

March 16, 2009

EMMAUS BOROUGH COUNCIL

Emmaus Borough Council
Agenda
Monday, March 16, 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

March 2, 2009

7. Decision on Bids

Triangle Improvement Project

8. Communications
 - a. Janae Holtzhafer, 1207 S. 10th St. – Smoking at Furnace Dam Park.
 - b. Judith C. Lieberman, 333 Ridge Street – Borough Concerns.
 - c. Joseph A. Tufano, 378 Fairview St. – Letter of Interest in the Weed/Grass and
Snow/Ice Enforcement Position.
9. Borough Engineer's Report
10. Solicitor's Report
11. Unfinished Business, Part I
 - a. **Ordinance No. 1046—An Ordinance Amending Ordinance 989 of Chapter 21, Part 4 of the Codified Ordinances of the Borough of Emmaus and Providing for the Implementation of the Installation, Construction and Maintenance of Sidewalks, Curbs, Handicap Ramps and Driveway Crossovers Throughout the Borough of Emmaus (First Reading 2/17/09) (Second Reading 3/16/09)**

12. New Business

- a. **Ordinance No. 1053 – An Ordinance Amending the Provisions of Chapter 15, Section 403, and Establishing that Parking Shall be Prohibited at All Times in a Certain Location on South Seventh Street (First Reading 3/16/09)**

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 Awaiting Raven Mill’s Attorney)
- b. Ordinance No. 1052 – An Ordinance Amending Chapter 15, Section 402, Dealing with Angle Parking Required on Portions of Certain Streets (First Reading 3/2/09) (Second Reading 4/6/09)

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. **Sidewalk Ordinance No. 1046**
 - b. 2009 Compost Site Hours
- 2. Solicitor

Health and Sanitation (Reinhard, Labenberg, Holtzhafer)

- 1. Committee
 - a. Refuse Assessments—Home Occupations
 - b. Recycling & Refuse Review
- 2. Solicitor

Parks and Recreation (Barrett, Labenberg, Holtzhafer)

1. Committee
 - a. Park Comp Plan
 - b. No Smoking at Parks
 - c. Ice Rink/Skate Park

1. Committee (continued)
 - d. Raven Mills Trail Project - Update
 - e. Meadow Pool

2. Solicitor

Public Safety (Gilbert, Barrett, Brown)

1. Committee
 - a. Trailer Truck Parking
 - b. Parking at Fairview/6th Streets (Santo's)
 - c. Public Safety Issues Raised by Lori Washburn, 420 Broad St.
 - d. Angle Parking - Ordinance 1052

2. Solicitor

General Administration (Waddell, Gilbert, Barrett)

1. Committee
 - a. Historical Sites and Park Ordinance
 - b. Weed/Snow Officer
 - c. Health and Sanitation Committee Description
 - d. Email for Council People
 - e. Triangle Bid Approval

2. Solicitor

Budget and Finance (Holtzhafer, Gilbert, Reinhard)

1. Committee
 - a. **Bill List – Resolution 2009-9**
 - b. Borough Installment Plan
 - c. Historical Financial Research Project

2. Solicitor

Community Relations/Development (Brown, Waddell, Reinhard)

1. Committee
 - a. Triangle Park Project Update/Bids
 - b. Downtown Master Plan
 - c. Southside Master Plan
 - d. Main Street Program Update
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 March 2009
- b. 1803 House – Façade Improvement Grant
- c. Raven Mills – Cost Sharing for Municipal Approvals

19. President's Business

20. Adjournment

Next Resolution #10
Next Ordinance#1054

March 16, 2009

EMMAUS BOROUGH COUNCIL

The Emmaus Borough Council met in regular session on March 16, 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	Present
Winfield Iobst, Mayor	Present
Frank Procyk, Solicitor	Present
Craig Neely, Borough Manager	Present

