

EMMAUS BOROUGH COUNCIL

**Emmaus Borough Council  
Agenda  
Monday, December 20, 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

December 6, 2010

7. Decisions on Bids
8. Communications
  - a. Seven Generations Charter School 2<sup>nd</sup> Grade Students – 154 E. Minor St. – Trash clean up of South Mountain Trail.
  - b. Rochelle Romeo, Run Lehigh Valley – Thank you for assistance during Fall Classic Run.
  - c. Ruth Kemmerer, 322 Alpine St. - Volunteer of the Year Award Nomination.
  - d. Robert Drennan, 1005 Little Lehigh Dr. – Request appointment to the Shade Tree Commission.

9. Borough Engineer's Report

CVIP, Inc. Land Development Plan

10. Solicitor's Report

11. Unfinished Business, Part I

- a. **Ordinance No. 1074 – An Ordinance Levying Taxes for the Fiscal Year 2011 for the Borough of Emmaus at the Rate of 13.00 Mills Pursuant to Section 1310 of the Borough Code of the Commonwealth of Pennsylvania (1<sup>st</sup> Reading 12/6/10) (2<sup>nd</sup> Reading 12/20/10).**

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- b. **Ordinance No. 1075 - An Ordinance Amending Chapter 26, Part 1, Section 106, Paragraph 4, Establishing a Fee for Placing a Red Tag Notice at a Property (1<sup>st</sup> Reading 12/6/10) (2<sup>nd</sup> Reading 12/20/10).**

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 – January 6, 2011 at 3:00 p.m.

- a. I & I Elimination Report
- b. Weiders Lane Status
- c. H2O PA Grant
- d. Broad Street Reconstruction
- e. South 12<sup>th</sup> Street Stormwater Project—Sidewalk Issue
- f. **Ordinance No. 1075 - Water/Sewer Delinquency Charge Ordinance (1<sup>st</sup> Reading 12/6/10) (2<sup>nd</sup> Reading 12/20/10).**

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

Next Meeting – January 14, 2011 at 4:00 p.m.

- a. Refuse/Recycling with Raritan Valley
- b. Compost Options
- c. Emmaus and Upper Milford Joint Environmental Advisory Council
- d. Board of Health
- e. Riparian Buffer Ordinance
- f. Bollinger Land/Indian Creek Golf Course
- g. Reappointment of Michael Nonnemacher to the Emmaus Board of Health on January 3, 2010 (term expires 1/1/2016).

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

Next Meeting – January 4, 2011 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

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**f. 2011 – Pool Concession Stand****Public Safety (Gilbert, Barrett, Brown)**

Next Meeting – January 13, 2011 at 9:00 a.m.

- a. Trailer Truck Parking
- b. Tractor Trailer Unloading

**Public Safety (continued)**

- c. Emergency Operations Plan – Review
- d. Civil Service Commission Rules and Regulations
- e. 200 Block of Seem Street – One Way Westbound
- f. Run Lehigh Valley 5K Race

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

Next Meeting – December 29, 2010 at 9:00 a.m.

- a. **Secretaries Union Contract Negotiations**
- b. **Resolution 2010-38 - Police Pension Contribution**
- c. Shade Tree--Tree Fund
- d. Cintas Update
- e. Website Upgrade
- f. Public Parking Spaces on Jubilee Street
- g. Reappointment of Roger Steinmyer and Ben Fetterman to the Zoning Hearing Board on January 3, 2010 (terms expire 1/1/2014).

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

Next Meeting – January 3, 2011 at 6:45 p.m.

- a. **Bill List – Resolution 2010 – 39**
- b. **Resolution 2010-37 - Adoption of 2011 Budget**
- c. **Ordinance No. 1074 - 2011 Levying Taxes**
- d. Per Capita Tax Ordinance
- e. Act 44 Election

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

Next Meeting – December 22, 2010 at 4:15 pm.

- a. Display of 2009 Anniversary Items and Contents of the 1959 Time Capsule
- b. Emmaus Main Street Program—West End Gateway Sign Presentation
- c. Streetscape Improvement Project
- d. Lanta Metro Meeting Update

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

Next Meeting – To be determined.

