

January 3, 2012

EMMAUS BOROUGH COUNCIL

**Emmaus Borough Council  
Agenda  
Tuesday, January 3, 2012, 7:00 PM**

1. Judge Donna Butler will Administer the Oath of Office to:

Councilmember Lee Ann Gilbert  
Councilmember Nathan Brown  
Councilmember Brian Holtzhafer  
Councilmember Jeff Shubzda

2. Remarks by Judge Donna Butler

3. Call to Order

4. Pledge of Allegiance

5. Reorganization of Council

Mayor Iobst will preside over the Council Meeting by asking for nominations for President of Council. Council will vote for President. Mayor Iobst will ask for nominations for Vice President. Council will vote for Vice President. The President will then preside over the Meeting.

6. Personal Appeals, Part I

7. Community Minute

8. Special Presentations

9. Reading of Minutes

December 19, 2011

10. Decisions on Bids

Janitorial Services

11. Communications

- a. Eric Loch, 105 Spruce Street – Reduce or eliminate street lighting.
- b. Jeffrey McElhaney, Jr., 16 S. 4<sup>th</sup> Street – Request appointment to the Parks and Recreation Commission.

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

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

Next Meeting – To be determined.

- a. Wieders Lane Status

**Health, Sanitation, and Conservation** (Shubzda, Holtzhafer, Waddell)

Next Meeting – To be determined.

- a. Compost Options
- b. Refuse/Recycling with Raritan Valley
- c. Riparian Buffer Ordinance
- d. Bollinger Land/Indian Creek Golf Course
- e. Emmaus and Upper Milford Joint Environmental Advisory Council
- f. Board of Health
- g. **Reappointment of Nancy Reimert to the Board of Health (term expires 1/1/2017)**

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

Next Meeting – To be determined.

- a. Ice Rink/Skate Park
- b. Geese at Furnace Dam
- c. Emmaus Legion Baseball Field Project
- d. Legion Field Reconstruction Agreement and Leases
- e. Food Stand at Community Park – RFP

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

Next Meeting – To be determined.

- a. Trailer Truck Parking
- b. Tractor Trailer Unloading
- c. Emergency Operations Plan – Review
- d. Civil Service Commission Rules and Regulations
- e. 200 Block of Seem Street – One Way Westbound

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

Next Meeting – To be determined.

- a. Shade Tree--Tree Fund
- b. Cintas Update
- c. Website Upgrade
- d. **2012 Appointments – Resolution 2012-1**
- e. **Reappointment of Dough Hall, Robert Drennan, and Linda Destan to the Shade Tree Commission (terms expire 1/1/2017)**
- f. **Reappointment of Jean Nagle and Janie Slamon to the Library Board (terms expire 1/1/2015)**
- g. **Appointment of John Stove to the Emmaus General Authority (term expires 1/1/2017)**
- h. **Reappointment of John Stover to the Emmaus Vacancy Board (term expires 1/1/2013)**
- i. **Reappointment of Susan Schmidt to the Zoning Hearing Board (term expires 1/1/2015)**

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

Next Meeting – January 16, 2012 at 6:45 p.m.

- a. **Bill List—Resolution 2012-2**
- b. Emergency Management Coordinator Compensation

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

Next Meeting – To be determined.

- a. Display of 2009 Anniversary Items and Contents of the 1959 Time Capsule
- b. Emmaus Main Street Program—West End Gateway Sign Presentation
- c. VFW/David's Electric Streetscape Plan
- d. Treevitalize Grant

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**Ad Hoc Committees** (Holtzhafer, Barrett, Gilbert, Borough Mgr., Mayor Iobst)  
Next Meeting – To be determined.

Community/School Relations

a. Junior Council Member Draft Resolution Review and Application

20. Personal Appeals, Part II

21. Borough Manager's Report

a. **Significant Revenue and Expense Items for December 2011**

22. President's Business

a. Committee Assignments

22. President's Business (continued)

b. Executive Session – Personnel Matter

23. Adjournment

Next Resolution #3  
Next Ordinance #1085

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The Emmaus Borough Council met in regular session on January 3, 2012 in Borough Council Chambers, 28 S. 4<sup>th</sup> Street, Emmaus, PA 18049.

Magisterial District Judge Donna Butler administered the oath to new Council Member Jeffrey Shubzda, and incumbent Council Members Nathan Brown, Lee Ann Gilbert, and Brian Holtzhafer.

CALL TO ORDER

Mayor Winfield Iobst called the Meeting to order at 7:00 p.m.

Lee Ann Gilbert	Present
Brian Holtzhafer	Present
Michael Waddell	Present
Brent Labenberg	Present
Wesley Barrett	Present

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Nathan Brown	Present
Jeffrey Shubzda	Present
Winfield Iobst, Mayor	Present
Frank Procyk, Solicitor	Present
Borough Manager	Vacant

The Mayor asked for nominations for President of Borough Council.

Mr. Labenberg nominated Mrs. Gilbert for Council President.

Mrs. Gilbert received 6 votes for Council President.

Mrs. Gilbert was declared Council President.

