

August 2, 2010

EMMAUS BOROUGH COUNCIL

**Emmaus Borough Council  
Agenda  
Monday, August 2, 2010, 7:00 PM**

1. Call to Order
2. Pledge of Allegiance
3. Personal Appeals, Part I
4. Community Minute
5. Special Presentations
  - Emmaus Main Street Program Quarterly Report
6. Reading of Minutes
  - July 19, 2010
7. Decisions on Bids
8. Communications
  - a. Richard Wieand, 818 Walnut St., Emmaus – Thank you to Jason Kleckner.
  - b. Louis Serensits, 334 Spruce St., Emmaus – Request street closure for Annual Block Party.
  - c. Robert Litzenberger, 358 Main St., Emmaus – Triangle Park events concerns.
  - d. Roberta Whitcomb, 402 Mountain Blvd., Emmaus – Request use of Triangle Park for quilt display.
  - e. Krystall Miller – September 11<sup>th</sup> Charity Bash
  - f. Kathy Haney, Shops of Emmaus – “Just Say YES to Scarecrows” event requests.
  - g. Brad Ford, 400 S. 10<sup>th</sup> St., Emmaus – Request use of Kline’s Lane soccer field for cyclo-cross clinic.
9. Borough Engineer’s Report
10. Solicitor’s Report
  - a. Union Representation by Clerical Employees**
11. Unfinished Business, Part I
12. New Business

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13. Unfinished Business, Part II
14. Items Not on Agenda, Subject to Rule 9
15. Mayor's Report
16. Committee Reports

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

Next Meeting – August 5, 2010 at 3:00 p.m.

- a. I & I Elimination Report
- b. Weiders Lane Status

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

Next Meeting – August 12, 2010 at 4:00 p.m.

- a. Recycling Events
- b. Refuse/Recycling with Raritan Valley
- c. Emmaus Public Library Energy Audit
- d. Riparian Buffer Ordinance
- e. Bollinger Land/Indian Creek Golf Course
- f. Emmaus and Upper Milford Joint Environmental Advisory Council
- g. Board of Health
- h. Lehigh County Municipal Waste Management Plan Review

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

Next Meeting – August 3, 2010 at 3:30 p.m.

- a. Ice Rink/Skate Park
- b. Geese at Furnace Dam
- c. Emmaus Legion Baseball Field Project
- d. Legion Field Reconstruction Agreement and Leases

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

Next Meeting – August 19, 2010 at 9:00 a.m.

- a. Trailer Truck Parking
- b. Tractor Trailer Unloading
- c. Emergency Operations Plan – Review
- d. Civil Service Commission Rules and Regulations

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

Next Meeting – August 11, 2010 at 9:00 a.m.

- a. Shade Tree--Tree Fund

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- b. Clerical Staff Petition to Unionize
- c. Drug and Alcohol Policy
- d. Special Event Signs Ordinance

**General Administration** (continued)

- e. **Appointment of Michelle Steiner to the Special Entertainment Commission (term expires 6/7/2012).**

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

Next Meeting – August 16, 2010 at 6:45 p.m.

- a. **Bill List – Resolution 2010 – 22**
- b. Per Capita Tax Ordinance
- c. Act 44 Election
- d. Emmaus Police Officers’ Association – Contract Negotiations

**Community Relations/Development** (Brown, Reinhard, Waddell)

Next Meeting – August 25, 2010 at 4:15 pm.

- a. Parking Deck Feasibility Study
- b. 2009 Anniversary Items and Contents of the 1959 Time Capsule
- c. Emmaus Main Street Program—West End Gateway Sign Presentation
- d. 2009 Anniversary Sign and Planter at Weis Markets
- e. Broad Street Reconstruction
- f. Streetscape Improvement Project
- g. Lanta Metro Meeting Update

**Ad Hoc Committees** (Holtzhafer, Barrett, Gilbert, Neely, Mayor Iobst)

Next Meeting – To be determined.

