

**BOROUGH OF HATORO  
COMMITTEE/COUNCIL MEETING  
MONDAY, AUGUST 18, 2014  
7:00 PM**

**PRESENT**

President Zygmunt, Vice President Tompkins, Councilmen Hegele, Rich, Palmer, Harbaugh & Sheedy; Mayor Hawkes, Borough Manager/Superintendent of Public Works Zollers, Assistant Borough Secretary Hegele, Chief of Police Gardner, Fire Marshal Reading, Solicitor Pionzio & Borough Engineer Dougherty.

**ABSENT**

Treasurer Kalnjas was absent this evening.

**CALL TO ORDER**

President Zygmunt called to order the August 18<sup>th</sup> Committee meeting of Borough Council to order at 7:01 PM.

**PUBLIC SAFETY**

**FIRE COMPANY EXPENDITURE LIST** – Councilman Palmer stated Council is in receipt of the July 2014 warrant list in the amount of \$8,090.59. This item was moved to the voting meeting for approval.

**FINANCE** – Councilman Harbaugh stated he had no report this evening.

**GRANTS AND FUNDING** – Councilman Sheedy stated he had no report this evening.

**PUBLIC WORKS**

**2014 ROAD PAVING PROGRAM** – Manager Zollers stated Council was in receipt of the bid tabulation from Engineer Dougherty. He is recommending Council approve the bid for paving of Norwyn Road, Alternate #1 for Bright Road and Alternate #2 for crosswalks at Jacksonville and County Line Road. This item was moved to the voting meeting for approval.

**MASTER CASTING AGREEMENT RESOLUTION** – Manager Zollers stated this is standard document necessary for Penndot. He stated it is for Penndot when they pave roads in the Borough. He stated the prior agreement is due to expire and this authorizes a new three year agreement. This item was moved to the voting meeting for approval.

**2015 WASTE MANAGEMENT REQUEST FOR BIDS RESOLUTION** – Manager Zollers stated this resolution will allow the Borough to participate in the request for bids for qualified contractors to provide facilities, equipment, labor and services for Municipal Waste Disposal. Councilman Sheedy asked if this was just for the use of the plant and not curbside collection. Manager Zollers responded yes. This item was moved to the voting meeting for approval.

## **FACILITIES & PARKS**

**POOL LINER PROJECT** – Manager Zollers stated that Council was in receipt of two bids for this project. He stated the low bid contractor was vetted and we received good recommendations on the company and their work. Councilman Sheedy asked who did the measurements for the project. Manager Zollers stated the Company did. They did this from the original drawings of the pool which are in the Borough's possession. Engineer Dougherty stated he would double check the calculations. President Zygmunt asked about the bid from Stoneridge. Manager Zollers stated they were higher and did not meet the bid specifications. Councilman Harbaugh asked why the quote received earlier in the year was higher. Vice President Tompkins thought the quote was lower because the work was being done out of season. Manager Zollers stated that was correct. This item was moved to the voting meeting for approval.

## **ZONING/HISTORIC PRESERVATION**

### **WOODWINDS LAND DEVELOPMENT WAIVER – PARKING LOT**

**IMPROVEMENTS** – Manager Zollers stated Woodwinds has removed an island in their parking lot and would like to pave this area for more parking. It is approximately 300 square foot which is under the 500 square foot requirement for land development. They will need this space due to the pending demolition and removal of other parking and impervious surface. This item was moved to the voting meeting for approval.

## **ADMINISTRATION**

**119-121 W. LEHMAN AVENUE – ESCROW RELEASE** – President Zygmunt stated Council is in receipt of the request for Financial Security in the amount of \$24,116.00 for this project. This item was moved to the voting meeting for approval.

