

February 3, 2014

EMMAUS BOROUGH COUNCIL
Emmaus Borough Council
Agenda
Monday, February 3, 2014, 7:00 p.m.

1. Call to Order
2. Pledge of Allegiance
3. Personal Appeals, Part I
4. Community Minute
5. Special Presentations
6. Reading of Minutes

January 6, 2014 and January 16, 2014

7. Decisions on Bids
8. Communications
 - a. Liesel Adam, 627 W. Greenleaf St. – Request reappointment to the Joint Environmental Advisory Council (term expires 3/7/2014).
 - b. Mark Bowman, 33 W. Berger St. – Interested in serving on the Parks & Recreation Commission.
 - c. Roy Anders, 349 S. 2nd St. – Request reappointment to the Parks & Recreation Commission (term expires 5/1/2014).
 - d. Anthony Groller, 1302 S. 10th St. – Request reappointment to the Planning Commission (term expires 4/1/2014).
 - e. Rowan Hobson, 2 Stoklea Drive – Resignation from Borough Council as Junior Council Member.
 - f. Michael Gibson, 230 Ridge St. – Request reappointment to the Planning Commission (term expires 4/1/2014).
 - g. Jayne Moxey, 1026 N. 7th St. – Thank you to Public Works Department for snow removal.
 - h. Jon Larson, Emmaus Aquatic Club – Emmaus Community Park Pool rental.
 - i. Patricia Diehl, Citizen's Fire Company #2 – Community Carnival.
 - j. Jennifer Henry, Lincoln Elementary School – Requests for 2014 Spring Festival.
 - k. John Zgura, 4946 Jasper Road, Emmaus – Interested in serving on the Parks and Recreation Commission.
 - l. Daniel DeLong, Upper Milford Township – Request for support in order to obtain a DCED Municipal Assistance Grant.
 - m. Kelly Lee Drust, Emmaus Main Street Partners – Invitation to the Ice Bar during SnowBlast Winter Festival.

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8. Communications (continued)

- n. Edward Farnschlader, 4110 Newport Dr., Emmaus – Interested in serving on the Parks and Recreation Commission.
- o. Kyle Funk, Funk Brewing Company, Emmaus – Amend Zoning Ordinance.

9. Borough Engineer's Report

10. Solicitor's Report

11. Unfinished Business, Part I

12. New Business

13. Unfinished Business, Part II

Ordinance No. 1103 – An Ordinance Relating to the Organization of the Borough of Emmaus Fire Department and Establishing Procedures, Guidelines and Requirements for the Operation of the Fire Department, Employee and Volunteer Positions, the Payment of Salaries and Stipends, Ownership and Maintenance of Equipment, Record Keeping and Other Administrative Requirements (1st Reading 11/4/13) (2nd Reading 12/2/13) (Tabled 12/2/13) (Tabled 12/16/13) (Tabled 1/06/14).

14. Items Not on Agenda, Subject to Rule 9

15. Mayor's Report

16. Committee Reports

Public Works/(Highway, Water & Sewer)

Next Meeting – February 6, 2014 at 3:15 p.m.

- a. Rules & Regulations (update)
- b. South 2nd Street Reservoir
- c. South 10th Street Culvert

Health, Sanitation, and Conservation

Next Meeting – February 20, 2014 at 4:30 p.m.

- a. Emmaus and Upper Milford Joint Environmental Advisory Council
- b. Board of Health
- c. Refuse Bills

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Parks and Recreation

Next Meeting – February 4, 2014 at 4:00 p.m.

- a. Green Futures Project
- b. Football Storage Building
- c. Policies:
 - Bands, DJ's, and Live Performances
 - Pavilion Refund
 - Tents, Canopies, and Items Outside Pavilions
 - Vendor Trucks in Parks
 - Moon Bounce and Inflatable Objects

Public Safety

Next Meeting – February 5, 2014 at 3:00 p.m.

- a. Emergency Operations Plan – Review
- b. Ordinance No. 1103 – Emmaus Fire Department Organization (2nd Reading 12/2/13) (Tabled 12/2/13) (Tabled 12/16/13)
- c. **Appoint Michael Scharf as a Volunteer for the Ambulance Corps**

General Administration

Next Meeting – February 5, 2014 at 9:00 a.m.

- a. Emmaus Public Library Expansion Project
- b. HVAC System at Town Hall
- c. Sale of Properties - Appraisals
- d. Town Hall Remodeling Project
- e. Subdivide 44 Klines Lane
- f. **34 Spruce Street Variance**
- g. **AQC Ordinance**
- h. **RFP's and Bids for:**
 - **Janitorial / Custodial Services**
 - **Public Accountant / Auditing Services**
 - **Pension Actuarial Services**
 - **Worker's Compensation / Liability Insurance Broker**
 - **Refuse / Recycling Services**
- i. **Resolution 2014-5 - Hire Weed / Snow Enforcement Officer – Paula Weiant**
- j. **Town Hall Roof – Obtain Quotes**

Budget and Finance

Next Meeting – February 18, 2014 at 6:45 p.m.

