

HATFIELD BOROUGH COUNCIL

REGULAR MEETING

September 15, 2021



JOHN H. WEIERMAN, PRESIDENT
JOHN KROESSER, VICE PRESIDENT
SALVATORE DILISIO, JR., COUNCILMEMBER
JASON FERGUSON, COUNCILMEMBER
LAWRENCE G. STEVENS, COUNCILMEMBER
ROBERT L. KALER III, MAYOR

MICHAEL J. DEFINIS, BOROUGH MANAGER
CATHERINE M. HARPER, BOROUGH SOLICITOR



Borough of Hatfield

Montgomery County, Pennsylvania

BOROUGH COUNCIL REGULAR MEETING

September 15, 2021

AGENDA

CALL TO ORDER
ROLL CALL
PLEDGE OF ALLEGIANCE
INVOCATION

1. APPROVAL OF MEETING AGENDA:

Motion: To Approve the Agenda of the September 15, 2021 Regular Meeting

2. APPROVAL OF THE MINUTES:

Motion to Approve the Minutes of the August 18, 2021 Workshop Regular Meeting

3. PUBLIC INPUT:

Please rise, state your name and address and reason for addressing Council

4. ANNOUNCEMENTS:

- Planning Commission is Scheduled to Meet Monday, October 4th @ 7:00PM in Council Chambers
- Next Council Meetings October 6th Workshop and October 20th Regular Meeting @ 7:30PM in Council Chambers
- HERC is scheduled to meet Wednesday, September 22nd @ 8:00AM via ZOOM
- HERC Summer Send Off Concert will be held Saturday, September 18th in Centennial Park / Movie in the Park Saturday, September 18th
- HMHS Meeting September 28th @ 7:00PM via FACEBOOK Live

5. REPORTS FROM STANDING COMMITTEES AND MAYOR:

6. MANAGERS REPORT:

401 S. Main Street
P.O. Box 190
Hatfield, PA 19440

Phone:
215-855-0781

Fax:
215-855-2075

Email:
admin@
hatfieldborough.com

Website:
www.hatfieldborough.com

7. ASSISTANT MANAGERS REPORT:

8. NEW BUSINESS / DISCUSSION ITEMS:

- A. Resolution No. 2021-19 Recognizing the American Legion Post No. 933 75th Anniversary
- B. Resolution No. 2021-20 Recognizing AMP 50th Anniversary
- C. Resolution No. 2021-21 Recognizing Public Power Week
- D. Resolution No. 2021-22 Recognizing Fire Prevention Week
- E. Montgomery County Consortium of Communities 2021-2022 Rock Salt Bid
- F. Halloween Walk Through 2021 (HERC Event)
- G. Act 50 Sample Ordinance
- H. Hurricane Ida Update

9. OLD BUSINESS:

A. REPORTS AND CORRESPONDENCE:

- Monthly Investment Report
- Monthly EIT / LST Report
- Police Department Report
- Fire Department Report
- Public Works Department Report
- Engineering Report
- Zoning Officer, Building Code, Property Maintenance Report
- Fire Marshal / Fire Safety Inspection Report
- Pool Advisory Report

10. ACTION ITEMS:

- A. Motion to Consider Resolution No. 2021-19 Recognizing the American Legion Post No. 933 75th Anniversary
- B. Motion to Consider Resolution No. 2021-20 Recognizing AMP 50th Anniversary
- C. Motion to Consider Resolution No. 2021-21 Recognizing Public Power Week
- D. Motion to Consider Resolution No. 2021-22 Recognizing Fire Prevention Week

E. Motion to Consider awarding the Montgomery County Consortium of Communities 2021-2022 Rock Salt Bid to Morton Salt, Inc. at \$58.00 per non-delivered ton and at \$58.33 per delivered ton

11. Motion to Approve Payment of the Bills

12. MOTION to ADJOURN:

Executive Session: Personnel, Litigation, Real Estate

2. APPROVAL OF THE MINUTES:

**Motion to Approve the Minutes of the August
18, 2021 Workshop Regular Meeting**

HATFIELD BOROUGH COUNCIL
WORKSHOP / REGULAR MEETING
August 18, 2021

MINUTES

THIS MEETING WAS HELD IN-PERSON
BOROUGH HALL 401 S. MAIN STREET, HATFIELD
THIS MEETING WAS RECORDED

CALL TO ORDER AND ROLL CALL:

- (X) John H. Weierman, President
- (X) John Kroesser, Vice President
- (X) Salvatore DiLisio Jr.
- (X) Jason Ferguson
- (X) Lawrence G. Stevens

- (X) Mayor, Robert L. Kaler III

The record shows that five members of Council were present at roll call, as well as, Solicitor Andrew Knox; Timoney Knox LLP, Borough Manager Michael J. DeFinis, Assistant Manager Jaime E. Snyder, and Public Works Director Stephen S. Fickert, Jr.

1. APPROVAL OF MEETING AGENDA:

Motion: A motion was made by Councilmember Ferguson to Approve the Workshop / Regular Meeting of August 18, 2021. The motion was seconded by Councilmember Kroesser and unanimously approved with a vote of 5-0.

2. APPROVAL OF THE MINUTES:

Motion to Approve the Minutes of the July 21, 2021 Workshop / Regular Meeting

Motion: A motion was made by Councilmember DiLisio to Approve the Minutes of the July 21, 2021 Workshop / Regular Meeting. The motion was seconded by Councilmember Kroesser and unanimously approved with a vote of 5-0.

3. PUBLIC INPUT: President Weierman asked if there was any Public Input. There was no public comment. The media was not present.

4. ANNOUNCEMENTS: Manager DeFinis made the following announcements:

- The next Planning Commission Meeting is scheduled for August 30th @ 7:00PM In-Person this would be the September Meeting
- Next Borough Council Meetings are September 1st Workshop & September 15th Regular Meetings both at @ 7:30PM In-Person
- Borough Council will hold the 2022 Strategic Planning Meeting September 15th @ 5:30PM in Council Chambers
- The Borough Office will be closed Monday September 6th in Observance of the Labor Day Holiday
- Movie in the Park Series August 26th @ 7:00PM Centennial Park
- HERC will hold a Summer Send Off Concert September 18th from 2:00PM to 5:00PM in Centennial Park Refreshments provided by the Trolley Stop
- The Borough Office will be closed Thursday, August 19th from 12:00 - 1:00PM for Employee Training
- Salters grand opening on Friday September 10th and Saturday September 11th

5. REPORTS FROM STANDING COMMITTEES AND MAYOR:

Budget, Finance, & Labor: President Weierman stated that BF&L met and discussed expenses, maintenance issues, pension, and spoke briefly about the upcoming budget season and committee meetings.

6. MANAGERS REPORT: 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 / Use Under Review
- B. Hatfield Auto Museum - Nothing New
- C. 122 ½ Towamencin Ave - Demo Permit / Address Edgewood / Up for Sale
- D. Salter's – Bought Old Firehouse - Open for Business
- E. Edinburgh Square Subdivision – Lots 3&4 NTP 1&2 Under Review
- F. SEPTA Property / License Agreement Executed
- G. 43 Roosevelt Avenue –Final Under Review - on for Action
- H. Bennett's Court – Revised Preliminary Plan Under Review
- I. 127 Penn Avenue - Sketch Plan Submitted
- J. North Penn Industrial Center - Sketch Plan Submitted

2. Utility Billing Update:

- A. Staff continues to monitor past due Electric & Sewer accounts. Residents are being sent reminders for PAST DUE ACCOUNTS.
- B. I encourage all account holders to take advantage of the cost-effective billing delivery opportunity.

- C. Electric Customer Portal now available
- D. NPWA Meter Replacement Program

3. 2021 Projects:

- A. East Lincoln Avenue Bridge - Under Construction
- B. ADA Curb Ramp - Payment Request Received
- C. Roadway Resurfacing - Awarded in May / Construction Late August
- D. Stormwater Projects - Portion of Jade Completed

4. AMP R.I.C.E. BTM Peaking Project

5. PMEA Update - Website

6. AMI UPDATE – 1539 Meters installed / in-house prep for billing

7. HERC Update

8. Items of Interest

- A. PMEA Conference
- B. AMP Conference
- C. NextERA Save the Date
- D. Notice of Violations
- E. HVAC Repairs
- F. Council Chambers Glass Replacement
- G. Hatfield Township Golf Outing
- H. MCPC Hazard Mitigation

7. ASSISTANT MANAGERS REPORT:

1. Orchard Lane / Forest Way CDBG

- Private Lateral Update
- Pre-Construction Meeting Scheduled

2. Private Sidewalk Repairs

3. Liberty Bell Trail Feasibility Study

- September 29th 6:30PM - 8:30PM Public Meeting Hatfield Township Municipal Building 1950 School Road

4. I.FAD Indian Valley Program (IVCC)

8. NEW BUSINESS / DISCUSSION ITEMS:

- A. Lincoln Avenue Bridge Project Payment Application No. 1
- B. Lincoln Avenue Bridge Project Payment Application No. 2

Manager DeFinis stated that these are applications for payment request submitted by the contractor and reviewed by the Borough Engineer. Manager DeFinis stated they all include retainage.

C. Resolution 2021-18 Transfer of Funds

Manager DeFinis stated that this Resolution is to transfer funds to pay for the bridge project. Manager DeFinis added that it is coming from the funds we borrowed and already budgeted.

D. Lincoln Avenue Bridge Project Change Order No. 1

Manager DeFinis stated that this change order request is for a portion of deteriorated stormwater pipe. Manager DeFinis described the cost of the COR and the materials needed to complete the project including pipe and an inlet.

E. Defined Benefit Plan 2022 Minimum Municipal Obligation

F. Defined Contribution Plan 2022 Minimum Municipal Obligation

Manager DeFinis stated that these are the two obligations we are looking at for 2022 and added that the Defined Benefit and Defined Contribution plan are in very good shape. Manager DeFinis added that the only reason the DC Plan went up is the increased costs of payroll.

9. OLD BUSINESS:

A. NMCRC Protocol for Act 101 Violations / Resolution 2021-17

President Weierman stated that at the last meeting we discussed placing this on the agenda this evening for consideration of approval. President Weierman stated that this is a state level mandate for trash and recycling and that all of the other municipalities in the NMCRC have adopted this. President Weierman stated that he is recommending moving forward with this Resolution and if it doesn't work, we can always amend it.

A short discussion ensued amongst Council and all were in agreement to move this Resolution forward for consideration.

10. REPORTS AND CORRESPONDENCE: President Weierman and Manager DeFinis updated Borough Council on Reports and Codependence. Lieutenant Robertson from the Hatfield Police Department addressed Council with a Police Report Update.

Monthly Investment Report

Monthly EIT / LST Report

Police Department Report

Fire Department Report

Public Works Department Report

Engineering Report

Zoning Officer, Building Code, Property Maintenance Report

Fire Safety Inspection Report
Pool Advisory Report

11. ACTION ITEMS: (the public was taken off mute for any comments)

A. Motion to Consider Resolution 2021-17 Protocol for Act 101 Violations

Motion: A motion was made by Councilmember Ferguson to Approve Resolution 2021-17 Protocol for Act 101 Violations. 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.

B. Motion to Consider the Lincoln Avenue Bridge Payment Application No. 1 to A.J. Jurich, Inc. in the amount of \$122,417.64 (one hundred twenty-two thousand four hundred seventeen dollars and sixty-four cents)

Motion: A motion was made by Councilmember Ferguson to Approve the Lincoln Avenue Bridge Payment Application No. 1 to A.J. Jurich, Inc. in the amount of \$122,417.64 (one hundred twenty-two thousand four hundred seventeen dollars and sixty-four cents). 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.

C. Motion to Consider the Lincoln Avenue Bridge Payment Application No. 2 to A.J. Jurich, Inc. in the amount of \$65,407.05 (sixty-five thousand four hundred seven dollars and five cents)

Motion: A motion was made by Councilmember Ferguson to Approve the Lincoln Avenue Bridge Payment Application No. 2 to A.J. Jurich, Inc. in the amount of \$65,407.05 (sixty-five thousand four hundred seven dollars and five cents). 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.

D. Motion to Consider Resolution 2021-18 Transfer of Funds for the E. Lincoln Avenue Bridge Replacement Project in the amount of \$187,825.00 (one hundred eighty-seven thousand eight hundred twenty-five dollars)

Motion: A motion was made by Councilmember Stevens to Approve Resolution 2021-18 Transfer of Funds for the E. Lincoln Avenue Bridge Replacement Project in the amount of \$187,825.00 (one hundred eighty-seven thousand eight hundred twenty-five 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 Change Order No. 1 for the Lincoln Avenue Bridge Project in the amount of \$31,100.00 (thirty-one thousand one hundred dollars)

Motion: A motion was made by Councilmember Ferguson to Approve Change Order No. 1 for the Lincoln Avenue Bridge Project in the amount of \$31,100.00 (thirty-one thousand one hundred dollars). 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 Resolution 2021- Consider the 2022 Defined Benefit Pension Plan Minimum Municipal Obligation in the amount of \$42,895.00 (forty-two thousand eight hundred ninety-five dollars)

Motion: A motion was made by Councilmember Ferguson to Approve Consider the 2022 Defined Benefit Pension Plan Minimum Municipal Obligation in the amount of \$42,895.00 (forty-two thousand eight hundred ninety-five dollars). The motion was seconded by Councilmember DiLisio.

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.

G. Motion to Consider the 2022 Defined Contribution Pension Plan Minimum Municipal Obligation for employees receiving a 3% or 6% contribution of their annual income in the amount of \$27,140.00

Motion: A motion was made by Councilmember Ferguson to Approve the 2022 Defined Contribution Pension Plan Minimum Municipal Obligation for employees receiving a 3% or 6% contribution of their annual income in the amount of \$27,140.00. 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.

12. MOTION TO APPROVE PAYMENT OF THE BILLS:

Manager DeFinis reviewed and answered questions regarding the bill list.

Motion: A motion was made by Councilmember DiLisio to approve payment of the bills. The motion was Councilmember Stevens.

President Weierman asked if there were any comments or questions.

President Weierman asked where we are in the audit process. Manager DeFinis stated that they are just finishing up and we should be seeing something shortly.

The motion was approved unanimously with a vote of 4-0-1. President Weierman abstained from the vote.

13. MOTION TO ADJOURN:

Motion: A motion was made by Councilmember Kroesser to adjourn the Workshop / Regular Meeting of August 18, 2021. The motion was seconded by Councilmember Ferguson and unanimously approved with a vote of 5-0. The meeting was adjourned at 8:27PM.

Executive Session Litigation and Personnel

Respectfully Submitted,
Jaime E. Snyder
Assistant Manager

3. PUBLIC INPUT:

Please rise, state your name and address
and reason for addressing Council

4. ANNOUNCEMENTS:

- Planning Commission is Scheduled to Meet Monday, October 4th @ 7:00PM in Council Chambers
- Next Council Meetings October 6th Workshop and October 20th Regular Meeting @ 7:30PM in Council Chambers
- HERC is scheduled to meet Wednesday, September 22nd @ 8:00AM via ZOOM
- HERC Summer Send Off Concert will be held Saturday, September 18th in Centennial Park / Movie in the Park Saturday, September 18th
- HMHS Meeting September 28th @ 7:00PM via FACEBOOK Live

**5. REPORTS FROM STANDING
COMMITTEES AND MAYOR:**

6. MANAGERS REPORT:



Borough of Hatfield

Montgomery County, Pennsylvania

MANAGER'S REPORT General Report and Projects Update

1. Land Use & Development Updates:
 - A. St. Mary St Kyrillos Coptic Church / Use Under Review
 - B. Hatfield Auto Museum / Nothing New
 - C. 122 ½ Towamencin Ave. Demolition Permit Issued / Address Changed to 371 Edgewood Drive
 - D. Salter's / Old Fire House Open for Business
 - E. Edinburgh Square Subdivision Lots 3 & \$ Notice to Proceed Issued / Building Permits Issued for Lots 1 & 2
 - F. Bennett's Court L.D. Revised Preliminary to be Re-Submitted
 - G. 43 Roosevelt L.D. Final Plan Approved
 - H. 127 Penn Avenue Sketch Plan Submitted Project on Hold
 - I. SEPTA Property / Long Term Lease being Developed
 - J. North Penn Industrial Center Preliminary Plan Submitted Planning Commission Review Scheduled for October 4th Borough Council Review Scheduled for October 6th

2. Utility Billing Update:

Staff continues to monitor Electric & Sewer Past Due accounts. Electric & Sewer delinquent notices are being sent as a reminder.

Email billing is available for Electric & Sewer Accounts. I encourage all account holders to take advantage of the cost-effective efficient billing delivery opportunity.

The Electric Customer Portal is active and can be accessed from the Borough Website. <https://hatf-pa-web.ampppartners.org/index.php> Please register exactly as it appears on your current billing. Example SMITH, JOHN E

3. 2021 Project Updates:
 - A. The East Lincoln Avenue Bridge Replacement Project is under construction.
 - B. The ADA Curb & Ramp Project has been completed. Payment request has been approved by the Borough Engineer.
 - C. Roadway Resurfacing Bid has been Awarded. Construction has been delayed until October.
 - D. The 2021 Portion of Stormwater replacement on Jade Drive has been completed.
4. PMEA Update:

New website goes live - www.papublicpower.org August Newsletter attached.
5. AMP Pennsylvania R.I.C.E. BTM Peaking Project Update:

Supply chain delays and contractor availability caused by the Pandemic continue to interrupt final installation of the generator. Public Works Director

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Website:
www.hatfieldborough.com

Steve Fickert continues to work with AMP and Power Secure representatives to find local contractors to complete the project.

6. AMI Update:

The AMI system is functioning as intended, which enables Utility Billing Coordinator David Weiss to monitor the electric metering system daily. Daily monitoring of the system ensures billing accuracy and enables diagnostics of service connections.

7. HERC Update: (Attached)

8. 2021 Conference Updates:

A. NEXTERA ENERGY SAVE THE DATE

9. Items of Interest:

- A. HMHS Grand Opening Celebration / Invitation
- B. F. Lee Mangan celebration of Life Announcement
- C. Liquid Fuels Review

Respectfully Submitted September 15, 2021
Michael J. DeFinis Borough Manager



Borough of Hatfield

Montgomery County, Pennsylvania

MEMORANDUM

Date: August 27, 2021

To: Borough Council

From: Lindsay Hellmann- Public Information Coordinator on behalf of HERC

Subject: "Movie in the Park" Rescheduling & "Halloween Happy"- October 29th, 5:00pm

I cannot believe we are nearing Fall- my favorite time of the year!

We will be hosting a Summer Send-Off Concert in the Park on September 18, 2021 from 2:00-5:00pm. The band will be The Flower Power Band. We will have a balloon artist and The Flower Power Band. The Trolley Stop Deli will have food available for purchase at the event. Due to the weather cancellation for Thursday August 26th, I would like to reschedule the Movie in the Park for that evening at 7:00pm. The concert would be set-up at the bottom end of Centennial Park and the movie would take place at the top side of the park.

Since it was super successful last year, I would also like to request, with your approval, that we have a Halloween Happy Walk-through event again. The date I am looking to do the proposed event is Friday October 29th from 5:00-7:00pm at the Hatfield Borough Municipal Complex.

This event would include:

Make your own treat bag

A Halloween- themed backdrop for photos

Ghoulish background music

Non-edible treats such as pencils and stickers

And CANDY, of course!

We will continue to follow CDC Guidelines for Covid-19 the evening of the event.

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www.hatfieldborough.com

The HERC Committee has not had any meetings during the summer months due to lack of official business. We are anticipating some grants coming in throughout the end of the year.

Thank you for your continued support.

