

HATFIELD BOROUGH COUNCIL
WORKSHOP / REGULAR MEETING

August 21, 2019

MINUTES

CALL TO ORDER AND ROLL CALL:

- (X) John H. Weierman, President
 - () Kenneth V. Farrall – arrived at 8:22PM
 - (X) Jason Ferguson
 - (X) John Kroesser
 - (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, Solicitor Catherine M. Harper; Timoney Knox LLP, Borough Manager Michael J. DeFinis, and Borough Assistant Manager Jaime E. Snyder. Councilmember Kenneth V. Farrall arrived at 8:22PM.

1. APPROVAL OF MEETING AGENDA:

Motion: A motion was made by Councilmember Stevens to Approve the Workshop / Regular Meeting Agenda of August 21, 2019 with additions. The motion was seconded by Councilmember Kroesser and unanimously approved with a vote of 4-0.

2. APPROVAL OF THE MINUTES:

Motion to Approve the Minutes of the July 17 2019 Workshop / Regular Meeting and the August 5, 2019 Special Meeting

Motion: A motion was made by Councilmember Kroesser to Approve the Minutes of the Minutes of the July 17, 2019 Workshop / Regular Meeting and the August 5, 2019 Special Meeting. The motion was seconded by Councilmember Ferguson and unanimously approved with a vote of 4-0.

3. PUBLIC INPUT: President Weierman asked if there was any Public Input. The media was not present.

Mr. & Mrs. Rizzano from 71 Lambert Street addressed Council and discussed issues with opening burning in the area. They stated that they have called the fire department multiple times and they have been dispatched to a resident's home on Blaine Avenue who continues to burn. Mrs. Rizzano went on to state that the smoke from the opening burning is so bad that her family can not open the windows in their home.

Solicitor Harper asked if she had any photos of this occurring and Mrs. Rizzano stated no but she would be happy to testify if needed.

President Weierman thanked the Rizzano's for brining this issue to the attention of Council and they will work with the code, fire and police department to address these concerns immediately.

Mrs. Rizzano also asked for more information regarding the sidewalk repairs identified at her property by the Borough.

Manager DeFinis reviewed the sidewalk repair program in conjunction with the road resurfacing program with the Rizzanos. Manager DeFinis added that he will give their contact information to the awarded contractor as they were supposed to reach out to all residents and offer free quotes.

4. ANNOUNCEMENTS: Manager DeFinis made the following announcements.

- The next Planning Commission Meeting is scheduled for August 26th @ 7:00PM at the New Municipal Complex
- HERC is scheduled for Wednesday, August 28th @ 8:00AM at the New Municipal Complex
- The Borough Office will be Closed Monday, September 3, 2019 in Observance of Labor Day
- Borough Council Meetings September 4, 2019 Workshop Meeting and September 18th Regular Meeting @ 7:30PM at the New Municipal Complex
- Borough Council Strategic Planning Meeting September 18th @ 5:30PM at the New Municipal Complex
- Salter's Big Green EggFest is Scheduled for Saturday, September 14th from 10:00AM until 3:00PM

5. Hoover and Mininger Properties Lot Line Adjustment Presentation

J. Oliver Gingrich, Attorney for the applicants and Cynthia D. Smith, Engineer for the applicants addressed Council regarding the lot line adjustment.

Mr. Gingrich stated that they are looking to adjust a few lot lines through different parcels; one is land locked and two are abutting a paper street. Mr. Gingrich added that a majority of the property we are discussing is in Hatfield Township and we are working

with the applicants through that process with the same proposed plan. Mr. Gingrich stated that they have received all the comments from the Borough Engineer and are addressing them. With regards to the comment on the paper streets it is believed that since they were never opened and the property owners have acquired them over twenty-one years go that they will just be included with the respectful properties they are associated with.

Solicitor Harper added that this was an issue brought up and that the law you are stating is in fact true but she doesn't believe the plans state that and if so, it should be stated more clearly on the plans to address that concern brought up by the Borough Engineer. Solicitor Harper added that though you have not proposed this, you can not put a building on this paper street as apposing property owners in the future may have a right to go over that section of the property.

Mr. Gingrich stated that he will have a more detailed explanation noted on the plan; the Engineer for the applicant agreed. Mr. Gingrich added the goal would be to provide one final plan for both the Township and the Borough after any comments and needed approvals.

Solicitor Harper stated that there is also another issue concerning the driveway. Solicitor Harper stated that Borough Council can not waive zoning issues nor approve a plan with zoning issues so how are you planning to deal with this?

Mr. Gingrich stated that they do not plan on reclaiming a driveway in that five-foot area and there is no intention of the family selling that parcel or develop it. Mr. Gingrich added that to address the zoning they are willing to cut a portion of the driveway back.

Solicitor Harper asked if the applicants would be comfortable making this correction before the deed transfer. Mr. Gingrich stated he believes this would be acceptable.

