

**BOROUGH OF HATBORO  
COUNCIL MEETING  
MONDAY, JANUARY 24, 2011**

**PRESENT** – President Reymer, Vice President Guenst, Councilpersons Fleming, LaSorsa, Ostrander, Tompkins and Zygmunt and Mayor Hawkes; Borough Manager Ryan, Chief of Police Gardner, Superintendent of Public Works Zollers, Engineer Dougherty and Solicitor Savona.

**ABSENT** – None.

**CALL TO ORDER** – President Reymer called this Council Meeting to order at 7:02 p.m..

**INVOCATION** – In lieu of an invocation Mayor Hawkes requested a moment of silence in remembrance of the victims of a shooting in Arizona, and for police officers who have fallen in the line of duty.

**PLEDGE OF ALLIGENCE** – The Pledge of Allegiance was led by Council.

**TREASURER'S REPORT** – Councilwoman Fleming noted \$1,651.32 in interest was earned during the previous month at a rate of 0.58%; \$21,710.32 in interest was earned in 2010. Councilwoman Fleming noted a balance of \$3,217,547.23 on all accounts at the end of the previous month.

**PRESIDENT'S REPORT** – President Reymer announced Council had met in Executive Session to discuss a matter of personnel prior and subsequent to the January 10 Committee Meeting. President Reymer noted correspondence received from the Visiting Nurses Association.

**MAYOR'S REPORT** – Mayor Hawkes thanked area establishments for their support in efforts to reduce drinking and driving. Mayor Hawkes noted the Mayors Against Illegal Guns organization was working to close the gun show sales loophole, to establish a comprehensive database of individuals not permitted to carry firearms, and to enact similar gun control measures.

**MANAGER'S REPORT** – Borough Manager Ryan provided an update as to the water main installation project on York Road, noting this work was scheduled to begin in early February.

Mayor Hawkes inquired as to electric providers available to the Borough, and Borough Manager Ryan stated he would update Council as to this matter in February.

**CHIEF OF POLICE REPORT** – Chief Gardner provided an update to previously-discussed signage improvements at Wood Street and Montgomery Avenue. Chief Gardner thanked the Enterprise Fire Company and the Public Works Department for assistance provided during a investigation.

**SOLICITOR'S REPORT** – There was no report.

**DEPARTMENT SUPERVISORS' REPORTS**

1. **Public Works Report** – President Reymer 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. There was no additional comment.

2. Code Enforcement Report – President Reymer noted the Code Enforcement Report was submitted to Council in advance of tonight’s meeting, and that copies of the Report were available on the sign-in table. There was no additional comment.
3. Fire Marshal Report – President Reymer 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. There was no additional comment.

**PRIVILEGE OF THE FLOOR FOR AGENDA VOTING ITEMS**

- Ron Battis, West Moreland Avenue, inquired as the Pennsylvania Human Relations Act Resolution included on this evening’s agenda. President Reymer noted this Resolution had been reviewed at the January 10 Committee Meeting.

**PUBLIC SAFETY** – Councilwoman Ostrander motioned to ratify the purchase of a 2011 Ford Crown Victoria, pursuant to the Police Department fleet replacement schedule, and as provided for in the 2011 Budget, second by Councilwoman Guerst, all ayes. Motion carried 7 – 0.

Councilwoman Ostrander noted she forwarded information as to the No Place for Hate Program to Members, and she invited Members to serve on a subcommittee to review this program.

**ADMINISTRATION** – President Reymer presented the following items:

April 12, 2010 Special Meeting Minutes – Councilwoman Guerst motioned to approve the April 12, 2010 Special Meeting Minutes, second by Councilman Tompkins.

Fleming	AYE	LaSorsa	ABSTAIN
Guerst	AYE		
Ostrander	AYE		
Reymer	AYE		
Tompkins	AYE		
Zygmunt	AYE		

Motion carried 6 ayes, 0 nays and 1 abstention. Councilman LaSorsa noted he abstained from this vote as he did not attend this meeting.

