

January 3, 2011

EMMAUS BOROUGH COUNCIL

**Emmaus Borough Council
Agenda
Monday, January 3, 2011, 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

December 20, 2010

7. Decisions on Bids
8. Communications
 - a. Judith Lieberman, 333 Ridge St., Emmaus – Letter of interest to serve on the Board of Health.
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
16. Committee Reports

Public Works/(Highway, Water & Sewer) (Labenberg, Brown, Gilbert)
Next Meeting – January 6, 2011 at 3:00 p.m.

- a. I & I Elimination Report

January 3, 2011

EMMAUS BOROUGH COUNCIL

- b. Weiders Lane Status
- c. Broad Street Reconstruction

Health, Sanitation, and Conservation (Reinhard, Holtzhafer, Waddell)

Next Meeting – January 13, 2011 at 4:00 p.m.

- a. Refuse/Recycling with Raritan Valley
- b. Compost Options
- c. Emmaus and Upper Milford Joint Environmental Advisory Council
- d. Board of Health
- e. Riparian Buffer Ordinance
- f. Bollinger Land/Indian Creek Golf Course
- g. **Reappointment of Michael Nonnemacher to the Emmaus Board of Health (term expires 1/1/2016).**

Parks and Recreation (Barrett, Holtzhafer, Labenberg)

Next Meeting – January 4, 2011 at 3:30 p.m.

- a. Ice Rink/Skate Park
- b. Geese at Furnace Dam
- c. Emmaus Legion Baseball Field Project
- d. Legion Field Reconstruction Agreement and Leases
- e. Triangle Park – Use Requirements and Guidelines

Public Safety (Gilbert, Barrett, Brown)

Next Meeting – January 13, 2011 at 9:00 a.m.

- a. Trailer Truck Parking
- b. Tractor Trailer Unloading
- c. Emergency Operations Plan – Review
- d. Civil Service Commission Rules and Regulations
- e. 200 Block of Seem Street – One Way Westbound

General Administration (Waddell, Barrett, Labenberg)

Next Meeting – January 12, 2011 at 9:00 a.m.

- a. Shade Tree--Tree Fund
- b. Cintas Update
- c. Website Upgrade
- d. Public Parking Spaces on Jubilee Street
- e. **2011 Appointments – Resolution 2011 - 1**
- f. **Appointment of Roger Steinmyer and Ben Fetterman to the Zoning Hearing Board (terms expire 1/1/2014).**
- g. **Appointment of Daniel Kline to Emmaus Arts Committee (term expires 2/1/2015).**
- h. **Appointment of John Stover to Vacancy Board (term expires 1/1/2012).**

January 3, 2011

EMMAUS BOROUGH COUNCIL

- i. **Appointment of Robert Drennan to the Shade Tree Commission (term expires 1/1/2012).**

General Administration (continued)

- j. **Appointment to Emmaus General Authority – Applicants are Carl Wieder and John Stover (term expires 1/1/2016).**

Budget and Finance (Holtzhafer, Reinhard, Gilbert)

Next Meeting – January 17, 2011 at 6:45 p.m.

- a. **Bill List – Resolution 2011 - 2**
- b. Per Capita Tax Ordinance

Community Relations, Planning and Development (Brown, Reinhard, Waddell)

Next Meeting – January 26, 2011 at 4:15 pm.

