

December 21, 2011

The Business Meeting of Lansdale Borough Council was held on Wednesday, December 21, 2011 in Council Chambers, One Vine Street, Lansdale, PA and called to order at 7:02pm by Council President Matthew West.

ROLL CALL:

(X) Vice President Clemente
(X) Councilman DiGregorio
(X) Councilman Dunigan
(X) Councilwoman Fuller
(X) Councilman Hansen
(X) Councilman Riccio
(X) Councilwoman Scheuring
(X) Councilman Sobel
(X) President West
(X) Mayor Szekely

Borough Representatives:

Borough Manager, Timi Kirchner
Finance Director, Brian Shapiro
Code Enforcement Dir., John Ernst
Parks & Rec. Director, Carl Saldutti
Utilities Director, Jake Ziegler

Borough Solicitor, Mark Hosterman
Borough Engineer, Chris Fazio
Police Chief Bob McDyre
Library Director, Tom Meyer
Asst. Finance Dir., Brian McGowan

Residents

Carol Zellers – 101 Elm Drive
Rose Chapman – W. Mt. Vernon St.

Agenda Item #5 – President's Comments

President West requested that the silent meditation for this evening be dedicated to Bob DiDomizio, the former tax collector who passed away recently.

President West and **Ms. Kirchner** awarded a Certificate of Recognition to Carl Saldutti, Parks and Recreation Director, for his forty years of service to the Borough.

Agenda Item #6 – Petitions

None

Agenda Item #7 – Residents to be heard on any item

Ms. Zellers of 101 Elm Drive wanted to thank Councilwoman Scheuring for her time on Borough Council.

Ms. Chapman of W. Mt. Vernon Street commented that there are a lot of cigarette butts on Main Street. She also noticed trees that are going to be planted as part of the Streetscape Project sitting in bundles on an empty lot and she hopes that they will survive the winter that way if they don't get planted soon enough. She also commented that people are parking their cars right up to the corners and alleys on Mt. Vernon Street and it is hard to with the cars there. She also asked Montgomery

Avenue can be paved, the road is horrible. Also, alleys shouldn't be maintained by the use of Borough taxes.

Mr. Hansen responded that Montgomery Avenue is actually an alley and potholes can only be patched by the Borough, not paved.

Mr. Riccio clarified that homeowner's own the alley's not the Borough.

Agenda Item #8 – Action Items

Councilman Dunigan presented Motion A and read as follows:

I move that Borough Council adopt the attached Resolution 11-45 approving the definitions and commitment of fund balances in accordance with Governmental Accounting Standards Board (GASB) Statement Number Fifty-Four.

Motion seconded by Councilwoman Scheuring and unanimously approved.

Councilman Dunigan presented Motion B and read as follows:

I move that Borough Council adopt the attached Resolution 11-46 approving a formal policy related to the appropriate level of reserves or fund balance.

Motion seconded by Councilwoman Fuller and unanimously approved.

Councilman Dunigan presented Motion C and read as follows:

I move that Borough Council adopt the attached Resolution 11-47 approving the Borough Budget for fiscal year 2012.

Motion seconded by Councilwoman Fuller and unanimously approved.

Councilman Dunigan presented Motion D and read as follows:

I move that Borough Council adopt the attached Ordinance 1815 fixing the real estate tax rate for the Borough of Lansdale for fiscal year 2012 for general Borough purposes, fire safety, library and debt service, said tax amounting to 3.5 mills. This ordinance has been properly advertised.

Motion seconded by Councilwoman Scheuring and unanimously approved.

Councilman Dunigan presented Motion E and read as follows:

I move that Borough Council adopt the attached Ordinance 1817 amending the Borough of Lansdale Police Pension Plan in order to comply with the Pension Protection Act of 2006 and the Heroes Earnings Assistance and Relief Tax Act 2008. This ordinance has been properly advertised.

Motion seconded by Councilman Clemente and unanimously approved.

Councilman Dunigan presented Motion F and read as follows:

I move that Borough Council adopt attached Resolution 11-48 reestablishing the schedule of fees and charges for services rendered by the Borough of Lansdale.

Motion seconded by Councilwoman Scheuring and unanimously approved.

Councilman Dunigan presented Motion G and read as follows:

I move that Borough Council approve the attached seasonal wage and salary schedule for 2012.

Motion seconded by Councilwoman Fuller and unanimously approved.

Councilman Dunigan presented Motion H and read as follows:

I move that Borough Council enter into a new Agreement between the Borough of Lansdale and the American Federation of State, County and Municipal Employees (AFSCME) for the period from January 1, 2012 through December 31, 2015. Further, Council authorizes the Council President and Borough Secretary to execute the same.

Motion seconded by Councilwoman Fuller and unanimously approved.

