

August 3, 2009

EMMAUS BOROUGH COUNCIL

Emmaus Borough Council
Agenda

Monday, August 3, 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

July 20, 2009
7. Decision on Bids
8. Communications
 - a. Michael Waddell, 2009 Anniversary Celebration Chairperson – 2009 Celebration requests.
 - b. Louis W. Serensits, 334 Spruce Street – Request street closure for Spruce Street annual block party.
 - c. Carl C. Gingrich, 2009 Train Committee – Train excursion requests.
 - d. Alan Hawman, Memory Day Committee – Memory Day event requests.
 - e. Bruce Fritch, President, Lehigh County Humane Society – 2010 Animal Control Fees.
 - f. Kathleen Haney, Shops of Emmaus – Bedlam in Emmaus
9. Borough Engineer's Report
10. Solicitor's Report
11. Unfinished Business, Part I
12. New Business
13. Unfinished Business, Part II
14. Items Not on Agenda, Subject to Rule 9
15. Mayor's Report

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16. Committee Reports

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

Next Meeting – August 12, 2009 at 8:00 a.m.

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

2. Solicitor

Health and Sanitation (Reinhard, Labenberg, Holtzhafer)

Next Meeting – August 13, 2009 at 3:30 p.m.

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

2. Solicitor

Parks and Recreation (Barrett, Labenberg, Holtzhafer)

Next Meeting – August 4, 2009 at 3:30 p.m.

1. Committee
 - a. Ice Rink/Skate Park
 - b. Raven Mill Trail Project
 - c. Meadow Pool

2. Solicitor

Public Safety (Gilbert, Barrett, Brown)

Next Meeting – August 13, 2009 at 9:00 a.m.

1. Committee
 - a. Trailer Truck Parking
 - b. Tractor Trailer Unloading

2. Solicitor

General Administration (Waddell, Gilbert, Barrett)

Next Meeting – August 12, 2009 at 9:00 a.m.

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

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2. Solicitor

Budget and Finance (Holtzhafer, Gilbert, Reinhard)

Next Meeting – August 17, 2009 at 6:45 p.m.

1. Committee

- a. **Bill List – Resolution 2009-23**
- b. Historical Financial Research Project
- c. Policy for Use of Tax ID Number
- d. **2009 Celebration - Overtime**

2. Solicitor

Community Relations/Development (Brown, Waddell, Reinhard)

Next Meeting – August 26, 2009 at 4:00 p.m.

1. Committee

- a. South Side Master Plan
- b. Downtown Master Plan – Parking Deck, VFW, David's Electric
- c. Triangle Project Expansion

2. Solicitor

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

Next Meeting – To be scheduled.

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 July 2009**

19. President's Business

20. Adjournment

Next Resolution #24
Next Ordinance #1056

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The Emmaus Borough Council met in regular session on August 3, 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	Present
R. Erick Reinhard	Present
Winfield Iobst, Mayor	Present
Frank Procyk, Solicitor	Present
Craig Neely, Borough Manager	Present

PERSONAL APPEALS, PART I - None.

COMMUNITY MINUTE

Dr. Waddell reminded that the 2009 Anniversary Celebration Committee is always looking for volunteers. Kathy Mintzer seeks volunteers for the Anniversary Parade. 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. Reinhard, seconded by Mr. Barrett to dispense with the formal reading of the June 20, 2009 Minutes. There were 7 ayes. Motion carried.

Motion by Mr. Reinhard, seconded by Mr. Barrett to adopt the June 20, 2009 Minutes as drafted. There were 7 ayes. Motion carried.

DECISION ON BIDS – None.

COMMUNICATIONS

a. Michael Waddell, 2009 Anniversary Celebration Chairperson – 2009 Celebration requests.

Motion by Mr. Labenberg, seconded by Mr. Brown to give the 2009 Anniversary Committee permission for vendors to sell food and the 2009 Committee and others to sell souvenirs on August 15, 2009 at the Emmaus Community Park. There were 7 ayes. Motion carried.

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Motion by Mr. Labenberg, seconded by Mr. Brown to extend the 9:00 p.m. curfew at the Emmaus Community Park until midnight on August 15 for the 2009 Anniversary Celebration festivities. There were 7 ayes. Motion carried.

b. Louis W. Serensits, 334 Spruce Street – Request street closure for Spruce Street annual block party. Referred to Staff and Mayor Iobst.

c. Carl C. Gingrich, 2009 Train Celebration – Train excursion requests.

Mr. Neely commented that he will talk to Rodale about using two parking lots on Minor Street for extra parking needs for the train excursion. Mr. Holtzhafer suggested opening the compost site for extra parking. Mayor Iobst stated that there is plenty of parking on Minor Street and Kline's Lane. Referred to Staff.

d. Alan Hawman, Memory Day Committee – Memory Day event requests. Referred to Staff and Mayor Iobst.

e. Bruce Fritch, President, Lehigh County Humane Society – 2010 Animal Control Fees.