**HATBORO ROTARY – EATON PARK BANDSHELL PROJECT** – Councilman Rich stated last month the Rotary made a presentation for the above project. At that time they asked for Council to consider supporting the project. Mr. Rich stated while this is a Rotary Project they would like to have this for the Hatboro 300<sup>th</sup> celebration in 2015. At this meeting Council was given the opportunity to ask questions. Once the rotary comes up with a formal submission, staff, council and residents will have the opportunity to comment again. This item was moved to the voting meeting for approval.

**399 SPRINGDALE AVENUE – CONDITIONAL USE RESOLUTION** – Solicitor Pionzio stated that Council has held the Conditional Use Hearing and as a result of that process she has prepared a Finding of Fact which Council will now need to approve. This item was moved to the voting meeting for approval.

**399 SPRINGDALE AVENUE – LAND DEVELOPMENT RESOLUTION -**

President Zygmunt stated that Solicitor Pionzio worked with the Developer for this project to negotiate a fee for Parks & Recreation, the amount agreed was \$22,000. This item was moved to the voting meeting for approval.

**STATION PARK VILLAGE ORDINANCE – AUTHORIZATION TO ADVERTISE –**

Solicitor Pionzio stated the developer has been before Council and Planning Commission and are proposing an overlay for a portion of the property. She needs Council to authorize the hearing date of Monday, October 13<sup>th</sup>. She needs to advertise the hearing and move the ordinance to the Montgomery County Planning Commission and Borough Planning Commission for review/comment. This item was moved to the voting meeting for approval.

**WOODWINDS HMGP PROJECT – PROJECT MANAGER**

– Manager Zollers stated the Borough is close to approval for this project and FEMA/PEMA has stated the Borough will need to appoint a project manager to oversee this project. Council needs to appoint Mr. Joseph Zadlo as Project Manager. This item was moved to the voting meeting for approval.

**237 JACKSONVILLE ROAD HOP PERMIT RESOLUTION**

– President Zygmunt stated the applicant is not ready, therefore this will be tabled.

**YORK ROAD CDBG PROJECT PAYMENT REQUEST**

– President Zygmunt stated Council is in receipt of a payment request in the amount of \$138,226.30 for this project. This item was moved to the voting meeting for approval.

**HHSD vs. GARNER HOUSE TAX APPEAL SETTLEMENT**

– Solicitor Pionzio stated there was no cost to the Borough for this appeal. The settlement will benefit the Borough, she just needs Council to authorize the settlement and she will sign for the Borough. She stated the Borough should receive a check in the amount of \$35,720 for the past three years and for the future it should be about \$14,000 per year. This item was moved to the voting meeting for approval.

**COUNCIL MEETING**

**CALL TO ORDER**

– President Zygmunt called the Council meeting to order.

**INVOCATION**

– Mayor Hawkes asked for a moment of silence in memory of past Fire Chief Mike Aiman who was a member of the Fire Company for 75 years. Manager Zollers who is a member of the Enterprise Fire Company spoke stated he was honored to talk about Chief Aiman tonight. Manager Zollers stated Mike was a lifelong member of Fire Company. He made Hatboro his home, he had his business here. He was a Hatboro High School graduate. He joined the fire company in 1939 at the age of 18. He rose through the ranks serving as Chief from 1958 through 1972. He was a progressive Chief that took the fire company into the modern age. To this day they still use his policies and procedures. He was an active firefighter who drove the trucks in his 80's. Manager Zollers stated his influence will be felt for many years, his presence will be missed.

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

**PRIVILEGE OF THE FLOOR**

Karen Shubick 37 Fulmor Avenue stated the development of Station Park concerns her. She stated this is a tiny parcel that is water sensitive and she shudders at the thought of removing the trees. She stated the comprehensive plan explains everything. This property needs to be preserved as woodlands and wetlands. She understands that Council went on a tour of Woodmont and this parcel is not Woodmont. She stated Woodmont is 48 acres with dedicated open space, 120 hours at 2.4 dwellings per acre. She asked Hatboro to remember fellow communities once it is paved it is gone forever.

