

July 20, 2009

EMMAUS BOROUGH COUNCIL

Emmaus Borough Council
Agenda
Monday, July 20, 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 6, 2009

7. Decision on Bids
8. Communications
 - a. Nancy O'Keefe, Shops of Emmaus – Upcoming events.
 - b. Kathleen Haney, Shops of Emmaus – Requests for upcoming events.
 - c. Nancy O'Keefe, Shops of Emmaus – Letter of thanks to Borough employees.
 - d. Rev. David Schoen, Bethel Bible Fellowship Church – Request street closure for church block party.
 - e. Scott Paul, 43 S. 2nd Street – Train noise complaint.
 - f. Karen Buck, 623 Alden Drive – Request street closure for Alden Drive neighborhood block party.
9. Borough Engineer's Report
 - a. **618 Furnace Street Minor Subdivision**
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
16. Committee Reports

July 20, 2009

EMMAUS BOROUGH COUNCIL

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. **CycloCross – Bicycle Race**
 - e. **Girl Scouts Park Use Request**
2. Solicitor

Public Safety (Gilbert, Barrett, Brown)

1. Committee
 - a. Trailer Truck Parking
 - b. Tractor Trailer Unloading
 - c. **Appointment of Donald Riley, Jr. and Donald R. Riley, III to Fire Department**
 - d. **Seven Generations Charter School**
 - e. **Appointments to Permanent Full Time Police Status – Knoblauch and Quintero**
2. Solicitor

General Administration (Waddell, Gilbert, Barrett)

1. Committee
 - a. Historical Sites and Park Ordinance
 - b. Email for Council People
1. Committee (continued)

July 20, 2009

EMMAUS BOROUGH COUNCIL

- c. Borough Manager Performance Appraisal Discussion

2. Solicitor

Budget and Finance (Holtzhafer, Gilbert, Reinhard)

1. Committee

- a. **Bill List – Resolution 2009-20**
- b. Historical Financial Research Project
- c. Policy for Use of Tax ID Number
- d. **Wildlands Conservancy – Request for Donation**

2. Solicitor

Community Relations/Development (Brown, Waddell, Reinhard)

1. Committee

- a. Park Update VFW/David's Electric
- b. Facade Improvement Projects
- c. Seven Generations Charter School - 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 First Half of July 2009**
- b. **Punk Rock Reunion, August 8, 2009 – Items for Sale**
- c. **Records Retention Resolution 2009 - 22**

19. President's Business

20. Adjournment

Next Resolution #23
Next Ordinance #1056

July 20, 2009

EMMAUS BOROUGH COUNCIL

The Emmaus Borough Council met in regular session on July 20, 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

a. Victor Franzone, 18 Cherry St, has questions about the rules and regulations for Triangle Park, in specific, what is meant by the word “conveyance.” He noted that bikes are not allowed at the park, but there is a bicycle rack there. He also stated that he believes wheelchairs, wagons, and strollers are a means of conveyance. He is wondering if there can be special exceptions listed to the rules at the Park. He also stated that the rules and regulations are confusing and need to be simplified.

Dr. Waddell stated that the word “conveyance” is a broad term and thanked Mr. Franzone for stating his concerns. Mr. Barrett stated that writing the rules and regulations for Triangle Park have been assigned to the Public Safety Committee. Mrs. Gilbert stated that the Public Safety Committee will be devising rules and regulations specific to Triangle Park.

b. Kurt Feldman – Feldman Design, 1245 Chestnut Street, Suite 110, stated that he and other tenants at the East Penn Plaza received certified letters from the Zoning Officer concerning temporary A-frame signs placed in front of their businesses. He spoke with Zoning Officer Farnsworth about businesses in the downtown area that have A-frame signs out all year. The downtown area is located in the B-C district and the East Penn Plaza is in the B-H district. Mr. Feldman feels that having temporary signs encourages business and would like Borough Council to consider changing the ordinance in the B-H district to allow them all year without a fee. Mr. Neely asked that it be referred to the General Administration Committee. Mr. Holtzhafer asked where the A-frame signs are placed. Mr. Feldman stated that the signs are placed in a landscaped area, not on the sidewalk. Mr. Labenberg stated that the businesses at the East Penn Plaza should have the same economic advantage as the downtown area and the ordinance should be updated.

c. Karen Poshefko, 719 Glenwood St, Shade Tree Commission, stated that the Shade Tree Commission has comments concerning the Furnace Street Subdivision. Dr. Waddell

July 20, 2009

EMMAUS BOROUGH COUNCIL

suggested that she wait until the Borough Engineer's Report to discuss the Commission's concerns.

