

December 21, 2015

EMMAUS BOROUGH COUNCIL  
Emmaus Borough Council  
Agenda  
December 21, 2015, 7:00 p.m.

1. Call to Order
2. Pledge of Allegiance
3. Personal Appeals, Part I
4. Community Minute
5. Special Presentations
  - a. Swearing in of Police Officers Adam Polster and Austin Thompson
  - b. Emmaus High School Field Hockey State Champions – Proclamation 2015-393
6. Reading of Minutes

December 7, 2015

7. Decisions on Bids
8. Communications
  - a. Teri Sorg-McManamon, Emmaus Arts Commission – 2016 SnowBlast Winter Arts Festival Request.
  - b. Michelle Costello, Seven Generations Charter School – Request to hang bat houses at pond next to Community Gardens.
9. Borough Engineer's Report
10. Solicitor's Report
11. Unfinished Business, Part I

**Ordinance No. 1133 – An Ordinance Amending Chapter 26, Sections 105 and 106, of the Codified Ordinances, Dealing with the Water Rate Schedule and the Billing and Collection Procedures for the Borough of Emmaus, Pennsylvania (1<sup>st</sup> Reading 12/07/15) (2<sup>nd</sup> Reading 12/21/15).**

**Ordinance No. 1134 – An Ordinance Levying Taxes for the Fiscal Year 2016 for the Borough of Emmaus at the Rate of 5.1565 Mills Pursuant to Section 1310 of the Borough Code of the Commonwealth of Pennsylvania and a Revenue Neutral Levy Based on the 2013 Lehigh**

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**Ordinance No. 1134 (continued)**

**County Tax Reassessment, Split Between the General Fund Tax of 4.5254 Mills and a Fire Fund Tax of 0.6311 Mills (1<sup>st</sup> Reading 12/07/15) (2<sup>nd</sup> Reading 12/21/15).**

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) (Labenberg, Brown, Holtzhafer)**

Next Meeting – TBD

- a. South 10<sup>th</sup> Street Culvert
- b. Historical House Agreements
- c. Lateral Clean-outs
- d. **Plant Tree at Community Park (Tabled 12/7/15)**

**Health, Sanitation, and Codes (Shubzda, Holtzhafer, Anders)**

Next Meeting – TBD

- a. Emmaus and Upper Milford Joint Environmental Advisory Council
- b. Board of Health
- c. Refuse Amendments
- d. IFC Ordinance

**Parks and Recreation (Anders, Barrett, Labenberg)**

Next Meeting – TBD

- a. Boro Line Park Direction Sign
- b. USSSA Field Request for 2016

**Public Safety (Gilbert, Barrett, Brown)**

Next Meeting – TBD

- a. Emergency Operations Plan – Review
- b. Yield to Pedestrian Signs on Chestnut Street
- c. 25mph Signs on Chestnut Street

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**General Administration** (Barrett, Gilbert, Labenberg)

Next Meeting – TBD

- a. Emmaus Public Library Expansion Project
- b. Record Retention
- c. Vehicle Use Policy

**Budget and Finance** (Holtzhafer, Shubzda, Gilbert)

Next Meeting – TBD

- a. Capital Plan
- b. Police Pension
- c. **Resolution 2015-38 – Bill List**
- d. **Resolution 2015-36 – Adopt 2016 Fiscal Year Budget**
- e. **Resolution 2015-37 – 2016 Fee Schedule**
- f. **Resolution 2015-39 - Police Pension Contribution 2016**
- g. **Amended Minimum Municipal Obligation – Employee Pension**
- h. **Ordinance No. 1133 – 2016 Levying Taxes (2nd Reading)**
- i. **Ordinance No. 1134 – 2016 Water Rate Schedule (2nd Reading)**

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

Next Meeting – TBD

- a. Grant Progress
- b. Committee Structure
- c. Southwest Lehigh County Comprehensive Plan

17. Personal Appeals, Part II

18. Borough Manager's Report

- a. Significant Revenue and Expense Items for First Half of December, 2015

19. President's Business

20. Adjournment

Next Resolution: 2015-40

Next Ordinance: #1135

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CALL TO ORDER

Mrs. Gilbert 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	Absent
Nathan Brown	Present
Brent Labenberg	Present
Jeffrey Shubzda	Present
Winfield Iobst, Mayor	Present
Jeffrey Dimmich, Solicitor	Present
Shane Pepe, Borough Manager	Present

PERSONAL APPEALS – None.

COMMUNITY MINUTE

Mr. Shubzda announced that the Emmaus High School Boys' Wrestling Team finished 17<sup>th</sup> out of 112 teams with 3 medal winners in Reno, Nevada.

SPECIAL PRESENTATIONS

Mayor Iobst swore in two new Police Officers, Adam Polster and Austen Thompson.

Mrs. Gilbert congratulated Police Chief Faust for winning the Colonel John Schaffer Award and thanked him for his service to the community.

