

HATFIELD BOROUGH COUNCIL  
WORKSHOP / REGULAR MEETING

June 12, 2019

MINUTES

CALL TO ORDER AND ROLL CALL:

(X) John H. Weierman, President

( ) Kenneth V. Farrall

(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 Treasurer, Diane Farrall. Assistant Manager Jaime E. Snyder arrived at 8:15PM.

1. APPROVAL OF MEETING AGENDA:

Motion: A motion was made by Councilmember Ferguson to Approve the Workshop / Regular Meeting Agenda of June 12, 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 May 1, 2019 Workshop Meeting & May 15, 2019 Regular Meeting.

Motion: A motion was made by Councilmember Kroesser to Approve the Minutes of May 1, 2019 Workshop Meeting and the May 15, 2019 Regular 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. There was no Public Input. The media was not present.

4. ANNOUNCEMENTS: Manager DeFinis made the following announcements.

- Founder's Day is Monday, June 17th at 5:00PM @ Centennial Park
- HERC is scheduled to meet @ 8:00AM Wednesday, June 26th at the HVFC
- The Borough Office will be closed on Thursday, July 4th in Observance of the 4th of July Holiday
- The next Planning Commission Meeting is scheduled for July 8th @ 7:00PM at the HVFC
- Next Council Meeting is scheduled for July 17, 2019 Workshop/Regular Meeting @ 7:30PM at the HVFC

5. 2018 Year-end Annual Financial Audit

Manager DeFinis stated that this will be on the Agenda for the July Meeting as Mallie wanted to review some more items and would not be able to attend this evening.

6. Public Hearing on Ordinance No. 535 Dedicating Bentwood Drive as a Public Street

Ordinance 535  
PROCEEDINGS

PRESIDENT JOHN WEIERMAN: We now have a public hearing regarding Ordinance No. 535 Dedicating Bentwood Drive as a Public Street

PRESIDENT JOHN WEIERMAN: At this time, I would like to call the public hearing to order.

SOLICITOR HARPER: In addition to dedicating Bentwood Drive as a public street this Ordinance also has some parking restrictions per the request of the citizens of Bentwood Drive. They are requesting parking located on only the west side of the street and no parking during snow emergencies.

SOLICITOR HARPER: There are a few exhibits to mark. Exhibit B1 is Ordinance No. 535. Exhibit B2 is a copy of the legal notice to the North Penn Reporter of tonight's hearing. Exhibit B3 is an affidavit signed by James Baskin, from the Public Works Department, swearing that he delivered copies of the notice of this hearing to all residents on Bentwood Drive. Exhibit B4 are letters signed by the Bentwood Drive residents; Robert & Dolores Shenton, Raymond and Mary Oechsle, Daniel and Tara Drop, Rudolph and Shirley Goetter, Dennis and Joanne Kerr, Michael and Sandra Muller, Paul and Renee Pier, Robert and Martina Swierzawski, Daniel and Lorraine Kristyak, Douglas and Denise Kratz and Terry Kratz who has two properties and signed two letters. The letters signed by the residents acknowledge support of the Borough taking over the road and

making it a public street and would not come after the Borough for any damages for taking private property and making it public.

JASON FERGUSON: I thought there were only ten, this is eleven properties

MANAGER DEFINIS: There are properties that front on West Vine that needed to be added to the list due to some property being located on Bentwood.

PRESIDENT JOHN WEIERMAN: Are there any questions from the Public in attendance at this time?

PRESIDENT JOHN WEIERMAN: No questions were raised.

PRESIDENT JOHN WEIERMAN: Are there any questions from Borough Council or the Mayor at this time?

PRESIDENT WEIERMAN: Glad this can be added to our Liquid Fuels monies and that we can continue to maintain and snowplow the streets to Borough standards.

JASON FERGUSON: Do we get Liquid Fuels for this road due to lack of cul-de-sac?

MANAGER DEFINIS: This road has been there since the 60's.

SOLICITOR HARPER: The exhibit is supposed to have the map attached to it and it doesn't. You all know where Bentwood Drive is but for the Ordinance Book and this hearing the map is attached.

PRESIDENT JOHN WEIERMAN: If there are no further comments or questions on this Ordinance, I would like to call the hearing to a close.

SOLICITOR HARPER: This item is on for consideration later this evening on the Agenda.

This public hearing is closed. (at 7:53 PM the hearing was closed)

#### 7. REPORTS FROM STANDING COMMITTEES AND MAYOR:

Larry Stevens stated that he attended PSAB Conference and enjoyed the updates from all the speakers. Mr. Stevens also mentioned that Mike DeFinis and Jaime Snyder received the Certified Borough Officials Certificates (CBO) for continuing certified education in the municipal field.

BF&L: Earned Income Tax (EIT) collection ahead \$2,000.00 from the month of May and prior years.

## 8. MUNICIPAL COMPLEX UPDATE:

### A. Municipal Complex Update

President Weierman outlined the Clerk of the Works Report and Manager DeFinis updated Council and the Mayor of the major project that still need to be completed.

