

June 18, 2012

EMMAUS BOROUGH COUNCIL

**Emmaus Borough Council  
Agenda  
Monday, June 18, 2012, 7:00 PM**

1. Call to Order
2. Pledge of Allegiance
3. Personal Appeals, Part I
4. Community Minute

CANCELLED MEETINGS

July 2 and August 6, 2012  
Budget & Finance Committee Meeting-6:45 pm.  
Borough Council Meeting-7:00 p.m.

5. Special Presentations
6. Reading of Minutes

June 4, 2012

7. Decisions on Bids
8. Communications
  - a. Teri Madison, Emmaus Main Street Partners – Clam Bake Event request.
  - b. John Lojko, The Lehigh Saengerbund – Request to use glass bottles at Bier Garten & Oktoberfest Events.
  - c. Todd Garloff, LV Soap Box Derby Director – Request street closure for Soap Box Derby Race.
  - d. Rachael Miller, 14 Iroquois St., Emmaus – Request appointment to the Special Entertainment Commission.
9. Borough Engineer's Report
10. Solicitor's Report

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11. Unfinished Business, Part I

12. New Business

a. **Ordinance No. 1086** – An Ordinance Authorizing and Establishing Attorney’s Fees for Collection of Municipal Liens and Tax Liens and Establishing the Rate of Interest (1<sup>st</sup> Reading 6/18/12)

13. Unfinished Business, Part II

a. **Ordinance No. 1037** – An Ordinance Amending the Provisions of Chapter 2, with the Addition of Sections 501 & 502, Prohibiting the Feeding of Waterfowl on Borough Owned Properties (1<sup>st</sup> Reading 1/7/08) (Tabled 1/21/08) (1<sup>st</sup> Reading 6/18/12)

b. **Ordinance No. 1085** – An Ordinance Establishing a Tree Fund, and Authorizing the Emmaus Shade Tree Commission to Collect Money in Lieu of Requiring the Replacement of Trees (1<sup>st</sup> Reading 3/19/12) (Tabled 3/19/12) (1<sup>st</sup> Reading 6/18/12)

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 – July 5, 2012 at 3:00 p.m.

- a. H2O Grants (electric water meters)
- b. Rules & Regulations (update)
- c. Home inspections/illegal hook-ups
- d. South 2<sup>nd</sup> Street Reservoir
- e. South 10<sup>th</sup> Street Culvert
- f. Water Meter rates for multiple units

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

Next Meeting – July 20, 2012 at 3:45 p.m.

- a. Compost Options
- b. Refuse/Recycling with Raritan Valley

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- c. Riparian Buffer Ordinance
- d. Bollinger Land/Indian Creek Golf Course
- e. Emmaus and Upper Milford Joint Environmental Advisory Council
- f. Board of Health
- g. Cintas

**Parks and Recreation** (Barrett, Holtzhafer, Labenberg)

Next Meeting – July 3, 2012 at 3:30 p.m.

- a. Ice Rink/Skate Park
- b. Ordinance No. 1037 - Geese at Furnace Dam**
- c. Emmaus Legion Baseball Field Project
- d. Legion Field Reconstruction Agreement and Leases
- e. Reappoint Michelle Steiner to the Special Entertainment Commission  
(2 year term expiring 6/7/2014)**
- f. Reappoint Dean Greenawalt to the Parks and Recreation Commission  
(3 year term expiring 5/1/2015)**
- g. Hire Summer Park Counselor — Jamie Shive**
- h. Hire Pool Lifeguard — Joseph Borgioni**
- i. Hire Summer Park Employee – Matthew Stone**
- j. Lehigh Saengerbund – Bier Garten & Oktoberfest request to use glass bottles**
- k. David Pretzold Foundation Motorcycle Run – Pavilion Request**
- l. Jazz Ambassadors Concert at Community Park – July 9 – Extend park hours to 10:00 p.m.**
- m. EMSP Clam Bake at Community Park – Request to use Canopies**
- n. EMSP Beer Fest – October 6, 2012 – Request to use bottles**
- o. Emmaus Arts Commission – Art in the Garden Request**
- p. Rubber Ducky Derby**
- q. Resolution 2012-17—Amending Current Fee Schedule for Community Pool**
- r. Allentown Victory Church – Community Night at Community Park requests.
- s. Concession Stand Vendor

**Public Safety** (Gilbert, Barrett, Brown)

Next Meeting – July 12, 2012 at 3:00 p.m.