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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 1<sup>st</sup> Half of December 2010**

19. President’s Business

- a. Executive Session – Secretaries Union Negotiations

20. Adjournment

Next Resolution #40  
Next Ordinance #1076

The Emmaus Borough Council met in regular session on December 20, 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	Present
R. Erick Reinhard	Present
Winfield Iobst, Mayor	Present
Frank Procyk, Solicitor	Present
Craig Neely, Borough Manager	Present

PERSONAL APPEALS, PART I

**A. Josephine Sadrovitz, 130 N 4<sup>th</sup> St.,** wished Council a Merry Christmas and a safe New Year. She stated that her one wish for the upcoming year is that the Flag that hung in the lower level of Town Hall will be returned to its original place.

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**B. Anthony Groller, 1302 S 10<sup>th</sup> St,** voiced concern about how his tax dollars are being spent. Mr. Groller asked Mr. Labenberg about the width of the railroad right-of-way. Mr. Labenberg responded that he was unsure. Borough Engineer, Tony Ganguzza, responded that it is 60 feet. Mr. Groller stated that Public Works employees and Borough equipment were at the underpass at the Superior Restaurant on the railroad bank and questioned if the employees were on railroad property. Mr. Groller stated that during the last heavy rainstorm the drains were not properly cleaned in the Borough. Mr. Labenberg responded that he would discuss both items with Mr. Clapper.

**C. Lynn Donches, 559 Minor St.,** asked why in the 2011 Budget, page 7, Line Item, 410.162, Unemployment Compensation, is budgeted for \$15,664. Mr. Neely explained that it is because a former Emmaus Police Officer submitted a claim.

**D. John Donches, 559 Minor St.,** questioned how the refuse fees are used. Mr. Neely responded that they are deposited in the General Fund and are used for expenses. Mr. Reinhard commented that there is a surplus that stays in the General Fund and he believes that there is not good accountability for where the surplus goes.

COMMUNITY MINUTE – None.

SPECIAL PRESENTATIONS – None.

READING OF MINUTES

**Motion by Mr. Labenberg, seconded by Mr. Barrett to dispense with the formal reading of the December 6, 2010 Minutes. There were 7 ayes. Motion carried.**

Mr. Reinhard stated that there was no audio to accompany the webcast and asked if the Minutes were prepared from recollection. Mr. Neely responded that the Minutes were transcribed from the audio recording.

**Motion by Mr. Barrett, seconded by Mr. Labenberg to adopt the December 6, 2010 Minutes as drafted. There were 7 ayes. Motion carried.**

DECISION ON BIDS – None.

COMMUNICATIONS

a. Seven Generations Charter School 2<sup>nd</sup> Grade Students – 154 E. Minor St. – Trash clean up of South Mountain Trail. Mr. Neely stated that the 2<sup>nd</sup> Grade Students from the Seven Generations Charter School visited Town Hall and hand-delivered and read a copy of the letter to himself and Mayor Jobst. Mr. Neely read the letter. Referred to the Public Works Committee.

b. Rochelle Romeo, Run Lehigh Valley – Thank you for assistance during Fall Classic Run. Mr. Neely stated that Run Lehigh Valley donated \$150.00 to the Borough. Mrs. Gilbert asked Mr. Neely to draft a thank you letter for the donation.

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c. Ruth Kemmerer, 322 Alpine St. – Volunteer of the Year Award Nomination. Mrs. Kemmerer nominated Richard Chartrand for the 2010 Volunteer of the Year. Referred to the General Administration Committee.

d. Robert Drennan, 1005 Little Lehigh Dr. – Request appointment to the Shade Tree Commission. Referred to the General Administration Committee.

e. Mr. Barrett reported that he received a phone call and an email from Glen Schmoyer, 130 E. Main Street, raising concerns about the Cylcocross course remaining intact after the event ended.

BOROUGH ENGINEER'S REPORT

Mr. Ganguzza reviewed the Land Development Plan for C.V.I.P. on Broad Street. He stated that the plans were reviewed by the Planning Commission on November 11, 2010, and the Commission recommends Preliminary and Final Land Development approval for the Project. Mr. Ganguzza stated that there are three waivers requiring Council approval. The waivers include approving the Preliminary/Final Plan as a single submission, planting trees or considering accepting a monetary contribution to the Borough in lieu of planting trees, and a waiver regarding a Stormwater Management Plan. Mr. Ganguzza stated that the Planning Commission recommends that Council grant relief from SALDO Section 304, requiring a separate submission of Preliminary and Final Plan applications, due to the relatively minor nature of the Plan. He also stated that a waiver has been recommended that relief be considered from Chapter 21, Part 4 of the Streets and Sidewalk Ordinance. The waiver would allow a 4' wide sidewalk and would allow constructing the sidewalk directly against the curb. He stated that a waiver has been recommended regarding relief from the Stormwater Management Ordinance, Section 304.5, requiring a Stormwater Management Plan based on the over 4,000 square feet of impervious area added. The Planning Commission agreed with the Applicant that the existing conditions where the building addition is being proposed are already essentially impervious. However, because the addition is substantial, approximately 10,000 square feet, the Planning Commission recommends that the Applicant provide a downspout collection system that discharges to a nearby tributary.

