1. Call to Order
2. Pledge of Allegiance
3. Personal Appeals, Part I
4. Community Minute
5. Special Presentations
6. Reading of Minutes
   6.a. Council Meeting Minutes - 6.15.2020
7. Decisions on Bids
8. Communications
   8.a. K.Miller Letter to Emmaus Postmaster - 7.9.2020
   8.b. Letter of Resignation from Emmaus Recreation and Entertainment Commission - Kathy Mintzer
   8.c. Letter of Resignation from Emmaus Recreation and Entertainment Commission - Barbara Graff
   8.d. Letter of Resignation from Emmaus Recreation and Entertainment Commission - Donna Weaver
   8.e. Active Learning Center Letter requesting Parking Space Lease
   8.f. Letter requesting Dog Walking in Community Park
9. Borough Engineer's Report
10. Solicitor's Report
11. Unfinished Business, Part I
12. New Business
   12.a. Ordinance 1203: An ordinance amending Chapter 22: Subdivision and Land Development of the Codified Ordinances, amending submission deadlines, the number of printed submissions, and administrative details for final approval of submitted plans. First Reading 7.20.2020
13. Unfinished Business, Part II
14. Items Not on Agenda
   Subject to Rule 9
July 20, 2020

15. **Mayor’s Report**
   15.a. Mayor's Report
   15.b. Proclamation 2020 - 491 Founder’s Day

16. **Committee Reports**

   **Public Works/(Highway, Water & Sewer) (Anders, Labenberg, Balliet)**
   PennDOT Winter Traffic Services Contract renewal
   Meeting Minutes - 7.8.2020
   Next Meeting - 8.12.2020 @ 4:00 PM

   **Health, Sanitation, and Codes (Balliet, Sorg-McManamon, Hart)**
   Health Board Appointment - Keith Miller
   Ordinance 1203: An ordinance amending Chapter 22: Subdivision and Land Development of the Codified
   Ordinances, amending submission deadlines, the number of printed submissions, and
   administrative details for final approval of submitted plans. First Reading 7.20.2020
   Meeting Minutes - 6.24.2020
   Next Meeting - 7.29.2020 @ 4:30 PM

   **Parks and Recreation (Baumgartner, Anders, Balliet)**
   EYA Shed at Community Park
   Meeting Minutes - 7.7.2020
   Next Meeting - 8.4.2020 @ 4:45 PM

   **Public Safety (Hart, Sorg-McManamon, DeFrain)**
   SRO Contract Renewal
   Resolution 2020 - 25 Support of Fireworks Law Amendment
   Meeting Minutes - 7.13.2020
   Next Meeting - 9.14.2020 @ 9:15 AM

   **General Administration (Labenberg, Baumgartner, DeFrain)**
   Town Hall Roof
   Resolution 2020 - 23 Inter-municipal Liquor License Transfer - Wawa
   Hanover Engineering Letter of Credit Reduction dated 7.13.2020
   Pay Increase for Keith Miller
   Meeting Minutes 6.18.2020 & 7.2.2020
   Next Meeting - 8.27.2020 @ 9:00 AM

   **Budget and Finance (DeFrain, Hart, Labenberg)**
   Extension of Property Face Value / Penalty Period
   Resolution 2020 - 26: Bill List
   Significant Expenses and Revenue for June 2020
   2nd Quarter 2020 Budget Summary Report
   Meeting Minutes - 7.16.2020
   Next Meeting - 8.27.2020 @ 11:00 AM
July 20, 2020

Community Relations, Planning and Development (Sorg-McManamon, Anders, Baumgartner)
    Community Yard Sale - 9.12.2020
    Meeting Minutes - 7.13.2020
    Next Meeting - 8.10.2020 @ 4:30 PM

17. Jr. Council Member's Report

18. Boards and Commissions
    18.a. Zoning Hearing Board Meeting Minutes
    18.b. Community Garden Commission Meeting Minutes - 6.9.2020
    18.c. Emmaus Public Library Board of Trustees Meeting Minutes - 6.16.2020
    18.d. Planning Commission Meeting Minutes
    18.e. Employee and Volunteer Safety Committee Meeting Minutes - 6.24.2020

19. Personal Appeals, Part II

20. Borough Manager’s Report

21. President's Business

22. Adjournment
The Emmaus Borough Council met in Regular Session on July 20, 2020 in Borough Council Chambers, 28 S. 4th Street, Emmaus, PA 18049 and via Zoom on-line meeting.

