

HATFIELD BOROUGH COUNCIL
REGULAR MEETING

June 17, 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
- (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, Borough 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 17, 2009 as amended. The motion was seconded by Councilmember Moyer.

Motion: A motion was made by Councilmember Farrall to approve the Amended Agenda of June 17, 2009. 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.

Brian Fulmer residing at 207 S. Wayne Avenue requested that Council to review the burning ordinance. In Mr. Fulmer's opinion there are too many loop holes for people to skate through. Mr. Fulmer was concerned that his neighbor on Blaine Avenue was burning a variety of items in his barbecue pit and the smoke is intense and flows over onto his property. Mr. Fulmer did call the Hatfield Township Police Department and they did respond. The neighbor was asked to extinguish the fire and did so upon request. Mr. Fulmer would like to see a more strict regulation regarding the burning.

Borough Solicitor, Catherine M. Harper informed Mr. Fulmer that the Borough is working on enforcement and the neighbor will be getting a letter from the Code Enforcement Officer regarding burning.

Mr. Fulmer's second request was the Borough's Dog Leash Law in not being strictly enforced. Mr. Fulmer raises labrador retriever dogs for breeding and when people do not walk their dogs on leashes it upsets his breeding stock. Mr. Fulmer informed the Borough that Pennsylvania does have a leash law and it should be enforced in the Borough.

Borough Solicitor, Catherine M. Harper suggested Mr. Fulmer call the Police Department regarding people not walking their dogs on a leash.

3. APPROVAL OF MINUTES:

Motion: A motion was made by Councilmember Stevens to Approve the Minutes of May 6 and May 20, 2009. The motion was seconded by Councilmember Moyer and unanimously approved with a vote of 5-0

4. ANNOUNCEMENTS: Manager, Michael J. DeFinis reviewed the announcements.

- Next month's Council meetings is July 15, 2009 at 7:30 P.M.
- The Borough Office will be closed on July 3, 2009 in observance of the Holiday.
- HERC will meet on June 25, and July 23, 2009 at 8:00 AM.
- Founder's Day is June 22, 2009 from 5 – 8:00 P.M. at Centennial Park.
- The Planning Commission will meet on June 29 at 7:00 PM.

5. REPORTS FROM STANDING COMMITTEES AND MAYOR:

Public Safety: Councilmember Moyer informed Council the door hangers for Round 2 to get the public to help out in town were handed out. There is still a need for more people to get involved.

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.

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

- The Revitalization draft plan has been approved by the County Revitalization Board. The Borough received the final grant amount of \$33,000.00 from the County for the Revitalization Plan Project.

- The Power Supply Agreement extension has been approved. This will stabilize rates for the future.
- The parking lot project is moving along even with the constant rain. With the end of the school year we will see increased activity in the down town area. With the cooperation of the Police and the Public Works Departments we will monitor the situation.
- Founders' Day volunteers are still needed.
- The Clegg's have requested to remove one of their parking spots at their property. This will need approval and amendment to the Land Development Agreement Resolution.
- Hatfield Auto Museum has requested a U & O. Randy Yardumian is working with Mr. Rendemonti the attorney of record for the Museum
- The Centennial Park fence project has been completed. The old fence has been removed and discarded. The new fence installed on the recently surveyed line. The benches did not have to be moved.
- Assistant Secretary, Linda L. Watts mailed out 152 delinquent electric notices on May 28, 2009. Clerk, Scott Smith assisted with the data. Great strides have been made to accommodate people on their delinquent accounts. The total amount collected including past due and current was \$69,925.87.

7. Conditional Use Hearing for Robert and Sharon Crouthamel, 127 N. Main Street.

Borough Solicitor, Catherine M. Harper opened the Conditional Use Hearing at 7:53 PM for approval to construct a new garage measuring 696 square feet and a height of 19 feet on their property where accessory buildings are other wise limited to 600 square feet and 15 feet in height. This has been advertised. Mr. Crouthamel is present and the Boroughs Zoning Officer, Mike Galla is present. The following items have been marked for the file.