Bill Hartigan 26 S. Linden Avenue stated he has concerns with the Band Shell being proposed in Eaton Park. He asked why Council would move forward without considerable feasibility. He stated there is a storm drain the field, it would be more impervious surface and placed close to a creek that already floods. He stated Franklin/S. Linden is a failure of the storm water system. He stated the current pavilion is subject to problems, this project would bring more loitering to the neighborhood. He asked why this project was needed. He is concerned with the lack of parking, if there was a concert the same time as the pool was open where would people go. There are no curbs so people already park on lawns. He stated he was very surprised that Council was behind this. He stated the tennis courts are gone, there are no benches, how would this be maintained and who is paying for this. The Borough does not employ a parks and recreation employee so how much use would this really get.

Lee Stremme 210 W. Moreland Avenue stated she has had to call police because people are in the park lying face down. She stated the cops respond the people get picked up and then they leave. She has lived in her home for 21 years and it is only getting worse. She would like to see the Borough try venues without the structure there. There are no bathrooms; kids are observed urinating in the bushes.

Jen Hartigan 26 S. Linden Avenue stated she uses the park to walk to the pool, there are always kids in there fighting and cursing, and why would Council consider building a giant building. She asked Council to consider green space. She stated there used to be tennis courts, metal rocking horses, tables to play checkers, and it is all gone. It is flooding horrendous in there and full of teenagers. She stated people come from all over to walk there and it is usable functional space as is.

David Head 225 Horsham Road stated Station Park Village is a beautiful place, he just went there and it is a natural beauty there. He stated if Council has the option to take into consideration they should.

Lee Phillips 203 Wood Street stated when her son was 15 they used to ride their motor cycles in the woods at Warminster/Fulmor. She feels it should remain open space.

Lee Stremme 210 W. Moreland Avenue asked if the band shell would have an address so in case of an emergency. Chief Gardner stated the park has an address. She stated she is worried about the dual address issue. She stated a lot of times she gets mail or people stopping at her house because her address is similar to address in Horsham.

### **MAYOR'S REPORT**

Mayor Hawkes congratulated the Chamber of Commerce and Police Department for another great National Night Out. He thanked everyone for all their hard work to make this event a success.

### **PRESIDENT'S REPORT**

President Zygmunt stated he had nothing to report this evening.

### **TREASURER'S REPORT**

Treasurer Kalnajs was absent this evening. Councilman Harbaugh presented the Treasurer's report for the month of July 2014. He noted a balance of \$4,245,598.03. Interest earned for the month totaled \$369.51 on all accounts.

### **SOLICITOR'S REPORT**

Solicitor Pionzio stated she had nothing to report this evening.

### **ENGINEER'S REPORT**

Engineer Dougherty stated he had nothing to report this evening.

### **MANAGER'S REPORT**

Manager Zollers stated the work in the Pennypack Creek is under way. He stated the work is covered by a grant. He also stated the other two CDBG grant projects are wrapping up.

Manager Zollers stated he and President Zygmunt had a conference call with FEMA/PEMA to discuss the final budget. He stated this should be wrapping up next month; there are still some minor details but things look good.

### **DEPARTMENT SUPERVISOR'S REPORT**

### **CHIEF OF POLICE REPORT**

Chief Gardner thanked everyone that came out for National Night Out. He also reminded everyone that School is opening soon and he asked people to please drive carefully.

## **TAX COLLECTION REPORT**

President Zygmunt noted the Tax Collection Report was 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.

## **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.

## **VOTING ITEMS**

### **ACKNOWLEDGEMENT OF REPORTS**

Vice President Tompkins motioned to acknowledge the receipt of reports for the month of August 2014, motion seconded by Councilman Hegele, all ayes. Motion passes 7-0.

### **APPROVAL OF WARRANT LIST, PAYMENT OF BILLS, MANUAL CHECKS AND TRANSFERS**

Councilman Harbaugh motioned to approve the warrant list, payment of bills, manual checks, transfers for August 2014, motion seconded by Councilman Rich, all ayes. Motion carried 7-0.

