

**MINUTES
LANGHORNE MANOR BOROUGH COUNCIL
MEETING OF DECEMBER 14, 2021**

1. CALL TO ORDER - The Meeting of Langhorne Manor Borough Council was called to order in the Langhorne Manor Borough Hall, 618 Hulmeville Avenue, Langhorne, Pennsylvania, on December 14, 2021 at 7:00 PM Eastern Standard Time by Dawn Seader, President.

PERSONS PRESENT – Dawn Seader-President, Nicholas Pizzola-Vice-President, Councilpersons Alicia Gasparovic, Grace Judge, Robert McBeth, James Niwinski and Cheryl Oessenich, Robert Byrne-Mayor, Thomas J. Profy, IV-Solicitor, Jay Ferraro-Borough Manager, Barbara Ferraro-Secretary/Treasurer and Chief of Police John Kenney.

2. The Pledge of Allegiance was led by Mayor Byrne.

3. APPROVAL OF MINUTES - The Council President asked if there were any questions, concerns, corrections or comments on the November 9, 2021 minutes. A motion was made by Mr. Niwinski to approve the minutes of November 9, 2021. Mr. McBeth seconded. There were no objections. The motion carried. The Council President asked if there were any questions, concerns, corrections or comments on the November 23, 2021 minutes. A motion was made by Mr. Niwinski to approve the minutes of November 23, 2021. Ms. Gasparovic seconded. There were no objections. The motion carried.

4. RESIDENT COMMENT - Aaron and Christine Bach, 601 Station Avenue-The Bachs stated that they noticed that a resident had erected a fence with setbacks that seemed to be what the Bachs had previously asked Council to allow for their property. They asked Council to reconsider the answer to their request which was that the Bachs would need to go to the Zoning Hearing Board and request a variance. The Council President stated that each property is looked at individually and the answer to the Bachs was based on what the Ordinance requires. The Council President stated that even if something is observed and appears that it went through the appropriate process, does not mean that the Borough is not following up on any issues and that the Bachs may not know all the issues involved. Council will take it under advisement and all residents are held to the same standards.

Lois Abbott, 803 Hulmeville Avenue - asked about the purpose of the Office 365 program and had it accomplished the purpose that was intended. She asked about the status of the data that was to be placed on TEAMS by officials who were using their personal devices for Borough business. Ms. Judge stated that all officials are to have all of their data on TEAMS by December 31, 2021.

5. POLICE REPORT - Chief Kenney presented the following Police report for November 2021:

- Hours - 283
- Abandon 911 Call - 1

- Alarms - 3
- Assists - 10
- Medical emergency - 5
- Mental Subject - 1
- Suspicious Occurrence - 1
- Thefts - 1 (motorcycle which appears to have been targeted)
- Other Complaints - 6
- Traffic Citations - 6
- Traffic stops - 6
- Total Complaints - 29
- Miles - 655
- Fuel - 68.3 gallons

Chief Kenney stated that residents should continue to be mindful of delivered packages and should lock their garages.

Chief Kenney presented sweatshirts he had made with the Police logo imprint for Council members, the Borough Manager and Borough Secretary. The Council President thanked the Chief for everything he has done for the community and stated that Council has heard that residents are pleased with his and the officers' service. Mr. McBeth thanked Officer DiMeo for his quick response to an alarm.

6. APPROVAL OF REFUSE FEE RESOLUTION – The Council President stated that the refuse collection contract significantly increased by almost \$22,900. There are 322 assessed units in the Borough. The increase in the residents' collection charge is \$71.12 per year per household bringing the total to \$419.00. The Council President read the Resolution imposing a refuse collection charge of \$419.00 per residence Mr. Pizzola made a motion to adopt the resolution as stated. Ms. Judge seconded. There were no objections. The motion carried.

7. APPROVAL OF BUDGET - Mr. Pizzola stated that the budget was approved at last month's Council meeting and had been advertised for review.

8. APPROVAL OF TAX RESOLUTION - The Council President stated that there has been no changes this year and she read the resolution fixing the real estate tax rate and occupation tax rate for the 2022 fiscal year. Mr. Niwinski made a motion to adopt the resolution as stated. Ms. Judge seconded. There were no objections. The motion carried.

