

**BOROUGH OF EAST GREENVILLE**  
***BOROUGH COUNCIL MEETING MINUTES***  
**January 3, 2017**

**Call to Order:** Council acting President Ms. Hunsinger called the meeting to order at 7:30 p.m.

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

**Approval of Minutes:** A motion was made by Ms. Thomson to approve the minutes of the December 21, 2016, meeting as submitted. Seconded by Mr. Pugh and unanimously approved.

**Visitors:** 19 visitors were present.

**Public Comment:**

Debbie Finn, 541 Colonial Drive, asked Council to speak loudly so she could hear.

James Kemp, 332 State Street, complained of heavy truck traffic on Third and State Streets. He requested a no left turn sign for trucks coming down Fourth Street to State Street and a no left turn sign coming out of Custom Processing so trucks only use the end of State to get back to the truck route. Mayor Sloyer said he sent the Police Chief an email asking for enforcement and was waiting for his response on how it would be addressed. Due to the road closing of Rt. 663 for bridge repairs, signage was put at the intersection of Third Street, Church Road and Schoolhouse Road by PennDOT for the detour. The concern is the arrow sign at the intersection makes it look like the detour is to turn onto Third Street into the Borough. Mr. Fry said he spoke with PennDOT about the signage but nothing has been done. Mr. Fry will contact PennDOT again about re-evaluating the route and will forward pictures of the specific sign in question. Angie Fegely, 501 Third Street, added that there is not complete signage for the detour route for tractor trailers traveling north. Mr. Fry advised that Custom Processing gives instructions to the truck drivers to turn right onto State Street, not left, upon leaving the facility. Mr. Fry relayed that our engineer says we can prohibit truck through traffic, but we must allow for local deliveries. Lon Brinckman, 551 Washington Street, said trucks are supposed to be diverted off Rt. 663 down the truck route to Rt. 29 and Rt. 100 then back to Kutztown road. However, the signs are not complete and there is often a language barrier. Mayor Sloyer suggested contacting our state senator and representative for support if the issues continue.

**Mayor's Report:** Mayor Sloyer gave an update on a complaint that the clubhouse area had to be cleaned of drug paraphernalia before it was safe for kids to play. He relayed an email response from Corporal Lavin that no contraband was located and no issues observed by the patrol intervention team. They will continue to frequent both parks so their presence is felt and provide a status update.

Mayor Sloyer advised that he was in contact with Dr. Alexis McGloin, Superintendent of Upper Perkiomen School District, after the middle school student was hit by a vehicle while crossing Jefferson Street. The school distributes a handbook to each family with instructions for walkers to cross at crosswalks and they have staff outside watching during drop off and pick up times. Chief Devlin was asked to monitor in the morning and afternoons to curb the behavior that caused the incident. Mayor Sloyer read the email from the Chief who observed school staff on both the east and west sides of Jefferson Street monitoring student drop off making sure no parents dropped off on the east side and made sure traffic was flowing normally. All staff remained on the sidewalk keeping a watchful eye on students and vehicles. He learned this would be a daily process. As time permits, the police will continue to sit at the school to ensure everything is going smoothly; however, they don't have the manpower to sit there every day. Melanie Cunningham advised that the middle school released a video

of how drop off and pick up is supposed to work. Jim Raftery, 319 State Street, added that it is more of a parental issue and inquired if that section of road could be a one-way street during those periods of the day. Mayor Sloyer said in the past the Borough has looked at school zones, no parking on one side and making the street one way. There are pros and cons with each and they must balance what can be done without adversely affecting the residents on the street. Also, enforcement is key. Jim Raftery asked why they don't allow for drop off at the back of the school. Mayor Sloyer said there are two lanes of buses going around back to get off Jefferson Street and alleviate congestion backing up to Sixth Street. Mayor Sloyer asked Dr. McGloin about offsetting times and do drop off/pick up at the back. However, she said the issue is the time for the school day to meet the state requirement. Dialogue will continue with the school district.

Maryann Charlton, 463 Colonial Drive, said it's dangerous to have kids walking to and from school on Sixth Street under the railroad bridge with the increased tractor trailer traffic. They walk three across and don't move for vehicles. Mr. Fry said this was addressed with the school district. They have a suggested walking route but say they have no control over the kids using it once they leave the school property. Mr. Fry advised that 15 to 20 years ago they looked into a grant to install a tunnel under the tracks and at the time it was a minimum of \$100,000, and would be tough to get a grant.

Mayor Sloyer advised he would like to send out information to residents with facts to clarify some misinformation that has been circulating. He will finalize the information and forward to Council for their knowledge. Jim Raftery asked how the residents will get this information, and the Mayor advised it will be mailed to each resident.