Respectfully submitted,

Lindsay Hellmann

Public Information Coordinator

Hatfield Museum and History Society

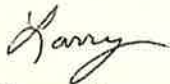
POST OFFICE BOX 111
HATFIELD, PENNSYLVANIA 19440-0111

September 10, 2021

Dear Hatfield Borough Council:

The Hatfield Museum and History Society is planning for a Grand Opening event for the Hatfield History Museum on October 8 & 9, from 9 am -5 pm. It has also been decided to plan for a Ribbon Cutting "photo op" at 8:45 am on Friday, October 8, prior to the museum opening. I would like to invite you to join us that morning to participate in the ribbon cutting. Following the ribbon cutting, you will be invited to be the first guests of the museum that day, and enjoy our all new Basement Display as well. I realize that this schedule may not be convenient for everyone, but I hope that some of you will be able to join us that morning.

Sincerely,



Larry Stevens
President

Chartered December 18, 1991

Telephone Number (215) 362-0428



A Celebration of Life

-IN LOVING MEMORY OF-

F. LEE MANGAN

MAY 25, 1950 - AUGUST 23, 2020

Church of the Messiah
1001 DeKalb Pike-Lower Gwynedd, PA
September 18, 2021 at 11am

Luncheon to follow at Wm Penn Inn
Kindly RSVP to Lynn by September 9th
215-353-6008/lynnmangan3@gmail.com



pennsylvania
DEPARTMENT OF TRANSPORTATION

August 9, 2021

Montgomery County
Hatfield Borough

Ms. Diane A. Farrall, Borough Treasurer
Hatfield Borough Council
401 South Main Street
Hatfield, PA 19440

Dear Ms. Farrall:

On April 19, 2020, Earl Helbing, Financial Consultant, conducted a remote monitoring review of the Borough's Liquid Fuels Tax Fund. This review was performed to verify that the Borough maintained and followed proper Liquid Fuels Funds procedures.

The attached monitoring report indicates that the Borough has taken the necessary steps to be in compliance with Liquid Fuels Tax Fund rules and regulations. The reported Liquid Fuels Tax Fund balance of \$271,558.35 and Equipment Fund balance of \$5,619.22 are both accurate. No areas of concern were noted during this monitoring review.

Thank you for your cooperation and assistance during this review. If you have any questions or need additional training or information, please contact Earl Helbing, Center for Program Development and Management, at 610.533.8908.

Sincerely,

A handwritten signature in black ink that reads "Kristen Sims".

Kristen Sims, Audit Manager
Financial and Contract Services Division
Center for Program Development and Management

Enclosure

HATFIELD BOROUGH 46-409
MONTGOMERY COUNTY
MONITORING REPORT

On April 19, 2021, a remote monitoring review of Hatfield Borough was performed by Mr. Earl Helbing, Financial Consultant, Center for Program Development and Management, using emailed documents sent by Ms. Diane Farrall, Borough Treasurer. Hatfield Borough was randomly selected for this review from all municipalities receiving Liquid Fuel Funds in Montgomery County. The monitoring review covered the period January 1, 2020 to December 31, 2020.

During the review, checking and savings account balances and transactions were reconciled to source documents and internal controls were evaluated. This exercise determined that the data contained in the Borough's Actual Use Report of State Funds (MS-965) submitted for the period January 1, 2020 to December 31, 2020 was accurate. A closing review conference was held on April 19, 2021 with Ms. Farrall to discuss the results of the review.

Our analysis of the financial records disclosed that the Borough's reported December 31, 2020 Liquid Fuels Tax Fund balance of \$271,558.35 and Equipment Fund balance of \$5,619.22 are both correct. The Borough is maintaining a well-managed investment program for their Liquid Fuels Tax Funds. During the year ending December 31, 2020, the Borough earned \$134.89 of interest on investments.

7. ASSISTANT MANAGERS REPORT:



Borough of Hatfield

Montgomery County, Pennsylvania

Assistant Managers Report September 2021

BOROUGH OF HATFIELD

1. Orchard Lane / Forest Way CDBG
2. Liberty Bell Trail Feasibility Study
 - September 29th 6:30PM - 8:30PM Public Meeting Hatfield Township Municipal Building 1950 School Road
3. 309 Connector Update Meeting - September 16, 2021

Respectfully submitted,

Jaime E. Snyder
Assistant Manager
Borough of Hatfield

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P.O. Box 190
Hatfield, PA 19440

Phone:
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8. NEW BUSINESS / DISCUSSION ITEMS:
**A. Resolution No. 2021-19 Recognizing the
American Legion Post No. 933 75th Anniversary**

BOROUGH OF HATFIELD
MONTGOMERY COUNTY, PENNSYLVANIA
RESOLUTION No. 2021-19

**A RESOLUTION RECOGNIZING THE
HATFIELD AMERICAN LEGION POST 933
75th ANNIVERSARY**

WHEREAS, in 1946 Returning Veterans from WWII were joined with Veterans of Hatfield from WWI and applied for a Charter to have an American Legion Post in Hatfield; and

WHEREAS, that Charter was granted in October 3, 1946 and since that time it has been the mission of American Legion Post 933 of Hatfield to foster and perpetuate a 100% Americanism which included to inculcate a sense of individual obligation to the community, state and nation; and

WHEREAS, the Hatfield American Legion Family along with their Social Members have been an active part of the North Penn Community for 75 years and are proud to serve over 350 members. This is done by Legionnaires, Sons of the American Legion, Auxiliary and Riders.

NOW THEREFORE, IT IS HEREBY RESOLVED that the Borough Council and Mayor of the Borough of Hatfield, Montgomery County, Pennsylvania, takes great pride in recognizing the Hatfield American Legion Post 933 75th Anniversary.

NOW APPROVED and adopted by Borough Council at a duly advertised public meeting held this 15th day of September, 2021 with ____ Council Members Voting “Aye” and ____ Council Members voting “Nay”.

TAKEN UNDER OUR HANDS this 15th day of September, 2021

ATTEST

BOROUGH OF HATFIELD

Michael J. DeFinis
Borough Manager / Secretary

John H. Weierman
Borough Council President

John Kroesser
Borough Council Vice President

Salvatore DiLisio, Jr.
Council Member

Jason Ferguson
Council Member

Lawrence G. Stevens
Council Member

Robert L. Kaler III, Mayor

8. NEW BUSINESS / DISCUSSION ITEMS:
B. Resolution No. 2021-20 Recognizing AMP
50th Anniversary

BOROUGH OF HATFIELD
MONTGOMERY COUNTY, PENNSYLVANIA
RESOLUTION No. 2021-20

A RESOLUTION RECOGNIZING
AMERICAN MUNICIPAL POWER, INC.
50th ANNIVERSARY

WHEREAS, American Municipal Power, Inc. (AMP) was founded in 1971 when a group of municipally owned electric systems joined forces to lower costs and increase the reliability of their power supply to benefit their consumer-owners, and

WHEREAS, AMP serves public power communities in Ohio, Pennsylvania, Michigan, Kentucky, Virginia, West Virginia, Indiana, Maryland and a joint action agency in Delaware. As a nonprofit corporation, it is owned and governed by its members, who are in turn owned and governed by approximately 650,000 of their customers; and

WHEREAS, it has always been the mission of AMP to serve Members through public power joint action, innovative solutions, robust advocacy and cost-effective management of power supply and energy services while being the public power's trusted leader in providing Members and their customers the highest-quality, forward-looking services and solutions.

NOW THEREFORE, IT IS HEREBY RESOLVED that the Borough Council and Mayor of the Borough of Hatfield, Montgomery County, Pennsylvania, takes great pride in recognizing American Municipal Power, Inc. (AMP) on their 50th Anniversary and commend their dedicated service to the Public Power sector.

NOW APPROVED and adopted by Borough Council at a duly advertised public meeting held this 15th day of September, 2021 with ____ Council Members Voting "Aye" and ____ Council Members voting "Nay".

TAKEN UNDER OUR HANDS this 15th day of September, 2021

ATTEST

BOROUGH OF HATFIELD

Michael J. DeFinis
Borough Manager / Secretary

John H. Weierman
Borough Council President

John Kroesser
Borough Council Vice President

Salvatore DiLisio, Jr.
Council Member

Jason Ferguson
Council Member

Lawrence G. Stevens
Council Member

Robert L. Kaler III, Mayor

8. NEW BUSINESS / DISCUSSION ITEMS:
**C. Resolution No. 2021-21 Recognizing Public
Power Week**

BOROUGH OF HATFIELD
MONTGOMERY COUNTY, PENNSYLVANIA
RESOLUTION No. 2021-21

RECOGNIZING PUBLIC POWER WEEK, OCTOBER 3 - 9, 2021
THE BOROUGH COUNCIL OF HATFIELD BOROUGH TELLS
COMMUNITY ABOUT THE VALUE OF PUBLIC POWER

WHEREAS, we, the citizens of the Borough of Hatfield, place high value on local control over community services and therefore have chosen to operate a community-owned, locally controlled, not-for-profit electric utility and, as consumers and owners of our electric utility, have a direct say in utility operations and policies; and

WHEREAS, Hatfield Borough Electric provides our homes, businesses, social service, and local government agencies with reliable, efficient, and cost-effective electricity employing sound business practices designed to ensure the best possible service at not-for-profit rates; and

WHEREAS, Hatfield Borough Electric is a valuable community asset that contributes substantially to the well-being of local citizens through energy efficiency, customer service, environmental protection, economic development, and safety awareness; and

WHEREAS, Hatfield Borough Electric has also taken on additional stewardship for our community's information and communication system through a broadband network providing infrastructure for telephone, cable, and internet services expanding community and economic development opportunities; and

WHEREAS, Hatfield Borough Electric is a dependable and trustworthy institution whose local operation provides many consumer protections and continues to make our community a better place in which to live and work, as well as contributes to protecting the global environment; and

NOW, THEREFORE BE IT RESOLVED, that Hatfield Borough Electric will continue to work to bring lower-cost, safe, reliable electricity to community homes and businesses just as it has since 1908, the year when the utility was created to serve all the citizens of the Borough of Hatfield; and

BE IT FURTHER RESOLVED, that the week of October 3rd - 9th be designated the 35th annual Public Power Week in order to honor Hatfield Borough Electric for its contributions to the community and to make its consumer-owners, policy makers, and employees more aware of its contributions to their well-being and how it makes their lives powerful; and

BE IT FURTHER RESOLVED, that our community joins hands with more than 2,000 other public power systems in the United States in this celebration of public power and recognition that Hatfield Borough Electric is good for consumers, business, the community, and the nation.

THEREFORE, IT IS HEREBY RESOLVED, that the Borough Council and Mayor of the Borough of Hatfield, Montgomery County, Pennsylvania, hereby recognize the 35th annual Public Power Week, October 3 - 9, 2021.

NOW APPROVED and adopted by the Borough Council at a duly advertised public meeting held this 15th day of September, 2021 with ___ Council Members Voting "Aye" and ___ Council Members Voting "Nay".

TAKEN UNDER OUR HANDS this 15th day of September, 2021.

ATTEST

BOROUGH OF HATFIELD

Michael J. DeFinis
Borough Manager / Secretary

John H. Weierman
Borough Council President

John Kroesser
Borough Council Vice President

Salvatore DiLisio, Jr.
Council Member

Jason Ferguson
Council Member

Lawrence G. Stevens
Council Member

Robert L. Kaler III, Mayor

8. NEW BUSINESS / DISCUSSION ITEMS:
**D. Resolution No. 2021-22 Recognizing Fire
Prevention Week**

BOROUGH OF HATFIELD
MONTGOMERY COUNTY, PENNSYLVANIA
RESOLUTION No. 2021-22

To recognize National Fire Prevention Week 2021 and to honor the service and sacrifice of those Firefighters in educating and protecting the communities of this Nation

WHEREAS, the Borough of Hatfield supports the goals and ideals of Fire Prevention Week, October 3 - October 9, 2021 and the work of firefighters in educating and protecting the communities of this Nation; and

WHEREAS, the Hatfield Volunteer Fire Department Company has been serving the community of Hatfield since 1910 and has had a 100% volunteer membership during all of that time to protect the citizens and property of Hatfield Borough and Hatfield Township; and

WHEREAS, the Hatfield Volunteer Firefighters presently provide a multitude of services to our communities, including emergency medical services, special rescue response, hazardous material and terrorism response, and public safety education; and

WHEREAS, Fire Prevention Week is the longest running public health and safety observance on record, as firefighters have been honored for their role in educating the American public since the first Fire Prevention Week was declared by President Warren G. Harding in 1922.

NOW THEREFORE, IT IS HEREBY RESOLVED that the Borough Council and Mayor of the Borough of Hatfield, Montgomery County, Pennsylvania, hereby recognize and supports the work of firefighters in educating and protecting the communities of this Nation and supports the goals and ideals of Fire Prevention Week.

NOW APPROVED and adopted by Borough Council at a duly advertised public meeting held this 15th day of September, 2021 with ____ Council Members Voting "Aye" and ____ Council Members voting "Nay".

TAKEN UNDER OUR HANDS this 15th day of September, 2021.

ATTEST

BOROUGH OF HATFIELD

Michael J. DeFinis
Borough Manager / Secretary

John H. Weierman
Borough Council President

John Kroesser
Borough Council Vice President

Salvatore DiLisio, Jr.
Council Member

Jason Ferguson
Council Member

Lawrence G. Stevens
Council Member

Robert L. Kaler III, Mayor

**8. NEW BUSINESS / DISCUSSION ITEMS:
E. Montgomery County Consortium of
Communities 2021-2022 Rock Salt Bid**



BURSICH
ASSOCIATES

August 27, 2021

Hatfield Borough
401 South Main Street
Hatfield PA 19440

Attention: Jaime Snyder, Borough Assistant Manager / MCCC President

RE: MCCC 2021-2022 Rock Salt Bid
Contract Award Recommendation
Bursich Project No: MON-20/218190

Dear Jaime:

On August 25, 2021 three bids were received for the MCCC 2021-2022 Rock Salt Bid. The apparent low bidder was Morton Salt, Inc. with a bid of \$58.33 per delivered ton, and \$58.00 per non-delivered ton.

This is an increase of \$7.28 per delivered-ton compared to last year's bid, which was awarded to Morton Salt, Inc. at a price of \$51.05 per ton delivered in 2020-2021.

We have reviewed their submitted bid documents and found them to be satisfactory. Therefore, we recommend the contract be awarded to **Morton Salt, Inc.** with a bid of **\$58.33 per delivered ton, and \$58.00 per non-delivered ton.** Enclosed is a copy of the bid tabulation for your files.

Should you have any questions or need further information, please feel free to contact me at 484-941-0418 or chad.camburn@bursich.com.

Very truly yours,

Chad E. Camburn, P.E.
Director of Municipal Services
Bursich Associates, Inc.

Enclosures: Bid Tabulation dated August 25, 2021
Morton Salt, Inc. bid documents

pc: Kate Harper, Borough Solicitor (w/ encl.; via email)

ENGINEERS, LAND SURVEYORS, LANDSCAPE ARCHITECTS



2129 E. High Street | Pottstown, PA 19464
N 40° 14' 40.2" W 075° 36' 09.6"

610.323.4040
www.bursich.com

BID TABULATION
MCCC 2021-2022 Rock Salt Bid

Hatfield Borough
Date of Bid Opening : August 25, 2021

				Morton Salt, Inc.		Riverside Construction Materials Inc.		American Rock Salt Co., LLC	
Item	Description	Units	Estimated Quantity	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1	NON-DELIVERED	TON	1	\$58.00	\$58.00	\$60.00	\$60.00		
2	DELIVERED	TON	59,820	\$58.33	\$3,489,300.60	\$61.83	\$3,698,670.60	\$76.50	\$4,576,230.00
									INCOMPLETE BID

8. NEW BUSINESS / DISCUSSION ITEMS:
F. Halloween Walk Through 2021 (HERC Event)

**8. NEW BUSINESS / DISCUSSION ITEMS:
G. Act 50 Sample Ordinance**

Act 50 Summary

Act 50, entitled the Small Wireless Facilities Deployment Act (Act of June 30, 2021, P.L. 232, No. 50; PA ST 53 P.S. § 11704.1 – 11704.11), is a recent Pennsylvania statute which establishes standards for deploying small cell infrastructure while preserving local authority over rights-of-way. Act 50 is intended to affect the ability of a wireless provider to deploy small wireless facilities and associated wireless support structures and has an effective date of August 29, 2021. A municipality is required to adopt new or amend existing ordinances in order to comply with Act 50.

Under Act 50, small wireless facilities are a permitted use in all areas of a municipality except underground districts. Applications to install small wireless facilities shall be reviewed by municipal staff in accordance with local ordinances concerning zoning, land use, streets and sidewalks, rights-of-way, and permitting. Wireless providers and contractors have the right to collocate small wireless facilities on existing utility poles, replace an existing utility pole with added small cell infrastructure, or install a new utility pole with added small cell infrastructure.

In accordance with the FCC's 2018 Small Cell Order, municipalities have the right to charge an annual fee right-to-way management fee not to exceed \$270 per small wireless facility. Municipalities may however charge higher fees by demonstrating that the higher fee is non-discriminatory and is a reasonable approximation of costs to manage the right-of-way.

Municipalities may also charge application fees, including \$500 for an application seeking approval of up to five collocated small cell facilities and \$100 per each additional collocated facility thereafter, and \$1000 for a new or replacement pole. Municipalities have 60 days to approve an application to collocate facilities and 90 days to approve an application to replace or install a new utility pole. A municipality may deny an application based on several reasons,

including interference with the safe operation of traffic control and failure to comply with the applicable local ordinances. An Applicant is permitted to correct an application deficiency.

The physical dimensions of small wireless facilities are controlled by Act 50. The size of the antenna is limited to 3 cubic feet in volume, accessory equipment may only be 28 cubic feet in volume and the maximum utility pole height to be installed to accommodate a small wireless facility is 50 feet. Any variance from the height restriction is subject to applicable codes. Municipalities may also develop objective guidelines for small wireless facilities regarding the minimization of aesthetic impact if the guidelines are technically feasible and nondiscriminatory.

All small wireless facilities must be installed and maintained so as not to obstruct travel or public safety within the right-of-way or obstruct the legal use of the right-of-way by the municipality and utilities. Wireless providers are responsible for repairing any damage to the right-of-way and must return it to at least the condition that existed prior to any work being done. If the wireless provider fails to complete the repairs within a 30-day written notice from the municipality then the municipality may complete the repairs and charge the wireless provider reasonable fees for the repairs, as well as a \$500 penalty.

A municipality may adjust any impacted rate or fee on a pro rata basis consistent with FCC rate changes. Wireless providers are required to fully indemnify municipalities for any harm caused while installing, repairing, or maintaining small wireless facilities or utility poles within the right-of-way.

ACT 50 – FREQUENTLY ASKED QUESTIONS

1. What is Act 50?

Act 50, entitled the Small Wireless Facilities Deployment Act (Act of June 30, 2021, P.L. 232, No. 50; PA ST 53 P.S. § 11704.1 – 11704.11), is a recent Pennsylvania statute which establishes standards for deploying small cell infrastructure while preserving local authority over rights-of-way. Act 50 is intended to affect the ability of a wireless provider to deploy small wireless facilities and associated wireless support structures and has an effective date of August 29, 2021.

2. What is a Small Wireless Facility?

Small wireless facilities, also known as small cells, have smaller wireless radios and antennas than macrocell sites such as a typical wireless cell tower. Small wireless facilities have a range that varies from a few hundred feet to upwards of 1,000 feet, depending on terrain, vegetation, and the radio frequencies used. Small wireless facilities are designed to add capacity in high-traffic areas where people use smartphones and other devices, such as dense urban areas and suburban communities. Small wireless facilities are generally not a substitute for macrocell sites.

Small wireless facilities can include 4G and 5G antennas and equipment. These small wireless facilities are needed to accommodate increasing wireless traffic from data usage, and are intended to provide increased network capacity in high usage areas to relieve this congestion. This increased capacity is especially necessary to fully deploy 5G.