READING OF MINUTES

Motion by Mr. Labenberg, seconded by Mr. Reinhard to dispense with the formal reading of the June 6, 2009 Minutes. There were 7 ayes. Motion carried.

Motion by Mr. Labenberg, seconded by Mrs. Gilbert to adopt the June 6, 2009 Minutes as drafted. There were 6 ayes. 1 abstention (Holtzhafer). Motion carried.

COMMUNITY MINUTE

Dr. Waddell reminded everyone that the 2009 Anniversary Celebration Committee is always looking for volunteers. Volunteers can visit the Anniversary Committee's website or contact Mr. Neely for information about being involved. Mr. Labenberg stated that there are several committees lacking in membership and feels that those committees could use extra help.

SPECIAL PRESENTATIONS – None.

DECISION ON BIDS – None.

COMMUNICATIONS

- a. Nancy O'Keefe, Shops of Emmaus – Upcoming events.
- b. Kathleen Haney, Shops of Emmaus – Requests for upcoming events. Referred to staff and Mayor. Mr. Neely suggested that the "Bedlam in Emmaus" race also be referred to the General Administration Committee and that a member of the Shops of Emmaus attend the next Committee Meeting.
- c. Nancy O'Keefe, Secretary, Shops of Emmaus – Letter of thanks to Borough employees for help during "Best In Bloom."
- d. Rev. David Schoen, Bethel Bible Fellowship Church – Request street closure for church block party. Referred to Staff and Mayor Iobst.
- e. Scott Paul, 43 S. 2nd Street – Train noise complaint. Referred to Public Safety Committee.
- f. Karen Buck, 623 Alden Drive – Request street closure for Alden Drive neighborhood block party. Referred to Staff and Mayor Iobst.
- g. Teryl J. Madison – Email request from Dwight Lichtenwalner of the Impact Project – Request for Impact Project to help pull weeds downtown for 2009 Anniversary Celebration.

July 20, 2009

EMMAUS BOROUGH COUNCIL

Motion made by Mr. Labenberg, seconded by Mr. Holtzhafer to allow The Impact Project to help pull weeds for the 2009 Anniversary Celebration weekend. There were 7 ayes. Motion carried.

Mr. Brown asked if there is more detail provided other than what is in the email correspondence and if Public Works is aware of the email. Dr. Waddell stated that he doesn't feel that it is a conflict with Public Works.

BOROUGH ENGINEER'S REPORT – 618 Furnace Street Minor Subdivision.

Mr. Ganguzza stated that the Applicant is proposing a minor subdivision of a triangular shaped single lot, which is approximately 10,300 sq. ft. The Applicant is proposing a 4,200 sq. ft lot and a 6,100 sq. ft. lot. He reported that 9,000 sq. ft. is required and the Applicant received variances from the Zoning Hearing Board. The Applicant appeared before the Planning Commission on June 11, 2009 and received a recommendation for Preliminary/Final Subdivision approval subject to conditions that are noted in the Borough Engineer's letter to Mr. Neely dated July 2, 2009. Mr. Ganguzza noted that the Applicant is asking for a deferral for the extension of sidewalks and curb along Furnace Street.

Dr. Waddell noted that the only issue Borough Council needs to address, other than Plan approval, is the deferral for the extension of sidewalks and curb along the south side of Furnace Street.

Karen Poshefko, of the Shade Tree Commission, stated that the Commission is concerned that the five shade trees being removed are large shade trees and the proposed replacements are much smaller trees. The Commission would like the same types of trees to be replanted. Mr. Labenberg asked if there is an ordinance that allows Borough Council to specify what trees can be planted. Mr. Ganguzza stated that the ordinance gives a selection of possible replacement trees. Mr. Labenberg asked if Borough Council has the authority by the ordinance to pick specific replacement trees. Mr. Neely rephrased the question to ask, "Can Borough Council deny the subdivision request because Council does not like the trees on the Plan?" The Shade Tree Commission requests that the trees being removed be replaced with comparable sized shade trees. Joseph Bubba, the Applicant, stated that at the Planning Commission Meeting he originally asked for a waiver from the replacement tree provisions and the street tree provisions. Mr. Bubba stated that they chose trees from the list in the ordinance.