9. APPROVAL OF 2022 MEETING DATES FOR ADVERTISING - The Council President stated that the proposed 2022 meeting dates had been placed on TEAMS for Council review. Ms. Gasparovic made a motion to advertise the 2022 meeting dates as presented. Ms. Oessenich seconded. There were no objections. The motion carried.

10. INSPECTOR'S REPORT - The Borough Secretary reported that she is having trouble getting the reports and invoices from BIU since the former building inspector retired. The new inspector is performing inspections, but not submitting reports. The Borough Secretary reported from her records that the following permits were issued for November 2022:

Electric - 4
Building - 2
Mechanical - 1

11. COMMITTEE REPORTS

Robert McBeth: Mr. McBeth reported that as charged by Council, he contacted Steve Yourtee, the Shade Tree Commission Chair, with the charge of approaching residents who are in violation of the Shade Tree Ordinance. Mr. Yourtee believes this should come from the Borough Manager or some other authority and is concerned about the commission being the enforcement arm of the local government. The commission can identify the issues. Mr. Yourtee believes that some of the trees that were identified on the commission's report belong to Middletown Township. The Council President stated that the commission may need to be restructured due to issues with Mr. Yourtee, conflicts of interest with Mr. Harvey and the resignation of Ms. Mather who performed the majority of the work. There was discussion about enforcement, authority, the current state of the identified trees and the current structure of the Shade Tree Commission. Mr. McBeth stated that Mr. Yourtee suggested just posting the new ordinance as opposed to a FAQ to bring awareness to the ordinance. The revised Shade Tree Commission Ordinance has been placed on the website.

Mr. McBeth reported that the Zoning Ordinance Working Group met on November 29, 2021. The working group is continuing its ongoing systematic and focused review of the LMB Zoning Ordinance including reviewing sub-ordinances and set-back lines. The group will have a detailed report in February. The next meeting is January 31, 2022.

Grace Judge: Ms. Judge reported that Devon Keating, a resident of the Borough contacted her to let her know that Ms. Keating's employer, Penn Hospital is interested in donating a virtual meeting equipment cart to Langhorne Manor Borough. Pictures of the hardware are uploaded to TEAMS in Ms. Judge's report folder for all Council members to review. Mr. McBeth made a motion to accept the donation from Penn Mr. Niwinski seconded. There were no objections. The motion carried. The Borough Manager reminded Council that subjects up for motions needed to be advertised on the agenda. Council rescinded the motion and made a consensus that they accept the gift from Penn. A formal motion will be made in January.

Nicholas Pizzola: Mr. Pizzola reported that he completed the request for the extension of time for the grant for the safety signs and the painting. He believes it will be granted.

Mr. Pizzola stated that volunteer fire companies are struggling to get volunteers. He stated that he read that Radnor Township put a \$1,000 stipend into place for every volunteer who works for the whole year as a thanks and an incentive to volunteer. He suggested speaking to Frank Farry. Mr. Pizzola stated that if the Borough has to share the service of a private fire company, it could cost several hundred thousand dollars. He is asking Council and residents to think about what the Borough can do to encourage firefighter volunteers. This is something the rescue funds can be used for.

Dawn Seader: Ms. Seader asked for approval of the contract with Begley, Carlin & Mandio for the solicitor services. It is the same contract with no changes. The retainer was reduced from \$17,000 to \$14,000. The hourly rate is \$160. Mr. Pizzola made a motion to accept the contract with Begley, Carlin & Mandio. Mr. Niwinski seconded. Ms. Gasparovic opposed as she thinks Council should shop around to get a better match for the legal service. The motion carried 6-1.

Ms. Seader read a letter from Melissa Mather stating she was resigning from the Shade Tree Commission. Ms. Seader thanked Ms. Mather for her service.

Ms. Seader reported that a letter was received from Governor Wolf appointing Frank Farry as Emergency Management Coordinator.