- a. Tractor Trailer Parking

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- b. Emergency Operations Plan – Review
- c. Civil Service Commission Rules and Regulations
- d. **Hire Part Time Paramedic – Kenneth D’Encarnacao**
- e. **Hire Fire Department Photographer – Crystal Klepac**

**General Administration** (Waddell, Barrett, Labenberg)

Next Meeting – June 27, 2012 at 9:00 a.m.

- a. **Ordinance No. 1085 - Shade Tree Fund**
- b. **Ordinance No. 1086 - Municipal Lien**
- c. **Special Entertainment Commission – Songs of the Summer Banner Fee Waiver**
- d. Monthly Flyer

**General Administration** (continued)

- e. **Main Street Partners Resolution / Agreement**

**Budget and Finance** (Holtzhafer, Shubzda, Gilbert)

Next Meeting – July 16, 2012 at 6:45 p.m.

- a. **Bill List—Resolution 2012-18**
- b. Emergency Management Coordinator Compensation
- c. Effect of Allentown EIT Changes
- d. Business Privilege Tax Review and decision on appeal
- e. Policy for Receipts and Packing Slips
- f. Union Negotiations
- g. General Authority Request

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

Next Meeting – June 28, 2012 at 4:15 p.m.

- a. Display of 2009 Anniversary Items and Contents of the 1959 Time Capsule
- b. VFW/David’s Electric Streetscape Plan
- c. Treevitalize Grant

**Ad Hoc Committees** (Barrett, Waddell, Holtzhafer, Pepe, Mayor Iobst)

Next Meeting – To be determined.

- 17. **Personal Appeals, Part II**

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18. Borough Manager's Report

- a. **Significant Revenue and Expense Items for First Half of June 2012**
- b. **Workers' Comp Insurance Quotes**

19. President's Business

Executive Session - Contract Negotiations

20. Adjournment

Next Resolution #19  
Next Ordinance #1087

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The Emmaus Borough Council met in regular session on June 18, 2012 in Borough Council Chambers, 28 S. 4<sup>th</sup> 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	Absent
Wesley Barrett	Present
Nathan Brown	Present
Jeffrey Shubzda	Present
Winfield Iobst, Mayor	Absent
Jeffrey Dimmich, Solicitor	Present
Shane Pepe, Borough Manager	Present

PERSONAL APPEALS, PART I

**A. Anthony Groller, 1302 S. 10<sup>th</sup> Street** – thanked Mr. Brown for his hard work and support of the Flag Day Association. He voiced concern about the lights being left on at Community Park during the rain. He stated that he does not understand why a

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representative from the Special Entertainment Commission did not attend the Concert that was held at Community Park on June 3, 2012. He also stated that at the June 5, 2012 Parks and Recreation Committee Meeting his Personal Appeal was ended at exactly five minutes while others were given more time. Mr. Barrett explained that the other individuals had items that were on the Agenda for discussion and were not Personal Appeals.

**B. John Donches, 559 Minor Street** – voiced concern about having the individual homeowner pay a fee to the Shade Tree Commission for not replacing a tree in front of their residence. He believes the entire town should contribute to the fee through taxes.

### COMMUNITY MINUTE

Mrs. Gilbert reminded everyone that the July 2, and August 6, 2012 Borough Council and Budget and Finance Committee Meetings are cancelled.

Dr. Waddell reminded everyone that on June 24, 2012, the six rain barrels that have been designed by local artists will be on display at the Emmaus Farmers' Market. A rain barrel is currently on display at Town hall, with bid sheets available. All of the rain barrels have received a bid except one. Dr. Waddell thanked Mr. Clock for allowing the Emmaus Arts Commission to display the rain barrels at the Clock Building.

SPECIAL PRESENTATIONS - None.

