

BOROUGH OF EAST GREENVILLE
BOROUGH COUNCIL MEETING MINUTES
November 22, 2016

Call to Order: Council Acting President Ms. Hunsinger called the meeting to order at 7:30 p.m., followed by the Pledge of Allegiance to the Flag.

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. Stephen 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 reconvened meeting of October 25, 2016. Seconded by Mr. Pugh and unanimously approved. A motion was made by Ms. Thomson to approve the minutes of the November 7, 2016, meeting. Seconded by Mr. Pugh and unanimously approved.

Visitors: 59 visitors signed in.

Public Comment: Melanie Cunningham, owner of Titanium Finishing at 248 Main Street, said comments from Mayor Sloyer published in the Town & Country were inappropriate and undeserved. She asked if Council agreed with the letter. Ms. Hunsinger advised the letter was not approved by Council.

Keith Gerhart, 143 Cherry Street, questioned why a written resolution for the appointment of Joseph Arahill to Borough Council was not signed until October 25, 2016. Atty. Kramer stated that the Borough Code does not specify that resolutions must be made in writing and does not invalidate the filling of the vacancy. Mr. Gerhart asked Council to state that the seat is currently open.

Jim Raftery, 319 State Street, expressed thanks to UP police for saving the life of a man who overdosed on heroin.

James Kemp, 332 State Street, expressed concern about local delivery only signs and the increased truck traffic using Third and State Streets. He asked for no left turn signs at the bottom of Fourth Street and no trucks allowed on Third Street. He also mentioned pot holes in the loop of Third Street. Ms. Hunsinger advised she will ask the Roads Committee to schedule a meeting to discuss options. Mr. Fry said he will ask Custom Processing to get word out to their drivers to use the truck route and talk to the police but added that the local delivery only signs need to be there for fuel deliveries and other deliveries to homes on the street.

Eric Grubb, 138 Main Street, asked when the timeline for the new police department would be posted for public view. Ms Hunsinger advised that the main focus right now is on mediation.

Jim Raftery, 319 State Street, asked if Council would consider pushing off leaving UPPD until the end of 2017.

Ed MCQue, 219 Sixth Street, said he's seen an increase in truck traffic on Sixth Street due to the bridge being out on Route 663.

Bud Dinnell, FOP, said if the main reason to leave UPPD is financial, why didn't East Greenville Borough accept Pennsburg Borough's offer to pay the 2017 increase. Ms. Hunsinger said that financial is one of the reasons, and the other is the functionality of the Police Commission. Atty. Kramer advised that Pennsburg's offer violated the ordinance. Both boroughs would have to amend their ordinances. Mr. Dinnell asked if six new people could be appointed to the commission and if the decision can be rescinded. Mayor Sloyer advised they don't want a temporary fix, but a long-term solution.

Michael Gottlieb, attorney for UPPD collective bargaining unit, announced if Council doesn't pay salaries until the end of the contract, there will be a lawsuit for breach of the agreement.

Kris Baccari, Upper Hanover Township, asked about appointing new members to the Police Commission.

Eric Grubb, 138 Main Street, asked if Council would be able to get everything together by the March 2017 date. Atty. Kramer said that Council is moving forward with mediation.

Jim Raftery, 319 State Street, said mediation is not going to happen in two months and asked Council to push off the decision to leave UPPD until the end of December 2017.

Melanie Cunningham, owner of Titanium Finishing at 248 Main Street, questioned the Borough Solicitor about the UPPD allocation percentage for Pennsburg and East Greenville. Atty. Kramer clarified that the apportionment of the allocation is based on variables in the ordinance.

Solicitor Items: Atty. Kramer advised that a rough draft of an agreement to purchase the Arlington Street lots was not executed, and the preexisting agreement had expired. He acknowledged that Council expressed a desire to not enter into an agreement at this time due to financial constraints. He spoke to the attorney for the seller and informed her of this decision.

The ordinance to prohibit large vehicles turning onto W. Fifth Street from Main Street is tabled while a traffic study is being performed.

Atty. Kramer advised he will reach out to the Comcast representative to renegotiate the terms of the Comcast Franchise Agreement with the suggested changes.

Atty. Kramer suggested removing the Letter of Intent for the Governor's Center from the agenda since Council is proceeding with mediation. Mr. Arahill advised it is a study to look at the viability of forming a regional police force and a separate item from the mediation. He understands there is no cost to the Borough, the results will provide insight on how to structure regional police and he recommends it be completed. Atty. Kramer will review the Letter of Intent and report back.

Atty. Kramer advised he has reached out to Atty. Garner, Pennsburg Borough Solicitor, to begin mediation.

More work on the details is needed for the ordinance on mandatory recycling.

