

HATFIELD BOROUGH COUNCIL
REGULAR MEETING

July 15, 2009

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
 - () 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, Borough 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 July 15, 2009 with addition. The motion was seconded by Councilmember Farrall and unanimously approved with a vote of 4-0.

5. REPORTS FROM STANDING COMMITTEES AND MAYOR:

Public Safety: Councilmember Moyer and Manager, Michael J. DeFinis informed Council that there was damage to the Electric Plant Park's monuments and damage to the Centennial Park Jail House fence. A Police report has been filed.

Chief Toomey informed Council that it is a pleasure to communicate with the new Borough Manager and he is looking forward to the future. An Officer will try to attend each Borough meeting and the Police Department is aware of vandalism problems and they will be addressed.

Lieutenant Tierney informed Council there was nothing out of the ordinary in the Borough. There will be a Bike Patrol Officer at Founders Day and try to get the residents more involved.

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

Resident Rob Ruth residing at 202 W. Broad Street inquired if it would be possible to have an antique type sign depicting the historical significance of his property. The property was initially a tea room. Mr. Ruth does not want historical status for his property only a sign showing the history of the property.

Mr. Ruth suggested having the monument replaced at Memorial Park that would read in dedication of the boys and girls that gave their life for Hatfield. The monument specifies only the boys and in this day and age should read boys and girls.

Manager, Michael DeFinis, informed Mr. Ruth that the monuments that were damaged were not at the Memorial Park but at the Electric Plant Park. Mr. Ruth's suggestion though will be taken into consideration for Memorial Park.

3. APPROVAL OF MINUTES:

Motion: A motion was made by Councilmember Farrall to Approve the Minutes of June 9, 2009 Special Meeting and June 17, 2009 Regular Meeting. The motion was seconded by Councilmember Moyer and unanimously approved with a vote of 4-0

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

- Next month's Council meeting is August 19, 2009 at 7:30 P.M.
- HERC will meet July 23, 2009 at 8:00 AM.
- The Planning Commission will meet on August 3, 2009 at 7:00 PM.

5. REPORTS FROM STANDING COMMITTEES AND MAYOR:

Building, Planning and Zoning: Councilmember Farrall updated Council on the Zoning issues currently being reviewed by the Committee. Recommendations will be forwarded to Council.

Budget, Finance and Labor: President Weierman informed Council there is a tentative meeting scheduled with the Investment Managers at Millennium scheduled for Wednesday, July 22, 2009 to get an update on the performance and what the prospects will be.

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

- The parking lot project is about 70% done. After speaking with Jim Kenney it appears the hold up at this point are benches that were ordered have not been delivered.

- Founder's Day, Chris Calhoun has included a report in your packets and includes a list of things that needs to be addressed for next year's event.
- Mr. Rendemonti the attorney for the Hatfield Auto Museum called to inform that the U&O permit and fees will be filed Monday, July 13, 2009. The Zoning Officer will scheduled an appointment with Mr. Rendemonti.
- As of July 6, 2009, Diane Farrall became full time Treasurer. Along with Assistant Secretary, Linda L. Watts and Manager, Michael J. DeFinis we are starting to coordinate and assign the Treasurer's responsibilities. As conveyed at this evenings Budget, Finance and Labor Committee meeting this evening hopefully by the retreat time we will have a full understanding of how the responsibilities of the Treasurer, the Finance Director, Linda L. Watts and I will move forward with the staff and all responsibilities.
- The Hatfield Borough 2008 audit by Larson Allen is complete and in your packets. Along with the Financial State delivered were the Independent Auditors Report and two letters to the Budget, Finance and Labor Committee. We are trying to implement some of the policies that were mentioned in the letters.
- Delaware Valley Insurance Trust Comprehensive Annual Financial Report and Financial Statement for 2008 have been received and reviewed. Both copies are in the Borough Office for review
- Assistant Secretary, Linda L. Watts and Scott Smith continue to work on utility billings and late payment collections. The delinquent list was mailed out as well as shut off notices delivered.
- I have a meet and greet with the new Director of Revitalization for the County Wednesday, July 15, 2009 at 4:00 PM at the HSC in Norristown.
- Public Works director Fred Leister has completed the specs for the new dump truck. The truck will be purchased through the PA State COSTARS Contract. Expected delivery is November 2009. The current truck is inspected through September.
- We have a new zoning officer, Susanna Cointot of Keystone Municipal Services. Susanna's resume is included in the reports section of your packet.
- Weed spraying has been completed in the Borough. There are some areas that will have to be retreated. The Public Works Director will contact the sprayers.
- Representative Lawrence Stevens and Mayor Kaler and myself took a look at the old lunch room and it seems to be a nice area to store vital historical items. The old lunch room can be climate controlled. With the approval of Council we can start to clean up the area and have the Historical Society move in some items.
A list of the items and value will be prepared.

