

August 16, 2010

EMMAUS BOROUGH COUNCIL

**Emmaus Borough Council  
Agenda  
Monday, August 16, 2010, 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

August 2, 2010

7. Decisions on Bids

2010 Street Overlay Paving Bid Results

8. Communications

- a. Dean Bortz, 601 S. Fourth St., Emmaus – Shelter House Spring House Restoration Project.
- b. Donna Balascak, EYA Assistant Coach – Pavilion Rental Fee Waiver.
- c. John Eyer, EYA Chairman of the Board – Legion Baseball Field Renovation Project.
- d. Don Marron, St. Ann’s Parish, Emmaus – Fall Fest Requests.
- e. Ray Ignosh, 4790 Kohler Rd., Zionsville – Cyclocross Venue Request.

9. Borough Engineer’s Report

10. Solicitor’s Report

11. Unfinished Business, Part I

12. New Business

13. Unfinished Business, Part II

14. Items Not on Agenda, Subject to Rule 9

15. Mayor’s Report

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16. Committee Reports

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

Next Meeting – September 2, 2010 at 3:00 p.m.

- a. I & I Elimination Report
- b. Weiders Lane Status
- c. **H2O PA Grant**

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

Next Meeting – September 9, 2010 at 4:00 p.m.

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

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

Next Meeting – September 7, 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
- e. **Volunteers of America Swimming Pool Contribution**
- f. **Just Say No to Scarecrows Requests**
- g. **Summer Reading Club Pool Passes**
- h. **Crazy Quilters' Request**

**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 25, 2010 at 9:00 a.m.

- a. Shade Tree--Tree Fund
- b. Clerical Staff Petition to Unionize

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- c. Drug and Alcohol Policy
- d. Special Event Signs Ordinance
- e. Cintas Update

**General Administration** (continued)

- f. Website Upgrade
- g. Public Parking Spaces on Jubilee Street
- h. Non-Conforming Structure Ordinance**

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

Next Meeting – August 25, 2010 at 7:00 p.m.

- a. Bill List – Resolution 2010 – 23**
- b. Per Capita Tax Ordinance
- c. Act 44 Election
- d. Emmaus Police Officers’ Association – Contract Negotiations
- e. Lehigh Tax Collection Committee—Act 32 EIT Collector**

**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 first half of August 2010**

19. President’s Business

- a. Executive Session**

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20. Adjournment

Next Resolution #24  
Next Ordinance #1073

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The Emmaus Borough Council met in regular session on August 16, 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	Present
Michael Waddell	Present
Brent Labenberg	Present
Wesley Barrett	Present
Nathan Brown	Absent
R. Erick Reinhard	Present
Winfield Iobst, Mayor	Present
Frank Procyk, Solicitor	Present
Craig Neely, Borough Manager	Present

Mrs. Gilbert changed the order of the Agenda for an updated report by the Parks and Recreation Committee concerning the proposed Legion Baseball Field Reconstruction Project.

Mr. Barrett reported that the Parks and Recreation Committee met on August 3, 2010 from 3:30 p.m. until 6:00 p.m. There were 13 residents who presented Personal Appeals, 12 concerning the Baseball Field Project. The Committee took no formal action on the Project. There are no new updates and the Committee is going to wait to make any decision until Lehigh County officially freezes the Growing Greener Funds on or before August 31, 2010. The Committee will meet again on September 7, 2010, at which time it will know whether the Growing Greener Fund has been officially frozen. At that Meeting, the Committee will decide on the next steps with regards to the Baseball Field. The Committee has no timeline to present and will continue to work on the Project.

Mr. Neely responded that he prepared a 20 page Overview of the Project that will be uploaded onto the Borough website and is also available at Town Hall.

PERSONAL APPEALS, PART I

**A. Josephine Sadrovitz, 130 N. 4<sup>th</sup> St.,** voiced concern about the Main Street Program closing the street at the Triangle during special events. Mr. Neely responded that the Mayor

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makes all street closing decisions. Mayor Iobst responded that he will close the street one time for a full day. He also responded that the Main Street Program is considering moving events to the Emmaus Community Park.

**B. Kathy Haney, 20 N. 4<sup>th</sup> St.,** on behalf of the Shops of Emmaus, stated that the Shops of Emmaus asked for two parking spots for the Just Say Yes to Scarecrows event on the Triangle. Mrs. Gilbert asked if Ms. Haney needs to have the spots at the Triangle or can the Shops utilize two spots near Canine Cutlery on Jubilee Street. Ms. Haney responded that the spots must be located at the Triangle for unloading hay for the event.

