

July 6, 2009

EMMAUS BOROUGH COUNCIL

Emmaus Borough Council
Agenda
Monday, July 6, 2009, 7:00 PM

1. Call to Order
2. Pledge of Allegiance
3. Personal Appeals, Part I
4. Community Minute
5. Special Presentations
6. Reading of Minutes

June 15, 2009
7. Decision on Bids
8. Communications
 - a. Scott Fichter, EYA - Request to waive fee at Kiwanis Pavilion.
 - b. Nora Goldstein, 411 Barrett Road – Letter of interest to serve on Environmental Advisory Committee.
 - c. Nancy O’Keefe, Secretary, Shops of Emmaus – Best In Bloom Festival
9. Borough Engineer’s Report
10. Solicitor’s Report
11. Unfinished Business, Part I
 - a. **Ordinance No. 1044 – An Ordinance Approving the Agreement for the Exchange and Trade of Certain Real Estate Between Raven R. Mill and Mary M. Mill and the Borough of Emmaus (2nd Reading 7/6/09)**
12. New Business
13. Unfinished Business, Part II
14. Items Not on Agenda, Subject to Rule 9
15. Mayor’s Report

July 6, 2009

EMMAUS BOROUGH COUNCIL

16. Committee Reports

Public Works/(Highway, Water & Sewer) (Labenberg, Waddell, Brown)

1. Committee
 - a. I & I Elimination Report
 - b. Sidewalk Repairs

2. Solicitor

Health and Sanitation (Reinhard, Labenberg, Holtzhafer)

1. Committee
 - a. Refuse/Recycling Categories
 - b. Refuse Billing
 - c. Conservation

2. Solicitor

Parks and Recreation (Barrett, Labenberg, Holtzhafer)

1. Committee
 - a. Ice Rink/Skate Park
 - b. Raven Mill Trail Project
 - c. Meadow Pool
 - d. **Hiring Three Lifeguards**

2. Solicitor

Public Safety (Gilbert, Barrett, Brown)

1. Committee
 - a. Trailer Truck Parking
 - b. Tractor Trailer Unloading
 - c. **Hiring Fire Police Officer – Mark Wieder**

2. Solicitor

General Administration (Waddell, Gilbert, Barrett)

1. Committee
 - a. Historical Sites and Park Ordinance
 - b. Email for Council People
 - c. **Borough Manager Performance Appraisal Discussion**

2. Solicitor

July 6, 2009

EMMAUS BOROUGH COUNCIL

Budget and Finance (Holtzhafer, Gilbert, Reinhard)

1. Committee
 - a. **Bill List – Resolution 2009-19**
 - b. Historical Financial Research Project
 - c. **Policy for Use of Tax ID Number**
2. Solicitor

Community Relations/Development (Brown, Waddell, Reinhard)

1. Committee
 - a. **Park Update VFW/David's Electric**
 - b. **Facade Improvement Projects**
 - c. **Seven Generations Volunteer Project**
2. Solicitor

Ad Hoc Committees (Holtzhafer, Gilbert, Barrett, Neely, Mayor Iobst)

Community/School Relations

- a. Junior Council Member Draft Resolution Review and Application

17. Personal Appeals, Part II
18. Borough Manager's Report
 - a. **Significant Revenue and Expense Items for June 2009**
 - b. **Architectural Heritage Resolution**
19. President's Business
20. Adjournment

Next Resolution #20
Next Ordinance #1056

July 6, 2009

EMMAUS BOROUGH COUNCIL

The Emmaus Borough Council met in regular session on July 6, 2009 in Borough Council Chambers, 28 S. 4th Street, Emmaus, PA 18049.

CALL TO ORDER

Council President Waddell called the meeting to order at 7:00 p.m.

