

HATFIELD BOROUGH COUNCIL  
WORKSHOP / REGULAR MEETING  
JULY 20, 2022

MINUTES

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

CALL TO ORDER AND ROLL CALL:

- (X) Jason Ferguson, President
  - (X) Richard Girard, Vice President
  - (X) James Fagan
  - (X) Michelle Kroesser
  - (X) Lawrence G. Stevens
- 
- (X) Mayor Mary Anne Girard

The record shows that five members of the Council were present at roll call, as well as, Mayor; Mary Anne Girard, Solicitor; Catherine M. “Kate” Harper; Timoney Knox LLP, Borough Manager; Jaime E. Snyder, Public Works Director; Stephen S. Fickert, Jr. and Assistant to the Manager; Kathryn Vlahos.

1. APPROVAL OF MEETING AGENDA:

Motion: A motion was made by Councilmember Girard to Approve the Workshop / Regular Meeting Agenda of July 20, 2022. The motion was seconded by Councilmember Stevens.

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

2. APPROVAL OF THE MINUTES:

Motion to Approve the Minutes of the June 15, 2022 Workshop and Regular Meeting.

Motion: A motion was made by Councilmember Kroesser to Approve the Minutes of the June 15, 2022 Workshop and Regular Meeting. The motion was seconded by Councilmember Girard and unanimously approved with a vote of 5-0.

3. PUBLIC INPUT: President Ferguson asked if there was any Public Input. No Public Comment. No Media Present.

4. ANNOUNCEMENTS: Manager Snyder made the following announcements:

- HEROC is Scheduled to Meet Wednesday, July 27, 2022 @ 8:00AM in Council Chambers
- The next Planning Commission Meeting is scheduled for August 8<sup>th</sup> @ 7:00PM in Council Chambers
- Next Borough Council Meeting is the August 17<sup>th</sup> Workshop/Regular Meeting @ 7:30PM in Council Chambers

5. 28 North Market Street: Estate of Jack Zampirri Minor Subdivision Presentation

Jim Rudolph from Metz Engineers stated that they brought a plan in for the Estate of Jack Zampirri. It is a minor subdivision, there is an existing tract that fronts on Market Street and on Diamond Street, currently it is one parcel. What they are proposing is to create two lots about 7,000 square feet, the total parcel is a little over 14,000 square feet. There is water and sewer for the existing house and there is water and sewer on Diamond Street for the proposed unit. They have received a letter from Bursich, dated June 29, 2022 which they have received with the Planning Commission and they will comply with the letters request. The Montgomery County Planning Commission supports the applicant's proposal without comment. There are a few items that they still need which are a will serve letter from the Hatfield Township Sewer Authority, will serve letter from North Penn Water Authority. Other than those items there is not other issues that they would need to address. Mr. Rudolph asked if Borough Council had any conditions they would like to see, they are looking to move forward with the subdivision. President Ferguson asked how they would access the second property, Mr. Rudolph replied off of Diamond Street. Solicitor Harper stated that the Engineer recommends that a shared driveway agreement to be completed.

*Action Item 12. A, was moved up on the agenda*

## 12. ACTION ITEMS:

A. Motion to Consider Resolution 2022-19 Granting Preliminary / Final Approval for 28 N. Market Street, Estate of Jack Zampirri Minor Subdivision

Motion: A motion was made by Councilmember Stevens to Approve Resolution 2022-19 Granting Preliminary / Final Approval for 28 N. Market Street, Estate of Jack Zampirri Minor Subdivision. The motion was seconded by Councilmember Fagan.

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

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

## 6. Public Hearing Regarding the Comcast Cable Franchise Renewal

### **CABLE FRANCHISE RENEWAL PROCEEDINGS**

**PRESIDENT JASON FERGUSON:** We will now have a Public Hearing for Cable Franchise Renewal Agreement. This hearing was duly advertised.

