

May 6, 2013

EMMAUS BOROUGH COUNCIL

**Emmaus Borough Council
Agenda
Monday, May 6, 2013, 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

April 15, 2013

7. Decisions on Bids
8. Communications
 - a. Gene Clock, Emmaus Main Street Partners – Matching Fund Request.
 - b. Scott Demasi, Unami Fish and Game Assoc., Inc. – Donation request.
 - c. Jenae Holtzhafer – Special Entertainment Commission – Arts Pavilion Sound System Upgrade, Pool Admission Rates, and Sunday Concert Food Vendors.
 - d. John Cari and Suzanne Vincent – Lower Macungie Middle School – Pool Fee and Pavilion Fee Waiver.
9. Borough Engineer's Report
10. Solicitor's Report
11. Unfinished Business, Part I

Ordinance No. 1097 – An Ordinance of the Borough of Emmaus, Lehigh County, Pennsylvania, Amending Chapter 18, Part 3 of the Code of the Borough of

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Emmaus to Conform with Changes to the City of Allentown's Wastewater Discharge Limitation Ordinance (1st Reading 4/15/13) (2nd Reading 5/6/13).

12. New Business

Ordinance No. 1098 – An Ordinance Amending the Borough of Emmaus Zoning Ordinance to Add Part 10, to Create an Overlay District Entitled “AQCOD – Age Qualified Community Overlay District,” to Establish Guidelines for Future Amendments to the Borough's Official

12. New Business (continued)

Zoning Map to Govern the Consideration of Landowner and Other Requests for the Approval of Such Overlay, to Add Definitions, Regulations and Other Requirements for Age Qualified Communities and to Otherwise Authorize the Development of Age Qualified Communities Within the Borough (1st Reading 5/6/13).

13. Unfinished Business, Part II

14. Items Not on Agenda, Subject to Rule 9

15. Mayor's Report

Proclamation 2013 – 335 – Police Week

16. Committee Reports

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

Next Meeting – June 6, 2013 at 3:00 p.m.

- a. Rules & Regulations (update)
- b. Home Inspections / Illegal Hook-ups
- c. South 2nd Street Reservoir
- d. South 10th Street Culvert
- e. 2013 Street Projects
- f. **Industrial Wastewater Treatment Ordinance – 2nd Reading (5/6/13)**
- g. **Roadway Projects List**
- h. **Paul Heckman – 127 S. 15th Street Water Leak – Request for Sewer Bill Relief**

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

Next Meeting – June 24, 2013 at 5:00 p.m.

- a. Compost Options
- b. Emmaus and Upper Milford Joint Environmental Advisory Council
- c. Board of Health
- d. **Refuse Contract Advertisement / Renew Raritan Valley**
- e. Town Hall HVAC System

Parks and Recreation (Barrett, Holtzhafer, Labenberg)

Next Meeting – May 7, 2013 at 3:30 p.m.

- a. Ice Rink/Skate Park
- b. Emmaus Legion Baseball Field Project
- c. **Hire Concession Stand Employees**
- d. Youth Football League Building Agreement
- e. **Hire Lifeguards / Cashier / Summer Public Works**

Parks and Recreation (continued)

- f. **Hire Summer Parks Counselors**

Public Safety (Gilbert, Barrett, Brown)

Next Meeting – May 9, 2013 at 3:00 p.m.

- a. Emergency Operations Plan – Review
- b. Sign Ordinance

General Administration (Waddell, Barrett, Labenberg)

Next Meeting – May 15, 2013 at 9:00 a.m.

- a. 1803 House Lot Line Adjustment
- b. Emmaus Public Library Expansion Project
- c. Arts Commission Gallery
- d. **Ordinance No. 1098 - Age Qualified Housing Ordinance (1st Reading 5/6/13)**
- e. HVAC System at Town Hall
- f. Light Duty / Return to Work Policy
- g. Finance Plan / Budget
- h. Sale of Properties

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- i. Refuse Contract
- j. Borough Hall Configurations
- k. Banners and Advertising Policy**
- l. Kiosk Policy**

Budget and Finance (Holtzhafer, Shubzda, Gilbert)

Next Meeting – May 20, 2013 at 6:45 p.m.