Mr. Barrett stated that he was under the impression that the Shade Tree Commission has jurisdiction concerning the most appropriate trees to be planted. Mrs. Poshefko clarified that she is talking about the SALDO, not the Shade Tree Ordinance. Mr. Bubba stated that he is willing to work with the Shade Tree Commission to choose trees for the subdivision.

Mr. Bubba reported that there are several reasons for deferring the sidewalk and curb extension, including cost. There already is curb and sidewalk in front of the two proposed dwellings. Mr. Labenberg stated that there is a trail that cuts to 6th Street north of the railroad right-of-way. He believes that it is better to install the curb and sidewalk now instead of waiting until later after someone buys the property. Mr. Holtzhafer stated that he uses the trail to access the downtown and would prefer a sidewalk extension.

July 20, 2009

EMMAUS BOROUGH COUNCIL

Motion by Mr. Labenberg, seconded by Mr. Holtzhafer to deny the requested deferral for the sidewalk and curb extension. There were 3 ayes and 4 opposed. (Brown, Reinhard, Gilbert, Barrett).

Motion by Mr. Labenberg, seconded by Mr. Holtzhafer to require that curb be extended. There were 3 ayes and 4 opposed (Brown, Reinhard, Gilbert, Barrett). The motion is denied.

Motion by Mr. Barrett, seconded by Mrs. Gilbert to grant the request for deferral for the sidewalk and curb extension conditioned upon sidewalk and curb being installed when required under the Borough's Sidewalk Ordinance or if Furnace Street would be connected from both sides of the railroad track. There were 5 ayes, two opposed (Holtzhafer, Labenberg). Motion carried.

Motion by Mrs. Gilbert, seconded by Mr. Brown to waive the submission of separate Preliminary/Final Plan. There were 7 ayes. Motion carried.

Motion by Mrs. Gilbert, seconded by Mr. Barrett to approve the Preliminary/Final Plan. There were 7 ayes. Motion carried.

Mr. Bubba observed that he is being assessed a \$1,000 recreation fee for each of the lots being created, noting that he could have built a house on the lot, and then subdivided it, in which case he would have only been required to pay 1 recreation fee. Mr. Neely agreed. Mr. Bubba did not formally request that any of the fees be waived.

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 reported to Council that Officers Adam Knoblauch and Jaimie Quintero successfully completed their one year probationary periods with the Emmaus Police Department. Mayor Iobst commended both for their performance during the past year.

Motion by Mrs. Gilbert, seconded by Mr. Labenberg to recommend Officer Jaimie Quintero to permanent full-time status with the Emmaus Police Department. There were 7 ayes. Motion carried.

Motion by Mrs. Gilbert, seconded by Mr. Holtzhafer to recommend Officer Adam Knoblauch to permanent full-time status with the Emmaus Police Department. There were 7 ayes. Motion carried.

July 20, 2009

EMMAUS BOROUGH COUNCIL

Mr. Brown commended Chief Faust and the Police Department for hiring the two police officers.

Progress.

COMMITTEE REPORTS

a. Public Works Committee

Mr. Labenberg reported that the Committee met on July 15, 2009. It discussed the progress of the I&I Elimination Project. He reported that approximately 50% of Emmaus Borough properties have been inspected. He also reported that on June 13, 2009 the Borough had almost 3 inches of rain and we had 2.8 million gallons of sewerage flow. He stated that before the I&I program began, there would have been approximately 8 million gallons of flow. He reported that within the next two months a more detailed report will be presented.

Mr. Neely reported that the average gallons per day being treated is over 150,000 gallons less now, which reflects a 17% reduction from the average gallons per day from three years ago. He also stated that the sewer reports from the end of 2008 reflect times when almost half of the days were under 1 million gallons per day and the average was 1.25 to 1.35 million gallons each day before the I&I Project began. He reported that after heavy rains, the average is in the 2.5 to 2.6 million gallon range and will decrease as the program continues.

Progress.

b. Health and Sanitation Committee

Mr. Reinhard reported that the Committee met on July 9, 2009 and continues to work on the refuse bid.

