

BOROUGH OF HATBORO

COUNCIL MEETING

Monday, February 25th, 2008

PRESENT

President Zygmunt, Vice President LaSorsa, Councilpersons Guent, Ostrander, Tompkins & Reymer, Mayor Hawkes, Borough Solicitor Meyer, Borough Manager/Chief Gardner, Assistant Manager/Planner Hartey, Assistant Secretary Valesky-Hegele, Assistant Fire Marshal Reading & Borough Engineer Dougherty.

ABSENT

Treasurer Lutz was absent this evening.

CALL TO ORDER

President Zygmunt called the January 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 25th, 2008 meeting of Borough Council.

MINUTES

President Zygmunt stated Council is in receipt of the minutes of the January 28th Council meeting. Vice President LaSorsa made a motion to approve the minutes of the January 28th, 2008 Council meeting. This motion was seconded by Councilperson Guent and approved by Council unanimously.

PRESIDENT'S REPORT

President Zygmunt stated he had nothing to report this evening.

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 three items to report on this evening. Borough Manager/Chief Gardner stated he recently met representatives of the DEP regarding the Raymark Superfund Site on Jacksonville Road to review information regarding an upcoming routine inspection of the site. Borough Manager/Chief Gardner stated that an informational sheet is available in Borough Hall and copies were forwarded to Council with a report on their findings due in September.

Borough Manager/Chief Gardner also stated that he and Councilperson Reymer recently finished the Request for Proposals (RFP) for the Management of the Snack

Stand at the Memorial Pool, the Solicitor is reviewing the documentation.

Borough Manager/Chief Gardner introduced Mr. Michael Hartey, the new Assistant Manager/Planning & Development. Borough Manager/Chief Gardner stated that today was Mr. Hartey's first day and he welcomed on board and is looking forward to working with him. Assistant Manager Hartey thanked everyone for the kind words and was looking forward to working with everyone. President Zygmunt welcomed Assistant Manager Hartey on behalf of Borough Council.

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.

Mr. Steve Burgess, 457 Jacksonville Road asked to address Borough Council regarding the Cell Tower Application at 248 E. County Line Road. Mr. Burgess read a letter that was written by Mr. John Farnen, President of Elm Street, the letter is attached to the minutes.

TREASURER'S REPORT

1. CASH BALANCES & INVESTMENT INCOME REPORT

President Zygmunt stated Treasurer Lutz could not attend tonight's meeting due to a work commitment. President Zygmunt reported the interest earned in January was \$17,039.04. This was for all 14 accounts at Commerce Bank at a rate of 3.710%. Total account balance is \$5,287,837.73. Vice President LaSorsa made a motion to approve the Treasurer's Report for the month of January 2008. 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 February. This motion was seconded by Councilperson Guent 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 February 2008. This motion was seconded by Councilperson Ostrander and approved by Council unanimously.

MAYOR'S REPORT

Mayor Hawkes stated he had two items for this evening, the first was a presentation to Sgt. Gould and Officer Murphy of the Hatboro Police Department. Borough Manager/Chief Gardner stated the presentation was for a recent case in the area of York/Home Roads where a female was attacked by an armed and very dangerous male

who was apprehended only minutes after the initial assault nearby, not without struggle. Mayor Hawkes presented both Sgt. Goold and Officer Murphy with certificates honoring them for apprehension of this individual and preventing further harm to anyone else.

Mayor Hawkes stated his second announcement was to thank the Enterprise Fire Company and everyone involved in the recent house fire on North Penn Street.

SOLICITOR'S REPORT

Solicitor Meyer reported that the Court of Common Pleas upheld the decision of the Zoning Hearing Board regarding the Brubaker's appeal to operate a massage business from her home on Windover Road.

Solicitor Meyer received a groundwater report from Groundwater Environmental Services Inc. regarding the municipal parking lot on Moreland Avenue.

President Zygmunt asked Solicitor Meyer about the status of the easements/dedication of the property next door. Solicitor Meyer stated he is working on them, but they are not quite finished.

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 room.

FIRE MARSHALS REPORT

Assistant Fire Marshal Reading reported the Fire Marshal report was submitted in advance.

COUNCIL/COMMITTEE REPORTS

PUBLIC SAFETY COMMITTEE - MAYOR HAWKES AND COUNCILPERSON OSTRANDER (CO-CHAIRS)

Councilperson Ostrander & Mayor Hawkes stated they had nothing to report this evening.

PUBLIC WORKS COMMITTEE – PRESIDENT ZYGMONT

President Zygmunt stated there was nothing on the agenda he had nothing on this agenda this evening.

ZONING, PLANNING and HISTORIC PRESERVATION COMMITTEE – COUNCILMAN TOMPKINS

Councilman Tompkins stated he had two items on his agenda this evening; the first was the approval of an escrow release in the amount of \$280,229.40 for the Victorian Village Project. Councilman Tompkins stated Borough Engineer Dougherty of Gilmore & Associates has signed this release. Vice President LaSorsa made a motion to approve the escrow release for Victorian Village in the amount of \$280,229.40. This motion was seconded by Councilman Tompkins and approved by Council unanimously.

