

BOROUGH OF HATBORO

COUNCIL MEETING

Monday, April 27<sup>th</sup>, 2009

**PRESENT**

President Zygmunt, Vice President LaSorsa, Councilpersons Guent, Ostrander, Tompkins, & Reymer, Mayor Hawkes, Borough Manager/Chief Gardner, Assistant Manager/Planner Hartey, Fire Marshal Bob Stauch, Assistant Fire Marshal Joe Reading, Borough Engineer Dougherty, Director of Public Works Butch Thomas and Treasurer Joe Lutz.

**ABSENT**

Borough Solicitor Christen Pionzio. Bernadette Kearney of Hamburg, Rubin, Mullin, Maxwell & Lupin came in her absence.

**CALL TO ORDER**

President Zygmunt called the April Meeting of the Borough of Hatboro to order at 7:02 p.m.

Mayor Norm Hawkes gave the Invocation and also held a moment of silence for Mr. Fred Tinsley. Mr. Tinsley was a life long resident of Hatboro and served for 44 years in the Public Works Department.

**INFORMATIONAL PRESENTATION ON THE LOLLER CLOCK**

Charles Roche, a businessman in the Borough of Hatboro addressed the Borough Council and also the audience to advise that he, along with Brian and Keith Winship of Winships' Pieces of Time located on York Road in Hatboro, are interested in restoring the Hatboro Clock. Keith Winship then presented some slides of another clock similar to the Hatboro Clock that had been restored. He stated that the clock has been cleaned. However, the gears are very rusty and dirty. There is a lot of grease and dust particle build up. Due to the gears being made from Brass there is no need for lubrication and are meant to run dry. Keith advised that he has been told that the clock is in good running condition and that it just needs to be wound. Keith advised that he could not disagree more and that due to all of the grease that winding the clock is actually causing more damage. The frame of the clock is stainless steel and had been painted. The paint is now chipping off and that is causing spots of rust. Looking at the rear view of the clock there is an actual bike sprocket that has been put on sometime in the past with a silencing mechanism. The mechanism allows the clock to be silenced at night. Keith advised that another big problem is the drum. As of now the clock is being driven with a steel cable. The clock originally had a hemp rope, which needed to be replaced frequently. However, the steel cable is destroying the drum. What would need to be done is the clock be taken completely apart. Each piece would be cleaned and or repaired and then the clock would be put back together. There would be a gear put on that would need to be custom made so that the clock would wind itself. Charles Roche then stated that he feels that the next step in this process is for Borough Council to think this over. Mr. Roche also advised that he is interested in putting together a program to try and raise the money for the restoration of the clock. Councilperson Guent then asked of this project could happen for \$50,000.00? Mr. Roche advised

that yes he does. Mr. Roche advised that what they propose is total restoration with a few minor modifications. He stated that the winding mechanism is the most important one. This prevents someone from having to go up and wind the clock every six days. Mr. Roche stated that his ultimate goal would be to have a television or computer screen in the foyer of Borough Hall where you could push a few buttons and see the mechanics of the clock. Councilperson Guenst then asked if Mr. Roche was aware of any Grants that may be available through someone such as Timex? Mr. Roche advised not at this time but that he has been told that there are monies out there. Barbara Davis of the audience then asked if the clock made any noise such as a chime or bong? Keith Winship advised that there is a bell that strikes the hour every hour. Keith advised that that would be one of the additions that would be added to the clock to silence it whenever needed. Councilman Tompkins then asked if the bike sprocket, which was stated as a bad thing, would be removed? Keith advised that it was not stated in the article the way he stated it. He advised that the bike sprocket was not a bad thing. It functions very well and is part of the history of the clock. He does not suggest removing it. Councilperson Guenst thanked Mr. Roche and Mr. Winship for their very informative presentation.