- a. Bill List—Resolution 2013-14**
- b. Policy for Receipts and Packing Slips
- c. Banking and Accounts for All Borough Entities
- d. Eliminate Gamewell System – 2014
- e. Pavilion Construction
- f. Electricity / Natural Gas
- g. Paving Machine
- h. Donation to Emmaus Community Day**

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

Next Meeting – May 23, 2013 at 4:15 p.m.

- a. LERTA
- b. Keystone Communities Program
- c. Community Revitalization Grant
- d. CGI Communications Community Video
- e. Façade Grant Agreement**

17. Junior Council Member's Report

18. Personal Appeals, Part II

19. Borough Manager's Report

- a. Significant Revenue and Expense Items for April 2013**

20. President's Business

Executive Session – Personnel Matter

21. Adjournment

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Next Resolution #15
Next Ordinance #1099

The Emmaus Borough Council met in regular session on May 6, 2013 in Borough Council Chambers, 28 S. 4th Street, Emmaus, PA 18049.

CALL TO ORDER

Mrs. Gilbert called the Meeting to order at 7:00 p.m.

Lee Ann Gilbert	Present
Brian Holtzhafer	Present
Michael Waddell	Present
Brent Labenberg	Present
Wesley Barrett	Present
Nathan Brown	Present
Jeffrey Shubzda	Present
Rowan Hobson, Junior Councilman	Present
Winfield Iobst, Mayor	Present
Thomas Dinkelacker, Solicitor	Present
Shane Pepe, Borough Manager	Absent

PERSONAL APPEALS, PART I

A. Jim Woodeshick – 108 Seem Street – voiced concern about individuals blowing grass and debris into the street. He stated that blowing grass and debris into the street is a violation of the Borough Zoning Ordinance, Snow and Ice and Mud Removal, Chapter 21, Section 303.

COMMUNITY MINUTE – None.

SPECIAL PRESENTATIONS - None.

READING OF MINUTES

Motion by Dr. Waddell, seconded by Mr. Shubzda to dispense with the formal reading of the April 15, 2013 Minutes. There were 7 ayes. Motion carried.

Motion by Mr. Brown, seconded by Mr. Barrett to adopt the April 15, 2013 Minutes as drafted. There were 7 ayes. Motion carried.

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DECISION ON BIDS - None.

COMMUNICATIONS

- a. Gene Clock, President Emmaus Main Street Partners – Matching Fund Request. Mrs. Gilbert stated that the Emmaus Main Street Partners has been offered a matching grant in the amount of \$3,000.00 and has requested that the Borough of Emmaus match the Grant and allocate \$3,000.00 from its Civic Celebrations Fund. Referred to the Budget and Finance Committee.
- b. Scott Demasi, Unami Fish and Game Assoc., Inc. – Donation request. Mrs. Gilbert asked Council for a recommendation for a donation, to which there was no response.
- c. Jenae Holtzhafer, Special Entertainment Commission – Arts Pavilion Sound System. Referred to the Parks and Recreation Committee.
- d. John Cari and Suzanne Vincent – Lower Macungie Middle School – Pool Fee and Pavilion Fee Waiver. Referred to the Parks and Recreation Committee. Mrs. Gilbert stated that Mr. Pepe has requested action on the item due to the date of the event. Mr. Brown, Mr. Holtzhafer, and Dr. Waddell stated that they do not agree with the School District paying for the lifeguards. Mr. Labenberg responded that the pool is not normally open during the hours they will be at the pool and all students might not use the pool. Mr. Holtzhafer responded that the School District will pay \$5.00 per student regardless of whether they use the pool or not. Mr. Holtzhafer stated that the revenue will be approximately \$1,800.00.

Motion by Mr. Labenberg, seconded by Dr. Waddell to grant the request from Lower Macungie Middle School to pay a \$5.00 flat fee for admittance to the Emmaus Community Pool on Monday, June 10, 2013, contingent upon the School District paying for lifeguards and contingent that there is adequate staffing on the day of the event. There was 1 aye, 6 opposed (Brown, Shubzda, Waddell, Holtzhafer, Barrett, Gilbert). Motion failed.

