

March 21, 2011

EMMAUS BOROUGH COUNCIL

**Emmaus Borough Council
Agenda
Monday, March 21, 2011, 7:00 PM**

1. Call to Order

2. Pledge of Allegiance

3. Personal Appeals, Part I

4. Community Minute

5. Special Presentations

Emmaus Action Sports Association – Skate/Bike Park

Emmaus Main Street Program – Proposed Bike Race

6. Reading of Minutes

March 7, 2011

7. Decisions on Bids

8. Communications

a. William Ahlert, Chairman, Emmaus-Upper Milford Joint EAC – Request
funding

for the 2011 Earth Day Event.

b. Kate Heflin, 820 Frank Drive – Letter of interest to serve on Emmaus Library
Board.

c. Teryl Madison, Emmaus Main Street Program – Main Street Championship
Cycling Event

9. Borough Engineer's Report

424-436 N. 3rd Street – Minor Subdivision

10. Solicitor's Report

11. Unfinished Business, Part I

**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**

March 21, 2011

EMMAUS BOROUGH COUNCIL

Chapter 65, Involving Food Employee Certification (1st Reading 3/7/11) (2nd Reading 3/21/11).

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 – 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 – April 14, 2011 at 4:00 p.m.

- a. Compost Options
- b. Refuse/Recycling with Raritan Valley
- c. Riparian Buffer Ordinance
- d. Bollinger Land/Indian Creek Golf Course
- e. Emmaus and Upper Milford Joint Environmental Advisory Council
- f. **Board of Health - Food Law and Regulations Ordinance – Ordinance No. 1076 (2nd Reading)**

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

Public Safety (Gilbert, Barrett, Brown)

Next Meeting – April 14, 2011 at 9:00 a.m.

March 21, 2011

EMMAUS BOROUGH COUNCIL

- 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
 - f. **Appointment of Kevin Farnish as the Emergency Management Coordinator.**
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- g. **Appointment of East Penn Medical Associates as the Borough’s Physician and appointment of Psychological Associates of Bethlehem as the Borough’s Psychologist.**
 - h. **Snow Removal Ordinance—Penalty Provision**
 - i. **Main Street Championship Cycling Event**

General Administration (Waddell, Barrett, Labenberg)

Next Meeting – March 23, 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. **Fire Company No. 2 Carnival—Zoning Hearing Board Fee Waiver**
- f. CWV Maintenance Issue
- g. RFP for Insurance Carrier Bids

Budget and Finance (Holtzhafer, Reinhard, Gilbert)

Next Meeting – April 4, 2011 at 6:45 p.m.

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

- a. **Bill List – Resolution 2011-10**
- b. Per Capita Tax Ordinance
- c. **Main Street Program Disbursement**
- d. **Part Time Police Officer Hourly Rate**
- e. **Police Retirees Cost of Living Adjustment Request**

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)

March 21, 2011

EMMAUS BOROUGH COUNCIL

Next Meeting – April 6, 2011 at 3:30 p.m.

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 March 2011**

19. President's Business

Executive Session

20. Adjournment

Next Resolution #11
Next Ordinance #1077

The Emmaus Borough Council met in regular session on March 21, 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	Absent
Frank Procyk, Solicitor	Present
Craig Neely, Borough Manager	Present

PERSONAL APPEALS, PART I

A. **John Donches, 559 Minor St.**, voiced opposition to the Legion Baseball Field Reconstruction Project. He stated that he is opposed to part-time police receiving a raise

March 21, 2011

EMMAUS BOROUGH COUNCIL

because the 2011 budget process is over, and the time to discuss raises should be during the 2012 budget process.

B. Anne Guarino, 3970 Lilac Rd., Allentown, and Blake Barbarics, 7th Grade Student at Eyer Middle School, presented information about Autism Speaks, a fundraising walk for Autism that will be held in the Lehigh Parkway, Allentown, PA, on Saturday, April 16, 2011. The walk was founded 5 years ago by Blake's parents, William and Karen Barbarics, and has raised almost \$2 million dollars for research into the cause, prevention, and treatment of Autism. Ms. Guarino announced that April is Autism Awareness Month and April 2, 2011 is United Nations World Autism Awareness Day. She encouraged Emmaus residents and businesses to use blue lights on their front porches to join the celebration in April. She announced local events to benefit Autism Awareness and encouraged residents to support East Penn students in their efforts to raise awareness.

