

BOROUGH OF HATBORO  
COUNCIL MEETING  
MONDAY, JANUARY 25<sup>th</sup>, 2016

PRESENT

President Tompkins, Councilpersons Forgeng, Harbaugh, Hegele, Palmer & Zygmunt, Mayor Hawkes; Borough Manager Zollers, Assistant Secretary Hegele, Chief Gardner, Fire Marshal Myers, Solicitor Pionzio, Engineer Dougherty & Treasurer Kalnajs.

ABSENT

Vice President Rich was absent.

CALL TO ORDER

President Tompkins called the meeting to order at 7:00 P.M.

INVOCATION – Mayor Hawkes gave the invocation for the meeting.

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

MEETING NOTES – President Tompkins announced that staff is taping this meeting. Assistant Secretary Hegele announced that she was notified that a resident would be taping the meeting. 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 – There were no comments from the public at this time.

MAYOR’S REPORT – Mayor Hawkes thanked Public Works employees for the great job done this past weekend with the snow removal. He stated they worked hard in very trying conditions.

PRESIDENT’S REPORT - President Tompkins thanked Public Works also for a job well done. He stated employees were out again working tonight to remove snow from York Road. He stated he has had the occasion to drive in neighboring towns and our roads look great.

TREASURER’S REPORT – Treasurer Kalnajs gave the Treasurer’s Report for the month of December 2015. He noted a balance of \$2,203,973.78. Interest earned for the month totaled \$216.11 on all accounts.

SOLICITOR’S REPORT – Solicitor Pionzio requested Council consider authorizing staff to advertised the Floodplain Ordinance, she would like Council to schedule a hearing in March.

ENGINEER'S REPORT – Engineer Dougherty stated he had no report this evening.

MANAGER'S REPORT – Manager Zollers reported that Public Works employees have been working very long hours cleaning up the Borough, he thanked residents for moving cars off the streets and clearing fire hydrants. He asked for everyone to be patient while staff works to continue clearing roads and storm drains.

#### DEPARTMENT SUPERVISORS' REPORT

CHIEF OF POLICE REPORT – Chief Gardner reported there were very few incidents during the snow storm, he stated people stayed home and off the roads. He announced the snow emergency was still in effect through 8AM January 26<sup>th</sup> for York Road only so PW can work to clear snow from the road.

TAX COLLECTIONS REPORT – The Tax Collection Report was submitted to Council in advance of tonight's meeting, and that copies of the report were available.

PUBLIC WORKS REPORT – 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 – 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. Fire Marshal Myers had nothing further to report.

#### VOTING ITEMS

Acknowledgement of Reports – Councilman Zygmunt motioned to acknowledge the receipt of the tax collections, public works, fire marshal, treasurer's reports, UMHJSA minutes, motion seconded by Councilman Palmer, all ayes. Motion carried 6-0.

Approval of Warrant List, Payment of Bills, Manual Checks and Transfers – Councilman Zygmunt motioned to approve the warrant list, payment of bills, manual checks and transfers as per the detail not cover for the month of January 2016, motion seconded by Councilman Harbaugh all ayes. Motion carried 6-0.

#### APPROVAL OF MINUTES

December 14<sup>th</sup>, 2015 Council Meeting Minutes – Councilman Zygmunt motioned to approve the December 14<sup>th</sup>, 2015 Council meeting minutes, motion seconded by Councilman Harbaugh, all ayes. Motion carried 6-0.

January 4<sup>th</sup>, 2016 Reorganization Meeting Minutes – Councilman Hegele motioned to approve the January 4<sup>th</sup>, 2016 Reorganization meeting minutes, motion seconded by Councilman Zygmunt, all ayes. Motion carried 6-0.

January 11<sup>th</sup>, 2016 Committee Meeting Minutes – Councilman Harbaugh motioned to approve the January 11<sup>th</sup>, 2016 Committee meeting minutes, motion seconded by Councilman Forgeng, all ayes. Motion carried 6-0.