Mr. Ganguzza reviewed TMG's comments relating to the Preliminary/Final Plans. He stated that the Planning Commission recommends that the Zoning Officer review and comment on the revised Plans. Mr. Ganguzza reported that the trees that are proposed to be planted will be within 1 foot of the right-of-way line and would be planted on the embankment. TMG's recommendation is to consult a landscape architect to include special conditions for tree planting on a steep slope. He reviewed TMG's comments on stormwater management and sedimentation and erosion control. Mr. Ganguzza stated that the Shade Tree Commission met on December 14, 2010, and discussed the CVIP project. The Commission recommends that rotundaloba trees be planted instead of maples. Mr. Neely responded that he received communication from the Applicant's engineer asking if Council would accept a financial contribution to the Borough instead of planting trees. Mr. Neely explained that currently there is no ordinance authorizing it. Mr. Neely asked if there are any issues with the viability of planting trees at the property. He commented that the last trees that were planted at this location died and questioned if the soil is appropriate for trees. Mr. Ganguzza responded that a landscape architect needs to be consulted on the soil conditions and slope

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concerns. Dr. Waddell commented that he believes the problem with the existing trees was overspray and not soil conditions.

Mr. Labenberg asked, if a 4 ½' sidewalk waiver is not approved, wouldn't the trees be planted along the sidewalk and not in the embankment? Mr. Ganguzza responded that the intent of the Planning Commission and the Shade Tree Commission is to keep the trees as far back from the sidewalk area. He stated that the Borough Ordinance requires that trees be planted 1' from the public right-of-way line. Mr. Holtzhafer stated that the current Borough Ordinance requires that trees be planted 1' from the public right-of-way line and with a sidewalk width of 5'. Mr. Labenberg asked if a landscape architect must be consulted and commented that the trees that were planted died from mismanagement and overspray of chemicals. Mr. Ganguzza responded that the only reason a landscape architect is not required is because there is no Borough Ordinance requiring it. Mr. Brown asked about the ADA requirements for sidewalks. Mr. Ganguzza responded that he believes 4' will comply with the requirements. Mr. Holtzhafer asked if the filter bag would remain in the inlet along Broad Street. Mr. Ganguzza responded that it would be removed. Mr. Holtzhafer asked for further clarification on the sidewalk waiver request.

Mr. Art Swallow stated that his firm, Arthur A. Swallow Associates, designed the Plan. He stated that the Plan was originally proposed in 2002 but was advised that planning of the Project would be best addressed if an updated Plan is submitted. He stated that in 2002 the Borough had an aggressive plan for Broad Street and sidewalk was waived in the original proposal. He also stated that C.V.I.P. is asking for relief on the sidewalk because there is not enough room for 5' of sidewalk. To install a 5' sidewalk, the embankment would need to be cut back severely and stabilization would become an issue. He stated that the Applicant needs more cover for its equipment and is hopeful that Council will approve the Plan. Mr. Swallow stated that the owner of C.V.I.P. understands the Borough Ordinance about planting the trees, but suggested that Council consider an offer to accept a monetary donation in lieu of planting trees so that the funds could be used to plant trees at a better location. Mr. Labenberg commented that there will be eleven trees planted. He does not understand why the trees can not be placed by the sidewalk and have a 4 ½ foot sidewalk instead of planting the trees on the embankment. Mr. Swallow responded that the original plan had the trees being planted 18" from the back of the sidewalk. Mr. Ganguzza responded that the Shade Tree Commission recommended not planting the trees 18" from the back of the sidewalk. The Commission recommended planting the trees 1 foot within the right-of-way. Dr. Waddell asked if there is an area where the slope is not as severe. Mr. Ganguzza responded that the entrance way is the flattest area, so the first three trees will not be on as much of a slope. Mr. Swallow responded that the last tree is also on a flatter area. Mr. Neely stated that the Applicant has submitted a Plan that satisfies the Ordinance

