

February 17, 2016

The Business Meeting of Lansdale Borough Council was held on Wednesday, February 17, 2016 in the Council Chambers, 1 Vine Street, Lansdale, PA and called to order at 7:05 pm by Council President Denton Burnell.

**ROLL CALL:**

- (X) Councilman Angelichio
- (X) President Burnell
- (X) Councilwoman Hawkins-Charlton
- (X) Councilman DiGregorio
- (X) Vice President Fuller
- (X) Councilman Hansen
- (X) Councilman Malagari
- (X) Councilman VanDame
- (X) Councilman Work – arrived at 7:47pm
- (X) Mayor Szekely

**Borough Representatives:**

Borough Manager, Jake Ziegler  
Finance Director, absent  
Asst. Borough Manager, absent  
Parks & Rec. Director, Carl Saldutti  
Electric Superintendent, Andy Krauss  
Public Works, Rick DeLong  
WWTP Superintendent, Dan Shinskie

Borough Solicitor, Sean Kilkenny  
Borough Engineer, Owen Hines  
Police Chief, Robert McDyre  
Library Director, Tom Meyer  
IT/GIS Coordinator, Bryan Poster  
Cust. Svc/Records Mgr., Pat Chapman

**Residents:**

**Agenda Item #5 – President's Comments**

**President Burnell** – Councilman Work will be late due to a business engagement. An Executive Session was held prior to this meeting to discuss potential litigation. No action will be coming out of that session. A second Executive Session will be held after the adjournment of this meeting to discuss another potential litigation matter and there will not be action taken tonight. Thank you all for coming this evening. Thank you again to those of you who are in attendance via the "Citizens for Revitalization" group. I am glad to see that membership in that group is now at 560. I think that certainly speaks to the level of interest that people have in seeing Lansdale succeed. What I'm most hopeful for is seeing that interest translate into involvement and engagement. While Council sets policy, we desperately need fresh ideas or a helping hand to get or keep things moving. There are a lot of opportunities to engage in dialogue and share ideas to make our Borough thrive and I hope that you will continue to generate enthusiasm, but also help us to put thought into action. Please keep coming!

**Agenda Item #6 – Presentation –**

**Business of the Month** – Merck Sharp and Dhome Federal Credit Union by Councilwoman Carrie Hawkins Charlton. If you're looking to make home improvements or worrying about saving for college tuition, then look no further than your neighborhood Credit Union. Merck Sharp & Dohme FCU, located at 333 South Broad Street, is a full-service financial institution that has been serving its members since 1950. Like other financial institutions, they offer a full range of products and services.

Unlike for-profit banks, they are a not-for-profit Credit Union. Because of this, all earnings are returned to members in the form of better rates on savings and loans and additional products and services. The Credit Union is staffed by professionals and is governed by a volunteer board of directors, who members elect. Merck Sharp & Dohme FCU is one of the largest credit unions in Pennsylvania. Congratulations on this well-deserved honor.

Agenda Item #7 – Petitions

None

Agenda Item #8 – Residents to be heard on any item

**Mrs. Rose Chapman** of 316 W. Mt. Vernon Street – Leaves are still a problem as they cover the storm drains. Would it be beneficial to purchase a leaf vacuum truck? She is not one to spend money, but this is going to be an ongoing problem. Could a notice be added to the electric or sewer bills to remind people to clean up the leaves on those drains to keep them open. She thinks buying a leaf vacuum is more beneficial than buying a street sweeper. She implores Council and Borough staff to use common sense. She had heard of two businesses that were told to clear the snow off their sidewalk after the blizzard after they had both been cleared once. The snowplow came through and threw chunks of snow on the sidewalk and the other business was told that the path was not wide enough. If was two feet of snow that had to be cleared. If the Borough can't clean up the snow on their property, then don't go to the residents and tell them to.

**President Burnell** – As far as clearing the drains we can certainly add that information to the Electric Wire. That would be the most cost effective way right now to handle that.

**Ms. Cindy Scheetz** of 1372 Steven Lane which is in Towamencin but is present on behalf of the Lansdale United Methodist Church as Chairperson of the Church Council. She has been a member of the church since birth and had lived in the Borough for a long time. She is asking Council to reconsider their application to put an electric sign in front of the church. They have heard that there is concern that the sign would be a distraction to drivers and that the Borough does not want too many electronic signs. They are talking about a one color sign that would change infrequently with no flashing. The church thinks it would be a good idea because it would freshen up the look of the front of the church and they wouldn't need to put up temporary signs to advertise their events. They could post snow emergencies and other things for the Borough too.

