

HATFIELD BOROUGH COUNCIL
REORGANIZATION / WORKSHOP MEETING
January 4, 2010 at 7:00 PM

MINUTES

SWEARING IN OF MAYOR, TAX COLLECTOR, CONSTABLE,
COUNCILMEMBER WEIERMAN, COUNCILMEMBER STEVENS,
COUNCILMEMBER KROESSER:

THE HONORABLE KENNETH DEATELHAUSER

7:00 P.M. The Honorable Kenneth Deatelhauser opened the Swearing in of Councilmember's Robert L. Kaler, III, Mayor, Nancy DeFinis, Tax Collector, Steven Sweet, Constable, John H. Weierman, Councilmember, Lawrence G. Stevens and Councilmember John Kroesser at 7:00 PM on January 4, 2010.

Manager DeFinis thanked The Honorable Kenneth Deatelhauser for the Swearing In of the Mayor, Tax Collector and Councilmember's.

CALL TO ORDER: Mayor Robert L. Kaler, III

Mayor Kaler III called the Reorganization meeting of January 4, 2010 to order at 7:05 P.M.

ROLL CALL:

- (X) John H. Weierman
- (X) Kenneth V. Farrall
- (X) Bryan A. Moyer
- (X) Lawrence G. Stevens
- (X) John Kroesser

(X) Mayor, Robert L. Kaler III

The record shows that five members of Council were present at roll call, as well as, Mayor, Robert L. Kaler III, Josh Ganz from Timoney Knox, Borough Manager, Michael J. DeFinis and Assistant Secretary, Linda L. Watts. There was no media present.

NOMINATION AND ELECTION OF COUNCIL PRESIDENT: Mayor Kaler, III, informed Council at this time Chair will recognize nominations for Council President.

Motion: A nomination was made by Councilmember Farrall to nominate John H. Weierman as Council President. The nomination was seconded by Councilmember Moyer and unanimously approved with a vote of 5-0

Motion: A motion was made by Councilmember Stevens to close the nominations. Councilmember Moyer seconded the motion and was unanimously approved with a vote of 5-0.

NOMINATION AND ELECTION OF VICE PRESIDENT: Mayor Kaler, III, informed Council at this time Chair will recognize nominations for Council Vice-President.

Motion: A motion was made by Councilmember Weierman to nominate Kenneth V. Farrall as Vice-President. The motion was seconded by Councilmember Stevens and unanimously approved with a vote of 5-0.

Motion: A motion was made by Councilmember Kroesser to close the nominations. Councilmember Stevens seconded by motion and was unanimously approved with a vote of 5-0.

Mayor Kaler III congratulated John H. Weierman on his position as Borough Council President and turned the gavel back to Council President Weierman.

President Weierman thanked the Councilmember for there nominations and congratulated Kenneth V. Farrall on his position as Council Vice-President.

APPOINTMENT OF VACANCY BOARD CHAIR:

Motion: A motion was made by Councilmember Moyer for appointment of Stephen Keib as Vacancy Board Chair. The motion was seconded by Councilmember Farrall and was unanimously approved with a vote of 5-0.

President Weierman Closed the Reorganization Meeting portion of the meeting at 7:10 PM. The Regular Workshop Meeting started at 7:11 P.M.

COMMENCEMENT AND APPROVAL OF MEETING AGENDA:

1. APPROVAL OF JANUARY 4, 2010 REORGANIZATION MEETING / WORKSHOP MEETING.

Motion: A motion was made by Councilmember Moyer for Commencement and Approval of Meeting Agenda as with additions as amended. The motion was seconded by Councilmember Stevens.

Manager DeFinis informed Council under Agenda Item #6 there will be a motion for Re-Appointment of the Zoning Hearing Board Solicitor and Reappointment of Keystone Municipal Service for Fire Safety Inspection, Building Inspection, Code Enforcement and

Zoning. And to Reappoint the Fire Marshall, Robert L. Kaler, IV. Agenda Item #10 will be for A. Comcast Hearing, B. Keystate Publishing Agreement and C. Zoning Modifications Agreement.

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

2. PUBLIC INPUT: President Weierman asked if there were any comments or questions. There were none.
3. ANNOUNCEMENTS: Manager DeFinis made the following announcements:
 - ◆ Next Council meeting is on Wednesday, January 20th at 7:30 PM.
 - ◆ The Planning Commission will meet on January 11 at 7:00 P.M.
 - ◆ HERC will meet on January 27 at 8:00 A.M.
 - ◆ The first Task Force Meeting is January 27 at 9:00 A.M.
4. REPORTS FROM STANDING COMMITTEES AND MAYOR:

President Weierman asked Councilmembers to let him know of any changes or desires to move around.

5. MANAGER'S REPORT: Manager DeFinis reviewed the Reports and announcements:

- Please take time over the next several months to review ordinance updates for codification.
- Bursich Engineers has developed a plan for the Sewer Lateral Repair project. The plan has been delivered to the Army Corps of Engineers for review. The Utilities Committee has also reviewed the plan. The plan will be bid out in the Spring.
- Negotiations with Comcast are being scheduled. One requirement in the process is a Public Hearing.
- The Zoning Modifications recommended during the Revitalization Task Force plan will need to be started ASAP as to coincide with the codification process.
- Fire Safety Inspections will start the third week of January or early February.
- A copy of the Projects List can be placed in the back of your Budget Binders or Calendars.
- Dave Adams from PENN DOT is requesting traffic counts at Main & Broad Streets. A review of the information will determine any necessary changes to better assist traffic flow through the Borough.
- Several Committee meetings need to be scheduled. Budget, Finance and Labor and Building, Planning and Zoning.
- Thank you letters for the Borough's contribution to the Peak Center, Employee Holiday Ham/Turkeys and from the Tree Lighting Caroling Committee were received.

6. NEW BUSINESS/ACTION ITEMS:

Motion: Appointment of the Borough Solicitor, Catherine M. Harper, Timoney Knox for general legal services.

Motion: Appointment of the Borough Solicitor, Wheatley and Ranquist as Solicitor for utility legal services.

Motion: Appointment of the Borough Engineer, Bursichs for general engineering services.

Motion: Appointment of the Borough Engineer, Utility Engineers for utility services.

Motion: Appointment of Christen Pionzio, Hamburg, Mulling, Rubin and Maxwell as Zoning Hearing Board Solicitor.

Motion: Appointment of Keystone Municipal Services as Fire Safety Inspection Services, Building Inspection Services, Code Enforcement Services and Zoning Officer Services.

Motion: Appointment of Robert L. Kaler, IV, as Fire Marshall.

Motion: A motion was made by Councilmember Farrall for the Appointment of the Borough Consultants, Catherine M. Harper, Solicitor, Timoney Knox LLP for general legal services; Appointment of the Borough Solicitor, Wheatley and Ranquist utility legal services; Appointment of the Borough Engineer, Bursichs, for general engineering services; Appointment of the Borough Engineer, Utility Engineers for utility services; Appointment of Christen Pionzio, Hamburg, Mullin, Rubin and Maxwell as Zoning Hearing Board Solicitor; Appointment of Keystone Municipal Services as Fire Safety Inspection Services, Building Inspection Services, Code Enforcement Services and Zoning Officer Services and Appointment of Robert L. Kaler, IV as Fire Marshall. The motion was seconded by Councilmember Moyer and unanimously approved with a vote of 5-0.

7. MOTION OF RE-APPOINTMENTS TO THE PLANNING COMMISSION.

Motion: Re-appointment of Joseph Gadaleta as Planning Commission Member for a Three year term to expire December 31, 2012.

Motion: Re-appointment of Lawrence Stevens as Planning Commission Member for a five year term to expire December 31, 2014.

Motion: Re-appointment of John Kroesser as Planning Commission Member for a four year term to expire December 31, 2013.

Motion: Re-appointment of Michelle Kroesser as Planning Commission Member for a Two year term to expire December 31, 2011.

Motion: A motion was made by Councilmember Farrall to Re-appoint Joeseeph Gadaleta as Planning Commission Member for a three year term to expire December 31, 2012; re-appoint Lawrence Stevens as Planning Commission Member for a five year term to expire December 31, 2014; re-appoint John Kroesser as Planning Commission Member for a four year term to expire December 31, 2013 and re-appoint Michelle Kroesser as Planning Commission Member for a two year term to expire December 31, 2011. The motion was seconded by Councilmember Moyer and unanimously approved with a vote of 5-0.

8. MOTION OF RE-APPOINTMENTS TO THE POOL ADVISORY COMMITTEE;

Manager DeFinis informed Council at this time no Action will be taken.

9. MANAGER'S REPORT:
General Report and Project Updates.

- 2010 PROJECTS UPDATE

Agenda Item #9 was previously discussed.

10. DISCUSSION

- A. Comcast Hearing
- B. Keystate Publishing Agreement
- C. Zoning Modifications Agreement

A. Comcast Hearing - Manager DeFinis updated Council on the Motion to advertise the required Public Hearing for negotiating the Comcast Contract for February 3, 2010. Conversations with the Phil Fraga, principal of the Cohen Law Group is well aware that the Borough is part of a unique Municipal that has pole attachment fees and is aware that the Borough already has an educational and government station and anything that the new stations get the Borough would want to be part of that equipment as well. The Borough's Information Coordinator may be developed as point contact to develop a professional rate to assist the other stations.

B. Keystate Publishing Agreement – Manager DeFinis updated Council on the motion to authorize officers of Hatfield Borough to execute / sign the Re-codification of Ordinances agreement with Keystate Publishers. Kenneth Lee Rotz of Keystate Publishers has been very accommodating on all the recommended changes the Borough has in place.

C. Zoning Modifications Agreements – Manager DeFinis informed Council Peter Simone from Simone Collins has drafted an agreement for re-zoning modifications that were determined by the Task Force. A Public Hearing will be needed.

11. ACTION ITEMS

A. Motion to advertise the Comcast Hearing for February 3, 2010 at 7 PM.

Motion: A motion was made by Councilmember Moyer to advertise the Comcast Hearing for February 3, 2010. The motion was seconded by Councilmember Moyer and unanimously approved with a vote of 5-0

B. Motion to authorize officers of Hatfield Borough to execute / sign the Re-codification of Ordinances agreement with Keystate Publishers.

Motion: A motion was made by Councilmember Moyer to execute / sign the Re-codification of Ordinances agreement with Keystate Publishers. The motion was seconded by Councilmember Farrall and unanimously approved with a vote of 5-0.

C. Motion to Donate the 1979 International Dump truck to the North Montco Technical Career Center (Vo-Tech School).

Motion: A motion was made by Councilmember Moyer to Donate the 1979 International Dump truck to the North Montco Technical Career Center (Vo-Tech School). The motion was seconded by Councilmember Farrall.

President Weierman informed Council the donation was reviewed by the Solicitor.

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

Manager DeFinis updated Council on the Army Corps of Engineers project regarding excavation and repairs from the street to the trap. Anything beyond the trap belongs to the homeowner. The work would not obligate the Borough to do total repair of the lateral and try to accomplish as much repair with minimal excavation. A discussion ensued.

12. OTHER BUSINESS

There was no Other Business.

13. ADJOURNMENT:

Motion: A motion was made by Councilmember Moyer to adjourn the meeting of January 4, 2010. The motion was seconded by Councilmember Farrall and unanimously approved with a vote of 5-0. The meeting adjourned at 7:50 PM.

Executive Session: Potential Litigation and Personnel

Respectfully Submitted,
Linda L. Watts
Assistant Secretary

HATFIELD BOROUGH COUNCIL
REGULAR MEETING

January 20, 2010

MINUTES

CALL TO ORDER AND ROLL CALL:

- (X) John H. Weierman, President
 - (X) Kenneth V. Farrall, Vice President
 - (X) John Kroesser
 - (X) Bryan A. Moyer
 - (X) Lawrence G. Stevens
- (X) Mayor, Robert L. Kaler III

The record shows that five members of Council were present at roll call, as well as, Borough Manager, Michael J. DeFinis, Borough Solicitor, Catherine M. Harper, Mayor Robert L. Kaler, III and Assistant Secretary, Linda L. Watts. There was no media present.

1. APPROVAL OF MEETING AGENDA:

Motion: A motion was made by Councilmember Farrall to approve the Agenda of January 20, 2010 as revised. The motion was seconded by Councilmember Moyer and unanimously approved with a vote of 5-0.

2. PUBLIC INPUT: President Weierman asked if there were any comments or questions.

There were no comments or questions. There was no media..

3. APPROVAL OF THE MINUTES:

Motion To Approve the December 2, 2009 Workshop and the December 16, 2009 Regular Meeting Minutes.

Motion: A motion was made by Councilmember Moyer to Approve the Minutes of December 2, 2009 Workshop and the December 16, 2009 Regular Meeting Minutes. The motion was seconded by Councilmember Farrall and unanimously approved with a vote of 5-0.

4. ANNOUNCEMENTS: Borough Manager Michael J. DeFinis made the following announcements.

- Next month's Council meetings are February 3, 2010 Comcast Franchise Renewal Hearing 7:00 P.M. with the Workshop immediately following and February 17, 2010 Regular Meeting at 7:30 P.M. The February 3 Comcast Franchise Renewal Hearing and Workshop meeting were advertised.
- HERC is scheduled to meet January 27, 2010 at 8:00 A.M. with the Revitalization Task Force quarterly meeting at 9:00 A.M.
- The Planning Commission is scheduled to meet February 1, 2010 at 7:00 PM.

5. REPORTS FROM STANDING COMMITTEES AND MAYOR:

President Weierman asked if Councilmember's was okay with there Committee make up. There were no changes to the Committees.

Public Safety: Lieutenant Tierney informed Council the Hatfield Township Police Department will be hiring a new officer in the next few weeks.

President Weirman and Manager DeFinis thanked Linda Watts, Assistant Secretary and Diane Farrall, Treasurer for the booklets updates.

6. MANAGER'S REPORT: Borough Manager, Michael J. DeFinis made the following announcements:

1. Please take time over the next several months to review ordinance updates for codification. The codification process started January 20 and is moving along very well.
2. The Comcast Cable Franchise Renewal Public Hearing has been advertised for February 3rd immediately followed by the Council Workshop meeting.
3. The Zoning Modifications / Simone Collins agreement if approved this evening should have a preliminary draft of the zoning map and zoning ordinance revisions along with some design guidelines by January 27th. Simone Collins intends to meet with the Planning Commission February 1st and Borough Council February 3rd.
4. The budget, calendars and projects list have been updated and consolidated to one binder. Thanks to Diane Farrall for pulling that together.
5. Linda Watts submitted four preliminary grants application for consideration by the Montgomery County Revitalization Board.
6. Larson Allen will be in January 27 & 28 to start the preliminary work for the 2009 year end audit.
7. Thanks to Diane Farrall for her efforts spearheading the Bank Conversion.
8. Several Committee meetings need to be scheduled. Property and Equipment, Planning Building and Zoning and the Safety Committee.
9. The Borough received \$2,563 reimbursement from Worker Compensation for items that were not part of Hatfield Borough but were from Abington Township. Assistant Secretary, Linda Watts brought the discrepancies to the Attention of Delaware Valley Workers Compensation Trust and the Borough received the reimbursement.

10. The Borough received two checks totaling \$3,000 each from DVIT for safety concerns regarding equipment and clothing.
11. North Penn Montco Technical School sent a thank you letter to the Borough for the donation of the old Borough truck.
12. The financial statements are at Council members seats to complete.

Manager DeFinis answered questions regarding the grant for the re-facing of the Lincoln Avenue bridge.

7. ACTION ITEMS:

A) Motion to Approve the Simone Collins Professional Services Agreement.

Motion: A motion was made by Councilmember Farrall to Approve the Simone Collins Professional Services Agreement contingent on the removal of the fax fee and Approval and review of the Solicitor. The motion was seconded by Councilmember Moyer.

President Weierman informed Council that he was not comfortable with the fax fees and charges. A discussion regarding the fax fees were discussed.

Manager DeFinis will contact Peter Simone regarding the fax fees.

Solicitor Harper informed Council that when information is submitted to the Planning Commission it should also be submitted to the Borough Solicitor for review as well as all draft advertisement.

Manager DeFinis informed Council he will contact Peter Simone informing Mr. Simone that the motion is contingent on him removing the fax fees and meeting the Solicitor guidelines.

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

B) Motion to Approve the Simone Collins Zoning Modification proposal, not to exceed the quoted amount \$11,015.00 without approval from the Borough Manager.

Motion: A motion was made by Councilmember Moyer to Approve the Simone Collins Zoning Modification proposal, not to exceed the quoted amount \$11,015.00 without approval from the Borough Manager, and contingent on the review and Approval of the Solicitor. The motion was seconded by Councilmember Farrall.

Manager DeFinis will inform Mr. Simone that the motion is contingent on the Solicitor being copied with the information when it goes to the County.

Borough Solicitor, Catherine M. Harper informed Council the proposal does say the Borough owns the information. The Borough should get computerized version and save the information on the Borough server.

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

C) Motion to Approve Payment Request #7 from James R. Kenney in the amount of \$13,743.82 for work completed at the Liberty Bell Plaza & Parking Area. Contingent of payment authorization from the Montgomery County Grant Administrator Tom Ogunde.

Motion: A motion was made by Councilmember Farrall to Approve Payment Request #7 from James R. Kenney in the amount of \$13,743.82 for work completed at the Liberty Bell Plaza & Parking Area. Contingent of payment authorization from the Montgomery County Grant Administrator Tom Ogunde. The motion was seconded by Councilmember Moyer.

Manager DeFinis informed Council the motion is contingent upon the revised letter from the Borough Engineer and the Montgomery County Grant Administrator, Tom Ogunde.

The motion was unanimously approved contingent upon the revised letter from the Borough Engineer and the Montgomery County Grant Administrator Tom Ogunde with a vote of 5-0.

D) Motion to Approve Payment Request #8 from James R. Kenney for the 10% Retainage in the amount of \$41,909.27 after posting 15% of the total project cost maintenance.

Motion: A motion was made by Councilmember Moyer to Approve Payment Request #8 from James R. Kenney for the 10% Retainage in the amount of \$41,909.27 after posting 15% of the total project cost maintenance. The motion was seconded by Councilmember Farrall.

Manager DeFinis informed Council the motion is contingent on the revised letter from the Borough Engineer and Montgomery County Grant Administrator Tom Ogunde.

The motion was unanimously approved Contingent on the revised letter from the Borough Engineer and Montgomery County Grant Administrator Tom Ogunde with a vote of 5-0.

President Weierman congratulated Manager DeFinis on getting the finalized project information together for the Borough.

E) Motion to Approve the Earth Engineering Incorporated Agreement for the Site Characterization Sampling at the Former Electric Plant Property.

Motion: A motion was made by Councilmember Moyer to Approve the Earth Engineering Incorporated Agreement for the Site Characterization Sampling at the Former electric Plant Property. The motion was seconded by Councilmember Farrall and unanimously approved with a vote of 5-0.

8. Motion To Approve Payment of the Bills.

Manager DeFinis reviewed and answered questions regarding the bill list.

Motion: A motion was made by Councilmember Moyer To Approve Payment of the Bill List. The motion was seconded by Councilmember Farrall and unanimously approved with a vote of 5-0.

DISCUSSION:

REPORTS AND CORRESPONDENCE: President Weierman reviewed the Report and Correspondence.

- Monthly Investment Report
- Monthly EIT Report
- Police Department Report
- Fire Department Report
- Public Works Department Report

9. OTHER BUSINESS:

- A. Borough Events Sponsorship Form
- B. Borough Association Dinner / August Moon, Norristown
- C. 2010 Assessed Tax Valuation \$134,092,100.00
- D. Zoning
- E. Weimer - Hattricks Bar and Grill

A) Manager DeFinis updated Council on the Borough Events Sponsorship Form. Councilmember Stevens suggested removing the Caroling and Tree Lighting Ceremony form the Sponsorship List since it is sponsored by the Chamber.

B) Manager DeFinis informed Council the Borough will sponsor the February 25, 2010 Borough Association Dinner Meeting with Souderton and Telford. Hatfield Borough will

send invitations to all it Committee members.

C) President Weierman updated Council on the 2010 Assessed Tax Valuation for the Borough.

D) Manager DeFinis updated Council on the Hearing Notice of the Application of Shetland Group, LP which requests variances from the Zoning Code. The properties are in the Township but access is through the Borough. Manager DeFinis will make the applicant aware of the road opening permits required and also request to see the development plans for access and utilities.

E) Manager DeFinis updated Council on the request for escrow refund from Hattricks Bar and Grill and referenced Hatfield Borough Code Enforcement Randy V. Yardumian letter dated January 19, 2010.

10. ADJOURNMENT:

Motion: A motion was made by Councilmember Moyer to adjourn the meeting of January 20, 2010. The motion was seconded by Councilmember Farrall and unanimously approved with a vote of 5-0. The meeting adjourned at 8:25 PM.

Executive Session:

Respectfully Submitted,
Linda L. Watts
Assistant Secretary

HATFIELD BOROUGH COUNCIL
WORKSHOP MEETING
February 3, 2010

MINUTES

CALL TO ORDER AND ROLL CALL:

- (X) John H. Weierman, President
- (X) Kenneth V. Farrall
- (X) John Kroesser
- () Bryan A. Moyer
- (X) Lawrence G. Stevens

- () Mayor, Robert L. Kaler III

The record shows that four members of Council were present at roll call, as well as, Borough Manager, Michael J. DeFinis, Solicitor, Catherine M. Harper, Assistant Secretary Linda L. Watts. Representatives from the media were present.

1. APPROVAL OF MEETING AGENDA:

Motion: A motion was made by Councilmember Farrall to approve the Agenda of February 3, 2010 as amended. The motion was seconded by Councilmember Stevens and unanimously approved with a vote of 4-0.

2. ANNOUNCEMENTS: Manager DeFinis made the following announcements.

- Next Council Meeting February 17, 2010 Regular Meeting at 7:30 P.M.
- HERC will meet February 24, 2010 at 8:00 A.M.
- Hatfield is co-hosing the Borough Association Dinner February 25, 2010 7PM at Pine Crest Country Club in Montgomeryville.

3. REPORTS FROM STANDING COMMITTEES:

Property and Equipment: President Weierman announced the borough's new dump truck was out during the recent storm spreading salt and there were no issues.

Manager DeFinis informed Council the brown dump truck had to have some repairs.

President Weierman informed Council the Hatfield History Museum Society thanked Council for the work they did on the old train crossing guard shed

Recycling: Solicitor Harper informed Council she attended the Northern Montgomery County Recycling Commission Special Meeting on February 3, 2010. The Commission is waiting for its 2007 grant. Representative Robert Godshall and Solicitor Harper as State Representatives met with DEP and staff and determined that there were a couple of issues, one of which was Lower Salford had allowed burning which is not allowed. The other issue was documentation submitted with the grant request were not complete. The DEP is auditing all of the grant requests from the Northern Montgomery County Recycling Commission and many other communities in this area. Lower Salford will be correcting its burning ordinance and that should release the 2007 check. When the 2008 and 2009 grant is submitted this year, it will also be subject to audit because there have been problems in the past. Documenting if the poundage claimed is actually there. The big haulers draw up the paperwork showing the poundage, the little haulers are harder to track down and the DEP wants to see the paperwork. The DEP may request that the haulers submit quarterly so at the end of the year it will be easier to check. A discussion ensued.

4. MANAGERS REPORT: Mr. DeFinis made the following announcements:

General Report and Projects Update

- Please take time over the next several months to review ordinance updates for codification.
- Fire Safety Inspections are scheduled to start Thursday, February 4, 2010.
- The Plaza ribbon cutting ceremony is tentatively scheduled for Monday, May 3, 2010. This event will coincide with the Hatfield Chamber of Commerce Business Card Mixer and the Taste of Hatfield Event now being developed. The next meeting is February 8 with participants.
- The Army Corps of Engineers informed me recently, they are nearly finished the required Environmental Assessment. The Borough should have a report by the first week of February.
- The auditors were in the office January 27th and 27th. This is the initial field work for the fiscal year end 2009. The auditors will be back the end of March to complete their work.

5. ACTION ITEMS:

- A. Motion to Approve Christine Calhoun as the Deputy Tax Collector for Hatfield Borough.

Motion: A motion was made by Councilmember Farrall to Approve Christine Calhoun as the Deputy Tax Collector for Hatfield Borough. The motion was seconded by Councilmember Kroesser.

President Weierman informed Council that the Deputy Tax Collector was not required to be a resident of the Borough.

The motion was approved with a vote of 4-0.

6. DISCUSSION ITEMS: Manager DeFinis reviewed the discussion items.

- Zoning Modifications / Simone Collins
- Grant Applications Open Space Board
- Hatfield Borough Events / Sponsorship Form
- AMP Hydro Plant Proposal / PJM Demand Response Program
- Fee Schedule Update
- Clegg Letter of Credit
- HERC Appointments
- Vine Street Storm Water Project
- Ken Amey / Hatfield Township ZHB Letter
- Bursich Letter / Plaza Punch List

Zoning Modifications: Manager DeFinis introduced Peter Simone of Simone Collins to Council. Mr. Simone updated and answered questions regarding the first cut of the proposed zoning amendments. The proposed changes are aimed at encouraging more businesses to locate in the Borough by making adaptive reuse of the many great buildings for income-producing uses easier. If adopted, these revisions will make existing uses, notably, single family residences, existing non-conforming uses in some of the affected zoning districts. Mr. Simone updated Council and answered questions on the reviewed the Zoning Map revisions and Summary of Major Proposed Ordinance Revisions. A discussion ensued regarding drive-through businesses and wind generating or panels to generate power.

Solicitor, Catherine M. Harper suggested language changes on parking, setbacks and developing guidelines.

Councilmember Stevens suggested preserving older buildings.

Grant Application Open Space Board: Manager DeFinis updated Council on the Montgomery County Open Space Board letter dated January 21, 2010. Despite the financial challenges facing the county, the County Commissioners have remained committed to the Green Fields / Green Towns program. The Borough has submitted four applications. The applications have not been rejected but not approved yet.

Hatfield Borough Events / Sponsorship Forms: Manager DeFinis updated Council on advertising Borough events on LED screens through the North Penn area.

AMP Hydro Plant Proposal / PJM Demand Response Program: Manager DeFinis updated Council on the letter dated January 26, 2010 regarding PJM Demand Response Program. The letter from AMP Municipal Power, Inc., was reviewed by Utility Engineers and mailed to 18 business in the borough. PJM's demand response program is designed to have electricity customer reduce their electric usage at critical times.

Fee Schedule Update: Manager DeFinis and Solicitor are reviewing the Fee Schedule Update and will present to Council.

Clegg Letter of Credit: Manager DeFinis informed Council the check has been received and is still working on the escrow.

HERC Appointments: Manager DeFinis informed Council two member of the HERC Committee will have reappointments at the February 17, Regular Meeting.

Vine Street Storm Water Project: Manager DeFinis informed Council the Borough Engineer and the Public Works Director have met with property owners to review the project.

Ken Amey / Hatfield Township ZHB Letter: Manager DeFinis updated Council and answered questions on the Hatfield Township Zoning Hearing Notice. Manager DeFinis responded to Mr. Amey on January 27, 2010 with Councils request for the Borough Manager or Borough Engineer to review the subdivision development plans. Borough Council acknowledges the property will access and egress via Garfield Avenue in the Borough. This being understood the Borough requires all permits and fees associated to the project impacting the Borough be applied for and paid directly to Hatfield Borough. Items such as but not limited to road openings, storm water management, plan review, etc. should be reviewed and coordinated with the Borough Engineer, Solicitor and Public Works Director no cost to the Borough. Expenses generated by this project on the Borough's behalf are to be paid by the Developer through an Escrow Account or an alternative predetermined payment arrangement.

Bursich Letter / Plaza Punch List: Manager DeFinis reviewed the punch list from Borough Engineer, Mark Mattucci regarding the Liberty Bell Parking Area / Plaza. James R. Kenney Excavating, Inc. has agreed to the punch list.

Army Corps Payment Request: Manager DeFinis informed Council the U.S. Army Corps of Engineers has requested its required contribution of \$45,000.00. Representatives from the Army Corps of Engineers participated in an initial coordination meeting with Hatfield Borough for the Hatfield Borough Sewer Collection Improvement Project. The cash obligation release for the project will be on the February 17, 2010 Regular meeting for action.

7. OTHER BUSINESS:

Please contact Assistant Secretary, Linda L. Watts regarding the Borough Association Dinner Meeting.

8. ADJOURNMENT:

Motion: A motion was made by Councilmember Farrall to adjourn the meeting of February 3,

2010. The motion was seconded by Councilmember Kroesser and unanimously approved with a vote of 4-0. The meeting adjourned at 8:45 PM.

Executive Session:

Respectfully Submitted,
Linda L. Watts, Assistant Secretary

HATFIELD BOROUGH COUNCIL
WORKSHOP MEETING
February 17, 2010

MINUTES

CALL TO ORDER AND ROLL CALL:

- (X) John H. Weierman, President
 - () Kenneth V. Farrall
 - (X) John Kroesser
 - (X) Bryan A. Moyer
 - (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, Borough Manager, Michael J. DeFinis, Solicitor, Catherine M. Harper, Mayor, Robert L. Kaler, III and Assistant Secretary Linda L. Watts.

1. APPROVAL OF MEETING AGENDA:

Motion: A motion was made by Councilmember Moyer to approve the Agenda of February 17, 2010 as amended. The motion was seconded by Councilmember Stevens and unanimously approved with a vote of 4-0.

2. PUBLIC INPUT: President Weierman asked if there were any comments.

Julian Collice residing at 112 Columbia Avenue informed Council that he and residents were concerned with the volume of traffic at Towamencin and forty foot roads at Columbia Avenue and inquired if a stop sign could be erected to restrict the flow of traffic. The main concern of the residents were safety issues for neighbors and children. Mr. Collins updated Council on the two traffic studies that were performed and the one that is pending on the weather. Motorists are using the street as a short cut with some motorists going over the 25 mph speed limit in a reckless manner.

President Weierman and Manager DeFinis updated Council on the direction of the traffic and the concerns of the residents and the use of a stop sign on borough streets.

Solicitor Harper informed Council that PennDOT doesn't believe areas should use stop sign to slow people down. On State roads State Guidelines have to be followed. Local roads have more flexibility. Solicitor Harper updated Council on traffic calming and the use of temporary measures to see if they would slow down motorists.

Mayor Kaler, III, informed Council that the use of stop signs slow motorists down for a time. All roads in the Borough are 25 mph.

Manager DeFinis informed Mr. Collins that the situation will be discussed with the Public Safety Committee. Manager DeFinis will be in contact with Mr. Collins regarding the direction that will be taken.

3. APPROVAL OF THE MINUTES:

Motion: To Approve the January 4, Re-Organization / Workshop and the January 20, 2010 Regular Meeting Minutes.

Motion: A motion was made by Councilmember Stevens to Approve the January 4, Re-Organization / Workshop and the January 20, 2010 Regular Meeting Minutes. The motion was seconded by Councilmember Moyer and unanimously approved with a vote of 4-0.

4. ANNOUNCEMENTS: Manager DeFinis made the following announcements.

- Next Council meetings are March 3, 2010 Workshop and March 17, 2010 Regular Meeting at 7:30 P.M.
- HERC is scheduled to meet February 24, 2010 at 8:00 A.M.
- The Planning Commission is scheduled to meet March 1, 2010 at 7:00 P.M.

5. REPORTS FROM STANDING COMMITTEES:

Public Safety: Councilmember Moyer informed Council the Committee had a meeting February 17, and will have another one regarding the use of a stop sign.

President Weierman congratulated the Public Works Department on the good results on the snow plowing.

Manager DeFinis informed Council the Borough has received numerous calls from residents on the good snow plowing job by the Public Works Department.

Recycling: Mayor Kaler, III, informed Council the Borough should be receiving the 2007 check recycling check any time now. Mayor Kaler, III, updated Council on the circumstances that led to the delay in receiving the recycling check. The next recycling meeting is in March.

6. MANAGERS REPORT: Manager DeFinis made the following announcements: General Report and Projects Update

- Please take time over the next several months to review ordinance updates for codification. Manager DeFinis updated Council on the language of the Construction Ordinance.
- The Plaza ribbon cutting ceremony is tentatively scheduled for Monday, May 3, 2010. This event will coincide with the Hatfield Chamber of Commerce Business Card Mixer and the Taste of Hatfield Event now being developed. The event is starting to get interest with twelve businesses on board.
- The Public Works Department has been on overdrive with the accumulating snow. On top of that there are several sewer laterals and the sewer main on North Girard Terrace that require root removal. Thanks to cooperation from HTMA the Public Works Department was able to identify the source of the problem. Measures are being taken to resolve this obstruction. After televising and review with the property owners, the owner of the property on N. Girard Terrace have agreed to share the cost. Manager DeFinis updated Council on the process and the affect it does have on the Borough's Inflow and Infiltration. Going forward with the I&I program the Borough is doing with the Army Corps of Engineers the Borough should in the future cultivate a program to dedicate dollars to the laterals.
- Hatfield is one of the host's for the Borough Association Dinner scheduled for Thursday, February 25th. Please RSVP to Linda Watts by Friday, February 19th
- R&L Carriers - R&L Carriers and PennDOT. Manager DeFinis met with PennDOT's sign representative will erect the signs where specified. Solicitor Harper and Manager DeFinis updated Council on the maintenance program. A discussion ensued.

7. ACTION ITEMS:

- A. Motion to Appoint Salvatore DiLisio and Richard Ludwig to HERC for four year terms to expire December 31, 2013.

Motion: A motion was made by Councilmember Moyer to Appoint Salvatore DiLisio and Richard Ludwig to HERC for four year terms to expire December 31, 2013. The motion was seconded by Councilmember Stevens and unanimously approved with a vote of 4-0.

- B) Motion to pay the Deputy Tax Collector Bond, Christine Calhoun, in the amount of \$325.00 for a four year term.

Motion: A motion was made by Councilmember Moyer to pay the Deputy Tax Collector Bond, Christine Calhoun Bond in the amount of \$325.00 for a four year term. The motion was seconded by Councilmember Kroesser and unanimously approved with a vote of 4-0.

C) Motion to Advertise Ordinance #481, defined contribution pension plan for the non-uniformed employees. The percentage shall be five percent (5%) for the Borough Manager and three percent (3%) for all other MEMBERS.

Motion: A motion was made by Councilmember Moyer to Advertise Ordinance #481, defined contribution pension plan for the non-uniformed employees. The percentage shall be five percent (5%) for the Borough Manager and three percent (3%) for all other MEMBERS. The motion was seconded by Councilmember Kroesser.

Solicitor Harper informed Council that this is a House Keeping Procedure for documentation and that the Borough Manager's have been receiving a five percent contribution.

The motion was unanimously approved with a vote of 4-0.

D) Motion to Authorize Treasurer Diane Farrall to transfer funds from the Operating Account / General Fund the Capital Projects Sinking Fund and the Liquid Fuels Fund to the Harleysville Savings Bank Regular Business Money Account.

Motion: A motion was made by Councilmember Moyer to Authorize Treasurer Diane Farrall to transfer funds from the Operating Account / General Fund the Capital Projects Sinking Fund and the Liquid Fuels Fund to the Harleysville Savings Bank Regular Business Money Account. The motion was seconded by Councilmember Kroesser.

President Weierman informed Council that the Liquid Fuels Fund have to be kept separate by the State Guideline and will be put in its own Liquid Fuels account.

The motion was unanimously approved with a vote of 4-0.

E) Motion to Advertise Ordinance #482, "Conduct".

Solicitor Harper updated Council on the language in Ordinance #482 and reviewed the new additions. Ordinance #482 will be advertised for the March 17, 2010 meeting.

Motion: A motion was made by Councilmember Moyer to Advertise Ordinance #482, "Conduct". The motion was seconded by Councilmember Kroesser and unanimously approved with a vote of 4-0.

8. Motion to Approve Payment of the Bills. Manager DeFinis answered questions regarding the bill list.

Motion: A motion was made by Councilmember Moyer to Approve Payment of the Bills. The motion was seconded by Councilmember Kroesser and unanimously approved with a vote of 4-0.

DISCUSSION ITEMS: Manager DeFinis reviewed the discussion items.

REPORTS AND CORRESPONDENCE:

- Monthly Investment Report
- Monthly EIT Report
- Police Department Report
- Fire Department Report
- Public Works Department Report

9. OTHER BUSINESS:

A. Borough Association Dinner / Pine Crest

Please contact Assistant Secretary, Linda L. Watts regarding the Borough Association Dinner Meeting.

10. ADJOURNMENT:

Motion: A motion was made by Councilmember Moyer to adjourn the meeting of February 17, 2010. The motion was seconded by Councilmember Kroesser and unanimously approved with a vote of 4-0. The meeting adjourned at 8:15 PM.

Executive Session: Litigation & Personnel

Respectfully Submitted,
Linda L. Watts, Assistant Secretary

HATFIELD BOROUGH COUNCIL
WORKSHOP MEETING
March 3, 2010

MINUTES

CALL TO ORDER AND ROLL CALL:

- (X) John H. Weierman, President
 - (X) Kenneth V. Farrall
 - (X) John Kroesser
 - (X) Bryan A. Moyer
 - (X) Lawrence G. Stevens
- (X) Mayor, Robert L. Kaler III

The record shows that five members of Council were present at roll call, as well as, Borough Manager, Michael J. DeFinis, Mayor Robert L. Kaler, III, and Assistant Secretary Linda L. Watts. Solicitor, Catherine M. Harper arrived at 7:43 P.M. The media was present.

1. APPROVAL OF MEETING AGENDA:

Motion: A motion was made by Councilmember Moyer to approve the Agenda of March 3, 2010 as amended. The motion was seconded by Councilmember Farrall and unanimously approved with a vote of 5-0.

2. ANNOUNCEMENTS: Manager DeFinis made the following announcements.

- Next Council Meeting March 17, 2010 Regular Meeting at 7:30 P.M.
- HERC will meet March 24, 2010 at 8:00 A.M.

2A. PUBLIC INPUT: President Weierman asked if there was any comments or questions.

Josh Myers residing at 38 N. Wayne Avenue informed Council he submitted a form a few weeks ago to Code Enforcement Officer, Randy Yardumian about the ordinances in Hatfield Borough in regards to a falconry apprentice permit. The document informs the State and Federal Government whether or whether not there is an ordinance against keeping a bird of prey on the property.

