

**MINUTES
LANGHORNE MANOR BOROUGH COUNCIL
MEETING OF OCTOBER 12, 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 October 12, 2021 at 7:00 PM Eastern Daylight 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, Thomas J. Profy, IV-Solicitor, Jay Ferraro-Borough Manager, Barbara Ferraro-Secretary/Treasurer and Chief of Police John Kenney.

Person Absent – Mayor Robert Byrne

2. The Pledge of Allegiance was led by Councilperson Robert McBeth.

3. APPROVAL OF MINUTES - The Council President asked if there were any questions, concerns, corrections or comments on the September 14, 2021 minutes. Corrections and additions: Paragraph 1-Nicholas Pizzola-President to Vice President; page 4, paragraph 3-\$370,000 is not a Borough expenditure. A motion was made by Ms. Gasparovic to approve the minutes of September 14, 2021 as amended. Ms. Oessenich seconded. Ms. Seader abstained as she was absent. There were no objections. The motion carried 6-0-1.

4. AUDIT UPDATE - Mr. John Brodbeck, chairman of the auditors, reported on the 2020 financial audit and report. Mr. Brodbeck noted that the annual report is due to the state in April of the following year. The auditors have not yet submitted the 2020 report due to some issues in the reporting requirements. Mr. Brodbeck stated that Council in 2020 had chosen to report the road project as a capital investment, accruing the costs to capital accounts. The standard for a Borough like Langhorne Manor is cash accounting, which would not allow for accruals. Over the summer, the auditors consulted with appropriate Councilpersons and with an outside auditor skilled in municipal accounting (Bee Bergvall & Co.). In consultation with the Council's finance committee, the accrual entries will be reversed. The state financial report will then be put together and Bee Bergvall will review it for completeness. It will then be submitted, late but correct. Mr. Brodbeck reassured the Council that there were no concerns about the actual monies of the Borough. Nor was there anything inappropriate about using an accrual/capitalization approach for alternate presentation of Borough finances, but cash accounting was needed for the state report.

Resident James Keba, 604 Hill Avenue – Mr. Keba questioned if moving to cash accounting for the roads project would there still have a way to account for the life expectancy of the roads. He believed that it had been said at an earlier Council meeting that the road would be amortized over 20 years. If the Borough goes to cash accounting is there still a way of tracking when the 20 years started, and keep a depreciation schedule in mind? He thought the Borough would now need some other mechanism to mimic that depreciation schedule. It was discussed that the idea of the roads is not a financial aspect, that would be an accounting aspect; there is a history kept

of the roads, the maintenance of them and work that is done to them. Mr. Brodbeck stated that this is an example of the alternative set of books. There is a cash basis for state reporting and a book that shows the depreciation value over the years. It would be advertised that way and kept separately. Mr. Keba asked if that was happening during any current road openings. It is in the fee schedule.

Ms. Seader asked for a motion to approve the audit adjustment. Ms. Judge made a motion to approve the audit adjustment. Mr. Niwinski seconded. There were no objections. The motion carried.

5. RESIDENT COMMENT - none

6. POLICE REPORT - Chief Kenney presented the following Police report for September 2021:

- Hours - 260
- Accidents - 1
- Assists - 10
- Disabled vehicles - 1
- Medical emergencies - 1
- Suspicious incidents - 1
- Other complaints - 5
- Citations - 6
- Miles - 597
- Fuel - 71.7 gallons

Chief Kenney reported that all officers were qualified with the new firearms.

Chief Kenney reported that they are reviewing a new application for a police officer who works for Pennel Borough.

Chief Kenney reported that there is one more speed sign that needs to be installed and the one on Hill Avenue is not working correctly. Middletown will be out to raise it and see if that is the issue. If not, it will be reset.

Chief Kenney reported that the Redevelopment Authority (RDA) grant application has been submitted.

Chief Kenney reported that there is a lot of good feedback from the community about the increased visibility of the police force.