3. What is 5G?

5th Generation technology (5G) is an upgrade in standards for wireless communication to increase capacity, efficiency, responsiveness, and download speeds. These changes are planned

to provide for the creation and maintenance of smart communities, the Internet of Things, immersive education, connected cars, remote medicine, virtual reality, remote learning, etc. Carriers deploying 5G may change the type of antennas and wireless equipment currently used to connect 5G devices. 5G is expected to be up to 100 times faster and five times more responsive than the previous generation, 4G.

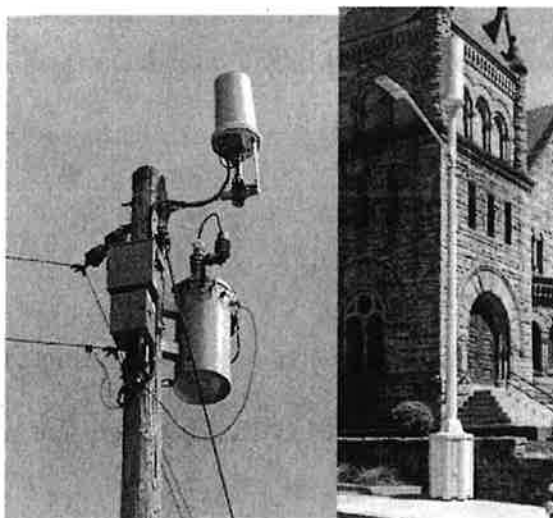
4. What does a small wireless facility look like?

Small wireless facilities are significantly smaller than macro towers and other towers used for telecommunications services. Act 50 defines a small wireless facility as:

“The equipment and network components, including antennas, transmitters and receivers, used by a wireless provider that meet the following qualifications:

- (1) Each antenna associated with the deployment is no more than three cubic feet in volume.
- (2) The volume of all other equipment associated with the wireless facility, whether ground-mounted or pole-mounted, is cumulatively no more than 28 cubic feet. Any equipment used solely for the concealment of the small wireless facility shall not be included in the calculation of equipment volume under this paragraph.” 53 P.S. § 11704.2.

Small wireless facilities are generally intended to attach to existing wireless support structures which are already present in the right-of-way, such as utility poles and light poles. Examples of small wireless facilities are pictured below.



5. Why would a wireless service provider want to place a small wireless facility in the public right-of-way?

Wireless service providers and wireless infrastructure providers will likely seek to collocate small wireless facilities and construct wireless support structures in a municipality's right-of-way. This is because small wireless facilities require two resources: (1) data, normally from a fiber optic cable and (2) power. Both of these resources are typically found in a municipality's right-of-way.

6. How does Act 50 apply to our municipality? May a municipality regulate small wireless facilities?

Act 50 authorizes a municipality to adopt ordinances that comply with Act 50 and requires that a municipality amend existing ordinances as necessary to comply with Act 50. Act 50 specifically states that it shall not be construed to limit or preempt the scope of a municipality's zoning, land use, planning, streets and sidewalks, rights-of-way and permitting authority as it relates to small wireless facilities. Further, Act 50 allows a municipality to regulate small wireless facilities by developing objective design guidelines regarding the minimization of aesthetic impact in accordance with the following:

- (1) The design guidelines shall be technically feasible.
- (2) The design guidelines may not have the effect of prohibiting the wireless provider's technology.
- (3) The design guidelines may not unreasonably discriminate among wireless providers of functionally equivalent services.

A municipality may also require a small wireless facility applicant to include documentation with an application that includes construction and engineering drawings, as well as a certification of compliance with all applicable laws, regulations, and local codes.

7. How does Act 50 affect municipalities which own and operate their own electric distribution systems?

Act 50 mandates that municipalities allow collocation on municipally owned utility poles using the process required under Act 50. Act 50 provides a safe harbor fee that municipalities may charge for the location of a small wireless facility on municipal infrastructure. A municipality can charge more than the safe harbor fee if it can demonstrate that its actual cost to maintain the facility exceeds the safe harbor amount. Therefore, municipalities which own municipal poles should consider adopting an ordinance which regulates small wireless facilities to the extent lawfully permitted under Act 50.

8. Does Act 50 require that a municipality allow small wireless facilities to collocate on municipal traffic signal posts? If a municipality elects to allow a small wireless facility to attach to its traffic signal post is the municipality subject to the fee limitation in Act 50?

Act 50 mandates that municipalities allow collocation on municipally owned utility poles using the process required under Act 50. Act 50 defines “utility pole” as a “pole or similar structure that is or may be used, in whole or in part, by or for telecommunications, electric distribution, lighting, traffic control, signage or a similar function or for collocation. The term includes the vertical support structure for traffic lights but does not include wireless support structures or horizontal structures to which signal lights or other traffic control devices are attached.” Therefore, a municipality may not bar a small wireless facility applicant from attaching small wireless

facilities to the vertical support structure on municipally owned traffic signal posts. Traffic signal posts are subject to the same fee limitations which are present elsewhere in Act 50.

9. How long does a municipality have to adopt an ordinance?

A municipality must adopt an ordinance that complies with Act 50 within 60 days of Act 50's effective date of August 29, 2021. This means that full adoption of the ordinance must occur on or before Thursday, October 28, 2021.

10. What happens if our municipality does not adopt an ordinance?

If no ordinance is adopted on or before Thursday, October 28, 2021, then Act 50 will control all applications seeking permits to collocate, modify or replace existing utility poles as well as applications seeking permits to install new utility poles. Additionally, it is unclear if a municipality will be legally permitted to adopt an Act 50 ordinance after October 28, 2021. Therefore, it is advisable for municipalities to review the terms and requirements of Act 50 with their solicitors and develop a suitable strategy regarding adoption of an ordinance.

ORDINANCE NO. _____

AN ORDINANCE OF _____ BOROUGH, _____ COUNTY, PENNSYLVANIA, ESTABLISHING PROCEDURES AND REQUIREMENTS PERTAINING TO THE IMPLEMENTATION OF ACT 50 OF 2021 AND REGULATING SMALL WIRELESS FACILITIES TO BE PLACED WITHIN THE PUBLIC RIGHT-OF-WAY.

WHEREAS, the General Assembly of the Commonwealth of Pennsylvania has enacted the Small Wireless Facilities Deployment Act, Act of June 30, 2021, P.L. 232, No. 50 (“Act 50”), with an effective date of August 29, 2021; and

WHEREAS, Act 50 authorizes the Borough of _____ (the “Borough”) to adopt ordinances that comply with Act 50 and requires that the Borough amend existing ordinances as necessary to comply with Act 50; and

WHEREAS, the Borough has determined it to be in the best interests of the health, safety, and welfare of the residents of the Borough to enact certain provisions related to the regulation of Small Wireless Facilities pursuant to Act 50 and to repeal existing ordinances that are inconsistent with Act 50.

NOW THEREFORE, BE IT ORDAINED AND ENACTED, and it is hereby ordained and enacted by the Council of the Borough of _____, _____ County, Pennsylvania, as follows:

SECTION 1: REQUIREMENTS.

The Code of the Borough of _____ is hereby amended by adding a new Chapter _____, entitled “Regulation of Small Wireless Facilities” which shall read as follows:

§ 1-1: Purpose

In the exercise of its police powers and pursuant to the authority granted to the Borough under Act 50, the Borough has jurisdiction to regulate uses of the Right-of-Way. The purpose of this Ordinance is to provide the Borough with a process for managing, and uniform standards for acting upon, requests for the placement of Small Wireless Facilities within the Right-of-Way consistent with the Borough’s obligation to promote the public health, safety, and welfare; to manage the Right-of-Way; and to ensure that the public’s use is not obstructed or disturbed by the use of the Right-of-Way for Small Wireless Facilities. The Borough recognizes the importance of wireless telecommunications facilities to provide high-quality communications and internet access services to residents and businesses within the Borough. The Borough also recognizes its obligation to comply with applicable federal and state laws regarding the placement of wireless telecommunications facilities in the Right-of-Way including, without limitation, the Telecommunications Act of 1996, 47 U.S.C. § 151, *et seq.*, and Act 50, 53 P.S. §§ 11704.1 – 11704.11. This Ordinance shall be interpreted consistent with those provisions.

§ 1-2: Definitions

For the purposes of this Ordinance, the terms below shall have the meanings given herein. When not inconsistent with the context, words used in the present tense include the future tense, words in the plural include the singular, and words in the singular include the plural.

“Accessory Equipment” means any equipment serving or being used in conjunction with a Small Wireless Facility or Wireless Support Structure, including but not limited to utility or transmission equipment, power supplies, generators, batteries, cables, equipment buildings, cabinets, and storage sheds, shelters, or similar structures.

“Antenna” means telecommunications equipment that transmits and receives electromagnetic radio signals used in the provision of all types of wireless telecommunications services.

“Applicable Codes” means all ordinances, resolutions, or policies of the Borough regulating:

- (1) Uniform building, fire, electrical, plumbing, or mechanical codes adopted by a recognized national code organization or local amendments to those codes enacted solely to address imminent threats of destruction of property or injury to persons.
- (2) Local zoning, land use, streets and sidewalks, Right-of-Way and permitting ordinances or other local rules or regulations that comply with Act 50.
- (3) All applicable state laws, regulations, and standards that comply with Act 50.
- (4) All applicable federal laws, regulations, and standards that comply with Act 50.

“Applicant” means a Communications Service Provider that submits an Application.

“Application” means a formal request, including all required and requested documentation and information, submitted by an Applicant to the Borough for a Wireless Permit.

“Borough” means the Borough of _____, _____ County, Pennsylvania.

“Borough’s Designee” means the person(s) or entity(s) selected by the Borough as responsible for initial processing of the Application.

“Communications Service Provider” means any of the following:

- (1) A cable operator as defined in section 602(4) of the Cable Communications Policy Act of 1984 (Public Law 98-549, 47 U.S.C. § 522(5)).
- (2) A provider of information service as defined in section 3(20) of the Communications Act of 1934 (48 Stat. 1064, 47 U.S.C. § 153(24)).

(3) A telecommunications carrier as defined in section 3(44) of the Communications Act of 1934 (48 Stat. 1064, 47 U.S.C. § 153(51)).

(4) A Wireless Provider.

“Collocate” or “Collocation” means to install, mount, maintain, Modify, or replace Small Wireless Facilities on an existing Utility Pole or other Wireless Support Structure.

“FCC” means the Federal Communications Commission.

“Historic District or Building” means a building that is or a group of buildings, properties or sites that are:

(1) Listed in the National Register of Historic Places or formally determined eligible for listing by the Keeper of the National Register.

(2) Determined to be eligible for listing by the Keeper of the National Register of Historic Places who has been delegated the authority by a Federal agency to list properties and determine their eligibility for the National Register of Historic Places in accordance with section VI.D.1.a.i-v of the Nationwide Programmatic Agreement for Review Regarding the Section 106 National Historic Preservation Act Review Process as specified under 47 CFR Pt. 1, App. C (relating to Nationwide Programmatic Agreement Regarding the Section 106 National Historic Preservation Act Review Process).

(3) Marked as a historical site by the Pennsylvania Historical and Museum Commission pursuant to 37 Pa.C.S. (relating to historical and museums).

(4) Within a historic district created pursuant to the act of June 13, 1961 (P.L. 282, No. 167), entitled “An act authorizing counties, cities, boroughs, incorporated towns and townships to create historic districts within their geographic boundaries; providing for the appointment of Boards of Historical Architectural Review; empowering governing bodies of political subdivisions to protect the distinctive historical character of these districts and to regulate the erection, reconstruction, alteration, restoration, demolition or razing of buildings within the historic districts.”

“Micro Wireless Facility” means a Small Wireless Facility that:

(1) Does not exceed two cubic feet in volume; and

(2) Has an exterior Antenna no longer than 11 inches.

“Modification” or “Modify” means the improvement, upgrade or replacement of a Small Wireless Facility or an existing Utility Pole that does not substantially change, as defined in 47 CFR 1.6100(b)(7) (relating to wireless facility modifications), the physical dimension of the Small Wireless Facility or Utility Pole.

“Municipal Pole” means a Utility Pole owned, managed, or operated by or on behalf of the Borough.

“Person” means a natural person, firm, partnership, company, association, trust, corporation, or other legal entity. The singular shall include the plural, the plural shall include the singular; and the masculine shall include the feminine and the neuter, whatever appropriate.

“Right-Of-Way” means the area on, below or above a public roadway, highway, street, sidewalk, alley, utility easement or similar property. The term does not include a Federal interstate highway.

“Small Wireless Facility” means the equipment and network components, including Antennas, transmitters, and receivers, used by a Wireless Provider that meet the following qualifications:

- (1) Each Antenna associated with the deployment is no more than three cubic feet in volume.
- (2) The volume of all other equipment associated with the Wireless Facility, whether ground-mounted or pole-mounted, is cumulatively no more than 28 cubic feet. Any equipment used solely for the concealment of the Small Wireless Facility shall not be included in the calculation of equipment volume under this paragraph.

“Technically Feasible” means that, by virtue of engineering or spectrum usage, the proposed placement for a Small Wireless Facility or its design or site location can be implemented without a material reduction in the functionality of the Small Wireless Facility.

“Utility Pole” means a pole or similar structure that is or may be used, in whole or in part, by or for telecommunications, electric distribution, lighting, traffic control, signage or a similar function or for Collocation. The term includes the vertical support structure for traffic lights but does not include Wireless Support Structures or horizontal structures to which signal lights or other traffic control devices are attached.

“Wireless Facility” is defined as follows:

- (1) Equipment at a fixed location that enables wireless service between user equipment and a communications network, including any of the following:
 - (a) Equipment associated with Wireless Services.
 - (b) Radio transceivers, Antennas, coaxial or fiber optic cables, regular and backup power supplies, or comparable equipment, regardless of technological configuration.
- (2) The term includes a Small Wireless Facility.
- (3) The term does not include any of the following:

- (a) The structure or improvements on, under or within which the equipment is Collocated.
- (b) The coaxial or fiber optic cables that are not immediately adjacent to or directly associated with a particular Antenna.

“Wireless Infrastructure Provider” means a person authorized by the Pennsylvania Public Utility Commission to provide telecommunications service in this Commonwealth that builds or installs wireless communication transmission equipment, Wireless Facilities or Wireless Support Structures but is not a Wireless Services Provider.

“Wireless Permit” or **“Permit”** means a permit issued by the Borough pursuant to this Ordinance and authorizing the placement or Modification of a Small Wireless Facility of a design specified in the permit at a particular location within the Right-of-Way, and the placement or Modification of any existing Wireless Support Structure to which the Small Wireless Facility is proposed to be attached.

“Wireless Permittee” or **“Permittee”** means the lawful holder of a Wireless Permit.

“Wireless Provider” means a Wireless Infrastructure Provider or a Wireless Services Provider.

“Wireless Services” means services, whether at a fixed location or mobile, using a licensed or unlicensed spectrum, provided to the public using Wireless Facilities.

“Wireless Services Provider” means a person or entity which provides Wireless Services.

“Wireless Support Structure” means the same meaning given in the act of October 24, 2012 (P.L. 1501, No. 191), known as the Wireless Broadband Collocation Act.

§ 1-3: Scope

A. Applicability. Unless otherwise exempted, every Applicant who wishes to place a Small Wireless Facility in the Right-of-Way or modify an existing Small Wireless Facility in the Right-of-Way must obtain a Wireless Permit under this Ordinance.

B. Exempt Facilities. The Borough shall not require an Application for the following unless the work involves excavation, closure of a sidewalk, or closure of a vehicular lane in which case a Permit shall still be required:

- (1) The installation, placement, maintenance, operation, or replacement of Micro Wireless Facilities that are strung on cables between existing Utility Poles by or for a Communications Service Provider authorized to occupy the Right-of-Way, in compliance with the National Electrical Safety Code. However, a Micro Wireless Facility owner shall comply with all Applicable Codes, and shall provide the Borough with written notice at least ninety (90) days prior to the installation, placement, maintenance, operation, or

replacement of a Micro Wireless Facility. While an Application is not required for a Micro Wireless Facility, they shall be subject to all other provisions of this Ordinance.

(2) Routine maintenance or repair work.

(3) The replacement of Small Wireless Facilities with Small Wireless Facilities that are substantially similar or the same size or smaller and still qualify as a Small Wireless Facility.

The exemptions from Applications provided for herein shall not relieve the party performing such work from compliance with the permitting or application requirements that may otherwise apply pursuant to the Applicable Codes of the Borough including, but not limited to, permits for excavation-related work.

§ 1-4: Applications for Small Wireless Facilities

A. Application Process.

(1) Small Wireless Facilities shall be treated as a permitted use in all areas of the Borough, except underground districts as established and designated by the Borough from time-to-time, and shall be reviewed by the Borough for conformity with all Applicable Codes.

(2) Applications for Small Wireless Facilities shall be submitted to the Borough, or, if applicable, the Borough's Designee. All Applicants shall submit both a paper copy and an electronic copy (in a searchable format) of any Application, as well as any amendments or supplements to the Application or responses to requests for information regarding an Application. An Application is not complete until both the paper and electronic copies are received.

(3) A single Applicant seeking to Collocate is permitted to submit a consolidated application for Collocation of up to 20 Small Wireless Facilities. An Applicant, however, may not submit more than one consolidated or 20 single Applications for Collocated Small Wireless Facilities in a 30-day period. If the Borough receives more than one consolidated Application or 20 single Applications within a 45-day period, then the applicable timeframe for processing applications specified in this Ordinance shall be extended by 15 days.

(4) Applications are public records that may be subject to disclosure under the Pennsylvania Right-to-Know Law. The Applicant must designate any portions of the Application materials that it reasonably believes contain proprietary or confidential information by clearly and conspicuously marking each portion of such materials accordingly. If the Borough determines that the information is subject to disclosure, such determination shall be conclusive. If the Borough determines that a right-to-know request asks for proprietary or confidential information regarding a Small Wireless Facility, then

the Borough shall notify the relevant Applicant within five (5) days of receiving said request pursuant to the Right-to-Know Law. The Applicant and Borough shall use all reasonable efforts to coordinate a response pursuant to the Right-to-Know Law. If the Applicant determines that the requested information is considered confidential or proprietary information as defined by the Right-to-Know Law, or that any other exemption applies, then the Applicant shall notify the Borough within five (5) days of it receiving notification from the Borough. If the Applicant requests that the Borough deny a request pursuant to the Right-to-Know Law, then the Applicant shall be required to enter into an agreement with the Borough indemnifying the Borough for any and all legal expenses incurred by the Borough as a result of any challenge to the denial.

(5) Applicant must pay an application fee for each Application or consolidated Application pursuant to a fee schedule adopted by the Borough as amended from time-to-time by resolution or otherwise. Where no such fee schedule has been adopted, Applicant shall pay:

(a) Five hundred (\$500.00) dollars for an Application seeking approval for no more than five Collocated Small Wireless Facilities and \$100 for each Collocated Small Wireless Facility beyond five.

(b) One thousand (\$1,000.00) dollars for an Application seeking approval of a Small Wireless Facility that requires the installation of a new or replacement Utility Pole.

Application fees are non-refundable and will not be returned to the Applicant even where Applicant chooses not to proceed with construction or installation of the Small Wireless Facility.

(6) In addition to the Application process set forth herein, Applicant shall be responsible, as may be required by law, to obtain any other governmental or regulatory permits and approvals required for the installation or Modification of a Small Wireless Facility. The Borough shall not be liable as a result of accepting an Application or issuing a Permit in the event that an Applicant is prevented from placing and/or maintaining its Small Wireless Facility pursuant to this Ordinance.

(7) Applications for Small Wireless Facilities shall include the following:

(a) Full and complete payment of all applicable Permit Application fees.

(b) A completed Application form, to the extent the Borough may adopt the same from time-to-time, signed by an authorized representative of the Applicant and made subject to all standard Permit conditions specified in this Ordinance.

