

June 15, 2009

EMMAUS BOROUGH COUNCIL

Emmaus Borough Council
Agenda
Monday, June 15, 2009, 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

June 1, 2009
7. Decision on Bids
8. Communications
 - a. Harry Reabuck, Jr., Citizens' Fire Company No. 2 – Request pavilion for A.R.C. of the Lehigh Valley picnic.
 - b. Gloria Kemmerer, President of Emmaus Senior Citizens – Thank you for financial help.
 - c. Naomi Winch, Seven Generations Charter School – Request to conduct two clean-ups in Borough parks.
 - d. Ellen L. Koplín, Lower Milford Township Manager – Public Hearing for 2009 Draft Zoning Ordinance and Zoning Map.
 - e. Mary Cullen, Emmaus Girl Scout Service Unit – Requests for Girl Scout picnic at Emmaus Community Park.
9. Borough Engineer's Report
10. Solicitor's Report
11. Unfinished Business, Part I
12. New Business
13. Unfinished Business, Part II
 - a. Ordinance No. 1044 – An Ordinance Approving the Agreement for the Exchange and Trade of Certain Real Estate Between Raven R. Mill and Mary M. Mill and the Borough of Emmaus (2nd Reading 7/6/09)

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14. Items Not on Agenda, Subject to Rule 9

15. Mayor's Report

16. Committee Reports

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

1. Committee
 - a. I & I Elimination Report
 - b. Sidewalk Repairs
2. Solicitor

Health and Sanitation (Reinhard, Labenberg, Holtzhafer)

1. Committee
 - a. Refuse/Recycling Categories
 - b. Refuse Billing
 - c. **Conservation**
2. Solicitor

Parks and Recreation (Barrett, Labenberg, Holtzhafer)

1. Committee
 - a. Ice Rink/Skate Park
 - b. Raven Mill Trail Project
 - c. Meadow Pool
 - d. **Hiring Lifeguard**
2. Solicitor

Public Safety (Gilbert, Barrett, Brown)

1. Committee
 - a. Trailer Truck Parking
 - b. Tractor Trailer Unloading
2. Solicitor

General Administration (Waddell, Gilbert, Barrett)

1. Committee
 - a. Historical Sites and Park Ordinance
 - b. Email for Council People
 - c. **Aqua Duck Water Proposal**
 - d. **Appointment of Stephen Zakos to Planning Commission**

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2. Solicitor

Budget and Finance (Holtzhafer, Gilbert, Reinhard)

1. Committee

- a. **Bill List – Resolution 2009-18**
- b. Historical Financial Research Project

2. Solicitor

Community Relations/Development (Brown, Waddell, Reinhard)

1. Committee

- a. Main Street Program Update
- b. Lehigh County Streetscape Amenities Grant - VFW

2. Solicitor

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

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 June 2009
- b. **Penndot Agreement – Resolution 2009-17**

19. President's Business

20. Adjournment

Next Resolution #19
Next Ordinance #1056

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EMMAUS BOROUGH COUNCIL

The Emmaus Borough Council met in regular session on June 15, 2009 in Borough Council Chambers, 28 S. 4th Street, Emmaus, PA 18049.

CALL TO ORDER

Council President Waddell called the meeting to order at 7:00 p.m.

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

PERSONAL APPEALS, PART I

a. Charles Moniak, 152 Linden Court South, told Council that the conditions at Meadow Pool are deteriorating. The grass in the back is uncut and the pool water is starting to turn black. Mr. Moniak is concerned that the pool will attract mosquitoes and the uncut grass will attract field mice. Because of Mr. Moniak's health, he is very susceptible to infections and is concerned about the mosquitoes. Mr. Neely told Mr. Moniak that he contacted our Health Inspector, Garry Ritter. Mr. Ritter coordinated with Lehigh County, which treated the pool with a chemical that will take care of the mosquitoes all summer. Jim Farnsworth, the Zoning Officer, contacted the president of the Meadow Pool Association regarding the weeds. Mr. Neely stated that if the weeds are not taken care of, the Borough will arrange to have them cut and will seek reimbursement.

b. John Hayes, on behalf of his parents of 1006 Liberty Street, recognized the Ambulance Corps and Police Department for their outstanding work. His parents have used their services numerous times recently.

c. Bruce Carl, 136 N. Fourth Street, referred to a zoning ordinance that allows up to four people with different last names to reside in a home. He stated that the Borough needs to specify in the ordinance that the residents living in one home do not have to have the same last names and they don't have to be family. Referred to the General Administration Committee.

COMMUNITY MINUTE

Dr. Waddell thanked everyone involved with the Flag Day Association Dinner, including Mayor Iobst and Mr. Neely. The Flag Day Program took place on Sunday, June 14, 2009. Dr. Waddell reminded everyone that the Flag Day Association continues to seek volunteers. He offered a special thanks to Jo and Frank Sadrovitz and Marge Heatley.

