

December 29, 2009

POTTSTOWN BOROUGH COUNCIL

The Adjournment meeting of the Pottstown Borough Council was called to order on Tuesday, December 29, 2009 at 6:00 p.m. in the Council Meeting Room, Pottstown Borough Hall, 100 East High Street, Pottstown, Pennsylvania, with President Toroney in the Chair.

INVOCATION

The invocation was provided by Mayor Sharon Thomas.

PLEDGE OF ALLEGIANCE

ROLL CALL

Councilors present were Mark Gibson, Maureen Allen, Stephen Toroney, Greg Berry, Jody Rhoads and David Garner. Also present were Mayor Sharon Thomas, Solicitor Charles Garner, Borough Manager Jason Bobst and Borough Secretary Virginia Takach. Councilor Wenzel was absent.

COMMENTS FROM CITIZENS PRESENT

None.

UNFINISHED BUSINESS

None.

NEW BUSINESS

a. Budget – Manager Bobst reviewed the changes in the budget including changes in the health care plan. He requested that the existing numbers remain until the final cost is in place by February 1, 2010. The increase in taxes is 9.58%. He added that potential savings in health care could be \$400,000 from an outside vendor's proposal on health care, which is still under review.

Councilor Gibson expressed a concern that only one new vendor was allowed to provide a quote regarding health care costs when others had requested to do so earlier in the year.

Mr. Bobst commented that the goal for 2010 is to provide RFP's for proposals for 2011. He also noted that the difference in the budget presentation of Option A and Option B is the increase in the Library Fund of 11%.

Motion by Councilor Berry, seconded by Councilor Allen to approve the 2010 Budget with total revenues of \$36,862,725 and total expenditures of \$36,862,725 as outlined in the 2010 Budget, Option A, dated December 29, 2009.

Councilor Garner thanked all those involved in arriving at this budget with work yet to be done with the upcoming contracts.

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President Toroney requested a roll-call vote.

Allen	yes	Gibson	yes
Berry	no	Rhoads	no
Garner	yes	Toroney	yes

Motion carried: 4 ayes, 2 nays.

b. Tax Ordinance – Motion by Councilor Gibson, seconded by Councilor Allen to adopt an Ordinance to fix the Borough tax rate for real property for the year 2010 as follows:

ORDINANCE NO. 2069

AN ORDINANCE OF THE BOROUGH OF POTTSTOWN, COUNTY OF MONTGOMERY, COMMONWEALTH OF PENNSYLVANIA, FIXING THE TAX RATE FOR THE YEAR 2010

Tax rate for general purposes, the sum of	6.028155 mills
For debt purposes, the sum of	1.068710 mills
For fire house maintenance purposes, sum of	1.315494 mills
For library purposes, the sum of	0.197004 mills
For street light purposes, the sum of	0.336700 mills
For parks and recreation purposes, the sum of	<u>0.793880 mills</u>
	9.739943 mills

President Toroney requested a roll-call vote.

Allen	yes	Gibson	yes
Berry	no	Rhoads	no
Garner	yes	Toroney	yes

Motion carried: 4 ayes, 2 nays.

c. Amendment Fee Resolution – Motion by Councilor Berry, seconded by Councilor Gibson to adopt a Resolution amending the Comprehensive Borough Fee Resolution.

RESOLUTION NO. 2009 – 38

A RESOLUTION AMENDING THE COMPREHENSIVE BOROUGH FEE RESOLUTION TO MODIFY CERTAIN BOROUGH FEES AND TO CREATE CERTAIN NEW FEES WITHIN THE BOROUGH OF POTTSTOWN TO BE EFFECTIVE JANUARY 1, 2010.

WHEREAS, the Burgess and Town Council of the Borough of Pottstown adopted a Comprehensive Fee Resolution on July 10, 1995; and

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WHEREAS, the Borough annually reviews the Fee Resolution to determine if additions or amendments to the Fee Resolution are necessary and appropriate; and

WHEREAS, the Burgess and Town Council of the Borough of Pottstown desires to amend certain fees/service charges due to the change in costs for providing such services.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Burgess and Town Council of the Borough of Pottstown, Montgomery County, Pennsylvania, as follows:

SECTION 1. The following fees of the Pottstown Borough Police Department shall be established and be imposed as set forth below:

A.	Outside Agency Processing Assist by Civ. Staff (CPIN)	\$25.00
B.	Outside Agency Processing - Damages to CPIN	\$50.00/hr to make repairs
C.	Outside Agency Line-Up Assist (CPIN/JNET)	\$35.00 initial line-up; \$25.00 each additional

SECTION 2. The following fees associated with Park and Recreation facilities are hereby adopted and amended as set forth in Exhibit "A", which is attached hereto and incorporated herein.

