

MINUTES
LANGHORNE MANOR BOROUGH COUNCIL
MEETING OF SEPTEMBER 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 September 14, 2021 at 7:00 PM Eastern Daylight Time by Nicholas Pizzola, Vice-President.

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

Person Absent - Dawn Seader, Council President

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

3. APPROVAL OF MINUTES - The Council Vice-President asked if there were any questions, concerns, corrections or comments on the August 10, 2021 minutes. A motion was made by Mr. Niwinski to approve the minutes of August 10, 2021. Ms. Gasparovic seconded. There were no objections. The motion carried.

4. POLICE INTERVIEWS - Mayor Byrne stated that the police interviews needed to be deferred to the October 2021 meeting due to two candidates being unable to attend tonight.

5. RDA RESOLUTIONS - Council Vice-President stated that Council had received copies of three resolutions. The Vice-President read the titles and descriptions of the resolutions. Council Vice-President asked if there were any questions or comments.

Resolution #2021-10 authorizing acceptance and distribution to the Langhorne Middletown Fire Company for municipal grant funding in the amount of \$27,883 for the Self-Contained Breathing Apparatus. Mr. Niwinski made a motion to adopt Resolution 2021-10 as stated. Ms. Judge seconded. There were no objections. The motion carried.

Resolution #2021-11 authorizing application to the Bucks County Redevelopment Authority in the amount of \$160,000 for the construction of a three-car bay garage. Mr. Niwinski made a motion to adopt Resolution 2021-11 as stated. Ms. Judge seconded. There were no objections. The motion carried.

Resolution #2021-12 Authorizing application to the Buck County Redevelopment Authority in the amount of \$30,000 for Police Equipment. Mr. Niwinski made a motion to adopt Resolution 2021-12 as stated. Ms. Gasparovic seconded. There were no objections. The motion carried.

6. RESIDENT COMMENT - The Borough Secretary stated that no comment forms were received.

7. POLICE REPORT - Chief Kenney presented the following Police report for August 2021:

- Hours - 247
- Assists - 8
- Civil disputes - 2
- Disabled vehicles - 3
- Fraud - 2
- Medical emergencies - 6
- Mental subjects - 2
- Miles - 677
- Citations - 4
- Fuel - 50.1 gallons

There was initial confusion to the description of the SERT invoice from Lower Makefield Township. Mr. Niwinski made a motion to pay the invoice for the quarterly payment for SERT in the amount of \$423.75 and for body cameras that were purchased by Lower Makefield Township with Langhorne Manor Borough's contribution being a one-time payment of \$1,134.90. Ms. Judge seconded. There was clarification that the invoice was a one-time purchase payment of \$1,134.90 and a \$423.75 per year payment for five years for the body cameras made payable to Lower Makefield. Mr. Niwinski made a motion to withdraw his previous motion. Ms. Oessenich seconded. There were no objections. The motion carried. Mr. Niwinski made a motion to pay the invoice for the SERT contract dated July 19, 2021 for the first year in the amount of \$1,134.90 and subsequent years in the amount of \$423.75. Ms. Gasparovic seconded. There were no objections. The motion carried.

8. INSPECTOR'S REPORT - Ms. Ferraro gave the following inspector's report for August 2021.

- Building Permits - 10
- Zoning Permits - 2
- Road Opening Permit - 1
- Construction Inspections - 8
- Resale Inspections - 2
- Zoning Letters - 2
- Violation Notice - 1

9. COMMITTEE REPORTS -

- James Niwinski: Mr. Niwinski reported that two street-lights were replaced.

Mr. Niwinski reported that the contracts with Armour Electric were ready to be signed to start the LED project. The project will likely start mid-October.

Mr. Niwinski reported that he is looking at purchasing fuel oil through the Consortium starting in December.

- Alicia Gasparovic: Ms. Gasparovic reported that the Pollution Liability Policy is renewing and is \$86 more than last year. The invoice is on tonight's sewer bills list.

Ms. Gasparovic reported that there was increased activity on the website by about 50% due to the postcards that were sent out for Stormwater Information and the E-Waste event.

