

ROCKLEDGE BOROUGH COUNCIL
COMMITTEE MEETING MINUTES
OF
JANUARY 28, 2008

The Rockledge Borough Council met at 7:30 p.m. on January 28, 2008, at the Rockledge Borough Hall. After the prayer and the Pledge of Allegiance were recited, the roll was called as follows: Mr. Denelsbeck, Mr. Caffrey, Mr. Beady, Mr. Casey, Mrs. Kain, Mrs. Kehoe, Mr. Kelleher, and Mayor Praediger

Agenda Additions: Mrs. Kehoe has something to add under Recreation.
Mrs. Kain has something to add under Public Service. Mr. Denelsbeck has something to add under Finance.

Motion was made to adopt the agenda. All were in favor.

Law and Planning: Mr. Beady stated that Mr. Rich O'Brien and Mr. Frank Orfe from Keystone Municipal Services are here to discuss the new permit fees.

Mr. O'Brien from Keystone Municipal Services advised Council that one of the services they provide to municipalities is creation, establishment and adoption of fee schedules. The report that they provide for a fee schedule is basically an evaluation, of not only our outsource costs, but also investigation into our internal program costs. Cost of the zoning officer, cost of the Fire Marshall, cost for the permit clerk, cost for computers, for software, and all the internal costs that normally don't get collected or accounted for. What they normally do in the course of the investigation is take those costs along with the outsource costs and they look at 4 difference scenarios to see how our existing fee schedule measures up. A new single family detached dwelling, a 500 square foot residential addition, a new 10,000 square foot industrial space and a 16 unit subdivision. They look at the cost associated with these 4 different types of applications, what the existing fee schedule is and what a proposed fee schedule that would actually cover all the costs for both the out source and internal costs. In addition they look at every community around us, and they obtain fee schedules from all the surrounding communities and they evaluate for all 4 of those scenarios for all the communities around us, plus our existing and proposed fee schedule, to make sure that we are in line with the communities around us. The one thing we might want to add to this evaluation would be the cost of the zoning hearings.

Mr. Beady asked what the total cost would be. Mr. O'Brien stated that normally it runs about \$2500.00.

Mr. Bresnan asked Mr. O'Brien that when doing the calculations for the fees, do you use cubic feet, square fee, cost, etc. Mr. O'Brien stated that for residential and commercial it is on a square footage basis. What that will be is yet to be determined because they haven't looked at the program costs yet. Mr. Bresnan clarified that it is square footage for everything. Mr. O'Brien stated that this is correct. For mechanical it is normally a fee based cost for mechanical, electrical it a per outlet cost, per fixture cost, and plumbing it is a per fixture cost.

Mr. Caffrey asked isn't by code that if you put an addition on a room, you have to have so many outlets in so many feet. Mr. O'Brien stated that this is correct.

Mr. Bresnan advised that some municipalities use square feet, some use cubic feet, and some use cost, or a combination of them. Mr. Denelsbeck asked Mr. Bresnan what was the best method he found to be. Mr. Bresnan advised Mr. Denelsbeck that none of them are perfect. The most common way he has seen it is square footage. We basically now do it by square footage. This is correct.

Mr. O'Brien stated that we have received some non-residential applications recently in the Borough. These are for some tenant fit out work at Fox Chase Cancer. There is some non-residential work in the Borough, not new construction. Depending on the level of fit out, and under the existing structures code, how it falls into a class 1, 2 or 3 alterations, it gets counted as new work even though it is tenant fit out more than 50% square footage.

Mr. Caffrey asked about dumpsters. Mr. O'Brien stated that there is nothing specific out of the 12 or 14 that he has done in the last couple of years. Mr. O'Brien does not think anyone has a cost for dumpsters. What he does in a small community like Rockledge (he cannot remember the name) they actually charged a fee and issued a permit that included a sticker that would be put on the dumpster which would allow them to put it on the street in a parking space. That costs money. Mr. Praediger asked if Mr. Caffrey meant renovation work. Mr. Caffrey said yes, that before Frank was here that was how they found that there was work being done. Mrs. Kehoe asked what if they wanted to put in their driveway, would we still charge them. Mr. O'Brien stated that we would not charge them, unless they wanted the dumpster in the street.