C. Mike Gibson, 230 Ridge St., thanked Mr. Neely for resolving the 2010 Pennvest issue. Mr. Neely explained how and when water accounts will be credited for \$5.64.

COMMUNITY MINUTE – None.

SPECIAL PRESENTATIONS

A. Emmaus Action Sports Association – Skate/Bike Park Project

The Emmaus Action Sports Association made a presentation to Council concerning developing a Skate/Bike Park. Katie Gangewere, Michael Hammer, Ray Gurz, and Erich Hornung represented the group. Ms. Gangewere stated that Mr. Hornung volunteered his services as architect for the project. The group presented an informational packet to Council and reviewed the Skate/Bike Park Proposal. The cost estimate is approximately \$200,000. Mr. Hammer stated that the estimate is based on using the Williams Street location for preparing a preliminary design. He discussed the size, location, and funding for the project. He stated that the Association plans to seek funds via fundraisers and grants, and is not asking Borough Council for any funds. The EASA answered questions from Council.

Dr. Waddell thanked the Emmaus Action Sports Association for its presentation. Mr. Reinhard commended the Association for its presentation and for assuming responsibility for the total cost of the project. Mr. Labenberg stated that he supports the project but believes that it would be more appropriate to construct the project in phases.

B. Emmaus Main Street Program – July 2, 2011 Bicycle Race – Main Street Cycling Championship (MSCC)

Gene Clock, on behalf of the Emmaus Main Street Program, announced that it is partnering with the National Cycling Association to organize and host Emmaus' first championship cycling event. It is scheduled for Saturday, July 2, 2011, and is estimated to draw 200-250 cyclists and an estimated 5,000 spectators. Mr. Clock introduced Jack Simes, MSCC Co-Chair, and one of the founders of the Lehigh Valley Velodrome. The race will start and finish at South Mountain Cycles on Main Street. The race route will begin by traveling west on Main Street, and then will turn left onto South 4th Street to E. Main Street,

March 21, 2011

EMMAUS BOROUGH COUNCIL

left on E. Main Street to South 2nd Street, right on South 2nd Street to Railroad Street, left onto Railroad Street to Keystone Avenue, left onto Keystone Avenue to Main Street, and left on Main Street to the finish. Mr. Clock stated that other activities will take place over the weekend, including a rib cook off contest, live music, beer trucks, a food court, and hospitality tents on E. Main Street. Mr. Clock explained that all businesses and residents along the event route will be notified by letter and personal contact one month prior to the event. Churches within a 2 block radius will also be notified. The Main Street Program is requesting a street closure between 3:00 p.m. until 11:00 p.m. for the above mentioned streets, a street closure of E. Main Street at the Triangle between the hours of 1:00 p.m. and 11:00 p.m., sweeping of the streets prior to the event, plywood to cover an open grate on Railroad Street, Ambulance and Police coverage, thirty pylon cones, temporary/portable lighting on Railroad Street between 2nd Street and Keystone Avenue, trash barrels with extra garbage bags along the route, and no parking signs at St. John's UCC Church, located at 139 N. 4th St.

