

ATGLEN BOROUGH COUNCIL

BUSINESS MEETING

MONDAY, FEBRUARY 4, 2019

President Charles Palmer Jr. called the meeting of the Atglen Borough Council to order on Monday, February 4, 2019 at 7:00 pm in the Borough Hall. The following members were present:

Charles Palmer Jr. Denim Kurtzhals Brian Hahn
Melissa McClay Josh Glick Mayor George Stewart (arrived at 7:01 pm)

Mayor Stewart arrived at the conclusion of roll call.

ANNOUNCEMENT OF EXECUTIVE SESSION

President Palmer announced there will be an Executive Session at the end of the agenda to discuss a personnel and legal matter.

PUBLIC HEARING FOR DOMESTICATED CHICKENS ORDINANCE

President Palmer announced the public hearing to consider the enactment of an Ordinance amending the Atglen Borough Zoning Ordinance to provide for and regulate the raising and keeping of domesticated chickens.

Troy Igo, Hillcrest Drive, requested a summary of the current requirements and the reason for the proposed ordinance. Mr. Hahn said the existing Zoning Ordinance prohibits chickens for most of the properties in the Borough. The proposed ordinance relaxes the law to allow up to five chickens with regulations controlling the raising and keeping of chickens. Mr. Igo had questions about the coop material and the height of the coop. Council responded.

There were no other comments. Mr. Palmer closed the hearing.

ORDINANCE AMENDING THE ATGLEN BOROUGH ZONING ORDINANCE TO PROVIDE FOR AND REGULATE THE RAISING AND KEEPING OF DOMESTICATED CHICKENS, ORDINANCE NO. 590-19.

The motion was made by Kurtzhals/Hahn to approve. The vote was as follows: yes-4 votes, no-1 vote. Mr. Palmer voted no. The motion passed.

FEE RESOLUTION FOR THE DOMESTICATED CHICKEN PERMIT, RESOLUTION NO. 591-19

The motion was made by Kurtzhals/Glick. The vote was as follows: yes-4 votes, no-1 vote. Mr. Palmer voted no. The motion passed.

APPLEWOOD-CHETTY DEVELOPMENT

Carl Chetty and Lou Voigt were present on behalf of the developer. Helen Esbenshade, the Borough Solicitor, and Dan Becker, the Borough Engineer were present.

Mr. Chetty said his HOA documents do not allow for chickens and asked if the Borough's ordinance supercedes the HOA regulations. The answer was no.

Mr. Chetty reviewed his February 1, 2019 letter which addresses financial concessions and changes to the final conditional approved land development plan. This is a follow-up to the October 1, 2018 Council meeting. The letter has 10 items plus 5 engineering items. Mr. Chetty took Council through Items # 1 to # 10. The engineering items were not discussed because they involve action from the Borough Engineers.

- Item # 1 – Open Space Parcel E is proposed to be retained by the developer. Developer is interested in building townhomes on this parcel. In return two parcels owned by the developer on Jones Street next to the Borough Park will be conveyed to the Borough. Council agreed.
- Item #2 – Developer pays the Year 2004 tapping fee rate for sewer and water. Council agreed. Closed.
- Item #3 – Developer pays tapping fees at time of each home settlement and/or at time of Certificate of Occupancy. Council said no. Payment must be submitted when permits are pulled.
- Item #4 – Preserve 4 EDUs for Open Space Parcel E to be allocated towards the townhomes. No decision. The Borough needs to do more research on the demolished two-family structure to see if the 2 EDUs were preserved.
- Item # 5- Repayment from future developers in sewer and water extension agreements. Council agreed to 10 years. Closed.
- Item #6 – Restrict tractor trailer traffic on Zion Hill Road. Council said no. Closed.
- Item #7 – Obtain a grant to fund the streetscape theme of sidewalks and street lights on Zion Hill Road and Liberty Street. Council said no. Stamped concrete is acceptable.
- Item #8 – Allow for standard subdivision street lights to be installed within the Applewood neighborhood. Council agreed. Closed.
- Item #9 – Remove tot lot adjacent to Braeburn Drive. Council said if the HOA documents allow for playtime apparatus in the back yards then the tot lot is not required. Closed.

- Item # 10- Fund the water booster pump station with the development's tapping fees. After discussion it was agreed to direct 50% of the tapping fees to the cost of the booster pump station. The developer will pay the remaining balance.

Mr. Chetty asked if he can start site work and house construction while he waits for the PA DEP permit for the water booster station. Mr. Chetty said the station is under design and will be sent to the Borough Engineer shortly for his review. The Borough said we are the owner of the booster station and are the applicant on the DEP permit. Council said the DEP permit must be issued first, then site work.

