

**BOROUGH OF HATBORO
COUNCIL MEETING
MONDAY, FEBRUARY 23rd, 2009**

PRESENT

President Zygmunt, Vice President LaSorsa, Councilpersons Guenst, Ostrander, Tompkins, Rich & Reymer, Mayor Hawkes, Borough Manager/Chief Gardner, Planner/Assistant Manager Hartey, Assistant Secretary Hegele, Superintendent Thomas, BCO/Zoning Officer Fugate, & Borough Engineer Dougherty.

ABSENT

Treasurer Lutz was absent this evening.

CALL TO ORDER

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

INVOCATION

Mayor Hawkes gave the invocation for the February 23rd, 2009 meeting of Borough Council.

MINUTES

President Zygmunt stated Council is in receipt of the January 26th, 2009 Council Meeting Minutes. Vice President LaSorsa made a motion to approve the January 26th, 2009 Council meeting minutes. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

PRESIDENTS REPORT

President Zygmunt stated he had nothing to report this evening.

BOROUGH MANAGER/CHIEF OF POLICE REPORT

Borough Manager/Chief of Police stated he had one item to report on this evening, the West Monument Avenue bridge project. Borough Manager/Chief Gardner stated the project is scheduled to start on March 2nd weather permitting and should take 4 weeks. Borough Manager/Chief Gardner stated that area residents have been notified, along with emergency services and the school district. Borough Manager/Chief Gardner stated that detours are in place.

TREASURERS REPORT

1. CASH BALANCES & INVESTMENT INCOME REPORT

President Zygmunt reported Treasurer Lutz was absent this evening. Vice President LaSorsa reported the interest earned in January 2009 was \$1,387.00. This was for all 14 accounts at TD Banknorth at a rate of 0.450%. Total account balance is \$3,387,436.95. Councilperson Guenst made a motion to approve the Treasurer's report for the month of January 2009. This motion was seconded by Vice President LaSorsa and approved by Council unanimously.

2. APPROVAL OF WARRANTS LIST

President Zygmunt stated Council is in receipt of the warrant list. President Zygmunt stated 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 for the month of February 2009. 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 February 2009. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

4. PAYMENT OF BILLS - MANUAL LIST

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

MAYORS REPORT

Mayor Hawkes stated he had nothing to report this evening.

SOLICITORS REPORT

President Zygmunt reported there would be no Solicitors report this month.

SUPERINTENDENTS REPORT

President Zygmunt stated the Public Works report was submitted in advance and copies of the report were available on the table in the front of the meeting report. Superintendent Thomas stated he had nothing additional to report.

FIRE MARSHALS REPORT

President Zygmunt stated the Fire Marshals report was submitted in advance and copies of the report were available on the table in the front of the meeting room.

PRIVILEGE OF THE FLOOR

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

COUNCIL/COMMITTEE REPORTS

President Zygmunt stated there would be a change in the agenda and item number 14C, Consider 2009 Staff Appointments; this item would now be voted on at this time. President Zygmunt reviewed the list of appointments, James Gardner, Borough Manager, Michael Hartey, Assistant Manager/Planner, Diane Hegele, Assistant Secretary/Open Records Officer, James Gardner, Chief of Police, Roy Thomas, Public Works Superintendent/Deputy Fire Marshal, W. Robert Stauch, Fire Marshal/Emergency Management Coordinator & Property Maintenance Inspector, Joseph Reading, Assistant Fire Marshal/ Assistant Property Maintenance Inspector, Keith Fugate, Building Code Officer/Zoning Officer, Joseph Lutz, Treasurer, Berkheimer Associates, EIT Collection Agent, Lopez, Teodosio & Larkin, Auditor, Gilmore & Associates (James Dougherty), Engineer, Bruce Eckel (Dougherty & Eckel), Zoning Hearing Board Solicitor and Hamburg, Rubin, Maxwell and Lupin (Christen Pionzio), Borough Solicitor. Councilman Tompkins made a motion to approve the above appointments for one year, term expiration of December 31, 2009. This motion was seconded by Vice President LaSorsa and approved by Council unanimously.

Borough Council welcomed Ms. Christen Pionzio as Borough Solicitor. Borough Solicitor Pionzio thanked Council on behalf of her firm and stated she looked forward to working with the Borough.

A. PUBLIC SAFETY COMMITTEE- Mayor Hawkes

Mayor Hawkes stated he had one item on his agenda for this evening to approve the Fire Company Expenditure List for the month of January 2009 in the amount of \$11,573.33. Vice President LaSorsa made a motion to approve the fire company expenditure list for January 2009 in the amount of \$11,573.33. Councilman Tompkins asked if the Peco bill was for two months. Fire Company President Gowen stated the bills overlapped. Councilperson Reymer questioned the expenditure for security cameras. President Gowen stated there has been some vandalism to the outside of the firehouse and other incidents that warranted the cameras, which are expandable. Councilperson Ostrander asked President Gowen to make sure those cameras are off on election days. President Gowen stated the cameras would be off. This motion was seconded by Councilperson Guent and approved by Council unanimously.

