

HATFIELD BOROUGH COUNCIL
REGULAR MEETING
October 17, 2018

MINUTES

Executive session was held at 7:00PM the Hatfield Vol. Fire Company, 75 N. Market Street, prior to the October 17, 2018 Council Meeting.

CALL TO ORDER AND ROLL CALL:

- (X) John H. Weierman, President
- (X) Kenneth V. Farrall
- (X) Jason Ferguson
- (X) John Kroesser
- (X) Lawrence G. Stevens

- () Mayor, Robert L. Kaler III

The record shows that five members of Council were present at roll call, as well as, Solicitor Catherine M. Harper; Timoney Knox LLP, Borough Manager Michael J. DeFinis and Assistant Manager Jaime E. Snyder.

1. APPROVAL OF MEETING AGENDA:

Motion: A motion was made by Councilmember Farrall to Approve the Regular Meeting Agenda of October 17, 2018 with additions. The motion was seconded by Councilmember Stevens and unanimously approved with a vote of 5-0.

2. APPROVAL OF THE MINUTES:

Motion to Approve the Minutes of the September 5th Workshop & September 19th Regular Meetings

Motion: A motion was made by Councilmember Farrall to Approve the Minutes of the September 5th Workshop & September 19th Regular Meetings. The motion was seconded by Councilmember Kroesser and unanimously approved with a vote of 5-0.

3. PUBLIC INPUT: President Weierman asked if there was any Public Input.
No Public Input.

Media Not Present.

4. ANNOUNCEMENTS: Manager DeFinis made the following announcements:

- HERC is scheduled to meet October 24th @ 8:00AM at the HVFC
- The Planning Commission is scheduled to meet November 5th @ 7:00PM HVFC
- Next Month's Council Meetings are the November 7th Workshop & November 21st Regular Meeting @ 7:30PM at the HVFC
- The Borough Office will be closed on Monday, November 12th in Observance of the Veterans Day Holiday
- HMHS Meeting is scheduled for November 20th @ 7:00PM at the HVFC

5. OLD BUSINESS:

A. Police Report Update

Lieutenant Robertson updated Council on the monthly police report and stated that the police department was recommended for reaccreditation and are going through the final steps of the process.

B. Ordinance No. 533 Regarding Beekeeping in the Borough of Hatfield Chapter 2 (Animals) of the Code of Ordinances

President Weierman stated that his is not a hearing but we will allow time for discussion on this topic.

Steve Repasky, President of the Pennsylvania Beekeepers Association made the trip from out west in Pennsylvania to speak on this topic. Mr. Repasky stated his background in beekeeping and added that he had been kept up to date on the Ordinance and discussed some suggested changes such as the consideration of beehive types and sizes as they vary, which he believes this Ordinance takes into consideration. The number of hives per lot size and this Ordinance as stated by Mr. Repasky is suggesting two hives per 2,000 square feet of property and Mr. Repasky stated that this was a fine number and he is in agreeance with the proposed number of hives of two per 2,000 square feet which allows for proper management of hives. Though Mr. Repasky added that no Ordinance would be the best Ordinance but he welcomes the opportunity to work with the Borough for the best Ordinance to be created for the Commonwealth.

Mr. Repasky stated that he was in receipt of the most recent copy of the Ordinance and he wanted to highlight some slight tweaks to be taken into consideration:

- Reference to the Department of Agriculture be removed from the Ordinance
- Item No. 6 add words "closest adjourning."
- Item No. 7 remove "sources of food from property" as this may cause additional issues.

- Item No. 9A remove “annually” as part of inspection process as the Department of Agriculture doesn’t get to each property every year. Also remove “beekeeper shall inform Borough of scheduled inspections” I believe this is over regulation.
- Item No. 10 issue with whole section and would like it removed as it is open to interpretation or revised to make the complaint be verified by the State.
- Grandfather language for the hives located near pool.
- Letter of recommendation from Beekeeper Association to be accepted instead of class training for those who have been beekeeping for years.

Mr. Repasky thanked Borough Council for their time and consideration of the suggested changes he spoke about this evening.