**President Burnell** – It's a difficult decision but the reality is in 2014 Council passed an ordinance to restrict these kind of signs anywhere in the Borough except in the Industrial District. In 2009 Council restricted electronic signs everywhere in the Borough and then Lansdale Catholic and First Baptist Church applied for electric signage. We felt we need to have a policy about it and where do we want to have these signs and what limitations should we have; in 2014 we decided only in the Industrial District. For me it is about keeping LED signs away from the downtown area on Main and Broad Streets corridor. I am not against a changeable sign, but against the look of LED signs. There are some signs that resemble a kindle that look okay. Do we have the ordinance right? We can discuss in committee meetings.

**Councilman Malagari** – When we made the decision not to support this sign, it was not because it was a church but because it was an LED sign. That is why I voted the way I did. There is technology out there like the E-ink signs and companies that make them.

**Vice President Fuller** – She wanted to point out that even though a majority of Council voted no for the sign, the Zoning Hearing Board makes the final decision and they could vote to allow the variance for the sign.

**Councilman Hansen** – I see the future when I look at variable signs. Right now there are three signs in front of the church and I think going down to one would look better. He has always been in support of the LED signs because they are easy to change, more durable and can display public service messages. He likes what Councilman Malagari and President Burnell said about the different kind of sign too.

**Councilwoman Hawkins Charlton** – I believe it is a safety issue. I turn onto Broad Street from Fourth Street a lot and you take your life in your hands when turning and adding a bright sign would be a distraction. Trinity Lutheran has a beautiful sign even though it is not a digital sign.

**Councilman DiGregorio** – He is supportive of LED signs. LC and First Baptist Church's signs display a lot of public messages. He also likes Steve's and Denton's ideas.

**Mr. John Darab** of Spruce Street – It seems to be a setback issue. The sign at St. Stan's Church did not get there without meeting certain setbacks.

**Ms. Jean Fritz** of 531 Pennbrook Avenue – She is bothered by the flags outside the municipal complex. She has a brochure about how to fly the American flag from the Federal Government and the American flag is to fly higher than any other flag in the forward position and not equal with other flags.

**Councilman Angelichio** – That is one way to fly the American flag, but there are other acceptable ways too.

#### Agenda Item #9 – Action Items

**Councilman Van Dame** presented Motion A and read as follows:

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

**Councilman DiGregorio** – The Parking Meters Collection is \$638,821.30. Is that for the whole year?

**Councilman Van Dame** – Brian is not here tonight. I will ask him and get you an answer this week.

*Motion seconded by Vice President Fuller and unanimously approved.*

**Councilman Van Dame** presented Motion B and read as follows:

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

**Councilman Hansen** – Under engineering in the Electric Fund there is \$15,000 for general engineering for Pennoni Associates. How much traffic engineering did we do for that amount of money?

**Mr. Ziegler** – Can't speak to the specifics of it but can get you an answer. It may likely be related to grant work.

**Councilman Angelichio** – We are under contract to get our fuel for Walton's. There is a fee here for diesel from Moyer Indoor & Outdoor?

**Mr. DeLong** – In the middle of last year Walton's stopped providing off road diesel as it didn't make money for them. As a result, we reached out to PK Moyer and they provide that diesel to us. It should not be Moyer Indoor & Outdoor.

**Councilman Angelichio** – Should we consider this a bid specification moving forward?

**Mr. Ziegler** – This was just a one-time scenario and it will be in any other bid packages in the future.

**Councilman DiGregorio** – OpenGov software is \$6,300. Is that an ongoing fee?

**President Burnell** – That is the fee for several years. He thinks a 2 or 3-year period.

**Councilman DiGregorio** – The Liberty Trail there is \$5,533 on solicitor fees for the trail and we haven't started the trail yet? What is the update.

**Mr. Ziegler** – There are several aspects to the trail and Council took action to move the trail from one area to another area and so there were a series of negotiations related to that and this bill is likely related to that.

*Motion seconded by Vice President Fuller and unanimously approved.*

**Councilman Van Dame** presented Motion C and read as follows:

I move that Borough Council approve the following meeting minutes:

Reorganization Meeting: January 4, 2016  
Business Meeting: January 20, 2016

*Motion seconded by Councilman Angelichio and unanimously approved.*

**Councilman Van Dame** presented Motion D and read as follows:

I move that Borough Council authorize Payment #26 in the amount of \$69,125.57 to Gordon H. Bayer, Inc. for work completed on the municipal complex building per the recommendation Spiegle Architectural Group, Inc. This project is being funded through the 2012 General Obligation Bond.

