

HATFIELD BOROUGH COUNCIL
WORKSHOP MEETING
May 6, 2009

MINUTES

1. CALL TO ORDER AND ROLL CALL:

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

- () Mayor, Robert L. Kaler III (arrived at 7:33 PM)

The record shows that three members of Council were present at roll call, as well as, Borough Manager, Michael J. DeFinis, Joshua Gantz, from Timoney Knox, Assistant Secretary Linda L. Watts. Representatives from the media were present.

2. APPROVAL OF MEETING AGENDA:

Motion: A motion was made by Councilmember Stevens to approve the Agenda of May 6, 2009 as amended. The motion was seconded by Councilmember Kroesser and unanimously approved with a vote of 3-0.

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

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

- Public Meeting No. 3 - Members of the Revitalization Task Force and Consultant Team will hold a Public Meeting at the Volunteer Fire House on May 13, 2009 at 7:30 PM. The draft plan will be presented at that time and then presented to Montgomery County Revitalization Board for their approval and then the Borough's adoption after that. An announcement of the meeting was given to the Press tonight and there will be announcements on HTV.
- The Montgomery County Borough's Association Dinner Meeting is scheduled for May 28, 2009 and sponsored by Hatboro. More information will follow.
- Next month's Planning Commission Meeting is scheduled for June 1, 2009 at 7:00 PM.
- Curbside Chipping & Disposal of Branches and Limbs was started on Monday, May 4, 2009 in the rain. Extensive piles and size requirements were addressed at that time.

- HERC will have its meeting on May 28, 2009 at 8:00 AM in the Borough Conference Chambers.
- The Memorial Day Parade is scheduled for May 25, 2009 at 9:30 AM starting at Broad and Market Streets.
- The Borough Offices will be closed on Monday, May 25, 2009 in observance of the Holiday.

Mr. DeFinis informed Council that the Cub Side Chipping will continue through the week because of the weather and the Public Works Department has been notified to continue with the pick-ups.

5. REPORTS FROM STANDING COMMITTEES:

Public Safety: Councilmember Stevens informed Council the Public Safety Committee met last week with a representative from the Hatfield Township Police Department and community members for the Neighborhood Watch Task Force. Only a few folks came out and the Committee is hoping to do another round of publicity and hope at this point to encourage other municipalities to join the borough in keeping our parks and neighborhoods safe.

President Weierman informed Council the Year End 2008 Annual Report from the Hatfield Township Police Department was included in the packets for tonight's meeting. The report is always extremely comprehensive and has many statistics.

A copy of the report will be in the Borough lobby if anyone wishes to review the report.

Budget, Finance and Labor: President Weierman informed Council he spoke with the Borough's Investment Advisor's Asset Manager on the Borough's Long Term Investment Funds. There were two more bonds called. The bonds were paying close to five percent and were worth refinancing. There will be additional cash coming back for reinvestment. The Vanguard fund where the temporary investments are being held is doing very well too with some appreciation.

Mr. DeFinis updated Council on the in house meeting schedules for May 7, 2009 and the Borough's Tax Collector, Berkheimer on May 14, 2009.

The Pension Fund statements are in for the first quarter. Mr. DeFinis will review the statements and forward to Council.

Recycling: Mayor Kaler, III, informed Council the Recycling luncheon was attended by himself and the Borough Manager. The Recycling Commission Meeting is scheduled for Tuesday, May 12, 2009.

Mr. DeFinis informed Mayor Kaler, III that the insurance issue has been faxed over to the proper department.

Mr. DeFinis updated Council on the meeting schedule for AMP Ohio, Public Works Department and the Safety Committee.

6. Motion – Consideration To Approve Change Order No. 1, in the Amount of \$37,647.40 for Revisions on the Liberty Bell Parking Area/Plaza Project.

Motion: A motion was made by Councilmember Stevens To Approve Change Order No. 1, in the Amount of \$37,647.40 for Revisions on the Liberty Bell Parking Area/Plaza Project.

President Weierman informed Council the letter from Bursich with the Borough Engineer's signature, the change order details and items is attached and was discussed previously.

Borough Engineer, Mark Mattucci informed Council there were no surprises and he prepared the appropriate paperwork, execute it and send to the contractor.

President Weierman informed Council the Contract price with all approved Change Orders is \$382,647.40.

The motion was seconded by Councilmember Kroesser and unanimously with a vote of 3-0.

7. MANAGER'S REPORT: Mr. DeFinis made the following announcements. General Report and Project Updates.

- The Revitalization plan draft is now in the hands of the consultant. A final public meeting is scheduled for May 13, 2009.
- The electric power agreement extension negotiations are continuing. As soon as information is available we will meet with the Utilities Committee and update Council.
- The I & I project that the Borough has and is ongoing and the 357 along with the Army Corps of Engineers Grant is now in motion. Borough Engineer Bill Dingman and Mr. DeFinis met with Erik Rourke and Dough Leatherman to discuss using the grant money to repair laterals in the sanitary sewer system. The request letter along with Mr. Dingman's suggestions and changes have been mailed to the agency to start the process. Mr. Dingman and Mr. DeFinis are scheduled to meet Pete Dorney of HTMA and their engineer on May 13th, 2009 to layout the plan.
- Treasurer, Diane Farrall and Mr. DeFinis will meet with EIT collector Berkheimer on May 14th, 2009.
- The parking lot project has been previously addressed. The contractor was making very good progress until the rains came. One section of concrete has to be replaced due to vandalism. There are some options to curtail future vandalism events.

