

December 18, 2017

**Emmaus Borough Council
Agenda
December 18, 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. Public Hearing and Council Meeting Minutes - December 4, 2017
7. Decisions on Bids
8. Communications
 - 8.a. Everett 'Reds' Bailey - Request reappointment to the Shade Tree Commission (term expires 1/1/2018).
 - 8.b. Fawn Anderson, Chestnut Street - Parking on Chestnut Street.
9. Borough Engineer's Report
10. Solicitor's Report
11. Unfinished Business, Part I
 - 11.a. Ordinance No. 1168 - 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 653 Furnace Street and 130 S. 4th Street Within the Borough of Emmaus (1st Reading 11/20/2017) (2nd Reading 12/18/17).

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11.b. Ordinance No. 1169 - An Ordinance Levying Taxes for the Fiscal Year 2018 for the Borough of Emmaus at the Rate of 5.9715 Mills Pursuant to Section 1310 of the Borough Code of the Commonwealth of Pennsylvania and a Revenue Neutral Levy Based on the 2013 Lehigh County Tax Reassessment, Split Between the General Fund Tax of 4.8754 Mills and a Fire Fund Tax of 1.0961 Mills (1st Reading 12/4/2017) (2nd Reading 12/18/2017).

12. New Business

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 – TBD

Proposed Road Projects - 2018

Committee Meeting Notes - December 11, 2017

Health, Sanitation, and Codes (Shubzda, DeFrain, Brown)
Next Meeting – December 21, 2017 at 4:15 p.m.

Parks and Recreation (Anders, Barrett, Labenberg)
Next Meeting – TBD

Public Safety (Gilbert, Barrett, Brown)
Next Meeting – TBD

Ordinance No. 1168 - 2nd Reading

General Administration (Barrett, Labenberg, Gilbert)
Next Meeting – December 21, 2017 at 9:00 a.m.

Ordinance No. 1169 - 2nd Reading

Resolution 2017-43: Southwestern Lehigh Comprehensive Plan

Library LED Sign

Clerical Union Contract

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Committee Meeting Notes - December 7, 2017

Budget and Finance (Labenberg, Shubzda, Gilbert)

Next Meeting – January 2, 2018 at 6:45 p.m.

Resolution 2017-40: 2018 Fee Schedule

Resolution 2017-41: 2018 Refuse Collection and Compost Site Assessment Fees

Resolution 2017-42: Adopt 2018 Fiscal Year Budget

Resolution 2017-44: Bill List

Committee Meeting Notes - December 4, 2017

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

Next Meeting – TBD

17. Boards and Commissions

17.a. Planning Commission Meeting Minutes - December 14, 2017

18. Personal Appeals, Part II

19. Borough Manager's Report

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

20. President's Business

20.a. Presentation

21. Adjournment

EMMAUS BOROUGH COUNCIL

The Emmaus Borough Council met in regular session on December 18, 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	Present
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

A. Emmaus Police Department – presented a Certificate of Appreciation to Mrs. Gilbert, Mr. Brown and Mr. Barrett for their dedication to the community. Chief Palmer presented Mayor Iobst with a Certificate of Accommodation for his 20 years of meritorious service to the citizens of the Borough of Emmaus and the members of the Emmaus Police Department. Mayor Iobst thanked the Emmaus Police Department, Borough Council and the community. He stated that he is proud to step down after 20 years of service.

B. Meghan Reed and Erin DeLong, Emmaus Main Street Partners - thanked Borough Council for their support and congratulated Mr. Brown, Mrs. Gilbert, Mr. Barrett and Mayor Iobst. Ms. Reed introduced Erin DeLong as the new chairperson of the Emmaus Main Street Partners. Ms. DeLong thanked Borough Council for their ongoing support of the Main Street Partners. Ms. Reed and Ms. DeLong presented the new community banner and thanked the Public Works Department for installing them throughout the downtown.

C. David Faust, 440 S. 2nd Street – wished Council, Mr. Pepe and Solicitor Dimmich a Merry Christmas and a Happy New Year. He thanked Mayor Iobst for the opportunity to work for him for over 16 years. He thanked Mayor Iobst for his support as a friend and boss and for always supporting the Emmaus Police Department. He stated that Mayor Iobst always put the residents of the Borough above all else. Mayor Iobst thanked Chief Faust for his kind words. Chief Faust also congratulated Mrs. Gilbert as Mayor-elect and thanked her for her years serving the Borough as a member of Council. Chief Faust thanked Mr. Brown for his service to Borough Council and the community.

D. Bethany Brown, 902 Lawrence Drive – congratulated her father, Mr. Brown, and Mrs. Gilbert.

E. John Hayes, 1006 Liberty Street – stated that he is present at the meeting in memory of his parents. He thanked Mayor Iobst for his 20 years of service. He thanked Borough Council and the Emmaus Police Department for their excellent service.

