

**MINUTES
LANGHORNE MANOR BOROUGH COUNCIL
MEETING OF NOVEMBER 9, 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 November 9, 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 October 12, 2021 minutes. A motion was made by Mr. McBeth to approve the minutes of October 12, 2021. Mr. Niwinski seconded. There were no objections. The motion carried. The Council President asked if there were any questions, concerns, corrections or comments on the October 26, 2021 minutes. A motion was made by Ms. Oessenich to approve the minutes of October 26, 2021. Ms. Gasparovic seconded. There were no objections. The motion carried.

4. RESIDENT COMMENT – The Council President stated she had received a resident comment from someone who was not in attendance. She stated that she would give that resident the opportunity to either write a letter or attend a meeting. She also stated that the comment she received was basically identical to Ms. Barry's.

Lynne Barry, 301 West Park Avenue, stated that not everyone who wishes to attend a Council meeting has the availability to attend due to mitigating factors such as families with young children, immunocompromised, physical challenges, work schedules and responsibilities. She stated that during the pandemic, interactive, virtual meetings were possible and worthwhile and that she supported Council meetings to continue with that same access. She stated that there is technology to make in-person meetings virtual and accessible with an interactive format, will keep residents engaged, informed and gives all equal access.

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

- Hours - 291
- Accidents - 2
- Assists - 14
- Civil dispute - 1
- Disabled vehicle - 1
- Disturbance - 1

- Juvenile Complaint - 1
- Medical emergency - 1
- Citations - 7
- Miles - 585
- Fuel - 98.7 gallons

Chief Kenney stated that the computers in the police vehicles have become outdated. The County updated the system three weeks ago and it requires Windows 10 which the current computers will not support. There is no current ability to interact with the other Boroughs and this is a safety issue that needs to be addressed quickly. He stated that new computers are in the RDA grant application but asked if the money can come sooner. He stated that the cost would be approximately \$7,200. The Council President stated that it could also be covered with rescue funds. Chief Kenney stated that they should be purchased soon and really not wait until January when it would be applicable to the RDA grant. The Council President will ask the RDA about spending the money now and apply it if the grant is approved.

Chief Kenney stated that the Police Committee had not met to discuss the addition of a council member or resident to the Committee. The Council President stated that the Police Committee is not a Council Committee.

6. SNOW REMOVAL BIDS - Council received the information on the Snow Removal and Waste Collection bids. The Borough Manager stated that there were two bids received for the snow removal contract, dated December 1, 2021 through May 1, 2022.

	GRIMMER CONSTRUCTION,LLC	K.E.SEIFERT, INC.
TRUCK W/ PLOW	\$105/hour	N/A
TRUCK FOR SALT	\$105/hour	N/A
TRUC W/PLOW & SALT	N/A	\$90/hour
SALT PER TON	\$145	\$115

Mr. Pizzola made a motion to contract for the lowest price with K.E. Seifert as stated in the table above for the snow removal contract. Ms. Oessenich seconded. There were no objections. The motion carried.

7. MUNICIPAL WASTE BIDS – The Borough Manager stated that there were three bids received. The contract would commence on January 1, 2022 and cease on December 31, of the final year of the contract. The bids were tabulated as follows:

- A) One year contract price for weekly refuse and recycle collection with weekly leaf pick-up
- B) One year contract price for two bulk trash collections
- C) Total
- D) Two year contract price for weekly refuse and recycle collection with weekly leaf pick-up
- E) Two year contract price for two bulk trash collections per year
- F) Total
- G) Three year contract price for weekly refuse and recycle collection with weekly leaf pick-up
- H) Three year contract price for two bulk trash collections per year
- I) Total
- J) 96 gallon two wheel refuse toter
- K) 96 gallon two wheel recycle toter
- L) Bid Bond (yes or no)
- M) Required Insurance (\$5 million)

	SOLID WASTE SERVICES, INC. (MASCARO)	REPUBLIC SERVICES OF PA	GEORGE LECK & SONS, INC.	GEORGE LECK & SONS, INC.
A	\$219,672	\$129,532	\$142,800	\$231,364
B	\$2,820	\$2,500	INCLUDED	INCLUDED
C	\$222,492	\$132,032	\$142,800	\$231,364
D	\$439,344	\$263,597	\$256,200	\$442,328
E	\$5,640	\$5,000	INCLUDED	INCLUDED
F	\$444,984	\$258,597	\$256,200	\$442,328
G	\$659,016	402,354	\$379,440	\$645,312
H	\$8460	\$7,500	INCLUDED	INCUEDED
I	\$667,476	\$409,854	\$379,440	\$645,312
J	\$110	\$80	\$60	\$60
K	\$110	\$80	\$60	\$60
L	YES	YES	YES	YES
M	YES	YES	NO	YES

The Borough Manager stated that George Leck & Sons currently only carries \$1 million in insurance coverage, not the required \$5 million, but they provided a bid as if they were to update their coverage to \$5 million. They provided their current certificate of insurance showing \$1 million in liability insurance with a \$3 million umbrella.

