

**HONEY BROOK BOROUGH COUNCIL
FIRST MONTHLY MEETING
NOVEMBER 1, 2021**

The First Monthly Meeting of Honey Brook Borough Council was called to order by Council Vice President Jeanne Jenzano at 7:00 p.m. The meeting was held, as advertised, at the Borough Hall Annex at 91 Pequea Avenue, Honey Brook, PA. All members answered Roll Call except Jessica Curtis and Mary Beth Wadlinger. Also in attendance were Kim Venzie, Borough Solicitor; Christopher Falencki, Borough Engineer; Bill Ford, Public Works Superintendent; Chief Calvin Wilson; and Tricia Swinty, Borough Clerk.

It was noted that that Council was in Executive Session prior to the meeting to review the draft Mani D Corporation conditional use hearing decision.

Approval of Previous Minutes

It was noted in the October 18, minutes that it noted that the Halloween Parade street closure/detour permit was obtained by the Lions Club; it was Honey Brook Borough that obtained the street closing permit from PennDOT. Ms. Wunsch made a motion, seconded by Mr. Ott, to approve the minutes of the October 18, 2021. The motion passed unanimously.

Payment of Bills

Ms. Matlock made a motion, seconded by Ms. Wunsch to approve the payment of the bills. The motion passed unanimously.

Citizen's Comments on Agenda Items

None

Public Presentations

None

Engineer's Report

4171 Horseshoe Pike & 730 Walnut Street Minor Subdivision Plan – a minor subdivision plan was presented to Council. Letter of recommendation were received from the Honey Brook Borough Planning Commission and a review letter was received and distributed from the Chester County Planning Commission. The proposal is to create three lots. The site is located in the Honey Brook Borough Mixed Use Residential and Neighborhood Residential zoning district. The site contains a number of dwellings and other structures and the plan does not propose additional development. Joe Russella from D.L. Howell was present to review the proposed subdivision and answer any questions. He noted that there is no planned development noting that Eugene Stoltzfus will retain Lot 2 and Morning Star Investments (Ian Hopkins) would be the

owner of Lots 1 and 3. Mr. Falencki provided Council with a copy of a letter dated October 28, 2021, following a second review of the plan noting items that had been addressed from his first review. It was noted that revised plans had just been dropped off at the Borough Office last Friday. Solicitor Venzie requested that the Borough Engineer review the new plans and issue a clean review/recommendation letter and tentatively be placed back on Council's agenda at their first meeting in December. Mr. Florio made a motion, seconded by Ms. Matlock, to table any decision on the 4171 Horseshoe Pike and 730 Walnut Street Minor Subdivision Plan until the resubmitted plans are reviewed and a clean review/recommendation letter is received from the Borough Engineer. The motion passed unanimously.

It was also note that an address is needed for Lot 1; the Borough Clerk will obtain that address.

Mr. Falencki reported that the 18-month maintenance inspection was done for the Shenberger Subdivision; repairs are needed. He also reported that he is waiting for Honey Brook Township regarding the MS4 calculations.

With regards to the Maple Street, Chestnut Street, and the Utility Loop projects, they are all complete. Mr. Falencki reviewed and recommended action on the following:

- Utility Loop Grant – Mr. Falencki requested that Council approve the project being substantially complete and approve release of retainage:
 - Based on the Borough Engineer's recommendation, Ms. Matlock made a motion, seconded by Mr. Ott, to authorize the Council Vice President to sign the Certification of Substantial Completion for the Utility Loop Grant. The motion passed unanimously.
 - Based on the Borough Engineer's recommendation, Mr. Florio made a motion, seconded by Ms. Wunsch, to approve final payment in the amount of \$9,810.50.
 - As requested by the Borough Engineer, Ms. Wunsch made a motion, seconded by Mr. Florio, to authorize the Notice of Completion to be signed by the Borough Engineer when he has all paperwork and has been reviewed. The motion passed unanimously.
- Maple & Chestnut Street Project – Mr. Falencki presented the following for consideration and action by Council:
 - Change Order #3 – Change Order #3 was presented for final quantity of installed material for a decrease of \$26,416.67. Mr. Ott made a motion, seconded by Mr. Florio, to approve Change Order #3 for the Maple and Chestnut Street Project in an amount of -\$26,416.67. The motion passed unanimously.
 - Based on the Borough Engineer's recommendation, Ms. Wunsch made a motion, seconded by Ms. Matlock, to authorize the Certificate of Substantial Completion be signed by the Council Vice President. The motion passed unanimously.
 - Based on the Borough Engineer's recommendation, Mr. Florio made a motion, seconded by Mr. Ott, to approve Payment Application #3 in the amount of