Dr. Waddell thanked Mr. Simes for attending the Council Meeting and asked Mr. Neely if the items the EMSP is requesting are available. Mr. Neely responded that an inventory of available items will be needed. Mr. Neely explained that the only official action needed tonight is authorizing him to request PENNDOT to permit closure of Chestnut/Main Street from 3:00 p.m. until 11:00 p.m. Mr. Neely reviewed the detour route for the event. He stated that a detailed detour route will need to be provided to PENNDOT. Mr. Labenberg asked if there is a truck weight limit on Harrison Street. Mr. Neely responded that there is. Mr. Neely stated that there will be costs associated with holding the event. Mr. Labenberg asked about overtime costs for staffing. He stated that he is not against the event, but he is concerned about overtime costs. Mr. Neely responded that the Borough bills the event pursuant to the Borough Fee Schedule for the actual hours that staff works. Mr. Holtzhafer asked for more details about the race. Mr. Simes responded to Mr. Holtzhafer's questions. Mr. Labenberg asked if the race is contingent on PENNDOT'S approval. Mr. Simes responded that it is. Mrs. Gilbert asked if the street closure on East Main Street at the Triangle would be from 1:00 p.m. until 11:00 p.m. Mr. Clock responded that it would be. Mr. Neely observed that the Mayor would also need to close 2nd Street, Railroad Street, and Keystone Avenue. Mr. Brown thanked Mr. Clock and Mr. Simes for their presentation.

Motion by Mr. Brown, seconded by Dr. Waddell to authorize the Borough of Emmaus to request that PENNDOT permit the closure of 4th Street from Chestnut to Railroad Street, and Chestnut/Main Street from 5th Street to Klines Lane, on Saturday, July 2, 2011, between the hours of 3:00 p.m. until 11:00 p.m. There were 7 ayes. Motion carried.

READING OF MINUTES

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

Mr. Barrett stated that on Page 36, the first paragraph, it states that "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." Mr. Barrett believes that he made the statement. Mr. Neely responded that he believes Mr. Holtzhafer made the

March 21, 2011

EMMAUS BOROUGH COUNCIL

statement, but will have the recording reviewed. Staff reviewed the recording and it was determined that Mr. Holtzhafer made the statement. The Minutes are correct as drafted.

Motion by Dr. Waddell, seconded by Mr. Barrett to adopt the March 7, 2011 Minutes as drafted. There were 6 ayes, 1 abstention (Brown). Motion carried.

DECISION ON BIDS – None.

COMMUNICATIONS

a. William Ahlert, Chairman, Emmaus-Upper Milford Joint Environmental Advisory Council – Request funding for the 2011 Earth Day Event. Referred to the Budget & Finance Committee.

b. Kate Heflin, 820 Frank Drive – Letter of interest to serve on Emmaus Library Board. Referred to the General Administration Committee.

c. Jack Simes and Gene Clock, MSCC Co-Chairs – Requests for Main Street Championship Cycling Event to be held July 2, 2011. Referred to staff and Mayor Iobst.

d. Guy B. Washburn, 1143 Pennsylvania Ave – Request for Permit Fee Waiver for Curb Replacement. Referred to the Public Works Committee.

e. Nicole and Steve Shelly, Emmaus Farmers' Market President and Treasurer – Request for rental of the Band Shell Pavilion at the Emmaus Community Park on Sunday, October 2, 2011, for the fourth annual "Taste of the Market" event. Mr. Neely explained that the request is not for a fee waiver. The request is because they were advised by staff that the pavilion is closed before the date that they are requesting. Referred to the Parks and Recreation Committee.

f. Tim Knecht, Maria Olshin, 163 Main Street, Apt. 2, Emmaus – Request for appointment to the Emmaus Arts Commission. Referred to the General Administration Committee.

Mr. Neely provided information on handicapped accessible playground equipment from the latest issue of PSAB's Borough News.

BOROUGH ENGINEER'S REPORT – 424-436 N. 3rd Street – Minor Subdivision

Mrs. Gilbert recognized Attorney John Zettlemyer and Brad Youst of Hanover Engineering. Mr. Neely introduced Brad Youst, Hanover Engineering, Inc., as the Borough Engineer. Mr. Neely reported that the Planning Commission reviewed a Minor Subdivision request from Mr. Howerter, owner of 424-436 N. 3rd Street, Emmaus.