Mrs. Kehoe asked Mr. O'Brien that when he does these fee comparisons, does he do it with other boroughs our size. Is it different for a small borough compared to a larger borough? Yes it is, because you have different program costs.

Mr. Beady asked how long this will take to put together. Mr. O'Brien stated that it takes about 60 days.

Mrs. Kehoe asked how often this should be done. Mr. O'Brien stated that you should look at it every 5 years.

Mr. Caffrey made a motion to have Keystone do the evaluation of our permit fees.
All were in favor.

Mr. Denelsbeck stated that there was a complaint filed with the Borough several months ago about broken windows, curbs, grates falling off a building. Where are we with this?
The address is 100 N. Sylvania Avenue. Mr. Hartey advised that the Borough sent a letter to them in mid-October about the broken windows and the tripping hazards on the sidewalk and we gave them 30 to start, 90 to complete and Mr. Hartey asked Mr. Bresnan if there was anything we can do even though we technically did not see him starting anything and Mr. Bresnan recommended that you need to wait the 90 days. The 90 days actually passed last week, and Mr. Hartey had Mr. Orfe write up a \$500.00 fine for the tripping hazards, and a \$500.00 fine for the broken windows, Mr. Hartey dropped these off on Friday January 25, 2008 to the district court. Mr. Denelsbeck stated that there is a sprinkler system in that building, there is no heat to that building because of the many, many holes in the windows. It is dry but there is a sprinkler system in there that needs to be preserved. The sprinkler room needs to have heat in it. We need to direct the Fire Marshall, Russell Hellyer to go make sure that the sprinkler system is ok.

Mr. Beady would like to thank the Rockledge Police Department and the surrounding police departments who found the people who broke car windows on New Years Eve.

Mr. Denelsbeck wanted to clarify that we are going to send the Fire Marshall out to 100 N. Sylvania. Mr. Hartey stated yes we would send the Fire Marshall out to 100 N. Sylvania. The district court received the fines, they will set up a court date so he will either go and defend himself or default like he did last time. Mr. Denelsbeck wanted to know where we are on the last one he defaulted on. Mr. Hartey advised that there was an injunction with Norristown. Mr. Denelsbeck asked Mr. Bresnan, where are we with the trees? Mr. Bresnan stated he was just in court last week on a zoning issue and from the date he filed to the day he got his hearing was 19 months. He was talking to other attorneys and they said that a whole bunch got scheduled in a flurry, so maybe the 19 month backlog has been broken. He defaulted on answering the complaint so Joe took it to a fault judgment, but you still have to go in front of a judge to get an order making him address the issue.

Finance: Mr. Casey advised that the Police Pension Board met on January 17, 2008, where they decided to instruct Kathy Jordan from Wachovia Securities to deposit \$25,000 into a mutual fund and to buy a \$25,000 3 month CD.

Mr. Casey made a motion to allow Kathy Jordan from Wachovia Securities to distribute \$25,000 into mutual funds and \$25,000 in a 3 month CD. All were in favor.

Mr. Casey stated that there were 2 police officers included. Mr. Denelsbeck wanted to know why two. There should only be one on the board. Mr. Casey stated one is an alternate when the other cannot make

it. Mr. Denelsbeck stated that there is no alternate on the board. Mr. Casey asked so if one cannot make there cannot be an alternate? They both cannot be there at the same time. Mr. Casey misspoke. They were not there together. Mr. Bresnan does not recall a provision for an alternate.

Mr. Denelsbeck had a question about the MMO. It says we have to put in \$34,000, but that does not take in to account what the state contribution is. Mr. Hartey advised Mr. Denelsbeck, that they do not decide that until during the year. Mr. Casey stated the reason they are doing this is to be more active to try to bring down the cost for the Borough.

Mr. Hartey advised that there is \$125,000 in cash and cd's that had expired, so we felt \$75,00 would keep us safe, \$25,000 back into mutual funds, and then the other \$25,000 in a 3 month cd. Kathy Jordan waited for the rate to come down before buying.

