

February 6, 2012

EMMAUS BOROUGH COUNCIL

**Emmaus Borough Council
Agenda
Monday, February 6, 2012, 7:00 PM**

1. Call to Order
2. Pledge of Allegiance
3. Personal Appeals, Part I
4. Community Minute

Emmaus Historical Society Events
5. Special Presentations

Oath of Office – Vince Murante III
6. Reading of Minutes

January 16, 2012
7. Decisions on Bids
8. Communications
 - a. Jon Larson, Emmaus Aquatic Club – Request use of Community Park Pool for training.
 - b. Patricia Diehl, citizen’s Fire Co. #2 – Request to hold Community Carnival.
 - c. Teryl Madison, Emmaus Main Street Partners – Request release of the Borough’s 2012 financial contribution.
 - d. Glen Dilcher, 3128 S. 6th Street – Request increase to Police Retirees Pension.
 - e. Nancy Hill, 119 S. 6th Street – Budget concerns.
 - f. Kathy Haney, 18 N. 4th Street – Request appointment to the Special Entertainment Commission.
 - g. Janae Holtzhafer, 1207 S. 10th Street – Request appointment to the Special Entertainment Commission.
 - h. Tarah Brugger, 5630 Emmaus Road – Request appointment to the Parks and Recreation Commission.

February 6, 2012

EMMAUS BOROUGH COUNCIL

- i. Roy Anders, 349 S. 2nd Street – Request appointment to the Parks and Recreation Commission.
 - j. Jaimie Quintero, Emmaus Police Officer – Letter of Resignation.
 - k. Fred Mussel, Cedarbrook Sportsmen – Request monetary donation to stock Furnace Dam.
 - l. Jeremy Schilling, Emmaus Police Officers Association – Collective Bargaining Agreement for 2013.
9. Borough Engineer's Report
 10. Solicitor's Report
 11. Unfinished Business, Part I
 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, Gilbert)

Next Meeting – March 1, 2012 at 3:00 p.m.

- a. Wieders Lane Status
- b. 2012 Proposed Road Work**

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

Next Meeting – February 17, 2012 at 3:45 p.m.

- 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

Parks and Recreation (Barrett, Holtzhafer, Labenberg)

Next Meeting – February 7, 2012 at 3:30 p.m.

February 6, 2012

EMMAUS BOROUGH COUNCIL

- 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

Public Safety (Gilbert, Barrett, Brown)

Next Meeting – February 9, 2012 at 3:00 p.m.

- a. **Tractor Trailer Parking- Approval to meet with Borough Engineer**
- 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
- f. **Appoint Theodore Kohuth to the Civil Service Commission (term expires 1/1/2018)**

Public Safety (continued)

- g. **Hire Richard Klotz to the position of Downtown Police Officer**
- h. **Hire David Gatens to the position of Auxiliary/Park Police Officer**

General Administration (Waddell, Barrett, Labenberg)

Next Meeting – February 8, 2012 at 9:00 a.m.

- a. Shade Tree--Tree Fund
- b. Cintas Update
- c. Website Upgrade
- d. **Appoint Theodore Iobst as a Full Time Member of the Zoning Hearing Board (term expires 1/1/2014)**
- e. **Appoint Ronald Gilbert as an Alternate Member of the Zoning Hearing Board (term expires 1/1/2013)**

Budget and Finance (Holtzhafer, Shubzda, Gilbert)

Next Meeting – February 21, 2012 at 6:45 p.m.

- a. **Bill List—Resolution 2012-5**
- b. Emergency Management Coordinator Compensation
- c. **Natural Gas Possible Savings**
- d. **Effect of Allentown EIT Changes**
- e. **Budget Completion and Review**
- f. **Policy for Receipts and Packing Slips**

February 6, 2012

EMMAUS BOROUGH COUNCIL

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

Next Meeting – February 23, 2012 at 4:15 p.m.

- 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

Ad Hoc Committees (Barrett, Waddell, Holtzhafer, Pepe, Mayor Jobst)

Next Meeting – To be determined.

