

BOROUGH OF EAST GREENVILLE
BOROUGH COUNCIL MEETING MINUTES
April 25, 2017

Call to Order: Council 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. Absent: None. 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 on April 5, 2017, for a personnel matter and again on April 25, 2017, for a personnel matter.

Approval of Minutes: A motion was made by Ms. Thomson to approve the minutes of the April 3, 2017, meeting as submitted. Seconded by Mr. Pugh and unanimously approved.

Public Hearing: A public hearing was held to consider amending the Zoning Ordinance, Article X, relating to multi-family conversion of industrial buildings. Mr. John Randolph, Ingerman, advised that adopting this ordinance amendment will allow for the redevelopment of the existing S.O.S. building on West Fourth Street. He gave a visual presentation of the existing industrial building and briefly described changes proposed to convert it to a multi-family dwelling. For comparison, he showed pictures of another project, Carriage Works Apartments in West York, PA, with similar development. Atty. Carl Weiner asked Council to consider adopting the ordinance submitted. Ms. Thomson asked if the lot was all on one deed. Mr. Randolph said it is two lots, the main lot and a third of an acre parcel that is not going to be developed. Mayor Sloyer asked how many units they are proposing and what is the consideration for traffic? Mr. Randolph replied it will be 71 units and during the peak hour they anticipate 30 cars per hour, which is a car every two minutes. Mayor Sloyer asked if parking is all concentrated in back. Mr. Randolph confirmed that it was. Atty. Weiner added that during the land development process the traffic issues will be studied. Jacob Derstine, 505 Jefferson Street, stated that he believes cooperative housing is the best choice for residents and the community.

Mr. Pugh made a motion to approve **Ordinance 2017-01**, 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.

Visitors: 27 visitors were present.

Public Comment: None.

Mayor's Report: Nothing to report.

Solicitor Items: Concerning the Comcast Franchise Agreement, Atty. Kramer advised that revisions were received from Mr. Jeter. Those revisions were reviewed by Mr. Fry and Atty. Kramer and forwarded back to Mr. Jeter for his final review.

Mr. Fry advised that the mandatory recycling ordinance was revised to include chipping and was sent to the Recycling Committee for their review. Ms. Thomson was concerned that the wording didn't specify that recycling was required. Mr. Fry wanted to get a consensus that the content was acceptable and will then have Atty. Kramer review it for mandatory wording and legal meaning to make sure it is enforceable. Ms. Thomson asked Mr. Fry to review Sections H & J to see if they can be consolidated.

Atty. Kramer asked Council if they wanted to consider any of the suggestions made by Mr. Perlow for the proposed police ordinance prior to re-advertising. The ordinance lays the framework for the department and how its formation is to occur. Ms. Thomson made a motion to advertise the ordinance for establishing police services in the Borough of East Greenville and terminating East Greenville Borough's agreement with the Borough of Pennsburg, seconded by Mr. McCluskie. Roll call: Mr. McCluskie – yes, Mr. Pugh – no, Ms. Thomson – yes, Ms. Hunsinger – yes, Mr. Arahill – yes, Ms. Moran – no. Motion carries 4-2.

Atty. Kramer presented a resolution providing written procedures for handling requests for public records. It establishes the Borough Secretary or Manager as the Open Records Officer. Ms. Thomson made a motion to approve **Resolution 2017-07** establishing procedures for compliance for the Right-To-Know Law. Seconded by Mr. Pugh and unanimously approved.

Ms. Hunsinger asked that the procedure for digital recordings of meetings be tabled.

Atty. Kramer advised that currently the law puts limits on prizes awarded for small games of chance. He presented a resolution that says East Greenville Borough will support a petition for the general assembly to change the law and eliminate the limit. The idea is that small games benefit the community at large and when capped you eliminate opportunities to produce more charitable contributions. Ms. Thomson made a motion to approve **Resolution 2017-08** eliminating limit in prizes from games of chance. Seconded by Ms. Moran and unanimously approved.

Atty. Kramer presented a resolution to support amending the state law which prohibits local police from using radar. This is another effort by PSAB to gain a written show of support from municipalities with regard to change in the law for local police use of radar, which is a more accurate way of protecting the community. Mr. Pugh made a motion to approve **Resolution 2017-09**. Seconded by Mr. Arahill and unanimously approved.

Atty. Kramer presented a resolution for procuring additional grant funds for completing handicap upgrades to the clubhouse. Mr. Arahill made a motion to pass **Resolution 2017-10** filing of the 2017 CDBG funds application. Seconded by Ms. Thomson and unanimously approved.

Water Committee: Ms. Hunsinger acknowledged that a letter was sent to 326 Cherry Street letting them know that in order to not get their water shut off, they need to sign a payment plan. The office has gotten no response from the resident. Ms. Moran said she will reach out and make sure they got the letter.

Concerning the sedimentation basin project, Ms. Hunsinger advised that DEP has informed us that this project does not require a permit since it is considered maintenance. A PA Small Water and Sewer Program grant was not approved. The work will proceed for this year since it was in the budget. Mr. Fry hopes to have the bid specs ready for approval next month.