Ms. Gasparovic reported that some of the Stormwater Commission members will be walking through some areas next week with the stormwater engineers to discuss projects for which the Borough could qualify for grant money from the Bucks County Conservation District. She reminded Council that several commission members were previously certified for this program so that the Borough would qualify to apply. The Stormwater Commission meeting this month will be cancelled because it is before the walk-through.

Ms. Gasparovic reported that the Borough will not know if they were awarded the big grant for the Comly Avenue project until November.

Ms. Gasparovic stated that there is no penalty for cutting down a healthy shade tree in the draft Shade Tree Ordinance or logistics on reporting and enforcing. She requested that these be discussed at the Work Session. She stated there should be a way of informing residents of the requirements similar to the building permit frequently asked questions.

Ms. Gasparovic stated that residents should also receive information about what occurs at a Zoning Hearing.

There was clarification that the grant for Comly Avenue was applied for to the DCED which will be over \$500,000 for the construction. There are two grants. The other is for the design work (Growing Greener).

- Cheryl Oessenich: Ms. Oessenich reported that the E-Waste event will take place at Langhorne Presbyterian Church on September 25, 2021. She stated that items that will be accepted are on the website and there will be a \$30 cash charge for TVs and monitors.

Ms. Oessenich reported that people are asking about items that can be put out for regular trash. Carpet should be cut and tied in four foot bundles.

- Mr. Pizzola reporting for Dawn Seader: The RDA grants will need to be submitted electronically and are due by September 30, 2021. Ms. Gasparovic and Mr. Pizzola are working on the garage submission and Chief Kenney and Ms. Seader are working on the police equipment submission.

Council completed updating the Shade Tree Commission Ordinance and it will be submitted to Council for approval for advertising at the October meeting. Ms. Seader thanked Council for their diligence in working through the Ordinance. The October work session will focus on the tree survey responses.

Ms. Seader met with a representative from HA Thompson regarding Workers Compensation. He had no recommendations and there is limited exposure for the Borough. There will be a report presented for Council review.

Application was made to the Public Utility Commission of Pennsylvania regarding the upgrade of circuitry at the CSX crossing. The new circuitry will allow for detection of a stopped train, allowing for traffic to continue through the crossing. There should be no detours or closures. There is no timeframe. The estimated cost is \$370,000 and will not be a Borough expenditure. Ms. Seader thanked Middletown Township, Penndel Borough and Langhorne Manor Borough representatives (Ms. Seader and Ms. Gasparovic) along with Representative Farry, Congressman Fitzpatrick and their staff for their work with CSX and SEPTA.

- Nicholas Pizzola: Mr. Pizzola reported that there will be a meeting with consultants from LTAP to discuss the safety measures such as crosswalks that will be implemented in the Borough. An RDA grant was received for these measures.

- Grace Judge: Ms. Judge reported that the Finance Committee did research on interest rates for the sewer savings accounts. The PA Invest account which has \$1,016,046 is currently earning a rate of .01%. The First National Bank of Newtown account which has \$785,110 and is earning .15%. Ms. Judge proposed that the Borough take \$750,000 and purchase three CDs from First National Bank of Newtown; a 12 month at CD .25%, an 18 month CD at .35% and a 24 month CD at .40%. The Finance Committee suggested a review in three months to assess the rates at that time. This will be voted on at the October meeting.

- Robert McBeth: Mr. McBeth reported that the Zoning Review Committee is meeting on a monthly basis and are reviewing for current standards and comparison with current codes. There is no timeline on the process but updates will be given periodically.

10. MAYOR'S REPORT - none

11. BOROUGH MANAGER'S REPORT -

Mr. Ferraro asked for a motion to approve the Snow Removal Request for Bid for 2022 which was posted in TEAMS. Mr. McBeth made the motion as stated. Mr. Niwinski seconded. There were no objections. The motion carried.

