

**MINUTES OF PERKASIE BOROUGH
COUNCIL MEETING
MARCH 19, 2012**

620 West Chestnut Street
Perkasie, Pennsylvania

ATTENDANCE:

Council Member:

Matt Aigeldinger
Stephen Algeo
Florence Frei
Barbara Krantz
Suzanne Kravitz
Steve Pizzollo
Jim Purcell
Jim Ryder
Justin Stottlar
Amanda Brooks
John Hollenbach
Daniel P. Olpere
Andrea Coaxum (absent)
Joe Berardi
Joe Gura
Dan Gilbert (absent)
Harold Stone (absent)
Josh Aniskevich
Nathan Fox
News Herald

Youth Councilor:

Mayor:

Borough Manager:

Assistant Manager:

Finance Director:

Police Chief:

Public Works Director:

Electric Superintendent:

Parks and Recreation Director:

Borough Solicitor:

Press Representatives:

Perkasie Borough Council President Matt Aigeldinger convened the meeting at 7:00 P.M. Mayor Hollenbach gave an invocation followed by the Pledge of Allegiance.

Mr. Aigeldinger read the following statement:

Electric Building Issue

“At the conclusion of the last Borough Council Meeting held March 5, 2012, Borough Council went into executive session. In the executive session, the potential lease and potential sale of the Borough Electrical building located on North 7th Street was discussed. The Borough was approached by a potential interested buyer who is currently operating a business in Perkasie and would like to expand their operations within the Borough. Any sale of Borough property must be by sealed bid, and the decision to do so must be made by a vote of the Borough Council at a public meeting. The Borough is attempting to determine whether a condition of bidding in the potential sale or lease of the building can include a minimum use of electric by the potential lessee or purchaser. The solicitor was instructed to determine whether this is possible and whether a bid can be structured to include a condition that a bidder on the property for lease and/or purchase of the property can include a condition for a minimum use of electric. At this point, no determination has been made, no vote has been taken, and the solicitor is looking into this matter. This is potentially a very complex transaction, and will require significant due diligence. Moreover, part of the consideration of this sale is whether it would be feasible to build a new Borough Electric Building at zero cost impact to Borough residents. Council will continue to discuss this matter and awaits the determination of the solicitor.”

Soliday Litigation Matter

In this same executive session a litigation matter involving a land use appeal was discussed. The matter is Soliday v. Perkasio Borough Zoning Hearing Board, docketed at Bucks County Docket Number 2011-08670 and relates to Tax Map Parcel #33-004-122. This matter relates to an existing non-conforming lot within the Borough and the construction of a single family home of similar characteristics of the surrounding neighborhood. After recent zoning hearing board testimony, a settlement was proposed by Soliday's counsel. The Borough Council considered a settlement due to the minimal likelihood of the Borough's success in the appeal and the costs that are always associated with litigation. The prior Borough solicitor was approached months earlier regarding settlement of this matter as well. That said, a settlement was recommended by the Borough solicitor which includes significant costs savings and recovery for the Borough, and review of the proposed dwelling, which will be voted on by Borough Council this evening. The Borough solicitor believes that this settlement is in the best interest of the Borough and is a cost-effective solution to an otherwise expensive litigation with little likelihood of success.

PUBLIC FORUM

Solicitor Fox made a statement reminding all present the policy on public forum that is on the back of the Council agenda.

Present was Christina Cush of 366 North Main Street, Sellersville representing her fiancé John Garis. Ms. Cush stated she toured the Menlo House that is presently for rent by the Borough. She said she just wanted to introduce herself and thought it would be a wonderful location for her family.

PRESIDENT'S REMARKS

No comments.

APPROVAL OF MINUTES

Mr. Purcell made a motion to amend the minutes of the Public Works meeting of March 14, 2012 stating that Dan Gilbert was present at the meeting and not "absent" as indicated. Suzanne Kravitz seconded the motion. Councilmembers Aigeldinger, Algeo, Krantz, Pizzollo and Ryder abstained since they were not in attendance. The minutes were approved 4-0.

Upon motion by Purcell, seconded by Pizzollo, Council unanimously approved the minutes of the Council Committee meeting of March 5, 2012.

Upon motion by Purcell, seconded by Kravitz, Council considered the minutes of Council for the February 20, 2012 meeting. All present voted in favor of the motion with the exception of Councilman Stottlar who voted against it. The minutes were approved by an 8-1 vote.

CORRESPONDENCE AND REPORTS

Mayor's Report

Mr. Bill Davis was not able to attend the Council meeting to receive his Certificate of Appreciation. The Mayor made an announcement commending Mr. Davis for serving 7 years on the Perkasio Zoning Hearing Board.

The Mayor also thanked all the Perkasio volunteers that make up the community of Perkasio.

Taxes Collected

Upon motion by Pizzollo, seconded by Purcell, Council unanimously accepted the report of taxes collected for February 2012.

Budget Status

Upon motion by Pizzollo, seconded by Purcell, Council unanimously accepted the budget status report for February 2012.

Engineer's Report

Upon motion by Algeo, seconded by Ryder, Council unanimously accepted the engineer's monthly report.

Planning Commission Report

No report.

Police Report

Upon motion by Kravitz, seconded by Purcell, Council unanimously accepted the Police Chief's monthly report.

NEW BUSINESS

PUBLIC WORKS COMMITTEE

Wastewater Collection and Treatment Ordinance

Upon motion by Purcell, seconded by Kravitz, Council unanimously approved Ordinance #956 to amend the Code of the Borough of Perkasié regarding definitions and wastewater treatment collection and treatment standards.