### READING OF MINUTES

**Motion by Mr. Brown, seconded by Dr. Waddell to dispense with the formal reading of the June 4, 2012 Minutes. There were 6 ayes. Motion carried.**

**Motion by Dr. Waddell seconded by Mr. Brown to adopt the June 4, 2012 Minutes as drafted. There were 6 ayes. Motion carried.**

DECISION ON BIDS – None.

### COMMUNICATIONS

a. Teryl Madison, Emmaus Main Street Partners – Clam Bake Event request. Mrs. Gilbert stated that Mr. Barrett will address the item during the Parks and Recreation Committee's Report.

b. John Lojko, The Lehigh Saengerbund – Request to use glass bottles at Bier Garten & Oktoberfest Events. Mrs. Gilbert stated that Mr. Barrett will address the item during the Parks and Recreation Committee's Report.

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c. Todd Garloff, LV Soap Box Derby Director – Request street closure for Soap Box Derby Race. Mrs. Gilbert stated that Mr. Holtzhafer will address the item during the Budget and Finance Committee’s Report.

d. Rachael Miller, 14 Iroquois Street – Request appointment to the Special Entertainment Commission. Referred to the Park and Recreation Committee.

BOROUGH ENGINEER’S REPORT - None.

### SOLICITOR’S REPORT

Solicitor Dimmich reported that the new Borough Code has been adopted and will be in effect at the July 16, 2012 Council Meeting. He stated that he will review the changes to the Code with Council. He also reported that he is currently working on the issues concerning 247 Spruce Street.

Progress.

UNFINISHED BUSINESS, PART I – None.

### NEW BUSINESS

Ordinance No. 1086 – An Ordinance Authorizing and Establishing Attorney’s Fees for Collection of Municipal Liens and Tax Liens and Establishing the Rate of Interest (1<sup>st</sup> Reading 6/18/12).

Solicitor Dimmich explained that the Ordinance allows the Borough to impose a lien against a property for tax claims or municipal claims which would include all charges, expenses, and fees incurred during the lien, including attorney’s fees.

**Motion by Mr. Barrett, seconded by Dr. Waddell to read Ordinance No. 1086 in short title. There were 6 ayes. Motion carried.**

Mrs. Gilbert read Ordinance No. 1086 in short title.

**Motion by Dr. Waddell, seconded by Mr. Barrett to adopt Ordinance No. 1086 – An Ordinance Authorizing and Establishing Attorney’s Fees for Collection of Municipal Liens and Tax Liens and Establishing the Rate of Interest on its 1<sup>st</sup> Reading. Roll call vote: Mr. Brown, aye, Mr. Shubzda, aye, Dr. Waddell, aye, Mr. Holtzhafer, aye, Mr. Barrett, aye, Mrs. Gilbert, aye. There were 6 ayes. Motion carried.**

Mrs. Gilbert directed Mr. Pepe to advertise for the 2<sup>nd</sup> Reading at the July 16, 2012 Council Meeting.

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UNFINISHED BUSINESS, PART II

Ordinance No. 1037 – An Ordinance Amending the Provisions of Chapter 2, with the Addition of Sections 501 & 502, Prohibiting the Feeding of Waterfowl on Borough Owned Properties (1<sup>st</sup> Reading 1/7/08) (Tabled 1/21/08) (1<sup>st</sup> Reading 6/18/12).

Mr. Barrett stated that he believed the Ordinance was going to be reviewed at the Committee level first. Mrs. Gilbert stated that the Ordinance was tabled in 2008, and asked Solicitor Dimmich if it is necessary to make a motion to remove the item from the table. Solicitor Dimmich responded that according to Roberts Rules all items must be removed from the table and if not the item dies. He stated that the item was placed on the Agenda for a 1<sup>st</sup> Reading and does not need to be removed from the table. Mr. Barrett stated that the feeding of geese at Furnace Dam has been an issue for many years and action does need to be taken. Solicitor Dimmich suggested adding a minimum fine fee to the Ordinance. Mr. Shubzda asked who makes the decision about fining an individual who is feeding the geese. Mr. Barrett reported that the Police make the decision.