PERSONAL APPEALS, PART 1

- A. Frances Hartman 4356 S. 5th St.**, on behalf of the Emmaus Historical Society, seeks permission to inscribe on the back of the World War II Monument located at Memorial Triangle, the names and ranks of soldiers from the Emmaus/East Penn School District who were killed in action. He stated there are 40 Veterans, including Ashly Moyer from Macungie who died in Iraq. The price is \$2,500 as quoted from Earl Wenz. The Emmaus Historical Society will fund the project. The Emmaus Historical Society would like the project to be finished by Memorial Day so that it can be dedicated during the Memorial Day Celebration. President Waddell asked Council Member Brown to research the ownership of the stone for future requests and referred the request to the Community Relations/Development Committee.
- B. Bob Halsey 2561 Dogwood Circle** thanked Council and the Main Street Program for approval and support of the Rotary Club's First Annual Dog Walk. He stated that the Club has started receiving reservation forms for the walk. The event is "rain or shine."
- C. Otto Slozer 121 E. Elm St.** commended the Historical Society for recognizing the Veterans. Mr. Slozer said that he read the 4th and 14th Amendments as well as the PA Constitution in reference to the Borough's sewer inspections. He feels that the Borough needs to have an administrative search warrant to do the inspections. He explained that one resident was arrested after canceling an appointment. He stated that he spoke to a civil rights attorney who is willing to meet with other residents. President Waddell voiced his concerns that this has taken place. Council Member Labenberg expressed his concerns that he was not aware of this procedure. Borough Manager Neely stated Mr. Slozer's concerns are valid and that he was unaware of anything official being filed with the District

- Magistrate. Borough Manager Neely voiced his concern about hearing this for the first time at a Council Meeting. President Waddell asked Mr. Neely to report via memo by Noon on March 17, 2009 to further explain the incident. Mr. Slozer thanked Borough Council for addressing the matter.
- D. Jim Baker 45 South Fourth St.** stated that the Faschnact and Forsythia Festival was a success and wanted to thank and show appreciation to residents, Council Members, and the Mayor for attending the festival.
- E. Jim Woodeshick 108 Seem St.** stated his appreciation to the Faschnact & Forsythia Festival members for having their ornaments made in America. He also asked a question about the Triangle Improvement Project and asked whether the work done by the Public Works Department is being charged to the taxpayers or as part of the grant funds. He stated that he thought all the work should have been done by the contractor instead of Public Works employees. He also voiced concerns about the brick patterned concrete having to come out. Mr. Woodeshick discussed the sidewalk on the south side of Chestnut Street between 7th and 8th Streets being blocked off and the fact that all pedestrians must cross at 8th Street. He stated that there are no cones or a temporary crosswalk sign placed there and the walk is unprotected. Mr. Woodeshick asked where the ashtray is at Furnace Dam Park. He also voiced his concerns over the amount of litter from cigarette butts at the entrance to Furnace Dam and feels that fines should be imposed. President Waddell said that the issue would be discussed under Communications.
- F. Virginia Savage, Lehigh County, 17 S 7th St. Allentown** – As Manager of Main Street Initiatives for Lehigh County, Ms. Savage wanted to show the County's support for the Emmaus Main Street Program and thank the Borough for approving the recommendation to continue the Main Street Program. Ms. Savage voiced her opinion about why the Borough should continue to support the Program. She discussed how Main Street Programs serve as a link between the Borough and the residential and business community to address problems that may exist. She also stated that having a Main Street Program in the community makes the Borough a strong candidate to receive grants for community improvements.

COMMUNITY MINUTE

President Waddell stated that the 2009 Anniversary Committee is still looking for volunteers. President Waddell introduced Teri McManamon and discussed the hard work Ms. McManamon put into the 2009 Anniversary Program. Ms. McManamon mentioned that the 2009 Anniversary Office, Janet's Stained Glass, Emmaus Jewel Shop, and Out of Our Hands will be selling the Program for \$1.00. She also stated that the Program represents over 60 community events for the coming anniversary year. Ms. McManamon also thanked everyone who has been involved. President Waddell mentioned that a commemorative book will be available when the 2009 Anniversary Celebration is over. President Waddell also thanked Rodale for helping with the Program book. Ms. McManamon thanked TN Printing, especially Fred Masenheimer, and mentioned that part of the printing was an in kind donation.

SPECIAL PRESENTATIONS – None.

READING OF MINUTES

Motion by Council Member Reinhard, seconded by Council Member Labenberg to dispense with the formal reading of the March 2, 2009 Minutes. There were 7 ayes. Motion carried.

Mr. Barrett pointed out on page 242 the 2nd to last line, should state, Brown, Gilbert, Labenberg, and Waddell.

Motion by Council Member Holzthafer, seconded by Council Member Barrett to adopt the March 2, 2009 minutes as amended. There were 7 ayes. Motion carried.

