

November 21, 2016

**Emmaus Borough Council
Agenda
November 21, 2016 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. Public Hearing Meeting and Council Meeting - November 7, 2016
7. Decisions on Bids
 - 7.a. 2016 - 2019 Fuel Oil Bid Results
8. Communications
 - 8.a. Rev. Dr. Sue Pizor Yoder, Pastor, The Barn - Thank you for contribution to Community Garden.
9. Borough Engineer's Report
10. Solicitor's Report
11. Unfinished Business, Part I
12. New Business
 - 12.a. Ordinance No. 1149 - 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 177 Elm Street Within the Borough of Emmaus (1st Reading 12/05/16).

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13. Unfinished Business, Part II

13.a. Ordinance No. 1148 - An Ordinance Amending Chapter 15 §406 of the Codified Ordinances, Amending Restricted Parking on Certain Days and Hours in the 500 Block of Ridge Street (1st Reading 11/07/16) (2nd Reading 12/05/16).

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 – December 12, 2016 at 3:00 p.m.

Committee Meeting - November 14, 2016

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

Next Meeting – December 15, 2016 at 3:45 p.m.

Committee Meeting - November 17, 2016

Parks and Recreation (Anders, Barrett, Labenberg)

Next Meeting – December 6, 2016 at 4:00 p.m.

Public Safety (Gilbert, Barrett, Brown)

Next Meeting – December 7, 2016 at 3:00 p.m.

General Administration (Barrett, Labenberg, Gilbert)

Next Meeting – November 23, 2016 at 9:00 a.m.

Committee Meeting - November 9, 2016

JNA Properties, L.P. - Lot Line Adjustment & Consolidation Plan

Budget and Finance (Labenberg, Shubzda, Gilbert)

Next Meeting – December 19, 2016 at 6:45 p.m.

Bill List - Resolution 2016-52

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

Next Meeting – December 8, 2016 at 4:00 p.m.

17. Personal Appeals, Part II

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18. Borough Manager's Report

18.a. Significant Revenue & Expense Items for First Half of November, 2016

19. President's Business

20. Adjournment

The Emmaus Borough Council met in regular session on November 21, 2016 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	Present
Chris DeFrain	Present
Lee Ann Gilbert	Absent
Jeffrey Shubzda	Present
Winfield Iobst, Mayor	Present
Jeffrey Dimmich, Solicitor	Present
Shane Pepe, Borough Manager	Present

PERSONAL APPEALS, PART I – None.

COMMUNITY MINUTE

Mr. Pepe congratulated the Emmaus High School girl's Field Hockey Team on their 2nd consecutive State Title. He stated that Mayor Iobst will formally acknowledge the team in the near future.

SPECIAL PRESENTATIONS – None.

READING OF MINUTES

Motion by Mr. Barrett, seconded by Mr. Shubzda to adopt the November 7, 2016 Council Minutes as drafted. There were 6 ayes. Motion carried.

Mr. Labenberg stated he watched the video and thanked Mr. Barrett for conducting the meeting. He stated that on Page 7 of the minutes, under the Call to Order section, Mr. Shubzda is noted as Present, but did not arrive until 7:10 p.m. Mr. Pepe stated that he did attend the full Council Meeting and arrived during the Public Hearing. Mr. Pepe stated that his arrival at 7:10 p.m. is noted in the Public Hearing Call to Order.

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DECISION ON BIDS

Mr. Pepe stated that a bid opening was held on November 10, 2016 for the Fuel, Kerosene, and Heating Oil Bids. Mr. Pepe stated that the bid was changed from 1 year to 3 years and that will greatly benefit the Borough because the bid for gasoline and diesel is actually the lowest it has been in the past five years, in terms of the surcharge.

Motion by Mr. Brown, seconded by Mr. Anders to award the 2016-2019 Heating Oil Bid in the amount of \$1.65/gal., and Kerosene Bid in the amount of \$2.195/gal., to Lehigh Fuels. There were 6 ayes. Motion carried.

Motion by Mr. Brown, seconded by Mr. DeFrain to award the 2016-2019 Unleaded Fuel Bid in the amount of \$1.706/gal., and Diesel Fuel Bid in the amount of \$1.6806/gal., to Talley Petroleum Enterprises. There were 6 ayes. Motion carried.

COMMUNICATIONS

- a. Rev. Dr. Sue Pizor-Yoder, Pastor, The Barn – Thank you for contribution to Community Garden.
- b. Doug Hall, 701 Pine Street – Request reappointment to the Shade Tree Commission (term expires 1/1/2017). Referred to the General Administration Committee.