Dr. Waddell asked if there is a place to take batteries and cardboard to be recycled. Mr. Reinhard reported that cardboard will be part of the Single Stream Recycling Program. He stated that he is unaware of anyone currently taking batteries. He also stated that it is expensive to recycle batteries. Dr. Waddell asked the Committee to research a way for the Borough to recycle batteries.

The next Committee meeting will be on August 13, 2009 at 3:30 p.m.

Progress.

c. Parks and Recreation Committee

Mr. Barrett reported that the Committee met on July 7. It received a request from the Girl Scouts to use the Arts Pavilion on August 29, and asked for relief from paying the pavilion fee. He reported that the Committee decided that due to the size of the Pavilion and the amount of Girl Scouts attending, the Committee would not recommend waiving the fee. There will be a Blood Mobile at the event.

July 20, 2009

EMMAUS BOROUGH COUNCIL

Mr. Barrett reported that the Committee received a letter from Mark Bowman regarding a CycloCross race, with a detailed map labeling the route the racers will be taking. Mr. Bowman was present at the Committee Meeting and provided highlights of the race. Mr. Bowman stated that CycloCross will work closely with the Borough to ensure that there is no damage to Borough property. The Committee is recommending that Council approve a motion to allow CycloCross to use the Homestead Property for its races. Mr. Labenberg stated that the races will be held at night and there are ex-professional riders and beginners traveling from various places around the country for the races. Mr. Reinhard asked if there will be designated spots for spectators. Mr. Labenberg reported that most spectators will be in the parking lots at the starts and finishes of the races. CycloCross will be making a donation to the Recreation Fund and has volunteered to help with the construction of the unnamed trail off of Klines Lane.

Motion by Mr. Barrett, seconded by Mr. Labenberg to allow CycloCross to use the Homestead Property from October through December 2009 for various races. There were 7 ayes. Motion carried.

Mr. Barrett reported that the fence will be installed at the Raven Mills property. Placement of decking has been discussed for wet areas along the trail. He stated that the project is progressing as planned.

The 5K race will be held before the Halloween Parade. The Parks and Recreation Committee is seeking volunteers to help with the event. Mr. Barrett reported that last year the race raised approximately \$3,500. The next Movie Night will be on July 22, 2009 at 8:00 p.m. The movie will be "Hotel for Dogs." Mr. Labenberg asked if there could be an advertisement placed in the Morning Call and the East Penn Press to advertise Movie Night. Mr. Barrett reported that it was already done.

Mrs. Gilbert stated that she feels Meadow Pool is a safety issue and asked Mr. Neely if it was possible that Meadow Pool be drained. Mr. Neely deferred to Mayor Iobst. Mayor Iobst stated that he is familiar with the situation and will take official action.

Progress.

d. Public Safety Committee

Motion by Mrs. Gilbert, seconded by Mr. Brown to appoint Donald Riley, Jr. of Emmaus, as a member of the Fire Department as a firefighter, contingent upon passing a doctor's physical examination. There were 7 ayes. Motion carried.

Motion by Mrs. Gilbert, seconded by Mr. Brown to appoint Donald R. Riley III, of Emmaus, as a member of the Fire Department, as a Junior firefighter, contingent upon passing a doctor's physical examination. There were 7 ayes. Motion carried.

The Committee will make three recommendations for parking issues at the Seven Generations School on Minor Street at the August 17, 2009 Council Meeting.

The Committee received a request from St. John's U.C.C. to close several streets to hold its annual Street Fair on August 15, 2009. The Mayor will issue a Proclamation closing

July 20, 2009

EMMAUS BOROUGH COUNCIL

Long Street from 3rd Street to 4th Street, 3rd Street from Long Street to North Street, and North Street from 3rd Street to 4th Street, which will leave 4th Street open for emergency personnel in case there are any safety issues that arise during the 2009 Anniversary Celebration Parade, which is being held the same day.

Progress.

e. General Administration Committee

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

Progress.

f. Budget and Finance Committee

Mr. Holtzhafer read Resolution 2009-20, authorizing payment of the July 20, 2009 Bill List as follows:

Bill List	\$ 38,030.67
Payroll #14	\$ 129,146.36
Payroll Taxes	<u>\$ 39,757.13</u>
Total	\$ 206,934.16

Done this 20th of July 2009.