**Solicitor Items:** Atty. Kramer asked if Council decided whether or not to authorize a traffic study needed to move forward in preparing an ordinance to prohibit buses from turning onto W. Fifth Street from Main Street. Mr. Fry was informed by the engineer that a study could cost about \$2,500 and is recommended prior to enactment of the ordinance so that it's studied and appropriate. Ms. Hunsinger advised they reached out to the school district about changing the bus travel route but was told they were comfortable with the route and didn't want to make any changes. Mayor Sloyer said this is a major crossing intersection for walkers. Mr. Fry said it's not a turning radius issue for the buses coming off Main Street, but once they start to make the turn onto Fifth Street, if there is opposing traffic waiting there, the bus cannot pass and gets hung up obstructing traffic on Main Street. When the school was renovated, they said they would use Sixth Street to Jefferson Street, past the school and around to the back, but now they take the shortest route which is Main Street to Fifth Street. Mayor Sloyer suggests discussing with the school district to see whether or not they will re-route the buses before the Borough has to go through the expense of a traffic study and finding out how the new middle school will affect traffic.

Concerning the Comcast franchise agreement and a resident's request to look into other service providers, Atty. Kramer reported that Comcast is the only cable service provider available in this area. He inquired if Council would be interested in joining a consortium where a group of municipalities get together and share costs of having a firm who is an expert negotiate these types of franchise agreements to get a higher percentage rate and finalize the terms. The fee is based on per capita and might be worthwhile. The firm is Cowan Law Group, and Atty. Kramer offered to contact the consortium to get more information if Council was interested. Jim Raftery asked for clarification of the franchise agreement. Atty. Kramer explained that the Borough gets a fee from the cable provider for giving them the right to install their equipment and bring cable service to the Borough. Mr. Fry added that the cable act gives the municipality the right to franchise a cable service provider within their municipal boundaries and it's designed to keep from having lots of wires on the poles. Mike Schwenk said he heard Verizon wanted to install FIOS to Pennsburg and East Greenville under the sidewalks before they were put in on Main Street and were told no. Mr. Fry said they would most likely run lines above ground, and FIOS is not available north of Green Lane. Mayor Sloyer added he heard it's too expensive to run the wires from there for

what they would gain. Ms. Hunsinger said the franchise fee helps the Borough balance the budget. It is about \$40,000 a year. The current draft of the agreement is for a 10-year term with no auto renewal. Joe Wenzel, 709 Morris Road, asked if the franchise fee on his Comcast bill is what comes back to the Borough. Eric Grubb, 138 Main Street, asked if negotiating a higher franchise rate with Comcast would mean a higher franchise fee would be passed on to the people using the service. Atty. Kramer advised that the contract is pretty extensive. Ms. Hunsinger stated she understands residents don't want to pay more in cable rates to support a higher franchise fee to the Borough. Mr. Fry added that an increase in fees and rates must be approved by the FCC. When asked by Mr. Grubb if that includes the franchise fee, Mr. Fry read from the contract that states all rates, fees, charges, deposits and associated terms and conditions to be imposed by the grantee for any cable service shall be in accordance with applicable FCC rate regulations. Mr. Raftery asked if they can find out what the direct result is for consumers if they negotiate an upgraded franchise rate. Atty. Kramer said he can obtain statistical data so they can determine how beneficial it would be to pursue the consortium. Mr. McCluskie would be interested in seeing if the franchise fee to the residents could remain the same but the Borough could receive a bigger benefit. Ms. Hunsinger asked to find out if the franchise fee can be capped. Mr. Pugh made a motion to have Atty. Kramer explore the consortium option. Seconded by Ms. Moran and unanimously approved.

Atty. Kramer advised that Mr. Fry is working on the details of the mandatory recycling ordinance, and he will review it when it's ready.

Atty. Kramer presented Resolution 2017-01 for approval. This resolution eliminates payments by the municipality to the police pension fund. Ms. Thomson made a motion to approve Resolution 2017-01 eliminating payments into the police pension fund by participants in the fund, seconded by Mr. Pugh. Roll call: Mr. McCluskie – aye, Mr. Pugh – aye, Ms. Thomson – aye, Ms. Hunsinger – aye, Mr. Arahill – aye, Ms. Moran – aye. Motion carries. Ms. Hunsinger explained that when the fund is actuarially sound, no Borough payments are required.

**Water Committee:** In the absence of Mr. Steinert, Ms. Hunsinger gave the water committee report. The new portable pump was purchased. A violation was received from DEP for unpermitted solids discharged in the creek around the outfall of the old sedimentation drainage pipe. Water Supervisor, Joel Pilgert, plans to get quotes to check and clean the discharge pipe and determine why it happened. This is not a serious violation and no fines were issued. Mr. Fry added that it was sediment, and they need to check pipes to insure there is no gap or break in the line.