Michael Waddell, President	Present
Lee Ann Gilbert, Vice-President	Present
Brent Labenberg	Present
Wesley Barrett	Present
Nathan Brown	Present
Brian Holtzhafer	Absent
R. Erick Reinhard	Present
Winfield Iobst, Mayor	Present
Frank Procyk, Solicitor	Present
Craig Neely, Borough Manager	Present

PERSONAL APPEALS, PART I

a. **Frank Sadrovitz, 130 N 4th St**, voiced his concern over the amount of garbage on Chestnut Street due to the holiday and no garbage pick-up on the 4th of July.

COMMUNITY MINUTE

Dr. Waddell reminded everyone that the 2009 Anniversary Celebration Committee is always looking for volunteers. Potential volunteers can visit the Anniversary Committee's website or contact Mr. Neely for information about being involved.

SPECIAL PRESENTATIONS – None.

READING OF MINUTES

Motion by Mr. Labenberg, seconded by Mr. Barrett to dispense with the formal reading of the June 15, 2009 Minutes. There were 6 ayes. Motion carried.

Motion by Mr. Barrett, seconded by Mr. Brown to adopt the June 1, 2009 Minutes as drafted. There were 5 ayes. 1 abstention (Reinhard), Motion carried.

DECISION ON BIDS – None.

COMMUNICATIONS

a. Scott Fichter, EYA – Request to waive fee at Kiwanis Pavilion for Pixie Softball Picnic on July 28, 2009.

July 6, 2009

EMMAUS BOROUGH COUNCIL

Motion by Mr. Barrett, seconded by Mr. Reinhard to waive the pavilion fee at Kiwanis Pavilion on July 28, 2009. There were 6 ayes. Motion carried.

- b. Nora Goldstein, 411 Barrett Road – Letter of interest to serve on the Environmental Advisory Committee. Referred to the General Administration Committee.
- c. Nancy O’Keefe, Secretary, Shops of Emmaus – Best In Bloom Festival. Mr. Neely thanked the Shops of Emmaus for communicating the dates for the 2010 Best In Bloom Festival event.
- d. Nate Andrews, St. John’s Lutheran Church – Request for street closure. Referred to Staff and Mayor Iobst.
- e. Mr. Barrett and Mr. Neely advised that they received information from Mark Bowman of South Mountain Cycles, who is helping to organize a cyclocross race this fall. Referred to the Parks and Recreation Committee.

BOROUGH ENGINEER’S REPORT – None.

SOLICITOR’S REPORT – None.

UNFINISHED BUSINESS, PART I –

- a. Ordinance No. 1044 – An Ordinance Approving the Agreement for the Exchange and Trade of Certain Real Estate Between Raven R. Mill and Mary M. Mill and the Borough of Emmaus (2nd Reading 7/6/09).

Motion by Mrs. Gilbert, seconded by Mr. Barrett to read Ordinance No. 1044 in short title. There were 6 ayes. Motion carried.

Dr. Waddell read Ordinance No. 1044 – An Ordinance Approving the Agreement for the Exchange and Trade of Certain Real Estate Between Raven R. Mill and Mary M. Mill and the Borough of Emmaus.

Mr. Procyk stated that after the ordinance passes by vote, the Plans will be submitted to Salisbury Township and the Borough of Emmaus Planning Commission for approval.

Motion by Mr. Barrett, seconded by Mrs. Gilbert to adopt Ordinance No. 1044– An Ordinance Approving the Agreement for the Exchange and Trade of Certain Real Estate Between Raven R. Mill and Mary M. Mill and the Borough of Emmaus on its 2nd reading. Roll call vote: Mr. Labenberg – aye, Mr. Barrett – aye, Mr. Brown – aye, Mr. Reinhard – aye, Mrs. Gilbert – aye, Dr. Waddell – aye. There were 6 ayes. Motion carried.

NEW BUSINESS – None.

UNFINISHED BUSINESS, PART II – None.

July 6, 2009

EMMAUS BOROUGH COUNCIL

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

MAYOR'S REPORT

Mayor Iobst reported to Council that he also had Borough residents calling him concerning the garbage over the July 4 weekend. Progress.

