

Emmaus Borough Council
Agenda
Monday, June 1, 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
May 18, 2009
7. Decision on Bids
8. Communications
 - a. Emma Ville, Shops of Emmaus – 2009 Best In Bloom Event
 - b. Noreen Yamamoto, Chairman of the Board, Shelter House Society –
Lehigh County Log Cabin Trail
 - c. Gary H. Ward, United Steelworkers of America, District 10 – Resolution
to Buy American
9. Borough Engineer's Report
10. Solicitor's Report
 - a. Klimes Lane Trail – Raven Mill Agreement
11. Unfinished Business, Part I
 - a. **Ordinance No. 1054 – An Ordinance Revising Name of Health and
Sanitation Committee and Description in Chapter 1, Sections 401 and
404**
(1st Reading 5/4/09) (2nd Reading 6/1/09)

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 6/15/09)

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. 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. **Reappointments to Special Entertainment Committee – Frank and Josephine Sadrovitz**

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. Health and Sanitation Committee Description – Ordinance No. 1054**
- c. Email for Council People

2. Solicitor

Budget and Finance (Holtzhafer, Gilbert, Reinhard)

1. Committee

- a. Bill List – Resolution 2009-16**
- b. Historical Financial Research Project
- c. Borough Manager Budget Summary**

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 May 2009

19. President’s Business

20. Adjournment

Next Resolution #17
Next Ordinance

#1056

The Emmaus Borough Council met in regular session on June 1, 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. Josephine Sadrovitz, 130 N. 4th St,** voiced her concerns about a missing stop sign at 6th and Elm Streets. She also reminded Mayor Iobst and Council that the Summer Concert Series begins on Sunday, June 7th at 6:00 p.m. at the Emmaus Community Park.
- B. Anthony Groller, 1302 S. 10th St,** wanted to know whether Borough employees working on the Triangle Project are paid by the Borough or by the Contractor. Mr. Neely stated that a Public Works employee working on the Triangle Project is paid his normal rate by the Borough. Mr. Groller stated his concerns about lights being on at Emmaus Community Park when there are no ball games being played. Mr. Barrett stated that it is an ongoing concern and there have been previous conversations with EYA and other organizations. He also stated that the rates have been increased for using the lights. Mr. Neely noted that Senior Legion has been starting practices at 7:00 p.m. He also stated that a Borough Park employee makes sure all the lights are turned

off by 10:00 p.m. Mr. Neely also stated that he would speak to the police about the matter. Mr. Groller voiced his concerns about the condition of the roads and potholes. Mr. Labenberg stated that Mr. Groller should call the Public Works Department with specific streets that need potholes filled.

- C. Bruce Carl, 136 N 4th St**, complained about the Borough taking legal action against him. He stated that he feels that the taxpayers should know what is going on. Mr. Carl stated that he feels he should be allowed to have as many people live at his house as he wants and that the Borough's legal action was unwarranted.

Motion by Mr. Labenberg, seconded by Mr. Barrett to extend Mr. Carl's time another 5 minutes. There were 3 ayes and 4 opposed. (Brown, Reinhard, Gilbert, Holtzhafer). Motion denied.

- D. Jim Woodeshick, 108 Seem St**, disagreed with Mr. Labenberg's responses to his previous appeal at the last Council Meeting. He believes that Personal Appeals is the time when citizens can tell Council what they think is important.

COMMUNITY MINUTE

Dr. Waddell stated that he has had several requests from residents to participate in the 2009 Anniversary Committee. He stated that the Committee is always looking for volunteers. Potential volunteers can visit the Anniversary Committee's website for information on being involved.

Mr. Labenberg commented on the huge response to the Community Yard Sale. He recommended having the yard sale as a two-day event to eliminate the need for a rain date. He also suggested that a third yard sale date be added for 2010. Referred to the Health & Sanitation Committee.

SPECIAL PRESENTATIONS - None.

READING OF MINUTES

Motion made by Mr. Labenberg, seconded by Mr. Barrett to dispense with the formal reading of the May 18, 2009 Minutes. There were 7 ayes. Motion carried.

Mr. Barrett pointed out that on page 90 the first sentence should state, "a student from Lafayette College who was doing an internship for Spillman Farmer made a presentation to the Parks & Recreation Committee."

Motion made by Mr. Labenberg, seconded by Mr. Reinhard to adopt the May 18, 2009 Minutes as amended. There were 6 ayes. 1 abstention (Holtzhafer). Motion carried.

DECISION ON BIDS – None.

COMMUNICATIONS

- a. Emma Ville, Shops of Emmaus – 2009 Best In Bloom Event. Referred to Mayor Iobst.

