

January 19, 2009

EMMAUS BOROUGH COUNCIL

Emmaus Borough Council  
Agenda  
Monday, January 19, 2009 7:00 PM

1. Call to Order
2. Pledge of Allegiance
3. Personal Appeals, Part I
4. Triangle Park Fountain – Aqua Master Fountains
5. Reading of Minutes

January 5, 2009

6. Decision on Bids
7. Communications
  - a. Teri Sorg-McManamon, Emmaus Arts Commission – Snowblast Winter Festival
  - b. Barbara Chapkovich, 335 S. 12<sup>th</sup> St., Emmaus – Letter of Thanks
  - c. John J. Zettlemoyer, Secretary, Emmaus General Authority – Borough's Request for Funds
  - d. Jeff Shubzda, 750 Furnace St., Emmaus – Letter of Interest to Serve on Borough Council
  - e. R. Erick Reinhard, 920 Franklin St., Emmaus – Letter of Interest to Serve on Borough Council
  - f. John O. Stover, Jr., 912 Franklin St., Emmaus – Letter of Interest to Serve on the Vacancy Board
8. Borough Engineer's Report
9. Solicitor's Report
10. Unfinished Business, Part I
11. New Business
  - a. **Council Vacancy Interviews**
    - (1) **Chris DeFrain**
    - (2) **Jeff Shubzda**
    - (3) **R. Erick Reinhard**

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12. 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 Awaiting Raven Mill’s Attorney)
- b. Ordinance No. 1047 – An Ordinance Amending the Provisions of Chapter 15, Section 404(d), and Establishing that Parking shall be Prohibited in the 600 Block of Pine Street in Excess of One Hour on any Vehicle Without an Approved Resident Parking Permit (1<sup>st</sup> Reading 12/1/08) (2<sup>nd</sup> Reading 2/02/09)
- c. Ordinance No. 1050 – An Ordinance of the Borough of Emmaus, Lehigh County, Pennsylvania, Amending the Code of Ordinances, Chapter 1, Part B, Article VII of Exhibit A, Entitled “Borough of Emmaus Employees Pension Plan”, to Comply with the Pension Funding Equity Act of 2004, Pension Protection Act of 2006, and the Final Regulations Issued Under Internal Revenue Code Section 415, Effective as Provided in the Amendment (1<sup>st</sup> Reading 1/5/09) (2<sup>nd</sup> Reading 2/02/09)
- d. Ordinance No. 1051 – An Ordinance of the Borough of Emmaus, Lehigh County, Pennsylvania, Amending the Code of Ordinances, Chapter 1, Part C, Article VII of Exhibit A, Entitled “Borough of Emmaus Police Pension Plan”, to Comply with the Pension Funding Equity Act of 2004, Pension Protection Act of 2006, and the Final Regulations Issued Under Internal Revenue Code Section 415, Effective as Provided in the Amendment (1<sup>st</sup> Reading 1/5/09) (2<sup>nd</sup> Reading 2/02/09)

13. Items Not on Agenda, Subject to Rule 6

14. Mayor’s Report

- a. **East Penn Press 50 Year Anniversary Celebration – Proclamation 2009– 231**

15. Committee Reports

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

1. Committee
  - a. Sidewalk Ordinance
  - b. 2009 Compost Site Hours

2. Solicitor

**Health and Sanitation (Holtzhafer, Labenberg, Brown)**

1. Committee
  - a. Borough Energy Usage – Department Head Input Forms

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- b. Recycling Needs and Costs

**Health and Sanitation** (continued)

- 2. Solicitor

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

- 1. Committee
  - a. Raven Mill Property Swap - Letter of Intended Use
  - b. Skate Park
  - c. Park Comp Plan
  - d. No Smoking at Parks
  - e. Sandbox at Community Park
  - f. Ice Rink
  - g. Field Use Revenue Line Item
- 2. Solicitor