**Motion by Mr. Holtzhafer, seconded by Mr. Barrett to read Ordinance No. 1037 in short title. There were 6 ayes. Motion carried.**

Mrs. Gilbert read Ordinance No. 1037 in short title.

**Motion by Mr. Barrett, seconded by Mr. Holtzhafer to adopt Ordinance No. 1087 An Ordinance Amending the Provisions of Chapter 2, with the Addition of Sections 501 & 502, Prohibiting the Feeding of Waterfowl on Borough Owned Properties on its 1<sup>st</sup> Reading. Roll call vote: Mr. Holtzhafer, aye, Mr. Barrett, aye, Mr. Brown, aye, Mr. Shubzda, aye, Dr. Waddell, aye, Mrs. Gilbert, aye. There were 6 ayes. Motion carried.**

Solicitor Dimmich suggested using a clearer definition of the term “waterfowl” in the Ordinance.

Ordinance No. 1085 – An Ordinance Establishing a Tree Fund, and Authorizing the Emmaus Shade Tree Commission to Collect Money in Lieu of Requiring the Replacement of Trees (1<sup>st</sup> Reading 3/19/12) (Tabled 3/19/12) (1<sup>st</sup> Reading 6/18/12).

Dr. Waddell explained that the Ordinance applies to property owners that request that the Emmaus Shade Tree Commission does not require the installation of a new public tree or when a public tree is removed at the direction of the Commission or the Borough because the tree poses a hazardous condition. The property owner would be required to make a payment into the Tree Fund in the amount of \$200.00. Solicitor Dimmich stated that the Ordinance needs to include ascertainable standards for planting a tree. Mr. Barrett

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suggested reviewing the Ordinance at the next General Administration Committee Meeting.

**Motion by Dr. Waddell, seconded by Mr. Barrett to read Ordinance No. 1085 in short title. There were 6 ayes. Motion carried.**

Mrs. Gilbert read Ordinance No. 1085 in short title.

**Motion by Dr. Waddell, seconded by Mr. Barrett to adopt Ordinance No. 1085 – An Ordinance Establishing a Tree Fund, and Authorizing the Emmaus Shade Tree Commission to Collect Money in Lieu of Requiring the Replacement of Trees on its 1<sup>st</sup> Reading. Roll call vote: Mr. Barrett, aye, Mr. Holtzhafer, aye, Dr. Waddell, aye, Mr. Shubzda, aye, Mr. Brown, nay. There were 5 ayes, 1 opposed (Brown). Motion carried.**

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

### MAYOR'S REPORT

Progress.

### COMMITTEE REPORTS

a. Public Works Committee

Mr. Brown reported that the Committee met on June 7, 2012. The Committee discussed Water Meter Rates and other billing concerns.

The next Committee Meeting is July 5, 2012.

Progress.

b. Health, Sanitation, and Conservation Committee

Mr. Shubzda reported that the Committee met on June 5, 2012. The Committee discussed recycling barrels and discussed a heating system quote for the Police station.

Progress.

c. Parks and Recreation Committee

Mr. Barrett reported that the Committee met on June 5, 2012 with many items needing official action.

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**Motion by Mr. Barrett, seconded by Mr. Holtzhafer to reappoint Michelle Steiner to the Special Entertainment Commission for a term expiring on 6/7/2014. There were 6 ayes. Motion carried.**

**Motion by Mr. Barrett, seconded by Mr. Holtzhafer to reappoint Dean Greenawalt to the Parks and Recreation Commission for a term expiring on 5/1/2015. There were 6 ayes. Motion carried.**

Mr. Barrett reported that Erin Antrim, who has been a Summer Park Counselor since the inception of the program, has received a full-time teaching position and is unable to fulfill her Summer Park Counselor position. Mr. Pepe recommends hiring Jamie Shive at an hourly rate of \$7.25 to fill the position. Mr. Barrett directed Mr. Pepe to send Ms. Antrim a letter of thanks for her service to the Community.