The Mayor asked for nominations for Vice President of Borough Council.

Dr. Waddell nominated Mr. Barrett for Council Vice President. Mr. Brown nominated Mr. Holtzhafer for Council Vice President.

Mr. Barrett received 2 votes for Council Vice President. (Labenberg, Waddell). Mr. Holtzhafer received 5 votes for Council Vice President. (Gilbert, Holtzhafer, Barrett, Brown, Shubzda).

Mr. Holtzhafer was declared Council Vice President.

Mrs. Gilbert took the President's seat and presided over the Borough Council Meeting. Mrs. Gilbert welcomed Mr. Shubzda to Borough Council.

PERSONAL APPEALS, PART I

**A. Anthony Groller, 1302 S. 10<sup>th</sup> Street, Emmaus** – asked if it is a conflict of interest for Mr. Holtzhafer to be Vice President and Chairman of the Budget and Finance Committee. Mrs. Gilbert responded that it is not. Mr. Groller stated that on December 29, 2011, he saw a dump truck leaving the Compost Site. He questioned who authorized the truck to enter the site. Mrs. Gilbert responded that Mr. Clapper authorized the truck to remove unscreened compost. Mr. Groller stated that he does not believe it is fair to the taxpayers to allow individuals from outside the community access to the site. He also asked how much the Borough charged to load the dump trucks. Mr. Holtzhafer responded that he believes there is an excess of unscreened compost and that we did not charge for the removal of the compost. Mr. Groller stated that the Compost Site was closed and that Borough residents should also be allowed access to the site. Mr. Labenberg and Mrs. Gilbert responded that the matter will be discussed at the next Public Works Committee Meeting.

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COMMUNITY MINUTE - None.

SPECIAL PRESENTATIONS - None.

READING OF MINUTES

**Motion by Dr. Waddell, seconded by Mr. Barrett to dispense with the formal reading of the December 19, 2011 Minutes. There were 6 ayes, 1 abstention (Shubzda). Motion carried.**

**Motion by Mr. Labenberg, seconded by Mr. Barrett to adopt the December 19, 2011 Minutes as drafted. There were 6 ayes, 1 abstention (Shubzda). Motion carried.**

DECISION ON BIDS

Mrs. Gilbert stated that 6 bids were received for the Janitorial Services Bid. Mr. Clapper recommends the bid be awarded to Clean Horizons, LLC in the amount of \$1,922.00 per month contingent upon successful completions of all background checks, with a contract start date of 2/1/2012. Mr. Brown questioned how much the current janitor charges per month and how much the Borough will save. Mrs. Gilbert responded that the Borough will save \$158.00 a month with increased services. Mr. Labenberg stated that the savings will be more than \$1,800 per year.

**Motion by Mr. Holtzhafer, seconded by Mr. Labenberg to award the Borough of Emmaus Janitorial Services Bid to Clean Horizons, LLC., in the amount of \$1,922.00 per month contingent upon successful completions of all background checks, with a contract start date of 2/1/2012. There were 7 ayes. Motion carried.**

COMMUNICATIONS

- a. Eric Loch, 105 Spruce Street – Reduce or eliminate street lighting. Referred to the Public Safety Committee.
- b. Jeffrey McElhaney, Jr., 16 S. 4<sup>th</sup> Street – Request appointment to the Parks and Recreation Commission. Referred to the Parks and Recreation Committee.
- c. Doug Peters, 706 Glenwood Street – Thank you to Public Works Department for donation of trolley rail from Broad Street.
- d. Steve Chamlee and Amy Mussel, 917 Buttonwood Street – Thank you to Emmaus Volunteer Firemen Justin Delong, James Reiss, Kurt Krauss, Mike Arndt and Public Works employees Allen Lewis and Brent Reed for help during stormwater backup at their residence.

BOROUGH ENGINEER'S REPORT –None.

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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

Progress.

b. Health, Sanitation, and Conservation Committee

**Motion by Mr. Labenberg, seconded by Mr. Holtzhafer to reappoint Nancy Reimert to the Board of Health to a term expiring 1/1/2017. There were 6 ayes, 1 abstention (Shubzda). Motion carried.**

Progress.

c. Parks and Recreation Committee

Progress.

d. Public Safety Committee

Progress.

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e. General Administration Committee

**RESOLUTION 2012 – 1**

**BE IT HEREBY RESOLVED** by Emmaus Borough Council to appoint the following officials to their designated positions for a term expiring on January 6, 2013:

Ambulance Corps Chief	Mike Nonnemacher
Animal Control Officer	Richard Hontz
Borough Manager/Secretary	
Borough Treasurer	Christine Snyder
Certified Public Accountant	France/Anderson
Emergency Management Coordinator	Kevin Farnish
Engineer (General/Water/Sewer)	Hanover Engineering
Fire Chief	James Reiss
Health Officer	Garry Ritter
Pension Consultant-Police/Non-uniform	Conrad Siegel
Public Works Director	Jeffry Clapper
Asst. Public Works Director	John Dychala
Public Works Inspector/ Code Enforcement Officer	James Farnsworth
Sewage Enforcement Officers	Jacob Schray Jeffrey T. Huff
Borough Solicitor	Fonzone and Ashley
Civil Service Commission Solicitor	Jeffrey Dimmich, Esq.
Zoning Hearing Board Solicitor	Ronald Corkery, Esq.