Chief Kenney reminded residents that as holidays approach, to protect packages that are being delivered to their homes. He stated that other municipalities are having problems and to please report suspicious activity and any pertinent information to the police. He stated that U-Haul trucks will follow delivery trucks for quick thefts and the license plates maybe quickly replaced or covered over with paper licenses.

Officers will be patrolling to enforce the Truck Ordinance and the problem with overweight trucks using the Borough roads as cut-throughs.

The barricades and cones have been delivered.

The Police Committee will discuss adding a council member or resident as part of the Committee.

7. INSPECTOR'S REPORT - Ms. Ferraro gave the following inspector's report for September 2021:

- Building Permits - 5
- Construction Inspections - 5
- Resale Inspections - 2
- Resale Reinspection - 2
- Rental Inspections - 3
- Zoning Letters - 1
- Violation Notice - 1

Ms. Ferraro reported that Charles Pluguez from Building Inspectors Underwriters (BIU) has retired and today was his last day. The new inspector and Code Official will be Russell McLaughlin from BIU.

8. COMMITTEE REPORTS -

- Robert McBeth: Mr. McBeth reported that the Zoning Ordinance working group has had three meetings. The group is identifying conflicts within the Zoning Ordinance, highlighting preferences within sub-ordinances and researching documents related to Borough Code. Currently they are reviewing the Langhorne Maor Borough Zoning Ordinance. The next meeting is Tuesday, October 19, 2021.

Mr. McBeth reported that the Shade Tree Commission lantern fly pamphlets for traps were distributed throughout the community. Council received a report outlining their achievements and they will come to the first November meeting with an update.

- Grace Judge: Ms. Judge reported that the Finance Committee recommends a transfer of \$750k from the LMB PA Invest Account (which is currently earning 0.1%) to the First National Bank and Trust Company of Newtown (FNB&T) sewer savings account and then purchase three CDs from FNB&T with those funds in the following increments: CD#1-12 months (\$250k), CD#2-18 months (\$250k), CD#3-24 months (\$250k). Ms. Judge made a motion to make this transfer and purchase the CDs. Ms. Oessenich seconded. There were no objections. The motion carried.

- Nicholas Pizzola: Mr. Pizzola reported that several residents have called Council members questioning how the Borough goes about bidding for large capitol items. The Borough Code and PA Department of Labor & Industry states that anything that is bought of a capitol nature in the

amount of \$21,300 (PA Labor Industry) or above requires a formal bid and advertising. Any purchase under \$11,500 requires no bid. Purchases between \$11,500 and \$21,300 require written or telephonic quotations. Mr. Pizzola stated that residents have heard there was no bidding for the roads project and this is not correct. Mr. Pizzola stated that he would like it posted on the website and that these minutes reflect the following: from the minutes of August 21, 2018, the first road project to repair the access lanes received four formal bids and was awarded to the low bidder, James D. Morrissey in the amount of \$121,469. From the minutes of June 18, 2019, the second road project received three formal bids and was awarded to the low bidder, General Asphalt in the amount of \$1,227,423. The Borough Manager stated that a resident told him that someone came to his door and stated that the Council was not acting appropriately in releasing their contracts. The Borough Manager explained that the property maintenance of snow removal, except for last year, the police station, the roads project, the Borough Engineer contract, and the municipal waste removal contract were all put out for competitive bid and this list should also be put on the website so the community can find the information for themselves.

- Dawn Seader: Ms. Seader stated that Council has a letter from the Bucks County Planning Commission (BCPC) regarding the Hazardous Household Waste Collection Program. Municipalities entered into a three-year contract, which was extended through 2021. The County is looking to approve a four-year contract with the Borough's contribution rates as follows: 2022 - \$248.83; 2023 - \$261.12; 2024 - \$307.20; 2025 - 307.20. The rates are based on census data. Mr. Niwinski made a motion to sign the commitment form for the BCPC Hazardous Household Waste Collection Program. Mr. Pizzola seconded. There were no objections. The motion carried.