Manager DeFinis informed Council Josh presented his falconry request and these are the guidelines that he would be operating under. Mike Hartey, Zoning Officer and Randy Yardumian reviewed the ordinances and codes and there is nothing to restrict a falconry

license. Manager DeFinis talked to the State Gaming Commission and once Josh puts in all his paperwork the State Game Commission will come out and survey the property to see if it meets all the requirements. There are things that Josh will have to adhere to. One of the things that are a concern of Council is where the training will take place. The State Gaming Commission will determine if the training area is and allowable place or not.

Josh informed Council the majority of the training would take place indoors for the safety of the hawk and to limit it getting loose. Another portion of the training is the bird flying free and that would be under constant supervision at the sponsor's house.

Manager DeFinis informed Council that Josh Myers was not the property owner and the Code Enforcement Officer has contacted Mr. and Mrs. Myers, property owner to make sure they were well aware of what was going on. Mike Hartey, Zoning Officer will complete the document and Josh Myers can pick it up.

3. REPORTS FROM STANDING COMMITTEES:

Public Works: Councilmember Moyer informed Council that the Public Works Department has does a phenomenal job taking care of the roads. There have been no bad comments.

Budget, Finance and Labor: President Weierman updated Council on the Borough investments, bond rates and meeting with Al Galante, Investment Manager for the Borough.

Recycling: Mayor Kaler, III, informed Council the Northern Montgomery County Recycling Committee met on March 2, 2010. The audit report of Commission books of last year and everything is acceptable. A recycling drop off is coming up in April. Information will be forwarded to the manager. The drop off will be at Indian Valley Middle School.

Manager DeFinis informed Council Hatfield Borough and Hatfield Township hold a joint recycling event during Earth Day and is advertised on HTV.

Mayor Kaler, III, informed Council the 2007 grant money was approved by the DEP and given to the Controllers Office. The Borough should get its share within two months. The money is split by population. We retain form normal operating expenses.

4. MANAGERS REPORT: Mr. DeFinis made the following announcements:

General Report and Projects Update

- Please take time over the next several months to review ordinance updates for codification.

- The Plaza ribbon cutting ceremony is officially scheduled for Monday, May 3, 2010. This event will coincide with the Hatfield Chamber of Commerce Business Card Mixer and the Taste of Hatfield Event.
- Snow Reimbursement Update / Federal Public Assistance Declaration. All Municipalities put in their costs to PEMA.
- Keystate Publishers Preliminary Editorial Report has arrived. I have distributed copies to the PBZ Committee Mr. Farrall and Mr. Stevens. Solicitor.
- Due to the recurring snow storms and emergency situations I find myself referring to the EOP more often. As a result I will return to the task of developing an office emergency policy and procedures as well as updating the Notification and Resource Manual.
- **HAT OFF TO THE PUBLIC WORKS DEPARTMENT!**

Manager DeFinis answered question regarding Committee meeting and ordinances.

5. ACTION ITEMS:

A. Motion to Approve Ordinance #481 Restating the Defined Contribution Pension Plan for the Non-Uniformed Employees.

Motion: A motion was made by Councilmember Moyer to Approve Ordinance #481 Restating the Defined Contribution Pension Plan for the Non-Uniformed Employees. The motion was seconded by Councilmember Farrall and unanimously approved with a vote of 5-0. The Ordinance was advertised.

B. Approve the Escrow Release for the Penn Street Real Estate LP in the amount of \$3546.01.

Motion: A motion was made by Councilmember Moyer to Approve the Escrow Release for the Penn Street Real Estate LP in the amount of \$3546.01. The motion was seconded by Councilmember Kroesser.

Manager DeFinis answered questions regarding the final cost, fees and anything outstanding that was owed to the Borough. The Maintenance Bond and all outstanding issues are done.

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

6. DISCUSSION ITEMS: Manager DeFinis reviewed the discussion items.

- Zoning Modifications / Simone Collins
- Falconry Apprentice License Request
- Grant Applications / Revitalization Board Recommendations
- Fee Schedule / Ordinance Updates
- Pool Advisory Board Vacancy

- Hatfield Borough Events / Newsletter Mid April
- Memorandum of Understanding
- Liquid Fuels Tax Fund Examination Report
- Recent Fire Update
- Army Corps of Engineers
- Liquid Fuels Money

Zoning Modifications: Manager DeFinis introduced Peter Simone of Simone Collins to Council. Mr. Simone met with the Planning Commission on Monday, March 1, 2010. Mr. Simone informed Council that the attached are guidelines for existing and new structures. Councilmember Stevens suggested Council make sure we are not doing anything to lesson the historic preservation. Mr. Simone will look closely at the ordinances and discussed preferred materials and the conditional uses of the buildings. Mr. Simone reviewed the design guidelines with Council and answered questions regarding the front façade of existing buildings and the building form, texture and pattern of materials. Solicitor Harper suggested looking closely at the wording for porches. Mr. Simone reviewed the Statement of Intent regarding strengthening the Borough's Core as a center of commercial activity. The proposed changes are aimed at encouraging more businesses to locate in the Borough by making adaptive reuse of the many great buildings for income-producing uses easier. If adopted, these revisions will make existing uses, notably, single family residences, existing non-conforming uses in some of the affected zoning districts. Mr. Simone reviewed the R-3 Residential / Commercial Districts and permitted uses and special exception standards. A discussion ensued.

Grant Application / Revitalization Board Recommendations: Manager DeFinis updated Council on the recommendations from the Revitalization Board on how to proceed with the grant applications that were submitted. We are developing the Business Development and Improvement guidelines along the same lines as the Façade Improvement Grant guidelines and application process to hopefully submit to the Revitalization Board as the final grant submission. The final narrative and grant application has to be in by April 1, 2010.

Fee Schedule / Ordinance Updates: Manager DeFinis informed Council he and Joshua Ganz from Timoney Knox have been working out the details on the fee schedule issues. A draft will be forwarded to Council. The Code Enforcement Officer will review the draft for any changes.

Pool Advisory Board Vacancy: Manager DeFinis informed Council the Pool Advisory Board meets the second Tuesday of every month. There are two vacancies to be filled.

Hatfield Borough Events / Newsletter Mid April: Manager DeFinis informed Council the Borough Newsletter has been moved up. The Spring / Summer Newsletter will have the Taste of Hatfield / Ribbon Cutting Ceremony and Business Card Mixer. To alleviate another mailing all the information regarding the pool registration and parks will also be incorporated into the mid April newsletter.

Manager DeFinis announced that the first day of spring chipping is May 3, 2010. There will be three newsletters a year.

Memorandum of Understanding: Manager DeFinis updated Council on the Memorandum Of Understanding developed between Hatfield Township and Hatfield Borough. Manager DeFinis has contacted Hatfield Township Manager, Andrew Haines regarding updating the Memorandum of Understanding.

Liquid Fuels Tax Fund Examination Report: Manager DeFinis informed Council the Borough was audited last year. The Borough commingled the liquid fuels money with the general fund money and the interest wasn't defined. That was the only issue. Everything is now done electronically and back to where it should be.

Recent Fire Update: Manager DeFinis informed Council the Fire Department did a fantastic job. The owner is very appreciative of the Fire Marshal and Fire Chief. The Borough is working with the property owner to help him get his operation up and running as soon as possible.

Army Corps: Manager DeFinis updated Council on the required hearing for the sewer lateral repairs being performed by the Army Corps of Engineers.

Bursich Letter / Plaza Punch List: Manager DeFinis reviewed the punch list from Borough Engineer, Mark Mattucci regarding the Liberty Bell Parking Area / Plaza. James R. Kenney Excavating, Inc. has agreed to the punch list.

Liquid Fuels Tax Fund Examination Report: Manager DeFinis informed Council the Liquid Fuels monies came in a month early.

Manager DeFinis updated Council on a change in the cell phone package.

ADJOURNMENT:

Motion: A motion was made by Councilmember Moyer to adjourn the meeting of March 3, 2010. The motion was seconded by Councilmember Farrall and unanimously approved with a vote of 5-0. The meeting adjourned at 9:10 PM.

Executive Session:

Respectfully Submitted,
Linda L. Watts, Assistant Secretary

HATFIELD BOROUGH COUNCIL
WORKSHOP MEETING
December 1, 2010

MINUTES

CALL TO ORDER AND ROLL CALL:

- (X) John H. Weierman, President
- (X) Kenneth V. Farrall
- (X) John Kroesser
- (X) Bryan A. Moyer
- (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, Borough Manager, Michael J. DeFinis, Solicitor, Catherine M. Harper and Assistant Secretary Linda L. Watts. Also present were Simone Collins, Landscape Architecture and Peter M. Simone, FASLA and Celeste Perla, RPR, CSR, Merit Reporter and Notary Public.

1. APPROVAL OF MEETING AGENDA:

Motion: A motion was made by Councilmember Moyer to approve the Agenda of December 1, 2010 with additions. The motion was seconded by Councilmember Farrall and unanimously approved with a vote of 5-0.

2. ZONING MODIFICATION & ZONING MAP CHANGE HEARING: President Weierman opened the Zoning Modification & Zoning Map Change Hearing at 7:33 PM and turned the floor over to Solicitor Catherine M. Harper. Ms. Harper informed the Public she is the Borough Solicitor which is the Borough's lawyer. Tonight we are going to conduct a hearing on a proposed change to the Zoning Ordinance and Zoning Map. It's been advertised, and this is a hearing to take public comment and to give explanations and to answer questions. Celeste Perla, RPR, CSR, Merit Reporter and Notary Public minutes are attached.

President Weierman closed the Zoning Modification & Zoning Map Change Hearing at 8:20 PM and resumed the Workshop Meeting.

3. PUBLIC INPUT: President Weierman asked if there was any Public Input, there was none. There was no media.

4. ANNOUNCEMENTS: Manager DeFinis made the following announcements.

- Next month's Council meeting is December 15, 2010 regular meeting @ 7:30 P.M.
- HERC is scheduled to meet is scheduled to meet, December 15, 2010 8:00 A.M.

5. REPORTS FROM STANDING COMMITTEES AND MAYOR: President Farrall asked if there were any reports or questions.

Public Safety: Lieutenant Tierney informed Council the Hatfield Township Police Department will be placing a marked car on Borough Streets and two Officers are assigned to the upcoming Tree Lighting Ceremony in the Borough for Public Safety.

6. MANAGERS REPORT: Manager DeFinis made the following announcements: General Reports and Projects Update

- Chestnut Street Trail Bridge is under construction. The bridge anchors will be in place in the next two weeks, with the bridge scheduled for installation in the second week on December.
- National Water Main Cleaning Co. is proceeding with the sewer lateral repair project.
- The Hatfield Chamber of commerce will host the annual Tree-Lighting Ceremony and Santa Visit Saturday December 4th @ 7:00 PM. Borough staff will assist with the Chambers request list.
- Two action items recently advertised will be on the December 15th regular meeting agenda. The amendment to Chapter 18 of the Sewer and Sewer Disposal section of the code of ordinances and the resolution setting the Real Estate tax rate for 2011.
- Thanks to Borough staff for all their work in the budget process especially Diane Farrall. Also to the Public Works Dept for their work on the Christmas decorations. Thanks to Linda Watts for her work on the Union Insurance contract.

Councilmember Stevens informed Council the Borough looks great. Manager DeFinis discussed the flashing lights on the snowflakes.

- Last meeting Council approved participation in the MTCD. Solicitor Harper, Treasurer Farrall and I have reviewed the agreement authorized by the MTCC.
- The 100th Anniversary of the PSAB will be held April 10-13, 2011 at the Hershey Lodge. Please keep these dates open if possible.

7. OLD BUSINESS:

None.

8. NEW BUSINESS:

A. 2011 Estimated Assessed Tax Valuation

President Weirman informed Council and the Public the 2011 Estimated Assessed Tax Valuation has been reviewed.

B. 2011 Calendar

President Weierman and Manager DeFinis updated Council on the 2011 Calendar meeting dates.

9. ACTION ITEMS:

A. Motion to approved Resolution #2010-16 Recognizing the 2010 Borough Citizen of the Year.

Motion: A motion was made by Councilmember Moyer to approve Resolution #2010-16 Recognizing the 2010 Borough Citizen of the Year. The motion was seconded by Councilmember Farrall and unanimously approved with a vote of 5-0.

B. Motion to approve Resolution #2010-17 Accepting the 2011 Budget as Presented.

Motion: A motion was made by Councilmember Moyer to approve Resolution #2010-17 Accepting the 2011 budget as Presented. The motion was seconded by Councilmember Farrall.

Manager DeFinis updated Council on the changes in the budget. Solicitor Harper informed the Public the Budget was advertised.

10. MOTION TO ADJOURN:

Motion: A motion was made by Councilmember Moyer to adjourn the meeting of December 1, 2010. The motion was seconded by Councilmember Farrall and unanimously approved with a vote of 5-0. The meeting adjourned at 8:45 PM.

Executive Session: Litigation & Personnel

Respectfully Submitted,
Linda L. Watts, Assistant Secretary

86 Legal Notices

LEGAL NOTICE
The Hatfield Borough Workshop Meeting scheduled for December 2010 at 7:30 PM will be held at the Hatfield Volunteer Fire Company, 20 Market Street, Hatfield, PA. The meeting is open to the public and residents are encouraged to attend.
Michael J. DeFinis
Borough Manager

Proof of Publication of Notice in the Reporter

Under Act No. 587, Approved May 16, 1929

Copy of notice or publication

State of Pennsylvania,
County of Montgomery

SS:

LEGAL NOTICE
THE HATFIELD BOROUGH COUNCIL WILL CONSIDER AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE BOROUGH OF HATFIELD AMENDING AND REVISING THE ZONING ORDINANCE IN CHAPTER 27 OF THE CODE OF ORDINANCES OF HATFIELD BOROUGH TO ESTABLISH NEW LAND USE REGULATIONS FOR THE CORE COMMERCIAL DISTRICT IN PART 21, THE COMMERCIAL DISTRICT IN PART 17, AND THE RESIDENTIAL COMMERCIAL DISTRICT IN PART 14 OF THE ZONING ORDINANCE OF HATFIELD BOROUGH AND ADDING BUILDING DESIGN GUIDELINES WITHIN THE CENTRAL BUSINESS OVERLAY DISTRICT, ADDING A DEFINITION OF NO IMPACT HOME-BASED BUSINESS AND REGULATIONS TO PARTS 1 AND 8, MAKING CHANGES TO THE ZONING DISTRICTS AND THE ZONING OF PROPERTIES ON MAIN AND BROAD STREETS AND TOWAMENCIN AVENUE NEAR ITS INTERSECTION WITH BUTLER AVENUE AND MARKET STREET FROM UNION TO FRETZ STREETS, RE-ENACTING THE ZONING MAP WITH CHANGES, REPEALING INCONSISTENT ORDINANCES, AND PROVIDING FOR AN EFFECTIVE DATE AND MAY ADOPT THE ORDINANCE SUMMARY HEARING AND MEETING ON WEDNESDAY, DECEMBER 1, 2010 AT 7:30 P.M. AT THE BOROUGH OFFICES, 401 S. MAIN

STREET, HATFIELD, PA. SUMMARY
 The ordinance revises the zoning regulations for the Core Commercial District, and the R-3 Residential/Commercial District, permitting certain uses "by right," certain uses as "accessory uses," certain uses as "Conditional Uses," certain uses as uses by "Special Exception," and classifying certain uses as "Prohibited Uses," providing dimensional and design requirements, providing certain parking requirements, and providing design guidelines to be used in the specified zones, providing for "No Impact Home Based Businesses by right" in all zoning districts, making changes to the zoning districts and the zoning of properties with frontage on Main and Broad Streets, and Townamencin Avenue near its intersection with Butler Avenue, re-enacting the Borough Zoning Map with changes, and repealing inconsistent ordinances. The public is invited and encouraged to attend the Public Meeting. A complete copy of the proposed Ordinance and new Zoning Map is available for inspection at the Borough Hall at 401 S. Main Street in Hatfield and at the offices of The Reporter, Newspaper, 307 Derstine Avenue, Lansdale, PA 19446, as well as at the Montgomery County Law Library at the Montgomery County Courthouse, Lower Level, Norristown, PA 19404-0311, during normal business hours. Persons requiring special assistance or accommodations to participate in the hearing or meeting are requested to contact the Borough Manager, Michael J. DeFinis, at Borough Hall prior to the scheduled hearing date. Catherine M. "Kate" Harper, Esq., Hatfield Borough Solicitor.

Lansdale
Establisher

Controller or Dena Fritz, Publisher of the GOODSON HOLDING COMPANY D/B/A LRPa, LLC., a PENNSYLVANIA corporation, being duly sworn, deposes and says that THE REPORTER is a daily newspaper published at Lansdale, County and State aforesaid, which was established in the year 1870, since which date said daily newspaper has been regularly issued in said County, and that a copy of the printed notice or publication is attached hereto exactly as the same was printed and published in the regular editions and issues of the said daily newspaper on the following dates.

viz:

the 10th, 17th days of November A.D., 2010

Affiant further deposes he is an officer duly authorized by the GOODSON HOLDING COMPANY D/B/A LRPa, LLC., a corporation, publisher of THE REPORTER, a daily newspaper, to verify the foregoing statement under oath and also declares that affiant is not interested in the subject matter of the aforesaid notice or publication, and that all allegations in the foregoing statement as to time, place and character of publication are true.

[Signature]
 Controller or Publisher
 Goodson Holding Company D/B/A LRPa, LLC.

Sworn to and subscribed before me this date November 17, 2010

[Signature]
 Notary Public

NOTARIAL SEAL
 VANESSA WILSBACH, Notary Public
 Lansdale, Montgomery County
 My Commission Expires January 13, 2013

My Commission Expires:

Statement of Advertising Costs

HATFIELD BOROUGH
 401 SOUTH MAIN STREET
 PO BOX 190
 HATFIELD, PA 19440

For publishing the notice or advertisement attached hereto on		
the above stated date.....	\$	807.79
Notary Fee.....	\$	2.00
Total.....	\$	809.79

Publisher's Receipt for Advertising Costs

GOODSON HOLDING COMPANY D/B/A LRPa, LLC., a corporation, publisher of THE REPORTER, a daily newspaper, hereby acknowledges receipt of the aforesaid advertising and publication, and certifies that the same have been fully paid.

By.....

1

BOROUGH OF HATFIELD
MONTGOMERY COUNTY, PA
BOROUGH COUNCIL
WORKSHOP MEETING

IN RE:
ZONING MODIFICATION & ZONING MAP CHANGE

Wednesday, December 1, 2010

Borough Council Hearing taken pursuant to notice at the Hatfield Volunteer Fire Company, 75 Market Street, Hatfield, Pennsylvania, on the above date, beginning at approximately 7:30 p.m., before Celeste Ferla, Certified Shorthand Reporter, Merit Writer and Notary Public.

MONTCO REPORTING SERVICE
Court Reporting Services
1000 Gypsy Hill Road
Lower Gwynedd, Pennsylvania 19002
(215)643-1228 (Ofc.)

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- 2
- 1 **BOROUGH COUNCIL:**
- 2 JOHN WEIERMAN, PRESIDENT
- 3 KENNETH FARRALL, VICE PRESIDENT
- 4 LARRY G. STEVENS, BOARD MEMBER
- 5 BRYAN A. MOYER, BOARD MEMBER
- 6 JOHN KROESSER, BOARD MEMBER
- 7 CATHERINE M. HARPER, SOLICITOR
- 8 LINDA WATTS, ASSISTANT SECRETARY
- 9 MICHAEL DEFINIS, BOROUGH MANAGER
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- 7 **ALSO PRESENT:**
- 8 SIMONE COLLINS, LANDSCAPE ARCHITECTURE
- 9 PETER M. SIMONE, FASLA
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- 2 **PROCEEDINGS**
- 3 -----
- 4 **PRESIDENT WEIERMAN:** We will
- 5 start with roll call.
- 6 **MS. WATTS:** President
- 7 Weierman?
- 8 **PRESIDENT WEIERMAN:** Here.
- 9 **MS. WATTS:** Vice President
- 10 Farrall?
- 11 **VICE PRESIDENT FARRALL:**
- 12 Present.
- 13 **MS. WATTS:** Council Member
- 14 Kroesser?
- 15 **MR. KROESSER:** Here.
- 16 **MS. WATTS:** Council Member
- 17 Moyer?
- 18 **MR. MOYER:** Present.
- 19 **MS. WATTS:** Council Member
- 20 Stevens?
- 21 **MR. STEVENS:** Here.
- 22 **MS. WATTS:** Mayor Kaler is
- 23 absent.
- 24 **Manager DeFinis?**

1 MANAGER DEFINIS: Here.
 2 MS. WATTS: Solicitor Harper?
 3 SOLICITOR HARPER: Here.
 4 PRESIDENT WEIERMAN: We have
 5 a copy of this evening's agenda before
 6 us.
 7 Do I have a motion of
 8 approval?
 9 MR. MOYER: So moved.
 10 VICE PRESIDENT FARRALL:
 11 Second.
 12 PRESIDENT WEIERMAN: Motion
 13 by Council Moyer, second by Council
 14 Farrall for approval of tonight's
 15 agenda.
 16 Any comments?
 17 MANAGER DEFINIS: The only
 18 thing that will be added it that the
 19 supplemental sheets to the budget that
 20 we discussed last time that affect the
 21 Sewer Department and the Army Corps of
 22 Engineers' project. So I have the
 23 supplements when you review the budget.
 24 PRESIDENT WEIERMAN: No other

1 comments.
 2 All those in favor of the
 3 motion say aye.
 4 (Whereupon, the Borough
 5 Council state aye at this time.)
 6 PRESIDENT WEIERMAN: Any
 7 opposed. Motion is approved.
 8 The second item on our agenda
 9 this evening is regarding our Zoning
 10 Modification and Zoning Map Change
 11 Hearing.
 12 So at this time I will call
 13 the hearing open and I will turn over
 14 the floor to our Solicitor, Ms. Harper.
 15 SOLICITOR HARPER: Thank you.
 16 My name is Kate Harper, I am the
 17 Borough Solicitor which is the
 18 Borough's lawyer.
 19 Tonight we are going to
 20 conduct a hearing on a proposed change
 21 to the Zoning Ordinance and Zoning Map.
 22 It's been advertised, and this is a
 23 hearing to take public comment and to
 24 give explanations and to answer

1 questions.
 2 If you have a question you do
 3 not need to be sworn to give testimony.
 4 If you need to make a comment or you
 5 would like to make a comment then you
 6 would be sworn in. Okay?
 7 When you are called upon, you
 8 should stand, state your name and
 9 address, and then ask your question or
 10 make a comment. At the end of the
 11 hearing we will leave room for
 12 comments, just general comments as
 13 well.
 14 So if there is anybody here
 15 who thinks that they will be commenting
 16 and would like to be sworn in, would
 17 you please stand and raise your right
 18 hand. Anybody? Okay. We can do it
 19 later -- you want to, go ahead. It
 20 doesn't hurt.
 21 PARTICIPANT: I don't know.
 22 Depending on what is going I might have
 23 something to say.
 24 SOLICITOR HARPER: Fine.

1 Then we can swear you in at the time if
 2 it's necessary.
 3 We will have one witness who
 4 is our Land Planner, Peter Simone of
 5 Simone & Collins. Peter, will you
 6 stand up.
 7 (Whereupon, Mr. Peter Simone
 8 stands at this time.)
 9 SOLICITOR HARPER: And we
 10 will need Peter sworn in, Celeste,
 11 because he will be giving testimony
 12 tonight.
 13 -----
 14 PETER M. SIMONE, having been
 15 duly sworn, testified as follows:
 16 -----
 17 SOLICITOR HARPER: Because
 18 this is a hearing and we have a court
 19 reporter taking notes, it is important
 20 that only one person speak at a time
 21 and that you wait until you're
 22 recognized, and that way we will make
 23 sure that the transcript is clear if
 24 somebody wanted to read it later.

9

1 Now, before the hearing
 2 started we marked a number of exhibits,
 3 so I will go through them very quickly
 4 just so that Borough Council knows what
 5 we have. You all have copies of these
 6 things.

7 **MANAGER DEFINIS:** No.
 8 **SOLICITOR HARPER:** I think
 9 they have copies of most or they have
 10 seen them in the past.

11 **MANAGER DEFINIS:** Yes.
 12 **SOLICITOR HARPER:** And we
 13 have a number of copies of the
 14 Ordinance which are circulating in the
 15 audience. So please share it with your
 16 neighbor. If anybody wants to see it,
 17 somebody should have them, we have a
 18 number of them out there.

19 In addition to that, we have
 20 posted on the board here the Zoning Map
 21 and you will hear the testimony about
 22 how the Ordinance will change the
 23 Zoning Map.

24 The exhibits that we will be

10

1 talking about tonight are as follows:
 2 B-1 is the Ordinance itself.
 3 It's a thirty-six page document which
 4 includes the map and also includes
 5 architectural standards. Basically
 6 pictures of architecture that is common
 7 in the Borough.

8 B-2 is the Notice that some
 9 of you received, and that was sent out
 10 regarding this and was also published
 11 in the paper.

12 B-3 was a letter to property
 13 owners in the affected area. That
 14 included a map.

15 B-4 is the review by the
 16 Montgomery County Planning Commission.

17 And B-5 is an Affidavit of
 18 Mike DeFinis, the Borough Manager and
 19 Borough Secretary, attesting to the
 20 fact that notices were sent and
 21 properties were posted in accordance
 22 with law.

23 B-6 is a list of property
 24 owners who got the notices.

11

1 B-7 is a little postcard that
 2 was sent to let people know we had
 3 moved the meeting from our usual
 4 location, Borough Hall, to the
 5 firehouse so that we could accommodate
 6 a larger crowd.

7 And B-8 is proof that the
 8 notice was published in the newspaper.
 9 -----
 10 (Whereupon, B-1, Ordinance, was
 11 marked for identification.)
 12 -----
 13 (Whereupon, B-2, Notice, was
 14 marked for identification.)
 15 -----
 16 (Whereupon, B-3, Letter Delivered
 17 to Property Owners, October 27th, 2010,
 18 was marked for identification.)
 19 -----
 20 (Whereupon, B-4, Montgomery County
 21 Planning Commission, was marked for
 22 identification.)
 23 -----
 24 (Whereupon, B-5, Affidavit of the

12

1 Borough Manager, Mike DeFinis, and
 2 Borough Secretary, Linda Watts, was
 3 marked for identification.)
 4 -----
 5 (Whereupon, B-6, List of the
 6 Properties that Received notice, was
 7 marked for identification.)
 8 -----
 9 (Whereupon, B-7, Public Notice
 10 Postcard of Received Notice, was marked
 11 for identification.)
 12 -----
 13 (Whereupon, B-8, Proof of
 14 Publication, was marked for
 15 identification.)
 16 -----
 17 **SOLICITOR HARPER:** With that,
 18 I will ask our Land Planner, Peter
 19 Simone, to describe the Ordinance and
 20 the process that we followed so far to
 21 get here.
 22 Peter, if you could do that,
 23 I would appreciate it.
 24 **MR. SIMONE:** My name is Peter

1 Simone with Simone Collins. We are
 2 located, we just moved to Norristown.
 3 The genesis of this Plan
 4 began over two years ago when the
 5 Borough started on what was called a
 6 Revitalization Plan. This started in
 7 2008. This was a follow up to a plan
 8 that was completed ten years before.
 9 And this is a program partially funded
 10 by Montgomery County which encourages
 11 municipalities and boroughs in
 12 particular, to look at their existing
 13 resources, to see what their strengths
 14 are, to see what their constraints may
 15 be, and to develop a plan to increase
 16 the vitality of the Borough. And as
 17 you know or you may not know, living in
 18 a small town like Hatfield Borough is
 19 something that's becoming increasingly
 20 attractive to a lot of people, because
 21 of the attraction to old architecture,
 22 the human scale, the ability to walk
 23 from places to another place, the small
 24 restaurants and unique shops that you

1 have.
 2 So the Borough embarked on
 3 this plan back in 2008. It took over a
 4 year. There were six Committee
 5 meetings, three public meetings. And
 6 out of that process which was also
 7 reviewed by the County Planning
 8 Commission, came a number of
 9 recommendations. Some of those were to
 10 try to attract new businesses to the
 11 Core, to the main streets, the main
 12 thoroughfares in the Borough, to assist
 13 existing business to remain vital, to
 14 encourage in-fill development where
 15 there may be missing buildings, to
 16 provide more parking for businesses and
 17 offices, to enhance the pedestrian
 18 environment. And you have all seen the
 19 streetscape improvements that have been
 20 done in recent years by the Borough so
 21 it can continue with those street
 22 improvements.
 23 And also as part of that
 24 Revitalization Plan, a market analyst

1 and economist did a study of the
 2 potential additional market that the
 3 Borough could attract, and they came
 4 out with recommendations that there was
 5 a good potential for the Borough to
 6 attract new businesses to the market
 7 area which surrounds the Borough. And
 8 these would not be obviously big box
 9 retailers like down the street, but
 10 small one-of-a-kind unique businesses
 11 that people come to a town like
 12 Hatfield to go shopping at because they
 13 are a one-of-a-kind businesses.
 14 One of the recommendations
 15 from that plan was to try to encourage
 16 more businesses in the Core. And a way
 17 to do that was to revise some of the
 18 zoning in the Core, to make it easier
 19 for people to come in and have a small
 20 office, or a small business or a shop
 21 along basically Main Street, Broad
 22 Street, Market Street, and Lincoln
 23 Avenue. So that along those main roads
 24 you could make it a little easier for

1 folks to come in and have a commercial
 2 concern which brings additional
 3 rateables to the Borough.
 4 So the specific areas that
 5 the Plan recommended were to be looked
 6 at were the CC District, the Core
 7 Commercial District, the Commercial
 8 District, and the R-3 District. And
 9 that is really what the focus of this
 10 hearing is about tonight, changes,
 11 modifications to those three districts.
 12 Another part of the hearing
 13 is to change the Zoning Map, and I am
 14 just going to go over that with you in
 15 referring to this map which I guess is
 16 part of one of the exhibits, B-1.
 17 SOLICITOR HARPER: Yes.
 18 MR. SIMONE: If we look at a
 19 Market Street, we are suggesting this
 20 dark red area, which is now Commercial
 21 and R-2 be changed to Core Commercial,
 22 which this area is. So just to
 23 continue the Core Commercial area along
 24 Market Street.

1 Also, along Main Street is an
2 area of R-3 that is across the street
3 from Core Commercial and Commercial
4 Zoning. Similarly, we are suggesting
5 that this R-3 area, that fronts on Main
6 Street, be changed from R-3 to Core
7 Commercial so that both sides of the
8 street have the same or very similar
9 zoning.

10 Also along Broad Street, from
11 Main all the way up to Towamencin
12 Avenue, is an area that is primarily
13 residential but you see smaller
14 businesses have been sort of creeping
15 in and popping up over the years. And
16 we see that as a trend. That will
17 probably take a number of years to
18 happen, but we are suggesting changing
19 this from R-2 to R-3. Still a
20 Residential District, but under the R-3
21 Zoning you are allowed to do things
22 like small shops and offices and small
23 businesses within that Residential
24 District that is compatible with a

1 residential use. So that is the other
2 change.
3 The one other change that is
4 on the map is to take an area that is
5 R-3, where we mention it's possible to
6 do those businesses, and we are
7 suggesting this little area of R-3 go
8 back to R-2. Because this is really
9 more heavily residential. We didn't
10 think those little businesses are
11 really appropriate there. There is no
12 reason to have R-3 Zoning in this
13 little section of road off of
14 Towamencin Avenue. So those are the
15 map changes that we are suggesting that
16 are going to go along with the
17 Ordinance changes that we suggested.

18 So now I will go through each
19 Ordinance and just highlight for you,
20 in summary fashion, what the major
21 changes are without going through every
22 one.

23 First of all, if you look at
24 the proposed Ordinances -- excuse me,

1 if you look at the existing Ordinances
2 and the proposed Ordinances, the first
3 thing you will notice is most of those
4 Ordinances stay the same. Most of the
5 things in the old Ordinance are still
6 in the new Ordinance. So the bulk of
7 what is there remains there.

8 The area of Core Commercial,
9 the plan is proposed in this area and
10 proposed to be this area, this dark
11 red. One of the changes is we've
12 removed single family residences as an
13 allowed use. Now, it doesn't mean we
14 don't want single family residences
15 there, because there are some. But
16 what we are proposing is that we don't
17 want to encourage new single family
18 residences to be built. If you are a
19 single family residence, that use can
20 continue forever. It's just that
21 because this area, the Core Commercial,
22 is the main commercial area of the
23 Borough, we don't encourage new single
24 family residences to come in. We think

1 that over time, whatever single family
2 residences are there will eventually
3 convert slowly to small businesses,
4 because they are on a main thoroughfare
5 and as more businesses develop, they
6 will encourage other businesses just by
7 proximity.

8 Another thing that is in the
9 new CC District is, we are allowing
10 outdoor dining for an existing
11 restaurant. And if you have a dining
12 area that is off the sidewalk, there
13 are certain conditions that you have to
14 meet but it is By Right use. If you
15 want to do dining on a sidewalk, it
16 goes through a Conditional use process,
17 which is much more stringent that comes
18 before a Borough Council and you have
19 to meet a number of those conditions,
20 but through a different process. So
21 again, because we all see a trend
22 towards people wanting to dine outside,
23 we've included that in the Ordinance.

24 Also, in the Core Commercial

1 District, we looked at fee in lieu of
2 parking. When you can't -- if you
3 bring a business in, you have to park
4 and sometimes there is not enough
5 parking spaces available. So the
6 Borough charges a fee now for that
7 right to park somewhere else, and that
8 fee is going up to reflect the increase
9 since those fees were first put into
10 place many years ago.

11 In all the three districts,
12 the CC, the Commercial and the R-3,
13 there are design guidelines, which I
14 will go through at the end of my
15 discussion of the Ordinances, which
16 require a property owner to modify or
17 even build a new building so it is
18 compatible with what is here. One of
19 the great attributes the Borough has is
20 its historic architecture, its human
21 scaled architecture. So this Ordinance
22 will require folks to design buildings
23 that fit with the existing buildings,
24 and I will go through those with you

1 also. So those are really the major
2 changes in the Core Commercial
3 District.

4 When we get to the Commercial
5 area, which is this lighter pink area.
6 Again, most of what is there stays the
7 same. I guess the major change, we
8 also allow outdoor dining just as we
9 did in the Core Commercial area. So
10 that if you have a small restaurant you
11 can do some outdoor dining.

12 The other change is, right
13 now in the Commercial District, you're
14 limited to four stories or forty feet
15 in height. In the Core Commercial,
16 this first area I talked to about, you
17 can have four stories or sixty feet.
18 So what we are changing in the
19 Commercial area is now you can go, just
20 like in the Core Commercial, you can go
21 to four stories or sixty feet based
22 upon the approval of the Fire Marshal.
23 So what we are doing with the
24 Commercial is making the building

1 height compatible with the Core
2 Commercial building height. And that
3 really is the major change in the
4 Commercial District.

5 When we get to the R-3
6 District, I mentioned one gentleman had
7 a question before the meeting. I
8 mentioned that what we are trying to do
9 is make it a little easier for people
10 who want to start a business to do so,
11 and that is why we are suggesting
12 changing this R-2 area on Broad Street
13 to R-3. In the R-3, there are the
14 normal residential uses, those don't
15 change at all; single family, twin
16 dwellings, townhouses. What does
17 change is previously uses like
18 professional offices for doctors and
19 dentists, architects, engineers,
20 business offices, retail like jewelry
21 or book sales, or flowers, or tobacco,
22 personal service shops, barber shops or
23 beauty shops, sales or repair of
24 appliances or watches, those were by

1 special exception only, which put the
2 applicant through a fairly complicated
3 process. The change in the R-3 that we
4 are suggesting that, if a building is
5 on Broad or Main Streets in the R-3,
6 then By Right -- excuse me. If it is
7 on Broad or Main in the R-3, and it is
8 in an existing building, then they can
9 do those uses By Right. And what we
10 are trying to do by that is, encourage
11 the retention of your older, more
12 historic buildings and allow those uses
13 that are compatible with residential
14 uses.

15 If you're in the R-3 and
16 you're not in an existing building,
17 then you have to go through the special
18 exception, because there are other
19 areas of R-3 in the Borough. We don't
20 necessarily want to encourage a lot of
21 those business uses, in some of the
22 other R-3 Districts, we really want to
23 focus on Broad Street in terms of
24 encouraging.

1 The last sections of the
 2 Ordinance have to do with design
 3 standards. And if you had a chance to
 4 flip through, as Ms. Harper mentioned,
 5 there are a bunch of photos of existing
 6 architecture in the Borough. And what
 7 this section of the Ordinance requires
 8 applicants to do is to, when they are
 9 coming in to propose a new building or
 10 renovation to an existing building in
 11 these three Zoning Districts, either on
 12 Broad or Main or Market or Lincoln
 13 only, to come into Borough Council with
 14 photographs first of what the kind of
 15 building they would like to do. And if
 16 they comply with these guidelines, then
 17 they would develop some architecture
 18 elevations in sections for approval by
 19 Borough Council, so that the integrity
 20 of the architecture and scale that is
 21 already in the Borough will be not
 22 duplicated but new buildings and
 23 renovations will be sympathetic to what
 24 is already there. Because one of the

1 strengths you have is the type of
 2 architecture that you have, and we show
 3 good and bad examples in here. We also
 4 talk about signage. We show some
 5 examples of what is considered some of
 6 the nicer signs in the Borough, we
 7 talked about proportions and materials,
 8 roof lines, porches. You've got lots
 9 of great porches on some of your older
 10 residential buildings. So the ability
 11 to retain those porches, even if that
 12 building went to say a small office
 13 use, we think would be very important.
 14 So I think that is an overall
 15 summary of the changes to the
 16 Ordinance. And again, I think the
 17 thing to keep in mind is what we are
 18 trying to do here is to make it easier
 19 for small business people to come to
 20 the Borough and either open an office
 21 or a small business, a one-of-a-kind
 22 type of thing that will help support
 23 the other businesses that are already
 24 here and add to the tax base of the

1 Borough.

2 SOLICITOR HARPER: I just
 3 want to add to that only because it is
 4 sort of a housekeeping matter, Peter,
 5 that you didn't add. That we are also
 6 coming into compliance with State Law
 7 by adding that no impact home-based
 8 businesses are permitted everywhere in
 9 the Borough. There is a State Law
 10 amendment to the Municipality's
 11 Planning Code saying if you have a no
 12 impact home-based business, this would
 13 be a like a guy who sits at a computer
 14 in his den all day and doesn't have any
 15 deliveries or things that wouldn't be
 16 normal for a house. Home-based
 17 businesses of no impact are permitted
 18 everywhere in the Borough, and that is
 19 State Law. And the last couple of
 20 pages of the proposed Ordinance just
 21 bring our Zoning Ordinance into
 22 compliance with State Law.