B. FIRE BOARD - Vice President LaSorsa

Vice President LaSorsa stated he did not have anything for his agenda this evening.

C. **PUBLIC WORKS** – Councilman Rich

Councilman Rich stated he had one item on his agenda this evening, to consider a request from the Union Library of Hatborough for snow removal services. Councilman Rich stated the Borough is in receipt of a letter from the Borough insurance carrier recommended the Borough does not perform this service. Councilperson Guenst asked if any their any other organizations that can do this service. Councilperson Ostrander asked if Public Works does the Fire House. Superintendent Thomas stated the PW trucks does the apron and driveway of the firehouse. President Zygmunt stated this is a public safety issue and the fire trucks need to get out for an emergency. Fire Chief Zollers stated the fire company does the sidewalks. Library President Patty Fleming stated the Library only needs the driveway not the sidewalks as requested in the letter submitted. President Zygmunt asked for a motion. Councilpersons Ostrander and Guenst stated they would have to abstain from voting since they are on the Library Board. Councilperson Reymer made a motion that the Borough Public Works Department provides snow removal services to the Hatborough Union Library of Hatboro. This motion was seconded by Councilperson Reymer and a vote taken by the president as follows: Councilperson Ostrander abstained, Councilperson Guenst abstained, Vice President voted no, Councilman Tompkins voted no, Councilperson Reymer voted yes, and Councilman Rich voted no. President Zygmunt stated the motion was denied.

D. **ZONING, PLANNING & HISTORIC PRESERVATION COMMITTEE** – Councilman Tompkins

Councilman Tompkins stated he had two items on his agenda this evening; the escrow release for Victorian Village in the amount of \$45,790. Vice President LaSorsa made a motion to approve the Victorian Village Escrow Release in the amount of \$45,790. This motion was seconded by Councilperson Ostrander and approved by Council unanimously.

Councilman Tompkins stated the second item on his agenda was the Upcoming Zoning Hearing Board meeting on February 25th. The Zoning Hearing Board has an application before them to consider zoning variances for signage at the Victorian Village complex. Councilman Tompkins stated the current zoning is 4 square feet per each retail space and the applicant is asking for 24 square feet per each retail space, a total of 5. Councilman Tompkins made a motion to recommend to the Zoning Hearing Board to consider consistency, style and color of signage. This motion was seconded by Councilperson Guenst, with Vice President LaSorsa, Councilperson Ostrander, Councilman Rich and Councilperson Reymer voting against. President Zygmunt stated the motion was denied.

E. **PARKS & RECREATION COMMITTEE** – Councilperson Guenst

Councilperson Guenst she did not have anything for her agenda this evening.

F. **FINANCE, PARKS & RECREATION COMMITTEE BUDGET & INSURANCE COMMITTEE** – Vice President LaSorsa

Vice President LaSorsa stated he did not have anything for his agenda this evening.

G. **PUBLIC AND COMMUNITY RELATIONS COMMITTEE** – Councilperson Reymer

Councilperson Reymer stated she did not have anything for her agenda this evening.

H. **ADMINISTRATION & CONTRACTS COMMITTEE** – President Zygmunt

President Zygmunt stated he had several items for his agenda this evening; the first item on his agenda, to consider the administrative process, Life Insurance Policies Transaction. President Zygmunt stated that once the sale is complete then it would be determined where the proceeds go. Vice President LaSorsa made a motion to approve the Life Insurance Policies transaction. This motion was seconded by Councilperson Reymer and approved by Council unanimously.

President Zygmunt stated the second item on his agenda was to approve the appointment to the Fire Board. Vice President LaSorsa made a motion to approve the appointment of Mr. James Giamarruti to the Fire Board. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

President Zygmunt stated the third item on his agenda was done at the beginning of the Committees.

President Zygmunt stated the fourth item on his agenda was to consider the 2009 Snackstand Contract. Councilperson Guenst stated the 2009 Snackstand Contract would be awarded to Scoops/A Corner Kitchen this year, with the same terms as 2008 with the exception of the request for a roll down cage, this is a capital item that cannot be purchased or considered for this pool season. This motion was seconded by Councilperson Ostrander and approved by Council unanimously.

President Zygmunt stated the last item on his agenda a payment to the Contractor for the West Monument Avenue Bridge Project was included in the warrant list approval earlier in the meeting.

I. **EMERGENCY SERVICES AND PEDESTRIAN SAFETY COMMITTEE** –
Councilperson Ostrander

Councilperson Ostrander stated she did not have anything for her agenda this evening.

OLD BUSINESS

President Zygmunt stated there were two items under Old Business.

President Zygmunt is still looking for residents and business owners who are interested in serving on the Wachovia Building and Miller Property Committee. President Zygmunt stated the committees are being formed to organize public comment and ideas on uses for both these properties.

