

## **SEPTEMBER 5, 2017**

### **FIRST REGULAR MONTHLY MEETING**

The first monthly meeting of Honey Brook Borough Council was held at Borough Hall and all members answered Roll Call. Also in attendance were Christopher Falencki, Borough Engineer; Kim Venzie, Borough Solicitor; Tricia Swinty, Borough Clerk; Chief Patrick Ely; and Bill Ford, Public Works Superintendent. Secretary Janis Rambo was absent.

An executive session was held prior to the meeting at 6:30 p.m. to discuss the Police Chief's contract.

#### ***Public Hearing***

Ms. Venzie informed Council that the requirements have been met to pass the Ordinance to establish intergovernmental cost-sharing and cooperation agreement with Honey Brook Township for the MS4 permit for the Upper West Branch Brandywine Creek Watershed. There were no public comments. The hearing was closed at 7:04 p.m.

#### ***Approval of Previous Minutes***

Mr. Halvorsen made a motion, seconded by Mr. Ott, to approve the minutes from the August 21, 2017 meeting. The motion passed with Ms. Jenzano abstaining due to not being in attendance at the August 21 meeting.

#### ***Payment of Bills***

Mr. Halvorsen made a motion, seconded by Mr. Ott to approve bills for payment as presented. The motion passed unanimously.

#### ***Public Presentations***

Mr. Matt Ford, owner of Honey Brook Early Learning Center, 1099 Maple Street, advised Council that the storm water runoff from the Waynebrook Village detention basin is washing out the fence at the corner of his property. He stated that this has been an ongoing problem for a few years and he has tried everything he can do to divert the water and to secure the fencing to prevent it from falling. Mr. Falencki stated that there is an erosion problem and he has been made aware of it. The storm water is not going to the basin which is causing the erosion at the property. Mr. Falencki informed Council that through the Pennsylvania Storm Water Act 167, the Borough can take action to investigate and find the root of the problem. Mr. Falencki was authorized to research this and issue a report to Council.

### ***Engineer's Report***

Shenberger Subdivision - The Planning Commission will be reviewing the plan submission at their September meeting and a recommendation will be made to Council for action at the October Council Meeting.

Honey Brook Community Church - Construction continues.

Multimodal Program/James Street – As this project is now complete, Ms. Curtis signed the documents for payment.

Chester Country Vision Partnership Grant/Zoning Rewrite - Awaiting revised Intermunicipal Agreement.

MS4 - Mr. Falencki advised that the review period ended August 30 and no written or verbal comments were received. Ms. Jenzano made a motion to approve the MS4 plan and application to be sent to DEP by September 15, 2017. Mr. Ott seconded the motion. The motion passed unanimously.

Floodplain - Mr. Falencki advised there is a FEMA workshop on September 28, 2017. Mr. Ford said he would try to attend.

DCD CRP Grant - The Suplee Road Sidewalk Project has been approved and work will begin in the spring. Mr. Falencki stated this is a cooperative agreement with Honey Brook Township but only the Borough had applied for the Grant. The Township will be paying for their portion out of their own funding. Ms. Venzie stated we will need an agreement with the Township before the work is started since the Borough will be doing the engineering work and the Township will reimburse for their portion. Ms. Jenzano asked if someone should attend this Thursday's Township meeting to talk to their engineers and the Board of Supervisors. Council concurred for Ms. Jenzano to request placement on the Board of Supervisors' agenda. Ms. Curtis will also attend.

MultiModal/Maple Street & Chestnut Street sidewalks - Mr. Falencki stated this is on the books to be funded.

At this time, Mr. Falencki departed the meeting.

### ***Solicitor's Report***

Nothing to report.

### ***Communications/Secretary's Report***

No report.

### ***President's Report***

Nothing to report.

### ***Mayor's Report***

Representative Meehan's Congressional Veteran Commendation - 2017 Nominations (due 9/11/17) - Ms. Jenzano nominated Mr. Frank Fredella, Mayor Mulhall noted Mr. Fredella's dedication to the veterans of the community and at the VA Hospital. Mayor Mulhall will complete the paperwork for the nomination.

### ***Monthly Reports***

Treasurer's Report - The year-to-day P&L was distributed.

Tax Collector's Report - The County collected \$567.25 of real estate taxes in August.

Police Chief's Report - Chief Ely stated that a warrant has been issued for the person stealing from Borough resident's cars. The person has been identified and is working with the State Police to arrest him.

Public Works Report - Mr. Ford had nothing to report. Mr. Ford stated an easement agreement will be required to place three "No Parking" signs on Spruce Street. The property owners will be required to sign-off on the agreement in order to place the signs. Ms. Curtis and Mr. Ford said they will contact the property owners in person to let them know what is required. Ms. Venzie will prepare an agreement.

Planning Commission - Nothing to report as there was no meeting in August.

Code/Zoning Report - Nothing to report.

### ***Committee Reports***

Park & Recreation - Ms. Jenzano reported that the Library box has been installed in the park and is full. She also contacted the Library to have a sign made that the books are free. Ms. Jenzano and Mr. Ford are working on getting new backboards for the basketball courts. Ms. Jenzano said the park events are winding down for the year. There is a concert this weekend and a bocce tournament in two weeks.