- Staff is in the process of submitting reimbursement applications for several grants. Assistant Secretary, Linda L. Watts has been working on submitting reimbursement applications for several grants, and has taken great strides in putting all the documentation together and contacting the grant agencies to make sure the reimbursement process is followed and the grants are well under way.
- The EIA 861 Survey is complete. That is an energy survey that has to be done every year for the Energy Department. AMP Ohio had also requested the same information and that has been completed as well. Mr. DeFinis thanked Scott Smith and Linda L. Watts for their help with the report.
- The joint DVRPC (EGGS) grant with the Township and the Borough has not been selected, due to the volume of requests that were more than double the funding available.
- The Shanley Subdivision Plan is under review by the Engineer and the Zoning officer. A developers Agreement will be drafted and an escrow account will be opened prior to the plans being released for recording.
- The Clegg property now has Electric to it. The building inspector is scheduled for Thursday. The Clegg's are anxious to move in their tenants.
- The new HERC account requires a resolution as per our Auditors. This will be on the May 20th agenda for approval.
- The Emergency Operations Plan (EOP) is being updated. This should also be complete and ready for approval on the 20th. The Fire Marshall will be working on the Plan and Mr. DeFinis will distribute the plan by the 20th.
- Randy Yardumian the Code / Zoning Officer is in full swing citing several properties for lawn maintenance issues.

Mr. DeFinis updated Council on the Safety Committee flyer for the Community Task Force.

President Weierman asked Christine Calhoun about the Ordinance for HTV.

DISCUSSION:

8. Modifying Existing Residential Dwelling at 30 E. Lincoln Avenue.

Mr. DeFinis informed Council that Zoning Officer, Michael Galla did communicate to the interested party about the property and they are well aware of the situation. To date there has been no response.

9. Removal of Parking Bollards at 8 N. Market Street Parking Lot Project.

Mr. DeFinis informed Council that Mr. & Mrs. Ronald Gross property owners of 8 N. Market Street are in the audience. Mr. Gross had some bollards put in front of his parking spots to prevent people from driving through his building. The bollards were removed as part of the parking lot project. They were not scheduled to be put back in as they were not part of the plan. Mr. Gross asked that the Borough consider putting them

back in. Mr. Gross brought in pictures of the area. The bollards that are there were bent and if bollards were to be put back in they should be aesthetic to the layout of the project.

Borough Engineer Mark Mattucci informed Mr. Gross under the current design we were replacing the current bollards with parking blocks, in addition there would be a six inch curb that would serve as an additional deterrent and I believe Mr. Gross had the bollards position so that they would protect the pillars. Mr. Mattucci suggested if Council would proceed with putting in bollards that it would be the same style or similar nature. For consideration, to supply and install the seven bollards would be approximately in the range of \$2,000 - \$2,500.00.

Mr. Mattucci answered questions regarding any problems with pedestrian access. There were no problems.

Councilmember Stevens suggested since the bollards were there before it seems like a reasonable request to replace them.

Mr. Gross informed Council that since the bollards were removed someone had driven into his rain spout.

It was the consensus of Council to move forward with pricing of the bollards.

Mr. Gross informed Council that he was having a drainage issue at his property and asked if it would be resolved.

Borough Engineer Mark Mattucci informed Mr. Gross the idea of the ramp is not a done deal. They are seriously considering adding a small macadam rolled curb at the building side of walkway and any raindrop that does fall on the sidewalk will go the same way as it did before will be reflected and it will be better than before. The walkway will be put back the same way as it was. No new drainage issues will be created.

10. Parking Requirement Review at 56 East Broad Street, Crystal Rose Catering.

Mr. DeFinis informed Council Mr. Proulx owner of Crystal Rose Catering is in the audience. During a meeting with Mr. Proulx and his architect the issue of the Resolution came up and prior to receiving a building permit for improvements for use of the property some Borough requirements was to obtain Zoning relief up to but not limited including parking. Mr. DeFinis presented documentation on the discussion on the parking; which is in Council packets and a copy was given to Mr. Proulx. During December 17, 2009 a waiver of land development process the issue was raised by Solicitor Harper and at that time Mr. DeFinis was a Council Person and made the comment that Council should not step into the process of the Zoning Hearing Board, and the Zoning Hearing Board should address this issue. This is also the motion that was made for the waiver of Land Development. Mr. Proulx should talk to his neighbors to see if he can get some parking easements and resolve those issues.