Community/School Relations

- a. Junior Council Member Draft Resolution Review and Application

17. Personal Appeals, Part II

18. Borough Manager’s Report

a. Significant Revenue and Expense Items for January 2012

19. President’s Business

13. Adjournment

Next Resolution #6
Next Ordinance #1085

The Emmaus Borough Council met in regular session on February 6, 2012 in Borough Council Chambers, 28 S. 4th Street, Emmaus, PA 18049.

CALL TO ORDER

Mrs. Gilbert called the Meeting to order at 7:00 p.m.

Lee Ann Gilbert	Present
Brian Holtzhafer	Present
Michael Waddell	Present

February 6, 2012

EMMAUS BOROUGH COUNCIL

Brent Labenberg	Present
Wesley Barrett	Present
Nathan Brown	Present
Jeffrey Shubzda	Present
Winfield Iobst, Mayor	Present
John Ashley, Solicitor	Present
Shane Pepe, Borough Manager	Present

Mrs. Gilbert welcomed and introduced Shane Pepe as Borough Manager.

PERSONAL APPEALS, PART I

A. Teryl Madison, Emmaus Main Street Partners– thanked Borough Council and the Community for its support of the SnowBlast Festival held on February 3 and 4, 2012.

B. Gene Clock, Emmaus Main Street Partners – announced that the Emmaus Main Street Partners will partner with the National Cycling Association to organize and host Emmaus’ first Championship Cycling event. The event is scheduled for Sunday, July 8, 2012 from 12:30 p.m. to 5:15 p.m., and will draw approximately 250 cyclists and 5,000 spectators and visitors.

C. Chris Dimou, owner Emmaus Diner, 1480 Chestnut Street – stated that he believes Josephine Sadrovitz was treated unfairly by Borough Council concerning an issue raised about Mrs. Sadrovitz signing contracts for the Summer Concert Series.

COMMUNITY MINUTE

Mr. Brown announced that on February 15, 2012 at 7:00 p.m., the Emmaus Historical Society will be hosting “The Emaus Golden Jubilee of 1909.” The event will be held at St. John’s Lutheran Church Parish Hall, 5th & Chestnut Streets, Emmaus, PA.

Dr. Waddell announced that from May through October on the second Saturday of each month, the Emmaus Main Street Partners will be hosting Second Saturday Sidewalk Sales. He also announced on Sunday, March 25, 2012 from 1:00 to 4:00 p.m., the Partners will be hosting Bingo at St. John’s UCC, and a Business Mixer on February 13, 2012, from 6:00 to 8:00 p.m., at All That Salon, 580 Furnace Street.

Dr. Waddell read a letter of thanks from Teri Sorg-McManamon of the Emmaus Arts Commission for the success of the SnowBlast Festival which was held on Friday, February 3, and Saturday, February 4, 2012. Dr. Waddell and Mr. Barrett also thanked the Community for the success of the event.

SPECIAL PRESENTATIONS

February 6, 2012

EMMAUS BOROUGH COUNCIL

Chief Faust presented Vince Murante III. Mayor Iobst issued the Oath of Office to Vincent Murante III.

Mrs. Gilbert requested a 5 minute recess at 7:21 p.m.

Mrs. Gilbert reconvened the Meeting at 7:26 p.m.

READING OF MINUTES

Motion by Mr. Barrett, seconded by Dr. Waddell to dispense with the formal reading of the January 16, 2012 Minutes. There were 7 ayes. Motion carried.

Motion by Mr. Labenberg, seconded by Mr. Brown to adopt the January 16, 2012 Minutes as drafted. There were 7 ayes. Motion carried.

DECISION ON BIDS – None.