There was discussion about the insurance requirements and that George Leck & Sons did not currently meet the advertised bid requirements.

There was discussion about the multiple issues (late and missed pick-ups, communication, missed bulk trash date) that the Borough has had with Republic Services over the course of their current contract with the Borough, the positives of their service (very good about taking most items anytime, communication has improved) and the lower than expected increase in cost. Going with a company with potential better service would result in a tax increase. The budget does not have a lot of room for a larger expense.

There was discussion about contractual requirements to hold Republic Services to the standard the Borough requires and to encourage Republic Services to mitigate issues and provide greater remedies to the residents. The Borough Manager stated that he made clear to the bidders that Council has the right to defer tonight's vote for time. The Borough Manager and the Solicitor will work together on the contract as damages need to be written very specifically. If Republic Services does not agree to the terms of the contract, it will come back to Council to make decisions accordingly.

Mr. Niwinski made a motion to contract with Republic Services of PA for a period of three years subject to a satisfactory contract. Mr. Pizzola seconded. There were no objections. The motion carried.

8. SHADE TREE COMMISSION UPDATE - Council received an updated list from the Shade Tree Commission (STC) on their achievements. Chairperson Steve Yourtee was asked to come to the Council meeting to present the achievements and answer questions. Mr. Yourtee was absent.

9. SHADE TREE COMMISSION ORDINANCE APPROVAL - The Council President summarized the reasons for the changes to the current Ordinance. She stated that Council would be the authority with help from the STC and that fines were removed, but there are enforcement measures. The proposed ordinance revision has been advertised. She asked for questions or comments from Council and then residents. The STC permit fee will be in the fee schedule. There was discussion if this change to the fee schedule needed to be by ordinance or resolution and will be addressed next month.

Resident Lynn Barry, 301 West Park Avenue, asked about location of replacement trees when there was a problem with overhead wires and the location of the original tree. The ordinance takes into account the type of tree and the STC will work with the resident on location.

Christopher Crouteau, 608 Station Avenue, asked if the resident has to pay for the removal of a shade tree in the right-of-way. A permit is needed to take down a shade tree in the right of way and the resident will work with the STC to replace it.

Mr. Niwinski made a motion to approve the Shade Tree Commission Ordinance. Ms. Oessenich seconded. There were no objections. The motion carried.

A STC tutorial on the website was discussed. The STC should present to Council. Mr. McBeth (Council liaison) will reach out to the STC on the matter.

There was discussion about the document that the STC created and what would be done about the information in it. It was suggested that the tree removal company that is coming, take a look at the information and give their input. There was discussion about the responsibilities of the STC and that these ideas and suggestions should be discussed within the Commission. Concern was expressed about the current STC itself. The STC has not reached out to the Council liaison or been present at Council meetings. There was concern about how they would liaison with residents about an issue if their availability is very limited. There was a recommendation that the

current STC be disbanded and reconstituted in January. The Council liaison to the STC will reach out to the STC chairperson to discuss how the STC will work and move forward with the information on their document. They will be charged to reach out to the residents on their list about the issues noted by the STC as per the STC Ordinance. The STC should verify that all the parcel numbers that are listed on the document are the responsibility of the Borough.

10. INSPECTOR'S REPORT - Ms. Ferraro stated that she had only received the report from the date the new inspector began. (October 8, 2021)

- Resale Inspections - 1
- Rental Inspections - 1
- Violation Notice - 2

11. COMMITTEE REPORTS -

James Niwinski: Mr. Niwinski reported that there are still supply chain issues causing delays with the installation of the LED street lights. He will let Council know when things are ready to start. If things run late, the Borough will be able to get an extension with the RDA.

Mr. Niwinski stated that he reached out to three tree services to remove the five dead trees in the Borough right-of-ways or property but has not heard back from all of them.

Mr. Niwinski reported that all the paperwork had been submitted for the fuel service through the Consortium. The oil company should be out in the next two weeks to top off the tanks.

Alicia Gasparovic: Ms. Gasparovic thanked Jim Keba, Heather Palladino, and Kevin Oessenich from the Stormwater Commission (SWC) for conducting most of the swale inventory that Liz Colletti from Reminton Vernick Engineers (RVE) had requested. Ms. Gasparovic stated that Liz Colletti had prepared a summary report of a recent borough walk-through to look at potential smaller projects. It will be given to Council for next month's meeting. The next SWC meeting is Monday, November 22, at 7:30 in Borough Hall. Ms. Gasparovic stated that the residents should make sure that the drains in swales are not clogged but growing weeds are okay.

