

**MINUTES
LANGHORNE MANOR BOROUGH COUNCIL
MEETING OF JANUARY 4, 2021**

1. CALL TO ORDER - The Zoom virtual meeting of Langhorne Manor Borough Council was called to order in the Langhorne Manor Borough Hall, 618 Hulmeville Avenue, Langhorne, Pennsylvania, on January 4, 2021 at 7:00 PM Eastern Standard Time, after Zoom participants were admitted to the meeting at 6:59 PM Eastern Standard Time by Dawn Seader, President.

PERSONS PRESENT - Dawn Seader-President, Nick Pizzola-Vice President, Alicia Gasparovic, Grace Judge, James Niwinski, Cheryl Oessenich, Thomas J. Profy, IV-Solicitor, Sarah Brucie-Assistant Solicitor, Jay Ferraro-Borough Manager, and Barbara Ferraro-Secretary/Treasurer.

PERSON ABSENT - Maryann Barnes

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

Ms. Seader stated that the meeting was being recorded and introduced the Council members and solicitors. Ms. Seader reminded people of the professional nature of the Zoom meeting and that conduct should reflect this, all would be muted, there would be time for resident comments during which the raised hand feature should be used and the chat feature should not be used.

3. APPROVAL OF MINUTES - Ms. Seader asked if there were any questions, concerns, corrections or comments on the December 1, 2020 meeting minutes. A motion was made by Ms. Gasparovic to accept the December 1, 2020 minutes. Mr. Pizzola seconded. There were no objections. The motion carried.

Ms. Seader asked if there were any questions, concerns, corrections or comments on the December 15, 2020 meeting minutes. A motion was made by Mr. Pizzola to accept the December 15, 2020 meeting minutes. Ms. Gasparovic seconded. There were no objections. The motion carried.

Ms. Seader asked if there were any questions, concerns, corrections or comments on the December 29, 2020 meeting minutes. A motion was made by Mr. Pizzola to accept the December 29, 2020 meeting minutes. Ms. Judge seconded. There were no objections. The motion carried.

Ms. Seader wished everyone a happy new year and thanked Council, volunteers and residents on how they adjusted to a year of highs and lows. She cited many changes: website, new Council members, the COVID-19 Pandemic, the secretary worked more remotely allowing for more responsiveness, the roads project was finished, created a Stormwater Commission, received three RDA grants, supported the local nursing home, started a new texting service, hired a Borough Manager allowing for real time response, streamlining processes and updating codes and ordinances. She stated some goals for 2021 are increasing data security, make the Borough more eco-friendly, make permitting predominantly electronic, rework processes to be efficient, cost effective and consistent and hoping to connect with all in person.

Ms. Seader recognized William R. McTigue, Jr. and read a proclamation from Council and the Mayor which cited Mr. McTigue's many accomplishments and how he was of great service for many years to Langhorne Manor Borough. This proclaims that the 4th day of January, will be William R. McTigue, Jr. day. Ms. Seader stated that Representative Frank Farry was unable to be at the meeting but sent a note and displayed a citation from the House of Representatives. Ms. Seader read the note from Representative

Farry and parts of the citation. Mr. McTigue expressed his gratitude to Council, the residents, solicitors and professional team and members of Council expressed their thanks and appreciation to Mr. McTigue.

4. APPROVAL OF BANKS, OFFICIALS, COMMISSIONS AND AUTHORITIES AND APPOINTMENTS:

First National Bank	General Fund Checking
First National Bank	General Fund Savings Account
First National Bank	Payroll
First National Bank	Cairn University Escrow
First National Bank	Sewer Department Checking
First National Bank	Sewer Department Savings
First National Bank	Highway Aid Account
First National Bank	Capital Reserve – Police
First National Bank	Road Improvement Account
PLGIT	PLGIT Sewer Account

OFFICIALS, COMMISSIONS AND AUTHORITIES

PLANNING COMMISSION

5-year term

David Stetz – 2025
Maryann Barnes – Chair – 2021
James McMeeking – 2022
Steve Yourtee – 2023
James Keba– 2024

AUDITORS

6-year elected term

John Brodbeck – 2021
Patrick Mundy – 2023
Suzanne Cawley – 2025

ZONING HEARING BOARD

3-year term

Bob McBeth – Chair – 2023
Kevin Oessenich – 2021
Gregory Hertenberger – 2022

LMB HIGHER EDUCATION & HEALTH AUTHORITY

5-year term

Josephine Cloak – 2025
Maryann Barnes – 2021
David Badgley – 2022
Robert Rickerl – 2023
William McTigue – 2024

SHADE TREE COMMISSION

5-year term

Melissa Mather – 2021
Steve Yourtee – 2022
Harvey Spencer – 2023

STORM WATER COMMISSION

Alicia Gasparovic – Chair
James Keba
Matthew Marion
Kevin Oessenich
Heather Palladino
Lauren Shuke
Fred Tomlinson

A motion was made by Mr. Niwinski to accept the Banks, Officials, Commissions and Authorities for 2021. Ms. Gasparovic seconded. There were no objections. The motion carried.