October 25, 2010 Council Meeting Minutes – Councilwoman Guerst motioned to approve the October 25, 2010 Council Meeting Minutes, second by Councilwoman Ostrander. The following revisions were noted:

1. page 6, so to read “funds and accounts”.

On the above motion, with the above-noted one (1) revisions, all ayes. Motion carried 7 – 0.

December 7, 2010 Committee Meeting Minutes – Councilwoman Guerst motioned to approve the December 7, 2010 Committee Meeting Minutes, second by Councilwoman Ostrander, all ayes. Motion carried 7 – 0.

December 20, 2010 Council Meeting Minutes – Councilwoman Guerst motioned to approve the December 20, 2010 Council Meeting Minutes, second by Councilwoman Ostrander, all ayes. Motion carried 7 – 0.

Enterprise Fire Company Improvement Project – Borough Manager Ryan provide an update as to the conditions attached to the bid awarded for this project. As to the condition for bridge financing, Borough

Manager Ryan provided Council with a summary of certain Borough capital funds and accounts, showing anticipated receipts and expenditures for the coming year. The summary likewise included projected balances for the Fire Capital Reserve Fund and the Firehouse Improvement Fund, and an estimated schedule of payments to be made to the contractor.

Councilman Tompkins requested the summary be revised to denote the \$200,000 transfer from the Fire Capital Reserve Fund to the Firehouse Improvement Fund. Councilman LaSorsa requested the summary be titled as a projected cash flow. Councilman Zygmunt requested receipt and expenditure details be located below their respective fund or account. Borough Manager Ryan noted he will provide for these revisions, and a revised summary will be forwarded for Council consideration at the February 14 Committee Meeting.

Ordinance 1000 – Williams Lane and York Road Parking Restrictions – Councilman Zygmunt motioned to adopt Ordinance 1000, establishing a no parking zone on the north side of Williams Lane, from Chester Street to Harding Avenue, and at a portion of the east side of York Road, at the intersection of Williams Lane, second by Councilman Tompkins.

Councilman Tompkins asked if this restriction could be adopted by Resolution. Solicitor Savona stated this was not possible under current Code, and he confirmed that a provision allowing parking restrictions to be adopted by Resolution had been included in Code now being revised.

On the above motion, all ayes. Motion carried 7 – 0.

Resolution 2011-01 – MuniBid – Councilman Zygmunt motioned to authorize the public bidding of various Borough property, second by Councilman Tompkins, all ayes. Motion carried 7 – 0.

Pennsylvania Human Relations Act – Councilwoman Guenst motioned to table consideration of a Resolution to support adoption of State law to prohibit discrimination on the basis of sexual orientation to the February 14 Committee Meeting, second by Councilman LaSorsa, all ayes. Motion carried 7 – 0.

Disability Awareness Walk – Councilwoman Ostrander motioned to approve a Disability Awareness Walk event, to be held on April 2, 2011, as presented and sponsored by the Office of State Representative Tom Murt, second by Councilman Guenst, all ayes. Motion carried 7 – 0.

2011 Appointments – President Reymer thanked all Borough volunteers for their service to the community, and she thanked all residents who had submitted letters of interest to serve in the positions to be appointed at this evening's meeting.

Councilman Tompkins motioned to appoint the following individuals to the positions noted, to serve as the pleasure of Council, second by Councilwoman Ostrander.

- Borough Manager Tommy Ryan
- Borough Secretary Tommy Ryan
- Assistant Borough Secretary Diane Hegele
- Open Records Officer Tommy Ryan
- Chief of Police James Gardner
- Public Works Superintendent Alfred Zollers
- Zoning Officer Keith Fugate
- Building Code Official Keith Fugate
- Fire Marshal Robert Stauch
- Deputy Fire Marshal Joe Reading
- Parking Enforcement Officer Andrew Hochmuth



Councilwoman Guerst amended her motion to appoint Alex Kalnajs to the position of Borough Treasurer, for a one-year term to expire on December 31, 2011, by requiring this appointee to complete and submit to the Borough a Statement of Financial Interests before taking any official action of this position, or within ten (10) days of this appointment, whichever shall first occur, second by Councilwoman Ostrander.