Motion by Mr. Barrett, seconded by Mr. Brown to grant the request from Lower Macungie Middle School to pay a \$5.00 flat fee for admittance to the Emmaus Community Pool on Monday, June 10, 2013. There were 7 ayes. Motion carried.

- e. Laura Fetzer, Chairperson , 1803 House Very Merrie Halloween – Banner fee waiver request. Mrs. Gilbert stated that historically the request has been granted.

Motion by Dr. Waddell, seconded by Mr. Brown to grant 1803 House Very Merrie Halloween Banner Fee Waiver Request for Saturday, October 5, 2013. There were 7 ayes. Motion carried.

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f. Lehigh County District Attorney James Martin – Unwanted Medications Discarded Day, April 27, 2013. Mrs. Gilbert stated that the Borough of Emmaus Police Department collected 262 lbs. of unwanted medications.

g. PA Department of Labor – Approval of Application for Certification Renewal of Safety Committee effective June 30, 2013. The renewal will entitle the Borough to receive a 5% discount on workers' compensation rates.

BOROUGH ENGINEER'S REPORT - None.

SOLICITOR'S REPORT

Mrs. Gilbert moved Ordinance No. 1098, which is scheduled for 1st Reading, from the General Administration's Report to the Solicitor's Report. Mrs. Gilbert introduced Chad Peters, Hanover Engineering. Dr. Waddell explained that during its last Committee Meeting, the General Administration held a lengthy discussion concerning the Age Qualified Community Overlay District.

Solicitor Dinkelacker explained that the Borough is broken into several Zoning Districts, with Rules and Regulations applying to each District. An Overlay District can be applied in any one of the appropriate Zoning Districts and enables, with the approval of Council, a new use, known as an Age Qualified Community. An Age Qualified Community is typically a planned residential Community, with a governing body, and is typically privately owned. Age Qualified Communities are generally 55+ and are authorized under the Federal Housing Act Amendments. Solicitor Dinkelacker explained that there is an Age Qualified Community development proposed for the Indian Creek Golf Course. He further explained that any development in the Community is able to be an Age Qualified Community if there are governing documents which meet the requirements of the Fair Housing Laws. Solicitor Dinkelacker explained that the definition of an Age Qualified Community is "A master planned residential development in which residency is qualified by age and other related characteristics as defined by the developer in accordance with this Ordinance and all applicable laws and regulations." Solicitor Dinkelacker stated that the Ordinance would include Single Family Attached Dwelling Unit (Townhouse), Single Family Detached Dwelling Unit, Two-Family Detached Dwelling (Duplex), a Two-Family Semi-detached Dwelling (Twin), and a Quadraplex. He explained that the process is completed by issuing an Amendment to the Zoning Map. He further explained that, in the case of the Indian Creek Golf Course, the developer would request a Zoning Map Amendment from Borough Council pursuant to the Zoning Ordinance. Borough Council would act upon the Zoning Map Amendment request. If granted, the Zoning Map would be amended to reflect the Age Qualified Community Overlay District. The developer would then be able to build in accordance with the regulations set forth by the Ordinance. The developer would also be able to build in accordance with the underlying Zoning requirements. Solicitor Dinkelacker explained that Borough Council exercises careful determination as to whether an Age Qualified

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District is appropriate for a particular location in a community. He explained that an Age Qualified Overlay District is a legislative act and cannot be challenged or sued if the decision is made not to grant the request. An Age Qualified Overlay District will not be granted in the Industrial-Light District and the Business-Highway District in the Borough of Emmaus. He explained that there is no minimum tract size for an Age Qualified Overlay District. Solicitor Dinkelacker reviewed requirements of the Ordinance including design requirements, utilities, off-street parking, and recreation areas. He explained that the bulk of Indian Creek is located in Upper Milford Township, with a small portion being located in the Borough of Emmaus. The Ordinance includes an Extraterritoriality provision. Dr. Waddell asked what is the total number of housing units for the project? Mr. Peters responded that there will be approximately 52 in Emmaus and 200 in Upper Milford. Mr. Labenberg stated that he is opposed to sidewalks being required on both sides of all interior streets.

