

## POTTSTOWN BOROUGH COUNCIL

The regular meeting of the Pottstown Borough Council was called to order on Monday, November 8, 2010 at 7:00 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 Heath.

### PLEDGE OF ALLEGIANCE

### ROLL CALL

Councilors present were Maureen Allen, Jeff Chomnuk, Stephen Toroney, Dan Weand, Jody Rhoads and Joseph Kirkland. Also present were Mayor Bonnie Heath, Solicitor Charles Garner, Borough Manager Jason Bobst and Borough Secretary Virginia Takach. Vice President Gibson was absent.

### APPROVAL OF MINUTES

Motion by Councilor Weand, seconded by Councilor Rhoads to approve the October 12, 2010 Council meeting minutes. Motion carried: 6 ayes.

### COMMENTS FROM CITIZENS PRESENT

a. James Stewart, 316 Rowan Alley Apt – requested information regarding the Sherriff sale homes recently acquired by the Borough. He also suggested that the Council meetings be aired by PCTV, Channel 22.

Solicitor Garner explained the process is directed through the Sheriff's office of Montgomery County and noted that the advertising and notice process will be improved.

Mr. Bobst added that Mr. Stewart's name would be added to a list of interest parties.

b. Teri Jensen-Sellers, 100 North York Street – requested specific contact information for Councilor Allen, commenting that she has not returned her phone calls. Ms. Jensen-Sellers also expressed concern regarding the recent shooting and violence in the 100 block of Hanover Street and requested Council and the Police Department's consideration in increasing awareness of the criminal activity.

c. Arlene Billman, 312 North Charlotte Street – complained about a notice from the Borough regarding her property at 121 North Adams Street being a rental property. She

added that she owns the property and her nephew lives there and maintains the property. Ms. Billman noted that she receives no money for the property.

d. Julian Francis, 249 Chestnut Street – also commented on the shootings over the last several months and requested Council’s assistance to assure the safety of his home and family.

e. Katy Jackson, 441 King Street- spoke in support of the newly adopted rental ordinance and reiterated her request for a task force in light of the recent shootings.

President Toroney advised of the monthly ward meetings that were sparsely attended by residents.

f. Arthur Green, 121 North Hanover Street – commended the Police Department for its prompt response and thorough interviews conducted regarding the recent shooting in his block. He added that he does not believe that the neighborhood is going down, noting the stable businesses, the homeowners and the 25<sup>th</sup> anniversary of the Historic Pottstown Neighborhood Association tour in his block adding that he will not be driven from his home.

g. Don Read, 810 Spruce Street – questioned why the expected collection rate is 92-94% when enhanced measures have been taken to improve the collections. Mr. Read also questioned the idea of increasing staff by twelve employees with the fire drivers when it was recently mentioned in a budget discussion that the layoff of thirteen employees in 2008 was beneficial to the 2009 and 2010 budgets. Mr. Read also questioned when the Fire Study would be addressed regarding the structure of the companies and the allocations provided to the departments.

#### MAYOR’S REPORT

Mayor Heath thanked all for attending and providing comments and suggestions. She recommended that the residents try to provide a license plate number of suspicious vehicles in trying to solve these crimes. The Mayor also provide information on the upcoming holiday events.

#### BOROUGH MANAGER’S REPORT

Mr. Bobst reported that the Memorandum of Understanding is being completed with changes to the by-laws, the executive board and finalizing the job description of the executive director position. Mr. Bobst also advised that a joint meeting between the Borough and the School board will be scheduled prior to the end of the year to address a concept of a community lands trust, assessment appeals and the expectations of PAID.

Mr. Bobst also recommended a process for the disposition of acquired properties to ensure a disposition within 30-60 days of receiving the deed documents in order to have the properties returned to the tax rolls. He also explained several quality of life programs such as the Citizens Codes Inspection program and a Court Watch team wherein citizens get involved

and follow up with code violation and assisting the Codes office, with the safety of citizens being the first priority. He requested these ideas be forwarded to the Finance and Infrastructure Committees for review.