Mr. Youst explained that Mr. Howerter is proposing a Minor Subdivision at 424-436 N. 3rd Street, which is located on the southwest side of the street. There is an existing single family residence on the northern portion of the property. The proposal is to divide the lot into two 50' wide parcels. Mr. Youst explained that the second parcel would be available for the construction of a residence with two off-street parking spaces provided at its rear. The home would fit within required Zoning setbacks, though the Applicants received variances from the Zoning Hearing Board for the lot width and a minor setback variance for the patio of the house located at 436 N. 3rd St. The only waivers that are necessary, and have been requested

March 21, 2011

EMMAUS BOROUGH COUNCIL

for by the Applicants, are from a 60' right-of-way and a 34' cartway on the N. 3rd Street frontage. The existing geometry is a 57' right-of-way and a 33' cartway. The Planning Commission recommended granting both waivers. The Planning Commission recommended that Council approve the Final Plan.

Mr. Zettlemyer reported that the Applicant is not planning to construct a garage on the rear of the property but will seek the proper approval and permits from the Borough Zoning Officer if the Applicant decides to do so. Mr. Zettlemyer noted that Mr. Howerter is in attendance.

Motion by Mr. Labenberg, seconded by Mr. Holtzhafer to grant a waiver from the 60' right-of-way and 34' cartway requirements, and permit a 57' right-of-way and a 33' cartway. There were 7 ayes. Motion carried.

Motion by Mr. Labenberg, seconded by Mr. Barrett to approve the Final Plan for the Howerter Minor Subdivision located at 436 N. 3rd Street. There were 7 ayes. Motion carried.

SOLICITOR'S REPORT

Progress.

UNFINISHED BUSINESS, PART I

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) (2nd Reading 3/21/11).

Motion by Mr. Reinhard, seconded by Mr. Brown to read Ordinance No. 1076 in short title. There were 7 ayes. Motion carried.

Mrs. Gilbert read Ordinance No. 1076 in short title.

Mr. Reinhard reported that there were minor revisions to the Ordinance from the 1st Reading, which provide more details about Act 106.

Motion by Mr. Reinhard, seconded by Dr. Waddell 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 2nd Reading. Roll call vote: Mr. Brown, aye, Mr. Reinhard, aye, Dr. Waddell, aye, Mr. Labenberg, aye, Mr. Holtzhafer, aye, Mr. Barrett, aye, Mrs. Gilbert, aye. There were 7 ayes. Motion carried.

NEW BUSINESS - None.

March 21, 2011

EMMAUS BOROUGH COUNCIL

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 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, John Pavlacka, and the UGI representative, David Schaeffer, were unable to attend the previous Council Meeting but are in attendance tonight. Mr. Labenberg reported that the Committee recommended denying the request because it believes that it is important to preserve the integrity of the roadway. Mr. Labenberg invited the UGI Representative, David Schaeffer, to speak. Mr. Schaeffer introduced himself and stated that UGI would be able to perform the road restoration within 24 hours of completing the lateral installation. Mr. Labenberg responded that UGI has a history of performing inferior work in the Borough and the road involved is a main thoroughfare. Mr. Holtzhafer asked if there is a hardship for the homeowner. Mr. Schaeffer responded that the homeowner's oil burner is leaking and must be replaced. The homeowner will have significant savings by installing a natural gas furnace. Mr. Barrett asked when the moratorium expires. Mr. Neely responded that the Borough Ordinance states that a street cannot be opened without approval from Borough Council within 5 years of resurfacing and the moratorium will expire in August 2012. Dr. Waddell invited the homeowner to speak. Mr. Pavlacka stated that there are significant savings by installing a natural gas furnace. He also stated that there is a health factor due to inhaling fumes from a leaky oil burner. Mr. Barrett asked if Mr. Clapper had any comments about the matter. Mr. Labenberg responded that he did not. Dr. Waddell asked what recourse the Borough has if UGI does not perform the work properly. Mr. Neely responded that UGI posts a \$10,000 Bond every year with the Borough and if the work is not done properly, the Borough has the ability to execute on the Bond.

Motion by Mr. Holtzhafer, seconded by Mr. Brown to grant UGI a street opening permit to install a natural gas lateral at 137 E. Harrison Street. There were 4 ayes, 3 opposed (Labenberg, Holtzhafer, Gilbert). Motion carried.

