

BOROUGH OF HATBORO
COUNCIL MEETING
MONDAY, DECEMBER 15th, 2008

PRESENT

President Zygmunt, Councilpersons Guenst, Tompkins, Reymer & Rich, Mayor Hawkes, Borough Manager/Chief Gardner, Planner/Assistant Manager Hartey, Assistant Secretary Hegele, Superintendent Thomas, Fire Marshal Stauch, Assistant Fire Marshal Reading, Borough Solicitor Meyer & Borough Engineer Dougherty.

ABSENT

Vice President LaSorsa, Councilperson Ostrander & Treasurer Lutz was absent this evening.

CALL TO ORDER

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

INVOCATION

Mayor Hawkes gave the invocation for the December 15th, 2008 meeting of Borough Council.

MINUTES

President Zygmunt stated Council is in receipt of the minutes of the November 24th. 2008 Council meeting, however some corrections are needed. President Zygmunt tabled the approval of the minutes until the January Council meeting.

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 this Police Department Report. Borough Manager/Chief Gardner stated he had two items to report on this evening. Borough Manager/Chief Gardner stated he wanted to acknowledge with officers of his department for a recent arrest of a burglary suspect at the CVS. Borough Manager/Chief Gardner thanked Sergeant Carr, Officer Valleley & Officer Paul for great police work. Borough Manager/Chief Gardner stated he would prepare commendations for the officers to be given at a later meeting.

Borough Manager/Chief Gardner thanked everyone involved in the recent Quilt sendoff reception with Ambassador Volker. Borough Manager/Chief Gardner stated he could not attend due to being out of the area, but thanked Assistant Secretary

Hegele and Public Works employees Fred Zollers and Wes Croak and others for all the work done preparing for the reception. Borough Manager/Chief Gardner said Borough Hall and the Council chambers looked great. Borough Manager/Chief Gardner wished everyone a safe and happy holiday season.

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 none.

TREASURER'S REPORT

1. CASH BALANCES & INVESTMENT INCOME REPORT

President Zygmunt reported Treasurer Lutz was absent this evening. President Zygmunt reported the interest earned in November was \$4,689.75. This was for all 14 accounts at Commerce Bank at a rate of 1.30%. Total account balance is \$3,666,075.91. Councilperson Guent made a motion to approve the Treasurer's Report for the month of November 2008. This motion was seconded by Councilperson Reymer 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. Councilperson Guent made a motion to approve the warrant list and manual checklist for the month of December. This motion was seconded by Councilman Tompkins and approved by Council unanimously.

3. PAYMENT OF BILLS

Councilperson Guent made a motion to authorize the payment of bills and ratification of transfers for the month of December 2008. This motion was seconded by Councilman Rich and approved by Council unanimously.

MAYOR'S REPORT

Mayor Hawkes reported the Borough received five more Penndot Pedestrian Signs. Mayor Hawkes stated three of the signs are going to be used as replacement signs for ones that have been damaged. Mayor Hawkes stated that signs are going to be removed for the winter. Mayor Hawkes also wished everyone a Happy Holiday season.

SOLICITOR'S REPORT

Solicitor Meyer prepared advertisements for 2 Zoning Hearing Board hearings.

Solicitor Meyer advertised tax ordinance.

Solicitor Meyer prepared and filed an Entry of Appearance.

Solicitor Meyer prepared and file Pracecipe of Intervention regarding appeal Stoveworks II from Decision of Hatboro Zoning Hearing Board.

Solicitor Meyer reviewed Cell Tower Ordinance.

Solicitor Meyer reviewed Open Records Ordinance.

Solicitor Meyer recorded Temporary Work Easement Commuter Parking Lot on Moreland Road.

Solicitor Meyer reviewed T-Mobile's application for construction of antenna.

Solicitor Meyer received communication from attorney for Victorian Village.

Solicitor Meyer wished everyone a Merry Christmas and Happy New Year.

SUPERINTENDENTS REPORT

President Zygmont 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. Superintendent Thomas stated he had nothing additional to report. Superintendent Thomas wished everyone Happy Holidays.

FIRE MARSHALS REPORT

President Zygmont 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. Fire Marshal Stauch wished everyone Happy Holidays.

COUNCIL/COMMITTEE REPORTS

A. PUBLIC SAFETY COMMITTEE – Mayor Hawkes (Chairman) & Councilperson Ostrander

Mayor Hawkes stated he had nothing to report this evening.

B. FIRE BOARD – Vice President LaSorsa (Chairman) & Mayor Hawkes

President Zygmont stated Vice President LaSorsa was absent tonight and had nothing to report this evening.