Motion by Mr. Holtzhafer, seconded by Mrs. Gilbert to adopt the July 20, 2009 Bill List. There were 7 ayes. Motion carried.

Mr. Holtzhafer reported that the Committee has received a request from the Wildlands Conservancy for a donation. Mr. Neely stated that there is no record of the Borough being a member of the Wildlands Conservancy in prior years. There is no line item from which to make funds available for a donation in 2009. The item will be considered for the 2010 Budget.

Mr. Holtzhafer reported that the Soap Box Derby requested that fees be waived. The Budget and Finance Committee recommends that fees be waived for the Soap Box Derby on August 29, 2009.

Motion by Mr. Holtzhafer, seconded by Mr. Reinhard to waive fees for the Soap Box Derby to be held on August 29, 2009. There were 7 ayes. Motion carried.

Mr. Labenberg asked whether the fees have been waived in the past and whether a donation is made by the group. Mr. Neely stated that the fees have historically been waived and the group does make a donation.

Mr. Holtzhafer reported that there are unanticipated expenses from the 2009 Anniversary Celebration due to personnel that will be necessary for security staffing and other needs. The Committee recommends that the Civic Celebration Line Item be frozen until there is a review made of the finances and all expenses can be paid for. Dr. Waddell reported that

July 20, 2009

EMMAUS BOROUGH COUNCIL

the total cost for the Anniversary Weekend Celebration is approximately \$80,000. Dr. Waddell commended Dr. Roger Whitcomb for his fundraising efforts. Dr. Waddell asked Mr. Neely to review staffing for the Fire Police on August 15 and 16. He asked if there were any volunteers that could be used to help defray costs. Mrs. Gilbert stated that the Public Works Department will begin the parking process and the Park Police will assume the duties after they complete their parade assignments. She said that volunteers cannot be used because they have not been properly trained. Mr. Labenberg suggested that the compost site be closed on Saturday August 15, 2009 to save money. He also stated that the freeze on the Civic Celebration line item needs to be made into a formal motion.

Motion by Mr. Holtzhafer, seconded by Mr. Labenberg to freeze the Civic Celebration Line Item until September 15, 2009. There were 7 ayes. Motion carried.

Mr. Barrett asked how much is in the Civic Celebration budget. Dr. Waddell reported that there are several purchases that need to be made and there should be approximately \$5,000 remaining. Mr. Neely stated that there may be a need to buy lights and decorations prior to September 15 and will provide Council with an estimate prior to that date.

The next Committee Meeting, outside of the regularly scheduled meeting, is August 25, 2009. The Committee will discuss the 2010 budget.

Mr. Brown stated that the revenue from Aqua Duck has been received. Mr. Brown asked Mr. Neely for an update on communications costs decreasing in the near future by switching to Service Electric for telephone. Mr. Neely reported that the hard wiring has begun and when the project is completed, the Borough will save approximately \$1200.00 per month on telephone expenses.

Progress.

g. Community Relations/Development Committee

Mr. Brown commended The Impact Project and Seven Generations Charter School for volunteering to clean up the parks and sidewalks. He feels that volunteerism has a great impact on the community. He also stated that he feels having volunteers help park cars for the 2009 Celebration Weekend would save the Borough money and the Public Works Department could supervise the volunteers. Mr. Labenberg suggested taking donations to help defray some of the costs. Dr. Waddell stated that donations will be taken at the Closing Fireworks Ceremony. He also stated that he will discuss taking donations with the 2009 Anniversary Committee at its next meeting, which will be on July 25, 2009. Mr. Labenberg asked if the train rides will help defray costs. Dr. Waddell stated that the event will break even. Tickets for the train rides go on sale shortly. The event will be held on October 2, 3, and 4. The price will be \$20.00 for an adult and \$12.00 for a child.

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

Progress.

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

July 20, 2009

EMMAUS BOROUGH COUNCIL

Mrs. Gilbert asked the Committee to determine if emergency equipment will be able to be driven on the new track at the Emmaus High School Stadium. Dr. Waddell stated that the track will be completed before August 14, 2009.

