

January 18, 2010

EMMAUS BOROUGH COUNCIL

**Emmaus Borough Council  
Agenda  
Monday, January 18, 2010, 7:00 PM**

1. Call to Order
2. Pledge of Allegiance
3. Personal Appeals, Part I
4. Community Minute
5. Special Presentations
  - Emmaus Lions Club K9 Program Recognition - Proclamation 2010 - 262
6. Reading of Minutes
  - a. December 31, 2009
  - b. January 4, 2010
7. Decisions on Bids
8. Communications
  - a. Roger Whitcomb, Emmaus Main Street Program – October 2-4, 2010 Beerfest.
  - b. Chris DeFrain, 181 Harrison St. – Letter of resignation from the Parks and Recreation Commission.
  - c. Budd Coates, Rodale, Inc. – Emmaus Community Pool rental.
  - d. Kathy Line, Lincoln Elementary School – Kiwanis and Williams Street Fields Reservation.
  - e. Adam Bean, 234 North St. – Letter of resignation from the Library Board.
  - f. Chris Cassidy, The Lehigh Valley Coalition on Affordable Housing – Request for monetary contribution.
  - g. Jon Larson, Emmaus Aquatic Club – Emmaus Community Pool rental.
9. Borough Engineer's Report
10. Solicitor's Report

January 18, 2010

EMMAUS BOROUGH COUNCIL

11. Unfinished Business, Part I

- a. **Ordinance No. 1056 – An Ordinance Amending Chapter 15, Sections 403 and 404(a), Abandoning No Parking Zone and Establishing Restricted Parking Zones and Bus Parking Zones on School Days Along East Minor Street Associated with the Seven Generations Charter School. (90 day trial period expires 11/15/09) (1<sup>st</sup> Reading 12/21/09) (2<sup>nd</sup> Reading 1/18/10)**
- b. **Ordinance No. 1065 – An Ordinance of the Borough of Emmaus, Lehigh County, Pennsylvania, Amending the Code of Ordinances, Chapter 1, Part C, Article VII of Exhibit A, Entitled “Borough of Emmaus Police Pension Plan” to Comply with Act 600 of 1956, as Amended by Act 51 of 2009, the Emergency and Law Enforcement Personal Death Benefits Act, Effective as Provided in the Amendment. (1<sup>st</sup> Reading 12/21/09) (2<sup>nd</sup> Reading 1/18/10)**

12. New Business

13. Unfinished Business, Part II

14. Items Not on Agenda, Subject to Rule 9

15. Mayor’s Report

16. Committee Reports

**Public Works/(Highway, Water & Sewer)**

Next Meeting – February 4, 2010 at 3:00 p.m.

1. Committee

- a. I & I Elimination Report
- b. Sidewalk Repairs
- c. Weiders Lane Status

2. Solicitor

**Health, Sanitation, and Conservation**

Next Meeting – February 11, 2010 at 3:30 p.m.

1. Committee

- a. Riparian Buffer Ordinance

2. Solicitor

January 18, 2010

EMMAUS BOROUGH COUNCIL

**Parks and Recreation**

Next Meeting – February 2, 2010 at 3:30 p.m.

1. Committee
  - a. Ice Rink/Skate Park
  - b. Raven Mill Trail Project (Trail Name)
  - c. Geese at Furnace Dam
  
2. Solicitor

**Public Safety**

Next Meeting – February 11, 2010 at 9:00 a.m.

1. Committee
  - a. Trailer Truck Parking
  - b. Tractor Trailer Unloading
  - c. **Parking Zones for Seven Generations Charter School – Ordinance No. 1056 (2<sup>nd</sup> Reading 1/18/10)**
  - d. Mulberry Street—One Way Southbound
  - e. Car Show/Bed Race Detour
  
2. Solicitor

**General Administration**

Next Meeting – February 10, 2010 at 9:00 a.m.

1. Committee
  - a. **Amendment to Police Pension Plan – Ordinance No. 1065 (2<sup>nd</sup> Reading 1/18/10)**
  - b. **Appointment of Kevin Farnish to Fire Inspector – Resolution 2010 – 3**
  - c. Appointment of Linda Waddell to the Emmaus Arts Commission (Term 2/1/10 – 2/1/2015)
  
2. Solicitor

**Budget and Finance**

Next Meeting – February 1, 2010 at 6:45 p.m.

