

March 7, 2011

EMMAUS BOROUGH COUNCIL

**Emmaus Borough Council
Agenda
Monday, March 7, 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

February 22, 2011

7. Decisions on Bids

Broad Street Reconstruction Project Bid Results

8. Communications
 - a. Wesley Barrett, Co-Race Director, Lehigh Valley Road Runners – Street closure for annual road race.
 - b. Gene Clock, Emmaus Main Street Program – Release of 2011 funds to EMSP.
 - c. John Cherhit, Lincoln Elementary School – Recreational Sports Center.
 - d. Michael Shimer, Lincoln Elementary School – Recreational Sports Center.
 - e. Noah Speight, Lincoln Elementary School – Skate Park.
 - f. Caleb Burkhardt, Lincoln Elementary School – Recreational Center.
 - g. Sara Abdulrazzak, Lincoln Elementary School – Skateboard Park.
9. Borough Engineer's Report
10. Solicitor's Report
11. Unfinished Business, Part I
12. New Business

Ordinance No. 1076 – An Ordinance Repealing Ordinance No. 1002 Dealing with Food Service Sanitation Regulations and Provisions, and Adopting Act 2010-106 Involving the Retail Food Facility Safety Act and Amendments to Chapter 65 Involving Food Employee Certification (1st Reading 3/7/11).

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13. Unfinished Business, Part II

14. Items Not on Agenda, Subject to Rule 9

15. Mayor's Report

a. **Registered Dietitian Day – March 9, 2011**

16. Committee Reports

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

Next Meeting – April 7, 2011 at 3:00 p.m.

- a. I & I Elimination Report
- b. Weiders Lane Status
- c. Broad Street Reconstruction
- d. EPA Water Testing Requirements
- e. **137 E. Harrison Street—Request for Street Opening Permit**

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

Next Meeting – March 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-- Reappointment of Liesel Adams (term expires 3/7/2014).**
- d. Riparian Buffer Ordinance
- e. Bollinger Land/Indian Creek Golf Course
- f. **Board of Health - Food Law and Regulations Ordinance – Ordinance No. 1076**

Parks and Recreation (Barrett, Holtzhafer, Labenberg)

Next Meeting – April 5, 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
- f. **Fee Waiver Requests**
- g. **EMAC use of the Emmaus Community Pool**
- h. **Proposed Community Event and Facility Use Documents**

Public Safety (Gilbert, Barrett, Brown)

Next Meeting – March 10, 2011 at 9:00 a.m.

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- a. Trailer Truck Parking
- b. Tractor Trailer Unloading
- c. Emergency Operations Plan – Review

Public Safety (continued)

- d. Civil Service Commission Rules and Regulations
- e. 200 Block of Seem Street – One Way Westbound

General Administration (Waddell, Barrett, Labenberg)

Next Meeting – March 9, 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. **Broad Street Sidewalk and Curb Permit Fee**
- f. **Hometown Press Proposal**

Budget and Finance (Holtzhafer, Reinhard, Gilbert)

Next Meeting – March 21, 2011 at 6:45 p.m.

Budget Workshops – August 31 & September 28, 2011 at 7:00 p.m.

- a. **Bill List – Resolution 2011-9**
- b. Per Capita Tax Ordinance
- c. **Cedarbrook Sportsmen Donation**

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

Next Meeting – March 22, 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

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18. Borough Manager's Report
 - a. **Significant Revenue and Expense Items for February 2011**
 - b. **Hire Pool Manager – Christopher Craig**
19. President's Business
20. Adjournment

Next Resolution #10
Next Ordinance #1077

The Emmaus Borough Council met in regular session on March 7, 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	Absent
R. Erick Reinhard	Present
Winfield Iobst, Mayor	Present
Frank Procyk, Solicitor	Present
Craig Neely, Borough Manager	Present