SECTION 3. The following fees for water rates and other fees associated with public water provided by the Pottstown Borough Authority are hereby adopted and revised as set forth on Exhibit "B", which is attached hereto and incorporated herein.

SECTION 4. The following fees associated with Licenses, Permits, and General Business Regulations shall be amended and provide as follows:

<u>TYPE OF LICENSE</u>	<u>AMOUNT</u>
Bottled Gas License	\$100.00/year
Electrician - Standard maintenance	\$100.00/year
Standard Journeyman	\$75.00/year
Alarm Device Business License - Installer	\$100.00/year
Garage License	\$100.00/year
HVAC License	\$100.00/year
Mechanical Standard Master AC or Heat	\$100.00/year

SECTION 5. The following fees of the Code Enforcement Office shall be amended and be imposed, as follows:

<u>TYPE OF FEE</u>	<u>AMOUNT</u>
Plumbing - Master, standard master, master plumber with gas, or standard residential	\$100.00/year
Plumbing - Journeyman plumber, standard journeyman, or standard journeyman with gas.	\$75.00/year
Plumbing - Apprentice	\$50.00/year
Plumbing Inspection Fee	\$56.00/year
Plan Reviews for residential	\$35.00/square foot (\$250.00 minimum)
Fire Marshal Inspection Permits	\$60.00/year

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SECTION 6. The following fees imposed by Code Enforcement associated with building permits, demolition permits, and construction shall be amended to provide, as follows:

Demolitions - First 1,000 square feet	\$ 115.00
- Each additional 500 square feet or fraction of	\$ 40.00
- Garage or sheds with no service connection	\$40.00 (with 1% over \$2,000.00 demolition costs)
Sidewalk or Curb Work Permit Fee	\$ 60.00 plus 3% over \$2,000.00

SECTION 7. The following fees imposed by Code Enforcement relating to housing, property transfer, change in occupancy and inspections, shall be amended and read as follows:

Licensing Fee for residential Units	\$ 75.00 per single family and \$57.00 for apartment units
Property transfer - Reinspection Fee	\$ 40.00 per unit
Short term rental - second and/or subsequent inspection	\$ 25.00
Rental: Change of occupancy/reoccupancy inspection fee:	\$75.00 for a single family dwelling; \$57.00 for all other units (apartments)
Rental: Short term units - annual rooming houses, hotels, motels, bed and breakfasts	\$28.00 per unit and minimum of similar facilities

SECTION 8. The following photocopy charges shall be established and be imposed as follows:

<u>Plan Size</u>	<u>Amount</u>
18 inch by 24 inch	\$ 1.50/sheet
24 inch by 36 inch	\$ 2.00/sheet
30 inch by 42 inch	\$ 3.50/sheet

SECTION 9. The following fees relating to the Public Works Department for streets and sidewalks shall be amended and provide as follows:

<u>Type of Permit</u>	<u>Amount</u>
Street Excavation Permit	\$ 40.00
Street Opening Permit	\$ 55.00

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Degradation & Inspection Fee - See Tables 1 and 2, which are attached hereto and incorporated herein, marked as Exhibit "C".

SECTION 10. The following rates for public works services is hereby revised and such charges shall be imposed as follows:

<u>Equipment Price List for Billable Work</u>	<u>Costs per Hour</u>
Air Compressor	\$ 48.00
Backhoe	\$ 72.00
Bucket Truck	\$100.00
Dump Truck	\$ 60.00
Dump Truck (5 yd.)	\$ 72.00
Gas Cut Saw	\$ 25.00
Gas Cut Saw (on wheels)	\$ 60.00
Loader	\$ 55.00
Roller	\$ 50.00
Tamper	\$ 25.00
Trash Pump (3 inches)	\$ 24.00
Trash Pump (Small)	\$ 18.00
TV Rig	\$210.00
Sewer Jet Truck	\$195.00
Snow Blower	\$ 25.00
Snowplow Dump Truck	\$ 75.00
Snowplow Pickup	\$ 60.00
Labor shall be billed at 135% for each employee, plus overtime if required.	

SECTION 11. The following fees that relate to sewer and trash services are hereby amended and shall provide as follows:

<u>Type of Fee</u>	<u>Amount</u>
Tote Replacement	\$ 70.00 each
Trash Certification Information	\$ 20.00 each
Water Certification Information	\$ 20.00 each

SECTION 12. For all fees that are established as part of the Comprehensive Borough Fee Schedule, as well as, all general accounts receivable, shall be due and payable to the Borough within thirty (30) days. If said fees and bills are not paid within thirty (30) days from the date of the bill, a penalty fee of Fifteen Dollars (\$15.00) shall be added and interest shall accrue at ten percent (10%) and be billed each month on the remaining balance.