Mr. Bobst also reviewed Senate Bill 900, which would increase tools of a municipality regarding blighted properties and increase enforcement issues for properties owners. He also reported that the Parks and Recreation Department received a \$250,000 DCNR grant for Phase II of Memorial Park projects. Mr. Bobst also provided a report on the Keim Street Bridge noting that it would be closed for at least another year.

Mr. Bobst advised that the final Ward meeting is scheduled for November 10<sup>th</sup>, 7:00 p.m. at the First Church of the Brethren and a ULI Study meeting will be scheduled in the New Year.

Councilor Weand recommended that the Manager's suggestions of property issues be forwarded to the appropriate committees for review.

#### COMMITTEE REPORTS

- a. Library – President Toroney referred to the minutes distributed.
- b. Human Relations - Minutes were distributed.
- c. Cable – There was no quorum for the last meeting.
- e. COG – Mr. Bobst advised that the next meeting is November 9<sup>th</sup>, East Coventry Township.
- f. EAC – President Toroney referred to the minutes distributed and advised that RFP's are in progress for the Recycling Coordinator, along with issues for the next trash contract.
- g. Regional Planning – President Toroney reported on the regional market analysis and the fiscal impact studies by DVRPC funding and in kind services.
- h. Blighted Property Review – Councilor Weand referred to the minutes distributed.

#### UNFINISHED BUSINESS

None.

NEW BUSINESS

a. EIT/Berkheimer – Motion by Councilor Allen, seconded by Councilor Weand to adopt a Resolution authorizing Berkheimer, Inc. to serve as the Borough Earned Income Tax (EIT) Collector as of January 2011 at the rate of 1.39% of collections.

RESOLUTION NO. 2010 – 32

A RESOLUTION OF THE BURGESS AND TOWN COUNCIL OF THE BOROUGH OF POTTSTOWN AUTHORIZING BERKHEIMER TO SERVE AS THE BOROUGH EIT TAX COLLECTOR BEGINNING JANUARY, 2011, AS THE TCD TAX COLLECTOR IN THE BOROUGH OF POTTSTOWN

WHEREAS, the Burgess and Town Council of the Borough of Pottstown levies a tax on earned income and net profits of residents of Pottstown Borough under the Local Tax Enabling Act, 53 P.S. §6910 et seq.; and

WHEREAS, Act 32 of 2008 amended the Local Tax enabling Act to provide for county-wide collection of EIT levied by school districts and municipalities; and

WHEREAS, Act 32 of 2008 created the Montgomery County Tax Collection District (“TCD”) and the Montgomery County Tax Collection Committee (“TCC”) to govern the TCD and to retain a tax collector to collect EIT levied by municipalities and school districts within the TCD beginning January 1, 2010; and

WHEREAS, the TCC has appointed Berkheimer Tax Administrator (“Berkheimer”) to serve as the TCD Tax Collector beginning January 1, 2012; and

WHEREAS, the Tax collection Agreement between the TCC and Berkheimer will permit municipalities and school district in the TCD to appoint Berkheimer to collect Earned Income Tax effective January 1, 2011; and

WHEREAS, Pottstown Borough has determined that it will be beneficial to the Borough to begin using Berkheimer to collect EIT beginning January 1, 2011.

NOW, THEREFORE, BE IT AND IT IS HERBY RESOLVED by the Burgess and Town Council of the borough of Pottstown, as follows:

SECTION 1. Effective January 1, 2011, in accordance with the terms and conditions of the Tax Agreement between the TCC and Berkheimer, Berkheimer shall serve as the Borough’s EIT tax collector for the 2011 tax year, with the express understanding that the current earned income tax collection contract with Berkheimer will continue to collect taxes levied in the 2010 tax year through the close-out of the 2010 tax year, including receiving fourth quarter employer and individual remittances, individual final returns, employer year-end reconciliations and delinquent taxes or reports arising from the completion of tax year 2010 until June 30, 2012, at which time such delinquent taxes or reports shall become the responsibility of the TCC appointed tax collector, Berkheimer.