1. Committee
  - a. **Bill List – Resolution 2010 - 04**
  - b. Per Capita Tax Ordinance
  - c. Act 44 Election
  
2. Solicitor

January 18, 2010

EMMAUS BOROUGH COUNCIL

**Community Relations/Development**

Next Meeting – January 27, 2010 at 4:00 pm.

1. Committee
  - a. South Side Master Plan
  - b. Downtown Master Plan – Parking Deck, VFW, David’s Electric
  - c. Triangle Project Expansion
  - d. Parking Deck Feasibility Study Request for Proposals
  - e. Emmaus Community Car Show / Emmaus Bed Race

2. Solicitor

**Ad Hoc Committees**

Next Meeting – To be determined.

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 January 2010**

19. President’s Business

- a. **Committee Assignments**

20. Adjournment

Next Resolution #5  
Next Ordinance #1067

---

The Emmaus Borough Council met in regular session on January 18, 2010 in Borough Council Chambers, 28 S. 4<sup>th</sup> Street, Emmaus, PA 18049.

**CALL TO ORDER**

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

Lee Ann Gilbert, President	Present
Brian Holtzhafer, Vice President	Present
Michael Waddell	Present
Brent Labenberg	Present

January 18, 2010

EMMAUS BOROUGH COUNCIL

Wesley Barrett	Absent
Nathan Brown	Present
Chris DeFrain	Present
Winfield Iobst, Mayor	Present
Frank Procyk, Solicitor	Present
Craig Neely, Borough Manager	Present

PERSONAL APPEALS, PART I

**Leslie Heffron, 981 Little Lehigh Dr.**, representing the Emmaus Arts Commission, thanked Borough members for help in planning the 4<sup>th</sup> Annual SnowBlast Winter Festival on February 5 and 6. She requested assistance from the Emmaus Police Department for Friday, February 5, from 5:00 p.m. to 9:00 p.m. in the Downtown, and Saturday, February 6, from Noon to 4:00 p.m. at the Emmaus Public Library. Referred to staff.

COMMUNITY MINUTE – None.

SPECIAL PRESENTATIONS

Mayor Iobst read Proclamation 2010-262 recognizing the Emmaus Lions Club support of the Emmaus Police Department's K9 Program. Police Chief Faust explained the history of the K-9 Program and thanked the Emmaus Lions Club for its having funded the Program since its inception.

Mr. Labenberg congratulated Mr. Barrett and his wife Sarah on the birth of their son, London. He also commented that the Council Meeting is the first one that Mr. Barrett has missed since he began serving on Council in January 2006.

READING OF MINUTES

- a. Minutes of December 31, 2009 Special Council Meeting.

**Motion by Mr. Labenberg, seconded by Dr. Waddell to dispense with the formal reading of the December 31, 2009 Minutes. There were 5 ayes, 1 abstention (DeFrain). Motion carried.**

**Motion by Mr. Labenberg, seconded by Dr. Waddell to adopt the December 31, 2009 Minutes as drafted. There were 5 ayes, 1 abstention (DeFrain). Motion carried.**

- b. Minutes of January 4, 2010 Council Meeting.

**Motion by Mr. Labenberg, seconded by Dr. Waddell to dispense with the formal reading of the January 4, 2010 Minutes. There were 6 ayes. Motion carried.**

Mr. DeFrain noted that his name was omitted as being present at the Meeting. Mr. Holtzhafer noted that on page 223, it reads "Dr. Waddell noted that the General Administration Committee voted 2-0 to recommend that Carol Bastian be appointed to the Emmaus General Authority." It should read that Carol Bastian is being "reappointed" to the

January 18, 2010

EMMAUS BOROUGH COUNCIL

Emmaus General Authority. He also noted that the paragraph underneath in bold type reads, "Motion by Dr. Waddell, seconded by Mr. Barrett to appoint Carol Bastian to the Emmaus General Authority" and it should read "to reappoint Carol Bastian to the Emmaus General Authority."

**Motion by Mr. Labenberg, seconded by Mr. DeFrain to accept the January 4, 2010 Minutes as amended. There were 6 ayes. Motion carried.**

DECISION ON BIDS – None.

COMMUNICATIONS

a. Dr. Roger Whitcomb, Emmaus Main Street Program – October 2-4, 2010 Beerfest. Referred to Community Relations/Development Committee.