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SPECIAL PRESENTATIONS – None.

READING OF MINUTES

Motion by Council Member Barrett, seconded by Council Member Labenberg to dispense with the formal reading of the June 1, 2009 Minutes. There were 6 ayes. Motion carried.

Motion by Council Member Barrett, seconded by Council Member Gilbert to adopt the June 1, 2009 Minutes as drafted. There were 6 ayes. Motion carried.

DECISION ON BIDS – None.

COMMUNICATIONS

a. Harry Reabuck, Jr., Citizens' Fire Company No. 2 – Request pavilion for A.R.C. of the Lehigh Valley picnic.

Motion by Council Member Gilbert, seconded by Council Member Holtzhafer to waive the pavilion fee. There were 6 ayes. Motion carried.

b. Gloria Kemmerer, President of Emmaus Senior Citizens – Thank you for financial support.

c. Naomi Winch, Seven Generations Charter School – Request to conduct two clean-ups in Borough parks. Referred to the Community Relations/Development Committee.

d. Ellen L. Koplin, Lower Milford Township Manager – Public Hearing for 2009 Draft Zoning Ordinance and Zoning Map. Borough Manager Neely asked Borough Council to review the Ordinance and Map, and if any Council Member has any comments to bring them before Council to take any action or recommendation.

e. Mary Cullen, Emmaus Girl Scout Service Unit – Requests for Girl Scout picnic at Emmaus Community Park. Referred to the Parks and Recreation Committee.

f. Jason Kleckner and Family, 4742 Jasper Road – Letter of Appreciation to Ambulance Corps.

BOROUGH ENGINEER'S REPORT – None.

SOLICITOR'S REPORT – None.

UNFINISHED BUSINESS, PART I – None.

NEW BUSINESS – None.

UNFINISHED BUSINESS, PART II

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a. Ordinance No. 1044 – An Ordinance Approving the Agreement for the Exchange and Trade of Certain Real Estate Between Raven R. Mill and Mary M. Mill and the Borough of Emmaus (2nd Reading 7/6/09)

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

MAYOR'S REPORT

Mayor Iobst reported to Council that he attended the Shops of Emmaus Best in Bloom event, and noted that it was a nice event. Progress.

COMMITTEE REPORTS

a. Public Works Committee

The Committee met on June 3 and no action is to be taken. Progress.

b. Health and Sanitation Committee

The Committee meeting scheduled for June 11 was canceled. Progress.

c. Parks and Recreation Committee

Motion by Council Member Barrett, seconded by Council Member Holtzhafer to hire Nate Clark at a rate of \$7.65 per hour and Leah Smith at a rate of \$7.15 per hour as part time lifeguards to work at the Emmaus Community Pool for the 2009 season. There were 6 ayes. Motion carried.

Mr. Barrett explained that two lifeguards who were hired on April 20 are not available to work. Since the two lifeguards that are being hired are college students and are unable to work until the end of the season, an additional two or three lifeguards, preferably high school students, may need to be hired to have coverage through the end of the season. Progress.

d. Public Safety Committee

Motion by Council Member Gilbert, seconded by Council Member Barrett to hire Timothy Steiner of Emmaus, Megan Kapun of Breinigsville, and Joshua Garloff of Emmaus to work as Auxiliary (Park) Police. There were 6 ayes. Motion carried.

All interviews were handled by Chief Faust and Officer Hamscher.

The next Committee meeting is scheduled for June 18 at 9:00 a.m. Progress.

e. General Administration Committee

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Motion by Council Member Barrett, seconded by Council Member Gilbert to appoint Stephen Zakos to the Planning Commission for a term expiring April 1, 2013. There were 6 ayes. Motion carried.

Dr. Waddell explained that the Committee discussed a proposal from Aqua Duck Water Transport. According to the Memorandum from Mr. Neely dated June 11, 2009, Greg Sanders, owner of Aqua Duck Water Transport, spoke to Jeff Clapper regarding purchasing water from the Borough. They had been purchasing water from the Lehigh County Authority, but they are now prohibited from withdrawing water because of a nonessential water use ban imposed by LCA. Aqua Duck transports water to swimming pools throughout the summer. Mr. Barrett noted that Aqua Duck would be removing between 2 and 3 million gallons of water for the year. To put it into perspective, the Borough pumps an average of 1.2 million gallons of water a day. Mr. Labenberg noted that at a rate of \$4.00 per gallon the Borough would net between \$8,000 and \$12,000 as water revenue. Dr. Waddell confirmed with Mr. Sanders that their season runs into July. Dr. Waddell stated that it's a win-win situation for everyone. Attached to the Memorandum was an Agreement drafted by Mr. Neely. Mr. Labenberg noted that the Borough can discontinue the agreement at any point.