*Motion seconded by Vice President Fuller and unanimously approved.*

**Councilman Van Dame** presented Motion E and read as follows:

I move that Borough Council adopt attached Ordinance 1882 establishing a rate of fifty cents for every six hours of parking in the Vine Street Parking Lot.

*Motion seconded by Councilman DiGregorio and unanimously approved.*

**Councilman Van Dame** presented Motion F and read as follows:

I move that Borough Council authorize to distribute a one-time credit of funds for the electric savings as follows: Residential: \$21.96; Commercial (non-demand): \$13.00; Commercial (with demand): \$118.67; Primary: \$6,491.01; and High Tension \$1,316.73. This one-time credit will be effective for the June electric bills.

**Councilman Hansen** – When we had a surcharge from an ice storm we passed it on the residents 100% and the surplus of extra savings should be passed back to the customers in a rate reduction, not a one-time credit. He does not think this is the right thing to do.

**Vice President Fuller** – I am not going to oppose a refund to the residents and I see the purpose of a refund because we have a surplus. But as a reminder at our last meeting we were asked to find money to improve infrastructure and this would have given us \$400,000 to improve roads. We have to be careful as it is great to give it back but we need to be sure we will not need money for infrastructure without a way to cover the cost.

**Councilman DiGregorio** – We are giving 40% and the Borough is keeping 60% correct for projects.

**President Burnell** – It is part of the electric fund. He has had mixed emotions about this from the beginning. A resident proposed the idea of people having the option to opt out of taking the credit and we should explore that.

**Vice President Fuller** – I do agree with Councilman Hansen that when we have a harsh winter we have to pass on the extra charges so when we have a surplus it is nice that government can give a little back.

**Mayor Szekely** – People can spend that money right here in town.

**Councilman Angelichio** – Last year we were looking at a hole in the finances due to not staying current with taxes and rates so we knew we had a lot of making up to do and we raised taxes and rates. By doing this we did allow that money to be put into savings for emergencies. This is a good balance to give some back and keep some for infrastructure.

*Motion seconded by Councilman Angelichio and approved 8-1 with Councilman Hansen voting no.*

**Councilman Angelichio** presented Motion G and read as follows:

I move that Borough Council grant a license to Joe Mattero Recycling, Inc., 311 West Seventh Street, Lansdale, to operate at said site for the year 2016 by the order of the Borough of Lansdale.

*Motion seconded by Councilman DiGregorio and unanimously approved.*

**Councilman DiGregorio** presented Motion H and read as follows:

I move that Borough Council authorize payment in the amount of \$28,100.00 to Schaedler Yesco for the supply of a 34,500-volt circuit breaker per the recommendation of Utility Engineers, P.C. consulting engineers for this project. This project will be funded through the Capital Reserves Fund.

*Motion seconded by Councilwoman Hawkins Charlton and unanimously approved.*

**Councilman DiGregorio** presented Motion I and read as follows:

I move that Borough Council authorize Utility Engineers, PC to prepare and advertise bid specifications for the supply and delivery of switchgear for Lion Substation.

*Motion seconded by Councilman Angelichio and unanimously approved.*

**Councilman DiGregorio** presented Motion J and read as follows:

I move that Borough Council authorize the Borough Manager to purchase through the Costars State Purchasing Program (#333218) a fiber optic splicing trailer in the amount of \$24,000.00. This item will be funded through the Capital Reserves Fund.

*Motion seconded by Councilman Hansen and unanimously approved.*

**Vice President Fuller** presented Motion K and read as follows:

I move that Borough Council authorize the Parks and Recreation Department to schedule Memorial Park's Weaver Field for the 2016 Spring/Summer/Fall Baseball Season."

**Councilman Hansen** – Has anything been completed on the grandstands?

**Vice President Fuller** – It hasn't been approved yet by Council.

*Motion seconded by Councilwoman Hawkins Charlton and unanimously approved.*

**Councilman Work** presented Motion L and read as follows:

I move that Borough Council support the 5th Annual Pennsylvania Hometown Hero Walk on Saturday, May 28, 2016 beginning at 10:15am. The walk will begin and end at Trinity Lutheran Church located at 1000 W. Main Street. Walkers are permitted to be on sidewalks on East and West Main Street with the turnaround at Line Street.