DECISION ON BIDS

Borough Manager Neely noted a correction in his Memorandum dated March 12, 2009 concerning the Triangle Park Project. On page 2, the 2nd last paragraph should read "\$219,294.00" by A.P. Houser. Mr. Neely stated that the lowest bid was received from Zgura Concrete Services Inc., at \$203,039.75. He stated that one of the requirements under the bid specifications was to provide a List of Subcontractors. He stated that Zgura did not provide the list. Mr. Neely asked Solicitor Procyk to research the law and he issued a Memorandum dated March 11, 2009. Mr. Procyk stated that his review of the law demonstrates that there is very little deviation allowed from the bid specifications. He only found one case from the Commonwealth Court that allowed a bid award that had deviated from the bid specifications. Based on his review, Mr. Procyk recommended rejecting Zgura's bid and awarding it to the next lowest bidder. Mr. Neely discussed the matter with the General Administration Committee, the Borough Engineer, and Mr. Clapper. The next lowest bidder is A.P. Houser at \$219,294. Mr. Neely stated that he received a call from Laurie Moyer from Lehigh County, who is responsible for reviewing bid documents to ensure that they are in compliance with all Federal requirements. She indicated to Mr. Neely that she is looking into one item in regards to the A.P. Houser bid. He stated the bid award needs to be approved by Lehigh County. Mr. Neely recommended that the bid be awarded to A.P. Houser, subject to Lehigh County's approval.

Motion made by Council Member Labenberg to accept the bid from A.P. Houser for \$219,294 subject to Lehigh County's approval, seconded by Council Member Gilbert. There were 7 ayes. Motion carried.

COMMUNICATIONS

- a. Janae Holzthafer, 1207 S. 10th St. – Smoking at Furnace Dam Park. Referred to the Parks & Recreation Committee.

Motion by Council Member Labenberg, seconded by Council Member Brown to send a letter to Rodale stating concerns about smoking at Furnace Dam Park, and asking that Rodale allow a place on its property for employees to smoke. There were 5 ayes, 2 opposed (Reinhard, Holtzhafer). Motion carried.

- b. Judith C. Lieberman, 333 Ridge Street – Borough Concerns – Curbing, sidewalks and VFW Handicap Accessibility.
- c. Joseph A. Tufano, 378 Fairview St. – Letter of Interest in Weed/Grass and Snow/Ice Enforcement Position. Referred to General Administration Committee.
- d. Shops of Emmaus March 15, 2009 Letter – Borough Manager Neely read a letter about events the Shops of Emmaus are sponsoring for 2009. He also mentioned their website at www.shopsofemmaus.com. Mr. Neely stated that Ms. Haney, President of the Shops of Emmaus, has identified Council Member Brown as the liaison to the Shops of Emmaus, and asked Mr. Brown if he would do that, to which Mr. Brown agreed.

BOROUGH ENGINEER’S REPORT - None.

SOLICITOR’S REPORT – Progress.

UNFINISHED BUSINESS Part 1

a. Ordinance No. 1046: An Ordinance Amending Ordinance 989 of Chapter 21, Part 4 of the Codified Ordinances of the Borough of Emmaus and Providing for the Implementation of the Installation, Construction and Maintenance of Sidewalks, Curbs, Handicap Ramps and Driveway Crossovers Throughout the Borough of Emmaus.

Motion made by Council Member Labenberg, seconded by Council Member Reinhard to read Ordinance No. 1046 in short title. There were 7 ayes. Motion carried.

President Waddell read Ordinance No. 1046 in short title: An Ordinance Amending Ordinance 989 of Chapter 21, Part 4 of the Codified Ordinances of the Borough of Emmaus and Providing for the Implementation of the Installation, Construction and Maintenance of Sidewalks, Curbs, Handicap Ramps and Driveway Crossovers Throughout the Borough of Emmaus.

Motion made by Council Member Labenberg, seconded by Council Member Brown, to adopt Ordinance No. 1046 on its 2nd Reading. Roll Call Vote: Labenberg, aye, Holtzhafer, aye, Barrett, aye, Brown, aye, Gilbert, aye, Reinhard, aye, Waddell, aye.

President Waddell noted the change in Ordinance No. 1046, that there is no appeal process to Borough Council and no exemptions. If an individual disagrees with Council's decision concerning the installation of sidewalk, recourse is to the Court of Common Pleas.

