

September 7, 2010

EMMAUS BOROUGH COUNCIL

**Emmaus Borough Council  
Agenda  
Tuesday, September 7, 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 16, 2010

7. Decisions on Bids
8. Communications
  - a. Franklin Tranguch and Brandon Lehman, TL Development Co., 437 N. 3<sup>rd</sup> St., Emmaus – Costs for Engineer’s Review.
  - b. Karen Poshefko, Shade Tree Commission – Tree Replantings along Broad Street.
  - c. Otto Slozer, 121 E. Elm St., Emmaus – Request for Public Information.
  - d. John Donches, 559 Minor St., Emmaus – Request for Information on Legion Field Reconstruction Project.
  - e. Edward Pritchard, Federal Railroad Administration – South Second Street East Penn Railroad Overpass Condition.
  - f. Teryl Madison, Emmaus Main Street Program, 244 Main St., Emmaus – Old Fashioned Christmas Requests.
  - g. Shirley Heintzelman, 27 N. 5<sup>th</sup> St., Emmaus – Storage of Vehicles on Streets.
  - h. Jim Gillespie – Flag Football League Use of Fields.
  - i. Michele Grasso, MPA, Meals on Wheels, 4234 Dorney Park Rd., Allentown – 2011 Financial Support.
  - j. Betty Lou Hartman and Family – Thank You for Sympathy Arrangement.
  - k. Doug Hall, 701 Pine St., Emmaus – Letter of Interest to Serve on the Shade Tree Commission.
  - l. Kathleen Mintzer, Emmaus Halloween Committee – Halloween Parade and Trick-or-Treat Night.
  - m. Michael Gibson, Seven Generations Charter School – Request Crosswalk in Front of School.

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- n. Christine Stafford, Lehigh Tax Collection Committee – Appointment of Act 32 EIT Collector.
8. Communications (continued)
- o. Martha Vines, Librarian, Emmaus Public Library – Thank you for support of Summer Reading Program.
  - p. Stephen Gingrich, Benecon – Life / Disability Insurance Program.
  - q. Teryl Madison – Emmaus Main Street Program – Request use of Triangle for WAEB Wounded Warrior Project.
  - r. Lower Milford Township Festival Committee – Invitation to Lower Milford Fall Festival.
  - s. Sara Pandl, Lower Macungie Township – Rezoning Request.
  - t. Frances Larash, Library Director, Emmaus Public Library – 2011 Budget.
  - u. Thomas Steel, Jr. – RCN – RCN Status Update.
  - v. John Donches, 559 Minor St., Emmaus – Baseball Field Comments.
  - w. Michael Gibson, 230 Ridge St., Emmaus – Penn Vest
9. Borough Engineer’s Report
10. Solicitor’s Report
- a. **Ordinance No. 1073 – An Ordinance Amending Chapter 27, to Amend Section 806.3.A Dealing with Nonconforming Structures (1<sup>st</sup> Reading 9/07/10).**
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
16. Committee Reports
- Public Works/(Highway, Water & Sewer) (Labenberg, Brown, Gilbert)**  
Next Meeting – September 9, 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)**

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

- a. Refuse/Recycling with Raritan Valley
- b. Bollinger Land/Indian Creek Golf Course

**Health, Sanitation, and Conservation** (continued)

- c. Emmaus and Upper Milford Joint Environmental Advisory Council  
Recycling Event
- d. Board of Health
- e. Riparian Buffer Ordinance

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

Next Meeting – October 5, 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. Triangle Park – Use Requirements and Guidelines
- f. **Community Park Concession Stand**
- g. **Pavilion Rental Refund Request**
- h. **FSX Training Series**

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

Next Meeting – September 9, 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
- e. **Hire Patrick Soucy as New Member of the Fire Department**
- f. **200 Block of Seem Street – One Way Westbound**

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

Next Meeting – September 8, 2010 at 9:00 a.m.

- a. Shade Tree--Tree Fund
- b. Clerical Union Contract Negotiations
- c. Special Event Signs Ordinance
- d. Cintas Update
- e. Website Upgrade
- f. Public Parking Spaces on Jubilee Street
- g. **Ordinance No. 1073 - Non-Conforming Structure**

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

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Next Meeting – September 15, 2010 at 7:00 p.m.