COMMITTEE REPORTS

a. Public Works Committee

The next Committee meeting will be on July 15, 2009 at 8:00 a.m.

Progress.

b. Health and Sanitation Committee

The next Committee meeting will be on July 9, 2009 at 3:30 p.m. The Committee will continue to work on the refuse bid.

Progress.

c. Parks and Recreation Committee

Motion by Mr. Barrett, seconded by Mr. Labenberg to hire John Dickey at a rate of \$7.15 per hour, Hope Newswanger at a rate of \$7.15 per hour, and Cori Bishop at a rate of \$7.15 per hour as part time lifeguards to work at the Emmaus Community Pool for the 2009 season. There were 6 ayes. Motion carried.

Mr. Barrett stated that there were approximately 90-100 people in attendance at the first Family Movie Night that was held on June 24 at the Emmaus Community Park. He noted that other communities also held movie nights on the same night, which could have lowered our attendance. The next Movie Night is scheduled for July 22 at 8:00 p.m. at the Emmaus Community Park. "Hotel for Dogs" will be playing.

The next Committee meeting will be on July 7, 2009 at 3:30 p.m.

Progress.

d. Public Safety Committee

Motion by Mrs. Gilbert, seconded by Mr. Labenberg to hire Mark Wieder of Emmaus, as a volunteer fire police contingent upon passing a doctor's physical examination. There were 6 ayes. Motion carried.

The next Committee meeting will be on July 9, 2009 at 9:00 a.m. The Committee will be discussing the Seven Generations Charter School. Mrs. Gilbert reported that the

July 6, 2009

EMMAUS BOROUGH COUNCIL

Committee did an on-site assessment on June 29, where it considered the student drop-off zones, parking, and handicap ramps.

Dr. Waddell discussed his concern about bikers and skateboarders loitering at Triangle Park and asked Council if it had any recommendations. Mayor Iobst reported that Chief Faust has given orders to the Police Department to patrol Triangle Park more often. Mrs. Gilbert stated that the rules and regulations have been posted and she and Mr. Neely had a conversation about posting them at the kiosk. Dr. Waddell asked if any skateboarding or biking is allowed at the park. Mrs. Gilbert answered that the rules are the same as any Borough Park. Dr. Waddell asked what the repercussions are if someone is caught skateboarding or biking at Triangle Park. Mrs. Gilbert stated that skateboarding or biking would be a violation of the Ordinance and the individuals would be cited and would pay restitution if there is any damage to the park. Mr. Procyk stated that there would be a \$300.00 fine imposed and/or imprisonment of up to 90 days, if applicable, for a violation of the ordinance. The parks close at 9:00 p.m. Mrs. Gilbert stated that it may be necessary to issue a new ordinance prohibiting skateboarding from Downtown during a certain time period from 3rd Street to 5th Street. Mr. Labenberg stated that closing the park at 9:00 p.m. should be addressed. Mr. Brown stated that he spoke to several teenagers who complained that they have no where to skateboard in the Borough. Mr. Neely stated that he had a conversation with Mr. Clapper about ways to deter skateboarders and bike riders from loitering at Triangle Park.

Progress.

e. General Administration Committee

Dr. Waddell explained that the General Administration Committee has discussed a method for evaluating the Borough Manager's performance and has spoken to the Pennsylvania Association of Boroughs for recommendations. Dr. Waddell reviewed a copy of the Borough of Gettysburg Management Performance Evaluation. Mr. Brown asked who would be administering the performance evaluation. He suggested the use of a peer evaluation as well as Council's. Mrs. Gilbert reminded Council that the General Administration Committee was responsible for the hiring process and stated that the Borough Manager's evaluation should be handled by the Committee.

The next Committee meeting will be on July 22, 2009 at 9:00 a.m.

