

February 4, 2013

EMMAUS BOROUGH COUNCIL

**Emmaus Borough Council  
Agenda  
Monday, February 4, 2013, 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

January 21, 2013

7. Decisions on Bids
8. Communications
  - a. Jeanne Shook, 2670 Mountain View Circle – Request appointment to the Arts Commission.
  - b. James Woodshick, 108 Seem Street – Request reappointment to the Planning Commission (term expires 4/1/2013).
  - c. David Biles, 936 Evergreen Street – Sewer Lines on Evergreen Street.
  - d. Teri Madison, Emmaus Main Street Partners – 2013 Event Requests:
    - 2<sup>nd</sup> Saturday Sidewalk Sales – Music on the Triangle (5/11, 6/8, 7/13, 8/10, 9/14)
    - Clam Bake – (7/20)
    - Farewell Summer Festival – (9/7)
    - 4<sup>th</sup> Annual Beer Fest – (10/5)
    - Old Fashioned Christmas – (12/7)
  - e. Michael Hoffman, 221 S. 2<sup>nd</sup> Street – Request appointment to the Planning Commission.
  - f. Dennis Ramella, Director of Athletics, Emmaus High School – Field Usage Fees Waiver.

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9. Borough Engineer's Report
10. Solicitor's Report
11. Unfinished Business, Part I
12. New Business

**Ordinance No. 1095 – Amending Ordinance No. 1016 Civil Service Rules and Regulations (1<sup>st</sup> Reading 1/4/13)**

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, Gilbert)**

Next Meeting – February 7, 2013 at 3:00 p.m.

- a. Rules & Regulations (update)
- b. Home Inspections/Illegal Hook-ups
- c. South 2<sup>nd</sup> Street Reservoir
- d. South 10<sup>th</sup> Street Culvert
- e. Triangle Park Damage

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

Next Meeting – February 25, 2013 at 5:00 p.m.

- a. Compost Options
- b. Emmaus and Upper Milford Joint Environmental Advisory Council
- c. Board of Health
- d. Cintas
- e. **Multi-Unit Compost / Refuse Bills**

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

Next Meeting – February 5, 2013 at 3:30 p.m.

- a. Ice Rink/Skate Park

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- b. Emmaus Legion Baseball Field Project
- c. DCNR Grant

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

Next Meeting – February 14, 2013 at 3:00 p.m.

- a. Emergency Operations Plan – Review
- b. Civil Service Commission Rules and Regulations
- c. 24 Hour Municipal Parking Lot Ordinance
- d. **Ordinance No. 1095 – Amending Ordinance No. 1016 Civil Service Rules and Regulations (1<sup>st</sup> Reading)**

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

Next Meeting – February 6, 2013 at 9:00 a.m.

- a. 1803 House Lot Line Adjustment
- b. Emmaus Public Library Expansion Project

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

Next Meeting – February 19, 2013 at 6:45 p.m.

- a. **Bill List—Resolution 2013-4**
- b. Policy for Receipts and Packing Slips
- c. Banking and Accounts for All Borough Entities
- d. **Eliminate Gamewell System - 2014**

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

Next Meeting – February 28, 2013 at 4:15 p.m.

- a. LERTA
- b. Keystone Communities Program
- c. Community Revitalization Grant
- d. **Volunteer of the Year Awards:**
  - **2010 – Emmaus Main Street Partners – Community Service and Achievement**
  - **2011 – John Eyer – Community Service through EYA**
  - **2012 – Bob Boehmer – Winter Paintings**

17. Junior Council Member's Report

18. Personal Appeals, Part II

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19. Borough Manager's Report
  - a. **Significant Revenue and Expense Items for January**
20. President's Business

Executive Session – Personnel Matter
21. Adjournment

Next Resolution #5  
Next Ordinance #1096

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The Emmaus Borough Council met in regular session on February 4, 2013 in Borough Council Chambers, 28 S. 4<sup>th</sup> Street, Emmaus, PA 18049.