SECTION 13. All future modifications of these fees and other fees established by the Borough shall be made by Resolution duly adopted by the Burgess and Town Council of the Borough of Pottstown.

SECTION 14. This Resolution shall become effective immediately upon enactment and such fees shall become effective January 1, 2010.

ENACTED and RESOLVED this 29th day of December 2009.

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Motion carried: 5 ayes. 1 abstention. Councilor Garner abstained due to his affiliation with the Borough Authority.

d. Sewer Rates – Motion by Councilor Berry, seconded by Councilor Allen to adopt an Ordinance amending Chapter 18 to modify the bulk sewer rate fees for the calendar year 2010.

ORDINANCE NO. 2070

AN ORDINANCE AMENDING SECTION 302 (2) (e), SANITARY SEWER RATES, OF PART 3, FEES AND RATES, OF CHAPTER 18, SEWERS AND SEWAGE DISPOSAL, OF THE CODE OF ORDINANCES OF THE BOROUGH OF POTTSTOWN, AS AMENDED, FOR THE PURPOSE OF AMENDING CERTAIN SANITARY SEWER RATES AND FEES THAT RELATE TO BULK WASTEWATER/SEPTAGE FEE SCHEDULE

Motion carried: 5 ayes, 1 abstention. Councilor Garner abstained.

e. Trash Ordinance – Motion by Councilor Garner, seconded by Councilor Berry to adopt an Ordinance providing for comprehensive changes to the Borough's Trash and Recycling Ordinance.

ORDINANCE NO. 2071

AN ORDINANCE OF THE BOROUGH OF POTTSTOWN REPEALING PART 2, RECYCLING REGULATIONS, AND REPEALING PART 3, GARBAGE AND REFUSE, OF CHAPTER, 20, SOLID WASTE, OF THE CODE OF ORDINANCES OF THE BOROUGH OF POTTSTOWN, AS AMENDED, AND SUBSEQUENTLY CREATING A NEW PART 2 ENTITLED "RECYCLING AND MUNICIPAL WASTE COLLECTION AND DISPOSAL" TO BECOME PART OF CHAPTER 20, SOLID WASTE OF THE CODE OF ORDINANCES OF THE BOROUGH OF POTTSTOWN, AS AMENDED

Councilor Garner commented that this will reduce tonnage of trash and promote recycling.

Motion carried: 6 ayes.

f. Fourth Addendum/ Police Chief's Contract – Motion by councilor Garner, seconded by Councilor Berry to approve and authorize the execution of a Fourth Addendum to the Police Chief's contract.

Councilor Garner, along with Councilor Gibson, thanked the Chief with respect to matters that would result in savings for the Borough.

Motion carried: 5 ayes, 1 nay. Councilor Rhoads cast the negative vote.

g. TAN – Motion by Councilor Berry, seconded by Councilor Gibson to approve a Resolution entering into an Agreement with the Pottstown Borough Authority for the borrowing of an amount not to exceed \$2 million for use as a Tax Anticipation Note with a repayment period not to exceed six months at an interest rate not to exceed 2%, in a form acceptable to the Borough Manager and Borough Solicitor.

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Mr. Bobst added that this borrowing had previously occurred but is recommending to Council that an agreement be in place.

President Toroney requested a roll-call vote.

Allen	yes	Gibson	yes
Berry	yes	Rhoads	yes
Garner	abstain	Toroney	yes

Motion carried: 5 ayes, 1 abstention.

ANNOUNCEMENTS

Mayor Thomas advised that it is her right to veto the budget within ten days and she would be exercising that ability by December 31st.

Solicitor Garner explained that the Mayor, as long as in office, has the right to submit the veto. He added that Council, after reorganization, would have the ability to override the veto by a five-vote majority. If not overridden, Council could pass the budget by a four-vote majority.

Councilor Garner expressed his concern to the Mayor's possible veto of the ordinance stating that concerns regarding the budget should have been suggested to Staff during the budget process.

PRESENTATIONS

President Toroney, on behalf of Council, made presentations to outgoing Council members, Councilor Garner, Councilor Berry and Mayor Thomas, and thanked them for their efforts and service during their tenure, along with Councilor Wenzel in his absence

ADJOURNMENT

The meeting adjourned at 6:40 p.m. on motion by Councilor Allen, seconded by Councilor Berry.

Submitted by,

Jason M. Bobst
Borough Manager