President Waddell thanked the Public Works Committee for its hard work and dedication to the process.

Council Member Labenberg mentioned that he has the proposed paving project list and will provide it to the press or anyone else who would like to see it.

NEW BUSINESS

Ordinance No. 1053: An Ordinance Amending the Provisions of Chapter 15, Section 403, and Establishing that Parking Shall be Prohibited at All Times in a Certain Location on South Seventh Street.

Motion made by Council Member Labenberg, seconded by Council Member Gilbert to read Ordinance No. 1053 in short title. There were 7 ayes. Motion carried.

President Waddell read Ordinance No. 1053 in short title: An Ordinance Amending the Provisions of Chapter 15, Section 403, and Establishing that Parking Shall be Prohibited at All Times in a Certain Location on South Seventh Street.

Motion made by Council Member Gilbert, seconded by Council Member Brown to adopt Ordinance No. 1053 on its 1st Reading. Roll Call Vote: Brown, aye, Reinhard, aye, Gilbert, aye, Labenberg, aye, Holtzhafer, aye, Barrett, aye, Waddell, aye. There were 7 ayes. Motion carried.

Progress.

UNFINISHED BUSINESS - None.

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

MAYOR'S REPORT – Progress.

COMMITTEE REPORTS

a. Public Works Committee – Progress.

President Waddell asked Council Member Labenberg to place noncompliant sidewalks on his committee agenda.

b. Health and Sanitation Committee

Council Member Reinhard reported that the Committee looked at statistical information in reference to home occupation issues with refuse assessments. He explained that the information will be used when the new refuse bid is prepared for the Refuse and Recycling contract.

c. Parks and Recreation Committee

Council Member Barrett reported that the Parks and Recreation Committee has one item that needs to be removed from the table, particularly the U.S.S.S.A. letter, requesting relief from the field usage fees.

Motion was made by Council Member Barrett, seconded by Council Member Labenberg to remove the U.S.S.S.A. request from the table. There were 7 ayes. Motion carried.

Motion was made by Council Member Barrett, seconded by Council Member Labenberg to deny the request to waive the fees for the U.S.S.S.A. softball tournaments. There were 7 ayes. Motion carried.

Council Member Barrett reported that the Summer Parks Program will be a six week program beginning June 29th and ending on August 7th from 9:00 a.m. to Noon. The program will be held at Boroline Park and Community Park. He stated that interested children, teachers, and adults are needed as volunteers.

Council Member Barrett reported that the trail from Klines Lane to Weiders Lane is still being constructed. He mentioned that stones from the Emmaus High School track will be used as the base for the trail.

The next committee meeting will be on April 7th.

Progress.

d. Public Safety Committee

Council Member Gilbert reported that the Committee will be working on drafting two separate Ordinances. Fire Chief Reiss requested that an Ordinance be drafted for the Fire Department in reference to nuisance fire alarms. She also stated that another Ordinance will be drafted to prohibit tractor-trailer parking on all Borough streets.

The next committee meeting is scheduled for April 9th.

Progress.

- e. General Administration Committee – Progress.
- f. Budget and Finance Committee

Motion by Council Member Holtzhafer, seconded by Council Member Gilbert to adopt the March 16, 2009 Bill List.

Bill List	\$196,320.47
Payroll #5	\$108,815.44
Payroll Taxes	\$ <u>32,758.19</u>
Total	\$337,894.10

Done this 16th day of March 2009. There were 7 ayes. Motion carried.

Council Member Holtzhafer reported that the Main Street Program is requesting a release of funds in the amount of \$7,500 of the \$15,000 that is budgeted for 2009. By a 3-0 recommendation the Budget and Finance Committee recommends releasing the funds.

Motion by Council Member Holtzhafer, seconded by Council Member Gilbert to approve the release of \$7,500. There were 7 ayes. Motion carried.

Mr. Labenberg stated that when the Main Street Program began it was initially designed as a three year program in which the Borough would financially support the Program. After three years, it was intended for the Program to be self-sufficient. He stated that he hopes that the Program succeeds and will approve the release of the funds this year, but does not think the taxpayers should fund the Main Street Program. He also stated that he hopes in 2010 the Main Street Program will be self-sufficient.

Mr. Brown voiced his concern about the status of the Main Street Program, but feels that the Program has made strides for a new vision and the program will be a success.