PERSONAL APPEALS, PART I

- A. **John Donches, 559 Minor St.,** stated that he attended General Administration Committee Meetings where it discussed waiving curb/sidewalk permit fees for the Broad Street Reconstruction Project. The Committee recommends that the permit fee for sidewalk remain the same and a \$50.00 flat permit fee would be charged for curb replacement. Mr. Donches encouraged Council to reduce the cost of the \$50.00 permit fee for curb replacement.
- B. **Patricia Diehl, Citizen's Fire Co #2, 1017-1021 Pennsylvania Ave.,** stated that the Fire Company is planning on holding a carnival from May 25, 2011 to May 28, 2011 and is requesting that the \$300 fee required to appear before the Zoning Hearing Board be waived. She stated that the Fire Company is a non-profit organization that supports the community.

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Mr. Neely commented that he spoke to Mr. Farnsworth about the carnival request. The request is a temporary use. To be approved for a temporary use, the organization must be a 501(c) (3) non-profit and must receive Zoning Hearing Board approval. A provision in the ordinance states that either the Zoning Hearing Board or Council can waive the fee. Mr. Neely stated that the matter would not be on the Agenda for the March 24, 2011 Zoning Hearing Board Meeting. It could be placed on the Agenda for the April 21, 2011. He also stated that if Borough Council does not grant the fee waiver, the Zoning Hearing Board has authority to grant the request. Mr. Barrett asked if the \$300 is a permit fee or a fee to appear before the Board. Mr. Neely responded that it is a fee to appear before the Board. Mr. Barrett suggested that the request be referred to the General Administration Committee. Mrs. Gilbert asked that the request be made in writing.

Motion by Mr. Holtzhafer, seconded by Dr. Waddell to grant the \$300 fee waiver request for the Citizen's Fire Co #2 to appear before the Zoning Hearing Board.

Mr. Neely invited Ms. Diehl to a General Administration Committee Meeting. Mrs. Gilbert referred the item to the General Administration Committee.

Mr. Holtzhafer withdrew his motion and Dr. Waddell withdrew his second.

C. Beverly A. Wachmann, 3520 Bleiler Rd., Emmaus, stated that she represents the dieticians in the Lehigh Valley and that March is National Nutrition month. She also stated that it is her honor to accept a Proclamation from Mayor Iobst declaring Wednesday, March 9, 2011, as Registered Dietitian Day. She introduced Jan Little, President of the Lehigh Valley Dietetic Association. Mayor Iobst said that he will read his letter supporting Registered Dietitian Day during the Mayor's Report.

D. Jan Little, Lehigh Valley Dietetic Association President, introduced herself and commented that she previously lived in the Borough.

COMMUNITY MINUTE – None.

SPECIAL PRESENTATIONS –None.

READING OF MINUTES

Motion by Mr. Barrett, seconded by Mr. Labenberg to dispense with the formal reading of the February 22, 2011 Minutes. There were 6 ayes. Motion carried.

Motion by Mr. Labenberg, seconded by Mr. Barrett to adopt the February 22, 2011 Minutes as drafted. There were 6 ayes. Motion carried.

DECISION ON BIDS

Mr. Labenberg read a Memorandum dated February 24, 2011 from Mr. Clapper recommending that the Broad Street Reconstruction Project be awarded to Imperial Excavating & Paving, LLC in the amount of \$468,562.00. Mr. Barrett asked for clarification on the 50% reduction for soft areas and asked if other items will be deducted from the cost of

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the project. Mr. Neely clarified that the 50% reduction is just for the soft areas. He stated that the property owners' curb and sidewalk costs will be deducted from the price of the project, which brings the project within budget.

Motion by Mr. Labenberg, seconded by Dr. Waddell to award the Broad Street Reconstruction Bid to Imperial Excavating & Paving, LLC, in the amount of \$468,562.00 There were 6 ayes. Motion carried.

