

October 21, 2013

EMMAUS BOROUGH COUNCIL

**Emmaus Borough Council  
Agenda  
Monday, October 21, 2013, 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

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7. Decisions on Bids
8. Communications
  - a. John Stover, Jr., 537 Chestnut St. - Request Reappointment to the Emmaus Vacancy Board (term expires 1/1/2014).
  - b. Jeffrey Ott, 222 Main St. – Request Reappointment to the Building Board of Appeals (term expires 1/1/2014).
  - c. Roger Steinmayr, PO Box 127 – Request Reappointment to the Zoning Hearing Board (term expires 1/1/2014).
  - d. Teri Madison, Emmaus Main Street Partners – Old Fashioned Christmas, December 7, 2013.
9. Borough Engineer's Report
10. Solicitor's Report
11. Unfinished Business, Part I

Ordinance No. 1101 – An Ordinance of the Borough of Emmaus, Lehigh County, Pennsylvania, Amending Ordinance 1099 and Chapter 15 § 602.2.2A of the Emmaus Borough Code, Removing Residential Handicapped Parking Signs on the

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Public Street Located in Front of 201 S. 5<sup>th</sup> Street and 250 North Street Within the Borough of Emmaus (1<sup>st</sup> Reading 10/07/13) (2<sup>nd</sup> Reading 11/4/13).

Ordinance No. 1102 – An Ordinance of the Borough of Emmaus, Lehigh County, Pennsylvania, Amending the Code of Ordinances, Sections 343, 344, 373, and 801 of Chapter 1, and Amending Ordinance No. 1088 to Include New Membership Requirements of the Special Entertainment Commission, and Requiring By-Laws for All Borough Commissions Not Otherwise Governed by the Pennsylvania Borough Code (1<sup>st</sup> Reading 10/07/13) (2<sup>nd</sup> Reading 11/4/13).

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 – November 7, 2013 at 3:00 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, Waddell)**

Next Meeting – October 28, 2013 at 5:00 p.m.

- a. Compost Options
- b. Emmaus and Upper Milford Joint Environmental Advisory Council
- c. Board of Health
- d. Town Hall HVAC System

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

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

- a. Green Futures Project
- b. Football Storage Building
- c. Policies:
  - Bands, DJ's, and Live Performances

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- Pavilion Refund
  - Tents, Canopies, and Items Outside Pavilions
  - Vendor Trucks in Parks
  - Moon Bounce and Inflatable Objects
- d. Ordinance No. 1102 – Special Entertainment Commission New Membership Requirements (1<sup>st</sup> Reading) (2<sup>nd</sup> Reading 11/4/13)

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

Next Meeting – November 6, 2013 at 2:00 p.m.

- a. Emergency Operations Plan – Review
- b. Ordinance No. 1101 – Removal of Handicapped Signs (1<sup>st</sup> Reading) (2<sup>nd</sup> Reading 11/4/13)
- c. Stray Cats

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

Next Meeting – November 13, 2013 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

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

Next Meeting – October 22, 2013 at 3:30 p.m.

- a. **Bill List—Resolution 2013-26**
- b. Health Inspection Fees
- c. 2014 Budget

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

Next Meeting – October 24, 2013 at 4:15 p.m.

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

- 17. Junior Council Member's Report
- 18. Personal Appeals, Part II
- 19. Borough Manager's Report

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- a. Significant Revenue and Expense Items for First Half of October, 2013
  - b. **Resolution 2013-25 --Recreation Planning Grant - DCED**
20. President's Business
- Executive Session – Personnel Matter
21. Adjournment

Next Resolution #27  
Next Ordinance #1103

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The Emmaus Borough Council met in regular session on October 21, 2013 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
Michael Waddell	Present
Brent Labenberg	Present
Wesley Barrett	Present
Nathan Brown	Present - Arrived at 7:13 p.m.
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. **Attorney John Stover, 537 Chestnut Street** – stated that he recently learned that the Emmaus Main Street Partners are not eligible to become the primary sponsor for the RACP Grant through the Commonwealth of Pennsylvania due to the fact that the Partners are a non-profit organization and not an economic redevelopment organization. The Partners are requesting that the Borough of Emmaus becomes the primary sponsor of the 187-191 Main Street Project. Mr. Labenberg asked how such a huge error could occur and stated that in the future he will look at the Emmaus Main

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Street Partners' requests with a much more critical eye. Dr. Waddell stated that the situation is embarrassing for everyone involved. Solicitor Dimmich stated that he believes there is no additional risk to being the primary sponsor. He also stated that the error was not Attorney Stover's fault and recommends that the Borough become the primary sponsor of the project. He suggested that he and Mr. Pepe oversee the remainder of the process with the developer. Attorney Stover stated that he spoke with the developer and the project will be completed next month.

