

**BOROUGH OF HATBORO  
COUNCIL MEETING  
MONDAY, MAY 21st, 2012**

**PRESENT** –President Zygmont, Vice President LaSorsa, Councilpersons Fleming, Hegele, Sheedy, Tompkins and Mayor Hawkes; Borough Manager Plaughter, Assistant Borough Secretary Hegele, Chief of Police Gardner, Superintendent of Public Works Zollers, Code Official Fugate, Borough Solicitor Pionzio, Borough Engineer Dougherty, & Treasurer Kalnajs.

**ABSENT**

Councilman Rich was absent.

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

**INVOCATION** – Mayor Hawkes gave the invocation for the meeting.

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

President Zygmont announced there were no executive sessions.

President Zygmont 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.

President Zygmont announced that there were a couple changes to the agenda, the addition of the Police Surplus Firearms Trade In, the addition of a Land Development issue and a promotion in the Police Department.

**PRIVILEGE OF THE FLOOR FOR AGENDA VOTING ITEMS** – There was no comment from the public.

**MAYOR'S REPORT** – Mayor Hawkes thanked Sgt. Petrik, Officer Ottey, and Officer Valleley for their actions on a recent call at 100 W. Lehman Avenue. Mayor Hawkes read a card received from the family of the resident at this address who passed away. Mayor Hawkes thanked Officer Ottey for the care he gave to an unattended dog that was found in the home.

**PRESIDENT'S REPORT** – President Zygmont read a short statement regarding the Hatboro Police Department. He stated that it is very rare to have most of the police department in the room at the same time and he wanted them to know how proud he and Council are of the department.

**TREASURER'S REPORT** – Treasurer Kalnajs noted a balance of \$4,871,610.33 on all accounts at the end of April, 2012. Interest earned for the month totaled \$465.20 on all accounts.

**SOLICITOR'S REPORT** – Solicitor Pionzio stated she had one item, she stated that Council is in receipt of an amendment to the Sign Ordinance regarding Billboards. She stated this ordinance which allows billboards under certain restrictions in the LI – Light Industrial District needs authorization from Borough Council for her office to advertise.

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

**MANAGER'S REPORT** – Borough Manager Plaughter stated he had several things to report on this evening.

1. Manager Plaughter reported that a total of 7 residents attended the two meetings for the Hometown Streets Project
2. Manager Plaughter stated the 2011 Borough Audit is in process. He will be touring the facilities with the Auditor.
3. Manager Plaughter stated the Chamber lease is still on hold, he is waiting to hear from the Chamber. President Zygmunt asked if Main Street still wants to use the space. Manager Plaughter stated they are waiting to see what the Chamber decides.
4. Manager Plaughter stated the pool opens this weekend, along with the snack stand.
5. Manager Plaughter stated the new Borough Code should be available soon.
6. Manager Plaughter stated there is a new management company for Woodwinds, TMK Property Management.
7. Manager Plaughter stated there was a meeting with a resident in the 300 blk. West Monument Avenue who would like to have PEMA/FEMA assistance in raising their house.

#### **DEPARTMENT SUPERVISORS' REPORTS**

**CHIEF OF POLICE REPORT** – Chief Gardner he attended the Citizens Police Graduation last week.

Chief Gardner stated the new police vehicle is on patrol and has different markings than the other patrol vehicles.

**TAX COLLECTIONS REPORT** – The report for the month of April 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. Councilman Tompkins thanked Public Works for filling the hole in on Byberry Road.

**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. Councilman Hegele asked about the status of permits for Big Marty's. BCO Fugate stated the State issued the permits for the asbestos removal. He stated they oversee this and the contractor reports back to them. President Zygmunt stated he requested recently copies of permits for this location. Manager Plaughter stated he will email the information.

**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.

**SPECIAL PRESENTATION** – SiteCats Website Development Proposal – Mr. Tom Allenbach from SiteCats was in attendance to review their proposal for the new Borough website and to also answer any questions. Mr. Allenbach stated the new site will be a content management system and will be easier for staff and friendlier for users. Councilman Sheedy asked who would own the domain name and who would make the changes to the site. Mr. Allenbach stated the Borough owns the domain name and the Borough would make any and all changes. Councilman Tompkins asked about the updating software and the propriety of the software. Mr. Allenbach stated it is the Borough's and the Borough could use whomever. He stated his company designs and sets up the website for the Borough, yes they are available to assist and make changes if necessary. He stated their company would also provide the training for the new site for Borough personnel. Mr. Allenbach stated the new site could be ready anywhere from 6 weeks to 6 months, dependant on the design phase, approval and training.

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## **VOTING ITEMS**

**April 23, 2012 Council Meeting Minutes** – Vice President LaSorsa motioned to approve the April 23, 2012 Council Meeting Minutes, motion seconded by Councilman Tompkins, all ayes. Motion carried 6-0.