Code & Ordinance - Nothing to report.

Finance – Budget packets were distributed to Committee and Department Heads. Budget meetings will be commencing in October.

Personnel - Nothing to report.

Police - A meeting was held in August to discuss the Police Chief contract.

WCC COG - Mr. Florio stated that Scott Piersol of East Brandywine Township is working on PA ACT 172, INCENTIVES FOR MUNICIPAL VOLUNTEERS OF FIRE COMPANIES AND NONPROFIT EMERGENCY MEDICAL SERVICES AGENCIES. The Borough has opted to not move forward at this time. The Giant Food Market in East Brandywine Township is still on hold. The Wawa proposed in West Brandywine Township is being challenged by residents. Valley Township announced the development of 192 apartments and townhouses. Tony Przychodzien from Chester County EMS said NIMS training for Council members can be completed in January.

### ***Old/Pending Business***

Consideration to adopt an ordinance to establish an Intergovernmental Cooperation Agreement for the Upper West Branch Brandywine Creek Watershed authorizing the Borough to enter into an intergovernmental cost-sharing and cooperation agreement with Honey Brook Township for administering the MS4 permit requirements for the Upper West Branch Brandywine Creek Watershed (Ordinance #241). - Mr. Halvorsen made a motion, seconded by Mr. Mimm to adopt an ordinance to establish an Intergovernmental Cooperation Agreement for the Upper West Branch Brandywine Creek Watershed authorizing the Borough to enter into an intergovernmental cost-sharing and cooperation agreement with Honey Brook Township for administering the MS4 permit requirements for the Upper West Branch Brandywine Creek Watershed. The motion passed unanimously.

Consideration to enter into an intergovernmental cost-sharing and cooperation agreement with Honey Brook Township for administering the MS4 permit requirements for the Upper West Branch Brandywine Creek Watershed. - Mr. Florio made a motion, seconded by Ms. Jenzano, to enter into an intergovernmental cost-sharing and cooperation agreement with Honey Brook Township for administering the MS4 permit requirements for the Upper West Branch Brandywine Creek Watershed. The motion passed unanimously.

Cozen and O'Connor/Barkman Lawsuit – The Borough received an invoice for activity regarding site visit and proposed tolling agreement amendment (letter issued to clients – July 19, 2017), in the amount of \$340. Mr. Halvorsen stated a letter was sent to the Borough Solicitor in August. Ms. Venzie said the only letter she ever received was in February. It was decided payment will not be made until an invoice with proof of what is being billed is received. Mr. Halvorsen will look into getting the correspondence noted in the invoice.

## ***New Business***

Consideration to proceed to advertise an Ordinance amending the Code of Ordinances to clarify Borough Council meeting times within Chapter 1; to amend certain permit responsibilities and garage sale provisions within Chapter 13; to prohibit yard waste disposal in Borough streets as set for in Chapter 20 to clarify fence permit fees in Chapter 27 zoning; and to provide for and severability and repealer provisions and for codification and an effective date. - Mr. Florio stated that the Borough Council Meeting times will be stated at the yearly reorganization meeting, removal of permit for yard waste on streets, clarification for fence and wall permits will be addressed in this ordinance amendment. Mr. Florio made a motion to authorize the solicitor to advertise the ordinance amendment as presented. The motion was seconded by Ms. Jenzano. The motion passed unanimously.

Rental Inspections - Code & Ordinance Committee recommended to change rental inspections to every two years (now at every 3 years) and trailer rental every time someone moves. Ms. Venzie suggested trailer rental inspection every 2 years regardless or every 6 months or 2 years, whichever comes first. Mr. Florio said the revised ordinance will be presented at next meeting.

Noise Ordinance – The Noise Ordinance will be amended to add designation times from 10:00 p.m. to 6:00 a.m., 7 days a week. Mr. Ott and Ms. Curtis recommended that this be changed for weekends from 11:00 p.m. to 6:00 a.m. Chief Ely stated that this is covered by the State Statute on Disorderly Conduct. It was discussed whether this would put extra calls to our Police Department. It was decided the ordinance will be further reviewed.

Question arose why the Code and Ordinance Committee is reviewing old ordinances. It was stated that the Committee is reviewing old ordinances to ensure they are still in alignment with what is intended.

Public Works Staff Shirts - Mr. Mimm suggested ordering ANSI approved Class 3 shirts and polo shirts for the Public Works staff to represent the Borough in a more professional manner. This was approved by Council.

Other - Ms. Jenzano reported that the Fall Newsletter was sent to the publisher this week.

Ms. Swinty provided information about the quotes for the new copier. She suggested the Lanier by Rothwell which is the least expensive. She has received positive feedback from the secretary at PJPII School on the copier and service. This will be presented to the Finance Committee for consideration in the 2018 Budget.

## ***Public Presentations***

None

There being no further business, the meeting was properly adjourned at 8:06.

Janis A. Rambo, Borough Secretary

From notes taken and transcribed from Tricia Swinty, Borough Clerk