CALL TO ORDER

Mr. Labenberg called the Meeting to order at 7:32 p.m.

Brent Labenberg, Council President  Present
Chris DeFrain, Council Vice President  Present via Zoom
Roy Anders  Present
Chad Balliet  Present
Shana Baumgartner  Present via Zoom
John W. Hart  Present
Teri Sorg-McManamon  Present
Jonas Hausmann, Jr. Council Member  Present via Zoom
LeeAnn Gilbert, Mayor  Present
Jeffrey Dimmich, Solicitor  Present
Shane Pepe, Borough Manager  Present

PERSONAL APPEALS, PART I - None.

COMMUNITY MINUTE

Mr. Balliet asked everyone to remember John Donches, who passed away on July 4th. He stated that Mr. Donches was very active in the community and local politics and stated that he will be greatly missed. Mr. Labenberg stated that Mr. Donches regularly attended Borough Council meetings and will be greatly missed.

SPECIAL PRESENTATIONS - None.

READING OF MINUTES

Motion by Mr. Hart, seconded by Mrs. Sorg-McManamon to adopt the June 22, 2020 Council Minutes as drafted. There were 7 ayes. Motion carried.

DECISION ON BIDS - None.

COMMUNICATIONS

   b. Kathy Mintzer – Letter of Resignation from the Emmaus Recreation and Entertainment Commission. Mr. Labenberg thanked Ms. Mintzer for her years of service on
EMMAUS BOROUGH COUNCIL

the Commission. Mr. Labenberg directed Mr. Pepe to send Ms. Mintzer a letter of thanks for her service.

c. Barbara Graff – Letter of Resignation from the Emmaus Recreation and Entertainment Commission. Mr. Labenberg directed Mr. Pepe to send Ms. Graff a letter of thanks for her service.

d. Donna Weaver – Letter of Resignation from the Emmaus Recreation and Entertainment Commission. Mr. Labenberg directed Mr. Pepe to send Ms. Weaver a letter of thanks for her service.

e. Active Learning Center – Letter requesting Parking Space Lease. Mr. Labenberg referred the item to the General Administration Committee.

f. Rosalie Sell, 145 S. 15th Street, Emmaus – Letter requesting Dog Walking Park in Emmaus Community Park. Mr. Labenberg referred the item to the Parks and Recreation Committee.

g. Patrolwoman Melanie Sayres – Letter of Resignation from the Emmaus Police Department. Mr. Pepe congratulated Ms. Sayres on her new job with the FBI. He stated that it is a great loss to the Borough and wished her great success.

BOROUGH ENGINEER’S REPORT – None.

SOLICITOR’S REPORT

Solicitor Dimmich reported that he has completed the Handicapped Permit Parking Ordinance and it is being reviewed at the Committee level.

Progress.

UNFINISHED BUSINESS, PART I – None.

NEW BUSINESS

Ordinance No. 1203 – An Ordinance Amending Chapter 22: Subdivision and Land Development of the Codified Ordinances, Amending Submission Deadlines, the Number of Printed Submissions, and Administrative Details for Final Approval of Submitted Plans (1st Reading 07/20/20).

Motion by Mr. Balliet, seconded by Mr. Anders to adopt Ordinance No. 1203 - An Ordinance Amending Chapter 22: Subdivision and Land Development of the Codified Ordinances, Amending Submission Deadlines, the Number of Printed Submissions, and Administrative Details for Final Approval of Submitted Plans on its 1st Reading. Roll call vote: Mrs. Sorg-McManamon, aye; Mr. Anders, aye; Mr. Balliet, aye; Mr. Hart, aye; Mr. Labenberg, aye; Mr. DeFrain, aye; Ms. Baumgartner, aye. There were 7 ayes. Motion carried.

Mr. Balliet stated that the Ordinance will amend the timelines for submissions to the Planning Commission in order for all concerned parties to have more time to submit
EMMAUS BOROUGH COUNCIL

comments and reviews. Mr. Pepe stated that the Planning Commission is working towards conducting more business electronically and believes it will make the process more efficient.

