

**MINUTES
LANGHORNE MANOR BOROUGH COUNCIL
MEETING OF APRIL 2, 2019**

1. CALL TO ORDER - The meeting of Langhorne Manor Borough was called to order in the Langhorne Manor Borough Hall, 618 Hulmeville Avenue, Langhorne, Pennsylvania, on Tuesday April 2, 2019 at 8: 00 P.M. Eastern Time by William McTigue, President.

At this point in the meeting, Mayor Byrne led us in the “Pledge of Allegiance.”

PERSONS PRESENT – Maryann Barnes, Vice President; Jay Ferraro; Sharon Gimpel; William McTigue, President; Nicholas Pizzola; Dawn Seader; Loretta M. Luff, Secretary/Treasurer; Robert Byrne, Mayor and Thomas J. Profy III, Solicitor.

PERSON ABSENT – Edward Hanisco

2. APPROVAL OF MINUTES –Motion was made by Mrs. Seader and seconded by Mrs. Barnes to approve the minutes of March 5, 2019 as presented. No objections were presented. Motion carried. Ms. Gimpel abstained.

Motion was made by Mr. Pizzola and seconded by Mr. Ferraro to approve the minutes of March 20, 2019 as presented. No objections were presented. Motion carried. Mrs. Seader abstained.

3. POLICE REPORT – Mayor Byrne gave the police report for March 2019.

4. INSPECTOR’S REPORT – Mrs. Luff gave the Inspector’s report for March 2019. Mr. Pluguez reported that he had one construction Inspection, two zoning reviews and issued six building permits.

5. COMMENTS FROM RESIDENTS AND VISITORS – Ms. Alicia Gasparoviz (406 Station Avenue) stated that she still has concerns pertaining to the road repair project. Mr. McTigue replied that the bid package would be advertised.

Mr. Pizzola reported in his response to the residents, who asked how the paving project would impact the existing storm water drainage in the borough, reviewed the issue in detail. The road paving project is designed to re-surface the underlying streets without having a negative impact on the existing drainage system of the borough. The project engineer has stated the only way to improve the existing drainage issues of the borough would be by installing curbs and sewers. The cost to add curbs and sewers was estimated to be \$3.8 million. Council feels those costs pose an unreasonable economic burden on the Borough’s taxpayers, and especially for residents who are living on a fixed income. Council has no plans to install curbs or sewers in Langhorne Manor Borough.

6. COMMITTEE REPORTS – Mrs. Barnes reported that the Planning Commission will be meeting on Thursday, April 25, 2019 at 7:00 P.M. to discuss Cairn University sport field project.

Mr. Ferraro reported that proposals had been mailed pertaining to the maintenance for the Borough properties, and he expected to have them for the Council meeting in May.

Ms. Gimpel reported that a request for an updated renewal for workmen's comp had been received. She stated payroll for workers comp to reflect current actual numbers from prior year. She did both updates that were needed for the renewal in July.

Ms. Gimpel stated that she had received a copy of the Volunteer Insurance premium invoice that is due, which is \$503.52 for the year.

Ms. Gimpel reported that the auditors will be meeting Wednesday April 3, 2019, to prepare the DCED report.

Ms. Gimpel requested access to the Borough Office for both the Borough's accounting firm and Building Inspector that so that they will be able to drop off and pick up documents.

Mr. Ferraro recommended that the Borough control access to account for all individuals who have access to the building. He suggested that a procedure should be developed to track the names of all persons who have access to the building.

Ms. Gimpel noted that the Borough's accounting service, Langhorne Tax and Bookkeeping, has been accessing the office to drop off and pick up recommended paper work.

Mr. McTigue asked Mr. Ferraro to put together a policy pertaining to his concerns.

Ms. Gimpel proposed redesigning the building permit application to include plumbing, mechanical, electrical and building, since it would reduce paper work and improve efficiency.