**Community/School Relations**

- a. Junior Council Member Draft Resolution Review and Application

17. **Personal Appeals, Part II**

18. **Borough Manager’s Report**

- a. **Significant Revenue and Expense Items for July 2010**
- b. **Penndot Winter Traffic Services Agreement**

19. **President’s Business**

- a. Executive Session

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20. Adjournment

Next Resolution #23  
Next Ordinance #1073

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The Emmaus Borough Council met in regular session on August 2, 2010 in Borough Council Chambers, 28 S. 4<sup>th</sup> Street, Emmaus, PA 18049.

CALL TO ORDER

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

Lee Ann Gilbert, President	Present
Brian Holtzhafer, Vice President	Absent
Michael Waddell	Present
Brent Labenberg	Present
Wesley Barrett	Present
Nathan Brown	Present
R. Erick Reinhard	Present
Winfield Iobst, Mayor	Present
Frank Procyk, Solicitor	Present
Craig Neely, Borough Manager	Present

PERSONAL APPEALS, PART I

**A. Lynn Donches, 559 Minor St.,** voiced opposition to the proposed Legion Baseball Field Reconstruction Project. She stated that when the plan is voted back on the table it should be abandoned.

**B. Bob Lance, 115 N 5<sup>th</sup> St.,** voiced concern about damage occurring to cars parked in the 100 Block of North Fifth Street near the Emmaus Post Office. Referred to the Mayor and the Emmaus Police Department.

**C. John Donches, 559 Minor St,** voiced opposition to the proposed Legion Baseball Field Reconstruction Project. He thanked Councilman Barrett for answering residents' questions about the Project on August 1, 2010 at the Emmaus Farmers Market. He asked Council if the fact sheet that he previously requested is complete. He stated that he has over 800 signatures on his petition.

**Motion by Mr. Barrett, seconded by Mr. Brown to extend Mr. Donches's Personal Appeal time by five minutes. There were 5 ayes, 1 opposed (Gilbert). Motion carried.**

Mr. Barrett asked Mr. Donches if he is in favor of the proposed field improvements at the current scale. Mr. Donches said that he is not. Mr. Barrett asked Mr. Donches if he is in favor of any field improvements. Mr. Donches said that he is. He stated that he wants the proposed Legion Baseball Field Project completely abandoned and started over.

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**D. Mike Kocis, 1274 Pennsylvania Ave.,** stated that he is the former Vice-President of the Emmaus Extreme Alliance, which was the entity that previously proposed that a skate park be built in the Borough. He stated that he is opposed to the proposed Legion Baseball Field Reconstruction Project and prefers that a skate park be built instead.

**E. Otto Slozer, 121 E. Elm St.,** encouraged Council to abandon the Legion Baseball Field Reconstruction Project and to develop the plan through the formal planning process.

**Motion by Mr. Labenberg, seconded by Mr. Barrett to extend Mr. Slozer's Personal Appeal time by five minutes. There were 6 ayes. Motion carried.**

He stated that there are almost 900 petition signatures opposing the baseball field project.

**F. Debra Dubs, 106 S. 12<sup>th</sup> St.,** voiced opposition to the Legion Baseball Field Reconstruction Project but recommends bringing the field up to PIAA standards.

**G. Linda Hamilton, 1103 West Broad St.,** commended the Donches's for their time and effort opposing the Legion Baseball Field Reconstruction Project. She voiced opposition to the Project but is not opposed to making the field safe. She commented that the flowers at the Triangle are not being maintained. Mr. Neely stated that the Borough is in disagreement with the Contractor for the Triangle Project because it has not fulfilled its obligations with the landscaping portion of the project.

**H. Giovanni Landi, 869 Frank Drive,** asked why the Legion Baseball Field Reconstruction Project was ever begun. Mrs. Gilbert responded that Mr. Neely explained it in full detail at the previous three Council Meetings and the Minutes to those Meetings are available. Mr. Landi asked when studies will be done. Mr. Neely stated that it is an upgrade to the field and the required studies will be done by the Borough Engineer.