PERSONAL APPEALS, PART II

- a. **Josephine Sadrovitz, 130 N. 4th Street**, made an appeal for transportation to be provided to the Sunday Concerts at Emmaus Community Park for seniors living at assisted living facilities. Dr. Waddell referred the matter to Mr. Brown.
- b. **Otto Slozer, 121 E. Elm Street**, commended Mr. Brown for his ideas about volunteerism. He also commended the Triangle Park Project. He has concerns about the Borough selling water to Aqua Duck. He questioned whether Aqua Duck is subcontracting and selling the water to water bottling companies. Mr. Neely stated that there is a provision in the contract that prohibits it. Mr. Slozer questioned whether there were provisions in the contract to ensure that the residents' water supply will not decrease. Dr. Waddell stated that there is a provision in the contract preventing that. Mr. Labenberg explained that Aqua Duck fills swimming pools and that the Borough can terminate the contract at any time.
- c. **Frank Sadrovitz, 130 N. 4th Street**, questioned whether the parks will be closing at 9:00 p.m. during the 2009 Anniversary Celebration.

BOROUGH MANAGER'S REPORT

Mr. Neely noted the Significant Revenue and Expense Items for the first-half of July 2009.

Mr. Neely reported that the Punk Rock Reunion will be held on August 8, 2009 at Community Park. Estimated attendance is between 175 and 300 people. The event will be held at the Arts Pavilion and two other pavilions along S. 14th Street. One of the pavilions will be a "bring your own beer" pavilion with restricted access. The bands want to sell merchandise, like t-shirts and cd's at the other pavilion. The Seven Generations Charter School has also arranged to set up a display in the pavilion. The park rules and regulations prohibit the sale of goods in the parks unless Borough Council authorizes it.

Motion by Mr. Labenberg, seconded by Mr. Reinhard authorizing bands and the Seven Generations School to sell merchandise at a pavilion at the Emmaus Community Park during the Punk Rock Reunion on August 8, 2009. There were 7 ayes. Motion carried.

Mr. Barrett asked if the Borough previously permitted selling merchandise. Dr. Waddell and Mr. Labenberg distinguished this event as a one time event. Mr. Labenberg asked if the Punk Rock Reunion has a website. Mr. Brown asked who would be responsible if there is damage to a pavilion during the event. Mr. Neely stated that the person renting the pavilion is responsible for any damage to the pavilion. Mr. Brown also asked about limiting alcohol consumption. Mr. Neely stated that beer consumption will be limited to one pavilion, which will be roped off.

July 20, 2009

EMMAUS BOROUGH COUNCIL

Mr. Neely reported that in December 2008, the Pennsylvania Historical and Museum Commission adopted a new schedule for the retention and disposition of municipal records. The adoption of Resolution 2009-22 does not change any of the Borough's procedures; it confirms that the Borough has recognized the new schedule as the governing standard.

Motion made by Mr. Labenberg, seconded by Mrs. Gilbert to adopt Resolution 2009-22, being a resolution adopting and establishing the municipal record retention and disposition schedule adopted by the Pennsylvania Historical and Museum Commission in December 2008 as the Borough's policy for the retention and disposition of municipal records. There were 7 ayes. Motion carried.

Mr. Neely stated that he received a complaint from a resident who rented the Furnace Dam Pavilion on August 18 about excessive geese feces. Mr. Labenberg confirmed the problem. Council discussed the issue, and will continue to consider possible solutions.

Mr. Labenberg requested an update on the budget from Mr. Neely. Mr. Neely stated that he has the Quarterly Budget Performance Report ending June 30 and is waiting for the reconciliation of the accounts, as of June 30, after which he will prepare a summary.

Progress.

PRESIDENT'S BUSINESS

Dr. Waddell commended Mr. Neely and Mr. Clapper for their commitment to the Triangle Park Project. He also thanked Karen Poshefko, Phil Seibert, Reds Bailey and Sal Verrastro for their hard work and dedication in creating the original design. Mr. Labenberg stated that he feels that the community is enjoying Triangle Park and that it will become the focal point of downtown.

Dr. Waddell made a recommendation to refer the color of the kiosk to the Arts Commission.

Dr. Waddell thanked the entire Borough for being voted number 88 in Money Magazine's "100 Best Places to Live in America."

July 20, 2009

EMMAUS BOROUGH COUNCIL

ADJOURNMENT

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

The meeting of the Emmaus Borough Council adjourned at 9:15 p.m.

Craig B. Neely
Borough Manager

Transcribed by: Paula Weiant
Administrative Assistant
July 23, 2009