**SOLICITOR CATHERINE HARPER:** Every ten years you have to revise and look at your Comcast Cable Agreement, you previously did this with Verizon. This year is Comcasts turn, one thing that is part of the process for approving a Cable Agreement is for a ten-year term and the fees don't change. In other words, it's the same percentage that it was before. The fees could go up or down, if they get more Comcast customers the revenues go up. So 5% of a greater revenue you get more money. On the other hand, people are streaming these days and a lot of the rental properties in the Borough seem to be using satellite dishes instead of cable. With that in mind not much has changes with Comcasts Agreement, you have to have a public hearing, you have to advertise it and you have to allow the public a chance to comment on Comcast in general and what they think of it. The only thing that I would like to have is the legal advertisement marked as Borough 1 to show that we gave public notice of this incase we do not get that many comments tonight. I think it would be appropriate now for comments, please come up to the podium and state their name and address and give your public comment. We have people in the audience, the minutes will reflect that but we do not have anyone that would like talk about it. I will give you also the opening remarks, The Public Hearing is a preliminary portion of franchise renewal which the Borough reviews the cable operators past performance and identifies future cable related community needs. As part of this public hearing, we invite comments from any public citizens that wish to speak on either the mentioned subjects. The franchise renewal is the best opportunity for municipalities to assert their rights with respect to cable operator and obtain benefits. The benefits include having Comcast Cable in the Borough. That may sound funny to us because Comcast is all-over South-Eastern Pennsylvania but in many places in Pennsylvania, they lack cable service. This is one of the things that we are ensuring for the residents here that they have the right. Comcast believes that it has strong costumer service standards and if any member of the public disagrees, they are free to say so. They are also willing to offer some free services like a public effective government channel. They share their comcast fees with us, the 5% that I allotted to earlier. In exchange for that they will get the right to operate in our rights of way. They can put stuff on our poles, in our allies' things like that to offer cable service to the whole Borough. Some Municipalities have an issue where they won't extend far enough and the contract does say that if there are only so many people per a mile, they do not have to give you cable service. That would not be true in Hatfield Borough. Anyone in the Borough can get Comcast service if they want to. Are there any comments on the Comcast Cable Franchise Agreement? Hearing no comments, we can now close the hearing.

This Public hearing is closed. (At 7:51 the hearing was closed)

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

- **Budget, Finance, and Labor Committee Report**  
President Ferguson stated that Budget Labor and Finance Committee met and started talking about preparing the budget for 2023. There was also discussion on our labor agreements and updating the handbook. The Covid Policy that we currently have will stay in place and we will reevaluate in 6 months. There was also discussion of creating a new committee for the Borough, a communications Committee.
- **Planning, Building, and Zoning Committee Report**  
Councilmember Stevens reported that the committee met on July 5, 2022 to discuss a number of issues, they are looking to make some changes to the open burning ordinance which will be less restrictive and allow for the use of outdoor fire pits and chimineas. They are also looking to adopting a clothing and donation bin ordinance. The committee will be looking to make draft ordinances on these issues. There has been some talk in surrounding areas to allow chickens to be raised to use the eggs. The committee did not want to put too much effort into this topic without know if there is interest from the residents. A survey will be conducted to see if there is interest in the Borough to allow chickens. If this does move forward there will be a restriction which make sure that it does not affect the quality of life for the neighbors. They are looking at the Zoning Map to see if minor adjustments are needed.
- **Public Safety Committee Report**  
Councilmember Kroesser reported that they are working to put a meeting together for the next month to address some speeding concerns.
- **Public Works & Property and Equipment Committee Report**  
Councilmember Fagan stated that they did not have a meeting this past month.
- **Utilities Committee Report**  
Councilmember Girard reported that they had a meeting to discussed Behind the Meter project. They are looking at a grant for charging stations in conjunction with Hatfield Township. Electric deliquesces are still going down, shut offs will begin in September. They are looking at a possible electric rate increase in 2023.
- **Hatfield Economic Revitalization Committee Report**  
Councilmember Girard stated that they did not meet in the month of July and has nothing to report.
- **Dual Action Committee Report**  
President Ferguson stated that they have not met yet.