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COMMUNITY MINUTE

Mr. Shubzda reminded everyone that the Emmaus Arts Commission will host the SnowBlast Winter Arts Festival on February 2 and 3, 2018. He stated that the Commission will host its annual photography contest in conjunction with the Festival. Mr. Pepe stated that a motion is necessary to approve the Festival due to the sale of alcohol at Triangle Park.

Motion by Mr. Barrett, seconded by Mr. Anders to grant the Emmaus Arts Commission's request to sell alcohol at Triangle Park during the SnowBlast Winter Arts Festival to be held on February 2 and 3, 2018. There were 7 ayes. Motion carried.

SPECIAL PRESENTATIONS – None.

READING OF MINUTES

Motion by Mr. Barrett, seconded by Mrs. Gilbert to adopt the December 4, 2017 Public Hearing Minutes as drafted. There were 7 ayes. Motion carried.

Motion by Mrs. Gilbert, seconded by Mr. Barrett to adopt the December 4, 2017 Council Minutes as drafted. There were 7 ayes. Motion carried.

DECISION ON BIDS – None.

COMMUNICATIONS

- a. Everett "Reds" Bailey – Request reappointment to the Shade Tree Commission (term expires 1/1/2018). Mr. Labenberg stated that the item will be addressed with the new Council members.
- b. Fawn Anderson, Chestnut Street – Parking on Chestnut Street. Mr. Labenberg referred the item to the Public Safety Committee.
- c. Hanover Engineering – Request reappointment as Borough Engineer.

BOROUGH ENGINEER'S REPORT – None.

SOLICITOR'S REPORT

Progress.

UNFINISHED BUSINESS, PART I

Ordinance No. 1168 – 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 653 Furnace Street and 130 S. 4th Street Within the Borough of Emmaus (1st Reading 11/20/17) (2nd Reading 12/18/17).

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Motion by Mrs. Gilbert, seconded by Mr. Brown to adopt Ordinance No. 1168 - 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 653 Furnace Street and 130 S. 4th Street Within the Borough of Emmaus on its 2nd Reading. Roll call vote: Mr. DeFrain, aye; Mrs. Gilbert, aye; Mr. Barrett, aye; Mr. Anders, aye; Mr. Shubzda, aye; Mr. Brown, aye; Mr. Labenberg, aye. There were 7 ayes. Motion carried.

Ordinance No. 1169 – An Ordinance Levying Taxes for the Fiscal Year 2018 for the Borough of Emmaus at the Rate of 5.9715 Mills Pursuant to Section 1310 of the Borough Code of the Commonwealth of Pennsylvania and a Revenue Neutral Levy Based on the 2013 Lehigh County Tax Reassessment, Split between the General Fund Tax of 4.8754 Mills and a Fire Fund Tax of 1.0961 Mills (1st Reading 12/4/2017) (2nd Reading 12/18/17).

Motion by Mr. Anders, seconded by Mrs. Gilbert to adopt Ordinance No. 1169 - An Ordinance Levying Taxes for the Fiscal Year 2018 for the Borough of Emmaus at the Rate of 5.9715 Mills Pursuant to Section 1310 of the Borough Code of the Commonwealth of Pennsylvania and a Revenue Neutral Levy Based on the 2013 Lehigh County Tax Reassessment, Split between the General Fund Tax of 4.8754 Mills and a Fire Fund Tax of 1.0961 Mills on its 2nd Reading. Roll call vote: Mr. DeFrain, aye; Mrs. Gilbert, aye; Mr. Barrett, aye; Mr. Anders, aye; Mr. Shubzda, aye; Mr. Brown, aye; Mr. Labenberg, aye. There were 7 ayes. Motion carried.

NEW BUSINESS – None.

UNFINISHED BUSINESS, PART II – None.

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

MAYOR’S REPORT

Mayor Iobst congratulated Mayor-elect Gilbert and thanked her for her hard work and dedication to the community.

Progress.

COMMITTEE REPORTSa. Public Works Committee

Mr. Brown read the 2018 Proposed Road Project list including:

Oak Street – Broad to Minor
Golden Street – S. 3rd to S. 4th
Adrain Street – Short to S. 3rd

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Cherry Street – Peach to S. 2nd
Long Street – Perkiomen to N. 6th
George Street – Wenner to Cherry
Franklin Street – Harrison to Berger
John Street – Wood to end
Various crack sealing projects
Oil & Chip projects including:
Mountain Street – Glenwood to Dalton and,
Beechwood Street – Harrison to dead end

Motion by Mr. Brown, seconded by Mr. DeFrain to approve the 2018 Proposed Road Project list. There were 7 ayes. Motion carried.