### **INFORMATIONAL PRESENTATION ON PEC STORMWATER MANAGEMENT**

Mindy Lemoin of the Pennsylvania Environmental Council stated that she is looking to help Hatboro file for a Federal Stimulus Grant for \$75,000.00 regarding Stormwater Management. Mindy then introduced Derron LaBrake of Stantec Incorporated. Stantec Incorporated is the Engineering firm hired by the Pennsylvania Environmental Council. Derron advised that they looked at the Temple study to see what they had identified as potential projects to alleviate some of the flooding in the upper parts of the watershed. Then they came in to see what land the Borough owned because Pennvest funds require that the applicant actually owns the property. They identified three potential sites within the Borough, Hatboro Little League Field, Eaton Park and Memorial Park. The object of these projects is to create some additional flood plain storage. Derron advised what is happening since the land has been developed is that there is much more impervious surface so the water runs off faster. Also there are stronger rain events than ever before in this part of the state. Typically what happens is that you have more energy going through the channels that will down cut separating it from its natural flood plain. As it down cuts one of two things are going to stop it. Either it is coming to some sort of balance with the amount of water that is going through it or it will hit bedrock. Derron advised that near the Pennypack Elementary School that it has hit bedrock. Councilperson Guenst wanted to ask what was going to be done at the Pennypack Elementary School soccer fields but did not see anything on the initial letter. Derron advised because that application would actually have to come from the School District. Derron advised that what he is proposing to take and lower some of the land area that used to be the flood plain so that smaller storms can access the flood plain, dissipate volume and store some of the volume and reduce the flooding. Derron advised that the plan for the Little League fields would be to take the one field that is not terribly used and to lower it down and either put it back as a practice field or convert it into a storm water retention basin. The object for both Eaton Park and Memorial Park is to lower the land surface to create flood plain storage and to maintain the existing and future use of the park. Derron advised that at Eaton Park it is currently a hiking trail or passive use. He advised that they would expand a forest and vegetated zone out from the edge of the creek, which will benefit the quality of the water. Derron then advised that at Memorial Park they would lower it and then put a ball field back, wherever it would make the most sense from a playability standpoint. Councilperson Guenst then asked how much of the walking trail would be affected at

Eaton Park. Derron advised that it would all be put back. Councilperson Guenst then asked who would put it back? Derron advised that it would be part of the Grant Application. Mindy Lemoin then stated that she would like to discuss the process of applying for Pennvest Funding. Mindy advised that Pennvest has about \$220 million dollars towards water infrastructure that comes from the American Recovery and Reinvestment Act. Of the \$220 million about \$44 million of that is set aside for Green Project Reserves. Mindy Lemoin advised that they would like to help the Borough apply for this funding. Mindy advised that the deadline is May 18<sup>th</sup> 2009. Mindy advised that they are working with the DEP with regards to what is required for permits. Mindy advised that the Borough would need to initiate the actual application process, as the Borough will be the borrower. Mindy advised that Pennvest specifically gives low interest loans and they can range from 1% to 3%. Mindy stated that herself and a woman from the environmental finance center would be doing the primary work of putting in the application. The application is done online. Mindy advised that there would be some things that they will need from the Borough such as financial statements. Mindy advised that at least half of the stimulus money has been used. She has asked if this particular project is likely to get a grant and she has been advised that they will not know until it is time to make a decision, which would be July 20, 2009. The Borough is in no way committed to taking this money if the Borough decides that they don't want it. The projects would need to go out on contract or actually start construction by October 1<sup>st</sup> 2009. The projected total cost of the three projects is between \$800,000 to \$900,000 dollars. Mindy stated that what they are asking for at this time is for the Borough to agree to start the application process. President Zygmunt asked what the upfront costs in applying would be to the Borough? Mindy advised just the time in supporting the application process. Councilperson Guenst asked how extensive the application process is? Mindy then handed out copies of the actual application. President Zygmunt then asked if any consideration was given to Miller Meadow? Derron advised that they did look into it, however, due to Miller Meadow previously being a dump they were not sure exactly what they would be uncovering. Mindy advised that that might be feasible sometime in the future but since the application is due on May 18<sup>th</sup> 2009 they want to keep it uncomplicated. Derron advised that the other three projects are just removing soil and replacing it. The Grant may not fund removal and disposal of cars, concrete, asphalt etc, or whatever else may be uncovered in an area that was once a dump. Councilman Tompkins then stated that in the past there have been walkthroughs where the buffer along the creek is overgrown with invasive species, would part of this project be to replace the buffer with the proper species? Derron advised yes. Mindy advised that that would all be part of the Grant Application. Mindy advised that Pennvest is essentially a bank. There will be a formal closing process. Mindy advised that there is also no guarantee that the application would be approved. President Zygmunt advised that both he and Councilperson Guenst are concerned that this would be getting into active use areas in a town that has limited open space availability. Derron advised that anything that would be disturbed would be put back just as it was. Councilperson Reymer asked if all three projects simultaneously? Mindy advised yes. Councilperson Tompkins then asked if they had been speaking to the School District regarding their sites? Mindy advised yes, they are hoping to be submitting applications by May 18<sup>th</sup> 2009 as well. Councilperson Guenst asked if they were familiar with any other Municipalities in the last round that received any of this money? Mindy advised the only other re-infrastructure project that received funding were projects for the Philadelphia Water Department and they received \$30 million dollars. Which was everything they applied for. Councilperson Guenst asked if anyone else applied? Mindy and Derron stated that they did not think so. Councilperson Guenst asked if the money came through as a Grant, is there any match involved? Mindy advised no. Borough