CALL TO ORDER

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

Lee Ann Gilbert	Absent
Brian Holtzhafer	Present
Michael Waddell	Present
Brent Labenberg	Present
Wesley Barrett	Present
Nathan Brown	Present
Jeffrey Shubzda	Present
Rowan Hobson, Junior Councilman	Present
Winfield Iobst, Mayor	Present
Jeffrey Dimmich, Solicitor	Present
Shane Pepe, Borough Manager	Present

PERSONAL APPEALS, PART I

**A. Teri Sorg-McManamon, 152 Seem Street** – thanked Borough Council for its participation in the SnowBlast Winter Festival. She thanked the Emmaus Main Street Partners for hosting the ice bar and thanked Bear Creek for building the ice bar. She also

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thanked the local businesses for participating and announced that there were approximately 20 businesses that participated in the event. She thanked the Fire, Police, Ambulance, and Public Works Department for their time and labor. She announced a new event, which is a summer music camp for strings students that will occur in August. She also announced that the 3<sup>rd</sup> Annual Rain Barrel Project and Silent Auction will be held at Community Park on Saturday, July 20, 2013. She announced the Student Horror Film Festival and stated that the Arts Commission has begun working on the 2014 SnowBlast Winter Festival. Dr. Waddell thanked Teri McManamon for her effort with the SnowBlast Festival. He announced that Ms. McManamon is the newly elected President of the Emmaus Arts Commission. He thanked Gene Clock for the use of the Clock Building to promote the arts in the Community.

**B. Gene Clock, Emmaus Main Street Partners** – thanked Borough Council for establishing the Arts Commission. He also thanked Bob Boehmer for his contribution to the Arts Commission. He also thanked and announced Teri McManamon as the newly elected President of the Commission. He thanked Mr. Labenberg for the use of his generator, and thanked Borough Council for their support. He thanked the Public Works Department, Bear Creek for building the ice bar, Samuel Adams for providing the Beer, Armettas, and the Creamery for providing food. He thanked all who helped and attended the event.

**C. Maggie McElroy, 432 S. 6<sup>th</sup> Street** – voiced parking issues and safety concerns at St. Ann's School. Mr. Holtzhafer referred the item to the Public Safety Committee and invited Ms. McElroy to attend the meeting to be held on Thursday, February 14, 2013 at 3:00 p.m.

COMMUNITY MINUTE - None.

SPECIAL PRESENTATIONS - None.

### READING OF MINUTES

**Motion by Mr. Labenberg, seconded by Dr. Waddell to dispense with the formal reading of the January 21, 2013 Minutes. There were 6 ayes. Motion carried.**

**Motion by Mr. Labenberg, seconded by Mr. Barrett to adopt the January 21, 2013 Minutes as drafted. There were 6 ayes. Motion carried.**

DECISION ON BIDS - None.

### COMMUNICATIONS

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- a. Jeanne Shook, 2670 Mountain View Circle – Request appointment to the Arts Commission. Referred to the General Administration Committee. Dr. Waddell stated that Ms. Shook will attend the February 6, 2013 Committee Meeting.
- b. James Woodeshick, 108 Seem Street – Request reappointment to the Planning Commission (term expires 4/1/2013). Referred to the General Administration Committee.
- c. David Biles, 936 Evergreen Street – Sewer Lines on Evergreen Street. Mr. Holtzhafer referred the item to the Public Works Department.
- d. Teryl Madison, Emmaus Main Street Partners – 2013 Event Requests:
  - 2<sup>nd</sup> Saturday Sidewalk Sales – Music on the Triangle (5/11, 6/8, 7/13, 8/10, 9/14)
  - Clam Bake – (7/20)
  - Farewell Summer Festival – (9/7)
  - 4<sup>th</sup> Annual Beer Fest – (10/5)
  - Old Fashioned Christmas – (12/7)

Mr. Holtzhafer referred the items to the Parks and Recreation Committee.