Mr. Neely explained that the Borough budgeted \$3,000 in 2009 for the Lehigh County Humane Society to dispose of animals found in the Borough. The Borough has already spent \$3,528 for 2009. Lehigh County terminated funding the Humane Society. The Humane Society mailed letters to all municipalities that dispose of their animals with them. In order to operate in 2010, the Humane Society will be charging a \$1.00 Per Capita Fee, which would raise the Borough's fee to over \$11,000. Mr. Neely reported that Council does not need to address the matter presently.

f. Kathleen Haney, Shops of Emmaus – Bedlam in Emmaus

The Shops of Emmaus offered a bed for the event at no charge to Council for its participation at the October 3 event. Council accepted the offer.

g. Lehigh County Executive Don Cunningham – Letter to Appoint Voting Delegates/Alternate to Tax Collection Committee. Referred to General Administration Committee.

h. Robert Slusaw – Donation of 30' Spruce Tree for Christmas.

i. Shelly Steiner – Enclosing Arts Pavilion during winter months. Referred to Parks and Recreation Committee.

BOROUGH ENGINEER'S REPORT – None.

SOLICITOR'S REPORT – None.

UNFINISHED BUSINESS, PART I – None.

NEW BUSINESS – None.

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UNFINISHED BUSINESS, PART II – None.

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

MAYOR'S REPORT

Progress.

COMMITTEE REPORTS

a. Public Works Committee

The next Committee Meeting will be on August 12, 2009 at 8:00 a.m.

Progress.

b. Health and Sanitation Committee

Mr. Reinhard reported that the Committee will meet on August 13, 2009 and will continue to work on the refuse bid.

Dr. Waddell reported about changing trash collection in the downtown, between 3rd and 4th Streets, due to the 2009 Anniversary Celebration. Trash collection in the block is moved from August 14 to August 13.

Mr. Reinhard reported that he attended a Board of Health Meeting. It discussed Louie's Bakery's request to prorate its food license, which will expire August 31. Council suggested obtaining further information before discussing the matter.

Mr. Reinhard stated that he researched battery recycling and the average rate for recycling alkaline batteries is 40 cents per pound. Lehigh County Hazardous Waste Disposal, which the County holds twice yearly, is another option.

Progress.

c. Parks and Recreation Committee

Mr. Barrett reported that the second Family Movie Night was held on July 22. There were approximately 200 people in attendance. He also reported that the Summer Parks Program ended on July 31. There were 65-75 children who consistently attended, which was an increase over the last two years.

Mr. Labenberg suggested that a donation box be placed at Family Movie Night to help defer costs.

The next Committee Meeting will be on August 4 at 3:30 p.m.

Progress.

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d. Public Safety Committee

The next Committee Meeting will be on August 13 at 9:00 a.m.

Dr. Waddell commended Mrs. Gilbert for her help with the 2009 Anniversary Celebration.

Progress.

e. General Administration Committee

Dr. Waddell reported that the Committee discussed a performance appraisal for the Borough Manager. He reminded Council that the Borough Manager's position is an "at will" position. Mr. Holtzhafer asked if all department heads are "at will" employees. Mr. Neely responded that all department heads are "at will" employees except for Police Chief Faust, who is protected by Civil Service. Mr. Holtzhafer asked if any department heads receive performance evaluations. Dr. Waddell replied that department heads are not receiving them. Mr. Reinhard asked if Borough employment applications specify "at will" employment at time of hire. Mr. Neely suggested that unsatisfactory performances be stated in writing.

Dr. Waddell stated that the Committee discussed the ordinance for A-frame signs in reference to a personal appeal from Kurt Feldman at the July 20 Council Meeting. The Committee will continue to evaluate the ordinance.

Progress.

f. Budget and Finance Committee

Mr. Holtzhafer read Resolution 2009-23, authorizing payment of the August 3, 2009 Bill List as follows:

Bill List	\$ 378,598.18
Payroll #15	\$ 115,126.56
Payroll Taxes	<u>\$ 34,662.96</u>
Total	\$ 528,387.70

Done this 3rd day of August, 2009.