- a. Display of 2009 Anniversary Items and Contents of the 1959 Time Capsule
- b. Emmaus Main Street Program—West End Gateway Sign Presentation
- c. Streetscape Improvement Project
- d. Lanta Metro Meeting Update

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

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 December 2010**

19. **President's Business**

20. **Adjournment**

Next Resolution #3
Next Ordinance #1076

January 3, 2011

EMMAUS BOROUGH COUNCIL

The Emmaus Borough Council met in regular session on January 3, 2011 in Borough Council Chambers, 28 S. 4th 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
Wesley Barrett	Present
Nathan Brown	Present
R. Erick Reinhard	Present
Winfield Iobst, Mayor	Present
Frank Procyk, Solicitor	Present
Craig Neely, Borough Manager	Present

PERSONAL APPEALS, PART I

A. Lynn Donches, 559 Minor St., referred to the Legion Baseball Field Reconstruction Cost Estimate Review Memorandum dated December 7, 2010, and asked if the outfield fence will be permanent. Mr. Barrett responded that the estimate is for a permanent fence. Ms. Donches asked for the height and color of the fence. Mr. Barrett was unsure of the color. Mr. Neely responded that the height is 6'. Ms. Donches voiced opposition to a permanent fence being placed at Emmaus Community Park. She stated that she is against any funds being requested for the Project from the East Penn School District. She asked if the leases and agreements would be available for public view prior to being presented to the School Board. Mrs. Gilbert responded that the Parks & Recreation Committee will review the leases and invited Ms. Donches to attend the Committee Meeting. Ms. Donches asked if the Borough accepted a monetary contribution from C.V.I.P. in lieu of planting trees. Mr. Neely responded no.

B. John Donches, 559 Minor St., voiced concern about communication between the Borough and residents and asked if Borough meetings could be recorded and uploaded to the website. He also asked if the Borough webcasts could be archived for future viewing. He claims that Lower Macungie has an offer to the East Penn School District to build a ballfield.

COMMUNITY MINUTE – None.

SPECIAL PRESENTATIONS – None.

READING OF MINUTES

Motion by Mr. Labenberg, seconded by Mr. Barrett to dispense with the formal reading of the December 20, 2010 Minutes. There were 7 ayes. Motion carried.

January 3, 2011

EMMAUS BOROUGH COUNCIL

Mr. Reinhard noted that on Page 239, the third paragraph reads, “he commented that there was a meeting held on October 16, 2011, and asked if there was a report from the meeting.” He noted that the date should read December 16, 2010.

Motion by Mr. Labenberg, seconded by Mr. Brown to adopt the December 20, 2010 Minutes as amended. There were 7 ayes. Motion carried.

DECISION ON BIDS – None.

COMMUNICATIONS

a. Judith Lieberman, 333 Ridge St., Emmaus – Letter of Interest to serve on the Board of Health. Referred to the Health, Sanitation & Conservation Committee. Mrs. Gilbert noted that there are no vacancies on the Board.

b. Jack Stover – Letter of Withdrawal concerning serving on the Emmaus General Authority.

c. John J. Zettlemyer, Jr., Esq. – Letter of Recommendation to appoint Carl Weider to the Emmaus General Authority. Mr. Neely stated that Mr. Weider has served the last 2 years on the General Authority, serving the remainder of Herbert Haas’s term.

Motion by Dr. Waddell, seconded by Mr. Brown to appoint Carl Weider to the Emmaus General Authority, to a 5 year term expiring on January 1, 2016. There were 6 ayes, 1 opposed (Barrett). Motion carried.

Mrs. Gilbert stated that Mr. Weider was interviewed by the General Administration Committee. Mr. Barrett observed that Mr. Weider and Mr. Stover submitted Letters of Interest to serve on the Authority and the Committee did not recommend Mr. Weider. He suggested that the item be returned to the General Administration Committee. Dr. Waddell responded that the General Administration Committee will invite members of the General Authority to the next Committee Meeting.

d. Shelly Steiner, Parks and Recreation Commission Member and Special Entertainment Committee Liaison - Request for funding for SnowBlast Festival. Referred to the Parks and Recreation Committee.

e. Dan Schmidt, 1242 Pennsylvania Ave., Emmaus – Letter of Interest to serve on the Emmaus Arts Commission. Referred to the General Administration Committee.

f. Lehigh County Office of Children And Youth Services, Lehigh County Government Center, 17 South Seventh Street, Allentown – Mr. Neely stated that the Lehigh County Office of Children and Youth Services received funds for Homeless Prevention and Rapid Re-housing to families with children ages birth to 18 years of age. The County is reaching out to municipalities to educate people about opportunities to assist in identifying families who may be eligible for the Program.

