

Council Meeting
January 10, 2012
Chancellor Center

President Robert Walker called the regular semi-monthly meeting of Newtown Borough Council to order at 7:00 P.M. on Tuesday, January 10, 2012. Mr. Walker asked those in attendance to join him in a moment of silence, followed by the Pledge of Allegiance.

Present: Councillors Auerweck, Burke, King, O'Malley, Walker and Warren; Mayor Dennis O'Brien and Solicitor William J. Bolla.

Mayor's Report – Dennis O'Brien

Police Report for December

Mayor O'Brien presented the December police report. The Mayor also noted that during 2011 the police responded to 3170 various incidents, which included to 127 minor disturbances, 58 vehicle accidents and 1483 traffic stops. They provided security for the arrival of Santa, the Midnight Madness event and the Holiday Parade.

The Mayor reported that Delaware.Net is working on a revised website for the Borough and Mr. Walker asked if there was a schedule in place. Mayor O'Brien responded that he would look into it.

Amendments to the Agenda

Mr. Walker said that Steeple View LP requested to reschedule the Conditional Use Hearing. Solicitor Bolla will discuss that under his report.

President's Report – Robert Walker

Mr. Walker asked the Secretary to announce the Committee assignments.

Larry Auerweck	Planning Commission & Zoning/Planning
John Burke	Newtown Corporation, Personnel Committee & Rec Board
Robert King	HARB & Joint Historic Commission
Gerard O'Malley	Budget, Long Term Parking, Police & Traffic Committees
Robert Walker	Budget, Engineering & Legal, Police and Streets, Lights & Properties
Perry Warren	Environmental Advisory Council, Engineering & Legal, Shade Tree and Streets, Lights & Properties

Public to be Heard

No one from the public wished to be heard at this time.

Certificates of Appropriateness

- ❖ A motion was duly made by Councillor Burke, seconded by Councillor Auerweck, and carried unanimously, to follow the recommendation of the Historic Architectural Review Board and direct the President of Council to sign COA 2011-034-H, thereby approving the historical appropriateness of the application, with final approval by the Code Enforcement Officer.

The applicants were seeking a Certificate of Appropriateness for renovations to a detached garage. The project was completed prior to HARB review and/or issuance of any building permits.

Presentation of Minutes

- ❖ A motion was duly made by Councillor Warren, seconded by Councillor O'Malley, and carried with Councillors Auerweck and King abstaining, to approve the December 7, 2011, Council Work Session Meeting minutes.
- ❖ A motion was duly made by Councillor Warren, seconded by Councillor Walker, and carried with Councillors Auerweck, Burke and King abstaining, to approve the December 13, 2011, Council minutes.

COMMITTEE REPORTS

Budget & Finance – Gerard O'Malley and Robert Walker

Consolidated Report

- ❖ A motion was duly made by Councillor O'Malley, seconded by Councillor Burke, and carried unanimously, to accept, subject to audit, the consolidated expenditure report for the month of December 2011 totaling \$138,798.67.

Personnel Committee – John Burke

Reappointments

- ❖ A motion was duly made by Councillor Burke, seconded by Councillor Warren, and carried unanimously to reappoint the following individuals:

George Penn to a 6-year term on the *Civil Service Commission* through December 31, 2017.

James McAuliffe to a 3-year term on the *Historic Architectural Review Board* through December 31, 2014.

Michael Piacentino to fill a 3-year term on the *Environmental Advisory Council* through December 31, 2014.

Christina Wall to a 3-year term on the *Environmental Advisory Council* through December 31, 2014.

Warren Woldorf to a 4-year term on the *Joint Historic Commission* through December 31, 2015.

J. Eric Johnson to a 5-year term on the *Newtown Bucks County Joint Municipal Authority* through December 31, 2016.

Ann Balderston to a 3-year term on the *Shade Tree Commission* through December 31, 2014.

Thomas Dillione to a 3-year term on the *Zoning Hearing Board* through December 31, 2014.

William E. Palkovics as an alternate on the *Zoning Hearing Board*.

Harry V. Tomlinson as an alternate on the *Zoning Hearing Board*.

