

# **BOROUGH OF EAST GREENVILLE**

## **BOROUGH COUNCIL MEETING MINUTES**

**February 25, 2014**

**Call to Order:** Mr. Huff called the meeting to order at 7:30 p.m. with the Pledge of Allegiance to the Flag.

**Attendance:** The following Council members were present: Timothy Huff, Tracey Hunsinger, Josiah Pierson, Andrew Rock, and James Young. Also present were Mayor Ryan Sloyer, Stephen Kramer, Solicitor, James Fry, Borough Manager, and Sharon Kachmar, Borough Secretary/Treasurer.

**Approval of Minutes:** A motion was made by Mr. Rock to approve the minutes of the February 10, 2014, meeting. Seconded by Mr. Young and unanimously approved.

**Visitors:** Robert McCluskie, Al Strimpel, Elaine Strimpel, Melody Strimpel, Matt Strimpel, and Allison Czapp, Town & Country

**Police Commission Report:** Mayor Sloyer reported that the monthly police allocation is \$44,529.41 plus \$825 rent.

**Mayor's Report:** None.

**Solicitor Items:** Atty. Kramer presented for discussion an update to the ordinance on issuing handicapped parking spaces. Mr. Matt Strimpel, 320 Third Street, approached council to object to some parts of the proposed ordinance. He specifically questioned if Section 91.22(B) (1) (a) of the proposed update to the ordinance would pertain to persons with a vehicle registered in another state and who were not taxpayers in Pennsylvania. Atty. Kramer elaborated on the criteria in (4) which include granting a space to a handicapped person residing temporarily with a resident of the Borough for the duration of at least three months or longer. Atty. Kramer also remarked that while the out-of-state person is directly benefitting, there is a benefit to the in-state taxpaying resident who is caring for the handicapped person. Atty. Kramer thanked Mr. Strimpel for his comments and appreciates his input which resulted in recognizing the need to update the current ordinance. Mr. Strimpel also questioned who will make the decision to grant approval to an applicant with the new ordinance. Mr. Huff clarified that a recommendation is made to Borough Council, who in turn makes the final decision. Mr. Strimpel expressed concern with (3) (a) and (b), and Atty. Kramer clarified that the number of handicapped spaces permitted on a block with parking on both sides of the street would be two and on a block with parking on one side of the street would be one, unless otherwise approved by the Borough. Mr. Strimpel aired his concern about a specific household abusing their reserved handicapped space and using the space for reasons other than to transport the handicapped person. He also questioned the validity of initially granting this particular handicapped space based on the wording of the current ordinance. Atty. Kramer responded that the current code was under inclusive and that a discretionary decision was made to grant the space to a family with a need. Concerning that particular approved space, Mayor Sloyer remarked that he made the decision to grant the space based on the circumstances of the applicant but with the knowledge that there was a neighbor dispute about the space which he asked them to work out. The Borough was careful to mark the handicapped space directly in front of the applicant's house and not in front of Mr. Strimpel's residence. Unfortunately, the snow has made parking more difficult. Concerning abuse of this parking space, Mr. Strimpel was asked to provide proof of the abuse so that Borough Council can weigh the evidence. Atty. Kramer asked for Council's input for including wording about signage for reserved handicapped spaces, which is not mentioned in the update. Mayor Sloyer recommended that we continue to offer an option to the applicant as to whether they want to purchase a sign which is specific to their placard or plate or to let it be a handicapped space that any person with a placard or plate can utilize. Other fees written into the new update are a \$25.00 application fee and a \$10.00 per year renewal fee. Mr. Huff voiced and Council agreed that application fees are appropriate and reasonable. Atty. Kramer will be adding wording to this update to include an option to purchase a personalized

sign at the actual cost of the sign. Mayor Sloyer expressed his concern that the way the update to the ordinance is written, an applicant will have to wait for Borough Council to have a meeting before their request can be granted. Currently, the request is granted at the discretion of the Mayor. There may be a two or three week waiting period for a handicapped parking space to get approved. Approval to advertise has been tabled until revisions are made and reviewed at the next meeting. Later in the meeting, Mayor Sloyer again expressed his concern over the application process which requires Borough Council approval. He stated this may not be feasible for the person who needs the space right away. He feels the main reason for this change was because of a neighbor dispute.

Being duly advertised, Atty. Kramer presented for adoption Resolution 2014-06, Intent to Purchase a New 2015 International 7400 Dump Truck. Mr. Rock made a motion to adopt Resolution 2014-06, seconded by Mr. Young. Roll call vote: Mr. Rock - aye, Mr. Pierson – aye, Mr. Huff - aye, Mr. Young – aye, Ms. Hunsinger - aye. Motion passed.

