

**BOROUGH OF HATBORO  
COUNCIL MEETING  
MONDAY, DECEMBER 14<sup>TH</sup>, 2009**

**PRESENT**

President Zygmunt, Vice President LaSorsa, Councilpersons Guent, Ostrander, Tompkins, Rich & Reymmer, Mayor Hawkes, Borough Manager/Chief Gardner, Superintendent Thomas, BCO/Zoning Officer Fugate, Borough Solicitor Pionzio & Borough Engineer Dougherty.

**ABSENT**

Treasurer Lutz and Assistant Secretary Hegele were absent this evening.

**CALL TO ORDER**

President Zygmunt called December meeting of the Council of the Borough of Hatboro to order at 7:00 P.M. President Zygmunt announced that the meeting was being recorded.

**INVOCATION**

Mayor Hawkes gave the invocation for the December 14, 2009 meeting of Borough Council.

**EXECUTIVE SESSION**

President Zygmunt stated that there was an Executive Session held before this meeting to discuss various personnel matters.

**MINUTES**

Vice President LaSorsa made a motion to approve the November 23, 2009 minutes. This motion was seconded by Councilperson Guent and approved by Council unanimously.

**PRESIDENTS REPORT**

President Zygmunt stated that he had nothing to report this evening.

**TREASURER'S REPORT**

**1. CASH BALANCES & INVESTMENT INCOME REPORT**

Vice President LaSorsa gave the monthly treasurers report in Treasurer Lutz's absence. Vice President LaSorsa stated the interest earned in November 2009 was \$1,385.83. This was for all 16 accounts at TD Bank at a rate of 0.48%. Total account balance is \$3,359,747.63. Councilperson Guent made a motion to approve the Treasurer's report for the month of November 2009. This motion was seconded by Councilman Tompkins and approved by Council unanimously.

**2. APPROVAL OF WARRANTS LIST**

Vice President LaSorsa made a motion to approve the warrant list for the month of November. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

**3. PAYMENT OF BILLS**

Vice President LaSorsa made a motion to authorize the payment of bills and ratification of transfers for the month of November. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

**MAYORS REPORT**

Mayor Hawkes stated that he would like to wish everyone a very Merry Christmas and a Happy New Year. Mayor Hawkes stated that he wanted to address the issue of Councilperson Guenst's request for him to resign from the Mayors Against Illegal Guns. He stated that Councilperson Guenst advised him that many Mayors had since resigned as they felt it was not a worthy cause. Mayor Hawkes advised that since the NRA's campaign that 14 Mayors had resigned and 75 Mayors had joined. He also advised that there was a survey done, where NRA members were contacted. The survey results showed that 78% of legal gun owners would contact the police if their guns were lost or stolen.

**BOROUGH MANAGER'S/CHIEF OF POLICE REPORT**

Borough Manager/Chief Gardner stated that Richard Betz, the Developer of the 123 Manor Road subdivision, signed the 60-day MPC Extension. The Council action date is now March 31, 2010.

For the Fire House Improvements, the Borough is still waiting to receive certain documents that need to be sent the Solicitors office for submission to the state. Mr. Chris Gowen, President of the Fire Company stated that he spoke with Bob John and that the documents would be at Solicitor Pionzio's office by week's end.

Borough Manager/Chief Gardner advised that the preliminary application for the 2010 Revitalization Projects need to be submitted to the County by January 15, 2010. There will need to be authorization for the submission of the application and also a signer.

Borough Manager/Chief Gardner advised that the paving project is completed other than some line striping. Wood Street is also complete.

Borough Manager/Chief Gardner wished everyone a Happy and Safe Holiday and New Year!

**SOLICITORS REPORT**

Solicitor Pionzio advised that she had three items for the Agenda this evening.

Solicitor Pionzio stated that the easements for Williams Lane are done. After some conversation with President Zygmunt, Councilperson Guenst, Borough Manager/Chief Gardner and Engineer Dougherty, they decided it would be best to hold another meeting in January for the residents of Williams Lane to explain exactly what the project entails, the definition of easements, and to answer any questions the residents may have.

Solicitor Pionzio then advised that they are reviewing the authorization to pass the Gun Ordinance that was discussed at the last meeting. It should be completed very soon. Solicitor Pionzio stated that they are looking at authorization because there is pre-emption due to the state law. At this point Dillon's Rule has not been looked at yet because they are not finished with the pre-emption issue.

