

April 24, 2019

The Business Meeting of Lansdale Borough Council was held on Wednesday, April 24, 2019 in the Council Chambers, 1 Vine Street, Lansdale, PA and called to order at 7:08 pm by Council President, Denton Burnell.

ROLL CALL:

- (X) Councilman Angelichio
- (X) Councilman Breish
- (X) President Burnell
- (X) Councilwoman Hawkins Charlton
- () Councilman DiGregorio - working
- (X) Vice President Fuller
- (X) Councilman Hansen
- (X) Councilman Henning
- (X) Councilman Work
- (X) Mayor Herbert – attended via teleconference

Borough Representatives:

Borough Manager, John Ernst
Finance Dir, John Ramey
Police Chief, Mike Trail
Parks & Rec. Director, Karl Lukens
Electric Superintendent, Andy Krauss
Public Works, Rick DeLong
WWTP Superintendent, Dan Shinskie

Borough Solicitor, Sean Kilkenny
Borough Engineer, Chris Fazio
Library Director, Tom Meyer
IT/GIS Coordinator, Justin Smith
Cust. Svc Mgr., Pat Chapman
HR Director, Nancy Shaw
Code Enforcement, Chris Kunkel

Residents:

Vira Katolik – 121 W. Third Street
Mike Sarnocinski – Delaware Avenue
Maryanne Lipa – 1021 W. Main Street
Jeff Kolikowski – no address given
Jarrell Jones – 1512 Park Street

Agenda Item #5 – President’s Comments

President Burnell – Council met in an Executive Session earlier this evening regarding potential litigation and discussed the Conditional Use Hearing this evening. There will be action later in the meeting.

Agenda Item #6 – Presentations

Business of the Month presented by Councilwoman Hawkins Charlton

- Scent & Sip is a locally-owned family-run small business. Jen Burnley, along with her husband Chris, daughter Abbey and mother Joan, opened Scent & Sip in February 2017 at 323 Main Street in Lansdale.
- At Scent & Sip you can create your own signature scent. By experimenting with 150 fragrances + 30 scentable products — the creations are endless! Jen is launching her newest scent right here at our meeting called the “Scent of Lansdale.”
- Scent & Sip offers a full range of home, candles, bath, body, hair care and personal fragrance products. Their top 3 products are candles, sugar scrubs and mists. Their products are natural, cruelty-free and most are organic. Jen is also testing out slime for the younger crowd.

- Fragrance is such a large part of their business and they have been doing their research on what scent is popular and why at a particular moment.
- You can shop the pre-made products including their wall of already made candles, though most customers create their own personal products at the blending bar. Make sure you make a reservation; most weekends are on a wait list.
- Scent & Sip welcomes celebrations of all types. They have hosted birthday parties from 4 to 101!
- The "Sip" part of our name is that they are a BYOB — juice bags to whiskey & everything in-between is welcome at Scent & Sip.
- Their hours are Tuesday - Saturday 11-8, Sunday 11-5. Visit their website at scentandsip.com to make a reservation.
- Scent & Sip has big future plans including a second location in the Lehigh Valley and also the possibility of marketing Scent & Sip as a franchise business.

Jen Burnley – Thank you so much. We love being a part of this community.

Conditional Use Hearing – 43 W. Third Street. The conditional use hearing is recorded by a court reporter.

Mr. Kilkenny – explained the process of the conditional use hearing and that this is part of the Borough Code through ordinances. The developer has met the conditional use criteria under the law so Council is obligated to approve the application. Council can approve tonight or within 45 days and can attach the conditions here. Staff has had numerous conversations and investigated the automated garage system in great length. If Council votes no then the developer could appeal in court because they met the zoning requirements and then the Borough could lose all the conditions set forth and it will be costly to go to court.

Mr. Kilkenny read the list of conditions into record recorded by the court reporter.

Councilman Hansen presented Motion #1 and read as follows:

I move that Borough Council approve the Conditional Use Application for Bennett Properties, LLC for 43 W. Third Street - Walnut Street Crossing, subject to the conditions attached to this motion.

Councilman Hansen – He doesn't like the size of this building nor the density. We as Council are legally obligated to protect the Borough and its residents and the developer has met the conditions so we have to move forward with this application. He is reluctant to vote yes but has to legally.

Councilman Breish – He shares the same sentiment has Councilman Hansen. He is concerned about fire safety. We also need to look at our economics of some of those who live in our town. We don't want to push people out because they can't afford to live in luxury apartments and the rents in other parts of town get higher due to these kind of apartments.

Councilman Angelichio – He still has concerns on the size of the building. We don't want builders coming in, buying blocks of homes to put in large apartment buildings and pushing homeowners out of town. This can be taxing on the police department and more traffic will be created.