COMMUNICATIONS

- a. Wesley Barrett, Co-Race Director, Lehigh Valley Road Runners – Street closure request for the 34th annual road race. Referred to staff and the Mayor.
- b. Gene Clock, Emmaus Main Street Program – Release of 2011 funds to EMSP. Referred to the Budget and Finance Committee.
- c. John Cherhit, Lincoln Elementary School – Request for a Recreational Sports Center. Referred to the Parks and Recreation Committee.
- d. Michael Shimer, Lincoln Elementary School – Request for Recreational Sports Center. Referred to the Parks and Recreation Committee.
- e. Noah Speight, Lincoln Elementary School – Skate Park. Referred to the Parks and Recreation Committee.
- f. Caleb Burkhardt, Lincoln Elementary School – Request for Recreational Sports Center. Referred to the Parks and Recreation Committee.
- g. Sara Abdulrazzak, Lincoln Elementary School – Skateboard Park. Referred to the Parks and Recreation Committee.
- h. Denise Tempest – Resignation from Emmaus Arts Commission.

Motion by Dr. Waddell, seconded by Mr. Barrett to accept Denise Tempest's letter of resignation from the Emmaus Arts Commission. There were 6 ayes. Motion carried.

Dr. Waddell thanked Mrs. Tempest for her years of service on the Arts Commission. Mrs. Gilbert directed Mr. Neely to draft a letter of thanks to Mrs. Tempest.

- i. Susan Zarrow, Emmaus Planning Commission – Notice of intent to not seek reappointment to the Planning Commission. Mrs. Gilbert asked Mr. Neely when vacancies were last advertised. Mr. Neely responded that vacancies were advertised in January 2011 and there will now be two vacancies on the Planning Commission.
- j. Budd Coates, Rodale Inc. – Request to rent Emmaus Community Swimming Pool. Mr. Barrett stated that the request will be included in the Parks and Recreation Committee report.
- k. Ron Eichenberg, Emmaus Main Street Program - Invitation to attend meeting with Allentown Parking Authority Executive Director.

Mayor Iobst read his letter dated February 3, 2011 supporting March 9, 2011 as Registered Dietitians Day and acknowledged the importance of a healthy diet.

BOROUGH ENGINEER'S REPORT – None.

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SOLICITOR'S REPORT

Progress.

UNFINISHED BUSINESS, PART I – None.

NEW BUSINESS

Ordinance No. 1076 – An Ordinance Repealing Ordinance No. 1002, Dealing with Food Service Sanitation Regulations and Provisions, and Adopting Act 2010-106, Involving the Retail Food Facility Safety Act and Amendments to Chapter 65, Involving Food Employee Certification (1st Reading 3/7/11).

Mr. Reinhard stated that Ordinance No. 1076 will repeal Ordinance No. 1002, and adopts Act 2010-106, which contains new regulations from the Department of Agriculture concerning inspections by the Borough Health Officer.

Motion by Mr. Reinhard, seconded by Mr. Labenberg to read Ordinance No. 1076 in short title. There were 6 ayes. Motion carried.

Mr. Reinhard read Ordinance No. 1076 in short title.

Motion by Mr. Holtzhafer, seconded by Mr. Reinhard to adopt Ordinance No. 1076 - An Ordinance Repealing Ordinance No. 1002, Dealing with Food Service Sanitation Regulations and Provisions, and Adopting Act 2010-106, Involving the Retail Food Facility Safety Act and Amendments to Chapter 65, Involving Food Employee Certification on its 1st Reading. Roll call vote: Mr. Reinhard, aye, Dr. Waddell, aye, Mr. Labenberg, aye, Mr. Holtzhafer, aye, Mr. Barrett, aye, Mrs. Gilbert, aye. There were 6 ayes. Motion carried.

Dr. Waddell asked for an overview of the Ordinance. Mr. Neely responded that the Act is similar to the Statewide Building Code that passed a few years ago, in that it applies to all municipalities and their enforcement of the provisions. Mr. Reinhard commented that at that night's Committee Meeting, the Health, Sanitation, and Conservation Committee unanimously recommended adopting the Ordinance.