UNFINISHED BUSINESS, PART II – None.

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

MAYOR’S REPORT

Mayor Gilbert reported that she has provided Council with a Quarterly Report for the 2nd Quarter of 2020.

Mayor Gilbert read Proclamation 2020-491 proclaiming July 30th of each year as a special day to show appreciation of the settlers in 1747 who established a Moravian Congregation of 44 people that evolved into the village of Emmaus, Pennsylvania.

Mayor Gilbert reported that she attended the 49th Annual Conference of Pennsylvania State Mayors Association and voted on Resolution 2020-03 asking to repeal the state law concerning the sale of fireworks.

Progress.

COMMITTEE REPORTS

a. Public Works Committee

Motion by Mr. Anders, seconded by Mr Balliet to enter into the PennDot Winter Traffic Services 5-Year Agreement. There were 7 ayes. Motion carried.

Mr. Anders reviewed the Committee notes. He reported that the Public Works Department will be purchasing a Crack-Sealing Machine. He reported that a survey has been posted on Facebook and the Borough’s website requesting feedback from residents on converting the Borough’s streetlights to LED.

Progress.

b. Health, Sanitation, and Codes Committee

Motion by Mr. Balliet, seconded by Mr. Hart to appoint Deputy Director of Emergency Services Keith Miller to the Health Board for a term expiring on 1/1/2021. There were 7 ayes. Motion carried.

Mr. Balliet reported that the next Committee meeting is Wednesday, July 29, 2020 at 4:30 p.m.
EMMAUS BOROUGH COUNCIL

Progress.

c. Parks and Recreation Committee

Ms. Baumgartner reported that the Emmaus Youth Association has requested placing an additional shed at the Emmaus Community Park.

**Motion by Ms. Baumgartner, seconded by Mrs. Sorg-Mcmanamon to grant the Emmaus Youth Association’s request to place an additional shed at the Emmaus Community Park contingent upon approval from the Zoning and Public Works Departments.** There were 7 ayes. Motion carried.

Ms. Baumgartner entertained questions about the Committee notes.

Ms. Baumgartner reported that the next Committee meeting is August 4, 2020 at 4:45 p.m.

Progress.

d. Public Safety Committee

Mr. Hart reported that the Committee discussed the reopening of the 2nd ambulance and it was agreed to discuss the item further at the August Committee meeting. He stated that the Committee voted unanimously to reopen the wheelchair transport business.

**Motion by Mr. Hart, seconded by Mrs. Sorg-McManamon to extend the Agreement between the Borough of Emmaus and the East Penn School District for the School Resource Officer.** There were 7 ayes. Motion carried.

Mr. Hart and Mr. Pepe both stated that Officer Kloss does an outstanding job at the High School, has an excellent rapport with the students, and that the partnership is invaluable.

Mrs. Sorg-McManamon commended Officer Kloss for engaging in programming and awareness training with both staff and students.

Mr. Hart stated that the Borough receives many complaints about fireworks and regarding individuals setting off fireworks illegally in the Borough. He stated that it is very difficult for the Emmaus Police, Fire and Public Safety Departments to track down and stop individuals who are illegally setting off fireworks. He stated that it is the intention of Borough Council to encourage our state legislators to make amendments to Act 43 of 2017.

EMMAUS BOROUGH COUNCIL

Mr. Labenberg stated that he will be voting against the motion because he does not believe the Resolution will change anything and the individuals that are setting off fireworks illegally will continue to do so. He stated that he believes it is an enforcement issue. He stated that he does not believe that each municipality should make their own laws in regards to the issue and that it is a state issue. He said that he is as concerned as everyone else and recognizes the enormity of the situation, but does not believe banning fireworks in the Borough of Emmaus will change anything. Mr. Anders asked if a Noise Ordinance would help with the situation. Solicitor Dimmich responded that the state government has preempted the field and municipalities are not able to amend the Act. Mrs. Sorg-McManamon stated that the Committee held a discussion and recognizes that possibly nothing will change, but she believes it is important for the municipalities to be heard. Ms. Baumgartner stated that the Resolution is a representation of the Borough’s stance on the matter.