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

- 1. Committee
  - a. Request for Permit Parking – 600 Block of Pine Street (90-Day Trial Period Expires 11/18/08) – Ordinance No. 1047
  - b. Trailer Truck Parking
  - c. Parking at Fairview/6<sup>th</sup> Streets (Santo's)
  - d. Public Safety Issues Raised by Lori Washburn, 420 Broad St.
- 2. Solicitor

**General Administration** (Gilbert, Barrett)

- 1. Committee
  - a. Police and Employees' Pension Plan – Ordinance Nos. 1050 & 1051
  - b. "Community Announcements" Agenda Item
  - c. **Appointment of Fire Inspector – Resolution 2009-3**
- 2. Solicitor

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

- 1. Committee
  - a. **Bill List – Resolution 2009-4**
  - b. Borough Installment Plan
- 2. Solicitor

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

1. Committee
  - a. Southside Industrial Master Plan
  - b. **Triangle Park Construction – Fountain Decision**
  - c. 2009 Anniversary Celebration – Reserving Pavilions for August 15, 2009
  - d. Public Parking Project – “Jubilee Parking Lot”

2. Solicitor

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

Community/School Relations

- a. Junior Council Member

16. Personal Appeals, Part II

17. Borough Manager’s Report

- a. Significant Revenue and Expense Items for January 2009
- b. Budget Status Report

18. President’s Business

- a. Executive Session – Personnel Issue
- b. Appoint Council Representative to Main Street Program

19. Adjournment

Next Resolution #5  
Next Ordinance #1052

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The Emmaus Borough Council met in regular session on January 19, 2009 in Borough Council Chambers, 28 S. 4<sup>th</sup> Street, Emmaus, PA 18049.

**CALL TO ORDER**

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

Michael Waddell, President

Present

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Lee Ann Gilbert, Vice-President	Present
Brent Labenberg	Present
Wesley Barrett	Present
Nathan Brown	Present
Brian Holtzhafer	Present
Winfield Iobst, Mayor	Present
Frank Procyk, Solicitor	Present
Craig Neely, Borough Manager	Present

PERSONAL APPEALS, PART I – None.

TRIANGE PARK FOUNTAIN PRESENTATION

Borough Manager Craig Neely introduced Joe Battaglino, representing Aqua Master Fountains. Aqua Master is a national company dealing in the sale of fountains and aerators. Mr. Neely and Mr. Clapper met with Mr. Battaglino, who provided the Borough with a brochure and a proposed schematic diagram of a 14' diameter fountain. Mr. Neely reviewed the photocopies of examples of nozzles and sprays for the fountain. The nozzles can be removed and additional nozzles could be purchased at a cost of between \$200 and \$500 each. Even with the purchase of multiple nozzles, the cost would be under \$10,000.

Councilman Labenberg said all the fountains shown are nice but seem similar. He asked if there was a difference in price. Mr. Battaglino confirmed that there would be no additional cost for any modifications. Mr. Labenberg also asked if one aerator is better in quality than another. Mr. Battaglino confirmed that they are equal in horsepower, but the pattern is different. Council President Waddell asked how this spray is different from the pond sprayer. Mr. Battaglino explained that the fountain concept is the same, but Aqua Master is a custom design. The lighting options are efficient, using low voltage, but higher wattage lights. The package will consist of the pump, nozzles, a control panel, and the cable. The construction time frame would be 2 to 3 weeks. Pictures will be sent after testing is done in order to choose the spray patterns. Mr. Labenberg asked how much it would cost to run the fountain. Mr. Battaglino said it would depend on the size of the electrical unit. The price would range from \$20 to \$50 per month. There is a 5-year warranty on the aerators. As part of the package, Aqua Master would take care of maintenance for the 5-year warranty period.