- e. Michael Hoffman, 221 S. 2<sup>nd</sup> Street – Request appointment to the Planning Commission. Referred to the General Administration Committee. Dr. Waddell invited Mr. Hoffman to attend the Committee Meeting scheduled for Wednesday, February 6, 2013 at 9:00 a.m.
- f. Dennis Ramella, Director of Athletics, Emmaus High School – Field Usage Fees Waiver. Referred to the Parks and Recreation Committee.
- g. Christopher Kocher, President, Wildlands Conservancy – Thank you letter to Jeff Clapper, Public Works Director, for gifts-in-kind contribution of labor, equipment, and materials including construction of the last portion of the South Mountain Gateway Trail from Weider’s Lane to Alpine Street.
- h. Conrad Siegel Actuaries – Police Pension Plan. Referred to the Budget and Finance Committee.

BOROUGH ENGINEER’S REPORT - None.

### SOLICITOR’S REPORT

Solicitor Dimmich reported that he has issued a brief Summary Opinion on the retired Police Officer’s claim for repayment of medical benefits. He reported that the Opinion was given to Mr. Pepe.

Progress.

UNFINISHED BUSINESS, PART I – None.

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NEW BUSINESS

Ordinance No. 1095 – Amending Ordinance No. 1016 Civil Service Rules and Regulations (1<sup>st</sup> Reading 1/4/13).

**Motion by Dr. Waddell, seconded by Mr. Labenberg to read Ordinance No. 1095 in short title. There were 6 ayes. Motion carried.**

Mr. Holtzhafer read Ordinance No. 1095 in short title.

Mr. Brown explained that the Civil Service Commission has been working on the Ordinance for several months and that one of the changes is a recommendation by the Public Safety Committee adding polygraph testing to the Ordinance.

**Motion by Mr. Barrett, seconded by Mr. Brown to adopt Ordinance No. 1095 – Amending Ordinance No. 1016 Civil Service Rules and Regulations on its 1<sup>st</sup> Reading.**

Solicitor Dimmich suggested rescinding the Motion and defer the Ordinance to the Civil Service Commission for recommendations and changes.

Mr. Brown rescinded his second, and Mr. Barrett rescinded his motion.

UNFINISHED BUSINESS, PART II - None.

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

MAYOR'S REPORT

Progress.

COMMITTEE REPORTS

a. Public Works Committee

Mr. Labenberg reported that the Committee will meet on February 7, 2013 at 3:00 p.m.

Progress.

b. Health, Sanitation, and Conservation Committee

Mr. Shubzda reported that the Committee reviewed the multi-unit compost fee. The Committee reviewed the issue but felt that it would be nearly impossible to determine

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who uses the compost center and who does not. The \$6.00 assessment fee added to the refuse bill is for the use of the center along with curbside pick-up and Christmas tree pick-up.

Mr. Shubzda reported that the Committee also discussed conducting a meeting with Jeff Clapper to review the Compost Site for updates on equipment. The Committee also discussed the heating system at the Police Department and air conditioning units at Town Hall.

Mr. Labenberg announced that the Emmaus High School rifle team was undefeated for its season and is the number one seed for its Divisional Match. The team qualified for states and there are six individual shooters who qualified for the individual state tournament.

Mr. Shubzda reported that the Committee will meet on February 25, 2013 at 5:00 p.m.

Progress.

c. Parks and Recreation Committee

Progress.

d. Public Safety Committee

Mr. Brown reported that the Public Safety Committee held a Special Committee Meeting prior to the January 21, 2013 Council Meeting. At that time, the Committee interviewed Mr. Bill Huber to become a member of the Civil Service Commission, but a formal appointment cannot be made until the new Rules and Regulations are passed, which will establish an Alternate Member position.

The next Committee meeting is February 14, 2013 at 3:00 p.m.

Progress.

e. General Administration Committee

The next Committee meeting is February 6, 2013 at 9:00 a.m.