- a. **Resolution 2014-3 – Bill List**

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- b. **Resolution 2014-4 – Bill List**
- c. **Interim Tax Policy**
- d. **Emergency Management Director Salary**
- e. **General Authority Letter**

Community Relations, Planning and Development

Next Meeting – February 11, 2014 at 4:00 p.m.

- a. LERTA
- b. CGI Communications Community Video
- c. Tree Vitalize Grant – January 2014

17. Personal Appeals, Part II

18. Borough Manager’s Report

- a. Significant Revenue and Expense Items for January 2014

19. President’s Business

20. Adjournment

Next Resolution: 2014-6

Next Ordinance: #1105

The Emmaus Borough Council met in regular session on February 3, 2014 in Borough Council Chambers, 28 S. 4th Street, Emmaus, PA 18049.

CALL TO ORDER

Mr. Holtzhafer called the meeting to order at 7:00 p.m.

Lee Ann Gilbert	Present
Brian Holtzhafer	Present
Roy Anders	Present
Brent Labenberg	Present
Wesley Barrett	Present
Nathan Brown	Present
Jeffrey Shubzda	Present
Winfield Iobst, Mayor	Absent
Jeffrey Dimmich, Solicitor	Present
Shane Pepe, Borough Manager	Present

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PERSONAL APPEALS – PART 1 - None.

COMMUNITY MINUTE

Mr. Shubzda reminded everyone that the Emmaus Arts Commission will host its Annual SnowBlast Winter Arts Festival on Friday, February 7 and Saturday, February 8, 2014 and encouraged everyone to attend. He also stated that more information on the event is available at www.emmausarts.org.

SPECIAL PRESENTATIONS - None.

READING OF MINUTES

Motion by Mr. Barrett, seconded by Mr. Brown to dispense with the formal reading of the January 6, 2014 Minutes. There were 6 ayes. Motion carried.

Motion by Mr. Barrett, seconded by Mr. Anders to adopt the January 6, 2014 Minutes as drafted. There were 6 ayes. Motion carried.

Motion by Mr. Shubzda, seconded by Mr. Labenberg to dispense with the formal reading of the January 16, 2014 Minutes. There were 6 ayes. Motion carried.

Motion by Mr. Labenberg, seconded by Mr. Barrett to adopt the January 16, 2014 Minutes as drafted. There were 6 ayes. Motion carried.

DECISION ON BIDS – None.

COMMUNICATIONS

- a. Liesel Adam, 627 W. Greenleaf St. – Request reappointment to the Joint Environmental Advisory Council (term expires on 3/7/2014). Referred to the Health, Sanitation, and Conservation Committee.
- b. Mark Bowman, 33 W. Berger St. – Interested in serving on the Parks & Recreation Commission. Referred to the Parks and Recreation Committee.
- c. Roy Anders, 349 S. 2nd St. – Request reappointment to the Parks & Recreation Commission (term expires 5/1/2014). Referred to the Parks and Recreation Committee.
- d. Anthony Groller, 1302 S. 10th St. – Request reappointment to the Planning Commission (term expires 4/1/2014). Referred to the General Administration Committee.
- e. Rowan Hobson, 2 Stoklea Drive – Resignation from Borough Council as Junior Council Member.

Motion by Mr. Barrett, seconded by Mr. Labenberg to accept Mr. Hobson's resignation from Borough Council as Junior Council Member. There were 6 ayes. Motion carried.

- f. Michael Gibson, 230 Ridge St. – Request reappointment to the Planning Commission (term expires 4/1/2014). Referred to the General Administration Committee.

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- g. Jayne Moxey, 1026 N. 7th St. – Thank you to Public Works Department for snow removal.
- h. Jon Larson, Emmaus Aquatic Club – Emmaus Community Park Pool rental. Referred to the Parks and Recreation Committee.
- i. Patricia Diehl, Citizen's Fire Company #2 – Community Carnival to be held on May 28 through May 31, 2014 from 6:00 p.m. to 10:00 p.m. Referred to Staff.
- j. Jennifer Henry, Lincoln Elementary School – Requests for 2014 Spring Festival. Referred to Mayor Iobst and Staff.
- k. John Zgura, 4946 Jasper Road, Emmaus – Interested in serving on the Parks and Recreation Commission. Referred to the Parks and Recreation Committee.
- l. Daniel DeLong, Upper Milford Township – Request for support to obtain a DCED Municipal Assistance Grant. Mr. Holtzhafer directed Mr. Brown to contact Mr. DeLong about the matter.
- m. Kelly Lee Drust, Emmaus Main Street Partners – Invitation to the Ice Bar during SnowBlast Winter Festival.
- n. Edward Farnschlader, 4110 Newport Dr., Emmaus – Interested in serving on the Parks and Recreation Commission. Referred to the Parks and Recreation Committee.
- o. Kyle Funk, Funk Brewing Company, 19 S 6th St., Emmaus – Request to Amend Zoning Ordinance. Referred to the General Administration Committee.

