

**MINUTES OF PERKASIE BOROUGH
COMMITTEE MEETING
MAY 7, 2012**

620 West Chestnut Street
Perkasie, Pennsylvania

ATTENDANCE:

Council Member:	Matt Aigeldinger (absent) Stephen Algeo Florence Frei Barbara Krantz Suzanne Kravitz (absent) Steve Pizzollo Jim Purcell Jim Ryder Justin Stottlar
Youth Councilor:	Amanda Brooks (absent)
Mayor:	John Hollenbach
Borough Manager:	Daniel P. Olpere
Assistant Manager:	Andrea Coaxum
Police Chief:	Joe Gura
Finance Director:	Joe Berardi
Public Works Director:	Dan Gilbert
Electric Superintendent:	Harold Stone
Park and Recreation Director:	Josh Aniskevich
Borough Solicitor:	Nathan Fox
Borough Engineer:	Joe Nolan
Press Representatives:	News Herald Daily Intelligencer

Borough Council Vice-President Jim Purcell convened the meeting at 7:00 PM. Mayor Hollenbach gave an invocation followed by the Pledge of Allegiance.

PUBLIC FORUM

Present was Andy Rumbold of 502 South 8th Street commended the Public Works employees on the work done in the park system.

Mr. Rumbold reported to Council that he and his friend “John” run a bio-fuel business from “John’s” residence within Perkasie Borough. Recently Perkasie began an investigation to look into their bio-diesel production, asking to inspect “John’s” residence for safety reasons. Rumbold then asked if Council was aware the Manager was “devoting resources” to try to locate where the biodiesel was being made. Lastly, Rumbold stated he believes the timing of the investigation is suspicious and called the Borough’s action “political retribution” for comments he made about the Borough Manager at a Council meeting last month.

Susan Green of 624 East Walnut Street asked how many times the Borough was going to move the skatepark back and forth from inside to outside the fenced in area. She said something has to be done about the behavior of the kids using the skatepark and that they don’t appreciate the Borough providing the equipment for their use.

Luther Chontofalsky of 270 Parkridge Drive commented that no action has been taken regarding the

kids throwing stones in his development since the last meeting. He also thought a town meeting suggested by Councilman Ryder at last months meeting was a good idea.

REPORT FROM PLANNING COMMISSION

There was no recent meeting.

POLICE REPORT

The April Police Department report was reviewed. It was noted the parking during the Indian Valley Soap Box Derby May 19, 2012 will be available at Perkasio Container and the police station on Ninth Street.

PUBLIC WORKS COMMITTEE MEETING

Review of Superintendent's Report

The Committee reviewed and accepted the Public Works Superintendent's Report for April 2012.

Consider Crosswalk Upgrade at Bike Path and Callowhill

The Committee reviewed a memo from Dan Gilbert regarding enhancing the visibility of the bike path crossing on Callowhill Street south of Dorchester. The cost of this improvement which would include signage, posts and bases, line striping on roadway, and the installation of ADA warning surfaces would be approximately \$660.00. Councilman Pizzollo suggested installing flashing lights to warn drivers that pedestrians are crossing. It was agreed to look into that in the future. It was also suggested to remove some trees to improve the line of sight problem.

Discuss Moving Skatepark

The Committee discussed moving the skatepark from the old roadway back into the fenced in area possibly with a different configuration. It was asked how many times the Borough was going to keep repairing the skatepark. It was agreed to table the matter until further information could be provided.

Consider One-Way Street-North 8th Street

Manager Olpere stated he received a request from a resident to make North 8th Street between Callowhill Street and Buttonwood Street one-way in order to resolve a site distance problem that the resident has at his property. It was agreed to invite neighboring property owners and other interested parties to a future meeting to discuss details of the proposal.

Concrete Bid Award

The Committee reviewed the results of the bid opening for concrete work. Upon motion by Pizzollo, seconded by Frei, Council unanimously awarded the 2012 concrete bid to T. Schiefer Contractors of Doylestown for a total base bid of \$174,479 in accordance with their bid.

Waiver of Street Opening Fee for Perkasio Regional Authority (PRA)

The Committee reviewed a waiver request for a street opening on Third Street between West Market Street and West Callowhill Street. The Borough is repaving that section of Third Street in the summer and PRA is doing some advance work to repair a cast iron water main and replace a clay sanitary sewer system. Since the Borough and PRA will both be working in the street, PRA has requested a waiver of the street opening permit.

Upon motion by Frei, seconded by Pizzollo, Council considered approving a request for fee waiver for replacement of a water and sewer main on North Third Street between West Market Street and West

Callowhill Street for the Perkasio Regional Authority. All Councilmembers voted in favor of the motion with the exception of Stottlar who voted against it. Motion carried 6-1.