Progress.



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f. Budget and Finance Committee

Mr. Shubzda read Resolution 2013-4, authorizing payment of the February 4, 2013 Bill List, as follows:

<b>Bill List</b>	<b>\$</b>	<b>189,052.44</b>
<b>Payroll #2</b>	<b>\$</b>	<b>125,624.22</b>
<b>Payroll Taxes</b>	<b>\$</b>	<b><u>41,739.70</u></b>
<b>Total</b>	<b>\$</b>	<b>356,416.36</b>

Done this 4<sup>th</sup> of February 2013.

**Motion by Mr. Shubzda, seconded by Mr. Labenberg to approve the February 4, 2013 Bill List. There were 6 ayes. Motion carried.**

Mr. Holtzhafer reported that the Committee discussed the Gamewell System and explained to Council how the system works. He further explained that it is a very antiquated system, but would be very difficult to eliminate the system because the system services seven businesses within the Borough. Mr. Pepe stated that the Borough rejected an invoice from the Dispatch Service for Public Works Services for January, but believes the Borough should pay the bill until the fee structure can be further researched. Mr. Holtzhafer stated that the Borough will contact the businesses about eliminating the Gamewell System from their businesses. Mr. Labenberg stated that the previous motion was to eliminate the Gamewell System other than the seven businesses and believes a motion is needed to eliminate the System from the seven businesses. Mr. Brown stated that he believes Zoning Officer Farnsworth and Fire Inspector Farnish need to supply input into the matter.

Progress.

g. Community Relations, Planning and Development Committee

Mr. Brown reported that the Committee met on January 24, 2013 and discussed LERTA. He stated that the item will remain on the Agenda. He also reported that the Borough will not apply for the Lehigh County Streetscape Grant due to the time frame of the application due date, projects, and budgetary restraints. He reported that the Committee has discussed the Volunteer of the Year award for 2010, 2011, and 2012. Dr. Waddell reported that a Lobby Remodeling Celebration will be held on February 19, 2013 at 6:30 p.m. He invited everyone to attend the Celebration.

Mr. Brown reported that he met with the Fire Department on Sunday, February 3, for the Chief Officer's Meeting. He stated that the meeting was very

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informative and reported that the Fire Department will conduct a Home Safety Seminar in April. He also reported that due to the outpouring of generosity from the Borough to assist the family on E. Main Street that experienced a fire, the Borough was also able to assist six additional families that experienced fires. He thanked the Fire Department for their hard work and effort in organizing the event for the family on E. Main Street. Mr. Holtzhafer asked if the Fire Department records minutes for its meeting, to which Mr. Brown responded affirmatively.

Progress.

### h. Junior Council Member's Report

Mr. Hobson reported that the Emmaus High School recently held the Mr. Emmaus Competition and it was a large success. The winner of the competition was Marc Primelo. Mr. Primelo played the African harp at the Competition. Mr. Hobson also reported that the Student Government would like to thank Mr. Barrett for being a judge at the competition.

Progress.

PERSONAL APPEALS, PART II - None.

### BOROUGH MANAGER'S REPORT

Mr. Pepe reported that the Significant Revenue and Expense Items for January 2013 are in the Council binders and offered to entertain questions about it.

Progress.

### PRESIDENT'S BUSINESS

Mr. Holtzhafer recessed for an Executive Session at 8:02 p.m. to discuss a personnel matter with no official action anticipated.

Mr. Holtzhafer reconvened the meeting at 9:42 p.m. with no official action taken.

Dr. Waddell was not present upon reconvening.

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**Motion by Mr. Shubzda, seconded by Mr. Labenberg to adjourn. There were 5 ayes. Motion carried.**

The February 4, 2013 Meeting of the Emmaus Borough Council adjourned at 9:44 p.m.

Shane Pepe  
Borough Manager

Transcribed by: Paula Weiant  
Administrative Assistant  
February 6, 2013