

**BOROUGH OF HATBORO
COUNCIL MEETING
MONDAY, JUNE 22nd, 2009**

PRESENT

President Zygmunt, Vice President LaSorsa, Councilpersons Guent, Tompkins, Reymer & Rich, Mayor Hawkes, Borough Manager/Chief Gardner, Assistant Manager/Planner Hartey, Assistant Secretary Hegele, Superintendent Thomas, Building Code Official/Zoning Officer Fugate, Borough Engineer Dougherty, Treasurer Lutz & Borough Solicitor Pionzio.

ABSENT

Councilperson Ostrander & Borough Solicitor Pionzio was absent this evening.

CALL TO ORDER

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

President Zygmunt announced that there was an executive session held at 5:30 PM this evening to discuss an employee matter.

INVOCATION

Mayor Hawkes gave the invocation for the June meeting of Council.

MINUTES

President Zygmunt stated Council is in receipt of the May 18th, 2009 Council Meeting Minutes. Vice President LaSorsa made a motion to approve the May 18th, 2009 Council meeting minutes. This motion was seconded by Councilman Tompkins and approved by Council unanimously.

PRESIDENTS REPORT

President Zygmunt stated he had one item to report, an addition to the agenda, consideration of professional services contract due to Assistant Manager/Planner Hartey's resignation.

BOROUGH MANAGER/CHIEF OF POLICE REPORT

Borough Manager/Chief of Police stated he had several items to report this month. Borough Manager/Chief Gardner stated he is in receipt of an event request form for the Hatboro Pool Parents Car Wash to be held on July 25th at the Pool. Borough Manager/Chief Gardner stated he approved this request he was just informing Council.

Borough Manager/Chief Gardner stated he was recently notified that the Borough was turned down for the PCTI grant, the reason was the criteria is for a more educational project for motorists.

Borough Manager/Chief Gardner stated the Civil Service Commission met in June to approve the participation in the September 26th Consortium test in Abington Township.

Borough Manager/Chief Gardner stated the North Penn Inlet project is expected to begin the week of July 13th and should take approximately 1 to 2 weeks, notice will be sent to the residents in the area.

Borough Manager/Chief Gardner stated he looked into a flashing light at the Hatboro Pool, the Borough can do an extension of the permit at a nominal cost. Borough Engineer Dougherty stated this could also trigger ramp requirements, crosswalk/curbing could cost \$5000 to \$7000 per ramp and two ramps would be required.

Borough Manager/Chief Gardner updated Council on the Wood Street complaint. Borough Manager/Chief Gardner contacted the company and they were very cooperative indicating they would disseminate a letter to the truckers who make deliveries. Borough Manager/Chief Gardner will be following up with a letter. Borough Manger/Chief Gardner stated he was at the location this past Friday and GPS will take a driver right through Wood Street, it is impossible to call/notify all GPS manufacturers.

Borough Manager/Chief Gardner stated he along with Assistant Manager/Planner Hartey and BCO Fugate met with SEPTA recently, SEPTA is planning on reconstructing the Hatboro Train Station and the surrounding land, including platform, building and parking lot modifications, should have more information in August.

Borough Manager/Chief Gardner stated in February the EPA met with Council regarding the Raymark site on Jacksonville Road. The EPA contacted the Borough recently to update the Borough on progress. The EPA is currently in negotiations with SEPTA for access agreement. EPA wanted Council to know this and they are working on this matter and will be back to Council with information as soon as possible.

Borough Manager/Chief Gardner stated there would be a change order on the agenda this evening, change order number 3 for the Commuter Lot Project.

Borough Manager/Chief Gardner stated his last item was to wish Mike Hartey the best of luck and it was a privilege to work with him. Mr. Hartey thanked the staff, residents, Council and everyone he has worked with over the past year and a half.

MAYORS REPORT

Mayor Hawkes stated he had one item to report on this month. Mayor Hawkes reported he recently joined the group Mayors Against Illegal Guns, an organization of Mayors in the Commonwealth of oppose illegal guns.

TREASURERS REPORT

1. CASH BALANCES & INVESTMENT INCOME REPORT

Treasurer Lutz stated he has reviewed the invoices and recommends payment. Treasurer Lutz did not review his report. Treasurer Lutz's report reflected interest earned in May 2009 was \$2,752.25. This was for all 14 accounts at TD Banknorth at a rate of 0.450%. Total account balance is \$5,690,393.28. Vice President LaSorsa made a motion to approve the Treasurer's report for the month of May 2009. This motion was seconded by Councilman Tompkins and approved by Council unanimously.

2. APPROVAL OF WARRANTS LIST

President Zygmunt stated Council is in receipt of the warrant list and manual checklist. 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 June 2009. This motion was seconded by Councilman Rich 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 June 2009. This motion was seconded by Councilman Tompkins and approved by Council unanimously.