**Motion by Dr. Waddell, seconded by Mr. Labenberg to grant relief from Chapter 21, Part 4 of the Streets and Sidewalk Ordinance to allow a 4' wide sidewalk installed adjacent to the curb. There were 7 ayes. Motion carried.**

**Motion by Mr. Labenberg, seconded by Mr. Brown to waive the requirement of SALDO Section 304 requiring a separate submission of Preliminary and Final Plans. There were 7 ayes. Motion carried.**

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**Motion by Mr. Holtzhafer, seconded by Mr. Reinhard to grant relief from the Stormwater Management Ordinance, Section 304.5, requiring a Stormwater Management Plan based on the over 4,000 square feet of impervious area added. There were 7 ayes. Motion carried.**

Mr. Barrett asked for clarification of the Stormwater Management Ordinance. Mr. Ganguzza clarified the Ordinance and the reasoning for the waiver request.

**Motion by Mr. Labenberg, seconded by Dr. Waddell to approve the Preliminary/Final Plan for C.V.I.P. Properties, Inc., subject to full compliance with the December 15, 2010 review letter from TMG Consulting Engineers.**

SOLICITOR'S REPORT

Progress.

UNFINISHED BUSINESS, PART I

**Motion by Mr. Holtzhafer, seconded by Mr. Labenberg to read Ordinance No. 1074 – An Ordinance Levying Taxes for the Fiscal Year 2011 for the Borough of Emmaus at the Rate of 13.00 Mills Pursuant to Section 1310 of the Borough Code of the Commonwealth of Pennsylvania (1<sup>st</sup> Reading 12/2/10) (2<sup>nd</sup> Reading 12/20/10). There were 7 ayes. Motion carried.**

Mrs. Gilbert read Ordinance No. 1074 in short title.

**Motion by Mr. Holtzhafer, seconded by Mr. Reinhard to adopt Ordinance No. 1074 - An Ordinance Levying Taxes for the Fiscal Year 2011 for the Borough of Emmaus at the Rate of 13.00 Mills Pursuant to Section 1310 of the Borough Code of the Commonwealth of Pennsylvania on its 2<sup>nd</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.**

**Motion by Mr. Labenberg, seconded by Mr. Reinhard to read Ordinance No. 1075 – An Ordinance Amending Chapter 26, Part 1, Section 106, Paragraph 4, Establishing a Fee for Placing a Red Tag Notice at a Property (1<sup>st</sup> Reading 12/6/10) (2<sup>nd</sup> Reading 12/20/10.) There were 7 ayes.**

Mrs. Gilbert read Ordinance No. 1075 in short title.

**Motion by Mr. Labenberg, seconded by Mr. Brown to adopt Ordinance No. 1075 - An Ordinance Amending Chapter 26, Part 1, Section 106, Paragraph 4, Establishing a Fee for Placing a Red Tag Notice at a Property on its 2<sup>nd</sup> reading. Roll call vote: Mr. Labenberg, aye, Mr. Holtzhafer, aye, Mr. Barrett, aye, Mr. Brown, aye, Mr. Reinhard, aye, Dr. Waddell, aye, Mrs. Gilbert, aye. There were 7 ayes, Motion carried.**



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NEW BUSINESS - None.

UNFINISHED BUSINESS, PART II – None.

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

MAYOR'S REPORT

Mayor Iobst wished everyone a Merry Christmas, a Happy New Year and Good Health.

COMMITTEE REPORTS

a. Public Works Committee

Mr. Labenberg reported that the Committee will meet on January 6, 2011, and wished everyone a Merry Christmas and a Happy New Year.

Progress.

b. Health, Sanitation, and Conservation Committee

Mr. Reinhard reported that the Committee met on December 9, 2010. It recommends reappointing Mike Nonnemacher to the Emmaus Board of Health to a 5 year term expiring on January 1, 2016. The appointment needs to be made at the first Council Meeting in January 2011.

Mr. Reinhard also reported that a letter was sent to the Emmaus Main Street Program, the Shops of Emmaus, and the Emmaus Farmers Market asking if they would be interested in participating in a green campaign to have businesses in town use reusable bags. He reminded that there was a communication from Allison Fritchman concerning a Cub Scout Plastic Bag Recycling Project.

Mr. Reinhard reported that there was an article in the newspaper stating that the Lehigh County Compost Center will remain open until June, 2011. He commented that there was a meeting held on December 16, 2010, and asked if there was a report from the meeting. Mrs. Gilbert and Dr. Waddell stated that they both attended the meeting. Mr. Neely responded that he has not received a report from Mr. Clapper.