Solicitor Harper stated to add that explanation of "to be removed" to the plan which would no longer leave any zoning issues and you are agree that this would be taken care of before any deed transfers.

Mr. Gingrich asked would this include the lot for the Grandson? Solicitor Harper stated that a time frame may need to be established.

Solicitor Harper asked what would Borough Council like to see? The applicants Engineer is going to fix the plan to note that the portion of the drive way will be removed, which will fix the zoning issue but does Council want to put a time frame on when this should be completed and note this on the plan.

Borough Council discussed a time frame a decided on twenty-four-month for removal of the portion of the driveway.

Mr. Gingrich stated that he and the engineer would have to check with his client.

Solicitor Harper stated that this is on for consideration this evening and if they wanted to step out to speak to the client to see if they agreed with the time frame and let Council know prior to the vote this evening that would be acceptable.

Mr. Gingrich agreed.

6. Prestige Property Partners, LLC Zoning Application

Manager DeFinis informed Council the Zoning Hearing Board Meeting for this application is scheduled for Tuesday, September 3rd at 7:00PM.

7. NextEra Contract Extension Update

Manager DeFinis stated Borough Council will be looking at a Power Purchase Agreement Extension sometime in September. Manager DeFinis explained the two options available to Council and reviewed the letter provided by Utility Engineers. Manager DeFinis added that the exact rate will not be disclosed till the night it is available for consideration.

8. REPORTS FROM STANDING COMMITTEES AND MAYOR: NONE

9. MUNICIPAL COMPLEX UPDATE:

A. Clerk of the Works Report

Manager DeFinis stated that the building is coming to a close and a few punch list items need to be addressed.

B. Allowance Adjustment Report

President Weierman reviewed the allowance adjustment report with Council and Manager Michael DeFinis gave an update of the credit the Borough should be receiving.

C. E.R. Stuebner Payment Request No. 17

Manager DeFinis informed Council that payment request No. 17 has yet to be received by the Architect or the Borough.

10. MANAGERS REPORT:

General Report and Project Updates. Manager DeFinis reviewed the Reports and made the following announcements:

1. Land Use & Development Updates:

- A. St. Mary St. Kyrillos Coptic Church / Sewer Escrow Under Review
- B. GLC (Grace Lutheran Church) / Construction Complete
- C. Gambone/Snyder Townhomes / Project Near Completion
- D. Hatfield Auto Museum / Nothing New
- E. Crystal Rose Catering / Nothing New
- F. 122 ½ Towamencin Ave. / Access to Property / Nothing New
- G. PIRHL-Biblical Seminary Project / Zoning-time extension approved
- H. Salter's / Woodburners Improvements
- I. Edinburgh Square Subdivision / Extension Granted
- J. Prestiagi Builders – ZHB
- K. 369 Edgewood Fence Permit – review letters attached
- L. SEPTA Lease Agreement

2. Utility Billing Update:

- A. Staff continues to monitor past due Electric & Sewer accounts. Residents are being sent reminders for PAST DUE ACCOUNTS. Disconnects are scheduled for September.
- B. Email Billing available for Electric & Sewer Accounts. I encourage all account holders to take advantage of the cost-effective billing delivery opportunity.
- C. Borough staff is working with AMP in preparation for an AMI system.
- D. Problems with the electric reader this month / five-week billing cycle.

3. 2019 Project Updates:

- A. The East School Street Sanitary Project in in the final stages of the punch list items.
- B. 2019 Road Resurfacing Projects and AMA Ramps are getting started
- C. Assistant Manager Jaime Snyder is working with Public Works Director Fred Leister & Steve Fickert on several grant opportunities.
- D. East Lincoln Avenue Bridge Replacement with field surveys and environmental permitting.
- E. Back-up Generator Peak Shaving AMP / Power Secure / Next ERA Energy / AMI System
- F. Interceptor Update

4. Items of Interest:

- A. NPWA Audit
- B. HVFC Relief Association Audit
- C. PMEA Conference
- D. AMP Conference
- E. PSAB Fall Conference
- F. PMEA Golf Outing
- G. Hatfield Township Golf Outing
- H. Forrest Park Open House
- I. October 1994 Minutes

11. NEW BUSINESS / DISCUSSION ITEMS:

A. Kroesser Waterline Easement Agreement

Manager DeFinis stated this has been an item that has been spoken about in the past and Mr. Kroesser has informed the Borough that he is ok with the agreement.

Solicitor Harper stated that the Borough is giving the Kroesser's an easement so their water lateral can connect across the properties. The Borough will be responsible for repairs.

B. Defined Benefit Plan 2020 Minimum Municipal Obligation

President Weierman stated that this the yearly approval for the Defined Benefit Plan.

C. Defined Contribution Plan 2020 Minimum Municipal Obligation

President Weierman stated that this is the yearly approval for the Defined Contribution Plan.

D. Snyder Townhomes Construction Escrow Release No. 6

Manager DeFinis stated this is requested from the Snyder Townhomes Development and our Engineer reviewed the work and is suggesting we release the escrow which is a line of credit.

