

HATFIELD BOROUGH COUNCIL
WORKSHOP MEETING
May 5, 2021

MINUTES

THIS MEETING WAS HELD ON ZOOM WITH THE PUBLIC
AVAILABLE BY ZOOM AUDIO AND VIDEO
THIS MEETING WAS RECORDED

CALL TO ORDER AND ROLL CALL:

- (X) John H. Weierman, President
 - (X) John Kroesser, Vice President
 - (X) Salvatore DiLisio Jr.
 - () Jason Ferguson - arrived at 7:36PM
 - (X) Lawrence G. Stevens
- (X) Mayor, Robert L. Kaler III

The record shows that four members of Council were present at roll call, as well as, Mayor, Robert L Kaler III, Solicitor Catherine M. Harper, Timoney Knox, Borough Manager Michael J. DeFinis, Assistant Manager Jaime E. Snyder, and Borough Engineer Chad Camburn. Councilmember Jason Ferguson arrived at 7:36PM.

1. APPROVAL OF MEETING AGENDA:

Motion: A motion was made by Councilmember DiLisio to Approve the Workshop Meeting Agenda of May 5, 2021. The motion was seconded by Councilmember Kroesser and was unanimously approved with a vote of 4-0.

2. PUBLIC INPUT: President Weierman asked if there was any Public Input. No Media Present.

Owen Wilcox, 32 E. School Street, addressed Council and stated that he saw the Recycling Resolution was back on the agenda and wanted to reiterate the same comments as before dealing with enforcement and add that he did not compare this Resolution with the previous one, though it does state in the letter changes were made. Mr. Wilcox also mentioned comments on the proposed Sewer Lateral Ordinance and a measurable way to determine if repairs are needed. Finally, Mr. Wilcox asked the salary for the new Administrative Assistant and thanked the Borough for placing a crossing sign on N. Main Street. President Weierman thanked Mr. Wilcox for his comments and added

that it was budgeted roughly \$25,000 for this year for the new Administrative Assistant position.

3. ANNOUNCEMENTS:

- Town Hall is Scheduled for May 12, 2021 7:00PM via ZOOM Registration is Required
- Next Council Meeting May 19, 2021 Regular Meeting @ 7:30PM VIA ZOOM Registration Required
- HMHS is Scheduled to Meet on Tuesday May 25th at 7:00PM via Facebook
- HERC is scheduled to Meet Wednesday, May 26th @ 8:00AM via ZOOM Registration Required
- The Mandatory Pre-Bid Meeting for the Orchard Lane & Forest Way Sewer Replacement Project will be held May 26th @ 10:00AM in Person at the Borough Office and available via ZOOM
- The Borough Office will be closed Monday, May 31st in Observance of the Memorial Day Holiday
- Next Planning Commission Meeting is Scheduled for June 14, 2021 @ 7:00PM via ZOOM or In-Person Registration Required

Manager DeFinis added that the CDC Guidelines are changing and restrictions being minimized to a degree and staff is working on a plan to propose to open back up for in-person meetings.

4. Bennett's Court Preliminary Land Development Presentation:

Manager DeFinis outlined what was in the packets for Council and stated that the Planning Commission met on Monday and discussed this plan and they recommended to Borough Council to accept all the waivers requested except for waiver No. 3 from the waiver request letter, providing an emergency access.

Mr. Jim D 'Angelo, the Developer, and his Engineer, Kris Reiss, addressed Borough Council.

Mr. Reiss, shared the screen and described the existing features plans and spoke about where the property would sit off of Maple Avenue accessed from a Paper Street. Mr. Reiss went over the proposed plans highlighting the Paper Street, the new right of way, the emergency access, and the proposed 18 townhome units. Mr. Reiss discussed the Paper Street in detail and spoke about the quitclaim process the developer is going through to obtain rights to that Paper Street so that it can become the entrance to the development. Mr. Reiss added that his development will be a HOA and that the road will not be dedicated to the Borough.

Mr. Reiss stated that this was a quick overview of the proposed development and opened it up for any questions.

Councilmember Ferguson asked about parking and Mr. Reiss stated that proposed driveways can fit two cars side by side and there is also a garage. Mr. Reiss also mentioned the overflow parking proposed for the development.

Councilmember Ferguson also asked about universal mail and to describe the emergency access issues in more detail. Mr. Reiss stated that the mail would be located by the col-de-sac and that the developer is still working on the emergency access point for the development and showed Council the proposed plans and stated they are working with the neighbors to obtain access.

President Weierman circled back to the parking comments and asked about handicapped locations in the development and Mr. Reiss added that there are none assigned in the overflow area and that he expects all those who need handicapped parking to be able to use their driveways. A discussion ensued amongst Council if they wanted to designate an overflow space specifically for handicapped parking or just assume all that need handicapped parking will access their privet driveways.

