

May 20, 2013

EMMAUS BOROUGH COUNCIL

**Emmaus Borough Council
Agenda
Monday, May 20, 2013, 7:00 PM**

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

Dedication of the Community Center for the Arts
Friday, May 31, 2013 at 6:30 p.m.
Emmaus Borough Town Hall

5. Special Presentations
6. Reading of Minutes

May 6, 2013

7. Decisions on Bids
8. Communications

- a. Betty Jane Skrivanek – Thank you letter and donation to the Ambulance Corps.
- b. Matthew D'Aversa & Christina Bell – Special requests for use of pavilion.
- c. Teryl Madison, Emmaus Main Street Partners – Banner fee waivers for Farewell Summer Festival and the Old Fashioned Christmas events.
- d. John Lojko, The Lehigh Saengerbund – Bier Garten / Oktoberfest Events.

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

May 20, 2013

EMMAUS BOROUGH COUNCIL

13. Unfinished Business, Part II

Ordinance No. 1098 – An Ordinance Amending the Borough of Emmaus Zoning Ordinance to Add Part 10, to Create an Overlay District Entitled “AQCOD – Age Qualified Community Overlay District,” to Establish Guidelines for Future Amendments to the Borough’s Official

13. Unfinished Business, Part II (continued)

Zoning Map to Govern the Consideration of Landowner and Other Requests for the Approval of Such Overlay, to Add Definitions, Regulations and Other Requirements for Age Qualified Communities and to Otherwise Authorize the Development of Age Qualified Communities Within the Borough (1st Reading 5/6/13).

14. Items Not on Agenda, Subject to Rule 9

15. Mayor’s Report

Proclamation 2013 – 336 Emergency Medical Services Week

16. Committee Reports

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

Next Meeting – June 6, 2013 at 3:00 p.m.

- a. Rules & Regulations (update)
- b. Home Inspections / Illegal Hook-ups
- c. South 2nd Street Reservoir
- d. South 10th Street Culvert
- e. 2013 Street Projects

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

Next Meeting – June 24, 2013 at 5:00 p.m.

- a. Compost Options
- b. Emmaus and Upper Milford Joint Environmental Advisory Council
- c. Board of Health
- d. Refuse Contract Advertisement / Renew Raritan Valley
- e. Town Hall HVAC System

May 20, 2013

EMMAUS BOROUGH COUNCIL

Parks and Recreation (Barrett, Holtzhafer, Labenberg)

Next Meeting – June 4, 2013 at 3:30 p.m.

- a. Ice Rink/Skate Park
- b. Emmaus Legion Baseball Field Project
- c. Youth Football League Building Agreement
- d. **Appointment of Crystal Klein to the Special Entertainment Commission – (term expires 6/7/2016)**
- e. **Reappointment of Jenae Holtzhafer to the Special Entertainment Commission – (term expires 6/7/2016)**
- f. **\$1 Entrance Fee for SEC Events at Pool**
- g. **Food Vendors at Sunday Concerts - SEC**
- h. **Event Signs at Community Park – SEC**
- i. **Lincoln Elementary School Field Day**
- j. **Tents for Vendors at Dash & Splash 5K Event**
- k. **Allentown Hibernians Club Field Fee Waiver**

Public Safety (Gilbert, Barrett, Brown)

Next Meeting – June 13, 2013 at 3:00 p.m.

- a. Emergency Operations Plan – Review
- b. Sign Ordinance

General Administration (Waddell, Barrett, Labenberg)

Next Meeting – June 12, 2013 at 9:00 a.m.

- a. 1803 House Lot Line Adjustment
- b. Emmaus Public Library Expansion Project
- c. Arts Commission Gallery
- d. Ordinance No. 1098 - Age Qualified Housing Ordinance (1st Reading 5/6/13)
- e. HVAC System at Town Hall
- f. Light Duty / Return to Work Policy
- g. Finance Plan / Budget
- h. Sale of Properties
- i. Refuse Contract
- j. Borough Hall Configurations
- k. **Emmaus Main Street Partners Keystone Communities Agreement**
- l. **Emmaus Main Street Partners Banner Fee Waivers – Farewell to Summer and Old Fashioned Christmas Events**
- m. **Banner and Advertising Policy**

May 20, 2013

EMMAUS BOROUGH COUNCIL

n. Bulletin Board and Kiosk Posting Policy

Budget and Finance (Holtzhafer, Shubzda, Gilbert)

Next Meeting – May 28, 2013 at 3:30 p.m.