**JULY 28<sup>th</sup>, 2014 COUNCIL MEETING MINUTES** – Councilman Rich motioned to approve the July 28<sup>th</sup>, 2014 Council meeting minutes, motion seconded by Vice President Tompkins, all ayes. Councilman Harbaugh abstained. Motion carried 6-0.

**FIRE COMPANY EXPENDITURE LIST** – Councilman Harbaugh motioned to approve the Fire Company Expenditure List for the month of July 2013 in the amount of \$8,080.59, motion seconded by Councilman Hegele, all ayes. Motion carried 7-0.

**2014 ROAD PAVING PROJECT** – Councilman Hegele motioned to award base bid \$147,638.10 plus alternate 1 & 2 to Bray Brothers for the 2014 Road Paving Project, motion seconded by Councilman Rich, all ayes. Motion carried 7-0.

**MASTER CASTING AGREEMENT RESOLUTION #2014-12** – Councilman Hegele motioned to approve Master Casting Agreement Resolution #2014-12, motion seconded by Councilman Harbaugh, all ayes. Motion carried 7-0.

**2015 WASTE MANAGEMENT REQUEST FOR BIDS RESOLUTION #2014-13** – Councilman Sheedy motioned to approve the 2015 Waste Management Request for Bids Resolution #2014-13, motion seconded by Councilman Hegele, all ayes. Motion carried 7-0.

**POOL LINER PROJECT** – Councilman Rich motioned to award pool liner project to Renosys in the amount of \$63,500, motion seconded by Councilman Sheedy, all ayes. Motion carried 7-0.

**WOODWINDS LAND DEVELOPMENT WAIVER** – Councilman Harbaugh motioned to approve the waiver of land development fees for the Woodwinds Parking Lot improvements, motion seconded by Councilman Hegele, all ayes. Motion carried 7-0.

**119-121 W. LEHMAN AVENUE PROJECT ESCROW RELEASE** – Councilman Rich motioned to approve the final escrow release (letter of credit) for 119-121 W. Lehman Avenue Project in the amount of \$24,116.00, motion seconded by Councilman Palmer, all ayes. Motion carried 7-0.

**HATBORO ROTARY – EATON PARK BANDSHELL** – Councilman Rich motioned to approve support of the Rotary Project in Eaton Park, Vice President Tompkins stated Council was only voting to support the concept only. President Zygmunt explained that Rotary supports the project and wanted to see Council's interest in exploring the project. He stated all concerns including storm water would be addressed in the land development process, when they go through the process this will be the time when concerns would be addressed. They currently are in the long term planning process before they move forward and expend funds they needed to know if Council was interested in the project. The motion was seconded by Councilman Sheedy, all ayes. Motion carried 7-0.

**399 SPRINGDALE AVENUE – CONDITIONAL USE DECISION** – Councilman Harbaugh motioned to approve the Conditional Use for 399 Springdale Avenue project, motion seconded by Vice President Tompkins, all ayes. Motion carried 7-0.

**399 SPRINGDALE AVENUE- LAND DEVELOPMENT RESOLUTION #2014-14** – Vice President Tompkins motioned to approve Land Development Resolution #2014-14 for 399 Springdale Ave. project, motion seconded by Councilman Hegele, all ayes. Motion carried 7-0.

**STATION PARK OVERLAY ORDINANCE – AUTHORIZATION TO ADVERTISE** – Vice President Tompkins motioned to authorize advertising of the overlay ordinance for Station Park Village, motion seconded by Councilman Hegele, all ayes. Motion carried 7-0.

**WOODWINDS HMGP PROJECT – PROJECT MANAGER** – Councilman Sheedy motioned to appoint Mr. Joseph Zadlo as Project Manager for the Woodwinds HMGP Project, motion seconded by Councilman Palmer, all ayes. Motion carried 7-0.

