

January 17, 2011

EMMAUS BOROUGH COUNCIL

**Emmaus Borough Council
Agenda
Monday, January 17, 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

January 3, 2011

7. Decisions on Bids
8. Communications
 - a. Ron Moxey, 1026 N. 7th St., Emmaus – Refuse collection.
 - b. Jeff Gross, Emmaus Rotary Club – New community projects.
 - c. David Biles, 936 Evergreen St., Emmaus – Request reappointment to the Planning Commission (term expires 4/1/2011).
 - d. Janie Slamon, Board of Trustees, Emmaus Public Library – Request reappointment of Richard Brooks and Jeanette Lehman (terms expired 1/1/2011).
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

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

Next Meeting – February 3, 2011 at 3:00 p.m.

- a. I & I Elimination Report
- b. Weiders Lane Status
- c. Broad Street Reconstruction

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

Next Meeting – February 10, 2011 at 4:00 p.m.

- a. Compost Options
- b. Refuse/Recycling with Raritan Valley
- c. Emmaus and Upper Milford Joint Environmental Advisory Council
- d. Board of Health – Ordinance changes required
- e. Riparian Buffer Ordinance
- f. Bollinger Land/Indian Creek Golf Course

Parks and Recreation (Barrett, Holtzhafer, Labenberg)

Next Meeting – February 1, 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 – February 10, 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 26, 2011 at 9:00 a.m.

- a. Shade Tree--Tree Fund
- b. Cintas Update
- c. Website Upgrade
- d. Public Parking Spaces on Jubilee Street

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- e. **Resolution 2011-3 – Appointment of Kevin Farnish as Fire Inspector.**
- f. **Hire Mechanic for Public Works Shop – Marvin Jennings**

Budget and Finance (Holtzhafer, Reinhard, Gilbert)

Next Meeting – February 7, 2011 at 6:45 p.m.

- a. **Bill List – Resolution 2011 - 4**
- b. Per Capita Tax Ordinance

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

Next Meeting – January 25, 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 First Half of January 2011**

19. President's Business

20. Adjournment

Next Resolution #5
Next Ordinance #1076

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The Emmaus Borough Council met in regular session on January 17, 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 (Arrived at 7:03 p.m.)
Wesley Barrett	Present
Nathan Brown	Present
R. Erick Reinhard	Present
Winfield Iobst, Mayor	Absent
Frank Procyk, Solicitor	Present
Craig Neely, Borough Manager	Present

PERSONAL APPEALS, PART I

A. Josephine Sadrovitz, 130 N 4th St., voiced concern about parking at the Triangle for employees of businesses located on the Triangle. Dr. Waddell responded that the majority of the businesses want to leave parking at the Triangle for customers.

B. Anthony Groller, 1302 S. 10th St., voiced concern about the Marcellus Shale natural gas drilling in Pennsylvania and its impact on the environment, including water supplies.

C. Lynn Donches, 559 Minor St., suggested that the Borough change the format of Committee Meetings. Ms. Donches questioned if the Borough could adopt a 20 year project plan for the Legion Baseball Field Project. She believes that it is important to understand the long term cost of the Project. She is concerned that the Borough is not taking the use of taxpayer money seriously. Mr. Labenberg responded that Ms. Donches's appeal for changing the format of Committee Meetings was referred to the General Administration Committee.

D. Nancy Hill, 119 S. 6th Street, asked if the Public Works Committee has considered a payment plan for the cost of curb/sidewalk for the Broad Street Reconstruction Project. Mr. Neely explained that if the resident does not install the curb/sidewalk pursuant to the notice that they received, the contractor that is awarded the project will install the curb/sidewalk. The contractor bills the Borough at the awarded contract price and the Borough pays the contractor. The Borough invoices the property owner for the cost of the curb/sidewalk installation. Mr. Neely stated that the Engineer is completing all the information to advertise for bids. Mr. Neely stated that the Borough has worked with residents that have been invoiced on a case-by-case basis in the past. Ms. Hill voiced concern that UGI will be ripping sidewalks up that residents have already replaced. Mr. Neely responded that UGI advised that all work will be completed before residents replace their sidewalks.

E. John Donches, 559 Minor St., suggested that when contractors are submitting bids for the curb/sidewalk portion of the Broad Street Project they could submit a bid for completing all of the curb/sidewalk work. Mr. Neely reminded Mr. Donches that the bid is

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for the entire Broad Street Road Reconstruction Project, not just for sidewalks, and suggested that Mr. Donches speak with Mr. Clapper about his concerns. Mr. Labenberg commented that there were several public meetings about the Broad Street Project and they were attended poorly by the residents.

COMMUNITY MINUTE – None.

