

August 17, 2009

EMMAUS BOROUGH COUNCIL

Emmaus Borough Council
Agenda

Monday, August 17, 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

August 3, 2009

7. Decision on Bids
8. Communications
 - a. Carolyn Serva, BSA Minsi Trails Council – Request use of park to host Cub Scout Day Camp, 2010.
 - b. Michael Waddell – Schuylkill Haven Borough Day
 - c. James B. Martin, Lehigh County District Attorney – Financial support for Child Abuse Program.
 - d. James B. Martin, Lehigh County District Attorney – Community Contributions to the Lehigh County Municipal Emergency Response Team.
 - e. Laurie Moyer, Lehigh County Grants and Housing Manager – Approved CDBG funding for Parking Deck Feasibility Study.
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

August 17, 2009

EMMAUS BOROUGH COUNCIL

16. Committee Reports

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

Next Meeting – September 9, 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 – September 10, 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 – September 1, 2009 at 3:30 p.m.

1. Committee
 - a. Ice Rink/Skate Park
 - b. Raven Mill Trail Project (**Trail Name**)
 - c. Meadow Pool
 - d. **Art Pavilion – Enclosure**
 - e. **Geese at Furnace Dam**
 - f. **RCN Summer Concert Series Broadcast**

2. Solicitor

Public Safety (Gilbert, Barrett, Brown)

Next Meeting – September 10, 2009 at 9:00 a.m.

1. Committee
 - a. Trailer Truck Parking
 - b. Tractor Trailer Unloading
 - c. **Seven Generations Charter School Parking Restriction Recommendations**

2. Solicitor

General Administration (Waddell, Gilbert, Barrett)

Next Meeting – August 26, 2009 at 9:00 a.m.

August 17, 2009

EMMAUS BOROUGH COUNCIL

General Administration (continued)

1. Committee
 - a. Historical Sites and Park Ordinance
 - b. Email for Council People
 - c. **Appointing Borough Manager to the Tax Collection Committee, Treasurer as alternate.**
 - d. A-Frame Signs/Sign Ordinance
 - e. **Probationary Period – Paula Weiant**
 - f. **Nora Goldstein - Appointment to the Environmental Advisory Council**

2. Solicitor

Budget and Finance (Holtzhafer, Gilbert, Reinhard)

Next Meeting – August 25, 2009 at 3:30 p.m.

1. Committee
 - a. **Bill List – Resolution 2009-24**
 - 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 First Half of August 2009**
 - b. **DEP Recycling Grant**

August 17, 2009

EMMAUS BOROUGH COUNCIL

19. President's Business

20. Adjournment

Next Resolution #25
Next Ordinance #1056

The Emmaus Borough Council met in regular session on August 17, 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	Absent
Brian Holtzhafer	Present
R. Erick Reinhard	Present
Winfield Iobst, Mayor	Present
Frank Procyk, Solicitor	Present
Craig Neely, Borough Manager	Present

PERSONAL APPEALS, PART I

a. **Grant Nunn/Suzie Nunn - 943 Broad St**, stated that they believed that the Borough arranged for condominiums and offices to be built on their property. Mr. Nunn stated that he has lived in the Borough for ten years and feels that someone from Council should have spoken to him ahead of time.

Mr. Neely explained that the Southside Master Plan, to which the Nunn's were referring, is designed as a tool for municipalities to use to envision future potential uses of properties and types of things that could be done at certain locations. Mr. Neely stated that the Borough would not be taking the Nunn's' property for condominiums and offices. He explained that only businesses were notified about the Master Plan and apologized for not notifying the Nunn's of the process. Mr. Neely also explained that his office is always open and he would be more than happy to discuss the Southside Master Plan with the Nunn's or any Borough resident.

b. **Teryl Madison, Emmaus Main Street Program**, thanked Borough Council and everyone involved in making the 2009 Anniversary Celebration a great success.

