

**BOROUGH OF HATBORO
COUNCIL MEETING
MONDAY, OCTOBER 22nd, 2012**

PRESENT –President Zygmunt, Vice President LaSorsa, Councilpersons Fleming, Hegele, Sheedy, Rich, Tompkins and Mayor Hawkes; Acting Borough Manager/Superintendent of Public Works Zollers, Assistant Borough Secretary Hegele, Chief of Police Gardner, Code Official Fugate, Solicitor Pionzio, Borough Engineer Dougherty, Fire Marshal Reading & Treasurer Kalnajs.

ABSENT

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

PUBLIC HEARING – Mr. Jim Maticola from Gilmore & Associates introduced himself to Council and the Audience and explained the project on behalf of their client, Bucks County Water & Sewer. He stated they have contracted with Anrich, Inc. to install 7.5 miles of sewer lines on County Line beginning at Easton/County Line Roads to County Line/Pine Roads, the project will take approximately 6 to 7 months. He stated they have been given permission from Penndot to work from 6:00 PM to 6:00 AM since County Line Road is a State Highway and is a busy thoroughfare. He reviewed the schedule of work to be done at night. He reviewed the exceptions they are looking for and the benefits to the relief. He stated that they have met with officials from Horsham, Warminster & Upper Moreland and have received approval.

Councilman Tompkins asked about cross traffic. Mr. Maticola stated this is not allowed, there are detours planned and they are awaiting Penndot approval of the proposed detours. Councilman Tompkins asked if all the work is on Warminster's side of County Line Road do they need the Borough's approval. Mr. Maticola stated if they are outside the boundary then they do not need our approval.

President Zygmunt asked where the boundary was, he was told it was the center of the road. He asked if there would be blasting. Mr. Maticola stated no, it is not permitted. Mr. Maticola explained the process for laying the line under the railroad tracks.

Councilman Hegele asked about access for emergency vehicles. Mr. Maticola stated the contractor is required to have flagmen and they will allow access for all emergency vehicles.

Councilman Sheedy asked when the road would be resurfaced. Mr. Maticola stated Penndot requires the paving of the trench immediately. He stated that Penndot is planning on paving the entire road in 2013 or 2014.

Mayor Hawkes questioned the decibel level for the noise. Mr. Maticola stated it is similar to a passing train.

Councilman Hegele asked if the work was not done at night how long would it take to complete the work. Mr. Maticola stated about two additional weeks.

Councilman Rich asked if two nights at each intersection was enough time. Mr. Maticola replied yes, he stated York Road maybe a little longer due to the size of the intersection. He stated the schedule presented is subject to change.

Mr. John Loftus – 461 Madison Avenue recommended Council reject the application, he lives close to County Line Road, and he stated he likes the sound of rail cars, it is a comforting sound. He asked Council to please consider residents.

Alfredo Sergio – 156 Yorkshire Way wanted to voice his objection, Yorkshire Way is a family community, he stated if it was months of work then he would be ok, but a couple of days does not warrant exception.

Keith Gordon – Chief of Enterprise Fire Company asked if the contractor would be notifying Fire Marshal each day. Mr. Gordon stated he has been a police officer and has seen how disruptive this work can be, he stated residents will still hear the noise, sound carriers in colder weather.

Karen Walker – 13 West County Line Road asked Council to not approve this request, the holidays are soon, there will be increased traffic, bad weather and she stated everyone will hear the noise.

Bruce Hart – 175 Earl Lane questioned the blasting of rock if found. Mr. Maticola stated it has been determined that the rock below is not the type that has to be blasted.

Linda Tranetski – Yorkshire Way stated she had concerns because her neighborhood is a cul-de-sac and if there was an emergency there would be limited access. She stated if the contractor hit rock, the project would be louder.

Lee Phillips – Wood Street asked what the advantages to the Borough would be, does the Borough tie into these lines. President Zygmunt stated there are no advantages to the Borough and these lines are independent to our system.

William Rollin – 178 Earl Lane asked where all the equipment would be stored. Would they be on side streets. Acting Manager Zollers stated the contractor has an agreement to use the Little League Field parking lot; there will be no parking of equipment on the side streets.

Brian Moore – 11 West County Line Road asked about the egress/access to homes and businesses along County Line Road. Mr. Maticola stated there would be a flagman and residents would be permitted to go and come from their homes.