UNFINISHED BUSINESS, PART II – None.

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

MAYOR'S REPORT

Progress.

COMMITTEE REPORTS

a. Public Works Committee

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Mr. Labenberg reported that the Committee met on March 3, 2011.

Mr. Labenberg reported that there was a Personal Appeal by Fran Volpe. Mr. Volpe owns Volpe's Sports Bar on Broad Street. He asked if his employees could park in the temporary permit parking that will be established along Jubilee Street. He was advised that his employees could park in the Town Hall parking lot, which is available for public parking after 5:00 p.m.

Mr. Labenberg also reported that the South 12th Street Drainage Project will be completed under budget by \$20,000 to \$30,000. Due to site conditions, there will not be a new drain installed on the south side of Pennsylvania Avenue at South 12th Street. He also reported that if resurfacing occurs to the north edge of Pennsylvania Avenue, new handicap ramps may need to be installed. Mr. Clapper is investigating the requirement.

Mr. Labenberg reported that the Borough received notice from PennDot that it awarded a microsurfacing project for Pennsylvania Avenue and 10th Street between Broad and Chestnut Streets, which is the same treatment that was used on State Road/Lehigh Street. Mr. Clapper is not happy with this type of treatment because it is not durable and the painted markings fade quickly. Mrs. Gilbert asked if there is a date when work will commence. Mr. Neely responded that the Borough received a Notice to Proceed from PennDot with a date, but he did not recall the start date.

Mr. Labenberg reported that Federal Law is requiring additional testing of the water system for new chemical compounds. Mr. Clapper suggests that the Borough not ask for testing waivers. It will cost the Borough \$24,000 this year to test for SOC's that were not tested for previously. After that, it will cost \$6,500 every 3 years.

Mr. Labenberg also reported that we received the final pay request for the Triangle Park Project from A.P. Houser, which will conclude the Project.

Mr. Labenberg reported that the owners of 137 East Harrison Street, via UGI, asked Borough Council to approve a street opening permit so that UGI can install a gas line from its main in Harrison Street to the home. The homeowner and UGI were unable to attend the Council Meeting and asked if the item could be moved to the next Council Meeting on March 22, 2011.

Mr. Labenberg also reported that Mr. Clapper advised that the SCADA Project is nearly complete and he is very happy with the result.

Mr. Labenberg reported that the Committee is currently working on updating the Rules and Regulations for Public Works Employees.

Progress.

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b. Health, Sanitation, and Conservation Committee

Mr. Reinhard reported that the Committee recommends the reappointment of Liesel Adam to the Emmaus and Upper Milford Joint Environmental Advisory Council for a term expiring on 3/7/2014.

Motion by Mr. Reinhard, seconded by Mr. Holtzhafer to reappoint Liesel Adam to the Emmaus and Upper Milford Joint Environmental Advisory Council for a term expiring on 3/7/2014. There were 5 ayes, 1 abstention (Barrett). Motion carried.

Mr. Reinhard reported that the Committee discussed a memo that was received from Raritan Valley Disposal concerning Recyclebank. He also reported that Mr. Neely will be attending a meeting on March 11, 2011 concerning the Lehigh County Compost Site.

Progress.

c. Parks and Recreation Committee

Mr. Barrett reported that the Committee met on March 1, 2011, having received many fee waiver requests. The Allentown Hibernians Hurling Club was granted the use of the Klines Lane all purpose field for weekly practices, and asked for a fee waiver because they do not meet the 50% residency requirement. Mr. Labenberg stated that he will vote against the motion because the Club does not meet the 50% residency requirement and the fee is needed to help pay for maintenance of the field. Mr. Barrett responded that the group is fairly new and small. It is the group's third year and Mr. Barrett believes that asking for a donation is appropriate. Dr. Waddell asked how much the fee is to use the field. Mr. Holtzhafer responded that the fee is \$25.00 per use. He stated that Jeff Purtell, Chair of the Hurling Club, is an Emmaus resident and there are several Emmaus residents on the team. Mr. Labenberg stated that his motion during the Committee Meeting was to charge a flat fee of \$100 for the season. Dr. Waddell asked if the Committee recommended a specific donation amount. Mr. Holtzhafer responded no.