August 17, 2009

EMMAUS BOROUGH COUNCIL

- c. **C. Richard Chartrand, East Penn Press**, thanked Borough Council for consideration with the 2009 Celebration and wished them guidance and wisdom when planning the next Celebration.
- d. **Robert Boehmer, Emmaus Arts Commission**, commented about the Celebration and thanked Borough Council, the Mayor, and the behind the scenes people who made the event possible.
- e. **Roger Whitcomb, 402 Mountain Blvd**, expressed how proud he is to be part of the Emmaus community.
- f. **Martha Vines, 11 E Main St, Emmaus Public Library**, thanked Borough Council and expressed her gratitude towards everyone that made the 2009 Anniversary Celebration a success.

COMMUNITY MINUTE

Dr. Waddell reminded that the 2009 Anniversary Celebration Committee is still looking for volunteers. He also noted for the record that Councilman Brown was not present.

SPECIAL PRESENTATIONS – None.

READING OF MINUTES

Motion by Mr. Labenberg, seconded by Mr. Reinhard to dispense with the formal reading of the August 3, 2009 Minutes. There were 6 ayes. Motion carried.

Motion by Mr. Labenberg, seconded by Mr. Reinhard to adopt the August 3, 2009 Minutes as drafted. There were 6 ayes. Motion carried.

DECISION ON BIDS – None.

COMMUNICATIONS

- a. Carolyn Serva, BSA Minsi Trails Council – Request use of park to host a Cub Scout Day Camp in July, 2010. Referred to the Parks and Recreation Committee.
- b. Michael Waddell – Schuylkill Haven Borough Day. Referred to Community Relations/Development Committee.
- c. James B. Martin, Lehigh County District Attorney – Financial support for Child Abuse Investigator Program. Mr. Neely stated that the Borough budgeted \$1,500, and that \$1,250 for the Lehigh County Child Abuse Program is included on the Bill List.
- d. James B. Martin, Lehigh County District Attorney – Municipal Contributions to the Lehigh County Municipal Emergency Response Team. No action needed.
- e. Laurie Moyer, Lehigh County Grants and Housing Manager – Approved CDBG funding for Parking Deck Feasibility Study. Mr. Neely explained that the Borough has

August 17, 2009

EMMAUS BOROUGH COUNCIL

received a grant in the amount of \$20,000 towards a Parking Deck Feasibility Study. The money will become available after January 1, 2010. Referred to Community Relations/Development Committee.

- f. Cari D. Peters, Environmental Advisory Committee – Letter of Resignation.

Motion by Mrs. Gilbert, seconded by Mr. Holtzhafer to accept the resignation of Cari D. Peters from the Environmental Advisory Council. There were 6 ayes. Motion carried.

BOROUGH ENGINEER’S REPORT – None.

SOLICITOR’S REPORT – None.

UNFINISHED BUSINESS, PART I – None.

NEW BUSINESS – None.

UNFINISHED BUSINESS, PART II – None.

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

MAYOR’S REPORT

Mayor Iobst thanked Mr. Barrett for his efforts with the fireworks. He commented on how wonderful the weekend was and how much it meant to him personally and as a community member. He thanked Mrs. Gilbert for wearing his mother’s dress from the 1959 Celebration.

COMMITTEE REPORTS

- a. Public Works Committee

Mr. Labenberg stated that the Committee compared sewage flow volumes from the end of July 2008 to the end of July 2009 and reported that there is a difference of 20,000,000 million gallons, which demonstrates how much storm water has been eliminated from the sewer system by the I & I Elimination Program. He also reported that the I & I Program is 50% complete.

Mr. Labenberg complimented the efforts of Dr. Waddell and Mr. Neely in making the 2009 Anniversary Celebration a great success. He stated that he hopes that there is a way to reward the businesses and the community for supporting the Celebration. He commented on the fireworks, and thanked the volunteers.

Progress.

- b. Health, Sanitation, and Conservation Committee

August 17, 2009

EMMAUS BOROUGH COUNCIL

Mr. Reinhard reported that the Committee will meet on August 27, 2009 at 3:30 p.m. to complete the Refuse/Recycling Bid.

He also reported that the Committee has agreed to contact the Seven Generations Charter School about fundraising opportunities with recycling batteries.

He commented on how wonderful the Celebration weekend was and thanked everyone involved.

