

May 19, 2021

The Business Meeting of Lansdale Borough Council was held on Wednesday, May 19, 2021 online via Zoom Meeting and called to order at 7:04pm by Council President, Denton Burnell.

ROLL CALL:

- (X) Councilman Angelichio
- (X) Councilman Breish
- (X) President Burnell
- (X) Andrew Carroll
- (X) Councilwoman Hawkins Charlton
- (X) Councilman DiGregorio
- (X) Vice President Fuller
- (X) Councilman Henning
- (X) Councilwoman Currie Teoh
- (X) Mayor Herbert

Borough Representatives:

Borough Manager, John Ernst
Finance Dir, Melissa Gemelli
Police Chief, Mike Trail
Parks & Rec. Director, not present
Electric Superintendent, Andy Krauss
Public Works Superintendent, absent
Fire Marshal, Rick Lesniak

Borough Solicitor, Patrick Hitchens
Borough Engineer, Chris Fazio
Library Director, Tom Meyer
IT/GIS Coordinator, Bryan Poster
Code Enforcement, Jason Van Dame
WWTP Superintendent, Dan Shinskie
Asst. WWTP Superintendent, Greg Rapp

Residents:

Anne Scheuring – 225 S. Line Street
Jean Fritz – 531 Pennbrook Avenue
Rose Chapman – W. Mr. Vernon Street

Agenda Item #5 – President’s Comments

President Burnell – Reviewed the logistics of resident participation in the Zoom meeting.

Agenda Item #6 - Petitions

None

Agenda Item #7 – Presentations

1. Human Relations Commission Update – Aurelia Henry, Chairperson

- The HRC meets once a month via Zoom to review any complaints if any have been received. They also discuss how they can get the word out to businesses and residents that they are here and what they do.
- They are working on flyers that can be handed out at events and letters that can be sent to faith-based organizations expressing who they are and what they can do to assist them if needed.
- To date, the HRC has attended three separate training sessions.
- They had one complaint submitted in 2019 and one in 2020. Mediation was not needed for either complaint. They have also received one complaint in 2021.
- They are proposing to Council to have a budget of \$750 for the remainder of 2021.

Mr. Ernst – What would the money be used for?

Ms. Henry – A fee for a table at Lansdale Day, printing and postage costs. Attend trainings and attorney fees if they need a complaint reviewed by the solicitor.

Mr. Ernst – We can have your request added to the Admin & Finance agenda in June.

Vice President Fuller – Thank you for your service to the Borough.

Mr. Hitchens – He would want Council to be okay with him advising the HRC when needed. As always, he tries to keep his costs as low as possible.

Agenda Item #8 – Conditional Use Hearing – Joe Clement, Special Counsel

1. 325 Madison Street and Lansdale Multi Family Development, LLP. This is to convert retail space on the first floor in Building E to 4 residential apartments. This hearing is recorded by a Court Reporter. The hearing began at 7:16pm and ended 7:44pm.

Agenda Item #9 – Residents to be heard on any item

Ms. Scheuring of 225 S. Line Street – Thank you to Bryan Poster and the GIS Team for getting the banners on GIS and the website so people can find the location of their loved ones banners. Thank you to Public Works for hanging them.

Ms. Jean Fritz of 531 Pennbrook Avenue – Because there are so many new apartments will the voting districts change? Who takes care of doing that?

Mr. Burnell – He believes the County does that.

Mr. Angelichio – The County sets the districts and the lines. We would need another census to have that changed.

Ms. Fritz – Today the paving was finished on Pennbrook Avenue. All of the construction crew were very nice.

Ms. Rose Chapman tried to make a comment, but was having technical difficulties.

Mr. Burnell – I anticipate that Ms. Chapman's question pertains to when we will go back to in-person meetings again. We are looking to start on June 16 for the business meeting. We want to hold hybrid meetings if we can.

Agenda Item #10 – Action Items

Councilman DiGregorio presented Motion #1 and read as follows:

I move that Borough Council grant Conditional Use Approval to the Madison Lot Project Development and execute the Conditional Use Decision and Order attached hereto.

Motion seconded by Vice President Fuller and approved 8-1 with Councilman Angelichio voting no.

Councilman Angelichio presented Motion A and read as follows:

I move that Borough Council approve the Treasurer's Report for the month of April 2021 which shows the expenditures listed on the attachments.