- \$176,479.05, which includes the Borough holding retainage, contingent upon the Borough Engineer receiving all paperwork. The motion passed unanimously.
- Based on the Borough Engineer's recommendation, Mr. Ott made a motion, seconded by Ms. Matlock, to release the retainage upon receipt of all required bonds. The motion passed unanimously.
 - Ms. Wunsch made a motion, seconded by Mr. Florio, to authorize the final Certificate of Completion being signed by the Borough Engineer upon receipt of all paperwork. The motion passed unanimously.
 - Mr. Falencki noted that a Completion Report will need to be filed with PennDOT for the Borough's grant that will require the Borough Secretary's signature. Mr. Ott made a motion, seconded by Ms. Matlock, to authorize the Borough Secretary to sign upon notification of the Borough Engineer. The motion passed unanimously.

Resident Felix Colon of 441 Water Street noted that there are already cracks in some of the sidewalks. Mr. Falencki advised that there is an 18 month maintenance period and that any issues would be addressed at one time.

Mr. Falencki stated he received information about a County grant program for parks. He said that it would need to be filed by February and possible funding up to \$53,000 towards the tennis court project. There was discussion regarding the current situation and potential liability issues. There was discussion regarding people climbing over the fence to retrieve a basketball. It was decided to put up "No Trespassing" signs on the fence.

Mr. Ford inquired if the Borough Engineer could contact PennDOT regarding the crosswalks as the base of the road is in very poor shape. Mr. Ford state that the Route 10 paving project has been pushed off to sometime possibly next summer.

Solicitor's Report

Ms. Venzie discussed the Shenberger maintenance period and the work that needs to be done. There was discussion of the Borough doing the work and taking it from the maintenance escrow posted. Secretary/Treasurer said she did not have the exact amount but estimated it to be approximately \$3,100 and questioned if there would be enough to cover the work and the inspections. It was asked that Public Works provide an estimate and a letter be drafted by the Borough Engineer to be sent to the developer to see if would want the Borough to do the work from the maintenance escrow.

It was noted that a conditional use application was received but it appears that it is not complete. Ms. Venzie suggested that the Borough staff or the Codes/Zoning Officer help the applicant with the submission.

Mr. Ford questioned about the situation with the condemned Grenda properties. He noted that Borough staff has had to let her in twice and the one property has been broken into again. He

noted that he is keeping track of time and material. Ms. Venzie stated that we do not need to continue to let her in and that she will send a letter to District Court requesting that no more extensions are given due to safety concerns with the properties.

At this time, Mr. Falencki departed the meeting.

Old Business

None

Communications/Secretary/Treasurer's Report – No Report

President's Report – No Report

Mayor's Report – Mayor Mulhall reported that tomorrow is Election Day and encouraged everyone to vote.

Committee Reports

Finance Committee – Committee is working on a challenging 2022 budget.

Parks & Recreation – Ms. Jenzano stated that there is one bocce report remaining for the year. The annual tree lighting will be held the first Sunday in December.

Public Works – Mr. Ford advised that the green truck is done; awaiting final costs and to see if some of the work would be covered through “warranty” due to safety notices. Mr. Ott stated that he believes Borough personnel can cut the brush out of the tennis courts. Mr. Ford also inquired about the vending machine. There is a part that is needed, if it can be found and questioned how much money we want to put into the machine.

Code & Ordinance – No Report

MS4 – No Report

Personnel – No Report

Police – No Report

Banner – No Report

COG – Ms. Matlock reported on the recent COG meeting and noted that they are looking at having an event in January for current and potential members. They are looking for a place that would hold approximately 80 people and would like, if possible, to hold it at a place that has been impacted during the last year. She also noted that she will be attending the Western Chester

County Chamber of Commerce's annual Municipal Luncheon on November 5 to represent the Borough and provide an update if Council would be agreeable. Council thanked Ms. Matlock for being the Borough's representative.

New Business

None

Public Presentations

Felix Colon and Troy DiSimone, property owner of 420 and 408 Water Street, asked about the upcoming winter and parking during snow emergencies. Mr. Colon said that he had attended a virtual meeting earlier in the year regarding parking on Water Street where there are no off-street parking spaces. He said he saw information in the Newsletter that residents should ask for help from neighbors who do have off-street parking. He asked what you are to do when your neighbors don't have space and does not believe that is the solution. Mr. Colon stated that he is willing to shovel out snow after snow fall around all of the vehicles to allow the cars to remain so people don't have to find parking far away from their home. Mr. Ford questioned liability. Ms. Jenzano stated as discussed earlier in the year, the issue to ensure emergency response equipment could access. After continued discussion, Council tabled any type of decision until the situation could be revisited.

There being no further business, meeting was adjourned at 8:49 p.m.

Janis A. Rambo, Borough Secretary