

July 15, 2013

EMMAUS BOROUGH COUNCIL

**Emmaus Borough Council
Agenda
Monday, July 15, 2013, 7:00 PM**

1. Call to Order

2. Pledge of Allegiance

3. Personal Appeals, Part I

4. Community Minute

5. Special Presentations

Volunteer of the Year Award

6. Reading of Minutes

June 19, 2013

7. Decisions on Bids

8. Communications

- a. Andrew Folkes, 192 Landis Circle – Request appointment to the Parks and Recreation Commission.
- b. Kent Finkbeiner, 43 Wilden Drive, Easton – Request to hold Annual Soap Box Derby Race.
- c. Dennis Ramella, Emmaus High School Department of Athletics – Rental of EPD Shooting Range for EHS Rifle Team.
- d. Pedro Pagan, Jr., 4856 Old Bethlehem Pike, Telford – Request Moon Bounce at Company Event.
- e. Michael Naratil, 1710 W. Minor Street – Pool Credit.
- f. Patricia Bush, 636 Chestnut Street – Bank Street One Way Direction.
- g. Sue Zacharda, 550 Furnace Street – Request Street Closure for Block Party.
- h. Teri Madison, Emmaus Main Street Partners – Community Perceptions of Emmaus' Business District.
- i. Carol Robinson, 912 Lawrence Drive – Request Street Closure for Block Party.
- j. Steve Shelly, Emmaus Farmers' Market President – Request Banner Fee Refund.

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9. Borough Engineer's Report

10. Solicitor's Report

11. Unfinished Business, Part I

12. New Business

Ordinance No. 1099 – An Ordinance Amending Chapter 15 of the Codified Ordinances (1st Reading 7/15/13).

13. Unfinished Business, Part II

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 (1st Reading 5/6/13).

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 – August 1, 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

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

Next Meeting – July 22, 2013 at 5:00 p.m.

- a. Compost Options

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- 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
- f. **Boyko Refuse Fee**

Parks and Recreation (Barrett, Holtzhafer, Labenberg)

Next Meeting – August 6, 2013 at 3:30 p.m.

- a. Ice Rink/Skate Park
- b. Emmaus Legion Baseball Field Project
- c. Youth Football League Building Agreement
- d. Dedication of Baseball Field
- e. **Advertising Signs on Athletic Field Fences (tabled 6/17/13)**
- f. **Moon Bounce Requests**

Public Safety (Gilbert, Barrett, Brown)

Next Meeting – August 7, 2013 at 2:00 p.m.

- a. Emergency Operations Plan – Review
- b. **Ordinance No. 1099 – 1st Reading 7/15/13**

General Administration (Waddell, Barrett, Labenberg)

Next Meeting – July 24, 2013 at 9:00 a.m.

- a. Emmaus Public Library Expansion Project
- b. Arts Commission Gallery
- c. Ordinance No. 1098 - Age Qualified Housing Ordinance (1st Reading 5/6/13)
- d. HVAC System at Town Hall
- e. Finance Plan / Budget
- f. Sale of Properties
- g. Refuse Contract
- h. Town Hall Remodeling Project
- i. **Property Appraisals**

Budget and Finance (Holtzhafer, Shubzda, Gilbert)

Next Meeting – July 23, 2013 at 3:30 p.m.

- a. **Bill List—Resolution 2013-17**
- b. Policy for Receipts and Packing Slips

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- c. Banking and Accounts for All Borough Entities
- d. Eliminate Gamewell System – 2014
- e. Pavilion Construction
- f. Electricity / Natural Gas
- g. Paving Machine

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

Next Meeting – July 25, 2013 at 4:15 p.m.

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

17. Junior Council Member's Report

18. Personal Appeals, Part II

19. Borough Manager's Report

- a. **Significant Revenue and Expense Items for June 2013**
- b. **Wood Street Zoning Map Amendment Ordinance**

20. President's Business

21. Adjournment

Next Resolution #18
Next Ordinance #1100

The Emmaus Borough Council met in regular session on July 15, 2013 in Borough Council Chambers, 28 S. 4th Street, Emmaus, PA 18049.