23 Now I would like to ask
 24 whether it's Borough Councils'

1 pleasure. Do you want to ask questions
 2 first or should we take questions first
 3 from the audience? Which do you
 4 prefer?

5 PRESIDENT WEIERMAN: Let's
 6 take it from the audience.

7 SOLICITOR HARPER: Take it
 8 from the audience. Okay.

9 Wave your hand or something
 10 and I will recognize you and then stand
 11 up and state your name and address and
 12 ask your question. You don't have to
 13 be sworn in unless you make a
 14 statement.

15 Go ahead sir.

16 MR. ROSENBERGER: Harry
 17 Rosenberger, 128 South Main Street.

18 The rezoning there, how deep
 19 does that go on Main Street?

20 SOLICITOR HARPER: Peter.

21 MR. SIMONE: On Main Street,
 22 it just goes really to the first lots.
 23 This line, we are going from R-3 to
 24 Core Commercial. It's just if you

1 front on main.

2 MR. ROSENBERGER: Yeah. I
3 front on Main, but my lot's two hundred
4 and thirty feet deep.

5 MR. SIMONE: Is it in this
6 area?

7 MR. ROSENBERGER: Yeah.

8 MR. SIMONE: It would go --
9 it should go for the entire lot. I
10 don't know which lot it is. Maybe you
11 can point it out if you know.

12 MR. ROSENBERGER: Up across
13 the street from Poplar Street, right on
14 the corner. Dunlap.

15 MR. SIMONE: Right here?

16 MR. ROSENBERGER: Yeah.

17 MR. SIMONE: And is it on
18 this side of Poplar?

19 MR. ROSENBERGER: Yeah.

20 MR. SIMONE: The right side?

21 THE WITNESS: Yeah.

22 MR. SIMONE: It should be
23 your entire lot.

24 MR. ROSENBERGER: Okay.

1 Thank you.

2 SOLICITOR HARPER: Anybody
3 else?

4 Go ahead, sir.

5 MR. MOYER: Keith Moyer, 49
6 East Broad Street.

7 Can a dwelling in the CC area
8 be a multi -- strictly multi-family?

9 MR. SIMONE: Is it existing
10 now as a multi-family?

11 MR. MOYER: No.

12 SOLICITOR HARPER: Then let's
13 look up Core Commercial and see.

14 While he is looking for that,
15 I do want to make a comment about any
16 already lawful use. If you already
17 have a use that is currently lawful
18 wherever it is, that can continue. It
19 may become a nonconforming use if it's
20 not in the new ordinance, but it can
21 continue under the law and nothing has
22 to change about that.

23 Okay?

24 MR. SIMONE: So under the CC,

1 and this is from the -- this hasn't
2 changed from the previous Ordinance.
3 "Multi-family dwellings in combination
4 with allowed commercial uses, provided
5 such residential uses shall only be
6 allowed in CC District if located above
7 an allowed principal commercial use
8 that shall occupy the entire floor."
9 So, I am sorry. This has changed.

10 What we are saying there is,
11 yes, you can have a multi-family
12 dwelling but we don't want it on the
13 first floor. We want to have one of
14 the allowed business or commercial uses
15 on the first floor to encourage that
16 activity and business on the street
17 level.

18 Does that answer your
19 question?

20 MR. MOYER: Yes.

21 SOLICITOR HARPER: Anybody
22 else? Any questions? We will take
23 comments later.

24 Okay. Let's go through with

1 questions from Borough Council Members.
2 Of course you have been dealing with
3 this for a long time, so maybe your
4 questions have been answered, but if
5 the Borough Council has questions now
6 would be a good time.

7 VICE PRESIDENT FARRALL: I
8 just have one statement. I said the
9 spirit and the intent of these
10 revisions are not to take away from the
11 homeowners, but actually to add to
12 their property, their values to be able
13 to allow them to do different things
14 with their property in conjunction with
15 the Core Commercial. Basically try to
16 make it more value for you, but also
17 more valuable for us because we may
18 have the opportunity to get some
19 commercial development, which the
20 Borough was starved for, you know, your
21 bagel shops, your flower shops, your
22 different things like that. So again,
23 it's not a case where we are trying to
24 take away from the property owners. We

1 are actually trying to add some value
2 to you guys so that in return you add
3 value to the Borough and to Borough
4 Council. So that was the spirit and
5 intent of what was going through our
6 minds of making the changes.

7 MR. MOYER: To tie into what
8 Ken said.

9 With the times where they
10 are, by doing this it opens up your
11 resale to a bigger let's say market.
12 That you can sell to a commercial
13 company versus just a regular
14 homeowner. So it actually adds value
15 and allows you a bigger sale base which
16 will help you with your resale value of
17 your property.

18 SOLICITOR HARPER: Anybody
19 else?

20 Sir?

21 MR. HAMILTON: Ron Hamilton,
22 6 West Broad Street.

23 Yes, you are adding to the
24 value of the property, but if you are

1 still having it as a single family
2 dwelling, when it comes time to do the
3 countywide reassessment, what is going
4 to happen to the property values then
5 and are we going to be paying more
6 taxes because it is commercial and
7 worth more money.

8 MR. SIMONE: I just think
9 that the assessment is going to be
10 based upon use, not zoning. So if your
11 property continues as a residential
12 use, the assessment will be based upon
13 that residential use.

14 The added value that the
15 Councilman spoke about is really for a
16 perspective buyer. If he or she knows
17 that they could use it for a given use,
18 you might come in a higher purchase
19 price potentially. So it's not going
20 to have an effect on your assessed
21 value.

22 SOLICITOR HARPER: Anybody
23 else? Any member of Council first
24 because we were not through?

1 MR. SIMONE: There is a
2 question there.

3 SOLICITOR HARPER: I am
4 sorry. Ma'am?

5 MS. MCCARTHY: Bernadette
6 McCarthy, 117 North Main Street.

7 How much interest have you
8 had up until now in people wanting to
9 put shops in this area, if any? And
10 the reason I am asking that is, because
11 along Main Street and where it changes
12 in many different names, there are an
13 awful lot of buildings that are empty
14 already. I am not saying that because
15 I am against the project. I am a lover
16 of little, small shops when they are
17 there.

18 SOLICITOR HARPER: All right.
19 I am going to ask our Borough Manager,
20 Mike DeFinis, to answer that question
21 because the point of entry for somebody
22 who is looking to start a business or
23 to do something with their property is
24 usually a visit to Borough Hall and

1 they are usually going to run into Mike
2 DeFinis, the Borough Manager.

3 So, Mike, what is your
4 experience with people asking about
5 starting small shops or doing little
6 businesses and things like that?

7 MANAGER DEFINIS: Recently
8 there has been only a couple of
9 inquiries, can I do this in this area,
10 can I do this in that area. And some
11 of the answers were no, you can't do
12 this or that in that area at this time,
13 but you might be able to in the future.
14 A dentist's office, an accountant, but
15 you can't do that now because it is
16 residential but in the future you might
17 be able to do it because it's going to
18 commercial. Or from R-2 to R-3.

19 SOLICITOR HARPER: We had a
20 chiropractor come in and ask a little
21 while ago and it wasn't permitted in
22 whatever zone he was in.

23 MANAGER DEFINIS: And there
24 was some other inquiries to drive-in

1 facilities. Is there a drive-in
2 restaurant or a restaurant with a
3 drive-in window. We don't have
4 actually the foot space -- the footage,
5 the square footage to allow a business
6 to do that, so by that nature itself
7 it's not an allowed use. So the things
8 that we are looking at that we have
9 been inquired about are professional
10 offices that would want to come into
11 Main Street, Market Street, or Broad
12 Street. Not your Duncan Donuts or your
13 Starbucks or Wendy's or anything like
14 that.

15 VICE PRESIDENT FARRALL: Big
16 bucks.

17 MANAGER DEFINIS: So that is
18 what I've experienced. And with this,
19 the economy being the way it is, it is
20 not a fire storm.

21 One of the things that we
22 are, the Borough is, is part of -- we
23 are a revitalization community. So we
24 received revitalization dollars through

1 the County through the Revitalization
2 Program. And to continue to receive
3 revitalization dollars, you have to
4 have a plan. You have to update your
5 plan every five years and adopt a new
6 plan every seven years, correct?

7 MR. SIMONE: Yes.

8 MANAGER DEFINIS: So because
9 of that, some of the recommendations
10 that have -- that were derived from
11 this plan are the guidelines of the
12 Revitalization Program and the
13 Montgomery County Planning Commission.
14 As a matter of fact, one of the members
15 of the Montgomery County Planning
16 Commission is a member of a task force
17 that sat on this committee, Ann Leavett
18 Gruberger. So we have guidance from
19 the County as well as how to proceed
20 and to continue it with the
21 revitalization efforts that we have in
22 place.

23 SOLICITOR HARPER: Mike, it
24 might be a good idea if you shared with

1 the residents who are here some of the
2 projects that the revitalization monies
3 have been used for in the Borough.

4 MANAGER DEFINIS: The parking
5 lot, the plaza.

6 SOLICITOR HARPER: The
7 parking lot behind --

8 MANAGER DEFINIS: The trolley
9 stop and the plaza area. With that,
10 originally it was just a parking lot.
11 Borough Council at the time of when we
12 went through the revitalization
13 guidelines, asked if we acquired the
14 plaza. The area between the rebuilding
15 and the trolley stop, could we put a
16 plaza, make it more of a park
17 atmosphere and the revitalization
18 program said that would be very
19 favorable. Of course they had some
20 input as to how we did that, how we
21 decorated it, how it was landscaped,
22 things like that to receive the
23 dollars. And then they also saw fit
24 that, okay, since you are making a

1 center out of it, put some amenities
2 in, the benches, the clock things and
3 things like that.

4 Some of the things that were
5 done in the past, with the assistance
6 with the Doug Rue, the Streetscape
7 Program and the street trees. Not the
8 ones that are in the Core Commercial,
9 but outside the Core Commercial area.
10 So it's an ongoing process. And to be
11 part of it, we have to update the plan
12 and follow their guidelines to receive
13 the revitalization dollars.

14 SOLICITOR HARPER: Other
15 questions?

16 MR. GDALETA: Joe Gadaleta,
17 129 Diamond Street in the lovely
18 Borough of Hatfield.

19 My question is this: With
20 the approval of these new Zoning
21 changes and the setting up of the new
22 areas, do you anticipate any additional
23 streetscape work of grading of any of
24 the new Commercial Core areas similar

1 to what we did on that Broad and Main
2 Street?

3 VICE PRESIDENT FARRALL: We
4 hope so.

5 MR. GADALETA: What type?

6 VICE PRESIDENT FARRALL: I
7 mean, similar to what we have downtown.

8 MR. GADALETA: Similar to
9 what?

10 VICE PRESIDENT FARRALL: And
11 we've actually put a grant in for it,
12 but we were unsuccessful with the grant
13 obviously because there is only so much
14 money and a lot of people. But, I
15 mean, it is our contention to continue
16 the streetscape down Main Street. And,
17 you know, you look at the Borough now
18 and you look how beautiful it is at
19 Christmas time, we want to continue it
20 down. So yes.

21 PARTICIPANT: How far down?

22 PRESIDENT WEIERMAN: It can't
23 be too far to the property in the
24 Borough line. So, you know, it is not

1 a lot further to go actually.

2 VICE PRESIDENT FARRALL: I
3 mean, the ultimate goal would be from
4 borough line to Borough line. But now
5 whether or not that happens obviously
6 depends on money, funding, grants,
7 etcetera.

8 MANAGER DEFINIS: There is a
9 Feasibility Grant that we put in for as
10 well. We haven't received word whether
11 we were awarded or not, to actually
12 investigate how we would go about doing
13 that and what the cost of it would be.
14 So the Extension Grant to do the study
15 on that is still out there. That
16 hasn't been awarded or denied at this
17 time.

18 SOLICITOR HARPER: Question?

19 MR. GODSHALL: Steve
20 Godshall, 320 Union Street.

21 Does this promote or
22 discourage conversions of existing
23 properties to existing single family
24 dwellings to multi-family dwellings?

1 MR. SIMONE: It discourages
2 it.

3 MR. GODSHALL: Exactly.

4 MR. SIMONE: And that was a
5 recommendation from the Revitalization
6 Plan for hopefully all the obvious
7 reasons, that we want to retain single
8 family dwellings in the Borough to the
9 extent possible. The one area that
10 multi-family dwellings, or one of the
11 areas that multi-family dwellings are
12 permitted are along some of these main
13 thoroughfares where the Zoning allows
14 for them already.

15 MR. GODSHALL: Okay.

16 SOLICITOR HARPER: Any other
17 questions?

18 Okay. We can also take
19 comments. You don't need to be sworn
20 in. I can just give your opinion. So
21 if anybody has an opinion, just state
22 your name, state your address and let
23 us know what you think about this
24 Ordinance.

1 MR. MOYER: Another question.

2 SOLICITOR HARPER: Go ahead.
3 Say your name again.

4 MR. MOYER: Keith Moyer, 49
5 East Broad Street.

6 Is parking in the plaza area,
7 is that public parking free?

8 SOLICITOR HARPER: Yeah, let
9 me explain that.

10 The parking in the plaza area
11 is privately owned, but the Borough
12 made an arrangement, an agreement by
13 easement which is recorded against
14 properties with the property owners so
15 that the public does have a right to
16 park there. Okay? So Borough money
17 and Grant money was used on the parking
18 lot and the property owners agreed that
19 the public would have a right to park
20 there. It was an effort by the Borough
21 to maximize the amount of parking that
22 is available in the Borough, which is
23 not a lot.

24 MR. MOYER: Thank you.

1 MR. MOYER: And except for
2 overnight parking.

3 SOLICITOR HARPER: Right.

4 MR. MOYER: Is it dusk to
5 dawn?

6 MR. MOYER: No. Just that --
7 as long as the businesses are open and
8 then a certain clean up period of time
9 after that, it's a discretion. But not
10 that it's sitting there all overnight,
11 correct?

12 SOLICITOR HARPER: Right. We
13 do have an Ordinance that gives the
14 hours. I just don't remember what it
15 is. It might be a little later than
16 dusk, but it's not a lot.

17 MANAGER DEFINIS: It's not
18 dusk to dawn.

19 MR. MOYER: Just not
20 twenty-four hours.

21 SOLICITOR HARPER: Correct.

22 MANAGER DEFINIS: Councilman
23 Moyer stated it's the operational
24 hours. Say the trolley stop is opened

1 until 9 o'clock or 10 o'clock, takes an
2 hour to clean up to get out of there,
3 11 o'clock would be -- you know, if you
4 are parked there after 11 to 3 in the
5 morning, you could expect to be cited.

6 SOLICITOR HARPER: Anybody
7 else a question or comment?

8 Sir?

9 MR. MOYER: Dale Moyer, 14
10 West Broad Street, Hatfield.

11 I have a barber shop up on
12 Broad Street. When my predecessor with
13 the barber shop there fifty some years
14 ago, he had to have a variance to put
15 the barber shop there. Now, up until
16 now I was under the impression that if
17 I wanted to sell that it would have to
18 remain a barber shop.

19 SOLICITOR HARPER: Okay.

20 Let's talk about that for a second.

21 Is it still a nonconforming
22 use?

23 MR. SIMONE: Presently it
24 would be a preexisting nonconforming

1 use.

2 SOLICITOR HARPER: Right.
3 You have a right to continue it or to
4 sell it to somebody else to use it as a
5 barber shop.

6 MR. MOYER: Okay.

7 SOLICITOR HARPER: But if
8 they wanted to use it for anything
9 else, they would have to come in --
10 well, depends on what the use is. It
11 might be permitted or they might have
12 to get --

13 MR. MOYER: But this new --

14 SOLICITOR HARPER: Where is
15 your property? I want to have Peter
16 answer whether it is permitted there.

17 MR. MOYER: Broad Street.

18 Yeah. It is R-2 now.

19 MR. SIMONE: Yes.

20 THE WITNESS: It's going to
21 be R-3.

22 MR. SIMONE: Under the new
23 Ordinance, you could sell it and
24 somebody could use it for one of the

1 other uses, like an office, or an
2 attorney's office, or a jewelry store
3 and they would not have to come and get
4 any kind of relief. They could just
5 come in and open that shop. So what
6 that does is, it's a great example that
7 it's opening up selling opportunities
8 for you to other uses.

9 MR. MOYER: They could not
10 just use the shop but they could use
11 the whole house as a business?

12 MR. SIMONE: Yes.

13 MR. MOYER: The shop is in
14 the house, so they can use the whole
15 building?

16 MR. SIMONE: Correct. They
17 could have the whole building as an
18 attorney's office.

19 SOLICITOR HARPER: Peter, I
20 think what he is looking for is on Page
21 18. Do you want to read the uses that
22 are allowable in the R-3 District?

23 MR. MOYER: I am all for this
24 change.

1 SOLICITOR HARPER: Good.
2 Why don't we tell you what
3 uses would be allowed under the R-3
4 Zoning as is written in this Ordinance.

5 MR. SIMONE: In addition to
6 the residential uses, the By Right
7 uses, because it is an existing
8 building, would be professional office:
9 Offices for doctors, dentists, lawyers,
10 engineers, architects, accountants,
11 etcetera. Business offices not limited
12 to real estate, commodity brokerage,
13 travel agency, insurance, advertising.

14 Specialized retail such as:
15 Antiques, flowers, books, jewelry,
16 wearing apparel, tobacco, crafts.

17 Personal service: Barber
18 shop, beauty shop, tailors, shoe
19 repair, dry cleaning, as long as no
20 cleaning on the premises, sales and
21 repair of watches, optical goods,
22 musical, professional or scientific
23 instruments or small appliances, and
24 then a bed and breakfast also.

1 SOLICITOR HARPER: And those
2 are uses by conversion of an existing
3 building, not building a new one? So
4 this is once again encouraging the
5 adaptive reuse of the buildings in the
6 Borough.

7 MR. SIMONE: Right. If it
8 was a new building, the applicant would
9 have to go through a Special Exception.

10 SOLICITOR HARPER: For those
11 uses?

12 MR. SIMONE: For those uses.

13 MR. MOYER: My main concern
14 is in changing this is the parking. I
15 mean, I have parking for me but parking
16 for other businesses is fairly limited.

17 SOLICITOR HARPER: Right now
18 the Zoning Ordinance contains parking
19 requirements for every use. What we've
20 augmented, I guess, is the idea that in
21 some places you could pay a fee in lieu
22 of parking if there were other parking
23 available nearby. And I think in the
24 Borough's Revitalization Plan,

1 certainly something Borough Council has
2 talked about, is looking for more land
3 that could be converted to parking, you
4 know, near these commercial uses. So
5 you could pay a fee in lieu. In some
6 towns where that option doesn't exist,
7 you just can't have the use. It might
8 be permitted, but if you don't have
9 enough ground you just can't do it. So
10 that is the reason for that.

11 MR. RUTH: My name is Rob
12 Ruth, I am at 202 West Broad Street.
13 I spoke with you briefly
14 beforehand, but the one thing that I
15 still don't see. My building at the
16 corner of Broad and Columbia is of
17 nonconforming use and when I bought it
18 I did get something in writing from the
19 Borough before going through with the
20 purchase of it. But I don't see
21 anything under Section 1402 that lists
22 anything for multi-family buildings,
23 which mine is. I mean, it says twin
24 and duplex, but mine -- I have four

1 apartments.

2 SOLICITOR HARPER: So you are
3 still a nonconforming use.

4 MR. RUTH: Okay.

5 SOLICITOR HARPER: This is
6 not the whole Zoning Ordinance. Pretty
7 long, but under the Zoning Ordinance
8 and under law generally, if you have a
9 lawful use it may continue.

10 MR. RUTH: Okay.

11 SOLICITOR HARPER: As a
12 nonconforming use. So if you have four
13 units where only two are permitted, but
14 you have been there either by virtue of
15 a variance or because you existed
16 before the Zoning changed on that, you
17 may continue that use.

18 MR. RUTH: Now, also I see on
19 Page 21. I guess the little symbol on
20 the 1408, is that Section 1408 or
21 whatever it is called?

22 SOLICITOR HARPER: Yes.

23 MR. RUTH: Are those there
24 for new construction purposes? Like,

1 for instance, it says, "each apartment
2 shall contain a minimum of five hundred
3 square feet of floor area, plus one
4 hundred additional square feet."

5 SOLICITOR HARPER: Yes.

6 MR. RUTH: So that is if you
7 build new?

8 SOLICITOR HARPER: Right.

9 None of these would apply to you
10 because you exist.

11 MR. RUTH: I understand. I
12 am only saying that if somebody were to
13 come in and build a duplex.

14 SOLICITOR HARPER: Right.

15 Yes.

16 MR. RUTH: Each unit would
17 require six hundred square feet?

18 SOLICITOR HARPER: Right.

19 MR. RUTH: Okay.

20 SOLICITOR HARPER: Okay?

21 Questions, comments,
22 opinions?

23 Ma'am? State your name

24 again.

1 MS. MCCARTHY: Bernadette
2 McCarthy, 117 North Main Street, and I
3 know this is going to sound farfetched.

4 But if all these plans really
5 do grow and prosper and parking really
6 is a problem, which it really is a
7 problem in the Borough, and you just
8 mentioned looking for land. There is
9 land, but there may be people not
10 willing to part with that land. I
11 mean, I am kind of hoping you are going
12 to tell me no, that there is no Eminent
13 Domain where land can be just taken for
14 use as parking --

15 SOLICITOR HARPER: I am
16 answering as the Solicitor, okay?
17 Borough Council has never discussed
18 taking land by Eminent Domain for a
19 parking lot. Ever. Would the law
20 allow it? Probably if it was viewed as
21 a public use for a public parking lot.
22 The law would probably allow it, but I
23 have been Solicitor here for, I don't
24 know, fifteen years, something like

1 that. They have never ever, never ever
2 discussed using Eminent Domain for a
3 parking lot that I can recall.

4 In fact, the example I gave
5 of the parking lot behind the trolley
6 stop, that was cooperative agreement.
7 Brought the people in, everybody was
8 convinced of the need for shared
9 parking and the advantages of getting
10 together to redo that parking lot so
11 that you could fit more cars in it than
12 were there when each parcel owner had
13 divvied up their own spaces.

14 Ma'am?

15 MS. PRYKOWSKI: Jeanette
16 Prykowski, 312 South Main Street.

17 SOLICITOR HARPER: Could you
18 just spell your last name?

19 MS. PRYKOWSKI: P as in Paul,
20 R-Y-K-O-W-S-K-I.

21 SOLICITOR HARPER: Thank you.

22 MS. PRYKOWSKI: And I live
23 right, a block before the railroad
24 tracks and even the parking from

1 Casey's, you know, encroaches on my --
2 you can barely back out my driveway,
3 and I have a driveway on the street.
4 Probable the only one in that area.
5 But like if there were more businesses
6 there, where are these people going to
7 park?

8 MANAGER DEFINIS: One of the
9 things that Council has authorized is
10 the striping of Main Street and Broad
11 Street and Market Street for parking,
12 parking spots. And what that would do
13 also is, at your driveway would
14 probably delineate an area where they
15 can't park up against it. It might
16 improve your parking -- your situation.

17 MS. PRYKOWSKI: But even the
18 side streets. When you come out, you
19 can't see.

20 MANAGER DEFINIS: Moving
21 people from the corners with the yellow
22 striped areas, the area that they are
23 not allowed to park in, would help
24 that.

1 The other thing is, and
2 looking at the parking situations that
3 we have in the Borough and trying to
4 make them more usable, okay, so that if
5 someone parks on Main Street in a spot
6 where they are taking up a spot for
7 three cars, it is striping that would
8 make it more usable.

9 VICE PRESIDENT FARRALL: It
10 is more efficient.

11 MANAGER DEFINIS: Exactly.
12 So that is one of the things that
13 Council has authorized. We talked
14 about it at our retreat in September.
15 It will be done probably in the spring
16 or summer. All right?

17 The parking lot accessibility
18 that we have, there is not a lot, but
19 the Septa property, both sides of the
20 track, we have, you know, a discussion
21 with Septa on how to use those lots.

22 MS. PRYKOWSKI: Yeah. Like
23 down where the electric company used to
24 be and along there?

1 MANAGER DEFINIS: No. That
2 would be -- that is close to where the
3 Borough office is?

4 MS. PRYKOWSKI: Yeah.

5 MANAGER DEFINIS: No.
6 Down -- right down --

7 VICE PRESIDENT FARRALL: They
8 could use the Borough lot.

9 MANAGER DEFINIS: They can
10 use the Borough lot, yes, but the Septa
11 lot down here by Wood Burners and on
12 Maple Avenue, they are discussions that
13 we are having with Septa at this time.
14 They are ongoing, they have been
15 ongoing for a while.

16 MS. PRYKOWSKI: No, I just --
17 it was a safety concern. I have lived
18 there thirty-three years, so, you know,
19 I have seen it get worse and worse, but
20 some of these side streets it's hard.
21 I obviously don't go that way, but, you
22 know, a lot of people have to.

23 SOLICITOR HARPER: Any other
24 questions or comments?

1 Any questions or comments
2 from Borough Council?
3 MR. MOYER: Just one
4 question. I know we brought up about
5 multi-family dwellings.

6 It's not not permitted,
7 correct, as long as the first floor is
8 used as a business for commercial
9 property, correct?

10 MR. SIMONE: Correct. In the
11 Core Commercial area --

12 MR. MOYER: Right.

13 MR. SIMONE: I want to read
14 it so I get it correct.

15 SOLICITOR HARPER: It's on
16 Page 2.

17 MR. SIMONE: "Multi-family
18 dwellings, in combination with allowed
19 Commercial uses, provided such
20 residential uses shall only be allowed
21 in the CC District if located above an
22 allowed principal commercial use that
23 shall occupy the entire floor that is
24 closest to the street level at the

1 front of the lot."

2 MR. MOYER: So somebody --
3 you know, like just say the corner
4 property of Main and Broad is a
5 three-story property, they converted
6 the first floor into commercial space,
7 they can rent out the second and third
8 floor as long as it meets the square
9 footage that is written.

10 MR. SIMONE: Correct.

11 MR. MOYER: Because you are
12 changing the use, so they would have to
13 meet that space?

14 MR. SIMONE: Correct.

15 MR. MOYER: Okay. Thank you.

16 SOLICITOR HARPER: All right.
17 I have a couple of housekeeping things.
18 We have another Exhibit, B-9. B-9 is
19 proof of publication that we move the
20 meeting from Borough Hall to this
21 firehouse. Okay?

22 -----
23 (Whereupon, B-9, Proof of
24 Publication, Meeting moved to Borough

1 Hall to the Firehouse, was marked for
2 identification.)

3 -----

4 SOLICITOR HARPER: And I
5 would like to note for the record that
6 there are approximately fifteen people
7 in the audience here tonight.

8 And also for all of you,
9 Borough Council can vote on this
10 tonight, but generally schedules action
11 items for the regular meeting, which is
12 two weeks from now on a Wednesday
13 night. What is the date?

14 MANAGER DEFINIS: The 15th.

15 SOLICITOR HARPER: December
16 the 15th is the likely vote at that
17 time.

18 If there are no other
19 questions or comments concerning this
20 Ordinance, Borough Council will close
21 the hearing and resume their regular
22 meeting.

23 You are welcome to stay and
24 there is also a public comment period

1 during the regular meeting if you have
2 something that you would like to say.

3 So if there is no other
4 questions or comments, I want to thank
5 Peter Simone for coming. Thank you,
6 Peter, and we will close this hearing.

7 Thanks.

8 MR. MOYER: When will
9 everything take place?

10 SOLICITOR HARPER: When will
11 everything take place, meaning the
12 Ordinance?

13 MR. MOYER: Meaning the
14 Ordinance.

15 SOLICITOR HARPER: I believe
16 Borough Council will take a vote on
17 December the 15th, which is the regular
18 meeting for this month. That meeting
19 will be held 7:30 at the regular
20 Borough Hall.

21 PRESIDENT WEIERMAN: And then
22 how long it goes into effect.

23 SOLICITOR HARPER: How long
24 it goes?

1 MR. MOYER: Yes.

2 SOLICITOR HARPER: It will be
3 effective immediately, although we
4 don't know how long it will take to get
5 some interest in the properties going.
6 It will be effective within five days I
7 think is the standard. Okay?

8 Again we will close the
9 hearing. Thank you very much.

10 THE WITNESS: /STPH-FPLT
11 Keith Moyer.
12 (Adjourned.)

1 CERTIFICATION

2
3 I HEREBY CERTIFY that the
4 proceedings and evidence are contained
5 fully and accurately in the
6 stenographic notes taken by me upon the
7 foregoing matter on Wednesday, December
8 1, 2010, and that this is a correct
9 transcript of same.

10
11
12
13
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15
16
17 Celeste Perla, RPR, CSR, Merit
Reporter and Notary Public

18
19
20 (The foregoing certification
21 of this transcript does not
22 apply to any reproduction of
23 the same by any means,
24 unless under the direct
control and/or supervision
of the certifying reporter.)

HATFIELD BOROUGH COUNCIL
WORKSHOP MEETING
March 17, 2010

MINUTES

CALL TO ORDER AND ROLL CALL:

- (X) John H. Weierman, President
- (X) Kenneth V. Farrall
- (X) John Kroesser
- (X) Bryan A. Moyer
- (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, Borough Manager, Michael J. DeFinis and Assistant Secretary Linda L. Watts. Solicitor Catherine M. Harper arrived at 7:37 PM.

1. APPROVAL OF MEETING AGENDA:

Motion: A motion was made by Councilmember Stevens to approve the Agenda of March 17, 2010 as amended. The motion was seconded by Councilmember Moyer and unanimously approved with a vote of 5-0.

2. PUBLIC INPUT: President Weierman asked if there were any comments. There were none. No media was present.

6. REPORTS FROM STANDING COMMITTEES AND MAYOR:

Public Safety: Councilmember Moyer informed Council he was approached by citizens concerning dogs running loose. Sergeant Robinson from the Hatfield Township Police Department updated Council on the dog laws.

Utilities: Councilmember Farrall informed Council the Utilities Committee met and gave an update.

Manager DeFinis updated and answered questions regarding the storm damage at 61 W. Lambert Street. The Public Safety Department will assist if help is needed. There were no major problems in the borough.

Councilmember Farrall updated Council on the water problem at the Railroad tracks near Diddens Greenhouse. The Public Works Department responded and CSX is being contacted.

Budget Finance and Labor: President Weierman updated Council on the approval of funds transfer.

Manager DeFinis updated Council on the cash account and available cash.

3. Hearing on Ordinance #482 regarding Amendments to the Borough's Disturbing the Peace Ordinance.

Solicitor Harper opened the meeting at 7:43 PM. The Ordinance was advertised in the paper. Solicitor Harper reviewed the Disturbing the Peace Ordinance additions and changes with Council. The additions at this time are Skateboarding Prohibited in Certain Areas and the clarification of skateboard. Skateboarding is prohibited in any parking lot in the Borough, publicly or privately owned, without the written permission of the owner, and also added skateboarding Lincoln Avenue between Main Street and Market Street. Added under Unlawful Acts Enumerated, violating the skateboarding ordinance constitute disorderly conduct and/or acts disturbing the peace. The other changes are on Violations and Penalties. Any person violating any of the provisions of this chapter shall be guilty of the offense of disorderly conduct and, upon conviction thereof in a summary proceeding before any District Justice, shall be sentenced to pay a fine or penalty no less than One Hundred Dollars (\$100.00) nor exceeding Six Hundred Dollars (\$600.00) and the costs of prosecution and, in default of the payment of said fine or penalty and/or costs, shall be sentenced to imprisonment for a term not exceeding 30 days. Added in 402 Tampering with Property on Streets, Alleys, Parking Lots or Public Ground Prohibited. New items that were added trash receptacles, bike racks, clocks, artwork, and public amenities. Solicitor Harper informed Council that basically this is a criminal Ordinance and if it is not clear the courts may find the person may not have known they violated the ordinance.

President Weierman asked if there were any public comment regarding the ordinance. There were no comments.

President Weierman asked if there were any comments from Councilmembers. There were no comments.

Solicitor Harper informed Council they can now close the Hearing and take action on the Ordinance.

Motion: Councilmember Farrall made a motion to close the Hearing on Ordinance #482 regarding Amendments to the Borough's Disturbing the Peace Ordinance. The motion was seconded by Councilmember

Moyer and unanimously approved with a vote of 5-0. The hearing closed at 7:48 PM.

4. APPROVAL OF THE MINUTES:

Motion: To Approve the February 3, 2010 Comcast Hearing / Workshop Meeting and the February 17, 2010 Regular Meeting Minutes.

Motion: A motion was made by Councilmember Farrall to Approve the February 3, 2010 Comcast Hearing / Workshop Meeting and the February 17, 2010 Regular Meeting Minutes. The motion was seconded by Councilmember Moyer and unanimously approved with a vote of 5-0.

5. ANNOUNCEMENTS: Manager DeFinis made the following announcements.

- Next Council meetings are April 7, 2010 Workshop and March 21, 2010 Regular Meeting at 7:30 P.M.
- HERC is scheduled to meet March 24, 2010 at 8:00 A.M.
- The Planning Commission is scheduled to meet April 5, 2010 at 7:00 P.M.
- The Borough Offices will be closed April 2, 2010 in observance of Good Friday.

7. MANAGERS REPORT: Manager DeFinis made the following announcements: General Report and Projects Update

- Please take time over the next several months to review ordinance updates for codification.
- The Plaza ribbon cutting ceremony is tentatively scheduled for Monday, May 3, 2010. This event will coincide with the Hatfield Chamber of Commerce Business Card Mixer and the Taste of Hatfield Event. There has been a good response and sponsorship.
- Recently the Utility Delinquencies have escalated to staggering proportions. The Utilities Committee along with the Solicitor and staff are working on a solution. The Committee has been reviewing restrictions and discussed disconnections.
- The Township Parks and Recreation Department is organizing a 5 & 10 K Run, part of the course is through the Borough. No streets will need to be closed. The Event will take place on April 11, 2010.
- With the sudden about face in weather the Public Works Department will ramp up park and trail maintenance. Now that we have video surveillance in the Electric Plant Park all the monuments will return to the park, as well as the pond and waterfall being reactivated.
- Several members of staff have committed to attending webinars and seminars to better serve the Borough.

President Weierman announced that Manager DeFinis's one year anniversary is March 30 and congratulated him on the good job he has done.

Manager DeFinis thanked Council and staff for there support.

8. BROOKS INSTRUMENT PRESENTATION:

Manager DeFinis introduced Kevin Gallagher from Brooks and Mike Standeck from Meyer and Associates to make a presentation to Council. Kevin is the Vice-President of Brooks.

Kevin Gallagher, Vice President of Brooks Instruments informed Council that Brook Instruments has been at 407 W. Vine Street in the Borough of over fifty years. Brooks Instruments has recently made an acquisition of a Seven Conductor Company that is located in Texas. Brooks Instruments is considering transferring operations to the Hatfield Borough area. The transfer would potentially bring up to 100 jobs to Hatfield Borough. Brooks Instruments has been working closely with Meyer Design an architectural design firm. Mr. Meyers presented the reproductions of the proposed work and sketch plan to Council for their input. Mr. Meyers informed Council they are looking to provide a new entry to the building. The site plan layout where the addition will exist. They will try to screen all mechanical equipment. The egress area was reviewed. Mr. Meyers answered questions regarding parking and the proposed additions. Mr. Meyers informed Council they had a job fair with over 400 people showing up. Mostly local people. Mr. Meyers informed Council they will be working with a civil engineer. Solicitor Harper updated Mr. Meyers on the Land Development waiver. Mr. Meyers informed Council Brooks Instruments has 210 employees and they would run in multiple shifts. Manager Solicitor asked if Brooks Instruments would agree to post an escrow. There was no objection to posting an escrow. A discussion ensued.

9. ACTION ITEMS:

A. Motion to Appoint Deana Brower and Julian Collice to the Pool Advisory Board for four year terms to expire December 31, 2013.

Motion: A motion was made by Councilmember Farrall to Appoint Deana Brower and Julian Collice to the Pool Advisory Board for four year terms to expire December 31, 2013. The motion was seconded by Councilmember Stevens and unanimously approved with a vote of 5-0.

B) Motion to Approve Ordinance #482 Amending the Disturbing of the Peace Ordinance.

Motion: A motion was made by Councilmember Moyer to Approve Ordinance #482 Amending the Disturbing of the Peace Ordinance. The motion was seconded

by Councilmember Farrall.

President Weierman informed Council the Ordinance was advertised and there was No Public Comments.

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

C) Motion to Approve Resolution #2010-1 Authorizing Submission of an Application to the Montgomery County Revitalization Program for a Revitalization Grant to assist in funding the Hatfield Borough Business Development and Improvement Grant. .

Motion: A motion was made by Councilmember Moyer to Approve Resolution #2010-1 Authorizing Submission of an Application to the Montgomery County Revitalization Program for a Revitalization Grant to assist in funding the Hatfield Borough Business Development and Improvement Grant. The motion was seconded by Councilmember Farrall and unanimously with a vote of 5-0.

D) Motion to Authorize Final Release of Escrow Funds for the 200 Chestnut Street (Cameron) Development Project.

Motion: A motion was made by Councilmember Moyer to Authorize Final Release of Escrow Funds for the 200 Chestnut Street (Cameron) Development Project Maintenance Bond in the amount of \$5,752.00. The motion was seconded by Councilmember Farrall and unanimously approved with a vote of 5-0.