Mr. Ferraro reported that he spoke with the superintendent for the Hulmeville Avenue bridge project. The trusses should be set early October but are contingent upon a power outage on the railroad. They are about four weeks behind schedule due to rains and are moving some of the roadwork up in schedule to divert water that goes under the intersection and onto the railroad tracks. Remington Vernick Engineers (RVE) is aware and has reviewed the issues with Eckman

and PennDOT. RVE submitted a more finalized schematic detailing the size of the pipe and the structures that are going to be needed for the future stormwater system. Mr. Ferraro confirmed the previous agreement that PennDOT and Eckman will assist the Borough in this system. It is clearly understood that the Borough allowed them to use the parcel of land for their staging on Comly Avenue in trade for their assistance to the Borough in the implementation of the stormwater work. Mr. Ferraro requested that RVE change the re-enforced concrete pipe to a structural plastic at a reduction in cost of the piping. This work will not be until next year and will cause disruption to the road and detours.

Mr. Ferraro requested that RVE reach out to the Bucks County Soil Conservation District (BCSCD) because PennDOT never received formal approval to do the work they are doing to redirect the stormwater. RVE will be finding out if BCSCD will allow the Borough to do the work in the intersection next year without getting the full permit for the basin which the Borough is not prepared for yet. If they do want the full permit, RVE will move things quickly to get the necessary documents submitted. PennDOT and Eckman have been informed.

The intersection of Comly and Hulmeville Avenues will be closed starting Monday for approximately a week and a half, weather permitting. The detours throughout the Borough will divert traffic in order to keep people from finding their own way, to direct them in a specific way and the residents of Comly Avenue will have access to their homes.

Mr. Ferraro reported on the two abandoned and blighted properties in the Borough (306 Comly Avenue and 701 South Pine Street). The owners of both properties have been served for immediate action to be taken and the properties have been posted. There has been communication with both owners. There has been no action taken on South Pine Street and some action taken on Comly Avenue, although not enough to redirect the Borough's efforts. The process for a conservatorship is ongoing. A Conservatorship Manager needs to be hired. The person would need to have construction management and construction estimating experience. Council could assign a conservator or the courts will assign one. It is a paid position and the costs will be assessed against the properties. Under the Abandoned and Blighted Property Conservatorship Act, once appointed, the conservator would seize immediate possession of the property and then has the ability to safeguard the property. The Conservatorship Manager will work side by side with the Borough Manager and the Chief of Police. This should be assigned at the October meeting. Resident Robert Rickerl's name was brought up in conversation with the Council President and Council Solicitor. The Council Vice-President asked Mr. Rickerl if he would like to address the Council. Mr. Rickerl stated he was a project manager for 25-30 years, his experience included project management and estimating for commercial, institutional and residential clients. He was also a project manager estimator for 10 years for solar companies across the country with experience in project management and project administration for large commercial solar projects. He has billing experience as a project administrator for solar projects he worked on as a remote consultant. He has lived in the Borough since 1977 and has served on Council, is currently on committees and loves the Borough. He would like to see some of these blighted properties cleaned up and help the community.

Mr. Ferraro reported that the Borough has received several complaints about 111 Langhorne Avenue and photographs submitted were in TEAMS. The police have investigated. One issue is

encroachment on the right-of-way of Borough Property which is a large piece of property with a high-pressure gas main and power lines over the property. It was reported by neighbors that this right-of-way property once had trees although there are none there now. Photographs show heavy equipment, car carriers, trucks, and a bonfire on this property. Also on TEAMS is proof of internet advertising of a business at this address, along with comments about the degree of work that is being performed, which the Borough knows nothing about. There is a photograph of vehicle lifts with vehicles on them inside the garage. There is always a 25 to 30-yard dumpster parked partially on 111 Langhorne and partially on the Borough right-of-way. There is an auxiliary shed garage with no evidence of a permit and is also on the Borough right-of-way. Mr. Ferraro stated that violation notices for what has been documented can be sent, but it will carry more weight if the Borough has the right-of-way professionally surveyed. The police have asked them at least once to keep all vehicles from obstructing the intersection, but it continues to happen. The building inspector has also been to the property and spoke to the residents about the encroachment. A surveyor for a different property was on the right-of-way to look for a monument and was told to get off the property. A violation notice may be a more favorable to the residents than a police visit. A survey should cost under \$1,000. Council members have also received complaints about this property and recommend getting the survey. The hope is that there will be peaceful compliance to a violation notice. Ms. Judge made a motion to approve a survey to be done of the Borough right-of-way next to 111 Langhorne Avenue. Ms. Oessenich seconded. There were no objections. The motion carried.