- a. Bill List—Resolution 2013-15**
- b. Policy for Receipts and Packing Slips
- c. Banking and Accounts for All Borough Entities
- d. Eliminate Gamewell System – 2014
- e. Pavilion Construction
- f. Electricity / Natural Gas
- g. Paving Machine
- h. Arts Pavilion Sound System**

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

Next Meeting – May 23, 2013 at 4:15 p.m.

- a. LERTA
- b. Keystone Communities Program
- c. Community Revitalization Grant
- d. CGI Communications Community Video

17. Junior Council Member's Report

18. Personal Appeals, Part II

19. Borough Manager's Report

a. Significant Revenue and Expense Items for First Half of May 2013

20. President's Business

Executive Session – Personnel Matter

21. Adjournment

Next Resolution #16
Next Ordinance #1099

May 20, 2013

EMMAUS BOROUGH COUNCIL

The Emmaus Borough Council met in regular session on May 20, 2013 in Borough Council Chambers, 28 S. 4th Street, Emmaus, PA 18049.

CALL TO ORDER

Mrs. Gilbert called the Meeting to order at 7:01 p.m.

Lee Ann Gilbert	Present
Brian Holtzhafer	Present
Michael Waddell	Present
Brent Labenberg	Present
Wesley Barrett	Present
Nathan Brown	Present – Arrived at 7:23 p.m.
Jeffrey Shubzda	Present
Rowan Hobson, Junior Councilman	Present
Winfield Iobst, Mayor	Present
Al Stirba, Solicitor	Present
Shane Pepe, Borough Manager	Present

PERSONAL APPEALS, PART I - None.

COMMUNITY MINUTE

Dr. Waddell announced that the Veteran's brick installation will be held on May 26, 2013, at the Remembrance Gardens. The installation will include 17 bricks and a memorial stone for Dick Gall. The event will be held at 1:00 p.m. Dr. Waddell invited everyone to attend the event. He also reminded everyone that the Memorial Day Parade will be held on Monday, May 27, 2013, beginning at 9:00 a.m.

Dr. Waddell announced that on Friday, May 31, 2013 at 6:30 p.m., the Emmaus Arts Commission will dedicate the new Community Center for the Arts at Emmaus Borough Hall. Immediately following the dedication will be the unveiling of seven rain barrels, hand-painted by area residents. Immediately following the unveiling, guests will have the opportunity to meet the artists and enjoy refreshments and entertainment. Dr. Waddell encouraged everyone to attend the event.

SPECIAL PRESENTATIONS

Mr. Labenberg presented Rowan Hobson with a copy of the Borough News Magazine, which included a write-up on his position as Junior Council Member.

May 20, 2013

EMMAUS BOROUGH COUNCIL

Mrs. Gilbert congratulated Mr. Pepe on the completion of his MBA from Bloomsburg University.

READING OF MINUTES

Motion by Dr. Waddell, seconded by Mr. Barrett to dispense with the formal reading of the May 6, 2013 Minutes. There were 6 ayes. Motion carried.

Motion by Mr. Shubzda, seconded by Mr. Labenberg to adopt the May 6, 2013 Minutes as drafted. There were 6 ayes. Motion carried.

DECISION ON BIDS - None.

COMMUNICATIONS

- a. Betty Jane Skrivanek – Thank you letter and donation to the Ambulance Corps. Mrs. Gilbert directed Mr. Pepe to forward the letter to Ambulance Chief Nonnemacher.
- b. Matthew D'Aversa & Christina Bell – Special requests for use of pavilion. Referred to the Parks and Recreation Committee.
- c. Teryl Madison, Emmaus Main Street Partners – Banner fee waivers for Farewell Summer Festival and the Old Fashioned Christmas events.

