

# SPRING CITY BOROUGH COUNCIL MEETING

APRIL 6<sup>TH</sup>, 2009 - 7:30 P.M.

Vice-President McCarthy called the council meeting to order.

The following members were present: Councilmen McCarthy, Burns, Kratz, Beard, Watts, Mayor Weiss, Solicitor Romain, and Borough Administrator Rittenhouse.

Councilman Watts motioned to approve the minutes of the March 2<sup>nd</sup>, March 23<sup>rd</sup>, and April 1<sup>st</sup>, 2009 council meetings. Councilman Kratz seconded. Motion carried.

## **APPOINTMENT FOR THE VACANT COUNCIL SEAT:**

Residents expressing interest to serve as the councilor in the seat vacated by Daniel L. Bauman, Sr. were Michael Hays, Timothy Mayer, Louis DiGuseppe, and Ralph Trego.

Councilman Beard motioned to appoint Ralph G. Trego, III to fill the unexpired term of former councilman Daniel L. Bauman, Sr. which will expire on December 31<sup>st</sup>, 2009. Councilman Watts seconded. Motion carried.

Mayor Weiss conducted the swearing-in-ceremony for Councilman Trego.

Administrator Rittenhouse advised council that he sent a registered letter to Patrick Young during the month of March requesting his response in regards to his attendance and participation at the regularly scheduled council meetings. He reported no response was received.

Another registered letter will be mailed in April notifying Mr. Young that it is the intent of Borough Council to remove him from Spring City Borough council due to his lack of attendance at council meetings.

It will be noted that the council has agreed to hold a public hearing at the May 4<sup>th</sup>, 2009 council meeting, if Mr. Young so desires to appeal his removal.

Councilman Watts motioned that Solicitor Romain prepare a notice to advertise for a public hearing on May 4<sup>th</sup>, 2009 in regards to the council seat of Patrick Young if needed. Councilman Burns seconded. Motion carried.

## **REORGANIZATION:**

Vice-President McCarthy presided over the nomination of a new council president.

Councilman Beard motioned to nominate Ralph Trego to serve as President of Borough Council. Councilman Kratz seconded. Motion carried.

Councilman Trego took the president's chair to preside over the meeting.

## **MAYOR:**

Mayor Weiss reported on the monthly vehicle maintenance for the 2005 and 2007 Ford Crown Victorias. Also, he informed council that the 2009 Dodge Charger was ordered on March 26, 2009. Delivery is expected within 60-90 days.

## **COMMUNICATIONS:**

1. Notification from Penn Dot that our 2009 Act 655 and Act 44 Liquid Fuels Tax Fund allocation will be in the amount of \$64,001.83.
2. An e-mail from Spring City Lions Club President, Jim Burns, inviting any interested parties to attend the May 12<sup>th</sup>, 2009 Lions Club meeting which will feature guest speaker, State Senator, Andrew Dinniman. The location and cost of the event is not yet determined as this will be determined depending on the responses. Contact James Burns by March 31<sup>st</sup>, 2009 if you are interested in attending.
3. A registered letter from Wheels of Wellness, Inc., Philadelphia, PA, a non-profit corporation notifying the Borough they are winding up their affairs and dissolving.
4. A thank you note to those members of council who volunteered their services at the Rotary Pancake Breakfast in March from Jacqueline Messer of the Community Association of Spring City. Also, she noted that clean up day for the pool opening is May 16, 2009, 11:00 a.m.

## **COMMITTEE REPORTS:**

**STREETS AND UTILITIES:** Councilman Beard gave the following Streets Department Report for the month of March, 2009. **TRASH DISPOSAL** - 81.5 tons of refuse were hauled to the Lanchester Landfill in Honeybrook, PA by J.P. Mascaro & Sons from 2/23/09 to 3/17/09. 5.5 tons of refuse were hauled to the landfill by the Borough. Sixteen(16) bulk trash pick-ups were made during the month. **RECYCLING** - Two loads of scrap metal weighing approximately 1,660 pounds was transported to Phoenixville Scrap Company. **STREET WORK** - The Phase I CRP Grant Streetscapes project resumed on March 16, 2009. Cleaned debris from various stormwater inlets and the curblines at various locations throughout the Borough. Replaced posts and stop signs at various intersections. Installed a handicap parking permit sign at 433 Queen Street. Repainted crosswalk indication lines and arrows on North Main Street. Painted speed trap lines on Wall Street. **MAINTENANCE** - Applied fresh mulch and replaced the wooden ties on Brown Street and Poplar Street Playgrounds. Emptied trash receptacles at all of the recreation areas. Cleaned up branches and debris along the Riverfront Park Trail. Replaced bulbs in three of the street lamp posts on North Main Street. Pumped the ponding water at the stormwater inlet on East Bridge Street. Turned the leaf windrows at the compost site on Gay Street. Cleaned the pole barn building at the Wastewater Treatment Plant. Washed and cleaned the two dump trucks and the front end loader. Installed a light bar on the pick-up truck.