Motion by Council Member Labenberg, seconded by Council Member Gilbert to approve the Agreement with Aqua Duck Water Transport.

Mr. Brown asked if withdrawing the water from a fire hydrant would affect the quality of water dispensed to the residents. Mr. Neely confirmed that Brad Youst, the Borough's utility engineer, said that it is not a concern. It was agreed upon that Mr. Sanders will be pulling water from the hydrant located at the Rite Aid parking lot on Chestnut Street. The Borough will be flushing the area first to clean it out. Mr. Sanders agreed that he would pay for the amount of water necessary to do the flushing, which would be \$131.

Mr. Brown also asked whether, if the Agreement was approved tonight, Mr. Sanders would be able to start as soon as tomorrow. Mr. Neely replied "yes" and asked Mr. Sanders to remain after the meeting to review and sign the Agreement.

There were 6 ayes. Motion carried.

The next General Administration Committee Meeting is scheduled for June 24 at 9:00 a.m. Progress.

f. Budget and Finance Committee

Brian Holtzhafer read Resolution 2009-18, authorizing payment of the June 15, 2009 Bill List as follows:

Bill List	\$ 214,575.99
Payroll #1	\$ 111,788.85
Payroll Taxes	\$ 36,139.44
Total	\$ 362,504.28

Done this 15th of June 2009.

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Motion by Council Member Holtzhafer, seconded by Council Member Gilbert to adopt the June 15, 2009 Bill List. There were 6 ayes. Motion carried.

Progress.

g. Community Relations/Development Committee

Mr. Brown noted that the next Committee meeting is scheduled for June 24 at which time the Committee will be discussing the clean up request from the Seven Generations Charter School. The Committee will also be discussing volunteerism.

Mr. Brown reported that the Triangle Project is going well. He confirmed with Mr. Neely that the Project is expected to be completed in the first or second week of July.

Mr. Brown mentioned that Mrs. Tempest, 2009 Celebration Education Coordinator, showed a DVD at Jefferson Elementary School. He thanked her for the work she is doing to educate everyone about the 2009 Celebration. Dr. Waddell mentioned that a tape of Alan Hawman's walking tour of the Borough's architecture is available at the Library.

h. Ad Hoc Committee – Community School Relations

Mr. Holtzhafer will contact Dr. Seidenberger to schedule a meeting once school is out.
Progress.

PERSONAL APPEALS, PART II - None.

BOROUGH MANAGER'S REPORT

Mr. Neely noted the Significant Revenue and Expense Items for the first half of June 2009.

Mr. Neely explained to Council that the Department of Transportation is upgrading the traffic signals beginning in Emmaus on Cedar Crest Boulevard to Walbert Avenue. They are asking that the Borough sign an Agreement to maintain the new traffic signals that they will install at Cedar Crest Boulevard and North Street.

Mr. Labenberg asked why the light needs to be upgraded since it was only installed about 10 to 15 years ago. Mr. Neely replied that new sensors and timers will be installed as well as a function that would allow emergency personnel to be able to activate the light to change it from a red light to a green light. It would enable emergency vehicles to stop traffic on intersecting roads as the emergency vehicles pass through the intersection on a green light.

The State requires that the Borough provide a Resolution of Council authorizing the Council President and the Borough Secretary to sign the Agreement on behalf of the Borough. Mr. Neely read Resolution 2009 – 17.

Motion by Council Member Brown, seconded by Council Member Gilbert to approve Resolution 2009 – 17. There were 6 ayes. Motion carried.

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Progress.

PRESIDENT'S BUSINESS

Dr. Waddell thanked the Flag Day Association for its programs. Dr. Waddell recently received a request to rent a pavilion for a 35th class reunion at Community Park on August 15. However, every pavilion has been rented. To accommodate everyone, he is asking Council's approval for the 2009 Anniversary Celebration Steering Committee to allow tents to be set up in the Community Park, or perhaps ask renters to share pavilions. There would be no cost to the Borough.

Motion by Council Member Brown, seconded by Council Member Labenberg to give the 2009 Anniversary Celebration Steering Committee the authority to make the decision to allow tents or shared pavilions for class reunions during the weekend celebration on August 15 and 16. There were 6 ayes. Motion carried.

ADJOURNMENT

Motion by Council Member Holtzhafer, seconded by Council Member Gilbert to adjourn. There were 6 ayes. Motion carried.

The meeting of the Emmaus Borough Council adjourned at 7:46 p.m.

Craig B. Neely
Borough Manager

Transcribed by: Kathy Yaindl
Administrative Assistant
June 18, 2009