Progress.

c. Parks and Recreation Committee

Mr. Barrett reported that the Committee met on August 4 at 3:30 p.m. It seeks a name for the trail at Kline's Lane and asked Council for its input. He stated that the Committee would like the trail name to have an historical reference.

He also stated that the Committee discussed enclosing the Arts Pavilion during the winter. Mr. Neely reported that staff is not in favor of enclosing the Pavilion due to cost, practicality, and safety issues.

Mr. Barrett reported that the Committee will keep the issue of geese at Furnace Dam on its agenda and believes that it is an issue that can be resolved.

He reported that RCN seeks permission to set up a tent and film the Summer Concert on August 23, 2009. He stated that RCN may want to distribute souvenirs and solicit their services.

Motion made by Mr. Labenberg, seconded by Mr. Barrett to allow RCN to tape the summer concert and to hand out souvenirs, but with no solicitation of their services, on August 23, 2009. There were 4 ayes, 2 opposed (Mr. Holtzhafer, Mr. Barrett). Motion carried.

Mr. Labenberg stated that he feels having a concert filmed by RCN is good publicity for the Borough and is not opposed to them soliciting their services.

Mr. Holtzhafer stated that he would like to have input from the Sadrovitz's before making a decision. Mr. Sadrovitz stated that he feels having a concert filmed by RCN is good publicity for the Borough. Mrs. Sadrovitz stated that she received a call from RCN about taping the summer concert and feels the publicity is good. Mr. Barrett stated that he doesn't agree with selling services in the park and does not want to set a precedent. Mrs. Gilbert asked if RCN is still willing to tape the concert if they are not allowed to hand out souvenirs and solicit. Mr. Neely stated that he had a conversation with an RCN representative who said that they would tape the concert regardless of whether they are able to solicit their services.

Mr. Barrett thanked the 2009 Anniversary Committee and commented that recognition of the event extended throughout the Lehigh Valley.

Progress.

August 17, 2009

EMMAUS BOROUGH COUNCIL

d. Public Safety Committee

Mrs. Gilbert presented three restricted parking zones for Minor Street associated with the Seven Generations Charter School that need to be placed in the form of a motion. The first one is a “no parking” student drop-off zone for the south side of Minor Street. Two signs would read, “No Parking, School Days, 7:30 a.m. to 4:00 p.m.” on the south side of Minor Street between Cherry Street and Keystone Street.

Motion by Mrs. Gilbert, seconded by Mr. Barrett to install two signs reading, “No Parking, School Days, 7:30 a.m. to 4:00 p.m.” to be placed on the south side of Minor Street between Cherry and Keystone Streets for a 90-day trial period. There were 5 ayes, 1 opposed (Mr. Holtzhafer). Motion carried.

Mr. Holtzhafer stated that he did not have the opportunity to look at the proposed zones. Mrs. Gilbert reminded him that it is a 90-day trial period and if there are any objections they could be discussed at a future meeting. He asked if residents would be affected by the changes. Mrs. Gilbert replied that residents would not be affected.

Motion by Mrs. Gilbert, seconded by Mr. Reinhard to install two signs reading, “Bus Parking Only, School Days, 7:30 a.m. to 4:00 p.m.” on the south side of Minor Street for a distance of 161 ft. for a 90-day trial period. There were 5 ayes, 1 opposed (Mr. Holtzhafer). Motion carried.

Motion by Mrs. Gilbert, seconded by Mr. Barrett to install two signs reading, “No Parking, Student Drop-Off Zone, School Days, 7:30 a.m. to 4:00 p.m. on the North side of Minor Street between Cherry and Keystone Streets for a distance of 305 ft. for a 90-day trial period. There were 5 ayes, 1 opposed (Mr. Holtzhafer). Motion carried.

Mrs. Gilbert commended the entire Borough emergency staff and commented that the 2009 Celebration Weekend had only a couple very minor incidents. She stated that it was an honor to serve with Borough Council and the 2009 Anniversary Committee and that the Celebration weekend was very successful.