Solicitor Harper went over the proposed Ordinance and addressed some of the comments that Mr. Repasky previously stated:

- Other Ordinances commonly reference other departments so the Department of Agriculture reference is not recommended to be removed.
- Written evidence can be sufficient as certification of a course as required by this Ordinance.
- Hive location added “to the extent possible.”
- Food and water were added after the hearing as it was researched that this was needed after a resident complaint that bees were on their feeder. A discussion ensued amongst Council about this topic.
- Inspections section states that the Borough designated inspector “may” inspect with the State. The Borough is going to count the hives for regulation and will not have anything to do with the inside hive maintenance health. A discussion ensued amongst Council about this topic.
- Nuisance would be the Borough’s job to prove but the Borough needs to be able to respond to these complaints.

Councilmember Ferguson stated that he was concerned with taking annually out of the Ordinance for inspection purposes as a giant leap in numbers could take place within a year. A discussion ensued amongst Council about the best way to register / inspect the hives.

Mr. Repasky stated that his last comment would be that because beekeeping hives at times would need to fluctuate to offer permanent overwinter hives at two hives per 2,000 sq. feet but for three hives to be allowed during spring and summer months per 2,000 sq. feet for proper hive maintenance and allow hives to become self-sustaining.

Solicitor Harper explained the Ordinance wording regarding permanent hives for swarms which she believes addresses this issue.

Mr. Repasky thanked Council for their time this evening.

Keith Snyder, 62 East School Street addressed Council as he wanted to reinstate how he came to have fourteen hives. He stated that he went into winter with eight, and came out with seven and caught five swarms this summer and gave one to Montgomery County Beekeepers. Mr. Snyder added that when his hives were inspected it was suggested to split them and this is what brings them to the numbers he currently has today.

Solicitor Harper asked what the size of Mr. Snyder's property was.

Mr. Snyder stated 8,400 square feet.

Dave Ardelean, 54 East School Street addressed Council this evening thanking them for their attention to this situation as they were one of the original families who opposed the current number of hives. Mr. Ardelean stated that he is in favor of the Ordinance as written in its current form.

Keith Snyder, 62 East School Street added that he believes he is the only beekeeper in Hatfield Borough and that he is willing to help remove swarms from properties as a community service.

Vincent Aloyo, 736 Cathcart Road, Bluebell PA stated that he has a Hummingbird Feeder which comes with an adapter that you can put on the inside of the feeder which they say will eliminate the bees.

Erin Rhoades, 52 East School Street, addressed Council asking for clarification for beekeeping on rental properties is this for people who rent property on the Borough for a residence or for people who want to rent a portion of a property for beekeeping purposes only?

Solicitor Harper stated that this would apply in any situation in which a beekeeper would want to keep bees on the property and didn't own the property they would need written permission from the property owner.

Erin Rhoades asked that if the beekeeper wanted to expand his hives onto adjacent properties all he would have to do would get consent from that property owner?

Solicitor Harper stated that the beekeeper would need a permit and consent from the property owner and then would be allow to put hives on the property.

Mrs. Rhoades thanked Council for the time they spent on this topic and asked that they would consider voting on this topic tonight so the neighborhood could move on and have closure to this issue.

President Weierman stated that this topic is on for consideration this evening.

Karen Roccasecca from the Pennsylvania Department of Agriculture addressed Council and stated when she sent the proposed Ordinance up to the Attorney that his objective is

to follow the bee law to the letter of the law. Ms. Roccasecca added that what we do as inspectors is follow the letter of the law as well as a spirit of the law the best we can so where in the Ordinance it would address things as a nuisance, the Agricultural Department can not say if it is a nuisance or not but the inspectors that we have are all qualified experts who would make recommendations.

Solicitor Harper stated that the Department would have jurisdiction over the bees and their health and Borough Council's job is to protect the health, safety and welfare of the residents.

Ms. Roccasecca stated that she and the Department would be happy to work with the Borough and any other municipality.

Anne Clayton 67 East School Street addressed Council and thanked them for all their time on this issue and she believes this Ordinance would bring a good balance to the residents and the beekeepers. Ms. Clayton stated that she believes this Ordinance is fair and again thanked Council for their time.