Mr. Ferraro reported that the local inspector from Carroll Engineering is doing drive-by inspections of the Grupp property at 108 West Gillam Avenue during and after rainstorms. There is no report yet as the engineer will inspect for a month. The Borough Manager placed photographs on TEAMS of the property during and after the storm "Ida" which shows water on the property where Mr. Grupp reported during the storm. The following morning, about 12 hours later, the water had discharged into the ground. The Borough Manager stated that it appeared that the largest pool of water, which is on the subdivision portion of the property, is sheathing from the funeral home parking lot next door. There was pooling along both streets which had discharged after 12 hours and according to the engineer, this is acceptable as 24 hours is the standard.

12. SOLICITOR'S REPORT - no formal report

13. CORRESPONDENCE - Ms. Ferraro read a letter to Mayor Byrne from William E. Abbott at 803 Hulmeville Avenue commending Police Chief Kenney on his exemplary service in helping him remove an old vehicle from his property. Chief Kenney responded to an evening call the next morning, contacted a towing service, offered to be present when Mr. Abbott handed over the title and gave Mr. Abbott the name of a local notary. Mr. Abbott stated that Chief Kenney was helpful, pleasant, that Mr. Abbott could not have asked for more and thanked Chief Kenney as a man very willing to help out wherever necessary.

14. APPROVAL OF BILLS FOR PAYMENT - The Council Vice-President stated that all Council members received a copy of the bills list for payment for September 2021 and asked for questions and concerns. The Council Vice-President asked for a motion to pay the General Fund

unpaid bills for September 2021. Ms. Gasparovic made the motion as stated. Ms. Oessenich seconded. There were no objections. The motion carried.

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

15. APPROVAL OF TREASURER'S REPORT -

The Council Vice-President asked for a motion to approve the General Fund report for August 2021. Mr. McBeth made the motion as stated. Ms. Gasparovic seconded. There were no objections. The motion carried.

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

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

16. COMMENTS FROM RESIDENTS AND VISITORS -

Phil Gillies, 303 W. Prospect Avenue - Mr. Gillies questioned that PennDOT is directing traffic from Hulmeville Avenue into the Borough and asked if there were conversations with PennDOT as to the heavy trucks on the roads. The Borough Manager stated PennDOT has the right to divert traffic wherever needed and they are permitted. Mr. Gillies expressed concerned about how the traffic issues will be addressed when the Route 1 project begins, precedents that may be set and about the amount of problems there are already. Chief Kenney stated that the patrolling can be increased and asked the residents to work with them a little bit. The Route 1 project will not start for at least four or five years and PennDOT will do what they deem necessary.

Margie Gillies, 303 W. Prospect Avenue - Ms. Gillies stated that the detours do not make sense to her and feels that there is no flow and are all over the place. The Borough Manager stated that the idea behind the detours is to set up the traffic patterns so that not all of the traffic goes the same way. PennDOT is aware that the roads are not truck rated. Ms. Gillies stated she is okay with 10 days.

Ms. Gillies asked if the residents at 111 Langhorne Avenue needed a survey to get the garage, wouldn't there be a survey on record. The Borough Manager answered not necessarily.

17. SECOND MEETING FOR THE MONTH OF SEPTEMBER - There will be no second meeting on September 28, 2021 but there will be a work session. Mr. Niwinski made a motion to dispense with the second meeting. Ms. Judge seconded. There were no objections. The motion carried.

18. EXECUTIVE SESSION -The Council Vice-President stated that Council would be going into executive session at 8:24 p.m.

19. ADJOURNMENT – The meeting resumed at 9:12 p.m. The Council Vice-President entertained a motion to adjourn the meeting. A motion was made by Mr. Niwinski to adjourn the meeting. Mr. McBeth seconded. There were no objections. The motion carried. The meeting adjourned at 9:13.

20. NEXT MEETING -

The next Council meeting will be October 12, 2021, at 7:00 P.M.

Respectfully submitted,

Barbara T. Ferraro
Secretary/Treasurer
Langhorne Manor Borough