Progress.

e. General Administration Committee

Mr. Neely explained that there is a new state law that requires that each municipality have a seat on the County Tax Collection Committee that will deal with county-wide Earned Income Tax collection. The law requires each municipality to appoint a representative and an alternate to the Committee. The General Administration Committee recommends that the Borough Manager be appointed as the representative and the Treasurer as the alternate.

Motion by Mr. Barrett, seconded by Mrs. Gilbert to appoint the Borough Manager as the Borough’s representative to the Lehigh County Tax Collection Committee and the Borough Treasurer as the alternate. There were 6 ayes. Motion carried.

August 17, 2009

EMMAUS BOROUGH COUNCIL

Motion by Mrs. Gilbert, seconded by Mr. Barrett to recommend Paula Weiant to full-time employment status at a rate of \$16.46 per hour. There were 6 ayes. Motion carried.

Motion by Mr. Barrett, seconded by Mrs. Gilbert to appoint Nora Goldstein to the Environmental Advisory Council for a term ending March 7, 2010. There were 6 ayes. Motion carried.

Progress.

f. Budget and Finance Committee

Mr. Holtzhafer read Resolution 2009-24, authorizing payment of the August 17, 2009 Bill List as follows:

Bill List	\$ 387,941.39
Payroll #16	\$ 124,597.38
Payroll Taxes	\$ 37,805.03
Total	\$ 550,343.80

Done this 17th of August, 2009.

Motion by Mr. Holtzhafer, seconded by Mr. Reinhard to adopt the August 17, 2009 Bill List. There were 5 ayes, 1 opposed (Mr. Labenberg). Motion carried.

Mr. Labenberg was opposed because he is not in favor of funding the Lehigh County Child Abuse Investigator, which is on the Bill List. He agrees with having the Program, but believes that Lehigh County should be funding it.

Progress.

g. Community Relations/Development Committee – No Report.

Progress.

h. Ad Hoc Committee – Community/School Relations

Mr. Holtzhafer reported that the Ad Hoc Committee will be meeting in the near future. On the agenda for the next Committee Meeting will be emergency services for football games at the Emmaus High School stadium. Mr. Holtzhafer thanked Dr. Siedenberger for the use of the Emmaus High School stadium for the 2009 Celebration events that were held there.

Mr. Holtzhafer expressed his pride about living in the Borough of Emmaus.

Progress.

PERSONAL APPEALS, PART II

August 17, 2009

EMMAUS BOROUGH COUNCIL

- a. **Gene Clock, 228 Main Street, President - Emmaus Main Street Program**, thanked Mr. Neely for helping the Program obtain the PLCB license for the beer truck at the Triangle on Friday, August 14.

BOROUGH MANAGER'S REPORT

Mr. Neely noted the Significant Revenue and Expense Items for the first half of August 2009. He reported that he will have an updated Budget Report by next Council Meeting. He also reported that the Borough has received \$41,611.00 from the Department of Environmental Protection for the Act 101 Recycling Performance Grant.

Mr. Neely stated that he was very impressed with the depth of feelings expressed during and after the 2009 Celebration Weekend.

Progress.

PRESIDENT'S BUSINESS

Dr. Waddell commented how thankful he is to live in Emmaus and how proud he is of the community. He commented that everyone worked together to accomplish a common goal and everyone had a particular skill set for what needed to be done and he thanked everyone involved in the Celebration. He said that it was a privilege to be involved in the Celebration Weekend and reminded everyone that the Celebration is a year long event. Dr. Waddell reported that the 2009 Anniversary Committee will provide Council with expense figures after the train excursions in October.

Mr. Labenberg thanked the East Penn Press and The Morning Call for promoting the Celebration Weekend.

Dr. Waddell returned the black derby that Mayor Iobst loaned to him and thanked him for allowing him to be an "Honorary Dutchman" for two weeks.

ADJOURNMENT

Motion by Mr. Labenberg, seconded by Mr. Reinhard to adjourn. There were 6 ayes. Motion carried.

The meeting of the Emmaus Borough Council adjourned at 8:28 p.m.

Craig B. Neely
Borough Manager

Transcribed by: Paula Weiant
Administrative Assistant
August 20, 2009