President Weierman thanked everyone involved and Assistant Secretary Linda L. Watts and Christine Calhoun for their work at Founder's Day Event.

Manager, Michael J. DeFinis informed Council that having the event earlier helped to make it well attended.

Manager, Michael J. DeFinis answered questions regarding the purchase of the new truck. The truck was budgeted at \$120,000.00 and we have had that same line item for three years and is less than 10% of the total budget. The truck will be financed over five years. Liquid fuels money is permitted to be used to finance the truck. The bidding was through the State program. Mr. DeFinis will give the Public Works Director, Fred Leister the go ahead to order the truck and make sure it matches the color standards we now have.

- Borough Solicitor, Catherine M. Harper informed Council that the Accounts Report has a suggestion that looks like Solicitor items, some of the personnel policies. Ms. Harper will divide up the responsibilities.
- Manager, Michael J. DeFinis informed Council that the Bursich bill for James R. Kenney payment request no. 4 for the parking lot project is not on the bill list. The bill can be added to the bill list or discussed.

Borough Engineer Mark Mattucci informed Council that the standard operating procedure to have the payment request ten days in advance giving us enough time to review it and make any suggestions. The work is 70% completed. A discussion ensued.

Motion: A motion was made by Councilmember Farrall for payment request no. 4 in the amount of \$79,827.88 to James R. Kenney as reviewed and recommended by the Borough engineers. The motion was seconded by Councilmember Moyer and unanimously approved with a vote of 4-0.

President Weierman thanked Mr. Mattucci for all his hard work.

Manager, Michael J. DeFinis informed Council some of the decorative lights are up.

ACTION ITEMS:

7. Motion to Approve Resolution 2009-18. Reducing the parking at the Clegg property from 10 to 9 spaces.

Motion: A motion was made by Councilmember Farrall to approve Resolution 2009-18. Reducing the parking at the Clegg property from 10 to 9 parking spaces. The motion was seconded by Councilmember Moyer and unanimously approved with a vote of 4-0.

8. Motion to Approve Resolution 2009-19. Appointing the Borough Manager as Chief Administrative Officer of its Non-Uniformed Pension Fund.

Motion: A motion was made by Councilmember Moyer To Approve Resolution No. 2009-19. Appointing the Borough Manager as Chief Administrative Officer of its Non-Uniformed Pension Fund. The motion was seconded by Councilmember Farrall and unanimously approved with a vote of 4-0.

9. Motion To Approve advertising the Legal Notice Ordinance #471 "Leaf Waste".

Motion: A motion was made by Councilmember Moyer to approve advertising the Legal Notice Ordinance #471 "Leaf Waste". The motion was seconded by Councilmember Farrall.

Borough Solicitor, Catherine M. Harper updated Council on the draft of the Ordinance#471. The Solicitor will advertise the notice for the August 19, 2009 meeting.

and was unanimously approved with a vote of 4-0.

10. A. Motion to Approve Resolution 2009-20. Authorizing an Intergovernmental Agreement with other Montgomery County Municipalities for Legal Services to Negotiate a Model Agreement with Comcast for Cable Services.

Manager Michael J. DeFinis updated Council and answered questions regarding the Intergovernmental Agreement with Comcast.. Eleven municipalities agreed at the Consortium meeting. The Borough will negotiate the pole rate with Cohen Group.

Motion: A motion was made by Councilmember Farrall To Approve Resolution 2009-20, Authorizing an Intergovernmental Agreement with other Montgomery County Municipalities for Legal Services to Negotiate a Model Agreement with Comcast for Cable Services. The motion was seconded by Councilmember Moyer and unanimously approved with a vote of 4-0.

10. B. Motion To Approve The Intergovernmental Agreement for Legal Services For Negotiation of a Model Agreement with Comcast for the Provision of Cable Services, and the Other Members of the Montgomery County Consortium of Communities.

Motion: A motion was made by Councilmember Farrall To Approve The Intergovernmental Agreement for Legal Services For Negotiation of a Model Agreement with Comcast for the Provision of Cable Services, and the Other Members of the Montgomery County Consortium of Communities. The motion was seconded by Councilmember Moyer and unanimously approved with a vote of 4-0.

11. Motion To Approve Payment of the July Bill List as revised.

Motion: A motion was made by Councilmember Farrall To Approve payment of the July Bill List as revised The motion was seconded by Councilmember Moyer and unanimously approved with a vote of 4-0.