Solicitor Dinkelacker explained that after the 1st Reading of the Ordinance, the Ordinance will be advertised. The Borough is required to send a copy of the Ordinance to the Lehigh Valley Planning Commission and the Borough's Planning Commission for its review and comment. The Lehigh Valley Planning Commission and the Borough's Planning Commission will be given 45 days for review of the Ordinance, at which time there will be a hearing. If there are any changes to the Ordinance, it must go back to the Lehigh Valley Planning Commission and the Borough's Planning Commission for another 45 day review. If there are substantial changes to the Ordinance, the Ordinance must be re-advertised. He suggested that any changes to the Ordinance should be addressed and made before the Ordinance is given to the Lehigh Valley Planning Commission and the Borough's Planning Commission for its review.

Mrs. Gilbert introduced Attorney John Hacker, Attorney for Kay Builders, and Mr. Rick Koze, Kay Builders. Attorney Hacker handed out a list of six changes to the Ordinance that Kay Builders is requesting for the Indian Creek Project.

1. Sidewalks on one side of the street.
2. Street width of 24'
3. Underground utilities – proposed facilities
4. Recreation fee – waive 10% recreation fee
5. Uniform rear yard setback – 25'
6. Pedestrian Pathway – relief for pathways to be constructed with concrete, bituminous or modular paving unit surface or place an option with Council to decide pathways versus nature trails.

Motion by Mr. Labenberg, seconded by Mr. Holtzhafer to amend Ordinance No. 1098, Page 8, Part 4 – a. Pedestrian sidewalks with a minimum of four (4) feet in width shall be provided on both sides of all interior access streets, whether public or private, and along any common, off-street parking areas where pedestrian usage is

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anticipated to: Pedestrian sidewalks with a minimum of four (4) feet in width shall be provided on one side of all interior access streets, whether public or private, and along any common, off-street parking areas where pedestrian usage is anticipated. There was 1 aye, 6 opposed (Brown, Shubzda, Waddell, Holtzhafer, Barrett, Gilbert). Motion failed.

Motion by Dr. Waddell to amend Ordinance No. 1098, Section 5 – b. Interior streets within the age qualified community shall be designed and constructed to Borough standards for public residential streets, except that the cartway width may be reduced to a minimum of twenty-six (26) feet to: Interior streets within the age qualified community shall be designed and constructed to Borough standards for public residential streets, except that the cartway width may be reduced to a minimum of twenty-four (24) feet. Motion died for lack of a second.

Solicitor Dinkelacker stated that he will amend the Ordinance to clarify that new utilities will be underground.

Dr. Waddell asked Council if there is any interest in authorizing the Solicitor to amend the Ordinance to waive the Park and Recreation Requirements of SALDO, to which there was none. Solicitor Dinkelacker explained that the fee is a one-time fee of \$1,000.00 per unit and stated that the developer can ask for a fee waiver during the subdivision and land development phase.

Motion by Dr. Waddell, seconded by Mr. Labenberg to authorize the Solicitor to draft an amendment to Section 1005, Bulk and Design Requirements to add a Number 9, stating that there is to be a setback of 25' from the existing rear property lines. There were 7 ayes. Motion carried.

Motion by Dr. Waddell, seconded by Mr. Barrett to authorize the Solicitor to draft an amendment to Page 8, Section 4, to authorize Council flexibility as to determine the nature of the Pedestrian system in terms of the pathway and the nature trail and to determine the composition of each. There were 7 ayes. Motion carried.

Ordinance No. 1098 – An Ordinance Amending the Borough of Emmaus Zoning Ordinance to add Part 10, to Create an Overlay District Entitled, “AQCOD – Age Qualified Community Overlay District,” to Establish Guidelines for Future Amendments to the Borough’s Official Zoning Map to Govern the Consideration of Landowner and Other Requests for the Approval of Such Overlay, to Add Definitions, Regulations and Other Requirements for Age Qualified Communities and to Otherwise Authorize the Development of Age Qualified Communities Within the Borough.

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Motion by Mr. Labenberg, seconded by Dr. Waddell to Read Ordinance No. 1098 in short title as amended. There were 7 ayes. Motion carried.

Dr. Waddell read Ordinance No. 1098 in short title.