Councilwoman Hawkins Charlton – She likes the project and it goes with the Borough's Comprehensive Plan. She did hope that there would be one less floor. She also suggests that one floor be condos that can be purchased. We don't want a town of just renters.

Councilman Henning – It is an impressive building and parking system. He had hoped it would be scaled back, but you did your homework in regard to the height requirements and what you can do.

Vice President Fuller – She is not willing to go to court and risk not getting any of the conditions we put on the developer. She does like some aspects of the building, but it is rather large for that area.

President Burnell – He wishes the building could be lower. He wants to point out that even though the conditional use can be granted, it doesn't mean the building will get built. We still have to go through the land development process. It doesn't mean it won't get built either. There is a legal process that we must follow and we are doing that.

Vira Katolik of 121 W. Third Street – she has been here through the whole process and loves this project. She didn't at first but now sees the impact this building could have on the Borough in a positive way.

Mike Sarnocinski of Delaware Avenue – This is not a project that Lansdale should be approving. We are losing the small-town feel.

Maryanne Lipa of 1021 W. Main Street – The Stanbridge apartments are at least six stories high. She was upset about the Madison Lot development. She thinks this will be a good building for the Borough.

Jeff Kolikowski no address given – Council set the agenda for the development and set the expectations of developers. We have to prepare for change in this town.

Steve Ims attorney for Mr. Zeigler – He extends his thanks to Council. His client is very excited to proceed and feels this apartment building will be an asset to the Borough. His client will be here for years to come and won't be an absentee landlord.

Motion seconded by Vice President Fuller and unanimously approved.

Agenda Item #7 – Petitions

None

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

Jarell Jones of 1529 Park Street – He was wondering if there was an update on the skate park.

Vice President Fuller – The location has been approved as well as the design. The bids came back way over budget. We decided to loosen some of the conditions and it is now being re-engineered. The bids will be broken down into three different areas so it will help us get a better price. Notification to bid on the project will be out in a few months.

Agenda Item #9 – Action Items

Councilman Angelichio presented Motion A and read as follows:

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

Motion seconded by Councilwoman Hawkins Charlton and unanimously approved.

Councilman Angelichio presented Motion B and read as follows:

4/24/2019

Business Meeting

Page 3 of 7

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

Motion seconded by Vice President Fuller and unanimously approved.

Councilman Angelichio presented Motion C and read as follows:

I move that Borough Council approve the following meeting minutes:

Work Session: March 6, 2019
Business Meeting: March 20, 2019

Motion seconded by Councilwoman Hawkins Charlton and unanimously approved.

Councilman Angelichio presented Motion D and read as follows:

I move that Borough Council authorize the Borough Solicitor to sign the Settlement Stipulation in the matter of Parec Lansdale Office Associates vs. Montgomery County Board of Assessment Appeals, et. al which will mark the assessment appeal for the property located at 100 West Main Street settled, discontinued and ended and reduces the 2017, 2018 and 2019 assessment for the property resulting in a Borough refund to the property owner in the amounts \$3,913, \$5,223 and \$5,925 for those respective years.

Motion seconded by Vice President Fuller and unanimously approved.

Councilman Angelichio presented Motion E and read as follows:

I move that Borough Council approve the attached the settlement agreement and mutual release in the in the amount of \$89,000 to Landscape Designs Inc. d.b.a. Tulio Group for work done at 421 W. Main Street.

Vice President Fuller – She has issues with how this project was done and the work that was done. We have to use the lowest responsible bidder per PA State Code. How can we make sure a contractor is responsible?

President Burnell – He understands that sentiment.

Mr. Kunkel – We have been working with Chris Fazio and Sean Kilkenny to outline what a responsible bidder is for future projects. We may have to reject bids in the future if bidders aren't up to our standards.

Councilman Angelichio – He agrees with Vice President Fuller. In Public Works we have begun working on how to get qualified contractors and will have some safeguards in place.

Vice President Fuller – The contractor did go back and do the work to the satisfaction of the Borough.

Motion seconded by Vice President Fuller and unanimously approved.

Councilman Angelichio presented Motion F and read as follows:

I move that Borough Council approve the attached temporary sign license agreement with Lansdale Multi-Family Development, L.P. to erect and maintain a sign for a period of one year contingent on proof of insurance as set in the agreement.

Motion seconded by Councilwoman Hawkins Charlton and unanimously approved.

Councilman Hansen presented Motion G and read as follows:

I move that Borough Council authorize the Borough Solicitor to prepare and the Borough Manager to advertise an ordinance to adopt the 2015 Edition of the International Fire Code.

Motion seconded by Councilman Breish and unanimously approved.