SECTION 2. Effective December 31, 2010, Berkheimer will continue to serve as the Borough’s EIT Tax Collector in the capacity of the TCD Tax Collector and, in addition, Berkheimer will be responsible for the continued collection of EIT tax levied in 2010, including receiving individual fourth quarter employer and individual remittances, individual final returns, employer year-end reconciliations and delinquents arising form the completion of tax year 2010 until June 30, 2012.

SECTION 3. Effective December 31, 2010, the existing contract between the Borough and Berkheimer will terminate for future tax years; however, the terms and conditions of the existing contract will continue to govern Berkheimer's collection of the existing contract will continue to govern Berkheimer's collection of taxes levied in 2010 and the transition of tax records.

SECTION 4. Any Resolution of parts thereof inconsistent herewith are hereby rescinded, cancelled and annulled.

ENACTED and RESOLVED this 8<sup>th</sup> day of November 2010.

Motion carried: 6 ayes.

b. Berkheimer Agreement – Motion by Councilor Weand, seconded by Councilor Chomnuk to approve and execute an agreement with Berkheimer, Inc. for the collection of the Local Services Tax (LST) at the rate of 1.75% of collections. Motion carried: 6 ayes.

c. PennDOT Dot Grants – Motion by Councilor Kirkland, seconded by Councilor Weand to adopt a Resolution authorizing the submittal and modification of PennDOT Dot Grant objects to include position titles of Borough Manager and Grants Assistant.

RESOLUTION NO. 2010 - 33

RESOLUTION AUTHORIZING THE SUBMITTAL AND MODIFICATION OF PENNSYLVANIA DEPARTMENT OF TRANSPORTATION DOTGRANT OBJECTS

Be it resolved, by the authority of Pottstown Borough Council that any individual holding the position title(s) listed below is authorized to submit and modify the dotGrant electronic objects indicated below. This resolution shall remain in effect until rescinded or replaced with a new resolution.

|                 | Registration - Organization Core Info | Grant Applications | Projected Legacy Budget | Unaudited Actual Legacy Budget | Audited Actual Legacy Budget* | Grant Agreement Execution | Invoices         | Progress Reports |
|-----------------|---------------------------------------|--------------------|-------------------------|--------------------------------|-------------------------------|---------------------------|------------------|------------------|
| Position Title: | Borough Manager                       | Borough Manager    | Borough Manager         | Borough Manager                | Borough Manager               | Borough Manager           | Borough Manager  | Borough Manager  |
| Position Title: | Grants Assistant                      | Grants Assistant   | Grants Assistant        | Grants Assistant               |                               | Grants Assistant          | Grants Assistant | Grants Assistant |

I, Stephen M. Toroney, Council President of the Pottstown Borough Council do hereby certify that the foregoing is a true and correct copy of the Resolution adopted at a regular meeting of the Pottstown Borough Council held the 8<sup>th</sup> day of November 2010.

Motion carried: 6 ayes.

d. Shade Tree Ordinance – Motion by Councilor Kirkland, seconded by Councilor Chomnuk to adopt an Ordinance deleting sections of the Code of Ordinance relating to the Shade Tree Commission, and establishing a new Pottstown Tree Ordinance.

ORDINANCE NO. 2080

AN ORDINANCE OF THE BURGESS AND TOWN COUNCIL OF THE BOROUGH OF POTTSTOWN DELETING IN ITS ENTIRETY SECTIONS 901 THROUGH 903, OF PART A, SHADE TREE COMMISSION, OF PART 9, COMMISSIONS AND COMMITTEES, OF CHAPTER 1, ADMINISTRATION AND GOVERNMENT; AND DELETING IN ITS ENTIRETY SECTIONS 101 THROUGH 104 OF PART 1, POWERS AND DUTIES OF SHADE TREE COMMISSION, OF CHAPTER 25, TREES; AND ESTABLISHING A NEW PART 1, POTTSTOWN TREE ORDINANCE, OF CHAPTER 25, TREES, ALL OF THE CODE OF ORDINANCES OF THE BOROUGH OF POTTSTOWN, AS AMENDED.