C. PUBLIC WORKS COMMITTEE - Councilman Rich (Chairman) & President Zygmont

Councilman Rich stated he had nothing to report this evening.

D. ZONING, PLANNING and HISTORIC PRESERVATION COMMITTEE - Councilman Tompkins (Chairman) & Guenst

Councilman Tompkins stated he had several items for his agenda this evening. Councilman Tompkins stated the first item is to Consider Ordinance #985, Wireless Telecommunications Facilities Ordinance. Councilman Tompkins stated there are some minor changes needed. Councilman Tompkins stated this Ordinance is on the agenda at the end of this meeting and a vote will be taken at that time.

Councilman Tompkins stated the second item on his agenda was to Consider Ordinance Number #986, SALDO Ordinance. Councilman Tompkins stated this is not ready to be adopted at this time, the Borough is still waiting on a review by the Planning Commission. Councilman Tompkins stated this Ordinance is on the agenda at the end of this meeting and a vote will be taken at that time.

Councilman Tompkins gave Council an update of the 69 Byberry Avenue project, a waiver was sent and this matter will be on the Council meeting agendas in January for consideration.

Councilman Tompkins wished everyone a Merry Christmas and a Happy New Year.

E. PARKS AND RECREATION COMMITTEE - Councilperson Guenst (Chairperson) & LaSorsa

Councilperson Guenst stated she had nothing on her agenda tonight.

F. FINANCE, BUDGET AND INSURANCE COMMITTEE - Vice President LaSorsa (Chairman) & Reymer

President Zygmont stated that Vice President LaSorsa could not make the meeting this evening so he would present his agenda items. President Zygmont stated there were several items on his agenda

for tonight, the first item was to consider approval of the 2009 Borough Operating Budget. President Zygmunt stated all of Council was in receipt of the Budget and on 12-11-08 a summary Budget was prepared and sent out to all of Council. President Zygmunt stated that once again for the 4th straight year Council has not had to raise taxes. Councilperson Reymer made a motion to approve the 2009 Borough of Hatboro Operating Budget. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

President Zygmunt stated the second item on the agenda was to consider approval of the Union Library of Hatborough's request for additional funding in the amount of \$5,114.00 starting in 2009. Councilperson Guenst made a motion to approve the additional funding to the Library in the amount of \$5,114.00 for 2009. This motion was seconded by Councilperson Reymer and approved by Council unanimously.

President Zygmunt stated the third item on the agenda was to consider approval for the request of funds from the accumulated income in the Authority Trust to assist with the acquisition of the former Wachovia Property. Councilperson Guenst made a motion to request \$400,000 with the stipulation that if the Borough sells the Wachovia property the first \$400,000 of the sale would be returned to the Authority to go towards future Borough Capital Projects. This motion was seconded by Councilman Tompkins and approved by Council unanimously.

President Zygmunt stated the last item on the agenda was to consider request of funds from the accumulated income in the Authority Trust to assist with payment for Loller renovations in the amount of \$65,000. Councilperson Guenst made a motion to request the \$65,000 for Loller Renovations. This motion was seconded by Councilman Rich and approved by Council unanimously.

G. PUBLIC RELATIONS AND COMMUNITY RELATIONS COMMITTEE - Councilperson Reymer (Chairperson) & Guenst

Councilperson Reymer stated she had nothing on her agenda tonight.

H. ADMINISTRATION & CONTRACTS COMMITTEE - President Zygmunt (Chairman) & Tompkins

President Zygmunt stated he had 5 items on his agenda for this evening; the first was to consider the Open Records Ordinance. President Zygmunt stated this would be approved under the Public Hearing and that the Borough was ready to go on this and some of the highlights of the ordinance, the Borough is already in compliance with.

President Zygmunt stated the second item on his agenda was to consider the proposed cell tower lease of the Borough's property at the Hatboro Little League Field. President Zygmunt stated this matter would be tabled at this time and will be considered at the January 12, 2009 Committee meeting. President Zygmunt stated the January 12th meeting would be advertised as a voting meeting to vote on this lease.