- a. **Bill List – Resolution 2010 – 24**
- 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 – September 22, 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 August 2010**
- b. **Service Electric DVD Incident**

19. President’s Business

- a. **Executive Session**

20. Adjournment

Next Resolution #25  
Next Ordinance #1074

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The Emmaus Borough Council met in regular session on September 7, 2010 in Borough Council Chambers, 28 S. 4<sup>th</sup> Street, Emmaus, PA 18049.

CALL TO ORDER

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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	Present
R. Erick Reinhard	Present
Winfield Iobst, Mayor	Present
Frank Procyk, Solicitor	Present
Craig Neely, Borough Manager	Present

PERSONAL APPEALS, PART I

**A. Otto Slozer, 121 E. Elm St.,** read a statement regarding Aqua Duck and an incident that occurred at the August 16, 2010 Council Meeting. Mr. Labenberg reviewed the Public Works Committee's position on placing a meter at the hydrant from which Aqua Duck received its water.

**B. Kathy Mintzer, 524 North St.,** president of EYA, stated that the EYA continues to support the joint venture between the Borough and the East Penn School District for the Legion Baseball Field Project. She encouraged residents to attend EYA Board Meetings, held on the 1<sup>st</sup> Tuesday of every month at St. John's Lutheran Church in Room #4. She stated that the time of the meetings varies between 7:00 p.m. and 8:00 p.m.

COMMUNITY MINUTE

Mr. Brown reminded that Saturday, September 11<sup>th</sup> is the Community Yard Sale. Dr. Waddell reminded that Saturday, September 11<sup>th</sup> is Community Heroes Night at the Emmaus Public Library Parking Lot beginning at 2:00 p.m. Mrs. Gilbert reminded that the Emmaus Fire Department is co-hosting a "Charity Bash" on September 11 at 2:00 p.m. at the Emmaus Fire Training Facility. She reminded that school has begun and to take extra safety precautions at crosswalks and that the Emmaus Police Department is seeking volunteers to serve as Crossing Guards for the 2010-2011 school year.

SPECIAL PRESENTATIONS –None.

READING OF MINUTES

**Motion by Mr. Barrett, seconded by Dr. Waddell to dispense with the formal reading of the August 2, 2010 Minutes. There were 6 ayes, 1 abstention (Brown). Motion carried.**

Mr. Barrett noted that on page 144, item K, Robert Bell's Personal Appeal, the Minutes read that "Mr. Barrett recommended the item be handled at the Committee Level."

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The minutes should be that “Mr. Reinhard recommended the item be handled at the Committee Level.”

Mr. Reinhard noted that the Minutes read that “Mr. Reinhard read Resolution 2010-24”, and should read that “Mr. Holtzhafer read Resolution 2010-24.”

**Motion by Mr. Labenberg, seconded by Mr. Barrett to adopt the August 16, 2010 Minutes as amended. There were 6 ayes, 1 abstention (Brown). Motion carried.**

DECISION ON BIDS – None.

### COMMUNICATIONS

a. Franklin Tranguch and Brandon Lehman, TL Development Co., 437 N. 3<sup>rd</sup> St., Emmaus – Cost for Engineer’s Review. Referred to the General Administration Committee.

b. Karen Poshefko, Shade Tree Commission – Tree Replanting along Broad Street. The Commission is not recommending that the trees along Broad Street in front of CVIP be replaced. Mrs. Gilbert referred the item to the General Administration Committee.

c. Otto Slozer, 121 E. Elm St., - Two Requests for Public Information. Mr. Neely noted that he responded to Mr. Slozer’s request.

d. John Donches, 559 Minor St., Emmaus – Request for Information on Legion Field Reconstruction Project. Mrs. Gilbert stated that the information Mr. Donches is requesting has been made public either through Council Meetings or through Mr. Neely.

e. Edward Pritchard, Federal Railroad Administration – South Second Street East Penn Railroad Overpass Condition.

f. Teryl Madison, Emmaus Main Street Program, 244 Main St., Emmaus – Old Fashioned Christmas Request. Referred to the Parks and Recreation Committee.

g. Shirley Heintzelman, 27 N. 5<sup>th</sup> St., Emmaus – Questions about Borough Ordinance 404 (b), storage of vehicles on public streets. Mrs. Gilbert stated that Chief Faust responded to Mrs. Heintzelman’s letter and referred the item to the Public Safety Committee.

h. Jim Gillespie – Flag Football League Use of Fields. Mrs. Gilbert stated that the Flag Football League is requesting the use of the Kline’s Lane field and the all-purpose field by Cintas on Sundays from September 12, 2010 until November 14, 2010. Mr. Barrett reported that the Parks and Recreation Committee recommended a field adjustment of \$100.00 a day for the use of the fields.