Progress.

b. Health, Sanitation, and Codes Committee

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

Progress.

c. Parks and Recreation Committee

Mr. Anders reported that the next meeting is to be determined in 2018.

Progress.

d. Public Safety Committee

Mrs. Gilbert reported that the next meeting is to be determined in 2018.

Progress.

e. General Administration Committee

Resolution 2017-43 – A Resolution of the Council of the Borough of Emmaus, Lehigh County, Pennsylvania, Adopting and Approving the Multimunicipal Comprehensive Plan Titled the Southwestern Lehigh Comprehensive Plan 2017.

Motion by Mr. Barrett, seconded by Mrs. Gilbert to adopt Resolution 2017-43. There were 7 ayes. Motion carried.

Mr. Barrett reported that Amy Resh, Library Director, was in attendance at the Committee meeting to discuss a request from the Library to place a 5ft. x 8ft. LED sign in

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front of the Library on the Main Street side. Mr. Barrett stated that the sign will cost approximately \$22,297. He stated that one of their Board members has committed \$10,000 and they have another donor willing to pay \$10,000. Ms. Resh stated that she believes that the sign will draw attention to Library events and will improve the low turnout that they have been getting at their events. Mr. Barrett stated that based on the financial situation of the Library, he believes that the donations should be used in some other manner and will vote against the motion.

Motion by Mr. Barrett, seconded by Mrs. Gilbert to grant the Emmaus Public Library's request to purchase and install an LED sign in front of the Library, with the provision that the sign will be shut off from 10:00 p.m. to 6:00 a.m. each night.

Mr. Barrett amended his motion and Mrs. Gilbert amended her second to include that 100% of the cost, installation, and maintenance of the sign will be funded by the Library.

Motion by Mr. Barrett, seconded by Mrs. Gilbert to grant the Emmaus Public Library's request to purchase and install an LED sign in front of the Library, with the provision that the sign will be shut off from 10:00 p.m. to 6:00 a.m. each night and 100% of the cost, installation, and maintenance will be funded by the Library. There were 6 ayes, 1 opposed (Barrett). Motion carried.

Motion by Mr. Barrett, seconded by Mrs. Gilbert to authorize Mr. Pepe and Mr. Labenberg to sign the Collective Bargaining Agreement between the Borough of Emmaus and Teamster's Local Union #773, the Emmaus Borough Secretaries Union, effective January 1, 2018 through December 31, 2022. There were 7 ayes. Motion carried.

Motion by Mr. Barrett, seconded by Mrs. Gilbert to appoint Yanitza Taylor to the Emmaus Library Board to a term expiring on 1/1/20. There were 7 ayes. Motion carried.

Motion by Mr. Barrett, seconded by Mrs. Gilbert to approve the Kendrick Smith Race to be held on March 24, 2018, beginning at Klines Lane with the following conditions: all trail markers must be removed, the race is responsible for collecting all trash after the race, the race pays for port-o-lets, the Borough shall request a donation from the race to assist with trail maintenance, and the race provides proper insurance. There were 7 ayes. Motion carried.

Progress.

f. Budget and Finance Committee

Resolution 2017-40 – A Resolution of the Council of the Borough of Emmaus, Lehigh County, Pennsylvania, Amending the Schedule of Fees and Charges for Permits and Services.

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Motion by Mr. Shubzda, seconded by Mrs. Gilbert to adopt Resolution 2017-40. There were 7 ayes. Motion carried.

Resolution 2017-41 – A Resolution Establishing Refuse Collection and Compost Site Assessment Fees in the Borough of Emmaus, Lehigh County, Pennsylvania, for the Calendar Year 2018.

Motion by Mr. Shubzda, seconded by Mrs. Gilbert to adopt Resolution 2017-41. There were 7 ayes. Motion carried.

Resolution 2017-42 – A Resolution Adopting the Budget of the Borough of Emmaus for the 2017 Fiscal Year and Appropriating from Fund Equities, Revenues and Other Financing Sources Available for the Year 2018 Specific Purposes Set Forth Therein.

Motion by Mrs. Gilbert, seconded by Mr. Shubzda to adopt Resolution 2017-42. There were 7 ayes. Motion carried.

Resolution 2017-44, authorizing payment of the December 18, 2017 Bill List, as follows:

Bill List	\$	276,590.84
Payroll #25	\$	136,545.01
Payroll Taxes	\$	<u>46,927.92</u>
Total	\$	460,063.77

Done this 18th day of December 2017.

Motion by Mr. Shubzda, seconded by Mr. Anders to adopt Resolution 2017-44. There were 7 ayes. Motion carried.

Mr. Labenberg reported that the next Committee meeting is to be determined in 2018.