Councilman Dunigan presented Motion I and read as follows:

I move that Borough Council approve the Treasurer's Report for the month of November which shows the expenditures listed on the attachment.

Motion seconded by Councilwoman Scheuring and unanimously approved.

Councilman Dunigan presented Motion J and read as follows:

I move that Borough Council approve the bills \$1,000.00 and over as per the attachment.

Motion seconded by Councilwoman Scheuring and approved 7-2 with Councilman Hansen and Councilman DiGregorio voting no.

Councilman Dunigan presented Motion K and read as follows:

I move that Borough Council approve the following meeting minutes: Work Session, November 2, 2011 and Business Meeting, November 16, 2011.

Motion seconded by Councilwoman Scheuring and approved 8-0 with Councilman Sobel abstaining from the vote since he did not attend the November 16, 2011 meeting.

Councilman Clemente presented Motion L and read as follows:

I move that Borough Council reappoint Scott Hatch to serve a three year term on the Lansdale Borough Communication Commission. This term is effective immediately and expires on December 31, 2014.

Motion seconded by Councilwoman Fuller and unanimously approved.

Councilman Clemente presented Motion M and read as follows:

I move that Borough Council reappoint Matthew D. West to serve a three year term on the Lansdale Borough Communication Commission. This term is effective immediately and expires on December 31, 2014.

Motion seconded by Councilwoman Scheuring and unanimously approved.

Councilman Clemente presented Motion N and read as follows:

I move that Borough Council reappoint Darlene Kleinschmidt to serve a three year term on the Lansdale Borough Communication Commission. This term is effective immediately and expires on December 31, 2014.

Motion seconded by Councilwoman Scheuring and unanimously approved.

Councilman Clemente presented Motion O and read as follows:

I move that Borough Council reappoint Richard Murphy to serve a three year term on the Lansdale Borough Communication Commission. This term is effective immediately and expires on December 31, 2014.

Motion seconded by Councilwoman Scheuring and unanimously approved.

Councilman Riccio presented Motion P and read as follows:

I move that Borough Council enter into the attached Agreement by and between the County of Montgomery and the Borough of Lansdale regarding the 2011 Community Development Block Grant Program for the West Fourth Street improvements.

Motion seconded by Councilman DiGregorio and unanimously approved.

Councilman Riccio presented Motion Q and read as follows:

I move that Borough Council approve Change Order #1 in the amount of -\$8,239.85 (reduction) for the Perkiomen Avenue and Seventh Street paving project per the recommendation of Remington, Vernick & Beach, Inc. engineering consultants for this project.

Motion seconded by Councilwoman Fuller and unanimously approved.

Councilman Riccio presented Motion R and read as follows:

I move that Borough Council authorize payment #1 in the amount of \$211,611.17 to P.K. Moyer and Sons, Inc. for work completed on the Perkiomen Avenue and Seventh Street paving project per the recommendation of Remington, Vernick & Beach, Inc. engineering consultants for this project. This project is being funded through the 2010 General Bond

Motion seconded by Councilman DiGregorio and unanimously approved.

Councilman Riccio presented Motion S and read as follows:

I move that Borough Council approve Change Order #1 in the amount of -\$4,991.25 (reduction) for the Sanitary Sewer Rehabilitation project on Vine Street, Derstine Avenue and Moyers Road per the recommendation of Remington, Vernick & Beach, Inc. engineering consultants for this project.

Motion seconded by Councilman DiGregorio and unanimously approved.

Councilman Riccio presented Motion T and read as follows:

I move that Borough Council authorize payment #1 in the amount of \$195,976.77 to Joao & Bradley Construction Company, Inc. for work completed on the Sanitary Sewer Rehabilitation Project on Vine Street, Derstine Avenue and Moyers Road per the recommendation of Remington, Vernick & Beach, engineering consultants for this project. This project is being funded through the 2010 General Bond.

Motion seconded by Councilman DiGregorio and unanimously approved.

Councilman Riccio presented Motion U and read as follows:

I move that Borough Council approve Change Order #2 in the amount of \$22,043.60 (increase) for the Perkiomen Avenue Reconstruction Project per the recommendation of Remington, Vernick & Beach, consulting engineers for this project.

Motion seconded by Councilman DiGregorio and unanimously approved.

Councilman Riccio presented Motion V and read as follows:

I move that Borough Council authorize Payment #3 (Final) in the amount of \$28,329.25 to Wexcon Inc. for work completed on the Perkiomen Avenue Sewer Reconstruction project per the recommendation of Remington, Vernick & Beach, engineering consultants for this project. This project was funded through the 2010 General Obligation Bond.

Motion seconded by Councilwoman Fuller and unanimously approved.

Councilman Riccio presented Motion W and read as follows:

I move that Borough Council authorize the Borough Manager to purchase through the Costars Program a Case 580SN backhoe for the Public Works Department. This item will be funded through the 2010 General Obligation Bond.