Mrs. Gilbert asked Mr. Neely if there is a form that keeps track of events being held at the Triangle. Mr. Neely responded that there is a master calendar of all of the events including those being held at the Triangle. Dr. Waddell noted that there is nothing in Dr. Whitcomb's request that mentions closing E. Main Street. Mrs. Gilbert suggested that Dr. Whitcomb attend a Community Relations/Development Committee meeting to explore all of the details.

b. Chris DeFrain, 181 Harrison St. - Letter of resignation from the Parks and Recreation Commission.

**Motion by Mr. Labenberg, seconded by Mr. Brown to accept Mr. DeFrain's resignation from the Parks and Recreation Commission. There were 5 ayes, 1 abstention (DeFrain). Motion carried.**

Mr. Labenberg thanked Mr. DeFrain for his time served on the Parks and Recreation Commission.

c. Budd Coates, Rodale Inc. – Request for use of the Emmaus Community Pool from June 2 to September 2, 2010. Referred to the Parks and Recreation Committee.

d. Kathy Kline, Lincoln Elementary School – Kiwanis and Williams Street Fields Field Day Reservation, June 9, 2010 from 9 a.m. to 1:00 p.m. Referred to staff.

e. Adam Bean, 234 North St. – Letter of resignation from the Library Board.

**Motion by Mr. Labenberg, seconded by Dr. Waddell to accept Mr. Bean's resignation from the Library Board. There were 6 ayes. Motion carried.**

f. Chris Cassidy, The Lehigh Valley Coalition on Affordable Housing – Request for monetary contribution of \$8,941. Mrs. Gilbert stated that since the 2010 Budget has been approved the Borough cannot make a contribution, but directed that the letter be kept on file for future reference. Mr. Neely stated that he will send a letter to Ms. Cassidy stating so.

January 18, 2010

EMMAUS BOROUGH COUNCIL

g. Jon Larson, Emmaus Aquatic Club – Emmaus Community Pool rental. Referred to the Parks and Recreation Committee.

h. Sam Kennedy, 381 Barrett Rd. – Share the Road signs. Referred to the Public Works Committee.

MAYOR'S REPORT – Progress.

BOROUGH ENGINEER'S REPORT – None.

SOLICITOR'S REPORT – Progress.

UNFINISHED BUSINESS, PART I

Ordinance No. 1056 – An Ordinance Amending Chapter 15, Sections 403 and 404(a), Abandoning No Parking Zone and Establishing Restricted Parking Zones and Bus Parking Zones on School Days Along East Minor Street Associated with the Seven Generations Charter School. (90 trial period expires 11/15/09) (1<sup>st</sup> Reading 12/21/09) (2<sup>nd</sup> Reading 1/18/10).

**Motion by Mr. Labenberg, seconded by Mr. Brown to read Ordinance No. 1056 in short title. There were 6 ayes. Motion carried.**

Mr. Neely read Ordinance No. 1056 in short title.

**Motion by Dr. Waddell, seconded by Mr. Labenberg to adopt Ordinance No. 1056 – An Ordinance Amending Chapter 15, Sections 403 and 404(a), Abandoning No Parking Zone and Establishing Restricted Parking Zones and Bus Parking Zones on School Days Along East Minor Street Associated with the Seven Generations Charter School on its 2<sup>nd</sup> Reading. Roll call vote: Mr. Brown, aye, Mr. DeFrain, aye, Dr. Waddell, aye, Mr. Labenberg, aye, Mr. Holtzhafer, aye, Mrs. Gilbert, aye. There were 6 ayes. Motion carried.**

Ordinance No. 1065 – An Ordinance of the Borough of Emmaus, Lehigh County, Pennsylvania, Amending the Code of Ordinances, Chapter 1, Part C, Article VII of Exhibit A, Entitled “Borough of Emmaus Police Pension Plan” to Comply with Act 600 of 1956, as Amended by Act 51 of 2009, the Emergency and Law Enforcement Personnel Death Benefits Act, Effective as Provided in the Amendment. (1<sup>st</sup> Reading 12/21/09) (2<sup>nd</sup> Reading 1/18/10).

**Motion by Mr. Labenberg, seconded by Mr. Brown to read Ordinance No. 1065 in short title. There were 6 ayes. Motion carried.**

Mr. Neely read Ordinance No. 1065 in short title.