Mr. Denelsbeck asked Mr. Bresnan about the mercantile delinquent payments. Mr. Bresnan will get something together and give to Mr. Denelsbeck. Mr. Hartey advised that we did get a pretty good amount back. Mr. Bresnan stated he had a question that arose today regarding the property taxes that Mr. Wartman rejected because the person was late, and said now it is a legal matter, and I cannot take your payment. You have to pay it to the solicitor. Mr. Bresnan needs to speak to Al Wartman. Mr. Denelsbeck asked if this is part of the new law that someone else has to collect them. Mr. Bresnan was not sure.

Mr. Hartey advised that Al did have a small conversation with Joyce about this. The problem was that someone who was in charge of a relatives estate wants to sell there house, but there were liens on the property from back taxes, and Al was saying that he cannot accept the money because Mr. Bresnan needs to clear up the lien.

Public Service: Mrs. Kain advised that Mr. Hartey wrote a letter to Kevin Leib at Allied Waste regarding the start time the trucks are on the street, they have been out there as early as 5:30a.m. Per our contract they should not be out there earlier than 7:00 a.m.

Mr. Hartey advised that he has spoken with Mr. Leib verbally about the complaints over the last couple months and then he wrote the letter stating that the verbal warnings are over, here is a letter basically saying that if it continues to happen the police are going to be out and if the trucks are seen picking up before 7:00 a.m., they are going to get cited.

Chief Leary asked should he cite the driver or the company. Mr. Hartey stated that when he was with Waste Management, the drive gets cited.

Public Safety: Mr. Caffrey will discuss the DROP Program at the next meeting. Mr. Denelsbeck advised Mr. Caffrey to discuss with Mrs. Kain.

Harold had nothing at this time.

Chief Leary had nothing at this time.

Streets, Lights, and Sewers: Mr. Kelleher had no streets department updates at this time. Mr. Kelleher discussed the overhead street lights on Huntingdon Pike. Should we keep them on or turn them off. Mr. Praediger and Mr. Casey stated that they like them off. Mr. Kelleher wanted to know who maintains the lights. Mr. Denelsbeck advised that the Borough owns them. We pay Abington to maintain them. Mr. Kelleher wanted to know that if a light goes out and there is an accident, is we liable for that. Per Joe Bresnan, we are not liable for that.

There was a question in who would maintain the new lights. We could maintain or have Abington maintain. Mr. Kelleher will talk to Clint Snyder to discuss. If we are going to maintain, we will need to get a supply of bulbs.

Mrs. Kehoe asked about the lights in front of Fox Chase Cancer. It is too dark. Mr. Hartey advised that Bill Egnor from Fox Chase Cancer did come to see him asking about the light poles. He did not realize the cost of them. He is going to try to get the same luminaries to match ours. Mr. Casey wanted to know why they were not included on the sidewalk like the rest of the poles. The poles were there before we started the revitalization. This was missed during the planning on our part. Mr. Praediger asked that in the next phase, if Fox Chase Cancer doesn't do anything with the lights, could we include them in our next phase.

Mr. Denelsbeck asked Mr. Hartey to call PennDot and to ask them if this could be included. In Phase 3, the poles are going to be included in the project, not they way we did Phase 1 and 2. If we need to include 5 new poles for Fox Chase, Mr. Hartey will check into that at that time.

Mrs. Kehoe asked if Mr. Hartey heard from the police and Fire Company. He has heard nothing but good feedback from everyone. The only concern is Fox Chase Cancer.

If council decides to keep the overhead lights off, then Mr. Hartey needs to have Abington to remove them. Once they are removed, Mr. Hartey would advise Peco to stop billing us for the 15 lights. There is a tap charge and a wattage charge. There are 15 lights, 15 taps and each light is 400 watts. The new lights are only 10 taps. We will save \$7.11 per month per tap. We will save \$36 and change per month just on the taps. 15 lights at 400 watts are 6,000 watts the new lights are 45 at 100 watts, so we will be saving 1500 watts on top of the tap charge.

Mr. Kirby asked about the new streetlights. He has some concern about the receptacles on the poles. He wanted to know when you close the cap on the receptacle is there still juice in the receptacle. Yes there is. The lights are 10 feet off the ground. Mr. Kirby stated that if you get some children who climb up one of the poles, there could be trouble. Mr. Denelsbeck stated that there is only so much we can do. Mr. Kelleher advised Mr. Kirby that the receptacles he is talking about are ground fault protected. If you stick your finger in there it will sense moisture and it will trip. Mr. Bresnan advised the law talks about things that are attractive nuisances to kids you have to abate an attractive nuisance and that is what you would be talking about. You don't have to preclude the possibility that it could happen, you have to take reasonable measures that you don't make it overly attractive, so if you have a construction site you put a fence around it while there is a hole there, it doesn't mean no kid can reach the fence, but with these things 10 feet off the ground, if your worried about the Borough, the Borough will not face any liability for a child messing with those poles.

