

March 3, 2014

EMMAUS BOROUGH COUNCIL

**Emmaus Borough Council  
Agenda  
Monday, March 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

February 18, 2014

7. Decisions on Bids
8. Communications
  - a. Dennis Ramella, Emmaus High School Department of Athletics – Pavilion Fee Waiver for 2014 Senior Class Picnic.
  - b. Fred Mussel, Cedarbrook Sportsmen - Request monetary donation to stock Furnace Dam.
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

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16. Committee Reports

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

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

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

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

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

- a. Emmaus and Upper Milford Joint Environmental Advisory Council
- b. Board of Health
- c. Refuse Bills
- d. **Reappoint Liesel Adam to the Joint Environmental Advisory Council (term expires 3/7/2014)**

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

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

- a. Policies:
  - Bands, DJ's, and Live Performances
  - Pavilion Refund
  - Tents, Canopies, and Items Outside Pavilions
  - Vendor Trucks in Parks
  - Moon Bounce and Inflatable Objects
- b. **Boro Line Park Direction Sign**

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

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

- a. Emergency Operations Plan – Review

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

Next Meeting – March 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

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

Next Meeting – March 17, 2014 at 6:30 p.m.

- a. Resolution 2014-8 – Bill List
- b. Police COLA
- c. DPW Truck #4 Engine
- d. PPL Banner Agreement
- e. Capital Plan

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

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

- a. LERTA
- b. Resolution 2014-9 - Comprehensive Plan Resolution

17. Personal Appeals, Part II

18. Borough Manager's Report

- a. Significant Revenue and Expense Items for February 2014

19. President's Business

20. Adjournment

Next Resolution: 2014-10

Next Ordinance: #1105

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The Emmaus Borough Council met in regular session on March 3, 2014 in Borough Council Chambers, 28 S. 4<sup>th</sup> 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
Roy Anders	Present
Brent Labenberg	Present
Wesley Barrett	Present
Nathan Brown	Absent
Jeffrey Shubzda	Present

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Winfield Iobst, Mayor	Present
Tom Dinkelacker, Solicitor	Present
Shane Pepe, Borough Manager	Present

PERSONAL APPEALS – PART 1 – None.

COMMUNITY MINUTE

Mrs. Gilbert stated that there are vacancies on several Borough Commissions and Boards. She encouraged anyone that it interested in volunteering to visit the Borough website at [www.borough.emmaus.pa.us](http://www.borough.emmaus.pa.us) for more information.

SPECIAL PRESENTATIONS - None.

READING OF MINUTES

**Motion by Mr. Labenberg, seconded by Mr. Barrett to dispense with the formal reading of the February 18, 2014 Minutes. There were 6 ayes. Motion carried.**

**Motion by Mr. Barrett, seconded by Mr. Labenberg to adopt the February 18, 2014 Minutes as drafted. There were 6 ayes. Motion carried.**

DECISION ON BIDS

Mr. Pepe reported that a bid opening was held for the 2014 Curb and Sidewalk Bid. The bid specifications have been forwarded to Lehigh County CDBG and are pending approval from the County.

COMMUNICATIONS

a. Dennis Ramella, Emmaus High School Department of Athletics – Pavilion Fee Waiver for 2014 Senior Class Picnic to be held on Friday, May 23, 2014 from 7:00 a.m. to 2:25 p.m.

**Motion by Mr. Holtzhafer, seconded by Mr. Labenberg to grant the Emmaus High School’s Department of Athletics pavilion fee waiver request for the use of the Rotary Pavilion and the Moser Pavilion for their 2014 Senior Class Picnic to be held on Friday, May 23, 2014 from 7:00 a.m. to 2:25 p.m. There were 6 ayes. Motion carried.**

b. Fred Mussel, Cedarbrook Sportsmen – Request monetary donation to stock Furnace Dam for opening day of trout season, Saturday, March 29, 2014. Mr. Pepe explained that the donation was included in the 2014 Budget and does not believe a motion is needed for this item. Mrs. Gilbert deferred the item to Mr. Holtzhafer and Mr. Holtzhafer made a motion to grant the request.