**SANITATION AND SURFACE WATER:** Councilman Watts gave the following Wastewater Treatment Plant report for the month of March, 2009. The average daily flow for the month of March, 2009 was 317,000 gallons per day with a peak flow of 418,000 gallons on March 7<sup>th</sup>, 2009. 4500 gallons of sludge was pumped from the digester and hauled away by Levensgood's Septic. The old reeds, which were removed from the reed beds, were hauled to the landfill on March 23, 2009. The yearly boiler service inspection was performed by Oehlert Brothers. An eye sensor on the heater was replaced. The plant pick-up truck was inspected on March 6, 2009. The chlorine contact tanks were cleaned during the month. The pipe joint seal on the digester wall was replaced. The Davis EMU Submersible Pump from the Bridge Street Pump Station was rebuilt by Controlex. (Cost: \$1,767.00) Bio Block degreaser material is being added at the pump stations. The pump at the King Street Pump Station was pulled during the month due to a build up of rags which clogged the pump. The debris was cleaned from the pump and the pump was put back in service.

## **POLICE:**

Councilman Kratz reported the police committee met on March 19 , 2009 and discussed with Officer Wyatt some of his concerns with the purchase of the Dodge Charger. Chief Sherman updated the committee with information on some future seminars. Also, the Chief will be on

vacation from April 13, 2009 - April 20, 2009 and Officer Wyatt will be the officer-in-charge. Councilman Kratz noted that the committee also discussed some issues with the skate boarding throughout the Borough.

The police report for March, 2009 was as follows: Complaints 219; theft 3; criminal mischief 13; traffic citations issued 40 of which 31 were for speeding; criminal arrests 12; accidents 2; parking tickets issued 19. **Assisted other departments as follows:** East Vincent 19 times (suspicious person, 4 domestics, trespassing, alarm, disturbance, traffic stop, loud party, well being check, pedestrian stop, criminal mischief, 2 suspicious conditions, suspicious vehicle, DUI, prowler, and fight); Royersford 2 times (public drunkenness and fight); East Pikeland Township 2 times (domestic, and accident); Amity (information); East Coventry 1 time (traffic stop); State Police 2 times (cardiac arrest, and warrant service); Limerick 2 times (2 warrant services). **Other departments assisting Spring City were as follows:** East Vincent 2 times (assault and traffic stop); Royersford 1 time (alarm); Limerick 1 time (information). **Mileage traveled during the month of March:** Car 14-1 (2005 Ford) 1,346 miles; Car 14-2 (2007 Ford) 1,752 miles which made a total of 3,098 miles. **Gas used during the month of March:** Car 14-1 (2005 Ford) 148.0 gallons, Car 14-2 (2007 Ford) 196.7 gallons which made a total of 344.7 gallons of gas used during the month.

### **FINANCE & ORDINANCE:**

Councilman McCarthy reported the Finance & Ordinance Committee met on March 25, 2009 and discussed a downtown parking issue, a potential issue with a paved alley behind Bridge Street and west of Penn Street, some budget concerns with expenditures and projected revenues and a revision to the police pension plan ordinance.

### **ZONING, HOUSING & PROPERTY:**

Administrator Rittenhouse reported there were (9) building permits issued during the month of March, 2009. Jack Cullum, 67 N. Church Street, roof; Pat Cappeletti, 248 Yost Avenue, roof; Jeff Herbert, 230 Bridge Street, roof; Dave Hartzell, 225 New Street, sidewalk; Phoenixville Homes, 250 N. Main Street, fence; Jay Galambos, 531 New Street, addition; Jay Galambos, 531 New Street, electric; Robert Kern, 170 Poplar Street, sidewalk; Ralph Emery, 236 Chestnut Street, renovations. Estimated cost of construction for the month was \$86,200.00. Permit fees collected for the month of March, 2009 was \$650.75.

