

November 19, 2012

EMMAUS BOROUGH COUNCIL

**Emmaus Borough Council  
Agenda  
Monday, November 19, 2012, 7:00 PM**

1. Call to Order

2. Pledge of Allegiance

3. Personal Appeals, Part I

4. Community Minute

5. Special Presentations

Bob Boehmer – 2012 Christmas Card Presentation

6. Reading of Minutes

November 5, 2012

7. Decisions on Bids

Bid Results - Heating Oil, Kerosene, Unleaded Fuel and Diesel Fuel

8. Communications

- a. John Zettlemoyer, Jr., Esq. Emmaus General Authority – Reappointment of Richard Gerhart to the General Authority (term expires 1/1/2013).
- b. Richard Brooks, 843 Lawrence Drive – Resignation from the Emmaus Library Board (term expires 1/1/2014).
- c. Alan Jennings, Community Action Committee of the Lehigh Valley – Request funding for homeless shelters.
- d. Teryl Madison, Emmaus Main Street Partners – Old Fashioned Christmas, Saturday, December 1, 2012.
- e. Teryl Madison, Emmaus Main Street Partners – Old Fashioned Christmas banner fee waiver request.

9. Borough Engineer's Report

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10. Solicitor's Report
11. Unfinished Business, Part I
12. New Business
13. Unfinished Business, Part II
  - a. Ordinance No. 1087 – An Ordinance Amending the Code of Ordinances, Section, 405(a) of Chapter 15, to Include Regulations Prohibiting the Parking on any Public Street or any Public Area of a Commercial Vehicle, Truck Tractor Or Trailer; and Providing Penalties for the Violation Thereof (1<sup>st</sup> Reading 8/20/12) (2<sup>nd</sup> Reading 9/17/12) (Deferred 9/17/12).
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 – December 6, 2012 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. South Mountain Gateway – Kevin Fister
- f. Triangle Park Damage

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

Next Meeting – December 21, 2012 at 3:45 p.m.

- a. Compost Options
- b. Emmaus and Upper Milford Joint Environmental Advisory Council
- c. Board of Health
- d. Cintas

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

Next Meeting – December 4, 2012 at 3:30 p.m.

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- a. Ice Rink/Skate Park
- b. Emmaus Legion Baseball Field Project

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

Next Meeting – December 13, 2012 at 3:00 p.m.

- a. Ordinance No. 1087 - Tractor Trailer Parking
- b. Emergency Operations Plan – Review
- c. Civil Service Commission Rules and Regulations
- d. 24 Hour Municipal Parking Lot Ordinance

**Public Safety** (continued)

- e. Triangle Park Damage
- f. **Eliminate Dispatch Answering Service**
- g. **Completion of Probationary Period – Police Officers Joseph Longenbach and Robert Alburger**

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

Next Meeting – November 28, 2012 at 9:00 a.m.

- a. 1803 House Lot Line Adjustment
- b. Emmaus Public Library Expansion Project
- c. **Appoint Angela Faidley to the Arts Commission (term expires 2/1/2013)**
- d. **Disband the Ad Hoc Committee**
- e. **Amend Council Agenda to include a Junior Councilman Report**
- f. **Eliminate first Council Meeting of the month for June, July and August 2013**

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

Next Budget Workshop Meetings – November 27, 28, & 29, 2012 at 6:00 p.m.

- a. **Bill List—Resolution 2012-32**
- b. Swimming Pool Revenue and Expense
- c. Water Meter Rates for Multiple Units
- d. Policy for Receipts and Packing Slips
- e. Union Negotiations
- f. Banking and Accounts for All Borough Entities

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- g. 2013 Budget
- h. Council Pay Increase**

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

Next Meeting – To be determined.

- a. Treevitalize Grant
- b. LERTA
- c. Keystone Communities Program

**Ad Hoc Committees** (Barrett, Waddell, Holtzhafer, Pepe, Mayor lobst)

Next Meeting – To be determined.