**Motion by Mr. Holtzhafer, seconded by Mr. Labenberg to grant the Cedarbrook Sportsmen’s request for a \$300 donation to stock Furnace Dam on Thursday, March 27,**

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**2014 for opening day of trout season, Saturday, March 29, 2014. There were 6 ayes.  
Motion carried.**

c. Michelle Steiner – Letter of resignation from the Emmaus Special Entertainment Commission. Mr. Pepe thanked Mrs. Steiner for her hard work and for helping the Commission to grow over the past several years.

**Motion by Mr. Barrett, seconded by Mr. Anders to accept Michelle Steiner’s letter of resignation from the Emmaus Special Entertainment Commission. There were 6 ayes. Motion carried.**

d. Charles Samiljan – Request to hold chili cook-off at Triangle Park on Sunday, May 4, 2014. Mr. Pepe stated that Mr. Samiljan will attend the next Parks and Recreation Committee Meeting on Tuesday, March 4, 2014. Referred to the Parks and Recreation Committee.

e. Frederick Wentz, Jr. – Pavilion Fee Waiver Request. Referred to the Parks and Recreation Committee.

BOROUGH ENGINEER’S REPORT –None.

SOLICITOR’S REPORT

Solicitor Dinkelacker reported that his office has received a request for the AQCOD – Age Qualified Community Overlay District to be placed on the Indian Creek golf course tract and the item will be moving forward. He also reported that he believes a draft decision on the PRLB matter will be received in a few weeks.

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, due to his recent illness, the Committee has not met. The next Committee Meeting is March 6, 2014 at 3:15 p.m. He stated that the Committee will discuss a federal regulation to have a sign replacement plan in place by June 14, 2014.

Progress.

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b. Health, Sanitation, and Conservation Committee

Mr. Shubzda reported that the Committee met on February 20, 2014 at 4:30 p.m. The Committee has received a letter of reappointment from Liesel Adam to the Emmaus & Upper Milford Joint Environmental Advisory Council.

**Motion by Mr. Shubzda, seconded by Mr. Holtzhafer to reappoint Liesel Adam to the Emmaus & Upper Milford Joint Environmental Advisory Council to a term expiring on 3/7/2017. There were 6 ayes. Motion carried.**

Mr. Shubzda reported that the Electronic Recycling Center will open on March 10, 2014. He questioned whether the date should be pushed off for a month due to the harsh winter. Mr. Barrett stated that he believes that the residents will use the site if it is opened in March. Mr. Labenberg stated that he also believes that the residents will use the site if it is opened as scheduled. Mr. Shubzda also reported that the Compost Site is scheduled to open on March 12, 2014. Mrs. Gilbert suggested changing the opening date to Wednesday, March 26, 2014.

**Motion by Mr. Shubzda, seconded by Mr. Holtzhafer to change the opening date of the Compost Site from Wednesday, March 12, 2014 to Wednesday, March 26, 2014. There were 6 ayes. Motion carried.**

Mr. Labenberg stated that the Borough does not currently recycle the twist-type milk cartons and suggested that Mr. Shubzda address it at the next Committee Meeting.

The next Committee Meeting is March 20, 2014 at 4:30 p.m.

Progress.

c. Parks and Recreation Committee

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

Progress.

d. Public Safety Committee

Mrs. Gilbert encouraged Council to read Chief Faust's year-end report.

The next Committee Meeting is March 5, 2014 at 3:00 p.m.

Progress.

e. General Administration Committee

Mr. Barrett reported that the Committee will meet on Wednesday, March 5, 2014 at 9:00 a.m.

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Progress.

f. Budget and Finance Committee

Mr. Holtzhafer read Resolution 2014- 8, authorizing payment of the March 3, 2014 Bill List, as follows:

<b>Bill List</b>	<b>\$</b>	<b>348,348.05</b>
<b>Payroll #4</b>	<b>\$</b>	<b>136,454.58</b>
<b>Payroll Taxes</b>	<b>\$</b>	<b><u>48,778.45</u></b>
<b>Total</b>	<b>\$</b>	<b>533,581.08</b>

Done this 3rd day of March 2014.

