

BOROUGH OF EAST GREENVILLE
BOROUGH COUNCIL MEETING MINUTES
December 5, 2016

Call to Order: Council acting President Ms. Hunsinger called the meeting to order at 7:35 p.m.

Attendance: The following Council members were present: Joseph Arahill, Tracey Hunsinger, Robert McCluskie, Jennifer Moran, Ryan Pugh, Leon Steinert and Marita Thomson. Also present were Mayor Ryan Sloyer, Atty. Kramer, Solicitor, James Fry, Borough Manager, and Sharon Kachmar, Borough Secretary/Treasurer.

Executive Session: Ms. Hunsinger advised that an executive session was held this evening at 6:35 p.m. due to pending litigation.

Approval of Minutes: A motion was made by Ms. Thomson to approve the minutes of the special meeting of November [18], 2016. Seconded by Mr. Pugh and unanimously approved. A motion was made by Ms. Thomson to approve the minutes of the November 22, 2016, meeting as submitted. Seconded by Mr. Pugh and unanimously approved.

Visitors: 78 visitors signed in.

Public Comment:

Mike Schwenk, 112 Jefferson Street, asked about pending litigation in executive session and if every council person was present. Ms. Hunsinger replied it was pending litigation with police matters and all council persons were present.

Eric Grubb, 138 Main Street, expressed financial concerns about the clubhouse and general fund budget options. He also asked about assembling a committee to develop a timeline for a fully operational police department.

Anna Uhl, 615 Morris Road, thanked Officer Fisher for responding to her ambulance request.

Debbie Finn, 541 Colonial Drive, expressed concern about safety at the skate park.

Seth Howard, 500 Penn Street, Apt. 3, Pennsburg, expressed support for UPPD officers.

Jim Raftery, 319 State Street, expressed concern about pulling out of UPPD.

Jim Kemp, 332 State Street, asked for no truck signs at the end of Third Street and the end of Fourth Street. Also wants to see no left hand turn signs for trucks coming out of SOS and Custom Processing.

Joe Wenzel, 709 Morris Road, asked what happens to excess revenue in police department budget if it still exists at the end of the year. Mayor Sloyer said he would have to see if the budget proposes a rollover, but it typically stays within the police department. Mr. Wenzel asked what budget East Greenville is considering for a police department. Mayor Sloyer advised it's around \$1.4 million being proposed for both boroughs.

Donald Bailey, 465 Jefferson Street in Plymouth Meeting, introduced himself as retired law enforcement and suggested Council rethink disbanding the police department.

Ed Hummel, 410 Blaker Drive, talked about the heroin epidemic and feels the need to check the park to scan for drugs and needles so his grandkids can play and asked to keep the police force because they know the people.

Debbie Finn, 541 Colonial Drive, asked if there were problems with Pennsburg Borough or the police department.

James Brinckman, Pennsburg Borough, spoke about the heroin problem.

Ed Buchinski, 252 Main Street, 254 Main Street, 300 Main Street and 602 State Street, gave a presentation on the Borough financials over the past ten years.

Mayor's Report:

Mayor Sloyer reported they are asking Pennsburg Borough to come with open minds for discussions about fixing the dysfunction of the Police Commission. He suggested Council consider moving the UPPD pullout date from March 7, 2017, to June 1, 2017, to allow time for mediation to work.

Ms. Thomson made a motion, based on the desire to allow sufficient time for mediation and hoping to have the same effort on Pennsburg Borough's part to extend the withdraw date to June 1, 2017, seconded by Mr. Pugh.

Jim Raftery, 319 State Street, asked to extend the withdraw date to December 31, 2017.

Margie Gehlhaus, 209 Cherry Street, asked if lawyer fees were set aside in case of a lawsuit.

Lynnette Madden, 229 Main Street, asked for openness at mediation from East Greenville Borough.

Diane Criddle, 274 Washington Street, wanted to recognize Mayor Vicki Lightcap of Pennsburg Borough for offering more money.