COMMUNICATIONS

- a. Jon Larson, Emmaus Aquatic Club – Request use of Community Park Pool for training. Referred to the Parks and Recreation Committee.
- b. Patricia Diehl, Citizen's Fire Co. #2 – Request to hold Community Carnival. Referred to the General Administration Committee.
- c. Teryl Madison, Emmaus Main Street Partners – Request release of the Borough's 2012 financial contribution. Referred to the Budget and Finance Committee.
- d. Glen Dilcher, 3128 S. 6th Street – Request increase to Police Retirees Pension. Referred to the Budget and Finance Committee.
- e. Nancy Hill, 119 S. 6th Street – Budget concerns. Referred to the Budget and Finance Committee.
- f. Kathy Haney, 18 N. 4th Street – Request appointment to the Special Entertainment Commission. Referred to the Parks and Recreation Committee.
- g. Janae Holtzhafer, 1207 S. 10th Street – Request appointment to the Special Entertainment Commission. Referred to the Parks and Recreation Committee.
- h. Tarah Brugger, 5630 Emmaus Road – Request appointment to the Parks and Recreation Commission. Referred to the Parks and Recreation Committee. Mr. Labenberg commented that Ms. Brugger's address is located outside of the Borough. Mr. Barrett asked if Ms. Brugger must be a resident of the Borough to serve on the Parks and Recreation Commission. Mrs. Gilbert responded yes and directed Mr. Pepe to draft a letter to Ms. Brugger explaining this. Dr. Waddell suggested that Ms. Brugger would be eligible to join other volunteer organizations.
- i. Roy Anders, 349 S. 2nd Street – Request appointment to the Parks and Recreation Commission. Referred to the Parks and Recreation Committee. Mrs. Gilbert asked if there are currently any vacancies on the Commission. Mr. Barrett responded that

February 6, 2012

EMMAUS BOROUGH COUNCIL

there are two vacancies and there are two individuals that are being interviewed at the next Committee Meeting. Mr. Anders was present at the Council Meeting and Mr. Barrett invited Mr. Anders to interview at the Committee Meeting on February 7, 2012 at 3:30 p.m.

j. Jaimie Quintero, Emmaus Police Officer – Letter of Resignation. Mrs. Gilbert read Police Officer Quintero’s letter of resignation. Mrs. Gilbert stated that the Public Safety Committee met prior to the Council Meeting and recommends accepting Police Officer Quintero’s resignation.

Motion by Mr. Labenberg, seconded by Mr. Barrett to accept Police Officer Quintero’s letter of resignation, effective January 27, 2012. There were 7 ayes. Motion carried.

Mr. Brown thanked Police Officer Quintero for his service to the Community.

k. Fred Mussel, Cedarbrook Sportsmen – Request monetary donation to stock Furnace Dam. Referred to the Budget and Finance Committee.

l. Jeremy Schilling, Emmaus Police Officers Association – Collective Bargaining Agreement for 2013. Referred to the Budget and Finance Committee. Mr. Holtzhafer asked if there is a timeline in which to contact Patrolman Schilling. Mrs. Gilbert responded that Patrolman Schilling must be responded to within thirty days. She stated that a meeting will be scheduled for the end of February.

m. Josephine Sadrovitz – Letter of Resignation from the Special Entertainment Commission.

Motion by Mr. Labenberg, seconded by Mr. Brown to remove Mrs. Sadrovitz’s resignation from the table. There were 7 ayes. Motion carried.

Motion by Mr. Labenberg, seconded by Mr. Holtzhafer to accept Mrs. Sadrovitz’s resignation from the Special Entertainment Commission. There were 7 ayes. Motion carried.

Mr. Holtzhafer thanked Mrs. Sadrovitz for her service to the Community and apologized if he or the Budget and Finance Committee hurt Mrs. Sadrovitz’s feelings. He reminded that the Summer Concert Series is fully funded for 2012. Mrs. Gilbert directed Mr. Pepe to forward a letter of thanks to Mrs. Sadrovitz for her years of service to the Community.

n. Frank Sadrovitz – Letter of Resignation from the Special Entertainment Commission.

February 6, 2012

EMMAUS BOROUGH COUNCIL

Motion by Mr. Brown, seconded by Mr. Barrett to accept Mr. Sadrovitz's letter of resignation from the Special Entertainment Commission. There were 7 ayes. Motion carried.

Dr. Waddell thanked Mr. Sadrovitz for his years of service to the Community. Mrs. Gilbert directed Mr. Pepe to forward a letter of thanks to Mr. Sadrovitz for his years of service to the Community.

o. Jalen Snyder-Scipio – 144 Linden Court S. – Speed limit concerns on Harrison Street. Mayor Iobst read a letter from Mr. Scipio requesting the speed limit on Harrison Street be increased from 25 mph to 35 mph. Referred to the Public Safety Committee.

Mr. Pepe reported that he will be meeting with the General Administration Committee to discuss the formation of a Safety Committee. He stated that he hopes to have the Committee formed by March 1, 2012.