CALL TO ORDER

Mrs. Gilbert called the Meeting to order at 7:02 p.m.

Lee Ann Gilbert

Present

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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
Tom Dinkelacker, Solicitor	Present
Shane Pepe, Borough Manager	Present

Mrs. Gilbert welcomed Chad Peters, Hanover Engineering, to tonight's meeting.

PERSONAL APPEALS, PART I

A. **Jo-Anne Pawluk, 643 Broad Street #309** – stated that she believes that less than 20 – 30% of Borough renter's pay the required per capita tax. Mr. Pepe responded that the Borough's accounting department has recently mailed letters to the owner's of Borough rental properties to enforce the use of moving permits within the Borough. Mr. Pepe invited Ms. Pawluk to contact him to discuss the matter with him.

COMMUNITY MINUTE

Dr. Waddell reminded everyone that the Emmaus Arts Commission's Rain Barrel event will conclude at Community Day, to be held on July 20, 2013 beginning at 12:00 p.m. He thanked Wentz Hardware Store and the Emmaus Run Inn for displaying the barrels. He also thanked the Arts Commission and Angela Faidley for hosting the Chalk the Walk Event which was held at Triangle Park on Sunday, July 14, 2013. He encouraged everyone to visit the Triangle and view the drawings.

Mr. Labenberg stated that he attended the summer concert on Sunday and believes that there were approximately 400 people attending the concert. The concert was performed by The Midnight Special Band. He also stated that he viewed the chalk drawings at Triangle Park and noted that many other people were also viewing the drawings.

Dr. Waddell voiced concerns about animals in Borough parks and stated that he believes the No Pets Allowed signs are not visible at Triangle Park. Mrs. Gilbert referred the item to staff.

Mr. Labenberg voiced concern about people swimming and dancing in the fountain. He also voiced concern about bikers and skateboarders grinding on the fountain. He also voiced concern that the sheen on the bricks at Triangle Park is worn.

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SPECIAL PRESENTATIONS

Volunteer of the Year Presentation -

Dr. Waddell and Mr. Brown presented the Volunteer of the Year award for 2011 to John Eyer.

Emmaus Main Street Partners -

Teri Madison, Emmaus Main Street Partners, reviewed a proposal between the Emmaus Main Street Partners and the Lehigh County Chamber of Commerce for a \$3,000 marketing grant. The Partners are requesting a \$3,000 Borough contribution to match the grant. The \$6,000 grant would be used to market businesses throughout the community. Ms. Madison stated that the Partners have selected FireRock Productions to produce television commercials. The cost for producing the commercials is \$4,800. FireRock has reduced the price to \$2,000 due to a \$2,800 contribution by them. The air time will be provided by Via Media. They will provide approximately \$4,500 worth of air time for \$2,500. She also stated that the Partners are working with the East Penn Press to provide \$1,500 worth of print advertising. She reported that they are also working with Parkland and Northwestern Press to provide advertising. Ms. Madison asked Council to revisit the Partners matching fund request which was previously submitted in April. Mr. Labenberg questioned why the Partners are advertising with the Northwestern Press versus Salisbury Press. Ms. Madison responded that the businesses already have a shopping clientele from Salisbury and that the businesses are just beginning to see a shopping clientele from the Northwestern Press area. Dr. Waddell asked how the marketing grant benefits Borough Council. Ms. Madison responded that it is important to advertise the local businesses and to keep them in the community. Mr. Brown asked if the request is for this year or for 2014. Ms. Madison responded that it is for 2013. Mr. Barrett asked if there is a deadline for a response. Ms. Madison responded that a decision is needed by September. Mrs. Gilbert referred the item to the Budget and Finance Committee. Mr. Holtzhafer invited the Partners to attend the next Committee Meeting to be held on Tuesday, July 23, 2013 at 3:30 p.m.