President Weierman asked about the HOA and intent to dedicate the road at any point. Mr. Reiss stated that the HOA will maintain the roads, including plowing, but the Borough will own the sewer infrastructure. Mr. Reiss added that there is no intent at this time to dedicate the road to the Borough.

Councilmember DiLisio asked for an explanation of the road width of the current Paper Street and the proposed sidewalks for the development.

Mr. Reiss explained that right now the Paper Street is 33 feet wide and the development has sidewalks proposed on the Stauffer side, not the Lersch side due to parking for them, and then a mid-block cross to continue cross walks through the development. A discussion ensued amongst Council about the sidewalks and the parking for the Lersch property. Chad Camburn, the Borough Engineer added that the Ordinance doesn't specifically say sidewalks are required on both sides of a development.

Mr. D'Angelo spoke about the improvements to the alley being done and it was asked about emergency response access to the development. Mr. Reiss added that a firetruck would be able to turn around in the col-de-sac.

Mr. Reiss highlighted the stormwater management proposed for the development and that the rain garden / basin will be fenced in.

Solicitor Harper asked what the developer was looking for this evening as he still has some outstanding issues such as the quitclaim process and emergency access.

Mr. Reiss stated that they are Looking for waivers and will attempt to have everything else worked out by the June 14th Planning Commission Meeting.

The following waivers were reviewed and discussed:

- Waiver Subdivision request, to keep the existing ROW 33-foot wide not 40 feet as required in the Ordinance
- Waiver Subdivision request, for the Paper Street, E. Broad Street, Bennett's Court so the County can provide a parcel number
- Waiver from providing a Right-of-way of 60 feet for a cul-de-sac (SALDO SECTION 408.3.B)
- Waiver from providing a maximum 500-foot-long cul-de-sac (SALDO SECTION 408.3.C)
- Waiver to allow perpendicular parking on streets (SALDO SECTION 414.A(2))
- Waiver to provide parking within 20 feet of the property line (SALDO SECTION 414.B(2))
- Waiver to not provide curb in the alley (SALDO SECTION 409.D)
- Waiver to have less than 6 inches between the back of the sidewalk and the Right-of-Way and to not provide a grass strip between the curb and sidewalk (SALDO SECTION 413.F)
- Waiver to provide access to a Private Street (SALDO SECTION 418.5)
- Waiver to provide street trees more than the required minimum of 5 feet from the sidewalks (SALDO SECTION 420.1.B(2))
- Waiver from the requirement to provide Street trees at specific spacing (SALDO SECTION 420.1.B.(3))
- Waiver from providing specific screen plants and to allow alternate plants (SALDO SECTION 421.1.C(3))
- Waiver from providing pavement and right-of-way of specified widths at the intersection of Maple Avenue and the proposed Bennett's Court (SALDO SECTION 428.1B (Section 102))

Councilmember Ferguson asked about lighting on the street and who would pay for this? Mr. Reiss stated yes, there is in the development and that there would be an HOA meter.

Hearing no other questions or discussions, President Weierman thanked Mr. D'Angelo and Mr. Reiss for the presentation.

5. REPORTS FROM STANDING COMMITTEES AND MAYOR: NONE

6. MANAGERS REPORT: General Report and Project Updates. Manager DeFinis reviewed the reports and made the following announcements:

1. Land Use & Development Updates:
 - A. St. Mary St. Kyrillos Coptic Church / Use Under Review
 - B. Hatfield Auto Museum - Nothing New
 - C. 122 ½ Towamencin Ave - Demo Permit / Address Edgewood
 - D. Salter's – Bought Old Firehouse - Open for Business
 - E. Edinburgh Square Subdivision – Stop Work Order
 - F. SEPTA Property / License Agreement Executed

- G. 43 Roosevelt Avenue –/ Preliminary Approval / Final Under Review
- H. Bennett’s Court – Revised Preliminary Plan Under Review
- I. 127 Penn Avenue - Sketch Plan Submitted

2. Utility Billing Update:

- A. Staff continues to monitor past due Electric & Sewer accounts. Residents are being sent reminders for PAST DUE ACCOUNTS.
- B. I encourage all account holders to take advantage of the cost-effective billing delivery opportunity.
- C. Electric Customer Portal now available.
- D. NPWA Meter Replacement Program

3. 2021 Projects:

- A. East Lincoln Avenue Bridge - NTP Issued
- B. ADA Curb Ramp - Work Began April 26th
- C. Roadway Resurfacing - Award in May
- D. Stormwater Projects

- 4. AMP R.I.C.E. BTM Peaking Project - work being completed at PW Facility
- 5. PMEA Update - Website
- 6. AMI UPDATE – 1539 Meters installed / in-house prep for billing
- 7. HERC Update: Hometown Hero Banner Program

8. Items of Interest

- A. PSAB Conference
- B. APPA Conference
- C. PMEA Conference

President Weierman spoke about the Hometown Hero Banner Program suggestion by HERC and all agreed to move forward with the program.