BOROUGH ENGINEER'S REPORT–None.

SOLICITOR'S REPORT

Solicitor Dimmich reported that he is working on a draft LCA Agreement.

Progress.

UNFINISHED BUSINESS, PART I – None.

NEW BUSINESS

Mr. Labenberg stated that the 2nd Reading of Ordinance No. 1149 will be held at the December 19, 2016 Council Meeting.

UNFINISHED BUSINESS, PART II

Mr. Labenberg stated that the 2nd Reading of Ordinance No. 1148 will be held at the December 5, 2016 Council Meeting.

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

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MAYOR'S REPORT

Progress.

COMMITTEE REPORTS

a. Public Works Committee

Mr. Brown stated that the 10th Street Culvert project is on target for a late Spring, early Summer project. He stated that the Committee discussed the Compost Site hours and the 2nd Street Reservoir.

The next Committee Meeting is December 12, 2016 at 3:00 p.m.

Progress.

b. Health, Sanitation, and Codes Committee

Mr. Shubzda reported that Committee members received drafts of the Medical Marijuana Ordinance and the Blighted and Abandoned Property Ordinance and will continue to discuss them.

The next Committee Meeting is Thursday, December 15, 2016 at 3:45 p.m.

Progress.

c. Parks and Recreation Committee

The next Committee Meeting is December 6, 2016 at 4:00 p.m.

Progress.

d. Public Safety Committee

The next Committee Meeting is December 7, 2016 at 3:00 p.m.

Progress.

e. General Administration Committee

Mr. Pepe invited Attorney Joseph Bubba to approach the podium. Attorney Bubba stated that he represents JNA Properties, L.P., and is also at the Council Meeting on behalf of Rodale Properties. He stated that JNA Properties, L.P. is requesting a .125 acre Lot Line Adjustment for a property located at 775 Furnace Street, Emmaus, PA.

Motion by Mr. Barrett, seconded by Mr. DeFrain to authorize a .125 acre Lot Line Adjustment for a property located at 775 Furnace Street, Emmaus, PA and authorizing Council to approve the Plan.

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Mr. Pepe stated that the Borough Engineer's review was received earlier in the day and does not believe that Council has had adequate time to review the Engineer's letter. Mr. Pepe stated that the item will be discussed in more detail at the December 5, 2016 Council Meeting.

Mr. Barrett withdrew his motion and Mr. DeFrain withdrew his second.

Motion by Mr. Barrett, seconded by Mr. Anders to table the .125 acre Lot Line Adjustment for JNA Properties, L.P., for a property located at 675 Furnace Street, Emmaus, PA. There were 6 ayes. Motion carried.

Mr. Barrett reported that the November 23, 2016 Committee Meeting is cancelled.

Progress.

f. Budget and Finance Committee

Resolution 2016-52, authorizing payment of the November 21, 2016 Bill List, as follows:

Bill List	\$	288,405.47
Payroll #23	\$	132,145.29
Payroll Taxes	\$	<u>46,081.22</u>
Total	\$	466,631.98

Done this 21st day of November 2016.

Motion by Mr. Shubzda, seconded by Mr. DeFrain to adopt Resolution 2016-52. There were 6 ayes. Motion carried.

Mr. Labenberg stated that the final Budget Workshop will be held on Thursday, December 1, 2016 at 4:00 p.m.

The next Committee Meeting is Monday, December 19, 2016.

Progress.

g. Community Relations, Planning and Development Committee

Mr. DeFrain reported that the November Committee Meeting was cancelled due to a Budget Workshop. The next Committee Meeting will be held on Thursday, December 8, 2016 at 4:00 p.m.

Progress.

PERSONAL APPEALS, PART II – None.

BOROUGH MANAGER'S REPORT

Mr. Pepe reported that the Significant Revenue and Expense Items for the 1st half of November, 2016 are in the iPads and entertained questions about them.

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Progress.

PRESIDENT'S BUSINESS

Mr. Labenberg wished everyone a Happy Thanksgiving.

ADJOURNMENT

Motion by Mr. Barrett, seconded by Mrs. DeFrain to adjourn the November 21, 2016 Emmaus Borough Council Meeting. There were 6 ayes. Motion carried.

The Meeting adjourned at 7:21 p.m.

Shane M. Pepe
Borough Manager

Transcribed by:
Paula Weiant
Administrative Assistant
November 22, 2016