BOROUGH ENGINEER'S REPORT –None.

SOLICITOR'S REPORT

Solicitor Dimmich requested an Executive Session to discuss an ongoing litigation issue.

UNFINISHED BUSINESS, PART I – None.

NEW BUSINESS – None.

UNFINISHED BUSINESS, PART II

Ordinance No. 1103 – An Ordinance Relating to the Organization of the Borough of Emmaus Fire Department and Establishing Procedures, Guidelines and Requirements for the Operation of the Fire Department, Employee and Volunteer Positions, the Payment of Salaries and Stipends, Ownership and Maintenance of Equipment, Record Keeping and Other Administrative Requirements (1st Reading 11/4/13) (2nd Reading 12/2/13) (Tabled 12/2/13) (Tabled 12/16/13) (Tabled 1/6/14).

Solicitor Dimmich recommended Council take no action on Ordinance No. 1103 and that it should be removed from the Agenda.

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

MAYOR'S REPORT

Progress.

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COMMITTEE REPORTS

a. Public Works Committee

Mr. Labenberg reported that the Committee will meet on February 6, 2014 at 3:15 p.m.

Progress.

b. Health, Sanitation, and Conservation Committee

Mr. Shubzda reported that the Committee will meet on February 20, 2014 at 4:30 p.m.

Mr. Holtzhafer stated that he attended the last EAC meeting, which was held at Upper Milford Township, and they are currently discussing Earth Day 2014.

Progress.

c. Parks and Recreation Committee

Mr. Anders reported that the Committee will meet on February 4, 2014 at 4:00 p.m.

Progress.

d. Public Safety Committee

Mrs. Gilbert reported that the Committee will meet on February 5, 2014 at 3:00 p.m.

Progress.

e. General Administration Committee

Mr. Barrett reported that he has several items for official action. He reported that the Committee received a letter from Mr. and Mrs. Arndt who reside at 34 Spruce Street. They are requesting a variance for a 31' wide driveway apron instead of a 25' apron. The Committee recommends granting the variance.

Motion by Mr. Barrett, seconded by Mr. Labenberg to grant Mr. and Mrs. Arndt's request for a variance for a 31' wide driveway apron instead of a 25' apron. There were 6 ayes. Motion carried.

Mr. Barrett reported that the Committee recommends that the Borough forward a request by the developer of the Fields at Indian Creek to adopt an Age Qualified Community (AQC) Ordinance for its project site to the Borough Engineer and Borough Solicitor with all costs being paid for by the developer.

Motion by Mr. Barrett, seconded by Mr. Labenberg to authorize the Borough of Emmaus to forward a request by the developer of the Fields at Indian Creek to adopt an Age Qualified Community (AQC) Ordinance for its project site to the Borough Engineer

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and Borough Solicitor with all costs being paid for by the developer. There were 6 ayes. Motion carried.

Mr. Barrett reported that the Committee discussed all 3rd party service agreements that are expiring or will expire that the Borough may consider sending out for either an RFP or a bid Proposal. The Committee discussed each service provided to the Borough and reviewed each bid that is sent out. The Committee recommends going out to bid and RFP's for the Janitorial/Custodial Services, Certified Public Accountant/Auditing Services, Pension Actuarial Services, Worker's Compensation/Liability Insurance Broker, and Refuse/Recycling Services.

Motion by Mr. Barrett, seconded by Mr. Labenberg to authorize Mr. Pepe to go out for bids or RFP's for the Janitorial/Custodial Services, Certified Public Accountant/Auditing Services, Pension Actuarial Services, Worker's Compensation/Liability Insurance Broker, and Refuse/Recycling Services. There were 6 ayes. Motion carried.

Resolution 2014-5 – Hire Weed/Snow Enforcement Officer – Paula Weiant

Motion by Mr. Barrett, seconded by Mr. Anders to adopt Resolution 2014-5. There were 6 ayes. Motion carried.

The Committee discussed the leak in the roof at Town Hall. The Committee recommends to authorize Mr. Pepe to go out to bid to replace the upper Town Hall roof, with the option of either a flat or pitched roof.

Motion by Mr. Barrett, seconded by Mr. Brown to authorize Mr. Pepe to go out to bid to replace the upper Town Hall roof, with the option of either a flat or pitched roof. There were 6 ayes. Motion carried.