**Motion by Mr. Barrett, seconded by Dr. Waddell to extend Mr. Landi's Personal Appeal time by 5 minutes. There were 6 ayes. Motion carried.**

Mr. Landi commented that on the set of plans that he received, the project is referred to as the Community Park Baseball Stadium.

**I. Mike Miller, 1128 W Jubilee St.,** stated that there is limited parking when there are several events occurring at the same time at Community Park. He believes that maintenance of the field will be costly. He is in favor of upgrading the field to make it safe for the youth playing baseball.

**J. Anthony Groller, 1302 S. 10<sup>th</sup> St.,** stated that he is not in favor of or against the baseball field project but feels that the youth need a proper place to play baseball. He also stated that he does not feel that parking is a problem at Community Park. Mr. Groller asked if Council explained why the previous skateboard park request did not happen. Dr. Waddell responded that Mr. Neely explained it at the previous Council Meeting.

**Motion by Mr. Barrett, seconded by Mr. Labenberg to extend Mr. Groller's Personal Appeal time by five minutes. There were 6 ayes. Motion carried.**

Dr. Waddell asked Mr. Groller if he has seen a parking problem during tournament play at the Community Park. Mr. Groller responded that he has not.

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**K. Pamela Hittinger, 1205 W. Jubilee St.,** commented that on the weekends the Park Police do not allow residents to play at the Community Park back field. Mr. Neely responded that it is not so, and that the field was previously closed for maintenance reasons. She also commented that there is not adequate parking at the Park. She stated that she is not opposed to upgrading the field but does not want the “face” of the park changed.

**Motion by Dr. Waddell, seconded by Mr. Barrett to extend Ms. Hittinger’s Personal Appeal time by 5 minutes. There were 6 ayes. Motion carried.**

Ms. Hittinger stated that communication between the Borough and the residents on S. 12<sup>th</sup> Street and West Jubilee Street during the stormwater construction project has been poor. Mr. Neely responded that he will discuss it with staff.

**L. Dale Washburn, 1258 Pennsylvania Ave.,** voiced concern about parking at the Community Park. He stated that Pennsylvania Avenue and Shimerville Road can not handle the amount of traffic associated with the proposed Legion Baseball Field. He voiced concern about the amount of litter that will be associated with large crowds at the field.

**Motion by Mr. Barrett, seconded by Mr. Brown to extend Mr. Washburn’s Personal Appeal time by five minutes. There were 6 ayes. Motion carried.**

Dr. Waddell commented that there are over 660 parking spaces available at the Community Park. Mr. Washburn responded that there are 400 parking spaces and 9 handicapped spaces. Dr. Waddell stated that there is overflow parking on the back field and parking available by the Day Care Center. Mr. Washburn encouraged Council to leave the Park as is.

**M. Joe Deddo, 163 S. 15<sup>th</sup> St.,** stated that he lives next to Community Park and discourages changing the complexion of the Park. He noted that there are approximately 30-40 cars that frequently use the parking lot for bus trips. He stated that the Park Police need to enforce the Park rules.

**Motion by Mr. Barrett, seconded by Mr. Labenberg to extend Mr. Deddo’s Personal Appeal time by five minutes. There were 6 ayes. Motion carried.**

Mr. Deddo voiced concern that announcing the ball games over loud speakers will be loud if the ball field upgrade is completed. Mr. Labenberg asked if the East Penn School District announces their ball games. Mr. Barrett stated that there is currently a sound system at the Park, that it is not used during games, and that there is no plan to change the system.

**N. Frank Sadrovitz, 130 N. 4<sup>th</sup> St.,** stated that there are not enough parking spaces to accommodate a large crowd at Community Park. He voiced concern about the condition of the Arts Pavilion and feels that the Pavilion is being neglected.

