

**MINUTES
LANGHORNE MANOR BOROUGH COUNCIL
MEETING OF FEBRUARY 4, 2020**

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 Monday, January 6, 2020 at 8:00P.M. Eastern Time by Dawn Seader, President.

PERSONS PRESENT – Dawn Seader-President, Nicholas Pizzola-Vice President, Robert Byrne-Mayor, James Niwinski, Alicia Gasparovic, William McTigue, Jr., Grace Judge, Maryann Barnes, Thomas J. Profy, IV-Solicitor, Sarah Brucie-Solicitor, and Barbara Ferraro-Assistant Secretary.

PERSON ABSENT – Loretta Luff-Secretary/Treasurer

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

3. APPROVAL OF MINUTES – Motion was made by Mr. Niwinski and seconded by Mr. McTigue to approve the minutes of the December 3, 2019 meeting. No objections were presented. Motion carried. Motion was made by Mr. Niwinski and seconded by Mr. Pizzola to approve the minutes of the December 17, 2019 meeting. No objections were presented. Motion carried. Motion was made by Mr. Niwinski and seconded by Ms. Barnes to approve the minutes of the January 6, 2020 Reorganizational meeting as amended to correct the spelling of Ms. Gasparovic’s name. No objections were presented. Motion carried. Motion was made by Mr. Pizzola and seconded by Mr. Niwinski to approve the minutes of the January 6, 2020 meeting. No objections were presented. The motion carried.

4. PRESENTATION BY CAIRN UNIVERSITY – Ms. Seader turned the meeting over to Jim Bannon from Nave Newell, Inc. Civil Engineering Consultants for the Cairn University project. Accompanying Mr. Bannon were representatives from Cairn University and Worthington Davis. Mr. Bannon refreshed people’s minds with respect to the November 13, 2018 presentation. Since that time, Nave Newell has been finalizing layout and addressing borough comments. The purpose of the presentation was to to seek preliminary final approval conditional upon approval of any outstanding borough engineer comments as well as water and sewer approvals.

Mr. Bannon displayed topographical plans and discussed the differences between the original and the current plans; there is a little less disturbance on parking lot G, an added a rain garden, originally two new dormitories, but now only one. The athletic fields are shifted to be located mostly in Middletown Township except for a section of the softball outfield. They are proposing improvements to the main drive into campus and parking lot G. It also includes a basketball court, rain garden and underground stormwater management system under both of the parking lots, entrance to existing Activity Center and new sports complex which will include natural and synthetic turf baseball/softball field and a synthetic turf soccer field. They have submitted to

Middletown Township for the grading permit which is all that is required for the field on their side. Middletown has “okayed” the plans and are now in the process of finalizing that permit.

Cairn is waiting for water and sewer approvals for the new dormitory and they are both in process. Cairn has executed a special service agreement with Bucks County Water and Sewer Authority and paid the required fee. They will receive letter saying it will provide the water to the dormitory and it does have the capacity to handle the sewer.

As far as the sewer, they are in the process of obtaining a clay module exemption from the Department of Environmental Protection (DEP). Both Langhorne Manor Borough and Middletown Township have signed the clay module mailer submitted to Lower Bucks County Joint Municipal Authority (LBCJMA) last week. Once LBCJMA signs it, they will forward to the DEP for their approval of the exemption.

Mr. Bannon next addressed stormwater management. There are two rain gardens, one underneath the parking lot near the dorms, and one in the parking area along the drive. There are also two surface infiltration/extended retention basins and three underground systems-one under the northern parking lot, one under the main parking lots and one in the stone bed under the synthetic soccer field.

Mr. Bannon stated that this was the summary of the improvements and asked if there were any questions.

Mr. McTigue asked Mr. Bannon to explain the retention basin under the parking lot and the fields. Mr. Bannon responded that under both parking lots there are infiltration/extended retention systems. They performed soils tests in these areas and the results were poor infiltration. They are disturbing more than one acre (19 acres) so they need a NPDES permit from the Bucks County Conservation District/DEP and they have requirements for peak break infiltration recharge and water volume. In this case the Borough’s requirements are more stringent for peak break. They analyze where the stormwater is going now and after the improvements analyze the safe points. For peak break they need to show that they are meeting the Borough’s reduction reach limits 2:1, 5:2, up to 50:50 which means a two-year storm pre-calculation right now will send a certain amount of runoff to a point. They need to hold the runoff back so a one-year storm sets that same amount there decreasing the peak break and the volume at each point to all four points of interest.