**Zoning/Planning/Codes:** Mr. Arahill reported no zoning hearings. There were 15 permits in December and \$516.00 in fees collected. Mr. Fry said the new code enforcement software works much better and is more accessible.

**Road Committee:** Mr. Fry advised that in December the Road Department had a storm event, made routine repairs to sidewalk lights, hauled recycling bales, and performed pothole patching with new material. They still need to patch Green Alley and Cherry Street. Christmas lights will be coming down on Thursday. Rust repairs were made to the Ford Ranger. Christmas tree chipping will be Thursday this week, and they will continue to chip once a week through January.

Concerning the traffic light at Fourth and Main Streets, Mr. Fry advised that it will be a prolonged process to get the data out of PennDOT's traffic study but the benefit is we may get some advantages over permitting and a grant for construction costs. Joe Wenzel, 709 Morris Road, asked if right turn on red could be allowed after 9 p.m. or other limited hours. Mr. Fry advised it would require an amendment to the PennDOT permit. He added that the sight distances aren't there, and it wouldn't be worth the money to study it. Mr. Kemp relayed that the

light at Sixth and Main Streets is long. Mr. Fry explained that the lights at Fourth and Sixth Streets and in front of Wal-Mart are controlled by the light at Blommer Drive with the intent to not get more than two red lights on Rt. 29.

**Finance Committee:**

Ms. Thomson made a motion to approve the bill list for January, seconded by Mr. Pugh. Roll call: Mr. McCluskie – aye, Mr. Pugh – aye, Ms. Thomson – aye, Ms. Hunsinger – aye, Mr. Arahill – aye, Ms. Moran – aye. Motion carries.

Ms. Thomson made a motion to accept the Treasurer’s Report for December 2016 as submitted, seconded by Mr. Pugh. Roll call: Mr. McCluskie – aye, Mr. Pugh – aye, Ms. Thomson – aye, Ms. Hunsinger – aye, Mr. Arahill – aye, Ms. Moran – aye. Motion carries.

**Personnel Committee:** Nothing.

**Property Committee:** Concerning the handicap accessible improvements project, Mr. Fry expects the specs to be finalized this week.

**Recycling/Waste Management:** Mr. Pugh advised that the bag report and committee report are on file.

The recycling committee, represented by Mr. Pugh and Ms. Thomson along with Mr. Fry, met last evening to discuss the closing of the joint recycling center in Pennsburg since both municipalities went with contracted recycling pickup. They covered materials, equipment, building etc. and asked if anyone on Council had anything to add. They asked the solicitor to review the notes from the meeting and write a letter to Pennsburg Borough with an outline of what needs to be discussed and taken care of for closing down the recycling center. Mayor Sloyer explained that 90% of the recycling building was built with grant money with the two Borough equally paying the 10%. Some of the equipment was also funded by grant money. The equipment needs to be appraised and procedures followed to divide up the assets. Mr. Fry said he believes we are paid up on fuel and heating oil and has to do research on the glass roll-off container which is jointly owned outright. The forklift was also an outright purchase owned jointly. The truck, trailer, both balers, chipper and can separator as well as the building were all purchased with grant money. Since the building is no longer used as a recycling center, we may have to pay back 90% of the value. The chipper is currently stored at the center and is part of recycling for now. Eric Grubb, 138 Main Street, asked if there was any conversation with Pennsburg to keep the chipper and truck between the two boroughs. Mayor Sloyer said there is a lot of history in trying to maintain joint property with Pennsburg Borough. In 2003, the doors of the joint recycling center were locked by Pennsburg when they discontinued recycling for a time. On another occasion, a tar buggy jointly owned was sold without East Greenville’s knowledge. Debbie Finn, 541 Colonial Drive, asked why that was allowed to happen. Mayor Sloyer said if the chipper becomes a shared piece of equipment, an agreement will be put into writing. He also added that they will look at all the assets. Mr. Fry said they would like to use the chipper and truck for the Christmas tree chipping this month and has asked the Road Department to make sure the fuel tanks are filled after use and will ask Pennsburg to do the same so one borough will not owe the other for fuel. He added that the condition of the truck has been an issue with Pennsburg, and we might not even want to keep it. Mayor Sloyer asked about the age of the chipper. Mr. Fry estimated over 10 years old. Mr. Fry recommends concerning the building that East Greenville be protected from the state coming back to claim 90% of the value. Logistical issues such as cleaning up the center and part-time labor still need to be discussed with Pennsburg. The recycling employee was told to work 20 hours this week for East Greenville and then his hours will be put on hold. He was terminated by Pennsburg Borough as of last Friday. Mr. Fry would like to continue using him part time to chip if Council approves. A month’s worth of expenses such as utilities were planned for 2017. Payment of equipment insurance

will be paid month to month. Rich Walker, 300 Main Street, asked about Christmas tree chipping. Jim Raftery, 319 State Street, asked about a drop off area for the trees. Mr. Fry explained it was better to chip in the alley or street.