Mayor Iobst read Proclamation 2015-393 recognizing the 2015 Emmaus High School Girls' Field Hockey Team as State Champions and in recognition of Assistant Coach Kristin Arnold. Mayor Iobst congratulated the hockey team and coaches for their achievement.

READING OF MINUTES

**Motion by Mr. Brown, seconded by Mr. Labenberg to dispense with the formal reading of the December 7, 2015 Council Meeting Minutes. There were 6 ayes. Motion carried.**

**Motion by Mr. Brown, seconded by Mr. Anders to adopt the December 7, 2015 Council Meeting Minutes as drafted. There were 6 ayes. Motion carried.**

DECISION ON BIDS – None.

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COMMUNICATIONS

A. Teri Sorg-McManamon, Emmaus Arts Commission – 2016 SnowBlast Winter Arts Festival Request to be held on Saturday, February 6, 2015 from 9:00 a.m. to 4:00 p.m. Referred to Staff.

B. Michelle Costello, Seven Generations Charter School – Letters from First Graders requesting to hang bat houses at pond next to Community Gardens. Referred to Staff.

C. Karlene Kipp, 136 Crest Way – Request for 4-way stop sign at 4<sup>th</sup> & Broad Street. Referred to the Public Safety Committee.

D. Paulette Labenberg, Special Entertainment Commission – Increase in Arts Council Grant Award. Mr. Labenberg read a letter stating that the Special Entertainment Commission has received an additional \$53.00 from the PA Council of the Arts Grant. He stated that the total grant awarded was \$1,068.00.

BOROUGH ENGINEER'S REPORT – None.

SOLICITOR'S REPORT

Solicitor Dimmich reported that he will be working on the Lehigh County Authority bill that was received in the amount of \$117,300. He stated that this is an undercharge from LCA for a 5 year period. Mr. Pepe explained that he and Mrs. Gilbert attended a meeting with LCA on Thursday, December 17, 2015 and LCA is making a claim that there was a mistake made on their calculations and the Borough owes LCA \$117,300. Solicitor Dimmich stated that his recommendation is that the Borough adopts its budget at tonight's meeting.

Progress.

UNFINISHED BUSINESS, PART I

Ordinance No. 1133 – An Ordinance Amending Chapter 26, Sections 105 and 106, of the Codified Ordinances, Dealing with the Water Rate Schedule and the Billing and Collection Procedures for the Borough of Emmaus, Pennsylvania (1<sup>st</sup> Reading 12/07/15) (2<sup>nd</sup> Reading 12/21/15).

**Motion by Mr. Labenberg, seconded by Mr. Brown to read Ordinance No. 1133 in short title. There were 6 ayes. Motion carried.**

Mr. Holtzhafer read Ordinance No. 1133.

**Motion by Mr. Labenberg, seconded by Mr. Anders to adopt Ordinance No. 1133 - An Ordinance Amending Chapter 26, Sections 105 and 106, of the Codified Ordinances, Dealing with the Water Rate Schedule and the Billing and Collection Procedures for the Borough of Emmaus, Pennsylvania on its 2<sup>nd</sup> Reading. Roll call vote: Mr. Labenberg, aye; Mr. Holtzhafer, aye; Mr. Brown, aye; Mr. Shubzda, aye; Mr. Anders, aye; Mrs. Gilbert, aye. There were 6 ayes. Motion carried.**

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Ordinance No. 1134 – An Ordinance Levying Taxes for the Fiscal Year 2016 for the Borough of Emmaus at a Rate of 5.1565 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 4.5254 Mills and a Fire Fund Tax of 0.6311 Mills (1<sup>st</sup> Reading 12/07/15) (2<sup>nd</sup> Reading 12/21/15).

**Motion by Mr. Shubzda, seconded by Mr. Brown to read Ordinance No. 1134 in short title. There were 6 ayes. Motion carried.**

Mr. Holtzhafer read Ordinance No. 1134 in short title.

**Motion by Mr. Anders, seconded by Mr. Shubzda to adopt Ordinance No. 1134 - An Ordinance Levying Taxes for the Fiscal Year 2016 for the Borough of Emmaus at a Rate of 5.1565 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 4.5254 Mills and a Fire Fund Tax of 0.6311 Mills on its 2<sup>nd</sup> Reading. Roll call vote: Mr. Anders, aye; Mr. Shubzda, aye; Mr. Brown, aye; Mr. Holtzhafer, aye; Mr. Labenberg, aye; Mrs. Gilbert, aye. There were 6 ayes. Motion carried.**

Mr. Brown thanked Mr. Pepe for holding Budget Workshops and thanked Council for their hard work on the 2016 Budget. Mr. Anders thanked the Department Managers for their time and effort in the budget process. Mr. Pepe stated the budget process is a six month project and all employees are involved in the process. Mr. Labenberg stated that he is very proud of the fact that taxes were not raised in the 2016 Budget. Mr. Anders thanked Mr. Holtzhafer for his time and effort with the budget process.

NEW BUSINESS – None.

UNFINISHED BUSINESS, PART II – None.

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

MAYOR'S REPORT

Mayor Iobst wished everyone a Merry Christmas, Happy New Year and good health in the New Year.

