

COLLEGEVILLE BOROUGH
COUNCIL MEETING MINUTES
September 5, 2018
7:00PM

CALL TO ORDER: The meeting was called to order at 7:00PM by Council President, Marion McKinney

ROLL CALL: Council President Marion McKinney Council Vice-President Member Mat McKnight y, President Pro Tem Cathy Kernen, Council Member Hugh Braun, Council Member Louise Tulio, Council Member Terri Stagliano, Council Member Shannon Spencer, and Mayor Aidsand Wright-Riggins.

Also in attendance for Solicitor Rebecca Geiser, Chief Bucher, Geoff Thompson, Manager, Dave Leh, Engineer and Suzanne Robertson, Administrative Assistant

Ms. McKinney alerted the audience that there had been an Executive Session prior to the meeting to regarding a personnel matter that will be discussed later in the meeting.

APPROVAL OF MINUTES: **MOTION** to approve August 1, 2018 by Ms. Kernen, second by Mr. Braun, *Motion carries 7-0*

COMMITTEE REPORTS:

Budget & Finance: Mr. Thompson stated that most of the property taxes have been received and that there is \$700K on hand. He requested approval for Check #s 3158-3199. **MOTION** to approve checks 3158-3199 by Ms. Stagliano, second by Ms. Tulio, *Motion carries 7-0*

Business Development: Ms. Kernen stated that there are several new businesses in the Borough. Mr. Rafeo's property has several new renters. La Spa Bliss, Sunshine Nail Spa and a men's hair salon are all opening soon. Sweet Aloha, a very popular food truck serving smoothies and treats, has shown interest in opening a brick and mortar location within the new café at Ursinus. The committee is also in talks with Mike Kajak, a developer that has had much success rehabbing buildings in Phoenixville. He feels that a tap house and possibly Steel City Coffee House would be interested in opening locations in Collegeville. Work has begun to renovate the old Hookah Lounge into a Vietnamese restaurant. Ms. Kernen also wanted to make note of a new business, while not in the Borough, that she found and would like all to support. Mama Lu's has opened the Trappe Shopping Center and serves fresh NYC bagels and wraps. Most items are homemade. They are open 7:30AM to 4 (closed on Wednesdays) Try it!

Communications: Ms. Spencer reported that there was no meeting this month, but that they have been accepting proposals for the website. She and Mr. Thompson will be reviewing (approx. 10) the proposals and will make bring the information to the Finance Committee.

Community Engagement & Service: Ms. McKinney stated that she was supposed to meet with Heather (Ursinus) but had to cancel for another commitment. She will be rescheduling soon.

CPVRPC: Ms. Kernen reported there was no meeting this month.

CTMA and Public Works: Mr. Mann reported that the meeting on August 28 was quick...they met to pay bills. He stated that he feels the water reserves should not be used to fund the new salt storage property. This will not delay the purchase – it will be funded by Public Works. He feels there should be a list of ways revenue should be used. There was an Executive Session to discuss the decision. There were only 4 people in attendance, so it will be discussed again at next meeting. The Leslen Lane water main replacement passed unanimously. Ms. Stagliano asked if the money to purchase

the salt storage property would be coming out of CTMA and Public Works. Mr. McKnight said it will be from Public Works, but there is talk of coming back to the Boroughs for funds. He was asked when the next meeting is and he replied that it will be September 25th.

Parks: Ms. Stagliano reported that the last concert of the summer is this Sunday, the 9th, and is Elastic Karma. She stated that the new benches are in and look great, but there is still work to do in the park. She said next year she wants to make sure the dugouts are addressed. The stucco is bad and needs to be replaced. Ms. McKinney asked if the teams that use the field contribute. Ms. Stagliano said that they do pay fees to use the fields.

Personnel: Ms. Kernen reported that the Executive Session that was held prior to this meeting was to discuss the Administrative Assistant position. She stated that she and Ms. Tulio held interviews in August and are recommending offering the position to Suzanne Robertson. **MOTION** to approve by Ms. Kernen, second by Ms. Tulio, *Motion carries 7-0*
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Planning Commission: Mr. Thompson had no report.

Public Safety: Mr. McKnight reported there was no meeting this month.