Manager/Chief Gardner asked if there would be any engineering cost the Borough during the application process? Mindy advised no. Councilperson Guenst asked if they had been in contact with Upper Moreland Township concerning, what Councilperson Tompkins referred to as Flamingo Run, the flow through that has been an issue in the past. Councilperson Tompkins advised that there is a different storm water issue in Upper Moreland and some Warminster. Derron advised that the only way to get that water out of that area is to send it down stream or put it in pipes underground. Derron advised by doing the project at Memorial Park that it would relieve some of the flooding in that area. Councilman Tompkins advised that Upper Moreland is also trying to get the water over to the creek by the Elementary School. Councilman Tompkins asked if they are working with the school district for that area? Derron advised yes, the lower field is one of the areas they are discussing. President Zygmunt asked if there was any way to see the entire list of projects and get a picture of what is going on up and downstream of Hatboro? Mindy advised yes, they are putting that together for the submission of the application. President Zygmunt advised that he is looking for aerials. Derron advised that Hatboro Little Field would be the farthest upstream that they are going. Councilperson Ostrander then asked if we have all of the information regarding the flood claims. Derron advised that all of the FEMA claims are laid out with addresses but they are not allowed to share that due to privacy claims. Mindy advised that by May 18<sup>th</sup> 2009, Council would need to pass a resolution stating that the Borough is making application. Then after July 20<sup>th</sup> 2009 the Borough would receive the offer if the application should be approved. Then shortly after July 20<sup>th</sup> 2009 the Borough would have to make commitment. President Zygmunt advised that they would have to pass the resolution on at the Committee Meeting on May 11<sup>th</sup> 2009 if the Borough has interest. President Zygmunt then asked Council what else they would need to decide whether they have interest. Councilperson Guenst advised that she feels comfortable with the information she has already been given. Mindy advised that they would get the full summary with the photos via email. President Zygmunt advised that they would need to schedule a Special Council Meeting for May 11<sup>th</sup> 2009 to adopt the Resolution for the Pennvest Loan and Grant. President Zygmunt advised that Council would be adding an Agenda item under Administration to consider authorizing Borough Staff permission to initiate Pennvest Grant application.

## **MINUTES**

President Zygmunt stated Council in receipt of the minutes of the January 12<sup>th</sup> 2009 Special Council Meeting. Vice President LaSorsa made a motion to approve the minutes of the January 12<sup>th</sup> 2009 Council meeting. The motion was seconded by Councilperson Guenst and approved by Council unanimously. President Zygmunt stated Council is in receipt of the minutes of the March 23<sup>rd</sup> 2009 Council Meeting. Vice President LaSorsa made a motion to approve the minutes of the March 23<sup>rd</sup> 2009 Council meeting. The motion was seconded by Councilperson Guenst. Councilman Tompkins advised that he had sent a few small corrections to Borough Manager/Chief Gardner. Councilperson Reymer also stated that under G. Public and Community Relations, Councilperson Reymer was absent that meeting so she did not state that there was nothing on her agenda. She stated that the entire sentence needs to be removed. President Zygmunt stated to consider approval of the March 23<sup>rd</sup> 2009 Council Minutes as ammended. This motion was approved by Council unanimously.

## **PRESIDENTS REPORT**

President Zygmunt advised that all Council, and he believes all the public, that the Borough is in the process of trying to obtain open space at Miller Meadow. As part of the Grant Application it

has been requested by the County Staff that the Borough provide some trails and other wild life features to be used on the Miller Meadow property. President Zygmunt advised that he did not receive this information until about 5:45 pm that evening, otherwise it would have been on the Agenda. If something is done immediately then the presentation at the end of the month may suffer. President Zygmunt asked that this item be added to tonight's agenda without going through the Committee Meeting. President Zygmunt advised they are adding Contract for Professional Services for conceptual drawings of park features to the Agenda.

## **BOROUGH MANAGER/CHIEF OF POLICE REPORT**

Borough Manager/Chief Gardner advised that the Police Department has been approved for \$125,000 Grant for a new Police Communication System for new radios and software for their computers. Borough Manager/Chief Gardner stated that he received an email from the Department of Justice stating that Borough Manager/Chief Gardner needs to complete the application process, which is a multi step process that takes two to three weeks. Borough Manager/Chief Gardner advised that he is not sure if there is any Council action that needs to be taken at this time but he will keep them informed as he goes through the application process.

Borough Manager/Chief Gardner stated that himself and the solicitor would be meeting with the Second Alarmers on Wednesday May 6<sup>th</sup>, 2009 regarding their service contract and the lease.