Carley Ardelean, 57 East School Street addressed Council and stated that yesterday she stepped at the door and noticed a lot of honeybees on her property at the door. Ms. Ardelean stated that these are the little things that have been happening in the neighborhood. Ms. Ardelean stated that she believes it is the high concentration on bees in the area. Ms. Ardelean thanked Council for the balance between the beekeepers needs and the residents and thanked them for their time on this issue.

Irvin Haines from Hatfield Township addressed Council and stated that he has spent a numerous amount of time sitting in the Snyder's back yard and has no issues with the bees and has yet to get stung.

C. Emergency Operations Plan

President Weierman stated that everyone should confirm their emergency contact information and look over this for any last-minute additions or corrections as this is on for consideration this evening.

Assistant Manager Jaime Snyder added that she has sent this draft to the Police Department, Fire Department and the Fire Marshal for review.

D. BondEX Service

Manager DeFinis stated that this is related to the Centennial Park Sanitary Sewer project. Manager DeFinis added that they would like payment for the project.

Solicitor Harper stated that we are holding funds for them and Manager DeFinis added that he is keeping track of the project and that the Borough has the funds to pay them.

E. Anrich Letter

Manager DeFinis stated that the letters were distributed to the residents and the project should be underway soon.

F. DVRPC Bridge Grant

Manager DeFinis stated that the Lincoln Avenue Borough Bridge project for the Municipal Bridge Reimbursement Grant through DVRPC has been selected. Manager DeFinis stated that this project will be scheduled to start design in 2019 and construction in 2020.

6. NEW BUSINESS: NONE.

7. ACTION ITEMS:

A. Motion to Consider Ordinance No. 533 Regarding Beekeeping in the Borough of Hatfield Chapter 2 (Animals) of the Code of Ordinances with discussed revisions.

Motion: A motion was made by Councilmember Stevens to Approve Ordinance No. 533 Regarding Beekeeping in the Borough of Hatfield Chapter 2 (Animals) of the Code of Ordinances with discussed revisions. The motion was seconded by Councilmember Ferguson.

President Weierman asked if there were any comments or questions. There were no comments or questions.

The motion was approved unanimously with a vote of 5-0.

B. Motion to Consider Payment Request No. 6 to E.R. Stuebner for the Municipal Complex in the Amount of \$244,782.00 (two hundred forty-four thousand seven hundred eighty-two dollars)

Motion: A motion was made by Councilmember Farrall to Approve Payment Request No. 6 to E.R. Stuebner

for the Municipal Complex in the Amount of \$244,782.00 (two hundred forty-four thousand seven hundred eighty-two dollars) The motion was seconded by Councilmember Kroesser.

President Weierman asked if there were any comments or questions. There were no comments or questions.

The motion was approved unanimously with a vote of 5-0.

C. Motion to Consider Resolution 2018-30 Updating the Borough of Hatfield's Emergency Operations Plan.

Motion: A motion was made by Councilmember Farrall to Approve Resolution 2018-30 Updating the Borough of Hatfield's Emergency Operations Plan. The motion was seconded by Councilmember Ferguson.

President Weierman asked if there were any comments or questions. There were no comments or questions.

The motion was approved unanimously with a vote of 5-0.

8. MOTION TO APPROVE PAYMENT OF THE BILLS:

President Weierman and Manager DeFinis reviewed and answered questions regarding the bill list.

Motion: A motion was made by Councilmember Kroesser to approve payment of the bills. The motion was seconded Councilmember Ferguson.

President Weierman asked if there were any comments or questions. There were no comments or questions.

The motion was approved with a vote of 4-0-1. Councilmember Farrall abstained from the vote.

9. MOTION TO ADJOURN:

Motion: A motion was made by Councilmember Kroesser to adjourn the Regular Meeting of October 17, 2018. The motion was seconded by Councilmember Farrall and unanimously approved with a vote of 5-0. The meeting was adjourned at 9:07PM.

Executive Session Litigation and Personnel

Respectfully Submitted,
Jaime E. Snyder
Assistant Manager