Councilman Zygmunt stated he did not agree with placing conditions on appointments, and he stated the responsibility to meet the requirements of the State Ethics Act should rest with the appointee.

Councilman LaSorsa asked if any Member of Council is related to Mr. Kalnajs. No relationships were noted.

On the above motion:

Fleming	AYE	LaSorsa	NAY
Guenst	AYE	Tompkins	NAY
Ostrander	AYE	Zygmunt	NAY
Reymer	AYE		

Motion carried 4 – 3.

Councilman LaSorsa, Councilman Tompkins and Councilman Zygmunt stated they oppose this appointment because the appointee has not completed and submitted a Statement of Financial Interests to the Borough at least ten (10) days in advance of said appointment.

Councilwoman Guerst motioned to appoint Kevin Lavery to the position of Member of the Planning Commission, for a four-year term to expire on December 31, 2014, conditioned upon this appointee being required to complete and submit to the Borough a Statement of Financial Interests before taking any official action of this position, or within ten (10) days of this appointment, whichever shall first occur, second by Councilwoman Ostrander.

Fleming	AYE	LaSorsa	NAY
Guenst	AYE	Tompkins	NAY
Ostrander	AYE	Zygmunt	NAY
Reymer	AYE		

Motion carried 4 – 3.

Councilman LaSorsa, Councilman Tompkins and Councilman Zygmunt stated they oppose this appointment because the appointee has not completed and submitted a Statement of Financial Interests to the Borough at least ten (10) days in advance of said appointment.

Councilwoman Guerst motioned to appoint Julia Heenan to the position of Member of the Shade Tree Commission, for a four-year term to expire on December 31, 2014, conditioned upon this appointee being required to complete and submit to the Borough a Statement of Financial Interests before taking any official action of this position, or within ten (10) days of this appointment, whichever shall first occur, second by Councilwoman Ostrander.

Fleming	AYE	LaSorsa	NAY
Guenst	AYE	Tompkins	NAY
Ostrander	AYE	Zygmunt	NAY
Reymer	AYE		

Motion carried 4 – 3.

Councilman LaSorsa, Councilman Tompkins and Councilman Zygmont stated they oppose this appointment because the appointee has not completed and submitted a Statement of Financial Interests to the Borough at least ten (10) days in advance of said appointment.

Councilwoman Guenst motioned to appoint Julia Heenan to the position of Member of the Shade Tree Commission, for a four-year term to expire on December 31, 2014, conditioned upon this appointee being required to complete and submit to the Borough a Statement of Financial Interests before taking any official action of this position, or within ten (10) days of this appointment, whichever shall first occur, second by Councilwoman Ostrander.

Councilman Tompkins noted this individual was not available to interview with Council, and asked if Council should delay this appointment until such time as an interview can be had. President Reymer noted some Members had indicated they did not require an interview with the appointee.

On the above motion:

Fleming	AYE	LaSorsa	NAY
Guenst	AYE	Tompkins	NAY
Ostrander	AYE	Zygmont	NAY
Reymer	AYE		

Motion carried 4 – 3.

Councilman LaSorsa, Councilman Tompkins and Councilman Zygmont stated they oppose this appointment because the appointee has not completed and submitted a Statement of Financial Interests to the Borough at least ten (10) days in advance of said appointment.

Councilwoman Guenst motioned to appoint Brandy McKeever to the position of Member of the Shade Tree Commission, to complete a four-year term to expire on December 31, 2011, conditioned upon this appointee being required to complete and submit to the Borough a Statement of Financial Interests before taking any official action of this position, or within ten (10) days of this appointment, whichever shall first occur, second by Councilwoman Ostrander.

