

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