**Motion by Mr. Barrett, seconded by Mr. Labenberg to grant the Flag Football League permission to use the Kline’s Lane and Cintas soccer fields from September 12, 2010 until November 14, 2010 with an adjustment to the field usage fee for \$100 per day for the use of the fields. There were 7 ayes. Motion carried.**

i. Michele Grasso, MPA, Meals on Wheels, 4234 Dorney Park Rd., Allentown – 2011 Financial Support. Referred to the Budget and Finance Committee.

j. Betty Lou Hartman and Family – Thank You.

k. Doug Hall, 701 Pine St., Emmaus – Letter of Interest to Serve on the Shade Tree Commission. Referred to the General Administration Committee.

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l. Kathleen Mintzer, Emmaus Halloween Committee – Halloween Parade and Trick-or-Treat Night. The Halloween Parade will be held on Saturday, October 16, 2010 at 7:30 p.m. with a rain date of Sunday, October 17, 2010 at 6:30 p.m. She also reported that Trick-or-Treat Night will be Thursday, October 28, 2010 from 6:00 p.m. until 8:00 p.m.

**Motion by Mr. Labenberg, seconded by Mr. Reinhard to grant the Emmaus Halloween Committee permission to hold the Halloween Parade on Saturday, October 16, 2010 at 7:30 p.m. with a rain date of Sunday, October 17, 2010 at 6:30 p.m. and Trick-or-Treat Night on Thursday, October 28, 2010 from 6:00 p.m. until 8:00 p.m. There were 7 ayes. Motion carried.**

m. Michael Gibson, Seven Generations Charter School – Request for Crosswalk in Front of School. Referred to the Public Safety Committee.

n. Christine Stafford, Lehigh Tax Collection Committee – Appointment of Act 32 EIT Collector. Mr. Neely stated that the Lehigh TCC appointed H.S. Berkheimer, Inc as the earned income tax officer effective January, 2, 2012 contingent upon negotiation of a successful agreement.

o. Martha Vines, Librarian, Emmaus Public Library – Thank you for support of Summer Reading Program.

p. Stephen Gingrich, Benecon – Life/Disability Insurance Program. Mr. Neely stated that Benecon recommends using Hartford Insurance for Life/Disability Insurance. Referred to the Budget and Finance Committee.

q. Teryl Madison – Emmaus Main Street Program – Request use of Triangle for WAEB Wounded Warrior Project. The Emmaus Main Street Program is requesting the use of the Triangle for the WAEB Wounded Warrior Project on Friday, September 10, 2010, from 5:00 a. m. to 9:00 a.m.

**Motion by Mr. Brown, seconded by Mr. Holtzhafer to grant the Emmaus Main Street Program use of the Triangle for the WAEB Wounded Warrior Project on Friday, September 10, 2010 from 5:00 a.m. to 9:00 a.m. There were 7 ayes. Motion carried.**

r. Lower Milford Township Festival Committee – Invitation to Lower Milford Fall Festival.

s. Sara Pandl, Lower Macungie Township – Rezoning Request.

t. Francis Larash, Library Director, Emmaus Public Library – 2011 Budget. The Emmaus Public Library is requesting that the Borough's Budget for 2011 include \$114,315 for public library services. Referred to the Budget and Finance Committee.

u. Thomas Steel, Jr. – RCN Status Update. Mr. Neely stated that on August 26, 2010, RCN Corporation completed a transaction with Yankee Cable Acquisition, LLC, and is merged into an affiliate of RCN Telecom Services, Inc. He stated that service to the Borough will remain the same.

v. John Donches, 559 Minor St., Emmaus – Baseball Field Comments.

w. Michael Gibson, 230 Ridge St., Emmaus – Pennvest. Referred to the Budget and Finance Committee.

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Mr. Labenberg stated that at the last Council Meeting on August 16, 2010, Mrs. Hill requested that two letters be read. Mrs. Gilbert responded that Mrs. Hill read one letter at the last Council Meeting. Mr. Holtzhafer read Mrs. Hill's letters dated August 12, 2010.

BOROUGH ENGINEER'S REPORT – None.

SOLICITOR'S REPORT

Ordinance No. 1073 – An Ordinance Amending Chapter 27, to Amend Section 806.3.A Dealing with Nonconforming Structures (1<sup>st</sup> Reading 9/7/10).