Water Committee: Ms. Hunsinger asked for a decision on the water billing issue at 343 Jefferson Street. Ms. Thomson advised readings were checked, average water usage was reviewed and the testing of the meter stated it was functioning properly. Council discussed offering the customer a 12-month payment plan with no additional fees or penalties for the balance that was on hold. Ms. Thomson made a motion to approve a payment plan for the water billing issue at 343 Jefferson Street, seconded by Mr. Pugh. Roll call: Mr. Pugh – aye, Mr. McCluskie – aye, Ms. Thomson – aye; Ms. Hunsinger – aye, Mr. Arahill – aye, Ms. Moran – aye,. Motion carries.

Mr. Fry asked for approval to purchase a new portable pump to be used for water main breaks and to pump out the sedimentation basin. Ms. Thomson made a motion to approve the purchase of a water pump for the water

department at a cost not to exceed \$1,500.00, seconded by Mr. Pugh. Roll call: Mr. Pugh – aye, Mr. McCluskie – aye, Ms. Thomson – aye; Ms. Hunsinger – aye, Mr. Arahill – aye, Ms. Moran – aye,. Motion carries.

Zoning/Planning/Codes: Nothing.

Road Committee: Mr. Fry reported on the progress with road work; crack sealing is done for the year and patching will be done next week.

James Kemp, 332 State Street, questioned when road signs will be put back up following sidewalk work by Gaugler. Mr. Fry said the road department knows about the signs, and they will be put back up.

Finance Committee:

A quote from iWorQ for new code enforcement software in the amount of \$3,300 was presented. This is one of three programs Mr. Fry demoed to replace the current program used since 1999 which is no longer supported. The set up fee is \$1,300 and annual fee is \$2,000. The advantage to purchasing the program this year is that it can be removed from the 2017 budget and the annual support fee will not need to be paid again until 2018. Ms. Thomson made a motion to approve the purchase of the iWorQ code enforcement software for the code department at a cost of \$3,300.00, seconded by Ms. Moran. Roll call: Mr. Pugh – aye, Mr. McCluskie – aye, Ms. Thomson – aye; Ms. Hunsinger – aye, Mr. Arahill – aye, Ms. Moran – aye,. Motion carries.

For the 2017 general fund budget, revenue adjustments were made to include a 5% increase to some permit fees. The shortfall is \$169,202.42 for the scenario which includes the UPPD at the full cost of \$647,192.90. A 1.6 mil increase in real estate tax would be necessary to balance this budget as is, increasing total millage from 6.25 to 7.85. A slight reduction in the millage needed could be realized by transferring \$18,000 into the budget from road maintenance which will be unused from 2016. Another proposal which covers the cost of a small police department and pays two months and one week of UPPD allocation provides a surplus of \$8,400. Two more budgets were also put together for discussion. One reduced the UPPD police allocation to \$512,742.48, and the other had the UPPD police allocation at full cost, while taking out almost all the money available for road maintenance and deleting most of the donations and reducing recycling wages. Both of those budgets balance.

Bob Seville, Pennsburg Borough, asked about a budget with the full UPPD contract. Ms. Hunsinger affirmed that it was one of the budget options. Mr. Seville inquired why they couldn't take the offer from Pennsburg Borough. Atty. Kramer restated that the ordinance would have to be changed.

James Raftery, 319 State Street, asked if the budget with the \$8,400 surplus included a loan. Ms. Hunsinger answered yes.

Joe Wenzel, 709 Morris Road, inquired about the line item totaling \$111,000 for Borough Hall/Clubhouse handicap accessible improvements in the 2017 budget. Mayor Sloyer explained the purpose of the handicap accessible improvements and the grant match on the revenue side. Mr. Wenzel asked about the trash disposal increase of \$40,000 without an increase to the yearly fee. Ms. Thomson explained that the new contract includes recycling which allowed the removal of recycling expenses from the budget for the first year of the contract. After the first year, rates would be reviewed.

Kris Baccari, Upper Hanover Township, questioned whether Atty. Kramer works for the residents or Council. Atty. Kramer advised he is employed at the will of Borough Council.

Ms. Thomson made a motion to approve the increase in fees by 5% and ask that a resolution be prepared. Seconded by Mr. Pugh and unanimously approved.

There were no changes to the Highway Aid fund which is balanced at \$73,461.64.

A change was made to the Water Fund balance to add a line item of \$200 for the Borough website. The current platform, which was a free service, is no longer available. The Borough staff is completely redoing the site and since the website serves both general and water services, some of the cost of the new platform will be expensed out of the water fund budget. This budget is balanced at \$776,222.96 and includes a 5% increase in water rates. Ms. Thomson made a motion to increase the water rates 5% and prepare a resolution for that. Seconded by Mr. Pugh and unanimously approved.

Debbie Finn, 541 Colonial Drive, expressed her concern about the 5% increase and spoke about her water billing issues when her outside remote reader stopped recording water properly.

Council returned their attention to the general fund budget and discussed the four proposals and tax increase. The decision was tabled on the general fund budget until the December 5, 2016, meeting.

The proposal from Styer Associates to perform the yearly audit for \$7,555.00 was presented. Ms. Thomson made a motion to accept the proposal dated November 4, 2016, from Styer Associates, certified public accountants, for the amount of \$7,555.00, seconded by Mr. Pugh. Roll call: Mr. Pugh – aye, Mr. McCluskie – aye, Ms. Thomson – aye; Ms. Hunsinger – aye, Mr. Arahill – aye, Ms. Moran – aye,. Motion carries.