Ms. Gimpel commented on the Borough's financial position, noting that she had been working with Langhorne Bookkeeping Tax Service since the Borough first engaged it at the end of October 2018. She noted that the current period's financial statements show the borrowing of funds from the sewer account – a proprietary account – to pay for general expenses. She said that she erred in not having provided to the new firm a copy of rules and guidance that expressly identify the types of projects that are eligible for funding with borrowed sewer funds. Next, Ms. Gimpel noted that she has ongoing concerns regarding the road repaving project, stating that although she does not wish to stop the project, she wants Council to address the residents' concerns regarding any potential for the new road surface to increase storm water runoff and pooling in roadside swales. She presented a petition signed by residents, in which residents ask Council to address the noted concerns. Noting the project's estimated cost of one million dollars

and her concerns regarding the Borough's financial state, she expressed doubt that the Borough has the funds, as outlined at Council's last meeting (on March 20). Also Ms. Gimpel expressed concern that the General Fund's reserves will be depleted by the project, and that the Borough may not be able to supplement funding with the use of General Fund assets.

Mr. Pizzola also reviewed how the paving project would be funded without a tax increase on the Borough residents. He directed all those attending to access the Borough's website, langhornemanor.org, and select the paving project section which answered the drainage and funding questions raised by the residents in attendance.

Mr. McTigue stated that the road paving project specifications are designed to maintain the existing relationship in elevation between paved and unpaved surfaces by requiring the addition of topsoil (and grass seed) along all affected areas flanking the roadway. As explained below, the paving project does not include the installation of curbs.

1. Curb installation costs pose an unreasonable economic burden on the Borough's taxpayers, perhaps especially so for residents who are on a fixed income.

The costs of installing curbs have three major components: curb installation, the sewer system needed to collect and convey the storm water, and ongoing maintenance costs.

Curb installation would involve construction of 50,000+ curbing Borough-wide, the cost of which is estimated at more than \$2.3 million. At a cost of \$45/ft. a property owner with 100 ft. of street frontage would pay no less than \$4,500. As owner of a corner property with 100 ft. of frontage on two streets would pay at least \$9,000 in total. This cost does not include the additional expenses of project specifications, project management, other administrative costs, financing or inflation.

Another component is installation of a storm water system, including inlets, pipe, outfalls and any expenses that may be charged for storm water discharge. The Borough's road project engineer estimates construction costs of \$1.5 million. The estimated cost does not include the additional costs for permitting, project design and specifications, land acquisition (if applicable), project management, administration, financing and inflation.

System maintenance is another cost relating to curbs. Whatever the costs, it would be borne by the Borough's residents. Maintenance costs would include line flushing as necessary, and repair/replacement of the sewer system's components. Changes in federal or state storm water regulations pose the possibility of additional costs for permitting, inspection and water quality monitoring costs. Besides paying for a share of costs for system maintenance, each property owner would be solely responsible for the cost of curb maintenance or replacement along their property's street frontage.

2. Curb installation is inconsistent with the Borough's storm water permit plans.

The Borough received in 2017 from PA Department of Environmental Protection (PADEP) a renewal of its MS4 (Municipal Separate Storm Sewer System) general permit, which requires the Borough to manage storm water community wide according to regulatory standards.

During the past few years the Borough, its consulting engineers and PADEP have been corresponding regarding the Borough's permit-required Pollution Reduction Plan (PRP) and Total Mass Daily Loading (TMDL) plans. Earlier this year PADEP notified the Borough that both plans passed PADEP's technical review—a necessary step in PADEP's permitting process. When the permit is issued, the Borough will implement the plans as stipulated.

The plans described several alternatives that the Borough may implement to reduce sediment and other pollution migration to the local water sheds, Neshaminy Creek and Mill Creek. The alternatives include various designs that would modify existing roadside soils to reduce both storm water velocity and sediment/pollutant migration. The Borough chose not to specify curb installation in the plans because curbs would increase storm water velocity and accelerate the rate of pollutant/sediment migration to the local water sheds. Also, the installation of curbs would pose an unrealistic economic burden in the form of capital outlays and ongoing maintenance expense, the most recent estimate of such, are noted above.

