

**BOROUGH OF HATBORO
COMMITTEE MEETING
MONDAY, SEPTEMBER 12th, 2011**

PRESENT – President Reymer, Vice President Guent, Councilpersons Fleming, LaSorsa, Ostrander, Tompkins and Zygmunt and Mayor Hawkes. Borough Manager Plaughner, Chief of Police Gardner, Superintendent Zollers, Borough Engineer Dougherty, Borough Solicitor Savona, Zoning Officer Fugate, and Treasurer Kalnajs.

CALL TO ORDER – President Reymer called this Committee Meeting to order at 7:00 p.m.

PUBLIC SAFETY – Councilwoman Ostrander presented the following items:

Fire Company Expenditure List – The monthly expenditure list was presented to Borough Council for approval. Vice President Guent motioned to approve the Enterprise Fire Company monthly expenditure list. There was a question about the annual engine payment on the monthly expenditure list, this item will be removed and placed on the capital expenditure list which will be presented at the Council meeting for approval. The motion was seconded by Councilperson Fleming, on the above motion, all ayes. Motion carried 7-0.

Fire Company Construction Project – Titanium Construction has submitted an application for payment in the amount of \$50,225.70. Borough Manager Plaughner stated the architects have signed off and the application is in order. Councilman Zygmunt asked when the project would be completed. Borough Manager Plaughner stated the contractor indicated in mid-October, but Borough staff believes it will be later in the year. This item will be moved to the Council meeting for action.

Review Resolution 2011-02 – Borough Manager Plaughner updated Council on the status of the resolution that was passed by Borough Council in February 2011. Meetings are scheduled with the PA-DEP, Congresswoman Allyson Schwartz, and Upper Moreland Township to discuss flooding issues. Councilman Tompkins suggested that Warminster Township be contacted about flooding issues they face, that may impact the Borough.

Solicitor Savona stated that Warminster Township has engaged in a study of their own. A lot of work has gone into managing storm water. Warminster's latest construction projects have exceeded state standards. There has been no cheating on storm water regulations. The Board of Supervisors is very active in their storm water management plan.

There were multiple residents in attendance from the Woodwinds Complex and all had the same concerns. Hollis Pfoutz, 7 Drummers Way questioned if Warminster Township flood control standards are adequate to address flooding downstream into Hatboro. She stated this was the first time in 20 years her house flooded. Solicitor Savona stated regulations today are ten times better than years ago; we are playing catch up for past years of low standards.

Tracey Thatford, 3 Drummers Way stated they are getting slammed from multiple angles, with mud, sewage, snakes, and something must be done. President Reymer asked everyone to remember that everyone in the Borough was affected by this storm; the residents of Woodwinds were not alone.

Shari Limbert, 15 Drummers Way stated they are concerned that nothing has been done since the February Flood Study began, and are requesting periodic updates on the website. Vice President Guerst stated property owners may have to pay for recommendations from the study.

Bob Felte, property manager at Woodwinds advised that he has worked with past Borough staff on the flood control study. He believes a letter was to go out to residents to survey the type of flooding they have experienced. The State was willing to move the study forward. Mr. Felte requested he be invited to future meetings with the PA-DEP.

Karen Hassler, 13 Drummers Way stated they received \$18,000 in damage from water coming through a brick wall. If it happens again their home will be severely damaged. A temporary fix is needed before the next flood.

Bob Felte and Shari Limbert stated there is a 3 to 4 foot wide tree located near the property line that is leaning over the condos. Mr. Felte has been in contact with the property owner, there is a conflict as to who owns the tree. Code Enforcement was requested to investigate.

Beth Morgenroth, 7 Hatters Court asked if the President declared a Disaster yet. Solicitor Savona stated no, still waiting. The County is still collecting damage assessment. Borough Manager Plaughter stated the Borough has submitted our damage assessment paperwork to Montgomery County.

Councilperson Ostrander thanked the Public Works Department, Police Department, Fire Department, and Emergency Management; everyone did a good job, the Borough was lucky not to have any fatalities or serious injuries.

The residents of Woodwinds also expressed thanks to police, fire and ems who were all there for them.

ADMINISTRATION – President Reymer presented the following items:

Resolution to appoint Borough Manager Steven Plaughter as Chief Administrator of the Uniform and Non-Uniform Pension Plans – This item was moved forward to the Council Meeting for approval.