Streets, Roads & Lighting: Ms. McKinney reported that there was no meeting this month, but wanted to note that she received more phone calls regarding 9th Ave. speeding. She believes that the speed signs that were made by resident have helped as well as the speed monitoring sign provided by the Police. Chief Bucher said that the issue she received the call about was not for speeding, but an inexperienced motorcycle driver. Mr. Mann said that usually around this time, he and Mr. Leh get together to discuss road projects for the upcoming year and they will let Ms. McKinney know if she would like to join them. Mr. Mann inquired about the Clamer Ave permit parking. Chief Bucher said the permits have been distributed and signs are up and all is going well.

ADMINISTRATIVE REPORTS

Engineer: Mr. Leh requested for the first escrow check for the Fire Company building be released. It is in the amount of \$18K and he stated there will still be \$65K left in the escrow account. Motion to approve by Ms. Tulio, second by Ms. Stagliano *MOTION carries 7-0*

Solicitor: Ms. Geiser reported that Mr. Kilkenny could not be present, but that he has been working with the Borough to answer questions.

Manager/Zoning Officer: Mr. Thompson advised that the Borough is in the midst of a routine audit by the PA Auditor General's office for pension plans. The last audit was 4-5 years ago. Final report will be submitted to Council as soon as it is received. Last month Council voted to move forward with the street light replacement program. DVRP has waived the \$5K study fee. We are moving forward with the program. Meetings will begin in October. Mr. Mann stated that he has a list of all the street lights. Mr. Thompson thanked Mr. Mann and asked him to provide the list. Mr. Thompson also reported that the Borough has received 10 RFPs for the Borough Website which he and Ms. Spencer will review.

Police: Chief Bucher noted the stats in his written report. He commended Jeff Wentworth for his outstanding work on the Car Show. The Chief requested a motion from Council to approve the street closing on October 24th for the Halloween Parade. The road closure would be from 2nd Ave to 5th Ave from 6PM - 7:30PM. **MOTION** by Ms. Stagliano, second by Mr. McKnight, *Motion carries 7-0*

Dean Miller 335 E. Main St asked why 2nd Ave and not 3rd Ave? Chief Bucher said the area is too clogged and that would not safe for the kids. Robert Botti 1013 Clahor Ave asked if there were plans for a Rotary event at the park after the parade.

The Chief stated that is not happening. The Rotary had requested that last year also and it was not approved. Chief Bucher also requested a motion to approve the lease/purchase of a 2019 Ford Interceptor. Ms. Spencer asked if there was a smaller, more gas efficient vehicle that could be considered. Chief Bucher explained that gas mileage is really not a consideration when choosing a vehicle for police work. Smaller vehicles are more for the detectives, but the officers need room for the equipment and computer. **MOTION** to approve the vehicle by Ms. Stagliano, second by Mr. Braun. Motion carries 7-0. Mr. Troutman asked if the vehicle were obtained by CoStars. Chief Bucher said that yes, they always go through them as they have the best deals.

Collegetown Fire Company: Brian Freas read the report for the Fire Company. He stated that the Car Show went well and thanked Ms. McKinney and Ms. Stagliano for attending. He stated that they have started water rescue training at Ursinus College. The annual 5K is coming up on October 7th. The building is progressing and looks great. Ms. Stagliano had questions about the Earned Income Tax Credit for volunteer firefighters that live AND volunteer in the Borough. She would like to have Council look into this for our guys. She feels they should receive this benefit since they give their time to our residents. Mr. McKnight agreed that it is a great benefit, but worries about potential misuse. He wants to be sure there is reporting of the hours to ensure the requirements are met. Mr. Sassaman stated that they keep accurate records of how much time each volunteer logs. Mr. Thompson said that we can look into adopting this ordinance. Mr. McKnight thinks we would need to look at the impact to the budget.

