

EMMAUS BOROUGH COUNCIL

The Emmaus Borough Council met in Regular Session on April 3, 2023 in temporary Council Chambers, located at 420 S. 10th Street, Emmaus, PA 18049 and via Zoom.

CALL TO ORDER

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

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

Mr. DeFrain presided over the meeting as Mr. Labenberg was present via Zoom.

PERSONAL APPEALS, PART I – None.

COMMUNITY MINUTE – None.

SPECIAL PRESENTATIONS

Lehigh County Executive Phil Armstrong was present and updated Council on many Lehigh County items. He introduced Community Liaison, Yorman De La Rosa. Mr. Armstrong encouraged the Borough to reach out to Mr. Delarosa with issues and he will delegate them to the correct county departments. Mr. Armstrong reminded everyone that the Iron Pigs are opening their season tomorrow and explained that the construction has been completed and is on budget. He thanked all the organizations that helped to complete the project. He stated that the Iron Pigs will sign a lease until 2053. Mr. Armstrong explained that Lehigh County is ranked 4th in the state for the preservation of farmland. He stated that new radios for first responders are in the capital budget and are moving towards a plan for implementation. He explained that funding the radios has not been completed. He explained that a \$1,500 tax rebate program for volunteer firefighters will be addressed at the April meeting. He stated that Cedarbrook nursing home construction will begin shortly, and Senator Casey helped to get a \$500,000 grant towards the project. He explained that there are only 15 counties in Pennsylvania that have county homes.

Mayor Gilbert issued the Oath of Office to Deputy Chief of Police, Bryan Hamscher.

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Mr. DeFrain issued a brief recess at 6:13 p.m. and reconvened the meeting at 6:19 p.m.

READING OF MINUTES

Motion by Mr. Hart, seconded by Ms. Baumgartner to adopt the March 20, 2023 Council Minutes as drafted. There were 6 ayes. Motion carried.

DECISION ON BIDS – None.

COMMUNICATIONS

- a. Dalton Link – Resignation from the Shade Tree Commission and the Emmaus Arts Commission effective June 20 and June 26, 2023, respectively. Mr. DeFrain directed Mr. Pepe to mail Mr. Link a letter of thanks.
- b. Road Closure Request for Block Party – Mr. DeFrain referred the item to staff.
- c. Emmaus Main Street Partners, Farewell to Summer Event Request. Mr. DeFrain referred the item to staff.
- d. Emmaus Main Street Partners, Old Fashioned Christmas Event Request. Mr. DeFrain referred the item to staff.
- e. April Schiel – Letter of Resignation as Full-time Paramedic effective May 22, 2023.
- f. Robert Hammond – Letter of Resignation as Codes Official effective April 28, 2023.

BOROUGH ENGINEER’S REPORT – None.

SOLICITOR’S REPORT

Solicitor Ulrich reported that he has been working with Mr. Pepe on the Comcast franchise agreement. He also reported that there are other items that have been discussed in Executive Session and he will provide Mr. Pepe with updates.

Progress.

UNFINISHED BUSINESS, PART I

Ordinance No. 1241 – An Ordinance of the Borough of Emmaus Amending Chapter 15 of the Consolidated Code of Ordinances, Extending Residential Permit Parking Areas to Additional Streets Throughout the Borough of Emmaus (1st Reading 4/3/23).

Mr. Hart explained that there have been numerous complaints about parking around Emmaus High School. He stated that the Police have spent many months surveying the area. He reviewed a map showing the expanded permit parking. Mr. Labenberg asked if there was discussion about extending Ridge Street to 6th Street. Mr. Pepe responded that it was not

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included in the discussion but does believe that the issue will continue. Mr. Labenberg questioned how much the permit costs. Mr. Pepe responded that the permit is \$1.00. Mr. Labenberg asked if there are visitor passes for family members. Mayor Gilbert responded affirmatively. Ms. Baumgartner questioned if there was a discussion with the school district concerning parking issues. Mr. Pepe responded that the school district is not able to govern parking on the street. He stated that the Ordinance is aimed at trying to improve the quality of life of the Borough residents. Mayor Gilbert explained that currently emergency vehicles may have a difficult time driving down Franklin Street.

Motion by Mr. Hart, seconded by Mr. Balliet to adopt Ordinance No. 1241 - An Ordinance of the Borough of Emmaus Amending Chapter 15 of the Consolidated Code of Ordinances, Extending Residential Permit Parking Areas to Additional Streets Throughout the Borough of Emmaus on its 1st Reading. Roll call vote: Mr. Labenberg, aye; Ms. Baumgartner, aye; Mr. Anders, aye; Mr. Balliet, aye; Mr. Hart, aye; Mr. DeFrain, aye. There were 6 ayes. Motion carried.