PEMA Resolution 2010-22 – February 2010 Snow Event – This is a revised resolution designating Borough Manager Steven Plaughter as the “Designated Agent” for municipal reimbursement. This item was moved forward to the Council Meeting for approval.

H.R. 1489 Resolution – This resolution is in support of the return to the prudent banking act. After discussion Council declined to move this item forward.

Regional Rail Service Resolution – This proposed resolution is in support of reinstatement of regional rail service to the Newtown Regional Rail Line. The consensus of Council is for the Borough Manager to gather additional information from the PA Transit Expansion Coalition who proposed the resolution.

Wachovia Building Appraisal Update – Mr. Plaughter stated he is still waiting for the appraisal to be completed. Councilman Zygmunt asked when the appraisal would be public record. Solicitor Savona replied the appraisal will be a public record when Borough Council votes to market the property. Mr. Plaughter stated an executive session maybe needed on 9/26, prior to the Council meeting to discuss the appraisal and consider a realtor to market the property.

FINANCE & COMMUNITY RELATIONS – Councilwoman Fleming presented the following items:

2012 Budget Preparation Update – Mr. Plaughner updated Council, he is gathering draft budgets from department heads. The goal is to have a meeting with the Council budget sub-committee within the next two weeks. Councilman Tompkins asked what budget format would be used, the 2009 or 2010 version. Mr. Plaughner stated he will use the format that Council desires, is user friendly to Council, Staff and Residents. Mr. Battis suggested a park guard be added to the police budget for Eaton Park and Memorial Park to prevent vandalism.

2012 Pension MMO Calculations – Mr. Plaughner stated Borough Council will need to select the annual amortization schedule; they may elect 75% amortization. Councilman Zygmunt reviewed the material from Conrad Siegel Actuaries submitted on the selection process and does not agree with their figures or the asset smoothing plan. Mr. Plaughner will set up a conference call with Tom Zimmerman of Conrad Siegel to include Chief Gardner and Councilman Zygmunt.

PARKS, RECREATION & PUBLIC FACILITIES – Vice President Guenst presented the following items:

Hurricane Irene Update - Vice President Guenst stated there was a lot of public and private property damage. Public Works is working hard to get repairs done; they are close to 100% complete. Vice President Guenst reviewed the list that Public Works completed. Her thoughts and prayers go out to Quig's and other businesses that were severely damaged again. Vice President Guenst stated she is very proud of the Borough Staff.

Chief Gardner stated one of the patrol cars suffered damage from water; the information was turned over to DVIT.

Councilman Zygmunt questioned the floating dumpsters and was wondering if they could be secured to the ground. Mr. Fugate will research if dumpsters in the flood plain can be secured.

Mr. Fugate stated the oil clean up at 332 S. York Road is complete. He will be talking to the property owner about securing the oil containers in the vehicle repair garages.

Event Applications – Mr. Plaughner reminded everyone the Chamber of Commerce Sidewalk Sale is Saturday, September 17th, 2011. No action necessary by Council.

St. Louis Chapel Historical Marker Dedication, Sunday, October 2, 2011, to be held by State Representative Murt, this item was moved to the Council meeting for approval.

Pool Tile Bid Award – Vice President Guenst stated one bid was received from Vision Pools for \$28,000. She stated there is \$28,000 in the budget for this expense. There was a discussion regarding the money in the budget and the advertising for the project. Councilman LaSorsa asked Mr. Plaughner for the costs of advertising for the next meeting. This item was moved to the Council meeting for approval.

Wachovia Parking Lot, Phase 1 Change Orders – Change Order #1 is for gator bags used to water trees, cost is \$275.00, and this item was moved to the Council meeting for approval.

Change Order #2 is for the installation of gabion baskets 6' high at eroded area from storm water runoff, cost is \$8,350.00, and this item was moved to the Council meeting for approval. Councilman Tompkins asked if the change orders are covered by the County grant. Engineer Dougherty will check with the County.

Borough Council authorized the Borough Manager to approve change orders for this project up to \$10,000, this action will be ratified at the Council meeting.

The consensus of Borough Council was to recess the meeting for 5 minutes.

