

HATFIELD BOROUGH COUNCIL
REGULAR MEETING

October 21, 2009

MINUTES

CALL TO ORDER AND ROLL CALL:

- (X) John H. Weierman, President
- () Kenneth V. Farrall, Vice President
- (X) John Kroesser
- (X) Bryan A. Moyer
- (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, 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 Stevens to approve the Agenda of October 21, 2009 as amended. The motion was seconded by Councilmember Moyer and unanimously approved with a vote of 4-0.

2. PUBLIC INPUT: President Weierman asked if there were any comments or questions. There were none. There was no media present.

3. APPROVAL OF MINUTES:

Motion: A motion was made by Councilmember Moyer to Approve the Minutes of September 2 Workshop and September 16, 2009 Regular. The motion was seconded by Councilmember Kroesser and unanimously approved with a vote of 4-0

ACTION ITEMS:

7. Motion to Approve Resolution #2009-27 Recognition of Accomplishment will be prepared for Council Meeting.

President Weierman read and presented Resolution 2009-27 Recognition of Accomplishment to Lieutenant Tierney from the Hatfield Township Police Department on his graduation from the FBI National Academy in Quantico, Virginia.

Motion: A motion was made by Councilmember Stevens to approve Resolution No. 2009-27. The motion was seconded by Councilmember Moyer and unanimously approved with a vote of 4-0

Lieutenant Tierney thanked Borough Council for the Resolution and informed them that it is an honor to have the support of the Borough behind the Police Department.

Chief Mark Toomey and Lieutenant Eric Schmitz thanked Borough Council for their continued support of the Police Department.

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

- Next month's Council meetings are November 4, Workshop and November 18, Regular Meeting at 7:30 P.M.
- HERC will meet on October 22, 2009 at 8:00 AM.
- The Planning Commission will meet on November 2, 2009 at 7:00 PM.
- The Revitalization Task Force will meet on October 22, 2009 at 8:30 a.m. per the guidelines.

President Weierman updated Council on the Montgomery County Planning newsletter regarding the Delaware Valley Regional Planning Commission and possible available funds.

Manager DeFinis updated Council on the maintenance guidelines.

5. REPORTS FROM STANDING COMMITTEES AND MAYOR:

Public Safety: Councilmember Moyer informed Council the Public Safety Committee met with the Hatfield Volunteer Fire Department on Monday, October 19, 2009 and reviewed there very informative and thorough twenty year plan. The Fire Department is very appreciative of the Borough's support

Manager DeFinis informed Council the Fire Chief's report will be made available to the Township and Borough after the budget process.

Budget, Finance and Labor: President Weierman informed Council the Budget, Finance and Labor Committee met on Monday, October 19, 2009 and discussed the 2010 budget. The next scheduled meeting is October 26, 2009. The Budget, Finance and Labor Committee will present the initial draft budget to Council at the November 4, 2009 Workshop Meeting.

EIT: President Weierman reviewed the EIT report.

Manager DeFinis will reviewed the EIT report with the treasurer.

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

- Budget Finance & Labor committee and staff are continuing to work on the 2010 budget. The next committee meeting is October 26, 2009 at 7:30 P.M.
- Mark Mattucci, Fred Leister and I are working on maintenance issues at the Liberty Bell Plaza area. The standing water issues will be presented to the contractor.
- Staff and I are searching for grant opportunities for designated projects.
- The Cohen Law group is reviewing the cable franchise agreement. Once the legal assessments are completed we will discuss the process, goals and concerns regarding the project. Any priorities Mayor Kaler or Council has with the agreement please forward for negotiations with Comcast. Cohen Law group is formulating the payment plan.
- The storm water inlet on at the corner of Towamencin Avenue and Stephanie Court has been reinforced. As you may recall the swale has eroded and the bank had to be reinforced. The work was completed by Clarke's Landscaping.
- Please take time over the next several months to review ordinance updates for codification. For instance NO TRASH PICK UP PRIOR TO 6:00 AM this issue has come up several times in the past two weeks. These issues will need to be addressed during the codification process.

Manager DeFinis answered questions and updated Council on the approval of the Zoning Hearing Board for the Ahlquist / Moyer lot line adjustment.

Manager DeFinis answered questions and updated Council on the letter sent to Harleysville National Bank regarding changing banks and notifying the residents, business, State, Federal and entities that need to be notified. The target is to have the change over January 1, 2010 and have a resolution passed at the November 18, 2009 meeting. TD Bank will send in representatives to help through the transition.

ACTION ITEMS:

8. Motion to Approve Bid Advertisement for the Chestnut Street Bridge Improvements.

Motion: A motion was made by Councilmember Moyer to Approve Bid Advertisement for the Chestnut Street Bridge Improvements. The motion was seconded by Councilmember Kroesser.

Borough Engineer Mark Mattucci gave preliminary and has now given the final bid package to go out. That process will start on October 22, 2009.

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

9. Motion to Approve Advertising Ordinance No. 478 and Changing Fees.

Motion: A motion was made by Councilmember Moyer To Approve Advertising Ordinance No. 478 and Changing Fees. The motion was seconded by Councilmember Kroesser.

Borough Solicitor, Catherine M. Harper pointed out that the project the Borough has been working on when passed will allow the fees to be changed by resolution as approved by Ordinance.