Atty. Kramer was forwarded a letter to review which was sent to Upper Hanover Township from their worker's compensation insurance carrier, Keystone Municipal Insurance Trust (KMIT). Mr. Fry summarized that this letter is asking Upper Hanover Township either to discontinue allowing employees who are volunteer fire fighters to respond to fire calls when at work because it may expose them to a cancer presumption claim covered under Act 46 or to adopt a formal policy which puts the sole responsibility on the municipality who holds the worker's compensation insurance for the fire company should the employee file a successful claim. This was brought to our attention because Upper Hanover has an employee who is an active firefighter with the East Greenville Fire Company. Mr. Fry is asking for a legal opinion since the East Greenville Borough carries the worker's compensation policy for the fire company. Upper Hanover Township would like to continue with their practice of allowing this employee to respond to fire calls but wishes to comply with their insurance company's request. Atty. Kramer understands the issue but would like to take a little more time looking into this matter.

Atty. Kramer is working on the Renewable Energy Ordinance update and would like to discuss it further with the Borough Engineer. This update will eventually be added to the zoning code to allow for windmills and solar power and geothermal heating.

**Water Committee:** None.

**Zoning/Planning:** At the February Planning Commission meeting, the Sustainability Audit was distributed. This audit deals with environmental related issues and flood plain ordinance update by FEMA. The Planning Commission will be reviewing it and the sample ordinance that complies with FEMA. Mr. Young has a sample ordinance as well which he offered to forward to Mr. Fry.

**Road Committee:** The Arlington Street Reconstruction Grant project is waiting for confirmation to begin design work and bid specifications. Mr. Fry reported that we are hoping to get started sometime in March.

Mr. Fry informed council of a request by St. Philip Neri Church to change the no parking signs along the front of the school on the south side of Sixth Street to just Wednesdays from 5:00 pm to 9:00 p.m. Since they no longer have a school, they don't need the hourly no parking during the weekdays, but would like to have no parking for their religious education class on Wednesday evenings. After some discussion by Council, it was agreed that the current signs could be taken down, but no additional no parking signs were approved, and the ordinance will need to be changed. Mr. Rock made a motion to direct that the no parking signs come down, seconded by Mr. Young and unanimously approved.

Mr. Fry informed council that a skid steer loader which was used for filing potholes was also used for clearing snow off Main Street. The large dump truck is no longer repairable. It can still be used to plow, but we cannot salt with it.

Mayor Sloyer asked Council to consider having an engineer evaluate the Borough and come up with a plan for fixing and repairing the roads. Mr. Fry offered to get an estimate from Cowan Associates. Concerning grant opportunities, Mr. Fry will be attending a mandatory meeting next Thursday about applying for the next round of CDBG money. He will report what their priorities are and advise if street reconstruction is available. Mr. Pierson made a motion that we ask Cowan for a road study estimate, seconded by Mr. Young and unanimously approved.

Mr. Young asked Mr. Fry to report on our salt situation. Mr. Fry advised that we received 45 tons of salt last week. We owe the township approximately 10 tons that we'd like to give back as soon as we can. When asked how much salt is used per storm, Mr. Fry advised that ice storms use more so the numbers fluctuate from 5 tons per storm to 20 or 25 tons per storm. Salt is not mixed with antiskid materials due to our MS4 permit because the antiskid material ends up in our storm drains.

**Finance Committee:** Mr. Rock made a motion to give Randy Reinhart and Toby Cole each a \$150.00 bonus and Grant Boyer and Jim Fry each a \$100.00 bonus for their hard work throughout the storms, seconded by Mr. Young. Roll call vote: Mr. Rock - aye, Mr. Pierson – aye, Mr. Huff - aye, Mr. Young – aye, Ms. Hunsinger - aye. Motion passed. Mr. Huff commented on the good job being done in keeping roads clear and safe for everybody during this difficult winter.

**Personnel Committee:** None.

**Property Committee:** Mr. Pierson plans to have rules for the clubhouse for Council to review at the next meeting.

**Recycling /Waste Mgmt Committee:** None.

**Sewer Authority:** No report.

**Revitalization:** None.

**Regional Planning:** No report.

**Emergency Management:** No report.

**Borough Manager Updates:** None.

**Correspondence:** None.

**Motion to Adjourn:** Being no further business, Mr. Pierson made a motion to adjourn the meeting, seconded by Mr. Young. Meeting adjourned at 8:52 p.m.

Submitted by:

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Sharon Kachmar, Secretary/Treasurer