Ms. Madison discussed the Emmaus Main Street Partners' Image Development Report Survey. She stated that there are four main areas of concern: hours that businesses are open, the mix of businesses that are in the Borough, the lack of nightlife in the Borough, and inadequate or improperly marked parking. She stated that the same concerns are included in the Partners 5 year plan. Ms. Madison stated that there were 124 respondents. The survey was available to all Borough residents through the Main Street Partner's website and the Borough's website. She stated that there was a 1% response rate to the survey. Mrs. Gilbert referred the item to the Community Relations, Planning and Development Committee.

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READING OF MINUTES

Motion by Dr. Waddell, seconded by Mr. Barrett to dispense with the formal reading of the June 19, 2013 Minutes. There were 7 ayes. Motion carried.

Motion by Mr. Brown, seconded by Mr. Barrett to adopt the June 19, 2013 Minutes as drafted. There were 7 ayes. Motion carried.

DECISION ON BIDS - None.

COMMUNICATIONS

a. Andrew Folkes, 192 Landis Circle – Request appointment to the Parks and Recreation Commission. Mr. Barrett responded that Mr. Folkes appointment is on the Agenda for the next committee meeting.

b. Kent Finkbeiner, 43 Wilden Drive, Easton – Request to hold Annual Soap Box Derby Race and fee waiver for Public Works manhours. Dr. Waddell stated that he believes the Lehigh Valley Soap Box Derby Association historically donates to the Borough. Mr. Labenberg questioned if they have. Mr. Holtzhafer responded that they have donated.

Motion by Dr. Waddell, seconded by Mr. Holtzhafer 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 24 and Sunday, August 25, 2013, contingent upon adequate insurance. There were 7 ayes. Motion carried.

c. Dennis Ramella, Emmaus High School Department of Athletics – Rental of EFD Shooting Range for EHS Rifle Team. Referred to the Public Safety Committee.

d. Pedro Pagan, Jr., 4856 Old Bethlehem Pike, Telford – Request Moon Bounce at Company Event to be held on July 21, 2013 at the Groller Pavilion. Mr. Barrett reported that the policy that has been set in effect is that the individual or organization requesting a moon bounce must supply \$1,000,000 in liability insurance. Mr. Pepe stated that there is additional language from the Borough Solicitor that must be included in the policy.

Motion by Mr. Barrett, seconded by Mr. Labenberg to grant Auto Advantage Financing's request to have a moon bounce at a Company Event to be held on July 21, 2013 at the Groller Pavilion provided that they supply \$1,000,000 in liability insurance. There were 6 ayes, 1 opposed (Holtzhafer). Motion carried.

e. Michael Naratil, 1710 W Minor Street – Pool Credit. Referred to the Parks and Recreation Committee.

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- f. Patricia Bush – 636 Chestnut Street – Bank Street One Way Direction. Referred to the Public Safety Committee.
- g. Sue Zacharda – 550 Furnace Street – Request Street Closure for Block Party to be held on Sunday, August 4, 2013 from 11:00 a.m. to 6:30 p.m. Referred to Mayor Iobst.
- h. Teryl Madison, Emmaus Main Street Partners – Community Perceptions of Emmaus' Business District.
- i. Carol Robinson, 912 Lawrence Drive – Request Street Closure for Block Party to be held on Saturday, September 7, 2013 from 2:00 p.m. to 6:00 p.m. Referred to Mayor Iobst.
- j. Steve Shelly, Emmaus Farmers' Market President – Request Banner Fee Refund. Mr. Labenberg questioned if the banner fell apart before it was installed. Ms. Madison stated that the banner was hung but was destroyed due to a storm. The Farmers' Market is requesting half of the amount of the banner fee. Mr. Labenberg stated that the banner was hung and there was Public Works labor involved. Mr. Brown stated that he believes the request should be referred to a committee. Neither Mr. Holtzhafer nor Mr. Barrett withdrew the motion.