**Motion by Mr. Barrett, seconded by Mr. Holtzhafer to hire Jamie Shive as a Summer Park Counselor at an hourly rate of \$7.25. There were 6 ayes. Motion carried.**

**Motion by Mr. Barrett, seconded by Mr. Holtzhafer to hire Joseph Borgioni as a part-time lifeguard at the Emmaus Community Pool at an hourly rate of \$7.75. There were 6 ayes. Motion carried.**

**Motion by Mr. Barrett, seconded by Mr. Holtzhafer to hire Matthew Stone as a Summer Park employee at an hourly rate of \$7.25. There were 6 ayes. Motion carried.**

Mr. Barrett reported that the Committee received a request from Jack Lojko, of the Lehigh Saengerbund, requesting that glass bottles be allowed for the Saengerbund events at the Emmaus Community Park. The event has been approved, however, glass is not allowed at the Park. The Committee recommends to allow the Saengerbund to pour bottles into cups and distribute to the patrons for the approved events.

**Motion by Mr. Barrett, seconded by Mr. Holtzhafer to allow the Lehigh Saengerbund's request to have glass bottles at the Oktoberfest Events & Bier Garten at the Emmaus Community Park. There were 6 ayes. Motion carried.**

Mr. Barrett reported that Officer Adam Knoblauch requested the use of up to three pavilions and any fee waivers that Council would consider for the Annual Officer David Petzold Foundation Motorcycle Run on Sunday, October 7, 2012. The Committee recommends denying a fee waiver request for the Arts Pavilion, but to approve the use of up to three additional pavilions at no charge.

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**Motion by Mr. Barrett, seconded by Mr. Holtzhafer to allow a fee waiver request for up to three additional pavilions for the Annual Officer David Petzold Foundation Motorcycle Run on Sunday, October 7, 2012. There were 6 ayes. Motion carried.**

Mr. Barrett reported that the Emmaus Main Street Partners have requested the use of the Arts Pavilion for a free concert at Emmaus Community Park to be held on Monday, July 9, 2012. The Partners have requested that the Community Park hours be extended until 10:00 p.m. for clean-up after the concert.

**Motion by Mr. Barrett, seconded by Mr. Holtzhafer to grant the request from the Emmaus Main Street Partners to extend the hours at Emmaus Community Park until 10:00 p.m. on Monday, July 9, 2012. There were 6 ayes. Motion carried.**

Mr. Barrett also reported that the Emmaus Main Street Partners will be hosting a clam bake at the Emmaus Community Park to be held on Sunday, July 29, 2012, and have requested the use of canopies at the event. Dr. Waddell asked how many canopies the Partners have requested. Mr. Holtzhafer responded the Partners have requested the use of 2 to 4, 10' x 10' pop up canopies.

**Motion by Mr. Barrett, seconded by Mr. Holtzhafer to grant the Emmaus Main Street Partner's request to use canopies at the Emmaus Community Park for a clam bake to be held on Sunday, July 29, 2012. There were 6 ayes. Motion carried.**

Mr. Barrett reported that the Emmaus Main Street Partners have requested permission to use glass bottles at the EMSP Beer Fest to be held on October 6, 2012. The beer will be poured out of the bottles into cups and will be disposed of accordingly.

**Motion by Mr. Barrett, seconded by Mr. Holtzhafer to grant the Emmaus Main Street Partners' request to use glass bottles at the EMSP Beer Fest to be held on October 6, 2012. There were 6 ayes. Motion carried.**

Mr. Barrett reported that the Committee received a request from Lynette Heminutz, NMSS Liaison, for a Rubber Ducky Derby to be held on Saturday, August 11, 2012 with a rain date of Saturday, August 25, 2012, from 12:00 p.m. until 9:00 p.m. The Duck Derby would begin at 5:00 p.m. and will be run through various locations at Leibert Creek. The organization has also requested the use of a DJ tent. Proceeds will benefit the National Multiple Sclerosis Society. Mr. Barrett stated that the organization also requested the use of a dunk tank. The Committee approved the use of a dunk tank with the condition that the organization provides the necessary insurance certificate.