- B1 – Proof of Publication.
- B2 – Proof that the property was posted in accordance with law.
- A1 – Copy of the application.
- A2 – The extension letter.
- A3 – The Zoning Hearing Board Application
- A4 – Decision from the Zoning Hearing Board.
- A5 – Four page exhibit consisting of plans.

Borough Solicitor, Catherine M. Harper swore in both Mr. Crouthamel and Mr. Galla.

Borough Solicitor, Catherine M. Harper updated Council on the procedure for the Hearing format. Council will be sitting as judges. Council may ask questions. The hearing it is on tonight's Agenda for Action, Council may or may not choose not to take any action.

Mr. Crouthamel informed Council he is proposing a two car garage with access to a second floor that will be used for storage. To get a stairwell to the second floor we had to go bigger than the 600 square foot footprint. To get usable storage on the second we had

to go to 19 feet on the ridge height opposed to the 15 feet. Mr. Crouthamel showed Council pictures and plans for the proposed building and general elevation plans.

Borough Solicitor, Catherine M. Harper asked if the plans had changed.

Mr. Crouthamel replied they had not.

Borough Solicitor, Catherine M. Harper asked what the second floor would be used for.

Mr. Crouthamel replied storage, there would be electric but no water or sewage.

Borough Solicitor, Catherine M. Harper asked if there was any opposition from any neighbors.

Mr. Crouthamel replied there was no opposition.

Zoning Officer, Mike Galla informed Council Mr. Crouthamel has met all issues.

Borough Solicitor, Catherine M. Harper asked if anyone else had any comments. There were none.

Motion: A motion was made by Councilmember Farrall to close the Conditional Use Hearing. The motion was seconded by Councilmember Moyer. The motion was unanimously approved with a vote of 5-0. The meeting was closed at 8:07 PM.

ACTION ITEMS:

8. MOTION – To Approve Resolution No. 2009-16, EOP Plan.

Motion: A motion was made by Councilmember Farrall To Approve Resolution No. 2009-16, EOP Plan. The motion was seconded by Councilmember Moyer and unanimously approved with a vote of 5-0.

9. MOTION – To Approve Resolution No. 2009-17, Storm-water Management Agreement.

Borough Solicitor, Catherine M. Harper informed Council that Resolution No. 2009-17 is approval to join an Inter Municipal agreement with Municipalities to hire an attorney to negotiate with the DEP and watch storm water flows.

Manager, Michael DeFinis informed Council there are fifteen municipalities.

Motion: A motion was made by Councilmember Farrall to approve Resolution 2009-17. The motion was seconded by Councilmember Moyer and unanimously approved with a vote of 5-0.

10. MOTION – To Approve or Deny Conditional Use Application for Robert and Sharon Crouthamel, 127 N. Main Street.

Motion: A motion was made by Councilmember Moyer To Approve the Conditional Use Application for Robert and Sharon Crouthamel, 127 N. Main Street. The motion was seconded by Councilmember Farrall and unanimously approved with a vote of 5-0.

11. MOTION – To Approve Payment of the June Bill List as amended.

Motion: A motion was made by Councilmember Moyer To Approve payment of the June Bill List as amended. The motion was seconded by Councilmember Stevens and unanimously approved with a vote of 5-0.

Manager, Michael J. DeFinis updated Council on the following invoices.

11A. Motion To Approve Payment Request No. 3 in the amount of \$59,646.50 to James R. Kenney Excavating & Paving, Inc. as recommended by the Borough Engineer for the Parking Lot Project. .

Motion: A motion was made by Councilmember Farrall to Approve Payment to James R. Kenney Excavating & Paving, Inc. in the amount of \$59,646.50 as recommended by the Borough Engineer. The motion was seconded by Councilmember Moyer and unanimously approved with a vote of 5-0.

11B. Motion To Approve Final payment in the amount of \$6,111.98 to DeCo Management Corp. as recommended by the Borough Engineer.