Dr. Waddell voiced concerns about the Shops of Emmaus not submitting its requests with enough time for Council to act on the requests. Mr. Neely also voiced his concerns about the Shops of Emmaus requests being untimely. Mr. Brown stated that he feels if the Shops of Emmaus would partner with the Main Street Program these issues would be eliminated. Mr. Labenberg noted that no representative from the Shops of Emmaus was present at the Council Meeting to answer questions about the “Best In Bloom” event.

- b. Noreen Yamamoto, Chairman of the Board, Shelter House Society – Lehigh County Log Cabin Trail.

Motion made by Mr. Labenberg, seconded by Mrs. Gilbert for Mr. Neely to send a letter of endorsement to the Lehigh County Log Cabin Trail Committee. There were 7 ayes. Motion Carried.

- c. Gary H. Ward, United Steelworkers of America, District 10 – Resolution to Buy American. Referred to the General Administration Committee.
- d. Emmaus Garden Club – Letter of thanks for the 2008 Volunteer of the Year Award and the commemorative brick placed in the Memorial Garden.

BOROUGH ENGINEER’S REPORT – None.

SOLICITOR’S REPORT

Mr. Procyk reported that the Raven Mill Agreement has been signed by all parties.

UNFINISHED BUSINESS, Part I –

- a. Ordinance No. 1054 – An Ordinance Revising Name of Health and Sanitation Committee and Description in Chapter 1, Sections 401 and 404 (1st Reading 5/4/09). (2nd Reading 06/01/09.)

Motion by Mr. Reinhard, seconded by Mr. Labenberg to read Ordinance No. 1054 in short title. There were 7 ayes. Motion carried.

Dr. Waddell read Ordinance No. 1054 – An Ordinance Revising Name of Health and Sanitation Committee and Description in Chapter 1, Sections 401 and 404.

Motion by Mr. Brown, seconded by Mrs. Gilbert to adopt Ordinance No. 1054 - An Ordinance Revising Name of Health and Sanitation Committee and Description in Chapter 1, Sections 401 and 404 on its 2nd reading. Roll call vote: Mr. Labenberg – aye, Mr. Holtzhafer – aye, Mr. Barrett – aye, Mr. Brown – aye, Mr. Reinhard – aye, Mrs. Gilbert – aye, Dr. Waddell – aye. There were 7 ayes. Motion carried.

NEW BUSINESS – None.

UNFINISHED BUSINESS. Part II – None.

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

MAYOR'S REPORT

Progress.

COMMITTEE REPORTS

a. Public Works Committee

Mr. Labenberg reported that the next Public Works Meeting will be on June 3, 2009 at 8:00 a.m.

Progress.

b. Health & Sanitation Committee

Mr. Reinhard reported that the Health & Sanitation Committee received several requests about refuse billing. He also reported that the Borough is applying for a grant to help make Borough Hall more energy efficient.

Dr. Waddell observed that Waste Management will remove cardboard from the curb as long as it is put out on the designated recycling night, and it is cut into 2'x3' or smaller pieces.

Progress.

c. Parks and Recreation Committee

Motion made by Mr. Barrett, seconded by Mr. Holtzhafer to reappoint Frank and Josephine Sadrovitz to the Special Entertainment Committee for a term expiring 5/31/2011. There were 7 ayes. Motion carried.

The next Committee Meeting will be on June 2, 2009 at 3:30 p.m.

Progress.

d. Public Safety Committee

Mrs. Gilbert read two letters concerning the Emmaus Police Department. The first was notification that Emmaus gained reaccreditation status, which will be formally awarded at a ceremony in July. Mayor Iobst thanked Sergeant Geschwindt and the Police Department for its excellent work and dedication to the Borough with the accreditation process.

The second letter commended the Police Department for apprehending bank robbers who had robbed the Lafayette-Ambassador Bank on State Avenue. The officers, notably Jeremy Shilling, caught the bank robbers who were part of a group that robbed numerous banks in the northeast United States. Members of the Emmaus Police Department played a vital role in a three-week Jury Trial that resulted in the robbers' conviction.

Mrs. Gilbert stated that the Public Safety Committee meeting scheduled for June 11, 2009 at 9:00 a.m. will be rescheduled for June 18, 2009 at 9:00 a.m.

Progress.

e. General Administration Committee

The next Committee meeting will be on June 10, 2009 at 9:00 a.m.

Progress.

f. Budget and Finance Committee

Motion by Mr. Reinhard, seconded by Mrs. Gilbert to adopt the June 1, 2009 Bill List.

| | |
|---------------|---------------------|
| Bill List | \$ 192,885.37 |
| Payroll #10 | \$ 116,388.24 |
| Payroll Taxes | <u>\$ 35,733.16</u> |
| Total | \$ 345,006.77 |

Done this 1st day of June 2009. There were 7 ayes. Motion carried.