SOLICITORS REPORT

Solicitor Pionzio was absent this evening, Ms. Bernadette Kearney, Esquire was here in her place. Ms. Kearney reported Solicitor Pionzio is in receipt of a Right to Know appeal and is working on response to appeal. Solicitor Pionzio has spoken to the Open Records Office Solicitor.

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. Ms. Patty Fleming, President of the Library Board of Directors asked about the fee waiver request for the Library Zoning Letter. Ms. Fleming stated that this letter is for a grant and is a joint effort between the municipality and the library. Ms. Fleming is not sure why the library had to pay this fee. Ms. Fleming indicated that the Library was in receipt of a donation to cover this cost, but is asking since they already paid the Borough she would like to request a refund of the \$100.00 fee. President Zygmunt asked who owned the property? President Gowen from the Enterprise Fire Company was asked who paid for the recent application of the Fire Department; President Gowen indicated the Fire Company had to pay all applicable fees for their Grant paperwork. Ms. Fleming stated that this is only a letter and the payment of this fee was ridiculous. Councilman Tompkins stated that every taxpayer has to pay and waiving this would set precedence. Councilperson Reymer stated the Library applied because Council asked them to do so. President Zygmunt stated that Council suggested to the Library to look at the Keystone Grant. BCO/Zoning Officer Fugate stated he needed to contact the Solicitor so therefore there would be a bill forthcoming for her services.

Mrs. Sandy Zygmunt, 645 South York Road, stated waiving this fee would set precedence; it would be a different situation if the Borough owned the property. Mrs. Zygmunt suggested the Library get a donation for the fee. Mrs. Zygmunt stated taxpayers should not be paying for in kind services for staff time.

Councilperson Reymer suggested making a motion. President Zygmunt stated the floor was not open for a motion that this was only privilege of the floor.

Vice President LaSorsa stated that Ms. Fleming already stated they received a donation so the Library was ahead by \$100.00.

Mrs. Sandy Zygmunt, 645 South York Road stated she wanted to know how much staff time was used; she may be putting in an open records request for this information.

COUNCIL/COMMITTEE REPORTS

A. PUBLIC WORKS – Councilman Rich

Councilman Rich stated he had two items on his agenda for this evening; the first item was to consider the Williams Lane Engineering and Application costs for CDBG/Stimulus Project. Councilman Rich stated the costs for this are not to exceed \$140,000 and this represents the estimate for design. Councilperson Reymer asked if this project was designed before. Borough Engineer Dougherty replied never, only discussed, in the 90's there was a proposal to do concept plan but it was never done. Vice President LaSorsa made a motion to approve the Williams Lane Engineering and Application costs for CDBG/Stimulus Project not to exceed \$140,000. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

Councilman Rich stated the second item on his agenda was Resolution #2009-15, Dump Truck Financing. Vice President LaSorsa made a motion to approve Resolution #2009-15, Dump Truck Financing. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

B. ZONING, PLANNING & HISTORIC PRESERVATION COMMITTEE – Councilman Tompkins

Councilman Tompkins stated he had several items on his agenda for this evening; the first item was Stoveworks 2 Land Development Update. Councilman Tompkins stated this item would be moved to the July Committee meeting.

Councilman Tompkins stated the second item on his agenda, was the approval of the escrow release for the Victorian Village Traffic Light. Borough Engineer Dougherty recommends the escrow amount be reduced by up to \$45,790.00 for construction items being held in escrow. Vice President LaSorsa made a motion to approve the reduction of escrow up to \$45,790.00. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

Councilman Tompkins stated the third item on his agenda, consider fee waiver request Union Library of Hatborough Zoning Review Letter \$100.00. Councilperson Reymer made a motion to waive the \$100.00 fee for the Zoning letter for the Union Library of Hatborough. Councilperson Guenst attempted to second the motion, however was advised by President Zygmunt that she could not second the motion, as she is an officer of the Library. President Zygmunt asked for a second, no one would second the motion. President Zygmunt announced the motion dies lack of a 2ND.

Councilman Tompkins stated the last item on his agenda; consider recommendation to ZHB for the Fire House Addition. Councilman Tompkins stated Zoning Officer Keith Fugate would be in attendance at the meeting and could convey that Council is in favor of the application. Councilperson Reymer stated in the past Council did not send anyone and let the ZHB make the decision. Vice President LaSorsa made a motion to send Zoning Officer Fugate to the ZHB meeting on July 1st, 2009 and convey that Council is in favor of the Enterprise Fire Company of Hatboro Zoning Application. This motion was seconded by Councilman Tompkins with Councilpersons Reymer and Guenst opposing and Councilpersons Rich, Tompkins,

LaSorsa and Zygmunt voting in favor. President Zygmunt states the motion passes in favor of sending Zoning Officer Fugate to the July 1st, 2009 ZHB meeting.