Motion by Mr. Holtzhafer, seconded by Mr. Barrett to grant the Emmaus Farmers' Market Banner Fee Refund in the amount of \$125.00. There were 6 ayes, 1 opposed (Labenberg). Motion carried.

BOROUGH ENGINEER'S REPORT - None.

SOLICITOR'S REPORT

Solicitor Dinkelacker reported that there are several pending changes to Borough Ordinances. He reported that 316 Wood Street is currently located in a Medium Residential Zone and is requesting the parcel be rezoned to the Light Industrial Zone. The request will be reviewed by the General Administration Committee on July 24, 2013. The first reading of the Ordinance will occur at the August 19, 2013 Council Meeting. The request will be submitted to the appropriate local Planning Commissions and a second reading and adoption may occur on September 3, 2013. Solicitor Dinkelacker reported that the item will be placed on the Planning Commission's Agenda for review at its meeting on August 8, 2013. Solicitor Dinkelacker stated that Chad Peters, Hanover Engineering, is present at tonight's meeting and has comments about the Zoning Map Amendment. Mr. Peters reminded Council to consider the potential impact on the surrounding areas by the proposed change.

Solicitor Dinkelacker reported that changes have been made to the Ordinance No. 1098 – Age Qualified Community in accordance with Council's recommendations. After meeting with Upper Milford, there have been additional changes made to the Ordinance. The Ordinance is scheduled for 2nd Reading and adoption at the September 3, 2013

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Council Meeting. The Ordinance has been submitted to the Lehigh Valley Planning Commission and the Joint Planning Commission.

Solicitor Dinkelacker reported that a settlement conference will be held on August 15, 2013 for the South Mountain Medic 5 Dissolution.

Progress.

UNFINISHED BUSINESS, PART I – None.

NEW BUSINESS

Ordinance No. 1099 – An Ordinance Amending Chapter 15 of the Codified Ordinances (1st Reading 7/15/13). Mrs. Gilbert reported that the Public Safety Committee has worked on the Ordinance for 4 years and thanked Mr. Pepe, Chief Faust, and Mr. Dychala for the many hours of hard work and effort they have put into the ordinance. Mrs. Gilbert reviewed the changes to the ordinance. Dr. Waddell asked if there is a consistent place for posting “No Turn on Red Signs.” Mr. Pepe responded that most of the signs in the Borough are placed on state roads and he is awaiting the exact requirements from PennDot.

Motion by Mr. Barrett, seconded by Mr. Brown to read Ordinance No. 1099 in short title. There were 7 ayes. Motion carried.

Mrs. Gilbert read Ordinance No. 1099 in short title.

Motion by Mr. Barrett, seconded by Mr. Brown to adopt Ordinance No. 1099 – An Ordinance Amending Chapter 15 of the Codified Ordinances on its 1st 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.

UNFINISHED BUSINESS, PART II – None.

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

MAYOR’S REPORT

Mayor Iobst thanked Mr. Pepe and Chief Faust for their hard work and efforts on Ordinance No. 1099.

Progress.

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COMMITTEE REPORTS

a. Public Works Committee

Mr. Labenberg reported that due to the July 4th holiday, the Committee meeting was cancelled. The next meeting is August 1, 2013 at 3:00 p.m.

Dr. Waddell voiced concern about the appearance of Triangle Park and stated that the sheen on the bricks is worn off. He asked if there is a warranty on the bricks and if there is none or the time has expired, what can be done to improve the appearance of the bricks. Mr. Labenberg stated that the item will be added to the Public Works Agenda. He also voiced concern that the grassy area where the Borough Christmas Tree is displayed each year; is crab grass. Mr. Pepe responded that the area can be aerated and re-seeded. Mr. Labenberg responded that he will add the item to the Public Works Agenda.