PUBLIC UTILITY COMMITTEE MEETING

Review of Superintendent's Report

The Committee reviewed and accepted the Public Utility Superintendent's Report for April 2012.

Comcast Pole Attachment Agreement

A new pole attachment agreement was approved by Borough Council last month with Sunesys Inc. which created a fee of \$25.00 per pole. A similar agreement was entered into in 1995 with Suburban Cable TV which is now Comcast Cable which established a \$5.00 fee, later revised to \$8.50. The Borough Manager recommended raising the fee to \$25.00 to be consistent with the Sunesys agreement. The Committee agreed to put the matter on the May 21, 2012 Council agenda.

Blue Creek Wind Farm

The Committee reviewed a summary of a power point report from GDS Associates on a Wind Farm project in Northwest Ohio. Manager Olpere noted that the Council may want to discuss the possible merits of a contract with AMP and wind farm operator Iberdrola for a project known as the Blue Creek Wind Farm. He further stated that this matter would be on the agenda for the Special Public Utility Committee meeting on May 14, 2012 where consultant Garrett Cole of GDS would be present to answer detailed questions.

PLANNING AND ZONING COMMITTEE

Code Enforcement Officer Report

The Committee reviewed and accepted the Code Enforcement Officer's monthly report for April 2012.

Preliminary Report on Planning Consultant Selection

Manager Olpere stated that 5 firms that have submitted detailed proposals and sample comprehensive plans for review for the Borough's Comprehensive Plan with Transportation Enhancements. Proposals were received from Simon Collins, CH Planning LTD, Carter Van Dyke Associates, Urban Research and Development Corporation, and the Bucks County Planning Commission. The Manager and Chairman of the Perkasio Borough Planning Commission will be reviewing the proposals for a recommendation at the June 4 Committee meeting.

Consider Zoning Ordinance Amendment to Fair Housing (CDBG)

Manager Olpere reported that the Committee discussed a request from the Bucks County Office of Department of Community and Business Development asking the Borough of Perkasio to revise certain provisions for compliance with the Fair Housing Act of 1968. The Borough Solicitor drafted an ordinance for committee members as well as Council to review. Borough Council will hold a Public Hearing at the May 21, 2012 meeting to receive public comments on the amendment and consider adopting the Zoning Ordinance.

PARKS AND RECREATION COMMITTEE

Tsunami Karate Belt Ceremony & Party

The Committee reviewed a park reservation form from Tsunami Karate LLC requesting the use of the Menlo Park pavilion for a Belt Ceremony and party from 1:00PM to 4:00 pm with approximately 100 people attending.

Healthy Hearts 5K Race Fundraiser

The Committee reviewed a park reservation form for the Healthy Hearts Foundation to hold its 5K Race Fundraiser on September 23, 2012 from 9:00 AM to 8:00 PM. They are expecting approximately 1,200 people and are requesting the use of the Lake Lenape Twin Bridges, the Skate Park Pavilion, and the Rotary's Pavilion located on Constitution Avenue. Due to the large amount of people attending, Council approval is necessary. The matter will go on the May 21, 2012 Council meeting agenda.

Last Chance Ranch-Wags and Wiggles Dog Walk

Committee members reviewed a letter from Gina Decker requesting to hold their annual Wags and Wiggles Dog Walk in Perkasié's Lenape Park at the Skate Park Pavilion on Saturday, October 6, 2012 with a raindate of Sunday, October 7, 2012. The Committee agreed to place the request on the May 21, 2012 agenda.

Donation Request from Guth Elementary Home and School Association

The Committee reviewed a letter from Guth Elementary Home and School Association requesting the donation of passes to the Menlo Aquatic Center for the school's annual Family Fun Night.

Upon motion by Krantz, seconded by Pizzollo, Council unanimously agreed to donate 4 free passes to the Menlo Aquatic Center in 2012 to the Guth Elementary Home and School Association for their annual Family Fun Night on Friday, May 18, 2012.

Fence at 2nd Street Park

Committee members reviewed a memo from Public Works Director Dan Gilbert regarding the pricing to repair fencing at 2nd Street Park. The lowest recommended bidder would be \$1,450 over the Borough's budgeted amount of \$7,500. It was agreed to place the matter on the May 21, 2012 agenda.

PERSONNEL AND POLICY COMMITTEE MEETING

Constituent Outreach

The Committee discussed whether to form a community outreach committee that would hold bi-monthly or quarterly meetings. The meetings, which could be advertised in the Borough's newsletter and on resident's electric bills, would give resident's more detailed responses than is possible during the public forum portion of Council meetings. The Committee would provide follow-up within several days on questions that could not be answered during the meeting. It was agreed to place this matter on the May 21, 2012 Council meeting agenda.

