

BOROUGH OF HATBORO

COUNCIL MEETING

Monday, September 24th, 2007

PRESENT

President Zygmunt, Vice President LaSorsa, Councilpersons Guent, Moll, Ostrander, Tompkins & Vasoli, Mayor Hawkes, Borough Solicitor Meyer, Borough Manager/Chief Gardner, Assistant Secretary Valesky, Treasurer Reymmer, Fire Marshal Stauch & Borough Engineer Dougherty.

ABSENT

CALL TO ORDER

President Zygmunt called the September meeting of the Council of the Borough of Hatboro to order at 7:00 P.M.

INVOCATION

Mayor Hawkes gave the invocation for the September Council Meeting.

MINUTES

President Zygmunt stated Council is in receipt of the minutes of the August 20th, 2007 Council meeting. Vice President LaSorsa made a motion to approve the minutes of the August 20th, 2007 Council meeting. This motion was seconded by Councilperson Guent and approved by Council unanimously.

PRESIDENT'S REPORT

President Zygmunt stated he wanted to read a statement prepared by Mayor Hawkes and himself on behalf of Borough Council with regards to the safety of residents of West Lehman Avenue and Pennypack School. The recent police activity on West Lehman Avenue is under the jurisdiction of the Chief of Police and the Montgomery County District Attorney's Office. The Chief is the authority on the investigation and dissemination of information about criminal activity in the Borough of Hatboro. He and his department must also "make the calls" relative to the safety and security of the community. We have great confidence in our Chief and the Hatboro Police Department's handling of this matter. They have been devoting their efforts to managing the situation and gathering the information necessary to prosecute the crime, all while making certain the citizens of Hatboro are safe. Incorrect information, misinformation and rumor are not things that our Chief and Police Department want to generate. The best, correct information was disseminated at the earliest time possible based on their professional judgment. A press release, in conjunction with the County District Attorney's office, occurred Wednesday at around noon. This was when they felt there was sufficient factual material for the public dissemination.

The investigation is a joint effort between the Hatboro Police Department and the Montgomery County Detective Bureau. Our Department has had additional patrols on the streets since the crime was reported. In addition, there are numerous local law enforcement agencies from surrounding communities that have expended time and effort investigating this crime and helping to keep the residents of Hatboro safe. Hatboro Council has also pledged the support of the entire Borough government to the Chief and the Police Department in their efforts. As additional, credible public information becomes available, it will be posted on the Community Station (Channel 22) and other appropriate places in town. All of this effort focuses on apprehending a criminal and insuring the safety of the citizens of Hatboro. We believe that the Chief and the Police Department have made every effort to insure the safety of all of the members of the community despite the difficult circumstances, while importantly, knowing that the victim's rights also warrant consideration. Thank you for addressing your concerns to us instead of through the community grapevine. We will make certain that your concerns about the dissemination of information are forwarded to the Montgomery County District Attorney's office and the Hatboro Police Department.

BOROUGH MANAGER/CHIEF OF POLICE REPORT

Borough Manager/Chief Gardner stated he was going to combine his Manager's Report with his Police Department report. Borough Manager/Chief Gardner stated he had several items to report on. Borough Manager/Chief Gardner stated he would comment briefly on the recent Assault on West Lehman Avenue, he thanked the Montgomery County District Attorney's office and Detective Bureau along with surrounding departments, Upper Moreland, Horsham and Warminster as they have been assisting with handling calls and patrolling the area where this incident occurred. Borough Manager/Chief Gardner also wanted to thank the officers from his department, the entire department, all 14 officers were in and working and continue to work 24/7 on this case. Borough Manager/Chief Gardner stated the victim is tough, she is doing well and is a pillar of strength. Borough Manager/Chief Gardner stated the Citizens Crime Commission has put up a \$5000.00 reward for information concerning this case and the apprehension of the person who did this, flyers are posted throughout the community and are available at this meeting.

Borough Manager/Chief Gardner stated the second item on his report was an update on the Verizon Community Channel, Verizon has indicated they will be out to facilitate Channel 22 for Verizon customers hopefully in November.

Borough Manager/Chief Gardner stated the Citizens Police Academy in conjunction with Horsham Township PD is underway, he thanked Councilperson Ostrander for attending.

Borough Manager/Chief Gardner stated that all complaints concerning the dirt/dust control at Victorian Village should be directed to Fire Marshal Stauch. Fire Marshal Stauch will monitor this and if citations are necessary he will issue them.

Borough Manager/Chief Gardner stated on September 8th, his department conducted a speed check along Horsham Road. Borough Manager/Chief Gardner stated citations were issued for speeding.

