

BOROUGH OF NORTH WALES
300 SCHOOL STREET
NORTH WALES, PENNSYLVANIA 19454

MEETING: May 26,2009 7:00 PM, DST

ROLL CALL:	Austin Armstrong	Present
	Justin Jewell	Present
	Margaret Michie	Present
	Wendy McClure	Present
	Daniel O'Connell	Present
	Christine Schiele	Present
	Mark Tarlecki	Present
	Jocelyn Tenney	Present
	William Van Sant	Absent

President Tarlecki called the meeting to order at 7:00 pm. Roll call found eight Council members present, one absent, i.e. William Van Sant. Also in attendance were Solicitor David Truelove, Mayor Douglas Ross and Borough Manager Susan Patton.

President Tarlecki announced couple changes on agenda. Agenda item #5, going to remove the Certificate of Appropriateness for 213 N. Main Street since the applicant and HARB are still working on this and going to put 216 Shearer Street in its place. Item #7 Uninvest Agreement is apparently still being worked on by the Solicitor.

Solicitor Truelove noted his associate has been in discussion with Mr. Swartley at Uninvest. Originally it was basic finance agreement but need to make sure language is in accordance with the pension ordinance. Anticipate having for the June 9th meeting.

Public Comment

Earl Wampole, 700 E. Walnut Street, addressed Council noting the stormwater contractor has started but they are behind schedule and hope they don't charge the Borough any extra because they have been hitting rock.

Mrs. Patton noted there should be no additional costs, the engineer covered that in the contract documents and we can get updated schedule.

President Tarlecki noted we can check schedule and let everyone know where they are.

Mike Fellmeth, Borough Business Alliance, addressed Council noted the Alliance had meeting and wanted to have input into the police situation. Just wanted to express their opinion that we really feel safe with the local officers. Not saying the other officers are not good but there is good rapport with Borough officers and want to maintain that.

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Andrew Berenson, Washington Avenue, asked the Mayor why he felt the need to put anything out there when the Council was still looking into the police coverage, to which Mayor Ross responded he said what he thought he had to say.

Susan Manning Fourth Street, addressed Council regarding letter she received from the Borough about standing water in her back yard and compost that had flies and mosquitoes noting there is no standing water and she every so often turns her compost pile and it is in box and covered. Commented on finding the compost box flung behind shed. Don't know if it was vandalism. Letter said failure to respond would result in continued violation and wanted to bring up.

President Tarlecki questioned if anybody had been in contact with Ms. Maning and what did she think led to this, has she talked to her neighbor.

Ms. Manning commented she gets complaints from neighbor. She is artist and single and tries to do lot of things herself. Would like to do big project every year. Don't know if everyone gets violation letter, sees other violations.

President Tarlecki suggested it might be appropriate if Ms. Manning thought it might be vandalism to notify the police.

Ms. Manning commented she would like to put sitting area in her backyard but every time a train comes into the station there is this loud announcement that train is approaching the station which is repeated. SEPTA told her it was because the Borough wanted the protection, said it was because the Borough wanted it.

President Tarlecki commented the Borough does work with SEPTA from time to time but the announcement may be because of the Blind Association.

Further discussion continued on the SEPTA announcement with Ms. Manning noting sometimes it doesn't stop.

Mayor Ross suggested the next time that happens call the police and if something is broken we can notify SEPTA.

Ms. Manning commented she called the Borough office and the Manager said she would call SEPTA.

Member O'Connell commented he was curious about the Borough arranging this.

Mrs. Patton noted the Borough did not require the announcement and she did put call into SEPTA but hasn't heard back yet.

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President Tarlecki commented would be good to find out from SEPTA about the announcement and maybe the Manager can follow up on that. Back to Ms. Manning's first situation, would suggest if she has any projects she wants to work on and have things in the yard she may want to inform the Borough and neighbor about special project she may have going on.

Ms. Manning indicated that is fine, she has many projects she does for her church and has lot of artist friends that join together to do projects.

Joanne Matthews, Shearer Street, addressed Council regarding property notices, when there is property at the corner of her Street and West Street that is deplorable. If there are letters being sent one should go there.

Mrs. Patton noted the Solicitor does have this and has been reviewing.

Solicitor Truelove commented that house in on his list. Little more lengthy process to go through to take care of it, but they are working on it.

Minutes: 4/28 & 5/12/09

Member Armstrong moved to approve the minutes of 4/28/09 and 5/12/09, seconded by Member McClure.

Poll of Council: 8 yes, 0 no.

Motion passed 8 yes, 0 no.

Disbursements

Member McClure moved to approve disbursements in the total amount of \$272,115.99 all funds, seconded by Member Tenney

Mrs. Patton highlighted some of the payables.

Member Schiele questioned payment to Selective Insurance, to which Mrs. Patton responded one is for Workers Compensation which is quarterly and the other is for general insurance coverages.