Mr. Steinert asked Ms. Thomson to amend the current motion on the floor to rescind the decision to terminate the agreement that was created for the Upper Perk Police Department. Ms. Thomson did not accept the amendment.

Roll call: Mr. Steinert – no, Mr. Pugh – yes

Ms. Moran asked if it can be amended to finish out the contract. Ms. Thomson declined the amendment stating the desire to see mediation working first in a positive, forward way.

Ms. Moran – no, Ms. Hunsinger – yes, Mr. Arahill – yes, Mr. McCluskie – yes, Ms. Thomson – yes. Motion carries.

Solicitor Items: Atty. Kramer advised that approval is needed for a traffic study if Council wants to pursue an ordinance restricting large vehicles from turning onto W. Fifth Street from Main Street. Mr. Fry estimates a traffic study would cost \$1,000 to \$1,500. Council tabled the decision.

Concerning the Comcast franchise agreement, Atty. Kramer clarified that the current offer is a 10-year agreement with no automatic renewal. Comcast did not accept the five-year proposal from Council, but did take off the automatic renewal.

Ed Buchinski, 252 Main Street, 254 Main Street, 300 Main Street and 602 State Street, asked if Council could take more time to research other potential alternatives.

The current contract does not expire until 2018. Mr. Arahill asked Atty. Kramer to look into other means for providing this service to the Borough.

Atty. Kramer advised that the Letter of Intent does not require a formal resolution to indicate an interest. Mr. Pugh made a motion authorizing Mr. Fry to fill out the form and file it with the Governor's Center. Seconded by Mr. Arahill and unanimously approved. A stipulation is to be noted on the Letter of Intent that the Borough be put under no obligation to enter into any agreement.

Mr. Fry is putting together the recycling ordinance for review.

Atty. Kramer presented resolutions for fee schedule changes and water usage rate increases that need a motion to advertise. Mr. Pugh made a motion to advertise the resolution for the fee schedule, seconded by Mr. Arahill. Roll call: Mr. Steinert – aye, Mr. Pugh – aye, Ms. Moran – aye, Ms. Hunsinger – aye, Mr. Arahill – aye, Mr. McCluskie – aye, Ms. Thomson – aye. Motion carries. Mr. Pugh made a motion to advertise the resolution for water usage rates, seconded by Mr. Arahill. Roll call: Mr. Steinert – aye, Mr. Pugh – aye, Ms. Moran – aye, Ms. Hunsinger – aye, Mr. Arahill – aye, Mr. McCluskie – aye, Ms. Thomson – aye. Motion carries.

Water Committee: Mr. Steinert asked Mr. Fry to cover his Water and Road Committee reports since his iPad was uncharged. Mr. Fry asked Council for approval to purchase a spare analyzer for \$450.00 from Bradford County Water & Sewer Authority. The Borough's spare analyzer was recently put into service and this spare is a fraction of the cost of a new one. Ms. Thomson made a motion to approve the purchase of the spare analyzer at a cost of \$450.00 plus shipping, seconded by Mr. Steinert. Roll call: Mr. Steinert – aye, Mr. Pugh – aye, Ms. Moran – aye, Ms. Hunsinger – aye, Mr. Arahill – aye, Mr. McCluskie – aye, Ms. Thomson – aye. Motion carries.

Zoning/Planning/Codes: Mr. Arahill advised that in November code enforcement received \$364.00 in fees and zoning permits. There were no zoning hearings.

Concerning 200 Jefferson Street, Mr. Fry advised that the owner was awarded a zoning variance to put an apartment on the second floor of a vacant rear building and is asking the Borough to allow him to use the EDU from the first floor with the understanding that if the first floor becomes occupied or a permit is filed for occupancy, a water and sewer EDU would be required. Mr. Arahill made a motion to grant the resident the requested EDU. Seconded by Mr. Pugh and unanimously approved.

Road Committee: Mr. Fry updated Council that crack sealing is done and road patching will be completed this week on Morris Road between Colonial Drive and Blaker Drive. The utility body needs tires at a cost not to exceed \$775.

