

HULMEVILLE BOROUGH COUNCIL
Work Session Meeting Minutes
June 18, 2013

A work session of the Hulmeville Borough Council was held on the above date at the Borough Hall, 321 Main Street.

Councilmembers Present: Thomas Wheeler, President, Raymond Johnson, Vice-President, Ray Johnson, Nick Lodise, Judy Coleman, Dan Mandolesi, Debbie Mahon, Dale Walton, Jr., and Mayor Dave Harris (arrived 8:20).

Councilmember's Absent: None

Other's in Attendance: Solicitor Robert DeBias

Guests in Attendance: David Harris, Sheri Wheeler and Michele Mandolesi.

Call to Order: Mr. Wheeler called the meeting to order at 7:30pm; all those present joined in the Pledge of Allegiance.

AED: Mr. David Harris demonstrated for Council how to use the new AED which will be located in the foyer of the Borough Hall.

Public Comment: Mrs. Mandolesi asked to present a copy of her notes from the May 21, 2013 meeting for the records. Mrs. Mandolesi questioned whether the Borough plans to perform the annual inspection of the easement at the Neshaminy Shore Picnic Park (TMP#16-1-006). Mr. Wheeler noted that the agreement does not mandate inspections; after continued discussion Mr. Wheeler noted his opinion that inspection of the easement at this time could constitute signs of harassment by the Borough and he advised against inspection at this time.

NPDES: Mr. DeBias provided members with copies of the letter of June 7, 2013 from Pickering, Corts & Summerson relative to the need for twice a year street sweeping within the Borough. After some discussion, it was agreed that the streets would be swept during the week of June 24th and the week of September 23rd.

Comcast Cable Franchise Agreement: Mr. DeBias reviewed with members the renewal options with respect to the Comcast Franchise Agreement. Member will consider whether to extend the current agreement for five years or negotiate a new contract for 15 years.

Solicitor Report: Mr. DeBias noted that the question was raised whether the Neshaminy Shore Picnic Park has been paying their fair share of the Amusement Tax. Mr. DeBias was advised by the auditor with Berkheimer that their legal department believes that one-half of the Neshaminy Shore Picnic Park admission charge is for the amusements, and therefore one half of each admission price is subject to the 10% amusement tax. Berkheimer requested direction from Council as to whether to seek amusement tax for prior years, or whether to assess from 2013 forward.

A motion was made by Mr. Johnson seconded by Mr. Lodise requesting Berkheimer to collect amusement taxes in the amount of 10% on 50% of all general admission fees for the calendar year of 2013; however, if challenged by Mr. Dawson the Borough may seek maximum back taxes. 6-0-1 (Mr. Mandolesi abstained).

Council went into an Executive Session to discuss litigation at 9:20 pm. Mr. Mandolesi left the building (recusal).

There being no further official business the meeting was adjourned at 10:30 pm; motion made by Mr. Lodise seconded by Mr. Johnson.

Respectfully Submitted

Tricia Boyle
Secretary