Borough Manager/Chief Gardner stated that he received the routine events request form for the re-occurring events that have been taking place in the Borough for the last couple of years. Borough Manager/Chief Gardner advised he just wanted to provide Council with the dates. The Summer Sidewalk and the Pet Rescue is scheduled for July 18<sup>th</sup>, 2009. The Moonlight Memories Car Show is scheduled for July 25<sup>th</sup>, 2009. The Holiday Parade is scheduled for November 22<sup>nd</sup>, 2009. Borough Manager/Chief Gardner advised that he has some of the information for the Hatboro Haunts, which is the fall festival that is scheduled for October 23<sup>rd</sup>, 2009 thru November 1<sup>st</sup>, 2009. There are limited details at this time. There was a letter sent to the Chamber of Commerce stating that although the Borough is in receipt of the Events Request form there is not enough data. President Zygmunt stated that even if the form does not deviate from the form submitted last year, Council would like the opportunity to review the request form.

Borough Manager/Chief Gardner advised that the Commuter Lot Project is moving ahead. There is a pre-construction meeting on April 30<sup>th</sup>, 2009. There is also a bid opening scheduled for the North Penn Street Storm Sewer work that needs to be done.

Councilperson Guent asked if the Borough had received an Event Request form for the Turtle Races? Borough Manager/Chief Gardner advised no. Councilperson Guent advised that she has a package from Harriet Ersham that she will bring in to Borough Hall. The Turtle Races are scheduled to take place on June 14<sup>th</sup>, 2009. President Zygmunt advised that he wants all organizations to get there re-occurring Event Request Forms in so that Council can take care of all of these in one fell swoop.

## **TREASURER'S REPORT**

### **1. CASH BALANCES & INVESTMENT INCOME REPORT**

Treasurer Lutz reported that the interest earned

Vice President LaSorsa made a motion to approve the Cash Balance and Investment Report for the month of April. This motion was seconded by Councilperson Ostrander and approved by Council unanimously.

## **2. APPROVAL OF WARRANT LIST & MANUAL CHECKLIST**

Treasurer Lutz advised that he reviewed the Warrant List and that all of the invoices seemed to be in order. He stated that there is one invoice that he would like to review with the Borough Manager at a later date as there is possible reimbursement to the Borough. There is another invoice that he would like to review with the Solicitor regarding the wording. Treasurer Lutz advised that neither of these issues will effect the signing of the checks. Vice President LaSorsa made a motion to approve the warrant list and manual checklist for the month of April. This motion was seconded by Councilman Tompkins.

President Zygmunt advised that Council had had most of the Warrant and Manual checklist since the previous week and that there were a few changes that had been made. Councilperson Ostrander asked what the changes had been? Borough Manager/ Chief Gardner advised that there was a change regarding a check for dental coverage in the amount of \$1575.56 and a check that had to be re-issued to the PA Local Government Secretaries Academy, they misplace the original check that was sent 3 months ago. Vice President LaSorsa made a motion to authorize payment of bills for the month of April 2009. This motion was seconded by Councilperson Ostrander and approved by Council unanimously.

## **3. PAYMENT OF BILLS**

Vice President LaSorsa made a motion to authorize payment of bills for the month of April 2009. This motion was seconded by Councilperson Ostrander and approved by Council unanimously.

## **MAYOR'S REPORT**

Mayor Hawkes advised that he had no report.

## **SOLICITORS REPORT**

Bernadette Kearney attended the meeting in Solicitor Christen Pionzios' absence. Ms. Kearney advised that she had three items to report on tonight. First of which was the review of the Station Park parking lot. Ms. Kearney advised that Solicitor Pionzio had advised her that the license agreement had been sent over to the Station Park owners. Solicitor Pionzio has followed up with him twice and he has advised that he needs some time to review. Ms. Kearney advised that Solicitor Pionzio stated that she will continue to follow up with him.

Ms. Kearney advised the second item she had to report on tonight was in reference to the Fire Company and the Grant that the Borough is getting through the State for the addition to the Fire House. Ms. Kearney advised that they are pushing off the agreement with the state until next month. Ms. Kearney advised that Solicitor Pionzio has drafted four documents. A Cooperation Agreement for the Firehouse and the Borough. The State has agreed that they will sign off on the documents. Also an Indemnity and Release Agreement. Ms. Kearney advised that Council will have all of these documents by the next Committee Meeting.

Ms. Kearney advised the last thing that she has to report on is in reference to Bank Street. Solicitor Pionzio has been looking through old plans to try and determine how Bank Street came about. She is also working on the Title search for Bank Street.

