

March 20, 2019

The Business Meeting of Lansdale Borough Council was held on Wednesday, March 20, 2019 in the Council Chambers, 1 Vine Street, Lansdale, PA and called to order at 7:07 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 Henning
- (X) Councilman Work
- (X) Mayor Herbert

Borough Representatives:

Borough Manager, John Ernst
Finance Dir, not present
Police Chief, Mike Trail
Parks & Rec. Director, not present
Electric Superintendent, Andy Krauss
Public Works, Rick Delong
WWTP Superintendent, not present

Borough Solicitor, Sean Kilkenny
Borough Engineer, not present
Library Director, Tom Meyer
IT/GIS Coordinator, Justin Smith
Cust. Svc Mgr., Pat Chapman
HR Director, not present
Code Enforcement, Chris Kunkel

Residents:

None

Agenda Item #5 – President’s Comments

President Burnell – Council met in an Executive Session earlier this evening regarding potential litigation. There will be action on this item later in the meeting.

Agenda Item #6 – Presentations

Inclusion Day Proclamation presented by Mayor Herbert

- Proclamation was read that declared February 2 as Inclusion Day in the Borough of Lansdale.
- The proclamation was presented to Eric Torres.

Conditional Use Hearing – 301 N. Broad Street. The conditional use hearing is recorded by a court reporter.

Councilman Hansen presented Motion 1A and read as follows:

I move that Borough Council approve the application of Pennsylvania Hindu Temple, Inc. for a conditional use to operate a religious use on the Property of 301 N. Broad Street. This approval is subject to the following conditions:

1. The use shall be established and operated in substantial conformity with the testimony and exhibits presented by the Applicant to Borough Council at its March 20, 2019 hearing.
2. The Applicant must obtain all required permits and approvals required for the proposed use.

3. This application does not include a child daycare use. The Applicant will apply for a separate conditional use if it wishes to operate a child daycare use on the property.

Motion seconded by Vice President Fuller and unanimously approved.

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

Agenda Item #7 – Petitions

None

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

None

Agenda Item #9 – Action Items

Councilman Angelichio presented Motion #1 and read as follows:

I move that Borough Council appoint Frank S. Nofer of the Conshohocken based Law Firm of Brehm, Nofer and McCarter as Special Counsel for construction litigation pursuant to their proposal to the Borough Manager dated February 22, 2019.

Mr. Kilkenny – The Borough has had some issues with some contractors, one being GoreCon. My firm is qualified to negotiate and litigate contract matters, but Council wants a firm with construction litigation expertise. This firm can help pick mediators and they better understand PennDOT regulations.

Motion seconded by Councilwoman Hawkins Charlton and unanimously approved.

Councilman Angelichio presented Motion A and read as follows:

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

Motion seconded by Vice President Fuller and unanimously approved.

Councilman Angelichio presented Motion B 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 Hawkins Charlton and unanimously approved.

Councilman Angelichio presented Motion C and read as follows:

I move that Borough Council approve the following meeting minutes:

Work Session: February 6, 2019
Business Meeting: February 27, 2019

Motion seconded by Councilman Breish and unanimously approved.

Councilman Hansen presented Motion D and read as follows:

I move that Borough Council adopt the attached Ordinance 1924 amending Chapter 215, Food Establishments, by adding Chapter 215, Section 18, Mobile Food Vendors, regulating the operation of Mobile Food Vendors and requiring a permit for their operation in the Borough.

Motion seconded by Vice President Fuller and unanimously approved.

Councilman Work presented Motion E and read as follows:

I move that Borough Council authorize the 10th Annual Lansdale Beer Tasting Festival on Saturday, June 22, 2019 from 12:00pm to 5:00pm to take place at Cannoneers Football Field located off of West Fifth Street per the recommendation of the Special Events Committee and the Public Safety Committee.

Motion seconded by Vice President Fuller and unanimously approved.

Councilman Angelichio presented Motion F and read as follows:

I move that Borough Council authorize Remington & Vernick Engineers to prepare and advertise bid specifications for the 2019 ADA Improvement Project.

Motion seconded by Councilman Breish and unanimously approved.

