

HATFIELD TOWNSHIP BOARD OF COMMISSIONERS REGULAR MEETING

April 27, 2005

7:30 PM

AGENDA

I. CALL TO ORDER

Commissioner President Gerald Andris called the Hatfield Township Board of Commissioner's April 27, 2005 meeting to order at 7:30 p.m.

II. ROLL CALL

Commissioner Andris asked Ms. Shafkowitz to call the roll. Present at the meeting were Commissioner President Gerald Andris, Commissioner Vice-President Jim O'Byrne, Commissioner James Bleakly, Jr., Commissioner Scott Brown and Commissioner John Norman. Also in attendance were Township Manager Stephanie Teoli Shafkowitz, Solicitor Joseph Kuhls, Township Planner Ken Amey, Engineer Joseph Nolan, Lieutenant Ray Wilson, Finance Director John Hall, and Administrative Assistant Melissa Croak.

III. PLEDGE OF ALLEGIANCE

Commissioner Andris lead the recitation of the Pledge of Allegiance.

IV. APPROVAL OF AGENDA

Commissioner Norman made a motion to approve the Agenda of the April 27, 2005 Hatfield Township Board of Commissioners meeting. The motion was seconded by Commissioner O'Byrne and carried on a 5-0 vote.

V. APPROVAL OF MINUTES

1. **Board of Commissioners Regular Meeting** – *March 23, 2005*
2. **Board of Commissioners Rezoning Hearing** – *March 23, 2005*
3. **Board of Commissioners Workshop Meeting** – *April 13, 2005*

Commissioner Bleakly made a motion to approve the March 23, 2005 Board of Commissioner Regular Meeting Minutes, the March 23, 2005 Board of Commissioners Rezoning Hearing Minutes and the April 13, 2005 Board of Commissioners Workshop Meeting Minutes. The motion was seconded by Commissioner O'Byrne and carried on a 5-0 vote.

VI. CITIZENS' COMMENTS

Richard Newberry of Sharon Road is opposed to the at-large system.

Jim McAuliff of Rosemarie Way thanked the commissioners for their time and energy. He likes the current ward system, but proposed an idea of having 3 of the 5 commissioners come from separate wards and 2 of the commissioners be voted in at-large. Mr. Kuhls replied that the state law would have to be changed for something like that to take place.

Steve Morris of Grant Avenue said he felt that the commissioners ignored the will of the people at the last public meeting. Mr. Morris supports the ward system.

Charles Sisian of Leon Drive asked the commissioners to take into consideration the fact that an at-large system does not provide for neighborhood representation.

Peggy Busby of Walnut Street supports the ward system.

Dan Reavy of McArthur Drive supports the at-large system. Mr. Reavy noted that at the last meeting, only 24 of the 100 people in attendance spoke. He said that either some people had stage fright or maybe some of the people in attendance weren't township residents.

John Thinnes of Hedgewood Road supports the ward system.

John Shilling of Cowpath Road supports the at-large system. Mr. Shilling said he felt that the commissioners showed a lot of respect for the residents at the last meeting.

Bill Allen of Brighton Drive stated that he is a member of the North Penn School Board. He is in favor of the at-large system. He noted that the commissioners in favor of the at-large system are leaving the comfort of smaller ward campaigns and putting themselves into the hands of the entire township. He said that he appreciates the commissioners' hard work.

Tom Landauer of Cowpath Road supports the ward system. He asked the commissioners to table the at-large petition.

John Strobel of Creek Road supports the at-large system.

Michael Malin of Line Lexington Road asked a question about the petition. Mr. Kuhls replied that Commissioner President Andris has a prepared statement that he will read after citizen's comments that will answer Mr. Malin's question.

Kathleen Thinnes of Hedgewood Road asked the commissioners to listen to the residents. She supports the ward system.

Earl Schoen of Roosevelt Boulevard supports the at-large system.

Bob Rogers of Maple Avenue supports the ward system. Mr. Rogers is concerned about the commissioners not listening to the people of the township.

George Landes of Koffel Road said that he is running for Ward 4 Commissioner. Mr. Landes said that the majority of the residents he has met with in ward 4 expressed a desire in staying with the ward system.

Les Brown of Foster Road said that it is upsetting to see the township split by the issue. He thanked the commissioners for volunteering their time to the community. Mr. Brown said that the board should make a decision and the residents should hold them accountable.

Ed Morehouse of Fortuna Drive said that he was one of the residents that did not speak up at the last meeting. Mr. Morehouse supports the ward system.

Wayne Rutter of Cowpath Road said that he is disappointed with the board in having their minds made up before coming to this meeting.

Bea States of Orvilla Road asked the board what the residents will do without a ward representative. Dr. States said that she always used to go to former Commissioner Vandegrift's house if she ever had a problem. What will she do now? Commissioner Andris replied that Dr. States could call him anytime with a problem. Commissioner Norman added that she could also call the Township Manager, Ms. Shafkowitz, with any problems or concerns.

Ken Rolland of Diamond Street thanked Commissioner Andris for running the meeting so smoothly than the previous public meeting.