**Motion by Dr. Waddell, seconded by Mr. Barrett to read Ordinance No. 1073 – An Ordinance Amending Chapter 27, to Amend Section 806.3.A Dealing with Nonconforming Structures in short title. There were 7 ayes. Motion carried.**

Dr. Waddell read Ordinance No. 1073 in short title.

**Motion by Dr. Waddell, seconded by Mr. Barrett to adopt Ordinance No. 1073 – An Ordinance Amending Chapter 27, to Amend Section 806.3.A Dealing with Nonconforming Structures on its 1<sup>st</sup> Reading. Roll call vote: Mr. Brown, aye, Mr. Reinhard, 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 I – None.

NEW BUSINESS – None.

UNFINISHED BUSINESS, PART II – None.

ITEMS NOT ON AGENDA, subject to Rule 9

Motion by Mr. Labenberg, seconded by Mr. Barrett to allow Mr. Reinhard to bring forth an item. There were 6 ayes, 1 opposed (Holtzhafer). Motion carried.

Mr. Reinhard raised an issue about the health insurance plan for the Public Works employees. He claims that the Borough changed plans and wants to have the Public Works employees placed on a PPO250 with 90% co-insurance

**Motion by Mr. Reinhard, seconded by Mr. Labenberg to place Public Works Department employees on the Capital Blue Cross PPO Plan 250 with 90% co-insurance effective January 1, 2011.**

Mr. Barrett recommended that the item be handled at the committee level. Mr. Neely recommended that the issue be reviewed by the Borough Solicitor. Mr. Barrett and Mr. Brown suggested that Mr. Reinhard withdraw his motion. Mrs. Gilbert referred it to the Budget & Finance Committee. Mr. Reinhard stated that there is a Budget & Finance Committee Meeting on September 15, 2010 at 7:00 p.m. and September 16, 2010 at 3:00 p.m.



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Mr. Reinhard withdrew his motion and Mr. Labenberg withdrew his second.

### MAYOR'S REPORT

Mayor Iobst read a letter from Jeri Ann Keiser and presented a framed picture to Mr. Neely.

### COMMITTEE REPORTS

a. Public Works Committee

Mr. Labenberg reported that the Committee will meet on Thursday, September 9, 2010 at 3:00 p.m.

Progress.

b. Health, Sanitation, and Conservation Committee

Mr. Reinhard reported that the Committee will meet on Thursday, September 9, 2010 at 4:00 p.m. The Committee will discuss Borough Hall upgrades.

Mr. Labenberg asked if the Borough is collecting an administrative fee for businesses utilizing dumpsters and whether the Borough is monitoring to ensure that the businesses are recycling. Mr. Neely responded that the General Administration Committee recommended that he contact Lafayette College to see if an intern is available to monitor the businesses. Mr. Labenberg asked why the Health and Sanitation Committee did not address the item. Mr. Holtzhafer clarified that it was the Health and Sanitation Committee that discussed the item.

Progress.

c. Parks and Recreation Committee

Mr. Barrett reported about Fifth Street Cross (FSX)'s request to use the compost center and surrounding area on Thursdays from October 21 through December 16, 2010 from 4:00 p.m. to 9:00 p.m. The Committee recommends charging a \$250.00 fee for the events. Mr. Labenberg stated that he was in favor of the fee because the organization will be using the facilities for 3 months and most of the racers do not live in the Borough. Mr. Holtzhafer stated that he was not in favor of the fee because it does not cost the Borough anything to hold the event and the Borough incurs no maintenance costs.

**Motion by Mr. Barrett, seconded by Mr. Labenberg to approve the Fifth Street Cross (FSX)'s request to use the compost center and surrounding area on Thursdays from October 21 through December 16, 2010 and to charge a \$250.00 fee. There were 5 ayes, 2 opposed (Holtzhafer, Gilbert). Motion carried.**

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Mr. Barrett reported that the Committee voted 2-1 to recommend refunding the Arts Pavilion Rental fee of \$275.00 to Tim and Shelly Steiner because they cancelled renting the Arts Pavilion due to a serious family medical issue. Mr. Labenberg stated that there is a policy for refunds and feels that the policy should be enforced. Mr. Reinhard suggested that a form be completed by the renter acknowledging the No Refund Policy. Mr. Barrett responded that a better pavilion rental policy is needed and the Committee will discuss it.