Finance Committee: Ms. Thomson made a motion to approve payment of the December 2016 bills as submitted, seconded by Ms. Moran. Roll call: Mr. Steinert – aye, Mr. Pugh – aye, Ms. Moran – aye, Ms. Hunsinger – aye, Mr. Arahill – aye, Mr. McCluskie – aye, Ms. Thomson – aye. Motion carries.

Ms. Thomson made a motion to accept the November 2016 Treasurer's Report as submitted. Seconded by Mr. Pugh and unanimously approved.

Council discussed the general fund budget for 2017. Ms. Thomson advised the current balance in General Savings totals \$415,000. Available funds to pay bills in December 2016 and up to March 2017 are a concern until real estate tax monies are received. In the past, the Borough has borrowed from the water fund or from a line of credit. The accountant advised the Borough that they should be creating a buffer to avoid borrowing from the bank. Ms. Thomson added that any increase in savings should be set aside for capital expenses such as a new truck and chipper. Borough Council had three general fund budget options from the last meeting, and Ms. Thomson compiled two additional options for their consideration. Option 4 is to use about \$165,000 from savings

to balance the budget and required no tax increase. Option 5 transfers \$18,000 from 2016 roads, \$100,000 from savings, and includes a 0.5 mil tax increase to generate about \$48,000 with the hope to also be able to put some funds away for capital expenditures in the future. She asked each council person to voice their opinion on the option they preferred and have discussion so they could agree on a budget to advertise.

Mr. Steinert had no comment. Mr. Pugh was in favor of the 1.6 mil increase without taking funds from savings. Ms. Moran was leaning towards Option 5 although not comfortable with the tax increase. Council discussed the desire to put funds into the emergency preparedness fund and for capital improvements for a new vehicle and chipper. Ms. Hunsinger expressed concerns about losing the buffer by getting in the habit of borrowing from savings.

Ed Buchinski, 252 Main Street, 254 Main Street, 300 Main Street and 602 State Street, asked about significant bills left to be paid in 2016. Ms. Thomson estimated \$55,000 which includes paving work, maintenance at 433 Main Street, payroll and insurance. According to Mr. Buchinski's research, the Borough's monthly expenditures average \$120,000 per month and a three-month buffer is preferred. Mr. Buchinski agreed with Ms. Thomson that it is not unreasonable to utilize the current balance to pay bills through March 2017 while setting aside some funds for capital expenditures. He also did not believe taxes needed to be raised to fully fund the police department.

Keith Gerhart, 143 Cherry Street, questioned the budget of \$8,000 for Engineering, line item 408-310. Mr. Fry said they are looking at having to bid out for road work on a couple of streets next year, and the engineers will need to draw up specs. Mr. Gerhart questioned if the \$111,000 in line item 409-373 can be cut. Ms. Thomson advised that the grant revenue in 357-000 will offset most of the project. The Borough is responsible for a match of 15% and engineering and design work. Mr. Gerhart questioned 435-200 for Sidewalk Repair. Mr. Fry said this is to replace a Borough owned sidewalk near Bieler Park and that may not even cover the total expense. Ms. Thomson clarified the wages, extra labor line item. Mr. Gerhart asked about taking \$88,000 from reserves and doing a 1/2 mil increase to cover the difference. Mr. Fry stated that was essentially option 5 that is being considered by Council.

Mr. Fry added that transfers from savings may not be an option for 2018 due to the MS4 unfunded mandate.

Ed Buchinski, 252 Main Street, 254 Main Street, 300 Main Street and 602 State Street, questioned the purchase of a wood chipper. Mr. Fry said it's not a definite expense, but we need to be prepared as the Boroughs discuss dismantling the recycling center.

Seth Howard, 500 Penn Street, Apt. 3, Pennsburg, stated that you can't have a better investment than a well trained police force.

Mr. Steinert made a motion to rescind the motion to extend to June 1st and honor the current contract through December 31, 2017, seconded by Ms. Moran. Roll call: Mr. Steinert – aye, Mr. Pugh – aye, Ms. Moran – aye, Ms. Hunsinger – no, Mr. Arahill – no, Mr. McCluskie – no, Ms. Thomson – no. Motion did not carry.