Councilman Barrett asked if the center depth of the pool is 20". Mr. Battaglino confirmed that the entire pond should maintain a consistent depth. Mr. Battaglino recommends going with a dark liner to help hide wires and cables. Mr. Barrett also asked if there was any danger if someone would get into the fountain. Mr. Battaglino compared it to a sump pump and assured Mr. Barrett that it was not an issue. Council Member Brown confirmed with Mr. Battaglino that the nozzles could be changed for maintenance by the Public Works Department.

Mr. Battaglino stated that Aqua Master has been in business for about 20 years, while its parent company has been around for 65-70 years. Borough Manager Neely asked what the cost would be for a center nozzle. Mr. Battaglino stated it would be about \$300. He said several nozzles will be used to test the spray. Mr. Brown confirmed with Mr. Battaglino that the horsepower would be ½ to 1. Mr. Battaglino does not recommend a wind meter to control the spray on windy days, as the controllers are expensive. Since the fountain is small, the

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controller could shorten the life of the motor. He suggested manually shutting off the fountain on windy days. The lights and fountain will be on two different timers. Should the Borough decide that the spray is not the right design after it is installed, Aqua Master will work with the Borough until it is satisfied.

Borough Manager Neely suggested Council make a motion tonight to approve the basic schematic, how many center sprays to order, and which ones to include in the design. If the motion would pass, Mr. Battaglino could then provide an estimate of the cost. Prices would be based upon the designs Council gives him.

**Motion by Council Member Brown, seconded by Council Member Labenberg to approve the recommended design of a spray/bubbling type fountain with three center sprays with lights and a .5 to 2 horsepower motor. There were 6 ayes. Motion carried.**

### READING OF MINUTES

**Motion by Council Member Barrett, seconded by Council Member Holtzhafer to dispense with the formal reading of the January 5, 2009 minutes. There were 6 ayes. Motion carried.**

**Motion by Council Member Labenberg, seconded by Council Member Brown to adopt the January 5, 2009 minutes as drafted. There were 6 ayes. Motion carried.**

DECISION ON BIDS – None.

### COMMUNICATIONS

- a. Teri Sorg-McManamon, Emmaus Arts Commission – Snowblast Winter Festival. President Waddell thanked Public Works for installing an ice skating rink where the tree had been on the Triangle. A request will be forthcoming to have a shed placed for two days at the park across from the Library to use to serve hot chocolate.
- b. Barbara Chapkovich, 335 S. 12<sup>th</sup> St. – Letter of Thanks. Borough Manager Neely read the submitted letter thanking the Emmaus Ambulance Corps and Emmaus Police.
- c. John J. Zettlemyer, Secretary, Emmaus General Authority – Borough's Request for Funds. President Waddell thanked the Authority and Mr. Gerhart.
- d. Jeff Shubzda, 750 Furnace St., – Letter of Interest to Serve on Borough Council. Mr. Shubzda will be unable to serve due to a work commitment; therefore, the letter was not read.
- e. R. Erick Reinhard, 920 Franklin St., – Letter of Interest to Serve on Borough Council.
- f. John O. Stover, Jr., 912 Franklin St., – Letter of Interest to Serve on the Vacancy Board. Mr. Neely noted that Mr. Stover's letter was the only letter received in response to the advertisement to fill the Emmaus Vacancy Board. He asked that Council take action on this matter.

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**Motion by Council Member Gilbert, seconded by Council Member Labenberg to appoint John O. Stover, Jr. as Chairperson to the Emmaus Vacancy Board to a term expiring January 4, 2010. There were 6 ayes. Motion carried.**

BOROUGH ENGINEER'S REPORT – None.

SOLICITOR'S REPORT – None.

UNFINISHED BUSINESS, PART I – None.

NEW BUSINESS – Appointment of Borough Councilperson.