Mr. Barrett thanked Mr. Neely for his 2009 Budget Summary. Mr. Labenberg also thanked Mr. Neely for the Budget Summary. Mr. Brown thanked Christine Snyder for her exemplary work and dedication to the Borough.

Mr. Reinhard cautioned about the South 2nd Street reservoir issue.

Progress.

g. Community Relations/Development Committee

Mr. Brown reported that the Committee is continuing to look at ways to publicize Council Meetings and would like to place a sign near the gateway sign at the library that will state when Council Meetings will be held.

Mr. Brown also reported that the Committee will be looking at the Southside Master Plan.

The next Committee meeting will be on Wednesday June 24, 2009 at 4:00 p.m.

Progress.

h. Ad Hoc Committee –

Mr. Holtzhafer reported that Dr. Seidenberger will not be available to attend a committee meeting until after June 17, so they will schedule a meeting for the last week in June. He also reported that the fence has been removed at the East Penn Track and that work is progressing as scheduled.

Progress.

PERSONAL APPEALS, PART II

A. Chris DeFrain, 181 Harrison St, thanked Council for broadcasting Council meetings on the Emmaus Borough website. He also thanked Council for the Community Relations/Development Committee's effort in trying to get more community members to attend Council Meetings. He voiced his concern, though, about Mr. Labenberg's response to Mr. Woodshick's previous personal appeal.

B. Frank Sadrovitz, 130 N 4th St, stated that he feels the Community Yard Sale was a great success, but the signs that were posted advertising the yard sales are causing excessive litter throughout the Borough. He also voiced his concerns about dogs and bikes in the parks. He feels it is a safety issue for residents.

Mr. Neely stated that there is an Ordinance prohibiting the hanging of signs on poles. He also stated that he will discuss a "No Dogs or Bikes allowed in the Parks" sign. Mr. Labenberg stated that he feels this is a Park Police issue.

C. Bruce Carl, 136 N 4th St, voiced his concerns over Council not treating all residents the same and feels he should be treated equally. He stated that he feels the Borough should review the current Zoning Ordinance as it pertains to the Judge's ruling in his case.

BOROUGH MANAGER'S REPORT

Mr. Neely noted the Significant Revenue and Expense Items list for May 2009.

Mr. Neely reported that he interviewed 18 candidates for the Summer Parks Counselor position and would like Council to make a motion to appoint Erin Antrim at \$7.40 per hour, Andrew McCleod at \$7.40 per hour, William St. John at \$7.40 per hour, as returning employees and Kaylie Nonnemacher at \$7.15 per hour, and Kaitlyn Dychala at \$7.15 per hour as new employees.

Motion made by Mr. Barrett, seconded by Mrs. Gilbert to approve the hiring of five Summer Park Counselors at the stated wages. There were 7 ayes. Motion carried.

Dr. Waddell asked Mr. Neely for an update on the Triangle Project. Mr. Neely reported that the planters and the fountain base have been completed. The concrete stamping process will begin shortly. The project is on schedule and will be completed by the end of June. He also stated that he met with Chris Brown from Derck & Edson concerning the Triangle Park Expansion and should have architectural renderings before the next Council Meeting. He reported that he met with Brian Holly, a vendor from Penn Lighting Associates, about new lamps and lamp posts. He also reported that he would discuss with Chris Brown the possibility of incorporating lamp posts into the design between Third and Fourth Streets.

Dr. Waddell asked Mr. Neely to discuss the opening of the Time Capsule. Mr. Neely reported that the Time Capsule provided a huge amount of information about the Borough during 1959 and feels the real challenge will be for the 2009 Anniversary Committee to organize the information and provide the Community with as much information as possible. Mr. Neely thanked Mayor Iobst for being present when the Time Capsule was opened.

Progress.

PRESIDENT'S BUSINESS

Dr. Waddell reported that in June the Steering Committee will be mailing out a newsletter to all Borough residents with dates and times of events for the 2009 Anniversary Celebration.

Mr. Labenberg apologized for his response to Mr. Woodeshick's appeal from the previous Council Meeting.

Progress.

June 1, 2009

EMMAUS BOROUGH COUNCIL

ADJOURNMENT

Motion made by Mrs. Gilbert, seconded by Mr. Barrett to adjourn. There were 7 ayes. Motion carried.

The meeting of the Emmaus Borough Council was adjourned at 8:17 p.m.

Craig B. Neely
Borough Manager

Transcribed by: Paula Weiant
Administrative Assistant
June 4, 2009

DRAFT