**Motion by Mr. Barrett, seconded by Mr. Holtzhafer to grant the request from Lynette Heminutz, NMSS Liason, to hold a Rubber Duck Derby at various locations**

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**at Leibert Creek in the Emmaus Community Park, and the use of a DJ tent on Saturday, August 11, 2012, with a rain date of Saturday, August 25, 2012, from 12:00 p.m. until 9:00 p.m. There were 6 ayes. Motion carried.**

Mr. Barrett reported that Police Chief Faust and Public Works Director Jeff Clapper presented numerous safety concerns to the Committee regarding issues at the swimming pool and Community Park. He stated that issues at the swimming pool have been ongoing for many years. He explained that Resolution 2012-17 is a Resolution that was drafted to raise the pool rates at Emmaus Community Pool, effective July 1, 2012. He also explained that the change to the pool rates affect Non-Borough residents. The new rate structure is broken into three tiers, Borough Residents, East Penn School District Residents, and Non-Residents. Mr. Brown asked if there were other rate increase suggestions besides those included in the Resolution. Mr. Barrett responded that the other rate suggestions were substantially higher. Dr. Waddell questioned the transition to a new rate schedule during the middle of the season. Mr. Barrett responded that Mr. Clapper assured the Committee that the transition will occur smoothly. Mr. Pepe stated that Christine Snyder, Treasurer, drafted a memorandum voicing concerns over raising the pool rates, especially in the middle of the season. Mr. Pepe stated that both Christine Snyder and Police Chief Faust raise valid concerns. He also stated that he believes that there will be a transition phase whether the rates are raised in the middle of the season or the beginning of 2013. Dr. Waddell voiced concern about recognizing the difference between the address of an East Penn School District resident and Non-Resident. Mr. Pepe responded that there will be a list provided of outlining residents. Mr. Holtzhafer stated that he believes the rates suggested for Non-Residents are high. He also voiced concern over Non-Residents being unable to purchase season passes. He stated that he has received many complaints from residents about the pool. Mr. Brown suggested a different rate increase and stated that he believes the rate increases can be readdressed for next season. Mr. Holtzhafer noted that the Resolution does not include a price for a Family Pass. The Family rate, including children 17 and younger is \$125.00 for a Borough resident and \$200.00 for a family rate for an East Penn School District Resident. Mr. Brown asked how the rates were determined and asked if the rates of other Municipalities were researched. Mr. Barrett responded that during previous pool discussions the rates of other Municipalities were researched and many were higher. Mr. Shubzda voiced his concern about individuals that have already rented Pavilions and were given the previous pool rate fee schedule. Mr. Holtzhafer stated that he is concerned that the pool rate increase may affect Pavilion rentals. Mr. Brown voiced concern about distinguishing between East Penn residents and Non-Residents addresses. He believes that the increase should take place at the beginning of the 2013 season. Dr. Waddell addressed Christine Snyder's memorandum and questioned why the changes are needed immediately when there have been no police incidents this season. Mr. Pepe responded that Chief Faust is concerned because the police incidents have increased greatly over the past five years and is hoping to be proactive concerning safety issues at the pool. Dr. Waddell also stated that

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he is concerned that the Borough does not have the resources to make the transition smoothly.

**Motion by Mr. Barrett, seconded by Mr. Holtzhafer to adopt Resolution 2012-17, A Resolution of the Council of the Borough of Emmaus, Lehigh County, Pennsylvania, Amending the Schedule of Fees and Charges for Emmaus Borough Residents and Establishing Those for East Penn School District Residents and Non-Residents for the Emmaus Community Park Swimming Pool.**

Mr. Barrett amended his motion and Mr. Holtzhafer amended his second to include the Family Season Pass Rate for Borough Residents and East Penn School District Residents. There are five categories for rates: Ages 5 and under, 6 through 17, Adult 18 and over, 62 years or older, and a Family Rate.