Mayor: Mayor Wright-Riggins read his report. He received communication from a resident that believes the Borough has been slow to respond to complaints about curbs and sidewalks. The Mayor said that he actually has walked the roads and that he agrees that certain areas do represent a danger and he will provide pictures. The Mayor would like to know how do we register complaints and how do we prioritize these complaints. How do we best make owners aware of their legal liability? What, if any, is the Borough liability if we do not address the complaints? How do we balance public safety and better business practices? Can we institute a task force with the Manager, the Streets committee and the Mayor to address these concerns? Ms. McKinney stated that this came up a couple months ago with a resident that complained that the contractor who handles snow removal had damaged her curb. She stated that the Borough has no legal liability to fix this person's curb. The homeowner has the right to get an attorney to go after the contractor. She stated that while she is only one vote, she feels it is a slippery slope to begin to use Borough funds to repair resident's property. If we take on the expense when the owner does not comply, our only recourse to get reimbursed for the repair is to place a lien on the property. The reality is that we may never get our money back. Or it won't be until the home is sold and that could be 20 years! Mayor Wright-Riggins asked what code enforcement they have as Council. Ms. Spencer asked if we could fine residents that don't address their damaged curbs. Mr. Thompson said that the usual procedure is to inspect the curbs when there are re-paving projects and so far, the residents have made the repairs. He stated that if we take this on, we can run into issues with contractors that don't want to do such small jobs. Mr. McKnight asked if we track the complaints regarding curbs/sidewalks. Mr. Thompson said if calls come in, he will go out and inspect and then, if deemed necessary, he will send out a letter. Ms. Spencer asked if there is a way people can register their complaints online. The Mayor stated that for Mr. Thompson to be the Manager, the code enforcement official and the Zoning officer is a lot and that the task force could help. Mr. Thompson said there really are not that many complaints. Ms. Stagliano felt that a task force is too much. She maintained that this is the way things have always worked and that the residents know what they need to do. Yes, they own the sidewalk, but there is an implicit right of way that needs to be maintained. Mr. McKnight expressed concern that there is no documentation regarding this issue. Mr. Thompson said that every letter sent out is kept on file. The Mayor wondered why we even have an ordinance if it is not going to be enforced. Ms. Geiser interjected that the Borough has NO responsibility or liability to maintain the curbs and sidewalks or to advise homeowners of their liability regarding this issue. Ms. McKinney requested that email correspondence be sent to all members of Council so everyone is prepared for discussion. Mayor Wright-Riggins said that he did not do that initially due to being concerned about violating the Sunshine Act. Ms. McKinney said they can be covered by requesting Mr. Thompson forward it as informing. Ms. Spencer said this information will be noted in the Newsletter.

MOTION to approve the committee and administrative reports by Ms. Spencer, second by Ms. Kernen. *Motion carries 7-0*

PUBLIC DISCUSSION

Eileen Johnson from the Public Library spoke about the active summer with the children in the area. She said the park programs worked very well. There will be a Fall newsletter. Master gardeners are coming to instruct. They really try to keep residents busy at the Library! She will leave newsletters at the Borough office. Ms. Spencer said she will add this information to the Newsletter. Ms. Johnson said the calendar of events is available on their new website that was redone by a senior at PV for his senior project. She thanked everyone for the Borough support.

Brian Freas, 136 Claymont: He wanted answers regarding detached buildings that are in disrepair. Is there any means to address that? He is aware of a property behind his home that has a dangerous, not maintained out-building. Mr. Thompson inquired if that is the property Mr. Freas wants to buy? Mr. Freas stated that that is not his plan in the near future.

Jim Troutman: asked if a person is told by the Borough to fix something, do they need a permit? Mr. Thompson stated that they do need to get a permit, but that the permit fee is waived in that situation.

Robert Botti: Mr. Botti stated that his personal pet peeve is all the temporary signs around the Borough for events, sales, realtors etc. He has taken it upon himself to remove them. He feels it is a form of littering. Mr. Thompson said he has removed signs and sent letters to enforce the ordinance regarding the amount and duration of the small yard signs. Mr. Botti wanted to know who would go around and remove them on the weekend when Mr. Thompson is not around. He feels the dogleg area is littered with too many! He wondered if it would be possible to get volunteers to remove them. Mr. McKnight stated that it is up to the owners of the properties to remove the signs, not Mr. Botti. Ms. Spencer suggested that Mr. Botti join the Streets & Roads committee to work on it. Ms. Stagliano stated that Mr. Botti does not have the right to remove signs that do not belong to him and feels like it is a waste of resources to ask the manager or a police officer to go around removing signs. Ms. Spencer agreed with Mr. Botti that these types of signs are a form of littering. Ms. Kernen said she is then guilty...she has signs up to advertise the Colossal yard sale coming up. These signs help businesses advertise! She feels we need to be fair and that it's an old fashioned way to communicate. Ms. Geiser said that meetings are not a time to debate and that Mr. Botti has been given enough time to speak.