(c) In the absence of an Application form, Applicant shall submit an Application packet consisting of a cover letter and all required supporting

documentation. The Applicant shall detail the location of the proposed site(s), all equipment and Accessory Equipment being proposed as part of the Small Wireless Facility, and shall certify that the Applicant has included all information required by the Borough and by all Applicable Codes. The Application packet shall be signed by an authorized representative of the Applicant. The cover letter shall also include the Applicant's name (including any corporate or trade name), and the name, address, email address, and telephone number of a local representative responsible for the Application. If the Applicant is a Wireless Infrastructure Provider, the name and contact information for all Wireless Service Providers that will use the proposed Small Wireless Facility must be provided. Applicant shall also self-certify subject to 18 Pa.C.S. § 4904 that the filing and approval of the Application is required by the Wireless Provider to provide additional capacity or coverage for Wireless Services.

(d) Applicant's construction plans and drawings including, but not limited to, a description of the required work and renderings of the proposed Small Wireless Facility and the proposed site. Said plans and drawings shall show all equipment being proposed as part of the Small Wireless Facility, detailed site plans showing the location of the Small Wireless Facility, and details regarding proposed construction and/or excavations, if any. Photo simulations depicting the Small Wireless Facility from at least three locations near the proposed site shall also be included.

(i) If the Small Wireless Facility is proposed for Collocation on an existing or replacement Utility Pole or Wireless Support Structure that currently supports existing attachments, the depiction shall show the location and dimensions of all such attachments.

(ii) If the proposed Small Wireless Facility will be installed on a new or replacement Utility Pole or Wireless Support Structure, the depiction shall include the color, dimensions, material, and type of Utility Pole or Wireless Support Structure proposed.

(iii) Applicant's construction plans and drawings shall also comply with and include any information required by the Borough's Wireless Facilities Design Manual.

(e) The manufacturer and model, proposed location, and physical dimensions, including weight and volume, of each piece of equipment proposed as part of the Small Wireless Facility.

(f) A written certification by a structural engineer licensed in the Commonwealth of Pennsylvania confirming that the proposed Small Wireless

Facility and Wireless Support Structure are structurally sound and shall not endanger public health and safety.

(g) A seal and signature of a professional engineer, licensed in the Commonwealth of Pennsylvania and certifying compliance with all local, state, and federal laws and regulations applicable to the proposed Small Wireless Facility, including applicable standards for radiofrequency emissions.

(h) Certification of the Application's compliance with all requirements of this Ordinance.

(i) Proof that the Applicant has mailed to the owners of all property within 150 feet of the proposed Small Wireless Facility a notice that the Applicant is submitting an Application to the Borough for placement or Modification of a Small Wireless Facility in the Right-of-Way, which notice must include:

(i) the proposed location of the Small Wireless Facility, and

(ii) a description and scale image of the proposed Small Wireless Facility consistent with that contained in the Application.

(j) A detailed request for and, explanation of the justification in support of, any waiver requested from the requirements of this Ordinance.

(k) Where an Application is made to install a Small Wireless Facility with a new Utility Pole, the Application must include sufficient information to demonstrate that an Applicant cannot meet the service reliability and functional objectives of the Application by Collocating on an existing Utility Pole or Municipal Pole instead of installing a new Utility Pole. To demonstrate this requirement, the Applicant may submit with its Application a certification that it has made this determination in good faith and shall also provide a supporting documented summary of the basis for the determination. The Applicant's determination in this regard shall be based on whether the Wireless Provider can meet the service objectives of the Application by Collocating on an existing Utility Pole or Municipal Pole on which:

(i) the Applicant has the right to Collocation;

(ii) the Collocation is Technically Feasible and would not impose substantial additional cost; and

(iii) the Collocation would not obstruct or hinder travel or have a negative impact on public safety.

An Application shall not be administratively complete unless all of the required elements set forth above are included in the Application.

(8) Timing of Application Review.

(a) Within 10 business days of receiving an Application, the Borough will determine and notify the Applicant in writing whether the Application is incomplete. If the Borough determines that an Application is incomplete, the written notice will specifically identify the information not included with the Application. The time for the Borough to process the application shall restart on the date the Applicant provides all of the information required to complete the Application. The processing deadline may be tolled or extended by a written agreement of the Applicant and the Borough. Receipt of an Application may occur on any business day of the Borough.

(b) The Borough shall process Applications on a nondiscriminatory basis and Applications shall be deemed approved if the Borough fails to approve or deny the Application within 60 days of receipt of a complete Application to Collocate and within 90 days of receipt of a complete Application to replace an existing Utility Pole or install a new Utility Pole with Small Wireless Facilities attached. A Permit associated with an Application deemed approved under this subsection shall be deemed approved if the Borough fails to approve or deny the Permit within seven business days after the date of filing the Permit Application with the Borough unless there is a public safety reason for the delay. An Applicant shall provide written notice to the Borough within 72 hours of when it discovers that a deemed approval has occurred. Written notice may be received by USPS or courier.

(c) Where the Borough denies an Application because of defects found therein, the Applicant may cure the deficiencies identified by the Borough and resubmit the Application within thirty (30) days of receiving the written basis for the denial. No Permit Application fee is required for an Application resubmitted pursuant to this section. Following resubmission, the Borough shall approve or deny the Application within thirty (30) days of the resubmission date. An Applicant shall not be entitled to more than one submission.

(9) Once approved, the Applicant shall be required to coordinate installation of the Small Wireless Facility to result in the least interference with the public use of the Right-of-Way as possible

B. Placement. Small Wireless Facilities and Accessory Equipment shall be located so as not to cause any physical or visual obstruction to pedestrian or vehicular traffic, create safety hazards to pedestrians and/or motorists, or to otherwise inconvenience public use of the Right-of-Way as determined by the Borough in its sole discretion.

C. Deadlines for Completion. Any Permittee granted a Permit pursuant to this Ordinance for purposes of Collocation, Modification, or replacement of a Small Wireless Facility, including installation of a new Wireless Support Structure with a Small Wireless Facility attached shall complete the construction work that is the subject of said Permit within one year of the date the Permit is issued. The Borough and any Applicant or Permittee may agree in writing to extend the period of construction for a period of greater than one year.

D. Compensation for Right-of-Way Use. The holder of any Permit issued for a Small Wireless Facility pursuant to this Ordinance shall pay the Borough an annual fee for use and occupancy of the Right-of-Way. The fee shall be established pursuant to a fee schedule adopted by the Borough as amended from time-to-time by resolution or otherwise. Where no such fee schedule has been adopted, the fee shall be \$270 per Small Wireless Facility or \$270 per new Utility Pole with a Small Wireless Facility.

The Permittee and/or owner of each Small Wireless Facility shall be invoiced for the first annual fee on the date the Permit is issued, prorated based on the proportion of the calendar year then remaining. Subsequent invoicing shall be prospective and occur each January. Said invoices shall be paid within thirty (30) days of receipt thereof. Any unpaid invoice shall be subject to interest accruing on the unpaid amount at six percent (6%) per annum beginning on the 31st day from the date of invoice until paid.

E. Design Guidelines and Aesthetic Requirements. Small Wireless Facilities shall be designed, installed, operated, and maintained in compliance with all design guidelines, aesthetic requirements, or concealment measures adopted or amended by the Borough from time-to-time. Such requirements, if any, are contained in the Wireless Facilities Design Manual, a copy of which shall be kept on file in the Borough office. Applicant's design shall comply with all other Applicable Codes of the Borough including the Borough's Zoning Ordinance. The Wireless Facilities Design Manual may be amended by resolution from time-to-time by a resolution of the Borough Council.

§ 1-5: General Requirements

A. Compliance.

(1) The Small Wireless Facility Applicant shall submit proof of compliance with all Applicable Codes, including but not limited to Act 50 and those established by the FCC, as part of any complete Small Wireless Facility Application.

(2) If such Applicable Codes are modified, the Permittee of the Small Wireless Facility shall bring such Small Wireless Facility into compliance with the modified Applicable Codes within three (3) months of the effective date of such Applicable Codes unless a different compliance term is required by the controlling state or federal agency. Failure to bring such Small Wireless Facilities into compliance shall constitute grounds for revocation of a Permit and the removal of the Small Wireless Facility at the Permittee's expense.

- (3) All Small Wireless Facilities shall meet or exceed all applicable standards set forth by the state or federal government, as well as any applicable industry standard. In case of conflict, the most stringent requirements shall prevail. All necessary certifications shall be obtained by the Applicant or Permittee, as applicable, and shall be provided to the Borough.
- (4) Small Wireless Facilities shall be installed and Modified in a manner that:
 - (a) Ensures that placement of Small Wireless Facilities on existing structures is within the tolerance of those structures.
 - (b) Ensures that the Applicant's or Permittee's use does not inconvenience the public, interfere with the primary uses of the Right-of-Way, or hinder the ability of the Borough or other government entities to improve, modify, relocate, abandon, or vacate the Right-of-Way or any portion thereof, or to cause the improvement, modification, relocation, vacation, or abandonment of facilities in the Right-of-Way.
 - (c) Ensures that the Applicant's or Permittee's use does not obstruct, endanger, or hinder travel or public safety within a Right-of-Way, damage or interfere with other utility facilities located within a Right-of-Way or obstruct or interfere with the legal use of the Right-of-Way by the Borough or other utility.
 - (d) Ensures that the Borough bears no risk or liability because of the installation or Modification of a Small Wireless Facility.
- (5) Small Wireless Facilities in the public Right-of-Way requiring the installation of a new Wireless Support Structure shall not be located immediately in front of any building entrance or exit.
- (6) All Small Wireless Facilities shall comply with all applicable requirements of the Americans with Disabilities Act and all Applicable Codes, including those applicable to streets and sidewalks.

B. Attachment to Municipal Structures. Subject to the requirements and processes of this Ordinance, Act 50, and all Applicable Codes, Applicants are permitted to Collocate Small Wireless Facilities on Municipal Poles. The Borough will allow Collocation on Municipal Poles using the process required under Act 50 and Applicable Codes unless:

- (i) The Small Wireless Facility would cause structural or safety deficiencies to the Municipal Pole, in which case the Borough and Applicant shall work together for any make-ready work or modifications or replacements that are needed to accommodate the Small Wireless Facility as otherwise required in this Ordinance; or
- (ii) The Borough has reserved the space on the Municipal Pole for other public purposes.

The Borough shall allow the Collocation of Small Wireless Facilities to structures owned by the Borough in the following preferred order, from most to least preferable:

- (1) Traffic signage poles without traffic signals;
- (2) Traffic signage poles with traffic signals;
- (3) Non-decorative light poles;
- (4) Telecommunications poles;
- (5) Electric distribution poles;
- (6) Decorative light poles.

If the Small Wireless Facility Applicant is proposing the Collocation of a Small Wireless Facility on a lower preference structure, it shall be a condition to the approval of the Application that the Small Wireless Facility Applicant provide evidence that Collocation on a higher preference structure or Wireless Support Structure owned by a third-party is not Technically Feasible. The cost of Collocating on a higher preference structure or Wireless Support Structure shall not be included in evaluating Technical Feasibility. Collocation of a Small Wireless Facility on a Municipal Pole shall not create or vest in any Applicant, Wireless Provider, or Wireless Service Provider any ownership or property rights in such Municipal Poles except as expressly provided for in this Ordinance or pursuant to applicable law.

This Ordinance shall not be construed to require the Borough to construct, retain, extend, place, or maintain any Municipal Pole or other municipal facilities not needed for the Borough's own utility service requirements.

An Applicant has no right to object to the Borough granting permission to any party regarding use of a Municipal Pole.

Where applicable, an Applicant's Collocation of a Small Wireless Facility on a Municipal Pole shall be placed and maintained at all times in accordance with the requirements, specifications, rules and regulations of the latest edition of the National Electrical Safety Code and subsequent revisions thereof, any governing authority having jurisdiction, this Ordinance, and any reasonable design standards and rules governing pole attachments in the Borough as the Borough may adopt from time-to-time, and shall be otherwise consistent with generally accepted industry standards.

If requested by the Borough, each Small Wireless Facility Collocated on a Municipal Pole shall be identified at all times by an identifying marker/band/tag stating the name of person holding the Permit. The marker/band/tag shall, at a minimum, (a) be reasonably durable under the typical weather conditions in the area and (b) have coloring unique to the person holding the Permit. If the Borough elects to require marking/banding/tagging by the Wireless Permittee, the Borough shall provide the Permittee information concerning the type and color of marker/band/tag to be

used in satisfying the requirements of this section. Such markers/bands/tags shall also be capable of being read unaided from the ground by an adult of typical height and vision.

Make-ready work shall be performed as specified in Section 1-8 of this Ordinance.

C. Insurance. Each Permittee and any person who owns or operates a Small Wireless Facility shall annually provide the Borough with a certificate of insurance, in a form satisfactory to the Borough Solicitor, evidencing general liability coverage in the minimum amount of \$1,000,000 per occurrence and property damage coverage in the minimum amount of \$1,000,000 per occurrence covering the Small Wireless Facility and naming the Borough as an additional insured on each insurance policy. All Permits issued for location of a Small Wireless Facility pursuant to this ordinance shall be deemed to be revoked in the event said insurance policy is cancelled, expires, or ceases to exist.

D. Outdated Equipment. As part of the construction, Modification, or replacement of a Small Wireless Facility, the Permittee shall remove any obsolete or abandoned equipment from the Wireless Support Structure or Utility Pole.

E. Weather. All Small Wireless Facilities shall be designed to withstand the effects of wind, ice, water, and heat to the standard designed by the American National Standards Institute as prepared by the engineering departments of the Electronics Industry Association, and Telecommunications Industry Association (ANSI/TIA-222, as amended), or to the industry standard applicable to the structure.

F. Inspection Reports. All Permittees shall submit inspection reports to the Borough upon request to ensure structural integrity and compliance with all Applicable Codes. Inspection reports shall be delivered to the Borough by the Permittee within thirty (30) days of request by the Borough. These inspection reports may include, but are not limited to, descriptions of routine maintenance or repair work, and descriptions of the physical degradation of a Small Wireless Facility.

G. Maintenance. The following maintenance requirements shall apply:

- (1) All Small Wireless Facilities shall be fully automated and unattended on a daily basis and shall be visited only for maintenance, repair, or replacement.
- (2) Such maintenance shall be performed to ensure the upkeep of the Small Wireless Facility, to promote the health, safety, and general welfare of the Borough's residents, and to remain compliant with all Applicable Codes.
- (3) All maintenance activities shall utilize nothing less than the best available technology in accordance with the applicable standard in the industry for preventing failures and accidents. Maintenance logs shall be timely provided to the Borough upon request.

H. Historic Districts. No Small Wireless Facility may be located within seventy-five (75) feet of any property, or on a building or structure that is listed on either the National or Pennsylvania Registers of Historic Places, or eligible to be so listed under the Pennsylvania Historic District Act, located within a Historic District, or is included in the official historic structures list maintained by the Borough.

§ 1-6: Discontinuance.

A. Process. If use of a Small Wireless Facility and/or its dedicated Accessory Equipment is to be discontinued, the Permittee shall provide written notice to the Borough of its intent to discontinue use and the date when the use shall be discontinued. A Small Wireless Facility and/or dedicated Accessory Equipment not operated for a period of twelve (12) months shall be considered abandoned. Discontinued or abandoned Small Wireless Facilities, or portions of Small Wireless Facilities, shall be removed as follows:

- (1) All abandoned or unused Small Wireless Facilities and Accessory Equipment shall be removed within ninety (90) days of the cessation of operations at the site or receipt of notice that the Small Wireless Facility has been deemed abandoned by the Borough unless a time extension is approved by the Borough.
- (2) If the Small Wireless Facility or Accessory Equipment is not removed within ninety (90) days of the cessation of operations at a site, or within any longer period approved by the Borough, the Small Wireless Facility and/or associated facilities and equipment may be removed by the Borough and the cost of removal assessed against the owner of the Small Wireless Facility regardless of the owner's or operator's intent to operate the Small Wireless Facility in the future.
- (3) The Borough reserves the right to pursue all available remedies under the law to ensure removal of the Small Wireless Facility and restoration of the site at the expense of the Permittee. Any delay by the Borough in taking action shall not invalidate the Borough's right to take action.

With respect to a Small Wireless Facility Collocated on a Municipal Pole, the Borough may abandon a Municipal Pole upon thirty (30) days' notice to the Permittee. Permittee must remove or transfer all Facilities from abandoned Municipal Poles within the same thirty (30) days unless granted additional time by the Borough. The Borough will not unreasonably withhold consent of such request for additional time. The Permittee shall post a decommissioning bond in the amount of one hundred percent (100%) of the total cost of decommissioning with the Borough. If the Borough has no attachment(s) on said Municipal Poles and the Permittee has not removed or transferred its Facilities therefrom, the Borough may, in its sole discretion: (1) revoke the Permit for that Municipal Pole; or (2) remove the Small Wireless Facilities at the Permit holder's expense, with no liability falling on the Borough except in the case of gross negligence or willful misconduct.

B. Required Discontinuance. The Borough may require the discontinuance of a Small Wireless Facility if:

- (1) The Borough determines that the space is needed for public purpose; or
- (2) The Borough desires to decommission the Utility Pole; or
- (3) The Borough designates the area of the subject Utility Pole or Wireless Support Structure as an underground district.

Within ninety (90) days of receipt of a notice of discontinuance from the Borough, the Permittee shall remove the Small Wireless Facility and any Accessory Equipment, including the Utility Pole and any Wireless Support Structures if the Permittee's Small Wireless Facilities and Accessory Equipment are the only Wireless Facilities on the Utility Pole. The Borough shall not be liable to the Permittee or Applicant as a result of requiring the discontinuance of a Small Wireless Facility in the event that an Applicant or Permittee is prevented from placing and/or maintaining its Small Wireless Facility pursuant to this section.

§ 1-7: Indemnification.

Each person that owns or operates a Small Wireless Facility shall, at its sole cost and expense, indemnify, defend and hold harmless the Borough, its elected and appointed officials, employees and agents, at all times against any and all claims for personal injury, including death, and property damage arising in whole or in part from, caused by or connected with any act or omission of the person, its officers, agents, employees or contractors arising out of, but not limited to, the construction, installation, operation, maintenance or removal of the Small Wireless Facility. Each person that owns or operates a Small Wireless Facility, or holds a Permit issued pursuant to this Ordinance, shall defend any actions or proceedings against the Borough in which it is claimed that personal injury, including death, or property damage was caused by the permitting, construction, installation, operation, maintenance, and/or removal of a Small Wireless Facility. The obligation to indemnify, hold harmless and defend shall include, but not be limited to, the obligation to pay judgments, verdicts, injuries, liabilities, damages, reasonable attorneys' fees, reasonable expert fees, court costs and all other costs of indemnification.

Further, a Permittee shall repair all damage to the Right-of-Way or any other land so disturbed, directly caused by the activities of the Permittee or the Permittee's contractors and return the Right-of-Way in as good of condition as it existed prior to any work being done in the Right-of-Way by the Permittee. If the Permittee fails to make the repairs required by the Borough within 30 days after written notice, the Borough may perform those repairs and charge the Permittee the reasonable, documented cost of the repairs plus a penalty of \$500. In the event an Applicant or Permittee has failed to pay any costs invoiced by the Borough for repair work or penalties charged pursuant to this section, the Borough shall not process any further Applications unless or until the Applicant or Permittee has paid the amount assessed for the repair costs and the assessed penalty. Any unpaid invoice shall be subject to interest accruing on the unpaid amount at six percent (6%) per annum beginning on the 31st day from the date of invoice until paid.

§ 1-8: Standard Permit Conditions.

