

AUGUST 5, 2019

FIRST MONTHLY MEETING

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

Meeting was called to order at 7:00 p.m. by President Curtis.

Approval of Previous Minutes

Ms. Jenzano made a motion, seconded by Ms. Whichard, to approve the minutes from the July 15, 2019, meeting. The motion passed with Mr. Ott abstaining as he did not attend the July 15, 2019 meeting.

Payment of Bills

Mr. Florio made a motion, seconded by Mr. Ott, to authorize payment of bills as presented. The motion passed unanimously.

Public Presentations

934 Chestnut Street – Mr. Jack Robinson of JMR Engineering was present representing the property owners of 934 Chestnut Street who were also present. A waiver has been requested from Section 106.B(1) of the Borough's *Stormwater Ordinance*. Mr. Robinson noted that he had received two minor comments from the Chester County Conservation District. It was noted that the site contains an existing dwelling which is slated for demolition and reconstruction. The existing dwelling is located outside the building envelope with a portion located over the property line. The property owners propose to construct the new dwelling in compliance with the required zoning building setbacks which results in a disturbance of over 5,000 square feet. Mr. Falencki recommended that some form of stormwater control should be done under the ordinance's *Small Projects Best Management Practice (BMP) Guidelines*. However, Mr. Falencki does not recommend rain barrels. There was also discussion if curb and sidewalk would be required. It was confirmed since this is not a land development, there is no requirement to install sidewalks.

Mr. Mimm made a motion, seconded by Mr. Halvorsen, to deny the waiver request from Section 106.B(1) of the Honey Brook Stormwater Ordinance and to require the Small Project BMP Guidelines be followed. The motion passed unanimously.

Girl Scout Project/Hagenbuch – Hailey Hagenbuch was introduced. Miss Hagenbuch is working on her Silver Award through Girl Scout Troop 1724. Her project was a nature garden at Borough Park. Ms. Jenzano noted that a celebration of Miss Hagenbuch's project and Silver Award will be celebrated in the Borough Park and asked that Council consider donating back the pavilion

reservation fee of \$35.00 following the event on August 17. Mr. Ott made a motion, seconded by Mr. Mimm, to authorize the donation of \$35.00 back to the parents of Hailey Hagenbuch following the August 17, 2019, pavilion rental. The motion passed unanimously.

Horace Helm Subdivision/Mark Reale – Mr. Reale, representing Horace Helm, was present to review that an approved subdivision/land development plan known as “321 James Street” that was approved on June 4, 2001, was never recorded. In order to record the plan, the Borough would need to issue a 90-day waiver letter for recording. Ms. Venzie also requested that a *Declaration of Access and Utility Easement and Drainage Easement* be signed and recorded as well as no copy at the time of approval appears to have been found in any files. Mr. Helm stated that he would execute the *Declaration of Access and Utility Easement and Drainage Easement* and return a copy to the Borough Solicitor after recording. Mr. Mimm made a motion, seconded by Ms. Jenzano, to issue a 90-day waiver letter to permit Mr. Helm to record the approved 2001 plan. The motion passed unanimously.

Engineer's Report

PennDOT Multimodal Program (Chestnut Street Sidewalk Project) – Mr. Falencki reported that during the meeting on July 9, 2019, with PennDOT that it was recommended that the grant should not include design and inspection costs, thus utilizing the entire grant award of \$100,000 to pay for construction and to utilize the required 30% match for design and inspection. Mr. Falencki also consider that Council extend the scope to include the portion of Chestnut Street from Horseshoe Pike to Water Street. The original application was from Horseshoe Pike to Arch Street. Ms. Jenzano made a motion, seconded by Mr. Ott, to notify PennDOT that Council has approved to utilize the entire grant award of \$100,000 to pay for construction and to utilize the required 30% match for design and inspection and to extend the scope to include Chestnut Street from Horseshoe Pike to Water Street. The motion passed unanimously.

Nevin Drive Project – Mr. Falencki reported that the project is complete and came in under contract.

Solicitor's Report

Ms. Venzie stated that she had conversations with Mr. Falencki and Mr. Campbell during the last two weeks regarding the 934 Chestnut Street waiver request. She also noted that the revised plan was received today for Edge of the Brook Farm and she and the Borough Engineer would be reviewing.

Communications/Secretary's Report

Secretary advised that notification was received from the Chester County Department of Community Development that we were awarded funding for the West James Loop application for \$150,000. We were unsuccessful for the Wawassan Drive project. Mr. Falencki stated that the West James Loop project application was the Borough Authority.

At this time, Mr. Falencki departed the meeting.

Written zoning hearing decision and order was distributed for the application of Margaret Prichard for 2560 Conestoga Avenue which requested variances from the provisions of Sections 27-703.A, 27-909, 27-910, and 27-1039.A.3 of the Honey Brook Zoning Ordinance of 2018 in order to permit the erection to a building with a minimum side yard of no less than 7' cumulative with no off-street parking and no off-street loading and with no fence around outdoor seating. The variance was granted subject to the applicant shall restrict off-street loading and unloading to the rear 50% of the premises on its south side adjacent to M&T Bank so as to access loading and unloading through the rear of the proposed building, act in conformity with the testimony and evidence presented at the hearing, and comply with all other relevant statues, ordinances, regulations or codes of Honey Brook Borough, Count of Chester, and the Commonwealth of Pennsylvania.