Ms. Gasparovic reported that Middletown Township's police chief stated that Middletown officers went through the woods over the weekend but she had received no feedback on what was observed.

Ms. Gasparovic commented on several zoning matters. The Fence Ordinance has a different fee than the fee schedule. The office is aware and charges the fee from the document that is most recent. Ms. Gasparovic stated that residents may benefit from a FAQ on the website regarding what to expect at Zoning Board Hearings. The chair of the ZHB will be asked to look into this.

Ms. Gasparovic stated that the Borough's Use and Occupancy (U & O) permits need to be obtained before an Agreement of Sale is entered into. She asked why and how this benefits the Borough as she believes some of the costs that are typically the buyers are shifted to the seller.

There was discussion about the benefits and disadvantages to both the buyer and the seller. The zoning work group will be asked to review this.

Ms. Gasparovic stated that the Borough Engineer (Christopher Peterson at Carroll Engineering) had taken a position for the Borough at the last Zoning Hearing and expressed concern that the matter had not come to Council. It was clarified that the residents never brought the matter to Council. The ZHB attorney stated that Mr. Peterson's opinion would be a position of the Borough as he is one of the contracted engineers. It was clarified that Mr. Peterson's position of concern was made after a previous Hearing where the increase in impervious ratio was approved, not the one being discussed now. Mr. Peterson suggested strongly that the ZHB not continue to approve the increase of impervious ratio limits because of the standing MS4 requirements and that this region has exceeded the 100-year flood more than once this year. Both engineers, Carroll and Remington Vernick, have been asked to provide their position in writing and speak to Council.

Council will discuss solicitor fees surrounding violations at the next work session.

The materials for the streets projects will be purchased in order to meet the requirements of the RDA grant.

The Borough Secretary will add all of Council to the RVE invoicing TEAMS channel.

Cheryl Oessenich: no report

Dawn Seader: Ms. Seader reported that the Fall 2021 newsletter was mailed and printing costs were saved by utilizing a local printer.

Ms. Seader reported that the EMS Chief's Association crafted a letter to Commissioner DiGirolamo as a follow up from a conversation regarding relief funding to establish solvency. The association is requesting \$8 million from the county. LMB's share of the request would be \$4,576 and it could be a consideration for use of some of the rescue funds. LMB is one of the only municipalities that does not contribute at this time. Ms. Seader stated that she would reach out to other municipalities to see the amount they currently contribute. It can be added to the budget.

Ms. Seader stated that the tree lighting is being held on Sunday, December 5, 2021.

Ms. Seader thanked the election staff.

Ms. Seader thanked Chief Kenney for going above and beyond to address an issue of a resident's stolen trash can.

Nicholas Pizzola: Mr. Pizzola reported that there were no changes to the preliminary Sewer Fund and Highway Aid Fund budgets and presented them as the proposed budgets for 2022. Mr. Pizzola stated that the preliminary budget projected a deficit of \$58,000. There were changes made to recurring and non-recurring expenses which resulted in additional expenses of \$33,800

making the deficit \$91,800. However, most of these expenses are non-recurring, there is accumulating savings and Council has been prudent with their funds. There would be an increase if Council adds the \$4,600 for the EMS contribution. The stormwater grant amount was corrected. Mr. Pizzola then presented the proposed 2022 General Fund budget and discussed the changes from the preliminary budget that resulted from his review and Council changes. The Council President asked for questions and comments from Council and then residents.

Resident Christopher Croteau, 608 Station Avenue asked if taxes were going up. There will be a fee for services for the increase for trash collection. He asked about a surplus. It may be \$20,000-\$30,000.

Grace Judge: Ms. Judge asked Council to upload all LMB files and documents from their personal devices to their individual channel on the LMB TEAMS site. She created a “Monthly Council Reports” folder for members to place their monthly report prior to or shortly after the meeting. She suggested that this process become part of the LMB standard operating procedure that all members are required to adhere to effective December 31, 2021.

Robert McBeth: The Zoning Ordinance Work Group continues to meet on a monthly basis to work on reviewing the processes. The next meeting is Monday, November 29, 2021.

12. MAYOR’S REPORT – none

13. BOROUGH MANAGER’S REPORT - Mr. Ferraro stated that the Verizon Franchise Agreement is still under review with the Solicitor.

Mr. Ferraro reported that the railroad bridge process is on the revised schedule that was submitted to the state.

Mr. Ferraro reported that the Conservatorship is a slow process but is moving forward.

Mr. Ferraro reported Middletown Township is following through on their commitment of ATV patrol in the woods and clearing overgrowth from right-of- way.

Mr. Ferraro asked that when Borough Hall is used, to please set the Hall back up for Council meetings or let Council know it needs to be done.

