

NOVEMBER 21, 2011 SECOND MONTHLY MEETING

The second monthly meeting of Honey Brook Borough Council was held at Borough Hall and all members answered Roll Call. Also in attendance were Borough Manager, John Primus, and Borough Solicitor, Gary Moskovitz.

Trash Bid Result Review

Council reviewed the three bids received through PennBid; a copy of the bid tabulation is below.

| Number | Description | Unit Of Measure | Quantity | Company | Item Bid | Extended Bid |
|--------|---|-----------------|----------|---|-------------|--------------|
| 1 | Option #1 as outlined in specifications | Per Year Cost | 2 | CHARLES BLOSENSKI DISPOSAL COMPANY, LLC | \$53,400.00 | \$106,800.00 |
| 2 | Option #2 as outlined in specifications | Per Year Cost | 2 | CHARLES BLOSENSKI DISPOSAL COMPANY, LLC | \$0.00 | \$0.00 |
| 3 | Recyclable Per Ton Rebate | Per Ton | 1 | CHARLES BLOSENSKI DISPOSAL COMPANY, LLC | \$0.00 | \$0.00 |
| 4 | Option #3 as outlined in specifications | Per Year Cost | 2 | CHARLES BLOSENSKI DISPOSAL COMPANY, LLC | \$49,500.00 | \$99,000.00 |
| 1 | Option #1 as outlined in specifications | Per Year Cost | 2 | EAGLE DISPOSAL OF PA INC. | \$37,680.00 | \$75,360.00 |
| 2 | Option #2 as outlined in specifications | Per Year Cost | 2 | EAGLE DISPOSAL OF PA INC. | \$37,680.00 | \$75,360.00 |
| 3 | Recyclable Per Ton Rebate | Per Ton | 1 | EAGLE DISPOSAL OF PA INC. | \$2.00 | \$2.00 |
| 4 | Option #3 as outlined in specifications | Per Year Cost | 2 | EAGLE DISPOSAL OF PA INC. | \$0.00 | \$0.00 |
| 1 | Option #1 as outlined in specifications | Per Year Cost | 2 | J. P. Mascaro Sons | \$88,260.00 | \$176,520.00 |
| 2 | Option #2 as outlined in specifications | Per Year Cost | 2 | J. P. Mascaro Sons | \$91,776.00 | \$183,552.00 |
| 3 | Recyclable Per Ton Rebate | Per Ton | 1 | J. P. Mascaro Sons | \$5.00 | \$5.00 |
| 4 | Option #3 as outlined in specifications | Per Year Cost | 2 | J. P. Mascaro Sons | \$93,660.00 | \$187,320.00 |

It was noted that Eagle Disposal of PA Inc.'s bid did not include three years of financial information submitted through PennBid and that their Certificate of Insurance Notice of Cancellation language needed to be clarified to meet the specifications set forth in the bid specifications. After review, Mr. Super made a motion, seconded by Mr. Ford, to award the trash and recycle collection contract to Eagle Disposal of PA Inc. for two years for Option #2 (recycling owned by hauler; hauler gives rebate) in the amount of \$37,680.00 per year with a \$2.00 per ton recycle rebate contingent upon financial information and Notice of Cancellation language on the Certificate on Insurance being confirmed as well as the proper posting of the required Performance Bonds. The motion passed unanimously.

Public Presentations

There were no comments.

Executive Session

At 7:08 p.m., Mr. Zirkel made a motion, seconded by Mr. Super, to go into an Executive Session for the purpose of discussing personnel.

Reopening & Continuation of Meeting

At 7:35 p.m. Council reopened the meeting. Mr. Super made a motion, seconded by Mr. Ford, to eliminate the position of Honey Brook Borough Manager effective immediately. The motion passed with Mr. Richard voting nay.

Mr. Super made a motion, seconded by Mr. Zirkel, to compensate Mr. John Primus for the remainder of the year, including his current benefits, and to buy out any remaining vacation and personal time. The motion passed unanimously.

Mr. John McHugh asked if the public could speak on the actions taken by Council to eliminate the position of manager. He stated that he addressed Council a few meetings ago about the possibility of the Borough and Township sharing the services of a manager. Other members of the public, some of which were township residents or business owners, also voiced their concerns with the elimination of the position.

Solicitor's Report

Solid Waste Ordinance Draft – Mr. Moskovitz asked that any comments from Council regarding the draft ordinance, which was forwarded to Council via email, be forwarded to him within the next week. He asked Council's permission that after hearing any comments back from Council that he sends the draft ordinance to Nancy Fromnick at the Chester County Solid Waste Authority for her review and comments. Mr. Moskovitz stated that he would then proceed to advertise for Council's adoption.