C. ADMINISTRATION & CONTRACTS COMMITTEE – President Zygmunt

President Zygmunt stated he had several items for his agenda this evening; the first item to consider change order #1 in the amount of \$59.95 for the commuter lot project. Vice President LaSorsa made a motion to approve change order #1, Bray Brothers in the amount of \$59.95 for the commuter lot project. This motion was seconded by Councilman Tompkins and approved by Council unanimously.

President Zygmunt stated the second item on his agenda was to consider change order #2 in the amount of \$16,438.44 for the commuter lot project. Vice President LaSorsa made a motion to approve change order #2, Bray Brothers in the amount of \$16,438.44 for the commuter lot project. This motion was seconded by Councilman Tompkins and approved by Council unanimously.

President Zygmunt stated the third item on his agenda was to consider change order #3 in the amount of \$2,074.10 for the commuter lot project. Vice President LaSorsa made a motion to approve change order #3, Bray Brothers in the amount of \$2,074.10 for the commuter lot project. This motion was seconded by Councilman Tompkins and approved by Council unanimously.

President Zygmunt stated the next item on his agenda was to consider approval of the employee ratification list for the month of June 2009. Councilperson Guent stated there was numerous corrections needed which the Borough Manager made. Councilperson Guent made a motion to approve the June 2009 Employee Ratification list. This motion was seconded by Councilman Tompkins and approved by Council unanimously.

President Zygmunt stated the next item on his agenda was the Pennvest Stormwater Grant Application Resolution, Number #2009-16. Councilperson Guent made a motion to approve Resolution Number #2009-16. This motion was seconded by Councilman Tompkins and approved by Council unanimously.

President Zygmunt stated the next item on his agenda was the approval of a new telephone system for Administration at a cost of \$12,502.00. Vice President LaSorsa made a motion to approve the new phone system at Borough Hall in the amount of \$12,502.00. This motion was seconded by Councilman Tompkins and approved by Council unanimously.

President Zygmunt stated the next item on his agenda was to consider the copier proposal for Administration, Police and Public Works. Vice President LaSorsa made a motion to approve the copier proposal for new copiers in Administration, Police and Public Works. This motion was seconded by Councilman Tompkins and approved by Council unanimously.

President Zygmunt stated the next item on his agenda was to consider the Intergovernmental Cooperation Agreement for Legal Representation, Phase 1. Vice President LaSorsa made a motion to approve the Intergovernmental Cooperation

Agreement for Legal Representation for Phase 1. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

President Zygmunt stated the next item on his agenda was to consider the Intergovernmental Cooperation Resolution #2009-17, Legal Representation for Stormwater Issues – Phase 1. Vice President LaSorsa made a motion to approve Resolution #2009-17, Legal Representation for Stormwater issues, Phase 1. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

President Zygmunt stated the last item on his agenda was to consider approval for Professional Services for Daren Miller. There was a discussion amongst the members over Daren’s proposal for professional services as submitted by Daren Miller. This motion was seconded by Councilman Tompkins and a vote was taken, Councilperson’s Rich, Tompkins LaSorsa and Zygmunt voting in favor and Councilperson’s Reymmer, Guenst and Ostrander voting nay. The motion carried and was approved by a vote of 4 yes to 3 no.

FINANCE, BUDGET AND INSURANCE COMMITTEE – Vice President LaSorsa
(Chair)

Vice President LaSorsa stated he had one item on his agenda for this evening, to update Council on the Economic and Redevelopment Subcommittee status. Vice President LaSorsa stated Borough Hall is currently accepting letters of interest for this committee. Vice President LaSorsa distributed to Council in their packets an objectives and recommendations memo.

OLD BUSINESS

There was no old business to come before Council this evening.

NEW BUSINESS

There was no new business to come before Council this evening.

PRIVILEGE OF THE FLOOR

Fire Company President Chris Gowen thanked Assistant Manager/ Planner for all his help over the past months with the Fire Company Grant Application.

Mrs. Phillips asked Council to make sure the correct wording was used for Mr. Miller’s professional services contract. Borough Manager/ Chief Gardner stated it would be done correctly.

Mrs. Sandy Zygmunt stated Mr. Miller was paid \$1700.00 to prepare Financials, the Borough Authority Treasurer refused free help.

ADJOURNMENT

President Zygmunt adjourned the June 22nd, 2009 Council meeting at 8:08 P.M.

Respectfully submitted,

Diane C. Hegele
Assistant Borough Secretary
Open Records Officer