**C. Lynn Donches, 559 Minor St,** feels that the Legion Baseball Field Project has not been transparent. She voiced her continued opposition to the Project.

**D. James Woodshick, 559 Minor St.,** thanked Council for listening to residents' Personal Appeals.

**E. Otto Slozer, 121 E. Elm St.,** voiced continued opposition to the Legion Baseball Field Project. He encouraged Council to begin the Project over and to develop a plan through a formal planning process.

**F. Mike Kocis, 1274 Pennsylvania Ave.,** provided a document dated August 28, 2002, in reference to a previously proposed skate park. He asked that the document be made available to the residents of the Borough.

**G. Scott Gross, 1501 Shimerville Rd.,** asked, if the stadium is built, who is going to be responsible for traffic control during events and how is the Borough going to fund it? Mrs. Gilbert stated that traffic patterns and traffic control will be reviewed by the Public Safety Committee. Mr. Neely stated that if the Borough provides an officer during special events it bills the special assignment to the event coordinator.

**H. Marshall Rau, 5363 Covenant Court, Allentown,** who owns property at 665 Chestnut St., stated that he was on the Emmaus Youth Association Board 26 years ago when the Association received a grant from the West End Cubs. The money was used to install the lights at Community Park. At that time, there were concerns about parking and traffic but they are not issues now. He stated that the Borough is not going to attract thousands of people to games. He also stated that in 25 years there were only 5 tournaments. The tournaments are run during the week and parking is not an issue. Most of the games are played in the morning and he feels that residents are worried about nothing. He stated that if there are any questions, the residents should look back at the records for the last 24-25 years. He encouraged residents to call him with any questions.

Dr. Waddell thanked Mr. Rau for speaking and commended him for his service with the Emmaus Youth Association.

Dr. Waddell asked Mr. Reinhard how many times the back field was opened for overflow parking. Mr. Reinhard responded that he is only aware of two times. Dr. Waddell stated that he is aware of three times and does not believe that there is a parking problem. He believes that there could be a traffic problem and thanked Mrs. Gilbert for placing it on the Public Safety Committee's Agenda.

**I. Richard Gerhart, 107 Dell St.,** past President of the West End Cubs Playground Association, stated that he was President when the lights were installed at the ballfield. He stated that the members of the playground association were not in favor of paying to place lights at the field; parking had nothing to do with it. The Association was in favor of giving the money to the Youth Association to use the earned income for operating expenses. He

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stated that the money is still in the bank and the Youth Association was only using the interest that it had earned.

**J. John Donches, 559 Minor St.,** voiced concern about the back field being used for overflow parking. He voiced his continued opposition to the Ballfield Project. He stated that he believes that the Emmaus Youth Association will make money on the Field while using taxpayer's money to build it. Dr. Waddell stated that Mr. Donches attended a Council Meeting, met with Mr. Neely, met with Dr. Seidenberger, Dr. Alan Earnshaw and was told that the petition he is circulating is inaccurate and asked Mr. Donches if he has changed the petition. Mr. Donches responded that he has not.

**K. Robert Bell, 335 Broad St.,** asked Council to review Mr. Donches's petition and asked for inaccuracies. Mr. Reinhard recommended that the item be handled at the committee level.

**L. Giovanni Landi, 869 Frank Dr.,** stated that he believes that the Borough did not communicate properly about the Ballfield Project from the beginning. He thanked Mr. Neely for providing residents with an informational packet about the Project. Mr. Landi asked Council if the Emmaus Youth Association pays the Borough for use of the fields. Mr. Barrett responded that any organization that has 50% or more Borough residents involved are provided a fee waiver for use of the fields.

**M. Fred Boenig, 117 S. 6<sup>th</sup> St.,** stated that the only change the high school needs to be able to play at the site is a grass infield. He stated that any other changes are only to benefit the Emmaus Youth Association. Mr. Labenberg asked Mr. Boenig from whom he received his information. Mr. Boenig responded that he spoke with the PIAA office. Mr. Neely responded that he also had a conversation with the PIAA and was told that the high school only needed a grass infield for regular season games, but if the Borough would ever try to host a PIAA tournament other improvements would be required.