**Motion by Mr. Labenberg, seconded by Dr. Waddell to allow the Borough of Emmaus to be the Grant applicant for the 187-191 Main Street Project Grant RACP with the condition that the Borough Manager, Mr. Pepe, and/or Solicitor, if necessary, monitor all Grant compliance. There were 7 ayes. Motion carried.**

### COMMUNITY MINUTE

Dr. Waddell stated that on October 10, 2013, there were approximately 100 individuals in attendance at the East Penn School District Administration building for the 8<sup>th</sup> Annual Student Horror Film Festival kick-off. He stated that there were 34 student films submitted by middle and high school aged children with three new schools submitting films. The films will be shown on October 27, 2013 at 2:00 p.m. at the Emmaus Theatre. He thanked Mr. Shubzda and the Arts Commission for hosting the event.

Dr. Waddell thanked Mr. Barrett for the success of the Emmaus 5K race, which is held prior to the start of the Halloween Parade. Mr. Barrett stated that it was the 7<sup>th</sup> Annual Emmaus 5K race and it was very successful with over 400 runners. He stated that he hopes the race will be able to contribute a larger donation to the Halloween Parade Committee, the Parks and Recreation Commission, and the Special Entertainment Commission. Mr. Barrett thanked the Halloween Committee, all of the sponsors, including the National Penn Bank and thanked the Emmaus Run Inn for its monetary support. Dr. Waddell thanked Kathy Mintzer, John Eyer, and Roy Anders for the success of the Emmaus Halloween Parade and stated that it is a great community event.

### SPECIAL PRESENTATIONS

Mr. Barrett and Mr. Brown explained an award that the Borough of Emmaus received from the Delaware Valley Green Building Council. The Sustainability Award was presented to the Borough for several environmental and cost saving projects in recent years including installing LED traffic lights, a riparian buffer, the South Mountain Gateway Trail and efficient lighting at the Emmaus Public Library.

### READING OF MINUTES

**Motion by Mr. Labenberg, seconded by Mr. Barrett to dispense with the formal reading of the October 7, 2013 Minutes. There were 7 ayes. Motion carried.**

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**Motion by Mr. Labenberg, seconded by Mr. Barrett to adopt the October 7, 2013 Minutes as drafted. There were 6 ayes, 1 abstention (Waddell). Motion carried.**

DECISION ON BIDS

Mr. Pepe explained that the 2013 Fuel and Oil Bid Award will take place in November, 2013.

COMMUNICATIONS

a. John Stover, Jr., 537 Chestnut Street – Request Reappointment to the Emmaus Vacancy Board (term expires 1/1/2014). Referred to the General Administration Committee.

b. Jeffrey Ott, 222 Main Street – Request Reappointment to the Building Board of Appeals (term expires 1/1/2014). Referred to the General Administration Committee.

c. Roger Steinmayr, PO Box 127 – Request Reappointment to the Zoning Hearing Board (term expires 1/1/2014).

d. Teri Madison, Emmaus Main Street Partners – Old Fashioned Christmas, December 7, 2013. The Emmaus Main Street Partners request that Mayor Iobst flip the switch to light the Christmas tree at Triangle Park.

BOROUGH ENGINEER'S REPORT – None.

SOLICITOR'S REPORT

Solicitor Dimmich explained that Solicitor Dinkelacker and Mr. Pepe are continuing to work on the Fire Department Ordinance.

UNFINISHED BUSINESS, PART I

Mrs. Gilbert stated that Ordinance No. 1101, dealing with the removal of handicapped parking signs, is scheduled for its 2<sup>nd</sup> Reading on November 4, 2013.

Mrs. Gilbert stated that Ordinance No. 1102, dealing with the membership for the Special Entertainment Commission, is scheduled for its 2<sup>nd</sup> Reading on November 4, 2013.

NEW BUSINESS – None.

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UNFINISHED BUSINESS, PART II – None.