In general, it is Council's sense that curb installation would, to some extent, adversely impact the Borough's character. The existing swale drainage system reduces the storm water runoff and filters out sedimentation and pollutants because it detains water, some of which recharges groundwater; curbs and sewers would increase storm water runoff causing larger sediment and pollution loads being drained into the Neshaminy Watershed. Please refer to PADEP brochure When it Rains, it Drains which is on our website for reference.

Mr. Hanisco was absent.

Mrs. Seader reported that she is working with others to gather all of the Borough's ordinances for posting on the website.

Mr. Pizzola stated in response to residents reporting water leaks that had come to the surface of the road on Pine Street and also near Elm and North Avenues, he would examine those areas and make note of those issues so they can be addressed when the paving project commences. He also said that any resident who had an issue with the Borough roads should report them to the Borough Office or call him directly at 215-375-2037 for follow up.

7. MAYOR'S REPORT – Mayor Byrne reported that the police are working on safety issues.

Mayor Byrne stated that the barrels are hard to move and he would like to replace them with new safety cones.

Mayor Byrne reported that he will be having lines painted at five intersections.

8. SOLICITOR'S REPORT – Mr. Profy reported that the Land Development Plan submitted by Cairn University for its Sports Fields and Facilities Program has been submitted to the Borough Engineer for review and comments and it will be the subject of the Hearing of the Borough Planning Commission to be held on Thursday, April 25, 2019, at 7:00 p.m. at the Borough Hall.

Mr. Profy further reported that Thomas P. Dienna and Briar Dienna filed an Application for Variance to erect a utility shed at 310 West Fairview Avenue. The variances requested pertain to impervious surface coverage ratio, utility shed height and location of the utility shed within the area of the applicable side yard set-back. The Applicants will be afforded an opportunity to speak to Borough Council on May 7, 2019, to ascertain the position to be taken by Borough Council on the requested Variance prior to the holding of the ZHB Hearing which will be scheduled for May 22, 2019, at the Borough Hall.

Mr. Profy reported that due to a meter malfunction at Brighton Dormitory at Cairn University, the facility was not billed for sanitary sewage collection service in the amount of Sixty-Seven Thousand Three Hundred Forty-four (67,344.00) Dollars. The meter which malfunctioned was the responsibility of Bucks County Water & Sewer Authority and BCW&SA has agreed to accept twenty-four (24) equal consecutive monthly periodic payments from the Borough and the Borough and University have agreed that the University will likewise, make twenty-four (24) equal consecutive monthly installments to satisfy the obligation of the University to the Borough. Mr. Profy presented the payment Agreement Plan dated March 1, 2019, between the Borough and Cairn University, and upon motion made by Mr. Ferraro and seconded by Mrs. Barnes, the Payment Agreement Plan was approved. No objections were presented. Motion carried unanimously.

9. CORRESPONDENCE – There was no correspondence.

10. APPROVAL OF BILLS & TREASURER'S REPORT FOR PAYMENT – Mr. McTigue stated that all Council members have received a copy of the bill list for payment. He asked if there are any questions or discussions. Ms. Gimpel asked where the funds are going to be coming from, the Re-development Authority when we get the money as the sewer fund will not be used. Motion was made by Mr. Ferraro and seconded by Mrs. Barnes to pay the bills as presented. No objections were presented. Motion carried. Mr. McTigue stated that all Council members have received a copy of the Treasurer's Report and asked if anyone has any comments. Motion was made by Mr. Pizzola and seconded by Mrs. Barnes to table the Treasurer's Report. No objections were presented. Motion carried.

11. SECOND MEETING – Mr. McTigue stated that a second meeting is scheduled for Tuesday, April 16, 2019; at the present time there is no business for the agenda. Motion was made by Mr. Ferraro and seconded by Mrs. Seader to dispense with the second meeting. No objections were presented. Motion carried.

12. ADJOURNMENT – Mr. McTigue entertained a motion to adjourn this meeting. Motion was made by Mr. Ferraro and seconded by Mrs. Barnes to adjourn this meeting. No objections were presented. Motion carried. Meeting adjourned at 8:45 P.M.

The next meeting will be Tuesday May 7, 2019 at 8:00 P.M.

Respectfully submitted,

Loretta M. Luff
Secretary/Treasurer
Langhorne Manor Borough