**N. Kathy Mintzer, 524 North St., President, Emmaus Youth Association,** stated that the EYA supports the youth of Emmaus and has approximately 400 families currently in the baseball and softball programs. She stated that the money the EYA earns goes directly toward keeping the price of registration down.

**O. Pamela Hittinger, 1203 W. Jubilee St.,** commended the EYA but questioned why the baseball field needs a fence. She stated that during the meeting, Borough Council has been disrespectful towards residents. Mrs. Hittinger asked Council for the inaccuracies in the petition. Dr. Waddell read an inaccuracy in the petition.

**P. Nancy Hill, 119 S. 6<sup>th</sup> St.,** asked about what rules govern when a letter that is submitted to Council will be read at the meeting. Mr. Neely stated that the letter will be read if it is submitted by noon on the Friday before the Council Meeting and the item requires official action. Ms. Hill asked Mr. Neely to read her letters at the next Council Meeting on September 7, 2010. Mr. Neely responded that he will distribute the letters to Council and Council will decide whether or not to read them.

**Q. John Reiss, 438 E. Main St.,** voiced concern about potential parking problems if the proposed Legion Baseball Field upgrades occur. Mr. Barrett stated that the Parks and Recreation Commission has the authority to limit play at the Field. Mr. Reiss commented that the fence at the Triangle is unsafe because visibility is limited on Chestnut Street.

**R. Fawn Strunk, 1885 Grenshire Rd, Lower Macungie Township,** questioned whether baseball games would take precedent over pavilion rentals and other community events. Mr. Barrett explained that sporting events do not rent pavilions and there will be no disruption of using the Park as it is currently used. Ms. Strunk asked if the blueprints are available online.

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She stated that she has attended East Penn School District Meetings, has looked on the Borough website and has not been able to find a copy of the blueprints. She urged Council to end the Project because taxpayers are confused about it.

**S. Vickie Gruver, 672 Chestnut St., Chairperson of the Parks and Recreation Commission**, stated that she is responsible for gathering all of the submitted field requests from the Emmaus Youth Association. She stated that the EYA does not play at Legion Field past the middle of June.

Mr. Reinhard questioned what the term “Personal Appeal” means. Mr. Holtzhafer believes that it is up to the Council to determine its Personal Appeal process.

COMMUNITY MINUTE – None.

SPECIAL PRESENTATIONS –None.

### READING OF MINUTES

**Motion by Mr. Reinhard, seconded by Dr. Waddell to dispense with the formal reading of the August 2, 2010 Minutes. There were 6 ayes. Motion carried.**

**Motion by Dr. Waddell, seconded by Mr. Barrett to adopt the August 2, 2010 Minutes as drafted. There were 5 ayes, 1 abstention (Holtzhafer). Motion carried.**

### DECISION ON BIDS

Mr. Neely reported that the Borough received 5 bids for the 2010 Street Overlay Paving Project, TMG Project No. 10-00002-05. The lowest Base Bid for the project was received by Livengood Excavators, Inc. in the amount of \$119,267.06. Staff recommends that the bid be awarded to Livengood Excavators, Inc.

**Motion by Mr. Labenberg, seconded by Dr. Waddell to award the 2010 Street Overlay Project Bid to Livengood Excavators, Inc. in the amount for \$119, 267.06. There were 6 ayes. Motion carried.**

Mr. Neely noted that the bid award is under budget. The budgeted amount was approximately \$150,000.

### COMMUNICATIONS

- a. Dean Bortz, 601 S. Fourth St., Emmaus – Shelter House Spring House Restoration Project. Referred to the Public Works Committee.
- b. Donna Balascak, EYA Assistant Coach – Lions Pavilion Fee Waiver.

**Motion by Mr. Holtzhafer, seconded by Dr. Waddell to grant a fee waiver for the Lions Pavilion to the EYA girls softball team on August 20, 2010. There were 6 ayes. Motion carried.**

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- c. John Eyer, EYA Chairman of the Board – Legion Baseball Field Renovation Project.
- d. Don Marron, St. Ann’s Parish, Emmaus – Fall Fest Requests. Referred to Staff.
- e. Ray Ignosh, 4790 Kohler Rd., Zionsville – Cyclocross Venue Request. Mr. Barrett asked if a field rental fee should be included in this request. Mr. Holtzhafer responded that the event does not use any fields. Mr. Labenberg suggested receiving input from Jeff Clapper. Referred to the Parks and Recreation Committee.
- f. Wes Barrett – Request for KNBT Halloween Emmaus 5K Race. Referred to the Public Safety Committee.
- g. James B. Martin, Office of the District Attorney, Lehigh County Courthouse, 455 West Hamilton Street, Allentown, PA 18101 – Request for funding for 2011, Child Abuse Investigator. Referred to the Budget and Finance Committee.