Mr. Brown asked if the Motion could be amended to hold UGI accountable for the work performed. Mr. Neely stated that the Motion could be amended to grant the approval for the permit provided that UGI performs the work within a 24 hour time period and if the work is not performed in the time period the Borough could charge double for the materials for performing the work properly. Mr. Brown asked if Mr. Holtzhafer is willing to amend his motion. Mr. Holtzhafer responded that he is not.

March 21, 2011

EMMAUS BOROUGH COUNCIL

Progress.

b. Health, Sanitation, and Conservation Committee

Mr. Reinhard reported that the Committee met prior to the Council Meeting on March 7, 2011. Council had no questions.

Progress.

c. Parks and Recreation Committee

Mr. Barrett reported that the Committee will meet on April 5, 2011.

Progress.

d. Public Safety Committee

Mrs. Gilbert reported that the Committee met on March 10, 2011. It recommends hiring Ryan Crawford as a driver of engines #711 and #712 for the Emmaus Fire Department. He completed all required training.

Motion by Mr. Brown, seconded by Mr. Barrett to hire Ryan Crawford as a driver for engines #711 and #712 for the Emmaus Fire Department. There were 7 ayes. Motion carried.

Mrs. Gilbert reported that the Committee is recommending Kevin Farnish as the Borough's Emergency Management Coordinator, contingent upon Governor Corbett's approval.

Motion by Mr. Brown, seconded by Mr. Barrett to appoint Kevin Farnish as the Borough's Emergency Management Coordinator. There were 7 ayes. Motion carried.

Mr. Brown commented that Mr. Farnish's resume is extensive. Mrs. Gilbert responded that Mr. Farnish has 35 years of fire fighting experience. His first assignment will be to review the Borough's Emergency Operations Plan.

Mrs. Gilbert reported that changes to the Civil Service Commission need to be adopted because of Act 92. The Borough needs to formally appoint the Borough's official physician and psychologist. The Committee recommends using East Penn Medical Associates as the physician and Psychological Associates of Bethlehem as the psychologist.

Motion by Mr. Brown, seconded by Mr. Barrett to appoint East Penn Medical Associates as the Borough's physician and Psychological Associates of Bethlehem as the Borough's psychologist. There were 7 ayes. Motion carried.

March 21, 2011

EMMAUS BOROUGH COUNCIL

Mrs. Gilbert reported that the Zoning Officer, Jim Farnsworth, suggests increasing the penalties for violating the Snow Removal Ordinance. Currently, the fines are \$25 for a first offense, \$50 for a second offense, and \$100 for each subsequent offense thereafter. The Committee recommends that Council increase the fines to \$100, \$150, and \$200, respectively. Based on this recommendation, Council can ask Solicitor Procyk to draft the Ordinance.

Motion by Mr. Brown, seconded by Mr. Holtzhafer to authorize Solicitor Procyk to draft an Ordinance increasing the fines for violating the Snow Removal Ordinance to \$100 for the first offense, \$150 for the second offense, and \$200 for each subsequent offense thereafter. There were 5 ayes, 2 opposed (Labenberg, Waddell). Motion carried.

Dr. Waddell voiced concern about the increase of the fines, particularly the increase for a first offense. Mr. Labenberg asked if the fine is to cover the cost of having someone else shovel the snow. Mr. Neely responded that the resident would be billed for the cost and a fine would be imposed. Mr. Labenberg responded that he does not support the increase because he believes it is excessive. Mr. Holtzhafer responded that he was the Weed/Snow Enforcement Officer for three years and only cited one business for not shoveling. Mr. Labenberg responded that if a resident goes on vacation they could be fined \$100 fine for a first offense. He stated that he is not against raising the fine, but believes \$100 for the first offense is excessive. Mrs. Gilbert asked Dr. Waddell what increased amount he believes is fair. Dr. Waddell suggested an increase to \$50, \$100, and \$200, respectively. Mr. Labenberg asked why there is a need for an increase if the fine is rarely collected. He stated that he is concerned that there is a possibility of selective enforcement of the fine. Mr. Reinhard asked if the Committee unanimously voted to recommend the increase. Mr. Neely responded that the vote was unanimous. Mr. Reinhard suggested recording the vote in the Committee Minutes prepared by Mr. Neely.