Gary Sassaman 209 11th Ave: He is a business owner and homeowner in the Borough. He asked Mr. Thompson if, when replacing the LED lights, can we adjust the brightness of the LEDs? He feels some of them are too bright. Mr. Thompson said he will inquire. Mr. Sassaman asked the timeline for a zoning inquiry. Mr. Thompson said a builder would have to start with the Planning Commission then to the Zoning Hearing Board if necessary and that a development can take 3 months to a few years depending on the size of the project. Ms. McKinney asked if we can request funds from a developer to address issues in the Borough for parks, for example. Mr. Thompson said that is no longer allowed per the Supreme Court. Ms. Geiser said you have to be very careful with quid pro quo requests.

Chris Loudon 4th Ave: Mr. Loudon said he has been coming to these meetings for 3 years trying to get some satisfaction about this curb/sidewalk issue. He feels it is dangerous and wonders why the Borough is not enforcing the ordinances that require homeowners to fix and maintain them. He feels, and said he has spoken with lawyers that agree, that if a car comes up the sidewalk and hits a pedestrian, the Borough would be liable with the homeowner. Mr. Loudon also asked if anyone on the Council has a relationship with Ursinus College because he feels that they are the biggest offender. Ms. McKinney said that several member of Council have such a relationship there and in those cases recuse themselves.

ACTION ITEMS:

Consideration of Ordinance No. 589 Adopting the Codified Ordinances: The ordinance adopts the new codified Code of ordinances for the Borough. Mr. Thompson made note that the ordinances are very searchable online on the website. Ms. Spencer requested the link.

MOTION to approve by Ms. Stagliano, second Mr. Braun *Motion carries 7-0*

Consideration of Ordinance No. 590, Approving an Intergovernmental Agreement with Trappe Borough for the Purchase of Real Estate Located at 229 7th Avenue, Trappe, PA. **MOTION** to approve by Ms. Stagliano, second by Ms. Tulio Motion carries 7-0

Consideration of Advertising Ordinance No. 591, Approving a No Turn On Red at the First and Main Intersection. Mr. Thompson explained that the PennDOT permit for the ordinance permits No Turn on Red restrictions at the intersection. Ordinance will 591 updates the Borough's ordinance to match the PennDOT ordinance. **MOTION** to approve by Ms. Stagliano, second by Ms. Spencer, *Motion carries 7-0*

Consideration of Resolution No. 2018-09, Approving the Montgomery County 2017 Hazard Mitigation Plan Update: Mr. Thompson explained that Montgomery County has recently updated the plan and is requesting that each municipality adopt the new revised plan. **MOTION** to approve by Ms. Stagliano, second by Ms. Tulio, Motion carries 7-0

Consideration Resolution No. 2018-10, Authorizing a Traffic Permit Revision for a No Turn On Red at the 6th & Main Intersection. Mr. Thompson explained that the resolution will authorize the submission to PennDOT for the No Turn on Red and the 6th & Main intersection. **MOTION** to approve by Ms. Spencer, second by Mr. Braun Motion carries 7-0

OTHER BUSINESS

Discussion of the 2019 Pension Plan Obligations (MMO's): Mr. Thompson explained that each year the Borough is required to calculate the minimum funding for the Borough's two pension plans.

MOTION to approve the uniform pension plan by Ms. Stagliano, second by Ms. Spencer, *Motion carries 7-0*

MOTION to approve the non-uniform pension plan by Ms. Stagliano, second by Ms. Kernen. *Motion carries 7-0*

Ms. Spencer asked if Council would stay for a picture. Ms. Kernen reminded all of the upcoming Colossal Yard Sale coming up this weekend and the Summer's End Festival at Ursinus College next weekend. There will be an exhibit at the Berman and the last Movie on the Lawn: Monster's University. After that, at 10PM there will be a Fringe Festival with a drag show.

MEETING ADJOURNED at 8:40pm

Respectfully Submitted,
Geoffrey Thompson, Secretary