Progress.

COMMITTEE REPORTS

a. Public Works Committee

**Motion by Mr. Labenberg, seconded by Mr. Anders to remove planting a tree at Community Park from the table. There were 6 ayes. Motion carried.**

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Mr. Labenberg stated that he spoke to the residents that reside on Alpine Circle. He stated that 3 residents would like the tree to be planted on Alpine Circle and 4 residents were indifferent. He stated that he spoke to the neighbor that paid for the tree and they are indifferent as to where the tree is planted. Mr. Anders asked if there was any follow up from Mr. Dychala concerning the plowing issue to which Mr. Pepe responded that there was not.

**Motion by Mr. Labenberg, seconded by Mr. Brown to plant a tree on Alpine Circle. There were 5 ayes, 1 opposed (Holtzhafer). Motion carried.**

Mr. Labenberg stated that the next meeting will be determined after the Committees are selected. He wished everyone a Merry Christmas and a Happy New Year. He thanked Mr. Holtzhafer for his years of service on Council and wished him the best of luck.

Progress.

b. Health, Sanitation, and Codes Committee

Mr. Holtzhafer stated that he placed a packet of information concerning geese on Mr. Shubzda's desk. Mr. Shubzda thanked Mr. Holtzhafer and wished him the best of luck in the future.

Progress.

c. Parks and Recreation Committee

Mr. Anders thanked the Public Works Department for installing the new playground equipment at the Williams Street playground. He stated that with the beautiful weather, he has seen a lot of children playing on the equipment.

Progress.

d. Public Safety Committee

Mrs. Gilbert reported that the next Committee Meeting is to be determined.

Progress.

e. General Administration Committee

Mr. Labenberg entertained questions about the Committee Report.

Progress.

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f. Budget and Finance Committee

Mr. Holtzhafer read Resolution 2015-38 authorizing payment of the December 21, 2015 Bill List, as follows:

<b>Bill List</b>	<b>\$</b>	<b>198,164.03</b>
<b>Payroll #25</b>	<b>\$</b>	<b>140,484.84</b>
<b>Payroll Taxes</b>	<b>\$</b>	<b><u>48,277.95</u></b>
<b>Total</b>	<b>\$</b>	<b><u>386,926.82</u></b>

Done this 21<sup>st</sup> day of December 2015.

**Motion by Mr. Holtzhafer, seconded by Mr. Shubzda to approve the December 21, 2015 Bill List. There were 5 ayes, 1 abstention (Brown). Motion carried.**

Resolution 2015-36 – A Resolution Adopting the Budget of the Borough of Emmaus for the 2016 Fiscal Year and Appropriating from Fund Equities, Revenues and Other Financing Sources Available for the Year 2016 for the Specific Purposes Set Forth Therein.

**Motion by Mr. Holtzhafer, seconded by Mr. Shubzda to adopt Resolution 2015-36. There were 6 ayes. Motion carried.**

Resolution 2015-37 – A Resolution of the Council of the Borough of Emmaus, Lehigh County, Pennsylvania, Amending the Schedule of Fees and Charges for Permits and Services.

**Motion by Mr. Holtzhafer, seconded by Mr. Shubzda to adopt Resolution 2015-37. There were 6 ayes. Motion carried.**

Resolution 2015-39 – A Resolution Requiring that each Employed Full Time Police Officer of the Borough of Emmaus, Hereafter Referred to as Active Member of the Emmaus Police Pension Plan, as a Condition of Participation in the Plan, Must Contribute, on an After-Tax-Basis 1.9% of the Participant's Compensation into the Emmaus Police Pension Plan Effective January 1, 2016.

**Motion by Mr. Holtzhafer, seconded by Mr. Shubzda to adopt Resolution 2015-39. There were 6 ayes. Motion carried.**

Mr. Holtzhafer explained that the original Non-Uniform MMO was adopted and the Resolution needs to be amended to reflect a \$3,000 increase. We are researching the increase in the Police Pension Actuary.

Progress.

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### g. Community Relations, Planning and Development Committee

Mr. Brown reported that the Southwest Comprehensive Plan charrette will take place on January 5<sup>th</sup> and 6<sup>th</sup>. He explained that a charrette is a group of leaders and influential individuals that come together to work on ideas for the Plan.

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 December, 2015 are in the Council binders and offered to entertain questions about them. Mr. Pepe wished everyone a Merry Christmas.

Progress.

### PRESIDENT'S BUSINESS

Mrs. Gilbert presented Mr. Holtzhafer with a plaque for his time served on Borough Council. Mr. Brown thanked Mr. Holtzhafer for his friendship and thanked him for serving his community for the past 8 years.

**Motion by Mr. Holtzhafer, seconded by Mr. Labenberg to adjourn. There were 6 ayes. Motion carried.**

The December 21, 2015 Meeting of the Emmaus Borough Council adjourned at 7:50 p.m.

Shane Pepe  
Borough Manager

Transcribed by: Paula Weiant  
Administrative Assistant  
December 28, 2015