President Zygmunt stated the third item on his agenda was to consider the 2009 Tax Ordinance, No. #987. President Zygmunt stated everything is exactly the same as last 5 years; there have been no increase in taxes. Councilman Tompkins made a motion to approve Ordinance No. 987, 2009 Tax Ordinance. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

President Zygmunt stated the fourth item on his agenda was to consider the 2009 Borough Council meeting schedule. President Zygmunt stated the 4th Monday in December 2009 is close to the Christmas Holiday and several members have expressed an interest in moving the meeting up a week as done in the past. Councilman Tompkins and Councilperson Reymer both stated they like the extra week between meetings, plus it is easier on the staff. Councilperson Guenst made a motion to approve the meeting schedule for 2009 and moving the December 2009 Council meeting up a week. This motion was seconded by Councilman Tompkins and approved by Council unanimously.

President Zygmunt stated the last item on his agenda was to consider the employee ratification for the month of December 2008. President Zygmunt stated this list includes all employees' 2009 rates. Councilperson Guenst made a motion to approve the December 2008 Employee Ratification list. This motion was seconded by Councilman Rich and approved by Council unanimously.

I. EMERGENCY SERVICES AND PEDESTRIAN SAFETY -
Councilperson Ostrander (Chairperson) & Rich

Councilperson Ostrander was absent tonight. There was nothing on her agenda for tonight's meeting.

J. OPEN PUBLIC HEARING - ORDINANCE #985, Wireless Telecommunications Facilities Siting Ordinance.

A. Privilege of the Floor

Councilman Tompkins stated this would be the time for public comment regarding the Wireless Telecommunication Facilities Ordinance No. 985. There was no comment from the public.

B. Consideration of Wireless Telecommunications Facilities Ordinance #985. Councilman Tompkins would like to table this matter, as there

are some minor changes that need to be made as a result of the Cell Tower Consultant. Councilman Tompkins would like to re-open this public hearing at the January 12, 2009 Committee Meeting and vote at the January 26th, 2009 Council Meeting. Councilman Tompkins made a motion to continue the Public Hearing for Ordinance #985 to January 12, 2009. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

C. Privilege of the Floor

There was no comment from the public.

K. OPEN PUBLIC HEARING - ORDINANCE #986, SALDO ORDINANCE

A. Privilege of the Floor

Councilman Tompkins stated this would be the time for public comment regarding the SALDO Ordinance No. #986. There was no comment from the public.

B. Consideration of SALDO Ordinance No. 986

Councilman Tompkins stated he would like to continue this item to February 9th, 2009 Committee meeting and vote at the February 23rd Council meeting. Councilman Tompkins stated this Ordinance still needs to be reviewed still by the Borough Planning Commission. Councilperson Guenst made a motion to continue the Public Hearing for Ordinance #986 to February 9th, 2009. This motion was seconded by Councilman Tompkins and approved by Council unanimously.

C. Privilege of the Floor

There was no comment from the public.

L. OPEN PUBLIC HEARING - ORDINANCE #988, OPEN RECORDS ORDINANCE

A. Privilege of the Floor

President Zygmunt stated this would be the time for public comment regarding the New Open Records Ordinance No. #988. There was no comment from the public.

B. Consideration of Open Records Ordinance No. #988

President Zygmunt stated that the State recently passed a new open records law, which the Borough is adopting. President Zygmunt stated the Borough Open Records Officer is Diane Hegele and all requests now must go through her at Borough Hall. President Zygmunt stated there are new forms the public will have to

complete. Councilperson Guenst made a motion to approve Ordinance No. #988, Open Records Ordinance. This motion was seconded by Councilperson Reymmer and approved by Council unanimously.

C. Privilege of the Floor

There was no comment from the public.

OLD BUSINESS

There was no new business to come before Council tonight.

NEW BUSINESS

Mayor Hawkes wished everyone a Happy Holiday season and a Happy New Year.

Councilperson Guenst wished everyone a Happy Holiday season and stated the employees of the Borough did another great job and she is looking forward to working with everyone in 2009.

Councilman Rich wished everyone a Happy Holiday season.

Councilperson Reymmer wished everyone a Happy Holiday season and New Year.

Councilman Tompkins wished everyone a Happy Holiday season.

President Zygmunt wished everyone a Happy Holiday season and thanked everyone on Council, staff, office, Public Works, Code Enforcement and Police Departments for an outstanding job in 2008, the Borough got a lot of projects done in 2008.

PRIVILEGE OF THE FLOOR

There was no comment from the audience.

ADJOURNMENT

President Zygmunt adjourned the December 15th, 2008 Council meeting at 7:37 P.M. President Zygmunt announced that there were snacks and beverages in the back of the Council chambers for the Holidays.

EXECUTIVE SESSION

President Zygmunt stated there would be an executive session this evening to discuss Legal and two Personnel matters.

Respectfully submitted,

Diane C. Hegele
Assistant Borough Secretary