### **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**

President Zygmunt stated that the Fire Marshals report was submitted in advance.

### **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.

Mrs. Phillips, Wood Street asked to address Borough Council regarding the Miller track and the purchase of the house on the Miller Property. President Zygmunt advised that the Borough needs to have some engineering work done on trails that was requested by the County who would like to see it incorporated in the Grant application to see if the Borough would be eligible for the Grant to acquire the property. Mrs. Phillips asked what the purchase would cost the Borough? President Zygmunt advised that tonight was to discuss the cost of the Engineering drawings. Councilperson Guent stated that it is a development of some conceptual drawings. Councilperson Guent advised that there are some that are already done in the Open Space Plan that are shown on the Miller Meadow side. Councilperson Guent stated that what they are thinking of is a raised plank walkway that they have in wetlands as to disturb the ground underneath. President Zygmunt then asked Engineer Dougherty what type of cost the Borough would incur to have these drawings prepared. Councilperson Guent also asked what the deadline is? Engineer Dougherty stated the deadline is May 26th, 2009. Engineer Dougherty stated that he thought it could take up to 2 to 3 days for the aerial photo and that the cost would be \$80.00 per hour for 32 hours. President Zygmunt stated that the fees are not to exceed \$2500.00. President Zygmunt advised that the Grant amount that is available to the Borough is \$860,000.00. The acquisition price for the property is right around \$900,000.00. Because it is a matching Grant the cost to the Borough is going to be somewhere around \$135,000.00.

### **PUBLIC SAFETY**- Mayor Hawkes (Chair) & Ostrander

Mayor Hawkes advised that he had one agenda item tonight and one heads up. The agenda item is the Recovery Act Assistance Grant which he referred to Borough Manager/Chief Gardner. Borough Manager/Chief Gardner advised that separate from the Cops Grant and separate from the Allocation Grant that the US Recovery Bill Stimulus Plan funded 23 Montgomery County Municipalities for policing needs. Hatboro was allocated \$12,581.00. The County is required to submit one application for all 23 Municipalities. Borough Manager/Chief Gardner advised that the municipality of Norristown's Planning Department is preparing the application. The Boroughs requirement is to submit the project narrative and the project budget to Norristown by May 8th 2009. During the month of May there will be a resolution and a memorandum of understanding that Council will have to review. Borough Manager/Chief Gardner stated that he looked in several

areas of need for the Police Department. One of the requirements of this Grant is that what the Borough uses it for can not be a budgeted item. Borough Manager/Chief Gardner recommended to Council that this Grant money be used to replace the duty issue side arms. Borough Manager/Chief Gardner stated that he had put a packet together for Council mail with a project narrative and a project budget. The numbers are actual budget quotes from vendors. Borough Manager/Chief Gardner stated that he suspects that the project will cost less than the vendor budget numbers when they go to make the purchase. Borough Manager/Chief Gardner also recommends that part of the acquisition be used to purchase a sonic ultra sonic cleaning system. He advised that a lot of Police Departments are currently using this system and it extends the life of the fire arm. Councilperson Guent asked if there has been any trouble with the fire arms jamming? Borough Manager/Chief Gardner advised that they maintain their fire arms very well and that they are good quality weapons. It is a rare occasion if it happens at all. Borough Manager/Chief Gardner stated that what is important is that the weapon does not malfunction when it counts. He advised that weapons should be replaced every 10 years. President Zygmunt confirmed that this was not a voting item on the agenda tonight. Councilperson Tompkins asked since the cost of the replacement side arms will come in less than the amount of the Grant would it make sense to add another item to the project narrative? Borough Manager/Chief Gardner advised that he has posed that question to Norristown, however, because it is under such a tight deadline he feels that they want something quick. Borough Manager/Chief Gardner stated that he has put in for amendments to Grants before. He is not sure if that would be the case with this Grant.

Mayor Hawkes advised that the traffic signal for Victorian Village is going to be operating shortly. Mayor Hawkes stated that the Borough needs to start thinking about the implications for Academy, Moreboro and Crooked Billet Roads. Mayor Hawkes stated that the Borough needs to determine there is going to be cut through traffic on those roads, which he advised he thinks there will be and also what the Borough is going to do about it. Mayor Hawkes advised that if anyone has any ideas to please get them to him. President Zygmunt asked if the Borough should wait until after the traffic signal has been up and running? Mayor Hawkes advised yes that is why he stated that the Borough should start thinking about it. President Zygmunt stated that he thought the traffic signal had to be up and running for a period of 30 days. Borough Manager/Chief Gardner advised that there is seven days of bagging and then seven days of flash and then they activate the traffic signal. Borough Manager/Chief Gardner also advised that they could put equipment out to take traffic counts. He further advised that they do have some of the before counts.