Vice President LaSorsa updated Council on recent Fire Board Meetings/activity regarding the Fire House project. Vice President LaSorsa stated a meeting was held recently involving the fireboard, Pennoni and a representative from the Commonwealth met to discuss the grant and give a list of items to the Borough that needs to be done. Vice President LaSorsa stated a resolution would be forthcoming that needs to be considered for funding. Vice President LaSorsa reminded everyone that this grant is a reimbursable grant, and the grant is a contract between the Borough and the State not the Fire Company and the State and a contractual agreement would be needed between the Borough and the Fire Company. There was a discussion over the amounts and Vice President LaSorsa stated he would layout everything on the funding for Council for the March Committee meeting for review and any further discussion.

There was no other old business to come before Council.

NEW BUSINESS

President Zygmunt stated there was one item under New Business, discussion on the Wachovia Property Engineering. Borough Manager/Chief Gardner stated he would like to work with Borough Engineer Dougherty to delineate which parking is for the Borough and which is for the building. Borough Manager/Chief Gardner stated working with Borough Engineer Dougherty would allow the preliminary engineering work to start, which is required for the application. Borough Manager/Chief Gardner stated the Borough needs to know how much parking can be removed from the Wachovia Building for the municipal parking needs along with Superintendent Thomas needing to know for maintenance and plowing responsibilities. Borough Manager/Chief Gardner stated this parking lot would also serve as alternative parking for commuters while the commuter lot is under renovation.

Vice President LaSorsa made a motion to approve Borough Engineer Dougherty to begin surveying the parking lot of the Wachovia Property. This motion was seconded by Councilman Tompkins and approved by Council unanimously.

Vice President LaSorsa made a motion to have the Borough Manager contact structural engineers for quotes from structural engineers for services for the Wachovia Building. This motion was seconded by Councilman Tompkins and approved by Council unanimously.

Councilperson Reymer made a motion to commission the Borough Treasurer or Borough Manager to look into other avenues for Borough investments. Councilperson Reymer stated the Borough is losing money and she would like information in March for discussion in April. Vice President LaSorsa stated everyone is losing money due to the economy. Councilman Tompkins would like to table this matter, as we may be rushing into this without the proper information, what cash needs does the Borough have and what cash flow does the Borough currently have. Vice President LaSorsa stated to gain higher interest rates, means long-term investments and no access to money. Vice President LaSorsa asked if the Treasurer would be paid more since he is being commissioned to do this. Councilperson Reymer stated he would not be paid more. President Zygmunt stated there was a motion on the floor and a second by Councilperson Guenst, a vote was taken as follows; Councilperson Reymer voting yes, Councilman Rich voting no, Councilman Tompkins voting no, Vice President LaSorsa voting no, Councilperson Guenst voting yes, Councilperson Ostrander voting yes, and President Zygmunt breaking tie by voting no, the motion dies.

Councilperson Reymer stated it is irresponsible not to investigate. Vice President LaSorsa stated the Borough is fully insured. Councilman Tompkins stated it is the market. Borough Manager/Chief Gardner stated he had met with TD Banknorth Hatboro Branch Manager Mike Brookshire on the morning of the bank robbery and they discussed how bad the market is currently. President Zygmunt stated the Borough Manager could contact TD Banknorth and ask for them to put together an investment strategy for the Borough. Borough Manager/Chief Gardner stated he would ask the bank for an analysis. Vice President LaSorsa stated Council has to remember there are early withdrawal penalties to consider also.

PRIVILEGE OF THE FLOOR

Mr. Ron Battis asked why the amount for the West Monument Avenue bridge project was not discussed. President Zygmunt stated the payment for this project was on the warrant list and approved at that time. Mr. Battis also stated it saddens him that Mr. Adrian Meyer is no longer with us. Mr. Meyer was a wealth of knowledge, which served the Borough well and will be sorely missed. Councilperson Guenst stated that does not mean no longer with us that he is deceased.

Mr. Hart stated it appeared on the monthly public works report that paper collection is getting thinner. Mr. Hart stated the School District is collecting papers now.

Mr. Henry asked how long the commuter lot would be closed for renovations. Borough Engineer Dougherty stated about 3 to 4 months with a expected start in 1 to 2 months after Council award bids which should be at the March meeting. Mr. Henry wanted to know if the Borough has a plan for alternative parking. Borough Manager/Chief Gardner stated the Borough is already discussing with neighboring property owners. President Zygmunt stated the residents in the neighborhood are already calling about parking problems. Borough Manager/Chief Gardner stated this is a long term fix with safety and lighting enhancements

ADJOURNMENT

President Zygmunt adjourned the February 23rd, 2009 Council meeting at 8:10 P.M.

EXECUTIVE SESSION

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

Respectfully submitted,

Diane C. Hegele
Assistant Borough Secretary
Open Records Officer