President Waddell explained that this is a new item on the agenda and will discuss the process. Two citizens are interested in interviewing for the vacant Council position. Interviewing must be done publicly. At the conclusion of the discussions he will ask for a motion to appoint one of those individuals to the vacant seat. Whoever has at least four votes will be appointed to the seat, but will not come on board until January 26<sup>th</sup>. Borough Manager Neely explained that should there be a tie vote or no one would have a majority, the Vacancy Board would have to be convened within 15 days of the vote to break the tie. The Vacancy Board consists of six members of Council and Mr. Stover.

**Chris DeFrain**

Chris DeFrain introduced himself to Council. He gave a brief description about himself. Mr. DeFrain is a CPA and feels his financial background could assist the Borough. President Waddell asked Mr. DeFrain what other big issues Council should be considering over the next few years. Mr. DeFrain said that businesses, residents, and government need to work together. He would like to work together and support the local businesses.

Council Member Labenberg asked if Mr. DeFrain, should he be selected and serve on the Council for 11 months, plans to run for election. Mr. DeFrain responded yes. Mr. Labenberg also asked Mr. DeFrain if he had specific ideas to make the Borough better. Mr. DeFrain suggested that the Borough has a lot of needs with the youth, and any monies remaining from the Green Futures Fund could go toward small baseball fields for the young children.

Council Member Brown asked what strengths would help this team and what weaknesses he would bring. Mr. DeFrain stated his strength is in the financial side. He is dependable, and has good relationships with business owners and bankers. His weakness is on the governmental accounting side. Mr. Brown asked what committee Mr. DeFrain would like to be involved in. Mr. DeFrain responded that he is interested in the Budget & Finance and the Parks & Recreation Committees.

Council Member Gilbert asked Mr. DeFrain if, in his current position, he would be available for daytime meetings. Mr. DeFrain said that his work schedule would not be an issue.

Council Member Holtzhafer stated that Mr. DeFrain was on the Parks & Recreation Commission for some time, then left for some time, and reapplied to return. He asked Mr.

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DeFrain why he changed his mind. Mr. DeFrain explained that because of peoples' work schedules, attendance was low at the meetings and he didn't feel the Commission could accomplish much. Since Wes Barrett and Vickie Gruver came on board, the Commission now has more structure and enough people to vote.

**R. Erick Reinhard**

Erick Reinhard introduced himself to Council. He gave a brief description of himself and his interests. He is an insurance manager and brings knowledge that could help in numerous areas, as well as networking. President Waddell asked how we could improve to be ranked better than No. 87 in the country. Mr. Reinhard would start with community relations. The community was divided because of bad publicity as a result of a mugging incident. Mr. Reinhard would like to see ways of bringing the community together.

Council Member Labenberg asked Mr. Reinhard if he has any intentions to run for re-election. Mr. Reinhard responded yes. Mr. Labenberg also asked if Mr. Reinhard has any specific ideas to help make the Borough better. Mr. Reinhard responded that he does not have any specific ideas, but would lend resources to help contribute and would be glad to fill any position needed. Mr. Labenberg also asked if he would be able to attend committee meetings. Mr. Reinhard confirmed that he would be able to attend the meetings.

Council Member Brown asked about Mr. Reinhard's strengths and weaknesses. Mr. Reinhard stated that he has networking capabilities, and hopes his weaknesses don't weigh him down too much. Mr. Brown asked Mr. Reinhard whether, if he would not be appointed, he would still run for a Council seat next year. Mr. Reinhard would consider it.

President Waddell asked what committees Mr. Reinhard would like to sit on. He would be willing to serve wherever needed.

President Waddell asked Jeff Shubzda to explain his reason for withdrawing his name. Mr. Shubzda explained that he teaches in the evenings and just received his schedule for classes, which are on Monday evenings. He stated that he will run for a Council seat.

Borough Manager Neely presented and read Resolution 2009-5, to appoint "blank" to fill the Vacancy in the Membership of Borough Council. Mr. Neely told Council there should be a motion to appoint someone, seconded, than proceed to a vote of Council. Then the blanks can be filled in to have it as an effective resolution. Mr. Neely confirmed with Attorney Procyk that if a motion is made and seconded, and if that vote carries a majority, then that would fill the vacancy, and the resolution could be filled in and signed.