- **Mayor Mary Anne Girard Report**

Mayor Girard reported that she attended the quarterly meeting for the recycling commission committee which was held on July 14<sup>th</sup>. The latest grant check will not be available until November. There's a new form from DEP for the Worker Protection and Investment Certification Form. This has to be complete and submitted with the recycling grant.

## 8. REPORTS AND CORRESPONDENCE

Manager Snyder and President Ferguson updated and answered questions regarding the Reports and Correspondence. Lieutenant Robertson answered questions regarding the Police Report.

- Monthly Investments Report
- Monthly EIT/LST Report
- Monthly YTD 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

## 9. MANAGERS REPORT

### 1. Land Use & Development Updates:

- A. Edinburgh Square Subdivision
  - Under Construction
- B. Bennetts Court Land Development
  - Preliminary / Final Granted by PC and Council
- C. 43 Roosevelt Land Development
  - Developers Agreement
- D. SEPTA Property
  - Appraisal
  - Long Term Lease Agreement
- E. 200 N. Main Street (Biblical Seminary)
  - Sketch Plan submitted
  - ZHB Scheduled for July 28, 2022 7:00PM—Township
- F. 28 N. Market Street Subdivision
  - Preliminary / Final Granted by PC
- G. 23 N. Main Street
  - Sketch Plan Submitted

2. Utility Billing Update:

- Staff continues to monitor Electric & Sewer Past Due accounts. Electric Shut-offs are being evaluated for the summer months.
- Email billing is available for Electric & Sewer Accounts. Please contact the Utilities Department if you are interested in signing up.
- The Electric Customer Portal has been updated. The Portal was restructured with customer input to make it more user-friendly. An updated user guide is available when opening the portal to assist with re-registration. The portal can be accessed from the Borough Website.
- <https://hatf-pa-web.amppartners.org/index.php>
- Please register exactly as it appears on your current billing. Example SMITH, JOHN E.

3. 2021 Outstanding Project Updates:

A. The East Lincoln Avenue Bridge Replacement Project

- Submitting reimbursement paperwork for the Grant

B. The Orchard Forest Way CDBG Sanitary Sewer Project

- Working on the final payment — waiting on County

C. CMAQ Grant (Synchronization of Signals)

- Waiting on PennDOT to connect to the server

4. 2022 Project Updates:

A. 2022 ADA Ramp & Curb & Ramp Project

- Projected start date of July 18, 2022
- Working with SEPTA

B. 2022 Roadway Resurfacing Project

- Projected stated date of August 2022

C. W. Broad Street, E. Broad Street, N. Market H2O / PA Small Water Storm and Sanitary Sewer Grant Project

- Working on the bid package
- Working on HOP with McMahon

D. CTP Firehouse Flasher Grant

- Under Construction

E. MTF / CTP Crosswalk Grants

- Agreements received
- Coordination with Strom and Sanitary H2O / PA Small Water Grant Project - working with Engineer

5. PMEA Update:

- June Newsletter — attached
- PMEA Conference September 7-9 2022 in Penn State

- Training being offered in the East & West for Electric
6. AMP Pennsylvania R.I.C.E. BTM Peaking Project Update:
    - Site sign being produced
    - Waiting on PPL Review
  7. AMI Update:
    - The AMI system is 100% installed and integrated into our system
  8. Public Information Officer Update: attached
  9. Items of Interest:
    - Updated Project Schedule for ADA & Paving
    - Updated Project Schedule for Broad St. & Main St. Utility Project
    - NPSD 2022-2023 Tax Assessment

#### 10. NEW BUSINESS / DISCUSSION ITEMS:

##### A. Orchard Lane and Forest Way Sanitary Sewer Project Payment

Manager Snyder explained that this was the recommendation from the engineer for payment to DOLI Inc for \$359,770.26 for the work that they completed on the Orchard Lane and Forest Way Sanitary Sewer Project. This is contingent on the letters from Montgomery County for approval. At the next months meeting you will see a resolution for the movement of the money.