PRIVILEGE OF THE FLOOR

President Zygmunt stated this privilege of the floor is for residents to address Council to discuss items on tonight's agenda. There was no public comment.

TREASURER'S REPORT

1. CASH BALANCES & INVESTMENT INCOME REPORT

Treasurer Reymer reported the interest earned in August was \$29,844.25. This was for all 14 accounts at Commerce Bank at a rate of 5.13%. Total account balance is \$6,671,028.42. Vice President LaSorsa made a motion to approve the Treasurer's Report for the month of September 2007. This motion was seconded by Councilperson Guent and approved by Council unanimously.

2. APPROVAL OF WARRANTS LIST

President Zygmunt stated that Council is in receipt of the warrant list and manual checklist. President Zygmunt stated that Council has had the opportunity in advance to review the warrant list and direct any questions to the Chief or Department Head. Vice President LaSorsa made a motion to approve the warrant list and manual checklist for the month of September. This motion was seconded by Councilperson Ostrander and approved by Council unanimously.

3. PAYMENT OF BILLS

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

Councilperson Vasoli made a motion to forward the invoice for MPH Industries, Inc. in the amount of \$5,748.00 to the Borough Authority for reimbursement. This motion was seconded by Councilperson Guent and approved by Council unanimously.

MAYOR'S REPORT

Mayor Hawkes thanked the Chief Gardner and the members of the Hatboro Police Department for all their efforts in the past week in the West Lehman Avenue case. Mayor Hawkes also reminded everyone that the new speed trailer is out and in use in the Borough. Mayor Hawkes stated the speed trailer is on Horsham Road currently.

SOLICITOR'S REPORT

Solicitor Meyer prepared an advertisement and summary of Park Rules and Regulations Ordinance.

Solicitor Meyer prepared for Zoning Board Hearing of Schieber v Hatboro, Procedural Validity Challenge, scheduled September 26, 2007.

SUPERINTENDENT'S REPORT

Superintendent Stauch stated the Public Works report was submitted in advance. President Zygmunt also announced that copies of the Public Works report were available on the table in the front of the meeting room.

FIRE MARSHALS REPORT

Fire Marshal Stauch reported the Fire Marshal report was submitted in advance.

COUNCIL/COMMITTEE REPORTS

PUBLIC SAFETY COMMITTEE - MAYOR HAWKES

Mayor Hawkes stated he had nothing on his agenda for this evening.

PUBLIC WORKS COMMITTEE – COUNCILMAN MOLL

Councilman Moll stated there was one item on his agenda, to Consider Bulk Collection Pick-up Schedule change, which was going to be moved to the October Committee Meeting.

ZONING, PLANNING and HISTORIC PRESERVATION COMMITTEE – COUNCILMAN TOMPKINS

Councilman Tompkins stated he had three items on his agenda for this evening. The first item was to consider the release of escrow for 16 East Montgomery Avenue. Councilman Tompkins stated that he spoke with Rich Sliwinski from Pennoni Associates who recommended that the escrow be released after the first building inspection, which has not yet occurred. Councilperson Guent made a motion to release the escrow funds for this project. This motion was seconded by Councilman Tompkins and after a vote by all of Council the motion was opposed by Council unanimously.

Councilman Tompkins stated the second item on his agenda was to update Council on the Conditional Use Hearing Date for the Stoveworks 2 Project, which was going to have to be changed until November due to the Traffic Study not being done. Councilman Moll asked if a waiver was in place. Councilman Tompkins stated the waiver was already on file. Councilman Moll asked how long the waiver was good for. Solicitor Meyer stated the waiver was good until revoked by the applicant, and then the process would begin again.

Councilman Tompkins stated the third item on his agenda was to consider approval of the parking lot expansion for Station Park, 330 Warminster Road. Councilman Vasoli made a motion to approve the parking lot expansion subject to the Gilmore & Associates memo dated September 19, 2007. This motion was seconded by Councilman Tompkins and approved by Council unanimously.

GRANTS AND EXTERNAL FUNDING COMMITTEE - COUNCILMAN VASOLI

Councilman Vasoli stated he had one item on his agenda for this evening, the Gateway Signs Grant Application. Councilman Vasoli stated the grant is for \$15,000, there is no match commitment from the Borough. Councilman Vasoli stated the application is sent to the State via electronic submission by the State Representative's office. Councilperson Guent made a motion to consider approval of the Gateway Signs Grant subject to review by Council prior to submission. This motion was seconded by Councilperson Ostrander and approved by Council unanimously.