Rob Schwartz – 483 Jefferson Avenue stated if it adds an extra week to the project then does the extra week. He asked if Council approves the exception and something happens and there is a setback, he stated Council knows about setbacks, he stated the fire house project is an example. He stated what stops the contractor from doing the entire job at night if they fall behind.

Solicitor Pionzio stated Penndot is a state road and Penndot may not be subject to the Borough Noise Ordinance. She stated that Penndot could violate the noise ordinance, then the Borough could cite Penndot and the taxpayer has to pay for this. She stated the pipe needs to be improved, if it happens on Bucks County side of County Line Road the Borough has no say and Borough residents are still impacted. She stated this project will affect people. She stated our codes are written specific to contractors working and keeping the peace, exceptions can be granted. She stated Council is concerned about noise, they are concerned about a couple of weeks vs. a couple of nights, emergency vehicles and resident access is important.

Mr. Loftus – Madison Avenue stated he thought borders overlap. Solicitor Pionzio stated the center line of the road is the border, there is no overlapping.

Mr. Moore – West County Line Road stated he is concerned about jack hammering and damage to the foundation of homes in area. Mr. Matticola stated they do not jack hammer.

The public hearing was concluded at 7:52 p.m. and the Council Meeting was convened. President Zygmunt stated the vote for this exception to the noise ordinance would be considered at the end of the Council Meeting Agenda.

INVOCATION – Mayor Hawkes gave the invocation for the October 22nd, 2012 Council Meeting.

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

President Zygmunt announced that this meeting is being taped by the staff. 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 comment from the public.

MAYOR'S REPORT – Mayor Hawkes, State Senator Stewart Greenleaf, Bill Dixon from State Representative Murt's, Chief Gordon and President Gowen from the Enterprise Fire Company presented proclamations/plaques to William Gottshall, Joseph Lutz and Joseph Reading of the Enterprise Fire Company for 50 years of service. Past Chief Mike Aiman was recognized for 70 plus years of service but could not attend tonight's ceremony. Borough Council thanked all the members of the fire company for their service to the community.

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

TREASURER'S REPORT – Treasurer Kalnajs presented the Treasurer's report for the month of September 2012. He noted a balance of \$4,335,439.66. Interest earned for the month totaled \$354.13 on all accounts.

SOLICITOR'S REPORT – Solicitor Pionzio reported that Council would be considering an amendment to the Zoning Ordinance at the December Council meeting. She stated her office is working with staff preparing the amendment.

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

MANAGER'S REPORT – Acting Borough Manager Zollers stated that Jefferson Avenue will be paved this week.

Acting Manager Zollers stated that his staff has been working on the Sound System and hopefully Council and the audience will see a difference tonight. Councilman Rich thanked Acting Manager Zollers and Public Works for their work on the sound system.

DEPARTMENT SUPERVISORS' REPORTS

CHIEF OF POLICE REPORT – Chief Gardner reminded everyone that the Skeleton Skurry is Saturday, October 27th, he stated there will be temporary road closures and asked everyone to please use caution due to the increased pedestrian traffic.

TAX COLLECTIONS REPORT – The report for the month of September was submitted to Council in advance of tonight's meeting.

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. Superintendent Zollers stated he had nothing further to report.

CODE ENFORCEMENT REPORT – President Zygmunt 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.

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

September 24th, 2012 Council Meeting Minutes – Vice President LaSorsa motioned to approve the September 24th, 2012 Council Meeting Minutes, Councilman Tompkins made a friendly amendment to make two changes, one on page 1 and the second on page 4, friendly amendment seconded by Vice President LaSorsa. Original motion seconded by Councilman Tompkins, both motions, all ayes. Both motions carried 7-0.

October 8th, 2012 Council Committee Meeting Minutes – Vice President LaSorsa motioned to approve the October 8th, 2012 Council Committee Meeting Minutes, motion seconded by Councilman Hegele, all ayes. Motion carried 7-0.

Approval of Department Supervisor's Reports – Vice President LaSorsa motioned to approve the receipt of the Tax Collections, Public Works, Code Enforcement, Fire Marshal, Main Street, UMHJSA & Treasurer's Report for the month of September, motion seconded by Councilman Rich, all ayes. Motion carried 7-0.

Approval of Warrant List, Payment of Bills, Manual Checks/Transfers – Vice President LaSorsa motioned to approve the Warrant List, Payment of Bills, and Manual Checks & Transfers, motion seconded by Councilman Tompkins, all ayes. Motion carried 7-0.