Dr. Waddell commented that the Emmaus Arts Commission is in the process of assisting with Borough Hall upgrades and asked if there are structural renovations planned. Mrs. Gilbert responded that there are not.

Progress.

e. General Administration Committee

Dr. Waddell reported that the Committee met on March 9, 2011. Fire Company No. 2 is planning a carnival-type event from May 25 through May 28, 2011. It needs to appear before the Zoning Hearing Board to request a Special Exception for a Temporary Use. The Ordinance regarding Temporary Uses authorizes Borough Council or the Zoning Hearing Board to waive the filing fee to appear before the Board. The fee to file for a Special Exception is \$300. The Committee recommends waiving the filing fee.

Motion by Dr. Waddell, seconded by Mr. Labenberg to grant a fee waiver to Fire Company #2 to appear before the Zoning Hearing Board. There were 6 ayes, 1 abstention (Gilbert). Motion carried.

March 21, 2011

EMMAUS BOROUGH COUNCIL

Dr. Waddell reported that the Committee discussed the Borough's responsibility concerning the maintenance of the playground located at the Catholic War Vets. It learned that David Dries donated the land where the swing set and basketball courts are to the CWV, conditioned on the Borough using the area as a playground. Mr. Neely explained that the Agreement between the CWV and the Borough cannot be found. He recommended that the Borough and CWV meet to discuss the future of the playground area. Dr. Waddell suggested upgrading the playground at Furnace Dam Park.

Dr. Waddell reported that the Borough and "hometown press" are finalizing a contract for publishing one issue of the Borough Newsletter.

Mr. Labenberg questioned item #4 – Insurance Requests for Proposal, noting that the Committee Meeting Minutes read that Council does not need to vote on proceeding in this manner. He disagrees with the statement and believes that Council should vote on the item. Dr. Waddell stated that he voted against issuing a Request for Proposal to obtain insurance quotes. Mr. Reinhard discussed pros and cons about using an RFP.

Motion by Mr. Labenberg, seconded by Mr. Barrett to authorize Mr. Neely to prepare a Request for Proposals for quotes from insurance brokers to obtain better insurance rates. There were 4 ayes, 3 opposed (Waddell, Reinhard, Brown). Motion carried.

Mr. Labenberg commented that the Committee discussed how to effectuate cost savings in the operation of Borough government and suggested copying on both sides of pages.

Mrs. Gilbert asked if a vote was needed on the Personnel Policy. Mr. Neely responded that the Policy will have a final review at the General Administration Committee Meeting, on March 23, 2011.

Progress.

f. Budget and Finance Committee

Mr. Holtzhafer read Resolution 2011- 10, authorizing payment of the March 21, 2011 Bill List, as follows:

Bill List	\$ 358,308.18
Payroll #5	\$ 118,197.19
Payroll Taxes	<u>\$ 37,039.99</u>
Total	\$ 513,454.36

Done this 21st day of March 2011.

Motion by Mr. Holtzhafer, seconded by Mr. Reinhard to approve the March 21 2011 Bill List. There were 7 ayes. Motion carried.

March 21, 2011

EMMAUS BOROUGH COUNCIL

Mr. Holtzhafer reported that the Emmaus Main Street Program requested the Borough to disperse \$7,500 to the Program, which is in the 2011 Budget. The Committee recommends approving the disbursement.

Motion Mr. Holtzhafer, seconded by Mr. Brown to disburse the 2011 budgeted amount of \$7,500 to the Emmaus Main Street Program. There were 6 ayes, 1 opposed (Reinhard). Motion carried.

Mr. Holtzhafer reported that the Committee recommends raising the part-time police officers' hourly rate from \$17.65 to \$18.81 per hour. The Committee also discussed that if the Department considers hiring part-time officers in the future, they may not be started at that rate, but at something less.

