

MINUTES
LANGHORNE MANOR BOROUGH COUNCIL MEETING
JANUARY 3, 2022

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 January 3, 2022 at 7:11 P.M. 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 John Kenney-Chief of Police.

2. PLEDGE OF ALLEGIANCE - 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 December 14, 2021 minutes. A motion was made by Mr. Niwinski to approve the minutes of December 14, 2021. Ms. Judge seconded. There were no objections. The motion carried.

4. RESIDENT COMMENT - Joe Erb, 207 West Prospect Avenue – Mr. Erb stated that probably in May he started the process of obtaining a permit for a fence that would be located to the right side of his property. He stated that he met with the borough manager and was transparent that he was new to the process and that he was clear about the location of the fence and the expansion of a deck. Due to issues with the deck, he decided to resubmit for the fence only and was clear about the location of the fence. He received the approval of the fence in what he believes was June. He stated the building inspector, Charles Pluguez came to his house and approved the fence permit application that would be located to the right side of his house. He stated there was a lot of money invested and the fence was installed for the safety of his grandchildren. A sticker was placed on his door a few weeks ago which said that the final inspection of his fence failed. The Council President stated that there was a complaint recently that she believes is separate from the individuals that came to Mr. Erb's house to ask about their fence. The borough manager stated that he had met with Mr. Erb twice at the beginning of the process and walked him through the process stating that he needed a plot plan that needed to indicate all of the elements that were going to be installed. The borough manager stated that Mr. Erb submitted the permit applications and plot plan and that Mr. Pluguez told the borough manager that he did not go out to the property during the approval process which he typically does not. The borough manager provided the original permit application and plan that was approved by Mr. Pluguez and an overlay drawing of what was actually installed. The borough manager stated that the new building inspector is in the process of finalizing permits and has begun by inspecting residences where he does not need to enter the home. Due to the complaint, he began with this permit application. The building inspector followed his process as the zoning officer by placing a sticker that indicated the reason for failure being due to setbacks and a phone

number to call him. The borough manager, building inspector, Mr. Erb and Mr. Erb's father-in-law met in the Borough office and were shown the official permit documentation that are in the office and copies of which were just given to Council to review. The building inspector suggested that Mr. Erb bring his concerns before Council. Mr. Erb is concerned that Mr. Pluguez approved the permit without ever coming out to the residence to see what they intended. After Council discussion and review of the documents, it was noted that what was installed was not what was on the approved permit application and submitted plot plan. The surveyor did not put all the fence that Mr. Erb desires on the plans and the contractor did not install the fence according to the plans. The Council President stated that the Ordinance did not allow for the authority to grant Mr. Erb any kind of waiver. What is indicated on the permit application is for a fence per the plans which indicate an open line of fencing that is not enclosed and was approved by the building inspector. Council indicated that while they have sympathy for Mr. Erb, his issue is not a Council issue and is with his surveyor and/or contractor.

Susan Pizzola spoke on behalf of the Langhorne Manor Borough Community Events Committee. She stated that they are seeking permission for the use of Borough Hall for fund-raising events in the future. They will provide dates and details of the events for approval to Council before they complete their plans. There was discussion about the insurance ordinance that requires people to go through an application process and have one million dollar insurance coverage. Council partners with the committee so they do not need the additional insurance. A Building Use Guideline will be created by the borough manager.

5. POLICE REPORT - Chief Kenney presented the following police report for December 2021:

- Hours – 241.5
- Alarms – 3
- Assists – 5
- Disabled Vehicles – 2
- Medical Emergencies – 3
- Vehicle Impound – 1
- Other Complaints – 7
- Fuel – 87.3 gallons
- Citations – 2
- Traffic stops – 5

6. MIDDLETOWN FIRE STUDY UPDATE - Ms. Seader stated that the state conducted a fire study which is available in the office. Langhorne-Middletown Fire Company Chief Frank Farry gave an update on a fire study that was commissioned by Middletown Township. He introduced Steve Blake, President. Chief Farry stated that Middletown's four borough's are protected by 4 fire departments and 6 stations, Langhorne Manor Borough being protected by the station in Langhorne Borough. The 150-page study can be found on Middletown Township's website at middletownbucks.org. Langhorne Borough was also presented with the study. Chief Farry read five quotes from the study that highlight where the morale of the volunteers is:

page 3-“Middletown as a whole is in the midst of an identity crisis while simultaneously suffering from strained relationships resulting from a lack of communication, which in turn has created a system-wide lack of trust.” Chief Farry stated that this is the result of a paid fire operation that was started by Middletown, Monday through Friday during the day, exclusive of involving the four fire departments.

