

HATFIELD BOROUGH COUNCIL
SPECIAL MEETING

June 9, 2009 @ 7:00 PM

MINUTES

CALL TO ORDER AND ROLL CALL:

- (X) John H. Weierman, President
- (X) Kenneth V. Farrall, Vice President
- (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, Mark Weand from Timoney Knox.

3. APPROVAL OF MEETING AGENDA:

Motion: A motion was made by Councilmember Stevens to approve the Agenda of June 9, 2009. The motion was seconded by Councilmember Farrall and unanimously approved with a vote of 4 - 0.

4. TO REVIEW AN AMENDMENT TO THE BOROUGH'S ELECTRIC CONTRACT WITH AMP-OHIO.

Borough Manager Michael J. DeFinis informed Council that all the information they have in front of them today came from the combination of last week and today. The power agreement with AMP –Ohio is to be extended for the years 2013, 2014 and 2015. The information regards to that action. The long term goal is to stabilize rates as long as possible and that is what this agreement will do. The rates will remain stable and won't have the spike up. The Borough's rates are locked in now through 2012. Doing this at this time will enhance that long term stable power supply and stabilize the rates for the duration of that time.

Councilmember Farrall asked how much is the increase?

Mr. Definis informed Council that according to the sheet for 2010 the mega watt hours being distributed in 2010 is \$84.36 a mega watt hour. The highest mega watt hour output that would incur in 2015 would be \$85.81 in the year 2015.

Councilmember Farrall asked if in 2010, would the Borough have to raise electric rates.

Mr. DeFinis informed Council that they would not have to raise the rates. The Borough has already had there rate increase as to where in 2010 Peco customers have there rates increased the Borough would not have to raise the rates.

Mr. Weand from Timoney Knox informed Council he did read the communication from Charles Wheatley and I did review the communication from the Engineer James Havrilla with Utility Engineers and did review the resolution and the first amendment to the Borough contract and the legal advertisement. I did speak with Borough Solicitor, Catherine M. Harper about the situation. I think it is rather routine, but I just like to indicate that everything I have seen is legally compliant, the format is good and appropriate. From my personal perspective as a policy point of view I think Council is embarking on the right course. Everything is legally compliant for your approval.

Motion: Councilmember Farrall made a motion to approve the amendment to the Borough's Electric Contract with AMP-Ohio. The motion was seconded by Councilmember Stevens.

The minutes reflect the authorization of the Council President to execute the amendment.

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

Mark Weand will sign as indicated as Municipal Legal Advisor. It is critical that everything be signed tonight.

Mr. DeFinis explained to Council why Mr. Weand would need to sign as indicated as Municipal Legal Advisor tonight. It is critical that everything be signed tonight and copies be faxed tonight and two signed copies sent to Mr. Wheatly in the morning. Assistant Secretary, Linda L. Watts printed out the Resolution pages with signature lines and made copies, one with the Mayor's spot for signature and one without the Mayor's spot for signature just in case he was not present at tonight's meeting because she was prepared ahead and knew the Resolution would have to be faxed tonight with signed copies sent out in the morning mail.

5. OTHER BUSINESS:

President Weierman informed Council the Flag Day Event is Sunday, June 14, 2009.

TODD WALKER PROPERTY DISPUTE:

Todd Walker asked Council if they would like to rent the property that the Borough fence is on that belongs to Mr. Walker for \$1.00 a year for the next one hundred years instead of having the expense of moving the fence.

Councilmember Farrall informed Mr. Walker that the Borough already has an easement though the parking lot and perpendicular to the property lines to gain access. No matter what the Borough would do it would have to be recorded and insured properly. It would have to be done legally.

Borough Manager, Michael J. DeFinis informed Council that Mr. Walker had informed the Borough that they had sixty days to get off of his property. There are other issues that are going to come back later that will have to be addressed. The decision that Council made a few weeks ago is to move the fence line, do the survey, move the fence and to solve the problem now.

President Weierman informed Mr. Walker that there is an alternative for some reason Council would not mind exploring it and weighing the options.

6. ADJOURNMENT:

Motion: A motion was made by Councilmember Stevens to adjourn the Special Meeting of June 9, 2009. The motion was seconded by Councilmember Farrall and unanimously approved with a vote of 4-0. The meeting adjourned at 7:36 PM.

Respectfully Submitted,
Linda L. Watts
Assistant Secretary