### BOROUGH ENGINEER’S REPORT

Mr. Labenberg asked Mr. Ganguzza for an update on the Ballfield Project. Mr. Ganguzza responded that his firm, TMG Consulting Engineers, Inc., began working on the Ballfield Project in September 2009 by gathering information, designing preliminary concepts, and working with the Parks and Recreation Committee. In March 2010, after the Ballfield Project budget was determined, the ballfield concept was refined to match the budget allocated and TMG met with the Parks and Recreation Committee to further review the concepts. Costs were incurred due to additional requests from the Committee. Mr. Ganguzza reported that the next step was performing survey work and the concept was further adjusted and reviewed with staff and the Parks and Recreation Committee. Once the elements of the final plan were agreed upon, TMG met with outside agencies, including the Lehigh County Conservation District and DEP. Mr. Ganguzza stated that when a final design goes out for bid, the design must be very detailed. The plan is approximately 65-70% completed. Once the plans are finalized, bid documents must be prepared.

Mr. Labenberg asked if a scaled down version is possible. Mr. Ganguzza stated that the plan would need to be reevaluated but all the measurements have been gathered. Mr. Labenberg asked how much was spent on the project between September 2009 and December 2009. Mr. Ganguzza stated that approximately \$5,000 was spent in that time period. Dr. Waddell asked Mr. Ganguzza if it would be possible to leave home plate where it is and at what point the Borough is required to comply with ADA standards. Mr. Ganguzza responded that he would need to discuss ADA compliance with Mr. Farnsworth.

Mr. Neely commented that he does not believe a final decision on the ballfield will be made at the next Parks and Recreation Committee Meeting.

### SOLICITOR’S REPORT

Progress.

UNFINISHED BUSINESS, PART I – None.

NEW BUSINESS – None.



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UNFINISHED BUSINESS, PART II – None.

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

MAYOR'S REPORT

Progress.

COMMITTEE REPORTS

a. Public Works Committee

Mr. Labenberg reported that the Committee met on August 5, 2010 at 3:00 p.m.

Mr. Neely reported that the Weiders Lane letter needs further review from Solicitor Procyk.

Mr. Labenberg reported that Mr. Clapper updated the Committee on the 12<sup>th</sup> Street Stormwater Project and that the Borough will do a better job of communicating issues to the residents in the area. He also reported that the Public Works Department completed all of the necessary work that Frank Sadrovitz requested be completed at Community Park. Mr. Labenberg reviewed the minutes from the Public Works Committee meeting and asked for questions.

Progress.

b. Health, Sanitation, and Conservation Committee

Mr. Reinhard reported that the Committee met on August 12, 2010. He reported that the transition to Raritan Valley is going smoothly. The Committee is trying to develop a method to effectively monitor commercial entities that opt out of collection by the Borough's contractor. He also reported that Mr. Neely is working on specifications for the Energy Audit for improvements to Town Hall. He reported that the Environmental Advisory Council is working on a new date for an e-recycling event in November. Mr. Reinhard stated that he received information from a Borough resident about Recycling Services, Inc. of Pottstown, which accepts recyclables that are not collected by Raritan Valley, including batteries. Mr. Labenberg stated that he feels the information should be made available on the Borough website. Mrs. Gilbert referred the item to the General Administration Committee.

c. Parks and Recreation Committee

The Committee met on August 3, 2010 at 3:30 p.m. Mr. Barrett reported that the Committee recommended denying a fee waiver request from the Volunteers of American for August 14, 2010. He also reported that the Committee recommends that it authorize the Shops of Emmaus to use the Triangle on September 25, 2010, with a rain date of September

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26, 2010, and October 9, 2010, with a rain date of October 10, 2010 for its Just Say Yes to Scarecrows event.