Motion seconded by Councilwoman Fuller and unanimously approved.

Councilman Riccio presented Motion X and read as follows:

I move that Borough Council award the contract for the pickup of refuse and recyclables from Borough owned properties and the collection of leaves to Interstate Waste Services of Pennsylvania, LLC, the lowest responsible bidder.

Motion seconded by Councilwoman Fuller and unanimously approved.

Councilman Riccio presented Motion Y and read as follows:

I move that Borough Council adopt the attached Ordinance 1816 amending the codified ordinance of the Borough of Lansdale, Part Two, Chapter 99 (sewer use) by detailing and replacing certain portions of Chapter 99 to allow for the discharge of certain wastewater containing phosphorus to the Borough's sewer system and Wastewater Treatment Plant; and detailing the calculation of costs for the treatment of such wastewaters. This ordinance has been properly advertised.

Motion seconded by Councilwoman Scheuring and unanimously approved.

Councilman Riccio presented Motion Z and read as follows:

I move that Borough Council authorize Payment #1 in the amount of \$21,860.00 to Keystone Alliance Consulting for work completed on the sewer rate study.

Motion seconded by Councilwoman Fuller and unanimously approved.

Councilman Riccio presented Motion AA and read as follows:

I move that Borough Council authorize payment #3 in the amount of \$10,350.00 to Derstine Company LLC for work completed on the replacement of the Influent Bar Screen per the recommendation of Bursich Associates, Inc., engineering consultants for this project. This project is being funded through the 2010 General Obligation Bond.

Motion seconded by Councilwoman Scheuring and unanimously approved.

Councilman Riccio presented Motion BB and read as follows:

I move that Borough Council authorize Payment #5 (Final) in the amount of \$7,761.00 to Eastern Environmental Contractors, Inc., for work completed on the installation of the Influent Pump and Piping Project per the recommendation of Bursich Associates, Inc., engineering consultants for this project. This project was funded through the 2010 General Obligation Bond.

Motion seconded by Councilman DiGregorio and unanimously approved.

Agenda Item #9 – Information Items

Mayor's Report: Mayor Szekely

1. Extended his sympathy to Bob DiDomizio's family.
2. Presented a proclamation to Yocum Ford for being a business owner in the Borough for ninety years.
3. Congratulated the police department for their big drug bust recently.

4. Regina Mason, owner of Virago Bakery was featured in Reader's Digest recently regarding her specialty food bakery.
5. All the holiday celebrations this year were a great success and attended by many.
6. Thanks Councilman Riccio and Councilwoman Scheuring for their time on Borough Council.

Solicitor's Report: Mr. Hosterman

1. Reviewed the proposed text amendment for the Andale Green project by Moulton Builders.
2. Reviewed the solid waste trash hauler contract for the Borough's trash and recycling at Borough owned properties.
3. Worked with Chief McDyre on the Occupy Lansdale movement.
4. Reviewed the Community Development Block Grant agreement for West Fourth Street.

Borough Manager's Report: Ms. Kirchner

1. The Borough and the Parking Authority were co-applicants for a grant through DVRPC for wayfinding signs. The grant was approved for \$40,000 for engineering costs.
2. Received a letter from St. Stanislaus Parish thanking the Borough for out assistance in preparing their educational Rain Garden for the students. Public Works excavated the lands for them.
3. Participated as a panel presenter at Albright College on a discussion about business retention and expansion.

Comments for the good of Council:

Councilman Sobel reported that the 311 W. Main Task Force rejected the two finalists for the Request for Proposal and will revise and advertise another Request for Proposal. A petition was submitted to the Task Force regarding the allowance of various bands to use the 311 W. Main building when it is re-opened. All members of the Task Force were invited to take a tour of the building on December 17, 2011.

Councilwoman Scheuring announced that the Library's raffle basket is sponsored by the Historical Society.

Councilman Hansen thanked the Code Enforcement Department for their follow-up regarding a caved in sidewalk on Church Road.

Councilman Dunigan commented that BPG had a presentation for conceptual design of the Madison Parking Lot at the Parking Authority meeting on December 14, 2011.

Councilman Clemente thanked Councilman Riccio and Councilwoman Scheuring for their service to the Borough.

Agenda Item #10 – Old Business

None

Agenda Item #11 New Business

Councilman Hansen asked if there is a conflict with Wisler Pearlstine representing both the Borough and the Parking Authority.

Mr. Hosterman replied that there is no conflict and if they felt there was a conflict of interest they would immediately remove themselves as representatives for the Parking Authority.

Ms. Kirchner requested for staff to take over the meeting to thank Councilman Riccio and Councilwoman Scheuring for their four years of service on Council.

Meeting adjourned at 8:06pm.