Motion by Mr. Barrett, seconded by Mr. Holtzhafer to grant a fee waiver to the Hurling Club for its use of the Klines Lane all purpose field, with a request for a donation. There were 5 ayes, 2 opposed (Waddell, Labenberg). Motion carried.

Mr. Barrett reported that the Committee received a fee waiver request from St. Ann's Soccer for its use of the Klines Lane all purpose field. He stated that the soccer team does not meet the 50% residency requirement. He also stated that the Committee recommends granting the fee waiver request. Mr. Labenberg stated that he will vote against the fee waiver request because the team does not meet the 50% residency requirement and the Committee did not recommend asking for a donation. Dr. Waddell and Mr. Reinhard agreed with Mr. Labenberg.

Motion by Mr. Barrett, seconded by Mr. Holtzhafer to grant a fee waiver to St. Ann's Soccer for its use of the Klines Lane all purpose field. There were 2 ayes, 4 opposed (Labenberg, Gilbert, Reinhard, and Waddell.) Motion failed.

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Motion by Dr. Waddell, seconded by Mr. Labenberg to grant a fee waiver to St. Ann's Soccer for its use of the Klines Lane all purpose field, with a request for a \$100 donation.

Mr. Barrett was concerned that asking for a donation from the first organization and then a specific dollar amount donation from the second organization is confusing to the organizations and the public. Mr. Labenberg responded that the Committee established a fee structure for using the Borough fields and that the fees are not being enforced. He stated that he cannot remember any organization paying a fee except for softball tournaments. Mr. Neely stated that there have been organizations that have paid fees for use of the fields. He stated that flag football paid \$1,000 each of the last two seasons and cited other examples of organizations that paid fees. Mr. Holtzhafer responded that he voted to grant the fee waiver to St. Ann's Soccer because it is open to all residents of Emmaus and it is the only soccer program in town. He stated that he is not in favor of asking for a \$100 donation because there have been other organizations that have donated more than \$100 and it may encourage other organizations to donate less.

Dr. Waddell withdrew his Motion. Motion died.

Motion by Mr. Barrett, seconded by Mr. Holtzhafer to grant a fee waiver to St. Ann's Soccer for its use of the Klines Lane all purpose field, with a request for a donation. There were 5 ayes, 1 opposed (Labenberg). Motion carried.

Mr. Barrett reported that Emmaus High School is having its Senior Class Picnic at Emmaus Community Park on May 10, 2011 at the Arts Pavilion and asked for a fee waiver for its use of the Pavilion. Mr. Barrett stated that he will abstain from making the motion because he provides services for the picnic and wants to avoid any appearance of a conflict of interest.

Motion by Mr. Holtzhafer, seconded by Mr. Labenberg to grant Emmaus High School a fee waiver for its use of the Arts Pavilion on May 10, 2011. There were 5 ayes, 1 abstention (Barrett). Motion carried.

Mr. Barrett reported that the Committee received a letter from Karen McGuinness, Service Unit Manager for the Girl Scouts. The Girl Scouts would like to reserve the Arts Pavilion on May 25, 2011, from 6:00 p.m. until 8:00 p.m., and requested a fee waiver for its use of the Pavilion. The Committee unanimously recommends denying the Girl Scouts request.

Mr. Barrett reported that the East Penn Midget Football Association requested a fee waiver for its use of Community Park fields. The Association donated \$1,000 to the Borough for field use in each of the last 2 years. The Association's membership is approximately 40% Emmaus residents. The Committee unanimously recommends to Council that it grant the Association's fee waiver request.