Fleming	AYE	LaSorsa	NAY
Guenst	AYE	Tompkins	NAY
Ostrander	AYE	Zygmont	NAY
Reymer	AYE		

Motion carried 4 – 3.

Councilman LaSorsa, Councilman Tompkins and Councilman Zygmont stated they oppose this appointment because the appointee has not completed and submitted a Statement of Financial Interests to the Borough at least ten (10) days in advance of said appointment.

Councilwoman Guenst motioned to appoint Scott Johnson to the position of Vacancy Board, to a one-year term to expire on December 31, 2011, conditioned upon this appointee being required to complete and submit to the Borough a Statement of Financial Interests before taking any official action of this position, or within ten (10) days of this appointment, whichever shall first occur, second by Councilwoman Ostrander.

Councilman Tompkins expressed concern this appointee was an official for the local Democrat Party. Presidents Reymer noted no other individual had expressed interest in serving in this position.

On the above motion:

Fleming	AYE	LaSorsa	NAY
Guenst	AYE	Tompkins	NAY
Ostrander	AYE	Zygmont	NAY
Reymer	AYE		

Motion carried 4 – 3.

Councilwoman Guenst motioned to appoint LeeAnn Jorett to the position of Member of the Zoning Hearing Board, to complete a three-year term to expire on December 31, 2013, conditioned upon this appointee being required to complete and submit to the Borough a Statement of Financial Interests before taking any official action of this position, or within ten (10) days of this appointment, whichever shall first occur, second by Councilwoman Ostrander.

Fleming	AYE	LaSorsa	NAY
Guenst	AYE	Tompkins	NAY
Ostrander	AYE	Zygmont	NAY
Reymer	AYE		

Motion carried 4 – 3.

Councilman LaSorsa, Councilman Tompkins and Councilman Zygmont stated they oppose this appointment because the appointee has not completed and submitted a Statement of Financial Interests to the Borough at least ten (10) days in advance of said appointment.

Councilwoman Guenst motioned to appoint Jeff Preston to the position of Member to the Hatboro Borough Authority, to a five-year term to expire on December 31, 2015, conditioned upon this appointee being required to complete and submit to the Borough a Statement of Financial Interests before taking any official action of this position, or within ten (10) days of this appointment, whichever shall first occur, second by Councilwoman Fleming.

Solicitor Savona commented upon the Statement of Financial Interests reporting period.

Councilman Zygmont noted candidates for political office are required to submit Statement of Financial Interests prior to the election.

Councilman LaSorsa stated he asked each candidate for Borough Authority two questions regarding the protection of Borough Authority assets, and that two candidates, Sandra Zygmont and Tom Harbaugh, had answered these questions correctly. Mr. LaSorsa recommended Council appoint Sandra Zygmont and Tom Harbaugh to the Hatboro Borough Authority.

Councilman Tompkins asked if Mr. Preston's current membership on the Board of the Upper Moreland – Hatboro Joint Sewer Authority prohibits his serving on the Hatboro Borough Authority. Solicitor Savona confirmed Mr. Preston is eligible to serve as a member to both organizations. Councilman LaSorsa stated he believes appointing individuals to multiple positions discourages others from volunteering to serve in these positions.

On the above motion:

Fleming	AYE	LaSorsa	NAY
Guenst	AYE	Tompkins	NAY
Ostrander	AYE	Zygmont	NAY
Reymer	AYE		

Motion carried 4 – 3.

Councilwoman Guenst motioned to appoint Dave Cooper to the position of Member to the Hatboro Borough Authority, to complete a five-year term to expire on December 31, 2011, conditioned upon this appointee being required to complete and submit to the Borough a Statement of Financial Interests before taking any official action of this position, or within ten (10) days of this appointment, whichever shall first occur, second by Councilwoman Fleming.