Motion seconded by Councilwoman Hawkins Charlton and unanimously approved.

Councilman Angelichio presented Motion B and read as follows:

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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: April 7, 2021
Business Meeting: April 21, 2021

Motion seconded by Councilwoman Hawkins Charlton and unanimously approved.

Councilman Angelichio presented Motion D and read as follows:

I move that Borough Council adopt attached Resolution 21-18 amending the Borough's fee schedule for the year 2021 to amend the fees for Parks & Recreation Swim Lessons.

Motion seconded by Vice President Fuller and unanimously approved.

Councilman Angelichio presented Motion E and read as follows:

I move that Borough Council authorize the Borough Solicitor to sign the Settlement Stipulation in the matter of FTP Silk Factory Lofts LP vs. Montgomery County Board of Assessment Appeals, et, al which will mark the assessment appeal for the property located at 200 S. Line Street and the parking lot located at the northwest corner of Kriebel Avenue by increasing the 2020 and 2021 assessment for the property resulting in the Borough to receive an amount of \$10,678.70 from the property owner for the years listed above.

Councilman Angelichio presented Motion F and read as follows:

I move that Borough Council authorize the Borough Solicitor to sign the Settlement Stipulation in the matter of 306 Madison, LLC vs. Montgomery County Board of Assessment Appeals, et, al which will mark the assessment appeal for the property located at 303-305 Madison Street by increasing the 2020 and 2021 assessment for the property resulting in the Borough to receive an amount of \$3,602.26 from the property owner for the years listed above.

Motion seconded by Vice President Fuller and unanimously approved.

Councilman Angelichio presented Motion G and read as follows:

I move that Borough Council authorize the Borough Solicitor to sign the Settlement Stipulation in the matter of 840-884 W. Main Street vs. Montgomery County Board of Assessment Appeals, et, al which will mark the assessment appeal for the property located at 840-884 West Main Street by increasing the 2020 and 2021 assessment for the property resulting in the Borough to receive an amount of \$3,466.39 from the property owner for the years listed above.

Councilman DiGregorio presented Motion H and read as follows:

I move that Borough Council adopt attached Resolution 21-19 granting a waiver of land development to convert approximately 3,060 square feet of commercial space into four apartments within the Madison Lot Development.

Motion seconded by Vice President Fuller and approved 8-1 with Councilman Angelichio voting no.

Councilman DiGregorio presented Motion I and read as follows:

I move that Borough Council adopt attached Resolution 21-20 authorizing the execution of a deed to confirm the vacating of a portion of a paper street previously known as Swinton Street.

Councilwoman Hawkins Charlton – Where is this street located? She can't see it on the map.

Mr. Van Dame – It is a paper street that was never developed between Green Street & Susquehanna Avenue near the cemetery. The developer wants to put a quad apartment building where a single-family home sits in a subdivided lot. Technically this is not needed since the street was not developed by the Borough.

Mr. Hitchens – If a street is not opened after a certain amount of time, the land reverts to the closest landowner.

Councilwoman Hawkins Charlton - \$1 is correct for payment?

Mr. Hitchens – Some sort of value is needed for the county to record the deed. It is merely a paperwork item.

Councilman Breish – This shouldn't come from the community to pay for this process. We should amend the motion to reflect that all costs are paid by the developer.

Mr. Hitchens – The developer prepared the paperwork and will have it recorded. All expenses are paid through the land development process from their escrow account.

Motion seconded by Vice President Fuller and unanimously approved.

Vice President Fuller presented Motion J and read as follows:

I move that Borough Council approve Change Order #2 in the amount of -\$9,063.70 (reduction) for the Liberty Bell Trail in Stony Creek Park per recommendation of Pennoni Associates. This is a final balancing change order.

Motion seconded by Councilman Carroll and unanimously approved.

Vice President Fuller presented Motion K and read as follows:

I move that Borough Council adopt the attached Resolution 21-21 authorizing the submission of a grant application for a Greenways, Trails and Recreation Program (GTRP) for the paving of the Stony Creek Park parking lot.

Motion seconded by Councilman Carroll and unanimously approved.