5. APPROVAL OF PROFESSIONAL SERVICES:

Constable – 6-year term	James McMeeking – 2022
Fire Marshall	Frank Farry
Secretary/Treasurer – 2-year term	Barbara Ferraro – 2021
Solicitor	Thomas Profy IV, Begley, Carlin & Mandio
Borough Manager	Jay Ferraro
Building Inspector	Building Inspection Underwriters (BIU)
Code Enforcement Officer	Building Inspection Underwriters (BIU)
Plumbing Inspector	Building Inspection Underwriters (BIU)
Electrical Inspector	FirstPA Inspections
Borough Engineer	Carroll Engineering
Snow Removal	K. E. Seifert
Custodian, Outside	Spencer Landscaping
Custodian (Borough Office, Borough Hall & Police Headquarters)	Custom Maid
Emergency Management Coordinator (Appointed by Recommendation of Governor)	To be appointed
Vacancy Board	James Keba
Liaison to Comcast Cablevision & Verizon Communication	Jay Ferraro

Ms. Seader stated that Mr. Ferraro helped re-negotiate the contract with Begley, Carlin and Mandio and the retainage was decreased by \$3,000. The Carroll Engineering contract is being looked at with thought to carve out the MS4 project to an engineer that specializes in this process. Spencer’s Landscaping contract is still being worked on by Mr. Ferraro. Ms. Seader asked for questions and comments. Ms. Gasparovic asked about contracts coming back to Council. Ms. Seader stated that the drafts Council received are not expected to change at this point and can be finalized without waiting. Ms. Gasparovic asked about the Emergency Management Coordinator. Ms. Seader is working on the details.

A motion was made by Mr. Pizzola to accept the Professional Services for 2021. Ms. Oessenich seconded. There were no objections. The motion carried.

6. COUNCIL COMMITTEE ASSIGNMENTS: Ms. Seader stated the Council assignments are as follows:

- Nicholas Pizzola (2020 – 2023), Budget Committee Chair, Borough Streets, Snow Removal
- Jim Niwinski (2019 – 2021), Street Light Coordinator, Borough Grounds Coordinator, Building Maintenance Preservation, Budget Committee, Code Review
- Maryann Barnes (2018 – 2021), Planning Coordinator, Zoning Coordinator, Shade Tree Commission Liaison, Sub-Division & Land Development
- Alicia Gasparovic (2020 – 2023), Insurance Issues Coordinator, Grants Coordinator, Newsletter Committee, Storm Water Management Coordinator
- Grace Judge (2020 – 2023), Website Coordinator, Newsletter Committee, Budget Committee, PLGIT Finance Coordinator
- Cheryl Oessenich (2020– 2021), Refuse & Recycling Coordinator, Sanitary Sewer

Coordinator, Code Review

- Dawn Seader (2018 – 2021), Police Committee Chair, Newsletter Coordinator, Grants Committee, Special Projects Coordinator, Liaison to Auditors