**O. Scott Hittinger, 1203 W. Jubilee St.,** asked if there are any deed restrictions placed on Community Park. Mr. Neely responded that there are none. Mr. Hittinger asked why the baseball field is not currently being used for tournament play. Dr. Waddell responded that the field was previously used for Legion Tournaments but there are different restrictions for PIAA sponsored events.

**P. Nancy Hill, 119 S. 6<sup>th</sup> St.,** stated that the plants at the Triangle look unsightly. She asked if the Borough submitted a grant application through representative Reichley’s office

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for the baseball field project. Mr. Neely explained that no grant application was submitted. Ms. Hill encouraged Council to abandon the Proposed Legion Baseball Field Reconstruction Project.

**Motion by Mr. Barrett, seconded by Mr. Labenberg to extend Ms. Hill's Personal Appeal time by five minutes. There were 6 ayes. Motion carried.**

Ms. Hill asked why the Legion Baseball Field Reconstruction Project began. Ms. Hill asked why the Borough paid \$25,000 for the Parking Deck Feasibility Study. Mr. Brown clarified that \$20,000 was funded by grant money and the Borough paid \$5,000 towards the study.

**Motion by Mr. Barrett, to extend Ms. Hill's Personal Appeal time by five minutes. Motion failed for lack of a second.**

Mr. Labenberg began explaining why he has been against the baseball field project. Dr. Waddell commented that the Council was still in Personal Appeals. Mr. Labenberg asserted his right to make a statement, while Dr. Waddell questioned its propriety during Personal Appeals. Mr. Neely stated that at the Parks & Recreation Committee Meeting on August 3, at 3:30 p.m. the focus should be on the process that will be used to consider the baseball field project. Mr. Barrett asked if a motion is needed to suspend the project. Mr. Neely responded that a motion is not needed.

Mrs. Gilbert recessed the meeting at 8:56 p.m.

Mrs. Gilbert reconvened the meeting at 9:10 p.m.

### COMMUNITY MINUTE

Dr. Waddell reminded that the 2009 Anniversary Celebration Commemorative Book is being offered for sale at the Anniversary Office in Town Hall, the Emmaus Jewel Shop, and Out of Our Hands Gallery. It sells for \$10.00. A DVD set is available with 6.5 hours of recorded memories selling for \$20.00. He also stated that there will be an event on the Triangle on August 7, 2010 organized by the Emmaus Main Street Program, where the items will be available for purchase. He reminded that there are limited quantities of the souvenirs.

### SPECIAL PRESENTATIONS

Ms. Teryl Madison, Emmaus Main Street Program, volunteered to forgo a detailed reading of the Second Quarter Report for the Program, but noted the highlights for the quarter.

### READING OF MINUTES

**Motion by Dr. Waddell, seconded by Mr. Labenberg to dispense with the formal reading of the July 19, 2010 Minutes. There were 6 ayes. Motion carried.**

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Mr. Reinhard noted that on Page 128, under the Health, Sanitation, and Conservation Committee Report it reads that the Board of Health is researching funding a Bi-County Board of Health and should read that Lehigh and Northampton Counties were considering a Bi-County Board of Health.

**Motion by Mr. Labenberg, seconded by Mr. Reinhard to adopt the July 19, 2010 Minutes as amended. There were 6 ayes. Motion carried.**

DECISION ON BIDS – None.

COMMUNICATIONS

- a. Richard Wieand, 818 Walnut St., Emmaus – Thank you to Jason Kleckner.
- b. Louis Serensits, 334 Spruce St., Emmaus – Request for Street Closure and barricades on Spruce Street, between Barrett Road and Third Street, on Saturday, September 11, 2010, from 2:00 p.m. to 10:00 p.m. Mrs. Gilbert referred the barricade request to staff and the street closure request to Mayor Iobst.
- c. Robert Litzenberger, 358 Main St., Emmaus – Triangle event concerns.
- d. Roberta Whitcomb, 402 Mountain Blvd., Emmaus – Request use of Triangle Park for quilt display on Sunday, May 22, 2011 from 10:00 a.m. to 2:00 p.m. Rain date Sunday, June 5, 2011. Referred to the Parks and Recreation Committee.
- e. Krystall Miller – September 11<sup>th</sup> Charity Bash at Emmaus Fire Training Grounds, 101 Klines Lane, Emmaus.

