

**BOROUGH OF HATBORO
COUNCIL MEETING
MONDAY, JUNE 28, 2010**

PRESENT – President Reymer, Vice President Guenst, Councilpersons Fleming, LaSorsa, Ostrander, Tompkins and Zygmunt. Mayor Hawkes, Borough Manager Ryan, Chief of Police Gardner, Public Works Superintendent Thomas, Building Codes/Zoning Officer Fugate, Fire Marshal Reading, Solicitor Savona and Engineer Dougherty.

ABSENT – None.

CALL TO ORDER – President Reymer called this June 28, 2010 Council Meeting to order at 7:00 p.m..

INVOCATION – The Invocation was delivered by Reverend Martin, Church of the Advent.

PLEDGE OF ALLIGENCE – The Pledge of Allegiance was led by Council.

Borough Manager Ryan announced that June 15, 2010 marked Fire Marshal Bob Stauch's fiftieth year of service with the Borough. During his tenure Fire Marshal Stauch has served in various posts, including Public Works Superintendent, Code Enforcement Officer and Emergency Management Coordinator.

Julie Salvit, a representative to Congresswoman Allyson Schwartz, presented Fire Marshal Stauch with a flag flown over the US Capitol to commemorate his long-standing service to the community.

Stewart Greenleaf Jr., son of State Senator Stewart Greenleaf, presented Fire Marshal Stauch with a proclamation in recognition of his hard work and efforts.

Mayor Hawkes, representing the Office of State Representative Thomas Murt, presented Fire Marshal Stauch with a proclamation of appreciation for his dedication to the residents of Hatboro.

Councilwoman Ostrander presented Fire Marshal Stauch with a plaque in honor of his half-century of service to the Borough.

Fire Marshal Stauch received a standing ovation from all in attendance.

TREASURER'S REPORT – Councilwoman Fleming reported \$2,252.80 interest earned during the prior month. This interest was earned on 16 accounts held at TD Bank, at a rate of 0.55%. The total balance of all accounts is \$4,865,596.97.

PRESIDENT'S REPORT – President Reymer stated there was an Executive Session held prior to this evening's meeting to discuss matters of real estate and personnel.

MAYOR'S REPORT – Mayor Hawkes noted legislative efforts as to the restriction of gun sales to registered sex offenders. Mayor Hawkes stated he had received a note of thanks from the Boy Scouts, in recognition of the Borough's recent contribution to that organization.

MANAGER'S REPORT – Borough Manager Ryan summarized mid-year budget actuals. Overall, year-to-date receipts and expenditures are in-line with budget projections. Borough Manager Ryan will monitor the Borough's financial position throughout the coming months.

CHIEF OF POLICE REPORT – Chief Gardner updated Council as to the hiring of an additional police officer. Chief Garner noted the next officer examination is scheduled for September, and recommended the Borough participate in this multi-municipal program.

Chief Gardner updated activities as to July 31 car show.

SOLICITOR'S REPORT – There was no report by Solicitor Savona.

DEPARTMENT SUPERVISORS' REPORTS

1. **Superintendent's Report** – President Reymer noted the Public Works Report was submitted to Council in advance of tonight's meeting, and that copies of the Report were available on the press table. There was no additional comment.
2. **Code Enforcement Report** – President Reymer noted the Code Enforcement Report was submitted to Council in advance of tonight's meeting, and that copies of the Report were available on the press table. There was no additional comment.
3. **Fire Marshal Report** – President Reymer noted the Fire Marshal Report was submitted to Council in advance of tonight's meeting, and that copies of the Report were available on the press table. There was no additional comment.

PRIVILEGE OF THE FLOOR FOR AGENDA VOTING ITEMS

- Mrs. Sandra Zygmunt requested Council take no action of the Rules of Decorum policy. Mrs. Zygmunt expressed concern regarding the disposition of audio tapes of public meetings. Solicitor Savona noted the State's record retention program recommends audio tapes of public meetings be disposed subsequent adoption of the meeting minutes. Solicitor Savona outlined the disposition process pursuant to the State's record retention program.

PUBLIC SAFETY – Councilwoman Ostrander presented the following items:

Enterprise Fire Company – improvement project – Borough Manager Ryan updated Council as to the status of this project, in specific efforts taken to finalize the bid packet. Councilman Tompkins inquired as to use & occupancy permit requirements, and Councilman Zygmunt inquired as to revisions to the standing agreements between the Fire Company and the Borough. Solicitor Savona confirmed there are no outstanding issue as to a use & occupancy permit, and Solicitor Savona confirmed the agreements had not been revised.