ZONING, PLANNING & HISTORIC PRESERVATION – Councilman Tompkins presented the following items:

Land Development Application – 350 North York Road – Wynfair Apartments – Mr. Mike Carr, attorney for the applicant explained the project, there was no impact after recent floods. They received a variance from the Zoning Hearing Board in February and the Planning Commission has recommended approval. They will comply with Gilmore recommendations and will also comply with the County Planning Commission regarding no basements. Councilman Tompkins questioned how the reduced buffer would control flood water. Mr. Carr stated the buffer would slow down the water. President Reymer and Councilwoman Ostrander are both concerned about emergency vehicles turning around and the locations of the trash dumpster. The Assistant Fire Marshal has reviewed the plans and found adequate room for emergency vehicles to turn around. Mr. Carr stated their engineer designed the collection of water and slow release from the site. Solicitor Savona advised Council that preliminary/final approval could be decided tonight.

Mr. Hart, Earl Lane asked who would be responsible for cleaning mud from the storage system. Solicitor Savona stated the property owner has to maintain.

Councilman Tompkins questioned if silt bags should be required on the inlets. Engineer Dougherty recommends this only on a temporary basis until the project is finished. No silt bags will be needed after the project is complete.

Solicitor Savona asked for clarification that no basements were planned. Mr. Carr responded yes.

Solicitor Savona will draft an approval resolution for action at the September 26th Council meeting.

Land Development Application – 400 North York Road – Mr. Mark Jonas, attorney for the applicant advised Council that this was an unusual application with a history. The prior approval was for 10 units, the economy has caused the applicant to come back and amend the application for 2 additional units. The project is in compliance with zoning. The issue tonight is one waiver on the required 50 foot buffer. The applicant will construct additional storage for water runoff to accept 5000 cubic feet. This site has not received flood problems, basements are planned, as people want basements and these are for sale units. Councilman Tompkins asked if water got into basements it would spread to other units. Mr. Jonas replied that no water from the creek would reach property. Councilman Tompkins stated ground water could force into basements. He asked if a deed restriction for limited use in the basements would be acceptable. Councilwoman Ostrander stated someone could still lose a washer or dryer if kept in the basement. Mr. Jonas advised the elevation in the area is rising and flooding should not be a problem. There were multiple questions on elevations. The building code would require utilities to be above flood grade. Councilman Tompkins asked if we should consider back flow valves on the sanitary sewer. Mr. Jonas stated the applicant would agree to deed restrictions in basements on all units.

Councilman Zygmunt asked if dirt can be moved in the planned additional water runoff storage area according the ordinance. Solicitor Savona stated yes it would.

President Reymer asked if trash collection would be Borough or private. The trash collection would be private and the roads will not be dedicated.

Solicitor Savona will draft an approval resolution for action at the September 26th Council meeting.

President Reymer asked about the Old Mill, people have questions about demolition, should Council have an historic preservation ordinance. Councilman Tompkins stated they are working on this now. Mr. Fugate stated he is still waiting on an engineer report from the property owners. Solicitor Savona stated such an ordinance would regulate renovations or rebuilding. If destroyed in a flood, they could still demolish. Solicitor Savona stated purchasing the property is the only way to truly preserve the historic nature of the structure. Councilman Tompkins asked the Borough Manager to keep in contact with the property owner on their intent with the property.

Councilman Tompkins reviewed his monthly zoning memo update.

PUBLIC WORKS – Councilman LaSorsa presented the following items:

Street Paving Contract – Consider revising list of streets to be paved due to utility work. Superintendent Zollers explained the budget amount for paving. He stated PECO and AQUA are working in the original contract paving area. Councilman Zygmunt asked how much money it would take to finish Moreboro Road. Solicitor Savona stated can't do it because the bid was already awarded, cannot add ramps as they were not in the original contract. The consensus of Council was to select option #2 for replacement streets to be paved. Borough Council also authorized the Borough Manager to sign the contract, with the change order for the revised streets to be approved at the September 26th, 2011 Council meeting.

COMMUNITY & ECONOMIC REDEVELOPMENT – Councilman Zygmunt presented the following items:

Councilman Zygmunt updated Council on activities of the committee.

ADJOURNMENT

There being no further business, this Committee Meeting was adjourned at 9:55 PM.

Respectfully submitted,

Steven J. Plaughter
Borough Secretary