**Motion by Mr. Barrett, seconded by Mr. Brown to grant the use of the Emmaus Fire Training Grounds on September 11, 2010 for the September 11<sup>th</sup> Charity Bash provided that a Hold-Harmless Agreement is provided for insurance purposes. There were 6 ayes. Motion carried.**

Mr. Labenberg asked if there will be alcohol at the event. Mr. Neely responded that he will discuss it with staff.

- f. Kathy Haney, Shops of Emmaus – “Just Say YES to Scarecrows” event requests. Referred to the Parks and Recreation Committee.
- g. Brad Ford, 400 S. 10<sup>th</sup> St., Emmaus – Request for use of Kline’s Lane soccer field for cyclo-cross clinic on Saturday, August 21, 2010 from 8:00 a.m. until noon.

**Motion by Mr. Labenberg, seconded by Mr. Barrett to grant the use of the Kline’s Lane soccer field for a cyclo-cross clinic on August 21, 2010 from 8:00 a.m. until noon with the condition that a \$25.00 game fee is paid for the use of the field. There were 6 ayes. Motion carried.**

h. Mr. Labenberg requested that a letter written by the Lehigh County Executive, Don Cunningham, in response to Mr. Neely’s letter be read. He stated that the tone of the letter was inappropriate. Dr. Waddell agreed with Mr. Labenberg about the tone of the letter. Mr. Neely read the letter.

i. Mike Ford, Coach of Emmaus Cardinals, Board Member for the EYA – Letter in support of the Proposed Legion Baseball Field Upgrades.



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j. Robert Roth, Berger Street, Emmaus, PA – Thank you to Dave Petroy of the Emmaus Park Police. Mr. Neely reported that there was a double booking at a Pavilion and the family was refunded the pavilion rental fee.

Mr. Reinhard asked when the proposed software upgrade will take place. He stated that the new software will have a scheduling program. Mr. Neely responded that the Borough is waiting for the hardware vendor, Integra, to provide a quote for the hardware.

BOROUGH ENGINEER'S REPORT – None.

### SOLICITOR'S REPORT

Solicitor Procyk reported on the status of the recent union election by the Borough clerical employees, in which the clerical staff voted to unionize.

Progress.

UNFINISHED BUSINESS, PART I – None.

NEW BUSINESS – None.

UNFINISHED BUSINESS, PART II – None.

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

### MAYOR'S REPORT

Progress.

### COMMITTEE REPORTS

a. Public Works Committee

The next Committee Meeting will be on August, 5, 2010 at 3:00 p.m.

Mr. Brown commended the Borough Public Works Water/Sewer employees for their professionalism during the installation of an MXU and sanitary sewer inspection at his residence. Mr. Labenberg responded that he has heard positive comments about the Public Works Water/Sewer Department from other residents.

Mr. Reinhard asked if the Public Works Committee negotiated the last collective bargaining agreement for the Public Works Department. Mr. Neely responded yes, and stated that the current contract expires on December 31, 2012.

Progress.

b. Health, Sanitation, and Conservation Committee

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Mr. Reinhard reminded that cardboard is a recyclable item with Raritan Valley's single stream recycling program. Mr. Labenberg commented that aluminum foil is also now recyclable.

The next Committee Meeting is August 12, 2010 at 4:00 p.m.

Progress.

c. Parks and Recreation Committee

The next Committee Meeting is August 3, 2010 at 3:30 p.m.

Progress.

d. Public Safety Committee

Mrs. Gilbert reported that the Committee Meeting originally scheduled for August 12, has been rescheduled to Thursday, August 19, 2010 at 9:00 a.m.

