

EMMAUS BOROUGH COUNCIL

The Emmaus Borough Council met in Regular Session on February 6, 2023 in temporary Council Chambers, located at 420 S. 10th Street, Emmaus, PA 18049 and via Zoom.

CALL TO ORDER

Mr. Labenberg called the meeting to order at 6:00 p.m.

Brent Labenberg, President	Present
Chris DeFrain, Vice President	Present
Roy Anders	Present
Chad Balliet	Present
Shana Baumgartner	Present
John W. Hart	Present
Teri Sorg-McManamon	Present
LeeAnn Gilbert, Mayor	Present
Jason Ulrich, Solicitor	Present via Zoom
Shane Pepe, Borough Manager	Present
Sara Jarrett-Eaton, Asst. Borough Manager	Present

PERSONAL APPEALS, PART I

A. Anne Zayitz, 144 E. Spruce Street – thanked Borough Council for supporting East Penn Neighbors Helping Neighbors. She explained that there are approximately 50 families in the East Penn School District that are currently facing housing difficulties. She stated that EPNHN will be holding a spaghetti dinner fundraiser on Saturday, February 11, 2023 at 5:00 p.m. and 7:00 p.m. Mrs. Zayitz also thanked Borough Council for supporting the Emmaus Library. She stated that although the SnowBlast Winter Festival was postponed, the library held 6 events and was very busy. She invited everyone to attend the 3rd Annual Mini Golf event to be held at the library on March 24th and 25th. Mr. Labenberg thanked Mrs. Zayitz for her commitment to both organizations.

COMMUNITY MINUTE

Mrs. Sorg-McManamon reminded everyone that the SnowBlast Winter Arts Festival has been postponed until Saturday, March 4, 2023. She stated that the event will be held from 12:00 p.m. to 4:00 p.m. at the Emmaus Triangle and invited everyone to attend.

Mr. Anders reminded everyone that a local Emmaus High School graduate will start for the Philadelphia Eagles in the Super Bowl on Sunday.

SPECIAL PRESENTATIONS – None.

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READING OF MINUTES

Motion by Mr. Hart, seconded by Mr. DeFrain to adopt the January 16, 2023 Council Minutes as drafted. There were 7 ayes. Motion carried.

DECISION ON BIDS

Motion by Mr. DeFrain, seconded by Mr. Anders to approve the sale of the 1991 Chevrolet Dump Truck for a high bid of \$4,000.00, the 1998 International Dump Truck for a high bid of \$11,000.00, the 2002 Chevrolet Impala for a high bid of \$1,400.00, and the 2010 Ford Explorer for a high bid of \$3,300.00 through Municibid. There were 7 ayes. Motion carried.

COMMUNICATIONS

- a. Alison Spagnoletti – Resignation from the Recreation & Entertainment Commission.
- b. John Stover – Resignation from the Vacancy Board.
- c. Justin Gifford – Withdrawal of application for the Joint Environmental Advisory Council.
- d. Emmaus Entertainment & Recreation Commission – Tunes on the Triangle Concert Series Request for sale of alcohol.

Motion by Mr. Hart, seconded by Mrs. Sorg-McManamon to grant the Emmaus Entertainment & Recreation Commissions request to sell alcohol at the Tunes at the Triangle Concert Series events. There were 7 ayes. Motion carried.

- e. Jennifer Felegy, 15 E. Spruce Street – Volunteer application for Emmaus Public Library Board. Mr. Labenberg referred the item to the General Administration Committee.
- f. Patty Feninez – Resignation from the Emmaus Arts Commission.
- g. Joseph Dunton, President, Emmaus Veterans Committee – Memorial Day Parade request. Mr. Labenberg referred the item to staff.
- h. David Dunn – Resignation from the Emmaus Ambulance Corps.
- i. Josh Hand – Resignation from the Emmaus Ambulance Corps.
- j. Monkey Knife Fight Against Cancer Charity Bike Ride – Event Request. Mr. Labenberg referred the item to staff.

BOROUGH ENGINEER’S REPORT – None.

SOLICITOR’S REPORT

Progress.

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UNFINISHED BUSINESS, PART I

Ordinance No. 1237 – An Ordinance Amending Chapter 15 §403, §404.1, §406, §407, §602.2.A, and §602.3 of the Codified Ordinances, Amending Several Sections of the Borough of Emmaus Parking Regulations (1st Reading 1/16/23) (2nd Reading 2/06/23).

Motion by Mr. Hart, seconded by Mrs. Sorg-McManamon to adopt Ordinance No. 1237 - An Ordinance Amending Chapter 15 §403, §404.1, §406, §407, §602.2.A, and §602.3 of the Codified Ordinances, Amending Several Sections of the Borough of Emmaus Parking Regulations on its 2nd Reading. Roll call vote: Mrs. Sorg-McManamon, aye; Ms. Baumgartner, aye; Mr. Anders, aye; Mr. Labenberg, aye; Mr. DeFrain, aye; Mr. Hart, aye; Mr. Balliet, aye. There were 7 ayes. Motion carried.

Ordinance No. 1238 – An Ordinance of the Borough of Emmaus, Lehigh County, Pennsylvania, Amending Chapter 15 §602.3.A of the Emmaus Borough Code, Adding Residential Disabled Parking Sign and Assigning Permitted Parking Space on a Public Street Located in Front of 106 S. 12th Street Within the Borough of Emmaus (1st Reading 1/16/23) (2nd Reading 2/06/23).