**Motion by Mr. Barrett, seconded by Mr. Holtzhafer to authorize the Shops of Emmaus to use the Triangle on September 25, and October 9, 2010 with rain dates of September 26, and October 10, 2010 for its Just Say Yes to Scarecrows event from the hours of 10:00 a.m. to 5:00 p.m. and two parking spaces restricted on September 24, 2010 at 6:00 p.m. until the evening of September 25, 2010.**

Dr. Waddell asked if it is possible for the Shops of Emmaus to use only 1 space. Ms. Haney responded that one space would be adequate and the lower end of the Triangle is satisfactory.

**Mr. Barrett amended his motion to one parking space and Mr. Holtzhafer amended this second. There were 6 ayes. Motion carried.**

Mr. Barrett reported that Martha Vines requested pool passes for approximately 65 children, aged 3-12, who completed all of the assignments for the Summer Reading Club organized through the Emmaus Public Library.

**Motion by Mr. Labenberg, seconded by Mr. Holtzhafer to allow approximately 65 children, aged 3-12, who completed all of the assignments for the Summer Reading Club a pool pass for one use for one day in the summer at the Emmaus Community Pool. There were 6 ayes. Motion carried.**

Mr. Reinhard asked if there are any staffing problems with lifeguards at the pool. Mr. Neely responded that there are none.

Mr. Barrett reported that The Crazy Quilters, via Roberta Whitcomb, submitted a request to allow them to hold a fundraising event on the Triangle on Sunday, May 22, 2011 from 10:00 a.m. until 2:00 p.m., with a rain date of Sunday, June 5, 2011.

**Motion by Mr. Barrett, seconded by Mr. Labenberg to allow the Crazy Quilters to hold an event on the Triangle on Sunday, May 22, 2011, from 9:00 a.m. to 2:15 p.m. with a rain date of Sunday, June 5, 2011. There were 6 ayes. Motion carried.**

Progress.

d. Public Safety Committee

Mrs. Gilbert reported that the Committee will meet on Thursday, August 19, 2010 at 9:00 a.m.

Progress.

e. General Administration Committee

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Dr. Waddell reported that the Committee met on August 11, 2010 at 9:00 a.m. The Committee entertained an hour long presentation by Jeff Shubzda, who works for Trifecta Technologies Inc., concerning a new website product that would substantially increase the flexibility and ease of use and administration of the Borough's website. The software costs \$99 with a \$40 per year renewal fee. Integra's fee for converting the Borough from the existing site to the Content Management System would range from \$1,500 to \$5,000. The Committee will continue to explore this option. The Borough will be installing a new server for Wi-Fi capability in Town Hall. The Committee discussed having a simple fact sheet for each Council Member on the Borough website. The Committee is working with the Shade Tree Commission on several issues.

Dr. Waddell reported that the Committee is recommending directing Solicitor Procyk to draft an ordinance concerning non-conforming structures. Mr. Labenberg thanked Zoning Officer Farnsworth for suggesting it.

**Motion by Dr. Waddell, seconded by Mr. Labenberg directing Solicitor Procyk to draft an ordinance to amend the Zoning Ordinance as it pertains to non-conforming structures. There were 6 ayes. Motion carried.**

Progress.

f. Budget and Finance Committee

Mr. Holtzhafer read Resolution 2010-24, authorizing payment of the August 16, 2010 Bill List, as follows:

Bill List	\$	317,317.44
Payroll #16	\$	130,893.80
Payroll Taxes	\$	<u>40,765.79</u>
Total	\$	488,977.03

Done this 16th day of August, 2010.

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

Mr. Reinhard observed that on Page 8, Fonzone and Ashley, the line item has been higher for the past several months due to the length of the Council Meetings.

Mr. Holtzhafer reported that the Committee voted 3-0 to recommend that Mr. Neely cast a vote for H.A. Berkheimer at the upcoming Tax Collection Committee Meeting to be appointed as the countywide Earned Income Tax Collector.

**Motion by Mr. Holtzhafer, seconded by Mr. Reinhard to authorize Mr. Neely to cast a vote for H.A. Berkheimer as the countywide Earned Income Tax Collector. There were 6 ayes. Motion carried.**

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Mr. Holtzhafer reported that the Committee met in executive session on August 10, 2010 to discuss personnel matters. He also reported that the police overtime budget for the 2009 Anniversary Celebration came to \$10,414.00. After subtracting compensatory time, the Emmaus Police overtime budget amount was \$8,290.02. The Budget and Finance Committee recommends that the Borough ask for a reimbursement from the 2009 Anniversary Committee in the amount of \$8,290.02.