**Motion by Dr. Waddell, seconded by Mr. Labenberg to adopt Ordinance No. 1065 – An Ordinance of the Borough of Emmaus, Lehigh County, Pennsylvania, Amending the Code of Ordinances, Chapter 1, Part C, Article VII of Exhibit A, Entitled “Borough of Emmaus Police Pension Plan” to Comply with Act 600 of 1956, as Amended by Act 51 of 2009, the Emergency and Law Enforcement Personnel Death**

January 18, 2010

EMMAUS BOROUGH COUNCIL

**Benefits Act, Effective as Provided in the Amendment on its 2<sup>nd</sup> Reading. Roll call vote: Dr. Waddell aye, Mr. DeFrain, aye, Mr. Brown, aye, Mr. Labenberg, aye, Mr. Holtzhafer, aye, Mrs. Gilbert, aye. There were 6 ayes. Motion carried.**

NEW BUSINESS – None.

UNFINISHED BUSINESS, PART II

Mrs. Gilbert noted that the Agenda is missing an ordinance for a 90-day trial period for Mulberry Street to be changed to one way southbound.

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

PRESIDENT’S BUSINESS – Moved forward on the Agenda.

Mrs. Gilbert appointed Committee members as follows:

- a. Public Works Committee  
Mr. Labenberg, Chair  
Mr. Brown  
Mrs. Gilbert
- b. Health, Sanitation, and Conservation Committee  
Mr. DeFrain, Chair  
Mr. Holtzhafer  
Dr. Waddell
- c. Parks and Recreation Committee  
Mr. Barrett, Chair  
Mr. Holtzhafer  
Mr. Labenberg
- d. Public Safety Committee  
Mrs. Gilbert, Chair  
Mr. Barrett  
Mr. Brown

January 18, 2010

EMMAUS BOROUGH COUNCIL

- e. General Administration Committee  
Dr. Waddell, Chair  
Mr. Barrett  
Mr. Labenberg
- f. Budget and Finance Committee  
Mr. Holtzhafer, Chair  
Mr. DeFrain  
Mrs. Gilbert
- g. Community Relations/Development Committee  
Mr. Brown, Chair  
Mr. DeFrain  
Dr. Waddell
- h. Ad Hoc-Community/School Relations Committee  
Mr. Holtzhafer, Chair  
Mr. Barrett  
Mrs. Gilbert  
Mayor Iobst

The Lehigh County Congress of Governments (COG) representative will be Mr. Barrett.

The Emmaus Main Street Program representative will be Mr. Brown.

The Emmaus Arts Commission representative will be Dr. Waddell.

COMMITTEE REPORTS

- a. Public Works Committee (Labenberg, Brown, Gilbert)

Mr. Labenberg reported that the first Committee Meeting of the year will be on February 4, 2010 at 3:00 p.m.

Progress.

- b. Health, Sanitation, and Conservation Committee (DeFrain, Holtzhafer, Waddell)

Mr. DeFrain reported that the first Committee Meeting of the year will be on February 11, 2010 at 3:30 p.m.

Progress.

- c. Parks and Recreation Committee (Barrett, Holtzhafer, Labenberg)

Mrs. Gilbert reported that the first Committee Meeting of the year will be on February 2, 2010 at 3:30 p.m.

January 18, 2010

EMMAUS BOROUGH COUNCIL

d. Public Safety Committee (Gilbert, Barrett, Brown)

Mrs. Gilbert reported that the first Committee Meeting of the year will be on February 11, 2010 at 9:00 a.m.

Progress.

e. General Administration Committee (Waddell, Barrett, Labenberg)

Dr. Waddell reported that the General Administration Committee is recommending the reappointment of Kevin Farnish as Fire Inspector for a term expiring on January 3, 2011.

**Motion by Dr. Waddell, seconded by Mr. Brown to reappoint Kevin Farnish as Fire Inspector for a term expiring on January 3, 2011. There were 6 ayes. Motion carried.**

Dr. Waddell reported that the first Committee Meeting of the year will be on February 10, 2010 at 9:00 a.m.

Progress.

f. Budget and Finance Committee (Holtzhafer, DeFrain, Gilbert)

Mr. Holtzhafer read Resolution 2010-4, authorizing payment of the January 18, 2010 Bill List, as follows:

<b>Bill List</b>	<b>\$ 177,331.26</b>
<b>Payroll #26</b>	<b>\$ 118,296.42</b>
<b>Payroll Taxes</b>	<b>\$ 37,519.43</b>
<b>Total</b>	<b>\$ 331,147.11</b>

Done this 18th day of January 2010.