### B. Allowance Adjustment Report

Manager DeFinis went over the allowance adjustment report

### C. E.R. Stuebner Payment Request No. 15

President Weierman stated that this payment request is on for consideration this evening.

## 9. MANAGERS REPORT:

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

- Electric Disconnects in July
- All Land Development Projects waiting on sewer
- Two bid openings Ramps and Paving
- Heckler and Salters Agreements along with Durning, Martin / Stackhouse and Krol Easements are items that I am asking you to consider to TABLE this evening. Manager DeFinis added that TABLING these items will not hold up the projects at all.

## 10. NEW BUSINESS / DISCUSSION ITEMS:

### A. Resolution 2019- 12 F-350

Manager DeFinis stated that all of this has been worked out through the Solicitors Office and Fulton Bank is good with the Resolution. Manager DeFinis stated delivery is scheduled for September.

### B. Master Services Agreement

Manager DeFinis stated this is the Master Services Agreement through American Municipal Power (AMP) for the Advanced Metering Infrastructure (AMI) System. Manager DeFinis stated that he and the Assistant Manager received this about a month ago and went through it and have been working with AMP through the process.

Solicitor Harper stated that she went through this and stated that it looks ok and the Borough and AMP would need designated contacts.

Manager DeFinis reviewed with Council everyone's roles with the project and outlined the time schedule.

#### C. Resolution 2019-13 Transfer of Funds for the AMI System

Manager DeFinis stated that utilizing the previous discussion of using AMP financing we decided to borrow from our own investments and pay ourselves back at the rate that AMP was going to charge; 4% rate of return. Manager DeFinis stated that this way we will pay ourselves back within five years, same time frame as it would be if we financed through AMP.

A discussion ensued amongst Council about the financing for the AMI system.

#### D. Resolution 2019-14 Local Share Account (LSA) Grant

Manager DeFinis stated this grant application is for the interceptor line with HTMA that the Borough knows needs to be replaced. Manager DeFinis stated that this Resolution will allow Borough Staff along with HTMA to apply for this grant.

#### E. 2019 ADA Curb Ramps Replacement Award Recommendation

President Weierman stated that a letter was received from the Engineer recommending the 2019 ADA Curb Ramp Project to Ron Bartholomew Paving Concrete Co. in the amount of \$68,516.00

#### F. 2019 Road Paving Award Recommendation

President Weierman stated that a letter was received from the Engineer recommending the 2019 Road Paving Project to T. Schiefer Contractors, Inc in the amount of \$175,363.00.

#### G. Marilyn Gross Escrow Release Request

President Weierman stated that this was discussed at a previous meeting.

Manager DeFinis stated that the amount listed for action will be changed to \$3,000.00

#### H. Grace Lutheran Church (GLC) Escrow Release Request

Manager DeFinis stated that the Conservation District sent the letter a few weeks ago releasing the permit but the only concern that the Borough had with releasing the funds is the understanding that on the as-builts submitted the sewer lateral under the driveway should have been built to a greater slope.

Manager DeFinis stated that if GLC was ok with that being there and they signed off on it the Borough would be ok. Manager DeFinis stated it appears that the Borough Engineer supports the release of the funds.

Jim Major, GLC Engineer on the project, addressed the as-built questions and brought the ones that were recorded in the county with him this evening. Mr. Major stated that he conveyed this to the Borough Engineer.

A discussion ensued about the slope with Mr. Major and Borough Council. Manager DeFinis stated that acknowledgement is needed from GLC that the slope on the as-builts is acceptable.

#### I. Salter's Lease Agreement

Manager DeFinis stated that he would ask Council to TABLE this item.

#### J. Durning Declaration of Temporary Construction Easement

#### K. Krol Declaration of Temporary Construction Easement

#### L. Martin / Stackhouse Declaration of Temporary Construction Easement & Permanent Right of Way

President Weierman stated that we already touched on these items briefly in the Managers report and slight changes are still needed.

Manager DeFinis stated that he would ask Council to TABLE this item.

Solicitor Harper stated that the agreements / easements need to be signed before Council can accept them.

#### M. Kroesser Waterline Easement and Maintenance Agreement

Manager DeFinis stated that the Kroesser's are waiting for comments back.

#### N. Heckler Lease Agreement

Manager DeFinis stated that he and Mr. Heckler met and discussed the lot for lease and the option of subdividing got brought back into the discussion. Manager DeFinis stated that the agreement needs to be revised.

A discussion ensued amongst Council about this agreement.

O. Cost Sharing Agreement with Hatfield Township Municipal Authority (HTMA)

Solicitor Harper stated that their solicitor and herself have been in contact and this looks good.