**May 7, 2012 Council Committee Meeting Minutes** – Vice President LaSorsa motioned to approve the May 7, 2012 Council Committee Meeting Minutes, motion seconded by Councilman Hegele, all ayes. Motion carried 6-0.

**May 12, 2012 Capital Budget Workshop Meeting Minutes** – Vice President LaSorsa motioned to approve the May 12, 2012 Capital Budget Workshop Meeting Minutes, with a correction to the date of the next workshop should read Thursday, motion seconded by Councilman Tompkins, all ayes with Councilwoman Fleming abstaining. Motion carried 5-0.

**Approval of Department Supervisor's Reports** – Vice President LaSorsa motioned to approve the receipt of the Tax Collections, Public Works, Code Enforcement, Fire Marshal & Treasurer's Report for the month of April, motion seconded by Councilman Tompkins, all ayes. Motion carried 6-0.

**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. Councilman Hegele questioned the purchase of appliances at the pool, and if they were all in. Manager Plaughter stated they purchased 5 sinks, table, refrigerator and freezer. He stated the appliances are in and they are waiting for the Health Department Inspection. Councilman Hegele asked if this invoice was the full amount. Manager Plaughter stated this represented half of the balance. Councilman Tompkins stated the transfer on the warrant list to the pool, was that a loan to pay for this. Manager Plaughter stated yes, motion seconded by Councilman Tompkins, all ayes. Motion carried 6-0.

**Special Event Application – Chamber of Commerce – Philadelphia Soul Town Take Over** – Vice President LaSorsa motioned to approve the Chamber of Commerce Philadelphia Soul Town Take Over on Saturday, June 23<sup>rd</sup> in Miller Meadow. Councilman Tompkins made a friendly amendment to the motion to include the waiver of fees, seconded by Vice President LaSorsa, all ayes. Motion carried 6-0.

**Monarch Butterfly Waystation Update** – Councilman Sheedy stated that this item was discussed at the Committee Meeting and was on the agenda for informational purposes only, the revised layout of a raised garden bed from one 10'x8' bed to three 4'x8' beds in Miller Meadow.

**Stoveworks – Revised Preliminary/Final Plan** – Vice President LaSorsa motioned to approve Resolution 2012-08, granting Revised Preliminary/Final Plan approval for Stoveworks Phase 1 Project by Plum Ridge Property, LLC, motion seconded by Councilman Tompkins, all ayes. Motion carried 6-0.

**Police Department Sergeant Appointment** – Councilman Hegele motioned to approve the appointment of Mark Ruegg to the position of Sergeant from the Civil Service Eligibility List, motion seconded by Councilman Tompkins, all ayes. Motion carried 6-0. Sgt. Ruegg was presented with his Sergeant's Badge with his family present. Councilman Hegele stated that before he retired from the Department he had the honor of working with Mark, and he was an outstanding officer who will do well as a Sergeant.

**Police Department Officer Recognition** – Chief Gardner presented Sergeant Cameron Goold with his new Detective Sergeant Badge with his wife present.

Sgt. Ruegg and DetSgt. Goold were both congratulated by Council, Mayor, Staff and the audience.

**Hatboro Memorial Pool – Snack Stand Lease** – Councilman Sheedy motioned to approve the snack stand lease between the Borough of Hatboro and Lee Ann Jorett. Councilwoman Fleming asked if there was an executed copy, President Zygmunt stated the Borough could not execute lease until passed by Council, motion was seconded by Councilman Hegele, all ayes. Motion carried 6-0

**Joint Board of Appeals Ordinance** – Councilman Tompkins motioned to approve the appointment of Mr. Brain Mann to the Joint Board of Appeals, motion seconded by Councilman Hegele, all ayes. Motion carried 6-0.

**Police – Surplus Firearms Trade-In** – Vice President LaSorsa made a motion to approve the trade-in of twenty-three (23) Borough owned Police Surplus Firearms in exchange for seven (07) new Sig Sauer .223 caliber Patrol Rifles, motion seconded by Councilman Tompkins, all ayes. Motion carried 6-0.

**399 Springdale Avenue** – Solicitor Pionzio stated that the Developer for this property went bankrupt and the bank took possession of property, they now have a buyer and need to transfer the agreements and escrows to the new owner. Her office needs Council approval to proceed and she will have a resolution for Council at the June meeting. Vice President LaSorsa made a motion to authorize Solicitor Pionzio to transfer Land Development Agreements and Escrows to the new property owner, motion seconded by Councilman Tompkins, all ayes. Motion carried 6-0.

**Firehouse Construction Project Update** – President Zygmunt stated that this agenda item would be a workshop for Council to interact with the staff only on this project. Manager Plaughter updated Council on the documents included in the Council Packets. He stated the construction is almost complete; he did a walk through with Codes and the Fire Company recently. He stated he went back today but could not access the site. President Zygmunt stated Council has been told for months the project was almost done and grant reimbursement was being worked on, what are the hold ups. Manager Plaughter stated the contractor has a cash flow problem and his sub contractors are not being paid. President Zygmunt stated the 10% of retainage has not been held back. Manager Plaughter stated this has been a long drawn out process and he has been assured by the Office of the Budget that the money is still there and that the Borough needs to continue to working on the needed documents for reimbursement. He stated the grant consultant Matt Kramer has been working very closely with staff to gather the information needed.

