

**BOROUGH OF HATORO
COUNCIL MEETING
MONDAY, MARCH 25th, 2013**

PRESENT

President Zygmunt, Vice President LaSorsa, Councilpersons Tompkins, Fleming, Hegele, Sheedy & Rich; Borough Manager/Superintendent of Public Works Zollers, Assistant Borough Secretary Hegele, Chief of Police Gardner, Solicitor Pionzio & Borough Engineer Dougherty.

ABSENT

Mayor Hawkes and Treasurer Kalnajs were both absent this evening.

CALL TO ORDER

President Zygmunt called to order the March 25th, 2013 Council Meeting of Borough Council to order at 7:00 PM.

INVOCATION – President Zygmunt asked for a moment of silence.

PLEDGE OF ALLEGIANCE – The Pledge of Allegiance was led by Chief Gardner.

President Zygmunt announced that the staff is taping this meeting. He also announced that the Intelligencer would be videotaping the meeting this evening. He stated that there are two opportunities on the agenda for the public to address Council. The first privilege of the floor is for voting agenda items only.

PRIVILEGE OF THE FLOOR FOR AGENDA VOTING ITEMS – There was no public comment at this time.

MAYOR'S REPORT – Mayor Hawkes was absent this evening.

PRESIDENT'S REPORT – President Zygmunt stated he had nothing to report this evening.

TREASURER'S REPORT – Treasurer Kalnajs was absent; Vice President LaSorsa presented the Treasurer's report for the month of March 2013. He noted a balance of \$2,380,878.20. Interest earned for the month totaled \$201.19 on all accounts.

SOLICITOR'S REPORT – Solicitor Pionzio reported that she has been contacted by SBA Communications, the current tenant for the cell tower located at 120 E. Montgomery Avenue. She stated in her conversations with SBA an assignment of lease was needed for this location. SBA Communications is willing to give the Borough \$800.00 if the assignment of lease was signed and sent back immediately. Solicitor Pionzio suggested Council take action on this matter. President Zygmunt stated this would be voted on at the end of the meeting.

ENGINEER'S REPORT – Borough Engineer Dougherty stated he had nothing to report this evening.

MANAGER'S REPORT – Manager Zollers stated the Bank Street/Wachovia Parking Lot and the District Court Fit-out project are out for bids. Both these projects will be on the April agenda for Council consideration.

DEPARTMENT SUPERVISORS' REPORT

CHIEF OF POLICE REPORT – Chief Gardner stated that the new patrol vehicle should be ready for the street soon; he stated that three older vehicles were traded in towards the acquisition of this vehicle.

Chief Gardner stated that that the US Department of Justice notified his office that the grant budget modification he submitted has been approved for the purchase of the new radios at a cost not to exceed \$92,623.32. He stated the Borough is ready to move forward and he is meeting with Motorola this week. He stated to his knowledge we are the first department to go to the new system. Councilman Tompkins asked if the new radios are compatible with the new. Chief Gardner responded yes. Councilman Sheedy asked if the old radios have any value. Chief Gardner stated he doubted they did they are from 1996 but he would be glad to ask when he meets with Motorola. Councilman Tompkins asked if the County would be interested in our old radios. Chief Gardner stated no, our radios do not work and in fact the department is currently using radios on loaner from the County.

TAX COLLECTIONS REPORT – President Zygmunt noted the Tax Collection Reports were submitted to Council in advance of tonight's meeting, and that copies of the report were available on the sign in table.

PUBLIC WORKS REPORT – President Zygmunt noted the Public Works Report was submitted to Council in advance of tonight's meeting, and that copies of the report were available on the sign in table. Manager Zollers stated he had nothing further to report.

FIRE MARSHAL REPORT – President Zygmunt noted the Fire Marshal Report was submitted to Council in advance of tonight's meeting, and that copies of the report were available on the sign in table.

MAIN STREET HATBORO REPORT – President Zygmunt noted that Council was in receipt of the Main Street Hatboro Report submitted by Main Street Manager Barth. He stated that if anyone was interested in obtaining a copy of the report to contact Borough Hall.