### MONTGOMERY COUNTY PLANNING COMMISSION MONTCO 2040 PRESENTATION

Michael Stokes, Assistant Director Montgomery County Planning Commission along with Jill Blumhardt, Board Member were in attendance to review the new Montgomery County 2040 Comprehensive Plan. Mr. Stokes commended Public Works for a great job with roads in Hatboro, he stated he had the occasion to be in several areas of Montgomery County and Hatboro looked great. Mr. Stokes reviewed with Council and the audience the different parts of the County Comprehensive Plan. He distributed an executive summary to all. President Tompkins asked if the MCPC was working with the DVRPC. Mr. Stokes stated yes. Mr. Stokes also reviewed with Council the various services that offered by the MCPC for County Communities.

### YORK/HORSHAM PRESENTATION

Mr. Mark Jonas, Esquire along with Mr. Peter Stampfl, Architect were in attendance to make a presentation for a proposed Rite Aid to be built at York/Horsham. Mr. Jonas stated his client will be submitting an application to change the zoning at this location. Mr. Jonas and Mr. Stampfl reviewed with Council renderings of what Rite Aid is proposing for this location. There was a discussion regarding signage, hours, parking and traffic. Solicitor Pionzio stated at this time the applicant is only at the change in zoning phase, a lot of the concerns that came up this evening would be discussed during Land Development. She stated at this time Council only needs to authorize staff to schedule a hearing for the change in zoning. This can be done once the applicant makes revisions to the text submitted.

Mr. Ed Henry, Bonair Avenue asked if the GNC products would be a standalone store, Mr. Jonas responded no, it is just a product sold in Rite Aid Stores. Mr. Henry asked about the proposed lighting and if it met Borough codes. President Tompkins stated the applicant may be able to use the same decorative lights as Victorian Village.

Mr. Bruce Hart, Earl Lane asked about the placement of the building and the elevation of the property, he stated the building is in the floodplain. Mr. Jonas responded the building is not in the floodplain.

Mr. Ron Battis, W. Moreland Avenue asked in the future if presentations could be done with projection equipment.

Solicitor Pionzio stated the applicant will need to tweak the ordinance submitted to add for signage. Once this is done then a hearing can be scheduled.

FIRE COMPANY EXPENDITURE LIST – Councilman Zygmunt motioned to approve the Enterprise Fire Company Expenditure List for December 2015 in the amount of \$8,196.20, motion seconded by Councilman Palmer, all ayes. Motion carried 6-0.

FIRE COMPANY CAPITAL EXPENDITURE LIST – Councilman Harbaugh motioned to approve the Enterprise Fire Company Capital Expenditure List for December 2015 in the amount of \$5000.00, motion seconded by Councilman Zygmunt all ayes. Motion carried 6-0.

BOARDS & COMMISSIONS APPOINTMENTS – Councilman Zygmunt motioned to approve the following appointments/terms:

1. Geri Weideman, Zoning Hearing Board – 3 year term – 12/31/2018
2. Bruce Eckel, Zoning Hearing Board Solicitor – 1 year term – 12/31/2016
3. Ron McKnight, Planning Commission – 4 year term – 12/31/2019
4. Richard Guyer, Civil Service – 6 year term – 12/31/2021
5. Katrina Nuss, Library Board – 3 year term – 12/31/2018
6. Charles McElroy, Fire Board – 3 year term – 12/31/2018
7. Judy Emig, Primary Voting Delegate TCC – 12/31/2016
8. Robert Reichert, First Alternate TCC – 12/31/2016
9. Fred Zollers, Second Alternate TCC – 12/31/2016
10. James Anders III, Joint Board of Appeals – 2 year term – 12/31/2017

Motion seconded by Councilman Hegele, all ayes. Motion carried 6-0.

EMERGENCY MANAGEMENT COORDINATOR APPOINTMENT – Councilman Zygmunt motioned to approve appointment of Erick Myers as Emergency Management Coordinator, motion seconded by Councilman Palmer, all ayes. Motion carried 6-0.

PRISONER HOLDING AGREEMENT – Councilman Zygmunt motioned to approve the Prisoner Holding Agreement with Upper Moreland Township, motion seconded by Councilman Hegele, all ayes. Motion carried 6-0.

MONTGOMEY COUNTY SWAT EASTERN REGION MERGER AGREEMENT – Councilman Hegele motioned to approve the Montgomery County SWAT Eastern Region Merger Agreement Ordinance No. 1029, motion seconded by Councilman Palmer, all ayes. Motion carried 6-0.