Notification was received from the Chester County Water Resources Authority that a watersheds and County-wide Act 167 stormwater management plan and model ordinance update was approved by the County Commissioners in November 2018. The County's drafting of the plan and ordinance components will begin in 2020 and will include opportunities for review and comment by municipalities, the public, and stakeholders. Final draft plan documents are targeted for completion in summer of 2021. This will allow time for the final draft plan documents to undergo the required formal public review periods and official approval processes and allow sufficient time for municipal adoption of the revised model stormwater ordinance by PADEP deadline of September 30, 2022. At this time the CC Water Resources Authority is looking for municipal contacts. Mr. Halvorsen asked if the costs to adopt the County-wide Act 167 stormwater ordinance in 2013 could be obtained.

Secretary advised that PMRS, administer of the uniform pension plan, has redone their plan documents in accordance with updates with IRS requirements. As such, the Borough will need to adopt an ordinance to amend its police pension plan, administered by PMRS, pursuant to Article IV of the PA Municipal Retirement Law agreeing to be found by all law as amended and as applicable to member municipalities. Mr. Halvorsen made a motion, seconded by Ms. Jenzano, to authorize public notice of the Borough's intention to adopt an ordinance in accordance with PMRS' request. The motion passed unanimously.

President's Report -- No report

Mayor's Report -- No report.

Monthly Reports

Treasurer's Report -- The monthly P&L, actual vs budget, was distributed as well as the Balance Sheet as of August 5, 2019. It was noted that real estate taxes collected have exceeded the budgeted amount to date. The contribution/donation amount from the Chester County Solid Waste Authority is trending lower than the last several years and the 2019 budgeted amount which would be the result of less tonnage being collected at the landfill.

Tax Collector's Report -- Real estate taxes collected by the County for July was \$701.98.

Police Chief's Report – The monthly report for June was distributed. Chief Ely advised that he is participating in a warrant sweep by the County this evening and tomorrow night (August 5 and 6).

Public Works Report - Mr. Ford submitted his report for July. Curb sealing is ongoing. He also reported that work continues with PP&L for authorization to place banners.

Planning Commission – The Planning Commission did not meet in July.

Code/Zoning/Building Officer's Report – Written report was distributed. Mr. Campbell reported that rental inspections are ongoing. It was reported that 748 Maple Street has more than four units and that they would be required to have a dumpster. This address has six units. It was requested that the Borough Office send out letters to all property owners who have a building with more than four units that they would need to comply with a dumpster if they are not presently providing one. It was noted that 748 Maple Street had been cited for having trash at the curb that is not in Borough trash bags and there has been no response within the time frames provided. Mr. Halvorsen made a motion, seconded by Mr. Mimm, to authorize Eagle Disposal to collect the trash separately from the Borough collection and forward the invoice to the Borough for restitution from the property owner. The motion passed unanimously.

COG – Mr. Florio reported there was no meeting in July.

322 Task Force – Ms. Curtis reported that the Committee will be meeting with the Chester County Commissioners.

Committee Reports

Parks & Recreation – Ms. Jenzano reported the third concert was held on August 4. There is one more concert scheduled for September. She noted that the pavilion reservation form will be revised to include that the use of “confetti and silly string” will not be permitted. The “Free Library” has been suspended due to vandalism. She also reported that the Committee will be reviewing two estimates for repairs to the tennis courts.

Personnel – Mr. Florio stated that the Personnel files continue to be updated and are looking good.

Code & Ordinance – Mayor Mulhall reported that state code sets requirements for sidewalks should the Borough want to incorporate.

Finance – Mid-year review was the subject of the July meeting.

Old/Pending Business

Legislative Update – Mr. Florio reminded Council that he would be attending the upcoming Municipal Legal Update.

New Business

Donation of Wagon – Ms. Jenzano asked for consideration to donate the wagon that was purchased years ago to transport water and is no longer being used to the Food Pantry. Mr. Ott made a motion,

seconded by Mr. Halvorsen, to donate the wagon to the Food Pantry. The motion passed unanimously.

2019 Budgeted Donations – List of budgeted donations for 2019 was presented Council. Council discussed that an audit or explanation of use of funds should be provided before the next year's donation is made. It was noted that we receive an annual from the Library and we have received the audit from the Honey Brook Fire Company. Mr. Ott made a motion, seconded by Mr. Mimm, to request that the Elverson-Honey Brook EMS provide an audit report before release the 2019 donation. The motion passed unanimously. Donation checks will be cut for Council's approval at their second meeting in September.

Public Presentations

None

There being no further business to discuss, the meeting was properly adjourned at 8:23 p.m.

Janis A. Rambo, Borough Secretary