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

10 Approval of Ordinances

Motion to Approve Ordinance #473. An Ordinance Amending the CODE OF ORDINANCES, BOROUGH OF HATFIELD, "By Changing the Name of the Street Originally Named as Blaine Street in Ordinance #40 to Blaine Avenue.

Motion: A motion was made by Councilmember Stevens to approve Ordinance #473. An Ordinance Amending the Code Of Ordinances, Borough of Hatfield, "By Changing the Name of the Street Originally Named as Blaine Street in Ordinance #40 to Blaine Avenue. The motion was seconded by Councilmember Moyer.

President Weierman informed Council the Ordinance was advertised and asked if there were any public comment. There was none.

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

Motion To Approve Ordinance #474. An Ordinance Establishing Outdoor Dining as a Conditional Use in the Core Commercial District Only; Replacing Inconsistent Ordinances; and Providing for an Effective Date.

Motion: A motion was made by Councilmember Moyer To Approve Ordinance #474 Establishing Outdoor Dining as a Conditional Use in the Core Commercial District Only; Replacing Inconsistent Ordinances; and Providing for an Effective Date. The motion was seconded by Councilmember Kroesser.

President Weierman informed Council the Ordinance was advertised and asked if there were any public comment. There was none.

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

Motion To Approve Ordinance #475. An Ordinance Amending the Existing Size Limit for Accessory Buildings and Providing an Effective Date.

Motion: A motion was made by Councilmember Moyer To Approve Ordinance #475 An Ordinance Amending the Existing Size Limit for Accessory Buildings and Providing an Effective Date. The motion was seconded by Councilmember Kroesser.

President Weierman informed Council the Ordinance was advertised and asked if there were any public comment. There was none.

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

Motion To Approve Ordinance #476. An Ordinance Amending the Existing Ordinance Regarding Minimum Side Yard Setback in the Core Commercial District and Approving for an Effective Date.

Motion: A motion was made by Councilmember Moyer To Approve Ordinance #476 An Ordinance Amending the Existing Ordinance Regarding Minimum Side Yard Setback in the Core Commercial District and Approving for an Effective Date. The motion was seconded by Councilmember Kroesser.

President Weierman informed Council the Ordinance was advertised and asked if there were any public comment. There was none.

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

Motion To Approve Ordinance #477. An Ordinance Amending the Codified Ordinances of Hatfield Borough, Chapter 27, "Zoning," to Add a new Part 23, "Riparian Corridor Conservation Overlay District" and also Amending Chapter 22 "Subdivision and Land Development," to add a new Section 433 "Landscape Requirements in the Riparian Corridor Conservation Overlay District" to part 4 "Design Standards."

Motion: A motion was made by Councilmember Moyer To Approve Ordinance #477 An Ordinance Amending the Codified Ordinances of Hatfield Borough, Chapter 27, "Zoning," to Add a new Part 23, "Riparian Corridor Conservation

Overlay District” and also Amending Chapter 22 “Subdivision and Land Development,” to add a new Section 433 “Landscape Requirements in the Riparian Corridor Conservation Overlay District” to part 4 “Design Standards.” The motion was seconded by Councilmember Kroesser.

President Weierman informed Council the Ordinance was advertised and asked if there were any public comment. There was none.

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

10A. Motion To Approve Resolution No. 2009-28 Authorizing Opening an Escrow Account For Weimar Restaurants.

Manager DeFinis informed Council Mr. Weimar is up to date on his accounts.

Motion: A motion was made by Councilmember Moyer to approve Resolution No. 2009-28 Authorizing Opening an Escrow Account for Weimar Restaurants. The motion was seconded by Councilmember Stevens and unanimously approved with a vote of 4-0.

10B. Motion To Approve Payment Request No. 6, in the amount of \$31,212.28 to James R. Kenney Excavating & Paving.

Manager DeFinis updated Council on the concerns of Vice President Farrall regarding the standing water issues. The Borough Engineer has made Mr. Kenney aware of the issues and will be further brought up to date on October 22, 2009. The Borough Engineer has recommended payment, but would like Council to know that he is a representative of the Borough. Payment of the enclosed invoice will reduce the contract to the required retainage amount of \$40,376.62.

Borough Solicitor, Catherine M. Harper informed Council the bill is okay to pay, but should consider having the issues resolved. The Borough can authorize payment but can hold the check until the issues are resolved.

Motion: A motion was made by Councilmember Moyer to Approved Payment Request No. 6 in the Amount of \$31,212.28 Pending Resolution of the Drainage Issues. The motion was seconded by Councilmember Stevens and unanimously approved with a vote of 4-0.

Manager DeFinis answered questions regarding the curb extension issue and the punch list of things that need to be completed at the Plaza.

11. MOTION – To Approve Payment of the revised October 2009 Bill List.

Manager DeFinis updated Council and answered questions on the revised bill list.

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

DISCUSSION:

REPORTS AND CORRESPONDENCE:

President Weierman reviewed the Reports and Correspondence.

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

12. OTHER BUSINESS:

Manager DeFinis answered questions regarding donating the Borough old dump truck to the Technical School.

13. ADJOURNMENT:

Motion: A motion was made by Councilmember Moyer to adjourn the meeting of October 21, 2009. The motion was seconded by Councilmember Kroesser and unanimously approved with a vote of 4-0. The meeting adjourned at 8:30 PM.

Executive Session:

Respectfully Submitted,
Linda L. Watts
Assistant Secretary