Mr. Barrett reported that the Committee will meet on February 5, 2014 at 9:00 a.m., weather permitting.

Progress.

f. Budget and Finance Committee

Mr. Shubzda read Resolution 2014- 3, authorizing payment of the February 3, 2014 Bill List, as follows:

Bill List	\$	280,779.88
Payroll #1	\$	108,374.41
Payroll Taxes	\$	<u>37,652.43</u>
Total	\$	426,806.72

Done this 3rd day of February 2014.

Motion by Mr. Shubzda, seconded by Mr. Barrett to approve the February 3, 2014 Bill List. There were 6 ayes. Motion carried.

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Mr. Shubzda read Resolution 2014- 4, authorizing payment of the February 3, 2014 Bill List, as follows:

Bill List	\$	365,564.41
Payroll #2	\$	124,969.54
Payroll Taxes	\$	<u>42,108.09</u>
Total	\$	532,642.04

Done this 3rd day of February 2014.

Motion by Mr. Shubzda, seconded by Mr. Anders to approve the February 3, 2014 Bill List. There were 6 ayes. Motion carried.

Mr. Holtzhafer reported that Lehigh County is no longer handling interim tax bills and Mr. Pepe is currently working on drafting an Interim Tax Policy.

Mr. Holtzhafer reported that the Committee discussed the need to fill the Emergency Management Coordinator position and believes that there should be some type of compensation for the position. The Committee recommends authorizing Mr. Pepe to create a job description and to create a salary of \$150 per month, \$1,800 per year for the position of Emergency Management Coordinator. Mr. Labenberg asked if other municipalities pay their Emergency Management Coordinators. Mr. Pepe responded affirmatively.

Motion by Mr. Barrett, seconded by Mr. Brown to authorize Mr. Pepe to create a job description and to create a salary of \$150 per month, \$1,800 per year for the position of Emergency Management Coordinator. There were 6 ayes. Motion carried.

Mr. Holtzhafer reviewed a draft of the 2014 Borough request letter prepared by Mr. Pepe to the Emmaus General Authority and reported that the Committee recommends authorizing Mr. Pepe to forward the letter to the Emmaus General Authority.

Motion by Mr. Brown, seconded by Mr. Shubzda to authorize Mr. Pepe to forward the 2014 funding request letter to the Emmaus General Authority. There were 6 ayes. Motion carried.

Progress.

g. Community Relations, Planning and Development Committee

Mr. Brown reported that he attended a meeting with the municipalities concerning the Southwestern Comprehensive Plan and stated that the Plan is moving forward. He stated that he had a conversation with Zoning Officer, Jim Farnsworth, and asked for his input for changes or issues that need to be addressed with the Plan and will submit any issues or changes to the Borough Planning Commission for its input. He also reported that the 187-191 Main Street building is approximately 95% completed and that there are several offices already rented. He reported that the Borough and the Main Street Partners joined a partnership to apply for a Keystone Community and façade grant in the amount \$50,000. He stated that Wentz Hardware will participate in the grant. Mr. Pepe explained that the grant

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came back in the Borough's name because DCED has not approved the Emmaus Main Street Partners as the Grantee. Mr. Holtzhafer asked when the RACP grant will be closed out. Mr. Brown stated that he is unsure. Mr. Pepe stated that he has not received approval through DCED for the grant.

The next Committee Meeting is February 11, 2014 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 January, 2014 are in the Council binders and offered to entertain questions about them.

Mr. Pepe reported that he interviewed Michael Scharf for a volunteer position for the Emmaus Ambulance Corps. Mr. Pepe stated that he is attending college and has had his EMT for two years. He would like to volunteer during his college breaks. Mr. Pepe stated that he has all of his certifications and is very qualified for the position.

Motion by Mr. Brown, seconded by Mr. Barrett to appoint Michael Scharf as an EMT volunteer with the Emmaus Ambulance Corps. There were 6 ayes. Motion carried.

Mr. Pepe stated that the Borough has withdrawn the conditional offer of employment to the latest candidate, David Gatens, for the Emmaus Police Department.

Progress.

PRESIDENT'S BUSINESS

Mr. Holtzhafer recessed for an Executive Session at 7:40 p.m. to discuss a litigation issue with no official action anticipated.

Mr. Holtzhafer reconvened the meeting at 9:03 p.m. with no official action required.

Motion by Mr. Barrett, seconded by Mr. Anders to adjourn. There were 6 ayes. Motion carried.

The February 3, 2014 Meeting of the Emmaus Borough Council adjourned at 9:04 p.m.

Shane Pepe
Borough Manager

Transcribed by: Paula Weiant
Administrative Assistant
February 7, 2014