All Wireless Permits under this Ordinance are issued subject to the following minimum conditions:

- (1) The Permittee shall at all times maintain compliance with this Ordinance and all Applicable Codes.
- (2) The Permittee shall at all times maintain with the Borough accurate contact information for the Permittee and all Wireless Service Providers making use of the Small Wireless Facility, which shall include, at minimum, a name, phone number, mailing address, and email address for at least one natural person.
- (3) The Borough shall have the right to support, repair, disable, or remove any components of a Small Wireless Facility if the Small Wireless Facility threatens imminent harm to persons or property.
- (4) The Permittee shall undertake all reasonable efforts to avoid undue adverse impacts to adjacent persons, properties and/or uses that may arise from the construction, operation, maintenance, modification, or removal of the Small Wireless Facility.
- (5) The Permittee shall maintain all Small Wireless Facilities and any associated structures in a good condition and in a neat and clean manner in accordance with all approved Application documents and conditions of approval.
- (6) The Permittee shall retain full and complete copies of all Permits, Applications, and other regulatory approvals issued in connection with the facility, which includes without limitation all conditions of approval, approved plans, resolutions, and other documentation associated with the Permit or regulatory approval. In the event the Borough cannot locate any such full and complete Permits, Applications, or other regulatory approvals in its own official records, and the Permittee fails to retain full and complete records in the Permittee's files, any ambiguities or uncertainties that would be resolved through an examination of the missing documents will be presumed resolved against the Permittee.
- (7) Every Small Wireless Facility shall at all times comply with applicable FCC regulations governing radio frequency emissions, and failure to comply with such regulations shall be treated as a material violation of the terms of the permit.
- (8) Make-Ready Work. For any Municipal Pole Collocation Application, the Borough shall provide a good faith estimate for any make-ready work, including any make ready engineering costs, necessary to enable a Municipal Pole to support the requested Collocation by a Wireless Provider, including pole replacement, if necessary, within 60 days after receipt of a complete Application. The Borough shall also provide the Applicant with a schedule for completing any make-ready work. Make-ready work, including pole

replacement, shall be completed within 60 days of written acceptance of the good faith estimate by the Applicant. Any unpaid invoice sent by the Borough to an Applicant for fees for make-ready work shall be subject to interest accruing on the unpaid amount at eighteen percent (18%) per annum beginning on the 31st day from the date of invoice until paid.

(9) Future Use. The Borough may reserve space on an existing Municipal Pole for future public uses in a documented and approved plan as adopted at the time an Application is filed. A reservation of space shall not preclude Collocation, the replacement of an existing Utility Pole or the installation of a new Utility Pole. If the replacement of a Municipal Pole is necessary to accommodate Collocation and the reserved future use, the Wireless Provider shall pay for the replacement Municipal Pole and the Municipal Pole shall accommodate the future use.

(10) An Applicant or the Applicant's designee shall ensure that a contractor or subcontractor performing construction, reconstruction, demolition, repair, or maintenance work on a Small Wireless Facility deployed under this Ordinance meets and attests to all of the following requirements:

(a) Maintain all valid licenses, registrations or certificates required by the Federal Government, the Commonwealth or the applicable local government entity that is necessary to do business or perform applicable work.

(b) Maintain compliance with the act of June 2, 1915 (P.L. 736, No. 338), known as the Workers' Compensation Act, the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L. 2897, No. 1), known as the Unemployment Compensation Law, and bonding and liability insurance requirements as specified in the contract for the project.

(c) Has not defaulted on a project or been suspended on a project by the Federal Government, the Commonwealth, or a local government entity within the previous three years.

(d) Has not been convicted of a misdemeanor or felony relating to the performance or operation of the business of the contractor or subcontractor within the previous 10 years.

(e) Has completed the United States Occupational Safety and Health Administration's 10-hour safety training course or similar training sufficient to prepare workers for any hazards that may be encountered during their work on the Small Wireless Facility.

(f) Prior to the commencement of work, the contractor and/or subcontractor shall provide the Borough with a certificate of insurance, in a form satisfactory to the Borough Solicitor, evidencing general liability coverage in the minimum amount of \$1,000,000 per occurrence and property damage coverage in the minimum

amount of \$1,000,000 per occurrence covering the Small Wireless Facility and naming the Borough as an additional insured on each insurance policy. All Permits issued for location of a Small Wireless Facility pursuant to this ordinance shall be deemed to be revoked in the event said insurance policy is cancelled, expires, or ceases to exist.

(g) The contractor and/or subcontractor shall, at its sole cost and expense, indemnify, defend and hold harmless the Borough, its elected and appointed officials, employees and agents, at all times against any and all claims for personal injury, including death, and property damage arising in whole or in part from, caused by or connected with any act or omission of the contractor and/or subcontractor, its officers, agents, employees or contractors arising out of, but not limited to, the construction, installation, operation, maintenance or removal of the Small Wireless Facility. The obligation to indemnify, hold harmless and defend shall include, but not be limited to, the obligation to pay judgments, verdicts, injuries, liabilities, damages, reasonable attorneys' fees, reasonable expert fees, court costs and all other costs of indemnification.

(11) A Permit issued pursuant to this Ordinance shall not be assigned or otherwise transferred without the prior written approval of the Borough.

(12) Approval of an Application shall authorize the Applicant to, subject to the Permit requirements and the Applicant's right to terminate at any time, operate and maintain Small Wireless Facilities and any Accessory Equipment on a Utility Pole covered by the Permit for a period of not less than five years, which shall be renewed for two additional five-year periods if the Applicant is in compliance with the criteria set forth in Act 50 or Applicable Codes consistent with Act 50 and the Applicant has obtained all necessary consent from the Utility Pole owner.

§ 1-9: Revocation of Permit

The Borough may revoke a Wireless Permit for failure to comply with the conditions of the Permit or Applicable Codes after providing adequate notice to the Permittee and allowing the Permittee an opportunity to cure any noncompliance. Within 60 days of suspension or revocation of a Permit due to noncompliance with Act 50 or other Applicable Codes, the Applicant shall remove the Small Wireless Facility and any Accessory Equipment, including the Utility Pole and any Wireless Support Structures if the Applicant's Small Wireless Facilities and Accessory Equipment are the only Wireless Facilities on the Utility Pole. Within 90 days of the end of a Permit term or an extension of the Permit term, the Applicant shall remove the Small Wireless Facility and any Accessory Equipment, including the Utility Pole and any Wireless Support Structures if the Applicant's Small Wireless Facilities and Accessory Equipment are the only Wireless Facilities on the Utility Pole.

§ 1-10: Restoration

If a Permittee removes or relocates a Small Wireless Facility from the Right-of-Way under this Ordinance, the Permittee must restore the Right-of-Way to its prior condition in accordance with Borough specifications. If the Permittee fails to make the restorations required by this Ordinance, the Borough at its option may do such work. In that event, the Permittee shall pay to the Borough, within 30 days of billing thereof, all costs and expenses incurred by the Borough in restoring the Right-of-Way. Any unpaid invoice shall be subject to interest accruing on the unpaid amount at eighteen percent (18%) per annum beginning on the 31st day from the date of invoice until paid.

§ 1-11: Violations and Penalties

A. This Ordinance shall be enforced by the _____ of the Borough. If determines that any prion has violated this chapter, then a notice of violation shall be issued by the _____ describing the violation and a time period for compliance. If the person to whom the notice of violation is issued fails to comply as directed, the _____ shall order the discontinuance of noncompliance and may pursue any other enforcement remedies available at law or equity.

B. Any person who has violated the provisions of this chapter, upon being found liable therefor in a civil enforcement proceeding commenced by the Borough, shall pay a judgment of not more than \$600 plus all court costs, including reasonable attorney fees incurred by the Borough as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the Magisterial District Judge. If the defendant neither pays nor timely appeals the judgment, the Borough may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation.

C. Nothing herein contained shall prevent the Borough from taking such other lawful action as is necessary to prevent or remedy any violation.

SECTION 2. SEVERABILITY

If any section, subsection, sentence, clause, phrase, or word of this Ordinance is for any reason held to be illegal or invalid by any court or administrative agency of competent jurisdiction, such illegal or invalid portion or provision shall be severable and shall not affect or impair any remaining portion of this Ordinance and Chapter, which shall remain in full force and effect.

SECTION 3. REPEALER

All provisions of previous Ordinances of the Borough which are contrary to this Ordinance are expressly repealed only to the extent to which they are inconsistent with this Ordinance and/or Act 50.

SECTION 4. SAVINGS CLAUSE

In all other respects, all ordinances, codes, resolutions, rules, and regulations of the Borough shall remain as previously adopted, approved, enacted, and ordained. It is declared as the intent of the Borough that nothing in this Ordinance shall be interpreted as inconsistent with Act 50 and/or discriminatory in nature.

SECTION 5. POLICE POWERS/IMMUNITY

The Borough, by granting any permit or taking any other action pursuant to this Ordinance, does not waive, reduce, lessen, or impair the lawful police powers vested in the Borough under applicable federal, state, and local laws and regulations. Nothing herein shall be construed to mean that the Borough intends to limit or waive any rights or immunities arising out of any applicable governmental immunity laws or statutes. This Ordinance, and the terms and provisions set forth herein, are intended solely for the purposes set forth herein, and are expressly not intended to provide any tort or contractual remedy to any third party beyond those provided by statutes and beyond those set forth herein.

SECTION 6. EFFECTIVE DATE

This Ordinance shall take effect immediately.

ENACTED, ORDAINED, AND APPROVED this _____ day of _____, 2021.

Borough Council of the Borough of _____, _____ County, Pennsylvania

By: _____
_____, President

ATTEST:

_____, Borough Secretary

_____, Mayor

Hurricane Ida Initial Report
September 2, 2021

About 5:45pm on September 1, 2021 PW Director Steve Fickert informed me he called in a crew to begin closing flooded roads in the Borough.

After discussing the situation with Steve, I notified Borough Council President John Weierman of the situation. John and I agreed to wait until 6:45pm to make a decision on canceling the Borough Council meeting.

About 6:15pm I received a call from Lt. Jane Robertson of the HTPD. Lt. Robertson informed me of water rescues taking place in the Borough and Township. I informed Jane of my discussion with President Weierman. Jane informed me she might not be able to attend the meeting due to responsibilities related to storm response.

At 6:19pm I spoke with John Weierman and decided to cancel the Borough Council meeting. After discussing the cancelation with the Borough Solicitor Kate Harper, I instructed Assistant Manager Jaime Snyder to communicate the meeting cancelation with members of Council & Mayor Kaler.

I also directed Public Information Officer Lindsay Hellmann to post the meeting cancelation on all social media outlets and Ready Montco.

Public Works Director Fickert developed a list of road closures for distribution by Public Information Officer Hellmann on social media and Ready Montco.

About 9:51pm the Borough experienced a power blip from PPL. All of the Borough and PPL installed reclosers operated as designed and the Borough stayed electrified after the short PPL fault.

The Borough Office backup generator switched on during the brief power outage and did not disengage after power was restored. The generator operated throughout the night and the Borough Office was operating on half power when staff arrived on Thursday morning. PW Director Steve Fickert notified the generator maintenance company and requested a technician ASAP. The contractor informed Steve they were swamped with calls and would have a technician out by late morning early afternoon.

Several businesses sustained damage from the storm. I have directed Public Information Officer Lindsay Hellmann to post the Montco Damage Assessment link

<https://veoci.com/veoci/p/links/MontcoDamageAssessmentForm> on all borough social outlets.

Several residents contacted the Borough regarding storm related damage and other issues. Staff handled the incidents they could and directed residents to local contractors for individual assistance.

A declaration of Disaster was declared by Mayor Kaler. The official document will be circulated for signature by Borough Council members.

The Public Works Crew was on duty until after midnight assessing damage and managing road closures.

**THE PUBLIC WORKS DEPARTMENT DID AN OUTSTANDING JOB DURING
DIFFICULT CIRCUMSTANCES.**

Respectfully Submitted September 2, 2021

Michael J. DeFinis
Borough of Hatfield EMC / Manager / Secretary

8. NEW BUSINESS / DISCUSSION ITEMS:

H. Hurricane Ida Update

9. OLD BUSINESS:
A. REPORTS AND CORRESPONDENCE:
Monthly Investment Report

**HATFIELD BOROUGH
CASH ACCOUNTS
July 31, 2021**

OPERATING ACCOUNT	BANK BALANCE	AMOUNT
01 - GENERAL		
Bank Balance	\$155,325.38	
O/S CHECKS		(\$106,261.54)
DIT		0.00
		(\$106,261.54)
07- ELECTRIC		
Bank Balance	\$423,327.38	
O/S CHECKS		\$0.00
DIT		6,296.88
		\$6,296.88
08 - SEWER		
Bank Balance	\$170,799.11	
O/S CHECKS		\$0.00
DIT		\$420.34
		\$420.34
	\$749,451.87	\$420.34
Bank Balance		\$749,451.87
Book Balance		\$649,907.55
18 - CAPITAL PROJECTS SINKING		
		\$127,541.40
35 - HIGHWAY AID		
		\$293,830.80
HARLEYSVILLE SAVINGS BANK		
Priority Business Savings		\$16,697.51
Priority Business Savings (Loans)		\$1,945,784.02
TOTAL OF ACCOUNTS		\$3,033,761.28
ESSA		
Checking account		\$42,932.53
KEY PRIVATE INVESTMENTS		
1131 CAPITAL RESERVE MANAGED		\$493,533.53
1132 SEWER CAPITAL RESERVE MANAGED		883,592.04
1133 SEWER MANAGED		544,552.17
1134 ELECTRIC FUND MANAGED		923,225.83
		\$2,844,903.57
TOTAL OF TD BANK, HSB, ESSA & KEY PRIVATE BANK INVESTMENTS		\$5,921,597.38

**Hatfield Borough Total Income & Disbursements
YEAR 2021**

	<u>Gain/(Loss)</u>	<u>Income</u>	<u>Disbursements</u>	<u>Fees</u>	<u>Total Disbursements</u>	<u>Difference Income/Disbursements</u>
Capital Reserve	(\$4,359.91)	\$2,575.01	(\$2,424.78)	(\$1,633.85)	(\$4,058.63)	(\$1,483.62)
Sewer Capital Reserve	(5,281.31)	3,816.76	(3,816.76)	(2,923.32)	(6,740.08)	(\$2,923.32)
Sewer Managed	(3,799.48)	1,703.73	(3,109.52)	(1,802.22)	(4,911.74)	(\$3,208.01)
Electric	50,277.37	7,317.22	(7,317.22)	(2,956.39)	(10,273.61)	(\$2,956.39)
Total	\$36,836.67	\$15,412.72	(\$16,668.28)	(\$9,315.78)	(\$25,984.06)	(\$10,571.34)

HATFIELD BOROUGH CAPITAL RESERVE INVESTMENT ACCOUNT SUMMARY

YEAR 2021

2021	Capital Reserve	+/-	% Change	Income	Disbursements	Fees	Total Disbursements	Difference Income/Disbursements
Beginning Balance	\$497,893.44							
January	\$497,431.79	(\$461.65)	-0.09%	\$734.55	(\$517.92)	(\$216.63)	(\$734.55)	\$0.00
February	\$495,414.21	(\$2,017.58)	-0.41%	\$228.15	(\$444.48)	(\$216.33)	(\$660.81)	(\$432.66)
March	\$493,398.08	(\$2,016.13)	-0.41%	\$420.90	(\$636.33)	(\$215.43)	(\$851.76)	(\$430.86)
April	\$495,179.48	\$1,781.40	0.36%	\$372.79	(\$158.41)	(\$214.38)	(\$372.79)	\$0.00
May	\$493,366.42	(\$1,813.06)	-0.37%	\$183.39	(\$31.66)	(\$215.05)	(\$246.71)	(\$63.32)
June	\$492,197.48	(\$1,168.94)	-0.24%	\$230.30	(\$508.54)	(\$278.54)	(\$787.08)	(\$556.78)
July	\$493,533.53	\$1,336.05	0.27%	\$404.93	(\$127.44)	(\$277.49)	(\$404.93)	\$0.00
August								\$0.00
September								\$0.00
October								\$0.00
November								\$0.00
December								\$0.00
		-\$4,359.91		\$2,575.01	(\$2,424.78)	(\$1,633.85)	(\$4,058.63)	(\$1,483.62)

HATFIELD BOROUGH SEWER CAPITAL RESERVE INVESTMENT ACCOUNT SUMMARY

YEAR 2021

2021	Sewer Capital	+/-	% Change	Income	Disbursements	Fees	Total Disbursements	Difference Income/Disbursements
Beginning Balance	\$888,873.35							
January	\$887,937.24	(\$936.11)	-0.11%	\$541.12	(\$541.12)	(\$386.74)	(\$927.86)	(\$386.74)
February	\$886,274.58	(\$1,662.66)	-0.19%	\$2,126.43	(\$2,126.43)	(\$386.16)	(\$2,512.59)	(\$386.16)
March	\$884,612.68	(\$1,661.90)	-0.19%	\$317.22	(\$317.22)	(\$385.41)	(\$702.63)	(\$385.41)
April	\$885,504.81	\$892.13	0.10%	\$195.54	(\$195.54)	(\$384.36)	(\$579.90)	(\$384.36)
May	\$883,843.76	(\$1,661.05)	-0.19%	\$149.34	(\$149.34)	(\$384.56)	(\$533.90)	(\$384.56)
June	\$882,707.06	(\$1,136.70)	-0.13%	\$181.93	(\$181.93)	(\$498.45)	(\$680.38)	(\$498.45)
July	\$883,592.04	\$884.98	0.10%	\$305.18	(\$305.18)	(\$497.64)	(\$802.82)	(\$497.64)
August								\$0.00
September								\$0.00
October								\$0.00
November								\$0.00
December								\$0.00
		-\$5,281.31	-\$0.01	\$3,816.76	(\$3,816.76)	(\$2,923.32)	(\$6,740.08)	(\$2,923.32)

HATFIELD BOROUGH SEWER INVESTMENT ACCOUNT SUMMARY

YEAR 2021

2021	Sewer Managed	+/-	% Change	Income	Disbursements	Fees	Total Disbursements	Difference Income/Disbursements
Beginning Balance	\$548,351.65							
January	\$547,665.44	(\$686.21)	-0.13%	\$415.93	(\$415.93)	(\$238.58)	(\$654.51)	(\$238.58)
February	\$546,434.97	(\$1,230.47)	-0.22%	\$416.93	(1,822.72)	(238.17)	(\$2,060.89)	(\$1,643.96)
March	\$545,205.05	(\$1,229.92)	-0.23%	\$242.27	(242.27)	(237.62)	(\$479.89)	(\$237.62)
April	\$545,960.46	\$755.41	0.14%	\$147.22	(147.22)	(236.89)	(\$384.11)	(\$236.89)
May	\$544,731.06	(\$1,229.40)	-0.23%	\$111.30	(111.30)	(237.10)	(348.40)	(\$237.10)
June	\$543,927.70	(\$803.36)	-0.15%	\$136.89	(136.89)	(307.21)	(444.10)	(\$307.21)
July	\$544,552.17	\$624.47	0.11%	\$233.19	(233.19)	(306.65)	(539.84)	(\$306.65)
August								\$0.00
September								\$0.00
October								\$0.00
November								\$0.00
December								\$0.00
TOTALS		-\$3,799.48	-0.69%	\$1,703.73	(3,109.52)	(1,802.22)	(4,911.74)	(3,208.01)

HATFIELD BOROUGH ELECTRIC INVESTMENT ACCOUNT SUMMARY

YEAR 2021

2021	Electric	+/-	% Change	Income	Disbursements	Fees	Total Disbursements	Difference Income/Disbursements
Beginning Balance	\$872,948.46							
January	\$879,806.90	\$6,858.44	0.79%	\$896.81	(\$896.81)	(\$379.80)	(\$1,276.61)	(\$379.80)
February	\$885,524.55	\$5,717.65	0.65%	\$4,439.51	(\$4,439.51)	(\$382.62)	(\$4,822.13)	(\$382.62)
March	\$899,527.82	\$14,003.27	1.58%	\$519.96	(\$519.96)	(\$385.09)	(\$905.05)	(\$385.09)
April	\$901,304.19	\$1,776.37	0.20%	\$436.18	(\$436.18)	(\$390.83)	(\$827.01)	(\$390.83)
May	\$907,033.00	\$5,728.81	0.64%	\$233.27	(\$233.27)	(\$391.42)	(\$624.69)	(\$391.42)
June	\$913,725.32	\$6,692.32	0.74%	\$289.95	(\$289.95)	(\$511.51)	(\$801.46)	(\$511.51)
July	\$923,225.83	\$9,500.51	1.04%	\$501.54	(\$501.54)	(\$515.12)	(\$1,016.66)	(\$515.12)
August								\$0.00
September								\$0.00
October								\$0.00
November								\$0.00
December								\$0.00
TOTALS		\$50,277.37		\$7,317.22	(\$7,317.22)	(\$2,956.39)	(\$10,273.61)	(\$2,956.39)