**Motion by Mr. Holtzhafer, seconded by Mr. Shubzda to approve the March 3, 2014 Bill List. There were 6 ayes. Motion carried.**

Mr. Holtzhafer reported that a cost of living adjustment for the Emmaus Police Department retirement benefits would create a \$27,000 unfunded liability that the Borough would need to pay into the Police Pension Plan in 2014. The expense is not in the 2014 Budget. The Committee recommends denying the cost of living adjustment.

**Motion by Mr. Holtzhafer, seconded by Mr. Shubzda to deny granting the Emmaus Police retirees a cost of living adjustment for retirement benefits. There were 6 ayes. Motion carried.**

Mr. Holtzhafer reported that the Committee recommends approving the Public Works Department's request to purchase a rebuilt motor for Public Works Truck #4 from Jasper Engines & Transmissions in the amount of \$10,815.00. The installation will be completed by the Public Works Department. The Committee believes that a new motor will extend the life of the truck for a few years. Mr. Barrett asked the age of the dump truck. Mr. Pepe responded that it is a 1991 dump truck. Mr. Anders asked how long it will take the mechanics to install the motor. Mr. Pepe responded that it will take approximately 3 days to install the motor.

**Motion by Mr. Holtzhafer, seconded by Mr. Labenberg to purchase a rebuilt motor for Public Works Truck #4 from Jasper Engines & Transmissions in the amount of \$10,815.00. There were 6 ayes. Motion carried.**

Mr. Pepe explained that PPL has changed its banner requirements and has recently sent the Borough a Banner Agreement, which includes a non-refundable, one-time \$50 fee. Mr. Pepe also explained that there are currently two banner requests that have been placed on hold due to the changes.

**Motion by Mr. Holtzhafer, seconded by Mr. Anders to enter into an Agreement with PPL Utilities for hanging street banners. There were 6 ayes. Motion carried.**

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Mr. Holtzhafer reported that the Committee reviewed a proposed Capital Improvement/Purchase Plan for Borough equipment. The Plan will help with budgeting for equipment purchases for the future.

Progress.

g. Community Relations, Planning and Development Committee

Mr. Pepe reported that Resolution 2014-9 is a Resolution authorizing the Lehigh Valley Planning Commission to prepare and submit a grant application to the Lehigh County DCED for the Southwestern Lehigh County Comprehensive Plan.

Resolution 2014-9 – A Resolution Authorizing an Application to the Pennsylvania Municipal Assistance Program.

**Motion by Mr. Labenberg, seconded by Mr. Shubzda to adopt Resolution 2014-9. There were 6 ayes. Motion carried.**

Mr. Labenberg stated that he has supported the Façade Grant Program since its implementation because he believes it will benefit the Borough. He stated that he is concerned because in the Community Relations, Planning and Development Committee minutes from its February 11, 2014 meeting, it states that DCED does not feel comfortable with awarding the grant to EMSP due to the fact that they could not provide acceptable documentation, including acceptable audits that demonstrate the financial viability of the organization. Mr. Pepe responded that the Borough of Emmaus is managing the Façade Program, not the Emmaus Main Street Partners. He also responded that he recently learned that there is a Façade Committee in the Borough which includes 3 architects and an attorney. Mr. Labenberg stated that he is concerned that the Partners do not have a proper paperwork trail and the suggested that the Borough follow up on the matter.

Progress.

PERSONAL APPEALS, PART II - None.

## BOROUGH MANAGER'S REPORT

Mr. Pepe reported that the Significant Revenue and Expense Items for February, 2014 are in the Council binders and offered to entertain questions about them. Mr. Pepe reported that the Borough received \$70,000 from Lehigh County for full reimbursement of the Green Futures Grant.

Progress.

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PRESIDENT'S BUSINESS

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

The March 3, 2014 Meeting of the Emmaus Borough Council adjourned at 7:40 p.m.

Shane Pepe  
Borough Manager

Transcribed by: Paula Weiant  
Administrative Assistant  
March 6, 2014