Reappointment of Professional Services

- ❖ A motion was duly made by Councillor Auerweck, seconded by Councillor O'Malley, and carried unanimously, to re-appoint Keystone Municipal Services to serve as Building Inspector, Code Enforcement Officer, HARB Administrator and Zoning Officer, at will or at the pleasure of the Council.

Mr. Burke noted that applications had been received from several individuals for other appointments and they would be discussed at the February Work Session. Anyone interested in open volunteer positions is encouraged to apply.

Mr. Warren announced that the Borough would be accepting applications for the position of Borough Engineer. Interviews will be held at the February Work Session on February 8, 2012, at 6 PM in Borough Hall. Anyone interested in applying should contact the Borough Secretary with letters of interest and the fees.

New Appointments

- ❖ A motion was duly made by Councillor Burke, seconded by Councillor Auerweck, and carried unanimously, to appoint Mary Dinneen to a 3-year term on the *Historic Architectural Review Board* through December 31, 2014.

Solicitor's Report – William J. Bolla

Mr. Walker introduced William J. Bolla, of McNamara, Bolla, Williams & Panzer as the new Borough Solicitor. Mr. Bolla came highly recommended by his predecessor Paul Cohen and Mr. Walker welcomed him, noting that the Steeple View LP hearing would be one of his first duties.

Bucks County Hazard Mitigation Plan

Solicitor Bolla said that he reviewed the proposed Bucks County Hazard Mitigation Plan Resolution and spoke to the Bucks County Planning Commission about the plan and its impact upon the Borough. Although the Borough is not in an area normally affected by flooding, any state assistance for hazard or emergency mitigation requires that the Borough adopt this resolution in order to take advantage of the availability of the mitigation funds. He noted that the Borough would be required to notify Borough residents of the availability of flood insurance, which could be done through the Borough's website.

Mr. O'Malley questioned adopting the 2011 plan in 2012 and he did not recall passing this before. Mr. Bolla said that there would not be a 2012 plan and it was clarified that this is the first time Council has been asked to adopt this plan. The notification of residents about the insurance is the only Borough obligation.

- ❖ A motion was duly made by Councillor Warren, seconded by Councillor Burke, and carried unanimously, to approve adoption of Resolution 01-10-2012 for the Bucks County 2011 Hazard Mitigation Plan.

Steeple View LP

The attorney for the Conditional Use Hearing for Steeple View LP Plan A contacted Mr. Bolla requesting a postponement of the scheduled hearing. Principal among his reasons was that he would like a dedicated evening for the hearing. Council agreed that Thursday, January 26, 2012, would be the date to reschedule. Those individuals who entered into party status were notified and they are all available that evening. Mr. Bolla noted that the hearing was being postponed at the request of the applicant, who has waived appropriate hearing rights in order to do so, until January 26, 2012, at 6 PM in the Chancellor Center, 30 N. Chancellor Street. This will be the only public notice of the hearing.

Old Business

There was no old business.

New Business

Mr. Walker said that in order to complete the interviews for engineer at the February Work Session, the meeting would begin at 6 PM. An abbreviated work session will be held, with the interviews beginning at approximately 6:30 PM.

Mr. O'Malley asked if Council wished to have the Conditional Use Hearing videotaped for rebroadcast.

- ❖ A motion was duly made by Councillor O'Malley, seconded by Councillor Burke, and carried unanimously, to investigate the possibility of videotaping the Conditional Use Hearing on January 26, 2012, given the availability of the technical crew.

Public to be Heard

Resident Diane LeBas asked, in light of the rescheduled hearing date, that the Borough website be brought up-to-date to include a notice about the January 26, 2012, meeting so that the public could be kept informed.

Mr. King asked if there were any additional ways to inform the public of the Hearing date. Mr. Walker noted that several reporters were in attendance who could publicize the meeting and Mr. Bolla said he would encourage the applicant's attorney to send notice to all those who were previously sent notice.

The meeting adjourned at 7:35 P.M.

Respectfully submitted,

Marcia M. Scull
Borough Secretary

ATTENDEES

Warren & Julia Woldorf	
Jeff Werner	The Advance
Diane LeBas	
Jessica Kadylak	The Patch
Jim McAuliffe	
Margaret Danese	
Jim & Terry Keane	
Chris English	The Courier Times
Ted Schmidt	
A. Kaminski	