12. OLD BUSINESS:

A. REPORTS AND CORRESPONDENCE:

President Weierman and Manager DeFinis reviewed, updated and answered questions regarding the Reports and Correspondence. Lt. Jane Robertson from the Hatfield Township Police Department addressed the monthly Police report and answered any questions.

- Monthly Investment Report
- Monthly EIT / LST Report
- Police Department Report
- Fire Department Report
- Public Works Department Report
- Engineering Report

- Fire Marshal & Safety Inspection Report
- Zoning Officer & Building Code Enforcement / Property Maintenance Report
- Pool Advisory Report

13. ACTION ITEMS:

A. Motion to Consider the Declaration of Waterline Easement and Permanent Maintenance Agreement between the Borough of Hatfield and John and Lorraine Kroesser

Motion: A motion was made by Councilmember Farrall to Approve the Declaration of Waterline Easement and Permanent Maintenance Agreement between the Borough of Hatfield and John and Lorraine Kroesser. The motion was seconded by Councilmember Ferguson.

President Weierman asked if there were any comments or questions. There were no comments or questions.

The motion was approved with a vote of 4-0-1. Councilmember Kroesser abstained from the vote.

B. Motion to Consider Resolution 2019-16 Preliminary / Final Approval of the Hoover and Mininger Properties Lot Line Adjustment

Motion: A motion was made by Councilmember Ferguson to Approve Resolution 2019-16 Preliminary / Final Approval of the Hoover and Mininger Properties Lot Line Adjustment. The motion was seconded by Councilmember Kroesser.

President Weierman asked if there were any comments or questions.

Mr. Gingrich addressed Council and stated that his client, the applicant, has agreed to the twenty-four-month time frame for the driveway which will eliminate the zoning issue that was discussed and it will also be documented on the plan.

Solicitor Harper stated the way the Resolution is currently written is fine.

The motion was unanimously approved with a vote of 5-0.

C. Motion to Consider the 2020 Defined Benefit Pension Plan Minimum Municipal Obligation in the Amount of \$142,929.00 (One Hundred Forty-Two Thousand Nine Hundred & Twenty-Nine Dollars)

Motion: A motion was made by Councilmember Ferguson to Approve the 2020 Defined Benefit Pension Plan Minimum Municipal Obligation in the Amount of \$142,929.00 (One Hundred Forty-Two Thousand Nine Hundred & Twenty-Nine Dollars). The motion was seconded by Councilmember Kroesser.

President Weierman asked if there were any comments or questions. There were no comments or questions.

The motion was unanimously approved with a vote of 5-0.

D. Motion to Consider the 2020 Defined Contribution Pension Plan Minimum Municipal Obligation for Employees Receiving a 3% or 6% Contribution of their Annual Income in the Amount of \$23,530.00 (Twenty-Three Thousand Five Hundred & Thirty-Two Dollars)

Motion: A motion was made by Councilmember Kroesser to Approve the 2020 Defined Contribution Pension Plan Minimum Municipal Obligation for Employees Receiving a 3% or 6% Contribution of their Annual Income in the Amount of \$23,530.00 (Twenty-Three Thousand Five Hundred & Thirty-Two Dollars). The motion was seconded by Councilmember Ferguson.

President Weierman asked if there were any comments or questions. There were no comments or questions.

The motion was unanimously approved with a vote of 5-0.

E. Motion to Consider Payment Request No. 1 to T. Schiefer for the 2019 Road Resurfacing Project in the Amount of \$39,011.35

Motion: A motion was made by Councilmember Farrall to Approve Payment Request No. 1 to T. Schiefer for the 2019 Road Resurfacing Project in the Amount

of \$39,011.35. The motion was seconded by Councilmember Stevens.

President Weierman asked if there were any comments or questions. There were no comments or questions.

The motion was unanimously approved with a vote of 5-0.

F. Motion to Consider Snyder Townhomes Construction Escrow Release No. 6 in the Amount of \$64,310.89

Motion: A motion was made by Councilmember Farrall to Approve the Snyder Townhomes Construction Escrow Release No. 6 in the amount of \$64,310.89. The motion was seconded by Councilmember Ferguson.

President Weierman asked if there were any comments or questions. There were no comments or questions.

The motion was unanimously approved with a vote of 5-0.

14. MOTION TO APPROVE PAYMENT OF THE BILLS:

President Weierman and Manager DeFinis reviewed and 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 Ferguson.

President Weierman asked if there were any comments or questions. There were no comments or questions.

The motion was unanimously approved with a vote of 5-0.

15. MOTION TO ADJOURN:

Motion: A motion was made by Councilmember Kroesser to adjourn the meeting of August

21, 2019. The motion was seconded by Councilmember Ferguson and unanimously approved with a vote of 5-0. The meeting adjourned at 9:26PM.

Executive Session: Potential Litigation, Real Estate and Personnel

Respectfully Submitted,
Jaime E. Snyder
Assistant Manager