Motion carried: 6 ayes.

e. Shade Tree Policy – Motion by Councilor Weand, seconded by Councilor Chomnuk to adopt a Resolution establishing approved tree species and establishing a policy for rules and regulations for sidewalk maintenance associated with tree planting.

RESOLUTION NO. 2010 – 34

A RESOLUTION OF THE BURGESS AND TOWN COUNCIL OF THE BOROUGH OF POTTSTOWN ESTABLISHING APPROVED TREE SPECIES AND ESTABLISHING A POLICY PROVIDING FOR RULES AND REGULATIONS FOR SIDEWALK MAINTENANCE ASSOCIATED WITH TREE PLANTING, REMOVAL AND MAINTENANCE, AS ESTABLISHED IN PART 1, POTTSTOWN 1, POTTSTOWN TREE ORDINANCE, OF CHAPTER

WHEREAS, Section 104, Planting of Trees on Public Right-of-Ways, of Chapter 25, Trees, permits Borough Council by Resolution to establish approved tree species for use in conjunction with the Pottstown Tree Ordinance; and

WHEREAS, Section 105, Tree Maintenance, of Chapter 25, Trees, provides for Borough Council to adopt, by Resolution, a policy for rules and regulations associated with sidewalk maintenance in conjunction with the Pottstown Tree Ordinance; and

WHEREAS the Burgess and Town Council of the Borough of Pottstown is desirous of enacting a Resolution to establish the approved tree species and a policy for sidewalk maintenance associated with tree maintenance within the Borough of Pottstown.

NOW, THEREFORE, BE IT ENACTED AND RESOLVED by the Burgess and Town Council of the Borough of Pottstown, Montgomery County, Pennsylvania, and it is hereby Enacted and Resolved by authority of same as follows:

SECTION 1. There is hereby established the following three (3) groups of trees as defined below:

Group A – Small trees shall be classified as any tree that grows to a mature height of 25 feet and a width of 18 feet. Trees in this group will be planted 20 feet apart or greater. Only Group A trees shall be used when wires are located overhead. The following species of trees are permitted in the planting list and are identifies as Group A trees:

Species: Group A trees are set forth in the Borough of Pottstown Tree List, which is attached to this Resolution, marked as Exhibit "A".

Group B – Medium trees shall be classified as a mature tree that grows to a maximum height of 25 feet to 40 feet tall with a width of 28 feet to 36 feet. Trees in this group shall be planted 30 feet apart or greater. The following species of trees are permitted in the planting list and are identified as Group B trees:

Species: Group B trees are set forth in the Borough of Pottstown Tree List, which is attached to this Resolution, marked as Exhibit "A."

Group C – Large trees shall be classified as a mature tree that grows to a height greater than 40 feet tall with a width of 35 feet. Trees in this group will be planted 40 feet apart or greater. The following species of trees are permitted in the planting list and are identified as Group C trees:

Species: Group C trees are set forth in the Borough of Pottstown tree list, which is attached to this Resolution, marked as Exhibit "A."

SECTION 2. The tree planting area needed for each of the tree groups defined in Section 1 above shall be as follows:

Tree planting wells:

Group A – 3 x 10 feet

Group B – 4 x 10 feet

Group C – 6 x 10 feet

SECTION 3. As permitted by Section 105, Tree Maintenance, of Chapter 25, Trees, the following sidewalk repairs/maintenance options are available when such repair and maintenance options of the sidewalk are caused by street trees:

A. Sidewalk Grinding: Sidewalk grinding is a temporary measure to remove offsets in the sidewalk sections. Grinding could be used to level offsets from ¼ inch to 1 inch. The success of grinding offsets to 1 inch will depend on the thickness of the concrete and the structure integrity of the cement section. Grinding cost will run about 40% of concrete replacement. It may be possible to grind up to 2 inches, however, the grinding slope may not be practical and the remaining concrete thickness may not be acceptable. This option may prolong the replacement of the sidewalk for several years depending on the tree growth.