Mr. Denelsbeck asked Mr. Kelleher if the crew likes the gator and his answer was yes.

Mr. Kelleher advised Mr. Hartey to check with Hinkle's and McCoy about them taking down the lights and maybe even buying them. Mr. Hartey will check into this.

Mr. Caffrey made a motion to take down and sell the streetlights for whatever we can get for them. All were in favor.

Recreation: Mrs. Kehoe wants to get a head start on the Summer Camp and she is wondering if anyone has any objects before Patti runs an ad to call Jess to see if she was happy with the counselors last year and if she is, should we just offer them the job or should she place the add Mr. Caffrey and Mr. Praediger advised that they thought Jess was happy with them. Does anyone have any objections for Patti to call Jess and to ask her if she wants to offer the other girls the jobs again? Mr. Denelsbeck advised Mrs. Kehoe to go ahead and call Jess.

Property: Mr. Beady had nothing to discuss at this time.

Personnel: Mr. Casey had nothing to discuss at this time.

Public Comment: Mr. John Wynne talked about the tree that was removed on the corner of Church Road and Huntingdon Pike. He was not aware that this tree was coming down, and he was not happy about it. Mr. Hartey advised Mr. Wynne that the one on the corner did sit back pretty far. The right of way for Huntingdon Pike is 7 feet from the curb in. This tree was well beyond the 7 feet. The other tree was a lot closer to the 7 feet, don't know the exact measurement, but that tree was in bad shape. Mr. Hartey received a police report about this tree and went and took a look at it and there were branches dangling over the sidewalks that were being held up by other branches. Mr. Wynne stated we had this issue with them last year and asked them to trim that tree, because trucks were taking it out when they were making a right turn onto Church Road. Mr. Praediger suggested asking them to plant new trees.

Mr. Goldberg stated that he had been walking up the Pike when that tree was coming down and he stood there for a few minutes watching the workers take the tree down, and he assumed at the time that he no reason to disbelieve that there was nothing inappropriate happening. He looked at it and thought there

goes another piece of Rockledge disappearing, and he figured that maybe the tree was diseased or there was a legitimate reason for it. He feels as strongly as Mr. Wynne does about this tree. Mr. Denelsbeck advised that it was not in our jurisdiction. Mr. Goldberg also, asked that maybe in the future before someone removes a tree that they could talk to the Borough. Mr. Kelleher asked if there was something that could be put in the news letter. Just to request that if anything is going to be taken down like that that they talk to the Borough first. Mr. Denelsbec stated that maybe we should talk to the Business Association to see if we can encourage them to let us know before they take them down. Harold Praediger stated that new business and new residents don't have the knowledge about the trees. Mr. Kelleher said that is why we should put something in the borough newsletter. Mr. Bresnan stated maybe having a permit requirement, even though we wouldn't charge them a fee, might be a way to keep an eye on this.

Mr. Naudascher states that we cannot have it both ways. He planted trees out in front of his house, but now he has to get permission and a permit from the Borough to have them trimmed. Per John Wynne, you do not need a permit to trim trees. This is just a courtesy to say someone is coming in to trim them. If it is a shade tree in the right of way, the ordinance states whether you are planting, removing or trimming a shade tree, you do need a shade tree permit. Mr. Bresnan stated that it is the same way for a sidewalk. It is your sidewalk in the borough right of way; the borough will tell you when you have to replace it and what it has to look like. Mr. Naudascher asked Mr. Bresnan that if anything happens to his trees he is responsible just like he is responsible for his sidewalks. Mr. Bresnan stated that this is correct.

Mrs. Baskin just wanted to know what they are building at Montgomery and Shady Lane. Mr. Praediger advised her that it is an office building and they would be tearing down the building in front of it.

Motion was made to adjourn. All were in favor.

Respectfully submitted,

Joyce Hines
Borough Clerk