PARKS and FACILITIES COMMITTEE - COUNCILPERSON GUENST

Councilperson Guent stated she had two items on her agenda for this evening. Councilperson Guent stated the first item on her agenda was to consider the approval of the Parks Permit Package, Ordinance Number 976. Councilperson Guent stated this has been discussed at length and all the recommended changes have been made and the Ordinance advertised. Councilperson Guent made a motion to approve the Parks Permit Package and Ordinance Number 976. This motion was seconded by Councilman Vasoli and approved by Council unanimously.

President Zygmunt stated that members of the Fire Company had to leave the meeting due to a fire call and were not present for the first Privilege of the Floor. President Zygmunt was giving them the opportunity to address Council with regards to any voting item on the agenda for tonight's meeting. Mr. Chris Gowen stated the Fire Company was asking for approval for the Fire Company to have a Christmas Tree Sale in Miller Meadow. President Zygmunt asked for a motion to approve the use of Miller Meadow for a Christmas Tree Sale for the Fire Company. Councilperson Guent stated the Christmas tree sale is a 6-week commercial activity and she feels the Fire Company is leasing Miller Meadow for commercial activity, which she cannot support. Councilperson Guent stated she wants the fire company to raise money and supports the fire company raising money but perhaps at another location other than Miller Meadow.

Vice President LaSorsa stated this sale was a commercial activity and he also is in favor of the fire company raising money but would like to see the fire company do the tree sale on their own not through a vendor.

Councilman Tompkins stated 6 to 7 weeks is a long time and worried that the Meadow would be damaged, along with the safety issue by cars going in and out of the Meadow to pick up trees in an already congested intersection.

President Zygmunt stated he felt what was being proposed was a commercial enterprise.

Councilman Vasoli stated the fire company was making money, 2500.00 and the carnival and circus have been there before and if there were damages bonds and insurance would take care of those matters. Councilman Vasoli stated the carnival poses a pedestrian safety issue, as did the circus.

President Zygmunt stated the sale/setup would begin around November 3rd and continue through Christmas Eve, December 24th, with hours from 9:00 AM to 10:00 PM, Monday through Friday and 8:00 AM to 10:00 PM, on weekends. President Zygmunt also stated there is a \$700.00 a day rental fee that has been asked to be waived.

Councilperson Guent suggested possibly another location, perhaps the old Wendy's on York Road, has access from York Road and Abbotts Lane, making access easier and safer. Councilperson Guent suggested the Fire Company continue to look for places to sell Christmas Trees.

Councilperson Guent made a motion to allow the Enterprise Fire Company Christmas Tree Sale at Miller Meadow from November 3rd through December 24th. This motion was seconded by Councilperson Ostrander and after a vote by all of Council the motion was opposed by Council with Councilman Vasoli casting the only yes vote.

Councilperson Guent announced that the Carnival is set up across the street and begins tomorrow evening. Councilperson Guent thanked all the organizations that have volunteered their time and hopes everyone comes out this year for a fun time.

BUDGET and INSURANCE COMMITTEE - VICE PRESIDENT LASORSA

Vice President LaSorsa stated he had nothing on his agenda for this evening.

PUBLIC RELATIONS and COMMUNITY INFORMATION COMMITTEE - COUNCILPERSON OSTRANDER

Councilperson Ostrander stated she had nothing on her agenda for this evening.

ADMINISTRATION COMMITTEE -PRESIDENT ZYGMONT

President Zygmunt stated he had four items on his agenda for this evening. The first item was to update Council on the Loller Building Renovations. President Zygmunt stated the bid documents have been advertised and are scheduled for opening on October 11th, 2007 at Borough Hall.

President Zygmunt stated the second item on his agenda was the Southern Gateway Project Update. President Zygmunt stated that Gilmore & Associates prepared the documents and advertising for the re-bid of this project, the bids are scheduled for opening on October 5, 2007. Councilperson Guent made a motion to re-bid the Southern Gateway Project and open bids on October 5, 2007. This motion was seconded by Vice President LaSorsa and approved by Council unanimously.

President Zygmunt stated the third item on his agenda was to consider the appointment of Mr. Robert Ersham to the Borough Authority. President Zygmunt stated that Mr. Ersham was interviewed previously when there was an opening on the Zoning Hearing Board. Councilperson Guent made a motion to appoint Mr. Robert Ersham to the Borough Authority. This motion was seconded by Vice President LaSorsa and approved by Council unanimously.