Progress.

g. Community Relations, Planning and Development Committee

Mr. DeFrain reported that the next Committee meeting is to be determined in 2018.

Progress.

PERSONAL APPEALS, PART II

A. David Faust, 440 S. 2nd Street – thanked Mr. Barrett for his service to Borough Council and the Borough of Emmaus.

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BOROUGH MANAGER'S REPORT

Mr. Pepe reported that the Significant Revenue and Expense Items for the first half of December, 2017 are in the iPads and entertained questions about them.

Mr. Pepe thanked Mrs. Gilbert, Mr. Brown, Mr. Barrett, and Mayor Iobst for their hard work and dedication to the Borough and its residents.

Mr. Pepe reported that the Library bid opening was held earlier in the day. He stated that many bids were received and the bids were much higher than anticipated. He stated that the Library has some very crucial decisions to make and must begin the project by March, 2018 or will be in danger of losing their grant for the project.

Progress.

PRESIDENT'S BUSINESS

Mr. Labenberg thanked Mrs. Gilbert, Mayor Iobst, Mr. Brown, and Mr. Barrett for their hard work and dedication to Borough Council and the community. Mr. Labenberg stated that Mr. Brown, Mrs. Gilbert, Mr. Barrett, and Mayor Iobst have a combined total of 60 years of service to the Borough. Mr. Labenberg stated that Mr. Brown has been on Council for 10 years, Mr. Barrett for 12 years and Mrs. Gilbert for 18 years. Mr. Labenberg wished Mr. Brown good luck as a Lehigh County Commissioner. He stated that Mr. Brown was very involved in learning how all aspects of the Borough functioned, including speaking to residents and working closely with Borough staff. Mr. Labenberg stated that Mr. Barrett will be moving two houses outside of the Borough and he will miss him as a fellow Council member and friend. Mr. Labenberg congratulated Mrs. Gilbert on becoming the first female Mayor for the Borough and being Council President for 6 years. Mr. Labenberg stated that Mayor Iobst has been Mayor for 20 years and that he has always been the "face of the Borough" and will be missed very much. Mr. Labenberg read a Proclamation to Mayor Iobst from Congressman Charlie Dent. Mr. Anders thanked Mr. Barrett for mentoring him. He wished Mayor Iobst best wishes. He thanked Mr. Brown for encouraging him to become a Council member and thanked Mrs. Gilbert for always assisting him. Mr. DeFrain thanked Mr. Barrett, Mr. Brown, and Mrs. Gilbert for mentoring him and for always keeping an open mind during discussions. Mr. Shubzda thanked Mrs. Gilbert for mentoring him. He thanked Mr. Barrett, and Mr. Brown for assisting through the process of becoming a Borough Council member. Mr. Shubzda thanked Mayor Iobst for being a fantastic leader and wished him the best of luck. Mr. Brown stated that there are people in the Borough, the staff, the Mayor, and fellow Council members that are valued and he cannot put into words how much he appreciates everyone. He wished the remaining members of Council best wishes on their search for the next candidate. Mr. Barrett thanked Mr. Brown for always adding humor to situations and for really getting to know the residents and Borough staff. He congratulated Mr. Brown on becoming a Lehigh County Commissioner. Mr. Barrett congratulated Mrs. Gilbert on becoming Mayor-elect. He thanked her for her enormous amount of knowledge and for her endless dedication to the Borough's Emergency Services and the Public Safety

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Committee. He thanked Mayor Iobst for always putting the residents of the Borough first and for his years of service. Mayor Iobst thanked Mr. Barrett for helping him to learn how to “agree to disagree.” Mr. Barrett stated that he plans on putting his name in for one of the vacant seats and that the time frame for his moving outside of the Borough has changed. Mr. Barrett thanked Mr. Pepe for his extraordinary leadership and guidance. Mrs. Gilbert stated that it has been an honor, a pleasure, and a privilege to work with all of Council. She stated that she believes it is the best Council that she has worked with. She congratulated Mr. Brown on becoming a Lehigh County Commissioner and wished him the best of luck. She stated that she will miss Mayor Iobst and that she knows she has very big shoes to fill as Mayor. She stated that she is looking forward to the challenge of serving as Mayor and looks forward to continuing to work with everyone. Mr. Labenberg wished everyone a very Merry Christmas and a healthy, safe, and prosperous New Year.

Progress.

ADJOURNMENT

Motion by Mr. Brown, seconded by Mrs. Gilbert to adjourn the December 18, 2017 Emmaus Borough Council Meeting. There were 7 ayes. Motion carried.

The Meeting adjourned at 8:21 p.m.

Shane M. Pepe
Borough Manager

Transcribed by: Paula Weiant
Administrative Assistant
December 20, 2017