E) Motion to Approve the Road Opening Restoration Agreement and Opening an Escrow Account for this project with Ronald and Marilyn Gross of 108 East Broad Street in the amount of \$10,000.00.

Motion: A motion was made by Councilmember Moyer to Approve the Road Opening Restoration Agreement and Opening an Escrow Account for this project with Ronald and Marilyn Gross of 108 East Broad Street in the amount of \$10,000.00. The motion was seconded by Councilmember Farrall and unanimously approved with a vote of 5-0.

10. Motion to Approve Payment of the Bills. Manager DeFinis answered questions regarding the bill list.

Motion: A motion was made by Councilmember Farrall to Approve Payment of the Bills. The motion was seconded by Councilmember Moyer and unanimously approved with a vote of 5-0.

DISCUSSION ITEMS: Manager DeFinis reviewed the discussion items.

REPORTS AND CORRESPONDENCE:

- Monthly Investment Report
- Monthly EIT Report
- Police Department Report
- Fire Department Report
- Public Works Department Report
- DVRPC / TCDI Grant Application

President Weierman informed Council the Police Department Report Annual Report was a good comprehensive report.

Manager DeFinis updated Council on the TCDI Grants that were submitted. There were 84 applications and only 28 were able to be funded.

11. OTHER BUSINESS: President Weierman reviewed Other Business.

- A. Change the Planning Commission Meeting from May 3rd to May 4th.
- B. Memorial Day Parade Request.
- C. Performance Evaluation Forms
- D. Borough Association Dinner / Ambler, Bridgeport Village Caterers Montgomeryville.
- E. HTV Guidelines

Manager DeFinis informed Council the Planning Commission meeting date change will be advertised.

Manager DeFinis informed Council the Memorial Day parade will take the same route.

Motion: A motion was made by Councilmember Farrall to Approve the Memorial Day parade request. The motion was seconded by Councilmember Moyer and unanimously approved with a vote of 5-0.

President Weierman and Manager DeFinis updated Council on the Performance Evaluation Forms for the Manager and Public Works Department.

Please contact Assistant Secretary, Linda L. Watts regarding the Borough Association Dinner Meeting.

Manager DeFinis updated Council on the HTV guidelines.

Councilmember Moyer congratulated the Public Works Department on their good work.

12. ADJOURNMENT:

Motion: A motion was made by Councilmember Moyer to adjourn the meeting of March 17, 2010. The motion was seconded by Councilmember Farrall and unanimously approved with a vote of 5-0. The meeting adjourned at 8:37 PM.

Executive Session: Litigation & Personnel

Respectfully Submitted,
Linda L. Watts, Assistant Secretary

HATFIELD BOROUGH COUNCIL
WORKSHOP MEETING
April 7, 2010

MINUTES

CALL TO ORDER AND ROLL CALL:

- (X) John H. Weierman, President
- () Kenneth V. Farrall (arrived at 8:45 PM)
- (X) John Kroesser
- (X) Bryan A. Moyer
- (X) Lawrence G. Stevens

- () Mayor, Robert L. Kaler III

The record shows that four members of Council were present at roll call, as well as, Borough Manager, Michael J. DeFinis, Assistant Secretary Linda L. Watts and Solicitor, Catherine M. Harper. The media was present.

1. APPROVAL OF MEETING AGENDA:

Motion: A motion was made by Councilmember Stevens to approve the Agenda of April 7, 2010 as amended. The motion was seconded by Councilmember Kroesser and unanimously approved with a vote of 4-0.

2. ANNOUNCEMENTS: Manager DeFinis made the following announcements.

- Next Council Meeting April 21, 2010 Regular Meeting at 7:30 P.M.
- HERC will meet April 28, 2010 at 8:00 A.M. immediately followed by the Revitalization Task Force Quarterly Meeting 9:00 A.M.
- North Penn Water Authority will start the annual inspection and flushing of fire hydrants in the Borough on April 11 - April 27, 2010.
- The Planning Commission meeting date was advertised. The Planning Commission will meet on May 4, at 7:00 P.M.
- Hatfield Volunteer Fire Company 100 Anniversary list of events.
- Borough Chipping will start on May 4, 2010.

3. PUBLIC INPUT: President Weierman asked if there were any comments or questions.

There were no comments or questions. The media was present.

4. PUBLIC HEARING:

Army Corps of Engineers Sewer Lateral Repair Project.

Manager DeFinis opened the Army Corps of Engineers Sewer Lateral Repair Project at 7:40 P.M. and informed Council the Public Meeting was advertised.

Opening Remarks:

Manager DeFinis informed Council the purpose of this hearing is to introduce the Sewer Lateral Repair Project to the residents of Hatfield Borough. The project is a result of federal appropriations secured by U.S. Representative Allyson Schwartz. The Army Corps of Engineers has evaluated the proposal and addressed problems associated with the Hatfield Borough sewer collection system. The authority for this project is provided by Section 566 of the Water Resources Development Act of 1996.

The Borough intends to solve the problem of inflow and infiltration into their wastewater collection system in order to improve quality within the municipality and prevent continued degradation of the existing environment.

The measures evaluated in the Environmental Assessment are:

1. No Action
2. Reline Lateral Lines
3. Repair / Replace Lateral Lines

The Borough Utilities Committee has reviewed the recommendation from the Engineer Mark Mattucci (Bursich) and Borough Manager to RELINE as many lateral lines as possible with the grant dollars provided. It has been determined this process would be the most cost effective. A Map is attached of the area that the Borough intends to address. Manager DeFinis reviewed the map and the Southeast area to be addressed. Sometimes during major rain events properties have sewage backups on their property. It has not been identified at any other locations in the borough. The Southeast area was selected due to the sewage back up issue.

Manager DeFinis reviewed the map and informed Council the Environmental Assessment Commentary comes to an end on April 11, 2010. Borough Engineer Mark Mattucci is putting together the bid specs and bid package for the time frame for that to go out so the Borough get the bid out on the street and have the project done by the end of the year.

Manager DeFinis answered questions regarding the selected areas and how much to budget for in the future to develop an in house project.

Solicitor Harper informed Council that the relining of the sewer laterals virtually has no impact to the property.

Manager DeFinis informed Council there is a process to remove the roots and reline the lateral.

Manager DeFinis present the following Exhibits.

Proof of Publication, Borough 1
Lateral Repair Location Map, Borough 2
Informer Newsletter, Borough 3
CET Engineering Services, Borough 4
Environmental Resources Branch, Minas M. Arabatzis, Borough 5

Public Input:

Manager DeFinis asked if there were any Public Comment. There was no Public Comment.

Closing Remarks:

Manager DeFinis informed Council the Borough will perform the majority of work for this effort with reimbursements from the Corps of Engineers for the Federal 75% cost share of the project. The Borough of Hatfield will be responsible for 25% of the cost share.

Motion to Adjourn the Hearing:

Motion: A motion was made by Councilmember Moyer to Close the Army Corps of Engineers Sewer Lateral Repair Project Public Meeting. The motion was seconded by Councilmember Stevens and unanimously approved with a vote of 4-0. The meeting adjourned at 7:50 P.M.

5. REPORTS FROM STANDING COMMITTEES:

Public Safety: Councilmember Moyer informed Council the Public Safety Committee met April 7, 2010 and reviewed Borough issues.

Manager DeFinis informed Council the Public Safety Committee reviewed the lay-out of the business owners' rules and regulations signs.

Lieutenant Tierney informed Council the Hatfield Township Police Department held a truck safety stop in the Borough on Market Street. Thirty trucks were stopped for illegal violations with 24 citable violations.

Manager DeFinis updated Council on the lay-out of the signs, the park rules signs, business owners signs and the Park Dedication was discussed at the Public Safety meeting. Manager DeFinis thanked Lieutenant Tierney and the Hatfield Township Police Department for their hard work and informed him the Police Department efforts are appreciated

HERC Committee: Councilmember Stevens informed Council at the last HERC Committee meeting members discussed and reviewed the new Business Development Enhancement Guidelines that would help business owners renovate the interior and exterior of their businesses.

Councilmember Stevens informed Council HERC is also looking at a draft for a small façade grant program, something new utilizing HERCs funds only that HERC can make a more business friendly process for smaller projects under \$3,000.00.

Manager DeFinis informed Council HERC has been very generous and is very forward thinking regarding the revitalization process.

6. **MANAGERS REPORT**: Manager DeFinis made the following announcements:
General Report and Projects Update

- Please take time over the next several months to review ordinance updates for codification.
- The Hatfield Chamber of Commerce business card mixer, Plaza Dedication Ribbon Cutting Ceremony and Taste of Hatfield for Monday May 3rd planning is complete. Staff, business owners and the Police Department are all working together to implement the final plan. The press release will be coming out notifying of the event. The number of attendees is at twenty and growing. The Borough has committed to fill our sponsorships of the program and some dollars from HERC and the Borough to underwrite the cost for the restaurants. Any out of pocket cost will be incurred by the program. There is no cost for any business to show up. The only cost they would have is items they would want to give out. Manager DeFinis updated Council on the schedule of event times.
- Hatfield Borough recently submitted a Business Development Grant to the Montgomery County Revitalization Board. I will keep you informed of our status. The grant has been received by the County.
- During the recent water disconnect process for delinquent sewer accounts several connections were found to be deficient. Borough staff and the North Penn Water Authority staff are working together to resolve these issues.
- Comcast negotiations are continuing at a very slow pace. Geoff Thompson from Collegeville has asked the attorney several times to ramp up the speed on the process.
- PENN DOT has conducted a signal study at Main & Broad Street. The Department recommends revising the timing in the controller at this time. This would require the Borough's technician to program the new timings into the controller. We should receive the revised signal permit plan in a few weeks.

7. **ACTION ITEMS**:

- A. Motion to Approve Closing East Lincoln Avenue from below the Trolley Stop Parking Lot entrance to the corner of Market, East Broad Street and East Lincoln Avenue for the Taste of Hatfield event May 3, 2010 from 3:30 PM to 8:30 PM.

Motion: A motion was made by Councilmember Moyer to Approve Closing East Lincoln Avenue from below the Trolley Stop Parking Lot entrance to the corner of Market, East Broad Street and East Lincoln Avenue for the Taste of Hatfield event May 3, 2010 from 3:30 PM to 8:30 PM. The motion was seconded by Councilmember Kroesser.

Manager DeFinis answered questions regarding the Trolley Stop Parking Lot entrance closing and parking locations.

The motion was approved with a vote of 4-0-1.

8. DISCUSSION ITEMS:

- Zoning Modifications / Simone Collins
- Grant Application / Adjustment to Budget
- Ordinances Updates / No parking Zones U&O for Resale Properties
- Memorial Day Parade Permit
- Storm Water project at West Vine and Edgewood
- Hatfield Fire Co. Golf Outing
- Montgomery County Borough Association Dinner / Narberth
- Fee Schedule
- Consortium Bylaws

Zoning Modifications / Simone Collins: Manager DeFinis turned the floor over to Peter Simone of Simone Collins.

Mr. Simone reviewed the three zoning districts, corrected zoning map changes and ordinance with Manager DeFinis, Council and Solicitor Harper. Solicitor Harper informed Council from a procedural point of view it would be better to enact a new ordinance.

Mr. Simone reviewed and answered questions regarding the following changes and additions in language.

- Conditions for allowing an outdoor dining area for restaurants as a conditional use or a by-law.
- New amount fee in lieu of parking space. Manager DeFinis updated Council on the cost per space and the number of parking spaces required by grant. A discussion ensued.
- Language relating to Guidelines in the Central Business District. Solicitor Harper will strength the language.
- Review of language in the Commercial District.
- Building guidelines.

- Core Commercial membership clubs.
- Correction of alleys listed as streets.
- Permitting conversions on existing buildings and CBD guidelines and special exceptions and verbiage.
- Signage review in the CBD, building form and construction of new and existing buildings.
- Industrial structure - reviewed basic guidelines and roof lines, including porches and additions of a new building and acceptable and unacceptable material.

Grant Application / Adjustment to Budget: Manager DeFinis updated Council and answered questions relating to restructuring of the budget. Only the line items would be changed and not the bottom line.

Ordinance Updates / No Parking Zones U&O for Resale Properties: Manager DeFinis informed Council Borough Engineer Mark Mattucci is working on and will do the zoning map.

Manager DeFinis informed Council the Fire Marshal and Chief recommended U&O for inspection of properties after resale due to safety concerns. A discussion ensued.

Memorial Day Parade Permit: Manager DeFinis informed Council the parade permit has been submitted.

Storm Water project on West Vine and Edgewood: Manager DeFinis informed Council the Borough's portion will be bid out. The Public Works Department will do from the curb back.

Hatfield Fire Co Golf Outing: Manager DeFinis will inform the Fire Co four members of Council will participate.

Montgomery County Borough Association Dinner / Narberth: Manager DeFinis informed Council the Dinner/Meeting is April 22 and hosted by Narberth.

Montgomery County Consortium of Communities Articles of Agreement: Manager DeFinis informed Council the Articles of Agreement are enclosed.

Fee Schedule: Manager DeFinis updated Council and answered questions on the fee schedule. Solicitor Harper updated Council on the collection of all fees and by resolution.

9. NEW BUSINESS: There was no new business.

ADJOURNMENT:

Motion: A motion was made by Councilmember Moyer to adjourn the meeting of April 7,

2010. The motion was seconded by Councilmember Farrall and unanimously approved with a vote of 5-0. The meeting adjourned at 9:15 PM.

Executive Session:

Respectfully Submitted,
Linda L. Watts, Assistant Secretary

HATFIELD BOROUGH COUNCIL
REGULAR MEETING
April 21, 2010

MINUTES

CALL TO ORDER AND ROLL CALL:

- (X) John H. Weierman, President
- (X) Kenneth V. Farrall
- (X) John Kroesser
- (X) Bryan A. Moyer
- (X) Lawrence G. Stevens

- (X) Mayor, Robert L. Kaler III

The record shows that five members of Council were present at roll call, as well as Mayor Robert L. Kaler III, Borough Manager Michael J. DeFinis and Solicitor Catherine M. Harper.

1. APPROVAL OF MEETING AGENDA:

Motion: A motion was made by Councilmember Farrall to approve the Agenda of April 21, 2010 as amended with the addition of Resolution # 2010-2, Sewer Lateral update, and the removal of Didden's Sketch Plan discussion. The motion was seconded by Councilmember Moyer and unanimously approved with a vote of 5-0.

President Weierman surprised Councilmember Larry Stevens with Resolution # 2010-2 declaring him the recipient of the PA Borough Council Association "Outstanding Councilmember of the Year Award". The resolution states the many accomplishments and activities, along with the countless committees and civic organizations that Councilmember Stevens has been a vital member of. (According to many, it is easier to say what Larry doesn't do, rather than what he does do.)

Along with the press, also present were his wife Debbie, his 2 daughters, and many friends. The actual award will be presented to him at the conference in Pittsburgh on April 27, 2010.

Congratulations to Larry for this momentous occasion in a lifetime of commitment and service to the residents of the Borough of Hatfield!

2. PUBLIC INPUT: President Weierman asked if there were any questions or comments. There were none.

3. APPROVAL OF THE MINUTES:

Motion: To Approve the March 3, 2010 Workshop Meeting and the March 17, 2010 Regular Meeting Minutes.

Motion: A motion was made by Councilmember Farrall to Approve the March 3, 2010 Workshop Meeting and the March 17, 2010 Regular Meeting Minutes. The motion was seconded by Councilmember Moyer and unanimously approved with a vote of 5-0.

4. ANNOUNCEMENTS: Manager DeFinis made the following announcements.

- Next Council meetings are May 5, 2010 Workshop and May 19, 2010 Regular Meeting at 7:30 PM
- HERC is scheduled to meet Wednesday April 28, 2010 at 8:00 AM
- The Revitalization Task Force quarterly meeting is scheduled for Wednesday April 28, 2010 at 9:00 AM
- The May 3rd Planning Commission meeting has been rescheduled for Tuesday May 4, 2010 at 7:00 PM. This was advertised and also posted on the Conference Room door.

5. REPORTS FROM STANDING COMMITTEES AND MAYOR:

Recycling: Mayor Kaler updated Council on the Borough's receipt of a check in the amount of \$7,116.88 for the 2007 Grant Money Distribution from the Northern Montgomery County Recycling Commission. A breakdown of all municipalities and their share of the disbursement was enclosed in the packet.

He was recently questioned by a resident about trash pick-up along the Liberty Bell Trail. He suggested we add a few more trash receptacles, specifically by Mom's Water Ice and at the end of Butler Avenue. We may even be able to do this without the use of grant money.

He also noted that in honor of Local Government Week, he attended a function at St. Maria Goretti and spoke to the 3rd grade class about local government. It was a very enjoyable day.

6. MANAGERS REPORT: Manager DeFinis made the following announcements:

General Report and Projects Update

- Please take time over the next several months to review ordinance updates for codification.
- The Taste of Hatfield, Plaza Dedication/Ribbon Cutting Ceremony, and Chamber of Commerce business card mixer is set for Monday, May 3rd from 4 to 8 pm. Staff, business owners and the Police are all working together to implement the final plans. The road will be closed from 3 to 9 PM, and a press release has been sent out.

- The Borough is scheduled to present their Implementation Application to the Montgomery County Revitalization Board on May 4, 2010.
- Residents were notified April 6th to pay their delinquent and current electric bill by April 15th. Failure to pay would result in disconnect of electric on April 19th. Residents with current payment plans will not be disconnected. A copy of the notice is in packet.
- Comcast negotiations are continuing at a very slow pace. Geoff Thompson from Collegeville has asked the attorney several times to ramp up the speed of the process. A meeting is scheduled for Monday.
- PENN DOT has released the work order for placement of the 102” trailer restriction signs through Hatfield Borough. The signs will be placed by PENN DOT in locations to give truck drivers access to roads around the Borough. We are waiting to hear from PENN DOT as to which roads and trucks are affected. We will act in support of their decision.

7. ACTION ITEMS:

Motion to Approve Resolution # 2010-3 Accepting the Montgomery County Consortium of Communities Articles of Agreement.

Motion: A motion was made by Councilmember Farrall to Approve Resolution # 2010-3 Accepting the Montgomery County Consortium of Communities Articles of Agreement. The motion was seconded by Councilmember Moyer and unanimously approved with a vote of 5-0.

8. Motion to Approve Payment of the Bills for April.

Motion: A motion was made by Councilmember Farrall to Approve Payment of the Bills. The motion was seconded by Councilmember Moyer and unanimously approved with a vote of 5-0.

DISCUSSION:

REPORTS AND CORRESPONDENCE:

- Monthly Investment Report
- Monthly EIT Report
- Police Department Report
- Fire Department Report
- Public Works Department Report

President Weierman informed Council the EIT transfer this year is less than last year, although we are on track to collect what was budgeted. Berkheimer is doing an analysis.

Police Chief Toomey and Lt. Tierney reported to Council that there will be 3 officers present for the Taste of Hatfield event.

Solicitor Harper questioned whether or not the ordinance for disturbing the peace was working. Lt. Tierney would have to look into specific instances, but in general, things have been calm.

It was also questioned whether someone could ever be “banned” from public parks. Chief Toomey stated that the penalty would be determined by the type of charge held against an individual. He explained that the police have a Youth Aid Panel which could make recommendations such as suspension of a fine combined with community service and an agreement to never go into the park. This panel, however, would not be effective for the more serious and/or repeat offenders.

Mayor Kaler stated that he has heard many complaints from residents who are fed up with the troublemakers, and he is concerned that someone could get hurt. Chief Toomey suggested the Borough catalog every instance (from simple to serious) for every public area. This will give the police more of a grasp as to what’s happening and where. He explained that he understands the Borough’s frustration, but we must be judicious in our approach to a solution.

Chief Toomey also expressed to Council his concern with “social networking” and the possibility of “Flash Mobs”. While this could become a significant problem in the future, he assured Council they are looking at the repercussions very closely.

9. OTHER BUSINESS: President Weierman reviewed Other Business.

- A. Firefighter Workers Comp Ordinance
Will be considered at the May 19, 2010 Regular Meeting
Ordinances sent to Montgomery Planning Commission for review
Solicitor Harper will advertise.
- B. Didden’s Greenhouse Sketch Plan will be discussed at next meeting.
- C. Planning Commission Vacancy
Council (reluctantly) accepted the resignation of Joe Gadaleta from the Planning Commission effective July 1, 2010, and thanked him for his many years of service.
- D. Sewer Lateral Time Frame
 - Bid document preparation completed by June 2, 2010.
 - Bid opening will be in early July, and awarded in August
 - Work to start in September and completed by mid to late Fall (weather permitting)

10. ADJOURNMENT:

Motion: A motion was made by Councilmember Moyer to adjourn the meeting of April 21, 2010. The motion was seconded by Councilmember Farrall and unanimously approved with a vote of 5-0. The meeting adjourned at 8:33 PM.

Executive Session: Litigation & Personnel

Respectfully Submitted,
Christine Calhoun, Information Coordinator

HATFIELD BOROUGH COUNCIL
WORKSHOP MEETING
May 5, 2010

MINUTES

CALL TO ORDER AND ROLL CALL:

- (X) John H. Weierman, President
 - (X) Kenneth V. Farrall
 - (X) John Kroesser
 - () Bryan A. Moyer
 - (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, Borough Manager, Michael J. DeFinis, Solicitor, Catherine M. Harper and Assistant Secretary Linda L. Watts. The media was not present.

1. APPROVAL OF MEETING AGENDA:

Motion: A motion was made by Councilmember Stevens to approve the Agenda of May 5, 2010 as amended. The motion was seconded by Councilmember Farrall and unanimously approved with a vote of 4-0.

2. ANNOUNCEMENTS: Manager DeFinis made the following announcements.

- Next Council Meeting May 19, 2010 Regular Meeting at 7:30 P.M.
- HERC will meet May 26, 2010 at 8:00 A.M. The Committee is looking to have a wrap up meeting with the vendors that participated in the May 3, 2010 Taste of Hatfield and Chamber Business Card Exchange. The event was well attended.

3. PUBLIC INPUT: President Weierman asked if there were any comments or questions.

There were no comments or questions. The media was not present.

5. REPORTS FROM STANDING COMMITTEES:

Public Safety: Lieutenant Tierney introduced Hatfield Townships new Police Officer Scott Nowetner. Scott was a Police Officer with the University of Pennsylvania.

Officer Nowetner introduced himself to Council. Lieutenant Tierney and Officer Nowetner informed Council the May 3 event went very well and was well attended.

There were no incidents and everyone seemed to be enjoying themselves and having a nice time.

Recycling: Mayor Kaler, III informed Council there was a recycling meeting on May 4, 2010.

Solicitor Harper informed Council there is another issue with another Township that has a burning ordinance. Representative Godshall has been contacted and will have a meeting with DEP and the Township regarding the open burning issue. The consensus of the DEP is if you allow burning you are burning recyclables, which is against the law, therefore the DEP can keep the money. A discussion ensued.

4. Special Presentation By State Senator Stewart Greenleaf

The Honorable State Senator Stewart Greenleaf presented Councilmember Lawrence G. Stevens with the State Senate of Pennsylvania Certificate of Recognition adopted unanimously and signed by the Secretary of the Senate for Councilmember Stevens many achievements and being chosen by the 2010 Outstanding Council Member of the Year by the Pennsylvania Borough Council Association. Senator Greenleaf congratulated Councilmember Stevens and informed Hatfield Borough Council it is quite an honor to be chosen for this prestigious award.

Senator Greenleaf answered questions on the Wambold Road project as well as the connection between 309 and Allentown Road project. Senator Greenleaf informed Council he would make it his priority regarding the truck traffic coming through the borough.

Senator Greenleaf updated Council on roadwork, infrastructure and repairing of bridges. .

May 3, 2010 Taste of Hatfield Even: President Weierman informed Council Borough resident, Joe Gadaleta congratulated the borough on a well attended and planned Taste of Hatfield and the Hatfield Chamber Business Card Event.

Manager DeFinis informed Council there were \$2,100.00 in sponsorships for the event and the total expense that were covered by the Borough were \$2,056.60. HERC will reimburse the restaurants for their cost, that will be part of the meeting scheduled for May 26 meeting. The Borough will cover the business card exchange. The budget process worked out well.

Councilmember Stevens thanked Council for sponsoring the Business Card Exchange. Several new members will be picked up during the event.

President Weierman informed Council HatTricks ramp, deck and fence was very nice and had a good attendance.

6. MANAGERS REPORT: Mr. DeFinis made the following announcements:

- Please take time over the next several months to review ordinance updates for codification. We are close to the ordinance and codification. Manger DeFinis has been in contact with Keystate Publishers.
- Comcast negotiations are crawling to conclusion. I have contacted the law firm doing the negotiations and asked for a cost estimate to negotiate the pole attachment fee component of the agreement. I have contacted the attorney from the Cohen Group and asked them for an estimate negotiating the pole attachment fee. Lansdale Borough would like to share the cost. The Cohen Group has been made aware that we are not happy with the negotiator, and an outside contractor may be needed to negotiate the pole attachment fee. A discussion ensued.
- Founder's Day is quickly approaching. VOLUNTEERS are needed. Please contact your neighbors and friends for help with this event.
- In your packets is the West Vine Street Storm Water Project schedule. As previously discussed the road portion of the project will go out for bid. Materials for the section the Borough Public Works Dept is constructing will be purchased through various piggyback bids.
- Spring clean up of the streets and parks is in full swing. Due to Monday's festivities the Chipping program was delayed one day. I have instructed the Public Works Director to prioritize a list of areas for stream clean up. I will contact all necessary agencies for guidelines and procedure policies. Manager DeFinis updated Council on the old crank shaft fire truck that is stuck in the streambed. The stream banks are eroding away. A discussion ensued.

Solicitor Harper updated Council on stream bank restoration grants.

- Taste of Hatfield wrap up meeting immediately following the HERC meeting on May 26, 2010.
- Keep your calendars open for Harvest Day scheduled for early October. Harvest Day is tentatively scheduled for October 9, 2010. Rocktoberfest is October 2, 2010 at Snyders. The borough will set up a table at Rocktoberfest.

7. ACTION ITEMS:

- A. Motion to advertise an Ordinance deleting certain provisions relating to fee and amending other provisions to refer to the setting of authorized fees by the way of a Consolidated Fee Schedule to be adopted by Resolution of Council.

Motion: A motion was made by Councilmember Farrall to approve advertising an Ordinance deleting certain provisions relating to fee and amending other provisions to refer to the setting of authorized fees by the way of a Consolidated Fee Schedule to be adopted by Resolution of Council. The motion was seconded by Councilmember Stevens.

Solicitor Harper informed Council this is the fee ordinance the whole idea was to make sure every fee drafted can be subject to change by resolution.

Manager DeFinis and Solicitor Harper answered questions regarding plumbing fees, burning permit fees, property transfer certification fee and language. Manager DeFinis and Solicitor Harper will check with Hatfield Township regarding a false alarm fee.

The motion was approved with a vote of 4-0.

B. Motion to Approve Resolution #2010-04 Appointing Linda Watts as the Human Resource Manager for Hatfield Borough.

Manager DeFinis informed Council the Resolution requirements are as suggested by DVIT.

Motion: A motion was made by Councilmember Stevens to Approve Resolution #2010-04 Appointing Linda Watts as the Human Resource Manager for Hatfield Borough. The motion was seconded by Councilmember Farrall.

Manager DeFinis informed Council the discussion was whether to hold Linda Watts totally responsible for the Human Resources and the Borough Manager to have no responsibilities for Human Resources, and since Linda Watts is the Manager's Assistant Secretary so she can do things in my behalf when I am not here I should be Assistant Human Resource Manager so that I will be responsible and then we will both all have the records and communication.

Solicitor Harper suggested amending the first WHEAREAS in the Resolution to include "Under the Supervision of the Borough Manager", so if there is a situation we can send Manager DeFinis, if the situation would warrant instead of Linda Watts.

The motion was unanimously approved with a vote of 4-0.

C. Motion to Approve Resolution #2010-05, Walter F. Hutt Memorial Award and Mayoral Proclamation.

Motion: A motion was made by Councilmember Farrall to approve Resolution #2010-05, Walter F. Hutt Memorial Award and the Mayor Proclamation. The motion was seconded by Councilmember Stevens and unanimously approved with a vote of 4-0.

8. DISCUSSION ITEMS:

- Zoning Modifications
- Grant Application Presentation

- Ordinances Updates / Stop Signs – Including Columbia Ave & Lincoln Ave, No Parking zones, Support of PENN DOT Truck Turning Restrictions, No Tractor Trailers on Lincoln Avenue, U&O for Resale Properties, Fire Fighter Workers Comp, SALDO Amendments Garages and Plan review time line and Garage Sale Permits.
- Storm Water project at West Vine and Edgewood
- Montgomery County Borough Association Dinner May 27th.
- North Penn Water Authority Banquet May 27th.
- Candidates for the Planning Commission.
- Creative Fuels
- Montgomery County Review & Correction Letter

Zoning Modifications: Manager DeFinis informed Council Peter Simone will send Solicitor Harper all the recommendations from the last three Council meetings. The zoning modification map has been mailed to Borough Engineer, Mark Mattucci.

Grant Application Presentation: Manager DeFinis informed Council the grant presentation on May 6, 2010 was well received. Members of the Committee congratulated Manager DeFinis and Council on the May 3 event and gave further recommendations on other sources to put in for grants.

Ordinance Updates / Stop Signs: Manager DeFinis reviewed the ordinance for stops sign including Columbia and Lincoln the no parking zones around the borough including the new no parking on East Lincoln and implementing the Heather Meadows issues.

Solicitor Harper updated Council on the Heather Meadows No Parking.

Manager DeFinis updated Council on the information the Borough received from PennDOT which is relative to this Ordinance. The reason we are including the support of PennDOT is because if it is in the Ordinance the Police can enforce it. Manager DeFinis Informed Council it was also discussed putting no trucks on Lincoln Avenue between Main and Market Street, because if they come up Market they can make a left or a right on Main Street from Lincoln Avenue thus avoiding the Broad Street / Main Street issue that PennDOT has already enacted.

Fire Fighter's Workers Comp. Ordinance: Solicitor Harper informed Council the Fire Fighter's Workers Compensation Ordinance is advertised for next week and updated Council on the circumstances under which a fire fighter can be insured while in the line of duties and activities. Solicitor Harper will work on the language. A discussion ensued.

Ordinance Amending the Existing Zoning Ordinance Regarding Parking Space Design for Multi Family, Two Family, and Attached Dwellings: Solicitor Harper updated Council on the desire to clarify the intent and meaning of the existing zoning ordinance regulating the ability to count a parking space within a garage as a required

parking space for multifamily, tow family, and other attached residential buildings in order to exclude the space within the garage from the calculation. A discussion ensued.

Subdivision and Land Development: Solicitor Harper updated Council on the Subdivision and Land Development Ordinance suggested by the Montgomery County Planning Commission. It lengthens the time between when people submit plans and when they get on the Planning Commission agenda. The plan submission date will be stamped on the plan and the application for final plan approval shall be placed on the agenda for the next regularly scheduled meeting of the Borough Planning Commission no less than ten (10) day following the plan submission date.

Yard Sale Permits: Manager DeFinis informed Council that there are several places in the Borough that have constant yard sales. It was brought to the attention of Staff. The Planning Commission is not receptive this at all. So because of the fact this will be addressed thorough business codes. Code Enforcement Officer Randy Yardiuman will review the process.

Storm Water Project at West Vine and Edgewood: Manager DeFinis informed Council Borough Engineer Mark Mattucci forwarded the estimated schedule for the West Vine Street Drainage project. The bid document preparation to be completed by May 19, 2010 For consideration at the May Borough Council meeting. Bids could be advertised within one week of receipt of comments and / or approval of the bid document, May 26, 2010. Bid opening, review, and recommendation could be completed by mid June for consideration at the June Borough Council meeting. A discussion ensued.

Montgomery County Borough Association Dinner/Meeting: Manager DeFinis informed Council the Montgomery County Boroughs Association Dinner Meeting and the North Penn Water Authority Banquet are May 27, 2010.

Candidates for the Planning Commission: Manager DeFinis updated Council Stephen E. Keib has expressed his interest in serving on the Planning Commission.

Hearing Notice – Creative Fuels, LLC: Manager DeFinis updated Council on the application of Creative Fuels, LLC, which requests a variance from Section 282-145.0 to permit processing of solid waste, a waste separation/processing use , on the property located at 3030 Unionville Pike. The company would take refuse and turn it into piece of combustibile logs that would be burned in a steam plant in Collegeville. They would covert it all day long and transport at night, twenty four hours a day. A discussion ensued.

9. NEW BUSINESS: There was no new business.

ADJOURNMENT:

Motion: A motion was made by Councilmember Kroesser to adjourn the meeting of May 5, 2010. The motion was seconded by

Councilmember Farrall and unanimously approved with a vote of 4-0. The meeting adjourned at 9:17 PM.

Executive Session:

Respectfully Submitted,
Linda L. Watts, Assistant Secretary

HATFIELD BOROUGH COUNCIL
WORKSHOP MEETING
May 19, 2010

MINUTES

CALL TO ORDER AND ROLL CALL:

- (X) John H. Weierman, President
 - (X) Kenneth V. Farrall
 - (X) John Kroesser
 - () Bryan A. Moyer (arrived at 8:15 P.M.)
 - (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, Borough Manager, Michael J. DeFinis, Solicitor, Catherine M. Harper and Assistant Secretary Linda L. Watts.

1. APPROVAL OF MEETING AGENDA:

Motion: A motion was made by Councilmember Stevens to approve the Agenda of May 19, 2010 as amended. The motion was seconded by Councilmember Farrall and unanimously approved with a vote of 4-0. The media was present.

2. PUBLIC INPUT: President Weierman asked if there were any comments.

Chief, Robert L. Kaler, IV introduced Andrew Monaghan, Lieutenant, of the Hatfield Volunteer Fire Company.

Chief Kaler informed Council the members of the Hatfield Volunteer Fire Department discussed the ordinance the Borough is going to adopt for Workers Compensation. Chief Kaler thanked Council for putting together the ordinance and working with the Hatfield Volunteer Fire Department. Members would like the ordinance adopted as advertised.

Solicitor Harper informed Chief Kaler pointed out changes that were made to the Ordinance after it was advertised to make it clearer. A discussion ensued.

Chief Kaler informed Council the ordinance should be adopted as first advertised without the changes. A discussion ensued.

President Weierman informed Council additional comments will be heard during the Hearings.

4. PUBLIC HEARING:

- A. Ordinance #483 – Provisions Relating to Fees
- B. Ordinance #484 – Workers Compensation
- C. Ordinance #485 – Zoning: Parking Space Requirement
- D. Ordinance #486 – Subdivision & Land Development

President Weierman called the Public Hearing to Order at 7:43PM.

A. Ordinance #483 – Provisions Relating to Fees

Solicitor Harper informed Council Ordinance #483 allows for the borough to have consolidated fees schedule that can be changed by Resolution. The fees can be grouped in one place and then the Borough is going to provide that in the future the fees can be changed by resolution instead of another ordinance. The fees will be readily available during the budget process. The fees in the future can be left the same or adjusted by resolution. Council can take action on Ordinance #483 but not the Resolution at this time.

Solicitor Harper asked Linda Watts, Assistant Secretary if there is Proof of Publication for Ordinance #483. Ms. Watts informed Solicitor Harper the Proof of Publication is attached.

President Weierman asked if any Councilmembers have questions regarding Ordinance #483. There were none.

President Weierman asked if there were any Public comments or questions. Hearing no comments or questions President Weierman continued the Hearing to Ordinance #484.

B. Ordinance #484 – Workers Compensation

Solicitor Harper informed Council Ordinance #484 is the Worker's Compensation Ordinance requested by the Hatfield Volunteer Fire Company. It is in a format given to the Borough by Hatfield Township and suggested by Delaware Valley Insurance Trust that provides for Worker's Compensation. Presently the Borough does provide Worker's Compensation if a firefighter is injured in the line of duty, but sometimes a firefighter does something else like marching in a parade, working on the equipment or participating in training or drills. A question has come up in some places a firefighter injured while doing some of those things is not exactly holding a hose and aiming at a fire is that covered by Worker's Compensation. Solicitor Harper reviewed Section 2 of Ordinance #484 to Council and Chief Kaler. The ordinance is suppose to avoid a law suit if a firefighter gets injured while doing something that is part of his volunteer firefighting duties, but is not exactly fighting a fire.

Solicitor Harper asked Linda Watts, Assistant Secretary if there is Proof of Publication for Ordinance #484. Ms. Watts informed Solicitor Harper the Proof of Publication is attached.

President Weierman asked if any Councilmembers have questions regarding Ordinance #484. There were none.

President Weierman asked if there were any Public Comments or questions.

Chief Kaler asked Solicitor Harper to clarify Section 8 of the Ordinance. A discussion ensued.

Solicitor Harper updated and answered questions on the Fireman Relief Association and the Ladies Auxiliary. A discussion ensued.

Chief Kaler informed Council that the Volunteer Fire Department has to carry a separate policy for the Ladies Auxiliary because they are not covered under the Borough's Worker's Compensation Policy. A discussion ensued.

Solicitor Harper informed Chief Kaler that she would need to see the Relief Association documents and proof that the Ladies Auxiliary are members of the Volunteer Fire Company. Solicitor Harper will contact Delaware Valley Insurance Trust.

President Weirman informed Council Ordinance #484 is complete.

President Weierman continued the Hearing to Ordinance #485.

C. Ordinance #485 – Zoning: Parking Space Requirement

Solicitor Harper informed Council Ordinance #485 provides that for multifamily dwellings, two family or duplex dwellings or attached residential dwellings, a parking space may be provided within the garage or outside it. For multifamily dwellings, two family or duplex dwellings or attached residential dwellings, any space within a garage shall not be counted toward the required off-street parking capacity under section 1002 of this Ordinance. Each outside parking space shall be a minimum of ten feet by twenty feet in size, exclusive of interior driveways, and shall be paved with an all-weather surface, according to the requirements of the Borough's engineering standards.

Solicitor Harper asked Linda Watts, Assistant Secretary if there is Proof of Publication for Ordinance #485. Ms Watts informed Solicitor Harper the Proof of Publication is attached.

President Weierman asked if any Councilmember have questions regarding Ordinance #485. There were none.