**Motion by Council Member Labenberg, seconded by Council Member Brown to appoint Chris DeFrain to fill the Council vacancy, effective January 26, 2009.**

Council Member Barrett asked Mr. Labenberg if it was his goal to bring it to discussion. Mr. Labenberg thinks both are fine candidates, but feels Mr. DeFrain brings budget knowledge.

Council Member Holtzhafer described the situation when Mr. DeFrain resigned from the Parks and Recreation Commission. When Mr. DeFrain resigned, Mr. Holtzhafer saw



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emails which were circulated that weren't good and didn't praise anyone. It was an uncomfortable situation. He was surprised to see that Mr. DeFrain put his name in to serve again on the Commission. Mr. Holtzhafer stated that relationships weren't good and some things happened that weren't correct. He is concerned that if Mr. DeFrain sits on Council, bad things could happen. Mr. Holtzhafer confirmed with President Waddell that since Mr. DeFrain is serving again on the Commission, the meetings have been fine. He was hoping Mr. DeFrain would have mentioned it during the interview and agreed that amends were made.

Council Member Brown asked President Waddell if the motion is to appoint Mr. DeFrain to the seat at this time. Council Member Gilbert responded that it is a draft to put his name on the resolution.

**There were 2 ayes, 4 opposed (Gilbert, Holtzhafer, Brown, Barrett). Motion failed.**

**Motion by Council Member Holtzhafer, seconded by Council Member Gilbert to appoint R. Erick Reinhard to fill the Council vacancy.**

Knowing both candidates, Council Member Holtzhafer feels Mr. Reinhard would be a good listener, great assessor of a situation, and be one to make fair judgments.

**There were 6 ayes. Motion carried.**

Borough Manager Neely presented and read Resolution 2009-5 appointing R. Erick Reinhard to fill the vacancy in the membership of Borough Council effective January 26, 2009 for the remainder of Mr. Neely's term of office.

President Waddell will be meeting with Mr. Reinhard regarding selection of committees.

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 Awaiting Raven Mill's Attorney)

b. Ordinance No. 1047 – An Ordinance Amending the Provisions of Chapter 15, Section 404(d), and Establishing that Parking Shall be Prohibited in the 600 Block of Pine Street in Excess of One Hour on any Vehicle Without an Approved Resident Parking Permit (1<sup>st</sup> Reading 12/1/08) (2<sup>nd</sup> Reading 2/02/09)

c. Ordinance No. 1050 – An Ordinance of the Borough of Emmaus, Lehigh County, Pennsylvania, Amending the Code of Ordinances, Chapter 1, Part B, Article VII of Exhibit A, Entitled "Borough of Emmaus Employees Pension Plan", to Comply with the Pension Funding Equity Act of 2004, Pension Protection Act of 2006, and the Final Regulations Issued Under Internal Revenue Code Section 415, Effective as Provided in the Amendment (1<sup>st</sup> Reading 1/5/09) (2<sup>nd</sup> Reading 2/02/09)

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d. Ordinance No. 1051 – An Ordinance of the Borough of Emmaus, Lehigh County, Pennsylvania, Amending the Code of Ordinances, Chapter 1, Part C, Article VII of Exhibit A, Entitled “Borough of Emmaus Police Pension Plan”, to Comply with the Pension Funding Equity Act of 2004, Pension Protection Act of 2006, and the Final Regulations Issued Under Internal Revenue Code Section 415, Effective as Provided in the Amendment (1<sup>st</sup> Reading 1/5/09) (2<sup>nd</sup> Reading 2/02/09)

ITEMS NOT ON AGENDA, subject to Rule 6 – None.

MAYOR’S REPORT

Mayor Winfield Iobst read Proclamation 2009-231 for the East Penn Press 50 Year Anniversary Celebration.