Page 6-The consulting group “heard in each of the four volunteer company meetings, as well as at the paid Fire Code Inspectors meeting, members share that they were actively considering quitting the fire services in Middletown Township because they did not want to deal with the fire service drama anymore. Dynamix Consulting Group repeatedly heard from individuals at every meeting that they considered this Fire Services Study to be the ‘last chance’ to fix the fire services in Middletown Township before more people quit and the volunteer fire companies became unsustainable.” Chief Farry stated that there are fewer volunteers and more calls along with issues with the President leaving which occurred due to the issues with Middletown.

Page 21-“The loss of the volunteer fire service would be a detriment to Middletown Township for many reasons: the volunteer firefighters have served the community dating back to the early 1800s; they have a tradition of providing an excellent level of service to those who live, work, or pass through the Township; and their contributions have significantly offset the operational costs, thus resulting in a lower tax burden than if the Township were required to staff a full-time paid fire department.” Chief Farry stated that there is a tax base for funding, but fund-raising is still necessary for a volunteer service. He stated that Middletown is probably looking at a six to seven million dollar tax increase if the volunteer services were lost.

Page 56-“While the Fire Code Inspectors are conducting inspections and drafting tactical plans, all fire companies do not benefit consistently or equally from timely sharing of this information. “This creates a dangerous situation where firefighters could be entering occupancies without critical information that could directly impact the work they are about to perform, even though the Township may have the very information the volunteers need to operate safely on file.” Chief Farry stated that Middletown has information that would keep people safe and they are not providing it.

Page 118-“People do not tend to want to volunteer in places where they do not feel appreciated, communicated with, or where they do not trust those around them. While the volunteer fire companies have provided fire service in Middletown Township dating back to 1829, if they were to disappear tomorrow, the responsibility for providing this service belongs entirely to the Township. This will add a significant expense to the Middletown Township Budget.”

Chief Farry stated that Pennsylvania’s SR6 study (copies of which are in the Manor office) highlight the crisis level of the EMS and Fire services across the state. One of the recommendations is that the local governments have a good working relationship with the volunteer departments and the study shows that Middletown does not. He stated that the Manor does have a good relationship with the fire company. He gave an accounting of the many

different responsibilities the fire companies have along with responding to fire calls (681 in 2021).

The Manor has some fire hydrants that are types that do not give good water supply, the fire company is aware of them and plans for this issue. Fire inspections should take place for rentals and commercial buildings.

Specific to the Manor - it is getting harder and harder to respond with a full complement of stations; funding is an issue as fund-raising activities take time away from the many other responsibilities of the company; as the company loses contributing members, fire-fighters need to fill those roles; the Workers Compensation Insurance is reimbursed to Langhorne Borough and the funds are needed for recruitment and retention programs. The Manor may be contacted about their pro-rated share.

Chief Farry stated that Middletown put \$750,000 aside for this budget year but did not say what was included. He stated that there will come a day that the volunteers will no longer be and that the Manor would then have to contract with Middletown Township.

The Council President stated that Council has been discussing possible ways to help the companies and help with the volunteer situation. They will be in contact with the company before the next newsletter is sent out and put ideas in the newsletter.

7. ZONING ORDINANCE REVIEW WORKGROUP UPDATE - Kevin Oessenich gave a review of the group and the five asks they accomplished since August 2021. 1-Initial reading and review of the 1993 ordinance; 2-assembled comments/questions on the ordinance; 3-researched documents related to the PA Borough Code, Bucks County Borough Code, Uniform Construction Code and related documents; 4-detailed review of the first three Articles which is 25% of the ordinance; 5-began a review of corresponding sub-ordinances. Mr. Oessenich stated that the work will continue in 2022 by meeting once a month to review Articles IV-XII and address the issues that arise with the sub-ordinances. Some of the findings are that definitions need to be reviewed, changes of buildings and materials that are being used, setbacks, and outside regulations. Quarterly updates will be provided to Council with the hope to present findings and recommendations to Council late in 2022 or early 2023.

8. APPROVAL OF BOROUGH AND MS4 CIVIL ENGINEERS - Council received the information and a spreadsheet comparison between the bids for Civil Engineer by two engineers, Remington & Vernick Engineers and Carroll Engineering Corp. The borough manager explained the spreadsheet he created. There was discussion about cost, how personnel is invoiced, tracking of invoicing, the positive work ethic that both firms show and having one engineer for the Borough and another for the MS4. Carroll's rates did not go up. (The MS4 rate did as two of the items that were not needed last year will be needed this year.) Ms. Judge made a motion to hire Carroll Engineering Corp. as the Borough Civil Engineer. Ms. Oessenich seconded. There were no objections. The motion carried.

Ms. Gasparovic made a motion to hire Remington & Vernick Engineers for the MS4 Process. Mr. Niwinski seconded. There were no objections. The motion carried.

9. APPROVAL TO ACCEPT AV EQUIPMENT DONATION - Ms. Judge made a motion to accept the general donation of AV equipment from Penn Medicine. Mr. McBeth seconded. There were no objections. The motion carried.