Enterprise Fire Company – bid – Councilwoman Ostrander motioned to authorize the Enterprise Fire Company Improvement Project be bid, second by Councilwoman Guerst, all ayes. Motion carried 7 – 0.

ADMINISTRATION – President Reymer presented the following items:

May 17, 2010 Special Meeting Minutes – Councilwoman Guerst motioned to approve the May 17, 2010 Special Meeting Minutes as presented, second by Councilwoman Ostrander.

Councilman Zygmunt recommended the following revisions:

- page 1, so to state the motion to recess was not acted upon;

- page 5, "... for comments made by a Council Member at this evening's meeting."; and,
- inclusion of comment made by President Reymer as to this meeting's date.

President Reymer recommended the following revision:

- page 4, "Mr. Preston stated that, in lieu of resigning..."

Councilman Tompkins called on President Reymer to apologize to Mayor Hawkes, or to resign from her position.

Councilwoman Guerst motioned to table her motion to approve the May 17, 2010 Special Meeting Minutes as presented, second by Councilman LaSorsa, all ayes. Motion carried 7 – 0.

Councilman Zygmunt motioned to approve above the above-noted four revisions to the May 17, 2010 Special Meeting Minutes, second by Councilman LaSorsa, all ayes. Motion carried 7 – 0.

Councilman Zygmunt motioned to approve the May 17, 2010 Special Meeting Minutes, with the above-noted four revisions, second by Councilwoman Guerst, all ayes. Motion carried 7 – 0.

May 24, 2010 Council Meeting Minutes – Councilwoman Ostrander motioned to approve the May 24, 2010 Council Meeting Minutes as presented, second by Councilwoman Guerst, all ayes. Motion carried 7 – 0.

June 8, 2010 Council Meeting Minutes – Councilwoman Guerst motioned to approve the June 8, 2010 Committee Meeting Minutes as presented, second by Councilwoman Ostrander.

Councilman Tompkins inquired as to the need to prepare Committee Meeting minutes. Solicitor Savona confirmed this was required by law.

Councilman Zygmunt inquired as to the process to amend a meeting date. Solicitor Savona confirmed the Borough Code does not enumerate this procedure, and stated customary practice included an option to revise a meeting date without a vote, provided advertisement requirements were satisfied.

Solicitor Savona recommended Council Members who did not attend this meeting abstain from the vote to consider this meeting's minutes.

On the motion:	Fleming	AYE	LaSorsa	ABSTAIN
	Guerst	AYE	Tompkins	ABSTAIN
	Ostrander	AYE	Zygmunt	ABSTAIN
	Reymer	AYE		

Motion carried, 4-0, with 3 abstentions.

Resolution 2010-19 – Open Records Officer – Councilwoman Guerst motioned to approve Resolution 2010-19, to appoint the Borough Manager to the post of Open Records Officer for the Borough of Hatboro.

Councilman Tompkins and Councilman Zygmunt inquired as to term of the position. Solicitor Savona stated the Open Records Officer is normally not appointed to an annual term, but rather serves as the pleasure of the governing body. Given the duties of the Open Records Officer, Solicitor Savona recommended the Borough's Chief Administrative Officer – the Borough Manager – be appointed to this post.

On the motion:	Fleming	AYE	LaSorsa	NAY
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Guenst	AYE	Tompkins	NAY
Ostrander	AYE	Zygmont	NAY
Reymer	AYE		

Motion carried, 4-3.

Resolution 2010-20 – Southeastern Pennsylvania Stormwater Coalition – Borough Manager Ryan provided an overview of a recently-established coalition of Southeastern Pennsylvania municipalities working to create more sensible stormwater management regulations. General discussion was had regarding pending regulations, and the potential impact of same on municipal budgets and operations.

Councilman Tompkins motioned to approve Resolution 2010-20, authorizing the Borough’s membership in the Southeastern Pennsylvania Stormwater Coalition, second by Councilman Zygmont, all ayes. Motion carried, 7-0.

Rules of Decorum – After some discussion, Councilman Tompkins motioned to table consideration of this policy to the June 12 Committee Meeting, second by Councilman LaSorsa, all ayes. Motion carried, 7-0.

Borough letterhead – General discussion was had regarding the re-order of Borough letterhead. Borough Manager Ryan will have color letterhead printed, to include the in-house addition of the names of elected officials.

Williams Lane Improvement Project – bid award – Borough Manager Ryan noted bids for this project were opened on June 4, 2010, and recommended this contract be awarded to Blooming Glen Contractors, Inc., the lowest responsive and responsible bidder, in the amount of \$440,187.00.