FINANCE COMMITTEE

Approve DWK Lease Agreement

Upon motion by Frei, seconded by Pizzollo, Council considered approving a lease for third floor tenant space at the Borough Hall Administrative Offices with DWK Industrial Services in the amount of \$750.00 per month for a one year lease. All Council members voted in favor of the lease agreement with the

exception of Barbara Krantz who abstained. The motion carried by a 6-0-1 vote.

ECONOMIC DEVELOPMENT COMMITTEE

POTA Economic Development Presentation

Joe Ferry was present to update Council on the steps the Perkasio Olde Towne Association has taken recently to promote economic development in the Borough. He stated that the POTA is in the process of making up an Economic Development Plan and thinks it is time for a plan to be made up for the Borough.

Mr. Ferry also reminded everyone of POTA's Springfest which will be held on May 19, 2012 from 12:00 PM to 9:00 PM in the Town Center area.

Perkasio Industrial Development Authority

The Committee reviewed information from the Perkasio Industrial Development Authority regarding the issuance of a tax exemption note in the amount of \$4,343,524.00 to be used by the Doylestown Presbyterian Church. Manager Olpere explained that the PIDA acts as a conduit for the money and does not obligate the Borough itself for any funding in relation to this project. It was agreed to place approval of a resolution for the project on the May 21, 2012 Council agenda.

PUBLIC FORUM

Andy Rumbold of 502 S. 8th Street asked if any of the stakeholders are still involved in the skate park project. He asked Council to be mindful of the audience because it is hard to hear when Councilmembers are speaking

Chad Davis of Davis Feed Mill asked whether the Borough would be discussing the sale of the electric plant in the future. The Solicitor responded by telling Davis no action of Council, as of yet, has been undertaken on this property. If anything would occur, it would be through a public bid process and announced at a public Council meeting.

PRESS FORUM

There were no questions from the press.

EXECUTIVE SESSION

Jim Purcell announced Council was going into executive session at 8:35PM and will reconvene the meeting thereafter.

The Borough Solicitor made the following statement.

1. An executive session is necessary to discuss an employee disciplinary action regarding a current police officer. Chief Gura and the Mayor will be present to explain the details of the disciplinary action that is requested of the Borough Council. (Section 8(a) (1) of the Pennsylvania Sunshine Act allows Council to hold executive sessions "to discuss any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of performance, promoting or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the agency, or former public officer or employee, provided, however that the individual employees or appointees whose rights could be adversely affected may request, in writing, that the matter or matters be discussed at an open public meeting. The agency's decision to discuss such matters in executive session shall not serve to adversely affect the due process rights granted by law, including those granted by Title 2 of the Pennsylvania Consolidated Statutes (relating to administrative law and procedure). The provisions of this subsection shall not apply to any meeting involving the appointment or selection

of any person to fill a vacancy in an elected office." As required by the Sunshine Act, NO official action or vote on the matter will occur in the Executive Session, and if a vote is necessary, Council will be re-convening immediately following Executive Session.

2. Reconsideration of the Stipulation of settlement of ABH Builders. Although Council approved this matter two weeks ago, some of the neighbors in the vicinity indicated that what was represented to them was not the same information that was represented to the Borough. Consequently the Manager and Solicitor met with the neighbors in order to resolve the differences and an attempt to reach a compromise with ABH Builders. The Stipulation settlement may thus need to be amended (since it was not yet filed with the court) or the appeal would need to stand as originally proposed by the applicant. Section 8(a)(4) of the Pennsylvania Sunshine Act allows Council to hold executive session "to consult with its attorney or other professional advisor regarding information or strategy in connection with litigation or with issues on which identifiable complaints are expected to be filed". ABH has appealed their previous denial by the Zoning Hearing Board, which is currently an active litigation referred to as ABH Builders, Inc. v. Perkasio Borough Zoning Hearing Board at Bucks County Docket No. 2011-08812.

MEETING RECONVENES

Executive Session ended and the Borough Council meeting reconvened at 9:10 PM.

Upon motion by Krantz, seconded by Pizzollo, Council unanimously approved a recommendation of the Chief of Police for the termination of a police officer, Badge #8, for violation of the Civil Service Code of Discipline and the Departmental Rules and Regulations effective tomorrow, May 8, 2012 at 12:01AM.

Further, upon motion by Krantz, seconded by Pizzollo, Council unanimously authorized the Chief of Police to begin the hiring process for a new Police Officer.

ADJOURNMENT

The meeting adjourned 9:15PM.

Daniel P. Olpere
Borough Manager/Secretary