17. Personal Appeals, Part II

18. Borough Manager's Report

- a. Significant Revenue and Expense Items for First Half of November 2012**

19. President's Business

Executive Session – Contract Negotiations

20. Adjournment

Next Resolution #33  
Next Ordinance #1092

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The Emmaus Borough Council met in regular session on November 19, 2012 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

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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. Lynn Donches, 559 Minor Street** – voiced opposition to the proposed pay increase for Borough Council. She stated that Borough Council works very hard, but the position is a volunteer position and Council are public servants of the Community. She also noted that on the Agenda, under General Administration, there is an item to eliminate the first Council Meeting of the month for June, July, and August and stated that in essence that is a pay increase. She asked if the proposed 2013 Budget includes the repair of North Street, between Cedar Crest Boulevard and Macungie Avenue. Mr. Pepe responded that he and Mr. Clapper have discussed the street, but Mr. Clapper has not submitted a formal request. Mr. Holtzhafer stated that the proposed Borough Council pay increase would not take effect until 2014.

COMMUNITY MINUTE - None.

### SPECIAL PRESENTATIONS

Bob Boehmer, Chairman of the Emmaus Arts Commission, presented the design for the 2012 Emmaus Commemorative Christmas Card, depicting an image of the Knauss Homestead and Remembrance Garden. The cards will be available in packs of 10 for \$12.00 and will be available at local establishments throughout the Borough. Dr. Waddell thanked the Arts Commission and Mr. Boehmer for donating the pieces to the Borough.

### READING OF MINUTES

**Motion by Mr. Labenberg, seconded by Mr. Barrett to dispense with the formal reading of the November 5, 2012 Minutes. There were 7 ayes. Motion carried.**

**Motion by Mr. Labenberg, seconded by Mr. Shubzda to adopt the November 5, 2012 Minutes as drafted. There were 7 ayes. Motion carried.**

### DECISION ON BIDS

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Mr. Pepe reported that on November 14, 2012, two bids were received for the 2012-2013 No. 2 Heating Oil, Kerosene, Unleaded Fuel and Diesel Fuel Bid. Bids were received from Lehigh Fuels, LLC., and Farm and Home Oil. Lehigh Fuels, LLC was the lowest bidder for No. 2 Heating Oil at \$3.4990/gal, Kerosene at \$4.3800/gal, Unleaded Fuel at \$3.1155/gal, and Diesel Fuel at \$3.4990/gal. Staff recommends awarding the bid to Lehigh Fuels, LLC. The bid is effective from December 1, 2012 to November 30, 2013.

**Motion by Mr. Labenberg, seconded by Dr. Waddell to award the 2012-2013 No. 2 Heating Oil, Kerosene, Unleaded Fuel and Diesel Fuel Bid to Lehigh Fuels, LLC., for the period of December 1, 2012 to November 30, 2013, in the amounts indicated above. There were 7 ayes. Motion carried.**

### COMMUNICATIONS

a. John Zettlemoyer, Jr., Esq. Emmaus General Authority – Reappointment of Richard Gerhart to the General Authority (term expires 1/1/2013). Referred to the General Administration Committee.

b. Richard Brooks, 843 Lawrence Drive – Resignation from the Emmaus Library Board (term expires 1/1/2014). Mrs. Gilbert directed Mr. Pepe to mail Mr. Brooks a letter of “Thanks” and referred the vacancy to the General Administration Committee.

**Motion by Dr. Waddell, seconded by Mr. Labenberg to accept Mr. Brooks’ resignation from the Emmaus Library Board, effective December 31, 2012. There were 7 ayes. Motion carried.**

c. Alan Jennings, Community Action Committee of the Lehigh Valley – Request funding for homeless shelters. Referred to the Budget and Finance Committee.

d. Teryl Madison, Emmaus Main Street Partners – Letter of Invitation to Old Fashioned Christmas and annual Tree Lighting Ceremony on Saturday, December 1, 2012 at Triangle Park. The Tree Lighting Ceremony will begin at 6:00 p.m.

e. Teryl Madison, Emmaus Main Street Partners – Old Fashioned Christmas banner fee waiver request. Mrs. Gilbert stated that she believes historically Council has waived the banner fee.