Progress.

b. Health, Sanitation, and Conservation Committee

Mr. Shubzda reported that the Committee met on June 24, 2013. He reported that Mike and Loretta Boyko attended the meeting. The Boyko's own 36 S. 5th Street, the apartment complex on 5th Street that incurred the fatal fire on March 17, 2013 and requested reimbursement for their refuse bill from March 17 through the end of 2013. The Committee recommends reimbursing the Boyko's a pro-rated amount based on the length of time that the property is not occupied. Dr. Waddell clarified that the length of time of the pro-rating would be from March 17 until an Occupancy Permit is granted. In order to avoid setting precedence, Mr. Labenberg stated that he believes the motion should be amended to state that the building burned to the ground and there are no residents living there. Mr. Shubzda amended his motion and Dr. Waddell amended his second.

Motion by Mr. Shubzda, seconded by Dr. Waddell to grant the Boyko's request to pro-rate the refuse bill for 36 S. 5th Street from March 17, 2013 until an Occupancy Permit is granted.

Motion by Mr. Shubzda, seconded by Dr. Waddell to grant the Boyko's request to pro-rate the refuse bill for 36 S. 5th Street, due to the total destruction of the property, from March 17, 2013 until an Occupancy Permit is granted. There were 7 ayes. Motion carried.

The next meeting is July 22, 2013 at 5:00 p.m. The Committee will discuss the electronics dumpster that was provided to the Borough through Raritan Valley.

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c. Parks and Recreation Committee

Motion by Mr. Barrett, seconded by Mr. Brown to remove advertising on the fence at Emmaus Community Field from the table. There were 7 ayes. Motion carried.

Mr. Barrett reported that representatives from EYA were in attendance to discuss banner advertising on the fence at Emmaus Community Field. He stated that the banners will be vinyl with grommets and approximately 3' in width. He also stated that the advertising will be removed when the outfield fence is removed. The proceeds from the advertising will be returned to EYA for field upgrades and improvements. The football league will also advertise, but will remove the advertising at the completion of each game. Mr. Shubzda voiced concern about placing advertising on the back stop. Mr. Barrett stated that Kathy Mintzer, President of EYA, is present at the meeting and invited her to comment. Ms. Mintzer stated that the advertising that would be located on the back stop would be placed higher and closer to the top panels.

Motion by Mr. Barrett, seconded by Mr. Labenberg to authorize EYA to sell advertising in the form of signs on the Emmaus Community Field backstop, outfield fence, and backfield building, with the revenue generated being used for field upgrades and improvements. There were 7 ayes. Motion carried.

Mr. Barrett reminded everyone that Community Day will be held on July 20, 2013 from Noon to 6:00 p.m. He also reminded that the official dedication of the Emmaus Community Park will be held on the same day.

Progress.

d. Public Safety Committee

Mrs. Gilbert reported that the National Prescription Drug Take Back will be held on Saturday, October 26, 2013, from 10:00 a.m. to 2:00 p.m. On that day, the Emmaus Police Department will be collecting any unused, unwanted, and expired prescriptions at the Emmaus Police Station, located at 440 Jubilee Street, Emmaus, PA 18049. She stated that during the last Drug Take Back, which was held on April 27, 2013, the Emmaus Police Department collected 262 Pounds of expired, unused and unwanted prescription and over-the-counter medications.

The next Committee Meeting will be August 7, 2013 at 2:00 p.m.

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e. General Administration Committee

Dr. Waddell reported that at the June 26, 2013 meeting there was a Personal Appeal by Kelly Ritter, Ruhe Property Management Corporation. She expressed concerns about how property lien fees are being handled by the Borough Solicitor's office. Mr. Pepe explained that Ms. Ritter feels that on two different occasions her firm was overcharged with paying liens on properties that they were purchasing through Sheriff Sales. He stated that Ms. Ritter was charged an additional amount because they filed a Scifa one week before a property went to Sheriff Sale. The lien will not be released until the extra charge is paid. Solicitor Dinkelacker responded that the program was initiated by Solicitor Dimmich and is run successfully in Upper Saucon and the Borough of Catasauqua. He stated that he will discuss the matter with Solicitor Dimmich.