Solicitor Pionzio also advised that they are still reviewing the Boroughs ability to contribute funds for the Manor Road Storm Water Management issue to have it rectified.

#### **SUPERINTENDENTS REPORT**

Superintendent of Public Works Thomas stated there was nothing further to report.

#### **FIRE MARSHALS REPORT**

Nothing further to report at this time.

#### **CODE ENFORCEMENT REPORT**

Code Enforcement Officer Fugate reported there was nothing further to report at this time.

#### **PRIVILEGE OF THE FLOOR**

There were no questions or comments.

#### **VOTING**

#### **ADMINISTRATION AND CONTRACTS**

- a. Consider Authorization to Advertise Police Pension Plan Amendments.  
Vice President LaSorsa made a motion to authorize the Advertising of the Police Pension Plan Amendments. This motion was seconded by Councilperson Guenst and approved by Council unanimously.
- b. Consider Authorization to Advertise Sewer Authority Pretreat Ordinance.  
Vice President LaSorsa made a motion to authorize the Advertising of the Sewer Authority Pretreat Ordinance. This motion was seconded by Councilperson Guenst and approved by Council unanimously.
- c. Consider Resolution # 2009-27 Auctioning of Vehicles through Minicibid.com.

Vice President LaSorsa made a motion to authorize the auctioning of vehicles through Minicibid.com. This motion was seconded by Councilman Tompkins and approved by Council unanimously.

- d. Consider Victorian Village Closeout Agreement. Solicitor Pionzio stated that she would prepare a letter to Victorian Village advising them that once all of the following issues were complied with that their Escrows would be released. They paid all open invoices. The landscaping has been reviewed and the light needs to be bonded. Also there is a parking spot that needs to be fixed for the District Justice for the lease. There is a bi-law that needs to be amended for that to happen. Solicitor Pionzio stated that they are asking for Council to authorize this letter. Vice President LaSorsa made a motion to authorize Solicitor Pionzio to prepare a letter to Victorian Village with regards to the Escrow Release. Councilperson Guenst seconded the motion and approved by Council unanimously.
- e. Consider Ratification and Signing of Police Contract. President Zygmunt stated that he would like to acknowledge the negotiating team of Officers. Drew Valleley, Jim Petrick and Mark Ruegg. Vice President LaSorsa made a motion to approve the Signing of the Police Contract. This motion was seconded by Councilperson Ostrander and approved by Council members Zygmunt, LaSorsa, Tompkins, Rich, Ostrander and Guenst . Councilperson Reymer stated that she would abstain from the vote due to her brother in-law is a member of the Police Department and wants to avoid any perception of conflict of interest.
- f. Consider Appointment of Planner/Assistant to the Manager. Vice President Lasorsa made a motion to Consider the Appointment of Planner/Assistant to the Manager. Councilperson Tompkins seconded this motion. President Zygmunt advised that after interviewing several candidates the name that has come to the forefront is Daren Miller. This motion was approved by a vote of 4 Yea, President Zygmunt, Vice President LaSorsa, Councilman Tompkins and Councilman Rich and 3 nays, Councilperson Guenst, Councilperson Ostrander Councilperson Reymer.
- g. Consider Employee Ratification List. Vice President LaSorsa made a motion to approve the Employee Ratification List. Councilperson Guenst seconded this motion and was approved by Council unanimously.

#### **FINANCE, BUDGET AND INSURANCE COMMITTEE**

- a. Consider Adoption 2010 Borough Operating Budget. Vice President LaSorsa made a motion to Adopt 2010 Borough Operating Budget. This motion was seconded by Councilman Tompkins and was approved by Council unanimously. Vice President LaSorsa wanted to say a special thank you for all of the help with the 2010 Budget. Councilman Tompkins wanted to say a special thank you to Vice President LaSorsa for all of his work on the 2010 Budget. President

Zygmunt then addressed an Interim vote. Vice President LaSorsa made a motion to approve the library funding for the year in the amount of \$52, 250.00. Councilman Tompkins seconded the vote. The motion was approved with 5 yeas, President Zygmunt, Vice President LaSorsa, Councilman Tompkins, Councilperson Reymer, and Councilman Rich. No nays and 2 abstaining votes by Councilperson Guenst and Councilperson Ostrander, as they are members of the Library Board.