Councilwoman Currie Teoh presented Motion L and read as follows:

I move that Borough Council authorize the Borough Solicitor to prepare and the Borough Manager to advertise an Ordinance, amending section 370-5B, of the Vehicles and Traffic provision to move two (2) 15 minute parking spaces from the one way portion of Madison Street (southside) to the two-way portion of Madison Street (northside).

Councilman Henning – Where on the other side of Madison Street will these spots be?

Councilwoman Currie Teoh – They will be scattered on that block so they are spaced out and not all in one location.

Mayor Herbert – One will be near Well Crafted and the other near Wood Street.

Motion seconded by Councilman Carroll and unanimously approved.

Councilwoman Currie Teoh presented Motion M and read as follows:

I move that Borough Council approve the Special Events application submitted by Stove & Tap for the closure and use of a portion of North Wood Street between the hours of 12:00pm to 9:00pm for a Summer Block Party on Saturday, May 22, 2021 with the conditions that they have the Fire Department Connection be maintained free and clear of any obstructions and they are in compliance with the CDC's current guidelines at the time of the event for safe social practices and pay full reimbursement costs of the safety barriers to the Borough.

Motion seconded by Councilman Carroll and unanimously approved.

Councilwoman Currie Teoh presented Motion N and read as follows:

I move that Borough Council authorize the closure of various Borough streets (on file at the police department) for the Borough of Lansdale's Founders Day event on Saturday, August 28, 2021 per the recommendation of the Special Events Committee and the Public Safety Committee. Additionally, authorize the closure of the following streets: S. Line Street between E. Main Street and Penn Street; Penn Street between S. Line Street and Church Road; Park Avenue between E. Main Street and Penn Street from 8:00pm until the conclusion of the fireworks display.

Motion seconded by Vice President Fuller and unanimously approved.

Councilman Breish presented Motion O and read as follows:

I move that Borough Council adopt Resolution 21-22 regarding the Flood Mitigation Program Grant Application for streambank stabilization measures in the Lansdale Cemetery.

Mr. Fazio Borough Engineer - The grant allows the Borough to utilize funds spent on work that Remington and Vernick previously did on the Lansdale cemetery H &H engineering study towards the match required for the grant. That being said, the match will be approximately \$10,000-\$15,000.

Motion seconded by Vice President Fuller and unanimously approved.

Councilman Breish presented Motion P and read as follows:

I move that Borough Council adopt attached Resolution 21-23 authorizing the emergency repair work on the sink hole and related storm sewer on Ridge Street.

Motion seconded by Councilman Carroll and unanimously approved.

Item #11 – Information Items

Mayor's Report: Mayor Herbert

1. On Sunday April 25 I visited North Penn High School where they were hosting one of the regular COVID-19 vaccination clinics hosted by Skippack Pharmacy. I was happy to see

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a fast-moving line of people waiting to get their first and second doses of vaccine. Thanks goes out to Dr. Mak and all the volunteers who are helping us reach our vaccination goals in the North Penn area. If you have not gotten vaccinated yet, please consider doing so.

2. On Tuesday April 27 Chief Mike Trail and I met with the Montgomery County Department of Health to discuss the growing number of mental health calls that LPD has responded to in the last year. We discussed how we can better coordinate our response with the County Mobile Crisis Unit and explore joint response and what an in-house partnership might look like. This is an ongoing discussion with the County and would dramatically increase and improve our ability to respond to mental health calls with mental health professionals.
3. On Saturday May 1 I attended the Black Reserve Book Store's grand re-opening in their new location just off of Main Street in the Drescher Arcade. I appreciate the good works Shaykh Anwar Muhammad has contributed to our community both here in the community and with the local chapter of the NAACP.
4. On Sunday May 16 I joined Manager John Ernst, Councilman Henning, Emergency Manager Rick Lesniak, and Chief Mike Trail at our Emergency Management Simulation. The simulation involved a commercial vehicle striking a SEPTA train and involved multiple victims with various injuries. The response demanded the coordination between multiple agencies and multiple emergency response teams. It was amazing to watch everyone working in unison and I deeply appreciate the time it took to coordinate this simulation. As Chief Mike Trail often tells me, we can only be as good as we practice and that we must never stop practicing. I am proud of our work in this area so far and I know if we continue to prioritize emergency management in our community our response teams will continue to be some of the best in the region.
5. I would like to congratulate all the candidates who were on the ballot yesterday and thank all the voters that came out to participate in our democratic process. It was a beautiful day and I am personally honored to have received the support of so many in the community.