7. CAIRN UNIVERSITY PRESENTATION – Ms. Seader introduced Andy Norton from Cairn University and Matt Linaburg from Worthington Davis. Mr. Norton stated that he had updated Ms. Seader and Mr. Ferraro about resuming the project starting with the athletic complex. Mr. Norton stated that the University had relayed that Middletown Township was open to taking the lead on inspections and things of that nature since the majority of this part of the project is in Middletown. Mr. Norton is coming before Council to see if they approve. Cairn would like to commence at the end of January. Mr. Linaburg stated it would be for an ease of use to use one municipality-Middletown for the athletic complex and Langhorne Manor Borough for the resident hall at some time in the future. Mr. Ferraro spoke with Mr. Norton and Mr. Linaburg about Middletown Township taking the lead on plan review and the inspection process. He stated that the Borough's inspector felt that it would be better to have Middletown take the lead without relinquishing the Borough's right to oversee to protect the interest of the Borough's infostructure and take part in the final inspections for the certificate of completion. Mr. Ferraro will reach out to Middletown Township. A roads escrow will be discussed to make sure the new roadway is maintained and if needed restored to like new condition. Mr. Linaburg will distribute a logistics plan that shows the traffic pattern for construction and stated that no overuse of the road has been put into place and tri-axles will not be going in and out of the community. Ms. Gasparovic asked about the Borough's MS4 DEP plan that was based on Cairn's plans to take care of the Borough's Mill Creek requirements and wants to ensure that those pieces will occur. Mr. Linaburg responded that nothing has changed from the original plans. Mr. Profy stated that there should be a Memorandum of Understanding (MOU) after Mr. Ferraro speaks with Middletown. Mr. Ferraro will work on a draft to be reviewed by Begley, Carlin and Mandio, obtain a logistics plan from Worthington Davis, speak with Middletown Township and be kept apprised of their comments. He will make sure the MOU is signed by Middletown and the Borough before moving forward. Mr. Ferraro said that Middletown taking the lead may be able to be approved at the second meeting of January contingent upon establishment of an escrow, a commitment from Middletown that they are agreeable, and a signed MOU. Ms. Judge asked if it was possible to approve tonight based on these contingencies. Mr. Profy responded that Council could make a decision tonight contingent upon the approval of an MOU approved by the Borough Manager. Mr. Profy reminded Council that in addition to the escrow, the MOU, the logistics plan and commitment from Middletown, there are also insurance, bonding, indemnification and improvement issues that need to be revised. He stated that the Borough Manager is very familiar with all of these issues. It was decided that the MOU should be reviewed by Council before voting on it. This may be able to take place by the second meeting, but there may still be contingencies.

8. POLICE REPORT -

Mayor Byrne presented the police report for December 2020 -

- Traffic Citations - 5
- Complaints - 10
- Patrol Hours - 256
- Total Hours - 300.5
- Fuel - 81.6 gallons
- Miles – 584

Police report for November 2020 -

- Traffic Citations - 5
- Complaints - 13
- Patrol Hours - 251
- Total Hours - 286.5
- Fuel - 96 gallons
- Miles - 629

Mayor Byrne reported that Sgt. Kenney is working with his other employer on availability to attend the Tuesday Council meetings.

Mayor Byrne reported that he spoke to Middletown about trees that are in the roadway on Hulmeville Avenue. They stated that they would move what they could back into the wooded area. Mayor Byrne stated that Middletown is willing to work with the Borough to trim back trees that are hanging over the roadway.

Mayor Byrne reported that the police force is shorthanded and is currently trying to get applications for part-time officers.

Mayor Byrne stated that he would get November 2020's police report to Ms. Ferraro to be included in the minutes.

Ms. Gasparovic asked for an update about the trespassing/vandalism issues that are taking place in the woods. Mayor Byrne stated that Chief Bumm had spoken to the trespassers and he has not heard back from Middletown Township. Ms. Gasparovic asked for his advice as the damage in the Heritage Conservancy is significant and there are dangerous conditions. Ms. Seader stated that this land is protected and that conversations should be had with Middletown to put up "No Trespassing" signs. Mayor Byrne stated that the State Police have said they cannot act without this signage. "No Hunting" and "No Dumping" signs were also mentioned. Ms. Brucie stated that she distributed a memorandum to Council on the issue but has not heard anything and it was Council's discretion as to who should reach out to Middletown. Mr. Ferraro will contact Middletown's Borough Manager. Mr. Ferraro stated that Middletown Township owns this property within the Borough and they need to be in compliance with the Borough Ordinances. Ms. Brucie stated that there is also a traffic concern that was brought up previously.

9. INSPECTOR'S REPORT -

Ms. Ferraro's Inspector's report for December 2020:

- Building Permits - 8
- Construction Inspections - 5
- State Accessibility Audit - 1

10. COMMITTEE REPORTS -

• **James Niwinski:** Mr. Niwinski reported that the chimneys are being cleaned at Borough Hall and the office tomorrow.

Mr. Niwinski reported that he received competitive bids from Spencer's Landscaping (\$3,630) and Ramsey's Lawn and Landscaping (\$4,404.) The bids are for spring clean-up, pre-emergent mulching, lawn mowing (minimum of 28 times), pruning and fall cleanup. Ms. Seader stated that Spencer's was approved as a professional service. She asked that taking care of fallen trees to be in the contract. Mr. Ferraro stated that there is a timeline for Spencer's to respond to a call and language should be added to add an hourly rate and giving the Borough the right to move on to another service if not met. He stated that anyone the Borough moves on to will need to be under contract.