Councilman Tompkins stated the second item on his agenda was the application for Special Exception for a cell tower to be located at 248 East County Line Road at the Delaware Valley Concrete Property. Councilman Tompkins stated that there is not an MPC waiver necessary and the application did go before the Planning Commission on March 4, 2008. Councilman Tompkins stated the planning commission did not make a recommendation at this meeting. Councilman Tompkins stated further information is necessary for the application. Assistant Borough Secretary Hegele stated the Zoning Hearing Board meeting has not been scheduled yet for this application.

PARKS and RECREATION COMMITTEE - COUNCILPERSON GUENST

Councilperson Guenst stated she had three items on her agenda for this evening, the approval to participate as a sponsoring organization for the Fireworks to be held in May 2008. Vice President LaSorsa made a motion to approve sponsorship of the May 2008 Fireworks display. This motion was seconded by Councilperson Ostrander and approved by Council unanimously.

Councilperson Guenst stated the second item on her agenda was the approval of the event request form for the fireworks display to be conducted in conjunction with the May 2008 Festival. Vice President LaSorsa made a motion to approve the event request form for Fireworks at the May Festival. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

Councilperson Guenst stated the third item on her agenda was the approval of playground equipment purchase for Tanner Park. Councilperson Guenst stated two pieces would be purchased using money from the Parks Fund. Vice President LaSorsa made a motion to approve the Tanner Park playground equipment purchase. This motion was seconded by Councilman Tompkins as approved by Council unanimously.

FINANCE, BUDGET and INSURANCE COMMITTEE - VICE PRESIDENT LASORSA

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

PUBLIC RELATIONS and COMMUNITY RELATIONS COMMITTEE - COUNCILPERSON REYMER

Councilperson Reymer stated she had one item for her agenda, to consider Newsletter Proposal Quotes. Councilperson Reymer stated a Request for Proposal (RFP) was sent to 8 printers, including all the printers in the Borough by Assistant Secretary Hegele. Councilperson Reymer stated 4 quotes were received and she outlined the prices received with Council. Councilperson Reymer stated a copy of the outline would be available in Borough Hall for anyone's review. Councilperson Reymer stated that Kirkland Printing was the most cost effective at a cost of \$1,160.00 for a 4 page stapled document along with an additional \$441.00 for a 2-sided insert for the pool fees, a total of \$1601.00 for printing. Councilperson Reymer stated the newsletter is a budgeted item and requires no action from Council.

ADMINISTRATION COMMITTEE -PRESIDENT ZYGMONT

President Zygmont stated he had two items on his agenda for this evening. President Zygmont stated the first item on his agenda was to consider the approval of stormwater easements for the Corinthian Avenue Stormwater Project. President Zygmont stated the easements are for the Watkins and Kostick/Horoff property. Councilperson Guent made a motion to approve the Corinthian Avenue stormwater easements. This motion was seconded by Councilperson Ostrander and approved by Council unanimously.

President Zygmont stated the second item on his agenda, was the appointment of the Borough Manager to Chief Administrative Officer of the Municipal Pension Plans. Vice President LaSorsa made a motion to appoint Borough Manager/Chief Gardner as CAO of the Municipal Pension Plans. This motion was seconded by Councilperson Reymer and approved by Council unanimously.

President Zygmont stated the third item on his agenda, was the approval of Elm Street Change Order #3. Borough Engineer Dougherty stated that this would increase the base material under the ramps at no extra cost to the Borough. Vice President LaSorsa made a motion to approve Elm Street Change order #3. This motion was seconded by Councilman Tompkins and approved by Council unanimously.

OLD BUSINESS

There was no old business to come before Council.

NEW BUSINESS

Councilman Tompkins asked Solicitor Meyer to brief Council on the Conditional Use Procedures. Solicitor Meyer referred to his letter to Council and reviewed the specific sections in the Zoning Code that refers to Conditional Use. Solicitor Meyer stated the burden of proof is on the applicant. Councilman Tompkins asked Assistant Borough Secretary Hegele to please give copies of the specific sections in Council's mail.

Councilman Tompkins stated he received a letter from Mr. Mark Vasoli opposing the cell tower application at 248 E. County Line Road. The letter will be attached to the minutes.

PRIVILEGE OF THE FLOOR

Mr. William George, President Greater Hatboro Chamber of Commerce. Mr. George thanked Borough Council for their recent support for the upcoming Carnival and Fireworks.

Mr. William George addressed Council with regards to a recent issue involving signage at a Borough Business. Mr. George asked Council to consider forming a committee of volunteers to sit down and recommend changes to the current sign ordinance.

Mr. Al Wipplinger, 17 South York Road welcomed Assistant Manager Hartey to the Borough and stated they are looking forward to working together. Mr. Wipplinger also wanted to for the record oppose the cell tower application.

Mr. Ed Henry, 238 Bonair Avenue stated he is also opposed to the cell tower application and stated we do not need another one as we already have one in the Borough.

ADJOURNMENT

President Zygmunt adjourned the February 25th Council meeting at 7:44 P.M.

EXECUTIVE SESSION

President Zygmunt stated there would be an executive session this evening to discuss legal matters.

CONDITIONAL USE HEARING - Stoveworks 2, 301 Jacksonville Road was re-opened. Official testimony was taken by Court Reporter and are part of the record for this application.

Respectfully submitted,

Diane C. Valesky-Hegele
Assistant Borough Secretary