9. OLD BUSINESS:
A. REPORTS AND CORRESPONDENCE:
Monthly EIT / LST Report

HATFIELD BOROUGH
Berkheimer Comparative
2016-2021 Earned Income Tax

(Report as of 8/26/2021)

Month	2021	2020	2019	2018	2017	2016	Month	2021	2020	2019	2018	2017	2016
January	897.63	1,605.42	973.81	1,305.76	245.81	528.59	July	1,314.93	744.95	2,462.73	1,973.92	518.12	240.80
	1,174.92	868.35	815.69	592.07	1,782.61	170.66		3,976.44	1,223.01	2,481.10	644.89	1,456.59	1,335.70
	1,119.74	998.92	914.12	1,125.14	651.26	8,215.66		2,035.02	634.31	805.36	1,323.77	1,559.70	547.70
	516.76	2,805.81	722.35	1,090.52	2,653.00	574.78		1,205.94	2,200.77	1,689.60	604.96	1,296.24	1,742.18
	2,033.58	1,700.01	1,293.40	2,436.46	1,433.06	910.62			1,050.49	886.99	3,058.34	1,579.16	1,974.92
	637.60	1,175.67	1,251.89	1,968.25	1,385.23	1,668.09			1,067.68	678.38	1,488.77	1,178.56	525.78
		1,753.74	702.34			1,473.82			2,380.30	1,251.28		1,487.87	908.94
			1164.51			674.23			2,707.21			3,171.78	
			3245.28						2,733.27				
									620.75				
									1,381.49				
Month Total	6,380.23	10,907.92	11,083.39	8,518.20	8,150.97	14,216.45	Month Total	8,532.33	16,744.23	10,255.44	9,094.65	12,248.02	7,276.02
YTD Total	6,380.23	10,907.92	11,083.39	8,518.20	8,150.97	14,216.45	YTD Total	235,461.52	230,792.09	231,307.96	224,674.16	228,040.81	221,807.58
February	1,015.31	2,618.99	5,353.21	761.04	2,254.27	4,882.74	August	558.35	4,689.38	5,185.15	800.24	2,078.40	2,562.10
	1,404.67	1,154.47	10,607.93	1,935.45	2,844.99	961.08		1,052.73	3,713.54	715.54	2,944.87	1,605.57	3,167.18
	3,413.92	6,737.26	4,967.27	951.90	3,275.29	1,051.14		2,072.03	943.13	1,004.48	1,593.23	2,585.83	1,177.61
	6,497.09	2,195.49	9,525.63	2,202.98	2,830.90	2,653.72		3,129.20	2,366.86	2,024.31	2,452.77	5,237.07	3,581.97
	2,685.50	1,739.30	7,476.14	4,089.83	595.93	5,616.54		3,391.96	3,342.63	3,236.05	2,983.92	9,656.89	3,386.05
	5,027.63	6,758.94	4,242.59	5,829.73	5,070.53	3,069.47		974.10	4,374.60	2,802.73	1,721.57	4,782.38	2,483.71
	12,077.62	5,019.71	5,744.09	5,627.93	3,367.39	1,378.25		3,656.99	4,402.94	9,448.79	3,287.03	4,088.36	3,022.34
	7,563.81	8,048.59	5,982.69	2,705.79	5,727.74	8,085.15		9,490.48	9,414.71	4,396.99	3,918.13	4,160.35	5,013.51
	12,150.83	5,962.24	4,466.18	5,767.75	8,219.66	4,484.88		4,257.91	6,009.96	2,023.85	7,931.75	4,036.30	2,499.64
	6,064.53	626.35	3,705.99	4,625.01	6,321.31	4,339.42		2,301.14	3,748.13	1,227.10	5,778.05	1,765.43	2,850.52
	4,692.13	3,399.64	3,383.48	3,007.26	2,469.57	9,011.87		3,039.24	4,924.28	4,730.84	4,209.91	3,428.67	6,262.09
	3,249.18	2,867.27	5,083.00	5,548.80	2,853.17	3,798.70		9,084.47	5,107.35	9,964.78	5,835.90	4,526.17	3,857.32
	3,987.61	6,582.96	2,401.37	2,356.02	6,521.76	5,373.60		6,918.54	6,633.39	12,334.88	3,485.34	5,462.31	3,700.75
	8,765.07	5,083.15	1,406.49	2,329.15	2,376.46	4,282.33		6,723.87	6,603.46	4,071.89	5,736.19	2,297.85	2,990.03
	2,068.74	12,700.19		2,302.49	5,301.07	1,728.95			8,446.28	4,674.67	5,294.07	3,535.73	4,215.60
	2,455.14	4,639.66		5,741.68	3,650.83	3,624.48			2,726.28	3,347.94	10,119.90	2,517.07	1,940.89
				2,938.40	3,211.46	2,406.05				5,911.40	6,949.50	2,496.35	11,632.20
				7,832.19						2,123.39	1,829.36	3,282.11	7995.78
Month Total	83,118.78	76,134.21	74,346.06	66,553.40	66,892.33	66,748.37	Month Total	56,651.01	77,446.92	79,224.78	76,871.73	67,542.84	72,339.29
YTD Total	89,499.01	87,042.13	85,429.45	75,071.60	75,043.30	80,964.82	YTD Total	292,112.53	308,239.01	310,532.74	301,545.89	295,583.65	294,146.87
March	1,405.81	495.61	1,100.74	4,889.69	4,397.45	1,279.30	September	772.18	466.77	188.66	2,713.87	333.82	
	2,778.22	712.45	338.84	470.52	1,198.08	2,321.43		5,186.01	2,067.30	870.99	1,383.60	948.83	
	6,670.97	4,732.80	949.19	2,662.29	963.81	4,512.33		4,827.34	3,894.70	5,016.64	999.58	2,362.82	
	2,530.21	4,074.50	9,631.68	3,309.44	647.44	4,556.89		2,168.47	2,679.82	5,218.07	969.65	3,976.62	
	786.63	2,324.82	5,753.80	3,267.60	738.96	1,018.48		712.23	4,281.46	4,416.91	4,254.94	2,810.01	
	1,241.80	1,067.87	1,558.27	7,571.44	2,025.84	2,532.11		2,332.14	2,529.21	853.66	2,092.45	3,822.27	
	3,221.94	2,413.31	603.40	1,082.75	3,644.41	6,534.95				887.17	2,736.15	1,082.48	
	1,440.49	1,989.90		573.60	3,886.47	4,663.73					1,904.52	801.18	
	684.16	788.00		595.31	4,517.33	1,633.49					1,968.33	628.21	
	969.07	2,306.85		1,347.03	915.06								
				768.52	606.13								
Month Total	21,729.30	20,906.11	19,935.92	26,538.19	23,540.98	29,052.71	Month Total	-	15,998.37	15,919.26	17,452.10	19,023.09	16,766.24

HATFIELD BOROUGH
 Berkheimer Comparative
 2016-2021 Earned Income Tax

(Report as of 8/26/2021)

Month	2021	2020	2019	2018	2017	2016	Month	2021	2020	2019	2018	2017	2016
YTD Total	111,128.31	107,948.24	105,365.37	101,609.79	98,584.28	110,017.53	YTD Total	292,112.53	324,237.38	326,452.00	318,997.99	314,606.74	310,913.11
April	536.24	1,027.46	1,031.04	1,338.50	558.79	1,576.21	October		609.87	2,348.14	904.13	329.69	814.67
	806.74	723.41	1,847.21	912.30	632.62	417.07			1,738.74	261.22	1,298.78	1,184.44	1,054.31
	1,055.19	740.23	722.22	512.40	1,002.59	652.09			759.95	523.41	507.60	533.14	1,139.46
	1,634.74	2,858.30	2,373.57	537.87	1,897.36	1,188.02			2,555.52	1,716.83	2,112.50	863.47	1,382.48
	2,774.38	1,355.13	933.47	2,859.64	1,764.81	1,425.36			1,133.62	2,523.08	501.20	620.96	1,597.93
	2,051.28	4,655.27	594.25	3,930.29	3,981.60	1,575.98					1,083.69	1,301.82	
	868.91		1,000.01		2,064.33	1,278.54					2,521.28	832.93	
	1,148.07		1,372.78		1,416.28	2,768.92						2,120.74	
			4,087.56		2,344.64	2,290.22							
					566.28								
Month Total	10,875.55	11,359.80	13,962.11	10,091.00	16,229.30	13,172.41	Month Total	-	6,797.70	7,372.68	8,929.18	7,787.19	5,988.85
YTD Total	122,103.86	119,308.04	119,327.48	111,700.79	114,813.58	123,189.94	YTD Total	292,112.53	331,035.08	333,824.68	327,927.17	322,393.93	316,901.96
May	1,188.18	1,911.19	2,763.50	2,063.67	2,005.43	4,574.28	November		2,777.41	1,569.44	4,903.59	1,768.92	2,683.60
	3,580.10	2,579.52	7,579.38	2,437.85	2,109.65	2,483.32			1,732.81	2,268.14	1,625.24	1,737.62	926.95
	2,678.53	2,859.13	1,763.69	4,620.35	2,423.11	1,459.11			874.72	818.68	3,145.82	2,667.23	2,778.25
	4,367.02	2,845.53	2,027.48	1,778.76	1,382.77	2,706.50			4,203.85	2,397.84	3,656.73	3,281.28	3,238.46
	2,494.40	5,645.72	4,147.01	3,357.84	5,056.97	1,439.89			6,702.32	4,520.15	4,768.69	6,268.07	1,572.46
	6,748.51	18,479.47	7,949.59	1,226.35	729.16	3,770.33			7,316.81	3,334.51	7,437.73	2,217.37	3,504.41
	6,484.23	7,738.65	8,653.93	3,876.62	3,937.87	1,569.61			4,442.98	3,381.56	10,469.84	3,185.12	10,133.08
	5,750.03	3,788.42	4,299.39	1,262.14	1,727.57	2,092.87			10,961.95	2,643.88	9,624.91	3,675.75	5,069.26
	4,046.08	2,642.49	3,555.35	5,090.04	3,435.49	7,796.83			4,260.51	7,852.77	5,206.41	10,095.62	2,559.24
	5,506.50	8,941.10	6,754.05	5,949.56	4,578.07	6,880.50			9,768.05	4,072.46	3,705.72	12,228.45	4,002.08
	3,706.88	7,561.21	12,334.81	7,191.94	5,156.64	4,514.09			4,132.62	10,653.14	3,977.15	4,714.78	2,638.23
	3,567.78	2,400.69	5,969.28	8,073.18	5,319.41	5,050.36			2,736.33	2,409.28	3,144.20	4,704.94	7,220.13
	2,235.76	5,726.76	4,123.29	8,706.53	2,826.37	1,255.91			2,172.42	6,616.07	5,863.74	1,858.50	5,667.15
	7,804.52		11,393.38	1,883.10	3,340.12	5,578.07			7,410.22	4,281.24	2,708.89	3,594.22	3,300.95
	4,180.55			3,029.22	6,176.53	5,641.51			5,745.19	3,932.62	2,800.94	3,091.83	4,316.80
	2,707.44			2,291.71	1,914.90	5,823.56				10,793.56	1,395.09	1,862.68	3,580.94
	1,524.99			4,593.12	6,182.51					2,496.96			4,035.07
	13,490.65			4,876.07	4,548.79								
	2,709.41				13,473.36								
					5,197.01								
Month Total	84,771.56	73,119.88	83,314.13	72,308.05	81,521.73	62,636.74	Month Total	-	75,238.19	74,042.30	74,434.69	66,952.38	67,227.06
YTD Total	206,875.42	192,427.92	202,641.61	184,008.84	196,335.31	185,826.68	YTD Total	292,112.53	406,273.27	407,866.98	402,361.86	389,346.31	384,129.02
June	1,854.95	3,220.50	2,713.22	10,891.42	502.71	10,260.55	December		410.13	2,714.23	3,352.11	2,451.21	3,064.60
	719.21	577.58	1,216.36	2,456.00	626.15	254.64			1,005.12	4,944.30	1,486.54	1,810.39	4,439.20
	938.37	590.96	3,154.10	943.66	910.73	940.09			2,575.16	3,451.39	3,390.81	803.03	1,238.79
	6,367.26	3,746.29	3,972.34	1,977.77	614.98	560.25			6,791.38	3,114.23	4,611.90	801.02	2,025.46
	4,549.27	4,143.04	3,190.49	5,675.44	5,826.90	917.01			4,079.92	658.42	1,867.02	1,778.84	3,119.94
	3,905.34	3,179.13	726.06	1,490.64	4,996.09	2,554.84			3,129.30	1,843.41	2,310.93	3,516.86	4,231.90
	1,122.69	2,157.65	3,438.34	2,388.63	3,421.25	3,136.46			1,123.08			5,665.69	4,040.76
	596.68	3,345.94		882.36	846.73	3,762.25						2,105.04	2,755.54
		658.85		4,864.75	1,711.94	2,914.28						1,040.59	864.35
						1,632.51						179.14	545.08
						1,772.00							1,396.00
													245.81
Month Total	20,053.77	21,619.94	18,410.91	31,570.67	19,457.48	28,704.88	Month Total	-	19,114.09	16,725.98	17,019.31	20,151.81	27,967.43
YTD Total	226,929.19	214,047.86	221,052.52	215,579.51	215,792.79	214,531.56	Grand Total	292,112.53	425,387.36	424,592.96	419,381.17	409,498.12	412,096.45

HATFIELD BOROUGH
Berkheimer Comparative
2015 - 2021 LST TAX

(Report as of 8/26/2021)

Month	2021	2020	2019	2018	2017	2016	Month	2021	2020	2019	2018	2017	2016
January	93.44	168.99	33.72	15.58	56.20	148.40	July	377.25	27.49	524.30	259.31	76.64	
				508.63				632.68	593.29		727.57	607.02	
								910.77					
Month Total	93.44	168.99	33.72	524.21	56.20	148.40	Month Total	1,920.70	620.78	524.30	986.88	683.66	0.00
YTD Total	93.44	168.99	33.72	524.21	56.20	148.40	YTD Total	21,978.62	19,393.79	20,939.03	20,771.05	18,298.78	17,688.83
February	436.37	350.79	576.73	672.03	468.04	1,044.40	August	615.85	15.72	988.39	1,021.80	445.60	274.27
	1,364.20	900.92	748.10					582.08	1,073.14	681.02			
	4,918.01	500.10	995.27	1,668.98	1,330.23	630.70		4,919.27	6,412.04	1,285.27	700.94	1,127.18	613.28
	1,371.18	611.10	653.32	2,770.93	696.91	1,627.04		1,707.15	774.35	6,305.29	2,969.69	1,063.01	1,035.75
	865.50	1,042.25	2,319.88	2,590.00						567.04	2,500.79	2,549.94	1,524.19
	528.58	4,235.56	2,607.58	254.47							2,480.47	2,285.24	
												1,771.63	
Month Total	9,483.84	7,640.72	7,900.88	7,956.41	2,495.18	3,302.14	Month Total	7,824.35	8,275.25	9,827.01	9,673.69	9,242.60	3,447.49
YTD Total	9,577.28	7,809.71	7,934.60	8,480.62	2,551.38	3,450.54	YTD Total	29,802.97	27,669.04	30,766.04	30,444.74	27,541.38	21,136.32
March	714.70	1,676.03	2,341.35	763.13	1,261.86	673.44	September		463.51	315.28	376.14	214.19	727.81
			25.47	81.55	840.11	1,595.40						431.32	2,292.22
					2,619.22								
					1,419.36								
Month Total	714.70	1,676.03	2,366.82	844.68	6,140.55	2,268.84	Month Total	-	463.51	315.28	376.14	645.51	3,020.03
YTD Total	10,291.98	9,485.74	10,301.42	9,325.30	8,691.93	5,719.38	YTD Total	29,802.97	28,132.55	31,081.32	30,820.88	28,186.89	24,156.35
April		60.43	196.71	352.66	240.48	1,668.06	October		146.06	63.69	330.79		
			509.66	584.34	847.76	718.70			634.69		556.04		
						48.15			53.07				
						1,569.47							
Month Total	-	60.43	706.37	937.00	1,088.24	4,004.38	Month Total	-	833.82	63.69	886.83	0.00	0.00
YTD Total	10,291.98	9,546.17	11,007.79	10,262.30	9,780.17	9,723.76	YTD Total	29,802.97	28,966.37	31,145.01	31,707.71	28,186.89	24,156.35
May	460.51	402.30	905.86	1,173.10	51.09	983.07	November		1,607.87	964.30	1,036.52	1,038.18	254.14
	1,692.90	1,275.28	375.32	1,797.10	1,280.28	585.66			1,716.84	955.64	1,201.68	556.11	1,131.56
	517.49	521.37	752.26	2,818.16	1,661.39	534.44			4,065.74	4,150.70	2,863.12	1,048.94	516.09
	5,320.14	3,739.00	2,351.25	1,540.23	2,587.86	691.98			827.46	962.79	1,440.98	1,023.72	
	715.32	2,047.16	2,961.22	566.94						1,791.10		1,364.69	
	7.86	575.37	669.24							200.36		2,586.01	
		107.68	683.76									1,676.30	
Month Total	8,714.22	8,668.16	8,698.91	7,895.53	5,580.62	2,795.15	Month Total	-	8,217.91	9,024.89	6,542.30	9,293.95	1,901.79
YTD Total	19,006.20	18,214.33	19,706.70	18,157.83	15,360.79	12,518.91	YTD Total	29,802.97	37,184.28	40,169.90	38,250.01	37,480.84	26,058.14
June	536.24	558.68	77.62	1,626.34	1,529.82	909.01	December		13.76		474.53	97.30	1,207.51
	515.48		630.41		209.35	1,586.76							2,548.04
					515.16	1,726.76							1,486.84
						947.39							56.20
Month Total	1,051.72	558.68	708.03	1,626.34	2,254.33	5,169.92	Month Total	-	13.76	0.00	474.53	97.30	5,298.59
YTD Total	20,057.92	18,773.01	20,414.73	19,784.17	17,615.12	17,688.83	Grand Total	29,802.97	37,198.04	40,169.90	38,724.54	37,578.14	31,356.73

9. OLD BUSINESS:
A. REPORTS AND CORRESPONDENCE:
Police Department Report

**The Hatfield Police Department's
monthly report to the
Council of the Borough of Hatfield**



August 27, 2021

Submitted by Lt. Jane E. Robertson

Hatfield Police Report for Borough Council

8/9/2021 through 8/26/2021



Simple assault: On August 20 at about 5:20 p.m., officers responded to a home on Lydia Drive for the report of a possible domestic disturbance. A female was located by officers standing in the doorway of the home and was visibly upset. She stated that she and her husband were involved in a verbal argument that turned physical. She advised officers that her husband grabbed her by the right arm and slapped her multiple times in the same area. Officers observed fresh red and raised welts on her upper right arm. She further advised the argument was over medical treatment for their son, regarding which they could not find common ground. Upon being spoken to by officers, the husband stated while he and his wife were arguing, he grabbed her by the right arm and pushed her to ground. As a result, Sreenivas Nalla was arrested and charged with domestic-related assault.