Zoning/Planning/Codes: Nothing to report.

Road Committee: Ms. Moran advised that she was in receipt of construction cost estimates for Forge Road. Mr. Fry advised that money is budgeted under roads, and he just needs to know which projects Council wants to proceed with. Ms. Moran said she will call another Road Committee meeting to get a better plan to bring to Council. Decision on Forge Road is tabled until the next meeting.

Ms. Moran advised that the micro chip project for Second and Bank Streets is scheduled for the week of May 22, 2017.

Ms. Moran inquired about the Blaker Drive project bid documents and will try to meet with Mr. Fry to discuss for the next meeting. Mr. Fry advised that the bid specs were done previously and just need to be updated.

Keith Gerhart, 143 Cherry Street, asked if speed bumps will be eliminated on Blaker Drive. Mr. Fry replied no, since the proposed work on Blaker Drive is between Third and Hamilton Streets.

Debbie Finn, 541 Colonial Drive, asked if private parking spots would be re-paved on Forge Road. Mr. Fry advised that the area of work would not include parking spaces.

Finance Committee: Nothing to report.

Personnel Committee: Ms. Moran advised that the Personnel Committee met with the insurance broker concerning the employee health insurance benefit program. Ms. Thomson added that they are exploring options to cut back costs on premiums and product offering. United Health Care and Aetna were not current options so they reviewed several layers of plans offered by Keystone Blue Cross. The recommendation is to offer a 100% covered base plan to employees and allow them to opt up and pay out of pocket for a better plan. The gold proactive base plan would save the Borough \$24,000.

James Raftery, 319 State Street, asked how many employees are covered under the plan. Ms. Hunsinger said it covered six employees and their families. Ms. Thomson added that they kept coverage at 100% since they were not always able to give raises, but the costs keep going up based on family size and employees' ages.

Joe Wenzel, 709 Morris Road, asked if the plan was an HMO. Ms. Thomson confirmed that it was.

Angie Fegely, 501 Third Street, asked about going through another agent as a new customer. Ms. Thomson said Keystone plans have been at the same rates.

Melanie Cunningham, owner of Titanium Finishing, said to check which hospitals the employees like to go to because they had the gold proactive and switched back to a better plan because it didn't cover enough local hospitals.

Diane Criddle, 274 Washington Street, asked if they tried Cigna. Ms. Moran said the broker advised there wasn't a lot of competition and Keystone was the better program for small businesses.

Chrystal Connolly, asked about paying a flat rate for all employees. Ms. Hunsinger said they need to be careful not to discriminate. Ms. Connolly asked if employees can buy up to a PPO plan. Ms. Hunsinger said the three different plans to choose from would all be HMOs.

Council is to make a decision on benefits at the May 1, 2017, meeting. Mr. Fry was told that May 14, 2017, is the deadline for employees to decide on the options. He said a meeting should be scheduled with the broker and employees so the options can be explained since this is an important benefit that has attracted employees to the Borough, and they need to be informed about this change to their benefits.

Ms. Moran advised that letters of interest for the open council seat are due no later than April 28, 2017, at 4 p.m.

Property Committee: Mr. Arahill advised that Borough Manager Jim Fry recently renewed 7 ICC code certifications. He also attended training on April 12, 2017, pertaining to accessibility requirements for Type A and Type B dwelling units.

Mr. Arahill reported that the CDBG handicap accessible improvements project B-15-03-104 was resubmitted for additional funding, as approved by resolution earlier in the meeting.

Dead trees at Third and State Streets and at Bieler Park are scheduled to be cut down and removed.

Concerning the U.P.V. Chamber of Commerce wayfinding sign project, Mr. Arahill advised that municipalities will need to approve a resolution identifying tourist-oriented destination signage areas. Atty. Kramer asked if there would be an intermunicipal cooperation agreement. Mr. Fry believes each municipality will be approving a resolution on their own but coordinated through the Chamber.

Recycling/Waste Management: Atty. Kramer received a draft termination agreement from Atty. Garner, Pennsburg Borough, for the disbanding of the recycling center. He plans to make suggested revisions and forward it to the Recycling Committee by the end of the week. He is also working on the shared chipper agreement. Ms. Hunsinger asked about temporary use of the chipper while waiting for the formal agreement. Mr. Fry confirmed that Pennsburg Borough is using the chipper, but he would need Council's approval for East Greenville employees to use the chipper since notice was given that we were pulling out and no other equipment is being used. Ms. Thomson asked if we can reach out to Pennsburg and ask to use the chipper for a two-week period until the agreement is resolved. Mr. Fry said our insurance carrier should be notified since we would now be towing the chipper with our own vehicle.

Eric Grubb, 138 Main Street, recommended a joint account with Pennsburg where each Borough puts in an allotted amount each month for repairs and insurance. Atty. Kramer agreed with Mr. Grubb's joint account idea and stated there should be a stipulation that unless either party is negligent, costs will be approved jointly. Mr. Fry said there is currently an active joint recycling account, but they would need to come up with a way to fund it. He also suggested a fuel card for the chipper.