Councilman Zygmont motioned to award a contract for the Williams Lane Improvement Project to Blooming Glen Contractors, Inc., in the amount of \$440,187.00, second by Councilman Ostrander, all ayes. Motion carried, 7-0.

Williams Lane Improvement Project – PECO agreement – Borough Manager Ryan noted this project required the relocation of gas utilities, and that this work must be completed by PECO. Borough Manager Ryan presented an agreement with PECO for this work, in the amount of \$48,730.00.

Councilman Zygmont motioned to approve an agreement with PECO for the relocation of gas utilities at Williams Lane, at a cost of \$48,730.00, second by Councilman Ostrander, all ayes. Motion carried, 7-0.

Superintendent – Memo of Understanding – President Reymer noted the pending retirement of Butch Thomas, Superintendent of Public Works, and thanked Superintendent Thomas for his service to the community.

Councilwoman Guenst motioned to approve a Memo of Understanding relative to the terms and conditions of the retirement of Roy “Butch” Thomas, second by Councilman Tompkins, all ayes. Motion carried, 7-0.

Superintendent – letter of resignation – Councilwoman Ostrander motioned to accept a letter of resignation, as submitted by Roy “Butch” Thomas, from the position of Superintendent of Public Works, effective August 27, 2010, second by Councilwoman Guenst, all ayes. Motion carried, 7-0.

Councilwoman Guenst thanked Superintendent Thomas for his work on behalf of the Borough.

Superintendent – advertisement – Councilwoman Ostrander motioned to direct the Borough Manager to advertise for the position of Superintendent of Public Works, second by Councilwoman Fleming, all ayes. Motion carried, 7-0.

Resolution 2010-21 – 102 North York Road – Solicitor Savona noted this resolution was required to complete the acquisition of an easement, so to install a traffic signal at the intersection of York Road and Montgomery Avenue.

Councilwoman Ostrander motioned to approve Resolution 2010-21, relative to the condemnation of property so to obtain an easement at the intersection of York Road and Montgomery Avenue, second by Councilman Zygmunt, all ayes. Motion carried, 7-0.

FINANCE & COMMUNITY RELATIONS – Councilwoman Fleming presented the following items:

Warrant List and Manual Check List – Council considered accounts payable.

Councilwoman Fleming motioned to approve the Warrant List, as presented and dated June 28, 2010, second by Councilman Tompkins, all ayes. Motion carried 7 – 0.

General discussion was had as to an employee ratification report. Borough Manager Ryan will forward this information to the Administration Committee for further review.

Councilman Tompkins requested personnel items be removed from the list of bills until such time as the employee ratification report is reviewed. The consensus of Council was to not remove personnel items at this time.

Councilwoman Guenst motioned to approve the payment of bills and transfers, second by Councilwoman Ostrander:

Fleming	AYE	Tompkins	NAY
Guenst	AYE		
LaSorsa	AYE		
Ostrander	AYE		
Reymer	AYE		
Zygmunt	AYE		

Motion carried 6 – 1.

PARKS, RECREATION & PUBLIC FACILITIES – Councilwoman Guenst presented the following items:

Hatboro YMCA – pool rental request – Councilwoman Guenst motioned to waive all rental fees pertaining to the use of Hatboro Memorial pool for three (3) weekday swim meet events by the Hatboro YMCA, second by Councilman Zygmunt, all ayes. Motion carried 7 – 0.

ZONING, PLANNING & HISTORIC PRESERVATION – Councilman Tompkins presented the following items:

ZHB Application – Bane (30 South New Street) – Zoning Officer Fugate presented an overview of an application for relief to construct a residential garage at this property. The Zoning Hearing Board will consider this application at a July 7, 2010 hearing.

Councilman Zygmunt motioned that Council take no position on this application, second by Councilman LaSorsa, all ayes. Motion carried 7 – 0.

ZHB Application – Martin (262 Bonair Avenue) – Zoning Officer Fugate presented an overview of an application for relief to construct a residential pool at this property. The Zoning Hearing Board will consider this application at a July 7, 2010 hearing.

Councilman Zygmunt motioned that Council take no position on this application, second by Councilman LaSorsa, all ayes. Motion carried 7 – 0.

PUBLIC WORKS – Councilman LaSorsa presented the following items:

single-stream recycling – Councilman LaSorsa reviewed a value analysis for the switch from co-mingled and residential fiber recycling, to single-stream recycling. The value analysis projected an approximate \$27,000 savings would be realized during the seven years subsequent this switch.