B. Sidewalk Cutouts: Cutting out sections of concrete around a tree planting well can provide needed growth area of the tree. This option can remove a lot of the lifted concrete around the tree, which will remove tripping hazards. In most cases, it may be possible to remove concrete on three sides of the tree. The remaining free passage area between the tree and the back edge of sidewalk shall meet ADA requirements. The tree well is not free passage area when filled in with bricks or other material.

C. Sidewalk Realignment: Realignment of the sidewalk requires the sidewalk to be moved out of its present alignment and moved farther from the trunk of the tree. When the sidewalk is realigned outside the legal right of way, then the property owner needs to grant additional property to the Borough for a wider easement.

D. Sidewalk Ramping: Ramping of the sidewalk is an option that allows the tree roots to remain undisturbed and the new concrete sidewalk to be installed over the roots in a gradual sloped ramp. The damaged concrete slabs would be removed and 5 inches of soil is used to pad the roots. The raised area over the roots will require that the slopes of the ramp over the roots meet the ADA standards for slopes.

E. Flexible Paving Material: Flexible paving material shall be limited to the use of black top paving material. See Ordinance Chapter 21, Part 2, Sidewalks, as approved. The primary material for sidewalks shall remain concrete, which provides a very durable, long lasting, and maintenance free material. Concrete sidewalks provide the best surface to remove ice and snow and minimize the potential for trip and fall accidents.

F. Paver Bricks or Belgian blocks: The use of brick pavers or Belgian block will only create uneven surfaces that do not allow a level surface for ADA and wheelchair access.

SECTION 4. The standards contained in this Resolution may be amended from time to time by Borough Council through subsequent Resolution.

## TREE LIST

### GROUP A Small Trees – Mature Height 25-35 ft.

| Common Name                    | Scientific Name  |
|--------------------------------|--|
| Maple, Hedge                   | <i>Acer campestre</i>  |
| Amur Maple                     | <i>Acer ginnala</i>  |
| Maple, Paperbark               | <i>Acer griseum</i>  |
| Maple, Tatarian                | <i>Acer tataricum</i>  |
| Serviceberry                   | <i>Amelanchier x gradifolia</i> ‘Robin Hill’ ‘Autumn’ ‘Brilliance’ or <i>Cumulus</i> ’   |
| Red Bud, American              | <i>Cercis Canadensis</i>   |
| Dogwood, Flowering             | <i>Cornus florida</i>  |
| Dogwood, Kousa                 | <i>Cornus kousa</i>  |
| Hawthorn, Cockspur             | <i>Crataegus crus-galli</i>  |
| Hawthorn, Cockspur (Thornless) | <i>Crataegus crus-galli</i> var. ‘Inermis’   |
| Hawthorn, English              | <i>Crataegus laevigata</i> , "Superba"- Crimson Cloud Hawthorn (tree form)   |
| Hawthorn, Washington           | <i>Crataegus phaenopyrum</i> ‘Sentry’  |
| Hawthorn, Winter King Green    | <i>Crataegus viridis</i> ‘Winter King’   |
| Amur Maackia                   | <i>Maackia amurensis</i>   |
| Magnolia, Star                 | <i>Magnolia stellata</i>   |
| Crabapple, Flowering           | <i>Malus</i> species and hybrids, Adams, Centurion, Harvest Gold, Madonna, Prairie Fire, Profressor Sprenger, Red Barron, Red Jewel, Sentenel, Snow Drift, Spring Snow, Sugar Tyme, Zumi, Redbud |
| American Hornbeam              | <i>Ostrya virginiana</i>   |
| Cherry, Oriental               | <i>Prunus serrulata</i> , Mt Fuji Cherry   |
| Cherry, Choke                  | <i>Prunus virginiana</i>   |
| Lilac, Japanese Tree           | <i>Syringa reticulata</i> ‘Ivory Silk’ or ‘Summer Snow’, Regent  |

### GROUP B Medium Trees – Mature Height 35-50 ft

|                             |                                |
|-----------------------------|--------------------------------|
| Trident Maple (tree form)   | <i>Acer buergeranum</i>        |
| Hedge maple (tree form)     | <i>Acer campestre</i>          |
| Queen Elizabeth hedge maple | <i>Acer campestre</i> ‘Evelyn’ |
| Paperbark Maple             | <i>Acer griseum</i>            |