Progress.

c. Parks and Recreation Committee

Mr. Barrett reported that the Committee met on December 7, 2010 at 3:30 p.m. and recommends that Council authorize Schreiter's Chuck Wagon to operate the snack stand at Emmaus Community Pool for the 2011 pool season.

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**Motion by Mr. Barrett, seconded by Mr. Labenberg to approve Schreiter's Chuck Wagon to operate the snack stand at the Emmaus Community Pool for a minimum of \$2,500 or 10%, of revenue after taxes, whichever is higher, being paid to the Borough. There were 7 ayes. Motion carried.**

Mr. Barrett reported that the Committee began to calculate an estimated cost for a scaled down version of the Legion Baseball Field Reconstruction Project and will continue to move forward with it.

Progress.

d. Public Safety Committee

Mrs. Gilbert reported that the Committee met on December 9, 2010 and offered to entertain questions about the Meeting. Mrs. Gilbert reported that she attended the December 3 and 20, 2010 Civil Service Commission Meetings. She reported that there are new rules and regulations being considered by the Commission. Recent state law changes have voided the current Civil Service Eligibility List. The Commission will advertise for the two vacancies in the Emmaus Police Department and begin receiving applications in January 2011. Mr. Labenberg asked if there are funds in the 2011 Budget to accommodate the process. Mrs. Gilbert responded that there are funds and reminded that the applicants must pay an application fee that helps offset the cost.

Progress.

e. General Administration Committee

Dr. Waddell read Resolution 2010-38, A Resolution Requiring that each Full Time Police Officer of the Borough of Emmaus, Hereafter Referred to as Active Member of the Emmaus Police Pension Plan, as a Condition of Participation in the Plan, Must Contribute, on an After-Tax-Basis, 2.7% of the Participant's Compensation into the Emmaus Police Pension Plan Effective January 1, 2011. Mr. Reinhard stated that the agreement is computed using a formula and questioned what the formula is. Mr. Neely responded that the Borough Treasurer, Christine Snyder, prepares the calculation.

**Motion by Dr. Waddell, seconded by Mr. Labenberg to adopt Resolution 2010-38, A Resolution Requiring that each Employed Full Time Police Officer of the Borough of Emmaus, Hereafter Referred to as Active Member of the Emmaus Police Pension Plan, as a Condition of Participation in the Plan, Must Contribute, on an After-Tax-Basis, 2.7% of the Participant's Compensation into the Emmaus Police Pension Plan Effective January 1, 2011. There were 7 ayes. Motion carried.**

Dr. Waddell stated that an Executive Session is needed to discuss the Secretaries Union Negotiations.

The next Committee Meeting is December 29, 2010 at 9:00 a.m.

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Progress.

f. Budget and Finance Committee

Mr. Holtzhafer read Resolution 2010-39, authorizing payment of the December 20, 2010 Bill List, as follows:

<b>Bill List</b>	<b>\$</b>	<b>209,444.57</b>
<b>Payroll #25</b>	<b>\$</b>	<b>123,741.93</b>
<b>Payroll Taxes</b>	<b>\$</b>	<b>38,825.46</b>
<b>Total</b>	<b>\$</b>	<b>372,011.96</b>

Done this 20th day of December 2010.

**Motion by Mr. Holtzhafer, seconded by Mr. Reinhard to approve the December 10, 2010 Bill List. There were 7 ayes. Motion carried.**

Mr. Holtzhafer read Resolution 2010-37 – A Resolution Adopting the Budget of the Borough of Emmaus for the 2011 Fiscal Year and Appropriating From Fund Equities, Revenues and Other Financing Sources Available for the Year 2011 for the Specific Purposes Set Forth Therein.

Mr. Reinhard expressed concerned about the 2011 Budget. He was hoping that Council would put some cost control measures in place but believes that it will be put off until 2012. He stated that he wishes Council would have made efforts to control costs, such as health care, and reduced pay raises. He also stated that, in a perfect world, he wished all of the Borough employees could continue to have the level of benefits they have, but that current market conditions do not warrant it. He stated that he will vote against the 2011 Budget.