Disturbance: On August 15 at about 8:45 p.m., officers responded to the Main Hotel, 408 South Main Street, for a disturbance in the bar. The initial caller stated approximately 8 subjects were fighting inside the bar, originating from an argument between a customer and an employee. Officers spoke with the employee who advised that the customer was in the section of the bar where the pool tables are located when she observed him drinking cans of Miller Lite beer. As the Main Hotel does not sell cans of Miller Lite, the employee told the customer he had to leave since he brought outside beer into the bar. The customer reportedly became irate and started causing a scene. The other bar patrons tried to calm him down, which resulted in the customer fighting with the other patrons. The customer then left out the side door onto South Main Street. The employee advised no charges were being sought, however the customer will not be allowed back to the establishment.

Disturbance: On August 17 at about 4 p.m., officers responded to the area of Union and Maple for a report of a disturbance between a SEPTA bus driver and a rider. It was discovered the rider did not have enough money to pay the fare, which led to the argument. The rider was provided the money and advised to wait for the next bus.

Disturbance: On August 26 shortly after midnight, officers responded to Hattricks on East Lincoln Avenue for a report of a disturbance between dart players. Upon police arrival, the parties had been separated. All involved parties left the bar with no further police assistance needed.

Theft: On August 12 at about 5:40 p.m., officers responded to Girard Avenue for a report a grill stolen between 7 that morning and when the homeowner returned from work. The grill is valued at about \$280.

Suspicious occurrence: On August 12 at about 5:50 a.m., officers responded to the area of Penn Street for a report of a male wandering around screaming. It was determined the person was known to police and has emotional issues. He was told to refrain from this conduct and he agreed to keep his voice down.

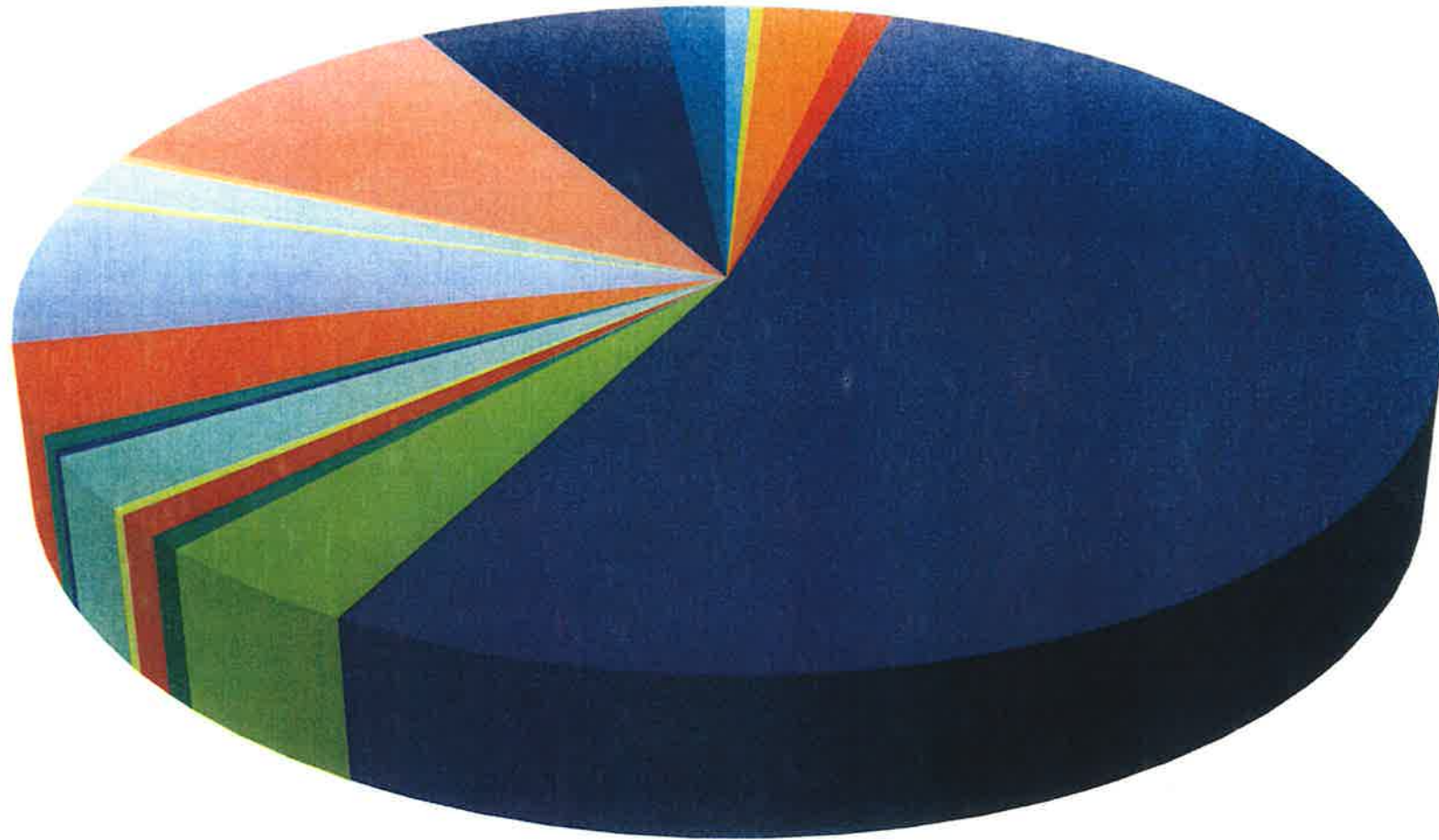
Ordinance violations: Officers investigated violations of borough ordinances for park hours, soliciting violations, and animal complaints.

Activity in brief

Between 8/9/2021 and 8/26/2021

- 291 agency cases originated in Hatfield Borough
- 29 traffic stops were conducted
- 53 incidents were handled in the Borough's core district
- 152 Borough patrols were conducted
- 20 selective enforcements were conducted
- 12 traffic citations were issued
- 19 traffic warnings were issued
- 2 crashes were investigated
- 14 building overnight checks ("NightEyes") were completed

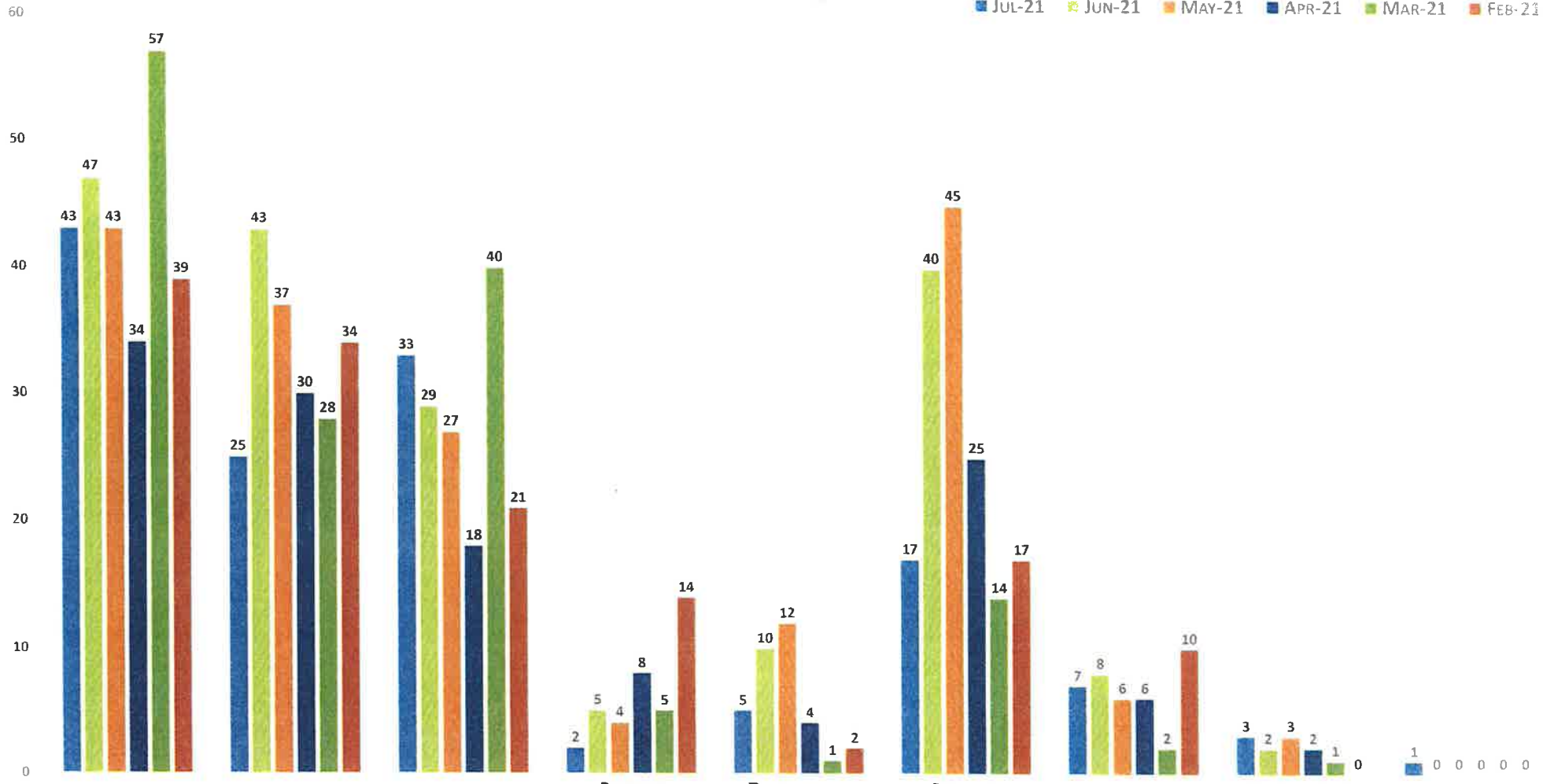
August 9, 2021 through August 26, 2021 activity overview



- Aggravated assault investigations - 0
- Alcohol-related offenses - 2
- Animal complaints - 1
- Arson investigations - 0
- Assist other agencies - 7
- Borough ordinance violations - 3
- Borough Patrol activity - 152
- Burglary investigations - 0
- Citations issued - 12
- Crashes - 2
- Criminal mischief complaints - 0
- Domestic disturbance investigations - 3
- Drug law violation investigations - 0
- DUI arrests - 0
- Fraud/forgery complaints - 1
- General disturbance investigations - 7
- Harassment/threats investigations - 0
- Infrastructure - 0
- Motor vehicle complaints - 1
- Motor vehicle theft reports - 0
- Murder investigations - 0
- Parking enforcement - 2
- Public assist calls - 12
- Robbery investigations - 0
- Selective enforcements - 20
- Sex offense investigations - 0
- Simple assault investigations - 1
- Suspicious activity investigations - 6
- Theft reports - 1
- Traffic stops - 29
- Traffic warnings - 19
- Truck route enforcement - 5

TRAFFIC ACTIVITY AND TRENDS 6 MONTH TABLE

■ JUL-21
 ■ JUN-21
 ■ MAY-21
 ■ APR-21
 ■ MAR-21
 ■ FEB-21



■ JUL-21	43
■ JUN-21	47
■ MAY-21	43
■ APR-21	34
■ MAR-21	57
■ FEB-21	39

43
47
43
34
57
39

CITATIONS ISSUED
25
43
37
30
28
34

TRAFFIC WARNINGS
33
29
27
18
40
21

PARKING ENFORCEMENT
2
5
4
8
5
14

TRUCK ROUTE ENFORCEMENT
5
10
12
4
1
2

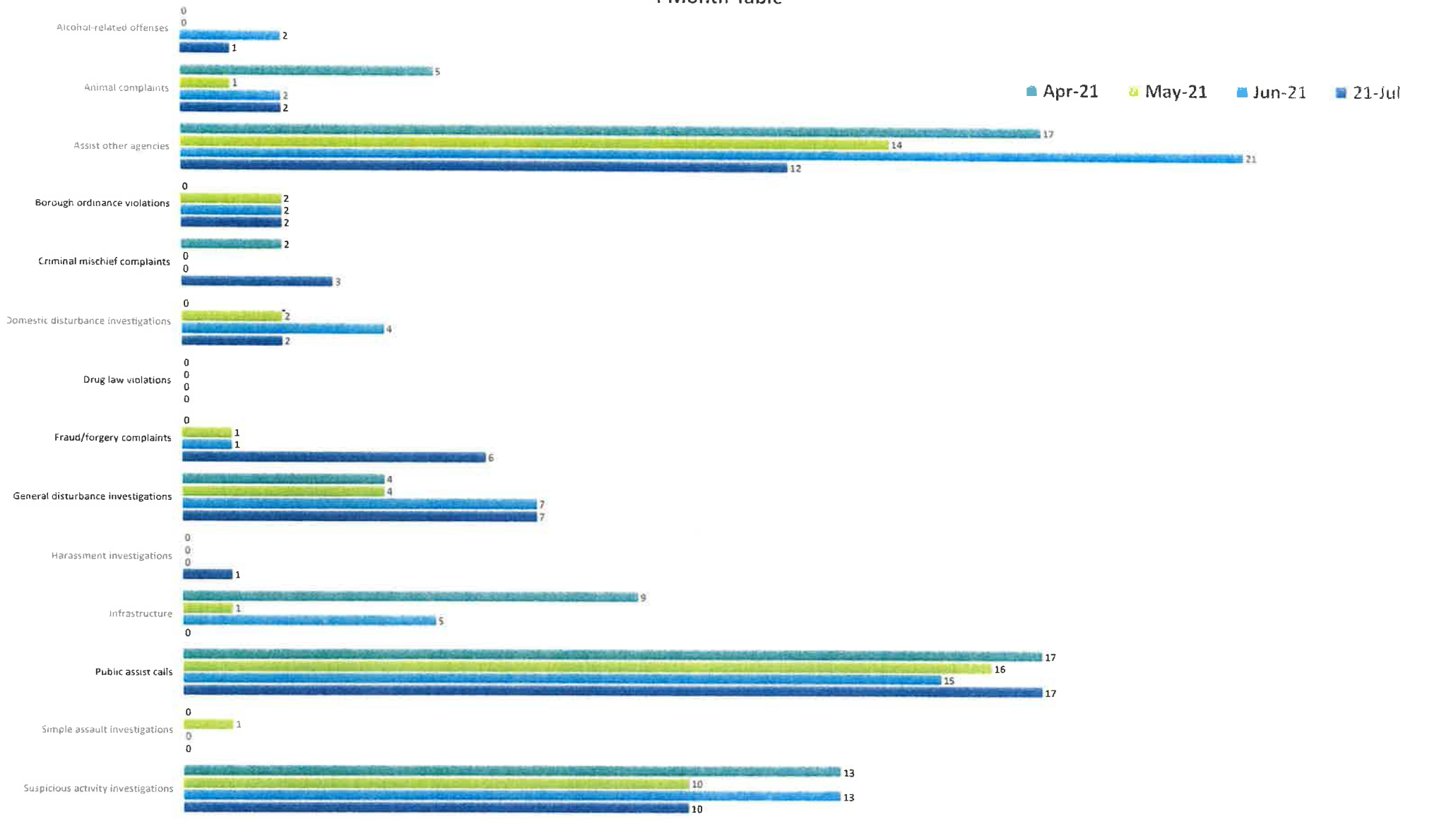
SELECTIVE ENFORCEMENTS
17
40
45
25
14
17

CRASHES
7
8
6
6
2
10

MOTOR VEHICLE COMPLAINTS
3
2
3
2
1
0

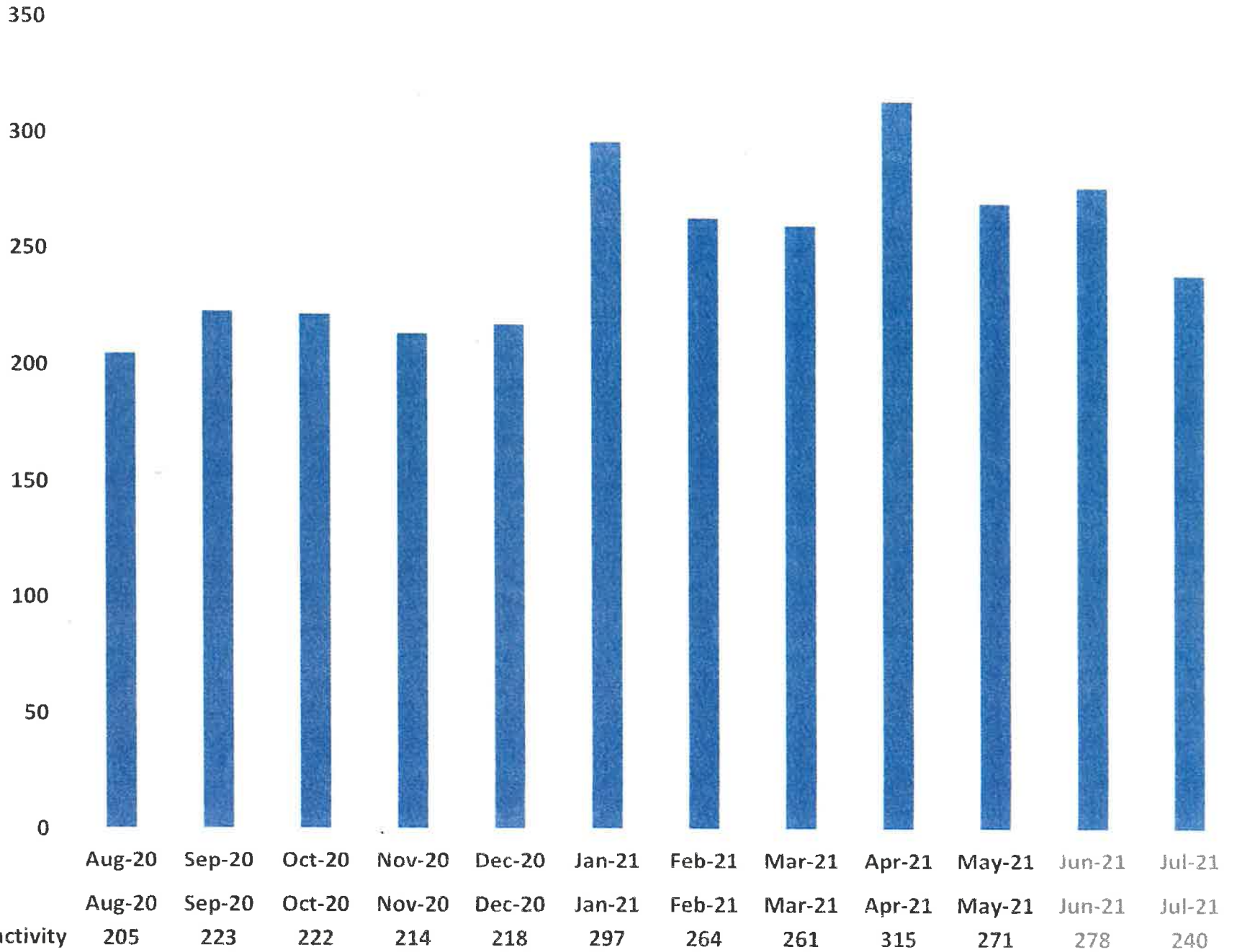
DUI ARRESTS
1
0
0
0
0
0

Call for Service Activities & Trends 4 Month Table



	Suspicious activity investigations	Simple assault investigations	Public assist calls	infrastructure	Harassment investigations	General disturbance investigations	Fraud/forgery complaints	Drug law violations	Domestic disturbance investigations	Criminal mischief complaints	Borough ordinance violations	Assist other agencies	Animal complaints	Alcohol-related offenses
■ Apr-21	13	0	17	9	0	4	0	0	0	2	0	17	5	0
■ May-21	10	1	16	1	0	4	1	0	2	0	2	14	1	0
■ Jun-21	13	0	15	5	0	7	1	0	4	0	2	21	2	2
■ 21-Jul	10	0	17	0	1	7	6	0	2	3	2	12	2	1