President Waddell stated that he feels the Main Street Program has worked very hard, particularly in the last month, but recognizes the need for substantial change in the organization. He stated that he will support the release of funds this year. He suggested that the Program provide Council with a progress update in April or May.

Progress.

g. Community Relations/Development Committee

Council Member Brown reported that the Triangle Park Project should begin soon contingent on A.P. Houser's bid being awarded. He stated that the committee is reviewing the Downtown Master Plan to begin projects that it recommends. The Committee's next meeting will be on April 1st at 4:00 p.m.

Progress.

h. Ad Hoc Committee

Council Member Holtzhafer reported that the Ad Hoc Committee is recommending creating the position of a Junior Council Member for the 2009-2010 school year. He stated that the committee will be looking for either a Junior or Senior from Emmaus High School or a home school student. He discussed the role of the Junior Council Member. He stated that he has a contact at the High School through the head of the Student Government Association and feels that there are many good candidates available.

Motion by Council Member Holtzhafer, seconded by Council Member Gilbert to approve the position of Junior Council Member for the 2009-2010 school year. There were 7 ayes. Motion carried.

President Waddell thanked Council Member Holzhafer for moving the Junior Council Member project forward.

Council Member Labenberg asked if the Junior Council Member needs to be a resident of the Borough or just the East Penn School District. Council Member Holtzhafer reported that the individual must be a resident of the Borough but does not necessarily have to be a student in the East Penn School District. He also stated that the individual would be able to keep a log book and use it for his/her Senior Project.

Progress.

PERSONAL APPEALS, PART II

A. John Hayes, Emmaus Main Street Program, thanked Council for its ongoing support. He addressed Council Member Labenberg's concerns about the Emmaus Main Street Program being self-sufficient. Mr. Hayes stated that at one time it was its goal to become self-sufficient. He asked Council to think of the Borough's contribution to the Program as an investment and the return the Program gives on the investment. The Main Street Program has brought \$300,000 in grant dollars into the Borough of Emmaus over the past 5 years. He stated that an organization that is not a 501(C)(3) organization does not have that ability. In 2008 through

June 30, 2009, \$50,000 was awarded in grant monies, including \$20,000 for the Downtown Master Plan. The second Façade Improvement Program involved a \$30,000 grant from which it has dispersed \$20,000, and it will disperse the remaining \$10,000 by June 30th. He mentioned that the Entertainment Series brings in at least 100 people on a monthly basis and the Farmer's Market brings in 1500 people weekly into downtown Emmaus.

Council Member Labenberg reiterated that he feels that the taxpayers are tired of paying for the Program. He agrees that it is an investment but contends that it was not the original intention of Program. He stated that he is interested in seeing how other municipalities in the state support Main Street Programs.

Mr. Hayes shared statistics concerning Main Street Programs and other Pennsylvania municipalities. He stated that there is an increasing number being supported by Business Improvement Districts and are taxed \$100 or \$200 per year that goes to the Main Street Program to funds its operations. He mentioned that it is common for these types of vehicles to support the Main Street Programs. He stated that purely member funded Programs are very rare. He feels that we have a community that has gotten very comfortable with receiving the benefits of the Program being here without supporting it.

Council Member Labenberg stated that he feels the businesses need the Main Street Program and hopes it will survive, but questions whether or not the Program would survive without the Borough subsidy.

Councilmember Brown asked if the Main Street Program met its Achiever Status. Mr. Hayes commented that Emmaus has maintained its Achiever Status for 2009 and was only one of 20 that received this level of recognition and mentioned the availability of grants and services at no charge that otherwise would not be available without it.

- B. Frank Sadrovitz, 130 N. 4th St** thanked Mr. Hartman for his support of the Veterans and for supplying him information on the Veterans Memorial. He questioned why the sandbox was taken off the Parks and Recreation Committee agenda. Council Member Barrett discussed the issues involved in having a sand box and the committee recommendation was there were too many concerns involved with having a sandbox at the park. Council Member Labenberg mentioned that previously the sandbox was not used as a sandbox. Mr. Sadrovitz feels that without the sandbox, children will get hurt.
- C. Anthony Groller, 1302 S. 10th St** voiced his concerns about taxes. He questioned Borough Manager Neely about previous statements that were made by Mr. Neely in 2008 about using taxpayers dollars for the downtown business people. Mr. Neely clarified his 2008 statement. Mr. Groller questioned how much money is given to downtown business people. Council Member Brown stated that \$15,000 is in the 2009 budget for the Main Street Program. Council President Wadell stressed that the Main Street Program is for the entire Borough,

not just for Main Street. Mr. Groller asked how many people currently use the ice rink. He stated that when he was at the park he never saw anyone at the rink and questioned why taxpayers are paying for it. Council Member Barrett stated that the skating rink is used, but the Borough is also looking at other options for a skating rink.