*Motion seconded by Vice President Fuller and unanimously approved.*

**Councilman Work** presented Motion M and read as follows:

I move that Borough Council authorize the closing of Main Street from Broad Street to Cannon Avenue and the side streets one block on each side of Main Street, which includes North and South of the following streets: Wood Street, Richardson Avenue, Towamencin Avenue and Susquehanna Avenue for the 39th Annual Lansdale Day sponsored by the North Penn Rotary Club on Saturday, June 4, 2016 from 5:30am to 4:30pm subject to the Borough's receipt and approval of required Certificate of Insurance. In addition, the Rotary Club must obtain from all vendors a Certificate of Insurance for the Borough and the Rotary Club. Said general liability insurance should contain a clause listing the Borough as additional insured in an amount approved by the Borough's insurance carrier.

**Vice President Fuller** – There was discussion in the Public Safety meeting regarding the Rotary Club making some accommodations to the businesses along Main Street on this day and Andy is working with the Rotary Club on this.

**Mayor Szekely** - He spent some time today with businesses on the 300 and 400 block of Main Street talking to them about their concerns.

*Motion seconded by Councilman Angelichio and unanimously approved.*

**Councilman Work** presented Motion N and read as follows:

I move that Borough Council prepare and advertise an ordinance prohibiting parking at all times on the north side of East Fourth Street from the intersection of Line Street, eastward to an additional 100-feet past the eastern curb of Williamson Court's homeowner's association street.

*Motion seconded by Vice President Fuller and unanimously approved.*

**Councilman Work** presented Motion O and read as follows:

I move that Borough Council prepare and advertise an ordinance to reflect changes and accept proposed new language of the Civil Service Code, Chapter 7, subchapters 7-4, 7-5, and 7-6.

**Councilman Angelichio** -

*Motion seconded by Vice President Fuller and unanimously approved.*

**Councilman Malagari** presented Motion P and read as follows:

I move that Borough Council authorize the Borough Solicitor to prepare and the Borough Manager to advertise an Ordinance, amending Ordinance 985, to establish a Handicapped Parking Zone located at 174 East Second Street.

*Motion seconded by Councilman Angelichio and unanimously approved.*

**Councilman Malagari** presented Motion Q and read as follows:

I move that Borough Council authorize Payment #13 in the amount of \$150,544.18 to Blooming Glen Contractors for work completed on the Wastewater Treatment Plant Capacity Upgrade Project per the recommendation of Hazen & Sawyer, PC., engineering consultants for this project. This project is being funded through the 2014 General Obligation Bond.

**Councilman Angelichio** – Are we on schedule and will there be retainage?

**Mr. Ziegler** – Yes, we are on schedule but the project will extend a little bit longer to do some landscaping and some paving. There will be several more payments which will include retainage payments.

**Councilman Malagari** – When is the contract looking to be completed?

**Mr. Ziegler** – He thinks after the landscaping and paving, likely in June.

*Motion seconded by Vice President Fuller and unanimously approved.*

**Councilman Malagari** presented Motion R and read as follows:

I move that Borough Council approve Change Order #2 in the amount of -\$432.45 (decrease) for the Reconstruction of Perkiomen Avenue per the recommendation of Remington, Vernick & Beach, engineering consultants for this project.

*Motion seconded by Councilwoman Hawkins Charlton and unanimously approved.*

**Councilman Malagari** presented Motion S and read as follows:

I move that Borough Council authorize Payment #3 in the amount of \$102,562.74 to Bencardino Excavating for work completed on the Reconstruction of Perkiomen Avenue per the recommendation of Remington, Vernick & Beach, engineering consultants for this project.

*Motion seconded by Vice President Fuller and unanimously approved.*

**Councilman Malagari** presented Motion T and read as follows:

I move that Borough Council authorize Payment #11 (Final) in the amount of \$19,134.22 to Laffredo Construction Company for work completed on the 2013 Roads Program (Utilities) - Phase I per the recommendation of Remington, Vernick & Beach, Inc., engineering consultants for this project. This project is being funded through the Capital Reserves Fund.

*Motion seconded by Councilwoman Hawkins Charlton and unanimously approved.*

**Councilman Malagari** presented Motion U and read as follows:

I move that Borough Council adopt Resolution 16-05 authorizing the Borough's participation in the inter-municipal collaboration with other Montgomery and Philadelphia County municipalities and wastewater treatment plant operators for the future development of a plan for an alternative to the EPA total maximum daily load for the Wissahickon Creek Watershed.

*Motion seconded by Vice President Fuller and unanimously approved.*

**Councilman Van Dame** presented Motion V and read as follows:

I move that Borough Council appoint Alexander Felts to serve the unexpired term of Tracy Flynn on the Lansdale Borough Communication Commission. This term is effective immediately and expires on August 31, 2018.

