

Council Work Session  
April 4, 2012  
Council Chambers

The regular monthly Work Session of Newtown Borough Council was called to order at 7:00 P.M. on Wednesday, April 4, 2012, by President of Council Robert Walker.

Present were Councillors Auerweck, Burke, Machion and Walker; Mayor O'Brien, Solicitor Bolla and Engineer Canales. Councillors King and Warren were excused.

### **Public to be Heard**

Ted Schmidt said that the Newtown Fire Company State Street Beautification funds are available to the Borough for the purchase of 5-7 trees to replace trees previously removed. Two of those trees are in front of the Brick Hotel on N. State Street, but the owner of the Brick Hotel does not wish to replace them. Mr. Schmidt asked if the Borough would replace them and take responsibility for the maintenance. Mr. Walker asked the Solicitor for his opinion, since the property owners have been responsible for tree maintenance in the past. The Solicitor agreed to look into it, but his initial response was that the Borough should not take on that responsibility. Mr. Salvatore commented that planting those trees could create an issue with other property owners wanting the Borough to plant trees at their properties.

### **Amendments to the Agenda**

There were no amendments to the agenda.

### **Engineer's Report – Mario Canales**

Mr. Canales reported that the 2009 Frost Lane street project contractor has agreed to address the matter of the deteriorating grate, but he is requesting an alternative for the grate at Frost Lane and Edgeboro Drive. The suggestion is to install a metal frame in place of the concrete, but retaining the standard inlet top. The maintenance bond was extended until October 2012 for the project.

The second issue with Frost Lane involves the pipe at the end of the drainage system. Council requested safety grates because of concern that a child might crawl into the pipe, but that type of grate has now become a maintenance issue. The options are to have it cleaned out on a regular schedule, remove the grate entirely, or redesign the grate by removing some of the metal bars. The decision was to try the redesign approach.

In order to address the Zoning Ordinance lighting requirements, Mr. Canales suggested re-wording that section of the ordinance to allow Council to decide on the type of lighting rather than restricting the type of lighting. The Engineer and Solicitor will work together to provide appropriate wording to amend the ordinance.

Mr. Canales reported that in order to release any escrow money for the Phillips Court project, installation of railings is required. In reviewing the project design plans, Mr. Canales said that railings are shown on the plans and they are a requirement for project completion.

Mr. Canales noted that the stormwater management report for the Goodnoe School expansion shows a reduction in the peak flows, but he wants to speak to the Newtown Township engineer to make sure he has a copy of the latest report and to receive a copy of the drainage area plan.

### **Newtown Corporation – John Burke**

Mr. Burke reported that he met with Mike Gallagher, the Chairman of the Newtown Township Board of Supervisors. At this point, there is no commitment from the State Street business owners to work with the Newtown Corporation, so Mr. Burke questions the need to continue the Borough's association with the Corporation. The Township, however, does wish to continue a relationship with the Corporation to develop an economic and marketing development team. Mr. Walker asked if the Main Streets program is still available. Mr. Burke and Mr. Salvatore responded that there are limited opportunities for that type of program, but a full time manager would be required or a variation of that with 60% of the time dedicated to Main Streets and 40% dedicated to other economic development. They noted that grant money is available to fund this type of program.

### **Report of the Mayor – Mayor O'Brien**

#### Special Event Applications

- 1<sup>st</sup> Fourth Parade – July 7, 2012 from 2-4 PM
- Exhibition of Classic & Vintage Autos – July 15, 2012 from 7 AM – 4 PM
- Market Day – October 6, 2012 from 10 AM – 4 PM

Mayor O'Brien reminded the public of the Celtic Music Fest on May 19, 2012, at the Newtown Theater.

#### Website Update

Mayor O'Brien reported that the website plans with Delaware.Net are moving forward and they hope to have the website operational by May 1<sup>st</sup>. He suggested that Council go to the temporary website to see the design and drop-downs that will be available.

### **Recreation Board – John Burke**

Mr. Burke looked at the swing in the tot lot at the Peaceable Kingdom playground and reported that the swing appeared to be fine. A resident had voiced concern about it, but Mr. Burke felt that there was no problem other than having some play in it, which is normal. There has been discussion about posting an "age" recommendation for the swing to eliminate older children from using it.

## **Streets, Lights & Properties – Robert Walker**

Mr. Walker noted that Council annually approves a pre-buy of salt at a locked-in price. Although the Borough has some surplus of salt because of the mild winter, Mr. Walker will get Scott Dengler's recommendation on how much salt the Borough should purchase and Council will make a decision at the next work session.

Approximately \$36,000 is budgeted for general line striping, but since \$40,000 is actually required, Mr. Walker suggested eliminating the street sweeping this year. Because of the mild winter, there is not as much debris, so Mr. Walker would like to reallocate the \$4000 for street sweeping to the line striping.

Re-painting of Borough Hall and the Police Station is budgeted for 2012. The Borough received two estimates for the work, but several questions on the estimates remain. Mr. Walker will return to Council with a recommendation at the May Work Session. The Borough is also awaiting an estimate for repair/replacement of the roof on the back section of Borough Hall and the roof of the Police Department shed, which has fallen into disrepair.

## **Budget & Finance – Robert Walker and Gerard O'Malley**

- ❖ A motion was duly made by Councillor Walker, seconded by Councillor Burke, and carried unanimously, to approve the Professional Services invoices for the month of February 2012.
- ❖ A motion was duly made by Councillor Auerweck, seconded by Councillor Burke, and carried unanimously, to approve Charles B. Machion as a signer for the 1<sup>st</sup> National Bank of Newtown and for PLGIT accounts.

## **Solicitor's Report – William J. Bolla**

Mr. Bolla reported that he contacted the Newtown Station Home Owners Association and the attorney for the developer advising that there would be no further involvement by the Borough and the Borough would no longer escrow funds for issues not required by the development plan.

Responding to Mr. Walker's question about resolving the Temperance House issues, Mr. Bolla said that it has been difficult getting them to respond.

## **2012 Fee Schedule – Lawrence Auerweck**

Mr. Auerweck reported that he met with the Zoning Officer regarding proposed changes to the Fee Schedule and noted that there will be very few. He will bring Ms. Brown's recommendations to the May Work Session.

## **Old Business**

There was no Old Business.

**New Business**

There was no New Business.

**Public to be Heard**

There was no one from the public who wished to be heard at this time.

Respectfully submitted,

Marcia M. Scull  
Borough Secretary

**ATTENDEES**

Paul Salvatore  
Julia & Warren Woldorf  
Ted Schmidt  
Jeff Werner  
Marlowe & Joe Gordon

The Advance