

Council Work Session
November 4, 2009
Council Chambers

The regular monthly Work Session of Newtown Borough Council was called to order at 5:00 P.M. on Wednesday, November 4, 2009, by President of Council Mark Craig.

Present were Councillors Craig, Jaslow, O'Malley, Sellers, Walker and Woldorf; Solicitor Colin Jenei and Engineer Larry Young of Gilmore & Associates.

Councillor Jaslow removed the Fee Schedule discussion from the agenda.

Public to be Heard

Paul Salvatore congratulated the winners of the recent election.

Lion's Club – Robert Wright

Bob Wright, a member of the Newtown Lion's Club, presented Council with background on the Lion's Club International. Mr. Wright explained that the Lion's Club is looking for ways to interact with municipal government in order to communicate Lion's Club activities through the Borough website and television channel. Any suggestions from Council would be welcomed.

2010 Draft Budget – Robert Walker & Gerard O'Malley

Mr. Walker and Treasurer Pat Ours presented Council with additional information for budget consideration. For the General Fund, overtime for the Borough Secretary was included in the budget, adjustments were made to the health insurance totals, Emergency Management and Fire Marshall fees were added and the recording secretaries hourly rate was increased. With regard to the Capital Expenditure Fund, Ms. Ours noted that until the new rental agreement is signed for the police department, the Borough should budget \$10,000 for maintenance. There was discussion about the need for additional solicitor funds beyond the monthly retainer and it was decided that if legal fees are paid from General Fund then those fees would be reimbursed from the Operating Reserve Fund. Council agreed to provide "Short Term Disability" for both the Uniformed and Non-Uniformed employees, but some additional issues need to be addressed with regard to the Police Officer's contract before moving forward. Gilmore & Associates is waiting for a response from Newtown Township about sharing the responsibility for paving the upper end of Frost Lane before Council makes a decision on a 2010 road project. If the Frost Lane project does not move forward, then the Borough has several other street projects it could consider. The Borough could also opt for no street project in 2010, but instead put the money aside for a future road program. The Borough is also exploring the cost for putting the Borough Ordinances on the website. With regard to a donation to the Newtown Ambulance Squad, Mr. Walker explained that the 2008 correspondence with the Squad indicated that the \$8000 contribution was only for 2009, but after discussion Council agreed to again put \$8000 into the budget for 2010.

Promenade Traffic Study

Mr. Young reviewed the Promenade Traffic Study and voiced concern that the study did not analyze the impact of the project on Newtown Borough. Options are limited because of the configuration of Jefferson Street, but Council felt strongly that the Newtown Township Supervisors should receive a letter from the Borough expressing their concerns about the potential impact of The Promenade project on Borough traffic. Mr. O’Malley expressed his disappointment that Newtown Township is breaking the agreement that was made at the Zoning Hearing Board to include Newtown Borough and at the fact that the Joint Traffic Committee has been left out of any discussion on the matter. Council agreed to send a letter to the Newtown Township Supervisors expressing Council’s concerns and Mr. Sellers and Mr. O’Malley will attend the November 18, 2009, Supervisors meeting.

Engineer’s Report – Larry Young, Gilmore & Associates

- General Projects Update

Mr. Young announced that the draft of the Old Skunk study should be available in two weeks and a public meeting will then be scheduled.

The Lafayette Street project final release will be on the agenda for approval next week. The Frost Lane release will be delayed, as there is additional work that needs to be completed. Concerns were raised about the clogging of the grate with leaves at the end of Frost Lane and it was suggested that routine cleaning, rather than removal of the grate in the Fall, might be considered. Mr. Walker will investigate the cost involved.

A change order for the Jefferson Street project will be presented at the Council Meeting and a closeout of the project should follow.

Since Toll Brothers issued the Maintenance Bond, two Newtown Station escrow releases are proposed for Tuesday night. Questions were raised by Ms. Woldorf and Mr. Sellers regarding maintenance issues at the top of the detention basin. Mr. Young explained that the Homeowners Association is responsible for maintenance issues and records must be submitted to the Borough annually.

Newtown Corporation Donation Discussion

Mr. Craig explained that Council wanted to see the proposed Newtown Corporation bylaws prior to making a decision on the Borough’s donation to the organization. Mr. Jaslow felt strongly that Council members should not serve as Newtown Corporation board members, but only as liaisons. In addition to the review of bylaws, Council members also felt there should have been more reporting of activities and more communication, especially with regard to business development and that the Corporation had not served the Borough well during the past year. Most members indicated that they felt the Newtown Corporation should be independent going forward. Mr. Craig disagreed and felt that the Newtown Corporation had put a focus on State Street and the Borough had benefited from its efforts. After additional discussion, Council decided to make a decision after hearing from Ms. Ortwein at the December Work Session.

Smart Transportation Grant – Gerard O’Malley

Mr. O’Malley reported on the Delaware Valley Regional Planning Commission meeting to discuss the process for the Smart Transportation Grant. The DVRPC works as project manager for the Borough with PENNDOT. A resolution is required for a reimbursement agreement with PENNDOT and that resolution should be approved at the Council Meeting on Tuesday. The estimated timeline for a PENNDOT agreement is 60-90 days. Once Council selects a consultant, they would then enter into a design agreement. This is a \$30,000 grant with no matching component.

Holiday Parade Special Events Request – Dennis O’Brien

Mayor O’Brien discussed the proposed Special Events form for the Holiday Parade on December 6, 2009, and Council agreed to the request of the Newtown Corporation. The new parade route includes Newtown Township this year.

Approval of Professional Bills

- ❖ A motion was duly made by Councillor Walker, seconded by Councillor Jaslow, and carried unanimously, to approve the September 2009 professional services invoices.

Solicitor’s Report – Donald E. Williams

Colin Jenei was asked to have Don Williams review the Smart Transportation Agreement and Resolution.

Request for Ordinance Change – Robert Walker

Mr. Walker proposed an amendment to the Borough Ordinance, Section 14-633, to permit “Parking for Emergency Vehicles Only.”

- ❖ A motion was duly made by Councillor Jaslow, seconded by Councillor Walker, and carried unanimously, to authorize the Solicitor to modify Ordinance 14-633, to prohibit parking on the east side of Liberty Street for a distance of 200’ North from Washington Avenue, and permit parking for Emergency Vehicles only.

Old Business

Starting November 17, 2009, the Newtown Artesian Water Company will install a temporary road surface on North State Street, with final paving to be completed in the spring after completion of curb cut installation at Jefferson and Greene Streets.

Mayor O’Brien discussed the Borough website and future plans to update the website.

New Business

Ms. Woldorf commented on an application for a PECO Green Region Grant, which could be used for items related to land acquisition, i.e. appraisals. There is also the possibility of using the funds for passive recreation, which might include wood carpet under the swing set in Linton Memorial Park.

Public to be Heard

Paul Salvatore reminded Council of a vacancy on the Newtown Corporation board and asked if any applications had been submitted, as he would like to see the vacancy filled as soon as possible.

There was a motion to adjourn at 7:20 P.M.

Respectfully submitted,

Marcia M. Scull
Borough Secretary

IN ATTENDANCE

Warren Woldorf	440 E. Washington Avenue
John Burke	301 S. Norwood
Paul Salvatore	148 N. Elm Avenue
Danny Adler	Courier Times
Perry Warren	149 Andrew Drive