**Sewer Authority:** Nothing.

**Revitalization:** Nothing to report.

**Regional Planning:** Mr. McCluskie advised the next meeting is January 17, 2017.

**Emergency Management:** Nothing.

**Borough Manager Updates:** The Montco 2040 Grant Award for Upper Perkiomen Region Wayfinding and Identity Signage project being facilitated by East Greenville Borough for the Upper Perkiomen Valley Chamber of Commerce has been received for approval. Mr. Pugh made a motion to approve the Montco 2040 grant award, seconded by Ms. Thomson. Roll call: Mr. McCluskie – aye, Mr. Pugh – aye, Ms. Thomson – aye, Ms. Hunsinger – aye, Mr. Arahill – aye, Ms. Moran – aye. Motion carries.

**Correspondence:** None.

**Police Commission Report:** Ms. Hunsinger advised that the Police Commission representatives will be Mr. McCluskie, Mr. Arahill and Mayor Sloyer with Ms. Thomson as the alternate.

Mayor Sloyer asked Council to approve payment of 45% of the Police Commission attorney fees. Ms. Thomson made a motion to approve payment of Invoice #4620 for Gazan & John in the amount of \$174.38, seconded by Ms. Moran. Roll call: Mr. McCluskie – aye, Mr. Pugh – aye, Ms. Thomson – aye, Ms. Hunsinger – aye, Mr. Arahill – aye, Ms. Moran – aye. Motion carries.

Mayor Sloyer advised that the amount owed to UPPD for the January allocation is \$53,457.11, which is the monthly allocation of \$53,631.49 less payment to Gazan & John of \$174.38.

Jim Raftery, 319 State Street, asked about mediation. Atty. Kramer said they agreed with Pennsburg officials to make joint press releases. Mr. Raftery also asked why Mr. McCluskie was named to Police Commission again. Mayor Sloyer advised that they need some consistency.

**Other:** Debbie Finn, 541 Colonial Drive, asked if \$5 bulk stickers were still good. Mr. Fry said they will be honored by the trash hauler. Ms. Finn asked if Council members get paid for serving and how many times they get to be absent. Atty. Kramer said he can look into it and will contact Ms. Finn directly with an answer. Mayor Sloyer said it was made easier to attend meetings when Council adopted the resolution that allows Council members to join via phone. Mr. Raftery asked if anyone had reached out the missing council person and asked if he was interested in stepping down. Ms. Finn asked for clarification on how to join the meeting via phone. She was told they should be available for the entire meeting, starting with roll call.

Mr. Fry asked Council to consider approving a recycling insurance invoice from Pennsburg Borough for October, November, December 2016 and January 2017. The cost for half of the insurance for the four-month time frame is \$412.00. Ms. Thomson made a motion to approve payment of liability insurance for the four-month period

through January 31, 2017, for the recycling building, seconded by Mr. Pugh. Roll call: Mr. McCluskie – aye, Mr. Pugh – aye, Ms. Thomson – aye, Ms. Hunsinger – aye, Mr. Arahill – aye, Ms. Moran – aye. Motion carries.

Jim Raftery, 319 State Street, likes the weekly recycling but wishes the Borough went with totes for trash. Lon Brinckman, 551 Washington Street, mentioned the majority of residents he spoke with were in favor of keeping the bags because of the weight of the totes and not wanting to drag them through the house. Mr. Fry added that the trash hauler specifically planned to have the notices sent out to home owners the last week of the year.

Ms. Thomson asked that tiered water pricing be added to the next agenda under Water Committee. Mayor Sloyer asked that committee reports be sent to all of Council instead of just the chairperson for future meetings. Ms. Hunsinger said she will ask Mr. Steinert to schedule a Water Committee meeting to look at the rates. Mr. Fry suggested contacting PA Rural Water for assistance with rate structures. He added it should be looked at very carefully so as not to drive away businesses using higher quantities of water.

Ms. Hunsinger has been Acting President for Council since Mr. Young's resignation. Ms. Thomson made a motion appointing Ms. Hunsinger as President of Council. Seconded by Mr. Arahill and unanimously approved.

Ms. Hunsinger made a motion for Ms. Thomson to be Vice President. Seconded by Mr. Arahill and unanimously approved.

Ms. Hunsinger made a motion to appoint President Pro Tem to Mr. McCluskie. Seconded by Ms. Thomson and unanimously approved.

**Motion to Adjourn:** Being no further business, Ms. Thomson made a motion to adjourn, seconded by Ms. Moran. Meeting adjourned at 9:05 p.m.

Submitted by:




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Sharon Kachmar, Borough Secretary