Dr. Waddell reported that the General Administration Committee recommends obtaining property appraisals for Borough properties located adjacent to Cintas Corp., the Public Works garage, located at 33 Klines Lane, the South 2nd Street 18 acre lot, and the Jubilee Street parking lot. Mr. Labenberg stated that he does not object to obtaining appraisals, but he voiced concern that the item was not budgeted for and asked how the appraisals will be funded. Mr. Pepe responded that Mr. Barrett is able to answer Mr. Labenberg's question concerning the price of obtaining appraisals and the item will be funded through the Contingency Line Item. Mr. Barrett responded that he believes the price will be between \$2,000 and \$2,500 for the appraisals.

Motion by Dr. Waddell, seconded by Mr. Barrett to obtain property appraisals for Borough properties located adjacent to Cintas Corp., the Public Works garage, located at 33 Klines Lane, the South 2nd Street 18 acre lot, and the Jubilee Street parking lot.

Mr. Labenberg suggested obtaining more information on the item and waiting until the next Council Meeting to vote on the motion. Dr. Waddell suggested amending the motion to direct Mr. Pepe to obtain estimates to conduct the property appraisals. Dr. Waddell amended his motion, Mr. Barrett amended his second.

Motion by Dr. Waddell, seconded by Mr. Barrett to authorize Mr. Pepe to obtain estimates to conduct property appraisals for the Borough properties located adjacent to Cintas Corp., the Public Works garage, the South 2nd Street 18 acre lot, and the Jubilee Street parking lot. There were 7 ayes. Motion carried.

The next committee meeting will be August 10, 2013 at 9:00 a.m.

Progress.

f. Budget and Finance Committee

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Mr. Holtzhafer read Resolution 2013-17, authorizing payment of the July 15, 2013 Bill List, as follows:

Bill List	\$	416,074.40
Payroll #13 and #14	\$	279,820.01
Payroll Taxes	\$	<u>102,895.54</u>
Total	\$	798,789.95

Done this 15th of July 2013.

Motion by Mr. Holtzhafer, seconded by Mr. Shubzda to approve the July 15, 2013 Bill List. There were 7 ayes. Motion carried.

Mr. Holtzhafer reported that the Committee received a request for a refund for the rental of the Rotary Pavilion. The Pavilion was rented for an event which was to be held in August but the event was cancelled in July. The policy historically is to not refund the money unless the Pavilion can be rented out to someone else. The Committee recommends refunding the money for the rental of the Pavilion because the Borough was given a 30 day notice of the event being cancelled. The Committee suggests that the Parks and Recreation Committee reevaluate its policy for issuing pavilion rental refunds. Mr. Barrett stated that he will vote against the motion because he believes the situation has occurred before and that the money was not refunded. He suggested the item be referred to the Parks and Recreation Committee. Mrs. Gilbert directed the Parks and Recreation Committee to develop a set of rules and regulations for refunding pavilion rentals.

Motion by Mr. Holtzhafer, seconded by Mr. Shubzda to refund the rental of the Rotary Pavilion for an event to be held in August. There were 5 ayes, 2 opposed (Labenberg, Barrett). Motion carried.

