

**BOROUGH OF EAST GREENVILLE**  
***BOROUGH COUNCIL MEETING MINUTES***  
**September 6, 2016**

**Call to Order:** Council President Mr. Young called the meeting to order at 7:34 p.m., followed by the Pledge of Allegiance to the Flag.

**Attendance:** The following Council members were present: Joseph Arahill, Tracey Hunsinger, Robert McCluskie, Ryan Pugh, Leon Steinert, Marita Thomson and James Young. Also present were Mayor Ryan Sloyer, Michelle Forsell, 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 August 23, 2016, meeting. Seconded by Mr. Pugh and unanimously approved.

**Visitors:** Tammy Skavinsky, Chase Skavinsky, Bradley Schlegel of Town & Country; Jenny Boyer; Jean Melhuish; Pete Kolletzki, Jeromy Schulz-Arnold, Tanya Jones

**Public Comments:**

Jennifer Boyer, Borough resident, wanted to express her concerns about the recent survey and agreed to discuss it under Solicitor Items.

**Police Commission Report:**

Mayor Sloyer reported that the allocation for the month is \$50,921.40 which will be placed into a separate account as per a motion at the August 23, 2016, meeting. Payment will be made to UPPD for East Greenville's portion of the chief's contractual obligations, the officers' contractual obligations, and the secretary's payroll and benefits. Since there was no quorum at the last Police Commission meeting in August due to Pennsburg officials not attending, no other bills could be approved for payment.

**Mayor's Report:**

Mayor Sloyer reported that Community Day is this Saturday, September 10th. Help is needed setting up and breaking down the event. Three community service awards will be handed out that day.

The Mayor performed a wedding at Borough Hall last Friday.

Mayor Sloyer was asked to speak at the 9/11 service that is taking place on Sunday, September 11<sup>th</sup>, at the American Legion. There is a parade scheduled that day that starts down in Red Hill and travels through all three boroughs to the Legion in Palm.

The Perk Up Half Marathon took place in August, and Mayor Sloyer helped coordinate traffic control for the event. Unfortunately, a runner had collapsed and passed away. Our thoughts go out to the family. There will be a post-Half Marathon meeting later this month with the Chamber, the organizers, and the Hemophilia Foundation to review the event and plan for next year.

**Solicitor Items:**

Atty. Forsell advised that her office is working on drafting an ordinance to prevent school buses from turning onto Fifth Street from Main Street. There are safety concerns due to Fifth Street being narrow and very congested during school drop off and pick up times and with that intersection being a school crossing zone. The school district was unwilling to address the issue with the bus company, so it will be done through the ordinance.

Atty. Forsell advised that Resolution 2016-09 for the purchase of Arlington Street lots #38, 39, 40, 41, 42 and 43 is presented for a motion to advertise. Ms. Thomson made a motion to advertise Resolution 2016-09. Seconded by Mr. Pugh and unanimously approved. Atty. Forsell is working on the settlement agreement with the seller's attorney. She still needs from Council settlement dates and written acceptance dates once the resolution is approved.

Concerning the Comcast franchise agreement negotiations, in response to East Greenville's offer of a five-year term with no automatic renewal, Comcast came back with an offer of ten years with no automatic renewal. They don't like to use five because at the two-year mark you start negotiating already so you're always in negotiations. She asked Council to think about how they would like to respond.

A sheriff sale notice was received for 445 Colonial Drive.

Atty. Forsell invited Jenny Boyer to state her comments about the recent survey. In connection with the Right To Know request for copies of the individual surveys, Ms. Boyer was concerned about the safety of residents and disappointed that it was not caught by legal counsel that those surveys would be open to a Right To Know request. She would like to think that no one would purposely use this information in a negative way and believes the only reason anybody would want to have the detailed information is to be sure East Greenville Borough did not mess with results of the survey. However, that was settled by having a third party tally the data. She asked what steps are being taken to insure the safety of the respondents. Atty. Forsell advised that the Borough was not able to redact names and addresses but did redact what was permitted under the Right To Know law such as information used for budgetary discussions as well as information to protect the safety of each individual survey respondent. She advised that an appeal for redacted information can be filed, but was confident that the decision to redact would be upheld. Atty. Forsell also advised that this survey did not go through her office for legal approval but to rest assured that the information was kept confidential. Atty. Forsell explained that under the Right To Know law, any record of the Borough is subject to a request. All requests are handled the same way. It doesn't matter if the request comes from the police department, another government agency or your average citizen, everyone is treated equally. In this case, the Upper Perk Police Officer's Association filed the request, and it went through the whole process under the Right To Know law of reviewing every single survey as to what should be withheld. Ms. Boyer asked if they needed to state a reason. The answer is no. Ms. Boyer questioned why a police force who is working for our safety would need to know more than the general outcome of the survey. Jean Melhuish, Borough resident, asked how long it took the requestor to get the information. Atty. Forsell advised that a 30-day extension was invoked due to limited staffing and legal review time, and the documents were picked up on September 1, 2016.