2016 FEE SCHEDULE RESOLUTION #2016-01 – Councilman Zygmunt motioned to approve Resolution #106-01, motion seconded by Councilman Palmer, all ayes, both motions carried 6-0.

MORELAND PEDESTRIAN FLASHER RESOLUTION #2016-02 – Councilman Harbaugh motioned to approve Resolution #2016-02, motion seconded by Councilman Forgeng all ayes. Motion carried 6-0.

WOODWINDS CHANGEORDER #2 – Councilman Zygmunt motioned to approve Woodwinds Project Change order #2 in the amount of \$3650.00, motion seconded by Councilman Palmer, all ayes. Motion carried 6-0.

WOODWINDS PROJECT PAYMENT REQUEST #2 – Councilman Harbaugh motioned to approve payment #2 in the amount of \$66,015.90, motion seconded by Councilman Hegele, all ayes. Motion carried 6-0.

DCNR GRANT APPLICATION RESOLUTION #2016-03 – Councilman Zygmunt motioned to approve Resolution #2016-03, motion seconded by Councilman Harbaugh, all ayes. Motion carried 6-0.

BETZ 123 MANOR ROAD DEED OF DEDICATION & MAINTENANCE AGREEMENT RESOLUTION #2016-04 – Councilman Palmer motioned to approve Resolution #2016-03, motion seconded by Councilman Harbaugh, all ayes. Motion carried 6-0.

BETZ, 123 MANOR ROAD ESCROW RELEASE – Councilman Palmer motioned to approve final escrow release in the amount of \$12,992.88, motion seconded by Councilman Zygmunt, all ayes. Motion carried 6-0.

EMPLOYEE RATIFICATION LIST – Councilman Palmer motioned to approve the employee ratification list for January 2016, motion seconded by Councilman Harbaugh. President Tompkins voted in favor of all except Police Crossing Guard Joanne Tompkins who is his wife, he abstained from voting for her. Councilman Harbaugh voted in favor of all except Administration Employee Andrew Harbaugh who is his nephew, he abstained from voting for him. Councilman Zygmunt asked if Councilman Harbaugh had to abstain. Solicitor Pionzio stated since it is his nephew he is not required to abstain but if he feels better about doing it, it is fine. Councilman Hegele voted in favor of all except Assistant Secretary Hegele who is his wife, he abstained from voting for her. The motion carried 6-0 with 3 partial abstentions.

SPECIAL UPDATES – There were no special updates from Borough Council.

OLD BUSINESS – There was no old business to come before Council.

FLOODPLAIN ORDINANCE – Solicitor Pionzio stated Council will need to hold a hearing on the Floodplain Ordinance at their March meeting, she needs authorization to advertise. Councilman Harbaugh motioned to authorize staff to prepare and advertise the floodplain ordinance for a hearing on March 14<sup>th</sup>, motion seconded by Councilman Zygmunt, all ayes. Motion carried 6-0.

BOROUGH AUTHORITY REQUEST FUNDING – Solicitor Pionzio stated that the Borough Authority has requested a formal vote from Council to borrow money for the Facilities Projects. Councilman Zygmunt motioned to authorize Solicitor Pionzio on behalf of Council to propose financing plan and terms to come back before Council for an amount not to exceed 2.75 million dollars for the facilities projects, motion seconded by Councilman Harbaugh, all ayes. Motion carried 6-0.

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

PRIVILEGE OF THE FLOOR

Matt Alphono, 120 S. York Road stated this is his first meeting, he enjoys living in Hatboro and he is here to address Council regarding a parking issue with his landlord. He stated his landlord refuses to pay \$50.00 per month permit fee and he cannot afford it either. He is asking Council to reconsider the fee to possibly \$25.00 per month. President Tompkins stated he will have staff review and report back to Council a possible resolution.

ADJOURNMENT

The January 25<sup>th</sup>, 2016 meeting of Borough Council was adjourned at 8:20 PM.

Respectfully submitted,

Alfred “Fred” Zollers  
Borough Secretary

Transcribed by Assistant Borough Secretary Diane Hegele