Motion by Dr. Waddell, seconded by Mr. Labenberg to adopt Ordinance No. 1098 - An Ordinance Amending the Borough of Emmaus Zoning Ordinance to add Part 10, to Create an Overlay District Entitled, "AQCOD – Age Qualified Community Overlay District," to Establish Guidelines for Future Amendments to the Borough's Official Zoning Map to Govern the Consideration of Landowner and Other Requests for the Approval of Such Overlay, to Add Definitions, Regulations and Other Requirements for Age Qualified Communities and to Otherwise Authorize the Development of Age Qualified Communities Within the Borough on its 1st Reading. Roll call vote: Mr. Labenberg, aye; Mr. Holtzhafer, aye; Mr. Barrett, abstention; Mr. Brown, aye; Mr. Shubzda, aye; Dr. Waddell, aye; Mrs. Gilbert, aye. There were 6 ayes, 1 abstention (Barrett). Motion carried.

Dr. Waddell thanked everyone for their contributions to the discussion.

Mrs. Gilbert moved the Junior Council Member's report to the next item on the Agenda.

COMMITTEE REPORTS

a. Junior Council Member's Report

Mr. Hobson reported that the Emmaus High School will be hosting a Chorale Concert on May 9, 2013 at 7:30 p.m. in the Auditorium. He also reported that he played in the boy's doubles tennis team's district final and received runner-up. The high school will host a fundraiser for the Boston bombings at the Emmaus High School Track on Sunday, May 19, from 8:00 a.m. until 2:00 p.m. All proceeds will benefit the victims of the bombings. He reported that more details about the event will be released shortly.

Progress.

Mrs. Gilbert called for a brief recess at 9:13 p.m.

Mrs. Gilbert reconvened the meeting at 9:20 p.m.

UNFINISHED BUSINESS, PART I

Ordinance No. 1097 – An Ordinance of the Borough of Emmaus, Lehigh County, Pennsylvania, Amending Chapter 18, Part 3 of the Code of the Borough of Emmaus to

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Conform with Changes to the City of Allentown's Wastewater Discharge Limitation Ordinance (1st Reading 4/15/13) (2nd Reading 5/6/13).

Mr. Labenberg explained that the Ordinance is required by the Federal Government. Mr. Holtzhafer asked if the Ordinance has any significant changes. Solicitor Dinkelacker explained the changes to the Ordinance.

Motion by Mr. Labenberg, seconded by Dr. Waddell to read Ordinance No. 1097 in short title. There were 7 ayes. Motion carried.

Mr. Labenberg read Ordinance No. 1097 in short title.

Motion by Mr. Labenberg, seconded by Dr. Waddell to adopt Ordinance No. 1097 – An Ordinance of the Borough of Emmaus, Lehigh County, Pennsylvania, Amending Chapter 18, Part 3 of the Code of the Borough of Emmaus to Conform with Changes to the City of Allentown's Wastewater Discharge Limitation Ordinance on its 2nd Reading. Roll call vote: Mr. Brown, aye; Mr. Shubzda, 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.

UNFINISHED BUSINESS, PART II - None.

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

MAYOR'S REPORT

Mayor Iobst read Proclamation 2013 – 335, proclaiming the week of May 12 through May 18, 2013 as Emmaus Police Week.

Progress.

COMMITTEE REPORTS (Continued)

b. Public Works Committee

Mr. Labenberg reported that the Committee met on May 2, 2013. Mr. Labenberg reported that the Committee approved the Borough's 2013 Proposed Road Work List.

Motion by Mr. Labenberg, seconded by Mr. Brown to approve the 2013 Proposed Road Work List. There were 7 ayes. Motion carried.

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Mr. Labenberg reported that the Committee received a Personal Appeal to adjust the water and sewer bill for 127 S. 15th Street due to a water leak. The average sewer charge for the previous 4 quarters was \$30.05. The water bill portion of the bill is \$414.52. The total bill is \$444.57. Mr. Labenberg explained that the adjustment is for the sewer portion of the bill only. The resident will pay the full amount for the water.

Motion by Mr. Labenberg, seconded by Mr. Brown to grant the request by 127 S. 15th to adjust the sewer bill to reflect a charge of \$30.05 and the water bill portion of \$414.52 for a total bill of \$444.57. There were 7 ayes. Motion carried.