Mr. Ferraro stated that the posts on the outfall areas on Station Avenue were placed in the wrong location. Mr. Judge should be contacted to place them correctly. Mr. Ferraro stated that the inlets at the bottom of Hill and Station Avenues along Comly are being clogged by leaves and grass clippings. He does not have the authority to call Mr. Judge to come out and perform a service. It was stated that Mr. Judge will be asked to come out on regular basis to remediate. Mr. Ferraro stated that residents are discharging grass clippings and leaves into the street which causes a lot of problems with the inlets and the stormwater. The Stormwater Commission will remind residents about this problem and that it is in violation of the current ordinance in their next newsletter. There was discussion about cleanup of the access road. The inlets are owned by PennDOT. If Mr. Judge works to clean up the access roads, he should have the proper signage.

The Borough Manager reminded Council that this is a state-owned storm system and that if the Borough employs anyone to work on it, the Borough will be liable if anything occurs.

14. SOLICITOR'S REPORT - no formal report

15. CORRESPONDENCE - Ms. Ferraro read a letter to Langhorne Manor Borough Council Members from Bill, Patty Jo, Mike and Heather Barnes thanking Council for their donation to the Barkann Foundation in their mother's memory, the proclamation of March 9 being Maryann Barnes Remembrance Day and for the naming of the Council room to the Maryann Barnes Meeting Room. The family is filled with so much gratitude and hopes that the Council enjoys serving as much as Maryann Barnes did.

Ms. Ferraro read a letter from Larry Langhans, president of the Langhorne Community Memorial Association sharing that the association will celebrate the 100th anniversary of the opening to the public of the Historic 1738 Richardson House on Veterans' Day and November 13, 2021. He asked that the Borough share this with residents and invite them to attend. The association also asked for help from each of the participating communities to commit to making an annual contribution of \$250 to help maintain the house to honor those who served.

16. APPROVAL OF BILLS FOR PAYMENT - The Council President stated that all Council members received a copy of the bills list for payment for November and asked for questions and concerns. The Council President asked for a motion to pay the General Fund unpaid bills for November 2021. Ms. Judge made the motion as stated. Mr. McBeth seconded. There were no objections. The motion carried.

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

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

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

18. COMMENTS FROM RESIDENTS AND VISITORS -

Tracy Smith, 100 West Fairview, asked that landscapers be made aware that they are not permitted to blow leaves and grass clippings into the streets. She stated she sees this happening. This could be added to the notice in the Stormwater newsletter.

Jim Keba, 604 Hill Avenue, asked if advertised ordinances for approval be put on the website. This will be done.

Christopher Croteau, 608 Station Avenue, asked for clarification that dead or dying trees in the right-of-way need to be taken down and replaced at residents' expense. The definition of shade tree was stated. He stated that the speed sign on Hill Avenue is not working again. He strongly recommends that Council approve an increase in the police salaries. He thanked Council and the Mayor.

19. EXECUTIVE SESSION - Council went into Executive Session at 9:18 P.M.

Council resumed the regular meeting at 9:33. P.M.

Mr. Pizzola stated that effective January 1, 2022, the patrolman salary will be \$26.50 per hour from \$21.56, and the chief of police salary will be \$31 per hour from \$26.91. The Borough secretary salary will be increased from \$17 per hour to \$18 and the Borough Manager will be from \$1,000 per month to \$1,100 for 13 months ending December 31, 2022. Ms. Seader asked for a motion to approve the salary increases to the 2022 budget as stated by Mr. Pizzola. Ms. Oessenich made the motion as stated. Mr. Niwinski seconded. There were no objections. The motion carried.

Ms. Seader asked for a motion to approve the 2022 budget for advertisement as adjusted. Mr. Niwinski made the motion as stated. Ms. Judge seconded. There were no objections. The motion carried.

Mr. Profy stated that the motion for the Borough Manager salary should be \$1,100 per month effective December 1, 2021 to December 31, 2022. A motion was made by Mr. McBeth to amend the prior motion to make the Borough Manager's monthly rate \$1,100 effective December 1, 2021. Mr. Pizzola seconded. There were no objections. The motion carried.

Mr. Ferraro stated that he and Ms. Ferraro are grateful that Council recognizes the work they do for the Council and the community and thanked them for the increase in their salaries.

20.. SECOND MEETING FOR THE MONTH OF NOVEMBER- There will be a second meeting on November 23, 2021 to approve a contractor for the tree removal. They will then move into a work session.

Mr. Ferraro stated that information that was passed out on the bids must be returned.

21. ADJOURNMENT - The Council President entertained a motion to adjourn the meeting. Ms. Oessenich made a motion to adjourn the meeting. Mr. Pizzola seconded. There were no objections. The motion carried. The meeting adjourned at 9:40 P.M.

22. NEXT MEETING - The next Council meeting will be November 23, 2021, at 7:00 P.M.

Respectfully submitted,

Barbara T. Ferraro
Secretary/Treasurer
Langhorne Manor Borough