Councilman Angelichio presented Motion G and read as follows:

I move that Borough Council authorize the Borough Manager to purchase a truck chassis from International and a J&J stainless steel dump body with plow and assembly from U. S. Municipal for a total cost of \$163,340.00 through the Costars State Purchasing Program.

Motion seconded by Councilman Breish and unanimously approved.

Councilman Angelichio presented Motion H and read as follows:

I move that Borough Council authorize Payment #4 in the amount of \$17,138.80 to Shainline Excavating for work completed on the replacement of pumps and piping at the Ridge Street Pump Station per the recommendation of Bursich Associates, Inc., engineering consultants for this project.

Motion seconded by Vice President Fuller and unanimously approved.

Councilman Henning presented Motion I and read as follows:

I move that Borough Council appoint Thomas York to serve a five-year term on the Lansdale Parking Authority. This term is effective immediately and expires on March 31, 2024.

Motion seconded by Vice President Fuller and unanimously approved.

Councilman Angelichio presented Motion J and read as follows:

I move that Borough Council approve the release of payment #2 to Gorecon, Inc. in the amount of \$325,000. This represents a partial payment of the requested amount, the full amount will be released upon the S. Cannon Avenue paving project being completed to the satisfaction of the Borough.

Motion seconded by Councilwoman Hawkins Charlton and unanimously approved.

Item #10 – Information Items

Mayor's Report: Mayor Herbert

1. On Thursday, March 28 the Police Chief and I attended the local NAACP, that covers the North Penn area, event that took place in Ambler where they highlighted the good works they plan on doing throughout the year and swore in their new executive officers. The NAACP handed out their awards for the essay scholarships to multiple high school and middle school aged children
2. On March 19 I attended a meeting of the U.S. Coast Guard Auxiliary of Lansdale at Calvary Baptist Church. They are the uniformed volunteer branch of the U.S. Coast Guard that supports all the main missions of the Coast Guard. Staffed by 19 volunteers who gave 2,430+ hours of their time to 2018 missions. Their main focus is Small Waterway Patrols at Lake Nockamixon and Blue Marsh Lake and Vessel Examinations.
3. The Chief and I met with a representative from the county who works on community outreach and alert systems. She helped us understand the various options we have in delivering timely alerts to our community through free technology that is managed by the county.
4. Over the course of the last few weeks the Chief and I have had several discussions about the proposed Fire Inspection/Fire Chief/Emergency Management position that we are currently hiring for. Based on what FEMA expects from a local Emergency Manager, I am convinced that this needs to be a standalone position that is appointed in coordination with my office. In the event of an emergency, which I recognize we don't have every day, we do not want to have someone who only spends, at most a third, of their time thinking about how we will handle such events. That is too much risk in my opinion. Instead, we should have a person dedicated to preparing for all possible scenarios that might occur in our community and be aptly prepared to handle them as they occur. Because of our location on a rail line and outside one of the largest cities in the country, that person will need to foster relationships with private and public entities to understand their procedures and practices to ensure our systems align with theirs. This will require us to change the existing ordinance for the role and for us to allocate funds to such an effort. I would ask council take this action as soon as possible.

President Burnell – This is something that should be discussed in Admin & Finance as well as Public Safety.

Solicitor's Report: Sean Kilkenny

1. Worked on the Gorecon matter - 15 hours.
2. Working on an agreement with Tulio Group for the 421 W. Main Street fire escape - 1.8 hours.
3. Prepared a staff member for a deposition for 1 hour.
4. Drafted the Madison Street ordinance – 1 hour
5. Researched restructuring of Library Board – 3 hours
6. Worked with staff on various topics – 3 hours

Borough Manager's Report: John Ernst

1. NPWA is doing service replacements and lateral replacements in the Cherry Street, Hancock Street and Pennbrook Avenue area so we will change our road program in 2019 to work around their work.

Councilman Angelichio – There are supposed to be 21 ADA ramps to be replaced in that neighborhood. Will this impact that work?

Mr. Kunkel – No, it will not impact that work.

Comments for the good of Council:
Councilman Hansen –

Vice President Fuller - Don't forget that there is a park clean up and Spotted Lantern fly sack clean up on March 31 at Stony Creek Park.

Agenda Item #11 – Old Business
None

Agenda Item #12 New Business
None

Meeting adjourned at 10:20pm.