**Motion by Mr. Holtzhafer, seconded by Mr. DeFrain to adopt the January 18, 2010 Bill List. There were 6 ayes. Motion carried.**

Mr. Holtzhafer reported that he distributed a health benefit analysis that lists employee contributions to health care coverage in 9 municipalities and 5 local businesses. The Committee will discuss the analysis and make recommendations on how non-union employees will contribute to their health care benefits. He noted that the majority of municipalities and businesses are asking for contributions towards health care. Mr. Labenberg stated that the Borough is asking non-union employees for a 2.9% contribution toward health care.

January 18, 2010

EMMAUS BOROUGH COUNCIL

Mr. Holtzhafer reported that Mr. Neely prepared a memorandum and supplied Council with a copy of the 2010 Budget and revised budget pages reflecting possible increased borrowing. Mr. Neely reported that he spoke with Christine Snyder, who initially anticipated a \$20,000 cash carry over going into 2010. He stated that the actual cash carry over is approximately \$50,000. He noted that several Council members were interested in revisiting the 2010 Budget, specifically the borrowing of \$1.5 million, possibly reinserting the Broad Street Reconstruction Project into the Budget and including a \$39,000 Reserve Fund for capital projects. He noted that he supplied Council with a copy of the 2010 Budget and a copy of pages from the 2010 Budget noting the possible line item changes reflecting the borrowing of \$1.5 million dollars. He also noted that he received information from the Borough's Financial Advisor about the debt service to borrow \$1.5 million being \$9,700 more in 2010 than if the Borough borrowed more than what is currently in the Budget. In subsequent years, the debt service would be \$16,000 per year more to borrow the extra \$435,000. He noted that because the Fund Balance Line Item can be increased by \$30,000, there is enough money in the Budget under the tax rate that was passed in December to afford the \$1.5 million without changing the tax rate.

**Motion by Mr. Holtzhafer, seconded by Dr. Waddell to amend the 2010 Budget to reflect Mr. Neely's changed Line Items.**

**Motion amended by Mr. Holtzhafer, with Dr. Waddell amending his second to amend the 2010 Budget to reflect the following changes: to borrow \$1.5 million instead of the previously approved borrowing, to fund the Reconstruction of Broad Street and to place \$39,500 into the Reserve Fund.**

**Motion amended by Mr. Holtzhafer, with Dr. Waddell amending his second to amend the 2010 Budget, Line Item 340.120, Fund Balance, from \$20,000 to \$50,000, General Fund Total Revenue from \$8,176,169 to \$8,206,169, Line Item 393.002, Loan Proceeds, from \$1,060,500 to \$1,500,000, which would change the Capital Reserve Fund Header Total from \$1,780,000 to \$2,219,500. A Reserve Fund Line Item would be added to the Capital Reserve Fund Expenditures in the amount of \$39,500. Line Item 430.931, Reconstruction of Broad Street, would change from \$50,000 to \$450,000 and would change the Header Total from \$400,500 to \$800,500. The Capital Reserve Fund Total Revenues and Total Expenditures would change from \$1,780,000 to \$2,219,500, and Line Item 392.010, Transfer from General Fund, would change from \$515,973 to \$530,973, and the 2010 Bond issue from \$515,973 to \$530,973, and Line Item 480.501, Contingency Account, from \$50,070 to \$65,070, and Line Item 492.023, Transfer to Debt Service, from \$515,973, to \$530,973, which would change the General Funds Expenditures Header Total for the Contingency Equity Reserves from \$1,068,244 to \$1,098,244. Total Expenses and Total Revenues would change from \$8,176,169 to \$8,206,169. There were 3 ayes, 3 opposed (Brown, Labenberg, DeFrain). Mayor Iobst voted in favor of amending the 2010 Budget as stated in the Motion. Motion carried.**

Mr. Labenberg stated that the 2010 Budget was already approved and cannot be reopened on Mr. Holtzhafer's motion because he voted to approve the Budget. He stated that the only Council Members able to reopen the Budget are ones that opposed the Budget or a new Council Member. Mr. Neely responded that the Borough Code provides that once a new Council is reorganized, Council is authorized to amend the Budget. Under the Code it is a fresh start. Mr. Labenberg asked Solicitor Procyk for clarification. Solicitor Procyk stated that