**Motion by Dr. Waddell, seconded by Mr. Brown to grant the Emmaus Main Street Partners’ Old Fashioned Christmas banner fee waiver request. There were 7 ayes. Motion carried.**

f. Susan Schmidt, 739 Lawrence Drive – Appointment to Zoning Hearing Board. Mrs. Gilbert stated that Ms. Schmidt is currently an Alternate on the Zoning Hearing Board. Referred to the General Administration Committee.

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g. Nancy Reimert, Board of Health Secretary – Reappointment of Dr. David Burmeister to the Board of Health, beginning January 1, 2013. Referred to the Health, Sanitation, and Conservation Committee.

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 Public Safety Committee is reviewing Ordinance No. 1087 and there is no action needed.

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

### MAYOR'S REPORT

Mayor Iobst wished everyone a Happy Thanksgiving.

### COMMITTEE REPORTS

a. Public Works Committee

Progress.

b. Health, Sanitation, and Conservation Committee

Mr. Shubzda reported that the next Committee Meeting is December 21, 2012 at 3:45 p.m.

Progress.

c. Parks and Recreation Committee

Progress.

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d. Public Safety Committee

Mrs. Gilbert reported that the Committee met on November 14, 2012 at 3:00 p.m. She reported that Mr. Pepe and Mr. Clapper proposed that the Borough consider eliminating its relationship with Dispatch Answering Service for the Public Works, Water, and Sewer Departments. The savings would be approximately \$3,600 per year. The Fire Department would continue using the service for the Gamewell System. The Committee discussed having an automated system at Town Hall that forwards calls to the duty phone on the weekends. The new system would be set up by January 1, 2013.

**Motion by Mr. Brown, seconded by Mr. Barrett to eliminate the Dispatch Answering Service for the Public Works, Water, and Sewer Departments. There were 7 ayes. Motion carried.**

Mrs. Gilbert stated that Chief Reiss provided information regarding the Yellow Dot Program. The Program is sponsored by the Pennsylvania Department of Transportation. Participants in the program would complete a personal information form, which includes contact information and medical history. The information would be placed in the glove compartment of the participant's vehicle. A Yellow Dot decal provided in the program kit is then placed in the lower left corner of the participant's vehicle and alerts first responders that vital information can be found in the vehicle. Information on the program can be found at [www.yellowdot.pa.gov](http://www.yellowdot.pa.gov). Mrs. Gilbert directed Mr. Pepe to place the information regarding the Yellow Dot Program in the next Borough Newsletter.

Mrs. Gilbert reported that Officer Robert Alburger and Officer Joseph Longenbach have successfully completed a probationary period of one year with the Police Department. Chief Faust recommends permanent full-time status for Officers Alburger and Longenbach to the Emmaus Police Department.

**Motion by Mr. Brown, seconded by Mr. Barrett to appoint Officer Robert Alburger to permanent full-time status with the Emmaus Police Department. There were 7 ayes. Motion carried.**

**Motion by Mr. Brown, seconded by Mr. Barrett to appoint Officer Joseph Longenbach to permanent full-time status with the Emmaus Police Department. There were 7 ayes. Motion carried.**

Mrs. Gilbert reported that the Committee authorized the Borough Manager and Staff to begin reforming the Emergency Operations Plan.

Progress.



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e. General Administration Committee

Dr. Waddell reported that the Committee interviewed Angela Faidley and recommends appointing Ms. Faidley to the Emmaus Arts Commission to a term expiring 2/1/2013. Dr. Waddell stated that Ms. Faidley is the first member appointed under the new Ordinance, which allows individuals outside of the Borough to serve on the Commission.