- **Alicia Gasparovic:** Ms. Gasparovic reported that there are again problems with the CSX train gate and that people are getting ticketed by Middletown Township. Resident Andy Norton has agreed to appear in court as a witness if needed. Rep. Brian Fitzpatrick's office has been alerted. SEPTA is in charge of the gates but CSX is causing the problems. SEPTA has applied for grants to install four quadrant gates to keep people from going through the crossing when the gates are down.

Stormwater Commission - Ms. Gasparovic stated that the Stormwater Commission Resolution is being introduced and provides language as to the purpose, timeline and duties of the Commission. She stated that language concerning what the Commission does not do is not in the Resolution. However, she stated that it is not the Commission's job to enforce any issue surrounding stormwater or environmental issues. The Commission's job is to recommend a course of action. Ms. Gasparovic thanked the people on the Commission for their work. Ms. Gasparovic reported that Middletown is onboard with a possible project in the woods to rebuild the stream banks to restore the floodplain around the stream. The next Stormwater Commission meeting is January 25, 2021 at 7:30. Ms. Gasparovic has had informal communication with the DEP letting them know there may be new options or changes. The DEP requested to be in the loop. Ms. Seader and Mr. Ferraro are also in this loop.

Ms. Seader read Resolution #2021-01 Establishing the Purpose and Duties of the Stormwater Commission. Ms. Gasparovic made a motion to adopt Resolution #2021-01 as read. Ms. Judge seconded. There were no objections. The motion carried.

- **Cheryl Oessenich:** no report
- **Dawn Seader:** no report
- **Nicholas Pizzola:** Mr. Pizzola stated that the grant income and road expense statements have been correctly reclassified. They have been removed from the income statements and run through the balance sheet. He stated that there was \$22,000 for engineering expenses in the 2020 profit and loss statement that belonged to the road account which has also been corrected. He stated that the 2020 budget was over by \$6,000 which he felt was a good result in light of the disruptions caused by COVID this year. He stated that the December 2020 statements should not be approved tonight as the bookkeeper is going to correct the appropriate statements.

- **Grace Judge:** Ms. Judge reported that the corporate purchase cards were received and they have been activated. The card will be piloted for use for recurring operating expense invoices that come from the General Fund. Due dates may need to be changed for automatic payment of these invoices. Use of the card returns 1% cash back on every dollar spent by the Borough. Discussion was had about the ability to use the card for smaller vendors and will be looked into, checking for possible fees.

Ms. Judge reported that she is working on the website with Mr. Ferraro and Lois Abbott. In the next several weeks there will be fillable permit applications on the site with detailed instructions.

Ms. Judge recommend that a link to a survey be sent in the next newsletter asking what residents would like to see from the text message service.

- **Maryann Barnes:** absent

11. MAYOR'S REPORT - no report

12. BOROUGH MANAGER'S REPORT – Mr. Ferraro reported the following for December 2020.

Completed Tasks:

1. Negotiated the Borough Solicitor's 2021 Agreement
2. Bifurcated Carroll Engineering's 2021 Professional Services Proposal separating out the day-to-day business from the MS4
3. Received MS4 proposals from Carroll Engineering and Remington Vernick Engineering (RVE)
4. Prepared the Comcast Franchise Agreement edits for review and is waiting for a response
5. Developed an Emergency Snow Removal contract extension for 2020
6. Developed the Snow Removal contract for 2021
7. Developed the Property Maintenance and Tree Removal contract for 2021
8. Worked with resident on Fairview to review and finalize permit application which is now complete
9. Issued three Notice of Violations
10. Attended meetings with the following parties
 - a. Carroll Engineering
 - b. RVE
 - c. Cairn University/Worthington
 - d. Comcast
 - e. Microsoft/F1
 - f. Council Members

In Progress Tasks:

1. Borough Engineer negotiations
2. MS4 Engineering services review
3. Comcast/Version negotiations taking into account other municipalities Verizon negotiations
4. Notice of Violation follow up and resolution, two have been responded to and addressed cure immediately.
5. IT securities and programming review with Ms. Judge
6. Ordinance, codes, fees, and escrow reviews and addressing revisions with Council

Projected Tasks:

1. Assist in updating Borough electronic filing systems
2. Begin offering revisions to ordinances, codes, fees, and escrows
3. Complete Comcast Franchise Agreement negotiation
4. Negotiate Verizon Franchise Agreement
5. Issue a Borough Engineer Professional Services Contract
6. Issue a MS4 Engineering Contract
7. Develop Standard Operating Procedures for Borough processes
8. Develop Borough committee meeting and communication protocols
9. Assist in cost tracking efforts with the Budget Committee
10. Continue with the day-to-day operations of the Borough
11. Attend two PSAB seminars

Mr. Ferraro stated that he had MS4 proposals from Carroll Engineering and RVE and will be having discussions with the Stormwater Commission at a separately scheduled meeting before the next Commission meeting. He will then engage with the assigned entity for negotiation.