As far as the system under the parking lot, Mr. Bannon needs to check plans but believes it is a one-foot stone section and on top of them, there are arches that sit on stone as plastic arches some are 3 feet high and the other 18 inches. They function the same as a conventional retention basin, except using less valuable real estate. It holds the water, contains it for as long as it has to and then releases it more slowly to try to reduce downstream flow. The other part of that is a Delta 2-any increase in runoff from a two-year storm post development from pre-development, they need to infiltrate that runoff to get it right back into the groundwater, so it does not increase any downstream flows. Mr. Bannon stated that they meet both those requirements. Under both parking lots is a stone section with arches on top, the soccer field there are no arches, it’s just the stone section so the base of the soccer field is 18 inches thick and the bottom one foot of that

holds the runoff. It is only controlling what falls directly onto the soccer field, not directing any runoff onto it. They are treating it as impervious surface for calculation but everything that does fall on there will infiltrate to a two-year storm.

Mr. Niwinski asked about water runoff into main drive parking lot. Mr. Bannon responded that the top of the parking lot is a rain garden and would take some of the overflow from the driveway until it goes from there into the underground system. Mr. Niwinski asked if any of it went to the pond. Mr. Bannon responded that they analyzed the area at the existing inlet and the main driveway right before it gets to the pond, and ultimately it will get to the pond, but they demonstrated that at the inlet the rate and the volume will be best after the development.

Mr. Niwinski asked about the construction vehicle traffic. The Planning Commission suggested Fairview Avenue.

Ms. Barnes introduced herself to Mr. Bannon as the chair of the Planning Commission and stated that there were substantial changes in the plans. Mr. Bannon responded not since the planning meeting, only since last council meeting. Ms. Barnes asked solicitor if the planning commission should meet again. Mr. Profy responded that the Planning Commission recommended preliminary and final approval at the Sept. 29, 2019 meeting. The only revisions are ones asked for by Carroll with reduction in number of dormitories to one. Ms. Barnes responded - that is not the only thing - the rain garden, stone under the turf are also changes.

Ms. Gasparovic asked about the waiver for planting strip. Mr. Bannon responded that he believed it was the sidewalk along the entry and they recommended a waiver so they could have a sidewalk right up against the curb instead of having a separate planting strip. It is a private parking area, not a public right-of-way. They did go through the waivers that were requested at the Planning Commission and the Planning Commission recommended the waivers and approval contingent on NPDES permit. These permit applications were submitted today to the Bucks County Conservation District.

Mr. Niwinski asked about start to finish dates once they receive approvals. Mr. Bannon responded dormitory with stormwater would be 10 months. Dormitory construction will begin upon approval and while waiting on additional approvals for the sports area etc. The Borough requested plan showing the area Phase 1A parking lot stormwater approvals, Phase 1B is the dormitory. Phase 1A starts with Conservation District approvals. The building cannot be started until they have the water and sewer approvals. As soon as approvals are received, construction will begin. Everything after that is Phase 2 and is covered by the full NPDES permit.

Mr. Profy stated that at this point in time they need certain things in addition to the adequacy letters before any activity can begin on the site. They will need to start the escrow payment, start the stormwater management plan, and have a meeting with all professionals. Mr. Bannon said step one in the sequence of construction is to give 7 days notice to meet with Borough professionals and Conservation District members on staff. Mr. Profy said that the Borough needs to see certain things before any activity is done. Mr. Bannon said that they would get all the required Borough paperwork and escrows in place as soon as they know what is required.

Mr. McTigue asked if the NPDES permit for the Soils Conservation District that Mr. Bannon referred to was applicable to just the construction phase of the project or in perpetuity. Mr. Bannon said it will cover this whole construction and once this construction is finished you need to submit As-Built stormwater plans and reports testifying and signing as a professional that all these stormwater measures were built and will function as designed. It is then submitted to the Conservation District as part of the process they call Termination. Once that is completed the NPDES permit will also conclude.