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Motion by Mr. Barrett, seconded by Mr. Labenberg to grant a fee waiver to the East Penn Emmaus Midget Football Association for its use of Community Park fields. There were 6 ayes. Motion carried.

Mr. Barrett reported that the Crime Victims Council of the Lehigh Valley is holding an event on September 18, 2011 at Emmaus Community Park and are renting pavilions. The Crime Victims Council requests a fee waiver for its use of the pavilions. The Committee voted 2-1 to recommend denying the request. Dr. Waddell asked if the Committee recommends denying the request, does Council still need to vote on the request. Mr. Barrett responded that it does not need to be voted on by Council because there is no action required. Mr. Holtzhafer stated that he will make a motion to grant the fee waiver request because he believes that the organization is worthy of it. Mr. Labenberg responded that he will be voting against the motion because the organization is outside the Borough and the request is for a weekend.

Motion by Mr. Holtzhafer to grant a fee waiver request to the Crime Victims Council of the Lehigh Valley for its use of pavilions. Motion died for lack of a second.

Mr. Barrett reported that the Emmaus Aquatic Club is asking to use the Emmaus Community Pool for practices in mornings this summer, from late May until approximately August 19, 2011. The Committee discussed that, historically, Rodale used the pool in the summer also, and that the two organizations work together to develop a schedule that is satisfactory to both. The Committee recommends that Council grant EMAC's request to use the pool, subject to it resolving any scheduling conflicts with Rodale. He also reported that he received a request from Rodale to use the Emmaus Community Pool on Mondays, Wednesdays, and Fridays from 7:00 a.m. until 8:00 a.m. from the Wednesday following Memorial Day to the Friday prior to Labor Day.

Motion by Mr. Barrett, seconded by Mr. Labenberg to authorize Emmaus Aquatic Club's use of the Emmaus Community Pool from late May until approximately August 19, 2011, subject to coordinating its use with Rodale. There were 6 ayes. Motion carried.

Motion by Mr. Barrett, seconded by Mr. Holtzhafer to grant Rodale's request to use Emmaus Community Pool on Mondays, Wednesdays, and Fridays from 7:00 a.m. until 8:00 a.m., from the Wednesday following Memorial Day to the Friday prior to Labor Day, subject to coordinating its use with EMAC. There were 6 ayes. Motion carried.

Mr. Barrett clarified that Rodale will pay \$25 per session for use of the pool and \$12.50 per session for a lifeguard.

Mr. Barrett reported that the Emmaus Historical Society is asking for a fee waiver for its use of the Moser Pavilion on Wednesday, June 15, 2011. The Committee unanimously recommends granting the waiver request.

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Motion by Mr. Barrett, seconded by Mr. Labenberg to grant the Emmaus Historical Society's fee waiver request for its use of the Moser Pavilion on Wednesday, June 15, 2011. There were 6 ayes. Motion carried.

Mr. Barrett reported that the Committee reviewed the Community Event/Park and Pavilion Use Documents. These are a series of documents prepared by Mr. Neely as a result of issues raised during Summer 2010 surrounding the use of Borough facilities for community events. They are designed to advise users of Borough facilities of the rules and regulations concerning use of the facilities, and to provide information to Borough staff about the activities that will be associated with particular uses. He stated that the Committee spent four to five Committee Meetings reviewing the documents and gathered information from other municipalities. Mr. Labenberg commented that the Community Event Information Sheet will be very useful.

Motion by Mr. Labenberg, seconded by Mr. Barrett to approve the Community Event/Park and Pavilion Use Documents. There were 6 ayes. Motion carried.

Mr. Barrett commented that the documents will be available on the Borough website.

Mr. Barrett reported that the Emmaus Action Sports Association made a presentation to the Committee concerning a Skate/Bike Park. The group provided written materials to the Committee. The proposed project is estimated to cost approximately \$200,000 but the group is not asking the Borough to contribute any money to the project. The Association plans to seek funds via fundraisers and grants. The Committee agreed that the group should make a special presentation to full Borough Council. Mr. Neely responded that the group asked to be placed on the Agenda for the next Council Meeting, March 21, 2011.