13. SOLICITOR'S REPORT - Mr. Profy stated that there was no formal report and that he and Ms. Brucie looked forward to working with the Borough, Council, the Mayor, Mr. Ferraro and Ms. Ferraro in 2021.

14. CORRESPONDENCE - Ms. Ferraro read a letter from Tine Hansen-Turton, President and CEO of Wood Services thanking Council and the Mayor for the support and services the Borough provides on behalf of Board of Trustees, residents and staff. The letter was received along with a \$7,500 donation.

15. APPROVAL OF BILLS FOR PAYMENT - Ms. Seader stated that all Council members received a copy of the General Fund bills list for payment for December 2020. Ms. Seader asked for questions or comments. Ms. Ferraro amended two items' classification. Ms. Seader asked for a motion to pay the General Fund Bills. Ms. Oessenich made a motion to pay the General Fund Bills for December 2020 as amended. Ms. Gasparovic seconded. There were no objections. The motion carried.

Ms. Seader asked for questions and comments on the Sewer Fund Bills for December 2020. Ms. Ferraro stated that she had contacted Bucks County Water and Sewer Authority about the Langhorne Gardens minimum invoice for two months. They issued a work order for the meter and it will be addressed. Mr. Niwinski made a motion to accept the Sewer Fund Bills for December 2020. Mr. Pizzola seconded. There were no objections. The motion carried.

Ms. Seader stated that the December 2020 Treasurer's report would be deferred.

16. APPROVAL OF TREASURER'S REPORT FOR NOVEMBER 2020 -

Ms. Seader asked for questions and comments on the General Fund for November 2020. Ms. Judge made a motion to accept the General Fund for November 2020. Ms. Gasparovic asked about the Cairn University contribution which was under budget and the Woods Services donation which was not marked as a contribution in lieu of taxes. Mr. Pizzola said he would check with the tax collector on the Cairn University contribution. Ms. Judge made a motion to approve the General Fund for November 2020. Mr. Niwinski seconded. There were no objections. The motion carried.

Ms. Seader asked for questions and comments on the Sewer Fund for November 2020. Mr. Niwinski made a motion to accept the Sewer Fund for November 2020. Mr. Pizzola seconded. There were no objections. The motion carried.

Ms. Seader asked for questions and comments on the Highway Aid Fund for November 2020. Mr. Pizzola made a motion to accept the Highway Aid Fund for November 2020. Mr. Niwinski seconded. There were no objections. The motion carried.

17. COMMENTS FROM RESIDENTS AND VISITORS -

James Keba, 604 Hill Avenue - asked about Cairn University helping with the MS4 Mill Creek watershed requirement. Mr. Norton stated that the stormwater systems and rain gardens are part of the Athletic Field construction. Mr. Keba stated that they are not referenced by the RETTEW MS4 pollution reduction plan part of the Mill Creek watershed. Mr. Ferraro stated that the DEP needed to address this, giving

acknowledgement to Cairn University and the Contractor's credit for the NPDES and also giving credit to the Borough's MS4 at the same time. An agreement with Middletown would need to acknowledge that the project has the potential to positively impact the MS4 and has to remain intact and there has to be an opportunity for the Borough's professional services to review it.

Ms. Seader stated that there is a Zoom Meet and Greet for the Borough Manager tomorrow, January 5, 2021 from 6:30-7:30.

18. SECOND MEETING FOR THE MONTH OF JANUARY – Tentative for January 19, 2021 depending on completion of requirements for the Cairn University request.

19. ADJOURNMENT - Ms. Seader entertained a motion to adjourn the meeting. A motion was made by Mr. Niwinski to adjourn the meeting. Mr. Pizzola seconded. There were no objections. The motion carried. The meeting adjourned at 8:47 P.M.

The next meeting is tentatively scheduled for January 19, 2021 at 7:00 P.M.

February's meeting is scheduled for February 2, 2021, at 7:00 P.M.

Respectfully submitted,

Barbara T. Ferraro
Secretary/Treasurer
Langhorne Manor Borough