Motion by Mr. Hart, seconded by Mr. DeFrain to adopt Ordinance No. 1238 - An Ordinance of the Borough of Emmaus, Lehigh County, Pennsylvania, Amending Chapter 15 §602.3.A of the Emmaus Borough Code, Adding Residential Disabled Parking Sign and Assigning Permitted Parking Space on a Public Street Located in Front of 106 S. 12th Street Within the Borough of Emmaus on its 2nd Reading. Roll call vote: Mrs. Sorg-McManamon, aye; Ms. Baumgartner, aye; Mr. Anders, aye; Mr. Labenberg, aye; Mr. DeFrain, aye; Mr. Hart, aye; Mr. Balliet, aye. There were 7 ayes. Motion carried.

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. Anders reported that the Committee met on January 18, 2023. He stated that there is nothing for official action tonight and entertained questions about the Committee notes. Mr.

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Anders reported that the next Committee meeting is Wednesday, February 15, 2023 at 4:00 p.m. via Zoom.

Progress.

b. Health, Sanitation, and Codes Committee

Motion by Mr. Balliet, seconded by Mrs. Sorg-McManamon to appoint John Stover as an alternate to the Zoning Hearing Board to a term expiring 1/1/25. There were 7 ayes. Motion carried.

Mr. Balliet reported that the next Committee meeting is Wednesday, February 22, 2023 at 4:45 p.m. via Zoom.

Progress.

c. Parks and Recreation Committee

Ms. Baumgartner reported that the Committee met on January 17, 2023 and there is nothing for official action tonight. She stated that the next Committee meeting is Tuesday, February 7, 2023 at 4:45 p.m. via Zoom.

Progress.

d. Public Safety Committee

Mr. Hart reported that the Committee will review the Kiosk and Parking Ordinance at its next Committee meeting on Wednesday, February 8, 2023 at 9:00 a.m. and will have the 1st Reading at the Tuesday, February 21st Council meeting.

Progress.

e. General Administration Committee

Motion by Mr. DeFrain, seconded by Ms. Baumgartner to approve the Towns at South Mountain Land Development Project Street Light Proposal. There were 6 ayes, 1 opposed (Labenberg). Motion carried.

Motion by Mr. Hart, seconded by Ms. Baumgartner to require the Towns at South Mountain Land Development Project to place a cinder walking path. There were 6 ayes, 1 opposed (DeFrain). Motion carried.

Mr. Labenberg entertained questions about the Committee notes and reported that next Committee meeting is Thursday, February 16, 2023 at 9:00 a.m. via Zoom.

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f. Budget & Finance Committee

Motion by Mr. DeFrain, seconded by Mrs. Sorg-McManamon to adopt the Borough Departmental Donations Policy. There were 7 ayes. Motion carried.

Mr. Pepe clarified how donations will be handled with the new policy. Ms. Baumgartner asked when the policy will go into effect. Mr. Pepe responded that it would take effect immediately.

Resolution 2023-7 authorizing payment of the February 6, 2023 bill list as follows:

Bill List	\$	1,830,585.01
Payroll #2	\$	182,653.71
Payroll Taxes	\$	<u>57,310.41</u>
Total	\$	1,970,549.13

Done this 6th day of February 2023.

Motion by Mr. DeFrain, seconded by Mr. Balliet to adopt Resolution 2023-7. There were 7 ayes. Motion carried.

Mr. DeFrain entertained questions about the Significant Revenue and Expense Items for January 2023 and the Committee notes.

Mr. DeFrain reported that the next Committee meeting is Thursday, February 16, 2023 at 11:00 a.m. via Zoom.

Progress.

g. Community Relations, Planning and Development Committee

Mrs. Sorg-McManamon reported that the January Committee meeting was rescheduled for Wednesday, February 8, 2023 at 4:30 p.m. via Zoom and the regularly scheduled meeting for February will take place on Monday, February 27, 2023 at 4:30 p.m. via Zoom.

Progress.

PERSONAL APPEALS, PART II

A. Alexander Elliker, Attorney for Forino Company – asked if Council had any other questions on the material for the trail. Mr. Labenberg stated that the vote was taken

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earlier tonight for the trail and the lights. Mr. Elliker asked if they can move forward with the project. Mr. Pepe stated that he will issue something in writing so that they do not have to wait until the minutes are approved.

BOROUGH MANAGER'S REPORT

Mr. Pepe reported that he posted the Deputy Police Chief process at the Police building. He also reported that the performance of the Police and Employee's Pension Plans will be discussed at the Pension Board meeting on Wednesday, February 8, 2023.

Resolution 2023-6 – A Resolution of the Council of the Borough of Emmaus, Lehigh County, Pennsylvania, Amending Resolution 2022-43 Which Approved the Application of a Pennsylvania Department of Community and Economic Development for the ARPA PA Small Water and Sewer Grant Program.

Motion by Mr. Anders, seconded by Mr. DeFrain to adopt Resolution 2023-6. There were 7 ayes. Motion carried.

Mr. Balliet asked for a status update on the Turkey Hill project. Mr. Pepe responded that the project is on hold, and he is unable to discuss anything further.

Mr. Balliet asked for an update on Comcast. Mr. Pepe responded that the CRD Committee will meet with a Comcast representative at the next Committee meeting on Wednesday, February 8, 2023.

Progress.

PRESIDENT'S BUSINESS

Progress.

ADJOURNMENT

Motion by Mr. Hart, seconded by Mrs. Sorg-McManamon to adjourn the February 6, 2023 Emmaus Borough Council Meeting. There were 7 ayes. Motion carried.

The meeting was adjourned at 6:33 p.m.

Shane M. Pepe
Borough Manager

Transcribed by: Paula Weiant
Administrative Assistant
February 8, 2023