Councilman Work presented Motion H and read as follows:

I move that Borough Council authorize the closing of West Main Street from Broad Street to Valley Forge Road and various other Borough roads (on file in the police department) from 3:00pm to 11:00pm on Saturday, June 15, 2019 for the Under the Lights Car Show sponsored by the Fairmount Fire Company per the recommendation of the Special Events Committee and the Public Safety Committee.

Motion seconded by Vice President Fuller and unanimously approved.

Councilman Work presented Motion I and read as follows:

I move that Borough Council authorize the closure of various borough streets in the downtown area (on file at the police department) for First Friday events hosted by Discover Lansdale the first Friday of each month beginning May 3, 2019 through December 6, 2019 from 6:30pm to 9:30pm. Additionally, authorize the use of Railroad Plaza as a staging area from 6:30pm to 9:30pm, per the recommendation of the Special Events Committee and the Public Safety Committee.

Motion seconded by Vice President Fuller and unanimously approved.

Councilman Work presented Motion J and read as follows:

I move that Borough Council adopt the attached Ordinance 1925 amending the "Vehicles and Traffic" provisions of the Borough Code to establish two-hour parking and 15-minute parking on Madison Street between Main Street and Richardson Avenue and to establish one-way northbound traffic on Madison Street between Main Street and a point of 381-feet north of Main Street.

Motion seconded by Vice President Fuller and unanimously approved.

Councilman Angelichio presented Motion K and read as follows:

I move that Borough Council approve Change Order #1 in the amount of -\$56,988.00 (reduction) for the Whites Road Sanitary Sewer Repair per the recommendation of Remington & Vernick, engineering consultants for this project.

Motion seconded by Councilman Breish and unanimously approved.

Councilman Angelichio presented Motion L and read as follows:

I move that Borough Council authorize Payment #2 (Final) in the amount of \$51,870.00 to Almeida & Hudak Contractors LLC for work completed on the Whites Road Sanitary Sewer Repair Project per the recommendation of Remington & Vernick Engineers, engineering consultants for this project.

Motion seconded by Councilman Breish and unanimously approved.

Councilman Angelichio presented Motion M and read as follows:

I move that Borough Council authorize Payment #2 in the amount of \$181,683.67 to DOLI Construction Company for work completed on the N. Line Street Rehabilitation Project per the recommendation of Remington & Vernick Engineers, engineering consultants for this project.

Motion seconded by Councilman Breish and unanimously approved.

Item #10 – Information Items

Mayor's Report: Mayor Herbert

1. No report – Mayor Herbert had to get off the line.

Solicitor's Report: Sean Kilkenny

1. Worked on the 421 W. Main Street agreement – 10 hours
2. Worked on the ordinance for Madison Street – 5 hours
3. Assisted with Code Enforcement notices – 2 hours
4. Worked on a potential litigation matter – 20 hours
5. Assisted with Right to Know Request – 2 hours
6. Worked on the Conditional Use Hearing for 43 W. Third Street – 15 hours
7. Attending a hearing – 4 hours

Borough Manager's Report: John Ernst

1. Justin Smith was a guest lecturer at Rowan University to talk about our GIS system.
2. John Ramey sat on the panel for the Pennsylvania Parks & Recreation Society to talk about how different departments work together.
3. The Wissahickon Clean Water Partnership received an award from the Water Resources Association of Delaware Water Basin for the work being done in the watershed.
4. NPWA is holding a contest between the Borough and another local community to win a rain garden. Whichever community get the most votes between May 6 -10 wins the rain garden. More information will be on NPWA website as well as our website.

Vice President Fuller – Could we name that rain garden after someone when we win it?

President Burnell – Will there be any of our own resources used to create the rain garden if we win?

Mr. Ernst – If we win, we will receive \$5,000 max. We will have to contribute some materials and equipment to build it.

Comments for the good of Council:

Councilwoman Hawkins Charlton – Amazing egg hunt two weeks ago by the Parks & Rec. department. Thank you to Mayor Herbert, Rep. Malagari and Judge Levine for participating in opening day for little league.

Councilman Breish – His daughter loved the egg hunt. Another great job.

Councilman Henning – Thank you for Councilman Breish for organizing the clean up on Main Street on April 20. One big issue we found during the clean up was an over abundance of cigarette butts near the bus stop on Main and Lansdale Tavern. Is there something we can provide so people don't throw their butts on the ground.

Councilman Breish – We also found a needle in plain site on Main Street.

Vice President Fuller – The next Freight House clean up is Sunday at 11:00am. May 3 is the first First Friday of the season and the new Discover Lansdale directory will be available too.

Chief Trail – If anyone should see a needle on the ground DO NOT pick it up. Call 911 so an officer can be dispatched. We are trained on how to handle needles. With fentanyl being so available just the tiniest amount can kill you so please DO NOT touch it.

Agenda Item #11 – Old Business

None

Agenda Item #12 New Business

None

Meeting adjourned at 9:03.