BOROUGH ENGINEER'S REPORT –None.

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

Mr. Labenberg reported that the Committee met on February 2, 2012.

Mr. Labenberg reported that the Committee recommends approving the 2012 Proposed Road Work List.

February 6, 2012

EMMAUS BOROUGH COUNCIL

Motion by Mr. Labenberg, seconded by Mr. Brown to approved the 2012 Proposed Road Work List. There were 7 ayes. Motion carried.

Progress.

b. Health, Sanitation, and Conservation Committee

Mr. Shubzda reported that the Committee met on January 20, 2012. He reported that the Committee discussed future and past projects.

Progress.

c. Parks and Recreation Committee

Mr. Barrett reported that the Committee will meet on February 7, 2012 at 3:30 p.m.

Progress.

d. Public Safety Committee

Mrs. Gilbert reported that the Committee recommends appointing Theodore Kohuth to the Civil Service Commission for a term expiring on 1/1/2018.

Motion by Mr. Barrett, seconded by Mr. Brown to appoint Theodore Kohuth to the Civil Service Commission for a term expiring on 1/1/2018. There were 7 ayes. Motion carried.

Mrs. Gilbert reported that Police Chief Faust recommends hiring Richard Klotz to the position of part-time Downtown Police Officer. Mrs. Gilbert stated that Mr. Klotz will work 2 ½ days per week.

Motion by Mr. Barrett, seconded by Dr. Waddell to hire Richard Klotz as part-time Downtown Police Officer. There were 7 ayes. Motion carried.

Mrs. Gilbert reported that the Committee discussed the Tractor-Trailer Parking Ordinance, prohibiting the parking of tractor-trailers on Borough streets. Mr. Kohuth, who was instrumental in the development of the Whitehall Township Ordinance, was present for the discussion. The Committee is interested in pursuing an Ordinance; however, the Committee would like to meet with the Borough Engineer to discuss the cost and the scope of a traffic study.

February 6, 2012

EMMAUS BOROUGH COUNCIL

Motion by Mr. Labenberg, seconded by Mr. Barrett to conduct a meeting with the Borough Engineer to discuss the cost and scope of a traffic study needed to pursue a Tractor-Trailer Parking Ordinance. There were 7 ayes. Motion carried.

Mrs. Gilbert reported that Police Chief Faust recommends hiring David Gatens as an Auxiliary Park Police Officer.

Motion by Mr. Labenberg, seconded by Mr. Barrett to hire David Gatens as an Auxiliary Park Police Officer. There were 7 ayes. Motion carried.

Mrs. Gilbert reported that the Committee is requesting Council's permission to fill Officer Jaimie Quintero's vacancy.

Motion by Mr. Labenberg, seconded by Mr. Holtzhafer to fill Police Officer Jaimie Quintero's vacancy. There were 7 ayes. Motion carried.

Motion by Mr. Labenberg, seconded by Mr. Barrett directing Mr. Pepe to draft a letter to the Civil Service Commission requesting the current eligibility list. There were 7 ayes. Motion carried.

Dr. Waddell asked the starting date of Downtown Police Officer Richard Klotz. Police Chief Faust responded four to six weeks.

Progress.

e. General Administration Committee

Dr. Waddell reported that the Committee met on January 25, 2012.

Dr. Waddell reported that the Committee recommends appointing Theodore Iobst as a full-time member of the Zoning Hearing Board.

Motion by Dr. Waddell, seconded by Mr. Labenberg to appoint Theodore Iobst as a full-time member of the Zoning Hearing Board for a term expiring on 1/1/2014. There were 7 ayes. Motion carried.

Motion by Dr. Waddell, seconded by Mr. Labenberg to appoint Ronald Gilbert as an alternate to the Zoning Hearing Board for a term expiring 1/13/2013. There were 6 ayes, 1 abstention (Gilbert). Motion carried.

The next Committee Meeting is February 8, 2012.

Progress.

February 6, 2012

EMMAUS BOROUGH COUNCIL

f. Budget and Finance Committee

Mr. Holtzhafer read Resolution 2012- 5, authorizing payment of the February 6, 2012 Bill List, as follows:

Bill List	\$	298,171.84
Payroll #2	\$	109,346.13
Payroll Taxes	\$	<u>34,762.55</u>
Total	\$	442,280.52

Done this 6th day of February 2012.