SPECIAL PRESENTATIONS

Joseph D’Aniello, Raritan Valley Disposal Services, entertained questions about refuse and recycling pickup in the Borough. He encouraged residents to visit Raritan Valley’s website at www.raritandisposal.com, stating that the website is updated regularly. Mr. Labenberg commented that he believes the transition has gone smoothly; he has not received any complaints about service. Dr. Waddell commented that the contract states that refuse and recycling pick up will occur between 2:00 a.m. and 12:00 p.m. and asked Mr. D’Aniello how difficult it has been to meet the schedule deadlines. Mr. D’Aniello stated that keeping the service schedule has been difficult during inclement weather. Mr. Barrett asked if the same driver routinely performs the pickups. Mr. D’Aniello responded that it is. Mr. Barrett asked the preferred method for recycling. Mr. D’Aniello responded that the preferred method is a recycling can or a garbage can with a recycling sticker. Mr. Holtzhafer thanked Mr. D’Aniello for the professionalism shown by Raritan Valley’s drivers. Mr. D’Aniello stated that the drivers are very concerned about safety. Mr. Neely asked Mr. D’Aniello for clarification about refuse and recycling pickup during inclement weather. Mr. D’Aniello explained that if a pickup is cancelled, everything that would have been picked up at the cancelled pickup will be taken on the next scheduled pickup. Mr. Donches asked Mr. D’Aniello if the Borough is notified about changes in refuse and recycling pickup. Mr. D’Aniello responded that the Borough is notified.

READING OF MINUTES

Motion by Mr. Labenberg, seconded by Dr. Waddell to dispense with the formal reading of the January 3, 2011 Minutes. There were 7 ayes. Motion carried.

Motion by Mr. Labenberg, seconded by Mr. Brown to adopt the January 3, 2011 Minutes as drafted. There were 7 ayes. Motion carried.

DECISION ON BIDS – None.

COMMUNICATIONS

- a. Ron Moxey, 1026 N. 7th St., Emmaus – Refuse collection complaint. Referred to staff.
- b. Jeff Gross, Emmaus Rotary Club – New community projects. Referred to staff.
- c. David Biles, 936 Evergreen St., Emmaus – Request reappointment to the Planning Commission (term expires 4/1/2011). Referred to the General Administration Committee.
- d. Janie Slamon, Board of Trustees, Emmaus Public Library – Request reappointment of Richard Brooks and Jeanette Lehman (terms expired 1/1/2011). Mr. Neely commented that

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all upcoming vacancies were advertised at the end of 2010 and there were no responses to the ad for Library Board vacancies. The Board was supposed to forward Mr. Brook's and Ms. Lehman's names to the Borough for reappointment. He suggested Council make a motion to reappoint Mr. Brooks and Ms. Lehman.

Motion by Mr. Labenberg, seconded by Dr. Waddell to reappoint Richard Brooks and Jeanette Lehman to the Emmaus Public Library Board to three year terms expiring on January 1, 2014. There were 7 ayes. Motion carried.

e. Jeff Shubzda, Emmaus – Request for reappointment to the Parks and Recreation Commission. Referred to the Parks and Recreation Committee.

BOROUGH ENGINEER'S REPORT – None.

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 met on January 6, 2011, with no official action being recommended to Council. He reported that the Committee discussed the status of Weiders Lane. He also reported that the Public Works Department will continue to install storm drains for the South 12th Street Stormwater Project. The Committee discussed the Broad Street Reconstruction Project, for which PennDot confirmed that it will install the handicap ramps at 5th and Broad Streets.

Progress.

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b. Health, Sanitation, and Conservation Committee

Mr. Reinhard advised that the Committee met on January 13, 2011. He reported that the representatives of municipalities in the southwest portion of Lehigh County have discussed the possibility of forming a regional consortium to share in the cost of running a tub grinder and screener. Raritan Valley has provided an estimate to provide screening equipment and manpower at the Borough's compost site. He reported that the Lehigh County Compost Site is scheduled to remain open until June 30, 2011. There is a possibility of a broader consortium being formed with all municipalities of Lehigh County to keep the County Compost Site running. Mr. Reinhard reported that he contacted First Regional Compost Authority, which was established in Northampton County to provide composting services to Northampton County municipalities. The Authority charges a per capita rate subscription, which would be very costly to the Borough. He also stated that although Raritan Valley would charge a substantial amount, it would be much less, and with better services, than if the Borough used the Authority. He stated that discussions about the Compost Site will continue.

Progress.

c. Parks and Recreation Committee

Mr. Barrett reported that the Committee met and discussed possible options for the Legion Baseball Field Reconstruction Project. He stated that the next step is to forward the changes and drawings to Hanover Engineering, the Borough Engineer. Mr. Reinhard voiced his concerns about Engineering spending on the Baseball Project. Mr. Neely stated that he will be reviewing the Project status with Hanover and obtaining a cost estimate for Hanover working on the Project.

Mr. Barrett reported that the Committee discussed formulating detailed forms with all rules, regulations, and requirements for pavilion rentals and the use of the Triangle.