**Motion by Mr. Barrett, seconded by Mr. Holtzhafer to adopt Resolution 2012-17, A Resolution of the Council of the Borough of Emmaus, Lehigh County, Pennsylvania, Amending the Schedule of Fees and Charges for Emmaus Borough Residents and Establishing Those for East Penn School District Residents and Non-Residents for the Emmaus Community Park Swimming Pool, including Season Pass Rates. The Season Pass Rates for Borough Residents are: Ages 5 and under, \$0.00; 6 through 17, \$40.00; Adult 18 and over, \$80.00; 62 years or older, \$20.00; and Family Rate, \$125.00. The Season Pass Rates for East Penn School District Residents are: Ages 5 and under, \$0.00; 6 through 17, \$95.00; Adult 18 and over, \$150.00, 62 or older, \$30.00; and Family Rate, \$200.00. There were 5 ayes, 1 opposed (Brown). Motion carried.**

**Motion by Mr. Barrett, seconded by Mr. Holtzhafer to hire Austin Boccardi, 2542 S. Carbon St., Allentown, as a part-time lifeguard for the Emmaus Community Pool at an hourly rate of \$7.25. There were 6 ayes. Motion carried.**

Mr. Holtzhafer suggested that Ms. Snyder include the applicant's application with her recommendation memorandums.

Mr. Barrett reported that the next Committee Meeting is July 3, 2012.

Progress.

d. Public Safety Committee

Mrs. Gilbert reported that the Committee met on June 14, 2012. Chief Nonnemacher recommends hiring Kenneth D'Encarnacao as part-time Paramedic to the Emmaus Ambulance Corps.

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**Motion by Mr. Brown, seconded by Mr. Barrett to hire Kenneth D'Encarnacao as a part-time Paramedic to the Emmaus Ambulance Corps at an hourly rate of \$19.54. There were 6 ayes. Motion carried.**

Mr. Barrett reported that Fire Chief Reiss recommends appointing Crystal Klepac as a photographer for the Emmaus Fire Department. Mr. Shubzda asked if it is a full-time position. Mrs. Gilbert responded that she is a volunteer and will be called as needed. She will be added to the fire department's insurance.

**Motion by Mr. Brown, seconded by Mr. Barrett to appoint Crystal Klepac as a photographer for the Emmaus Fire Department. There were 6 ayes. Motion carried.**

Mrs. Gilbert reported that the next Committee Meeting is July 12, 2012 at 3:00 p.m.  
Progress.

e. General Administration Committee

Dr. Waddell reported that the Committee met on June 13, 2012. He reported that the Special Entertainment Commission has requested a banner fee waiver for a "Songs of Summer" banner to be hung on Chestnut Street advertising the event to be held on August 10, 2012 at Emmaus Community Park.

**Motion by Dr. Waddell, seconded by Mr. Barrett to grant the Special Entertainment Commission's banner fee waiver for a "Songs of Summer" banner to be hung on Chestnut Street advertising the event to be held on August 10, 2012 at Emmaus Community Park. There were 6 ayes. Motion carried.**

Dr. Waddell reported that the Emmaus Main Street Program's Resolution/Agreement for 187-191 Main Street Partnership, L.P., for the development of 187 Main Street has been prepared and has a deadline of June 30, 2012. Solicitor Dimmich stated that he has reviewed the Resolution/Agreement and has additional suggestions to be included in the Resolution/Agreement. He suggested adopting the Resolution/Agreement subject to his final review and approval.

**Motion by Dr. Waddell, seconded by Mr. Barrett to adopt the Emmaus Main Street Resolution/Agreement for 187-191 Main Street Partnership, L.P., for the development of 187 Main Street subject to the Solicitor Dimmich's final approval and changes if necessary. There were 6 ayes. Motion carried.**

Dr. Waddell reported that Mr. Pepe prepared a monthly informational flyer that will be handed out at events throughout the Community.

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Progress.

f. Budget and Finance Committee

Mr. Holtzhafer read Resolution 2012-18, authorizing payment of the June 18, 2012, Bill List, as follows:

<b>Bill List</b>	<b>\$</b>	<b>222,075.19</b>
<b>Payroll #12</b>	<b>\$</b>	<b>131,377.41</b>
<b>Payroll Taxes</b>	<b>\$</b>	<b><u>42,868.86</u></b>
<b>Total</b>	<b>\$</b>	<b>396,321.46</b>

Done this 18<sup>th</sup> day of June 2012.