Motion by Mr. Hart, seconded by Mr. Balliet to adopt Resolution 2020-25. There were 6 ayes, 1 opposed (Labenberg). Motion carried.

Mr. Hart reported that the next Committee meeting is September 14, 2020 at 9:15 a.m.

Progress.

e. General Administration Committee

Motion by Mr. Anders, seconded by Mrs. Sorg-McManamon to replace the roof at Town Hall. There were 7 ayes. Motion carried.

Resolution 2020-23 – A Resolution of Emmaus Borough, County of Lehigh, Commonwealth of Pennsylvania, Approving the Transfer of Restaurant Liquor License No. R-5432 into Emmaus Borough.

Motion by Mrs. Sorg-McManamon, seconded by Mr. Anders to adopt Resolution 2020-23. There were 7 ayes. Motion carried.

Motion by Mr. Balliet, seconded by Mr. Hart to grant the South Mountain Village Land Development’s Escrow Reduction. There were 7 ayes. Motion carried.

Mr. Pepe stated that at the June 18, 2020, General Administration Committee there was a discussion on Keith Miller’s role and his salary. Based on his duties and job title, the Committee voted unanimously to recommend increasing Keith Miller’s salary to $78,000 prorated and retroactive to June 15, 2020.

Motion by Mr. Hart, seconded by Mrs. McManamon to increase Deputy Director of Emergency Services, Keith Miller’s salary to $78,000 prorated and retroactive to June 15, 2020. There were 7 ayes. Motion carried.
EMMAUS BOROUGH COUNCIL

Mr. Labenberg reported that the next Committee meeting is August 27, 2020 at 9:00 a.m.

Progress.

f.  **Budget and Finance Committee**

Mr. DeFrain reported that the Committee recommends extending the Property Tax Face Value Period from July 31, 2020 to October 31, 2020.

**Motion by Mr. DeFrain, seconded by Mr. Hart to extend the Property Tax Face Value Period from July 31, 2020 to October 31, 2020.**

Mr. DeFrain amended his motion to say that there will be a 10% penalty after October 31, 2020 and after December 31, 2020, non-payment will be referred to the Solicitor for collection.

**Motion by Mr. DeFrain, seconded by Mr. Hart to extend the Property Tax Face Value Period from July 31, 2020 to October 31, 2020 with a 10% penalty after October 31, 2020 and after December 31, 2020, non-payment will be referred to the Solicitor for collection. There were 7 ayes. Motion carried.**

Resolution 2020-26, authorizing payment of the July 20, 2020 Bill List as follows:

<table>
<thead>
<tr>
<th></th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bill List</td>
<td>$524,147.78</td>
</tr>
<tr>
<td>Payroll #13, #14 &amp; #15</td>
<td>$481,640.13</td>
</tr>
<tr>
<td>Payroll Taxes</td>
<td>$257,369.51</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$1,263,157.42</strong></td>
</tr>
</tbody>
</table>

Done this 20th day of July 2020.

**Motion by Mr. DeFrain, seconded by Mr. Hart to adopt Resolution 2020-26. There were 7 ayes. Motion carried.**

Mr. DeFrain entertained questions about the Significant Revenue and Expense Items for June 2020 and the 2nd Quarter Budget Summary Report.

Mr. DeFrain reported that the next Committee Meeting is Thursday, August 27, 2020 at 11:00 a.m.

Progress.
EMMAUS BOROUGH COUNCIL


g. Community Relations, Planning and Development Committee

Motion by Mrs. Sorg-McManamon, seconded by Mr. Anders to hold the Borough-wide Community Yard Sale on Saturday, September 12, 2020 with a rain date of Sunday, September 13, 2020 with the guidelines that it is a one-family yard sale, no combining or sharing households, encouraging all residents and visitors to wear masks and practice social distancing, limit the amount of handling of the goods and encouraging one-way traffic at all tables.

Mr. Hart stated that he will be voting against the motion because he believes holding a Community Yard Sale risks exposure to the Coronavirus. Mr. Anders stated that he is in support of the yard sale but recommends amending the motion to include no indoor garage sales. Ms. Baumgartner stated that she will vote against the motion because the Community Yard Sale is extremely busy, she is concerned about sanitation measures and that it will be very difficult to enforce any conditions that are placed on the community-wide sale.

