all of the playground equipment located at the Catholic War Vets, informing the CWV that the Borough is severing ties to the playground, and building a basketball court at Furnace Dam Park. The Committee also discussed notifying the CWV that the Borough will only maintain the baseball field during the specific baseball season.

Motion by Mr. Anders, seconded by Mr. Shubzda to remove all playground equipment at the Catholic War Vets, inform them that the Borough is severing ties to the playground, building a basketball court at Furnace Dam Park and notifying the Catholic War Vets that the Borough will only maintain the baseball field during the specific baseball season. There were 6 ayes. Motion carried.

Mr. Anders reported that the Committee discussed the port-o-lets that are placed at the fields. He stated that Mr. Farnworth informed the Committee that the port-o-lets that we have been placing at the fields are not in compliance because they are not ADA accessible. The cost of the port-o-lets will now go from \$75.00 per month to \$150.00. The Borough pays

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100% of the cost for all port-o-lets. The Committee believes that the Borough should pay 100% of the cost for all port-o-lets that are located on fields that the Borough owns. The Committee also believes that EYA should split the cost with the Borough for the fields located at the Catholic War Vets and Fire Company #2 because the Borough does not own the fields.

Motion by Mr. Anders, seconded by Mr. Barrett to split the cost of port-o-lets at CWV and Fire Company #2 with EYA during the baseball/softball season. There were 5 ayes, 1 abstention (Anders). Motion carried.

Mr. Anders reported that the Committee continued to discuss the condition of the park equipment in the different parks. The Committee believes that the item should be budgeted for and will continue to discuss it.

Progress.

d. Public Safety Committee

Mrs. Gilbert stated that the next Committee Meeting is Wednesday, December 6, 2017 at 3:00 p.m.

Progress.

e. General Administration Committee

Motion by Mr. Barrett, seconded by Mrs. Gilbert to adopt the Progressive Pay Policy for full-time non-union employees of the Borough of Emmaus. There were 6 ayes. Motion carried.

Motion by Mr. Barrett, seconded by Mrs. Gilbert to adopt the Part-Time Holiday Pay Policy for part-time non-union employees of the Borough of Emmaus. There were 6 ayes. Motion carried.

Mr. Barrett stated that the next Committee Meeting is Thursday, December 7, 2017 at 9:00 a.m.

Progress.

f. Budget and Finance Committee

Resolution 2017-32, authorizing payment of the November 20, 2017 Bill List, as follows:

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Bill List	\$	442,060.54
Payroll #23	\$	121,653.99
Payroll Taxes	\$	<u>42,219.62</u>
Total	\$	605,934.15

Done this 20th day of November 2017.

Motion by Mrs. Gilbert, seconded by Mr. Shubzda to adopt Resolution 2017-32. There were 6 ayes. Motion carried.

Mr. Labenberg reported that the next Committee meeting is December 4, 2017 at 6:45 p.m.

Progress.

g. Community Relations, Planning and Development Committee

Mr. DeFrain reported that the next Committee meeting is December 21, 2017 at 4:15 p.m.

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 November 2017 are in the iPads and entertained questions about them.

Resolution 2017-33 – A Resolution Amending the Multimodal Transportation Grant Agreement #057438A to Amend the Cost Distribution as Well as the Authorized Signatories.

Motion by Mrs. Gilbert, seconded by Mr. Barrett to adopt Resolution 2017-33. There were 6 ayes. Motion carried.

Progress.

PRESIDENT'S BUSINESS

Mr. Labenberg wished everyone a happy and healthy Thanksgiving.

Mr. Labenberg recessed the meeting at 7:35 p.m. for an Executive Session to discuss contract issues with no anticipated official action.

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Mr. Labenberg reconvened at 8:15 p.m. with no official action taken.

Progress.

ADJOURNMENT

Motion by Mr. Anders, seconded by Mr. Barrett to adjourn the November 20, 2017 Emmaus Borough Council Meeting. There were 6 ayes. Motion carried.

The Meeting adjourned at 8:16 p.m.

Shane M. Pepe
Borough Manager

Transcribed by: Paula Weiant
Administrative Assistant
November 22, 2017