Mr. Pizzola asked what a 2 year storm is. Mr. Bannon responded 3.4 inches.

Ms. Seader asked if there were any more questions. Being none, Mr. Profy read the Draft Resolution 2020 for the of the Council of Langhorne Manor Borough Granting Cairn University for the “Preliminary-Final Land Development Plan”, prepared by Nave Newell, Inc., consists of 43 sheets dated March 8, 2019, last revised January 28, 2020. *The Draft Resolution is attached to these minutes.* A motion was made to accept the Draft Resolution as presented by Mr. Pizzola and seconded by Mr. McTigue. No objections were presented. The motion carried.

5. PRESENTATION BY PENNDEL BOROUGH. Mark Moffa from PennDel Borough Council is asking for support for an effort to request PennDOT for a safe pedestrian and bike crossing on the Hulmeville Avenue bridge. PennDel Borough instructed their its engineer to work with PennDOT to come up with solution. They received a letter from PennDOT stating that the new bridge is 4 ½ wider, with 12 foot wide travel lanes and 4.8 inch paved shoulders PennDOT is aware of PennDel Borough’s concerns regarding pedestrians and typically any adjustments to the final pavement markings and signs to between their standards should be able to be accommodated without any issues and there is still a lot of time since the final striping and signage will not be placed until the end of the project. They will circle back with PennDel Borough sometime later this year to go over any preferred changes prior to finalizing.

PennDel Council passed a resolution requesting that PennDOT install markings on and around the Hulmeville Avenue Bridge. Mr. Moffa read a portion of their resolution.

PennDel Council drafted a letter for Middletown Township to use to express support if they wish. Middletown did send the letter today. PennDel Borough is asking Langhorne Manor Borough Council to do the same and provided a sample letter. Ms. Barnes questioned that Langhorne Manor Borough wasn’t mentioned at all in the letter or resolution. If Council wishes, it can use the same letter, inserting their name. Mrs. Barnes asked if it would be in the Borough’s best interest for PennDOT to come and present. Mr. Pizzola will reach out to PennDOT. Ms. Gasparovic asked about the letter. The Borough will send the letter and adopt the resolution. *Resolution attached to these minutes.* Langhorne Manor Borough would be introduced into the letter and council will send a letter to PennDOT. PennDel Borough will handle engineering lobbying for all three municipalities.

6. POLICE REPORT –Mayor Byrne asked for Officer Kenney to come up and be recognized as he is being promoted to Sergeant. Mayor Byrne presented Officer Kenney’s background.

Mayor Byrne then presented the December 2019 police report with total of 286.5 hours. He then presented January 2020 police report with total of 272.5 hours.

Mr. Niwinski asked about the two burglar reports in December and January and if they were houses. Mayor Byrne said he did not know. Ms. Gasparovic asked if we can get more detailed information on crimes. Mayor Byrne said he would speak to Chief Bumm to see if he can elaborate.

Mrs. Barnes asked Penndel Council members asked about train gates being down a lot causing chaos in both Boroughs. This is Middletown Township's Jurisdiction. The two boroughs help each other as courtesy. Joe Dudash from Penndel Borough Council will pass on concerns to their chief.

7. INSPECTOR'S REPORT – Ms. Ferraro reported that for the month of December 2019, there were 3 building permits issued and one construction inspection.

Ms. Ferraro reported that for the month of January 2020, there were 6 building permits approved, two of which were not issued as the building inspector is waiting on additional documentation. There were 6 construction inspections and one consultation with Council President and Assistant Secretary.

8. COMMENTS FROM RESIDENTS AND VISITORS – Chris Croteau, 608 Station Avenue moved in in April 2019. He reported that the intersection at Station and Highland is a cut through between the hours of 4 pm and 6 pm and speeding is an issue. He is recommending stop signs on every intersection. Mayor Byrne said we are almost there. He suggests targeting at certain times. Ms. Seader said when we do patrol, it does cut down on speeding. Mayor Byrne stated we have to put lines on road, no radar for speeding. We need to wait until the road project is complete. We need two officers for speed tracking.

Resident Mr. Croteau also stated that there was a Shelter in Place (SIP) issue last week. The school bus couldn't come through and child couldn't get home. He questioned if we get a SIP, can we bring an officer on? Mayor Byrne said most likely not because they have full time jobs. The only notification the Borough had was Facebook.