**Motion by Dr. Waddell, seconded by Mr. Labenberg to appoint Angela Faidley to the Emmaus Arts Commission to a term expiring 2/1/2013. There were 7 ayes. Motion carried.**

Dr. Waddell reported that the Committee recommends disbanding the Ad-Hoc Committee. Mrs. Gilbert explained that if an issue arises from the East Penn School District that needs to be addressed, the matter will be referred to the General Administration Committee.

**Motion by Dr. Waddell, seconded by Mr. Labenberg to disband the Ad-Hoc Committee and remove it from the Agenda. There were 7 ayes. Motion carried.**

Dr. Waddell reported that the Committee recommends amending the Council Agenda to include a Junior Councilman Report and to place the report after the Community Relations, Planning, and Development Committee Report.

**Motion by Dr. Waddell, seconded by Mr. Barrett to amend the Council Agenda to include a Junior Councilman Report and to place the report after the Community Relations, Planning, and Development Committee Report. There were 7 ayes. Motion carried.**

Dr. Waddell reported that the Committee recommends eliminating the first Council Meeting of the month in 2013 for the months of June, July, and August. During those months, there will only be one Council Meeting each month, on the 3<sup>rd</sup> Monday of the month. Mr. Labenberg stated that the first Council Meeting of the month was chosen because the Committees have typically met by the second Council Meeting of the month.

**Motion by Dr. Waddell, seconded by Mr. Labenberg to eliminate the first Council Meeting of the month in 2013 for the months of June, July, and August, 2013. There were 7 ayes. Motion carried.**

The next Committee Meeting is November 28, 2012 at 9:00 a.m.

Progress.

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f. Budget and Finance Committee

Mr. Holtzhafer read Resolution 2012-32, authorizing payment of the November 19, 2012, Bill List, as follows:

<b>Bill List</b>	<b>\$</b>	<b>344,768.97</b>
<b>Payroll # 23</b>	<b>\$</b>	<b>129,714.69</b>
<b>Payroll Taxes</b>	<b>\$</b>	<b><u>42,087.69</u></b>
<b>Total</b>	<b>\$</b>	<b>516,571.35</b>

Done this 19<sup>th</sup> day of November 2012.

**Motion by Mr. Holtzhafer, seconded by Mr. Shubzda to approve the November 19, 2012 Bill List. There were 7 ayes. Motion carried.**

Mr. Holtzhafer reminded Council that there are Budget Workshops scheduled for November 27, 28, and 29 at 6:00 p.m.

Progress.

g. Community Relations, Planning and Development Committee

Mr. Brown reported that, due to the Holiday Season, the December 20, 2012 meeting has been cancelled and the Committee will start fresh in 2013.

Progress.

h. Junior Councilman Report

Mr. Hobson reported that the Emmaus High School has begun set-up for the Mr. Emmaus Event to be held on Wednesday, January 30, 2013 at 7:00 p.m., and encouraged the public to attend.

Progress.

Mrs. Gilbert thanked Mr. Barrett for his time served as the Ad-Hoc Committee Chairman.

PERSONAL APPEALS, PART II

**A. Marshall Rau, 5363 Covenant Court, Emmaus, owns property in the Borough.** He stated that he supports a pay increase for Borough Council. He also stated that Borough Council does a fine job and should be paid accordingly.

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BOROUGH MANAGER'S REPORT

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

Progress.

PRESIDENT'S BUSINESS

Mrs. Gilbert recessed for an Executive Session at 7:40 p.m. to discuss contract negotiations with no official action anticipated.

Mrs. Gilbert reconvened the Meeting at 8:36 p.m. with no official action needed.

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

The November 19, 2012 Meeting of the Emmaus Borough Council adjourned at 8:37 p.m.

Shane Pepe  
Borough Manager

Transcribed by: Paula Weiant  
Administrative Assistant  
November 19, 2012