Done this 3rd day of January, 2012.

**Motion by Dr. Waddell, seconded by Mr. Labenberg to adopt Resolution 2012-1. There were 7 ayes. Motion carried.**

**Motion by Dr. Waddell, seconded by Mr. Barrett to reappoint Doug Hall, Robert Drennan, and Linda Destan to the Shade Tree Commission to a term expiring on 1/1/2017. There were 7 ayes. Motion carried.**



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**Motion by Dr. Waddell, seconded by Mr. Barrett to reappoint Jean Nagle and Janie Slamon to the Library Board to a term expiring on 1/1/2015. There were 7 ayes. Motion carried.**

**Motion by Dr. Waddell, seconded by Mr. Labenberg to appoint John Stover to the Emmaus General Authority to a term expiring on 1/1/2017. There were 7 ayes. Motion carried.**

**Motion by Dr. Waddell, seconded by Mr. Barrett to reappoint John Stover to the Emmaus Vacancy Board to a term expiring on 1/1/2013. There were 7 ayes. Motion carried.**

**Motion by Dr. Waddell, seconded by Mr. Barrett to reappoint Susan Schmidt to the Zoning Hearing Board to a term expiring on 1/1/2015. There were 7 ayes. Motion carried.**

Progress.

f. Budget and Finance Committee

Mr. Holtzhafer read Resolution 2012- 2, authorizing payment of the January 3, 2012 Bill List, as follows:

Bill List	\$	184,917.90
Payroll #26	\$	102,042.56
Payroll Taxes	\$	<u>35,535.03</u>
Total	\$	322,495.49

Done this 3<sup>rd</sup> of January 2012.

**Motion by Mr. Holtzhafer, seconded by Mr. Brown to approve the January 3, 2012 Bill List. There were 7 ayes. Motion carried.**

Progress.

g. Community Relations, Planning and Development Committee

Mrs. Gilbert stated that an issue has arisen with the electric for the Flag Pole at the VFW/David's Electric Pocket Park and directed Mr. Brown to add the item to the Committee's Agenda. Dr. Waddell responded that he had a conversation with Mr. Clapper on the subject and will provide Mr. Brown with the information.

Progress.

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h. Ad Hoc-Community/School Relations Committee

Progress.

PERSONAL APPEALS, PART II – None.

BOROUGH MANAGER’S REPORT -

Mrs. Gilbert reported that questions on the Significant Revenue and Expense Items for December 2011 will be directed to Christine Snyder. Dr. Waddell asked if the Street Lighting Expense in the amount of \$26,931.72 is a quarterly expense. Mrs. Gilbert responded that she will direct the question to Ms. Snyder. Mrs. Gilbert stated that the expense amount includes traffic signals.

Progress.

PRESIDENT’S BUSINESS

Mrs. Gilbert appointed Committee members as follows:

- a. Budget and Finance Committee  
Mr. Holtzhafer, Chair  
Mrs. Gilbert  
Mr. Shubzda
- b. Community Relations, Planning, and Development Committee  
Mr. Brown, Chair  
Dr. Waddell  
Mr. Shubzda
- c. General Administration Committee  
Dr. Waddell, Chair  
Mr. Barrett  
Mr. Labenberg
- d. Health, Sanitation, and Conservation Committee  
Mr. Shubzda, Chair  
Mr. Holtzhafer  
Dr. Waddell
- e. Parks and Recreation Committee  
Mr. Barrett, Chair  
Mr. Holtzhafer

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Mr. Labenberg

- e. Public Safety Committee  
Mrs. Gilbert, Chair  
Mr. Brown  
Mr. Barrett
- f. Public Works Committee  
Mr. Labenberg, Chair  
Mr. Brown  
Mrs. Gilbert
- g. Ad Hoc-Community/School Relations Committee  
Mr. Barrett, Chair  
Mr. Holtzhafer  
Dr. Waddell  
Mayor Iobst  
Borough Manager

The Lehigh County Congress of Governments (COG) representative will be Mr. Barrett.

The Emmaus Main Street Partners/East Penn Chamber of Commerce Representative will be Dr. Waddell until a Borough Manager is hired.

The Emmaus Arts Commission representative will be Dr. Waddell.

The Parks and Recreation Commission representative will be Mr. Barrett.

Mrs. Gilbert called an Executive Session at 7:35 p.m. to discuss a personnel matter, not anticipating that official action would be taken upon reconvening.

Mrs. Gilbert reconvened the Meeting at 8:10 p.m. with no official action being taken.

**Motion by Mr. Labenberg, seconded by Mr. Barrett to adjourn the January 3, 2012 Emmaus Borough Council Meeting. There were 7 ayes. Motion carried.**

The Meeting adjourned at 8:11 p.m.

Transcribed by: Paula Weiant  
Administrative Assistant  
January 5, 2012