Progress.

e. General Administration Committee

Dr. Waddell reported that the Committee recommends appointing Michelle Steiner to the Special Entertainment Commission for a term expiring on 6/7/2012.

**Motion by Mr. Barrett, seconded by Mr. Labenberg to appoint Michelle Steiner to the Special Entertainment Commission for a term expiring on 6/7/2012. There were 6 ayes. Motion carried.**

Mr. Barrett reported that Ms. Steiner will be the liaison between the Special Entertainment Commission and the Parks and Recreation Commission. Mr. Barrett reminded that there is still one vacancy on the Commission. Mr. Barrett reported that the Committee discussed the possibility of having an email notification system to interface with the public. There are 3<sup>rd</sup> party vendors that the Borough can hire to provide information via email to the public. It would be a voluntary participation program, whereby people who want to receive email notifications would provide an email address. The East Penn School District uses this type of system. Mr. Labenberg stated that the cost of the process must be addressed, but that it is possible to send newsletters via email, which could save the Borough on postage.

Dr. Waddell asked Mr. Neely to obtain the status of the Tree Fund proposal from the Shade Tree Commission. He also asked for the status of the trees on Broad Street. Dr. Waddell directed Mr. Neely to contact the Shade Tree Commission to provide an update at the next General Administration Committee Meeting on Wednesday, August 25 at 9:00 a.m.

Progress.

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f. Budget and Finance Committee

Mr. Reinhard read Resolution 2010-22, authorizing payment of the August 2, 2010 Bill List, as follows:

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<b>Bill List</b>	<b>\$ 404,258.36</b>
<b>Payroll #15</b>	<b>\$ 122,017.07</b>
<b>Payroll Taxes</b>	<b><u>\$ 37,777.81</u></b>
<b>Total</b>	<b>\$ 564,053.24</b>

Done this 2nd day of August, 2010.

**Motion by Mr. Reinhard, seconded by Mr. Brown to adopt the August 2, 2010 Bill List. There were 6 ayes. Motion carried.**

Mr. Reinhard reported that the Budget & Finance Committee Meeting held prior to the Council Meeting was recessed and will be called back to order on either Monday, August 9, 2010 or Tuesday, August 10, 2010.

Progress.

g. Community Relations, Planning and Development Committee

Mr. Brown reported that the deadline for completion of the study was August 1, 2010. Langen Engineering will provide a presentation in either September or October.

The next Committee Meeting is August 25 at 4:15 p.m.

Progress.

h. Ad Hoc-Community/School Relations Committee – None.

PERSONAL APPEALS, PART II

**A. Debra Dubs, 106 S. 12<sup>th</sup> St.,** – voiced concern that Community Park patrons are not utilizing available parking at Community Park, and are parking on side streets. She requested “resident only” parking signs be placed on the streets. Mr. Neely responded that the Borough is not permitted under the Borough Code to place “resident only” signs on streets, though the Borough is able to place other restrictions on parking.

**B. Mike Kocis, 1274 Pennsylvania Ave** – asked Mr. Neely for clarification on a statement that he previously made that in 2003 the Parks & Recreation Committee had a comprehensive plan in which the stadium issue was addressed. Mr. Neely clarified that in 2003 he had a phone conversation with Dennis Ramella, athletic director for the East Penn School District, when there was no Parks and Recreation Comprehensive Plan. He clarified that the Parks and Recreation Comprehensive Plan was finalized in 2009 and was required to access the Green Future Fund. It was adopted by Council in February 2010. Mr. Kocis stated that he has notes, plans and a blueprint for the skate park that was previously considered.

**C. John Donches, 559 Minor St.,** - Mr. Donches encouraged Council to abandon the Legion Baseball Field Reconstruction Project.