President Weierman asked if the Public has any comments or questions. There were none.

President Weierman continued the Hearing to Ordinance #486.

D. Ordinance #486 – Subdivision & Land Development

Solicitor Harper informed Council Ordinance #486 was suggested by the Planning Commission and Councilmember Stevens who is a member of the Planning Commission,

to change the submission date of plans from seven days before the Planning Commission to ten days in order to give the Borough Engineer time to review the plans.

Solicitor Harper asked Linda Watts, Assistant Secretary if there is Proof of Publication for Ordinance #486. Ms. Watts informed Solicitor Harper the Proof of Publication is attached.

President Weierman asked if any Councilmember have questions regarding Ordinance #486. There were none.

President Weierman asked if the Public has any questions or comments. There were none.

Hearing none President Weierman asked for a motion to close the Hearings.

Motion: A motion was made by Councilmember Farrall to Close the Hearing of May 19, 2010. The motion was seconded by Councilmember Stevens and unanimously approved with a vote of 4-0. The Hearing closed at 8:03 P.M.

5. APPROVAL OF THE MINUTES:

Motion to approve the Workshop Meeting of April 7, 2010 and the Regular Meeting Minutes of April 21, 2010.

Motion: A motion was made by Councilmember Farrall to approve the Workshop Meeting Minutes of April 7, 2010 and the Regular Meeting Minutes of April 21, 2010. The motion was seconded by Councilmember Stevens and unanimously approved with a vote of 4-0.

6. ANNOUNCEMENTS: Manager DeFinis made the following announcements.

- Next month's Council meeting is June 16, 2010 Workshop / Regular Meeting at 7:30 P.M. The Borough meetings will be on the summer schedule.
- HERC is scheduled to meet May 26, 2010 8:00 A.M. The wrap up Taste of Hatfield meeting will follow.
- The Planning Commission is scheduled to meet June 7, 2010 @ 7:00 P.M.
- The Borough Offices will be closed May 31, 2010 in observance of Memorial Day.

7. REPORTS FROM STANDING COMMITTEES AND MAYOR:

Recycling: Mayor Kaler, III, informed Council he gave a presentation to the third graders at St. Marie Goretti School. The children had some interesting questions.

Public Safety: Lieutenant Tierney informed Council the Police Report was normal.

7. MANAGERS REPORT: Manager DeFinis made the following announcements:
General Report and Projects Update

- Please take time over the next several months to review ordinance updates for codification.
- Founder's Day is quickly approaching. VOLUNTEERS are needed. Please contact your neighbors and friends for help with this event.
- The spring chipping program is complete. The Public Works department made one last sweep of the Borough after the windy weekend. The Program is done until fall.
- Taste of Hatfield wrap up meeting immediately following the HERC meeting May 26th, 2010.
- Keep your calendars open for Harvest Day scheduled for early October 9, 2010.
- The West Vine Street Stormwater project bid package is ready for discussion and advertising.
- The Sewer Lateral repair project should be ready to go out to bid at the June 16th meeting.
- The Borough's 2010 first quarter Non-Uniformed Pension investment report and the Annuity Retirement Plan are available for Council review.
- The Larson Allen audit along with the review, recommendations and scope of audit letters are complete and delivered. I would like to thank Diane Farrall for all her work on this project, and all Staff contribution for pulling together.

9. ACTION ITEMS:

A). Motion to Ordinance #483 - Provisions Relating to Fees.

Motion: A motion was made by Councilmember Stevens to Approve Ordinance #483 – Provisions Relating to Fees. The motion was seconded by Kroesser.

President Weierman asked if there were any comments or questions. There were none.

The motion was unanimously approved with a vote of 4-0.

B) Motion to Approve Ordinance #484-Worker's Compensation.

It was the consensus of Council to take no action on Ordinance #484 and table to the June 19, 2010 meeting.

Motion: A motion was made by Councilmember Farrall to Table Ordinance #484 – Worker's Compensation to the June 19, 2010 meeting. The motion was

seconded by Councilmember Kroesser.

President Weierman asked if there were any comments or questions. There were none.

The motion was unanimously approved with a vote of 4-0.

C) Motion to Approve Ordinance #485 - Zoning: Parking Space Requirement.

Motion: A motion was made by Councilmember Farrall to Approve Ordinance #485 – Zoning: Parking Space Requirement. The motion was seconded by Councilmember Kroesser.

President Weierman asked if there were any comments or questions. There were none.

The motion was unanimously approved with a vote of 4-0.

D) Motion to approve Resolution #2010-06 – Consolidated Fee Schedule – Consolidated Fee Schedule.

Motion: A motion was made by Councilmember Farrall to Table Resolution #2010-06 – Consolidated Fee Schedule to the June 19, 2010 meeting. The motion was seconded by Councilmember Stevens.

President Weierman asked if there were any comments or questions. There were none.

The motion was unanimously approved with a vote of 4-0.

E) Motion to approve Ordinance #486 - Subdivision & Land Development.

Motion: A motion was made by Councilmember Stevens to approve Ordinance #486 – Subdivision & Land Development. The motion was seconded by Councilmember Farrall.

President Weierman asked if there were any comments or questions. There were none.

The motion was unanimously approved with a vote of 4-0.

F) Motion to Advertise Ordinance #487 – U&O.

Motion: A motion was made by Councilmember Farrall to Advertise Ordinance #487 - U&O. The motion was seconded by Councilmember Kroesser.

President Weierman asked if there were any comments or questions.

Councilmember Stevens inquired if the Township's ordinance is similar. Manager DeFinis informed Council it was similar to the Townships.

Solicitor Harper updated Council on the bond scale for the Ordinance.

The motion was unanimously approved with a vote of 4-0.

G) Motion to release the remaining escrow funds for the Ahlquist / Moyer lot line adjustment to Eric Ahlquist in the amount of \$200.50.

Motion: A motion was made by Councilmember Farrall to release the remaining escrow funds for the Ahlquist / Moyer lot line adjustment to Eric Ahlquist in the amount of \$200.50. The motion was seconded by Councilmember Stevens.

President Weierman asked if there were any comments or questions.

Manager DeFinis updated Council on the remaining escrow funds.

The motion was unanimously approved with a vote of 4-0.

H) Motion to appoint Stephen E. Keib to serve the Planning Commission term to expire 12-31-2012 of retiring Joseph Gadaleta.

Motion: A motion was made by Councilmember Stevens to appoint Stephen E. Keib to serve the Planning Commission term to expire 12-31-2012 of retiring Joseph Gadaleta. The motion was seconded by Councilmember Kroesser and unanimously approved with a vote of 4-0.

President Weierman asked if there were any comments or questions.

President Weierman informed Council the effective date is July 1, 2010.

The motion was unanimously approved with a vote of 4-0.

I) Motion to advertise the bid package for the West Vine Street Storm Water Project.

Motion: A motion was made by Councilmember Farrall to advertise the bid package for the West Vine Street Storm Water Project. The motion was seconded by Councilmember Kroesser.

President Weierman asked if there were any comments or questions.

Manager DeFinis updated Council on the size of the pipe for the project.

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

J) Motion to Advertise Ordinance #488 - Motor Vehicles and Traffic Regulations in the Borough.

Motion: A motion was made by Councilmember Farrall to advertise Ordinance #488 – Motor Vehicles and Traffic Regulations in the Borough. The motion was seconded by Councilmember Kroesser.

President Weierman asked if there were any comments or questions.

Solicitor Harper and Council read through the Ordinance and reviewed the streets for the motor vehicles and traffic regulations.

President Weierman suggested contacting the Solicitor for additional comments.

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

K) Motion to Approve the 100th Anniversary Parade Route for the Hatfield Volunteer Fire Company.

Motion: A motion was made by Councilmember Farrall to approve the 100th Anniversary Parade Route for the Hatfield Volunteer Fire Company. The motion was seconded by Councilmember Kroesser.

President Weierman asked if there were any questions or comments.

Manager DeFinis updated Council on the parade route.

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

L) Motion to Approve the Automated Fuel Management System with Hatfield Township.

Manager DeFinis informed Council the agreement was received from Hatfield Township and after review of the Solicitor one addition to the agreement will be added. Each parties share of the price of the system provided however that no such capital improvements shall be charged to the Borough without prior written approval of the Borough.

Motion: A motion was made by Councilmember Farrall to Approve the Automated Fuel Management System Agreement with Hatfield Township as amended. The motion was seconded by Councilmember Stevens.

President Weierman asked if there were any further comments or questions. There were none.

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

10. Motion to Approve Payment of the Bills. Manager DeFinis answered questions regarding the bill list.

Motion: A motion was made by Councilmember Farrall to Approve Payment of the Bills. The motion was seconded by Councilmember Kroesser and unanimously approved with a vote of 5-0.

DISCUSSION ITEMS: Manager DeFinis reviewed the discussion items.

REPORTS AND CORRESPONDENCE:

- Monthly Investment Report
- Monthly EIT Report
- Police Department Report
- Fire Department Report
- Public Works Department Report

President Weierman reviewed the EIT report. The report is on target for what was budgeted.

Solicitor Harper informed Council that the Hatfield Township Police Department has requested that we amend the Borough Ordinance to match up with the Township Ordinance. A discussion ensued regarding doing a draft in accordance with the Townships ordinance and writing in a 24 hour exception for temporarily parking a trailer

in front of their house while they are on vacation. The Borough ordinance speaks in length and width and the township ordinance speaks in class and dimensions.

Councilmember Moyer suggested drafting the ordinance so the average person can understand the ordinance.

Solicitor Harper will draft an ordinance and present to Council.

11. OTHER BUSINESS: President Weierman reviewed Other Business.

A. Consideration of Amending Resolution #2006-23 the Waiver of Land Development for the Walker / Hanson Building Property at 63 East Broad Street.

Manager DeFinis informed Council the Borough received a letter from Mr. William Cooper, Esquire, Attorney for Todd Walker, of Cooper and Greenleaf.

Mr. Cooper informed Council his client, owner of 63 East Broad Street acknowledges that there is a need to connect sewer-wise the storage/repair building erected at this site to the sewer facility serving Hatfield Borough.

Solicitor Harper informed Council Mr. Walker is applying for a third amendment to the land development waiver to permit a bathroom in the auxiliary building, and connect to public sewer through Hatfield Borough. A discussion ensued.

Solicitor Harper informed Mr. Cooper the following conditions are recommended by the Borough.

- 1) Purchase the EDU for the tapping fee for the auxiliary building.
- 2) A letter from Hatfield Township Municipal Sewer Authority allowing the EDU which will require a DEP planning module.
- 3) Escrow for legal and engineering costs of \$2,500.00.
- 4) Permit code inspections and existing plans as well as plans for sewer and water connections.

It was the consensus of Council for the Solicitor to draft a resolution.

Solicitor Harper informed Mr. Cooper the resolution will be on the June agenda for action.

Solicitor Harper informed Mr. Cooper his client has ten days to accept or reject the waiver.

11 B. Brooks Instrument Waiver of Land Development – Resolution NO. 2010-07.

Manager DeFinis updated Council on the letter drafter by Kevin Gallagher, VP of Quality at Brooks Instrument. The Waiver is requested to address a 7' x 7' pad for a new electrical transformer, a 16' x 71' pad for an air handler, pumps and a chilled water

system for controlling the clean room environment and a row of 6" diameter, 4' – 0" high, painted steel bollards placed around the pads to protect the equipment.

Mark Kuberski, Project Architect for Brooks Instrument updated Council on the project and design. The concrete pad is to house the clean room which will house equipment. There is no building edition or construction only the concrete pad. Mr. Kuberski informed Council buffering will be added and the sound levels are met and up to ordinance. The existing parking area and existing zoning set-backs are not affected. A discussion ensued.

Motion: A motion was made by Councilmember Farrall to approve the waiver of Land Development for Brooks Instruments under the conditions of paying all permits, fees and additional shrubbery, based on the letter from Brooks Instrument dated May 19, 2010. The motion was seconded by Councilmember Moyer and unanimously approved with a vote of 5-0.

12. ADJOURNMENT:

Motion: A motion was made by Councilmember Farrall to adjourn the meeting of May 19, 2010. The motion was seconded by Councilmember Kroesser and unanimously approved with a vote of 5-0. The meeting adjourned at 9:19 PM.

Executive Session: Litigation & Personnel

Respectfully Submitted,
Linda L. Watts, Assistant Secretary

HATFIELD BOROUGH COUNCIL
WORKSHOP / REGULAR MEETING
June 16, 2010

MINUTES

CALL TO ORDER AND ROLL CALL:

- (X) John H. Weierman, President
 - (X) Kenneth V. Farrall
 - () John Kroesser (arrived at 7:37 PM)
 - () Bryan A. Moyer
 - (X) Lawrence G. Stevens
- (X) Mayor, Robert L. Kaler III

The record shows that three members of Council were present at roll call, as well as, Mayor, Robert L. Kaler, III, Borough Manager, Michael J. DeFinis, Solicitor, Catherine M. Harper and Assistant Secretary Linda L. Watts.

1. APPROVAL OF MEETING AGENDA:

Motion: A motion was made by Councilmember Farrall to approve the Agenda of June 16, 2010 as revised. The motion was seconded by Councilmember Stevens and unanimously approved with a vote of 3-0.

2. PUBLIC INPUT: President Weierman asked if there were any comments.

Gary Cassell residing at 513 E. Lawn Avenue, Lansdale, PA, realtor for North Penn Real Estate informed Council he would like clarity on Ordinance #487 Property Transfer Certification.

Solicitor Harper informed Mr. Cassell that Ordinance #487 Property Transfer Certification would be addressed further in the Agenda under Public Hearing and Council would hear Mr. Cassell's concerns at that time.

Mike Butera residing at 46 June Drive, Hatfield, PA informed Council his neighbor built a wood burning home heating system that has developed a smoke and odor nuisance to the extent that Mr. Butera cannot enjoy his property.

Manager DeFinis informed Mr. Butera his neighbor did receive a permit for the wood burning home heating system and that all the requirements were met. The Code Enforcement Officer will revisit the property to determine what type of fuel is being used and if the property owner is disturbing the peace. A discussion ensued.

Serafin Fuller residing at 44 June Drive informed Council he is Mr. Buteras neighbor and came to reinforce what Mr. Butera was saying about the wood burning home heating system.

3. Special Presentation by State Representative Robert W. Godshall.

The Honorable Robert W. Godshall presented a Citation from the House of Representatives to Councilmember Stevens recognizing him for his award as 2010 Outstanding Councilmember's of the Year Award from the PA Borough Councils Association.

3. A. Resolution No. 2010-10 recognition of service on the Hatfield Planning Commission.

President Weierman informed Council it is a privilege and an honor to present Resolution No. 2010-10 to Joseph Gadaleta in recognition of service on the Hatfield Planning Commission.

Motion: A motion was made by Councilmember Farrall to approve Resolution No. 2010-10 and Mayor Proclamation to Joseph Gadaleta in recognition of service on the Hatfield Planning Commission. The motion was seconded by Councilmember Stevens.

President Weierman read and presented Resolution No. 2010-10 to Joseph Gadaleta.

The motion was approved with a vote of 4-0.

MAYORAL PROCLAMATION: Mayor Kaler, III presented the Mayoral Proclamation for recognition of service on the Hatfield Planning Commission to Joseph Gadaleta.

4. APPROVAL OF THE MINUTES:

Motion to approve the Workshop Meeting of May 5, 2010 and the Regular Meeting Minutes of May 19, 2010.

Motion: A motion was made by Councilmember Farrall to approve the Workshop Meeting Minutes of May 5, 2010 and the Regular Meeting Minutes of May 19, 2010. The motion was seconded by Councilmember Stevens and unanimously approved with a vote of 4-0.

President Weierman informed Council additional comments will be heard during the Hearings.

5. ANNOUNCEMENTS: Manager DeFinis made the following announcements.
- Next month's Council meeting is July 21, 2010 Workshop / Regular Meeting at 7:30 P.M.
 - HERC is scheduled to meet June 23, 2010 8:00 A.M.
 - The Task Force Meeting is scheduled to meet July 28, 2010 at 9:00 AM.
 - The Planning Commission is scheduled to meet July 12, 2010 @ 7:00 P.M.
 - The Borough Offices will be closed Monday, July 5, 2010 in observance of Independence Day and the Fourth of July Celebration.
6. PUBLIC HEARING:
- A. Ordinance #487 – Property Transfer Certification
- B. Ordinance #488 – Motor Vehicle & Traffic Regulations

President Weierman called the Public Hearing to Order at 7:52 PM.

A. Ordinance #487 – Property Transfer Certification

Borough Solicitor, Catherine M. Harper informed the Public Borough Council will hold a Hearing and an Action on Ordinance #487, this is the Hearing portion where Borough Council entertains comments from Borough Council and the Public. Ordinance #487 was suggested by Hatfield Volunteer Fire Company in order to allow for changes in property that do not have zoning approval known to the borough, and therefore the Hatfield Volunteer Fire Company. It would require smoke detectors, house numbering, and inspection of the sump pump and drains in houses that are being sold. There would have to be a certification prior to a sale and an inspection. There are two fees involved. There is a lot of time to do the inspection. The fee is \$55.00 if it is within ten days of the settlement. The fee is \$110.00 if the Borough would have to bring in the inspectors after hours. The Borough has contracted services and they are not here every day.

Solicitor Harper asked Linda Watts, Assistant Secretary if there is Proof of Publication for Ordinance #487 and the minutes should contain a copy of the Proof of Advertisement.

Ms. Watts informed Solicitor Harper the Proof of Publication is attached.

President Weierman opened the Hearing to questions or comments.

Jamie Ridge, President of the Suburban Realtors Alliance, we represent realtors in Bucks, Montgomery, Delaware and Chester Counties informed Council he has taken a close look at the ordinance. The Suburban Realtors Alliance very much appreciate the narrow scope of the ordinance and has few concerns that have been worked out. Our role is to help you get the word out about the ordinance and what is required and ask if there are issues with the realtor community to let us know about it.

Gary Cassell owner of Prudential Keystone Properties informed Council that he would like to commend Council for what they are doing for safety and welfare. Mr. Cassell hopes the application is as specific as can be so there would be no confusion and would

be of assistance to help create the application if need be. Mr. Cassell asked Solicitor Harper to clarify what the inspection is limited to and what happens if any issues are found. A discussion ensued.

Solicitor Harper updated Mr. Cassell on the Ordinance and answered questions regarding the inspection procedure, reporting safety issues and fees.

Manager DeFinis informed the Public the Ordinance will be made available to the Public through the Borough HTV channel, the Borough Fall newsletter and the Borough website. The Borough will work with the realtors through the transition.

Solicitor Harper updated the Public on the fines for non-compliance and submitting a false report and notifying the Title Companies. A discussion ensued.

President Weierman asked if there were any Public comments or questions. Hearing no comments or questions President Weierman entertained a motion to close Ordinance #487.

Motion: A motion was made by Councilmember Farrall to Close the Hearing for Ordinance #487. The motion was seconded by Councilmember Kroesser and unanimously approved with a vote of 4-0. The Hearing Closed at 8:10 PM.

B. Ordinance #488 Motor Vehicle & Traffic Regulation.

President Weierman asked for a motion to open Public Hearing for Ordinance #488.

Motion: A motion was made by Councilmember Farrall to Open the Hearing for Ordinance #488. The motion was seconded by Councilmember Stevens and unanimously approved with a vote of 4-0. The meeting opened at 8:11 PM.

Solicitor Harper informed Council and the Public Ordinance #488 is a combination of traffic ordinances and issues. Stop sign intersections were added at Heather Meadows, clarified the no parking in certain places and revised them in certain places, deleted certain no parking areas. In addition truck restrictions were added that PennDOT authorized. And restricted streets were added.

Solicitor Harper asked Linda Watts, Assistant Secretary if there is Proof of Publication for Ordinance #488 and the minutes should contain a copy of the Proof of Advertisement.

Ms. Watts informed Solicitor Harper the Proof of Publication is attached.

President Weierman opened the Hearing to questions or comments. Hearing none
President Weierman asked for a motion to close the Hearing.

Motion: A motion was made by Councilmember Farrall to Close the Hearing for Ordinance #488. The motion was seconded by Councilmember Kroesser and unanimously approved with a vote of 4-0. The Hearing Closed at 8:12 PM.

7. REPORTS FROM STANDING COMMITTEES AND MAYOR:

There were no reports.

8. MANAGERS REPORT: Manager DeFinis made the following announcements: General Report and Projects Update

- Please take time over the next several months to review ordinance updates for codification.
- Founder's Day is quickly approaching. VOLUNTEERS are needed. Please contact your neighbors and friends for help with this event.
- Simone Collins submitted their May bill. Currently Simone Collins has exceeded their initial contract price \$11,015.00 by \$228.85. Peter estimates the cost to finish the zoning modifications between \$700.00 & \$1,050.00.
- Dave Van Keuren of Earth Engineering is in the process of finalizing the Remedial Action Completion Report for Electric Plant Park. All soils and groundwater samples are good. The advantage to this is once this report is approved by the PADEP we will receive a release letter for the site. The Borough will have residential clearance when completed.
- The Public Works Director, Fred Leister and I met with the Public Works Committee Monday, May 24th. Fred explained the development and reasoning for changing the seal coat projects for the next three years. Fred also explained the stormwater projects he intends to tackle this year.
- Linda Watts and I attended the TMA luncheon Friday, June 11, 2010. We will utilize street closings through TMA.
- I will be attending the Greater Philadelphia Clean Cities, Electric Vehicles Infrastructure program June 23rd. I hope to get useful information on electric vehicles.
- Scout Troop 51 has informed me they received grants to do work at the cabin. They will keep the Borough informed of the improvements.
- Recent events in the Montgomery Storm Water Consortium have necessitated joint action by the group. The resolution in the packets is a sample of the intended final resolution adopted by each affected community.
- Clarke's Landscaping started the Borough weed spraying on June 15, 2010.
- Manager DeFinis informed Council he will be out of the Office this Friday.
- The fee schedule will be left off the agenda while fees are being incorporated. Solicitor Harper has a draft of the of the fee schedule.

9. ACTION ITEMS:

A). Motion to Approve Ordinance #487 – Property Transfer Certification

Motion: A motion was made by Councilmember Farrall to Approve Ordinance #487 – Property Transfer Certification. The motion was seconded by Stevens.

President Weierman asked if there were any additional comments or questions. There were none.

The motion was unanimously approved with a vote of 4-0.

B) Motion to Approve Ordinance #488 – Motor Vehicles and Traffic Regulations in the Borough.

Motion: A motion was made by Councilmember Farrall to approve Ordinance #488 – Motor Vehicles and Traffic Regulations in the Borough. The motion was seconded by Councilmember Stevens.

President Weierman asked if there were any additional comments or questions. There were none.

The motion was unanimously approved with a vote of 4-0.

C) Motion to Approve Resolution 2010-08, Amending Resolution #2006-23 the Waiver of Land Development for the Walker / Hanson Building Property at 63 East Broad Street.

Motion: A motion was made by Councilmember Stevens to Approve Resolution 2010-08 Amending Resolution #2006-23 the Waiver of Land Development for the Walker / Hanson Building Property at 63 East Broad Street. The motion was seconded by Councilmember Farrall.

President Weierman asked if there were any additional comments or questions.

Solicitor Harper informed Council there is a revised version that the Borough Engineer recommended that the pipe be removed as proposed to capped.

Manager DeFinis informed Council he received a call from Mr. Walker's attorney, Bill Cooper. Mr. Walker knows that he cannot utilize the pipe for the sewer or water and he would like to know if he can leave the pipe in and not utilize it, and if in the future use it for electrical lines or something like that. Manger DeFinis informed Mr. Cooper that the same thing would apply that it has to meet code and the Borough does not know if the pipe meets code. If he is willing to excavate the pipe and show us that it meets code then it can stay if Council wishes.

Solicitor Harper informed Council that the Borough Engineer has made it quite clear that he wants the pipe removed. The revised Resolution, Item F, Shall provide 48 hours notice to allow the Borough Engineer to inspect the removal of the pipe that extends from the Steel Accessory Building under the parking lot and into or through the old manufacturing (Hanson Building) structure to the Neshaminy Creek. Per the Borough Engineers recommendation. Solicitor Harper suggested adding "Within sixty days" to the Resolution.

Motion: A motion was made by Councilmember Stevens to approve Resolution No. 2010-08, 2F with the addition of the words "within sixty days" to act which would require the removal of the pipe within sixty days with an inspection by the Borough Engineer. The motion was seconded by Councilmember Farrall.

President Weierman asked if there were any additional comments. There were none.

The motion was unanimously approved with a vote of 4-0.

D) Motion to Advertise the Bid Specifications for the Army Corps of Engineers Sewer Lateral Repair Project. (Reviewed by Utilities Committee).

Motion: A motion was made by Councilmember Farrall to Advertise the Bid Specifications for the Army Corps of Engineers Sewer Lateral Repair Project. The motion was seconded by Councilmember Kroesser.

President Weierman asked if there were any comments or questions.

Councilmember Farrall informed Council the Bid Specifications for the Army Corps of Engineers Sewer Lateral Repair Project was reviewed by the Utilities Committee on June 16, 2010. A discussion ensued.

Manager DeFinis informed Council the Army Corps of Engineers wants the Borough to have a hearing prior to mobilization to inform affected residents and what the process is. The project will be concentrated on W. Vine Street. A discussion ensued.

The motion was unanimously approved with a vote of 4-0.

E) Motion to Advertise Ordinance #489 Amending Chapter 10 Part 3 of the Hatfield Borough Code, Defraying the cost of False Alarms.

Motion: A motion was made by Councilmember Farrall to advertise Ordinance #489 Amending Chapter 10 Part 3 of the Hatfield Borough Code, Defraying the cost of False Alarms. The motion was seconded by Councilmember Kroesser.

President Weierman asked if there were any comments or questions.

Manager DeFinis updated Council and answered questions on the issues of false alarms, and bringing out the Fire Companies is an issue. This applies to any to any automated alarm.

President Weierman asked if there were any additional questions. There were none.

The motion was unanimously approved with a vote of 4-0.

F) Motion to Authorize Treasurer Diane Farrall to move \$350,000.00 from the TD Bank Operating account to the Harleysville Savings Bank Operating account to the Harleysville Savings Bank Priority Business Savings Account.

Motion: A motion was made by Councilmember Stevens to Authorize Treasurer Diane Farrall to move \$350,000.00 from the TD Bank Operating account to the Harleysville Savings Bank Operating account to the Harleysville Savings Bank Priority Business Savings Account. The motion was seconded by Councilmember Kroesser.

President Weierman informed Council, the Manager, Treasurer and Staff has identified that this amount at this time to be earning a higher interest rate through this transfer.

The motion was unanimously approved with a vote of 4-0.

G) Motion to approve Passerini Construction as the Lowest Responsible bidder for the West Vine Street Storm Water Project.

Motion: A motion was made by Councilmember Farrall to approve Passerini Construction as the Lowest Responsible bidder for the West Vine Street Storm Water Project upon review of the Engineer and Borough Solicitor. The motion was seconded by Councilmember Stevens.

Manager DeFinis informed Council the project was budgeted at \$60,000.00 and came in at \$21,680.00.

The motion was unanimously approved with a vote of 4-0.

H) Motion to approve Resolution 2010-11 Participation for Storm Water Regulatory Support.

Motion: A motion was made by Councilmember Stevens to approve Resolution 2010-11 Participation for Storm Water Regulatory Support. The motion was seconded by Councilmember Kroesser and unanimously approved with a vote of 4-0.

10. Motion to Approve Payment of the Bills. Manager DeFinis answered questions regarding the bill list.

Motion: A motion was made by Councilmember Farrall to Approve Payment of the Bills. The motion was seconded by Councilmember Kroesser and unanimously approved with a vote of 4-0.

DISCUSSION ITEMS: President Weierman and Manager DeFinis reviewed the discussion items.

REPORTS AND CORRESPONDENCE:

- Monthly Investment Report
- Monthly EIT Report
- Police Department Report
- Fire Department Report
- Public Works Department Report

11. OLD BUSINESS: President Weierman reviewed Other Business.

- A. Ordinance #484 Workers Comp Firefighters.
 - B. Draft Ordinance Zoning Modifications
 - C. Larson Allen Audit Review
 - D. Brooks Instrument Waiver of Land Development Engineers Review
-
- A. Manager DeFinis informed Council changes are being made to Ordinance #484, and Delaware Valley Insurance Trust does not cover the Auxiliary.
 - B. Manager DeFinis informed Council the Draft submitted by Simone Collins need formatting.

Solicitor Harper updated Council on the Draft Ordinance Zoning Modifications.

- C. Manager DeFinis updated Council on the Larson Allen Audit Review, comments from Staff and the I-9 forms.
- D. Manager DeFinis updated Council the Borough Engineer review letter and answered questions.

12. NEW BUSINESS: President Weierman reviewed the following:

- A. WoodBurners Annual EggFest Permission Request.
- B. Hatfield Township Golf Outing
- C. Bocce League Invitation.

Motion: A motion was made by Councilmember Farrall to approve WoodBurners Annual EggFest Permission Request. The motion was seconded by Councilmember Kroesser and unanimously approved with a vote of 4-0.

12. ADJOURNMENT:

Motion: A motion was made by Councilmember Farrall to adjourn the meeting of June 16, 2010. The motion was seconded by Councilmember Farrall and unanimously approved with a vote of 4-0. The meeting adjourned at 9: PM.

Executive Session: Legal

Respectfully Submitted,
Linda L. Watts, Assistant Secretary

HATFIELD BOROUGH COUNCIL
WORKSHOP / REGULAR MEETING
July 21, 2010

MINUTES

CALL TO ORDER AND ROLL CALL:

- (X) John H. Weierman, President
 - () Kenneth V. Farrall (arrived at 8:13 PM)
 - (X) John Kroesser
 - (X) Bryan A. Moyer
 - (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, Borough Manager, Michael J. DeFinis, Solicitor, Catherine M. Harper and Assistant Secretary Linda L. Watts. The media was present.

1. APPROVAL OF MEETING AGENDA:

Motion: A motion was made by Councilmember Moyer to approve the Agenda of July 21, 2010 as amended. The motion was seconded by Councilmember Stevens and unanimously approved with a vote of 4-0.

2. PUBLIC INPUT: President Weierman asked if there were any comments. There were no comments or questions.

3. APPROVAL OF THE MINUTES:

Motion to approve the June 16, 2010 Workshop / Regular Meeting Minutes.

Motion: A motion was made by Councilmember Stevens to approve the Workshop / Regular Meeting Minutes of June 16, 2010. The motion was seconded by Councilmember Moyer and were unanimously approved with a vote of 4-0.

4. ANNOUNCEMENTS: Manager DeFinis made the following announcements.

- Next month's Council meeting is August 18, 2010 Workshop / Regular Meeting at 7:30 P.M.

- HERC is scheduled to meet July 28, 2010 8:00 A.M., followed by the quarterly Task Force Meeting @ 9:00 AM.
- The Planning Commission is scheduled to meet August 2, 2010 @ 7:00 P.M.

5. DISCUSSION:

- A. Ordinance #489 Defraying the cost of False Alarms.

President Weierman informed Council there is an updated version of Ordinance #489 for discussion at tonight's meeting.

Solicitor Harper updated Council on the violation of the ordinance for continual false activation. The Ordinance section §302 is for the purpose of defraying the costs to the Borough of responding to a false alarm, the owner or lessee of an automatic protective device and person using the service of intermediaries, and users of audible alarms, the users of any other kind of direct or indirect connection with the police or fire communications center, except persons using two-way live voice communications by telephone, shall pay the Borough a fee which shall be set by resolution from time to time. Solicitor Harper informed Council the Ordinance sets the law and the Resolution sets the fees.

Solicitor Harper answered questions regarding fees and reviewed the definition of the audible alarms.

It was the consensus of Council for Solicitor Harper to advertise the Ordinance for the August 18, 2010 meeting.

6. REPORTS FROM STANDING COMMITTEES AND MAYOR: President Weierman asked if there were any reports.

Property & Equipment: Councilmember Stevens informed Council the Property & Equipment Committee met July 21, 2010. Several issues were discussed. The umbrellas at the Liberty Bell Plaza were damaged by wind. These will continue to be a maintenance issue.

Councilmember Stevens informed Council Manager DeFinis is working on the preliminary site assessment to house a new borough building and how it would be located on the property.

Councilmember Stevens updated Council on the Chestnut Street Bridge replacement project. Manager DeFinis informed Council the bridge was budgeted for last year. The integrity of the bridge in question it was decided to put in a prefabricated pedestrian bridge. The money in the DCNR Grant has to be spent by December 2010. The Chestnut Street Trail Bridge project will be developed in two separate phases. Phase one Removing the current bridge deck, phase two purchasing a prefabricated pedestrian wood bridge of the Costars program and Phase 3 the Costars manufacturer will install the bridge. Fred Leister, Public Works Director obtained four price quotes on removing the

bridge deck. The quotes came in very favorable. The Borough estimated about \$66,000.00 to replace the bridge, but because of the Costars program and doing some of the work in-house by the Public Works Department and after the bridge is in place have the Public Works Department do some of the preparation for the paving that needs to be done, and also reducing the Borough cost. The bridge project can be done from \$43,000.00 to \$46,000.00. The Borough has a \$20,000.00 grant from the DCNR and the money that the Borough had originally budgeted for most of the cost will be covered. The blacktop will probably be done next year after the bridge is in place so the Borough can piggy back blacktopping with road work that will be done on Vine Street. The balance will be budgeted for next year.

Manager DeFinis answered questions on the work that can be done in-house and the material the bridge will be made of. The bridge will be made ADA compliant.

Motion: A motion was made by Councilmember Moyer to approve the change order for the chestnut Street Bridge Project. The motion was seconded by Councilmember Stevens and unanimously approved with a vote of 4-0.

Public Works: Councilmember Stevens informed Council the Public Works Department has been doing some road painting and noticed there is no left turn arrow at Union and Penn Avenue.

Manager DeFinis updated Council on PennDOT's restrictions for left turn lanes. The left lane at Union and Penn Avenue is not wide enough for a left turn lane. Manager DeFinis will review the restrictions with the Public Works Director.

Recycling: Mayor Kaler, III informed Council the Recycling Committee met on July 20, 2010 and there are some issues that are going to be addressed. The DEP interprets the law differently than the legislative has. The issues will be addressed by the attorneys for the Recycling Committee.

Solicitor Harper updated Council on the issues by the DEP.

Budget, Finance and Labor: President Weierman informed Council the Committee met on July 20, 2010 with Al Galante the investment portfolio manager regarding the Borough's long-term funds. President Weierman updated Council on the investment rates and large note payments. A discussion ensued.

7. MANAGERS REPORT: Manager DeFinis made the following announcements:
Sewer Lateral Repair Project Public Update & Questions

- I attended the Greater Philadelphia Clean Cities, Electric Vehicles Infrastructure program June 23rd. I found the event very informative, yet I believe we are still a year or two before we see a vehicle for everyday use by the Borough.

- Diane, Linda and I attended the DVIT retreat at Penn State June 23rd to 25th . The program was very informative and will help in several projects in the works.
- The West Vine Street Stormwater project is scheduled to start July 26th. The contractor has been given notice to proceed. Residents on Edgewood Drive have been notified of the street closing for the duration of the project. The staging area is at Edgewood and Vine.
- Fred Leister and I plan on attending (work load permitting) the annual PMEA conference at PENN State September 29th to October 1st , work load permitting.
- Chestnut Street Trail Bridge project will be developed in two separate phases. Phase 1 removing the current bridge deck. Phase 2 purchasing a prefabricated pedestrian wood bridge of the Costars program. Phase 3 the Costars manufacturer will install the bridge. This project is in the 2010 budget.
- I received an email from Brian O'Leary, Montgomery County Planning commission regarding the grant applications. The county commissioners have not yet acted on a 2010 capital budget, which means we still don't know the budget for 2010 revitalization grants.
- Manager DeFinis updated Council on the letter from Ken Amey, Hatfield Township Planning & Zoning Officer regarding the Garfield Avenue project.
- The Borough received a thank you letter from Katelyn Farrall regarding the Girl Scout Gold Award project that she will carry out in the borough. Ms. Farrall will clean up the Liberty Bell Trail of trash, limbs and debris; plant flowers at the Vine Street, Main Street and Lincoln Avenue trail entrances; paint the five liberty bell trail signs and construct and install bird houses along the trail.

8. ACTION ITEMS:

A). President Weierman informed Council 8A was removed from the agenda.

B). Motion to Advertise Ordinance #490 Amending Chapter 21, Section 404 Prohibiting Parking of Certain Vehicles on Borough Streets.

Motion: A motion was made by Councilmember Moyer to Advertise Ordinance 90 Prohibiting parking of Certain Vehicles on Borough Streets. The motion was seconded by Councilmember Farrall and unanimously approved with a vote of 5-0.

C) Motion to Approve _____ as the Lowest Responsible bidder for the joint Army Corp of Engineers and Borough of Hatfield Sewer Lateral Repair Project.

Manager DeFinis updated Council on the project. Borough Engineer, Mark Mattucci is completing the tabulation sheets and will review the bidders qualifications. The information will be forwarded to the Army Corps of Engineers for their review. Manager

DeFinis informed Council at this time it was recommended by the Army Corps of Engineers not approve the Lowest Bidder until the information and reviews are received.

Motion: A motion was made by Councilmember Moyer to Table Agenda Item C pending additional information. The motion was seconded by Councilmember Farrall and unanimously approved with a vote of 5-0.

D) Motion to Approve waiver of escrow replenishment requirement for the Snyder Tract by Regency Residential LP. At this time it is understood Regency Residential LP will replenish the escrow account to \$2,500.00 when it elects to recommence the development of the Snyder Tract project.

Motion: A motion was made by Councilmember Moyer to Approve waiver of escrow replenishment requirement for the Snyder Tract by Regency Residential LP. At this time it is understood Regency Residential LP will replenish the escrow account to \$2,500.00 when it elects to recommence the development of the Snyder Tract project.

President Weierman informed Council there is a letter from the Councilor.

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

E) Motion to Approve the Full and Final Release Agreement with John Sage and Sindall Transportation Inc.

Motion: A motion was made by Councilmember Moyer to Approve the Full and Final Release Agreement with John Sage and Sindall Transportation Inc. The motion was seconded by Councilmember Farrall.