BOROUGH ENGINEER’S REPORT – None.

January 3, 2011

EMMAUS BOROUGH COUNCIL

SOLICITOR'S REPORT

Progress.

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

Progress.

COMMITTEE REPORTS

a. Public Works Committee

Mr. Labenberg reported that the Committee will meet on January 6, 2011 at 3:00 p.m.

Progress.

b. Health, Sanitation, and Conservation Committee

Mr. Reinhard reported that the Committee met on December 9, 2010. It recommends reappointing Mike Nonnemacher to the Emmaus Board of Health to a 5 year term expiring on January 1, 2016.

Motion by Mr. Reinhard, seconded by Mr. Labenberg to appoint Mike Nonnemacher to the Emmaus Board of Health to a 5 year term expiring on January 1, 2016. There were 7 ayes. Motion carried.

Mr. Reinhard stated that the Committee has not received a report from the meeting that was held on December 16, 2010, concerning the Lehigh County Compost Center and requested a report for the Committee Meeting on January 13, 2011.

Progress.

c. Parks and Recreation Committee

Mr. Barrett reported that the Committee will meet on January 4, 2011 at 3:30 p.m.

Progress.

January 3, 2011

EMMAUS BOROUGH COUNCIL

d. Public Safety Committee

Progress.

e. General Administration Committee

Dr. Waddel read Resolution 2011 – 1.

RESOLUTION 2011 – 1

BE IT HEREBY RESOLVED by Emmaus Borough Council to appoint the following officials to their designated positions for a term expiring on January 2, 2012:

Ambulance Corps Chief	Mike Nonnemacher
Animal Control Officer	Richard Hontz
Borough Manager/Secretary	Craig B. Neely
Borough Treasurer	Christine L. Snyder
Certified Public Accountant	France/Anderson
Emergency Management Coordinator	
Engineer (General/Water/Sewer)	Hanover Engineering
Fire Chief	James Reiss
Health Officer	Garry Ritter
Pension Consultant-Police/Non-uniform	Conrad Siegel
Public Works Director	Jeffry Clapper
Asst. Public Works Director	John Dychala
Public Works Inspector/ Code Enforcement Officer	James Farnsworth
Sewage Enforcement Officers	Scott J. Brown Jeffrey T. Huff
Borough Solicitor	Fonzone & Ashley
Civil Service Commission Solicitor	Jeffrey Dimmich, Esq.
Zoning Hearing Board Solicitor	Ronald Corkery, Esq.

Done this 3rd day of January, 2011.

Motion by Dr. Waddell, seconded by Mr. Labenberg to adopt Resolution 2011-1. There were 7 ayes. Motion carried.

January 3, 2011

EMMAUS BOROUGH COUNCIL

Motion by Dr. Waddell, seconded by Mr. Barrett to appoint Roger Steinmayr and Ben Fetterman to the Zoning Hearing Board to terms expiring on January 1, 2014. There were 7 ayes. Motion carried.

Motion by Dr. Waddell, seconded by Mr. Barrett to appoint Daniel Kline to the Emmaus Arts Commission to a term expiring on February 1, 2015. There were 7 ayes. Motion carried.

Motion by Dr. Waddell, seconded by Mr. Barrett to appoint John Stover to the Vacancy Board to a term expiring on January 1, 2012. There were 7 ayes. Motion carried.

Motion by Dr. Waddell, seconded by Mr. Barrett to appoint Robert Drennan to the Shade Tree Commission to a term expiring on 1/1/2012. There were 7 ayes. Motion carried.

The next Committee Meeting is January 12, 2011 at 9:00 a.m.