Member Schiele commented she thought we made payment to Selective in March, to which Mrs. Patton responded, that is possible could have been another quarterly payment.

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Member Schiele questioned payment to Wearguard, to which Mrs. Patton responded that is for uniforms for Public Works employees.

Member Schiele questioned if we could look into uniform service, to which Mrs. Patton responded we could. Agree that would be good to look at.

Member O'Connell questioned payment to Pizzo Clarke, to which Mrs. Patton responded that is for Civil Service.

Member Schiele noted Pizzo Clarke was also listed on another page, to which Mrs. Patton responded there are two months of payments.

Poll of Council: 8 yes, 0 no.

Motion passed 8 yes, 0 no.

Request for Handicap Parking / 113 Washington Ave.

President Tarlecki commented we have memo from the Mayor noting some concerns and asked if we needed motion to table this.

Solicitor Truelove recommended just deferring action.

Certificate of Appropriateness / 216 Shearer Street

Mr. Heebner, applicant, addressed Council noting it is his intention to replace eight total windows. HARB approved what he had in mind with the recommendation that muttons be on the outside. Don't have problem with that but do have to have them custom made. Will just slow him down little.

Mr. Heebner commented just to bring something to Council's attention, the President's energy bill about safety rated under 3 windows as energy saving and there is tax rebate, can't buy these things at a Home Depot. Does like muttons on the outside though.

Member O'Connell questioned when Mr. Heebner originally submitted his plans where were the grids, to which Mr. Heebner responded they were on the inside but original windows muttons are on the outside.

Member O'Connell noted that was something the HARB recommended.

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Mr. Heebner responded he liked the history thing so he has no problem with muttons being on the outside.

Member Schiele thanked Mr. Heebner for going the extra mile. Commented what Member O'Connell meant was that if the HARB recommends something, it doesn't mean that you have to do that. She is in the Historic District as well.

Member Tenney moved to issue Certificate of Appropriateness for 216 Shearer Street for the replacement of windows with the muttons to be on the outside of window in accordance with recommendation of HARB, seconded by Member McClure.

Joanne Matthews, member of HARB also thanked Mr. Heebner commenting that she is glad he is going along with recommendations. Why have a historic district if you don't maintain it.

Poll of Council: 8 yes, 0 no.

Motion passed 8 yes, 0 no.

NWWA Subdivision / Lot Line Change

Mrs. Patton commented the Water Authority has submitted subdivision plans to Upper Gwynedd Township to subdivide the treatment plant property from the property the Borough uses for storage. It would be necessary for the Authority to seek setback variances from Upper Gwynedd Township because of the way the subdivision line was originally drawn. Therefore, asking the Council to approve a lot line change, reduces slightly what the Borough will have but it is the stream between the two parcels and can't be used anyway. Believe the Authority would have difficult time proving hardship when it is a self-created hardship.

Member Schiele questioned who is going to pay any fees, to which Solicitor Truelove responded could be part of motion that the Authority will be responsible for paying engineering, legal and any filing fees.

Member Tenney moved to approve lot line change subject that the Authority will be paying for the engineering, legal and any filing fees, seconded by Member Armstrong.

Member Schiele questioned what is being done, to which Solicitor Truelove responded if the lot is left the way it is drawn, would need setback variance. If you move the lot line back, won't need variance.

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Member O'Connell commented the original line was part of the agreement when the treatment plant was sold, to which Solicitor Truelove responded it is, the Borough is losing what it agreed to originally.

Member O'Connell commented this is another thing we are doing for the Authority.

Member Tenney commented did go out over weekend to look at property and it is the stream and it is not usable property. It is a long strip that contains a stream that is not usable by anybody.

Member O'Connell questioned if this has to go to Upper Gwynedd and have they approved, to which Mrs. Patton responded it does because property is in Upper Gwynedd. Plan has been submitted but they have not approved yet.

Member Schiele questioned if it is so unusable why wouldn't Upper Gwynedd grant variance, to which Solicitor Truelove responded there is no guarantee they would accept that argument and this removes that as issue.

Member O'Connell commented the Authority has already agreed that anything to do with the treatment plant, costs go back to the residents of North Wales Borough. We are paying for this anyway. Costs are going to be put on the users.

Member Schiele commented it is just hard to believe that Upper Gwynedd wouldn't approve variance based on the fact that it doesn't affect any residence or is not usable ground.

Al Tenney, 801 E. Walnut Street and member of the Authority Board addressed Council for clarification noting Member O'Connell is right the Authority with its own sources of money must spend only sewer money on those items involving sewer. When you look at water, there is no reason other water users should pay for things that affect North Wales Borough. The need for this land transfer has to do with Upper Gwynedd zoning requirements on how far structure can be from end of property line. Trying to extend to avoid additional legal fees or reviews. The Authority is in the process of designing that plant to meet tight schedule with DEP. Don't think if we hold up the project and don't maintain schedule that will sit too well with DEP.