Apple Serviceberry  
 Serviceberry (many cultivars)  
 European Hornbeam (tree form)  
 American Hornbeam  
 Eastern Redbud  
 Kousa Dogwood  
 Golden Rain Tree  
 Galaxy Magnolia (tree form)  
 Amur Corktree  
 Columnar' – Sargent cherry  
 Japanese flowering cherry  
 Shubert Chokecherry  
 Mountain Ash  
 Japanese Tree lilac

Amelanchier laevis 'Cumulus' or "Majestic"  
 Amelanchier x grandiflora  
 Carpinus betulus "Fastigiata"  
 Carpinus caroliniana  
 Cercis canadensis  
 Cornus kousa  
 Koelreuteria paniculata  
 Magnolia 'Galaxy'  
 Phellodendron amurense  
 Prunus sargentii  
 Prunus serrulata 'Amanogawa', 'Kwanzan'  
 Prunus virginiana 'Shubert'  
 Sorbus species  
 Syringa reticulata 'Summer Snow', 'Ivory Silk'

### GROUP C Large Trees – Mature Height 50 ft or more

Red Maple  
 Sweet Birch  
 Bitternut Hickory  
 American Yellowwood  
 American Beech  
 White Ash  
 Green Ash  
 Ginkgo (Princeton Sentry)  
 Honey Locust  
 Kentucky Coffee Tree  
 European Larch  
 American Sweetgum  
 Tulip Poplar  
 Cucumber Magnolia  
 Dawn Redwood  
 Black Gum  
 London Plane  
 Northern Red Oak  
 Scarlet Oak  
 Bur Oak  
 Shumard's Red Oak  
 Linden, Little Leaf  
 Chinese Elm  
 Zelkova

Acer rubrum) variety "Red Sunset" or "October Glory"  
 Betula lenta  
 Carya cordiformis  
 Cladrastis lutea  
 Fagus grandifolia  
 Fraxinus americana 'Rosehill' or 'Autumn Purple', Autumn Purple, Champaign Co  
 Fraxinus pennsylvanica 'Summit' 'Patmore' "Marshall's Seedless" or 'Urbanite'  
 Ginkgo biloba, Autumn Gold, Lakeview, Princeton Sentry  
 Gleditsia tricanthos inermis 'Skyline', 'Shademaster'  
 Gymnocladus dioica  
 Larix decidua  
 Liquidambar styraciflua  
 Liriodendron tulipifera  
 Magnolia acuminata  
 Metasequoia glyptostroboides  
 Nyssa sylvatica  
 Platanus x acerifolia, Bloodgood  
 Quercus borealis rubra  
 Quercus coccinea  
 Quercus macrocarpa  
 Quercus shumardii  
 Tilia cordata 'Greenspire', Chancellor, Corinthian, Farview, Glenleven, Greenspire  
 Ulmus parviflora  
 Zelkova serrata 'Green Vase', Halka, Village Green

ENACTED and RESOLVED this 8<sup>th</sup> day of November A. D. 2010.

Motion carried: 6 ayes.

f. PECO Easement Agreement – Motion by Councilor Rhoads, seconded by Councilor Allen to approve and authorize execution of an easement agreement with PECO Energy Company in order to remove and replace poles and trees to accommodate the High Street Bridge over the Manatawny Construction Project, subject to approval of the Borough Manager and Borough Solicitor.

Solicitor Garner advised that the compensation of \$1 would be a goodwill gesture for future dealings with PECO.