Motion: A motion was made by Councilmember Moyer to Approve Final Payment in the amount of \$6,111.98 to DeCo Management Corp. as recommended by the Borough Engineer. The motion was seconded by Councilmember Farrall and unanimously approved with a vote of 5-0.

11C. Motion To Approve Weed Spray Proposal to Clarks Landscaping in the amount of \$2,800.00.

Motion: A motion was made by Councilmember Farrall to Approve the Weed Spray Proposal to Clarks Landscaping in the amount of \$2,800.00. The motion was seconded by Councilmember Moyer and unanimously approved with a vote of 5-0.

DISCUSSION:

12. Request for Permission to Use Memorial Park for The Woodburners Annual Eggfest on September 12, 2009 from 8:00 a.m. to 5:00 p.m.

Karl Clauss answered questions regarding how many people attended the Eggfest in the past year and if there were any problems.

Lieutenant Tierney informed Council there has been no reports of any problems associated with the Eggfest in the past.

Motion: A motion was made by Councilmember Moyer to approve the Request to Use Memorial Park for The Woodburners Annual Eggfest on September 12, 2009 from 8 am to 5pm. The motion was seconded by Councilmember Farrall and unanimously approved with a vote of 5-0.

13. Consideration To Approve the Cable Franchise Renewal with Comcast.

Manager, Michael J. DeFinis updated Council on the Negotiating Cable Franchise Renewal with Comcast. Borough Manager, Geoffrey Thompson is the lead contact. Mr. DeFinis will forward the final contract to Council. The Borough contract expires this year.

Mr. DeFinis answered questions regarding the Borough owned poles and negotiating an increase in the pole fee.

14. Act 32, County EIT Collection – Appoint A Representative To the Tax Collection Committee.

Manager, Michael J. DeFinis informed Council that under Act 32 the Borough has to appoint someone to act on the Borough's behalf. Mr. DeFinis suggested appointing Treasurer Diane Farrall and himself as alternate.

Motion: A motion was made by Councilmember Moyer to Appoint Treasurer, Diane Farrall as representative to the Tax

Collection Committee. The motion was seconded by Councilmember Kroesser and approved with a vote of 4-0-1. Councilmember Farrall abstained from the vote.

15. Montgomery County Open Space Board – Green Fields / Green Towns Program.

Manager, Michael J. DeFinis will forward information to Council. The projects are still being worked on.

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

- Monthly Investment Report
- Monthly EIT Report
- Police Department Report
- NPDES MS4 Permit Report
- Public Works Department Report
- American Municipal Power Inc. (New Name For AMP-OHIO)
- Electric Delinquent Report

Manager, Michael J. DeFinis and Borough Solicitor, Catherine M. Harper Reviewed the EIT payments and remittance report. Solicitor Harper updated Council on a request for a Final Closeout letter from Centax.

Borough Engineer, Mark Mattucci informed Council the NPDES MS4 Permit Report was filed. The Borough met the standards. Mr. Mattucci recommended a meeting with the Public Works Department regarding the plan.

17. OTHER BUSINESS:

Clegg Subdivision Plan.

Manager, Michael J. DeFinis updated Council on the Clegg Subdivision and the request to remove one of the parking spaces to make room for a garden area or open space.

Borough Solicitor, Catherine M. Harper informed Council that the applicant is not required to have ten parking spaces.

Councilmember Farrall suggested keeping the area in reserve if the borough deems it would need adequate parking.

Solicitor Harper will prepare a resolution for the July meeting.

President Weierman presented a gift certificate and Resolution No. 2009-18 to Manager, Michael J. DeFinis for his years of dedicated service to the Borough of Hatfield.

Motion: A motion was made by Councilmember Farrall to Approve Resolution No. 2009-18 to Michael J. DeFinis for his years of service to the Borough of Hatfield. The motion was seconded by Councilmember Moyer and unanimously approved with a vote of 5-0.

18. ADJOURNMENT:

Motion: A motion was made by Councilmember Moyer to adjourn the meeting of June 17, 2009. 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:

Respectfully Submitted,
Linda L. Watts
Assistant Secretary