#### **FIREBOARD-** Vice President LaSorsa (Chair) & Mayor Hawkes

Vice President LaSorsa advised that he would like to request Council to consider authorization to open a separate bank account which would be called the Fire House Improvement Fund. Councilperson Guent made a motion to approve the request for authorization to open a separate bank account which would be called the Fire House Improvement Funds. This motion was seconded by Councilperson Ostrander. Councilperson Reymer asked Vice President LaSorsa if any money would need to be deposited into the new account at the time that it was opened? Vice President LaSorsa advised that he would have the amount that needed to be transferred. This motion was approved by Council unanimously.

#### **PUBLIC WORKS COMMITTEE-** Councilman Rich (Chair) & Zygmunt

Councilperson Rich requested that Council consider the request to acquire a dump truck and plow

blade through the Costars program. Vice President LaSorsa made a motion to approve the request to acquire a dump truck and plow blade. This motion was seconded by Councilman Tompkins and approved by Council unanimously.

**ZONING, PLANNING & HISTORIC PRESERVATION**- Councilman Tompkins (Chair) & Guenst

Councilman Tompkins advised that he had several items on his agenda tonight. First would be the consideration of Resolution #2009-10, Land Development Waiver Fire House Project.

Councilperson Guenst made a motion to consider Resolution #2009-10, Land Development Waiver Fire House Project. This motion was seconded by Vice President LaSorsa. Councilperson Reymer asked with regards to #5 on the resolution, should the question marks be removed. Borough Manager/Chief Garder advised yes, just a typo. This motion was approved by Council unanimously.

Councilman Tompkins advised the second item on his agenda would be the consideration of Resolution #2009-11, 69 Byberry Road Land Development Extension. Vice President LaSorsa made a motion to consider Resolution #2009-11, 69 Byberry Road Land Development Extension. This motion was seconded by Councilperson Ostrander and approved by Council unanimously.

The next item on the agenda would be to consider the appointment of Michael Ostrander to the Joint Appeals Board. Vice President LaSorsa made a motion to consider appointment the appointment of Michael Ostrander to the Joint Appeals Board. This motion was seconded by Councilperson Guenst. Councilperson Tompkins advised that the Joint Appeals board is a body that is an appeal mechanism for Code decisions made by a Municipal Officer. The Borough has entered into a Joint Appeals Board with a number of neighboring municipalities, each one appointing there own representative that would hear any of those appeals. This motion was approved by Council unanimously.

Final item on the Councilman Tompkins agenda is to consider the approval of the Settlement Agreement for 400 North York Road. Julie Von Spreckleson, an attorney with the lawfirm of Eastburn and Grey was present with Damion LaRosa and Henry Jacquelin who are the legal owners of 400 North York Road. Ms. Spreckleson advised that the property is comprised 1.93 acres and is located in the R3 Zoning District. It is currently comprised of a single family residence. Ms. Spreckleson advised that the property is located along the Blairmill Run Tributary which runs along the southern border of the property and is within the boundaries of the Pennypack Watershed. A portion of the property is also then located within the Floodplain. The applicants are proposing to demolish the existing structure and construct two residential buildings. The first residential building would be comprised of seven townhomes and the second residential building would be comprised of three townhomes. This would be a total of 10 townhome units which are permitted in the R3 Zoning District of the Borough. Ms. Von Spreckleson advised that there has been an issue with regards to the Floodplain line. There has been a new study, which is the Heck-Ras study that shows that only about one third of the property would then be affected by the Floodplain. The new Floodplain line from the Heck-Ras study has been adopted by FEMA pursuant to a letter of map revision. Ms. Von Spreckleson advised that Solicitor Pionzio has drafted a Settlement Agreement which is before Council tonight. Vice President LaSorsa made a motion to approve the Settlement Agreement for 400 North York Road. This motion was seconded by Councilperson Guenst. Councilman Tompkins wanted to clarify that this Settlement

Agreement includes the Engineering letters dated February 19th and March 11th with regards to the sidewalks. Engineer Dougherty advised that one of the waivers in the Settlement Agreement is that the sidewalks would not have to wrap around from York Road to the first set of driveways. This motion was approved by all of Council with the exception of Councilperson Reymer.