##### B. Ordinance No. 546 Borough of Hatfield Code Adoption Ordinance

Solicitor Harper explained that every few years after you get a lot of new ordinances you want to have them professionally edited and put into code where they belong.

##### C. Resolution 2022-20 AMP Board of Trustees Alternate for Pennsylvania

Manager Snyder explained that Ephrata reached out to her to see if she would like to be their alternate for the board of trustees.

##### D. 200 N. Main Street, Alliance Housing Development, Zoning Hearing Board Decision

Solicitor Harper reviewed the Zoning Hearing for 200 N Main that she attended to express support of the application. The Zoning Hearing decided on a decision which is in front of Council tonight.

11. OLD BUSINESS:

A. Resolution 2022-21 Policy for the Displaying of Flags and or Banners on Borough Electric Utility Poles, Flag Poles, and Borough Property Solicitor Harper reviewed with council a policy that was brought to her by the Public Works / Property and Equipment Committee.

12. ACTION ITEMS:

B. Motion to Consider Payment No. 1 to DOLI Inc. for the Orchard Lane and Forest Way Sanitary Sewer Replacement Project in the Amount of \$359,770.26 (three hundred fifty-nine thousand seven hundred seventy dollars and twenty-six cents) Contingent Upon the County CDBG Program Review and Approval of the Contract Documents

Motion: A motion was made by Councilmember Girard to Approve Payment No. 1 to DOLI Inc. for the Orchard Lane and Forest Way Sanitary Sewer Replacement Project in the Amount of \$359,770.26 (three hundred fifty-nine thousand seven hundred seventy dollars and twenty-six cents) Contingent Upon the County CDBG Program Review and Approval of the Contract Documents. The motion was seconded by Councilmember Stevens.

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

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

C. Motion to Consider Advertising the Proposed Borough of Hatfield Code Adoption Ordinance and hold a Public Hearing at the September 21, 2022 Regular Meeting

Motion: A motion was made by Councilmember Stevens to Approve Advertising the Proposed Borough of Hatfield Code Adoption Ordinance and hold a Public Hearing at the September 21, 2022 Regular Meeting. The motion was seconded by Councilmember Fagan.

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

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

D. Motion to Consider Resolution 2022-20 Appointing Jaime E. Snyder, Hatfield Borough Manager as the American Municipal Power (AMP) Board of Trustees Alternate for Pennsylvania

Motion: A motion was made by Councilmember Kroesser to Approve Resolution 2022-20 Appointing Jaime E. Snyder, Hatfield Borough Manager as the American Municipal Power (AMP) Board of Trustees Alternate for Pennsylvania. The motion was seconded by Councilmember Fagan.

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

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

E. Motion to Consider Resolution 2022-21 Policy for the Displaying of Flags and or Banners on Borough Electric Utility Poles, Flag Poles, and Borough Property

Motion: A motion was made by Councilmember Kroesser to Approve Resolution 2022-21 Policy for the Displaying of Flags and or Banners on Borough Electric Utility Poles, Flag Poles, and Borough Property. The motion was seconded by Councilmember Fagan.

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

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

13. MOTION TO APPROVE PAYMENT OF THE BILLS:

President Ferguson and Manager Snyder reviewed and answered questions regarding the bill list.

Motion: A motion was made by Councilmember Stevens to Approve the payment of the bills. The motion was seconded by Councilmember Fagan.

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

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

14. MOTION TO ADJOURN:

Motion: A motion was made by Councilmember Kroesser to adjourn the Regular Meeting of July 20, 2022. The motion was seconded by Councilmember Fagan and unanimously approved with a vote of 5-0. The meeting was adjourned at 8:48 PM.

*Executive Session Personnel, Litigation and Real Estate*

Respectfully Submitted,  
Kathryn Vlahos  
Assistant to the Manager