President Weierman asked about utility bills going to spam and Manager DeFinis stated that David is working with IT and Edmunds to solve that issue.

Councilmember Kroesser are about the timeframe for the East Lincoln Avenue Bridge and Manager DeFinis stated it is scheduled to be complete by November 1st.

7. ASSISTANT MANAGERS REPORT: Assistant Manager Jaime Snyder reviewed the following items:

- 1. MTF Grant Program Letter (attached)
- 2. Orchard Lane, Forest Way Sewer Lateral Meeting
- 3. Sidewalk Letters - June 1, 2021
- 4. Administrative Assistant Advertisement (attached)

5. Town Hall Meeting: Wednesday, May 12, 2021 7:00PM via Zoom Registration is Required

6. Public Information Coordinator Update (attached)

A. Website

B. Headshots

C. Pool Information

8. NEW BUSINESS/ DISCUSSION ITEMS:

A. Resolution 2021-09 Funds Transfer

President Weierman stated that this Resolution is for the transfer of funds for the loan payments. He added that this was a budgeted item.

B. NMCRC Draft 2021 Protocol Resolution

Solicitor Harper overviewed for Council the draft protocol Resolution from the NMCRC referencing violations and enforcement issues which the Borough previously declined to participate in. Solicitor Harper stated that this version looks like they took some of our comments into consideration. Solicitor Harper asked for thoughts and comments from Council.

Councilmember Ferguson asked how this would be monitored, and who would be responsible for doing so? Solicitor Harper stated she believes they are asking the Borough to report this to the NMCRC.

Manager DeFinis added that there are reports, not specifically linked to the Borough, that people are abandoning the idea of recycling and not willing to pay the extra costs associated with recycling so this is why the NMCRC believes they need some type of enforcement on violators.

A discussion ensued amongst Council regarding the Resolution and it was suggested to invite a representative from the NMCRC to the next meeting to ask the violation and enforcement questions to directly.

C. Protocol for Act 101 Violations - this item was discussed under New Business/ Discussion Items B.

D. Orchard Lane Forest Way Sewer Replacement Bid Advertisement

President Weierman stated this is the bid advertisement for the Orchard Lane and Forest Way CDBG Sanitary Sewer work.

E. American Legion Memorial Day Ceremony

President Weierman stated that this is the official letter from the Hatfield Legion regarding the Memorial Day Ceremony held at Memorial Park in the Borough. President Weierman stated that this event will be starting at 10:00AM.

F. Resolution 2021-10 Police Week Recognition

President Weierman stated this is a Resolution recognizing Police Week and is on for consideration this evening.

G. 2021 Roadway Resurfacing Project Award Recommendation

Manager DeFinis stated this is an Action Item this evening as the Engineer needs to issue the Notice to Proceed.

H. Zoning Hearing Board Decision 461 S. Main Street

Solicitor Harper stated that the decision was granted based off of the communication the Borough presented with the conditions Council asked for. Solicitor Harper added the applicant does have thirty days to appeal but doesn't believe he will do so. Solicitor Harper stated that the applicant advised the board he will withdraw all other requests after the thirty days.

Councilmember Kroesser asked about the brightness of the sign and Solicitor Harper stated she believes it is 100% when lit but it must be turned off by 9:00PM.

9. OLD BUSINESS:

A. Feral Cat Ordinance / Chapter 2

President Weierman asked if this was reviewed at the committee level yet and Manager DeFinis stated we are working on setting up a meeting.

Mr. Fox, 106 W. Lincoln Avenue, addressed Council and asked if this Ordinance was really necessary or is due to a neighbor dispute? Mr. Fox explained how the cats he had last spring have found homes and that he is active in the TNR Program. Mr. Fox asked if any other issues involving cats have been brought to the Borough's attention.

President Weierman stated that the Borough has had a few complaints regarding other locations in the Borough.

Councilmember Kroesser stated that he was reached out to Mr. Fox and spoken to him personally about this issue. Councilmember Kroesser added that he would like to take the time to reach out to the other residents who expressed concerns or are feeding cats to understand if there is a real issue here.

President Weierman added that the Borough would like to see a reduction in population and unfortunately some people are not as conscious and caring as Mr. Fox has been which is causing issues throughout the Borough.