Rick Newberry of Sharon Road reported that with the recent rain, he has noticed a rise in the creek near his house. He asked that the township look into this matter. Ms. Shafkowitz said that she would have staff look into it.

Being that there were no additional comments, Commissioner Andris closed citizen's comments. He provided a prepared statement for the residents, and noted that copies would be available for residents to take home after the meeting.

Commissioner Andris said that only the Montgomery County Court of Common Pleas can change the ward system to an at-large one. The petition that the township is sending is only a request for the court to consider the change. Anyone who disagrees is entitled to file an opposing petition. There is no guarantee that the court will side with the commissioners. Commissioner Andris cited a case where the court sided with the board, and another case where the court sided with the residents. He said that this petition will pass or fail based on its merits.

Commissioner Brown made a motion that the Hatfield Township Board of Commissioners put a question on the November ballot regarding a change in the election process. There was no second. The motion failed.

Commissioner Norman addressed the accusations of Commissioners not returning phone calls. He explained the situation with a resident that was able to be resolved.

Commissioner Brown quoted James Madison. He cited the school board as going from ward representation to an at-large system, which coincided with the election of a minority party member. He said that the same scenario is happening here in Hatfield Township.

VII. ACTION ITEMS

1. **Ward/Voting District Decision Resolution #05-15**

Commissioner O'Byrne made a motion to approve Resolution #05-15 authorizing consolidation of all wards into one and creating new voting districts totaling eight in number. The motion was seconded by Commissioner Norman. Commissioner President Andris asked for a vote from each commissioner. Commissioner O'Byrne voted yes. Commissioner Bleakly voted yes. Commissioner Brown voted no. Commissioner Norman voted yes. Commissioner Andris voted yes. The motion carried on a 4-1 vote.

2. **Patel Subdivision - North Broad Street Resolution #05-11 Preliminary Approval**

Commissioner O'Byrne made a motion to approve Resolution #05-11. The motion was seconded by Commissioner Norman and carried on a 5-0 vote.

3. **EST Group Land Development - 2801 Township Line Road Resolution #05-12 Preliminary Approval**

The item was deferred to a later meeting.

4. **Marketplex at Line Lexington Subdivision - Bethlehem Pike Resolution #05-13 Final Approval**

Commissioner Norman made a motion to approve Resolution #05-13. The motion was seconded by Commissioner Bleakly and carried on a 5-0 vote.

5. **Line Lexington Industrial Park Lot B1 Land Development - Sterling Drive – Resolution #05-14 Final Approval**

Commissioner Brown made a motion to approve Resolution #05-14. The motion was seconded by Commissioner Norman and carried on a 5-0 vote.

6. **Land Use Assumptions Report**

Commissioner O'Byrne made a motion to approve the Land Use Assumptions Report. The motion was seconded by Commissioner Norman and carried on a 5-0 vote.

7. **Line Street Culvert Bid**

Commissioner Norman made a motion to award the Line Street Culvert Bid to Tulio Landscaping of Doylestown, PA in the amount of \$258,700.00 with a \$37,000.00 alternate add on for work to relocate two sanitary sewer lines. The motion was seconded by Commissioner Bleakly and carried on a 5-0 vote.

8. Construction Management Services Contract

Commissioner Norman made a motion to authorize township manager to execute contract with Boyle Construction Management for construction management services related to new pool project. The motion was seconded by Commissioner O'Byrne and carried 5-0.

**9. Inter-Governmental Agreement
C100 North Penn Area Communications and Command Vehicle**

Commissioner O'Byrne made a motion to approve the Inter-Governmental Agreement for the C100 North Penn Area Communications and Command Vehicle. The motion was seconded by Commissioner Norman and carried on a 5-0 vote.

**10. Inter-Governmental Agreement
North Penn Area Tactical Response Team**

Commissioner Brown made a motion to approve the Inter-Governmental Agreement for the North Penn Tactical Response Team. The motion was seconded by Commissioner Norman and carried on a 5-0 vote.

11. West Moreland Council of Governments Vehicle Purchasing Program

Commissioner O'Byrne made a motion to authorize participation in the West Moreland Council of Governments Vehicle Purchasing Program. The motion was seconded by Commissioner Norman and carried on 5-0 vote.

12. Bills Payable

- **Paid Bills (April 2005) - \$ 28,022.06**
- **Bills To Be Paid (April 2005) - \$ 275,340.04**

Commissioner Brown made a motion to approve the Paid Bills for April in the amount of \$15,867.57 and the Bills to be Paid for April in the amount of \$12,154.49. The motion was seconded by Commissioner Norman and carried on a 5-0 vote.

**13. Treasurer's Report
March 2005**

Commissioner O'Byrne entered the March Treasurer's Report into record.

VIII. OTHER BUSINESS

IX. ADJOURNMENT

April 27, 2005

Commissioner O'Byrne made a motion to adjourn the April 27, 2005 Board of Commissioners meeting. The motion was seconded by Commissioner Norman and carried on a 5-0 vote. The meeting was adjourned at 9:05 p.m.