Dr. Waddell discussed the 2009 Anniversary Celebration and the overtime hours that will be needed to ensure public safety during the Celebration. Dr. Waddell stated that the 2009 Anniversary Committee will not be able to pay for all of the expenses for overtime. Mr. Neely explained that the overtime could be expensed under the Contingency Fund Line Item, 480.501, with a budget of \$94,060 without having to make any transfers of funds. The costs are estimated as follows:

Fire Department:	\$750
Police Department (including Fire Police)	\$12,000
Ambulance Corps	\$ 4,200

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Public Works	<u>\$ 2,000</u>
Total	\$18,950

Mr. Labenberg stated that he was under the impression that the Contingency Fund would be used for emergencies and does not feel that the Celebration is an emergency. Mr. Neely explained that the Contingency Fund is used to not just meet emergencies but also to supplement revenue shortfalls. Dr. Waddell stated that the 2009 Anniversary Committee will pay the Contingency Fund back with whatever amount it has. He stated that he can provide the exact figures at the Council Meeting on August 17. Mr. Labenberg suggested taking donations at the parking areas at the Emmaus Community Park and at the Emmaus High School before the Closing Ceremony to help defray some of the costs. Dr. Waddell confirmed that donations will be taken at the Closing Ceremonies. Mr. Brown stated that the 2009 Anniversary Celebration is a once-in-a-lifetime opportunity for the community and questioned whether the Borough has fully explored volunteer opportunities. Mr. Labenberg asked whether the compost site will be closed on August 15. Mr. Labenberg also stated that it may be difficult to obtain volunteers so close to the Anniversary Celebration Weekend. Mr. Holtzhafer reported that the Budget & Finance Committee is in favor of using the Contingency Fund to support the overtime hours used for the Celebration, hoping that the Celebration Weekend will raise enough money to repay the Contingency Fund.

Progress.

g. Community Relations/Development Committee

Mr. Brown stated that the last Committee Meeting was cancelled and the next meeting will be held on August 26, 2009 at 4:00 p.m. The Committee will continue to discuss the Triangle Park Expansion and the Southside Master Plan.

Mr. Labenberg mentioned that there are no trash receptacles at Triangle Park. Mr. Neely stated that when the project is completed trash receptacles will be placed at Triangle Park. Until then, one temporary receptacle will be used. Mr. Labenberg questioned why the Triangle is being called "Triangle Park". He stated that it has always been known as "The Triangle". Dr. Waddell stated that it started two years ago when the improvement project began.

Progress.

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

Progress.

PERSONAL APPEALS, PART II

- a. **Frank Sadrovitz, 130 N. 4th Street**, asked about homeowners' trash collection during the Anniversary Celebration Weekend. Mr. Neely stated that the only areas affected are between 3rd and 4th Streets on Main and Chestnut Streets. Mr. Sadrovitz voiced his concern about Ridge Street being closed for the Anniversary Parade because of the trucks parked there to install new windows at the high rise. Mr. Neely advised that the trucks will be moved for the August 15 events.

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BOROUGH MANAGER'S REPORT

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

Mr. Neely reviewed the costs for installation of the fence, and the posts to install the boardwalk, costs for surveying and for obtaining Municipal approval from Emmaus and Salisbury and the costs of the appraisals for the Klines Lane Trail. Mr. Neely stated that the Borough would like to retain the fence contractor. He will be applying for a Lehigh County Green Future Fund Grant, which is a matching Grant. Maria Rodale has committed \$10,000 towards the project and Raven and Mary Mill have contributed \$3,500 towards surveying and municipal approvals. The total funds available for the project would be approximately \$27,000. The estimate for the fence, posts, approvals, and appraisals is almost \$27,000. Mr. Neely will have the application for the Grant completed and needs Council's approval to submit the Green Future Fund Grant Application. County approval would take approximately 6 weeks. Mr. Brown asked how much is currently in the Green Future Fund and what the time frame is for spending the funds. Mr. Neely replied that we have about \$320,000 available. Mr. Neely stated that there are volunteers willing to place the decking at the trail, which will help defray some of the expenses.

Motion by Mr. Brown, seconded by Mrs. Gilbert to grant approval to Mr. Neely to submit the Application to Lehigh County for a Green Future Fund Grant for work to be completed at Kline's Lane Trail. There were 7 ayes. Motion carried.

PRESIDENT'S BUSINESS

Dr. Waddell reminded everyone to visit the 2009 Anniversary Celebration website at www.2009emmaus.org. He also presented a limited collection 2009 Anniversary plate. The cost is \$25.00 and they are available through the website, Town Hall, and through several stores in the Borough. He also mentioned that souvenirs are still available. He commended Mr. Neely, Corrine Durdock, and Teri Sorg-McManamon for their work on the 2009 Anniversary Newsletter.

Mayor Iobst presented Dr. Waddell with a derby to wear for the 2009 Anniversary Celebration Weekend.

Mr. Neely stated that he received a letter from Ruth Grohal of the Centennial Belles and reminded Council that both the Centennial Belles and Brothers of the Brush are looking for new members. The fee to become a new member is \$10.00.

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ADJOURNMENT

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

The meeting of the Emmaus Borough Council adjourned at 8:02 p.m.

Craig B. Neely
Borough Manager

Transcribed by: Paula Weiant
Administrative Assistant
August 6, 2009