Progress.

d. Public Safety Committee

Mrs. Gilbert reported that the Committee recommends denying the request from Seven Generations Charter School to provide a second crosswalk at the School due to safety concerns. Mr. Barrett noted that congestion at the School has improved. Mrs. Gilbert also reported that the Committee discussed parking on Jubilee Street near Town Hall. The Committee voted to recommend to Council that the South Side of Jubilee Street be made a 15 minute parking zone. Mrs. Gilbert stated that Mr. Neely reviewed Chapter 15 of the Borough Code of Ordinances and noted that several provisions of the Ordinance have become obsolete and that modifications to the Ordinance will be made all at once. Mrs. Gilbert reported that Mr. Clapper and Chief Faust will work on Chapter 15 and discuss it with the Public Safety Committee.

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Dr. Waddell asked Mrs. Gilbert if the Committee discussed placing a “to 29” sign at Pine Street instead of at Lawrence Drive, where it discussed placing one. Mrs. Gilbert responded that the Committee has discussed several options and is awaiting further information.

Progress.

e. General Administration Committee

Dr. Waddell reported that Kevin Farnish’s name was omitted from the Resolution for the appointment of officials, so he read Resolution 2011-3 – Appointment of Kevin Farnish as Fire Inspector.

Motion by Dr. Waddell, seconded by Mr. Brown to reappoint Kevin Farnish as Fire Inspector to a term expiring on January 3, 2012. There were 7 ayes. Motion carried.

Dr. Waddell reported that Mr. Neely and Mr. Clapper interviewed three candidates for the Public Works Mechanic vacancy. The Committee recommends hiring Marvin Jennings. Dr. Waddell stated that the position was approved in December. Mr. Jennings has worked for the Borough for several months as a contract employee and has done an excellent job.

Motion by Dr. Waddell, seconded by Mr. Labenberg to hire Marvin Jennings as a full-time Public Works Mechanic. There were 7 ayes. Motion carried.

Dr. Waddell reported that the last Committee Meeting was cancelled due to inclement weather. The next Committee Meeting is January 26, 2010. He reported that the General Authority will be invited to attend.

Progress.

f. Budget and Finance Committee

Mr. Holtzhafer read Resolution 2011- 4, authorizing payment of the January 17, 2011 Bill List, as follows:

Bill List	\$ 168,950.90
Payroll #1	\$ 124,751.24
Payroll Taxes	<u>\$ 39,445.60</u>
Total	\$ 333,147.74

Done this 17th day of January 2011.

Motion by Mr. Holtzhafer, seconded by Mr. Reinhard to approve the January 17, 2011 Bill List. There were 7 ayes. Motion carried.

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Mr. Neely stated that Christine Snyder completed the year end bank reconciliations for 2010, referencing his Memorandum dated January 17, 2011. Mr. Neely explained that he prepared the Memorandum to make it easier for Council to understand the Treasurer's Report.

Mr. Holtzhafer reported that the Committee reviewed information from the Morning Call in reference to other municipalities' part-time police wages. The Committee will wait until the end of the First Quarter to determine the budgetary impact of raising the part-time police officer's salaries.

Mrs. Gilbert stated that she directed the Budget and Finance Committee to hold two special meetings, in September or October, to meet with Department Heads to discuss the 2012 Budget.

Progress.

g. Community Relations, Planning and Development Committee

Mr. Brown reported that the Borough did not receive a TEA-21 Grant. Mr. Barrett asked if there was a specific reason for the denial. Mr. Neely responded that there was none stated.

Mr. Brown thanked the Emmaus Rotary Club for supporting the Borough and commended it for taking over the 2009 Anniversary planter at the Weis Market on Chestnut Street. He recommended that the Borough send a Thank You letter to the Club. Dr. Waddell responded that he was under the assumption that Mr. Neely already mailed a Thank You letter. Mr. Neely responded that a letter was mailed when the Club took the planter over, in which he thanked it for doing so.

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. **Nancy Hill, 119 S. 6th St.**, commented that it has been brought up at two Council Meetings that the residents of Broad Street have not shown up to raise concerns at the Public Meetings about the Broad Street Reconstruction Project. She believes that Council has dismissed the concerns raised by others about the Project. Mrs. Gilbert responded that she does not agree.

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BOROUGH MANAGER'S REPORT

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

Mr. Neely reported that the largest item on the Bill List is a \$92,430.10 payment to Barry J. Hoffman Co., which is for the SCADA Project. Mr. Neely reported that Mr. Clapper is happy with the progress being made on the Project.

Mr. Brown asked Mr. Neely if he will be researching new electrical rates. Mr. Labenberg commented that the Morning Call had a list of approximately 40 companies and that rates have decreased substantially. He suggested that Mr. Neely research new rates.

Progress.

PRESIDENT'S BUSINESS

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

The Meeting of the Emmaus Borough Council adjourned at 8:16 p.m.

Craig B. Neely
Borough Manager

Transcribed by: Paula Weiant
Administrative Assistant
January 19, 2011