Administrator Rittenhouse noted to council that he will be making some recommendations to the Finance & Ordinance Committee this month concerning new building permit fees.

### **PLANNING:**

Councilman Burns reported the Planning Commission met on March 18, 2009 and heard a presentation from Steve Kambic, Executive Director of Phoenixville Homes and Pastor Jack Mason, Phoenixville Homes about potential development possibilities in the Borough. Minutes of the meeting have been distributed to council members.

### **FINANCIAL REPORTS:** (Posted)

Councilman Beard questioned if the Dodge Charger Police Vehicle that was ordered is a V-8 or V-6. Chief Sherman said she ordered a V-6. Councilman Beard noted that a V-6 might not be adequate for police vehicle services. Councilman Kratz said he feels a V-6 is more than adequate for our Borough and that it would be more economical to run a V-6 rather than a V-8.

Councilman McCarthy had questions on the Planning Commission Report that listed three questions that Phoenixville Homes was looking for answers from the Borough. They were:

1. Does the Borough want this project?
2. Will the Borough participate in seeking funding jointly with Phoenixville Homes?
3. Who can represent the Borough in decisions on this matter?

It was determined through discussion that questions one and two couldn't be answered until some type of plan was presented to council and that the answer to question three was Borough Council.

President Trego asked what purpose does it serve for Councilman Burns to represent the Borough in this matter. Councilman Burns clarified that it was for informational purposes only and he would be reporting back to Borough Council.

### **APPROVAL OF REPORTS:**

Councilman Watts motioned to approve the committee reports as presented. Councilman Kratz seconded. Motion carried.

### **PUBLIC COMMENT:**

Mike Hays, 400 South Main Street, Apartment 1 asked the following questions: At last Wednesday's meeting what was the general subject of this meeting. Councilman McCarthy said the meeting was opened as a council meeting and then the council went into executive session for a litigation issue. Then council went back into session and adjourned.

His next question was where was the vacancy on council publicly advertised. It was reported that it was published in the "Mercury" and the "Reporter" but not as a legal ad.

He then asked if there would be a public hearing for the potentially next vacant seat on Borough Council. It was noted that when filling vacant council positions the current council members usually do not meet with those persons interested in the position.

Jacqueline Messer, 139 New Street, addressed council in regards to beautifying an area at the Spring City Community Pool with new plants, mulch, and a steps area for the patrons of the pool.

Council agreed to endorse the project of the Community Association of Spring City and provide mulch at this area after the first year. Also discussed and approved was permitting signage to be displayed for three months by the contractor who is donating his services for the project.

### **UNFINISHED BUSINESS:**

#### **1. Time Extension Letters – Land Development/Subdivision Plans.**

Councilman Watts motioned to accept the letter from Lori M. Burt of R. J. Burt Properties, LLC granting Borough Council a 60-day extension to the statutory review period decision date for a proposed subdivision at 229 Penn Street, which would revise the decision date to June 15, 2009. Councilman Beard seconded. Motion carried.

Councilman Watts motioned to accept the letter from Bryan Hunsberger of Telvil Corporation granting Borough Council a 90-day extension to the statutory review period decision date for a proposed subdivision at South Main Street and Hunsberger Road which would revise the decision date to July 14, 2009. Councilman Beard seconded. Motion carried.

## **NEW BUSINESS:**

### **1. Resolution - Girl Scout Award.**

Councilman McCarthy motioned to adopt Resolution No. 2009-03 recognizing Kimberly K. Diehl for completing her girl scout gold award which is the highest girl honor in girl scouts. Councilman Watts seconded. Motion carried.

### **2. Advertise Amendment to the Police Pension Ordinance.**

Councilman Watts motioned to advertise an ordinance to amend the police pension plan, Ordinance No. 465, Section V, Disability Pension Benefits, to comply with the disability benefit under Act 30. Councilman Burns seconded. Motion carried.