Police Chief's Contract – Mr. Moskovitz had prepared the Police Chief's Contract for Council's final review. Ms. Jenzano made a motion, seconded by Mr. Zirkel, to approve and authorize the execution of Chief Ely's new contract. The motion passed unanimously. Chief Ely and Council President Nixdorf executed the contract.

Arch Street Title Report – Mr. Moskovitz stated that he would eMail the title report to Council. Mr. Ford asked for clarification if a survey had been done as part of the title report. Mr. Moskovitz stated that no survey had been done as part of the title report, which references the surrounding recorded deeds.

Approval of Previous Minutes

Mr. Super made a motion, seconded by Ms. Jenzano, to approve the minutes from the November 7, 2011 meeting. The motion passed unanimously.

Payment of Bills

An invoice from George Stauffer in the amount of \$1,350.00 was added to the list of bills presented for payment. Mr. Super made a motion, seconded by Mr. Ford, to approve the payment of bills as presented and amended. The motion passed unanimously.

Treasurer's Report

Ms. Pike distributed the Act 72 compliance letter from DNB First. She also distributed the Police Pension MMO for 2012 and reminded Council that the quote from Kimmel Lorah for auditing 2011 would be \$4,400 next year. Council concurred to approve the \$400 increase. Mr. Ford questioned the EIT income. Ms. Pike stated that Berkheimer would pay the Borough and then invoice their commission. Keystone Collections takes their commission, which is less than the rate that was being charged by Berkheimer, before making the payment to the Borough.

Council approved the Bank Resolution for check signers as Elizabeth Nixdorf, Council President, Theodore Ford, Council Vice President, and Carrie Pike, Treasurer.

Communications/Secretary's Report

Secretary requested authorization to advertise the 2012 Reorganization Meeting for January 3, 2012, as required by Borough Code, for 7:00 p.m. with the first monthly meeting to follow. Council advised the Secretary to proceed as required.

Monthly Reports

The Code/Zoning Official, Tax Collector, and Police Chief's report were distributed to Council.

Committees

Park & Recreation – Ms. Jenzano reminded everyone that the Tree Lighting would take place on December 4 at 7:00 pm. Two bands have been lined up for the 2012 concert series in the park.

Public Works – Council reviewed the application for reimbursement for emergency preparedness for Hurricane Irene and Tropical Storm Lee. Mrs. Nixdorf reported that she had a phone conference and was told that the Borough had nothing to loose for submitting the application for the storm drain cleaning that was done prior to Hurricane Irene. Council concurred that Mrs. Nixdorf and Bill Ford should proceed to complete and submit the reimbursement application.

Maintenance Garage - Council agreed to authorize the concrete wall in the garage to be painted. Mr. Zirkel noted that the maintenance garage contractor is waiting for the light fixtures to be shipped for installation.

Police – The police car was hit early in the morning on December 19. Patrolman Hughes, who was outside the car on a stop, was thrown into the air and was reported to have no serious injuries. The auto insurance and workers compensation carriers were immediately contacted.

An adjuster is scheduled to look at the car and determine if it can be fixed or if they will total the car. Chief Ely reported that he is looking into pricing for either scenario. The old police car is currently being utilized and that two other local police departments have offered to loan the Borough a car if needed. Chief Ely further reported that the State Police investigated the incident.

Old Business

Zoning Hearing Board Vacant Seat – Theodore D. Ford was appointed to fill the vacant zoning hearing board seat, to expire on December 31, 2013, on a motion by Mr. Super and seconded by Ms. Jenzano. The motion passed with Mr. Ford abstaining.

Code Inspections, Inc. Contract – Council was asked to review the contract that was previously eMailed. Contract approval will be placed on the next meeting agenda.

Old Borough Truck – Mr. Zirkel reported that the placement to sell the old brown Borough Truck on PennBid was not appropriate. Council concurred to place an advertisement to accept sealed bids in the newspaper. Council also reviewed current CoStars prices for a possible replacement truck. It was also noted that we do not have a spare tire for the new borough truck. Council concurred that a spare should be purchased.

New Business

Website – Mrs. Jenzano stated that the person who created our website is willing to do the updates at a rate of \$25.00. Mr. Super made a motion to retain Val DiLuigi at an hourly rate of \$25 to do website updates at Councilperson Jenzano's direction. Mr. Zirkel seconded the motion. The motion passed unanimously.

There being no further business to discuss, the meeting was properly adjourned at 8:50 p.m.

Janis A. Rambo
Borough Secretary