Ms. Seader stated that the Event Planning Committee is in the process of planning the Annual Tree Lighting to be held on Sunday, December 5, 2021. The Borough received an email from the committee chair, Susan Pizzola asking for a \$150 donation to the committee. Ms. Seader read the email. The committee has obtained their own EIN number so they will be able to conduct fund-raising activities in order to be financially independent. They were unable to do this last year due to the pandemic and would like to revisit this objective. They currently do not have sufficient funds to obtain the materials needed. The donation will be used to acquire items which will then be offered to the community for purchase. The purpose is to become self-sustaining in order to offer future events to the community. Council is partnering with the Committee with distribution of the donation and the event will be covered by the Borough's insurance. Mr. Niwinski made a motion to make a donation to the Event Planning Committee in the amount of \$150. Mr. McBeth seconded. Mr. Pizzola abstained. There were no objections. The motion carried. 6-0-1.

Ms. Seader reported that the two RDA grant applications for this year, one for police equipment and one for the garage building were submitted electronically and receipt confirmed. As in previous years, the Borough will be provided an opportunity to present the grants to the RDA Board. Ms. Seader reported that the Borough is almost done expending the money from the grants from last year.

Ms. Seader reported that the Langhorne Middletown Fire Company grant is completed. The LED lighting is expected to be completed next month. For the safety equipment grant, the solar radar

signs have been purchased and the cones and barricades have been purchased. The last item under safety are the signs and road painting. Ms. Seader stated that she would also like to include the word “STOP” painted on Bellevue Avenue at the flashing red light intersection. A larger stop sign is also a consideration. Extra time to spend the grant money for these safety signs, crosswalks and painting will be needed as the weather is turning colder and the Borough is waiting for PennDOT/LTAP consultants to give them a report on placement of these items. This will be discussed for approval at the first November meeting.

Ms. Seader reported that the Borough is in the process of executing the Verizon agreement. The Borough utilized the Consortium’s negotiated contract with some slight changes for the Borough. The agreement is currently in the solicitor’s hands and upon his legal opinion, the agreement will be executed. It will then be posted on Teams.

Ms. Seader and the Borough Manager have been speaking about distributing a welcome letter to new residents when they move into the neighborhood. The letter would provide basic information about the Borough - trash pickup, the website, some ordinances of note, permitting process, etc. The thought is to send it out to everyone because there have been quite a few people who have moved into the Borough over the last couple of years. Moving forward it would be sent out to residents as they move in.

Ms. Seader stated that she had informed Council about how some escrows needed to be looked at, as attorney costs were not an allowable expense against zoning escrows. Other costs however are allowable - postage, advertising, and a portion of the stenographer. She is working with the solicitor to revisit the zoning escrows and rebill the Borough. She stated that this is not an easy or quick process but it is ongoing and will be rectified. Mr. Profy stated it should be completed by the end of the year.

Ms. Seader stated that the Community Yard Sale is this Saturday October 16, 2021 and bulk trash pick-up is the following Saturday October 23, 2021.

- **Cheryl Oessenich:** Ms. Oessenich stated that in response to residents questioning why Republic workers are putting recycling in with the regular trash, Republic told her that when the recycling items in a container are contaminated, the worker does not put that resident’s recycling into the recycling truck. He calls the truck that does the regular trash and instructs them to take the recycling as well as the regular trash. Contaminated items are items that have food or drink in them, including pizza boxes that are empty, items such as paper towels, and other items that are not on the allowable list. The Borough’s website has the list of allowable items. The Borough receives grant money in relation to the amount of recycling it does each year. There are also other places for different recycling such as Hazardous Waste. There was appreciation for the work Ms. Oessenich did on the recent electronic recycling event.

- **Alicia Gasparovic:** Ms. Gasparovic reported that the next Stormwater Commission Meeting is Monday Oct 18, 2021 at 7:30 pm, with Liz Colletti from Remington & Vernick Engineers (RVE) going over a recent walk-through of the Borough looking for possible smaller Stormwater projects.