*Motion seconded by Councilwoman Hawkins Charlton and unanimously approved.*

#### Agenda Item #10 – Information Items

##### **Mayor's Report: Mayor Szekely**

1. Showed an example of the Borough of Lansdale Hometown Hero Banner and they will be on Main Street from mid-April through Veteran's Day with American flags floating above the banners. The banners are \$100 each and anyone can sponsor for family or friends who are veterans.
2. Attending the funeral of Ray Miley on behalf of the Borough. Mr. Miley was very involved in the community.
3. Continues to receive emails from residents regarding potential businesses to come to Lansdale and he has been following up with letters to the suggested businesses.
4. North Penn Commons is having a hardhat tour/cocktail party on March 10<sup>th</sup> to see the progress on the project.
5. The Montgomery County Correctional Facility has implemented a preliminary hearing video system whereas alleged criminals have their preliminary hearings done via video conference and this allows Lansdale police officers to stay in Lansdale rather than transporting alleged criminals to their hearings. Judge Ed Levine is participating in this program.

##### **Solicitor's Report: Mr. Kilkenny**

1. Worked with NPWA on a billing agreement and an intergovernmental cost share agreement for Crestview Road Project.
2. Drafting the ordinance relating to the no parking on E. Fourth Street.

3. Drafted the ordinance for the Vine Street parking lot changes.
4. Working with Chris Kunkel on a special events ordinance.
5. Drafting the Civil Service ordinance with Chief McDyre.
6. Working on the floodplain ordinance.
7. Communicated with Mr. Ziegler and Mr. Ernst on zoning and other matters.

**Borough Manager's Report: Jake Ziegler**

1. Working with SEPTA on constructing the parking garage and we will be scheduling several public charrettes regarding construction. There will be a short presentation and project boards for the public to view.
2. The Parking Authority will have a Special Meeting in March regarding the Madison Lot project. Two renderings from Equus have been added to the Borough website

**Councilman DiGregorio** – Do you know the timeline when the sewer project on Hancock Street for the Andale Development will be completed?

**Mr. Ziegler** – He doesn't have an exact date, but probably in about two weeks. A portion of the road may have to be shut down for a day or two near the entrance of the development but a date is not set yet. Once we know we will get that out to the public.

**Mr. DiGregorio** – Any updates with a meeting with the Borough and the Parking Authority?

**Mr. Ziegler** – Currently working on getting a complete listing of the Borough's assets and mapping which would be associated with this meeting along with the financial information and once that is done we can schedule that meeting in probably a week or two.

**Vice President Fuller** – When the portions of Hancock Street have to be closed please give Council a forewarning so we can respond to residents who ask.

**Comments for the good of Council:**

**Councilman Hansen** – Shout out to the Borough workers who worked so hard during the blizzard.

**Councilman Work** – Thank you to Council, staff and the public who sent their messages and condolences after his father's death.

**Councilman Van Dame** – There are several vacancies on the Economic Development Committee and one vacancy on the Planning Commission. If anyone is interested, please contact the Borough Manager at [manager@lansdale.org](mailto:manager@lansdale.org). Submissions will be due March 2<sup>nd</sup>.

**Vice President Fuller** – Excited for the buzz that the Citizens for the Revitalization of Lansdale has created and she loves to see people attend our meetings. The Chamber event was the largest for businesses. Also, Richard Strahm's blog is great as it makes you think about patronizing the businesses in Lansdale. Also, Green Street Luxuries was featured on ABC Today in Harrisburg. There is a clip on their Facebook page.

**Mayor Szekely** – Because of Boardroom Spirits Distillery in Lansdale we made the Transylvanian Times in Transylvania.

**Councilman Malagari** – Last week he had the chance to tour Stove and Tap and it looks really nice. They have really brightened up the inside.

Agenda Item #11 – Old Business

**Councilman Angelichio** – Ms. Scheuring is under a timeline to get her non-profit started for the Hometown Hero banners and there should be no reason to delay her to move forward. He would like to make a motion to move this forward unless there is an objection from anyone on Council.

**President Burnell** – Is March 16<sup>th</sup> too late to make this motion?

**Mr. Richard Strahm** – On behalf of Discover Lansdale they would be happy to work with Ms. Scheuring to assist as the overarching non-profit for her project to help her speed up the process.

**Councilman Van Dame** – Could we do a Special Meeting so that Ms. Scheuring and Discover Lansdale can meet and come to an agreement?

**President Burnell** – We will need to work out some details and order more brackets, etc. before we can approve. We can also work on the International Spring Festival banners as well.

Agenda Item #12 New Business

None

*Meeting adjourned at 8:39pm.*