Councilman Hegele stated he started to attend fire house project meetings in mid January and has heard about documents needed, insurance information, firefighter concerns, and questioned why this project was never stopped. He questioned what legal action has been taken and also who signed all the documents. President Zygmunt stated last August he asked and was told everything was fine with this project. He stated that Council was advised by the prior Borough Solicitor it would not be in their best interest or benefit to stop this project/construction, and it would be hard to find a contractor who would assume the job. Councilwoman Fleming stated she talked to Brian Mann from Omnia who stated the job was almost done, it is good quality project and it was unfortunate it took this long. President Zygmunt stated the documents were signed by Tommy Ryan.

There was a discussion concerning the special conditions. There was clarification on special conditions vs. general conditions. Manager Plaughter explained the RACP grant process. Assistant Borough Secretary Hegele outlined special conditions and general conditions and that Matt Kramer was working on the special conditions, gathering insurance information, contractor information and, prevailing wage information. She stated the general conditions relate to the financing and she was working with the Office of the Budget to fulfill that request for information which was also a special condition. Borough Council was advised that this project began without the special/general conditions being met so while the project was progressing the paperwork was lagging behind.

Councilman Hegele asked about the June 23<sup>rd</sup>, 2011 construction phase monitoring update meeting and who from the Borough attended this meeting. The paperwork requirements were discussed at this meeting. Manager Plaughter stated he was at this meeting; it was his second day on the job. He stated Interim Manager McCauley was there along with Councilwoman Fleming and Ostrander, he believed. Vice President LaSorsa stated he wants to know who is at fault for the lack of paperwork submission and lack of reimbursement. Councilman Tompkins stated the Borough cannot receive reimbursement until the special/general conditions are satisfied.

Solicitor Pionzio stated she is in receipt of correspondence from Titanium Enterprises Attorney and they are looking for money. President Zygmunt asked if the Borough could hold the 10% retainage now. Solicitor Pionzio stated per the contract the Borough could. Councilman Tompkins motioned to approve deducting the 10% retainage from the check the Borough is holding and then releasing the payment when the state consultant Matt Kramer is satisfied with the documentation received from Titanium Enterprises. Councilwoman Fleming questioned if contractually this could be done. Solicitor Pionzio stated yes. This motion was seconded by Councilwoman Fleming, all ayes. Motion carried 6-0.

President Zygmunt opened the floor for comment on this matter; there was no comment from the public.

Councilman Tompkins asked if the Borough had to use the Maintenance Bond who would handle this. Solicitor Pionzio stated her office.

President Zygmunt stated he wants Council to get an update each week on this status of this project.

### **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 stated he had nothing to report this evening.

Councilman Tompkins stated he recently received an email inviting Council to a presentation by the Millbrook Society. He asked Solicitor Pionzio if all of Borough Council could attend. Solicitor Pionzio stated yes as long as they do not discuss Borough Business. Councilman Tompkins was going to see if the presenter could come to a Borough Meeting since the invitation was sent with short notice and several Council members already had prior commitments.

Mayor Hawkes stated he recently won gold medals at the Senior Games held earlier in the month.

Councilman Rich was absent this evening.

Councilman Sheedy stated he had nothing to report this evening.

President Zygmunt stated he had nothing to report this evening.

### **OLD BUSINESS**

**SiteCats Proposal** – Councilman Hegele motioned to approve the proposal from SiteCats to develop the new Borough website, motion seconded by Councilman Sheedy, all ayes. Motion carried 6-0.

### **NEW BUSINESS**

**Billboard Ordinance Advertising** - President Zygmunt stated that since this was not on the Committee Agenda he would open the floor for comment; there were no comments from the public. Councilman Tompkins motioned to approve the authorization to advertise the Billboard Ordinance, motion seconded by Vice President LaSorsa, all ayes. Motion carried 6-0.

### **PRIVILEGE OF THE FLOOR**

Tracey Thatchford, Woodwinds asked for a status on the buy-out documentation from Woodwinds. Superintendent Zollers stated he still needs more information but estimates to have about 90%. Ms. Thatchford asked how many times there were rescues in the past 10 years at Woodwinds. Chief Gardner stated he cannot give an exact number and not every situation there with regards to flooding could be classified as a rescue. He stated he has worked for the Borough for 20 years and he thinks at best maybe a dozen and stated that that figure was only an estimate only.

### **ADJOURNMENT**

There being no further business, the May 21<sup>st</sup>, 2012 meeting of Borough Council was adjourned at 8:37 P.M.

Respectfully submitted,

Diane C. Hegele  
Assistant Borough Secretary

Transcribed by Assistant Borough Secretary Diane Hegele