Councilman LaSorsa stated he asked each candidate for Borough Authority two questions regarding the protection of Borough Authority assets, and that two candidates, Sandra Zygmont and Tom Harbaugh, had answered these questions correctly. Mr. LaSorsa recommended Council appoint Sandra Zygmont and Tom Harbaugh to the Hatboro Borough Authority.

Councilman Tompkins thanked Mrs. Zygmont for her service.

Councilman LaSorsa stated his belief that the appointment being considered is influenced by politics.

Councilman LaSorsa asked if any Member of Council is related to Mr. Cooper. Councilwoman Guenst noted Mr. Copper is a second cousin, by marriage, to her husband. Solicitor Savona stated this relationship does not present a conflict of interest for Councilwoman Guenst.

Councilman Tompkins stated he did not favor the appointment of two individuals without significant financial experience to the Hatboro Borough Authority.

There was general discussion as to the interviews had with the candidates.

Councilman Tompkins stated his belief that the appointment being considered is influenced by politics.

On the above motion:

Fleming	AYE	LaSorsa	NAY
Guenst	AYE	Tompkins	NAY
Ostrander	AYE	Zygmont	NAY
Reymer	AYE		

Motion carried 4 – 3.

Councilwoman Guenst motioned to appoint Ken Hitchcock to the position of Member of the Fire Board, to complete a three-year term to expire on December 31, 2013, conditioned upon this appointee being required to complete and submit to the Borough a Statement of Financial Interests before taking any official action of this position, or within ten (10) days of this appointment, whichever shall first occur, second by Councilwoman Ostrander.

Fleming	AYE	LaSorsa	NAY
Guenst	AYE	Tompkins	NAY
Ostrander	AYE	Zygmont	NAY
Reymer	AYE		

Motion carried 4 – 3.

Councilman LaSorsa, Councilman Tompkins and Councilman Zygmont stated they oppose this appointment because the appointee has not completed and submitted a Statement of Financial Interests to the Borough at least ten (10) days in advance of said appointment.

Councilwoman Guenst motioned to appoint Dave Shannon to the position of Member of Borough Historian, to complete a one-year term to expire on December 31, 2011, second by Councilwoman Fleming.

Solicitor Savona confirmed this position is not required to file a Statement of Financial Interests.

On the above motion, all ayes. Motion carried 7 – 0.

Councilwoman Guenst motioned to appoint Lee Bergiven and Lou Russo to the position of Member of the Library Board, to complete three-year terms to expire on December 31, 2013, second by Councilman Tompkins.

Solicitor Savona confirmed this position is not required to file a Statement of Financial Interests. Borough Manager Ryan will confirm the terms for these positions did expire on December 31, 2010.

On the above motion, all ayes. Motion carried 7 – 0.

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

Warrant List and Manual Check List – Council considered accounts payable. Councilman Tompkins motioned to approve the Warrant List, minus the Borough’s first quarter contribution to the Union Library in the amount of \$12,500.00, second by Councilwoman Guenst, all ayes. Motion carried 7 – 0.

Councilman Tompkins motioned to approve the Borough’s first quarter contribution to the Union Library in the amount of \$12,500.00 to the Warrant List, second by Councilman Zygmont.

Guenst	AYE	Fleming	ABSTAIN
LaSorsa	AYE	Ostrander	ABSTAIN
Reymer	AYE		
Tompkins	AYE		
Zygmont	AYE		

Motion carried 5 ayes, 0 nays and 2 abstentions. Councilwoman Fleming and Councilwoman Ostrander noted they abstained from the vote as they currently serve on the Board of Directors of the Union Library.

Councilman Tompkins motioned to payment of the Borough’s first quarter contribution to the Union Library in the amount of \$12,500.00, second by Councilman LaSorsa.

Guenst	AYE	Fleming	ABSTAIN
LaSorsa	AYE	Ostrander	ABSTAIN
Reymer	AYE		

Tompkins     AYE  
Zygmont     AYE

Motion carried 5 ayes, 0 nays and 2 abstentions. Councilwoman Fleming and Councilwoman Ostrander noted they abstained from the vote as they currently serve on the Board of Directors of the Union Library.