Motion by Mr. Holtzhafer, seconded by Mr. Shubzda to approve the February 6, 2012 Bill List. There were 7 ayes. Motion carried.

Mr. Holtzhafer reported that the Committee is requesting to schedule a meeting for February 28, 2012.

Mr. Holtzhafer reported that Police Chief Faust is requesting a replacement cruiser for Police Cruiser #103, which was intentionally hit on December 5, 2011. The replacement cost of a Dodge Charger at the state contract price is \$26,917. The Police Department's insurance will only cover \$19,419 of the total cost. The Budget and Finance Committee recommends that Council authorize the difference of \$7,498 to be funded by the Borough's Contingency Account. Mr. Labenberg questioned why the Borough is left with any expense at all if the police cruiser was damaged during an intentional collision. Mr. Holtzhafer stated that he believes it may be due to the cost difference between the 2007 Dodge Charger that was destroyed and the 2012 Dodge Charger replacing it. Mr. Pepe stated that because the police car was damaged during a criminal act, the other driver's insurance would probably not pay any funds toward the totaled police car. Instead, he said, the Borough would be most likely to recoup the damages through the courts and the process could take years.

Motion by Mr. Holtzhafer, seconded by Mr. Shubzda to pay \$7,498 out of the Contingency Fund toward the cost of replacing Police Cruiser #103. There were 7 ayes. Motion carried.

Mr. Holtzhafer stated that the Borough's Contingency Account is budgeted at \$43,424.

Progress.

g. Community Relations, Planning and Development Committee

February 6, 2012

EMMAUS BOROUGH COUNCIL

Mr. Brown reported that the Committee is in the process of finalizing the Tree Vitalization Grant and continuing work towards the VFW/David's Electric Streetscape Plan, with a deadline of June 30, 2012.

The next Committee Meeting is February 23, 2012.

Progress.

h. Ad Hoc-Community/School Relations Committee

Mr. Barrett reported that he is working towards setting a regular meeting schedule.

Mr. Barrett reported that he attended a Lehigh County COG Meeting. The meeting specifically focused on Storm Emergency Management and storm preparedness. He stated that there were representatives present from PPL, UGI, and Met-Ed.

Progress.

PERSONAL APPEALS, PART II

A. John Donches, 559 Minor Street – stated that Mrs. Sadrovitz met with Emmaus Arts Commission member, Mike Montero, and he volunteered to help her keep the Concerts in progress.

BOROUGH MANAGER'S REPORT -

Mrs. Pepe reported that the Significant Revenue and Expense Items for the first half of January, 2012 are in the Council binders and offered to entertain questions about it.

Dr. Waddell questioned if it is necessary for Mr. Pepe to discuss the formation of a Safety Committee at the General Administration Committee Meeting on February 8, 2012. He asked if a Motion could be made by Council to begin the process of forming a Committee. Mr. Brown asked if the Committee is being formed due to Workman Compensation claims and stated that he believes reinstating a Safety Committee could save around 5% on Borough insurance. Mr. Pepe responded that there is an appropriate protocol for a Safety Committee to become State Certified and believes that after 12 months the Borough can file to become State Certified through Pennsylvania Labor and Industry and obtain a 5% decrease in the cost of insurance. Mr. Pepe also stated that the Borough has a high rate of injury in the work place and the Committee will address work safety issues.

February 6, 2012

EMMAUS BOROUGH COUNCIL

Motion by Dr. Waddell, seconded by Mr. Labenberg to begin the process of forming a Safety Committee. There were 7 ayes. Motion carried.

Progress.

PRESIDENT'S BUSINESS

Mrs. Gilbert called an Executive Session at 8:10 p.m. to discuss a Personnel matter, anticipating that no official action would be taken upon reconvening.

Mrs. Gilbert reconvened the Meeting at 8:55 p.m. with no official action being needed.

Motion by Dr. Waddell, seconded by Mr. Barrett to adjourn. There were 7 ayes. Motion carried.

The February 6, 2012 Meeting of the Emmaus Borough Council adjourned at 8:56 p.m.

Shane Pepe
Borough Manager

Transcribed by: Paula Weiant
Administrative Assistant
February 6, 2012