Andrew Berenson questioned if the zoning costs Mr. Tenney spoke of would ultimately be kicked back to the residents, to which Solicitor Truelove responded he believes it would and those costs could be higher if they have to spend extra money.

Mr. Tenney noted the Authority cannot spend out across whole Authority because bond indentures separate the two.

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Member O'Connell commented there are two issues, one is the subdivision and other is application for construction and getting zoning approval. Submit applications for the construction based on this line we are now agreeing to but if it doesn't go through because the line has to be somewhere else would hope they would do subdivision based on that result.

Member Tenney commented you also have their own engineer and solicitor and why would we be second guessing them.

Mrs. Patton noted anytime anyone comes in with a subdivision plan, the engineer reviews for the subdivision and zoning. This is how the applicant knows what the zoning issues may be, if any.

Following further discussion, Member O'Connell noted another condition of approval could be that all approvals from DEP for the construction be obtained before recording the subdivision plan.

Member Tenney noted she would agree to that with her motion if the Solicitor assures that this will not hold up the Authority in any way.

Solicitor Truelove commented he didn't think there is problem with that, it is just administrative act of recording. Don't think that would be problem.

Member Armstrong commented then the Authority would retain title to both parcels until plan is recorded.

Member Tenney commented based on the fact that Solicitor Truelove says it will have no impact on anything she would accept amendment to her motion.

Member McClure accepted with her second.

Poll of Council on motion to approve lot line change on the NWWA subdivision plan to separate the Sewage Treatment Plant parcel and the parcel the Borough uses for storage, conditioned that the Authority will be responsible for all engineering and legal expenses and the subdivision plan will not be recorded until all approvals from DEP have been received for the construction:

8 yes, 0 no.

Motion passed 8 yes, 0 no.

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Solicitor / Mayor / Council / Manager

Solicitor Truelove commented one of his associates is working with Tim Swartley at Univest to get amendment to the agreement to coincide with the Borough code requirements. Are in negotiations with police and believe negotiations are going along well. Hope to have agreement with them in next few months.

Member Tenney commented we had a wonderful Community Day. Have gotten good reports back from people and appreciate everyone's support and thanked the reporter for the good pre and post coverage.

Member McClure commented the Bike Rodeo went very well, Officer Custer did great job and kids had fun.

Mayor Ross noted we also had support of some surrounding police departments for the Bike Rodeo.

Member McClure commented Community Day was great. Had number of cars out and everyone had good time.

Member Schiele thanked Mrs. Patton for providing the various reports and questioned if everything had been entered, to which Mrs. Patton responded it has and will be getting copy over to Auditor to review.

Member Jewell commented he saw in follow-up with Harleysville Bank they had no further plans for the signs and wasn't sure what they were supposed to do.

Mrs. Patton responded the HARB had no problem if Harleysville Bank just left the front facade sign the way it is and that is what they are doing.

Member Jewell commented on check register asking where indication of voided check would show up, to which Mrs. Patton responded it should be to the right of the entry.

Mrs. Patton noted we do have checks that we void occasionally.

President Tarlecki for the next meeting want to go back and finish work on the survey. Also relationship with Upper Gwynedd Township, as Council President very disappointed we ended this way. Biggest concern is that Council did not have opportunity to make decision. Really think he would have liked to see it played out in Council. Sending letter to Upper Gwynedd Township and Council has received copy. Thanking them for opportunity to meet with them. Upper Gwynedd extended courtesy to North Wales and believe what they did for us was well

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done and whether we were for this or not, it is important to see things through to its natural ending. At this point will be working with police department in terms of budget and getting contract completed. Just wanted to express his opinion.

Mrs. Patton noted Council members received tonight copy of grant application to the Sierra Club Foundation for the Center Street Basin Retrofit. Review application, noting they have up to \$20,000 available so thought it would be worth applying for. Doesn't require asking for a specific amount.

Member O'Connell commented only problem is if you get grant for \$20,000 and project is \$45,000 are you prepared to do anything.

Mrs. Patton noted we still have opportunity to get funds through Merck settlement, Wissahickon Valley Water Shed Association. Also have in grant application that project may have to be phased based on funding. Our Public Works crew can do some of the work and we anticipate getting some volunteers for the planting. This is just to apply, don't know how successful we will be.

Member Schiele noted when the property owners were here we discussed maintenance.

Mrs. Patton noted when we did the application for Merck funds, had an agreement in place with the property owners for maintenance. There is also agreement giving the Borough easement to clean out the outfalls in the basin.

Member Tenney moved to authorize submitting the grant application to the Sierra Club Foundation, seconded by Member McClure.

Member Armstrong questioned if we do have agreement with regard to maintenance, to which Mrs. Patton responded we do.

Poll of Council: 7 yes, 1 no vote cast by Member Schiele.

Motion passed 7 yes, 1 no.

There being no further business, the meeting adjourned at 8:35 p.m.

ATTEST:

Susan Patton, Secretary