**237 JACKSONVILLE ROAD – HOP PERMIT RESOLUTION** – Councilman Rich motioned to table this resolution as applicant was not ready, motion seconded by Vice President Tompkins, all ayes. Motion carried 7-0.

**YORK ROAD CDBG PROJECT PAYMENT REQUEST** – Councilman Harbaugh motioned to approve the request for payment in the amount of \$138,226.30 to S&H Landscaping, motion seconded by Councilman Sheedy, all ayes. Motion carried 7-0.

**HHSD vs. GARNER HOUSE TAX APPEAL** – Councilman Sheedy motioned to authorize Solicitor Pionzio to sign agreement for tax appeal settlement, motion seconded by Vice President Tompkins, all ayes. Motion carried 7-0.

**EMPLOYEE RATIFICATION LIST – JULY 2013** – Councilman Hegele motioned to approve the July 2014 Employee Ratification List, motion seconded by Councilman Rich, all ayes. Motion carried 7-0.

### **SPECIAL UPDATES**

Council members did not have any special updates for this evening.

### **OLD BUSINESS**

There was no old business to come before Council this evening.

### **NEW BUSINESS**

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

### **PRIVILEGE OF THE FLOOR**

Bruce hart, 175 Earl Lane, asked what the problem was with Channel 22. Vice President Tompkins stated it was off line due to the pending computer upgrade.

Karen Shubick, 37 Fulmor Avenue asked about the status of the clock restoration. Manager Zollers stated the agreement is finished. Mr. Winship is away and will sign when he returns in September. He stated that Mr. Winship relayed that he did not want to do the work during the summer months. Manager Zollers stated that during the process a person who was going to do work to the face decided he did not want to do it, so the agreement had to go through some changes again. Mrs. Shubick asked if the clock would be done in time for the Hatboro 300<sup>th</sup>. Manager Zollers stated Mr. Winship will work all winter and it will be done in time.

Mrs. Shubick asked about the status of the storm water management project in the rear of Station Park. Engineer Dougherty stated they have conditional approval to do the work; it is up to them to say when they are doing the project. President Zygmunt stated this is a voluntary project and it not required.

Mrs. Shubick stated that she has been experiencing email issues when emailing staff and council. Vice President Tompkins explained some of the technology changes that may be affecting her ability to send emails to the borough email server. Manager Zollers stated if she has questions or issues maybe go back to the old fashioned way of calling.

Natalie Forbes, 32 Horsham Road stated per Charles Roche he has not heard anything on the clock contract since May. President Zygmunt stated the contract is with Mr. Winship not Mr. Roche and the Borough communicates with Keith Winship. Manager Zollers stated he has been in contact and dealing directly with Keith, he stated the hold-up was resolved and Keith is away and cannot sign until he returns from vacation. He is hoping everything will be ready in September sometime.

Ron Battis, 320 W. Moreland Avenue asked if staff would be properly trained on the new computers. He stated Station Park should complete the first storm water project before starting other projects. He asked about money for the Bridge at Pennypack School and what liability would we have should the bridge be closed. President Zygmunt stated it is the school's problem, it is not on our property, and the Borough does not have anything to do with this.

Tracy Thatford, 3 Drummers Way asked if the budget for Woodwinds was still being worked on and what was the Woodwinds HMGP Project Manager. Manager Zollers stated yes for the budget and HMGP is the name of the grant and the project manager would be watching over the project, demolition, relocation of renters, and other project issues.

Ms. Thatford asked who owns the bridge near Drummers Way at the north end of the development. Manager Zollers stated the school district. She stated then it should be a Drug Free School Zone because kids are smoking pot there. President Zygmunt stated this is a police issue and she should discuss with Chief Gardner.

### **ADJOURNMENT**

The August 18<sup>th</sup> Committee and Council meeting of Borough Council was adjourned at 8:13 P.M.

Respectfully submitted,

Alfred "Fred" Zollers  
Borough Secretary

Transcribed by Assistant Borough Secretary Diane Hegele