PUBLIC COMMENTS – There were none.

COUNCIL ACTION ITEMS

Park and Recreation Commission Vacancies, Chad Naggy and Tara Wheeler Appointments – Ms. Andrews announced there are now two vacancies. John Mickel did not renew his term. Mike Imms resigned in January. Three candidates submitted letters of interest. Kurtzhals/Hahn made a motion to appoint Chad Naggy to fill Mike Imms term, term expiration date of December 31, 2020 and appoint Tara Wheeler, term expiration date of December 31, 2023. All members were in agreement.

Ken Umble, Valley Avenue Parcel, Harvest Season 2020, Lease \$ 750 – Hahn/Glick made the motion to approve. All members were in agreement.

Endorsement of Landscapes3, Chester County's Comprehensive Plan, Resolution # 592-19 – Kurtzhals/McClay made the motion to approve. All members were in agreement.

Participate in the Southeast Regional Household Hazardous Waste Collection Programs, Year 2019 to 2022 – Kurtzhals/Hahn made the motion to approve. All members were in agreement.

January 7, 2019 Council Minutes, Treasurer's Report, Bills of Approval, Department and Advisory Reports - Motion to approve made by Palmer/Kurtzhals. All members were in agreement.

COUNCIL DISCUSSION ITEMS

Kehoe Property, Main Street, Proposed Use: Atglen Public Library – Helen Esbenshade summarized the conversations that recently took place with Mr. Kehoe's attorney. The parking lot sits on a separate parcel from the building. The properties complement one another and can be considered merged by operation of law. Paperwork needs to be filed at the County for the merger. Ms. Esbenshade will work with Mr. Kehoe's attorney on the merger. Ms. Esbenshade said Borough Council will need to act on the parking plan. Ms. Andrews said the parking plan was submitted today. She will be forwarding it to the Zoning Officer and Engineer. The building construction plans are in Borough Hall.

Phone and Internet Service – Ms. Andrews received a quote for high speed internet from Comcast. Comcast is interested in servicing the phone lines and provided a 2 year term. There was a discussion about early termination fees with the current carrier, Frontier. Ms. Andrews said the change must be timed correctly in order to save. She will monitor the timing. Council discussed controlling future costs. Council requested a longer term. Under either a longer term or two year term Council said to proceed with Comcast if there is a savings.

Electric Energy Provider - Ms. Andrews said the current three year contract expires at the end of this month. She is in the process of obtaining quotes using APPI, the PSAB recommended consultant. She asked for permission to lock-in the price with the lowest responsible vendor. Council agreed.

PARK AND RECREATION COMMISSION, UPDATE

Sandy Hodorovich discussed the DCNR Master Park Planning Grant. Today there was a conference call with the State. A Study Committee must be formed. Sitting on the Committee must be one member from the school district. It was suggested to contact Brian Norris to see if he is interested.

Denim Kurtzhals said lead coordinators will be assigned from the Park and Recreation Commission for each Park and Recreation event. Emily Reid spoke about the Park and Recreation activities.

MANAGER'S COMMENTS

Ms. Andrews read aloud her report and responded to questions. The technology upgrades are progressing. The website has been moved to the new server. Email has transitioned to Microsoft Exchange. A new laptop is on order for the Public Works Manager. Ms. Andrews spoke to Amtrak regarding the sewer line at the Main Street underpass. She has requested an appeal.

VISITORS COMMENTS

Geoff Burkhart, the Borough's EMC, thanked Council for taking the emergency management classes and obtaining their certifications.

JUNIOR COUNCIL PERSON'S COMMENTS

Grant Burkhardt said the Green Club is looking for projects. It was suggested the students participate in the Spring Community Clean-Up event. The date is tentatively scheduled for April 27. There was a recent blood drive at the high school. Seussical, the high school show, will be performed later this month.

MAYOR'S COMMENTS – There were none.

COUNCIL MEMBER COMMENTS

Ms. McClay said there is a pancake breakfast fundraiser for the High School Music and Art Department.

EXECUTIVE SESSION

President Palmer announced the Council is going into Executive Session at 9:22 pm. At 9:55 pm the Council reconvened.

RECONVENED PUBLIC MEETING AND ADJOURNMENT

Motion to adjourn made by Glick/Kurtzhals. Meeting adjourned at 9:55 pm.

Respectfully submitted,

Caren D. Andrews
Borough Manager/Secretary