Motion by Mrs. Sorg-McManamon, seconded by Mr. Anders to hold the Borough-wide Community Yard Sale on Saturday, September 12, 2020 with a rain date of Sunday, September 13, 2020 with the guidelines that it is a one-family yard sale, no combining or sharing households and encouraging all residents and to wear masks, and practice social distancing, limit the amount of handling of the goods, encouraging one-way traffic at all tables, and no indoor garage sales. There were 5 ayes, 2 opposed (Baumgartner, Hart). Motion carried.

Mrs. McManamon entertained questions about the Committee notes.

Mrs. Sorg-McManamon reported that the next Committee meeting is August 10, 2020 at 4:30 p.m.

Progress.

h. Junior Council Member’s Report

Mr. Hausmann reported that the East Penn School District will have a block schedule starting the next school year and this will continue in 2021-2022. He stated that the East Penn School District is currently working on a master schedule to share with students and parents and once it is released, the school district will ask for comments and suggestions. He also reported that the Emmaus Theater Department has cancelled “Hello Dolly”. He reported that seniors will have a drive-up graduation on Saturday, July 25 and a virtual graduation on July 26, 2020. He reported that the Junior Prom has been cancelled. He provided updates on his Junior Council Project. He stated that the project will be completed in phases and will include four parks. He stated that this will make it possible to complete the 100-tree planting mandate. He stated that it will take multiple years to complete and will be completed by future Junior Council Members. He stated that he has a GoFundMe page to help defray the cost of the trees. Mr. Labenberg asked how much the trees will cost. Mr. Hausmann
EMMAUS BOROUGH COUNCIL

responded that a 10-gallon tree is $90.00 and a 5-gallon tree is $45.00. Mrs. Sorg-McManamon thanked Mr. Hausman and the Parks & Recreation Committee for the changes that have been made to the project. Mr. Hausmann thanked Council and everyone that has helped him throughout the project.

Progress.

PERSONAL APPEALS, PART II

A. Ryan Valasquez - thanked Mayor Gilbert for issuing the Anti-Discrimination Proclamation and thanked the Borough for taking a stance. He asked if the Proclamation could be made available on Facebook. Mrs. Sorg-McManamon responded that the Proclamation is on the Borough’s website, but not on Facebook. She stated that it was an oversight and it will be added to Facebook. He asked if the Use of Force Policy could be made public on the Borough’s website. Mayor Gilbert responded that there are no other policies posted on the Borough’s website and that the Policy will not be posted on the website. She stated that if Mr. Velasquez would like a copy of the Policy, he can fill out a Right-to-Know Request and he will be provided with the Policy.

BOROUGH MANAGER’S REPORT

Mr. Pepe reported that the Borough is currently working on several Ordinances. He stated that he will be on vacation from August 2 through August 16 and will be unavailable by phone. He stated that he will issue a memorandum on the current budget numbers shortly. He also stated that the state has released data with the expected loss of revenue and believes that it will be helpful for budget projections. He stated that the budget process has begun and budget workshops will run until the last one scheduled in December. He stated that the dump truck will be delivered the first or second week of August. He also stated that the Police Department vehicle should be delivered in the next week or two. He stated that there is a legal settlement for an employee that has been on worker’s compensation for two years and the Public Works Department will be down two employees. He stated that he anticipates hiring an employee in the winter. He stated that today was the due date for bids for 33 E. Minor Street and one bid was received. He also stated that the Borough needed to purchase 90 tons of road salt to fulfill its obligation for 2020. He stated that Upper Milford has donated one shed for the Borough to store a portion of the road salt.

Progress.

PRESIDENT’S BUSINESS

Progress.
EMMAUS BOROUGH COUNCIL

ADJOURNMENT

Motion by Mr. Anders, seconded by Mr. Balliet to adjourn the July 20, 2020 Emmaus Borough Council Meeting. There were 7 ayes. Motion carried.

The Meeting adjourned at 8:50 p.m.

Shane M. Pepe
Borough Manager

Transcribed by: Paula Weiant
Administrative Assistant
July 29, 2020