Enterprise Fire Company Capital Budget Expenditures – October 2012 – Vice President LaSorsa motioned to approve the transfer of funds to the Enterprise Fire Company in the amount of \$44,670.13, motion seconded by Councilman Tompkins, all ayes. Motion carried 7-0.

2011 Borough Audit – Vice President LaSorsa motioned to acknowledge receipt of the 2011 Borough Audit as presented by the Borough Auditor, motion seconded by Councilman Hegele, all ayes. Motion carried 7-0

2011 Transfers – Vice President LaSorsa motioned to approve the transfers as per the 2011 Borough Audit, Councilman Tompkins made a friendly amendment to the amount for each year; 2008 = \$155,199.00, 2009 = 81,066.00, 2010 = 69,432.00 & 2011 = \$150,955.00 for a total of \$456,652.00 in transfers, friendly amended seconded by Councilwoman Fleming. Original motion seconded by Councilman Hegele, both motions, all ayes. Both motions carried 7-0.

President Zygmunt stated these transfers should have been done at the end of each year; this is a housekeeping item that is done if there is a deficit or surplus.

EMS Tax Ordinance – Councilman Sheedy motioned to approve the advertising of the EMS Tax Ordinance, motion seconded by Vice President LaSorsa, all ayes. Motion carried 7-0.

Fee Schedule Amendment Resolution – Vice President LaSorsa motioned to Resolution #2012-13, amendment to the fee schedule, motion seconded by Councilman Tompkins, all ayes. Motion carried 7-0.

SPECIAL UPDATES

Councilwoman Fleming stated she had nothing to report this evening.

Councilman Hegele stated he had nothing to report this evening.

Vice President LaSorsa announced Council will hold a budget workshop on November 8th beginning at 4:00 PM.

Councilman Tompkins stated he had nothing to report this evening.

Mayor Hawkes stated he had nothing to report this evening.

Councilman Rich stated he had nothing to report this evening.

Councilman Sheedy stated he had nothing to report this evening.

President Zygmunt stated he had nothing to report this evening.

OLD BUSINESS

Hearing - Amendment to Zoning Ordinance - Solicitor Pionzio stated the Amendment to the Zoning Ordinance would require a hearing and she needs authorization to advertise. Councilman Tompkins motioned to approve the advertising of the hearing for the Zoning Amendments on December 17th at 7:00 PM, motion seconded by Vice President LaSorsa, all ayes. Motion carried 7-0.

Noise Ordinance Exception Request Bucks County Water & Sewer Authority - President Zygmont polled Council regarding granting the exception to the noise ordinance to allow the contractor for the Bucks County Water & Sewer Authority. After a discussion concerning resident comments and Council comments, President Zygmont called for a motion. Councilman Rich motioned to grant an exception to the noise ordinance to allow work after hours by the Bucks County Water & Sewer Authority along County Line Road, motion seconded by Councilman Hegele, vote was taken as follows:

- Fleming - Nay
- Hegele - Nay
- Tompkins - Nay
- LaSorsa - Nay
- Sheedy - Aye
- Rich - Nay
- Zygmont - Nay

Motion denied 6-1.

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

PRIVILEGE OF THE FLOOR

Tracy Thatford - 3 Drummers Way asked for a status update on the Woodwinds Buyout. She stated residents have been noticing more activity there. Acting Manager Zollers stated he has not received any information from PEMA/FEMA.

Rob Schwartz - 483 Jefferson Avenue asked if Jefferson Avenue was going to be paved. Acting Manager Zollers stated yes.

Mr. Battis - 320 W. Moreland Avenue stated the sound system sounded great and thanked Public Works for fixing.

Mr. Dave Shannon - Borough Historian presented Borough Council with a check from the Millbrook Society in the amount of \$5000.00 for the Clock Tower Grant match. Borough Council thanked Millbrook and Mr. Shannon for the donation. Mr. Shannon stated for the record that no one would touch the clock until the entire funding was in place, and there is no need to remove the clock. Mr. Shannon stated that no Borough funds would be used for this project. President Zygmont asked that Acting Manager Zollers and Mr. Shannon work to get the agreements in place. President Zygmont also stated that Mr. Demcisak will be working on this project as a representative of the Borough.

ADJOURNMENT

There being no further business, the October 22nd, 2012 meeting of Borough Council was adjourned at 8:35 P.M.

Respectfully submitted,

Alfred "Fred" Zollers
Borough Secretary

Transcribed by Assistant Borough Secretary Diane Hegele