Eric Grubb, 138 Main Street, asked for clarification of option 5. Ms. Hunsinger confirmed it was fully funded with donations.

Ed McQue, 219 W. Sixth Street, asked if the price of trash bags can be raised if needed. Mr. Fry confirmed they could be raised. Ms. Thomson added that expensed line items for recycling are being reduced and they are looking to see how the first year with the new hauler goes and will then re-evaluate all trash fees.

Ed Buchinski, 252 Main Street, 254 Main Street, 300 Main Street and 602 State Street, questioned if emergency services were funded in option 5 since it is supported by local services tax. Mr. Hunsinger replied yes. Mr. Fry added that local services tax can be used for both road maintenance and emergency services.

Keith Gerhart, 143 Cherry Street, questioned why Mr. Arahill voted yes to move the pullout date back to December 2017 at a previous meeting and then no tonight. Mr. Arahill advised he misunderstood the motion at the last meeting. He had asked for an amendment to that motion and believed it had been changed to June.

Ms. Hunsinger advised she liked option 5 but would be in favor of cutting more from roads to take less from savings.

Mr. Arahill chose option 5.

Mr. McCluskie preferred option 4.

Ms. Thomson added her choice was option 5.

Mr. Pugh made a motion to advertise option 5 budget for next year, seconded by Ms. Thomson. Roll call: Mr. Steinert – aye, Mr. Pugh – aye, Ms. Moran – aye, Ms. Hunsinger – aye, Mr. Arahill – aye, Mr. McCluskie – no, Ms. Thomson – aye. Motion carries.

Eric Grubb, 138 Main Street, encouraged Council to form a committee with representatives from the Borough to discuss budget and timeline for their own police force.

Atty. Kramer asked Council to approve the preparation of the tax ordinance for 2017. Mr. Pugh made a motion to advertise a 0.5 mil tax increase for 2017, seconded by Ms. Thomson. Roll call: Mr. Steinert – aye, Mr. Pugh – aye, Ms. Moran – aye, Ms. Hunsinger – aye, Mr. Arahill – aye, Mr. McCluskie – no, Ms. Thomson – aye. Motion carries.

Personnel Committee: Ms. Moran advised there is still a need for a zoning hearing board alternate. Mr. Raftery verbally expressed his interest. Ms. Moran made a motion to [prepare] the resolution for zoning hearing board alternate. Seconded by Ms. Thomson and unanimously approved.

Property Committee: Mr. Fry advised the specs are still at the county for comment and review on the CDBG project for handicap accessible improvements.

Eddinger Propane gave a quote for next year with a cap of \$1.09/gallon. This matches last year's quote. Mr. Fry suggested if Council wanted to switch providers they plan for that in the off season since it would involve removing all the tanks. Mr. Arahill made a motion to go with the propane quote with the existing provider, seconded by Ms. Moran. Roll call: Mr. Steinert – aye, Mr. Pugh – aye, Ms. Moran – aye, Ms. Hunsinger – aye, Mr. Arahill – aye, Mr. McCluskie – aye, Ms. Thomson – aye. Motion carries.

With the purchase of the Arlington Street lots taken out of the budget for 2017, Council considered if they wanted to formally decline the Greenways, Trails and Recreation Program Grant that allows use of funds for eligible projects between July 1, 2016 and June 20, 2019. Council took no action.

Recycling/Waste Management Report: Mr. Pugh reported that bag sales and recycling committee reports are on file at Borough Hall.

Mr. Pugh stated that a meeting will be scheduled with Pennsburg Borough representatives to discuss the closing of the recycling center. He asked that Mr. Fry, Ms. Thomson and Atty. Kramer be asked to join the discussions. Mr. Steinert also agreed to participate. Atty. Kramer recommended to just have him reach out to the Pennsburg solicitor to discuss. Mr. Pugh made a motion to form a committee made up of Mr. Pugh, Ms. Thomson, Mr. Steinert and Mr. Fry with Pennsburg to discuss the recycling center. Seconded by Mr. Arahill and unanimously approved.