**PARKS AND RECREATION COMMITTEE**- Councilperson Guenst (Chair) & LaSorsa

Councilperson Guenst apologized for not realizing that there was an item missing from her portion of the agenda regarding approving the Goose Guys Contract for Miller Meadow for \$100.00 a month. The Goose Guys will not be contracted this year for Memorial Park as the Borough would like to purchase the coyote decoys and give that a try this year. The cost of the coyote decoys not to exceed \$600.00. Vice President LaSorsa made a motion to approve the request to obtain the coyote decoys, not to exceed \$600.00. Also to award the Goose Guys Contract for Miller Meadow at \$100.00 per month for the summer. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

Councilperson Guenst requested Council consider the Event Request for the Summer Fun Festival featuring fire works with the conditions that all Employee Overtime be reimbursed, Payment of all additional Electric usage and full restoration of the meadow after the festival to it's original condition. Councilperson Guenst made a motion to approve the Event Request for the Summer Fun Festival featuring fireworks with the conditions that all Employee Overtime be reimbursed, Payment of all additional Electric usage and full restoration of the meadow by Public Works after the festival to it's original condition with cost. This motion was seconded by Councilperson Reymer. Councilman LaSorsa asked how will the cost for Public Works time be determined? Councilperson Guenst advised that she had spoken with Brent Sine of the Public Works Department and they are going to get together and take photo's of the Meadow before the festival. This motion was approved by Council unanimously.

Councilperson Guenst requested that Council consider the Fee Waiver for Park Use and Fire Marshal Fees for Summer Fun Festival and Fireworks. Vice President LaSorsa made a motion to approve the Fee Waiver for Park Use and Fire Marshal Fees for Summer Fun Festival and Fireworks. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

**ADMINISTRATION & CONTRACTS**- President Zygmunt (Chair) & Tompkins

President Zygmunt advised that the next item on the Agenda is to consider the Approval of a Pro-Form Professional Services Contract for the review of Land Development. Vice President made a motion to approve the Pro-Form Professional Service Contract for the review of Land Development. This motion was seconded by Councilman Tompkins and approved by Council unanimously.

President Zygmunt advised the next item on the Agenda is to consider the Award Bid for Park Avenue Stormwater Extension Project to Associated Paving Contractors Inc. in the amount of \$94,750.00. Vice President LaSorsa made a motion to Award the Bid for Park Avenue Stormwater Extension Project to Associated Paving Contractors Inc. in the amount of \$94,750.00. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

President Zygmunt advised the next item on the Agenda is to consider authorization of Council

President Zygmunt to execute Easements for Park Avenue Stormwater Extension Project. Vice President LaSorsa made a motion to authorize Council President Zygmunt to execute Easements for the Park Avenue Stormwater Extension Project. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

President Zygmunt advised the next item on the Agenda is to consider authorization to proceed with the H2O Grant Program application planning. Vice President LaSorsa made a motion to authorize to proceed with the H2O Grant application planning. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

President Zygmunt advised the next item on the Agenda is to consider the 2006 County Revitalization Grant Extension request. President Zygmunt stated that this is a 2006 Grant that has expired but the Borough is requesting an extension to put speakers in the decorative lamp posts in town. Vice President LaSorsa made a motion to approve the 2006 County Revitalization Grant Extension request. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

President Zygmunt advised the next item on the agenda is to consider Changeorder #1 for the West Monument Avenue Bridge Project. Borough Manager/Chief Gardner advised that Changeorder #1 is for some additional masonry work that needed to be done to the bridge, some additional signage for the detour and some additional rock for the stream bed. Borough Manager/Chief Gardner advised the net on this is \$2582.10. Vice President LaSorsa made a motion to approve Changeorder #1 for the West Monument Avenue Bridge Project. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

President Zygmunt advised the next item on the agenda is to consider Payment #2 for the West Monument Avenue Bridge Project. Vice President LaSorsa made a motion to approve Payment #2 for the West Avenue Bridge Project. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

President Zygmunt advised the next item on the agenda is to consider the Employee Ratification List for April 2009. Vice President LaSorsa made a motion to approve the Employee Ratification List for April 2009. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

President Zygmunt advised the next item on the agenda is to consider the Authorization of Borough Staff to initiate the Pennvest Grant application. Vice President LaSorsa made a motion to approve the Authorization of Borough Staff to initiate the Pennvest Grant Application. This motion was seconded by Councilperson Guenst and approved by Council unanimously.

President Zygmunt advised the next item on the agenda is to consider hiring Gilmore and Associates Professional Service to draw a schematic of trails and park at Miller Meadow in an amount not to exceed \$2500.00. Vice President LaSorsa made a motion to approve the hiring of Gilmore and Associates to draw a schematic of trails and park at Miller Meadow in an amount not to exceed \$2500.00. This motion was seconded by Councilperson Ostrander and approved by Council unanimously.