**Motion by Mr. Holtzhafer, seconded by Mr. Shubzda to approve the June 18, 2012 Bill List. There were 6 ayes. Motion carried.**

Mr. Holtzhafer reported that the Committee received a request from Todd Garloff on behalf of the Lehigh Valley Soap Box Derby Association requesting the use of Ridge Street between Keystone Avenue and State Road to hold its Soap Box Derby Race on Saturday, August 25 and Sunday, August 26, 2012. Historically, the event has cost the Borough \$300.00 in Public Works labor. The Committee recommends waiving the fees incurred by the Public Works Department associated with the set up and tear down for this event. Mr. Brown asked if the Lehigh Valley Soap Box Derby Association historically donates to the Borough. Mr. Holtzhafer responded that they have.

**Motion by Mr. Holtzhafer, seconded by Mr. Shubzda to waive the fees incurred by the Public Works Department for the set up and tear down of the Lehigh Valley Soap Box Derby Association Race to be held on Saturday, August 25 and Sunday, August 26, 2012. There were 6 ayes. Motion carried.**

Progress.

g. Community Relations, Planning and Development Committee

Mr. Brown reported that the flag pole will be delivered this week for the VFW Pocket Park. Mr. Pepe confirmed that it has been delivered. Mr. Brown also reported that all invoices have been submitted to Lehigh County for the TreeVitalize Grant.

Progress.

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### h. Ad Hoc-Community/School Relations Committee

Progress.

PERSONAL APPEALS, PART II – None.

### BOROUGH MANAGER'S REPORT

Mr. Pepe reported that the Significant Revenue and Expense Items for the first half of June, 2012 are in the Council binders and offered to entertain questions about it.

Mr. Pepe also reported that he received the first set of quotes from Brown & Brown of Lehigh Valley, Inc., for the Borough's Workers Compensation Insurance and Automobile Insurance. The Borough received a quote from EMC for Automobile Insurance, partnered with Workers Compensation, which reflects a decrease from \$532.00 per vehicle in 2011-2012 to \$519.00 per vehicle, effective July 1, 2012. He reported that as anticipated, it was difficult getting quotes for Workers Compensation insurance. The experience factor for Workers Compensation increased from 1.143% to 1.252%, which caused a several thousand dollar increase. The Borough has entered into EMC's dividend program, which is similar to the health care dividend program. The Borough has the potential to see cost savings through the dividends as well as a 5% Workers Compensation premium discount once the Safety Committee obtains the state certification. Mr. Pepe recommended accepting the Insurance Quotes from EMC for Automobile and Workers Compensation Insurance in the amount of \$372,766.

**Motion by Mr. Brown, seconded by Dr. Waddell to accept the Automobile and Workers Compensation quotes from EMC in the amount of \$372,766. There were 6 ayes. Motion carried.**

Mr. Pepe reported that the Emmaus Police Officer's Association voted to approve a proposed five year Collective Bargaining Agreement.

Progress.

### PRESIDENT'S BUSINESS

Mrs. Gilbert recessed for an Executive Session at 8:45 p.m., to discuss a personnel matter and contract negotiations with official action anticipated.

Mrs. Gilbert reconvened the Meeting at 9:35 p.m. with official action needed.

Mr. Pepe reported that the contract negotiations between the Borough and the Emmaus Police Officer's Association went very smoothly and will save the Borough

June 18, 2012

EMMAUS BOROUGH COUNCIL

approximately \$406,000 over 5 years. He believes the contract is fair for the Borough and the EPOA.

**Motion by Mr. Barrett, seconded by Dr. Waddell to approve the Collective Bargaining Agreement between the Emmaus Police Officer's Association and the Borough of Emmaus, effective January 1, 2013 through December 31, 2017. There were 5 ayes, 1 abstention (Gilbert). Motion carried.**

**Motion by Mr. Barrett, seconded by Dr. Waddell to adjourn. There were 6 ayes. Motion carried.**

The June 18, 2012 Meeting of the Emmaus Borough Council adjourned at 9:37 p.m.

Shane Pepe  
Borough Manager

Transcribed by: Paula Weiant  
Administrative Assistant  
June 20, 2012