Ms. Gasparovic talked about stop lines at signs that have been paved over. They will be put back after the paving is complete. Joe Dudash from Penndel Borough Council asked if we would want to use their speed sign, he would ask the Chief.

9. POSITION OF AUDITOR Ms. Seader stated that when we make appointments and follow Roberts Rules of Order, we do not need to have a second. Ms. Gasparovic confirmed that we should take all the nominations then vote on the order that they came in. The Borough received one resume for Auditor from Patrick Mundy who handed out his resume to council and told them a little about himself. Ms. Seader asked if there were any questions. Ms. Gasparovic stated that he had an impressive resume, Ms. Barnes agreed. Ms. Seader asked if there were any other applications, being none she asked for a nomination. Ms. Gasparovic made a motion to

nominate Patrick Mundy to the position of Auditor. There were no objections. The motion carried.

10. COMMITTEE REPORTS

- Mr. Niwinski reported that the oil tank was replaced, had received two estimates and the job went to Seifert and PTE and was completed on January 23, 2020.
- He reported that there were two replaced street lights, and two others are being monitored. One out on Comley and Station. Ms. Seader questioned Bellevue and Highland being on and off. They are checking why it's cycling.
- Mr. Niwinski met with Ms. Judge about making recommendations as part as the Finance Committee tasks-looking for efficiency, making it easier for auditors. Ms. Seader stated the Auditors had recommended that there be a Finance Committee and Mr. Niwinski and Ms. Judge have been tasked with this.
- Ms. Gasparovic looked at other banks to move some of our accounts to higher yielding banks. This was recommended by our Bookkeeper. Ms. Gasparovic gave a handout showing comparisons and suggested that it should be an easy choice to move our accounts to Pennsylvania Local Government Investment Trust. Ms. Seader asked the Finance Committee will look into this and at least as a starting point look into moving the sewer money into a higher yield account.
- Ms. Gasparovic asked if we have money with Pennvest? Ms. Barnes said that Pennvest was the original account for the sewer project. Mr. Pizzola stated the current rate is 1.786% with Pennvest with \$510,000 in the sewer fund.
- Ms. Gasparovic thanked the Mayor, Tracey and Mr. Pizzola working with different issues in the community.
- Ms. Gasparovic is working with the insurance company regarding the cyber claim. Steps were taken to address the issue. It doesn't look like we will have a claim, no residents or personal information was exposed.
- Mr. McTigue read the following summary of the Borough's new Municipal Separate Storm Sewer System (MS4), prepared by Carroll Engineering Corporation. *The Milestones are attached to these minutes.*

“Please see the attached summary of the Individual MS4 Permit Milestones for your review. As discussed, I provided a brief summary of the permit requirements. Additionally, all the major permit milestones to be met throughout the five (5) year permit cycle have been noted. As you requested, I noted the approximate cost for each permit milestone. The Borough will need to the complete BMP construction (infiltration trenches) to satisfy the pollutant reduction requirements of the permit within five years. We recommend that this work be completed in 2022 and 2023 to allow enough time to complete the project(s) prior to the permit's expiration in 2024. I have

attached RETTEW's estimate for Option 1b: which is for the construction of infiltration trench along 1,761 linear-feet of Station Avenue for your reference. This was also used in approximating Option 3b: which is for the construction of infiltration trench along 1,450 linear-feet of either Fairview Avenue, Park Avenue, or Pine Street (Borough's choosing). The aforementioned BMP's will satisfy the permit requirements for the Neshaminy and Mill Creek Watershed, respectively. The Borough may wish to have CEC revisit the RETTEW BMP estimates in the future as they appear to be on the low side of what would be expected. Engineering for the design and implementation of these BMP's was also included in the RETTEW estimate as a percentage of construction."

- Mr. Pizzola prepared an update of suspension of the road project for the website. Residents can go and look at the summary. The biggest questions are about driveways.
- Ms. Judge is working with Ms. Ferraro on office needs and will be doing research on more up to date computer system.
- Ms. Barnes had no report.
- Ms. Seader requested that a motion be made to approve the salary for Assistant Secretary Barbara Ferraro at \$15 per hour. Ms. Barnes made the motion and Mr. Niwinski seconded. There were no objections. The motion carried.