Mrs. Gilbert stated that Mayor Iobst had friends that rented the pavilion located at Furnace Dam. She stated that the Public Works Department thoroughly cleans the pavilion on Friday and by Saturday the pavilion is covered in goose droppings. Mayor Iobst stated that the individual that rented the pavilion, Mr. Nyemscek, had to clean the pavilion and was upset because it had dog feces and goose droppings on it. Mayor Iobst stated that Mr. Nyemscek requested a refund on the pavilion rental. Mr. Pepe stated that he received communication regarding the item. Mr. Barrett stated that the goose situation has been on the Parks and Recreation Committee Agenda since he has been on Borough Council, and there have been genuine attempts made to rectify the situation but the geese have returned. He stated it has never been budgeted to remove the geese and that it is very costly to permanently remove the geese. He also stated that he believes that the Borough needs to hire someone to get rid of the geese. Mr. Holtzhafer stated that the state

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has an organization to permanently remove the geese but he believes it is costly. Mr. Brown stated that he believes, until the problem is resolved, the pavilion at Furnace Dam should not be rented. Mrs. Gilbert directed Mr. Holtzhafer to provide the Parks and Recreation Committee with the information from the state on removing the geese permanently. She also stated that the Borough should not rent the pavilion for the remainder of 2013.

Mr. Labenberg asked for a status of placing more money towards the pension and paying down the debt. Mr. Holtzhafer responded that the item is on the Budget and Finance Committee's Agenda.

Progress.

g. Community Relations, Planning and Development Committee

Mr. Brown reported that the Committee met on June 27, 2013 at 4:15 p.m. Mr. Brown reported that the Committee discussed the LERTA Program. He also reported that on July 20, 2013, CGI will begin shooting footage for the Community Video. Mr. Brown reported that DCNR is fully administering the grant process for the Tree Vitalization program for 2014.

Dr. Waddell stated that the tree wells throughout the Borough look unkempt and suggested budgeting for maintenance of the tree wells in the 2014 budget. Mr. Pepe responded that the Public Works Department is working to maintain the wells. Mr. Brown responded that there are options to obtain grant money to maintain the tree wells.

The next Committee meeting is July 25, 2013 at 4:15 p.m.

Progress.

h. Junior Council Member's Report

Mr. Hobson reported that school will begin on August 26, 2013.

Progress.

PERSONAL APPEALS, PART II

A. Anthony Groller, 1302 S. 10th Street - asked if the organization that runs the Soap Box Derby is from Macungie and asked if we waived the fees for the event. Mr. Holtzhafer responded that it is the same organization that has always run the event and historically we waive the fees it. He asked if Dennis Ramella has adequate liability

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insurance. Mr. Pepe responded affirmatively. Mr. Groller asked if we charged for moon bounces. Mr. Holtzhafer responded that the organization that requested the moon bounce has paid to rent the pavilion. Mr. Groller stated that he believes the Main Street Partners should not receive any money from the Borough. Mr. Groller stated that there is no American Flag at the summer concerts. Mr. Labenberg responded that there are American Flags in the park.

BOROUGH MANAGER'S REPORT

Mr. Pepe reported that the Significant Revenue and Expense Items for June 2013 are in the binders and entertained questions about it. Mr. Pepe stated that the Borough Treasurer has prepared several reports and at this time the 2013 Budget is on track. He also stated he will issue the 2014 Budget Planning Memorandum to Department Heads at the staff meeting.

Mr. Pepe reported that the Solicitor recommends a formal motion to move forward with the work on the property located at 402 Broad Street. The cost of fixing the property is \$19,500, which includes repairing the roof, replacing any wood that is bad, and repairing the porch. The price with tearing down the roof was \$16,800. Staff believes that repairing the porch is crucial to the integrity of the historical value of the house. The money for repair will be recovered through the lien process. FJT Services will perform the work and the item will be funded through the Contingency Fund.

Motion by Mr. Labenberg, seconded by Mr. Holtzhafer to authorize FJT Services to replace the roof, replace any wood that is bad, and repair the porch at 402 Broad Street, through the Contingency Fund at a cost of \$19,500 with the funds for repair being recovered through the lien process. There were 7 ayes. Motion carried.

Progress.

PRESIDENT'S BUSINESS

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

The July 15, 2013 Meeting of the Emmaus Borough Council adjourned at 8:53 p.m.

Shane Pepe
Borough Manager

Transcribed by: Paula Weiant
Administrative Assistant
July 30, 2013