Mr. Barrett also reported that the Committee met with Andy Silfies, the organizer of the 3rd Annual Punk Rock Concert at Emmaus Community Park. An official request will be forthcoming.

Progress.

d. Public Safety Committee

Mrs. Gilbert reported that the Committee will meet on Thursday, March 10, 2011.

Progress.

e. General Administration Committee

Dr. Waddell reported that the Committee met on February 23, 2011. It met with Greg Cook and Kim Kriebel of "Hometown Press" and recommends that "Hometown Press" publish one newsletter with a 70% - 30% ratio for advertising and limiting the size of an ad to 1/3 of a page. Mr. Labenberg commented that using "Hometown Press" will save the Borough a considerable amount of money because the only cost to the Borough will be postage. He also commented that there is no contract and the Borough can determine the

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number of issues to be published. Mrs. Gilbert asked if the company will provide postage costs. Dr. Waddell advised that it will. Mrs. Gilbert asked what issue they will begin with. Dr. Waddell responded that the decision will be left to staff.

Motion by Dr. Waddell, seconded Mr. Labenberg to have “Hometown Press” publish one issue of the Borough Newsletter with no more than 30% advertising, and limiting the size of the ads to 1/3 of a page. There were 5 ayes, 1 abstention (Barrett). Motion carried.

Dr. Waddell reported that Mr. Clapper and Mr. Farnsworth appeared before the Committee and asked it to reconsider the curb permit fee for residents on Broad Street. The Committee recommends a flat fee of \$50 for a curb permit and the sidewalk permit fee to remain the same. Mr. Labenberg explained that according to the Fee Schedule the typical curb fee is \$50 for the first 10 feet, then \$10 for every foot thereafter. The sidewalk permit fee will remain the same at 50 cents per linear foot. He further explained that he supports the \$50 flat fee because the Borough will not be doing restoration work and will not incur costs to justify the permit fee.

Motion by Dr. Waddell, seconded by Mr. Labenberg to require the property owners on Broad Street to pay a \$50 flat fee for a curb permit and to keep the sidewalk permit fee at 50 cents per linear foot. There were 6 ayes. Motion carried.

Dr. Waddell reported that the next Committee Meeting is March 9, 2011.

Mrs. Gilbert reminded that the Committee recommended waiving the 10% Administrative Fee associated with curb/sidewalk replacement for the Broad Street Reconstruction Project and no official action has been taken. Dr. Waddell stated that he believed that the Administrative Fee was included in the \$50 flat fee. Mr. Holtzhafer asked if the Administrative Fee was for property owners who choose the Borough Contractor to do the work. Mr. Neely responded that it is.

Motion by Mr. Labenberg, seconded by Dr. Waddell to waive the 10% Administrative Fee associated with curb/sidewalk replacement required as part of the Broad Street Reconstruction Project. There were 6 ayes. Progress.

Progress.

f. Budget and Finance Committee

Mr. Holtzhafer read Resolution 2011- 9, authorizing payment of the March 7, 2011 Bill List, as follows:

Bill List	\$	114,983.98
Payroll #4	\$	108,240.86
Payroll Taxes	\$	33,121.60
Total	\$	256,346.44

Done this 7th day of March 2011.

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Motion by Mr. Holtzhafer, seconded by Mr. Reinhard to approve the March 7 2011 Bill List. There were 6 ayes. Motion carried.

Mr. Holtzhafer reported that the Committee received a letter from Fred Mussel of the Cedarbrook Sportsmen, requesting a \$300.00 donation for the stocking of trout at Furnace Dam for the opening of Trout Season on April 2, 2011. Mr. Reinhard stated that he opposes the donation because he believes the donation is outside the scope of government. He also stated that he fully supports the event and believes that it is for a great cause.