Progress.

f. Budget and Finance Committee

Mr. Holtzhafer read Resolution 2011- 2, authorizing payment of the January 3, 2011 Bill List, as follows:

Bill List	\$	151,938.42
Payroll #26	\$	103,681.27
Payroll Taxes	\$	<u>32,366.50</u>
Total	\$	287,986.19

Done this 3rd day of January 2011.

Motion by Mr. Holtzhafer, seconded by Mr. Reinhard to approve the January 3, 2011 Bill List. There were 7 ayes. Motion carried.

Mrs. Gilbert stated that part-time Emmaus police officers are paid an hourly wage of \$17.65 and part-time paramedics are paid an hourly wage of \$18.81. She suggests an hourly wage increase for part-time police officers to \$19.50. The Budget & Finance Committee voted to recommend the increase. Mr. Barrett asked how she determined the hourly wage rate. Mrs. Gilbert responded that a 1st year patrol officer's hourly rate is \$23.84, a probationary officer's rate is \$20.04, and that she chose the amount of the increase. Mr. Reinhard stated that although he voted in favor of the increase at the Committee Meeting, he questions what other municipalities' part-time police officers are paid and will not support the wage increase. Mr. Labenberg stated that the issue should have been addressed during the 2011 Budget discussions and believes that more research is needed. Mrs. Gilbert responded that the Budget shows a lump sum of total yearly wages for part-time police officers. Mr. Brown

January 3, 2011

EMMAUS BOROUGH COUNCIL

stated that he believes that both part-time police and part-time paramedics are important, as they both save lives. He also stated that he believes the Budget and Finance Committee should research the wage increase further. Dr. Waddell agreed with Mr. Brown. Mr. Holtzhafer stated that a reward is needed for those that protect the Borough but does not disagree with the Committee researching the increase further. Dr. Waddell responded that he does not disagree with the wage increase, but believes further research is appropriate.

Mr. Neely stated that he received the Lehigh County Authority Budget, which has a 9.7% increase in fees for use of the Western Lehigh Interceptor.

Progress.

g. Community Relations, Planning and Development Committee

Mr. Brown reported that the Committee met with representatives of the Emmaus Flag Day Association. It was determined that the Civil War Flag should be hung in Town Hall, in conjunction with the items from the 1959 Time Capsule. Mr. Brown encouraged the Community to shop local in 2011.

The next Committee Meeting is January 26, 2011 at 4:15 p.m.

Progress.

h. Ad Hoc-Community/School Relations Committee

Progress.

PERSONAL APPEALS, PART II

A. John Donches, 559 Minor St., claimed that there is a lack of communication between Council and residents. He asked Council to communicate more effectively.

BOROUGH MANAGER'S REPORT

Mr. Neely advised that the Significant Revenue and Expense Items for the second half of December 2010 are in the Council binders, and offered to entertain any questions about them.

Mr. Neely thanked the Emmaus Police Department and all Borough staff for their dedication to the Borough. He complimented the Police Department for its professionalism during the bank robbery on Thursday, December 30, 2010. He thanked Chief Faust for working hard over the years to train the Police Department to be as professional as it is. He also commented that the response from all Borough personnel was exemplary and stated that he is proud of the people who work for the Borough.

January 3, 2011

EMMAUS BOROUGH COUNCIL

Mrs. Gilbert commended Officer Bryfogle and Officer Schantz and thanked the Emmaus Ambulance Corps and the Public Works Department for assisting. Mr. Neely thanked the resident who placed the call to the Police Department and stated that the Community plays a key role in reporting suspicious activity.

Mayor Iobst thanked Chief Faust and the Police Department. He thanked Council for providing the funding needed for continual training.

Progress.

PRESIDENT'S BUSINESS

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

The Meeting of the Emmaus Borough Council adjourned at 7:46 p.m.

Craig B. Neely
Borough Manager

Transcribed by: Paula Weiant
Administrative Assistant
January 5, 2011