VOTING ITEMS

Acknowledgement of Reports – Vice President LaSorsa motioned to acknowledge the receipt of the reports for the month of March 2013, motion seconded by Councilman Tompkins, all ayes. Motion carried 7-0.

Approval of Warrant List, Payment of Bills, Manual Checks and Transfers – Vice President LaSorsa motioned to approve the warrant list, payment of bills, manual checks and transfers for the month of March 2013, motion seconded by Councilman Hegele, all ayes. Motion carried 7-0.

February 25th, 2013 Council Meeting – Vice President LaSorsa motioned to approve the February 25th, 2013 Council Meeting minutes. Councilman Tompkins made a correct to wording under Privilege of the Floor. Councilman Tompkins motioned for a friendly amendment for the wording changes as discussed, seconded by Vice President LaSorsa. Original motion seconded by Councilman Hegele, all ayes. Motion carried 7-0.

March 11th, 2013 Committee Meeting – Vice President LaSorsa motioned to approve the March 11th, 2013 Committee Meeting minutes, motion seconded Councilman Hegele, all ayes. Motion carried 7-0.

Event Request Form – Enterprise Fire Company/Elm Street – Hatboro Carnival – Vice President LaSorsa motioned to approve event request from the Enterprise Fire Company/Elm Street for the Hatboro Carnival from 5/21 to 5/27 with fireworks on 5/24. Councilman Tompkins made a friendly amendment to condition approval on the receipt of insurance prior to the event; the amendment was seconded by Vice President LaSorsa, original amendment seconded by Councilman Sheedy, all ayes. Motion carried 7-0.

Hatboro Carnival (dates for set up/tear down) – Vice President LaSorsa motioned to approve the use of Miller Meadow for the carnival beginning May 18th for set up and ending 6/1 for tear down, motion seconded by Councilman Sheedy, all ayes. Motion carried 7-0.

Event Request – Hatboro Carnival – Waiver of Fees – Councilman Sheedy motioned to approve the waiver of fees as requested by the Enterprise Fire Co/Elm Street for the Hatboro Carnival, motion seconded by Councilwoman Fleming, all ayes. Motion carried 7-0.

Event Request Form – Hatboro Chamber of Commerce – Moonlight Memories Car Show – Extension of Show – Vice President LaSorsa motioned to approve expansion of the Moonlight Memories Car Show for 2013 from Lehman Avenue to Summit Avenue, motion seconded by Councilman Sheedy, all ayes. Motion carried 7-0.

Resolution #2013-05 121 W. Lehman Avenue Subdivision – Vice President LaSorsa motioned to approve Resolution #2013-05 for 121 W. Lehman Avenue Subdivision, motion seconded by Councilman Rich, all ayes. Motion carried 7-0.

Resolution #2013-06 Code Inspections, Inc. Fee Schedule – Vice President LaSorsa motioned to approve Resolution #2013-06 fee schedule revisions, motion seconded by Councilman Hegele, all ayes. Motion carried 7-0.

Resolution #2013-07 CDBG Resolution – Vice President LaSorsa motioned to approve Resolution #2013-07, CDBG Project Resolution, motion seconded by Councilman Hegele, all ayes. Motion carried 7-0.

CDBG Funding Commitment Letter – Vice President LaSorsa motioned to approve the letter earmarking funds for this project from GenCap for engineering at a cost of approximately \$55,000, motion seconded by Councilman Tompkins, all ayes. Motion carried 7-0.

Borough Engineer Dougherty stated that the DCNR grant resolution will be ready for Council consideration at the April meeting.

Resolution #2013-08 TCC Delegate Appointment Resolution – Vice President LaSorsa motioned to approve Resolution #2013-08, TCC Delegate Appointment Resolution, motion seconded by Councilman Tompkins, all ayes. Motion carried 7-0.

Resolution #2013-09 TCC Tax Collection Agreement & Fee Schedule Resolution – Vice President LaSorsa motioned to approve Resolution #2013-09, TCC Tax Collection Agreement and Fee Schedule Resolution, motion seconded by Councilman Rich, all ayes. Motion carried 7-0.