Progress.

f. Budget and Finance Committee

Mrs. Gilbert read Resolution 2009-19, authorizing payment of the July 6, 2009 Bill List as follows:

Bill List	\$ 264,204.25
Payroll #1	\$ 235,569.31
Payroll Taxes	\$ 72,010.06
Total	\$ 571,783.62

July 6, 2009

EMMAUS BOROUGH COUNCIL

Done this 6th of July 2009.

Motion by Mrs. Gilbert, seconded by Mr. Reinhard to adopt the July 6, 2009 Bill List. There were 6 ayes. Motion carried.

Progress.

g. Community Relations/Development Committee

Mr. Brown reported that on June 24, 2009, the Committee met with the Seven Generations Charter School concerning its request to conduct two clean-ups in local parks during the 2009-2010 school year. The Committee recommends allowing the school to volunteer to clean up trash at the Emmaus Community Park contingent on it providing a Certificate of Liability Insurance. The clean-up will be on September 19, 2009 from 10:00 a.m. until 12:00 p.m. The school will provide its own garbage bags and gloves, and will place yard signs at the park announcing the event. The age ranges of the groups involved are from 2nd to 4th grade. Mr. Brown reported that the school would like to hold an Annual Clean-Up. He stated that the school would like to hold its next Clean-Up on March 20, 2010. He also stated that the Committee is in the process of determining which parks need the most work.

A motion was made by Mr. Brown, seconded by Mr. Reinhard to allow the Seven Generations Charter School to volunteer its services at the Emmaus Community Park on September, 19 2009 contingent on it providing a Certificate of Liability Insurance and allowing it to place yard signs at the Park during the Clean-Up. There were 6 ayes. Motion carried.

Dr. Waddell commended the Seven Generations Charter School for its volunteer efforts.

Mr. Brown noted that the Emmaus Main Street Program received a \$30,000 grant to help complete 13-15 commercial façade improvements. He also stated that the VFW is currently installing its elevator. Mr. Neely stated that he has received preliminary drawings from Chris Brown suggesting changes to the front of the VFW and provided a copy to the contractor installing the elevator.

The next Committee meeting will be on July 22, 2009 at 4:00 p.m.

Progress.

h. Ad Hoc Committee – Community School Relations – None.

PERSONAL APPEALS, PART II - None.

July 6, 2009

EMMAUS BOROUGH COUNCIL

BOROUGH MANAGER'S REPORT

Mr. Neely noted the Significant Revenue and Expense Items for June 2009.

Mr. Neely reported that the Emmaus Main Street Program will need to obtain a Special Occasion Permit to sell alcohol during the 2009 Anniversary Celebration Weekend. He stated that in order to obtain this permit, under the PLCB regulations, the Emmaus Main Street Program would need to qualify as "an organization preserving the architectural heritage of a Borough." He stated that the Program is such an organization, as preservation of heritage is part of its charter. Mr. Neely stated that a resolution has been drafted and will be submitted to the PLCB based on an approval by Council.

A motion was made by Mrs. Gilbert, seconded by Mr. Reinhard to adopt a Resolution recognizing the Emmaus Main Street Program as an organization in the Borough of Emmaus whose purpose is to preserve the architectural heritage of the Borough of Emmaus. There were 6 ayes. Motion carried.

Progress.

PRESIDENT'S BUSINESS –

Dr. Waddell stated that the Triangle Park lights will be lit at 9:00 p.m. He also stated that Brothers of the Brush/Centennials Belles will be holding a meeting on July 13, 2009 at 6:00 p.m. at the VFW and encouraged everyone to attend.

Dr. Waddell thanked Jeff Clapper and Craig Neely for their hard work and dedication to the Triangle Park renovation.

ADJOURNMENT

Motion by Mr. Barrett, seconded by Mr. Brown to adjourn. There were 6 ayes. Motion carried.

The meeting of the Emmaus Borough Council adjourned at 7:42 p.m.

Craig B. Neely
Borough Manager

Transcribed by: Paula Weiant
Administrative Assistant
July 08, 2009