Ms. Gasparovic reminded the Council to revisit live streaming/hybrid meetings in January.

- James Niwinski: Mr. Niwinski reported that due to supply chain issues, the LED lights may not be installed until the middle or end of November. It will be complete in two to three days. Mr. Niwinski is still getting information on the additional lighting that may be needed.

Mr. Niwinski stated that surveyors from PennDOT were in his back yard without notification and stated there was quick response by the Borough Manager. The surveyor's superior contacted the Borough Manager, was apologetic and asked if there was anything they could do. Mr. Niwinski also received an apology from the PennDOT supervisor.

9. MAYOR'S REPORT - none

10. BOROUGH MANAGER'S REPORT - Mr. Ferraro reported that RVE issued the Comly intersection piping plan. This plan will be utilized for competitive pricing. Mr. Ferraro stated that RVE is in communication with Bucks County Soil Conservation District (BCSCD) regarding the permit requirements for the intersection piping. BCSCD suggested RVE piggyback on PennDOT's permit so the Borough does not have to apply for a full permit. RVE has not heard back from PennDOT. A request for proposal will go out to local companies in conjunction with Eckman to excavate the trenches and assist in the installation of the pipe. It will be beneficial for the Borough to have their own contract to set the pipe as it should be done in accordance with the RVE plan.

Mr. Ferraro stated that Councilman Pizzola had requested the information for the Comly Avenue stormwater grant at the last meeting. The Stormwater Chair deferred to the Borough Manager for the information. Mr. Ferraro stated that the information requested had been presented to Council previous to the last meeting and represented to the Council by RVE. He requested that for clarity and specificity the following information be placed in tonight's meeting minutes: Grant: Growing Greener - Watershed Restoration and Protection Grant: Application #8777451; Value: \$453,515,00; LMB Contribution: \$68,028.00 (15% of the grant total). Any additional cost will need to be covered by an additional grant that RVE would assist the Borough in applying for. The Stormwater Commission will need to keep Council updated on the grant status moving forward.

Mr. Ferraro reported that the Waste Collection and Snow removal bids that were advertised are due on November 9, 2021. They will be opened at Borough Hall at 4:01 pm in the presence of the solicitor and anyone who would like to attend.

Mr. Ferraro requested that Council move to appoint Robert Rickerl as Conservator for the properties located at 701 Pine Street and 603 Comly Avenue pending the following conditions to be successfully negotiated: Conservator agreement, Conservator compensation, and the Conservator be covered by LMB insurance or bonded by LMB. The solicitor stated that the court would appoint a Conservator, but it will save the Borough quite a bit of funds to make a recommendation. Mr. Niwinski made a motion to approve recommendation of Robert Rickerl as Conservator to the Court. Ms. Oessenich seconded. There were no objections. The motion carried. Council President asked for Council to allow herself and the solicitor to negotiate the

conditions for the agreement as stated by the Borough Manager. There was discussion about the agreement coming to Council and clarification that the costs will be recouped by the Borough as there will be a lien on the property and there is also the ability to bond over the lien. The solicitor stated that Act provides that the lien is a super lien on the property so he is confident that the expenditures will be recouped. Mr. Niwinski made a motion that the Council President and the Solicitor will negotiate the contract for the Conservator. Ms. Oessenich seconded. There were no objections. The motion carried.

11. SOLICITOR'S REPORT - no formal report

12. CORRESPONDENCE - none

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

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

14. APPROVAL OF TREASURER'S REPORT -

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

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

15. COMMENTS FROM RESIDENTS AND VISITORS - None

16. SECOND MEETING FOR THE MONTH OF OCTOBER - There will be a second meeting on October 26, 2021 to discuss the 2022 budget. Council will go into Executive Session on an employee issue.

17. 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 8:25.

18. NEXT MEETING -

The next Council meeting will be October 26, 2021, at 7:00 P.M.

Respectfully submitted,

Barbara T. Ferraro
Secretary/Treasurer
Langhorne Manor Borough