General discussion was had as to the price paid for recyclable materials, and in specific the fluctuating rate paid for residential fiber materials and the fixed rate paid for single-stream materials.

Councilman LaSorsa motioned to authorize the proposal presented as to the switch to single-stream recyclable collection, second by Councilwoman Guent:

Guent	AYE	Fleming	NAY
LaSorsa	AYE	Ostrander	NAY
Reymer	AYE	Tompkins	NAY
		Zygmunt	NAY

Motion failed 3 – 4.

Councilman Zygmunt motioned to table the proposal as presented, second by Councilwoman Fleming:

Fleming	AYE	Guent	NAY
Ostrander	AYE	LaSorsa	NAY
Tompkins	AYE	Reymer	NAY
Zygmunt	AYE		

Motion carried 4 – 3.

Borough Manager Ryan will collect additional information as to the fluctuating rate paid for residential fiber materials and the fixed rate paid for single-stream materials, and forward this to Members for consideration at the July 12 Committee Meeting.

Case backhoe loader – Superintendent Thomas noted the Public Works Department was seeking approval to purchase a replacement backhoe loader. The current backhoe loader is 21 years old, and this equipment receives regular use, Superintendent Thomas noted.

Councilman Zygmunt motioned to approve the lease purchase of a Case backhoe loader, at a purchase price of \$71,430, with an interest rate at 3.816%, at quarterly payments of \$3,902.77, second by Councilwoman Ostrander, all ayes. Motion carried 7 – 0.

COMMUNITY & ECONOMIC REDEVELOPMENT – Councilman Zygmunt noted an update as to the Elm Street designation may be provided at the July 12 Committee Meeting.

OLD BUSINESS

- Council considered the consolidation of the August meetings. The consensus of Council was to cancel the August 9 Committee Meeting and the August 23 Council Meeting, and to advertise a meeting for August 16.

Councilman Tompkins motioned to cancel the August 9, 2010 Committee Meeting and the August 23, 2010 Council Meeting, and to advertise a meeting of Council at Borough Hall at 7:00 p.m. on August 16, 2010, at which time Council may consider and vote on any matters that may be considered by Council, second by Councilman Zygmunt, all ayes. Motion carried 7 – 0.

- Council considered advertisement of the September 13 Committee Meeting so to provide notice that Council may vote on matters at this meeting. The consensus of Council was to provide for this advertisement.

Councilman Tompkins motioned to advertise the September 13, 2010 Committee Meeting to provide notice that Council may consider and vote on any matters that may be considered by Council, second by Councilman Zygmunt, all ayes. Motion carried 7 – 0.

NEW BUSINESS

- President Reymer noted the next police officer examination is scheduled for September.

Councilman Tompkins motioned to direct the Hatboro Borough Civil Service Commission to partake in the multi-municipal police office examination, scheduled for September 2010, second by Councilman Zygmunt, all ayes. Motion carried 7 – 0.

- President Reymer noted CresaPartners, Conshohocken, is available to prepare a feasibility study and a financial assessment of certain Borough facilities, at no cost to the Borough.

Councilwoman Guent motioned to direct the Borough Manager to contact CresaPartners and arrange for a feasibility study and a financial assessment of certain Borough facilities, at no cost to the Borough, second by Councilman LaSorsa, all ayes. Motion carried, 7 – 0.

- Councilman Zygmunt noted newspaper reporter Amanda Glensky will be leaving her current post for a new assignment, and thanked Ms. Glensky for her service.

PRIVILEGE OF THE FLOOR

- Mrs. Phillips stated she does not believe the resolution to appoint an Open Records Officer was required to be adopted. She encouraged Council to make decisions, and to not defer matters to the Borough Manager and Borough Solicitor.
- Enterprise Fire Company President Chris Gowen thanked Council for their continued support of the fire house improvement project.

- Mr. Battis encouraged all Members of Council to participate in discussions had at public meetings. Mr. Battis requested Council consider the hiring of a guard at Eaton Park. Mr. Battis conveyed his thinking as to the role of the Borough Solicitor during discussions at public meetings.
- Councilman Tompkins noted a good time was had by all at the Pennypack Elementary School's recent outing at Memorial Pool. Council thanked Pool Manager Parker and his staff for their efforts.
- Councilman Tompkins and Councilman Zygmunt called on President Reymer to apologize to Mayor Hawkes for remarks made at a prior meeting, or to resign from her position.

ADJOURNMENT

There being no further business, this Council Meeting was adjourned at 9:04 p.m..