Solicitor Harper updated Council on the settlement agreement for the incident that occurred on Main and Vine Street with Sindall Transportation Inc.

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

F) Motion to Approve The Investment Policy Statement.

Motion: A motion was made by Councilmember Moyer to Approve the Investment Policy Statement. The motion was seconded by Councilmember Stevens.

Solicitor Harper updated Council on the Investment Policy Statement prepared by Alfred D. Galanti, CFP, First Niagara Private Client Services. Solicitor Harper recommended adding number 5 under Section 2: OBJECTIVES, that would say "To comply with

requirements of Pennsylvania law with respect to the investment of Borough Funds". A discussion ensued.

Manager DeFinis informed Council the money has to be in a fixed income, no cash equivalent and it can't be equity or alternatives. A discussion ensued.

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

9. Motion to Approve Payment of the Bills. Manager DeFinis answered questions regarding the bill list.

Motion: A motion was made by Councilmember Moyer to Approve Payment of the Bills. The motion was seconded by Councilmember Farrall and unanimously approved with a vote of 5-0.

DISCUSSION ITEMS: President Weierman and Manager DeFinis reviewed the discussion items.

REPORTS AND CORRESPONDENCE:

- Monthly Investment Report
- Monthly EIT Report
- Police Department Report
- Fire Department Report
- Public Works Department Report
- Founder's Day Report

President Weierman thanked all the volunteers for their participation at Founder's Day.

Public Safety: Lieutenant Tierney informed Council the Trolley Stop has been quite, the graffiti cam was installed at Centennial Park and there have been no juvenile problems.

10. OLD BUSINESS: President Weierman reviewed Other Business.
- A. Draft Ordinance Zoning Modifications
 - B. Outdoor Wood Burning Boiler
 - C. Hatfield Township Golf Outing

Draft Ordinance Zoning Modifications: Solicitor Harper updated Council on the Draft Ordinance Zoning Modifications. Solicitor Harper will present Council with a black-line version of the modifications for Council to review and make any necessary changes.

Manager DeFinis updated Council on the Planning Commission intent for the Outdoor Dining issues and the storing weather resistant tables and chairs. The policy will start

with the Planning Building and Zoning and be reviewed by Council. A discussion ensued.

Outdoor Wood Burning Boiler: Manager DeFinis informed Council this issue was brought to Council's attention from a resident at the last meeting. The Planning Commission will review the ordinance as well as other ordinances for other alternative fuels. The Borough does not want to be restrictive to residents trying to save money on their heating bills. The outdoor boiler that is in questions probably is not the best but the borough doesn't have guidelines. The resident is cooperating with the Borough to reconcile the problems. The Borough can set guidelines to put in more residential friendly alternative fuel systems. A discussion ensued.

Hatfield Township Golf Outing: It was the consensus of Council to give a sponsorship.

12. NEW BUSINESS: There was no new business.

13. ADJOURNMENT:

Motion: A motion was made by Councilmember Moyer to adjourn the meeting of July 21, 2010. The motion was seconded by Councilmember Farrall and unanimously approved with a vote of 5-0. The meeting adjourned at 8:40 PM.

Executive Session: Litigation & Personnel

Respectfully Submitted,
Linda L. Watts, Assistant Secretary

HATFIELD BOROUGH COUNCIL
Special Meeting
AUGUST 2, 2010

MINUTES

CALL TO ORDER AND ROLL CALL

- John H. Weierman. President
- Kenneth V Farrall Vice President
- John Kroesser
- Bryan A. Moyer (arrived 6:31 PM)
- Lawrence G. Stevens

- Mayor, Robert L. Kaler (arrived 6:32 PM)

The records shows three members of Council were present at roll call as well as Borough Manager Michael J. DeFinis, Solicitor Josh Ganz for Kate Harper.

1. Approval of the Meeting Agenda:

Motion: A motion by Councilmember Stevens to approve the Agenda of August 2, 2010. The motion seconded by Councilmember Kroesser and unanimously approved with a vote of 3-0

2. Public Input: Vice President asked for public input. There was no public comment.

- 3. Motion:** A motion by Councilmember Stevens to Approve Resolution 2010-12 Designating Michael J. DeFinis, Borough Manager IS HEREBY AUTHORIZED TO EXECUTE FOR AND IN BEHALF OF Hatfield Borough, and Montgomery County for the purposes of obtaining financial assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act. Seconded by Councilmember Moyer and unanimously approved with a vote 4-0

4. Adjournment:

Motion: A motion was made by Councilmember Stevens to adjourn. Seconded by Councilmember Moyer and unanimously approved by a vote of 4-0.

HATFIELD BOROUGH COUNCIL
WORKSHOP / REGULAR MEETING
August 18, 2010

MINUTES

CALL TO ORDER AND ROLL CALL:

- (X) John H. Weierman, President
- (X) Kenneth V. Farrall
- (X) John Kroesser
- (X) Bryan A. Moyer
- () Lawrence G. Stevens

- () Mayor, Robert L. Kaler III

The record shows that four members of Council were present at roll call, as well as, Borough Manager, Michael J. DeFinis, Solicitor, Catherine M. Harper and Assistant Secretary Linda L. Watts. The media was present.

1. APPROVAL OF MEETING AGENDA:

Motion: A motion was made by Councilmember Moyer to approve the Agenda of August 18, 2010. The motion was seconded by Councilmember Farrall and unanimously approved with a vote of 4-0.

2. PUBLIC INPUT: President Weierman asked if there were any comments.

Michael Butera, 46 June Drive informed Council that he did not agree with the Ordinance 489 Defraying the Cost of False Alarms. Mr. Butera informed Council that it was no fault of his if his alarm would go off accidentally and he would not be home to reset it. He did not feel that since he lived in the Borough for thirty years he should be charged a fee for a false alarm.

Solicitor Harper read and explained the full meaning of Ordinance 489 to Mr. Butera and informed him that Council would certainly view each false alarm case individually. Solicitor Harper asked Mr. Butera to stay for the rest of the meeting because momentarily there is going to be a Hearing regarding the ordinance and his comments would be incorporated into the Hearing.

3. APPROVAL OF THE MINUTES:

Motion to approve the Workshop / Regular Meeting Minutes of July 21, 2010.

Motion: A motion was made by Councilmember Moyer to approve the Workshop / Regular Meeting Minutes of July 21, 2010. The motion was seconded by Councilmember Kroesser and were unanimously approved with a vote of 4-0.

4. ANNOUNCEMENTS: Manager DeFinis made the following announcements.

- Next month's Council meeting is September 8, 2010 Workshop Meeting & Regular Meeting September 22, 2010 at 7:30 P.M.
- HERC is scheduled to meet August 22, 2010 8:00 A.M.
- The Planning Commission is scheduled to meet August 30, 2010 @ 7:00 P.M.

5. REPORTS FROM STANDING COMMITTEES AND MAYOR: President Weierman asked if there were any reports. There were none.

6. MANAGERS REPORT: Manager DeFinis made the following announcements:
Sewer Lateral Repair Project Public Update & Questions
Change of Retreat date discussion.

- The West Vine Street Stormwater project started July 26th. The contractor completed the project in 7 days. Phase one of this project is now complete. Public works will finish the remainder of the project. The project goal for completion is this Friday.
- Chestnut Street Trail Bridge project is proceeding. The DEP permit has been applied for. We are waiting for permission to proceed.
- Last Council meeting the purchase of mulch from Old Castle Mulch was raised. Public Works Director Fred Leister received several proposals for mulch and Old Castle was the lowest price by far. As much as \$12.00 per yard.
- The July 25th Power Outage was caused by a tree branch laying on the primary line to the substation at Orvilla Road. Once the branch was removed and the primary breaker engaged the power to the substation and the Borough were restored. This only solved part of the problem. During the storm that passed through a tree fell on the Brooks Instrument primary power line tripping the breaker at the main feed. The tree had to be cut away from the line and the breaker re-engaged. This took an additional three hours. During the event PWD Fred Leister and Bill Cossman responded on behalf of the Borough. EMC Bobby Kaler responded as well, checking Paradise Manor and other high profile locations in the Borough. During the outage I recognized several resources that would address some of the communication issues and secured the reconnection of an account manager with PPL. HTV is still out due to equipment failures due to the outage.

Councilmember Moyer suggested having anyone with special needs come into the Borough and register and maybe the Borough getting a generators for these people.

Manager DeFinis informed Council he is looking into where the Borough can access generator in an emergency. The Borough will need to start to develop the need for communication through HTV and the Newsletter.

Councilmember Moyer suggested looking into FEMA to piggy back with the Volunteer Fire Company.

Manager DeFinis will keep Council updated.

Manager DeFinis informed Council the Property Transfer Certification Application will be effective September 1, 2010.

Manager DeFinis updated Council on the Retreat schedule change.

Manager DeFinis updated Council on the motion to award the Bid for the Sewer Lateral Repair. The Utilities Committee met with Borough Engineer Mark Mattucci who explained the process and also on September 13, 2010 there will be a Public Information session at the Hatfield Volunteer Fire House at 7:30 PM telling the residents of the affected area what the Sewer Lateral Repair Project is going to mean to them and the Borough.

7. Public Hearings

A. Ordinance #489 Defraying the Cost of False Alarms

B. Ordinance #490 Amending Chapter 21 Section 404 Prohibiting Parking of Certain Vehicles on Borough Streets.

ACTION ITEMS: President Weierman called the Public Hearings to Order at 8:02 P.M.

President Weierman informed Council the first Ordinance in the Public Hearing is Ordinance No. 489 Defraying the cost of False Alarms and turned the floor over to Solicitor Harper.

Solicitor Harper informed Council and the Public Ordinance 489 is an Ordinance to amend the code of the Borough of Hatfield by the addition of Part 3, False Alarms providing for the defraying the costs to the Borough of responding to False Alarms including Civil Penalties and Fines. The Borough has the option of proceeding either for a Civil Case or a Summary Offence if it is a continual activation. Solicitor Harper read and answered questions regarding Ordinance 489 to Council and the Public. If Ordinance 489 passes, there will also be action taken on Resolution No. 2010-13. 2010-13 is the Civil Fee and outlines the process of the fees for false alarm activations. Solicitor Harper informed Council and the Public that Ordinance 489 was properly advertised and be included into the minutes.

President Weierman opened the Hearing for comments or questions from the Public and Council.

Solicitor Harper asked that Mr. Butera's comments earlier in the meeting be incorporated into the Hearing Minutes.

Solicitor Harper asked Mr. Butera if he has any additional comments.

Mr. Butera asked how are chronic offenders going to be defined. What would happen if I were not at home and a tree branch fell on the line and I could not turn it off. This is my concern.

President Weierman informed Mr. Butera in behalf of Council he would instruct the Manager to work with Police and home owners to reasonably determine the alarm activation and review each case individually.

Mr. Butera informed Council if it is not written down and managers and Council change it would be a problem.

Councilmember Moyer suggested including into the Ordinance a subdivision regarding Mr. Butera's concerns.

Solicitor Harper suggested under section 303 Violations and Penalties including the words "which shall not include alarms caused by a power outages".

It was the consensus of Council to include the wording.

President Weierman asked if there were any further comments. There were none.

President Weierman asked if there were a motion to close the Hearing on Ordinance #489.

Motion: A motion was made by Councilmember Farrall to Close the Hearing. The motion was seconded by Councilmember Moyer and unanimously approved with a vote of 4-0. The Hearing closed at 8:12 P.M.

President Weierman asked for a motion to open the Public Hearing on Ordinance #490 Amending Chapter 21 Section 404 Prohibiting Parking of Certain Vehicles on Borough Streets.

Motion: A motion was made by Councilmember Farrall to Open the Public Hearing. The motion was seconded by Councilmember Moyer and unanimously approved with a vote of 4-0. The Hearing was Open at 8:13 P.M.

President Weierman turned the Hearing over to Solicitor Harper.

Solicitor Harper updated Council and answered questions regarding Ordinance #490. Solicitor Harper informed Council and the Public Ordinance #490 was properly advertised and to be included into the minutes.

President Weierman asked if there were any questions or comments. There were none.

President Weierman asked if there were a motion to close the Public Hearing on Ordinance #490.

Motion: A motion was made by Councilmember Farrall to close the Public Hearing The motion was seconded by Councilmember Moyer. The motion was unanimously approved with a vote of 4-0. The Hearing was Closed at 8:15 P.M.

8. ACTION ITEMS:

A. Motion to Approve Ordinance #489.

Motion: A motion was made by Councilmember Moyer to Approve Ordinance #489. The motion was seconded by Councilmember Farrall.

President Weierman asked if there were any comments or questions. There were none.

The motion was unanimously approved with a vote of 4-0.

B. Motion to Approve Resolution 2010-13 establishing the fee schedule costs for violation of the False Alarm Ordinance.

Motion: A motion was made by Councilmember Farrall to approve Resolution 2010-13 establishing the fee schedule costs for violation of the False Alarm Ordinance. The motion was seconded by Councilmember Moyer.

President Weierman asked if there were any comments or questions. There were none.

The motion was unanimously approved with a vote of 4-0.

C. Motion to Approve Ordinance #490.

Motion: A motion was made by Councilmember Farrall to Approve Ordinance #490. The motion was seconded by Councilmember Moyer.

President Weierman asked if there were any comments or questions. There were none.

The motion was unanimously approved with a vote of 4-0.

D. Motion to Advertise the date Change of the Borough Council Retreat date from September 11, to September 15, 2010 at 6:00 P.M.

Motion: A motion was made by Councilmember Moyer to Advertise the date Change of the Borough Retreat date from September 11, 2010 to September 15, 2010 at 6:00 P.M. The motion was seconded by Councilmember Farrall and unanimously approved with a vote of 4-0.

E. Motion to Approve final release of the Weimar / HatTricks Escrow Account and return \$549.50 to Robert Weimar.

Motion: A motion was made by Councilmember Moyer to Approve final release of the Weimar / HatTricks Escrow Account and return \$549.50 to Robert Weimar. The motion was seconded by Councilmember Farrall and unanimously approved with a vote of 4-0.

F. Motion to Approve final release of the Lansdale Amusement Escrow Account and return \$38.21 to Lansdale Amusement.

Motion: A motion was made by Councilmember Moyer to Approve final release of the Lansdale Amusement Escrow Account and return \$38.21 to Lansdale Amusement. The motion was seconded by Councilmember Farrall and unanimously approved with a vote of 4-0.

G. Motion to pay James R. Kenney invoice #10-61 in the amount of \$15,900.00 from monies in the two Ron Gross Escrow Accounts.

Motion: A motion was made by Councilmember Moyer to pay James R. Kenney invoice #10-61 in the amount of \$15,900.00 from monies in the two Ron Gross Escrow Accounts. The motion was seconded by Councilmember Farrall.

Manager DeFinis answered questions regarding the shape of the escrow accounts.

The motion was unanimously approved with a vote of 4-0.

H. Motion to approve the Stormwater Coalition Cost-Sharing & Cooperation Agreement.

Motion: A motion was made by Councilmember Moyer to approve the Stormwater Coalition Cost-Sharing & Cooperation Agreement. The motion was seconded by Councilmember Farrall.

Solicitor Harper informed Council she would attend in the Borough behalf.

The motion was unanimously approved with a vote of 4-0.

I. Motion to approve Payment Request of \$20,596.00 to Passerini & Sons for work completed on the West Vine Street Drainage Improvements.

Motion: A motion was made by Councilmember Moyer to approve Payment Request of \$20,596.00 to Passerini & Sons for work completed on the West Vine Street Drainage Improvements. The motion was seconded by Councilmember Farrall.

President Weierman asked if there were any comments. There were none.

The motion was unanimously approved with a vote of 4-0.

J. Motion to approve National Water Main Cleaning Company as the lowest bidder for the Sewer Lateral Repair / Army Corps of Engineers Project.

Motion: A motion was made by Councilmember Moyer to approve National Water Main Cleaning Company as the lowest responsible bidder for the Sewer Lateral Repair / Army Corps of Engineers Project not to exceed \$338,000.00. The motion was seconded by Councilmember Farrall.

President Weierman informed Council the Borough Engineer Mark Mattucci has reviewed the references of the company and they are well respected. There is a Public Hearing Scheduled for September 13, 2010 at 7:30 P.M.

The motion was unanimously approved with a vote of 4-0.

9. MOTION TO APPROVE PAYMENT OF THE BILLS. President Weierman and Manager DeFinis reviewed the Revised Bill List.

Motion: A motion was made by Councilmember Moyer to approve payment of the bills. The motion was seconded by Councilmember Farrall and unanimously approved with a vote of 4-0.

DICUSSION: President Weierman and Manager DeFinis reviewed the discussion items.

REPORTS AND CORRESPONDENCE:

- Monthly Investment Report
- Monthly EIT Report
- Police Department Report
- Fire Department Report
- Public Works Department Report
- Founder's Day Report

10. OLD BUSINESS:

A. "Draft Ordinance Zoning Modifications to Commercial and R 3 Districts"

Manager DeFinis updated Council on the Draft Ordinance Zoning Modification to Commercial and R 3 Districts and informed Council it will be on the Agenda September 8, 2010 to advertise. The Draft Ordinance Zoning Modification to Commercial and R 3 Districts will be sent to the Planning Commission before that for review and comments.

B. Bursich Review Letter / Moser Group Subdivision

Manager DeFinis informed Council Mr. Moser contacted him and will address the issues. Anything done in the Borough must comply with the Borough regulations.

Solicitor Harper informed Council the borough will need an escrow and a developer's agreement. A discussion ensued.

11. NEW BUSINESS:

A. 2011 Financial Requirement and Minimum Municipal Obligation.

Manager DeFinis updated Council on the Financial Requirement and Minimum Municipal Obligation and informed Council they will be on the September 8, 2010 Agenda for review.

12. MOTION TO ADJOURN:

Motion:

A motion was made by Councilmember Moyer to adjourn the meeting of August 18, 2010. The motion was seconded by Councilmember Farrall and unanimously approved with a vote of 4-0. The meeting adjourned at 8:37 PM.

Executive Session: Litigation & Personnel

Respectfully Submitted,
Linda L. Watts, Assistant Secretary

Proof of Publication of Notice in the Reporter

Under Act No. 587, Approved May 16, 1929

Copy of notice or publication

State of Pennsylvania,
County of Montgomery

SS:

Controller or Dena Fritz, Publisher of the GOODSON HOLDING COMPANY D/B/A LRPa, LLC., a PENNSYLVANIA corporation, being duly sworn, deposes and says that THE REPORTER is a daily newspaper published at Lansdale, County and State aforesaid, which was established in the year 1870, since which date said daily newspaper has been regularly issued in said County, and that a copy of the printed notice or publication is attached hereto exactly as the same was printed and published in the regular editions and issues of the said daily newspaper on the following dates.

NOTICE

THE FOLLOWING ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE BOROUGH OF HATFIELD PROVIDING FOR A PROHIBITION ON PARKING CERTAIN VEHICLES ON BOROUGH STREETS OR ANY VEHICLES IN FRONT YARDS IN THE BOROUGH WILL BE CONSIDERED AND MAY BE ADOPTED BY THE HATFIELD BOROUGH COUNCIL ON WEDNESDAY, AUGUST 18, 2010 AT 7:30 P.M. AT THE BOROUGH OFFICES, 401 S. MAIN STREET, HATFIELD, PA. ORDINANCE NO. 490

AN ORDINANCE AMENDING THE CODE OF ORDINANCES, BOROUGH OF HATFIELD, AS AMENDED, BY FURTHER AMENDING CHAPTER 21, SECTION 404 OF THE CODE TO PROVIDE FOR A PROHIBITION ON PARKING CERTAIN VEHICLES ON BOROUGH STREETS OR ANY VEHICLES IN FRONT YARDS IN THE BOROUGH

It is hereby ORDAINED and ENACTED by the Borough Council of the Borough of Hatfield, that the Code of Ordinances, Borough of Hatfield, Ordinance No. 357 as previously amended, is further amended as follows:

1. Chapter 21, Section 404 is amended and restated so that it now reads as follows:

§404. Parking of Trucks, Buses and Certain Other Vehicles Prohibited on Borough Streets And Parking of Any Vehicle prohibited in Front Yards in the Borough. It shall be unlawful for any person to park, or to allow to remain parked, on any street in the Borough between the hours of 9:00 p.m. and 6:00 a.m., any bus, motor home, trailer of any kind, boat or recreational vehicle, other than a Class 1 & 2 vehicle, being a passenger car or a light truck less than 18 feet in length or 80 inches in width and weighing less than 15,000 pounds gross weight as those terms are defined in the Pennsylvania Motor Vehicle Code.

Provided, however, that with the prior written permission of the Borough Manager, a motor home, trailer, boat or recreational vehicle may be parked overnight on a Borough Street for the purpose of loading and unloading no more frequently than twice in any three month period.

No vehicles of any kind may be parked in the front yard of any property in the Borough except on a driveway or permitted all-weather parking space.

2. This Amendment is enacted pursuant to the authority of the Pennsylvania Motor Vehicle Code, specifically 75 Pa.C.S.A., Section 6109, delegating specific powers of the Pennsylvania Department of Transportation to local authorities.

3. All other provisions of the said Chapter shall remain in full force and effect and any part of the said Ordinance inconsistent with this Ordinance shall be repealed.

4. This Ordinance shall take effect in accordance with law after enactment. The public is invited and encouraged to attend the Public Meeting. Persons requiring special assistance or accommodations are requested to contact the Borough Manager, Michael J. Definis at Borough Hall prior to the scheduled meeting date.

Catherine M. "Kate" Harper, Esq.
Hatfield Borough Solicitor

.....
ith day of August A.D., 2010

is he is an officer duly authorized by the GOODSON HOLDING Pa, LLC., a corporation, publisher of THE REPORTER, a daily the foregoing statement under oath and also declares that affiant e subject matter of the aforesaid notice or publication, and that all oing statement as to time, place and character of publication are

[Signature]
Controller or Publisher
Goodson Holding Company D/B/A LRPa, LLC.,

bed before me this date August 5, 2010
[Signature]
Notary Public

NOTARIAL SEAL
VANESSA WILSBACH, Notary Public
Lansdale, Montgomery County
My Commission Expires January 13, 2013

Statement of Advertising Costs

BOROUGH
MAIN STREET
PA 19440
ice or advertisement attached hereto on
stated date.....

\$	354.50
\$	2.00
\$	<u>356.50</u>

Notary Fee.....
Total.....

Publisher's Receipt for Advertising Costs

GOODSON HOLDING COMPANY D/B/A LRPa, LLC., a corporation, publisher of THE REPORTER, a daily newspaper, hereby acknowledges receipt of the aforesaid advertising and publication, and certifies that the same have been fully paid.

By.....

Lansdale, Pa.
Established 1870

Proof of Publication of Notice in the Reporter

Under Act No. 587, Approved May 16, 1929

Copy of notice or publication

State of Pennsylvania,

SS:

NOTICE
THE FOLLOWING ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE BOROUGH OF HATFIELD, CHAPTER 10, BY THE ADDITION OF PART 3, FALSE ALARMS, PROVIDING FOR THE DEFRAYING OF COSTS TO THE BOROUGH OF RESPONDING TO FALSE ALARMS INCLUDING CIVIL PENALTIES AND FINES WILL BE CONSIDERED AND MAY BE ADOPTED BY THE HATFIELD BOROUGH COUNCIL ON WEDNESDAY, AUGUST 18, 2010 AT 7:30 P.M. AT THE BOROUGH OFFICES, 401 S. MAIN STREET, HATFIELD, PA.
AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE BOROUGH OF HATFIELD, CHAPTER 10, BY THE ADDITION OF PART 3, FALSE ALARMS PROVIDING FOR THE DEFRAYING OF COSTS TO THE BOROUGH OF RESPONDING TO FALSE ALARMS INCLUDING CIVIL PENALTIES AND FINES.

WHEREAS, response to false alarms consumes many hours of valuable law enforcement time and resources, reduces the mental preparedness of officers responding to alarms in the event that an actual emergency exists, and presents significant health, safety and welfare hazards to the citizens of Hatfield Borough, those who utilize faulty alarm systems which repeatedly generate false alarms that necessitate law enforcement response are misusing available law enforcement resources; and

WHEREAS, it is the intent of that this ordinance be enforced particularly against those who are chronic offenders, that first time offenses be dealt with in a way that educates the citizen as to the problem caused by false alarms, and with a warning that chronic abuse will result in the penalties described in this Ordinance; and

WHEREAS, the Board finds that the adoption of a false alarm ordinance is in the best interest of the public health, safety, and welfare of the citizens of Hatfield Borough;

NOW THEREFORE, the Members of Borough Council of the Borough of Hatfield hereby ordains:

Section 1. The Code of the Borough of Hatfield is hereby amended by the addition to Chapter 10 a new Part 3 entitled "False Alarms," to provide as follows:

PART 3, "FALSE ALARMS"

§301. Definitions

As used in this Section, the following words and phrases shall have the meanings indicated:

AUDIBLE ALARM - Any device, bell, horn or siren which is attached to the interior or exterior of a building and emits a warning signal audible outside the building and designated to attract attention when activated by a criminal act or other emergency requiring police to respond.

AUTOMATIC PROTECTIVE DEVICE - An electrically operated instrument composed of sensory apparatus and related hardware which automatically transmits a prerecorded voice alarm over regular telephone lines by direct or indirect connection to the Police Department or Fire Department, upon receipt of a stimulus from a sensory apparatus that has detected a physical force or condition inherently characteristic of a fire or an intrusion.

BOROUGH - The Borough of Hatfield, Montgomery County, Pennsylvania.
FALSE ALARMS - Any signal activated by an automatic protective device, any audible alarm or any other kind of direct or indirect signal given the police communications center to which police respond, which is not the result of a fire, burglary, robbery or similar emergency.
FIRE COMMUNICATIONS CENTER - The North Penn Fire Alarm Center servicing fire departments, plus the Bucks County and Montgomery County radio systems.
INTERMEDIARY - A central station protective system or answering system as herein defined.

§302. False Alarms; Responsibility for Costs.

For the purpose of defraying the costs to the Borough of responding to a false alarm, the owner or lessee of an automatic protective device and persons using the service of intermediaries, and users of audible alarms, the users of any other kind of direct or indirect connection with the police or fire communications center, except persons using two-way live voice communications by telephone, shall pay the Borough a fee which shall be set by resolution from time to time. These sums shall be civil claims by the Borough and do not affect the penalty provisions prescribed by §303 hereof.

§303. Violations and Penalties.

False Alarm Violation. Any owner, lessee or user found guilty of misuse or continual false activation shall be liable for a fine of not less than \$100 nor more than \$600 dollars plus costs of prosecution for each and every activation, to be collectible before any District Justice as like fines and penalties are now by law collectible.

Section 2. The provisions of this Ordinance are severable, and if any section, sentence, clause, part or provision thereof shall be held illegal, invalid, or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Hatfield Borough Council that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part or provision had not been included herein.

Section 3. This Ordinance shall take effect and be in force from and after its approval as required by law.

Section 4. All other ordinances and resolutions or parts thereof insofar as they are inconsistent with this Ordinance are hereby repealed.

The public is invited and encouraged to attend the Public Meeting. Persons requiring special assistance or accommodations are requested to contact the Borough Manager, Michael J. Definis at Borough Hall prior to the scheduled meeting date.

Catherine M. "Kate" Harper, Esq.
 Hatfield Borough Solicitor

I, _____, Controller or Publisher of the GOODSON HOLDING COMPANY PENNSYLVANIA corporation, being duly sworn, deposes and says that THE _____ newspaper published at Lansdale, County and State aforesaid, _____ in the year 1870, since which date said daily newspaper has _____ used in said County, and that a copy of the printed notice or _____ hereto exactly as the same was printed and published in the _____ issues of the said daily newspaper on the following dates.

_____th day of August A.D., 2010

_____ is he is an officer duly authorized by the GOODSON HOLDING Pa, LLC., a corporation, publisher of THE REPORTER, a daily _____ he foregoing statement under oath and also declares that affiant _____ e subject matter of the aforesaid notice or publication, and that all _____ going statement as to time, place and character of publication are _____

[Signature]
 Controller or Publisher

Goodson Holding Company D/B/A LRPa, LLC.,

Subscribed before me this date August 5, 2010
[Signature]
 Notary Public

NOTARIAL SEAL
 VANESSA WILSBACH, Notary Public
 Lansdale, Montgomery County
 My Commission Expires January 13, 2013

res: **Statement of Advertising Costs**

BOROUGH _____
 MAIN STREET _____
 PA 19440 _____

Notice or advertisement attached hereto on _____ stated date.....

\$	587.05
\$	2.00
\$	<u>589.05</u>

Subscriber's Receipt for Advertising Costs

GOODSON HOLDING COMPANY D/B/A LRPa, LLC., a corporation, publisher of _____ a daily newspaper, hereby acknowledges receipt of the aforesaid _____ publication, and certifies that the same have been fully paid.

By.....

HATFIELD BOROUGH COUNCIL
WORKSHOP MEETING
September 8, 2010

MINUTES

CALL TO ORDER AND ROLL CALL:

- () John H. Weierman, President
- (X) Kenneth V. Farrall
- (X) John Kroesser
- (X) Bryan A. Moyer
- (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, Borough Manager, Michael J. DeFinis, Mayor Robert L. Kaler, III, Solicitor, Catherine M. Harper and Assistant Secretary Linda L. Watts.

1. APPROVAL OF MEETING AGENDA:

Motion: A motion was made by Councilmember Moyer to approve the Agenda of September 8, 2010. The motion was seconded by Councilmember Stevens and unanimously approved with a vote of 4-0.

2. PUBLIC INPUT: Vice President Farrall asked if there were any comments. There were none.

3. ANNOUNCEMENTS: Manager DeFinis made the following announcements.

- Next month's Council meeting is September 22 2010 Regular Meeting at 7:30 P.M.
- HERC is scheduled to meet September 22, 2010 8:00 A.M.

4. REPORTS FROM STANDING COMMITTEES AND MAYOR: Vice President Farrall asked if there were any reports or questions.

Manager DeFinis updated Council on the Big Green Egg Fest that will be held at Woodburner's.

5. MANAGERS REPORT: Manager DeFinis made the following announcements:
General Reports and Projects Update

- The West Vine Street Stormwater project phase 2 is complete. Final grading, seeding and yard restoration has been done.
- Chestnut Street Trail Bridge project is proceeding. The DEP permit has been applied for. We are waiting for permission to proceed.
- During the August 18 Council meeting the management of the Moser Group Garfield Ave., Escrow account was raised. I contacted Ken Amey & Mark Mattucci and informed them of Council's position of one escrow account for the project held in the Township and all Borough related items will be paid from that account.
- Borough Council Retreat Has Been Changed To Wednesday September 15th at 6:00 PM.
- The Minimum Municipal Obligation requirement for the pension fund will be on the agenda at the Regular meeting.
- Earth Engineering has completed the additional soil boring required by DEP. The final report should be completed by September 17th.
- Fred Leister and I will be out of the office September 29th through October 1st to attend the PMEA conference at Penn State.
- A BIG thanks to Diane Farrall for all her hard work and patience collecting information and completing the FEMA application for the 2010 February Winter Storm Reimbursement. Eight to ten hours of information was collected as well as meeting with FEMA twice.

6. OLD BUSINESS:

- A. Todd Walker / Hanson Property
- B. Recycling Ordinance

A. Todd Walker / Hanson Property

Manager DeFinis updated Council on Mr. Walkers request. A letter was received from Lenape Valley Engineering, Mr. Jason T. Smeland, P.E. informing Council that unfortunately, Mr. Walker is not certain that he can conform to the sixty day time period condition time period condition for the permitting and construction of the new utility connections. Mr. Walker would like to meet with the Borough Engineer to determine how the utility connections will be installed and to discuss the anticipated timing of the permitting, prior to signing the Land Development Waiver. A discussion ensued.

It was the consensus of Council for Solicitor Harper to issue a letter to Mr. Walker and Mr. Smeland.

Motion: A motion was made by Councilmember Moyer give Mr. Walker seven (7) more days to sign the Resolution and 90 (90) days from September 8, 2010 to get the job completed. The motion was seconded by Councilmember Stevens and unanimously approved with a vote of 4-0

B. Recycling Ordinance

Solicitor Harper updated Council on the Northern Montgomery Council Recycling Commission issue with the DEP regarding Townships / Boroughs burning policy for non-compliance. The DEP is holding up the grants regarding issues of burning. Towamencin and Franconia are the latest that have been nailed through the DEP for not being in compliance with the recycling statute. Representative Godshall had amended into the law the community will not lose its recycling grant if it allows limited burning. Solicitor Harper reviewed and answered questions regarding the Recycling Ordinance with Council. A discussion ensued regarding the Borough's current ordinance and exemptions on burning.

It was the consensus of Council for Solicitor Harper to advertise the Ordinance as presented for the September 22, 2010 Council meeting.

Motion: A motion was made by Councilmember Moyer to Advertise the Recycling Ordinance as presented. The motion was seconded by Councilmember Kroesser and unanimously approved with a vote of 4-0.

7. NEW BUSINESS:

- A. Ordinance authorizing Hatfield Borough to enter the Delaware Valley Municipal Health Insurance Trust / Review the Delaware Valley Municipal Health Insurance Trust Agreement
- B. PCTI Grants / Traffic Calming, Septa Parking Lot, Lights Liberty Bell Trail
- C. Zoning Hearing Board Appeal / Spotts Performance
- D. Sewer Lateral Attachment / Colonial Villa Apartments
- E. Rocktoberfest Table
- F. Boroughs Association Dinner September 23, 2010 Pottstown

A. Ordinance Authorizing Hatfield Borough to enter the Delaware Valley Municipal Health Insurance Trust / Review the Delaware Valley Municipal Health Insurance Trust Agreement.

Manager DeFinis informed Council the Borough is going to join the Health Insurance Trust with Delaware Valley. Council would have to pass an ordinance, sign the agreement that states the Borough would abide by the DVIT rules.

Solicitor Harper informed Council the Borough is switching health insurance to DVIT and the Borough currently has Worker's Compensation and Liability with DVIT. In order to participate Council would need to pass an ordinance and advertise the ordinance. The health insurance cost would be less expensive for the Borough.

Manager DeFinis informed Council the Borough will get dividends and rate stabilization funds back from the DVIT group.

Motion: A motion was made by Councilmember Moyer to advertise Ordinance authorizing the participation of Hatfield Borough in the Delaware Valley Health Insurance Trust Pursuant to the Pennsylvania Intergovernmental Cooperation Law. The motion was seconded by Councilmember Kroesser and unanimously approved with a vote of 4-0.

B. PCTI Grants / Traffic Calming, Septa Parking Lot, Lights Liberty Bell Trail

Manager DeFinis updated Council on the Community Transportation Initiative Grants. Applications are due September 15, 2010. \$24 million will be available state wide (last time it was \$59 million). Grants can be used for 100% of projects like trails, streetscapes, traffic calming, parking, street realignments, sidewalks, etc. The maximum grants are \$1.5 million. The state is looking for projects that link land use and transportation, support sustainable transportation, and improve our existing town. The borough and the township are pulling in joint grants. The borough is putting in for traffic calming and the septa parking lot.

C. Zoning Hearing Board Appeal / Spotts Performance

Manager DeFinis informed Council Mr. Spotts builds race car engines and asked for permission to build race car engines, he was allowed to build them but was not allowed to have customers come to the facility. Mr. Spotts does have customers coming to the facility. Mr. Spotts has to get a variance and become part of the fire safety inspection process and meet the borough codes. Code Enforcement Office sent Mr. Spotts a citation letter. A scheduling is scheduled for September 29, 2010. It was the consensus of Council to stay neutral.

D. Sewer Lateral Attachment / Colonial Villa Apartments

Manager DeFinis updated Council on the letter from Mr. Zavenzantos regarding his request to connect into the existing 6" lateral in the manhole in front of his property located at the corner of Garfield and Roosevelt Ave. The request is based upon a faulty line on the property. A discussion ensued.

It was the consensus of Council that the property owner would need to set up an escrow account, pay for the tap fee before getting a building permit and meet the borough specifications.

E. Rocktoberfest Table

Manager DeFinis informed Council the Nancy Stock from Hatfield Township has offered the Borough a table at the Rocktoberfest. Volunteers are needed to man the table.

F. Borough Association Dinner September 23, 2010.

Contact Manager DeFinis if interested in attending.

8. ACTION ITEMS:

A. Motion to advertise the Amended Recycling Ordinance.

Motion: A motion was made by Councilmember Moyer to advertise the Amended Recycling Ordinance. The motion was seconded by Councilmember Stevens and unanimously approved with a vote of 4-0.

9. MOTION TO ADJOURN:

Motion: A motion was made by Councilmember Moyer to adjourn the meeting of September 8, 2010. The motion was seconded by Councilmember Stevens and unanimously approved with a vote of 4-0. The meeting adjourned at 8:31 PM.

Executive Session: Litigation & Personnel

Respectfully Submitted,
Linda L. Watts, Assistant Secretary

HATFIELD BOROUGH COUNCIL
REGULAR MEETING
September 22, 2010

MINUTES

CALL TO ORDER AND ROLL CALL:

- (X) John H. Weierman, President
 - (X) Kenneth V. Farrall
 - (X) John Kroesser
 - () Bryan A. Moyer
 - (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, Borough Manager, Michael J. DeFinis, Solicitor, Catherine M. Harper and Assistant Secretary Linda L. Watts.

1. APPROVAL OF MEETING AGENDA:

Motion: A motion was made by Councilmember Farrall to approve the Agenda of September 22, 2010 as amended. The motion was seconded by Councilmember Stevens and unanimously approved with a vote of 4-0.

2. PUBLIC INPUT: President Weierman asked if there were any comments.

There were no comments. The media was present.

3. APPROVAL OF THE MINUTES:

Motion to approve the Special Meeting Minutes of August 2, and the Workshop / Regular Meeting of August 18, 2010.

Motion: A motion was made by Councilmember Stevens to approve the Special Meeting Minutes of August 2, 2010 and the Workshop / Regular Meeting Minutes of August 18, 2010. The motion was seconded by Councilmember Farrall and unanimously approved with a vote of 4-0.