**Borough Council called an Executive Session to discuss legal matters at 8:40PM.  
Borough Council meeting resumed at 8:47PM.**

11. OLD BUSINESS:

A. REPORTS AND CORRESPONDENCE:

President Weierman and Manager DeFinis reviewed, updated and answered questions regarding the Reports and Correspondence. Lt. John Ciarllo 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

12. ACTION ITEMS:

A. Motion to Consider Resolution 2019-12 Authorizing the Ford F-350 Truck Lease Purchase Agreement with Fulton Bank

Motion: A motion was made by Councilmember Stevens to Approve Resolution 2019-12 Authorizing the Ford F-350 Truck Lease Purchase Agreement with Fulton Bank. 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 4-0.

**B. Motion to Consider the Master Services Agreement for the Electric Meter AMI System**

Motion: A motion was made by Councilmember Ferguson to Approve the Master Services Agreement for the Electric Meter AMI System. 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 4-0.

**C. Motion to Consider Resolution 2019-13 Authorizing the Transfer of Funds from Borough Investments held at Key Bank for the Electric Meter AMI System**

Motion: A motion was made by Councilmember Ferguson to Approve Resolution 2019-13 Authorizing the Transfer of Funds from Borough Investments held at Key Bank for the Electric Meter AMI System. 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 4-0.

**D. Motion to Consider Resolution 2019-14 Authorizing the LSA Grant Application**

Motion: A motion was made by Councilmember Kroesser to Approve Resolution 2019-14 Authorizing the LSA Grant Application. 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 4-0.

E. Motion to Consider Ordinance No. 535 Dedicating Bentwood Drive as a Public Street

Motion: A motion was made by Councilmember Kroesser to Approve Ordinance No. 535 Dedicating Bentwood Drive as a Public Street. 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 4-0.

F. Motion to Consider Awarding the 2019 ADA Curb Ramp Project to Ron Bartholomew Paving Concrete Co. in the amount of \$68,516.00

Motion: A motion was made by Councilmember Ferguson to Approve Awarding the 2019 ADA Curb Ramp Project to Ron Bartholomew Paving Concrete Co. in the amount of \$68,516.00. 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 4-0.

G. Motion to Consider Awarding the 2019 Road Paving Project to T. Schiefer Contractors, Inc in the amount of \$175,363.00

Motion: A motion was made by Councilmember Kroesser to Approve Awarding the 2019 Road Paving Project to T. Schiefer Contractors, Inc in the amount of

\$175,363.00. 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 4-0.

H. Motion to Consider E.R. Stuebner Payment Request in the amount of \$78,531.75

Motion: A motion was made by Councilmember Ferguson to Approve E.R. Stuebner Payment Request in the amount of \$78,531.75. 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 4-0.

I. Motion to Consider the Marilyn Gross Escrow Release Request in the amount of \$3,000.00

Motion: A motion was made by Councilmember Ferguson to Approve. 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 4-0.

J. Motion to Consider the Grace Lutheran Escrow Release Contingent Upon a Letter from GLC Acknowledging the Engineers Comments.

Motion: A motion was made by Councilmember Ferguson to Approve the Grace Lutheran Escrow Release Contingent Upon a Letter from GLC Acknowledging the Engineers Comments. 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 4-0.

Motion to TABLE Action Items K through P which include:

K. Lease Agreement between the Borough of Hatfield & Salter's Fireplace

L. Declaration of Waterline Easement and Permanent Maintenance Agreement between the Borough of Hatfield and John & Lorraine Kroesser

M. Acceptance of the Declaration of Temporary Construction Easement for Joan & Vincent Durning at 74 West Lincoln Avenue

N. Motion to Consider the Acceptance of the Declaration of Temporary Construction Easement for Kristen Krol at 73 Blaine Avenue

O. Motion to Consider the Acceptance of the Declaration of Temporary Construction Easement and Permanent Right of Way for Ryan Martin and Kimberly Stackhouse at 207 Wayne Avenue

P. Motion to Consider the Lease Agreement with 1700 Enterprises Limited (Howard Heckler)

Motion: A motion was made by Councilmember Kroesser to TABLE Action Items K through P of the Agenda. 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 4-0.

J. Motion to Consider the Cost Sharing Agreement with HTMA for the Neshaminy Interceptor Project

Motion: A motion was made by Councilmember Ferguson to Approve Consider the Cost Sharing Agreement with HTMA for the Neshaminy Interceptor Project. The motion was seconded by Councilmember Kroesser.

President Weierman asked if there were any comments or questions.

Solicitor Harper stated that with this approval there needs to be an understanding that any pass excess flows due to I & I will be waived.

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

### 13. 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 Kroesser to approve payment of the bills. 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 4-0.

### 14. MOTION TO ADJOURN:

Motion: A motion was made by Councilmember Kroesser to adjourn the meeting of June 12, 2019. The motion was seconded by Councilmember Ferguson and unanimously approved with a vote of 4-0. The meeting adjourned at 9:38PM.

*Executive Session: Potential Litigation, Real Estate and Personnel*

Respectfully Submitted,  
Jaime E. Snyder  
Assistant Manager