10. APPROVAL OF SHED RESOLUTION - Upon review of the requirements for utility sheds, the new building inspector determined that the current required maximum height of 8 feet is unreasonable for today's standards and availability and should be 12 feet. Ms. Seader read a resolution to approve raising the height restriction from 8 feet to 12 feet. Mr. Pizzola made a motion to approve the resolution subject to solicitor approval. Mr. McBeth seconded. There were no objections. The motion carried. This resolution received solicitor approval as noted in item #15 of these minutes.

11. INSPECTOR'S REPORT – Ms. Ferraro added the following information to the inspector's report for November 2021:

- Rental Inspections – 2
- Building Inspection – 1
- Plumbing Inspection – 1

Ms. Ferraro presented the following inspector's report for December 2021:

- Building Inspection – 1
- Electric Permit – 1
- Road Opening Permit – 1
- PECO service replacement permits – 2

12. COMMITTEE REPORTS

James Niwinski: no report

Alicia Gasparovic: Ms. Gasparovic reported that she and the Borough Secretary submitted the recycling grant application. **(Ms. Gasparovic clarified this per request which she was fine with 2-8-2022. "Ms. Gasparovic prepared and submitted the report, the Borough Secretary logged her in at the office.")**

Ms. Gasparovic reported that there has been no word on the Growing Greener MS4 grant.

Ms. Gasparovic congratulated those members of Council who were sworn in for their new terms this evening and said she would have liked to have been there but **(amended 2-8-2022 to "was not informed that")** the time was earlier than the meeting.

Cheryl Oessenich: no report

Dawn Seader: Ms. Seader stated that a letter informing residents of the refuse fee increase should be sent to them shortly. Mr. Pizzola made a motion to approve the refuse fee increase letter for mailing. Ms. Oessenich seconded. There were no objections. The motion carried.

add

Nicholas Pizzola: no report

Grace Judge: no report

Robert McBeth: no report

13. MAYOR'S REPORT – none

14. BOROUGH MANAGER'S REPORT – Mr. Ferraro reported that the 2022-2024 refuse contract was sent for execution to Republic Services.

Mr. Ferraro reported that the contract for the 2022 solicitor with Begley, Carlin & Mandio was executed.

Mr. Ferraro reported that the contract for the 2022 snow removal with K.E.Seifert was executed.

Mr. Ferraro reported that he met with building inspector to discuss the requirement of monthly reports.

Mr. Ferraro reported that he is providing ongoing support for residents.

Mr. Ferraro reported that a lot of the utility permits that are being approved for only cutting into the rights-of-way are also going into the roadway. Mr. Pizzola stated that upon inspection it will be investigated and if this happens, the Borough contractor will fix and the utility company will get billed. Mr. Pizzola stated that as these road openings are noticed, he should be informed.

Mr. Pizzola stated that the process for finding someone for maintenance is ongoing.

Mr. Ferraro will reach out to the project manager at Eckman to find out exactly what is on the plans as far as a pedestrian/bike path on the Hulmeville Avenue bridge.

15. SOLICITOR'S REPORT - Mr. Profy stated that as it relates to the shed resolution changing the height restriction in item #10 of these minutes, under the general powers clause, Council has the power to use a resolution to change an ordinance as they are not changing the enforcement or penalty provisions of the ordinance and in fact they are reducing the limitations that are set forth and setting additional restrictions.

16. CORRESPONDENCE - none

17. APPROVAL OF BILLS FOR PAYMENT - The Council President stated that all Council members received a copy of the bills list for payment for January 2022 and asked for questions and concerns. The Council President asked for a motion to pay the General Fund unpaid bills for January 2022 as amended to add a Stocker Tree Service invoice. 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 January 2022. Mr. Pizzola made the motion as stated. Ms. Gasparovic seconded. There were no objections. The motion carried.

18. APPROVAL OF TREASURER'S REPORT - Due to the early date of tonight's Council meeting, the Treasurer's Report was deferred until the February meeting.

19. COMMENTS FROM RESIDENTS AND VISITORS - none

20. SECOND MEETING FOR THE MONTH OF JANUARY - The Council President asked for a motion to dispense with the second meeting for the month of January. Mr. Pizzola made the motion as stated. Mr. Niwinski seconded. There will be a work session on January 25, 2022.

21. ADJOURNMENT - The Council President entertained a motion to adjourn the meeting. Mr. Niwinski made a motion to adjourn the meeting. Ms. Judge seconded. There were no objections. The motion carried. The meeting adjourned at 9:11 P.M.

22. NEXT MEETING - The next meeting will be February 8, 2022 at 7:00 P.M.

Respectfully submitted,

Barbara T. Ferraro
Secretary/Treasurer