Borough Patrol activity



9. OLD BUSINESS:
A. REPORTS AND CORRESPONDENCE:
Fire Department Report

9. OLD BUSINESS:

A. REPORTS AND CORRESPONDENCE:

Public Works Department Report

Stephen S. Fickert Jr

Public Works Director/Report for August, 2021

Sunday, August 1, 2021

Monday, August 2, 2021

- Collected trash from parks & building
- Cut grass at various locations
- Swept streets
- Pulled weeds from flower beds

Tuesday, August 3, 2021

- Pulled weeds from flower beds
- Work with Eddie's Electric fixing street lights
- Cut grass at various locations

Wednesday, August 4, 2021

- Cut down dead Ash trees at Centennial Park
- Saw cut blacktop at PW shop
- Ed Off

Thursday, August 5, 2021

- Pulled weeds at the tot lots
- Pressure washed tot lots
- Started spreading tot lot mulch

Friday, August 6, 2021

- Ran the brush hog at various locations
- Continued spreading tot lot mulch
- Collected trash from parks & buildings
- Derik Off ½ day

Saturday, August 7, 2021

Sunday, August 8, 2021

Monday, August 9, 2021

- Hauled more tot lot mulch
- Collected trash from parks & buildings
- Pressure washed trucks
- Marked out PA 1 Calls
- Ryan off
- James off

Tuesday, August 10, 2021

- Finished spreading tot lot mulch
- Fixed street signs
- Swept streets
- Trimmed bushes at various locations
- James off

Wednesday, August 11, 2021

- Started patching blacktop at PW shop
- Sprayed weeds along ROW at various location
- Hauled scrap metal away
- Stock piled 2B stone at PW shop
- 57-2 went to Franconia Auto for repair

Thursday, August 12, 2021

- Cleaned PW shop
- Prepped storm sewer inlet for blacktop on S Wayne Ave
- Stock piled 2B stone at PW shop
- 57-3 went to Kaler Motors for repair

Friday, August 13, 2021

- Worked with Carr & Duff
- Patched blacktop around storm sewer inlet on S Wayne Ave
- Patched blacktop at PW shop
- Collected trash from parks & buildings

Saturday, August 14, 2021

Sunday, August 15, 2021

Monday, August 16, 2021

- Patched blacktop at PW shop
- Collected trash from parks & buildings
- Cut grass at various locations
- Derik Off

Tuesday, August 17, 2021

- Cut grass at various locations
- Swept streets
- Hauled fill to the quarry
- Derik Off

Wednesday, August 18, 2021

- Cut grass at various locations
- Opened manholes along N Main St for Bursich surveyors
- Derik Off

Thursday, August 19, 2021

- Power Outage on Roosevelt Ave. See Outage Report for 8-19-21
- Finished repairs on tot lot equipment
- Derik Off

Friday, August 20, 2021

- Collected trash from parks & buildings
- Fueled vehicles & generators
- Trimmed trees at various locations
- Replaced the battery in the PW generator
- Derik Off
- Steve Off ½ day

Saturday, August 21, 2021

- Ed Polaneczky was called in for a potential power problem. The problem ended up being an internal problem and nothing was fixed by Hatfield Borough. No Outage report needed.

Sunday, August 22, 2021

- Power outage on Poplar St. See Outage report 8-22-21

Monday, August 23, 2021

- Swept Streets
- Collected trash from parks & buildings
- Cleaned and organized PW shop

Tuesday, August 24, 2021

- Started prepping Jade Drive for new curb
- Started string trimming around the pond at Herritage Park
- Cut grass at various locations

Wednesday, August, 25, 2021

- Cut grass at various locations
- Marked out PA One calls
-

Thursday, August 26, 2021

- Finished prepping Jade Dr for new curb

Friday, August 27, 2021

- Cut grass at various locations
- Collected trash from parks & buildings
- Cleaned up flower beds at Heritage Park
- Steve off

Saturday, August 28, 2021

Sunday, August 29, 2021

Borough Council

From: Stephen S. Fickert

Subject: Work accomplished during the month of August, 2021

Parks Maintenance -Trash was collected at parks & buildings as needed. Cut grass at various locations. Pulled weeds in the tot lots & flower beds. Cut down two dead Ash trees at Centennial Park. Spread Tot Lot mulch at all three locations. Brush hog was ran as needed.

Street Maintenance - Inlets were cleaned as needed. Marked out PA-1 calls. Replaced/fixed street signs as needed. Street sweeper was sent out. The reconstruction of the entrance at Brooks Instruments in ongoing. Repaired a storm sewer inlet on the corner of S Wayne Ave & W Lincoln Ave. Sprayed weeds along Hatfield Boroughs Right-of-ways. Concrete leveling slab was poured at the E Lincoln Ave Bridge. Expected to start setting precast the first week of September.

Electrical Work -Electrical upgrades for Brooks Instruments are ongoing. Worked with Eddie's Electric to fix street lights. Carr & Duff came in to start their inspections of tri-bank transformers. See outage reports for 8-19-21 & 8-22-21.

Equipment Maintenance - Greased & power washed equipment as needed. 57-2 went to Franconia Auto on 8-11-21 for repairs and PA State Inspection. 57-3 went to Kaler Motors for repair on 8-12-21. Replaced the battery in the generator at the Public Works Shop on 8-20-21.

DATE: 8-19-2021

POWER OFF: 5:40AM

POWER ON: 10:05AM

PROPERTIES AFFECTED: 15, 19, 20, 24, 32, 36, 43 Roosevelt Ave & 39 A&B
and 41 A&B N Maple Ave

EMPLOYEES RESPONDING: Steve, Jack, and Ed

CONTRACTOR CALLED: Carr & Duff

TIME: 6:23 AM

ARRIVED: 8:05 AM

CAUSE OF OUTAGE: Bad Transformer

REPAIRS MADE: Replaced 37 1/2 KVA Transformer and replaced the 10K fuse

ADDITIONAL NOTES: Initial outage happened at 5:40 AM and was detected from the AMI metering system. The first phone call to the emergency number happened at 6:13AM. It was also noted by Dave Andris from Carr & Duff that the wooden cross arm on this pole was in poor condition and should be replaced. Hatfield Borough and Carr & Duff did not have the proper equipment to safely make this repair so this will be scheduled through Carr & Duff for a later date.



DATE: 8-22-21

POWER OFF: 9:02AM

POWER ON: 4:29 PM

PROPERTIES AFFECTED: 29 D Poplar St, 30, 40, & 42 E Lincoln Ave

EMPLOYEES RESPONDING: James Baskin & Ed Polaneczky

CONTRACTOR CALLED: Carr & Duff

TIME: 9:44 AM

ARRIVED: 10:48 AM

CAUSE OF OUTAGE: 2 bad transformers on a tri-bank (100KVA & 37 ½ KVA)

The two transformers caused two fuses to fail.

REPAIRS MADE: Replaced the two transformers & the two fuses.

ADDITIONAL NOTES: _____

9. OLD BUSINESS:
A. REPORTS AND CORRESPONDENCE:
Engineering Report



Memorandum



Date: August 30, 2021

To: Mr. Michael J. DeFinis, Manager, Hatfield Borough

pc: Ms. Jaime Snyder, Hatfield Borough Assistant Manager
Mr. Steve Fickert, Public Works Director, Hatfield Borough
Ms. Kate Harper, Borough Solicitor
Hatfield Borough Council

From: Chad E. Camburn, P.E.

Subject: September 2021 Engineering Report
Bursich Project No. HAT-01/065075

The following is a highlighted list of recent activities for the Borough Council Meeting:

SUBDIVISION / LAND DEVELOPMENT / PERMITS:

- **43 Roosevelt Ave. Subdivision/Land Development:**

The project includes the subdivision of the property into four residential lots and development of twin units and underground stormwater management facility. Borough Council approved Resolution No. 2021-13 at its July 21, 2021 meeting, granting Conditional Final Approval.

No Change from Previous Report - Our latest review was issued on June 8, 2021, and we are currently awaiting revised documents.

- **Bennett's Court (Prestige Building Partners Townhomes)**

The application proposes the construction of 18 townhouse units in three buildings taking access off a new cul-de-sac street, partially comprising an area of undedicated E. Broad Street.

No Change from Previous Report - Our latest review was issued on June 4, 2021, and we are currently awaiting revised documents.

- **Edinburgh Square Subdivision (510 Koffel Road):**

The project includes the subdivision and development of the property into four residential lots.

We visited the site on August 25, 2021 and confirmed that the neighboring property's driveway encroachment on Lot 4 has been satisfactorily removed in accordance with the condition of the subdivision and land development approval.

ENGINEERS, LAND SURVEYORS, LANDSCAPE ARCHITECTS



2129 E. High Street | Pottstown, PA 19464
N 40° 14' 40.2" W 075° 36' 09.6"

610.323.4040
www.bursich.com

- **52-60 N. Market Street Minor Subdivision:**

The proposal includes the subdivision of 60 N. Market Street into two lots. The site is located in the Core Commercial Zoning District.

No Change from Previous Report - A revised sketch plan was received by our office on August 16, 2021 and is currently under review.

CAPITAL IMPROVEMENT PROJECTS:

- **2021 Roadway Resurfacing Project**

The project includes milling and overlaying North Wayne Ave., South Wayne Ave., and Blaine Ave. The contract has been awarded to James D. Morrissey, Inc. at a cost of \$152,851.00.

No Change from Previous Report - The Notice of Award was issued on June 4, 2021, and the contract has been signed by both parties. At the Borough's request the contractor agreed to start the work in Fall to provide additional time for private sidewalk and curb replacement to be completed prior to the paving. Through coordination with Borough staff and the contractor, we anticipate the work beginning, and being completed, in October. Once the Borough is satisfied with the progress of the private sidewalk and curb work, the Effective Date of the Contract will be established, a Notice to Proceed will be issued, and the fully-executed contracts will be distributed.

- **Orchard Lane and Forest Way Sanitary Sewer Replacement**

The project includes the replacement of the sanitary sewer in Orchard Lane and Forest Way. The Orchard Lane scope received a \$200,000 CDBG grant. DOLI Construction Corporation was awarded the contract with a Base Bid of 322,675.00, and a low total bid including alternates of \$342,050.00.

A pre-construction meeting was held on August 25, 2021. The Notice to Proceed was issued, establishing the Effective Date of the Contract as August 25, 2021. Under the terms of the contract, the project must be Substantially Complete by November 8, 2021, and ready for final payment by December 8, 2021. Borough staff has submitted a request to extend the grant by one year, to September 2022. We continue to review the contractor's submittals as they are received.

- **Lincoln Avenue Bridge**

The project includes the replacement of the bridge and the sections of the sanitary sewer system in the immediate vicinity of the bridge.

No Change from Previous Report - The sanitary main and manhole replacement has been completed, and the televising for the main has been reviewed. We are awaiting receipt of the video for the lateral.

- **Broad Street Storm Sewer & N. Main Street Storm and Sanitary Sewer Improvements**

The project will replace the entire storm sewer system in West and East Broad Street and North Main Street, 280 LF of deteriorated 30"x52" CMP through private properties, and the entire sanitary sewer system in North Main Street. \$1.09M of the project will be funded with Pa Small Water and Sewer and H2O PA grants. The NPWA will replace their water main from Towamencin Ave. to Main Street under the contract with the Borough's work. Once the work in E. Broad Street is complete PennDOT will mill and overlay E. Broad Street. While W. Broad Street is not currently on PennDOT's five-year plan for repaving, the Borough could attempt to have PennDOT add it as the construction scope and schedule develop.

We are currently working on survey, design, and bid package preparation. A meeting was held with the project team on August 25, 2021 to discuss existing conditions of the infrastructure and planning for the improvements.

MISCELLANEOUS:

- **MS4 Stormwater Program**

A Pollution Reduction Plan is required to be submitted to the PaDEP this summer.

We continue to work on the revised Pollution Reduction Plan (PRP) and the 2021 annual MS4 Status Report.

- **Sanitary Sewer**

- We reviewed the first- and second-quarter HTMA invoices and found them to be accurate. We also reviewed the Borough's flows and issued a memo summarizing the Borough's sewage flows in the first two quarters of 2021 in comparison with the Transportation and Treatment Capacity Agreement between Hatfield Borough and the HTMA.

As always, please feel free to contact me at 484-941-0418 or chad.camburn@bursich.com with any questions.

9. OLD BUSINESS:

A. REPORTS AND CORRESPONDENCE:

**Zoning Officer, Building Code, Property
Maintenance Report**

Code, Zoning and Fire Safety Report – Mid August 2021

*Numbers reflect August 1 to August 26, 2021

Mike DeFinis' Memorandum List

Items on the list continue to be monitored

Fire Inspections

Suspended due to CoVid-19

Resale Inspections (5 Total)

- (2) Use and Occupancy Certification issued
- (1) Conditional Use and Occupancy Certification issued
- (2) Failed Inspections

- (1) Scheduled for August 31

Permits (10 Total Processed)

- (2) Additions
- (1) Roofing
- (2) Electric
- (2) New Building
- (3) Zoning

Notice of Violations (2 Total)

- (2) Work done without Permit

Non-Traffic Citations

None

Other Notes

Received certification in Accessibility Inspections and Plan Review, 13 Total Certifications

Submitted by,



Matthew J Traynor
Code & Zoning Enforcement

9. OLD BUSINESS:

A. REPORTS AND CORRESPONDENCE:

Fire Marshal / Fire Safety Inspection Report

9. OLD BUSINESS:
A. REPORTS AND CORRESPONDENCE:
Pool Advisory Report

10. ACTION ITEMS:

**A. Motion to Consider Resolution No. 2021-19
Recognizing the American Legion Post No. 933
75th Anniversary**

10. ACTION ITEMS:

**B. Motion to Consider Resolution No. 2021-20
Recognizing AMP 50th Anniversary**

10. ACTION ITEMS:

**C. Motion to Consider Resolution No. 2021-21
Recognizing Public Power Week**

10. ACTION ITEMS:

**D. Motion to Consider Resolution No. 2021-22
Recognizing Fire Prevention Week**

10. ACTION ITEMS:

E. Motion to Consider awarding the Montgomery County Consortium of Communities 2021-2022 Rock Salt Bid to Morton Salt, Inc. at \$58.00 per non-delivered ton and at \$58.33 per delivered ton

11. Motion to Approve Payment of the Bills

Column1	Column2	Column3	Column4	Column5	Column6
SEPTEMBER 2021 ACCOUNTS PAYABLE BILL LIST					
VENDOR BILL LIST					
	ITEM DESCRIPTION	AMOUNT PAID	DATE PROCESSED	TOTAL PAID	CHECK NO.
TD BANK					
RICHARD EISENACHER	MOVIE NIGHT PROJECTIONIST	\$550.00	8/25/2021	\$550.00	26304
COMCAST CABLE	401 S MAIN ST	\$108.35	9/8/2021	\$108.35	26305
PSTCA CONVENTION	REGISTRATION	\$235.00	9/8/2021	\$235.00	26306
ZULTYS	TELEPHONE SERVICES	\$482.43	9/8/2021	\$482.43	26307
ANN BROGLEY	FACE PAINTER FOR MOVIE NIGHT	\$295.00	9/8/2021	\$295.00	26308
TD BANK	VARIOUS ITEMS	\$1,043.15	9/9/2021	\$1,043.15	26309
THE HARTFORD	LIFE AD&D STD & LTD INSURANCE	\$728.50	9/10/2021	\$728.50	26310
WELLS FARGO	SERIES 2003 B NOTE, 2020/2021 A/B NOTES	\$4,376.13	8/25/2021	\$4,565.36	ACH
AMP, INC.	AUGUST PMPM VERIZON CHARGES	\$1,356.10			
AT&T MOBILITY	PW ASST MGR & MGR CELL PHONES	\$601.07			
DANIEL BEARDSLEY	EQUIPMENT MAINTENANCE	\$139.00			
BRITTON INDUSTRIES	PLAYGROUND MULCH	\$219.50			
BRITTON INDUSTRIES	PLAYGROUND MULCH	\$219.50			
BRITTON INDUSTRIES	PLAYGROUND MULCH	\$219.50			
BRITTON INDUSTRIES	PLAYGROUND MULCH	\$219.50			
BRITTON INDUSTRIES	PLAYGROUND MULCH	\$65.85			
BURSICH ASSOCIATES	ENGINEERING - GENERAL	\$301.50			
BURSICH ASSOCIATES	BROAD ST STORM SEWER REPLACEMENT	\$5,357.00			
BURSICH ASSOCIATES	EDINBURGH SQUARE SUBDIVISION	\$201.00			
BURSICH ASSOCIATES	ADA RAMPS 2021	\$134.00			
BURSICH ASSOCIATES	LINCOLN AVE SEWER REPLACEMENT	\$395.50			
BURSICH ASSOCIATES	MS4 PERMIT	\$2,698.00			
CANON	COPIER LEASE JULY	\$488.00			
CLEMENS UNIFORMS	MATS FOR HALLWAYS	\$75.20			
CLEMENS UNIFORMS	MATS FOR HALLWAYS	\$75.20			
CODE INSPECTIONS	BLDG CODE FIRE & ZONING SERVICES JULY	\$5,206.00			
COMCAST	16 CHERRY ST	\$228.92			
DANO ENTERPRISES	LEAF BAGS	\$2,163.00			
DELAWARE VALLEY HEALTH INS	HEALTH INSURANCE FOR EMPLOYEES	\$12,598.99			
EAS	BOTTLED WATER FOR PW	\$46.45			
EDDIES ELECTRIC	EMERGENCY CALL OUT	\$220.00			
GLASGOW	JADE DR BLACK TOP	\$615.38			
GLASGOW	JADE DR BLACK TOP	\$546.14			
GILL QUARRIES	JADE DR DUMP FEE	\$250.00			
KIM GOMEZ	CLEANING SERVICES FOR AUGUST	\$500.00			
GUARDIAN	COUNCIL LIFE INSURANCE	\$30.70			
HATFIELD BOROUGH ELECTRIC	AMI BORROWING REIMBURSEMENT	\$8,287.43			
HATFIELD TOWNSHIP	SEPTEMBER POLICE SERVICES	\$77,083.33			
HATFIELD TOWNSHIP	GOLF OUTING	\$1,000.00			
H&K MATERIALS	JADE DR STORM SEWER	\$506.71			
HAS MECHANICAL	REPAIR A/C UNIT FOR BORO BLDG	\$8,838.00			
KJ DOOR	REPAIR SHOP DOOR	\$828.21			
LAPSLEY CONCRETE	JADE DR CURB WORK	\$4,900.00			
LOWES	SHOP SUPPLIES	\$38.53			
LOWES	PARK MAINTENANCE	\$77.47			
LOWES	SHOP SUPPLIES	\$8.04			
LOWES	SHOP SUPPLIES	\$28.49			
LOWES	JADE DR	\$14.24			
MCAHON	NORTH PENN INDUSTRIAL CENTER RVW	\$175.00			
MCAHON	GENERAL TRAFFIC ENGINEERING	\$2,580.00			
MEA	LAND RECORD SYSTEM	\$187.00			
NAPA AUTO	BUILDING MAINTENANCE	\$132.97			
NETWORK CONCEPTS	MANAGED IT SERVICES	\$485.00			
NETWORK CONCEPTS	MANAGED IT SERVICES	\$23.75			
NETWORK CONCEPTS	MANAGED IT SERVICES	\$23.75			
NORTH PENN WATER AUTHORITY	615 DAIN AVE WATER SERVICES	\$33.39			
NORTH PENN WATER AUTHORITY	DAIN AVE TRKWSH	\$10.62			
NORTH PENN WATER AUTHORITY	401 S MAIN ST	\$41.17			
NYCE CRETE	SMALL TOOLS	\$150.85			
PA ONE CALL	MONTHLY ACTIVITY CHARGE	\$10.62			

**12. MOTION to ADJOURN:
Executive Session: Personnel, Litigation,
Real Estate**