Motion by Mr. Holtzhafer, seconded by Mr. Labenberg to donate \$300.00 to the Cedarbrook Sportsmen for the stocking of Furnace Dam for the opening of Trout Season on April 2, 2011. There were 5 ayes, 1 opposed (Reinhard). Motion carried.

The next Budget and Finance Committee Meeting is March 17, 2011. Chief Faust will attend the meeting to discuss part-time police officer's wages. Mr. Holtzhafer asked Mr. Neely to have Christine Snyder attend to provide a budget update.

Progress.

g. Community Relations, Planning and Development Committee

Dr. Waddell reported that four members of the Emmaus Arts Commission will meet shortly to discuss displaying the artifacts from the 1959 and 2009 Celebrations, as well as the Civil War Replica Flag, in Borough Hall.

Progress.

h. Ad Hoc-Community/School Relations Committee

Mr. Holtzhafer reported that he called the East Penn School District to request a meeting, which will be scheduled in March.

Progress.

PERSONAL APPEALS, PART II

A. John Donches, 559 Minor St., thanked Council for waiving the Administrative Fee and charging a flat permit fee to residents for curb replacement on Broad Street. He stated that he believes residents on Jubilee Street should be offered the same flat fee. Mr. Neely clarified that the 12th & Jubilee Street Project is a resurfacing, not a reconstruction, project. Mr. Donches stated that Borough residents should be allowed to casually use the pavilions during the week and not have to pay a fee, as long as the pavilion is not rented. Mr. Labenberg responded that any resident is able to casually use a pavilion during the week without paying a fee. He stated that the fee rental waivers that were discussed during the Parks and Recreation Committee were for organizations that were renting a pavilion for a function.

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B. Linda Santo, 552 Fairview St., voiced concern about parking problems on Fairview Street, particularly on Wednesday nights from 4:00 p.m. to 8:30 p.m. Mrs. Gilbert stated that the item will be discussed at the next Committee Meeting.

Mr. Reinhard thanked Ms. Santo for volunteering and serving on the Emmaus and Upper Milford Joint Environmental Advisory Council.

BOROUGH MANAGER'S REPORT

Mr. Neely advised that the Significant Revenue and Expense Items for February 2011 are in the Council binders and offered to entertain any questions about them. He also advised that the 2011 Budget is performing well.

Mr. Neely reported that there has been discussion between himself, Mr. Clapper, and Dr. Waddell about maintenance of a portion of the Catholic War Veterans property. He asked Mrs. Gilbert which committee should consider it. Mrs. Gilbert referred the matter to the General Administration Committee.

Mr. Neely also reported that there were 4 candidates interviewed for the Pool Manager position. One applicant stood out above the rest. Staff is asking that Council vote to approve Christopher Craig as the Pool Manager for the 2011 Community Park Pool Season at an hourly rate of \$11.00, with the possibility of a \$2,000 bonus at the conclusion of the season.

Motion by Mr. Labenberg, seconded by Mr. Barrett to hire Christopher Craig as the Pool Manager for the 2011 Community Park Pool Season at an hourly rate of \$11.00, with the possibility of a \$2,000 bonus at the conclusion of the season. There were 6 ayes. Motion carried.

PRESIDENT'S BUSINESS

Mrs. Gilbert adjourned the meeting at 8:30 p.m. for a brief Executive Session, observing that she did not anticipate any official action being needed.

Mrs. Gilbert reconvened the meeting at 8:39 p.m. with no official action being taken. Mrs. Gilbert advised that Mr. Labenberg needed to leave the meeting.

Motion by Dr. Waddell, seconded by Mr. Barrett to adjourn. There were 5 ayes. Motion carried.

The March 7, 2011 Meeting of the Emmaus Borough Council adjourned at 8:40 p.m.

Craig B. Neely
Borough Manager

Transcribed by: Paula Weiant
Administrative Assistant
March 10, 2011