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

MAYOR'S REPORT

Mayor Iobst reported that the Halloween Parade was very successful and there were no major incidents reported. He thanked everyone involved with ensuring the safety of the community during the Parade.

Progress.

COMMITTEE REPORTS

a. Public Works Committee

Mr. Labenberg reported that the next Committee Meeting is November 3, 2013 at 3:00 p.m.

Progress.

b. Health, Sanitation, and Conservation Committee

Mr. Shubzda reported that the Electronics Recycling Drop Off is now closed and will reopen in March, 2014. Mr. Shubzda stated that there are currently two openings on the Board of Health and encouraged anyone that is interested to apply.

The next Committee Meeting is October 28, 2013 at 5:00 p.m.

Progress.

c. Parks and Recreation Committee

Mr. Barrett reported that the Parks and Recreation Committee Meeting scheduled for November 5, 2013 will be rescheduled due to Election Day.

Progress.

d. Public Safety Committee

The next Committee Meeting is Thursday, October 24, 2013 at 6:00 p.m. The Committee will review the Fire Department Ordinance.

Progress.

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e. General Administration Committee

Dr. Waddell reported that the Committee discussed the Flag Day Association. Dr. Waddell also reported that the property appraisals will be completed by the end of October. The Committee will discuss the appraisals at its next Committee Meeting on November 13, 2013, and will make a formal recommendation at the Council Meeting to be held on November 18, 2013. Mr. Pepe confirmed that the appraisals will be completed by the end of October.

Progress.

f. Budget and Finance Committee

Mr. Holtzhafer read Resolution 2013-26, authorizing payment of the October 21, 2013 Bill List, as follows:

<b>Bill List</b>	<b>\$</b>	<b>280,521.74</b>
<b>Payroll #21</b>	<b>\$</b>	<b>117,675.82</b>
<b>Payroll Taxes</b>	<b>\$</b>	<b><u>39,411.56</u></b>
<b>Total</b>	<b>\$</b>	<b>437,609.12</b>

Done this 21st of October 2013.

**Motion by Mr. Holtzhafer, seconded by Mr. Shubzda to approve the October 21, 2013 Bill List. There were 7 ayes. Motion carried.**

Progress.

g. Community Relations, Planning and Development Committee

Mr. Brown reported that the Southwestern Lehigh County Comprehensive Plan Partners Meeting will be held on Monday, October 28, 2013 at 7:00 p.m. in Council Chambers. Zoning Officer Jim Farnsworth will lead the program. Dr. Waddell stated that the bricks have been installed for the Volunteer of the Year Award winners.

The next Committee Meeting is October 24, 2013 at 4:15 p.m.

Progress.

h. Junior Council Member's Report

Mr. Hobson reported that the Emmaus High School Drama Club will present the play "Pride and Prejudice" on November 7, 8, and 9<sup>th</sup> at 7:00 p.m. in the High School



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Auditorium. Tickets are priced at \$8.00 for students and \$10.00 for adults and suggested purchasing tickets prior to the performances.

Progress.

PERSONAL APPEALS, PART II – None.

### BOROUGH MANAGER'S REPORT

Mr. Pepe reported that the Significant Revenue and Expense Items for the 1<sup>st</sup> half of October 2013 are in the binders and entertained questions about them. Mr. Pepe thanked Kathy Yaindl for her hard work and effort in preparing the budget binders. He thanked Christine Snyder for supplying him information for the budget binders. He also thanked the Department Managers for meeting with him to discuss their budget requests.

Mr. Pepe read Resolution 2013-25 – A Resolution Conditionally Authorizing the Formal Submission of a Recreation Planning Grant to the Pennsylvania Department of Economic Development.

**Motion by Mr. Barrett, seconded by Mr. Brown to adopt Resolution 2013-25. There were 7 ayes. Motion carried.**

Progress.

### PRESIDENT'S BUSINESS

Mrs. Gilbert recessed for an Executive Session at 7:45 p.m. to discuss a personnel matter with no official action anticipated.

Mrs. Gilbert reconvened the meeting at 8:35 p.m. with no official action required.

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

The October 21, 2013 Meeting of the Emmaus Borough Council adjourned at 8:36 p.m.

Shane Pepe  
Borough Manager

Transcribed by: Paula Weiant  
Administrative Assistant  
October 24, 2013