Loller Clock Tower – Structural Engineering Services – Vice President LaSorsa motioned to approve the Loller Clock Tower structural engineering services proposal from Knudsen Engineering, motion seconded by Councilwoman Fleming, all ayes. Motion carried 7-0.

SBA Communications Lease Assignment – Vice President LaSorsa motioned to approve the lease assignment SBA Communications for the cell tower at 120 E. Montgomery Avenue. Councilwoman Fleming asked the Solicitor if all else in the lease was consistent. Solicitor Pionzio responded yes. Motion seconded by Councilman Hegele, all ayes. Motion carried 7-0.

SPECIAL UPDATES

Councilwoman Fleming stated she had nothing to report.

Councilman Hegele stated he had nothing to report.

Vice President LaSorsa stated he had nothing to report.

Councilman Tompkins stated he had nothing to report.

Mayor Hawkes was absent this evening.

Councilman Rich stated he had nothing to report.

Councilman Sheedy stated he had nothing to report.

President Zygmunt stated he had nothing to report.

OLD BUSINESS – President Zygmunt stated the District Court Fit-out project bids; the Bank Street/Wachovia Lot and the DCNR Application for Corinthian Trail will be on the April Committee Meeting agenda. There will be a voting portion of the agenda for items that require approval before the April Council Meeting.

NEW BUSINESS – There was no new business to come before Council this evening.

PRIVILEGE OF THE FLOOR – Ray Fleck, Crooked Billet Road stated he was before Council at their last meeting and he wanted to see if there was any update to his concerns/request regarding sidewalks at the YMCA. Mr. Fleck stated the solicitor at the last meeting stated the Borough would be legally obligated if an accident occurred because of the lack of proper sidewalks at the YMCA.

Solicitor Pionzio stated that she would never opine in a public meeting about liability, she stated she would ask staff to investigate his concerns. She stated at the last meeting she expressed her personal opinion about sidewalks, which she reminded Mr. Fleck is her opinion.

Mr. Fleck stated that he felt that this was not just she but others in the room. Mr. Fleck stated he could not understand why the Borough would allow a bus stop at this location. President Zygmunt stated that SEPTA install the bus stops not the Borough.

Manager Zollers stated he has looked into Mr. Fleck's concerns, he could not locate any records that Council passed a law that there has to be sidewalks at the YMCA. He stated that there is a steep grade in this area that sidewalks may have to be on top and may mean acquisition of property or placing the sidewalks near the curb, which creates the same problem. Manager Zollers stated that the Codes Office did talk to the YMCA and they are working on clearing the sidewalks, once this is done that office will inspect the sidewalks for damages and possible repairs/replacements.

Solicitor Pionzio stated that one resident couldn't demand that another property owner to install sidewalks. She cautioned Council to look globally at the situation and address the entire Borough not just one property. She stated that repairing existing sidewalks as needed should be done. President Zygmunt advised that the Borough is investigating the existing sidewalk at the YMCA for safety issues.

Chief Gardner stated he spoke with Mr. Chamberlain at the YMCA after the last meeting. Mr. Chamberlain is not prohibiting people from walking on their property, just animals. YMCA does not want the animal waste and is prohibiting dogs on the property for the safety of the children.

Mr. Fleck asked where would one walk with their dog. Mr. Fleck stated that the incident at the YMCA with a child was a dog broke away at Pennypack School and a child got bit. Solicitor Pionzio suggested that Mr. Fleck walk his dog in the other direction away from the YMCA. She stated she was not being disrespectful but offering Mr. Fleck a solution to his concerns and an answer to his question. Mr. Fleck stated he has MS and can't go far.

ADJOURNMENT

There being no further business; the March 25th, 2013 Borough Council meeting was adjourned at 7:36 P.M.

Respectfully submitted,

Alfred "Fred" Zollers
Borough Secretary

Transcribed by Assistant Borough Secretary Diane Hegele