- b. Consider Ordinance No. 994 2010 Tax Ordinance. Councilman Tompkins made a motion to consider the Ordinance No. 994 2010 Tax Ordinance. This motion was seconded by Councilperson Reymer and approved by Council unanimously.

### **ZONING, PLANNING AND HISTORIC PRESERVATION**

- a. Stoveworks 1 Land Development Escrow Release No. 1. Vice President LaSorsa made a motion to approve Stoveworks 1 Escrow Release 1. Councilperson Guenst seconded this motion. Engineer Dougherty stated that Stoveworks is unable to reduce their retainage at this time so the Borough can disregard the letter for release No. 1. He advised that the only Escrow release to be concerned about is No. 5. President Zygmunt then advised that this is a Dead Motion.
- b. Stoveworks 1, Escrow Release No. 5. Councilman Tompkins made a motion to approve the Stoveworks 1, Escrow Release No. 5 in the amount of \$33,600.00. Councilperson Reymer seconded this motion and was approved by Council unanimously.

### **OLD BUSINESS**

There was no discussion.

### **NEW BUSINESS**

- a. Emergency Services & Pedestrian Safety Committee Update. Councilperson Ostrander advised that both she and her family attended the Hatboro Horsham Blue Light Ceremony. There is a tree where they light one single blue light and then one white light for every officer that has passed in Montgomery County. Councilperson Ostrander wanted to thank all of the Officers and Soldiers both here and passed for all of their Civil Service. Borough Manager/Chief Gardner wanted to thank Horsham for holding this ceremony and also wanted to state that one of the white lights was for a fallen Hatboro Officer, Chief Warren Kramer, who was killed in the line of duty in 1934.
- b. Borough Manager/Chief Gardner stated that he had one more item of New Business that he forgot to address in his previous report. He stated that Council should have received a letter from Dave Dodies, the Upper Moreland Township Manager, regarding H2O Stormwater Projects and the possibility of doing something jointly. Just wanted to confirm that Council was in receipt of the letter.

### **PRIVILEGE OF THE FLOOR**

Mrs. Philips, 204 Wood Street. Mrs. Philips wanted some clarification on the Nay vote regarding Daren Miller. Councilperson Ostrander stated that she could only speak for herself in that she felt that as a Council they did not do due diligence and did not interview enough people for the position. Councilperson Reymer stated that she agreed with Councilperson Ostrander and would like to leave it at that. Councilperson Guent stated that she feels it should be two different positions and that the Planner should be different then the Assistant Manager. She feels that the Planner should be a part time position and that the Assistant to the Borough Manager should be a full time position. Vice President LaSorsa stated that he could not disagree more. He feels that Mr. Miller is highly qualified and a wonderful addition to the Borough Staff.

Ron Battis, 320 Moreland Road. Mr. Battis wanted to know if Mr. Miller is in fact going to be full time. Council advised yes. Mr. Battis also wanted to know when the Re-Organization Meeting would be held? President Zygmunt advised January 4, 2010.

Chris Gowen, Enterprise Fire Company. Mr. Gowen just wanted to thank Council for all of their help and support in the past year. Mr. Gowen advised on behalf of the Enterprise Fire Company he wanted to wish everyone a Safe and Happy Holiday.

John Farnen, Elm Street. Mr. Farnen asked if there is something that is going to be done with the sound system in the upcoming year. Mr. Farnen also wanted to know when the updates for the re-vitalization plan be made available. Borough Manager/Chief Gardner stated that that should be something that is on the January 4, 2010 meeting agenda. He stated that he would get a copy of the letter to Mr. Farnen.

Nancy Barr, 206 Wood Street. Mrs. Barr wanted to know when the next Planning Commission Meeting would be held. She was advised that the meetings are held the first Tuesday of the month but that nothing is scheduled at this time.

Mrs. Philips, 204 Wood Street, Wants to wish everyone a Healthy New Year!

Sandy Zygmunt, 645 York Road. Mrs. Zygmunt stated that as a former Councilperson she feels that people have forgotten what this Council had on their platter four years ago. She wanted to state that she feels that this Council has done a wonderful job and wanted to thank Council.

### **ADJOURNMENT**

President Zygmunt adjourned the December 14, 2009 Council Meeting at 7:42 p.m.

Respectfully Submitted,

Amy E. Wack