**Motion by Mr. Barrett, seconded by Mr. Holtzhafer to refund the Arts Pavilion Rental fee of \$275.00 to Tim and Shelly Steiner due to a serious family medical issue. There were 6 ayes, 1 opposed (Labenberg). Motion carried.**

Mr. Barrett reported that there is no formal action needed at this time on the Legion Baseball Field Improvement Project. He stated that the Committee reviewed the Engineer's cost estimate line by line. He also stated that further research is needed on the Project. The Committee will present a list of what the field should look like to the Emmaus High School and the Emmaus Youth Association. Mr. Labenberg commented that any information should be made public. Mr. Brown suggested that a public meeting be held at the Arts Pavilion. Mr. Barrett commented that the public will be made aware of every aspect of the Project. Dr. Waddell asked if the Project needs to be taken off the table. Mr. Barrett responded that the Borough Engineer is not needed at this time so that the item does not need to be brought off the table.

Progress.

### d. Public Safety Committee

Mrs. Gilbert reported that the Committee met on August 19, 2010 and is recommending appointing Patrick Soucy to the Emmaus Fire Department pending a doctor's physical.

**Motion by Mr. Brown, seconded by Dr. Waddell to appoint Patrick Soucy as a member of the Emmaus Fire Department pending a doctor's physical. There were 7 ayes. Motion carried.**

Mrs. Gilbert reported that the East Penn School District is requesting that the 200 Block of Seem Street be made one-way westbound. The Committee is recommending that the 200 Block of Seem Street be changed to one-way westbound between 2<sup>nd</sup> and 3<sup>rd</sup> Streets as well as the intersection at 3<sup>rd</sup> and Seem Streets being changed to a four-way stop for extra safety precautions. Mr. Reinhard questioned why it took so long for the implementation to take effect. Mrs. Gilbert responded that a traffic officer was recently appointed and the Public Safety Meeting in July was cancelled. She stated that the traffic officer spoke to the residents in the neighborhood and they were in favor of the change. Mr. Labenberg stated that he will be voting against the motion because there are too many stop signs in the Borough.

**Motion by Mr. Brown, seconded by Mr. Barrett to change the 200 Block of Seem Street to one-way westbound between 2<sup>nd</sup> and 3<sup>rd</sup> Streets as well as the intersection at 3<sup>rd</sup> and Seem Street be changed to a four-way stop for extra safety precautions.**

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**Mr. Brown amended his motion and Mr. Barrett amended his second to include that the change will become effective with a 90 day trial period beginning on October 18, 2010 and that the East Penn School District reimburse the Borough for half of the cost of the labor and signage. There were 6 ayes, 1 opposed (Labenberg). Motion carried.**

Progress.

e. General Administration Committee

Dr. Waddell reported that the next Committee Meeting will be on September 8, 2010 at 10:00 a.m.

Progress.

f. Budget and Finance Committee

Mr. Holtzhafer read Resolution 2010-25, authorizing payment of the September Bill List, as follows:

<b>Bill List</b>	<b>\$ 86,871.57</b>
<b>Payroll #17</b>	<b>\$ 118,598.85</b>
<b>Payroll Taxes</b>	<b>\$ 35,886.06</b>
<b>Total</b>	<b>\$ 241,356.48</b>

Done this 7<sup>th</sup> day of September 2010.

**Motion by Mr. Holtzhafer, seconded by Mr. Reinhard to adopt the September 7, 2010 Bill List. There were 7 ayes. Motion carried.**

Mr. Holtzhafer reported that the Emmaus Main Street Program has requested the release of the second half of the Borough's budgeted funds, in the amount of \$7500. The Committee voted 2-1 to recommend releasing the funds. Mr. Barrett asked Mr. Reinhard his reason for opposition. Mr. Reinhard responded that the Program does not have a succession plan implemented for President and Vice President and would like to see a list of individuals who will be involved with the Program before releasing the funds.

**Motion by Mr. Holtzhafer, seconded by Mr. Brown to release \$7,500 to the Emmaus Main Street Program. There were 5 ayes, 2 opposed (Reinhard, Labenberg). Motion carried.**

Mr. Holtzhafer reported that there are no funds available to replace the trees at Emmaus Community Park that were felled by a wind storm. Mr. Barrett added that there was a suggestion to take saplings from along the walking trail at the back of the park, but the Shade Tree Commission advised against it.

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Mr. Labenberg requested that Mr. Neely provide a 3<sup>rd</sup> quarter budget progress report prior to the September 15, 2010 Budget and Finance Committee Meeting. Mr. Holtzhafer responded that the 3<sup>rd</sup> quarter will not be over until September 30. Mr. Reinhard and Mr. Labenberg stated that they would like to see preliminary budgets presented to full Council in October.