Mr. Labenberg reported that U.S. Senator Pat Toomey introduced a change in regulation, called the Unnecessary Mailers Act, SB 1578, which allows the Consumer Confidence Report to be posted online rather than mailing it out to every household in the Borough. The CCR was already mailed out this year, but the change will save the Borough approximately \$2,000 in 2014.

Mr. Labenberg reported that the Committee received a Memorandum from Jeff Clapper about Earth Day, 2013. The Emmaus and Upper Milford Township Environmental Advisory Council held its annual Earth Day Clean-Up on Saturday, April 20, 2013. There were an estimated 243 attendees, who cleaned up areas in the Borough and Upper Milford. There were 106 bags of garbage, 27 bags of recycling, and 7 tires collected. There was an electronic recycling event also held that day. The recycling event was very successful. The event concluded with hot dogs and chips served at the Emmaus Community Park. Mr. Barrett thanked the Community for participating in the Event.

Progress.

c. Health, Sanitation, and Conservation Committee

Mr. Shubzda thanked the EAC, the Borough employees, and everyone who participated and helped with the Earth Day Clean-up event.

He reported that the Committee met on April 22, 2013. He reported that the Committee met with 2 representatives from Raritan Valley Disposal and discussed issues and concerns regarding its refuse service. The Committee discussed the matter at great length. Committee members felt that Raritan Valley was willing to make a number of concessions for next year, including a price freeze for one year and one boxed roll-off dumpster, free of charge, for electronics recycling. Mr. Shubzda reported that the Borough will begin to share a complaint log with the District Manager to begin to better address complaints, including customer service complaints throughout the community. The Committee recommends renewing the contract with Raritan Valley for one year.

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Motion by Mr. Shubzda, seconded by Mr. Labenberg to extend the Refuse and Recycling contract with Raritan Valley for one year. There were 7 ayes. Motion carried.

Progress.

d. Parks and Recreation Committee

Mr. Barrett reported that the Committee met on April 2, 2013.

Motion by Mr. Barrett, seconded by Dr. Waddell to hire Shania Koehler, Emmaus at a rate of \$7.25 per hour, Samantha Roth, Emmaus, at a rate of \$7.25 per hour, and Emma Shubzda, Emmaus at a rate of \$7.25 per hour for the Emmaus Community Pool Concession Stand. There were 6 ayes, 1 abstention (Shubzda). Motion passed.

Motion by Mr. Barrett, seconded by Mr. Shubzda to hire Joshua Andrews, Emmaus, as at part-time summer Public Works employee at a rate of \$7.25 per hour, Maggie Murphy, Emmaus, as a full-time lifeguard at a rate of \$8.25 per hour, Monica Salas, as a part-time lifeguard at a rate of \$7.25 per hour, Bianca Panunto, Emmaus, as a part-time lifeguard at a rate of \$7.50 per hour, John Stilo, Emmaus, as a part-time lifeguard at a rate of \$7.25 per hour, Jason Fosburg, Emmaus, as a part-time lifeguard at a rate of \$7.50 per hour, Cassandra Pollits, Allentown, as a part-time lifeguard at a rate of \$7.25 per hour, Mary Coogan, Emmaus, as a part-time lifeguard at a rate of \$7.25 per hour, and Shannon Bean, Emmaus, as a cashier at a rate of \$7.25 per hour for the Emmaus Community Pool. There were 7 ayes. Motion carried.

Mr. Barrett reported that in a Memorandum prepared by Mr. Pepe, he states that there are approximately 30 individuals signed up for the Summer Parks Program. The average is 90 children. Mr. Pepe is recommending hiring 7 Counselors for the program. Dr. Waddell stated that he will vote against the motion because there are no adults being hired for the program. Mr. Labenberg responded that he disagrees with Dr. Waddell. Mr. Barrett commented that he believes that there was contact made with an individual from the East Penn School District but the hourly wage the individual requested was higher than the Borough was able to offer. He suggested addressing the issue during preparation for the 2014 budget.

Motion by Mr. Barrett, seconded by Mr. Brown to hire Kaylee Nonnemacher, at a rate of \$8.25 per hour, Erin Miller, at a rate of \$7.50 per hour, Jamie Shive, at a rate of \$7.50 per hour, Madeline Ziegenfus, at a rate of \$7.50 per hour, Gage Horn at a rate of \$7.25 per hour, Katherine Lingold, at a rate of \$7.25 per hour, and Emma

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Shubzda, at a rate of \$7.25 per hour as Summer Parks Counselors. There were 5 ayes, 1 nay (Waddell) 1 abstention (Shubzda). Motion carried.