Solicitor's Report: Patrick Hitchens

1. Communications with Borough staff and related follow-up work on ordinance and resolution matters– Approximately 2 hours.
2. Communications with Borough staff and related follow-up work on various land development matters and potential land development including 151 Mt. Vernon, 512 Green, and 325 Madison – Approximately 7 hours.
3. Communications with Borough staff and follow-up work relating to tax assessment appeal matters – Approximately 4 hours.
4. Communications with Borough staff and follow-up work relating to lien and lien litigation matters - Approximately 8 hours.
5. Communications with Borough staff and follow-up work/ legal review relating to electric department matters – Approximately 2 hours.
6. Communications with Borough staff and related follow-up work regarding miscellaneous Borough matters including compliance/ legal updates, litigation, and easement matters – Approximately 7.5 hours.

Borough Manager's Report: John Ernst

1. Congratulations to Jason Van Dame for the completion of the Penn State University Public Entity Leadership Certificate Program. Seven classes and workshops focusing on all aspects of management and leadership.
2. Congratulations to Bob Johnson (Parks & Rec) for completing his training to become a Certified Pool and Spa operator. This qualifies Bob to operate and maintain the

mechanical equipment and chemical additives required to keep our public swimming pools running clean and efficient.

3. National Public Works Week: this week as we celebrate public works professionals here in Lansdale and across the nation. These crews focus on infrastructure, facilities and services that are of vital importance to the health, high-quality of life and well-being of the people in Lansdale. Not only our PW Dept, but our WWTP and Electric Depts as well.
4. Pennbrook Avenue is finally paved.
5. Columbia Avenue contractors will be mobilized and hope to begin the project within the next two weeks.
6. White's Road Park Playground: Final items are being coordinated and completed. Hopefully we can have a soft opening within the next couple days.
7. Memorial Park Tennis Courts are under construction. Final paving will begin shortly, then the surface needs to cure for several weeks. Colored surface and pickle ball lines will be added to each court.
8. The following links on the Online Bills section of the Borough's web page are either not working or are intermittently working:
 - Text billing
 - Email billing
 - Paying by text
 - Paying online
 - Setting up paperless billing or automatic withdrawals
 - Viewing bills online
9. We experienced some issues accepting credit cards in the office for the past two weeks. This issue has been corrected.
10. In-Person Public Meetings: As restrictions begin to lift throughout the state and region, we will continue to evaluate our policies for holding in-person Council meetings at Borough Hall. Our smaller committee meetings, i.e. Planning Commission, Parking Authority, ZHB, EDC, etc, will begin meeting in person beginning in June. When a timeline is decided upon for Council to return, we will make sure it is announced on all our public media outlets.
11. Lansdale150 - Even though we haven't been able to gather as a community for over a year, I'm pleased to announce that planning for the 150th anniversary celebration in 2022 is back in full swing. To acknowledge this historic milestone, we are bringing back some former favorite events, honoring Lansdale icons along with much more. We only turn 150 once and we're looking to do it in true Lansdale fashion! As you can imagine, planning a year-long celebration is quite an undertaking and we are looking for interested citizens to join us in the process. We know that our community is filled with talented individuals so if you are interested in helping out, please visit the Borough website and complete the volunteer form. You can also email lansdale150@gmail.com with suggestions or to for more details on anything 150th anniversary related.

Councilman Burnell – Is this a third-party issue for the billing difficulties? How long has this been going on?

Mr. Ernst – We believe it is a third-party issue and we are working with our vendors to fix it. This has been happening on and off for six weeks. It is not a consistent issue and happens intermittently.

Comments for the good of Council:

Councilwoman Hawkins Charlton – She spoke with some of the firefighters from FFCO and they loved the training and said it was very informative.

Councilman Angelichio – He was the sole no vote for the Madison project. This is not the project we were originally sold on and the plan had changed many times. Why do we need four more apartments if only 95% of the building is rented.

Vice President Fuller – She participated in the parks tour last week and it was a lovely afternoon. She is happy Founders Day is back this year and First Fridays will be coming before Council next month.

Agenda Item #12 – Old Business

None

Agenda Item #13 New Business

None

Meeting adjourned at 8:40pm.