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**Motion by Dr. Waddell, seconded by Mr. Brown to extend Mr. Donches's Personal Appeal time by five minutes. There were 3 ayes, 3 opposed (Labenberg, Reinhard, Gilbert). Mayor Iobst cast a tie breaking vote in favor of the motion. Motion carried.**

Mr. Donches asked Solicitor Procyk if the Legion Baseball Field Reconstruction Project can be removed from the table, abandoned, and started over. Solicitor Procyk responded that the item can be removed from the table, but the direction of Council is to review the item further at the committee level. Mr. Donches asked if a member of Council would make a motion to bring the item off the table, and then make a motion to vote on it. Mr. Labenberg stated that the item needs to return to the committee level for further review. Mr. Brown noted that Mr. Holtzhafer is not present and believes that full Council should be present to vote on the Project.

**D. Giovanni Landi, 869 Frank Drive** – thanked the members of Borough Council for responding to the residents' personal appeals concerning the Legion Baseball Field Reconstruction Project. He questioned why the Borough was considering the Project and stated that he is opposed to scaling it down. He asked why the project is being considered. Mr. Neely explained that the current field was built in 1967 and there have been no significant improvements, other than the installation of lights, in 43 years. The dugouts are showing substantial wear and the field is uneven which is causing erosion issues. The left field foul pole is 4' higher than the right field foul pole. The infrastructure of the field is starting to decay and is in substandard condition in comparison to other fields. Mr. Neely stated that Council was proactive to consider an agreement with the East Penn School District, which allows the improvements to be made with the combined funds of the Borough and the District, instead of the Borough paying for the improvements itself.

**Motion by Dr. Waddell, seconded by Mr. Barrett to extend Mr. Landi's Personal Appeal time by five minutes. There were 6 ayes. Motion carried.**

Mr. Landi stated that the taxpayer of Emmaus is not getting a bargain by the Borough investing in the project and is opposed to the project. Dr. Waddell responded that the field needs repair.

**E. Otto Slozer, 121 E. Elm St.,** - voiced opposition to the Legion Baseball Field Reconstruction Project.

**F. Lynn Donches, 559 Minor St.,** - Suggested that a public forum is needed for the Broad Street Reconstruction Project. She encouraged residents to attend Council and School Board Meetings. Mr. Labenberg responded that all residents of Broad Street were hand-delivered a letter about the special Public Works Committee Meeting on the Reconstruction Project.

**G. Nancy Hill, 119 S. 6<sup>th</sup> St.,** - encouraged Borough Council to abandon the Legion Baseball Field Reconstruction Project and stated that she is opposed to East Penn School District players playing on the field.

**H. Dale Washburn, 1258 Pennsylvania Ave** – encouraged Borough Council to abandon the Legion Baseball Field Reconstruction Project.

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BOROUGH MANAGER'S REPORT

Mr. Neely advised that the Significant Revenue and Expense Items for the 2<sup>nd</sup> half of July 2010 are in the Council binders, and offered to entertain any questions about them.

Mr. Neely reported that he reviewed Penndots 5-year Winter Traffic Services Agreement with Mr. Clapper confirming that there are no changes, and asking that Council authorize his signing the Agreement.

**Motion by Mr. Labenberg, seconded by Mr. Brown passing Resolution 2010-23, authorizing Mr. Neely to sign Penndot's 5-Year Winter Traffic Services Agreement. There were 6 ayes. Motion carried.**

Mr. Labenberg asked if staff could contact Aqua Duck and ask if they are retrieving water from a different location.

Dr. Waddell asked Mr. Neely if there are guidelines for use of the back field for overflow parking. Mr. Neely responded that there are no written guidelines. It is at the discretion of staff.

Progress.

PRESIDENT'S BUSINESS

Mrs. Gilbert recessed the meeting at 10:40 p.m. for a brief Executive Session.

Mrs. Gilbert reconvened the meeting at 11:05 p.m. with no official action needed.

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

The Meeting of the Emmaus Borough Council adjourned at 11:06 p.m.

Craig B. Neely  
Borough Manager

Transcribed by: Paula Weiant  
Administrative Assistant  
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