Ordinance No. 1242 – An Ordinance of the Borough of Emmaus Amending Chapter 15 of the Consolidated Code of Ordinances, Extending School Zone Parking Restrictions on Portions of Harrison Street, Amending Two Hour Parking Requirements on Certain Sections of Main Street, and Amending Disabled Parking Hours at a Portion of N. 5th Street (1st Reading 4/3/23).

Mr. Hart stated that the recommendation came from the Emmaus Police Department and Council extended the parking restrictions further than recommended. Mr. Pepe clarified that there are multiple parts of the Ordinance, including the school zone, a clerical mistake in a previous Ordinance, and a mistake with a handicapped parking sign on N. 5th Street.

Motion by Mr. Hart, seconded by Mr. Labenberg to adopt Ordinance No. 1242 - An Ordinance of the Borough of Emmaus Amending Chapter 15 of the Consolidated Code of Ordinances, Extending School Zone Parking Restrictions on Portions of Harrison Street, Amending Two Hour Parking Requirements on Certain Sections of Main Street, and Amending Disabled Parking Hours at a Portion of N. 5th Street on its 1st Reading. Roll call vote: Mr. Labenberg, aye; Ms. Baumgartner, aye; Mr. Anders, aye; Mr. Balliet, aye; Mr. Hart, aye; Mr. DeFrain, aye. There were 6 ayes. Motion carried.

Mr. DeFrain stated that the 2nd Reading of Ordinance Nos. 1241 and 1242 will be held at the May 1, 2023 Council meeting.

Ordinance No. 1243 – An Ordinance of the Borough of Emmaus Amending Chapter 6 of the Consolidated Code of Ordinances, Repealing a Section of Part 3, Alarms and Automatic Protection Devices, Including Sections of §6-302, §603, and §6-308 to Amend Sections of the Code that are not Enforced (1st Reading 4/3/23).

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Mr. Hart explained that the Ordinance is outdated and was implemented prior to security systems being widely used. Mr. Hart also explained that the Borough is not changing the penalty for multiple false alarms. Mr. Pepe explained that it is removing the requirement to register the alarm system with the Emmaus Police Department.

Motion by Mr. Hart, seconded by Ms. Baumgartner to adopt Ordinance No. 1243 - An Ordinance of the Borough of Emmaus Amending Chapter 6 of the Consolidated Code of Ordinances, Repealing a Section of Part 3, Alarms and Automatic Protection Devices, Including Sections of §6-302, §603, and §6-308 to Amend Sections of the Code that are not Enforced on its 1st Reading. Roll call vote: Mr. Labenberg, aye; Ms. Baumgartner, aye; Mr. Anders, aye; Mr. Balliet, aye; Mr. Hart, aye; Mr. DeFrain, aye. There were 6 ayes. Motion carried.

Mr. DeFrain stated that the 2nd Reading of Ordinance No. 1243 will occur at the May 1, 2023 Council meeting.

NEW BUSINESS – None.

UNFINISHED BUSINESS, PART II – None.

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

MAYOR’S REPORT

Mayor Gilbert reported that her list of activities for the 1st Quarter is available in the iPads.

Progress.

COMMITTEE REPORTS

a. Public Works Committee

Mr. Anders reported that the next Committee meeting is Wednesday, April 19, 2023 at 4:00 p.m. via Zoom.

Progress.

b. Health, Sanitation, and Codes Committee

Mr. Balliet reported that there is nothing for official action tonight. He explained that the Committee did not meet in March and the next Committee meeting is Wednesday, April 26, 2023 at 4:45 p.m. via Zoom.

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c. Parks and Recreation Committee

Ms. Baumgartner reported that the Committee has not met since the last Council meeting and stated that the next Committee meeting is Tuesday, April 4, 2023 at 4:45 p.m. via Zoom.

Progress.

d. Public Safety Committee

Mr. Hart reported that the next Committee meeting is Thursday, April 27, 2023 at 9:00 a.m. via Zoom.

Progress.

e. General Administration Committee

Mr. Labenberg reported that there is a construction change order for Borough Hall with options on repointing. Mr. Labenberg reviewed the options. Mr. Pepe explained that the drawings with the highlighted areas are in the Ipads. He stated that he and some council members met with the mason last week. He explained the options and presented the costs associated with the repairs needed. He stated that the whole project would cost approximately \$166,000, but the immediate need is \$60,000. He explained that the life expectancy for the remaining untouched mortar is 5-7 years if we only patch. He stated that Council must decide whether to repair the pointing or to repoint the entire building. Mr. Anders asked for a status update on the building budget. Mr. DeFrain updated Council on the budget. He stated that the Borough received a \$190,000 grant for the sprinkler system. He stated that the Borough also received interest gained from the proceeds on the bonds. He stated that he is in favor of spending the \$166,000 to make the necessary improvements now, rather than later. Mr. Pepe stated that there is enough money in the project fund, and it won't come out of the General Fund. He reminded Council that if the Borough receives additional construction change orders, then it may come out of the General Fund. Mr. DeFrain stated that a professional repointing job will last several decades. Mr. Hart stated that the Borough doesn't really have a choice and the work needs to be done. Mr. Balliet expressed concern that the contractor will begin the job and will then run into more issues and will need additional funding. Mr. Pepe responded that the \$166,000 is for the whole project, but he cannot guarantee that it won't happen.