DISCUSSION:

12. Borough and Wood Burners joint Big Green Egg Fest Event.

Manager Michael J. DeFinis informed Council he met with HERC and the Planning Commission as part of the Revitalization Plan for some suggestions of more Community events. It was suggested to have the Borough contribute to the Big Green Egg Fest instead of running it. Mr. DeFinis met with owner, Karl Claus and discussed the project. Councilmember Stevens had suggested that the Borough through HERC contribute a financial contribution of up to \$1,000.00 to the event. The event will be advertised on HTV. Mr. Claus said he has the sources to do the posters and the contribution would help to defray the cost of the poster and a banner.

Mr. Claus answered questions regarding the paid event, beer, insurance and trying to make the event bigger and involve more business every year.

Borough Solicitor, Catherine M. Harper informed Council the Borough can limit our liability if we decide to participate we need to decide what to call it so we are not responsible for the beer.

It was the consensus of Council to advertise the event on HTV and put up the banner. Manager Michael J. DeFinis will forward more information to Council regarding the contribution amount.

Mr. Claus thanked the Borough for its participation.

13. Hatfield Township Golf Outing.

Manager, Michael J. DeFinis updated Council on Hatfield Township's hosting its 10th Annual Golf Outing and the Borough's participation and contribution.

14. Army Corps of Engineers Design and Construction Assistance.

Manager, Michael J. DeFinis updated Council on the Army Corps of Engineers Project and anticipated cost to the Borough of \$85,000.00 for the scope of the work. The Project was discussed earlier with the Utilities Committee. The project is a lengthy document that is being discussed by the Solicitor and with the Engineer on how to proceed.

Solicitor Harper informed Council that this is the standard agreement for the Army Corps of Engineers.

15. Drafting of Ordinances.

- Riparian Corridor Conservation Overlay District.
- Outdoor Dining Guidelines.
- Amendment to the Electric Late Fee.
- Increasing the Accessory Use Building Requirement.
- Contractor Registration Ordinance.
- Amending the Side Yard Setback in the Core Commercial District.

Manager, Michael J. DeFinis informed Council the Riparian Corridor is a basic draft Ordinance. The Ordinance is being reviewed and worked on by the Borough Solicitor and the Planning Commission, the draft will be forwarded to Council.

Manager, Michael J. DeFinis updated Council on the Outdoor Dining guidelines. The Planning Commission and HERC would like to see guidelines that the basic outdoor dining doesn't cover.

Borough Solicitor, Catherine M. Harper informed Council they are making the guideline structure as a conditional use. Mr. DeFinis will forward the draft to HERC and the Planning Commission.

Manager, Michael J. DeFinis informed Council the Amendment to the Electric Late Fee is the basic ordinance as it exists now. The major changes are complaint testing fee. The fee would cover the time it would take for the Public Works Director and Ed Young from Eddies Electric to install, read and disconnect the meter and to do the work.

Manager, Michael J. DeFinis updated Council on the electric late fee of \$7.50 per month and a 1.5 % per month penalty opposed to the 18%. This would be in line what is out there now.

Borough Solicitor, Catherine M. Harper will draft a resolution for adoption for next month's meeting. A discussion ensued regarding the wording of the meter complaint testing fee.

Manager, Michael J. DeFinis updated Council on the Increasing the Accessory Use Building Requirement as suggested by the Planning Commission. A discussion ensued.

Manager, Michael J. DeFinis updated Council on the Contractor Registration Ordinance. The ordinance is meant to protect people from scam artists.

Borough Solicitor, Catherine M. Harper informed Council that this is a State-wide law that went into affect on July 1, 2009. There is now a State-wide registry for any home improvement projects over a certain amount. It is recommended that the Borough write

into its ordinance that the Code Officer can ask to see proof that the Contractor is registered. Ms. Harper will advertise the Ordinance.

Manager, Michael J. DeFinis updated Council on the Side Yard Setback in the Core Commercial District. The ordinance has a vague area in the Coe Commercial District on how to determine the side yard set-backs.

Borough Solicitor, Catherine M. Harper updated Council on the changes.

Manager, Michael J. DeFinis will forward the Ordinance to the Planning Commission for review.

16. REPORTS AND CORRESPONDENCE: Manager, Michael J. DeFinis reviewed the reports.

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

Manager, Michael J. DeFinis and Borough Solicitor, Catherine M. Harper reviewed the EIT payments and remittance report.

17. OTHER BUSINESS:

Street Name Change.

Manager, Michael J. DeFinis informed Council that two streets in the Borough are listed incorrectly.

It was the consensus of Council for the Borough Solicitor to draft and ordinance to change the names.

18. ADJOURNMENT:

Motion: A motion was made by Councilmember Moyer to adjourn the meeting of July 15, 2009. The motion was seconded by Councilmember Farrall and unanimously approved with a vote of 4-0. The meeting adjourned at 9:13 PM.

Executive Session: Personnel

Respectfully Submitted,
Linda L. Watts
Assistant Secretary