**Motion by Mr. Holtzhafer, seconded by Mr. Labenberg to adopt Resolution 2010-37 – A Resolution Adopting the Budget of the Borough of Emmaus for the 2011 Fiscal Year and Appropriating From Fund Equities, Revenues and Other Financing Sources Available for the Year 2011 for the Specific Purposes Set Forth Therein. There were 6 ayes, 1 opposed (Reinhard). Motion carried.**

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g. Community Relations, Planning and Development Committee

Mr. Brown reported that the next Committee Meeting is December 22, 2010 at 4:15 p.m. Members of the Emmaus Flag Day Association will attend to discuss the Flag that was displayed at Town Hall. He also reported that the Emmaus Main Street Program will attend to provide an update about the Program. Mr. Brown reported that the Borough applied for and was allotted an extension on a \$2,000 Tree Vitalization Grant from Lehigh County. The funds would be used to replace Bradford Pear trees in the area of Main Street from 3<sup>rd</sup> to 4<sup>th</sup> Street.

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Mr. Labenberg commented that the Civil War Flag is a replica and questioned where the Flag will be displayed. Mr. Labenberg suggested hanging the Flag in Council Chambers or displaying it at its original location in the lower level of Town Hall. Mr. Brown responded that the intention is to hang the Flag at Town Hall.

Progress.

h. Ad Hoc-Community/School Relations Committee

Mr. Holtzhafer asked Mr. Neely if he had a conversation with the East Penn School District Superintendent or his secretary. Mr. Neely responded that he did and that the conversation concerned the Baseball Field Project. Mrs. Gilbert asked if the Committee is going to move forward with the Junior Council Member program. Mr. Holtzhafer advised that it is in the School District's hands.

Progress.

PERSONAL APPEALS, PART II

**A. John Donches, 559 Minor St.,** stated that the Minutes from the December 6, 2010 Council Meeting were incomplete because the words "pathologically divisive" were omitted. He believes that people take offense to statements made by Council, which discourages residents from attending and speaking at Council Meetings. He encouraged Council not to "name call" people.

**B. Lynn Donches, 559 Minor St.,** stated that it was recently reported that she rejected the notion that medians calm traffic. She clarified that medians installed on Broad Street between 5<sup>th</sup> and 6<sup>th</sup> Street are not necessary to calm traffic. She believes that there are only a small percentage of offenders so the expense to install medians to calm traffic is not warranted. She stated that when Broad Street between 7<sup>th</sup> & 10<sup>th</sup> Streets was reconstructed there was concern about cars racing down the street. She stated that a police officer sat in a car along the block and people learned that it was a block that was monitored. She also suggested using electronic speed signs to alert people to how fast they are driving. She stated that she is in favor of having the road repairs completed as well as updating the underground infrastructure but is not in favor of installing the medians. She also stated that if the medians are installed, she does not believe there will be enough room for cyclists to be passed safely. She stated that in the winter residents will have to stand in the street to shovel out cars, which is a public safety issue. She encouraged Council to solicit bids with and without medians. She also commented that she is in favor of sidewalk being placed at C.V.I.P.

BOROUGH MANAGER'S REPORT

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

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PRESIDENT'S BUSINESS

Mrs. Gilbert recessed the meeting at 8:25 p.m. for an Executive Session, anticipating official action afterwards.

Mrs. Gilbert reconvened the meeting at 8:35 p.m. with official action needed.

Dr. Waddell reported that an agreement has been reached between the General Administration Committee and the Secretaries Union and Council needs to vote on the resulting Collective Bargaining Agreement. He thanked the General Administration Committee, the Borough Manger, and the Union Representative, Joe Wieder, and commented that negotiations went smoothly with compromises from both parties. Mr. Reinhard stated that the new agreement will expire December 31, 2012, which is the same time that the contracts with the Police and Public Works Unions expire. He suggested that the Borough put money aside for 2012 in case those negotiations don't go smoothly. Mr. Reinhard stated that there is a 3.9% raise in the contract. He also stated that there are changes to health benefits, but believes that they are not in line with current market conditions. Dr. Waddell responded that Mr. Reinhard made a good point. In two years, the Borough will have three contracts coming up, but he is optimistic that the three unions will understand that times have changed and there has to be some conciliation with what is negotiated in two years.

**Motion by Dr. Waddell, seconded by Mr. Labenberg to approve the Collective Bargaining Agreement between the Borough of Emmaus and the Emmaus Borough Secretaries effective January 1, 2011 and December 31, 2012. There were 6 ayes, 1 opposed (Reinhard). Motion carried.**

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

The Meeting of the Emmaus Borough Council adjourned at 8:36 p.m.

Craig B. Neely  
Borough Manager

Transcribed by: Paula Weiant  
Administrative Assistant  
December 22, 2010