**Motion by Mr. Labenberg, seconded by Mr. Reinhard to have Mr. Neely provide a 3<sup>rd</sup> quarter budget progress report prior to the September 15, 2010 Budget and Finance Committee Meeting.**

**Motion amended by Mr. Labenberg, seconded by Mr. Reinhard to have Mr. Neely provide a 3<sup>rd</sup> quarter budget progress report prior to the October 18, 2010 Council Meeting. There were 7 ayes. Motion carried.**

Progress.

g. Community Relations, Planning and Development Committee

Mr. Brown reported that the Committee tentatively plans to have a Special Presentation of the Parking Deck Feasibility Study by Langan Engineering at the September 20, 2010 Council Meeting. Dr. Waddell suggested that Council have the Parking Deck Feasibility Study prior to the next Council Meeting. Mr. Brown reported that the Committee is working on placing the 1959 articles from the 2009 Time Capsule on display at the foyer area of Town Hall.

Progress.

h. Ad Hoc-Community/School Relations Committee

Mr. Holtzhafer reported that members of the Ad Hoc Committee received copies of the Junior Council Member Draft Resolution. The Resolution requires review from the Ad Hoc Committee and also the East Penn School District. Mr. Holtzhafer stated that he is concerned that the Committee does not meet regularly and asked for the next step in the process. Mr. Neely responded that he will forward the information to the School District.

Progress.

### PERSONAL APPEALS, PART II

**A. Josephine Sadrovitz, 130 N. 4<sup>th</sup> St.,** thanked Council for its support of the Summer Concert Program. She stated that the Concert Series was a great success and there are already contracts signed for the 2011 season.

**B. Peter Gasper, 954 N. 7<sup>th</sup> Street Circle,** stated that he was previously President of the Emmaus Youth Association when the lights were installed. He also stated that the Emmaus Community Park provides a lot of opportunity for the youth of Emmaus. He voiced his support for the Legion Baseball Reconstruction Project.

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**C. Jack Nonnemacher, 303 Franklin St.,** voiced his support for the Legion Baseball Field Reconstruction Project.

**D. Pam Hittinger, 1203 W. Jubilee St,** voiced continued opposition to the Legion Baseball Field Reconstruction Project. She encouraged Council to scale back the Project and to keep the Park multi-purpose. Ms. Hittinger stated that there may be residents willing to donate trees for the Community Park with a small plaque placed by the tree in recognition of the donor.

**E. John Eyer, 331 N. 2<sup>nd</sup> St.,** stated that he is in favor of the 200 Block of Seem Street becoming one-way westbound between 2<sup>nd</sup> and 3<sup>rd</sup> Streets as well as the intersection at 3<sup>rd</sup> and Seem changing to a four-way stop. He stated that the Emmaus Youth Association is a non-profit organization whose revenue is used to maintain Borough fields.

### BOROUGH MANAGER'S REPORT

Mr. Neely advised that the Significant Revenue and Expense Items for August 2010 are in the Council binders, and offered to entertain any questions about them.

Mr. Neely reported on a breach of security involving Service Electric Cable Television and John Donches concerning the Borough's Master DVD for the August 2, 2010 Council Meeting. Mrs. Gilbert referred the item to General Administration.

Progress.

### PRESIDENT'S BUSINESS

Mrs. Gilbert recessed the Meeting at 9:20 p.m. for a brief Executive Session, anticipating official action.

Mrs. Gilbert reconvened the meeting at 9:50 p.m. with official action needed.

**Motion by Mr. Holtzhafer, seconded by Mr. Barrett to approve the Collective Bargaining Agreement between the Borough of Emmaus and the Emmaus Police Officer's Association, effective January 1, 2011 through December 31, 2012. There were 4 ayes, 2 opposed (Labenberg, Reinhard), 1 abstention (Gilbert).**

Mr. Reinhard stated that he is voting against the contract because there are expenses in the Agreement that he thinks need to be controlled better. He also voiced dissatisfaction with the negotiation process. Mr. Labenberg commended the Emmaus Borough Police Department but also stated that he is voting against the contract.

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

The Meeting of the Emmaus Borough Council adjourned at 9:55 p.m.

Craig B. Neely  
Borough Manager

Transcribed by: Paula Weiant  
Administrative Assistant  
September 10, 2010