Motion by Mr. Holtzhafer, seconded by Dr. Waddell to raise the part-time police officers' hourly rate from \$17.65 to \$18.81 per hour. There were 3 ayes, 4 opposed (Brown, Reinhard, Waddell, Labenberg). Motion failed.

Mr. Reinhard stated that he is not in favor of the part-time police officers' hourly rate increase because the matter should be decided during Budget discussions. Mr. Labenberg responded that he agreed with Mr. Reinhard. Mr. Brown stated that he believes the rate is appropriate but that the timing is off. He also stated that he believes the increase should start on January 1, 2012. Dr. Waddell agreed with Mr. Brown. Mr. Brown responded that all Borough employees are heroes and he values each position equally.

Mr. Holtzhafer reported that police retirees asked for a cost of living adjustment for their retirement benefits. The Borough Actuary reported that an increase would create a \$23,000 unfunded liability that the Borough would need to pay into the Police Pension Plan in 2011. The expense is not in the 2011 Budget. The Committee recommends denying the cost of living adjustment request. Mr. Barrett asked if there are any ramifications for not approving the request. Mr. Neely responded that there are not.

Motion by Mr. Holtzhafer, seconded by Mr. Brown to deny granting the police retirees a cost of living adjustment for retirement benefits. There were 7 ayes. Motion carried.

Mr. Holtzhafer reported that the Borough Treasurer, Christine Snyder, updated the Committee on the 2011 Budget. He also reported that she will be providing a quarterly update shortly.

Mr. Holtzhafer reported that staff requested that the Borough install a secure keypad entrance to the financial offices, which includes the Treasurer, the Cashier, and the Water/Sewer Billing Clerk, for security reasons.

Mr. Holtzhafer reported that the General Authority requested a "wish list" for 2011.

Mrs. Gilbert asked Mr. Holtzhafer for a status on the health insurance dividend. Mr. Holtzhafer responded that the Borough will receive almost \$180,000 in dividends for having

March 21, 2011

EMMAUS BOROUGH COUNCIL

healthy employees. The Borough will receive half of the dividend shortly. Mr. Reinhard responded that that the Borough overpaid for health insurance, which is the reason that it is receiving a refund.

Progress.

g. Community Relations, Planning and Development Committee

Dr. Waddell stated that members of the Emmaus Arts Commission met at Town Hall to discuss decorating upgrades to Town Hall. He commended the Commission for its time spent on the project. Mr. Brown reported that the Community Relations, Planning and Development Committee will discuss the matter at its March 22, 2011 meeting with a recommendation following shortly. He also reported that he will attend an Emmaus Flag Day Association Meeting to provide an update on the Civil War Replica Flag.

Progress.

h. Ad Hoc-Community/School Relations Committee

Mr. Holtzhafer reported that a Committee Meeting will be held on April 6, 2011.

Progress.

PERSONAL APPEALS, PART II

Otto Slozer, 121 E. Elm Street, Emmaus, asked Dr. Waddell if his reference to a flag was to the Civil War Replica Flag that hung at Town Hall. Dr. Waddell responded affirmatively.

BOROUGH MANAGER'S REPORT

Mr. Neely advised that the Significant Revenue and Expense Items for the first half of March are in the Council binders and offered to entertain any questions about them. Mr. Reinhard noted that the Borough received a D.E.P. Recycling Performance Grant in the amount of \$27,359.00 and asked how the amount compared to the previous year. Mr. Neely said that the amount received was for 2008.

Progress.

PRESIDENT'S BUSINESS

Mrs. Gilbert recessed the Meeting at 9.55 p.m. for a brief Executive Session, observing that she did not anticipate any official action thereafter.

Mrs. Gilbert reconvened the meeting at 10:10 p.m. with no official action being taken.

March 21, 2011

EMMAUS BOROUGH COUNCIL

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

The March 21, 2011 Meeting of the Emmaus Borough Council adjourned at 10:11 p.m.

Craig B. Neely
Borough Manager

Transcribed by: Paula Weiant
Administrative Assistant
March 25, 2011