Motion carried: 6 ayes.

g. Vehicle Sale – Motion by Councilor Rhoads, seconded by Councilor Allen to award the sale of a Borough owned 2001 Ford Crown Victoria to Keith Deluca, Upper Black Eddy, PA in the amount of \$2,150. Motion carried: 6 ayes.

h. Chemical Bids – Motion by Councilor Weand, seconded by Councilor Chomnuk to rescind the October 12, 2010 award of the chemical PACL to Main Pool, Dupont, PA and delete the October 12, 2010 award of Hydrogen Peroxide to Basic Chemical Solutions, Morrisville, PA. Motion carried: 6 ayes.

i. PACL Award – Motion by Councilor Kirkland, seconded by Councilor Weand to award the chemical PACL to Delta Chemical Corp., Baltimore, MD as per the bid tabulation of September 10, 2010. Motion carried: 6 ayes.

j. Civil Service Commission – Motion by Councilor Weand, seconded by Councilor Chomnuk to authorize the Civil Service Commission to begin the process of developing an eligibility list for new hires and promotions within the Pottstown Police Department.

Mr. Bobst confirmed that this would have no impact on the budget and would be in place only in the event of a promotion or retiree.

Solicitor Garner added that there is no preference to applicants being a Borough resident, noting that the only preference is given to veterans.

k. Car Shows – Motion by Councilor Weand, seconded by Councilor Chomnuk to approve the dates for the Pottstown Classics Car Club for the 2011 Nostalgia Nights as presented in the October 11, 2010 memorandum and to grant request to close High Street from York Street to Washington Street and Hanover Street, from King to Security Plaza from 5:00 p.m. to 9:00 p.m, subject to approval of the Police and Fire Departments.

Councilor Chomnuk requested that the motion be amended to read Nostalgia Nights Car Shows. Councilor Weand accepted the amended motion.

Motion carried: 6 ayes.

l. HARB – Motion by Councilor Kirkland, seconded by Councilor Chomnuk to approve Certificates of Appropriateness for the following properties as recommended by HARB:

- a) 1120 East High Street
- b) 67 King Street

Motion carried: 6 ayes.

m. HARB – Motion by Councilor Kirkland, seconded by Councilor Allen to ratify action of the Building Permit Officer approving a Certificate of Appropriateness for the property located at 137 King Street. Motion carried: 6 ayes.

### BUDGET REVIEW

Mr. Bobst presented a draft of the 2011 budget indicating that the items for discussion are the Parks and Recreation and Fire funds. He added that the General Fund would be listed for a special meeting later in the month. Mr. Bobst explained that the allocation to the Ricketts Center impacts the Parks and Recreation fund, noting that the Agreement is in year three of the five-year agreement and the present allotment stands at \$185,000 per year for operation of the Center. Mr. Bobst advised that Staff's recommendation for year three would be to provide 75% of the present funding.

It was the consensus of Council to authorize Mr. Bobst to pursue a discussion with Jeff Palmer of Olivet Boys & Girls Club to negotiate a reduction in the third year allotment.

Mr. Bobst also addressed the Fire Fund and advised that having the drivers become paid employees of the Borough is still under negotiations. He also requested Council's consideration on the allocation to the paid drivers health insurance and the allocation to the companies. He noted that Staff's recommendation is to keep the allocation to the companies at \$185,000 and to increase the health care allotment by \$63,000.

President Toroney reviewed the recommendation of the Fire Study in consolidating departments along with hiring the drivers as Borough employees.

It was the consensus of Council to accept Staff's recommendation for the Fire Fund.

Mr. Bobst advised that the General Fund discussion would take place after the 2011 Borough assessment is received from the County.

There was a brief discussion regarding the PCTV fund having a deficit of over \$400,000. The consensus of Council was to provide an allotment based on incoming revenues.

Councilor Weand suggested reviewing the need for the Cable Commission.

Mr. Bobst also advised that the management agreement for PCTV is under review.

Ms. Lee also clarified the comments by Mr. Read regarding the collection rate. The Borough collection rate is for taxes not utilities.

The next budget meeting will be advertised for November 30<sup>th</sup>, 6:00 p.m.

#### REPORT OF BILLS

Motion by Councilor Weand, seconded by Councilor Kirkland to pay the outstanding bills in the amount of \$3,072,880.10. Motion carried: 6 ayes.

#### ADJOURNMENT

The meeting adjourned at 9:00 p.m. on motion by Councilor Weand.

Submitted by,

Jason M. Bobst  
Borough Manager