President Waddell noted that he and Mayor Iobst attended the dedication ceremony for the Bethel Bible Church Community Center. The Center is open for the community. President Waddell confirmed with Mr. Neely that when Apple Street was vacated for the center, there was a condition that if it wasn’t built they would have to return the street to the Borough. Attorney Procyk will review the ordinance that was enacted.

COMMITTEE REPORTS, PART 2

a. Public Works Committee

The next meeting is scheduled for January 28<sup>th</sup> at 8 a.m. Progress.

b. Health and Sanitation Committee

Council Member Holtzhafer received a request from a resident to meet with the Committee on February 2, 2009 at 6:30 p.m. regarding refuse matters. Progress.

c. Parks and Recreation Committee

The next meeting is scheduled for February 3, 2009. Council Member Barrett announced that the ice skating rink is open. Progress.

d. Public Safety Committee

**Motion by Council Member Gilbert, seconded by Council Member Brown to appoint Michael Wetzel to the Fire Department as a member as well as a driver for Unit 711 contingent upon passing a doctor’s physical.**

**There were 6 ayes. Motion carried.**

Council Member Labenberg confirmed with Ms. Gilbert that the two individuals responsible for the recent crime in Emmaus were arrested. Mr. Labenberg stated that the Police Department said they would make an arrest and they did. Progress.

e. General Administration Committee

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Council Member Barrett reported that the Committee reviewed several issues. They met with the Shade Tree Commission, which needed guidance on a tree that was removed and not replaced. The Committee advised the Shade Tree Commission to follow the ordinance.

The Committee also reviewed the Rules and Regulations of Council Meetings, and agreed that the Community Minute should be placed after Personal Appeals, Part I on the Agenda. Borough Manager Neely recommended that the Community Minute be for announcing a request for volunteers, but in the Rules and Regulations, include "Special Presentations".

The Committee also discussed trying a method to keep track of email communications of Council members for public record purposes. It was suggested that all Council members have a borough email address. Mr. Neely discussed it with the Borough's computer maintenance person, who said it could be done, but believes there would be a cost. President Waddell suggested that email addresses for Council members could possibly be included when upgrades are done to the Borough's website.

Council Member Brown asked Jeff Shubzda if his company, which built the Borough's website, could handle this. Mr. Shubzda stated that a proposal was submitted for setting up email accounts for Council. He noted this was prior to Mr. Neely taking office. Mr. Shubzda does not know where it stands now.

Council Member Barrett stated that each Council Member received a letter from the Seven Generations Charter School requesting Mr. Neely's attendance at a School Board meeting. The Committee decided that Mr. Neely would not attend since it is not Borough business.

The Committee also received a letter from Leslie Heffron in regard to the Snowblast Winter Festival. LL Bean would like to set up a camping display to include a small camp fire. The camp fire is permitted as long as the fire pit applies to the ordinance.

Council Member Barrett noted that there was one omission when Council appointed officials at its first meeting. Mr. Barrett read Resolution 2009-3 to appoint Kevin Farnish as Fire Inspector.

**Motion by Council Member Barrett, seconded by Council Member Gilbert to appoint Kevin Farnish as Fire Inspector for a term expiring January 4, 2010.**

**There were 6 ayes. Motion carried. Progress.**

a. Budget and Finance Committee

**Motion by Council Member Gilbert, seconded by Council Member Holtzhafer to adopt the January 19, 2009 Bill List.**

Bill List	\$ 161,453.80
Payroll #1	\$ 112,086.32
Payroll Taxes	<u>\$ 37,023.08</u>

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Total \$ 310,563.20

**Done this 19<sup>th</sup> of January 2009. There were 6 ayes. Motion carried.**

b. Community Relations/Development Committee

The next meeting is scheduled for January 28, 2009 at 4:00 p.m.