Councilmember Ferguson added that he believes this Ordinance would be placing ownership on those who are feeding the cats, having them take responsibility, which could address concerns for those not being as responsible as Mr. Fox.

B. Sewer Lateral Repair Ordinance / Chapter 18

Solicitor Harper reviewed the updated proposed Sewer Lateral Ordinance with Council and highlighted the changes to page 3, section 4. Solicitor Harper asked for any questions or comments.

Councilmember DiLisio asked if this would all fall on the buyers or the sellers and Solicitor Harper stated that you will not be able to sell your home without the inspection.

Councilmember Ferguson asked about the time stand point and Solicitor Harper stated ten years for replacement and five years for inspection.

Councilmember Kroesser asked about new development and Manager DeFinis stated that in new development the laterals are pressure tested by the Engineer.

Councilmember Stevens asked about commercial properties and apartment complexes and how they can be inspected periodically. Manager DeFinis stated that would need to be addressed under a separate Ordinance and we can do that at codification. Councilmember Stevens added that referring back to Mr. Wilcox's comments this evening taking into consideration a national standard seems like a good idea.

Mr. Wilcox, 32 E. School Street, commented on item No. 8 in the Ordinance having the contractor being registered with the Borough may inhibit competitive rates. Manager DeFinis explained the process of being registered with the Borough and added that a list with multiple contractors can be given to the applicant.

Mr. Wilcox, 32 E. School Street, also commented on the repair vs. replace language in the Ordinance.

Councilmember Ferguson stated that this Ordinance gives people the option to repair, with the Borough agreeing it could be repaired not replaced, but condition would play a factor.

A discussion ensued amongst Council regarding the time frame and having the ability to escrow the funds prior to settlement.

C. Edinburgh Square Subdivision Utility Locations

President Weierman asked if communication was had with the developer regarding the fencing on the property? Manager DeFinis stated Yes. Manager DeFinis added that plans were received and are awaiting the Borough Engineer's review.

10. REPORTS AND CORRESPONDENCE:

Manager DeFinis and President Weierman updated and answered questions regarding the Reports and Correspondence. Lieutenant Robertson answered questions regarding the Police Report.

- Monthly Investment Report
- Monthly EIT / LST Report
- Police Department Report
- Fire Department Report
- Public Works Department Report
- Engineering Report
- Zoning Officer, Building Code, Property Maintenance Report
- Fire Marshal / Fire Safety Inspection Report
- Pool Advisory Board Report

11. ACTION ITEMS: (public was taken off mute for any comments)

A. Motion to Consider Consider Resolution 2021-09 Transferring Funds to the Capital Projects Sinking Fund in the Amount of \$431,500.00 (four hundred thirty-one thousand five hundred dollars)

Motion: A motion was made by Councilmember Kroesser to Approve Resolution 2021-09 Transferring Funds to the Capital Projects Sinking Fund in the Amount of \$431,500.00 (four hundred thirty-one thousand five hundred dollars). 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 Advertising the Bid Packet for the Orchard Lane & Forest Way Sewer Replacement Project / CDBG

Motion: A motion was made by Councilmember Ferguson to Approve Advertising the Bid Packet for the Orchard Lane & Forest Way Sewer Replacement Project / CDBG. The motion was seconded by Councilmember DiLisio.

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 the Approval of the American Legion Post 933 to Hold the Memorial Day Ceremony at Memorial Park

Motion: A motion was made by Councilmember DiLisio to Approve Consider the Approval of the American Legion Post to Hold the Memorial Day Ceremony at Memorial Park. 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.

D. Motion to Consider Resolution 2021-10 Recognizing National Police Week

Motion: A motion was made by Councilmember Ferguson to Approve Resolution 2021-10 Recognizing National

Police Week. 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.

E. Motion to Consider Awarding the 2021 Roadway Resurfacing Project to James D. Morrissey, Inc. in the Amount of \$152,851.00 (one hundred fifty-two thousand eight hundred fifty-one dollars)

Motion: A motion was made by Councilmember Stevens to Approve Awarding the 2021 Roadway Resurfacing Project to James D. Morrissey, Inc. in the Amount of \$152,851.00 (one hundred fifty-two thousand eight hundred fifty-one 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.

12. ADJOURNMENT:

Motion: A motion was made by Councilmember Ferguson to adjourn the Workshop Meeting of May 5, 2021. The motion was seconded by Councilmember Kroesser and unanimously approved with a vote of 5-0. The meeting adjourned at 11:12PM

Executive Session Personnel, Litigation and Real Estate

Respectfully Submitted,
Jaime E. Snyder
Assistant Manager