Ms. Seader reported that there have been calls received stating that the Borough Manager is driving around the Borough and reporting homeowners for ordinance infractions. She stated that as mentioned in the November 2021 meeting, the Borough Manager responds to complaints made and investigates, he does not seek out issues. She stated that she wants on record that as Council, not only do they have a duty to provide accurate information, but to also correct misinformation. This spreading of falsehoods is fearmongering and needs to be corrected in order for residents to feel safe.

Ms. Seader thanked the Event Committee for another beautiful tree lighting event. She also thanked the Four Lanes End Garden Club for decorating the inside of Borough Hall.

Ms. Seader reported that there was a meeting on November 22, 2021 updating elected officials on the Route 1 Reconstruction project. They are currently just refining the design, no real changes. It appears that the LMB's roundabout is more definite but not final. PennDOT is in the process of trying to accommodate some of Langhorne Borough's concerns with the cloverleaf design. There will be more enhanced pedestrian/bike access along Pine Street and Interchange Road. One of the more significant changes that could affect LMB is a proposed walkway possibly at Station or Hill Avenue. Ms. Seader asked if there is a real need considering that two blocks in each direction will be enhanced pedestrian walkways. LMB will be responsible for the maintenance of the walkway especially during severe weather and it may include the taking of homeowners' property, either partially or fully. PennDOT is looking for feedback by February.

Ms. Seader reported that extensions for time have been submitted to the RDA for the two 2021 grants. The Borough has received notification that the applications were approved for the 2022 grants which were \$29,668.89 for police equipment and \$160,980 for the garage construction. The police chief was told to order the new computer equipment. The grant money comes from proceeds from gaming money from the casinos.

Ms. Seader stated that the Reorganization Meeting is Monday, January 3, 2022 with the regular meeting being directly after. Judge Baranoski will swear in the newly elected officials. The work session will still occur on January 25, 2022.

Ms. Seader stated that the newsletter was mailed out the first week of November but still has not been delivered. She suggested that a postcard be sent out regular mail to direct residents to the website to view.

Cheryl Oessenich: Ms. Oessenich reported that she will be meeting once a month with Dominick Fulginiti from Republic to speak about the calendar and any issues. The weekly pickup will include leaf pickup. This is a change from the previous contract and residents should be made aware. The solicitor stated that penalty provisions are not in any municipal contract. The Borough Manager stated that Republic will be issued letters of cure for any violations in the terms of the contract. They will have a specific time-table and a cure and if they violate the same term multiple times, Council will have the right to nullify their contract and secure another vendor for refuse collection.

Alicia Gasparovic: Ms. Gasparovic reported that she is ready to submit the recycling grant application and will coordinate with the Borough Secretary to access the online submission form.

Ms. Gasparovic reported that she uploaded a new folder into TEAMS titled “Stormwater-2021-12 RVE ElizCollettiWalkthrough Report & PhotoLog” containing three documents recently received from Liz Colletti from Remington Vernick Engineers (RVE). Ms. Gasparovic went through what Council will find in the files. Ms. Colletti would like to get permission to scope the area in the 300 block of Hill Avenue as there may be a missing inlet. Ms. Gasparovic stated that the Cairn University project that Council believed may help to fulfill the Mill Creek requirements for stormwater are under review with RVE and they will not. The Borough may not get much credit for them because they are projects that will fulfill other land development requirements and will only be able to get credit for above and beyond those other land development requirements. RVE will be meeting on this issue before the end of the year. RVE noted use of weed killer in swales and recommended that the Borough work on educating the residents that this is detrimental. There was discussion about increasing the number of newsletters from one to two per year and if a newsletter or website is most effective.

There was discussion and concern about the timing of any action that needs to be taken for the MS4. Ms. Gasparovic stated that the Borough probably has until 2024 to meet the first round of pollution reduction requirements. The Comly Avenue project fulfills a big portion of the requirement but there has not been a response on the grant that was applied for this project.

James Niwinski: Mr. Niwinski reported that the LEDs for the streetlights have been received. There is some system tweaking and maintenance that need to be done for the main LED project. Keystone will come back to evaluate where additional lighting will be needed such as walkways, around Borough Hall, and various places in the Borough.