Motion by Dr. Waddell, seconded by Mr. Barrett to grant the Emmaus Main Street Partners' banner fee waiver requests for the Farewell Summer Festival and the Old Fashioned Christmas event. There were 6 ayes. Motion carried.

- d. Jack Lojko, The Lehigh Saengerbund – Bier Garten/Okttoberfest Events on Saturday, June 15, July 13, August 24; and tentatively for Saturday, September 14, 2013.

Motion by Mr. Labenberg, seconded by Dr. Waddell to allow the Lehigh Saengerbund's request to sell glass bottles of alcohol at the Oktoberfest Events & Bier Garten at the Emmaus Community Park and to extend the hours of the park to 10:00 p.m. for the first event as a trial basis.

Mr. Holtzhafer stated that he will vote against extending the hours of the park until 10:00 p.m. He voiced concern that last year the organization did not follow the direction of Council. Mr. Shubzda suggested the motion should be amended to allow beer only in glass bottles.

Mr. Labenberg amended his motion to include the request to allow glass bottles with beer only. Dr. Waddell amended his second.

May 20, 2013

EMMAUS BOROUGH COUNCIL

Motion by Mr. Labenberg, seconded by Dr. Waddell to allow the Lehigh Saengerbund's request to sell glass bottles of beer only at the Oktoberfest Events & Bier Garten at the Emmaus Community Park and to extend the hours of the park to 10:00 p.m. for the first event, held on Saturday, June 15, 2013, as a trial basis. There were 5 ayes, 1 opposed (Holtzhafer). Motion carried.

- e. Paulette Labenberg – Reappointment to the Special Entertainment Commission. Referred to the Parks and Recreation Committee.
- f. Stuart Hausman, System Links Incorporated – Request for one hour parking spot. Referred to the Public Safety Committee.
- g. Laura Fetzer – 1803 House Very Merrie Halloween Banner. Referred to the General Administration Committee.
- h. Joe Kapchuck – Concerns about nightly fireworks at Dorney Park. Suggested writing a letter to the municipality.

BOROUGH ENGINEER'S REPORT - None.

SOLICITOR'S REPORT

Progress.

UNFINISHED BUSINESS, PART I – None.

NEW BUSINESS – None.

UNFINISHED BUSINESS, PART II

Mrs. Gilbert reported that the changes have been made to Ordinance No. 1098 and there is no official action required at this time.

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

MAYOR'S REPORT

Mayor Iobst read Proclamation 2013 – 336, proclaiming the week of May 19 through May 25, 2013 as Emergency Medical Services Week.

Progress.

May 20, 2013

EMMAUS BOROUGH COUNCIL

COMMITTEE REPORTS

a. Public Works Committee

Mr. Labenberg reported that the Committee will meet on June 6, 2013 at 3:00 p.m.

Progress.

b. Health, Sanitation, and Conservation Committee

Mr. Shubzda reported that the Committee will meet on June 24, 2013 at 5:00 p.m.

Progress.

c. Parks and Recreation Committee

Mr. Barrett reported that there are several items that require official action.

Motion by Mr. Barrett, seconded by Mr. Labenberg to appoint Crystal Klein to the Special Entertainment Commission to a term expiring 6/7/2016. There were 6 ayes. Motion carried.

Mr. Labenberg stated that all five seats on the Commission have been filled.

Motion by Mr. Barrett, seconded by Mr. Labenberg to reappoint Jenae Holtzhafer to the Special Entertainment Commission for a term expiring 6/7/2016. There were 6 ayes. Motion carried.

Motion by Mr. Holtzhafer, seconded by Mr. Barrett to reappoint Paulette Labenberg to the Special Entertainment Commission for a term expiring 6/7/2016. There were 5 ayes, 1 abstention (Labenberg). Motion carried.

Motion by Mr. Barrett, seconded by Mr. Shubzda to charge a \$1.00 Entrance Fee for Special Entertainment Events held at the Emmaus Community Pool. There were 5 ayes, 1 abstention (Labenberg). Motion carried.

Motion by Mr. Barrett, seconded by Mr. Labenberg to grant the Special Entertainment Commission's request to have food vendors at the Summer Concerts held at the Arts Pavilion at Emmaus Community Park. There were 7 ayes. Motion carried.