**Water Committee:**

Mr. Steinert reported that Keystone Engineering set up an interim computer to resolve issues with the SCADA system. The computer that was already on order and getting programmed will be completed in about a month.

A final decision on the high usage water complaint at 343 Jefferson Street was tabled until next meeting. It was noted that the meter, which was removed at the customer's request for testing in April, was found to be faulty by the manufacturer due to a loose wire in the connection. This led to readings that were not consistent when looking at a 30-day sampling; such as two days showed 0 usage when the customer claims they were home using water and other days seemed higher than normal. However, water tested through the meter was recorded at 98% instead of 100%, so manufacturer testing revealed the customer was getting 2% of his water for free. The high usage for the 1<sup>st</sup> quarter of 2016 appears to be consistent with a leak. The customer did have a family

member who is a plumber check for leaks and claimed there were none. Council asked for another 30-day download of readings to check current usage.

**Zoning/Planning/Codes:**

Mr. Arahill reported that Cowan Associates is working on the design for the clubhouse ADA renovations. The Borough will have them prepare a bid schedule once the county gives permission.

Code Enforcement reports are on file. There was one citation for high grass at 713 Valley Road, 20 building permits and a total income of \$1,027.00 for those permits. The special exception was granted for 117 Main Street at a recent zoning hearing.

Mr. Fry advised that a resident who needs to repair their sidewalk at 208 Fourth Street is proposing to put a 3 ft. wide grass strip along the curb with a 6 ft. wide sidewalk or a 5 ft. wide sidewalk and two 2 ft. wide grass strips. The sidewalk width on that street is 9 ft., and no other properties along that street have grass strips. Council discussed the desire to stay uniform and how a 9 ft. sidewalk that narrows to 5 or 6 ft. wide may cause issues. The decision to approve was presented to Council. By common consent, Council denied the request.

**Road Committee:**

Mr. Steinert reported that School, Long and Green Alleys were repaved. Line painting is nearly finished and curb painting will be touched up where needed. The next project is going to be crack sealing. The Roads Department is obtaining quotes for an overlay on Morris Road between Blaker Drive and Colonial Drive. AMS is scheduled to do the surface maintenance this month on Third and Fifth Streets.

**Finance Committee:**

Ms. Thomson made a motion to approve the September 2016 bill list as submitted, seconded by Mr. Pugh. Roll call vote: Mr. McCluskie – aye, Mr. Pugh – aye, Ms. Thomson – aye, Mr. Arahill – aye, Mr. Young – aye, Ms. Hunsinger – aye, Mr. Steinert – aye. Motion carried.

Ms. Thomson made a motion to accept the Treasurer’s Report for month ending August 2016 as submitted. Seconded by Mr. Pugh and unanimously approved.

Ms. Thomson advised a quote for \$1,950.00 was received from CS Kalb Tree & Landscape Service for replacing five cherry trees along Main Street. Fall is the preferred time for planting. There was only \$904.00 left in the budget under Main Street Maintenance, however, there are funds available to cover the cost in the Sidewalk Repair expense line. Ms. Thomson made a motion to proceed with the proposal from CS Kalb Tree & Landscape for the installation of five replacement trees in the 400 block and the 300 block and 100 block of Main Street at the cost of \$1,950.00, seconded by Mr. Pugh. Roll call vote: Mr. McCluskie – aye, Mr. Pugh – aye, Ms. Thomson – aye, Mr. Arahill – aye, Mr. Young – aye, Ms. Hunsinger – aye, Mr. Steinert – aye. Motion carried.

Ms. Thomson asked how the board felt about proceeding with codification this year. Codifying the Borough of East Greenville official code books is normally done every two years. The current estimate is between \$4,125 and \$5,400 and includes five new ordinances. Since there are other ordinances in the process of being changed, Council decided to delay codifying. Mr. Fry explained that once a new ordinance is approved, the books are obsolete. However, the on-line code book is always kept up-to-date and can even be accessed through an eCode app by General Codes.

PennDOT's winter maintenance agreement for 2016/2017 was presented for approval. This agreement reimburses the Borough \$1,677.66 to provide winter maintenance for about one mile on Main Street/Rt. 29 from Front to Kraussdale Road. Mayor Sloyer remarked that with Borough employees plowing snow on Main Street, businesses don't have to wait for the state. Ms. Thomson made a motion to approve the 2016/2017 Agreement from PennDOT for Winter Traffic Services. Seconded by Mr. McCluskie and unanimously approved.