President Zygmunt stated he had another item that was not on the agenda. President Zygmunt stated the October committee meeting would need to be advertised as a voting meeting in order to accept the bids for the Southern Gateway Project. Councilperson Guenst made a motion to advertise the October 8th 2007 as a voting meeting. This motion was seconded by Councilperson Ostrander and approved by Council unanimously.

OLD BUSINESS

There was no old business to come before Council.

NEW BUSINESS

Councilman Tompkins wanted to announce he has been involved in the Multi Municipal Corridor Study Group, which met last week. Councilman Tompkins stated that there have been ideas on the table to discuss sharing Code Enforcement duties with other municipalities due to the new educational requirements. Councilman Tompkins stated the Borough has been actively looking at resumes but the new educational requirements are making it difficult to find qualified individuals. Councilman Tompkins also stated that stormwater management was also discussed at this meeting.

President Zygmunt thanked Councilman Tompkins for attending these meetings on behalf of Borough Council.

Borough Manager/Chief Gardner stated he wanted to add another item to his report previously given. Borough Manager/Chief Gardner stated that Sgt. Goold recently completed a traffic survey in the area of South Chester Avenue and Harding Avenue. Borough Manager/Chief Gardner stated the average speed was 23 MPH. Mayor Hawkes asked for a copy of this report. Borough Manager/Chief Gardner stated that a copy of the report would also be available at Borough Hall if anyone were interested in reviewing the information.

Councilman Vasoli left the meeting at 7:55 P.M.

PRIVILEGE OF THE FLOOR

Mr. Ron Battis, 320 W. Moreland Avenue thanked Council for Ordinance Number 976, he stated that he would put together a complete packet(s) for Borough Hall. Mr. Battis asked about cameras for police cars. Mr. Battis feels the cameras would help police especially during a car stop where back up might not arrive due to being at the other end of town or not available. Borough Manager/Chief Gardner stated he would look into prices and let Council know. Mr. Battis also asked about the possibility of placing a police car in plain view in an effort to slow down traffic. Mr. Battis stated it is done in other municipalities and people know the car is going to be there so they slow down. Borough Manager/Chief Gardner stated this method has been utilized before in the Borough. Borough Manager/Chief Gardner stated that he recently acquired a speed trailer, which will be seen in different areas of the Borough. Borough Manager/Chief Gardner also stated that Pennsylvania is one state who still does not have Radar and the State Legislature need to get a Radar Bill to help with speeding problems. Borough Manager/Chief Gardner encouraged Council and the audience to contact their legislators and ask them to support a Radar Bill.

Mr. Tom McMackin, 10 E. Mill Road. Mr. McMackin stated he has lived in the Borough and was on Council and he feels that the Borough Manager should be a full time position and the Police Chief should be a full time position. Mr. McMackin states he does not feel safe with this arrangement. President Zygmunt stated that he has spoken with Chief Gardner and he is not overwhelmed, Mrs. Valesky fills in, Borough Council is currently looking for another assistant to help with the administering of planning and capital projects and Borough Hall is running well. President Zygmunt also stated that other municipalities in this area have the same arrangement as Hatboro, they include Quakertown, Ambler and Bristol. Mr. McMackin stated he was involved in the Hatboro Horsham Kiwanis Club and they are currently trying to raise money to improve Tanner Park. Mr. McMackin asked for a status of the playground equipment. Councilperson Guenst stated she gave Mrs. Ruth Campbell a new catalog and recommendations at a prior meeting that Mr. McMackin was not in attendance for. Mr. McMackin stated he would speak with her.

Mr. John Demcisak, 225 E. Monument Avenue stated he has served on Council, with Mr. McMackin and he wanted to say that in the past the front office at Borough Hall was lacking stability. Mr. Demcisak is more comfortable now with Chief Gardner as Borough Manager and Police Chief, the concept is innovative and good for the Borough and he respectfully disagrees with Mr. McMackin.

Mr. Rich Lefebvre, President Enterprise Fire Company stated he was disappointed with Council's decision. Mr. Lefebvre stated it was the intention of the Fire Company to work with this company this year and then next year do the sale on their own. Councilman Tompkins stated the Fire Company should look at other locations to do this. Councilperson Guenst stated they should contact Wendy's on York Road and see if they can use that property since it is vacant and has access to York Road and also access to the rear of the property.

ADJOURNMENT

President Zygmunt adjourned the September 24th, 2007 Council meeting at 8:15 P.M.

EXECUTIVE SESSION

President Zygmunt stated there would not be an executive session this evening.

Respectfully submitted,

Diane C. Valesky
Assistant Borough Secretary