May 20, 2013

EMMAUS BOROUGH COUNCIL

Motion by Mr. Barrett, seconded by Dr. Waddell to grant the Special Entertainment Commission's request to post event signs at the Emmaus Community Park a week before the event. There were 7 ayes. Motion carried.

Motion by Mr. Barrett, seconded by Mr. Labenberg to grant Lincoln Elementary School's request to hold its 5th grade Field Day event on Wednesday, May 29, 2013 from 9:00 a.m. to 1:30 p.m., with a rain date of Friday, May 31, 2013, and its 4th grade Field Day event on Friday, June 7, 2013 from 9:30 a.m. to 3:00 p.m. at the Williams Street field. There were 7 ayes. Motion carried.

Motion by Mr. Barrett, seconded by Mr. Brown to grant the Special Entertainment Commission's request to place tents at the Memorial Day Dash & Splash 5K on Saturday, May 25, 2013. There were 7 ayes. Motion carried.

Mr. Barrett stated that there are currently 96 participants registered for the 5K and encouraged everyone to register at www.emmaus5k.com. The race begins at 11:00 a.m. He stated that in conjunction with the 5K, there will be 20+ vendors participating in the Emmaus Gets Fit Health Fair.

The Allentown Hibernians Hurling Club requested the use of the Klines Lane all-purpose field for weekly practices, and asked for a fee waiver because they do not meet the 50% residency requirement. He stated that the Hurling Club will make a donation for the use of the field.

Motion by Mr. Barrett, seconded by Mr. Shubzda to grant the Allentown Hibernians Hurling Club Fee Waiver request for use of the Kline's Lane all-purpose field. There were 7 ayes. Motion carried.

Mr. Holtzhafer stated that the Special Entertainment Commission's Summer Concert Series will begin on Sunday, May 26, 2013 from 6:00 p.m. to 7:30 p.m., at the Emmaus Community Park Arts Pavilion with The Band of Make Believe.

Progress.

d. Public Safety Committee

Mrs. Gilbert entertained questions about the Committee report.

Dr. Waddell stated that he had previously voiced concerns about safety issues at the intersection at 3rd & 4th Streets at the Memorial Triangle. He questioned if the yield sign could be converted to a stop sign. Mrs. Gilbert responded that she would put the item on the Committee's Agenda.

May 20, 2013

EMMAUS BOROUGH COUNCIL

The next Committee Meeting is Thursday, June 13, 2013.

Progress.

e. General Administration Committee

Dr. Waddell reported that the Committee met on May 15, 2013. He reported that Teri Madison, Emmaus Main Street Partners, was in attendance and discussed the Keystone Communities Agreement. He stated that one of the required documents is a Resolution from the municipality indicating that the municipality supports the designation request, supports the program and its Mission/Vision Statements, 5 year Strategic Plan, and 5 Year Sustainability Plan. Mr. Brown stated that the Agreement is very beneficial to the Community.

Motion by Dr. Waddell, seconded by Mr. Brown to approve the Keystone Communities Agreement between the Borough of Emmaus and the Emmaus Main Street Partners. There were 7 ayes. Motion carried.

Motion by Dr. Waddell, seconded by Mr. Labenberg to approve the Borough of Emmaus Banner Policy. There were 7 ayes. Motion carried.

Mr. Labenberg questioned the sentence that reads, "The Borough reserves the right to reject applications which fail to comply with this Policy or which proposed banners containing offensive or unlawful material." Solicitor Stirba responded that the wording was placed in the procedure for legal purposes.

Motion by Dr. Waddell, seconded by Mr. Labenberg to approve the Borough of Emmaus Bulletin Board and Kiosk Posting Policy. There were 7 ayes. Motion carried.

Mr. Labenberg stated that he believes the Policy will benefit Borough organizations.

The next Committee Meeting is June 12, 2013.

Progress.

f. Budget and Finance Committee

Mr. Shubzda read Resolution 2013-15, authorizing payment of the May 20, 2013 Bill List, as follows:

May 20, 2013

EMMAUS BOROUGH COUNCIL

Bill List	\$	288,428.34
Payroll #10	\$	124,279.26
Payroll Taxes	\$	<u>42,213.39</u>
Total	\$	454,920.99

Done this 20th of May 2013.