**Personnel Committee:**

Ms. Hunsinger advised that several candidates have been interviewed for the open crossing guard position. Pending background checks, Ms. Hunsinger made a motion to hire Linda Wasser at the approved crossing guard rate. Seconded by Mr. Steinert and unanimously approved.

**Property Committee:**

Mr. Arahill inquired if there was an update on the quote to install the wayfinding sign at the Bank Street parking lot. Mr. Fry advised that Horizon Signs quote of \$1,830 did not include digging the hole and pouring the concrete, so if the quote of \$1,950 from Reed Sign did include that work, they would be cheaper. Mr. Fry will follow up.

**Recycling/Waste Management Report:**

Mr. Pugh advised that both trash bag and recycling committee reports are on file at Borough Hall.

The trash bid documents are ready to advertise. It is a three year contract (2017, 2018 & 2019) for trash collection utilizing the bag system with an option to add a fourth year (2020) and fifth year (2021). Other options include bulk items and curbside recycling with the exception of cardboard and newspaper since they are collected by the Boy Scouts. Mr. Pugh made a motion to advertise the bids for opening on October 3, 2016. Seconded by Mr. Arahill and unanimously approved. A non-mandatory pre-bid meeting will also be scheduled.

**Sewer Authority:** Nothing.

**Revitalization:** Nothing.

**Regional Planning:**

Mr. McCluskie attended the regional planning meeting on August 24, 2016. Their agenda items included wayfinding signs and the multi-regional greenway stewardship study. As far as the wayfinding signs are concerned, once the signs are installed it's the Borough's responsibility for maintenance and insurance. Mr. Fry confirmed that he has the drawings with color specs so if nothing changes, they should be accurate if touch up is needed. He was not aware that they wanted the Borough to carry insurance for the signs. The sign at the parking lot is no problem, but the gateway sign may end up being on private property and outside the right of way. Mr. McCluskie also added that when those signs go up, older signs that helped with wayfinding should come down.

**Emergency Management:** Nothing.

**Borough Manager Updates:** Mr. Fry had nothing.

Mayor Sloyer advised that since trailers are not being addressed equally throughout the Borough, he had Mr. Fry look into getting ownership information through the ORI system. There is an application form to complete and there may be a nominal cost. Council agreed to proceed with gaining permission to the system, and Mr. Fry advised that there are funds available in the Code Officer expense line item.

When asked about the skate park opening, Mr. Fry advised that our Road Supervisor needed to help out with one of the repairs, and tomorrow the tape will come down.

**Executive Session:**

Mr. Young called an executive session for possible litigation at 8:37 p.m.

Mr. Steinert excused himself from executive session about 9:30 p.m.

Regular meeting reconvened at 9:50 p.m.

Ms Hunsinger read the following statement from Council: "We regret to announce that we will serve notice on the Borough of Pennsburg that we have voted to terminate the agreement that establishes the Upper Perk Police Department effective at 12:01 a.m. on March 6, 2017. Unfortunately, our partnership has deteriorated to the extent that it is irretrievably broken. Over the last few months, the Borough of East Greenville has not been treated as an equal partner. We reached out to the Borough of Pennsburg in May, but to no avail. Instead, our relationship has continued to deteriorate. The Police Commission cannot continue to operate in this manner. Therefore we believe it is in the best interest of both municipalities to terminate the agreement."

Ms. Hunsinger made a motion to serve a six-month notice to Pennsburg to terminate the Upper Perk Police Department effective 12:01 a.m. on March 6, 2017, seconded by Mr. Arahill. Roll call vote: Mr. McCluskie – aye, Mr. Pugh – aye, Ms. Thomson – aye, Mr. Arahill – aye, Mr. Young – aye, Ms. Hunsinger – aye Motion carried.

Mayor Sloyer asked Council to give Atty. Forsell the authority to do what is necessary in order to protect our interest of the financials and the equipment that is housed at the Upper Perk Police Department with keeping the president and the mayor abreast as to what's going on in between council meetings. Council had no objection to the request.

Ms. Thomson circulated a letter from UMJA regarding their treatment plant upgrades.

**Motion to Adjourn:** Being no further business, Ms. Thomson made a motion to adjourn the meeting, seconded by Ms. Hunsinger. Motion unanimously approved and meeting adjourned at 9:54 p.m.

Submitted by:



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Sharon Kachmar, Borough Secretary