Progress.

e. Public Safety Committee

The next Committee Meeting is Thursday, May 9, 2013 at 3:00 p.m.

Progress.

f. General Administration Committee

Dr. Waddell reported that the Committee met on May 1, 2013. Dr. Waddell stated that the Committee discussed the Age Qualified Community Housing Ordinance at length. The Committee will discuss the Banner Policy and Kiosk Policy at its next Committee Meeting on May 15, 2013.

Progress.

g. Budget and Finance Committee

Mr. Shubzda read Resolution 2013-14, authorizing payment of the May 6, 2013 Bill List, as follows:

Bill List	\$	427,475.09
Payroll #8 & #9	\$	229,543.42
Payroll Taxes	\$	<u>77,007.74</u>
Total	\$	734,026.25

Done this 6th of May 2013.

Motion by Mr. Holtzhafer, seconded by Mr. Shubzda to approve the May 6, 2013 Bill List. There were 7 ayes. Motion carried.

Mr. Holtzhafer reported that the Committee discussed the problems with IT at Town Hall. The Borough is in the process of obtaining a quote for a new Enterprise Server and other hardware to update the server and to allow new computers to be compatible with the servers. Mr. Holtzhafer stated that the approximate cost will be \$8,000. The Committee approved the expenditure. Mr. Barrett stated that he believes that there are other options, including a Cloud Based Service, which should be explored.

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Mr. Holtzhafer reported that the Committee discussed a request from Vickie Gruver for Community Day for \$250,000 from the Civic Celebration Line item. All funds unused will be returned to the Borough following the event. The Committee has requested more information before making a decision.

Mr. Holtzhafer reported that the Committee discussed the sound system at the Arts Pavilion at Community Park. The Special Entertainment Commission has requested financial support, via the Strickler Fund. The item will be discussed at the Parks and Recreation Committee Meeting on May 7, 2013.

Progress.

h. Community Relations, Planning and Development Committee

Mr. Brown reported that the Committee met on April 25, 2013. He reported that the Emmaus Main Street Partners received a grant from the PA DCED in the amount of \$50,000 for Façade improvements for small businesses in the Community. Mr. Brown reported that the Agreement is a Cooperation Agreement with the Borough and there is no financial commitment required from the Borough. The financial commitment will come from the businesses.

Motion by Mr. Brown, seconded by Dr. Waddell to enter into a Cooperation Agreement with the Main Street Partners for a PA DCED grant in the amount of \$50,000.00. There were 6 ayes, 1 abstention (Barrett). Motion carried.

Mr. Brown reported that the Borough is working with the Emmaus Main Street Partners to obtain their 5-year Pennsylvania reaccreditation. The Partners will be reaccredited in June, 2013.

Progress.

PERSONAL APPEALS, PART II

A. John Donches, 559 Minor Street – asked several questions about the Age Qualified Community Overlay District and questioned if the Home Owner's Association or the Borough would be responsible if a road needed to be torn apart within the District. Solicitor Dinkelacker responded that there will be easement agreements between the Borough and the Home Owner's Association which will clearly define the obligations. Mr. Donches stated that he is opposed to the Borough determining the amount of sidewalks required in the District.

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BOROUGH MANAGER'S REPORT

Mrs. Gilbert reported that the Significant Revenue and Expense Items for April, 2013 are in the binders.

Progress.

PRESIDENT'S BUSINESS

Mrs. Gilbert reported that the June 17, 2013 Council Meeting will be rescheduled to Wednesday, June 19, 2013.

Mrs. Gilbert recessed for an Executive Session at 10:20 p.m. for a personnel issue with no action anticipated.

Mrs. Gilbert reconvened the meeting at 11:10 p.m. with no official action required.

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

The May 6, 2013 Meeting of the Emmaus Borough Council adjourned at 11:11 p.m.

Shane Pepe
Borough Manager

Transcribed by: Paula Weiant
Administrative Assistant
May 8, 2013