Motion by Mr. Holtzhafer, seconded by Mr. Shubzda to approve the May 20, 2013 Bill List. There were 7 ayes. Motion carried.

Mr. Holtzhafer stated that the Committee recommends authorizing the Special Entertainment Commission's request to purchase a new sound system for the Emmaus Community Park's Arts Pavilion. Mr. Barrett stated that the Parks and Recreation Committee also discussed the item and unanimously voted to approve the purchase of a sound system. Dr. Waddell stated that he is concerned about the safety of the sound system. Mr. Holtzhafer responded that a code is needed to enter the Pavilion, but there will be discussions with the Public Works Department for further security features. Mr. Holtzhafer stated that the equipment will be stored at Town Hall for the winter months. Dr. Waddell suggested a check list for securing the facility. Mr. Pepe stated that the new sound system will cost \$9,335.00 and will be paid for through the Strickler Fund. Mr. Shubzda asked if there will be training on how to use the new system to which Mr. Holtzhafer responded affirmatively.

Motion by Mr. Holtzhafer, seconded by Mr. Labenberg to authorize the Special Entertainment Commission's request to purchase a new sound system for the Emmaus Community Park's Arts Pavilion. There were 7 ayes. Motion carried.

Mr. Holtzhafer reported that the Committee received a request from the Pension Committee for a cost of living increase for the police pensions. The item will be discussed at the May 28, 2013 Committee meeting.

Progress.

g. Community Relations, Planning and Development Committee

The next Committee Meeting will be May 23, 2013.

Progress.

h. Junior Council Member's Report

Mr. Hobson reported that Emmaus High School's graduation will be held on Sunday, June 9, 2013 at the Stabler Center. He also reported that the high school will host

May 20, 2013

EMMAUS BOROUGH COUNCIL

its final Art Show on Thursday, May 30, 2013 at 6:00 p.m. Mr. Hobson reported that the Emmaus High School Fitness Team recently won the National Championship for both the boys and girls teams. He reported that Sam O'Donnell, a senior, achieved the best score in the country.

Progress.

PERSONAL APPEALS, PART II

A. John Donches, 559 Minor Street – stated that during the Health, Sanitation, and Conservation Committee report, it was stated that a contract was discussed. He asked what contract was discussed. Mr. Shubzda responded that it was the Refuse and Recycling Contract. Mr. Donches questioned size restrictions on tents. Mr. Barrett responded that tent sizes were not specified. Mr. Donches questioned if there is a policy about the size of tents. He stated that he believes 10' x 10' is the size limit. Mr. Barrett responded that tents are not allowed in the parks and approval for tents is under the jurisdiction of Council. Mr. Donches asked if all Borough organizations are able to place advertising at the Kiosk. Dr. Waddell responded yes. Mr. Donches responded that he previously handed in an item to be placed at the Kiosk and it was not placed there. Mr. Pepe responded that the item was not placed at the Kiosk because at that time, the policy was in consideration by legal counsel & Borough Council.

BOROUGH MANAGER'S REPORT

Mr. Pepe reported that the Significant Revenue and Expense Items for the 1st half of May, 2013 are in the binders and entertained questions about it.

Mr. Pepe reported that Telco is currently replacing a traffic signal pole at the corner of E. Main and Ridge Street.

Mr. Pepe thanked Kathy Yaindl for her hard work and organization during the Civil Service hiring process.

Progress.

PRESIDENT'S BUSINESS

Mrs. Gilbert recessed for an Executive Session at 7:59 p.m. for a personnel issue and litigation with no action anticipated.

Mrs. Gilbert reconvened the Meeting at 8:31 p.m. with no official action required.

May 20, 2013

EMMAUS BOROUGH COUNCIL

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

The May 20, 2013 Meeting of the Emmaus Borough Council adjourned at 8:32 p.m.

Shane Pepe
Borough Manager

Transcribed by: Paula Weiant
Administrative Assistant
May 28, 2013