4. ANNOUNCEMENTS: Manager DeFinis made the following announcements.

- Next month's Council meeting is October 6, 2010 Workshop Meeting & Regular Meeting October 20, 2010 at 7:30 P.M.
- HERC is scheduled to meet at 8:00 A.M and the HERC Task Force at 9:00 A.M. October 27, 2010.
- The Planning Commission is scheduled to meet July 12, 2010 @ 7:00 P.M.

5. REPORTS FROM STANDING COMMITTEES AND MAYOR:

HERC: Councilmember Stevens announced that HERC approved Business Funding grant to Woodburner's up to \$1,500.00 for The Big Green Egg Fest, a Small Project Grant to Judith Ludwick, Ludwick Engineering up to \$1,500.00 for replacement windows on the building, a Façade Grant to Brooks Instrument up to \$8,500.00 for the repurposing its landscaping, including the build out of a new equipment pad on the side of the building and improvement of the parking area and side walk entry to the building. The Committee approved a matching donation for businesses wishing to contribute to the North Penn Recreation Consortium Winter Fest event matching up to \$50.00. Vendor recognition is \$100.00 contribution.

Manager DeFinis informed Council the goal is for everyone to raise \$1,000.00 and not take it from municipal funds.

Public Safety: President Weierman asked Lieutenant Tierney if there were any Public Safety Reports.

Lieutenant Tierney informed Council he understand the concern about the trucks breaking away from Main and Broad Street and using Towamencin Avenue and side streets in the Borough and the Police Department will do their best to keep an eye on the problem.

Recycling: Mayor Kaler III updated Council on the collection of old prescriptions at the Hatfield Township Community Building. Mayor Kaler III suggested the Recycling Commission in conjunction with the North Penn Water Authority coordinate a collection in Hatfield.

Solicitor Harper informed Council there may be funding available through the District Attorney's Office.

President Weierman congratulated Mayor Kaler, III on his nomination for the PSMA for Mayor of the year in 2010. This certificate recognizes that his name was submitted and recognizes his performance as a outstanding mayor. President Weierman presented Mayor Kaler, III with the certificate and thanked him for his service.

6. MANAGERS REPORT: Manager DeFinis made the following announcements. General Report and Projects Update

1. Chestnut Street Trail Bridge phase 1 is complete. The bridge deck has been removed. The Public Works Director will contact the Costars contractor to determine the actual length of the new pedestrian bridge. The bridge will be ordered on September 23, 2010 and go from 24 foot to 30 foot. The grant covers \$17,000.00 of the bridge. The order will be placed under Co-Stars.
2. Earth Engineering has completed the addendum to the Remedial Action Completion Report of the former Electric Plant Property. DEP has received a copy of the report. The Borough should hear back from the DEP within a week.
3. With budget season upon us, committee meetings need to be scheduled. Please bring your calendars, date planner etc.
4. On Thursday, September 16th the traffic signal at Main & Broad Streets malfunctioned. The timing loop was affected. Fred Leister called Armour and Sons. The problem was identified and corrected. The system is old and the Borough may have to look into replacing it.
5. Harvest Day is fast approaching. Staff is preparing for the event. During preparation it was identified there might be a parking problem with the operating businesses and the patrons to the yard sale event. The property owner has asked the Borough to address the issues. At this time the Borough has sixteen vendors.

Manager DeFinis answered questions regarding the parking at the Harvest Day event and the parking issue.

7. PUBLIC HEARING:

- A. Hatfield Borough Codified Municipal Waste Collection and Recycling Ordinance #491
- B. Ordinance #492 Authorizing Hatfield Borough to participate in the Delaware Valley Municipal Health Insurance Trust

President Weierman called the Public Hearing to Order at 7:58 PM.

- A. Ordinance #491 – Hatfield Borough codified Municipal Waste Collection and Recycling Ordinance #491.

Borough Solicitor, Catherine M. Harper informed the Public Borough Council will hold a Hearing and an Action on Ordinance #491, this is the Hearing portion where Borough Council entertains comments from Borough Council and the Public. The Borough gets grants for recycling. The DEP has recently given some of the neighboring townships a hard time, the DEP felt some of their ordinances were not sufficient. As a result of that everyone in the Northern Montgomery County Recycling Commission has been asked to redo their recycling ordinance. The Recycling Ordinance basically reenacts what we have been doing for several years. The most significant changes are that it requires everyone to have a trash hauler. The Borough has always prohibited the burning of trash. The DEP wants to make sure that people have some other mechanism for the disposal of trash so for the first time the Borough requires everyone to have trash service and that includes commercial establishments. In addition they are to recycle and while the Borough has always banned the burning of anything considered recyclable. The new ordinance makes

it explicit able that there is to be no open burning in the Borough with the exception of food, ceremonies, and the Boy Scouts or things like that. Nothing that could be construed with the burning of trash. The new ordinance basically brings the Borough into compliance as what DEP is now requiring for the Borough to get the money for recycling.

Solicitor Harper asked Linda Watts, Assistant Secretary to attach to the minutes the Proof of Publication for Ordinance #491.

President Weierman opened the Hearing to questions or comments. Hearing No Question or Comments President Weierman asked for a motion to close the Hearing for Ordinance #491.

Motion: A motion was made by Councilmember Farrall to Close the Hearing for Ordinance #491. The motion was seconded by Councilmember Stevens and unanimously approved with a vote of 4-0. The Hearing Closed at 8:01 PM.

B. Ordinance #492 Authorizing Hatfield Borough to participate in the Delaware Valley Municipal Health Insurance Trust.

President Weierman open Public Hearing for Ordinance #492 Authorizing Hatfield Borough to participate in the Delaware Valley Municipal Health Insurance Trust.

Solicitor Harper informed Council and the Public Hatfield Borough already participates in the Worker's Compensation Trust with Delaware Valley Insurance Consortium and also liability. This year for the first year Hatfield Borough is looking at the health insurance because it is very competitively priced. The health insurance is the same as the employees are currently receiving but it is probably cheaper because it is a consortium of municipal government. Ordinance #492 authorizes the participation of Hatfield Borough in the Delaware Valley Health Insurance Trust pursuant to the Pennsylvania Intergovernmental cooperation law. The Group gives dividends on your premiums if they are not spent. The agreement is very similar to the one the Borough already entered with the Worker's Compensation and the Liability Insurance. If passed the ordinance will allow the Borough to participate and sign the agreement.

Solicitor Harper asked Linda Watts, Assistant Secretary to include the Proof of Publication for Ordinance #492 with the minutes.

Manager DeFinis informed Council that the Borough received a \$15,000.00 dividend check recently from DVIT and there is another \$4,800.00 check coming on top of Rate Stabilization Funds that the Borough has used for rate payments to reduce the Borough's costs. Being part of three portions of the Trust will give the Borough a three percent discount on payments.

President Weierman opened the Hearing to questions or comments.

Hearing none President Weierman asked for a motion to close the Hearing.

Motion: A motion was made by Councilmember Farrall to Close the Hearing for Ordinance #492. The motion was seconded by Councilmember Kroesser and unanimously approved with a vote of 4-0. The Hearing Closed at 8:05 PM.

8. ACTION ITEMS:

A). Motion to Approve Ordinance #491

Motion: A motion was made by Councilmember Farrall to Approve Ordinance #491 Hatfield Borough codified Municipal Waste Collection and Recycling. The motion was seconded by Stevens.

President Weierman asked if there were any additional comments or questions. There were none.

The motion was unanimously approved with a vote of 4-0.

B) Motion to Approve Ordinance #492

Motion: A motion was made by Councilmember Farrall to approve Ordinance #492 – Authorizing Hatfield Borough to participate in the Delaware Valley Municipal Health Insurance Trust. The motion was seconded by Councilmember Stevens.

President Weierman asked if there were any additional comments or questions. There were none.

The motion was unanimously approved with a vote of 4-0.

C) Motion to Approve the 2011 Financial Requirements and Minimum Municipal Obligation Report for the Defined Benefit Pension Plan in the amount of \$123,369.00 and the Defined Contribution Pension Plan in the amount of \$12,752.00.

President Weierman updated Council on the requirements of the Minimum Municipal Obligation Report for the Defined Benefit Pension Plan and the Defined Contribution

Pension Plan for 2011. The actuary covers letters are attached. These are the required Borough's obligations for 2011.

Motion: A motion was made by Councilmember Farrall to Approve the 2011 Financial Requirements and Minimum Municipal Obligation Report for the Defined Benefit Pension Plan in the amount of \$123,369.00.

Motion: A motion was made by Councilmember Farrall to amend his motion to include the approval of the 2011 Financial Requirements and Minimum Municipal Obligation Report for the Defined Benefit Pension Plan in the amount of \$123,369.00 and the Defined Contribution Pension Plan in the amount of \$12,752.00. The motion was seconded by Councilmember Kroesser and unanimously approved with a vote of 4-0.

D) Motion to Approve Payment No. 2 (Final) submitted by Passerini & Sons, Inc. for the West Vine Street Drainage Improvements in the amount of \$1,084.00.

Motion: A motion was made by Councilmember Farrall to approve payment No. 2 (Final) submitted by Passerini & Sons, Inc. for the West Vine Street Drainage Improvements in the amount of \$1,084.00. The motion was seconded by Councilmember Kroesser.

President Weierman informed Council the cover letter from Bursich recommending payment , the punch list letter and required 12 month maintenance bond, in the amount of \$3,252.00 is attached.

The motion was unanimously approved with a vote of 4-0.

9. Motion to Approve Payment of the Bills. President Weierman and Manager DeFinis answered questions regarding the updated bill list.

Motion: A motion was made by Councilmember Farrall to Approve Payment of the Bills. The motion was seconded by Councilmember Stevens and unanimously approved with a vote of 4-0.

DISCUSSION ITEMS: President Weierman and Manager DeFinis reviewed the discussion items.

REPORTS AND CORRESPONDENCE:

- Monthly Investment Report
- Monthly EIT Report
- Police Department Report
- Fire Department Report
- Public Works Department Report

President Weierman updated Council on the EIT report and the Public Works Department Report.

10. OLD BUSINESS: There was No Other Old Business.

11. NEW BUSINESS: There was No New Business.

12. ADJOURNMENT:

Motion: A motion was made by Councilmember Farrall to adjourn the meeting of September 22, 2010. The motion was seconded by Councilmember Kroesser and unanimously approved with a vote of 4-0. The meeting adjourned at 8:12 PM.

Executive Session: Litigation & Personnel

Respectfully Submitted,
Linda L. Watts, Assistant Secretary

HATFIELD BOROUGH COUNCIL
WORKSHOP MEETING
October 6, 2010

MINUTES

CALL TO ORDER AND ROLL CALL:

- (X) John H. Weierman, President
 - (X) Kenneth V. Farrall
 - (X) John Kroesser
 - (X) Bryan A. Moyer
 - (X) Lawrence G. Stevens
- (X) Mayor, Robert L. Kaler III

The record shows that five members of Council were present at roll call, as well as, Borough Manager, Michael J. DeFinis, Mayor Robert L. Kaler, III, Solicitor, Catherine M. Harper and Assistant Secretary Linda L. Watts.

1. APPROVAL OF MEETING AGENDA:

Motion: A motion was made by Councilmember Moyer to approve the Agenda of October 6, 2010 as amended. The motion was seconded by Councilmember Farrall and unanimously approved with a vote of 5-0.

2. PUBLIC INPUT: President Weierman asked if there were any comments. There were none. There was no media present.

3. ANNOUNCEMENTS: Manager DeFinis made the following announcements.

- Next month's Council meeting is October 20, 2010 Regular Meeting at 7:30 P.M.
- HERC is scheduled to meet 8:00 AM, Task Force is scheduled immediately @ 9:00 AM October 27, 2010 8:00 A.M.

4. REPORTS FROM STANDING COMMITTEES AND MAYOR: President Weierman asked if there were any reports or questions.

Public Works / Public Safety: Councilmember Moyer informed Council the Public Safety and Public Works Committees met on October 5, 2010. The full report will be discussed in Executive Session.

Utilities: Councilmember Farrall informed Council the Borough had a booth at the Rocktoberfest. The Borough gave out recyclable compact fluorescent bulbs as the door

prize in an effort to promote Public Power Week. The Borough will also be giving out the recyclable compact fluorescent bulbs to all the people that have tables at Harvest Day. The event was very well attended.

Property and Equipment: Councilmember Stevens informed Council the Property and Equipment Committee met recently and got a look at the concept plan for the new borough building.

Recycling: Mayor Kaler, III, informed Council there was a Recycling meeting on October 5, 2010. The Borough will be receiving a letter regarding the meeting. The Borough is in compliance with DEP requirements. A discussion ensued.

Solicitor Harper updated Council on the discussion with DEP regarding limited burning. It was confirmed that if everyone is in compliance except for one municipality then everyone that is in compliance will get there grant except for the one that is not in compliance.

Mayor Kaler, III, informed Council he attended the seminar put on by PMA. The seminar detailed specific duties for the Mayor and Councilmembers. Mayor Kaler, III, informed Council the Mayor should be responsible for giving the state of the Borough in an emergency and it is extremely important that all Councilmembers get NIMS certified. Mayor Kaler, III, congratulated Council on the excellent job they are doing.

Manager DeFinis answered questions regarding the Zoning Hearing Board hearing on September 29, 2010.

5. MANAGERS REPORT: Manager DeFinis made the following announcements:
General Reports and Projects Update

- Mike Hartey attended the Zoning Hearing Board Hearing on September 29, 2010. The applicant Paul Spotts was awarded the variance to operate a small engine repair shop out of his garage. There was no opposition from his neighbors. There were no conditions levied by the Zoning Hearing Board, but there are conditions levied by Ordinance and the Business Guide. A discussion ensued.
- Chestnut Street Trail Bridge has been ordered through a Costars approved vendor. The bridge deck has been removed and work is progressing.
- Earth Engineering has completed the addendum to the Remedial Action Completion Report of the former Electric Plant Property. DEP has received a copy of the report.
- All committees of Council have held their pre-budget meetings. Staff will now work with the Budget Finance & Labor Committee to present a working document for review at the November 3rd workshop meeting.
- Mark Mattucci submitted a general permit request to DEP for the repair to the N. Main Street culvert next to the post office. Public Works Director, Fred Leister secured three price quotes for the work. As soon as we have DEP approval the work can begin. Underneath the side walk is a gas main. PECO has been notified

and they will come out October 7, 2010. The gas line directly affects the Hatfield Post Office. A discussion ensued.

- The Hatfield Borough members of Teamsters Local #830 have unanimously ratified their contract. This Item will be on for Council approval at the October 20, 2010 Regular meeting.
- Two outstanding bills more than a year old from All Points Reporting have been submitted for payment. The bills were during the Interim period time frame. Per the Auditor anything more than a year old must be brought to the attention prior to approving the payment. The bills will be on the bill list for the next meeting and also be an action item for Council's approval.
- The FEMA map has been updated. There is a meeting October 19, 2010. There is a minor effect to the Borough on Chestnut Street. Borough Engineer Mark Mattucci will attend the meeting on behalf of the Borough.
- The Montgomery County Norristown Public sent a thank you for the contribution.
- The Volunteer Fire Relief check has been received.
- The General Pension State Aid fund has been received.
- AMP – Ohio, Public Power Week began Sunday. Hatfield Borough being a Public Power Community I ordered recyclable light bulbs that are going to be distributed at Harvest Day and also compact fluorescent light bulbs and an energy savings tips calendar through American Public Power Association that will be given to residents that are struggling with their electric as well as giving out as Christmas gifts in the Borough. Part of Public Power Week is to educate people on how to conserve energy.

Manager DeFinis answered questions on the Costars program and the Federal grant purchasing program.

6. OLD BUSINESS:

- A. Harvest Day / Yard Sale Saturday October 9th
- B. Zoning Modifications / Zoning Map Update
- C. Budget / Committee Meetings Update
- D. Teamsters Local #830 Contract Update
- E. Moser Subdivision

- A. Harvest Day / Yard Sale Saturday October 9, 2010.
Manager DeFinis informed Council that there are 32 vendors signed up for the event.

- B. Zoning Modifications / Zoning Map Update

Manager DeFinis informed Council Borough Engineer Mark Mattucci did the Zoning Map Update and Solicitor Harper and he are working on adding the Zoning Map to the Ordinance to resubmit to the Montgomery County Planning Commission.

Solicitor Harper updated Council on the zoning map and the ordinance. Solicitor Harper asked Councilmember Stevens if the Planning Commission reviewed the zoning map because the zoning is changing. The zoning map is changing and the ordinance will now require posting. Under State law when you change the zoning of a property you need to notify the affected property owner and post any perimeters of the tract that is changing. Solicitor Harper suggested the Zoning Officer work with the Borough Engineer to post the properties.

Manager DeFinis answered questions regarding the areas that will be affected by the re-zoning.

Councilmember Moyer suggested sending a letter to the property owners explaining what the changes are, how the changes will affect them and invite the property owners to the Workshop meeting to answer any questions. A discussion ensued.

C. Budget / Committee Meetings Update.

Manager DeFinis informed Council a Utilities and Budget, Finance and Labor Committee meetings need to be scheduled.

D. Teamsters Local #830 Contract Update

Manager DeFinis informed Council the Teamsters Local #830 ratified the contract 4-0. The updated changes are in Council packet. Solicitor Harper has the revised contract that was offered to the Teamsters Local #830 and will be on the November 20, 2010 Regular meeting for action.

President Weierman thanked Manager DeFinis for his hard work on the Teamsters Local #830 contract.

Manager DeFinis answered questions regarding the traffic light at Main and Broad Street, TCDI grants and LED battery back-up.

E. Moser Subdivision

Manager DeFinis update Council on the letter dated October 5, 2010 from Borough Engineer Mark Mattucci. Mr. Mattucci reviewed the revised minor subdivision plan for the project and presented the list of the reviewed plan sheets. Everything they were asked to do they did from the first review letter. A discussion ensued.

7. NEW BUSINESS

- A. Boroughs Association Dinner October 28, Royersford
- B. PMEA Conference Update

- A. Boroughs Association Dinner: Manager DeFinis informed Council the Borough Association Dinner is October 28, 2010 at Royersford. Anyone wishing to attend should contact Mr. DeFinis.
- B. PMEA Conference: Manager DeFinis updated Council on the amended By-laws by PMEA. A motion was passed to vote on the by-laws by mail. The ballots will be sent out, voted on and then sent back. Manager DeFinis reviewed the By-laws. It was the consensus of Council to vote Yea on the By-laws. One of the things that came out of last year's meeting was to adopt a Standard of Good Practice. This was in response to the problems that occurred last year with the Consumer Affairs Department. The Standard of Good Practice outlines how Municipalities should act as a Municipality owned electric company, in how we connect, disconnect and in the collections and deposits, how to hold deposits, why to hold deposits. There are thirty four pages of ordinance to review. The Standard of Good Practice is molded after the PUC guidelines. Suggestions can be forwarded to the PMEA. Board member Manager DeFinis will sit in on the Standards of Good Practice adoption. A discussion ensued.

Manager DeFinis updated Council and answered questions on the street closures due to the weather conditions on Friday as well as the flooding and stream closing. A discussion ensued regarding R&L Carriers moving the street closure barricades.

Mayor Kaler, III, updated Council on the unusual flood conditions resulting from the storm and the flood areas.

Solicitor Harper updated Council on a blight bill that is moving thorough legislative. It will be helpful to the borough if people don't keep their properties up you can deny them other permits. If a person owns three properties and one look like he is not taking care of it you can deny permits on the other properties that he owns.

8. ACTION ITEMS:

9. MOTION TO ADJOURN:

Motion: A motion was made by Councilmember Moyer to adjourn the meeting of October 6, 2010. The motion was seconded by Councilmember Farrall and unanimously approved with a vote of 5-0. The meeting adjourned at 8:46 PM.

Executive Session: Litigation & Personnel

Respectfully Submitted,
Linda L. Watts, Assistant Secretary

HATFIELD BOROUGH COUNCIL
WORKSHOP MEETING
October 20, 2010

MINUTES

CALL TO ORDER AND ROLL CALL:

- (X) John H. Weierman, President
 - (X) Kenneth V. Farrall
 - (X) John Kroesser
 - (X) Bryan A. Moyer
 - (X) Lawrence G. Stevens
- (X) Mayor, Robert L. Kaler III

The record shows that five members of Council were present at roll call, as well as, Borough Manager, Michael J. DeFinis, Mayor Robert L. Kaler, III, Solicitor, Catherine M. Harper and Assistant Secretary Linda L. Watts. The media was present.

1. APPROVAL OF MEETING AGENDA:

Motion: A motion was made by Councilmember Moyer to approve the Agenda of October 20, 2010 as amended. The motion was seconded by Councilmember Farrall and unanimously approved with a vote of 5-0.

2. PUBLIC INPUT: President Weierman asked if there were any comments. There were none.

3. APPROVAL OF THE MINUTES

Motion to approve the Minutes of September 8, 2010 Workshop and the September 22, 2010 Regular Minutes.

Motion: A motion was made by Councilmember Farrall to approve the Minutes of September 8, 2010 Workshop and the September 22, 2010 Regular Minutes with the correction. The motion was seconded by Councilmember Moyer and unanimously approved with a vote of 5-0.

4. ANNOUNCEMENTS: Manager DeFinis made the following announcements.

- Next month's Council meetings November 17, 2010 @ 7:30 P.M.
- HERC is scheduled to meet November 17, 2010 8:00 A.M.
- The Planning Commission is scheduled to meet November 1, 2010 @ 7:00 PM.

- The Borough Offices will be closed November 11, 2010 in observance of Veteran's Day.
- HERC will meet October 27, 2010 @ 8:00 A.M. the Task Force will meet at 9:00 A.M.

5. REPORTS FROM STANDING COMMITTEES AND MAYOR: President Weierman asked if there were any reports or questions.

Public Safety: Lieutenant Schmitz informed Council there was nothing new to report in the Borough.

Mayor Kaler, III commended the Borough Staff, Emergency Management and Public Works Director, Fred Leister and Staff on the outstanding job they did during the recent bad weather and flooding in the Borough.

President Weierman informed Council the Borough received the 2010 Green Futures Achievement Award on October 22, 2010 for the Liberty Bell Plaza and Trail. There is a nice narrative written by their staff that outlines the project that will be placed out front to inform Borough residents of the recognition.

6. MANAGERS REPORT: Manager DeFinis made the following announcements:
General Reports and Projects Update

- Chestnut Street Trail Bridge has been ordered through a Costars approved vendor. All the spec plans should be back and all the information will be forwarded to DCNR for their approval before moving forward.
- DEP response to the Remedial Action Completion Report and Addendum is in your packets for the work done at the Electric Plant Park. The DEP accepted the report.
- The Budget Finance & Labor Committee and Staff have been working on the 2011 budget. The preliminary budget will be distributed to Council at the November 3rd Workshop Meeting. Council will have two weeks to review the budget prior to advertising. A Budget, Finance and Labor meeting will be scheduled for next week to review the draft that is going to be presented on the 3rd.
- September 30th storm report is in your packets. I have contacted the County Emergency services for any assistance to business owners.
- National Water Main Cleaning Co. started the sewer lateral repair project on Friday October 15, 2010. Manager DeFinis updated Council on the Army Corps of Engineers project.
- Manager DeFinis updated Council on the Parking Lot Plaza and Trail Project and revitalization grants projects close-out.
- The Borough's Holiday Brunch is December 5, 2010 at the Joseph Ambler Inn.
- Household Hazardous Waste Collection is now on HTV

8. ACTION ITEMS:

A. Motion to approve the contract extension with Teamsters Local #830 effective January 1, 2011 to December 31, 2015.

Motion: A motion was made by Councilmember Moyer to approve the contract extension with Teamsters Local #830 effective January 1, 2011 to December 31, 2015. The motion was seconded by Councilmember Farrall.

President Weierman opened the floor for comments.

Manager DeFinis informed Council that on page 20 of the agreement under the retirement saving plan article number 22 the dates are inaccurate and will be corrected in the final review. The Union has ratified this contract and you are approving all the article that you agreed to in negotiations. We are going to revisit the contract next Thursday with Union Representative Glenn Folcher and Shop Stewart, Edward Polaneczky for the members to make sure all the typo's are removed and corrected. In the Council packet is the contract with all the changes that were made and what was agreed to. The only thing that will be added is the addendum to the wage sheet will be added so that reflects the new wages.

President Weierman congratulated and thanked Mr. Folcher and Manager DeFinis on the final approval and execution of the contract and the cooperation of everyone.

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

B. Motion to pay \$350.00 to All Points Reporting for services billed in July and August of 2008.

Motion: A motion was made by Councilmember Moyer to pay \$350.00 to All Points Reporting for services billed in July and August of 2008. The motion was seconded by Councilmember Farrall.

President Weierman updated Council on the two invoices from All Points Reports. According to the Auditors bills that are more than a year old will need to reviewed by Council for approval of payment.

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

8. Motion to Approve Payment of the Bills

Motion: A motion was made by Councilmember Moyer to Approve Payment of the Bills. The motion was seconded by Councilmember Farrall.

President Weierman reviewed the updated Bill List.

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

DISCUSSION:

REPORTS AND CORRESPONDENCE:

President Weierman reviewed the Reports and Correspondence.

President Weierman informed Council there was a little gain on the EIT A discussion ensued.

Monthly Investment Report
Monthly EIT Report
Police Department Report
Fire Department Report
Public Works Department Report

9. OLD BUSINESS:

10: NEW BUSINESS:

President Weierman informed Council the Montgomery County Borough Association Dinner Meeting is scheduled for Thursday, October 28, 2010 and hosted by Royersford Borough at Spring Ford Country Club. Anyone wishing to attend contact Manager DeFinis or Linda Watts, Assistant Secretary.

11. MOTION TO ADJOURN:

Motion: A motion was made by Councilmember Moyer to adjourn the meeting of October 20, 2010. The motion was seconded by Councilmember Farrall and unanimously approved with a vote of 5-0. The meeting adjourned at 7:50 PM.

Executive Session: Litigation & Personnel

Respectfully Submitted,
Linda L. Watts, Assistant Secretary

HATFIELD BOROUGH COUNCIL
WORKSHOP MEETING
November 3, 2010

MINUTES

CALL TO ORDER AND ROLL CALL:

- (X) John H. Weierman, President
 - (X) Kenneth V. Farrall
 - (X) John Kroesser
 - () Bryan A. Moyer
 - (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, Borough Manager, Michael J. DeFinis, Mayor Robert L. Kaler, III, Joshua S. Ganz from Timoney Knox and Assistant Secretary Linda L. Watts.

1. APPROVAL OF MEETING AGENDA:

Motion: A motion was made by Councilmember Stevens to approve the Agenda of November 3, 2010 as amended. The motion was seconded by Councilmember Farrall and unanimously approved with a vote of 4-0.

2. PUBLIC INPUT: President Weierman asked if there were any questions or comments.

Steve Meckes 24 N. Market Street asked to be updated on the zoning changes that are taking place in the borough.

Councilmember Farrall informed Mr. Meckes the Borough is in the process of codifying the ordinances and by doing that one of the things that we are trying to do with that is update the zoning and the zoning map. What we tried to do is revise the zoning to allow similar uses in the Core Commercial. If you sell your property if someone wants to come in and develop it they can have the same uses as the Borough has in the Downtown area. This is to allow some additional development in the Borough. We are not saying this is going to happen, but the Borough is trying to be more user friendly to the developer. The Borough is starved for development and we have an opportunity if someone wants to come into the Borough and buy two properties and develop it in the future the we are trying to give them the opportunity.

Mr. Meckes asked Council if the Borough anticipates more shops moving into the borough and if his taxes will be going up because of the rezoning.

Councilmember Farrall informed Mr. Meckes that the real estate taxes are not going up and that the Borough always dreams of having more businesses move into the Borough. The Borough is not making it more restrictive for business to move into the Borough we are making it easier to develop, which will increase property values. There will be a public hearing on December 1, 2010 at the Fire House to answer specific questions and the public is encouraged to attend.

James McConnell 40 W. Broad Street informed Council that he has lived in the Borough for 32 years and he is concerned that the Borough will lose the small town feeling and he would hate to see the Borough become commercialized. A lot of his neighbors like the feel of this Borough. Is the intent to try and turn the Borough into another Skippack?

Councilmember Farrall informed Mr. McConnell the intent is to have a little bit more commercial down town because obviously the tax base is not growing and the Borough is not getting new development or new homes and if we don't get any new commercial business in here for earned incomes taxes, taxes, sewer and electric then it is all going to fall back on the residents. I am not saying that that is what is going to happen and we are going to start raising everything, but we need to be fiscal and plan for it so that sometime in the future if we get a few more businesses and have a small downtown we can always use a couple more.

Mr. McConnell informed Council that he feels the Borough shot themselves in the foot when the disallowed any auto uses. The triangle down has set vacant for four years.

Councilmember Farrall informed Mr. McConnell that that is the property that the developer was going to develop and did get an approved plan but due to the economy he did not build. Now that there is hope that the economy is coming back up the developer has been in contact with the Borough about doing something on the corner property.

Mr. McConnell stated that what he is bringing up is the place has been an eye sore for three or four years. The previous people that had an auto dealership kept the place clean and nice.

Councilmember Farrall informed Mr. McConnell that the auto dealership went out of business before the Borough did the Core Commercial District downtown.

Mr. McConnell asked why that stipulation warranted that an auto business cannot move into that location.

Councilmember Farrall informed Mr. McConnell that there are other places in the Borough that are more fitting. The person can come to a Zoning Hearing Board with a reasonable proposal, the Borough would not shoot it down we would actually recommend

it. That person has to come to Council and if the traffic and if it fits in there and it meets the standards it could be approved.

Mr. McConnell asked with the change along Broad Street with the change from R2 to R3 what is to prevent someone from opening up used furniture store next to his property.

Councilmember Farrall informed Mr. McConnell that the business would require a U&O and meet the ordinance guidelines. The Borough did a Revitalization plan to develop and one of the recommendations of the plan was to do the zoning. It was a studied plan.

Manager DeFinis informed the residents that the Revitalization Update was necessary for the Borough to receive Revitalization dollars. Every five years the Borough has to start an update process and every seven years the Borough has to complete the process.

Mayor Kaler, III, informed the residents that what the Borough gets back in dollars is the parking lot behind the Trolley Stop. The Borough put minimal dollars in it all came back to the Borough because the Borough had everything in place. The Borough was able to do that and not use tax payer money. Between now and December first if there is any other questions please contact the Borough Manager and he will answer your questions.

Tom Dietrich asked Council if residents will have input to who can have a business or type of business next to him in a twin.

Councilmember Farrall informed Mr. Dietrich that residents will always have input on the Planning Zoning Subdivision Process, what will happen if they are changing the use or changing something important they have to come to Land Development and at that time a Public Hearing will be scheduled. You can always come and voice your opinion why you like something or why you don't like something or maybe you like it but would like to see more landscaping or parking.

Mr. Dietrich asked if the Borough could specify who would or would not be allowed into the Borough.

Councilmember Farrall informed Mr. Dietrich the Borough cannot stop someone from moving in if they meet the requirements. The Borough cannot have exclusionary zoning.

Mr. Dietrich asked why would you ask for Public Input if you cannot say no.

Councilmember Farrall informed Mr. Dietrich that public input may weigh on whether the project gets approved.

Joshua Ganz, Representative from Timoney Knox informed Mr. Dietrich when creating a core commercial district certain uses that are allowed in that core commercial area. If anyone wants to come in and use borough property as a florist they can use that and there is a list of those uses. There a number of uses that are conditional uses. You would have to come to the Borough and ask to use that particular use in that area. There are some that

are not allowed at all. For instance a massage parlor an adult video store would not be allowed. You have to be careful what you exclude from the Borough. You can't prevent an adult use can't be excluded completely from the Borough but you can limit it to certain areas. A discussion ensued.

Councilmember Farrall informed Mr. Dietrich you have to abide by the rules of the State of PA. These are the type of questions that we are encouraging people to bring up at the public hearing. The ordinance is not codified yet and this is the time to address the concerns.

Joshua Gantz informed the public that just like any ordinance they are subject to revision over time.

Mr. Dietrich informed Council that he feels the Borough is losing control by allowing other uses.

Joshua Gantz informed Mr. Dietrich that the ordinance dictates what new construction would look like and trying to keep the feel of downtown. There are examples of what uses we would like to see and not see. This may be a way to encourage other businesses. A discussion ensued regarding liquor licenses and restaurants.

Councilmember Farrall informed the Public that the Borough is always actively trying to promote businesses.

Tim Farley residing at 183 E. Union Street asked Council to update him on the zoning map and asked if he can have a home office in the R2 District.

Manager DeFinis informed Mr. Farley that he may be able to have a home occupation and would need to be reviewed by the Zoning Officer.

Joshua Ganz will review Mr. Farley property and the zoning location.

President Weierman informed the public the actual hearing will be at the Fire House on December 1, 2010 at 7:30 PM and encouraged residents to attend.

3. ANNOUNCEMENTS: Manager DeFinis made the following announcements.

- Next month's Council meeting is November 17, 2010 Regular Meeting at 7:30 P.M.
- HERC is scheduled to meet November 17, 2010 at 8:00 AM,
- The Borough Offices will be closed November 11 for Veteran's Day.

4. REPORTS FROM STANDING COMMITTEES AND MAYOR: President Weierman asked if there were any reports or questions.

Recycling: Mayor Kaler, III, informed Council the Recycling Meeting was cancelled due to the elections.

5. MANAGERS REPORT: Manager DeFinis made the following announcements:
General Reports and Projects Update

- Chestnut Street Trail Bridge has been ordered through a Costars approved vendor. The contractor should be in Monday to work with the Public Works Department.
- Council will receive the preliminary 2011 Budget toning. Council will have two weeks to review the preliminary Budget. Council may consider advertising the Budget at the November 17th meeting for adoption at either the December 1st or 15th meeting.
- National Water Main Cleaning Co. is waiting for rain to continue the sewer lateral repair project.
- With the cooperation of PECO's Suzanne Ryan, her staff, the public works dept and C&S Landscaping the North Main Street culvert repair project is done. The gas main was removed by PECO.
- The public works department is currently working on holiday decorations. The Star will be repaired in time for Thanksgiving.
- I attended the Hatfield Chamber of Commerce luncheon Monday, October 25th to update Chamber members on Borough projects. Andrew Hanes updated for the Township.
- On Thursday, October 28th I attended the Montgomery County Borough's Association dinner meeting in Royersford. At the meeting, with Council's consent I was approved as Treasurer for the Association.
- Hatfield Borough is scheduled to co-host the Montgomery County Borough Association dinner with Telford & Souderton January 27, 2011. Place TBD.
- The 100th Anniversary of the PSAB will be held April 10 – 13, 2011 at the Hershey Lodge.

6. OLD BUSINESS:

- A. Zoning Modifications to Core Commercial Area
- B. Zoning Map Changes
- C. February Winter Storm Event Reimbursement
- D. Preliminary Budget Presentation
- E. Resolution (TCD) and (TCC)
- F. Sewer Ordinance

- A. Zoning Modifications to Core Commercial Area – Manager DeFinis informed Council the Planning Commission letter was received reviewed as well as the Residential Office District catalog brochure. The Planning Commission comments were sent to the Solicitor as well as Simone Collins the contractor on the project. The consultant is going to review the letter and the Borough should have any recommendation, changes and modifications ready for the December 1, 2010 meeting.

Councilmember Farrall suggested he and Councilmember Stevens meet with Manager DeFinis prior to the December 1 meeting to regroup on the zoning modifications.

- B. Zoning Map Changes - Manager DeFinis informed Council the Zoning Map changes were presented.
- C. February Winter Storm Event Reimbursement – Manager DeFinis informed Council the \$6001.48 was received for the storm reimbursement from PEMA for services that were conducted on February 6 & 7 for the back to back storms when emergency conditions were declared in Pennsylvania. Manager DeFinis thanked Public Works Director Fred Leister and Treasurer Diane Farrall for all the work they did to pull the reimbursement together.
- D. Preliminary Budget Presentation – Manager DeFinis updated Council on the preliminary budget including the recommended adjustments. There are no scheduled or anticipated or accounted for tax increases, electric or sewer increases or pay increases of any kind in the budget. The budget is just over \$6.6 million dollars. Manager DeFinis reviewed the fund revenue and expenditures amounts. The Public Works Director is developing a road maintenance program for the Highway Aid program. Manager DeFinis updated Council on the installed capacity cost of electric to the Borough and the Capital Projects grants. In order to get the grants the Borough has to show that the money is budgeted for.

President Weierman informed Council that in Committee spent extra time looking at the sewer fund what those cost charges were so far as revenue and initially anticipated a sewer fund increase. The Borough was able to hold the line and not pass an increase in the coming year. The Borough will rely heavily on the electric fund transfer to off-set the lack of revenue in the general fund.

Manager DeFinis informed Council the approved preliminary budget will be available for public review at the counter and discussed the advertisement dates for the preliminary budget and the tax rates.

Council congratulated Manager DeFinis on a good job.

Manager DeFinis thanked Council for their support.

- E. Resolution Regarding EIT Tax Collector Act 32 – Manager DeFinis informed Council Act 32 is enacted of 2008 and where all earned income tax collected in the County will be collected by one tax collector. It appears that Berkheimer will be that tax collector. Berkheimer is the Borough's tax collector now and because of that contract the fee that they charge to collect Borough taxes will go down. The Borough will be part of the Tax Collection Committee and the Tax Collection District. Diane Farrall, Treasurer is the representative for the Borough.
- F. Sewer Ordinance – Manager DeFinis updated Council on the amendment to the sewer ordinance so fees can be changed by resolution.

Joshua Ganz informed Council it is essentially whether you can change things by resolution. You are not allowed to change tapping fees by resolution only by ordinance. Mr. Ganz informed Council what we are trying to do is get all of the fees incorporated onto one schedule so they can all be changed at one time. A discussion ensued.