Mr. Fry advised Council that arrangements have been made to empty the recycling center. Equipment will be advertised for bids through the Town & Country and Municibid.

Angie Fegely, 501 Third Street, asked if we can re-communicate to residents that cardboard does not go out with trash. Cardboard is often left to blow around after trash pickup day. Mr. Fry said a flyer can be attached to trash bags that addresses how cardboard and newspapers are collected once per month by the Boy Scouts. Ms. Thomson added it can also be put on the Borough's Facebook page.

Debbie Finn, 541 Colonial Drive, said she doesn't understand why the Borough wants to pay the Boy Scouts to take away the cardboard when the trash hauler will take it. Mr. Fry explained how cardboard and newspaper collection was not included in the trash hauler bid documents, and if taken, it will increase the weight the trash hauler is handling and affect future contracts. Mr. Fry also advised that the Borough cannot just donate to the Boy Scouts, but can pay them for a service project.

James Raftery, 319 State Street, said the Boy Scouts do a lot for the community, and they rely on donations for service projects to keep their group going. He asked about keeping them involved by doing other things such as clean up of common areas.

Eric Grubb, 138 Main Street, suggested it may be a breach of contract for the trash hauler to take the cardboard. Atty. Kramer said it wouldn't be a contract breach, but the weight may affect the Borough.

Keith McCarrick, Pennsburg Borough, said there are bins around town that collect newspapers and clothing, and maybe the Boy Scouts would find that to be worthwhile. Mr. Fry said the problem is finding a company who is reliable to empty them when full.

Debbie Finn, 541 Colonial Drive, asked what is done about televisions sitting outside. Mr. Fry said property owners are sent a letter to have them removed. Ms. Finn asked about televisions sitting on islands that she believes are owned by the Borough. Mr. Fry said it's his understanding that the Borough does not own those islands; they are just ordained for public use. A title search is required to see who owns the property.

Ms. Hunsinger asked if Council wanted to table the temporary use of the chipper. Ms. Thomson recommends reaching out to Pennsburg Borough to ask for their approval. Mr. Arahill also suggests contacting the insurance company.

Sewer Authority: Nothing to report.

Revitalization: Nothing to report.

Regional Planning: Nothing to report.

Emergency Management: Nothing to report.

Borough Manager Updates: No new updates.

Police: Mayor Sloyer advised that the committee met to discuss candidates for consultant. They asked for three proposals; one did not respond, they met with another and the third was sent. They recommend having Atty. Kramer look into an agreement for approval at the next meeting with True North Investigative Services for helping the Borough get started with their police department. Their fee is \$45.00 per hour and \$.53 per mile. The committee will provide the consultant with the budget numbers, building design and breakdown of call ratios. Atty. Kramer advised Mayor Sloyer that he may want to ask about getting a flat rate.

Ms. Thomson made a motion to direct the solicitor to review the proposal for consulting services received from True North Investigative Services to assist East Greenville with establishing a police department and to suggest mutually agreed upon terms necessary, seconded by Mr. McCluskie. Roll call: Mr. McCluskie – yes, Mr. Pugh – no, Ms. Thomson – yes, Ms. Hunsinger – yes, Mr. Arahill – yes, Ms. Moran – yes. Motion carries 5-1.

Angie Fegely, 501 Third Street, asked if it will be three weeks of consultation. Mayor Sloyer responded he was not sure of the exact time frame. Ms. Fegely then asked if everything will be done by June 1st. Mayor Sloyer advised they are starting the process to work towards the creation of the department.

Dianne Criddle, 274 Washington Street, asked if there is a way to ask the consultant what type of information is needed before they get started to save time. Mayor Sloyer said they have done that by providing a budget, call volume and designs for the building.

Mike Schwenk, 112 Jefferson Street, asked if it's true that state police will cover on June 1st if the Borough is not up and ready by then. Ms. Hunsinger confirmed that was true.

Anna Finn, 541 Colonial Drive, asked if arrangements can be made for UPPD to assist on scene if needed. Atty. Kramer said that may be an option.

CORRESPONDENCE:

American Legion Post 184 requested a parade permit and insurance certificate from East Greenville to use Borough streets for the May 29, 2017, Memorial Day parade. The parade begins in the parking lot of the East Greenville Fire Company, proceeds to Main Street and heads south into Pennsburg. Ms. Thomson made a motion to approve the request from the American Legion for their parade on Memorial Day, May 29, 2017. Seconded by Mr. Pugh and unanimously approved.

The resident at 538 Blaker Drive disputed the penalty for late payment of the water bill. Mr. Pugh made a motion to approve a one-time penalty waiver, seconded by Mr. Arahill. Roll call: Mr. McCluskie – yes, Mr. Pugh – yes, Ms. Thomson – yes, Ms. Hunsinger – yes, Mr. Arahill – yes, Ms. Moran – yes. Motion carries.

Motion to Adjourn: Being no further business, Mr. Pugh made a motion to adjourn, seconded by Ms. Moran. Meeting adjourned at 9:07 p.m.

Submitted by:



Sharon Kachmar, Borough Secretary