Councilman Tompkins motioned to approve the balance of bills and transfers, as presented, second by Councilwoman Guenst, all ayes. Motion carried 7 – 0.

TD Bank signatories – Councilwoman Fleming motioned to direct the Borough Manager to arrange for the Borough Council President, Borough Council Vice President and the Borough Treasurer to be the only individuals listed as authorized signatories on all Borough accounts, second by Councilwoman Ostrander, all ayes. Motion carried 7 – 0.

**RECREATION & PUBLIC FACILITIES** – Councilwoman Guenst presented the following items:

Borough Hall clock tower – Councilman Tompkins motioned to approve a grant application to the Pennsylvania Historical and Museum Commission for funding to create a plan for the restoration of the Borough Hall clock tower, second by Councilwoman Ostrander.

Bill Dixon, legislative aide for the office of State Representative Tom Murt, provided an overview of the proposed grant submission. Mr. Dixon stated a consortium of supporters would provide for all required matching funds, and that Borough funds would not be required for this project. General discussion was had as to past studies of the clock tower. The grant submission deadline is January 31, 2011.

On the above motion, all ayes. Motion carried 7 – 0.

Council thanked Mr. Dixon and the many supporters of this project.

Councilwoman Guenst noted she and Councilman Zygmont met with representatives of the Hatboro Little League as to proposed capital improvements to the Blair Mill Road park facility. Additional information as to said improvements will be forwarded to the Members in the coming weeks.

**ZONING, PLANNING & HISTORIC PRESERVATION** – Councilman Tompkins noted the Zoning Hearing Board will meet at 7:00 p.m. on Wednesday, January 26 to consider an application submitted as to a proposed residential development 350 North York Road.

**PUBLIC WORKS** – Councilman LaSorsa thanked Public Works for their recent snow removal efforts.

**COMMUNITY & ECONOMIC REDEVELOPMENT** – There was no report.

### **OLD BUSINESS**

- There was no Old Business.

### **NEW BUSINESS**

- Borough Manager Ryan noted the contractor for the York Road water main replacement project had requested the use of Miller Meadow as a staging area for this project. It was the consensus of Council to not permit this use at Miller Meadow. Councilman LaSorsa requested Borough Manager Ryan contact Aqua as to other potential staging areas.

- Councilman Tompkins inquired as to a job description for the position of Pool Manager. Councilwoman Guerst noted the former Pool Manager had helped to craft the current job description. Councilman Tompkins recommended this job description be revised to include duties related to the Hatboro Swim Team.

### **PRIVILEGE OF THE FLOOR**

- Mr. Battis commented on the past management of the Hatboro Swim Team
- Mr. Battis recommended Council review the meeting attendance of volunteers prior to consideration of volunteer re-appointments.
- Mrs. Zygmunt thanked Councilman Tompkins and Councilman LaSorsa for their comments pertaining to her service on the Hatboro Borough Authority. Mrs. Zygmunt noted she had not voted on any matters that may be considered a conflict of interest. Mrs. Zygmunt stated she believed she was not re-appointed to this position for political reasons.
- Ed Henry inquired as to stormwater concerns at a Bonair Avenue property. Engineer Dougherty provided an overview of this matter. Mr. Henry inquired as to the status of the installation of test wells in this neighborhood, and Solicitor Savona noted the EPA was expected to install two monitoring wells in the Bonair Avenue right-of-way in the spring.
- Councilwoman Ostrander noted her vote to not reappoint Mrs. Zygmunt to the Hatboro Borough Authority was not based on politics.

### **ADJOURNMENT**

There being no further business, a motion to adjourn this Council Meeting at 9:35 p.m. was made by Councilwoman Guerst, second by Councilman LaSorsa, all ayes. Motion carried 7 – 0.