The contractor for trash collection in 2017, Whitetail Disposal, has asked to change the collection date from Wednesdays to Mondays. Mr. Fry said in the event of a holiday, collection would take place the day after on a Tuesday. An ordinance change is needed which can be done in conjunction with the mandatory recycling ordinance. They have also asked to begin collection at 6 a.m. Mr. Pugh made a motion to accept Monday as the trash collection day. Seconded by Ms. Thomson and unanimously approved. Mr. Fry said the contract is currently being reviewed by Atty. Kramer and then will be sent to Whitetail Disposal for their approval. Mr. Steinert made a motion to have Mr. Fry sign the contract for the Borough. Seconded by Ms. Thomson and unanimously approved.

Items for recycling will be collected each week on the same day as trash collection. Residents will continue to use the trash bag system with a limit of four bags per week but no longer need to sort their recycling. Bulk items may not get collected until the following day at the hauler's discretion. Residents may put out one bulk item per week. In 2017, the bulk sticker price will be \$10.00. Newspapers and cardboard will continue to be collected by the boy scouts the first Saturday of each month. Branch collection may be changed from every week to every other week in April through October.

Mr. Fry shared that a free electronic waste collection event will take place on Saturday, December 17, 2016, from 9 a.m. to 2 p.m. at the Montgomery County Community College Blue Bell campus. It will be posted on the Borough's Facebook page and at Borough Hall. The Palm Business Center also has a drop off for electronic waste which includes charging a fee for televisions. Gigabits in Quakertown is also taking televisions.

Sewer Authority: Nothing.

Revitalization: Nothing to report.

Regional Planning: Nothing.

Emergency Management: Nothing.

Borough Manager Updates: Mr. Fry advised a Source Water Protection meeting was held last week and they are looking at locations for water supply area signs to be posted. Upper Hanover will be sharing in the cost of these signs. These meetings are open to the public.

Correspondence: None.

Police Commission Report: Mr. McCluskie advised meeting dates for 2017 were approved at a recent meeting.

Mayor Sloyer asked Council to consider approving payment of solicitor invoices. Ms. Thomson made a motion to approve payment to Gazan & John for \$264.38 as 45% of Invoice #4616, seconded by Mr. Steinert. Roll call: Mr. Steinert – aye, Mr. Pugh – aye, Ms. Moran – aye, Ms. Hunsinger – aye, Mr. Arahill – aye, Mr. McCluskie – aye, Ms. Thomson – aye. Motion carries.

Mayor Sloyer announced that the allocation for December 2016 will be reduced by \$264.38 and \$433.13 from a previous invoice for a new allocation amount of \$50,223.89.

Mayor Sloyer advised that mediation with Pennsburg will be set up one day this week and will include Council Presidents, Mayors and Solicitors. He is waiting for confirmation from Pennsburg on the exact time and date. Ms. Thomson made a motion to authorize Mayor Sloyer and Ms. Hunsinger to represent the Borough at mediation meetings for the police. Seconded by Mr. Pugh and unanimously approved.

Keith Gerhart, 143 Cherry Street, stated he is investigating Mr. Arahill's appointment.

Ed Buchinski, 252 Main Street, 254 Main Street, 300 Main Street and 602 State Street, thanked council for passing a budget that includes support for the ambulance and extending the withdraw date.

[Mr. Steinert left the meeting at 9:56 p.m.]

Mr. Buchinski asked if mediation can be open to the public. Atty. Kramer said he will discuss that with the solicitor for Pennsburg, but it may need to be confidential due to sensitive information discussed during mediation.

Other: Updated meeting dates for 2017 were presented for Council approval. There was one change from the dates presented at the last meeting. Ms. Thomson made a motion to approve the updated Borough Council meeting dates for 2017. Seconded by Mr. Pugh and unanimously approved.

Motion to Adjourn: Being no further business, meeting adjourned at 9:58 p.m.

Submitted by:



Sharon Kachmar, Borough Secretary