January 18, 2010

EMMAUS BOROUGH COUNCIL

Mr. Neely is correct and that it is stated in the Borough Code in Section 1311. Mr. Neely read the Borough Code, Section 1311. Mr. Labenberg stated that he will oppose the Motion and believes the \$30,000 extra in the General Fund should be placed in the Capital Improvement Line Item. He also stated that the Borough will never be able to save if it keeps borrowing money. Mr. Brown stated that he will vote against the Motion because he feels that he needs more time to evaluate the Budget. He asked if the vote on the Motion could take place at the Council Meetings on February 1 or February 16. Dr. Waddell stated his concern that waiting on the Broad Street project will cost the Borough more in future years. He also stated that he is concerned that interest rates will go up if the Borough does not borrow the money in 2010. Mr. DeFrain stated that in 2008 the opening cash balance was \$300,000, in 2009 it was \$23,000 and in 2010 it is \$50,000. He noted that the Borough is down \$250,000 in its cash balance and the Borough is looking to borrow \$1 million to \$1.5 million. He is concerned that the Borough does not have any reserve if there are emergencies. He stated that he is going to vote against the loan and does not like the way the loan is structured. Mr. Labenberg questioned if the Borough windows are included in this motion. Mr. Neely responded that there is a Reserve Fund in General Capital Projects of \$39,500. Mr. Labenberg stated that he would prefer to take the \$39,500 out of the borrowing. Mr. Neely stated that if Council was interested in amending the Budget, it would need to be done line item by line item. Mr. Brown commented that the \$30,000 increased fund balance should either be saved or put towards Borough Hall Upgrades. Mr. DeFrain stated that the Borough originally tried to obtain a loan and was unsuccessful in doing so. Mr. Neely corrected that the bank was willing to give the Borough a loan at 4.25%, which was a higher interest rate than the Borough is willing to pay. Mr. Neely stated that the net performance of the 2009 Budget was higher than what was reflected in the Budget due to the fact that there was money owed between funds. Mr. Holtzhafer corrected that there was money owed between funds and there was difficulty keeping track of money being moved between the Sewer, Water, and General Funds. Mr. Neely reminded that the Budget will be on display for ten days, will be advertised in the newspaper and Council will be voting on the Resolution adopting the Amended Budget at the February 1, 2010 Council Meeting. Mr. Labenberg stated that before borrowing \$400,000 for the Broad Street project, the Committee should discuss whether funds could be used from the Water and Sewer Funds to fund the project. Dr. Waddell agreed that considering Mr. Labenberg's suggestion is a good idea.

Progress.

g. Community Relations/Development Committee (Brown, DeFrain, Waddell)

Mr. Brown reported that the Committee will meet on January 27, at 4:00 p.m., where it will meet with three firms to discuss the Parking Deck Feasibility Study. The Committee hopes to have the Feasibility Study completed by April 1, 2010 and will present a report at the February 1, 2010 Council Meeting.

Progress.

h. Ad Hoc-Community/School Relations Committee(Holtzhafer, Barrett, Gilbert, Iobst)

Mrs. Gilbert stated that if any Council Member is interested in serving on the Committee she would step down.

January 18, 2010

EMMAUS BOROUGH COUNCIL

Progress.

PERSONAL APPEALS, PART II

a. **Otto Slozer, 121 E Elm Street**, voiced concern about the Borough reopening the Budget, borrowing \$1.5 million dollars and questioned whether any of the funds are not allocated for specific projects. Mr. Neely responded that there is one item under General Capital Projects which is not yet specifically assigned. Mr. Slozer asked whether the Borough is legally allowed to borrow money without having it specifically set aside for projects. He stated that he believes the City of Allentown borrowed money without allocating the money for specific projects and lost a case in court. Mr. Labenberg asked Mr. Neely to follow up and make sure that the Borough is following the correct procedure for borrowing funds.

BOROUGH MANAGER'S REPORT

Mr. Neely advised that the Significant Revenue and Expense Items for the 1<sup>st</sup> half of January are in the binders, and offered to entertain any questions about it.

PRESIDENT'S BUSINESS

Mrs. Gilbert reminded that the SnowBlast Festival is February 5 and 6, and tickets are on sale for the SnowBlast dance.

ADJOURNMENT

**Motion by Mr. Labenberg, seconded by Dr. Waddell to adjourn. There were 6 ayes. Motion carried.**

The meeting of the Emmaus Borough Council adjourned at 8:11 p.m.

Craig B. Neely  
Borough Manager

Transcribed by: Paula Weiant  
Administrative Assistant  
January 19, 2010