Council Member Gilbert asked if Council needed to decide on the kiosk design referenced in Mr. Clapper's memo of January 13. Council Member Brown suggested waiting until more information is given. Progress.

c. Ad Hoc Committees – Community School Relations

The next meeting is scheduled for January 27, 2009 at 3:30 p.m. at the School Administration building. Council Member Holtzhafer discussed the Charter School with Dr. Sidenberger. Progress.

PERSONAL APPEALS, PART II

- A. Richard Gerhart, 107 Dell St.,** pointed out that the minutes need to be corrected to show that Mr. Zettlemyer was reappointed to the General Authority, not appointed.
- B. Jenae Holtzhafer, 1207 S. 10<sup>th</sup> St.,** regarding the fountain decision. Ms. Holtzhafer questioned Council as to when the fountain became the focus of the Triangle. President Waddell replied that the design was approved over a year ago. She has not heard any positive feedback from people in the community about the fountain. Council told her that information about the fountain was made available to the community. Ms. Holtzhafer said that safety on the Triangle is an issue. Ms. Holtzhafer is organizing her class reunion and asked what the process was for reserving a pavilion during the 2009 Anniversary Celebration. President Waddell stated that the pavilions are under the control of the 2009 Anniversary Committee for August 15<sup>th</sup> and are available to class reunions for rental.
- C. Frank Sadrovitz, 130 N. 4<sup>th</sup> St.,** stated that the Public Works drivers did a good job plowing snow during the last snow storm. However, he complained about the salt brine being sprayed on cars. President Waddell agrees that the drivers need to be careful to avoid spraying cars. Mr. Sadrovitz also reported that skateboarders broke the door on the Arts Pavilion and destroyed benches. Mr. Sadrovitz said there are surveillance cameras in the park, but he believes they were not working. Referred to Public Safety Committee.
- D. Chris DeFrain, 181 Harrison St.,** thanked Council for the interview, and stated that he appreciated what Mr. Holtzhafer had to say and assured him that there are no hard feelings. He also suggested that Mr. Neely talk to auditors about ratios rather than be concerned with raw numbers. Council Member Barrett thanked Mr. DeFrain for applying for the Council position.

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BOROUGH MANAGER'S REPORT

President Waddell asked Borough Manager Neely to prepare a brief report concerning the state of the Borough finances, as a result of the difficult financial times toward the end of last year. Mr. Neely stated that the Borough was current on all of its obligations as of the end of the year. He also noted that the General Authority grant helped us get through January. He learned that January and February are slow times of the year from a revenue standpoint. The Borough should see more revenue February into March. We are doing fair considering this time of the year.

Mr. Neely plans to devise a method for periodic reporting detailing the revenues that are coming in and expenses going out so Borough Council has a better understanding of what is going on financially.

Council Member Labenberg confirmed with Mr. Neely that he was referring to the transfer of monies from the sewer/water funds. Mr. Labenberg was angry to hear of this at a public meeting and hopes that we are not put in that situation again. Mr. Neely noted the 2009 budget booklets will be done this week. Progress.

PRESIDENT'S BUSINESS

On behalf of Borough Council, President Waddell presented a plaque to Craig Neely recognizing his 11 years of service on the Emmaus Borough Council. His hard work, loyalty, integrity, perseverance and dedication is appreciated. Mayor Iobst thanked Mr. Neely and wished him well.

President Waddell adjourned for executive session at 9:05 p.m.

President Waddell reconvened at 9:45 p.m. with no official action needed.

President Waddell noted that a Council representative needs to be appointed to the Main Street Program. Council Member Brown volunteered. Mr. Neely confirmed that no motion is needed, as it is a Presidential appointment. President Waddell appointed Council Member Brown as the Council Representative to the Main Street Program.

ADJOURNMENT

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

The meeting of the Emmaus Borough Council adjourned at 9:47 p.m.

Craig B. Neely  
Borough Manager

Transcribed by: Kathy Yaindl  
Administrative Assistant  
January 26, 2009