

Council President Darren Rash called the Schwenksville Borough Council meeting on April 12, 2018 to order at 7:00 PM at Borough Hall, 140 Main Street, Schwenksville, PA 19473.

Present, Darren Rash, Lee Ann Miller, Todd, Larsen, Greg Pocius, Sarah Knickerbocker and Mayor Joe Giunta.

Also, present, Blake Dunbar Jr. Esquire, Engineer David Leh, Anne Klepfer, Borough Manager, Secretary-Treasurer Gail Phillips.

Absent:

INFORMATIONAL ITEMS

Mayor's Report: State Police Report for March 2018, 28 incidents. Mayor Giunta was unable to attend the Regional Police meeting and is not in favor due to the cost to tax payers in the Borough. Ms. Miller and Mr. Larsen attended the meeting at the Lower Frederick Township Building. A study will be done with a no cost or commitment to each of the participating municipalities. Each municipality would have one vote and a Commission would be established.

Fire Company Report: Chris Melville reported Three calls for the Month of March 2018. All agencies have been notified that the Phone number for the prior Schwenksville Fire Company is being disconnected.

Fire Marshal and Emergency Management Report: Chris Melville reported that he is working on a Review and Update to the Limerick Generating Station Emergency Response Guide to update EOC phone number to 610-287-7442 along with confirming personnel and contact information. Conducted Storm Damage Assessment for the Borough after Friday March 2 storm. Executed Fire Drill at Greenfield Senior Living.

Ambulance Report: Gail Phillips read the report for March 2018 stating Plymouth Community Ambulance had 8 calls for Greenfield Senior Living and 2 calls for the Borough. PCAA Memberships are available anytime; please call 610-277-2776 & ask for the billing department.

AUDIENCE COMMENTS: Dan Borgnis read the following statement for the record:

“I have lived in this borough for 32 years. During those years I have always paid my taxes on time, usually early. In the mid 1900's I started to process some of my bills on line, having the bank send out checks directly. Over the next few years I transitioned all my bills to on line payment. Indeed, I have not written a manual check in at least a decade. Generally, I do about 200 transactions a year this way but it was certainly before the year 2000. In all those years I have never had a payment issue with any transaction including taxes. There was one time, not with a tax payment, check was returned to the bank and the bank let me know. (SV Fire Co.).

BOROUGH OF SCHWENKSVILLE
COUNCIL MEETING
APRIL 12, 2018

I paid my taxes early last year, as I generally do, and the check was delivered to the tax collector on March 22nd 2017. The tax collector lost the check and never cashed it. I then paid the 2nd property tax payment, early again, and the tax collector received it on August 23rd. This time she did not lose it and cashed it. However, never questioned about the payment she lost.

I was notified in February of this year of a tax lien on my property. When I investigated I found that though the check was delivered it was never cashed. Despite my long history of on time, generally early, payment and proof from the bank the check was delivered, I was assessed late fees which cost me an additional \$362.62 and made it so I could not deduct this tax in the last year this deduction is available.

Now one might ask, why did I not notice the money was not taken from the account. Well I should have. However, I travel a lot and have expenses in rather large amounts going in and out all the time. I am far more likely to look at times going out than not going out of the account. Additionally, there has never been an issue with any payment other than one the bank notified me about in 22 years, well over 4000 payments. So, though the mistake was by the tax collector, I accepted the responsibility. My fault for trusting the government to do anything right.

Now this year I paid my taxes early as usual. I received the check back in the mail with a separate fee required of \$5 because the check came directly from the bank. I am not going to pay the tax collector more to do her job. Indeed, it took her longer to print the label and mail it back to me than to just post the payment. This has never been an issue before and I refuse to pay this extortion. (\$5 is nothing, it's the principle).

So, what do I want from Borough Council? 4 answers

1. I want to know why we need a tax collector at all when there is a Montgomery County Tax Claim Bureau?
2. The Borough is small, we are not talking of 1000's of citizens. To receive notification in the form of a lien from the County seems particularly unfair. Why can't the tax collector question a lost payment from a solid citizen, rather than let it go for a year accruing fees?
3. When were the rules of how payment can be made changed and why did Borough Council not notify the taxpayers? This is 2018 after all, most payments are made this way, only the inefficiency of a government entity would have an issue with this method.
4. Do the Council members think it ethical for a tax collector to increase their income on the backs of the taxpayer? Again, it took more time and effort to return the payment than to simply cash the check."