Mr. Anders asked about the status of the water in the basement and if it has been resolved. Mr. Pepe responded that the sealant has been tested and the water is moving to another portion of the basement, but the construction company feels confident that the sealant will remediate the water issues. Mr. Pepe stated that he is not convinced.

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Motion by Mr. Labenberg, seconded by Mr. Hart to approve option #3 without the alternate in the amount of \$166,837.00.

Mr. Pepe stated that the motion needs to include the ribbon choice. Mr. Labenberg amended his motion and Mr. Hart amended his second.

Motion by Mr. Labenberg, seconded by Mr. Hart to approve option #3 without the alternate in the amount of \$166,837.00 with standard ribbon. There were 6 ayes. Motion carried.

Resolution 2023 -14 – A Resolution in Accordance with the Municipal Records Act of January 18, 1968 (P.L. 951, No. 428) as Approved for Local Government Records by the Pennsylvania Historical and Museum Commission Bureau of Archives and History, as Approved by the Commonwealth of Pennsylvania on December 18, 2008 and Amended July 23, 2009, Authorizing the Borough of Emmaus to Dispose of Certain Municipal Records.

Motion by Mr. Labenberg, seconded by Ms. Baumgartner to adopt Resolution 2023-14. There were 6 ayes. Motion carried.

Mr. Labenberg reported that the next Committee meeting is Thursday, April 6, 2023 at 9:00 a.m.

Progress.

f. Budget & Finance Committee

Resolution 2023-15 authorizing payment of the April 3, 2023 bill list as follows:

Bill List	\$	356,087.91
Payroll #6	\$	176,108.74
Payroll Taxes	\$	<u>56,019.12</u>
Total	\$	588,215.77

Done this 3rd day of April 2023.

Motion by Mr. Balliet, seconded by Mr. Labenberg to adopt Resolution 2023-15. There were 6 ayes. Motion carried.

Mr. DeFrain entertained questions about the Significant Revenue and Expense Items for March 2023 and reported that the next Committee meeting is Thursday, April 6, 2023 at 11:00 a.m. via Zoom.

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Progress.

g. Community Relations, Planning and Development Committee

Ms. Baumgartner reported that there is nothing for official action tonight. She reported that the next Committee meeting is Monday, April 24, 2023 at 4:30 p.m. via Zoom.

Progress.

PERSONAL APPEALS, PART II – None.

BOROUGH MANAGER’S REPORT

Mr. Pepe reported that staff hired William Judd as a part-time Public Works employee to work at the Borough’s Compost Site.

Mr. Pepe reported that staff hired, James Raynock, Molly Behr, Miel Orrison, Hanna Tigra, Lauren Kushma, William Reichart, Erin O’Neil, Sara Treaster, Jasmine Shahda, and Jordin Mitchell as lifeguard’s contingent upon successful completion of Lifeguard Training and Red Cross Lifeguard Certification. He reported that staff hired Alyssa Cole as a lifeguard and stated that she already holds a Red Cross Lifeguard Certification. Mr. Pepe stated that the returning lifeguards are Tristan Monahan (Assistant Pool Manager), Lily McAfee, Catherine Raynock (Head Guard), Enzo Gualtieri, Julia Brown, Sofie Laird, Paisley Wimmer, Keira Walther, Acacia Walck, and Tessa Seagreaves. He also reported that staff hired Preston Kehs, Grace Deppe, Adriana Alvarez, and Shawn Guidicelli as concession stand employees and returning concession stand employees are Sarah Schmeltzle, Hailey Riffel, and Sarah Hoch. Mr. Pepe stated that returning cashiers are Bridget Danish and Cain Wessner.

Mr. Pepe reported that a brief Executive Session is needed tonight to discuss a legal matter.

Progress.

PRESIDENT’S BUSINESS

Mr. DeFrain recessed the meeting at 7:04 p.m. for an Executive Session to discuss a legal matter with no action anticipated.

Mr. DeFrain reconvened the meeting at 7:14 p.m. with no action necessary.

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ADJOURNMENT

Motion by Mr. Hart, seconded by Mr. Balliet to adjourn the April 3, 2023 Emmaus Borough Council Meeting. There were 6 ayes. Motion carried.

The meeting was adjourned at 7:14 p.m.

Shane M. Pepe
Borough Manager

Transcribed by: Paula Weiant
Administrative Assistant
March 22, 2023