Ms. Thomson advised that disaster assistance from Winter Storm Jonas was received from FEMA in the amount of \$5,610.29. Mr. Fry was thanked for submitting all the detailed paperwork needed to apply for that assistance.

Eric Grubb, 138 Main Street, asked how he could get a copy of the proposed budgets. He was told to file a request with the Borough office.

Personnel Committee: Ms. Moran announced that there is still an opening for a Zoning Hearing Board alternate. Interested candidates should contact the Borough Office.

Borough Council has a committee opening for alternate on the Police Commission board. Ms. Moran recommends Mr. Arahill for the alternate to Police Commission. Mr. Arahill accepted the appointment.

Due to a change in work schedule, Ms. Hunsinger can no longer attend meetings as the Library Board Representative. Ms. Moran offered to take over that position which expires December 2017. Mr. Arahill made a motion to replace Ms. Hunsinger with Ms. Moran as Library Board Representative. Seconded by Ms. Thomson and unanimously approved.

Property Committee: Montgomery County is reviewing the project plans for the handicap accessible improvements to Borough Hall and the clubhouse.

Recycling/Waste Management: Mr. Pugh made a motion to award the trash contract to Whitetail Disposal for a three-year trash contract with weekly recycling collection. Seconded by Ms. Thomson.

Nick Rohr, from A.J. Blosenski, advised that he believes there is nothing that is legally binding the Borough to award the contract to a single provider and asked to table the motion and award to two separate providers. Atty. Kramer said he reviewed the bid proposals which state the basis of award will be to the lowest responsible bidder, awarded to only one contractor.

Roll call for motion on the floor to award the trash contract to Whitetail Disposal for a three-year trash contract with weekly recycling collection: Mr. Pugh – aye, Mr. McCluskie – aye, Ms. Thomson – aye; Ms. Hunsinger – aye, Mr. Arahill – aye, Ms. Moran – aye,. Motion carries.

Sewer Authority: Nothing.

Revitalization: Nothing.

Regional Planning: No updates.

Emergency Management: Nothing.

Borough Manager Updates: Mr. Fry reported spotted lanternfly sightings at Bieler Park. The Department of Agriculture informed him that they will be dormant once we get a heavy frost. Eggs found on trees should be scraped off and disposed of. There are cards at Borough Hall showing what they look like and how to dispose of them.

Mr. Fry advised that the stock is low on bulk item stickers and asked Council if they were willing to approve the purchase of bulk stickers with the \$10.00 price on them. The increase from \$5 to \$10 for the bulk sticker will be included in the fee schedule resolution. Mr. Pugh made a motion to purchase the bulk stickers, seconded by Ms. Thomson. Roll call: Mr. Pugh – aye, Mr. McCluskie – aye, Ms. Thomson – aye; Ms. Hunsinger – aye, Mr. Arahill – aye, Ms. Moran – aye. Motion carries.

Correspondence: Natural Lands Trust asked for a \$250 donation. Council took no action.

Other: Mr. Arahill made a motion to approve the Borough Council Meeting calendar for 2017. Seconded by Ms. Thomson and unanimously approved.

Mayor's Report: Nothing.

Police Commission Report: Mayor Sloyer advised the next meeting is Monday, November 28, 2016, at 6:45 p.m. at the East Greenville Fire House.

Mr. Pugh made a motion to postpone the withdraw from UPPD to December 31, 2017, in hopes of working with Pennsburg in mediation towards a long term solution, seconded by Ms. Moran. Mr. Arahill asked Atty. Kramer to clarify the contract wording that states six month's notice is needed to withdraw from the regional police. Mr. Arahill asked Mr. Pugh if he would be willing to amend his motion to move the withdraw date six months from December 2017 to June 2017. Mr. Pugh declined to amend his motion.

Bob McCarty, 518 Washington Street, relayed statistics on crime rates.

Michael Gottlieb, attorney for UPPD collective bargaining unit, stated that if the pullout is not extended they will be breaching the collective bargaining agreement.

James Raftery, 319 State Street, implored Council to think about postponing until December 2017.

Roll call for motion on the floor to postpone the withdraw from UPPD to December 31, 2017, in hopes of working with Pennsburg in mediation towards a long term solution: Mr. Pugh – aye, Mr. McCluskie – no, Ms. Thomson – no; Ms. Hunsinger – no, Mr. Arahill – aye, Ms. Moran – aye. Motion tied 3-3. Mayor Sloyer – no. Motion does not carry.

James W. Myers, Jr., 417 Main Street, stated he was disappointed they cannot get together and resolve this problem.

Motion to Adjourn: Being no further business, Ms. Thomson made a motion to adjourn the meeting, seconded by Ms. Moran. Motion unanimously approved and meeting adjourned at 9:15 p.m.

Submitted by:



Sharon Kachmar, Borough Secretary