11. LANGHORNE MANOR EXCAVATION/PAVING ORDINANCE - Mr. Pizzola summarized the ordinance. He stated that currently the ordinance states any utility company that excavates any newly paved street in the next two years will have to repave the entire block. The ordinance was written so that utility companies who plan major service replacements will have to restore the road to like new condition within two years of the paving project's completion. The ordinance is being modified so a resident who is installing a privately owned service line to connect to water, electric or gas services will not have to repave the entire block. The resident will have to pay permit fees and pay to repair only the area excavated. For example, if a 15 x 3 foot trench is dug, a resident will be charged Permit fees of about \$1,000 and will also have to pay for the repair of that area. Resident Mr. Ferraro asked who would pay for a gas line connection excavation that could run 100 feet or more to a distant gas main. Mr. Pizzola said that it would be the resident's responsibility if the trench is cut into the newly paved street. Ms. Gasparovic is concerned that residents have not been given notice of the potential high costs they may face if they wanted to obtain a new utility service or replace existing service. Mr. Pizzola stated that someone has to pay for the cost of the excavation of the streets and it shouldn't be the borough. The permit cost for a typical small service line excavation is reasonable. The solicitor will prepare a revised draft reflecting the addition of lower fees for residents installing service lines.

12. MAYOR'S REPORT – The Mayor has been monitoring Hill Avenue truck traffic and it's substantial. He asked Resident Jay Ferraro what the ordinance is. Mr. Ferraro responded that currently trucks are limited at 4,000 pounds except for local deliveries. Council has right to control this.

13. SOLICITOR'S REPORT – The Grupp family advised they will resubmit their land Subdivision request. Due to Conflict of Interest with the Solicitor they will use the Solicitor from Hulmeville Borough. This will be no additional cost to Langhorne Manor Borough. Ms. Barnes made a motion to accept the resubmission of the land subdivision request. Mr. McTigue seconded. There were no objections. The motion carried.

14. CORRESPONDENCE – Ms. Ferraro read a thank you letter from Bucks County Housing Group for the toys that were collected from the Tree Lighting.

15. APPROVAL OF BILLS FOR PAYMENT - Ms. Seader stated that all Council members received a copy of the bills list for payment and asked for questions and concerns. Ms. Gasparovic questioned \$541. Mr. Pizzola stated it was the cost of mailings for the road project. Ms. Seader said \$60 duplicate from January was not a duplicate. They were two separate fees. Ms. Barnes made a motion to accept the bills list as presented. Ms. Judge seconded. There were no objections. The motion carried.

General Fund: Motion was made by Mr. Pizzola to approve the General Fund report as presented and seconded by Mr. Niwinski. There were no objections. Th motion carried.

Highway Aid: Motion was made by Mr. Pizzola to accept the Highway Aid report as presented and seconded by Mr. McTigue. There were no objections. The motion carried.

Sewer Fund: Motion was made by Ms. Barnes to accept the Sewer Report Fund as presented and seconded by Mr. Niwinski. There were no objections. The motion carried.

16. COMMENTS FROM RESIDENTS AND VISITORS: Resident Peter Jackson, 606 Hulmeville Avenue asked what the cost per street light is on a monthly basis. The response was about \$1000 for all the lights. When was price last revised? Mr. McTigue said millage hasn't change for decades.

Resident Chris Croteau, 608 Station commented again about four way stop signs.

Resident Jay Ferraro questioned whether or not Cairn University engineers designed silt and sediment traps at the discharge point of the new basins and self-draining field. Mr. Profy said he would have it addressed in the final draft agreement.

17. SECOND MEETING – Ms. Barnes made a motion that there would be no second meeting in February. Mr. Niwinski seconded. There were no objections. The motion carried.

18. ADJOURNMENT – Ms. Seader entertained a motion to adjourn the meeting. Motion was made by Mr. McTigue and seconded by Mr. Niwinski to adjourn the meeting. No objections were presented. The motion carried. The meeting adjourned at 9:43P.M.

The next meeting will be March 3, 2020 at 8:00 P.M.

Respectfully submitted,

Barbara T. Ferraro
Assistant Secretary
Langhorne Manor Borough