7. NEW BUSINESS

- A. Hatfield Township / Planning Commission property use review.
 - B. Acc 44 Written Procedures Compliance
 - C. Zoning Hearing Board Reorganization
 - D. Boroughs Association Holiday Dinner December 2, 2010.
-
- A. Hatfield Township / Planning Commission property use review - Manager DeFinis updated Council on the property right outside the Borough in the Township that is zoned industrial. They changed the use of the property to a Church as being a less intense use. The Township wanted the Borough to be aware of the change of the use. The Township gave their consent to move forward with the use. The Borough will be made aware of the progress.
 - B. Act 44 Written Procedures Compliance - Manager DeFinis informed Council with the passage of Act 44, municipalities are now required to prepare written procedures in how professional services are chosen for its pension plans. Act 44 will be on the November 17, 2010 agenda for approval.
 - C. Zoning Hearing Board Reorganization - Manager DeFinis informed Council the Zoning Hearing Board did reorganize at their first meeting of the year in October. The Zoning Hearing Board approved Spotts Performance for the use of his property in building engines on Maple Avenue.
 - D. Boroughs Association Holiday Dinner December 2, 2010 - President Weierman informed Council if they would like to attend the Holiday Dinner please contact Linda Watts Assistant Secretary before the next meeting.

8. ACTION ITEMS:

- A. Motion to approve Resolution 2010-14 Authorizing participation In the PA State Costars Purchasing Program.

Motion: A motion was made by Councilmember Farrall to approve Resolution 2010-14 Authorizing participation in the PA State Costars Purchasing Program. The motion was seconded by Councilmember Stevens and unanimously approved with a vote of 4-0.

- B. Motion to approve moving the December 1, 2010 7:30 PM Borough Council Workshop meeting location to 75 Market Street the Hatfield Volunteer Fire Company.

Motion: A motion was made by Councilmember Farrall to approve moving the December 1, 2010 7:30 PM Borough Council Workshop meeting location to 75 Market Street the Hatfield Volunteer Fire Company. The motion was seconded by Councilmember Kroesser and unanimously approved with a vote of 4-0.

C. Motion to approve the Hatfield Chamber of Commerce use of Rail Road Plaza on December 4, 2010 for the annual Community Caroling and Christmas Tree Lighting Ceremony.

Motion: A motion was made by Councilmember Farrall to approve the Hatfield Chamber of Commerce use of Rail Road Plaza on December 4, 2010 for the annual Community Caroling and Christmas Tree Lighting Ceremony. The motion was seconded by Councilmember Kroesser and unanimously approved with a vote of 4-0.

9. MOTION TO ADJOURN:

Motion: A motion was made by Councilmember Farrall to adjourn the meeting of November 3, 2010. The motion was seconded by Councilmember Kroesser and unanimously approved with a vote of 4-0. The meeting adjourned at 8:45 PM.

Executive Session: Litigation & Personnel

Respectfully Submitted,
Linda L. Watts, Assistant Secretary

HATFIELD BOROUGH COUNCIL
REGULAR MEETING
November 17, 2010

MINUTES

CALL TO ORDER AND ROLL CALL:

- (X) John H. Weierman, President
 - (X) Kenneth V. Farrall
 - (X) John Kroesser
 - () Bryan A. Moyer (arrived at 8:12 pm)
 - (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, Borough Manager, Michael J. DeFinis, Mayor Robert L. Kaler, III, and Assistant Secretary Linda L. Watts. Solicitor Harper arrived at 7:36 pm. There was no media.

1. APPROVAL OF MEETING AGENDA:

Motion: A motion was made by Councilmember Stevens to approve the Agenda of November 17, 2010 as amended. The motion was seconded by Councilmember Farrall and unanimously approved with a vote of 4-0.

2. PUBLIC INPUT: President Weierman asked if there were any comments. There were none.

3. APPROVAL OF THE MINUTES

Motion to approve the Minutes of October 6, 2010 Workshop and the October 20, 2010 Regular Minutes.

Motion: A motion was made by Councilmember Farrall to approve the Minutes of October 6, 2010 Workshop and the October 20, 2010 Regular Minutes with corrections. The motion was seconded by Councilmember Kroesser and was unanimously approved with a vote of 4-0.

4. ANNOUNCEMENTS: Manager DeFinis made the following announcements.

- Next month's Council meetings December 1st Workshop Meeting location changed to the Hatfield Volunteer Fire Company & Regular Meeting December 15, 2010 @ 7:30 P.M.
- HERC is scheduled to meet December 15, 2010 8:00 A.M.

- The Planning Commission is scheduled to meet November 29, 2010 @ 7:00 PM.
- The Borough Offices will be closed November 25th & 26th in observance of Thanksgiving.

5. REPORTS FROM STANDING COMMITTEES AND MAYOR: President Weierman asked if there were any reports or questions.

Building, Planning & Zoning: Councilmember Farrall informed Council the Building, Planning & Zoning Committee met on November 17, 2010. Councilmember Farrall updated Council on the review letter from the County and the response letter from the Consultant, the Borough Solicitor and the response letter Peter Simone pretty much outlines what the Borough can and cannot do with exceptions. Councilmember Farrall updated Council on the issue of flea markets in the Borough.

Manager DeFinis informed Council flea markets are prohibited in the Core Commercial Area. The Borough has a Harvest Day Yard Sale which is not a continuous flea market every weekend.

Solicitor Harper informed Council she did not think Harvest Day was a flea market and the County suggested it.

Manager DeFinis informed Council it is Harvest Day Yard Sale. The concept of a flea market is weekly every Saturday every Friday that is prohibited and the Borough does not want that in the core Commercial District.

Councilmember Farrall informed Council that the Borough can work with any property owner if they want to do a yard sale for one weekend. We do not want to add it as a permitted use so we are not going to go with that portion of the review. A discussion ensued.

Solicitor Harper informed Council the revisions are minor clarifications.

Manager DeFinis informed Council the Hearing is December 1, 2010 at the Hatfield Volunteer Fire House and Council Meeting.

Councilmember Farrall informed Council Peter Simone and Council will be on hand to answer any public questions at the Hearing.

Recycling: Mayor Kaler, III, informed Council the Recycling Committee had a meeting this month after the Workshop meeting and updated Council on the DEP compliance decision and the issue of burning. If someone is out of compliance it will delay everyone getting a check. The Borough is in compliance. The Borough should not use money we are going to receive as a budget item.

Manager DeFinis informed Council on of the things the Borough does is buy bags for leaf collection. In house we can use some of the recycling dollars towards the Borough News Letter advertising recycling.

Mayor Kaler suggested Council putting a box in the vestibule for mercury light bulb recycling as a public outreach and when the Borough has any event to put out a recycling container.

Public Safety: Lieutenant Tierney informed Council Saturday was uneventful at the Park. There were no issues on Monday. It gave the participants time to air their grief.

Mayor Kaler, III, informed Council the event at the Hatfield Fire House on Monday was very orderly and cooperative.

Lieutenant Tierney informed Council there may be volunteers to clean up graffiti at the park if the volunteers can have an event at the gazebo.

MANAGERS REPORT: Manager DeFinis made the following announcements:
General Reports and Projects Update

- I have received and reviewed the third quarter Non-Uniformed Pension reports for both the Defined Benefit and Annuity Retirement Plan. Both plan summarized by the Trollinger Consulting Group appear to be in order.
- Chestnut Street Trail Bridge is under construction. The bridge anchors will be in place in the next two weeks, with the bridge scheduled for installation the second week of December.
- National Water Main Cleaning Co. is proceeding with the sewer lateral repair project.
- The Hatfield Chamber of Commerce will host the annual Tree-Lighting Ceremony and Santa Visit Saturday December 4th @ 7:00 PM. Borough staff will assist with the Chambers request list.
- Please respond to the Borough's Association Holiday Dinner December 2nd @ the Wm. Penn Inn. Please RSVP to Linda by Thursday November 18th.
- The 100th Anniversary of the PSAB will be held April 10-13, 2011 at the Hershey Lodge. Please keep these dates open if possible. There is enough money budgeted for Council and Mayor to attend.
- The Electric Plant Park lit up real nice until weather hit. The Public Works Department will revisit the park.

Councilmember Stevens informed Council the Hatfield Chamber of Commerce would like to thank the Borough Manager for working with the Auto Museum. It was a great night, well attended and probably the best mixer the Chamber has had.

Manager DeFinis informed Council it was a joint effort.

President Weierman asked if there were any electric issues in the Borough during the storm. Manager DeFinis replied there were none.

7. ACTION ITEMS:

A. Motion to Advertise the Preliminary 2011 Budget.

Motion: A motion was made by Councilmember Farrall to advertise the Preliminary 2011 Budget. The motion was seconded by Councilmember Stevens.

Manager DeFinis gave updates and changes as discussed with President Weierman. Manager DeFinis updated on the Army Corps of Engineers. A discussion ensued.

Solicitor Harper suggested checking with the auditors to see if they would have an opinion.

The motion was unanimously approved with a vote of 4-0.

B. Motion to Advertise Ordinance #493 fixing the 2011 Real Estate Tax Rate.

Manager DeFinis informed Council the Budget reflect no increase in taxes, real estate and/or EIT, it reflects no increase in utilities, electric and sewer, it reflects no increase in any fees.

Solicitor Harper suggested doing a press release.

Motion: A motion was made by Councilmember Farrall to advertise Ordinance #493 fixing the 2011 Real Estate Tax Rate. The motion was seconded by Councilmember Stevens and unanimously approved with a vote of 4-0.

C. Motion to advertise Ordinance #494 amending the provisions of Chapter 18, Sewers and Sewer Disposal, Part 2, Section 202 of the Code of Ordinances.

Motion: A motion was made by Councilmember Farrall to advertise Ordinance #494 amending the provisions of Chapter 18, Sewers and Sewer Disposal, Part 2, Section 202 of the Code of Ordinances. The motion was seconded by Councilmember Stevens.

Solicitor Harper updated council on the existing tapping fee. Tapping fees cannot be revised by Resolution. A discussion ensued.

The motion was unanimously approved with a vote of 4-0.

D. Motion to approve Resolution #2010-15 Authorizing Hatfield Borough to participate in the Montgomery County Tax Collection District.

President Weierman informed Council this was previously discussed.

Motion: A motion was made by Councilmember Farrall to approve Resolution #2010-15 Authorizing Hatfield Borough to participate in the Montgomery County Tax Collection District. The motion was seconded by Councilmember Stevens and unanimously approved with a vote of 4-0.

E. Motion to approve the Written Procedures for Act 44 Compliance.

Motion: A motion was made by Councilmember Farrall to approve the Written Procedures for Act 44 Compliance. The motion was seconded by Councilmember Stevens and unanimously approved with a vote of 4-0.

8. Motion to Approve Payment of the Bills. Manager DeFinis answered questions regarding the Bill List.

Motion: A motion was made by Councilmember Farrall to Approve Payment of the Bills. The motion was seconded by Councilmember Stevens. The motion was unanimously approved with a vote of 5-0.

DISCUSSION:

REPORTS AND CORRESPONDENCE:

President Weierman reviewed the Reports and Correspondence.

Manager DeFinis updated Council on the EIT report. A discussion ensued.

Monthly Investment Report

Monthly EIT Report

Police Department Report

Fire Department Report

Public Works Department Report

9. OLD BUSINESS:

10: NEW BUSINESS:

11. MOTION TO ADJOURN:

Motion:

A motion was made by Councilmember Stevens to adjourn the meeting of November 17, 2010. The motion was seconded by Councilmember Farrall and unanimously approved with a vote of 5-0. The meeting adjourned at 8:20 PM.

Executive Session: Litigation & Personnel

Respectfully Submitted,
Linda L. Watts, Assistant Secretary

HATFIELD BOROUGH COUNCIL
REGULAR MEETING
December 15, 2010

MINUTES

CALL TO ORDER AND ROLL CALL:

- (X) John H. Weierman, President
- (X) Kenneth V. Farrall
- (X) John Kroesser
- (X) Bryan A. Moyer
- (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, Borough Manager, Michael J. DeFinis, Solicitor Catherine M. Harper and Assistant Secretary Linda L. Watts. There was no media.

1. APPROVAL OF MEETING AGENDA:

Motion: A motion was made by Councilmember Moyer to approve the Agenda of December 15, 2010 with addition. The motion was seconded by Councilmember Farrall and unanimously approved with a vote of 5-0.

2. PUBLIC INPUT: President Weierman asked if there were any comments. There were none.

3. APPROVAL OF THE MINUTES

Motion to approve the Minutes of November 3, 2010 Workshop and the November 17, 2010 Regular Minutes.

Motion: A motion was made by Councilmember Moyer to approve the Minutes of November 3, 2010 Workshop and the November 17, 2010 Regular Minutes. The motion was seconded by Councilmember Farrall and was unanimously approved with a vote of 5-0.

4. ANNOUNCEMENTS: Manager DeFinis made the following announcements.

- Next month's Council meetings January 5, 2011 Workshop Meeting and Regular Meeting January 19, 2011 @ 7:30 P.M.
- HERC is scheduled to meet January 22, 2011 8:00 A.M. followed by the Task Force @ 9:00 A.M.

- The Planning Commission is scheduled to meet January 3, 2011 @ 7:00 PM.
- The Borough Offices will be closed December 30th & 31st in observance of New Years.

5. REPORTS FROM STANDING COMMITTEES AND MAYOR: President Weierman asked if there were any reports or questions.

Public Safety: Councilmember Moyer informed Council the Public Safety Committee met with Hatfield Township Police Chief and Lieutenant regarding issues in the borough. The Police Department is very receptive to the borough issues. There will be more Police presence in the borough. Eight citations have been written on Main and Broad Street. The Police Department and the Public Safety Committee will continue to have monthly meetings. There will be more Police Officer Bike Patrol in the borough during warm weather.

Building, Planning and Zoning: Councilmember Farrall introduced Mr. Ken Veit, who owns the Kenco Company in the Borough, and Mr. Mike McClosky who is representing Todd Walker. Mr. Veit and Mr. McClosky met with the Building, Planning and Zoning Committee regarding the waiver of Land Development for a restroom in the building that Council had originally approved as a storage building.

Manager DeFinis informed Council that a letter was previous sent to Mr. Cooper, Attorney for Mr. Walker outlining the property maintenance issues.

Solicitor Harper informed Council whether they have an agreement with the Public Sewerage System and whether they paid the tapping fees and they are hooked up. There was a suspicion that there was a pipe that ran through the old building straight out to the creek. So they are putting a bathroom in and we need to make sure it is connected to the public sewer.

Councilmember Farrall informed Council that understanding all that the payment of the fees and the tap and planning modular will happen and has to happen. This is the first step. If the waiver of land development isn't granted Mr. Veit and Mr. McClosky would go back to Mr. Walker and say you have to go through land development or he has to make a business decision.

Solicitor Harper informed Council they could grant a waiver of land development with restrictions. With respect to the bathroom the most important thing is the public safety.

Councilmember Farrall asked Solicitor Harper is the issues with Mr. Walker and the waiver of land development could be looked at as a separate issue.

Solicitor Harper informed Council that can address with Mr. Walker the property maintenance issue, but where is the pipe going to go in for public service. Would Mr. Walker agree to put the pipe where you would need to put it?

Mr. McClosky informed Council that he is here representing Mr. Walker and he can speak for Mr. Walker. I have authorization to agree that there is currently a pipe that is running from the out building that Mr. Veit currently uses as a hydraulic repair facility that runs to the building and there is nothing in the pipe as far sewage or sewage that runs to a creek or sump pump discharge. A discussion ensued regarding repair oil run-off and collection.

Solicitor Harper informed Mr. McClosky that Mr. Walker wanted the borough to clean up the stream but it is not the borough's responsibility. A discussion ensued regarding providing plans and all requirements to the Borough.

Councilmember Moyer informed Council he is basically tired of being strong-armed by the owner and wants conditions that Mr. Walker would have to adhere to.

President Weierman asked who would pay the tapping fee. Solicitor Harper informed Council the land owner will be responsible.

Manager DeFinis updated Council on Resolution 2010-08. A discussion ensued.

It was the consensus of Council for Solicitor Harper draft an agreement of land development for a bathroom with conditions. A discussion ensued.

Budget, Finance and Labor: President Weierman updated Council on the letter from First Niagara introducing the new person that is coming on board.

MANAGERS REPORT: Manager DeFinis made the following announcements:
General Reports and Projects Update

- Chestnut Street Trail Bridge is tentatively scheduled to be installed December 16th.
- National Water Main Cleaning Co. is proceeding with the sewer lateral repair project. National has identified several locations requiring significant repair including excavation, these properties will be notified and repaired next week. Preliminary review of the video for the total project indicates the contractor might be able to video and repair additional areas in the Borough.
- Al Galanti of First Niagara Private Client Services has secured a 5% BAB with due in 2026 callable in 2012 at par. This is the replacement for the 3.60% bond that was called this month.
- On December 1st one of the main electric lines from PPL became dislodged by the storm. The Police Department and Public Works Department responded. The Public Works Department secured the area until PPL arrived and secured the pole. The pole replacement is being coordinated with PPL.
- Meadowbrook Apts. Group v. Montgomery County Board of Assessment Appeals.
- PA Storm water Coalition cost share information.

- Letter from Hatfield Township Manager Andrew Haines explaining an Ordinance limiting truck traffic on Maple Avenue.
- Committee Schedules are attached to this update. Please review and confirm.
- The Comcast Cable Franchise agreement has been 90% completed (cover letter attached). Kate and I are now negotiating the pole attachment fee to finalize the agreement. Solicitor Harper and myself are working on the pole fees. The cable will not be approved until we get the pole agreement.
- Budget Press release is attached.
- During the annual DVIT meeting Hatfield Borough was honored with a certificate of recognition for exemplary achievement and leadership in minimizing property and liability losses during 2009. A Big Thanks to Linda Watts for administering to the insurance programs.
- The 100th Anniversary of the PSAB will be held April 10-13, 2011 at the Hershey Lodge. Please keep these dates open if possible.
- I wish to thank Borough Council & Mayor Kaler, III, for your guidance and support during this past year. Providing the necessary resources for staff and I to accomplish our goals is very much appreciated.
- Several people in the borough & Township have commented on the Borough lights. It looks like you are entering a hometown when you enter the Borough.
- Christine Calhoun will be appointed as Lansdale Tax Collector in Lansdale tonight for 2011. Reorganization duties will be discussed with Christine.

Councilmember Farrall informed Council there was an article about the clean room at Brooks Instrument.

Manager DeFinis updated Council on the possible press release regarding the Borough's No Tax Increase.

7. ACTION ITEMS:

A. Motion to approve Ordinance #493 fixing the 2011 Real Estate Tax Rate.

Motion: A motion was made by Councilmember Moyer to approve Ordinance #493 fixing the 2011 Real Estate Tax Rate. The motion was seconded by Councilmember Moyer.

President Weierman asked if there were any Public Comments or questions. There were none. The proof of publication for Ordinance #493 was included.

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

B. Motion to approve Ordinance #494 amending the provisions of Chapter 18, Sewers and Sewer Disposal, Part 2, Section 202 of the Code of Ordinances.

Motion: A motion was made by Councilmember Moyer to approve Ordinance #494 amending the provisions of Chapter 18, Sewers and Sewer Disposal, Part 2, Section 201 of the Code of Ordinances. The motion was seconded by Councilmember Farrall.

President Weierman asked is there were any Public Comments or questions. There were none. The proof of publication for Ordinance #494 was included.

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

C. Motion to approve Ordinance #495 amending and revising the Zoning Ordinance in Chapter 27 of the Code of Ordinances to establish new land use regulations for the Core Commercial District in Part 21, the Commercial District in Part 17, and the R-3 Residential Commercial district in Part 14. Adding Design guidelines to the Central Business overlay District. Adding a definition of no Impact to Home-Based Businesses. Re-Enacting the Zoning Map with changes, Repealing Inconsistent Ordinances.

Motion: A motion was made by Councilmember Stevens to approve Ordinance #495 amending and revising the Zoning Ordinance in Chapter 27 of the Code of Ordinances to establish new land use regulations for the Core commercial District in Part 21, the Commercial District in Part 17, and the R-3 Residential Commercial district in Part 14. Adding Design guidelines to the Central Business overlay District. Adding a definition of no Impact to Home-Based Businesses Re-Enacting the Zoning Map with changes, Repealing Inconsistent Ordinances. The motion was seconded by Councilmember Farrall.

President Weierman asked is there were any Public Comments or questions. There were none

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

D. Motion to approve Resolution #2010-18 Authorizing Compensation for Certain Borough Employees for the Calendar Year 2011.

Motion: A motion was made by Councilmember Moyer to approve Resolution #2010-18 Authorizing Authorizing Compensation for Certain Borough

Employees for the Calendar Year 2011. The motion was seconded by Councilmember Kroesser and approved 4-0-1 with one abstention. Councilmember Farrall abstained.

E. Motion to approve Resolution #2010-19 authorizing the Contract between Hatfield Borough and Larson Allen to audit financial statements of the Governmental Activities of the Year ending December 31, 2010 not to exceed \$22,500.00.

Motion: A motion was made by Councilmember Moyer to approve Resolution #2010-19 authorizing the Contract between Hatfield Borough and Larson Allen to audit financial statements of the Governmental Activities of the Year ending December 31, 2010 not to exceed \$22,500.00. The motion was seconded by Councilmember Farrall and unanimously with a vote of 5-0.

F. Motion to approve and advertise the Borough Council and Planning Commission 2011 Meeting Dates.

Motion: A motion was made by Councilmember Moyer to approve and advertise the Borough Council and Planning Commission 2011 Meeting Dates. The motion was seconded by Councilmember Farrall and unanimously approved with a vote of 5-0.

G. Motion to approve the Amended Fire Marshall Agreement.

Motion: A motion was made by Councilmember Moyer to approve the Amended Fire Marshall Agreement. The motion was seconded by Councilmember Kroesser.

Manager DeFinis informed Council the rate reflects a rate that is industry standard. The Fire Marshall will pay for his own training.

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

8. Motion to Approve Payment of the Bills. Manager DeFinis answered questions regarding the Bill List.

Motion: A motion was made by Councilmember Moyer to Approve Payment of the Bills. The motion was

seconded by Councilmember Farrall. The motion was unanimously approved with a vote of 5-0.

8a. Motion to approve payment #1 to National Water Main Cleaning Company in the amount of \$7,290.00.

Motion: A motion was made by Councilmember Moyer to approve payment #1 to National Water Main Cleaning Company in the amount of \$7,290.00. The motion was seconded by Councilmember Farrall and unanimously approved with a vote of 5-0.

REPORTS AND CORRESPONDENCE:

President Weierman reviewed the Reports and Correspondence.

Manager DeFinis updated Council on the EIT report. A discussion ensued.

Monthly Investment Report
Monthly EIT Report
Police Department Report
Fire Department Report
Public Works Department Report

9. OLD BUSINESS:

10: NEW BUSINESS:

11. MOTION TO ADJOURN:

Motion: A motion was made by Councilmember Moyer to adjourn the meeting of December 15, 2010. The motion was seconded by Councilmember Farrall and unanimously approved with a vote of 5-0. The meeting adjourned at 8:50 PM.

Executive Session:

Respectfully Submitted,
Linda L. Watts, Assistant Secretary

Proof of Publication of Notice in the Reporter

Under Act No. 587, Approved May 16, 1929

Copy of notice or publication

State of Pennsylvania,
County of Montgomery

SS:

NOTICE
THE FOLLOWING ORDINANCE AMENDING PRIOR ORDINANCES DELETING CERTAIN PROVISIONS RELATING TO FEES AND AMENDING OTHER PROVISIONS TO REFER TO THE SETTING OF AUTHORIZED FEES BY WAY OF A CONSOLIDATED FEE SCHEDULE WILL BE CONSIDERED AND MAY BE ADOPTED BY THE HATFIELD BOROUGH COUNCIL ON WEDNESDAY, MAY 19, 2010 AT 7:30 P.M. AT THE BOROUGH OFFICES, 401 S. MAIN STREET, HATFIELD, PA.

ORDINANCE NO. _____
HATFIELD BOROUGH
MONTGOMERY COUNTY, PENNSYLVANIA

An Ordinance by the Borough Council of Hatfield Borough deleting certain provisions relating to fees and amending other provisions to refer to the setting of authorized fees by way of a Consolidated Fee Schedule to be adopted by Resolution of Council.

Section 501 of Chapter One of the Code of Ordinances of the Borough of Hatfield, titled "Schedule of Fees" is hereby deleted in its entirety and replaced with the following new provision:

§501. A. Intent. It is the intent of the Borough Council that all current fees and charges for applications to the Borough and services provided by the Borough shall be set forth in a Consolidated Fee Schedule which shall be initially adopted, and thereafter revised from time to time as required, by Resolution of Borough Council.

§501. B. Consolidated Fee Schedule. A copy of the current Resolution shall be available at the Borough Office during regular business hours. Any fees or charges established by Ordinance adopted prior to the date of this Ordinance and not set forth in the most current Consolidated Fee Schedule adopted by the Borough Council shall remain in full force and effect unless repealed. Fees and charges set forth on the most current Consolidated Fee Schedule shall supercede any fee established by Ordinance or Resolution adopted prior to the date of the Fee Schedule.

Section 122 of Chapter One of the Code of Ordinances is amended by adding the following sentence to the end of the section: "The Borough may change the cost in an amount set from time to time by Resolution of Borough Council."

Subsection 2 of Section 208 of Part 2 of Chapter Five of the Code of Ordinances of the Borough of Hatfield is deleted in its entirety and replaced with the following:

52. A registration fee in the amount set forth on the current Consolidated Fee Schedule adopted by Council by Resolution shall be paid at the time of application for registration.

Subsection 3 of Section 208 of Part 2 of Chapter Five of the Code of Ordinances of the Borough of Hatfield is amended by deleting the words "subsection (C) above" and replacing them with "the Borough's Consolidated Fee Schedule provisions".

Subsection 1 of Section 202 of Part 2 of Chapter 18 of the Code of Ordinances is amended by deleting the words "of three thousand six hundred fifty dollars (\$3,650.00)" and replacing them with "in an amount set from time to time by Resolution of Borough Council".

A new Part 10 shall be added to Chapter 1 and be entitled "Attorneys Fees" stating: "§1001. Attorneys Fees For collection actions on delinquent accounts, including filed and unfilled municipal claims, municipal liens, taxes, tax claims and tax liens, the Borough shall have the right to charge and collect reasonable attorney fees from the persons and property owning such delinquent accounts at an hourly rate to be set from time to time by resolution of Borough Council."

In the event that any section, sentence, clause, phrase or word of this ordinance shall be declared illegal, invalid or unconstitutional by any Court of competent jurisdiction, such declaration shall not prevent, preclude or otherwise foreclose enforcement of any of the remaining portions of this ordinance.

All ordinances or parts of ordinances inconsistent with or in conflict with any of the specific terms enacted hereby to the extent of said inconsistencies or conflicts are hereby specifically repealed.

This Ordinance shall be in full force and effect at the earliest time provided by law.

The public is invited and encouraged to attend the Public Meeting. Persons requiring special assistance or accommodations are requested to contact the Borough Manager, Michael J. Definis at Borough Hall prior to the scheduled meeting date.

Dapherine M. "Kate" Harper, Esq.
Hatfield Borough Solicitor

_____, Publisher of the GOODSON HOLDING COMPANY PENNSYLVANIA corporation, being duly sworn, deposes and says that THE _____ newspaper published at Lansdale, County and State aforesaid, _____ in the year 1870, since which date said daily newspaper has _____ used in said County, and that a copy of the printed notice or _____ hereto exactly as the same was printed and published in the _____ issues of the said daily newspaper on the following dates.

_____th _____ day of _____ May _____ A.D., 2010

_____ is he is an officer duly authorized by the GOODSON HOLDING COMPANY, Pa., LLC., a corporation, publisher of THE REPORTER, a daily newspaper, to make the foregoing statement under oath and also declares that affiant is the subject matter of the aforesaid notice or publication, and that all the facts in the foregoing statement as to time, place and character of publication are true.

[Signature]
Controller or Publisher
Goodson Holding Company D/B/A LRPa, LLC.

Subscribed and sworn to before me this date May 11, 2010
[Signature]
Notary Public

NOTARIAL SEAL
VANESSA WILSBACH, Notary Public
Lansdale, Montgomery County
My Commission Expires January 13, 2013

Statement of Advertising Costs

BOROUGH _____
MAIN STREET _____
_____ A 19440

_____ ce or advertisement attached hereto on _____	\$	562.40
_____ dated date.....	\$	2.00
_____	\$	564.40

Subscriber's Receipt for Advertising Costs

GOODSON HOLDING COMPANY D/B/A LRPa, LLC., a corporation, publisher of the _____ daily newspaper, hereby acknowledges receipt of the aforesaid _____ publication, and certifies that the same have been fully paid.

By.....

Lansdale, Pa.
Established 1870

Proof of Publication of Notice in the Reporter

Under Act No. 587, Approved May 16, 1929

Copy of notice or publication

State of Pennsylvania,
County of Montgomery

SS:

LEGAL NOTICE
THE FOLLOWING
ORDINANCE
AMENDING THE
HATFIELD BOR-
OUGH ZONING
ORDINANCE TO
REVISE THE PARK-
ING REQUIRE-
MENTS FOR
MULTIFAMILY TWO
FAMILY AND DU-
PLEX DWELLINGS
TO DISALLOW THE
USE OF THE GAR-
AGE AS A RE-
QUIRED PARKING
SPACE WILL BE
CONSIDERED AND
MAY BE ADOPTED
BY THE HATFIELD
BOROUGH COUN-
CIL ON WEDNES-
DAY, MAY 19, 2010
AT 7:30 P.M. AT THE
BOROUGH OF-
FICES, 401 S. MAIN
STREET, HAT-
FIELD PA.
HATFIELD
BOROUGH
MONTGOMERY
COUNTY PA
AN ORDINANCE
AMENDING THE
EXISTING ZONING
ORDINANCE RE-
GARDING PARK-
ING SPACE DE-
SIGN FOR
MULTIFAMILY TWO
FAMILY, AND AT-
TACHED DWELL-
INGS
WHEREAS, the Bor-
ough Council of Hat-
field Borough de-
sires to clarify the
intent and meaning
of the existing zon-
ing ordinance regu-
lating the ability to
count a parking
space within a gar-
age as a required
parking space for
multifamily two fam-
ily and other at-
tached residential
buildings in order to
exclude the space
within the garage
from the calculation,
NOW, THERE-
FORE, Borough
Council does hereby
ENACT AND OR-
DAIN the following
as part of its Zoning
Code and repeals all
ordinances inconsis-
tent herewith:

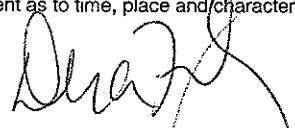
Section 1: Borough Code Title 27, Section 1003, "Parking Space Design," is hereby amended to read as follows:
 1. Except for multifamily dwellings, two family or duplex dwellings or attached residential dwellings, a parking space may be provided within the garage or outside it. For multifamily dwellings, two family or duplex dwellings or attached residential dwellings, any space within a garage shall not be counted toward the required off-street parking capacity under section 1002 of this Ordinance. Each outside parking space shall be a minimum of ten (10) feet by eighteen (18) feet in size, exclusive of interior driveways, and shall be paved with an all-weather surface, according to the requirements of the Borough's engineering standards.
Section 2: There are no further amendments or changes to this section.
Section 3: Any and all other ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the inconsistency.
Section 4: This Ordinance shall become effective as provided in law. **The public is invited and encouraged to attend the Public Meeting. Persons requiring special assistance or accommodations are requested to contact the Borough Manager, Michael J. Definis at Borough Hall prior to the scheduled meeting date. Catherine M. "Kate" Harper, Esq. Hatfield Borough Solicitor**

Controller or Dena Fritz, Publisher of the GOODSON HOLDING COMPANY D/B/A LRPa, LLC., a PENNSYLVANIA corporation, being duly sworn, deposes and says that THE REPORTER is a daily newspaper published at Lansdale, County and State aforesaid, which was established in the year 1870, since which date said daily newspaper has been regularly issued in said County, and that a copy of the printed notice or publication is attached hereto exactly as the same was printed and published in the regular editions and issues of the said daily newspaper on the following dates.

viz:

the 4th, 11th days of May A.D., 2010

Affiant further deposes he is an officer duly authorized by the GOODSON HOLDING COMPANY D/B/A LRPa, LLC., a corporation, publisher of THE REPORTER, a daily newspaper, to verify the foregoing statement under oath and also declares that affiant is not interested in the subject matter of the aforesaid notice or publication, and that all allegations in the foregoing statement as to time, place and character of publication are true.



Controller or Publisher
 Goodson Holding Company D/B/A LRPa, LLC.,

Sworn to and subscribed before me this date May 11, 2010

Vanessa Wilsbach
 Notary Public

NOTARIAL SEAL
 VANESSA WILSBACH, Notary Public
 Lansdale, Montgomery County
 My Commission Expires January 13, 2013

My Commission Expires:

Statement of Advertising Costs

HATFIELD BOROUGH
 401 SOUTH MAIN STREET
 PO BOX 190
 HATFIELD, PA 19440

For publishing the notice or advertisement attached hereto on		
the above stated date.....	\$	682.39
Notary Fee.....	\$	2.00
Total.....	\$	684.39

Publisher's Receipt for Advertising Costs

GOODSON HOLDING COMPANY D/B/A LRPa, LLC., a corporation, publisher of THE REPORTER, a daily newspaper, hereby acknowledges receipt of the aforesaid advertising and publication, and certifies that the same have been fully paid.

By.....

Lansdale, Pa.
 Established 1870

Proof of Publication of Notice in the Reporter

Under Act No. 587, Approved May 16, 1929

Copy of notice or publication

State of Pennsylvania,
County of Montgomery

) SS:



Controller or Dena Fritz, Publisher of the GOODSON HOLDING COMPANY D/B/A LRPa, LLC., a PENNSYLVANIA corporation, being duly sworn, deposes and says that THE REPORTER is a daily newspaper published at Lansdale, County and State aforesaid, d in the year 1870, since which date said daily newspaper has used in said County, and that a copy of the printed notice or d hereto exactly as the same was printed and published in the issues of the said daily newspaper on the following dates.

NOTICE

THE FOLLOWING ORDINANCE AMENDING THE HATFIELD BOROUGH SUBDIVISION AND LAND DEVELOPMENT ORDINANCE TO REVISE THE SCHEDULING OF PLANS BEFORE THE PLANNING COMMISSION FROM SEVEN DAYS TO TEN DAYS AFTER SUBMISSION WILL BE CONSIDERED AND MAY BE ADOPTED BY THE HATFIELD BOROUGH COUNCIL ON WEDNESDAY, MAY 19, 2010 AT 7:30 P.M. AT THE BOROUGH OFFICES, 401 S. MAIN STREET, HATFIELD, PA.

HATFIELD BOROUGH
MONTGOMERY COUNTY, PENNSYLVANIA
AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF HATFIELD BOROUGH, AMENDING CHAPTER 22, "SUBDIVISION AND LAND DEVELOPMENT" TO REVISE SECTIONS 306 E AND 308 C TO PROVIDE THAT PLANS SHALL BE PLACED ON THE NEXT PLANNING COMMISSION AGENDA TEN DAYS AFTER RECEIPT OF THE PLANS

WHEREAS, the Council of HATFIELD BOROUGH does hereby ENACT and ORDAIN as follows:

SECTION I. Amendment to Section 306 E of the Subdivision and Land Development Code

A. The Codified Ordinances of HATFIELD BOROUGH, Chapter 22, "Subdivision and Land Development" is hereby amended to revise Section 306 E, "Preliminary Plan Submission and Review Procedure" by replacing the current Section 306 E with a new Section 306 E to read as follows:

E. The application for approval of the preliminary plan shall be placed on the agenda of the next regularly scheduled meeting of the Borough Planning Commission no less than ten (10) days following the plan submission date.

SECTION II. Amendment to Section 308 C of the Subdivision and Land Development Code

A. The Codified Ordinances of HATFIELD BOROUGH, Chapter 22, "Subdivision and Land Development" is hereby amended to revise Section 308 C, "Final Plan Submission and Review Procedure" by replacing the current Section 308 C (2) with a new Section 308 C (2) to read as follows:

C. (2) The plan submission date will be stamped on the plan and the application for final plan approval shall be placed on the agenda of the next regularly scheduled meeting of the Borough Planning Commission no less than ten (10) days following the plan submission date.

SECTION III. Severability. The provisions of this Ordinance are severable, and if any section, sentence, clause, part or provision hereof shall be held illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted even if such illegal, invalid, or unconstitutional section, sentence, clause, part or provision had not been included herein.

SECTION IV. Failure to Enforce not a Waiver

The failure of the Borough to enforce any provision of this Ordinance shall not constitute a waiver by the Borough of its rights of future enforcement hereunder.

SECTION IV. Effective Date

This Ordinance shall take effect and be in force from and after its approval as required by the law.

SECTION V. Repealer

All other ordinances and resolutions of parts thereof insofar as they are inconsistent with this Ordinance are hereby repealed.

The public is invited and encouraged to attend the Public Meeting. Persons requiring special assistance or accommodations are requested to contact the Borough Manager, Michael J. Dennis at Borough Hall prior to the scheduled meeting date.

Catherine M. "Kate" Harper, Esq.
Hatfield Borough Solicitor

th, 11th days of May A.D., 2010

is he is an officer duly authorized by the GOODSON HOLDING Pa, LLC., a corporation, publisher of THE REPORTER, a daily he foregoing statement under oath and also declares that affiant a subject matter of the aforesaid notice or publication, and that all going statement as to time, place and character of publication are

Controller or Publisher
Goodson Holding Company D/B/A LRPa, LLC.,

ded before me this date May 11, 2010

Vanessa Wilsbach
Notary Public

NOTARIAL SEAL
VANESSA WILSBACH, Notary Public
Lansdale, Montgomery County
My Commission Expires January 13, 2013

res:
ment of Advertising Costs

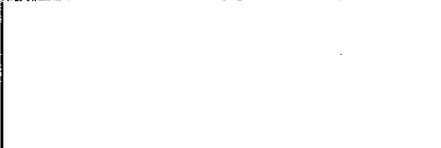
BOROUGH
MAIN STREET
A 19440

ice or advertisement attached hereto on	
tated date.....	\$ 1,116.80
.....	\$ 2.00
.....	<u>\$ 1,118.80</u>

er's Receipt for Advertising Costs

GOODSON HOLDING COMPANY D/B/A LRPa, LLC., a corporation, publisher of THE REPORTER, a daily newspaper, hereby acknowledges receipt of the aforesaid advertising and publication, and certifies that the same have been fully paid.

By.....



Lansdale, Pa.
Established 1870