Trash Bag Bids

Upon motion by Purcell, seconded by Pizzollo, Council unanimously agreed to reject large trash bag bid #2012-1 received on March 9, and authorized the staff to rebid this item.

Sidewalk Standard Ordinance #957

Upon motion by Kravitz, seconded by Frei, Council considered Ordinance #957 amending Chapter 160 revising the conditions requiring reconstruction and/or repair of Borough curbs and sidewalks. The change in level of horizontal and vertical alignment shall be changed from 2 inches to ½ inch per the standards established by the Americans with Disabilities Act. All Councilmembers present voted in favor of the ordinance with the exception of Stottlar who voted against it. The motion carried
8-1.

PUBLIC UTILITY COMMITTEE

There was no business to come before the Public Utility Committee.

PLANNING AND ZONING COMMITTEE

American Heritage Resolution #2012-3

Upon motion by Frei, seconded by Purcell, Councilmembers considered Resolution #2012-3 to approve the land development of American Heritage Federal Credit Union at the corner of Constitution Avenue and Walnut Street and to grant the four requested waivers. All Councilmembers voted in favor of the motion. Councilmembers Krantz and Pizzollo abstained. The resolution was approved by a 7-0-2 (abstentions) vote.

Soliday Stipulation

Upon motion by Purcell, seconded by Krantz, Council unanimously approved the stipulation and settlement agreement by and between the parties to this appeal, appellant Nathan Soliday and intervenor Perkasio Borough, by and through the Perkasio Borough Council and to settle litigation regarding a zoning appeal at a property on South 6th Street.

PARK AND RECREATION COMMITTEE

Good Time Motorvators Car Show

Upon motion by Kravitz, seconded by Pizzollo, Council unanimously approved the Good Time Motorvators Car Club to hold its annual car show May 27, 2012 in Lenape Park from 9:00AM to 3:30 PM. Further motion to approve the use of the skate park pavilion during the show.

Carrousel Agreement Amendment

Upon motion by Purcell, seconded by Algeo, Council unanimously approved the first amendment to the gift agreement between the Borough of Perkasio and the Perkasio Anniversary and Historical Society regarding the Menlo Park Carrousel.

Perkasio Day in the Park Resolution #2012-4

Upon motion by Frei, seconded by Pizzollo, Council unanimously approved Resolution #2012-4 creating a new park program called Perkasio Day in the Park to be held in the 2nd Street Park on June 17, 2012 with a raindate of June 24, 2012.

Perkasio D.O.G.-First Anniversary Amended Plan

Upon motion by Kravitz, seconded by Stottlar, Council unanimously approved a request to close part of Lenape Park in the area of the skate park for the day for the 1st Anniversary Celebration of the Perkasio Dog Park on April 29, 2012.

PERSONNEL AND POLICY COMMITTEE

Resolution #2012-2 Fire Police Event Approval

Upon motion by Krantz, seconded by Purcell, Council unanimously approved Resolution #2012-2, authorizing the Perkasio Fire Police to assist for special events and times of emergencies.

Ratify/Approval of Perkasio Fire Police Assistance for February 24, 2012

Upon motion by Kravitz, seconded by Krantz, Council unanimously approved Perkasio Fire Police Assistance for Plumstead Township for an event that took place February 24, 2012 for traffic control duties for a funeral of a resident who was the wife of a long time member of Plumsteadville Fire Company.

FINANCE COMMITTEE

Authorization to Pay Bills

Upon a motion by Pizzollo, seconded by Purcell, Council unanimously accepted payment of the bills as presented.

Authorization to Sell Used Vehicles

Upon motion by Purcell, seconded by Krantz, Council unanimously authorized the Borough Manager to sell the following equipment at the on-line website auction *MUNICIPAL*:

2008 Ford Explorer
2005 Crown Victoria Police Vehicle
1988 Ford 800 Packer Truck
1995 International 4900 Dump Truck
1996 F150 Half Ton Ford Pick Up Truck
1982 Mag Line Trailer

Contribution to Pennridge Community Day

Upon motion by Frei, seconded by Purcell, Council unanimously approved a request from Pennridge Community Day Inc. for a donation to the annual Pennridge Community Day event on July 8, 2012 in the amount of \$500.

Contribution to Perkasio Olde Towne Association Springfest

Upon motion by Purcell, seconded by Kravitz, Council unanimously approved a \$500 donation to Perkasio Olde Towne's Annual Springfest for 2012.

ECONOMIC DEVELOPMENT COMMITTEE

Barbara Krantz updated Council on a recent meeting between the Pennridge Chamber of Commerce and Perkasio Olde Towne Association regarding forming a group on economic development for Perkasio Borough businesses. They are asking the Borough to join this group. When the group is ready to ask for the Borough's participation, Barbara will bring the matter back to Council.

OTHER NEW BUSINESS

Manager Olpere updated Council on a potential electric generating project that is available to American Municipal Power Inc. members to which the Borough belongs. The project is a wind farm in Northwest Ohio which will make available energy and appropriate renewable energy credits for participating members. The borough's power supply consultant, GDS Associates is reviewing the proposals. Manager Olpere will keep Council updated.

PUBLIC FORUM

Robert Carkhuff of 8 S. 8th St. reported to Council a water shut off valve was sticking up out of the sidewalk more than a ½ inch.

Tom Meyers of 66 Fairview Avenue stated the Perkasio Parks Day was a great idea. He told Council that there was a large hole in the 2nd Street Park where a tree had uprooted.

Susan Green of 624 Walnut Street asked about status of the electric rate reduction plan for residents who have total electric homes.

PRESS FORUM

No questions from the press.

ADJOURNMENT

The meeting adjourned at 7:40PM.

Daniel P. Olpere
Borough Manager/Secretary