Councils response

1. Pennsylvania Borough Code establishes the position of the elected Tax Collector. The Borough sets the terms of compensation.
2. Refer to Montgomery County Tax Claim Bureau that collects the delinquent taxes.
3. Check was returned because the Tax Bill was not attached. Clearly states on the tax bill.

Mrs. Klepfer asked for a copy of the statement and will be happy to look into the other questions we can't answer tonight.

ENGINEER'S REPORT: Dave Leh reported that the Meadow Park and Plaza bids were open. James R Kenney Excavating was the low bidder at \$697,677.50. **Motion** Todd Larsen **second** Sarah Knickerbocker to accept the bid from James R. Kenney and award the contract. All in favor, **Motion carried 5-0.**

2017 CDBG Sidewalk Grant – This grant is for the sidewalk from Perkiomen Avenue to Maple Street. **Motion** Greg Pocius **second** Lee Ann Miller to authorize to go out to bid and award at the June Council meeting. All in favor, **Motion carried 5-0.**

SOLICITOR'S REPORT: Blake Dunbar reported on the Fire Company Museum Agreement. **Motion** Lee Ann Miller **second** Greg Pocius approve the execution of the Fire Company Museum subject to the changes, remove the words in perpetuity, address the reference of cash per the Resolution that the Fire Company adopted with Blake adding the conveyance of money will take place at the same time as the agreement is signed and for Darren Rash and Gail Phillips to sign the agreement. All in favor, **Motion carried 5-0.**

566 Main Street: Owner of the property filed an appeal to which she was found guilty. Code Enforcement will have to present the case over again and Mr. Heisner has requested that Mr. Dunbar attend. The owner has taken down the structure and the appeal are for the fine and cost that she believes she should not have to pay.

ACTION ITEMS – MOTIONS, RESOLUTIONS, ORDINANCES:

Minutes: Dispense with the reading of the March 8, 2018 Meeting and approve the minutes of the March 8, 2018 Council Meeting. **Motion** by Greg Pocius and **seconded** by Lee Ann Miller. All in favor, **Motion carried 5-0.**

Treasurer's Report: Gail Phillips submitted the Treasurer report for the period ending March 31, 2018, the current invoices due for payment total \$74,370.27. This includes \$43,744.01 from the General Fund, \$792.26 from the Liquid Fuels Account, \$16,185.92 from Capital Fund and \$13,618.08 payroll and taxes. **Motion** by Sarah Knickerbocker **seconded** by Todd Larsen to pay the bills totaling \$74,370.27. All in favor, **Motion carried 5-0.**

MANAGER'S REPORT:

Monthly Report A monthly activity report was submitted to Council by Mrs. Klepfer.

Finance Report: Mrs. Klepfer read the summary Financial Report. For the Period January 1, 2018 through March 31, 2018 total income for General Fund and Liquid Fuels Funds was \$135,722.85 and Total Expenditures was \$136,560.44 for a net loss of -\$837.59. General Fund experienced a net loss of \$35,569.47. General Fund Assets total \$352,773.09, Capital fund Assets total \$74,224.24; and Liquid Fuels Fund Assets total \$80,266.91 for a combined Assets total of \$507,264.24.

May Meeting Date: Mrs. Klepfer and Mrs. Phillips are unable to attend the May 10th meeting. Can we move the meeting to May 17th? Council had no objection to move the May Council Meeting to May 17th. Unfortunately, Ms. Knickerbocker will not be able to attend on that date.

BOROUGH OF SCHWENKSVILLE
COUNCIL MEETING
APRIL 12, 2018

Authority Project: Will we permit the contractor to work at night? Council will not approve overnight work for the project. The contract to be awarded April 19, 2018.

Schwenksville Elementary School Street Lights: The Borough did not take dedication of the lights. The Borough believes that the School is paying for the electricity. The Borough will ask the School District to update the lighting fixtures to current standards estimated at \$7,500 to \$10,000.00 for new LED fixtures and then formally dedicate them to the Borough.

Committee Reports:

Property Committee: Public Meeting and Open House at 300 Main Street at 7:00pm.

Adjournment - Motion by Greg Pocius **second** Sarah Knickerbocker to adjourn the meeting at 8:25 pm. **Motion carried 5-0.**

NEXT MEETING(S):

May 3, 2018 Planning Commission Meeting 7:00pm
May 17, 2018 Borough Council Meeting 7:00pm

Respectfully Submitted,

Gail L. Phillips
Secretary