Mr. Niwinski reported that Stocker tree service has provided the asked for documentation. The four Borough owned trees will be taken down between December 23 and 26, 2021.

Mr. Niwinski reported that oil was delivered using PAPCO (Consortium).

12. MAYOR'S REPORT - none

13. BOROUGH MANAGER'S REPORT - Mr. Ferraro reported that the first draft of the Notice of Violation Standard Operating Procedure has been developed and is in review. Stop Work Order documents are being worked on.

Mr. Ferraro reported that the 2022 MS4 proposal has been received from RVE and is on TEAMS. There is a significant increase as the TMDL plan revision needs to be done in 2022.

Mr. Ferraro stated that RVE and Carroll Engineering have submitted 2022 Borough Engineer proposals focusing on the billable rates. These are in TEAMS.

Mr. Ferraro reported that there is difficulty finding someone to perform the Borough maintenance. When this person is identified, they will work on cleaning out the problematic inlets and placing posts around the exposed outfall structures.

Mr. Ferraro will get involved with the issue with BIU and not receiving reports as per the Council President's agreement.

14. SOLICITOR'S REPORT - no formal report. Mr. Profy expressed his appreciation and stated that he looks forward to working with Council in 2022.

15. CORRESPONDENCE - none

16. APPROVAL OF BILLS FOR PAYMENT - The Council President stated that all Council members received a copy of the bills list for payment for December and asked for questions and concerns. There was discussion about the Zoom charge, the dating of the PCard statements and the rebate from the PCard. The Council President asked for a motion to pay the General Fund unpaid bills for December 2021. Ms. Judge made the motion as stated. Ms. Gasparovic seconded. There were no objections. The motion carried.

The Council President asked for a motion to pay the Sewer Fund unpaid bills for December 2021. Mr. Niwinski made the motion as stated. Ms. Judge seconded. There were no objections. The motion carried.

17. APPROVAL OF TREASURER'S REPORT - The Council President asked for a motion to approve the General Fund report for November 2021. Mr. Pizzola made the motion as stated. Mr. McBeth seconded. There were no objections. The motion carried.

The Council President asked for a motion to approve the Highway Aid Fund report for November 2021. Mr. Niwinski made the motion as stated. Ms. Judge seconded. There were no objections. The motion carried.

The Council President asked for a motion to approve the Sewer Fund report for November 2021. Mr. Niwinski made the motion as stated. Mr. Pizzola seconded. There were no objections. The motion carried.

18. COMMENTS FROM RESIDENTS AND VISITORS -

Christopher Croteau, 608 Station Avenue - Mr. Croteau wished the Council Happy Holidays and a thank you. He asked that if he were to volunteer as a firefighter, would he get first responders equipment that he would have at his location to help the Manor. Mr. Pizzola stated that it would have to be asked for.

Mr. Croteau stated he noticed the police cars parked out front for visibility. He asked that it be expanded but does not recommend doing it in places without surveillance cameras.

Mr. Croteau stated that the speed sign on Prospect Avenue is broken. The police are aware.

Mr. Croteau is having problems sending emails to Council and staff.

Mr. Croteau would like to look at the issue with the fences with the Borough Manager. He is concerned that legal remedies will cost the Borough money. The Council President stated that the issues are being looked into with the Borough Manager and the Zoning Officer/Building Inspector.

19. SECOND MEETING FOR THE MONTH OF DECEMBER - The Council President entertained a motion to dispense with the second meeting in December. Mr. Niwinski made the motion as stated. Ms. Judge seconded. There were no objections. The motion carried.

20. ADJOURNMENT - The Council President entertained a motion to adjourn the meeting. Mr. Pizzola made a motion to adjourn the meeting. Ms. Oessenich seconded. There were no objections. The motion carried. The meeting adjourned at 8:54 P.M.

21. NEXT MEETING - Due to the January 3, 2022 Reorganization Meeting at 7:00 P.M., the next Council meeting will be held on the first Monday in January-January 3, 2022 directly after the Reorganization Meeting.

Respectfully submitted,

Barbara T. Ferraro
Secretary/Treasurer
Langhorne Manor Borough