Motion by Council Member Barrett, seconded by Council Member Brown to extend Mr. Groller's time another 5 minutes. 6 ayes, 1 opposed (Holtzhafer). Motion carried.

Mr. Groller raised a question over a potential conflict of interest between involvement in Borough Council and involvement with the downtown business people and is concerned about the amount of money that is paid by the Borough.

- D. Otto Slozer 121 E. Elm St** suggested to Council to ask the community, through a referendum, if it would support public funding for the Main Street Program in the future.
- E. Chris Defrain 181 Harrison St.,** regarding the bid process for the Triangle Project, asked whether or not the Borough was required to accept the next highest bidder if A.P. Houser's bid is not acceptable. He was told, "Yes."

BOROUGH MANAGER'S REPORT

Borough Manager Neely noted the Significant Revenue and Expense item list for the first half of March. He discussed a memorandum concerning the 1803 House. He stated that he received a phone call from Alan Hawman on March 13, 2009. The Friends of the 1803 House want to apply to the Emmaus Main Street Program for a Façade Improvement Grant of up to \$3,000 for exterior work, including painting, improvement on areas on the outside that are not stone, removing windows and resetting them, and painting the shutters. Borough Manager Neely stated that the Borough owns the 1803 House as well as the Shelter House and the Knauss Homestead. For the Friends of the 1803 House to apply for the grant it needs Council's approval. Alan Hawman asked if Council would consider passing a motion authorizing The Friends of the 1803 House to submit the façade improvement grant application to the Main Street Program.

Motion by Council Member Brown, seconded by Council Member Gilbert to authorize the Friends of the 1803 House to submit a Façade Improvement Grant Application to the Emmaus Main Street Program. 5 ayes, 2 opposed (Labenberg, Barrett). Motion carried.

Mr. Labenberg questioned whether the 1803 House is part of the Main Street Program.

Mr. Barrett stated that his perception of the Façade Improvement Program is that grant money would be awarded for the Business District.

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Teri Madison explained that any business or commercial property can apply for a Façade Grant. A committee reviews all of the grant applications and decides who will qualify. The Façade Grant was set up to improve the facades of businesses in the Borough. The committee will make the decision when it reviews the application. Ms. Madison clarified that the Main Street Program used to be for just the Central Business District but now the Program is for the entire Borough.

Mr. Labenberg questioned whether the Façade Grant is only for businesses and stated that he does not consider the 1803 House a business.

Borough Manager Neely discussed the trail from Klines Lane to Weiders Lane. His Memorandum dated March 12, 2009 gives an update on work that has been done. He stated that Mr. Clapper estimates that the cost for obtaining subdivision approval between Salisbury and the Borough of Emmaus will be approximately \$10,000 due to surveying costs, engineering fees and other fees. A request was made to Raven Mill to pay half of the \$10,000.00. Mr. Mill's lawyer responded that Mr. Mill would pay \$3,500. Borough Manager Neely stated that Council needs to decide whether to accept the offer. Staff is recommending that the \$3,500 be accepted.

Motion made by Mr. Holtzhafer seconded by Council Member Barrett to accept Raven Mill's offer to pay \$3,500 towards the cost of obtaining the municipal approvals for the subdivisions. There were 7 ayes. Motion carried.

Progress.

PRESIDENT'S BUSINESS

President Waddell discussed receiving an invitation from the East Penn Press and Mr. Masenheimer personally for the 50th anniversary celebration on April 3, 2009 at 6:30 p.m. to be held at the Clock Building. Mr. Masenheimer would like the Borough Council to attend the event to celebrate 50 years of the East Penn Press.

Motion by Council Member Labenberg, seconded by Council Member Reinhard to adjourn the meeting. There were 7 ayes. Meeting adjourned.

The meeting of the Emmaus Borough Council was adjourned at 8:48 p.m.

Craig B. Neely
Borough Manager

Transcribed by: Paula Weiant
Administrative Assistant
March 20, 2009