**Motion by Mr. Holtzhafer, seconded by Mr. Labenberg asking the 2009 Anniversary Committee to reimburse the Borough \$8,290,02 for Emmaus Police overtime costs for the 2009 Anniversary Celebration. There were 6 ayes. Motion carried.**

Dr. Waddell asked Mr. Neely to draft a letter to Roger Whitcomb, Treasurer of the 2009 Anniversary Celebration Committee, advising him of the motion having been passed.

Progress.

g. Community Relations, Planning and Development Committee

Progress.

h. Ad Hoc-Community/School Relations Committee

Progress.

PERSONAL APPEALS, PART II

**A. Otto Slozer, 121 E. Elm St.,** stated that there are many inconsistencies with the proposed Legion Baseball Field Project. He also stated that he is making an official request for information from the Borough about the revenue gained through the Emmaus Youth Association. He stated that Mr. Neely provided the information for Mr. Donches's petition and Mr. Donches is not responsible for inconsistencies in it. Mr. Slozer stated that at the August 3, 2010 Parks and Recreation Committee Meeting, Mr. Neely provided a statement about why the Legion Baseball Field is dangerous. Mr. Slozer stated that perhaps the Legion Field should not be used for baseball.

**B. John Donches, 559 Minor St.,** voiced his opposition to the proposed Legion Baseball Field Project and encouraged Council to keep the Emmaus Community Park a "Community" park.

**C. Pam Hittinger, 1203 W. Jubilee St.,** voiced concern about handicapped curbing being placed on the corner of W. Jubilee Street by her house, and asked if the curbing required at her property could be coordinated next year with the 12<sup>th</sup> Street drainage project. Mr. Neely stated that the storm drains will be in place in front of her property before the fall. Ms. Hittinger responded that the storm drains will not be in on 12<sup>th</sup> Street to catch the water before her property. Mr. Neely stated that the Borough is not able to stop the contractor from completing the curbing. Mr. Labenberg stated that he will place the item on the agenda for the next Public Works Committee Meeting.

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**D. Frank Sadrovitz, 130 N. 4<sup>th</sup> St.,** thanked the Borough for roadwork completed. He commented that he was happy to see people from the Good Shepherd Home at a summer concert. He stated that the Borough needs to work together to accomplish common goals.

**E. Nancy Hill, 119 S. 6<sup>th</sup> St.,** read a letter she wrote dated August 12, 2010 concerning Borough Council Meetings.

**F. Marshall Rau, 5363 Covenant Court, Allentown,** suggested that if the money allotted for the baseball field is not used toward the field, it should be given to Council Members as a raise instead. He stated, "God knows you people deserve it. After one meeting here, this is unbelievable."

**G. Fawn Strunk, 1885 Grenshire Rd, Lower Macungie Township,** questioned the total cost of the Legion Baseball Field Project. Mr. Neely responded that the Borough Engineer estimated that it would be \$750,000. He also responded that the base cost estimate is \$660,179.50. With other potential costs, the estimate is \$726,197.45. Mr. Neely stated that there will be a summary of information about the Legion Baseball Field posted on the Borough website. Ms. Strunk stated that the only way she was able to learn anything about the Project was through Mr. Donches's petition.

### BOROUGH MANAGER'S REPORT

Mr. Neely advised that the Significant Revenue and Expense Items for the 1<sup>st</sup> half of August 2010 are in the Council binders, and offered to entertain any questions about them.

Dr. Waddell asked Mr. Neely for an update on Aqua Duck. Mr. Neely responded that Mr. Clapper had a conversation with Mr. Sanders, owner of Aqua Duck, who said that he did not want to be involved in problems within the Borough so he chose to obtain water elsewhere. Dr. Waddell criticized people who questioned Aqua Duck's dealings with the Borough. Mr. Slozer spoke from the podium, out of order, criticizing Dr. Waddell's comments. Mrs. Gilbert restored order.

Progress.

### PRESIDENT'S BUSINESS

Mrs. Gilbert recessed the Meeting at 10:14 p.m. for a brief Executive Session, observing that she did not anticipate any official action.

Mrs. Gilbert reconvened the meeting at 10:40 p.m. with no official being taken.

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

The Meeting of the Emmaus Borough Council adjourned at 10:40 p.m.

Craig B. Neely  
Borough Manager

Transcribed by: Paula Weiant  
Administrative Assistant

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