Mr. Proulx informed Council he will talk to his neighbors.

Mr. DeFinis asked Mr. Proulx if he felt he represented the issue fairly.

Mr. Proulx informed Council that he yes he felt it was represented fairly.

11. Request from Hat Tricks, 64 E. Lincoln Avenue to Lease and Maintain Borough Property With the Intent To Develop an Outside Patio.

Mr. DeFinis informed Council Mr. Bob Weimar and his father is in the audience. The Butera property at one time the property line ran through the building. When this was resolved the property line was move to the building as shown on the property plan. Hat Tricks is proposing an outside patio. They want to put the patio on the back of the building and because of the property line and set backs. After discussion with the Borough Solicitor and Zoning Officer Hat Tricks is trying to get clarification as to exactly what they can do.

Mr. Weimar, owner of Hat Tricks informed Council that the property that borders his property from E. Lincoln Avenue down the side of his property they have been maintaining the property. We are proposing the borough lease us the property up to the path down to the end of our property for 99 years or whatever the case would be. We won't build on the property just maintain it, and the Borough would give us an easement to build our patio. The patio would no go over top of the property anyway because of the patio would sit on the existing set on the easement. We want to lease over to the path. It would have a fence around the patio because of vandalism and to also stop underage drinking. Hat Tricks is very straight laced. We don't want to cause any problems. There would be speakers and the volume control would be in the office to keep the noise down. There would be lighting underneath the wall of the concrete and a awning, it would not be closed in. If it became a necessity we could put in plexi-glass to keep down the noise. Mr. Weimar informed Council that he cannot get his LCB license until he gets approval from the Borough.

Mr. Weimar informed Council he wants to put lights along the stretch of patch due to vandalism and for safety.

Mr. DeFinis informed Council he has discussed the plan with the Borough Solicitor and she would like to see the plan and he will meet with Zoning Officer, Mike Galla tomorrow.

The Planning Commission is working on developing an outdoor dining and café policy.

Mr. Weimar informed Council he wants to keep the peace but also want to go with the competition.

Mayor Kaler, III asked Mr. Weimar if he has talked with the old age home and that he does not have anything against out door dining.

Mr. Weimar said that he has not had any discussion with the old age home and that he would shut down the outdoor dining when ever the Borough would request.

President Weierman informed Mr. Weimer that the request has to go to the Planning Commission.

Mr. DeFinis informed Council that no plan has been presented only a conceptual plan was submitted. We would need an application and a drawing of the patio.

Borough Engineer Mark Mattucci informed Mr. Weimar that his conceptual plan would not be accepted. There are two issues, one he would have to go through Land Development and (2) a detailed building permit drawing would have to be submitted.

Mr. Weimar asked why he would have to spend \$4,000 on a stamped plan to build a patio. Mr. Weimar felt that that was a ridiculous issue.

Mr. Mattucci informed Mr. Weimar that that would be an issue he would have to address with Council.

Mr. DeFinis informed Mr. Weimar that he would get back to him when he hears back from the Borough Solicitor and the Zoning Officer.

12. Allegheny Electric Cooperative – National Grid/NIMO Rate Settlement.

Mr. DeFinis informed Council that this is part of the electric process with AMP-Ohio and this last year they had started to deal with FERC on issues of transmission charges. They are coming to a resolution and if there are any reimbursement to the Borough it will probably come back in the form of a credit to future power bills. The Borough Solicitor has the documents and will go through the Solicitor's Office.

13. Other Business:

President Weierman updated Council on HTV Cable Channel Policy this was done on October 31, 2005. Information Coordinator, Christine Calhoun has mention that there are more requests coming in all the time for placing ads on HTV and to make sure to identify the content. So far everything has been okay.

Public Information Coordinator, Christine Calhoun informed Council everything is pretty straight forward and puts on something that the Borough residents enjoy she puts it on HTV.

President Weierman suggested keeping records of what is on if the question ever comes up and suggested the Borough Manager make the decision on what goes on HTV.

Mrs. Calhoun informed Council she wanted to make sure Council was aware of the many requests.

Council thanked Christine Calhoun for all her work on HTV and that it looks great.

Mayor Kaler, III updated Council on the Lansdale Historical Society's final community program of the 2008-2009 season, "The Hatfield," will be held on two dates at two locations. The show, organized with help from the Hatfield Historical Society debuts May 12, 2009 at 7:30 PM. It will be repeated at 7:30 PM on May 26, 2009 at the Hatfield Firehouse, 75 N. Market Street. Mayor Kaler III thanked Councilmember Stevens for all his hard work with the program and working with the Lansdale Historical Society. The Lansdale Historical Society will have the program available on digital.

14. ADJOURN

Motion: A motion was made by Councilmember Stevens to adjourn the meeting of May 6, 2009. The motion was seconded by Councilmember Kroesser and unanimously approved with a vote of 3-0. The meeting adjourned at 8:23 PM.

Executive Session: Personnel

Respectfully Submitted,
Linda L. Watts, Assistant Secretary