**EMERGENCY SERVICES AND PEDESTRIAN SAFETY COMMITTEE**- Councilperson Ostrander (Chair) and Rich

Councilperson Ostrander advised that the only item on her agenda this evening was an update on the Emergency Management Tabletop Drill. Councilperson Ostrander advised that they did have the Emergency Management Table Top drill. Councilperson Ostrander stated that she would like to thank Borough Manager/Chief Gardner and Fire Marshal Bob Stauch for putting it together. Councilperson Ostrander stated that they had the Emergency Management team sit around a table and go over a scenario, which they chose to be a flood. They went over how they would handle it such as where they would set up shelters. Councilperson Ostrander stated that it was a great drill. They then sat back after the drill and went over everything to see what they could improve on. The one thing that did come up was communications. Councilperson Ostrander advised that the telephone system is not up to par but she is aware that that is something that the Borough is currently looking into anyway.

Councilperson Ostrander stated that she wanted to give some information regarding the Swine Flu. Councilperson Ostrander advised that Borough Manager/Chief Gardner and Fire Marshal Bob Stauch put together a team and looked over their procedure for Pandemic Flu, which is the all purpose scenario. Councilperson Ostrander advised that there was paperwork on the table at the front of the Council room to give more information and that it would also be on the website and the Community Channel.

### **OLD BUSINESS**

Butch Thomas, the Superintendent of Public Works, advised that the new sweeper is in. Superintendent Thomas advised that the mechanic would be in in house training for the next two days and that the sweeper should be on the road by next week.

### **NEW BUSINESS**

Councilman Rich advised that the DEP is sponsoring an Energy Conservation seminar for Municipal Governments to discuss the conservation of Energy. Councilman Rich advised that it is being held on Wednesday, May 6th, 2009 in Lancaster. Councilman Rich advised that he is going to attend the seminar.

### **PRIVILEGE OF THE FLOOR**

Resident John Demsicak of 225 East Monument Road stated that the Borough should consider, with the possibility of the upcoming project through the Pennvest Grant, that anytime you retain water you change the concentration of the silt. Mr. Demsicak stated that unfortunately in Hatboro, when there is flooding, there is not just water and good old fashioned dirt flowing through, the least of which is pesticides. He stated that if it was going to end up in some type of retention basin that is one thing, but if it is going to be dumped somewhere where people play that that is another thing entirely.

Business owner Barbara Davis of Botany Decorating, 513 N York Road advised that she just wanted to make the Borough aware of a very dangerous traffic situation between the Dunkin Donuts and the McDonalds. Ms. Davis advised that when the traffic is travelling North on York Road they are travelling at a full rate of speed and do not realize they have to slow down because the road goes from two lanes to one. She advised that her car has been smashed into twice and she considers this a "bad ass" traffic area. Ms. Davis would like to know what can be done, such as contacting the County or putting in a flashing light, to give the drivers of these vehicles more

notice that the two lanes will become one. Both Councilperson Guenst and Mayor Hawkes advised that they have met with Penndot and that they do have a plan for the Northern part of York Road where it is four lanes. Councilperson Guenst advised there is a Grant application but she does not have the paperwork in front of her. Councilman Tompkins and Councilperson Guenst advised that it is a State Road so no matter what is done there it has to meet State approval. Mayor Hawkes advised that the Borough would like to move the merging of the lanes further down on York Road. Mr. Demsicak then asked if there was any stimulus money available? Borough Manager/Chief Gardner advised that they have met with Penndot and they were told that it meets with Penndot regulations. Borough Manager/Chief Gardner advised that they do currently have a Grant Application for Traffic Calming.

Resident Bruce Hart of 175 Earl Lane advised that he received a phone call today stating that the discussion of the results of the closing of the schools will be held May 4th not May 18th. Mr. Hart advised he thought that some of Council may be interested in that information. President Zygmunt advised that the discussion is not what schools are going to be closed, it is going to be a presentation of a study of feasibilities. Mr. Hart advised he just wanted Council to be aware that they changed the date. Councilwoman Reymer advised that she will attend this meeting to share the Resolution that the Borough adopted on behalf on the Borough. Mr. Hart then stated that he saw an article for Central Bucks Schools that there will be one centralized Tax Collector for Income Tax. Councilman Tompkins stated that there had been some talk of consolidating the tax collectors but he did not think it had been approved yet. Councilperson Reymer asked if it would impact the Borough's tax collector and was advised no, that it was for Earned Income Tax. Mr. Hart stated that the article also says that the Borough would have to appoint someone. Councilperson Tompkins stated that Council would have to look into the status of this for the next Council meeting.

### **ADJOURNMENT**

President Zygmunt adjourned the April 27th Council meeting at 9:18 P.M.

Respectfully submitted,

E. Wack

Borough Administrator

Amy