## **READING OF THE PAYMENT OF THE BILLS:**

**GENERAL ACCOUNT:** (OFFICE) P.A.W. \$35.47; S.W. Majka, Tax Collector, \$12.78; Flexible Benefits Plans, Inc. \$3,193.88; Action Data Services, Inc. \$1,877.37; HAB-RET \$7.64; Office Depot \$18.67; H.A. Berkheimer, Inc. \$1,004.31; PECO \$327.56; Baer Romain, LLP \$4,402.04; AT&T \$34.24; Verizon \$68.02; Provident \$91.58; T-Mobile \$44.68; Commonwealth of PA \$4,974.25. TOTAL: \$16,092.49. (STREETS) Wensel's Truck Repair \$298.83; Hakun Construction \$348.00; Flexible Benefits Plans, Inc. \$6,279.34; H.A. Weigand, Inc. \$283.00; Chester County Solid Waste Authority \$3,560.17; Wayne Carl Garage \$59.98; Oehlert Bros. Inc. \$352.55; Mowrey-Latshaw \$87.73; PECO \$132.99; AirGas \$172.94; Robert E. Little, Inc. \$11.00; Provident \$36.74; CarQuest \$29.35; Eagle Disposal of PA \$3,465.45; J.P. Mascaro & Sons \$11,373.74; Hakun Construction \$870.00. TOTAL: \$27,361.81. (POLICE) Flexible Benefits Plans Inc. \$14,669.42; Office Depot \$242.90; Oehlert Bros. Inc. \$677.74; New Street Auto Service, Inc. \$261.63; Crystal Springs \$34.30; Verizon \$218.03; CarQuest \$9.07; P.A.W. \$653.86; Provident \$111.10; Keyser Miller Ford \$58.50; Nextel \$38.67; L&W Group \$81.00; Borough of Pottstown \$800.00; French Creek Outfitters \$89.00. TOTAL: \$17,945.22.

**SEWER ACCOUNT:** M.J. Reider Associates, Inc. \$815.00; Lafayette Welding, Inc. \$141.00; Levengood's Septic \$1,170.00; Flexible Benefits Plans Inc. \$4,682.40; P.A.W. \$182.68; Oehlert Bros. Inc. \$1,899.59; PECO \$2,084.48; Crystal Springs \$24.97; Pennsylvania One Call System \$3.90; United Laboratories \$820.90; Wensel's Truck Repair \$68.61; EEMA \$4,150.41; Controlex Service Corporation \$2,247.00; Baer Romain, LLP \$624.00; Derstine Co., Inc. \$350.00; Buckman's, Inc. \$469.66; A.J. Blosenski, Inc. \$500.00; AT&T \$22.36; Verizon \$93.32; Provident \$28.11; J.C. Ehrlich Co., Inc. \$40.00; Chester County Solid Waste Authority \$29.20; Clark Industrial Supply, Inc. \$5.40. TOTAL: \$20,452.99.

**STREET LIGHTING FUND:** PECO \$289.76. TOTAL: \$289.76.

**PLANNING, ZONING & HOUSING FUND:** Motley Associates, Inc. \$2,073.88; Baer, Romain, LLP \$216.00. TOTAL: \$2,289.88.

**CRP GRANT FUND:** Giovannone \$50,218.90. TOTAL: \$50,218.90.

**BUILDING & PROPERTY FUND:** Crystal Springs \$8.25. TOTAL: \$8.25.

**PARKS & RECREATION FUND:** Colonial Gardens \$475.00; Peter Lumber Company \$195.93. TOTAL: \$670.93.

**NON-UNIFORM EMPLOYEE PENSION FUND:** Commonwealth of PA \$1,534.35. TOTAL: \$1,534.35.

Councilman Watts motioned the bills be approved for payment as read. Councilman Burns seconded. Motion carried.

## **ANNOUNCEMENTS:**

President Trego announced the following meetings are scheduled for April, 2009: **Planning Commission**, Wednesday, April 15, 2009, 7:00 p.m.; **Police Committee**, Thursday, April 16, 2009, 7:00 p.m.; **Finance & Ordinance Committee**, Wednesday, April 22, 2009, 6:30 p.m.

## **ADJOURNMENT:**

Councilman Watts motioned the meeting be adjourned as there was no further business to come before Borough Council. Councilman Kratz seconded. Motion carried.

Respectfully submitted,

Dennis Rittenhouse  
Borough Administrator