

Langhorne Borough Council Meeting

August 9, 2023

A Langhorne Borough Council Meeting was held at Council Chambers on Wednesday, August 9, 2023. President Murdock called the session to order at 7:37 p.m. and invited those in attendance to pledge allegiance to the Flag.

IN ATTENDANCE: President Paul Murdock; Vice President Rich Mason; Councilpersons Tony Marfia, Nancy Culleton, Kathleen Horwatt, Scott Haldeman, and Kristen Farry; Mayor Joe Taylor; Solicitor David Truelove; Police Chief John Godzieba; Treasurer Ellyn Schoen; Manager Steve Bradshaw; Clerk Mary Zimmerman.

MAYOR'S REPORT: No Report.

POLICE CHIEF'S REPORT: See attached document.

ANNOUNCEMENTS & PRESENTATIONS: None.

ENGINEER'S REPORT: George DiPersio from CKS Engineering reported on two projects:

The Richardson Drainage Project: The project should be finished this week. The grading was extended further down Hulmeville Avenue to 205 Hulmeville Avenue, which resulted in a minor cost increase. The slant of the drainpipe under the driveway at 205 Hulmeville has been altered due to large trucks having been parked over it at one time.

Route 413 Storm Inlets: PennDOT notified the Borough Manager on August 3, 2023, that 13 inlets along Pine Street will require repair or replacement ahead of the upcoming paving project.

CKS prepared a preliminary estimate dated August 4, 2023, for the cost to replace 13 inlet boxes and inlet tops. Some of the inlet boxes are made of brick, which is not allowed under today's code. There will be upgrades required.

CKS will seek authorization from the Borough Manager to perform field inspections of the 13 subject inlets. The cost estimate of \$166,000 will be revised based on the inspector's findings.

COUNCIL DISCUSSION: Council discussed how to proceed with the inspection and the possibility of finding the need for further repairs. Councilperson Horwatt raised the need for curb repairs, the worst curb being at Pine and Winchester. Mr. DiPersio suggested the curbs be reprofiled altogether. He also said that this could be an opportunity to apply for grants to make more improvements, such as an ADA crosswalk at Pine and Watson. The DCED Local Share State Grant application process opens in September.

CRESTWOOD-TOLL RESIDENTIAL DEVELOPMENT PROJECT:

Toll has opted to pursue their appeal with the Zoning Hearing Board. A hearing is scheduled at the American Legion Soby Post, for August 30, 2023. Langhorne Borough Planning Commission and BCPC are continuing work on an overlay ordinance with support from CKS and Tom Comitta Associates.

COUNCIL DISCUSSION: Mr. DiPersio asked in what capacity Council would like him or CKS to represent the Borough at the Zoning Hearing Board meeting. Councilperson Horwatt expressed

strong support for him to attend because he has been instrumental in the whole process so far.

Solicitor Truelove said that Solicitor Kirk would work with Mr. DiPersio during the cross examination of the applicant's testimony. She would have to establish a record during the hearing. He recommended that this all be done at ground level. It was not yet known what information Toll would present. As they were requesting so many variances, several hearing dates might be required.

PUBLIC COMMENT: None.

MOTION: On motion of Councilperson Horwatt, seconded by Vice President Mason, Council voted 5 to 1 to send the Borough Solicitor and CKS as representatives to oppose Toll Brothers' current plan for the development at the Zoning Hearing Board Meeting. Vice President Mason and Councilpersons Culleton, Haldeman, Horwatt, and Marfia voted in favor; President Murdock opposed; Councilperson Farry abstained.

COUNCIL DISCUSSION: Councilperson Farry suggested taking the middle ground at the first meeting, with a focus on the highest priorities and concerns of the Borough. She was concerned that taking a strong negative stand could result in a lost opportunity for the Borough. Councilperson Culleton stated that there is a difference between "opposing everything" and "saying we don't like the project as it stands now." Councilperson Horwatt said she felt Toll was working on compromises. She was very concerned about their request for an HOA.

COUNCIL DISCUSSION ON AN ANTI-DISCRIMINATION ORDINANCE: Councilperson Culleton had presented a packet of three local municipalities' ordinances for Council to review. She further discussed some of the differences and recommended using the Yardley Borough ordinance as a model.

MOTION: On motion of Councilperson Culleton, seconded by Councilperson Horwatt, Council voted unanimously to authorize the Borough Solicitor to draft an Anti-Discrimination Ordinance for Langhorne Borough based on the Yardley Borough Ordinance, with the addition of a protection for breastfeeding and the deletion of references to conversion therapy.

ACTION: Councilperson Culleton said that if Council voted at the next meeting to advertise the ordinance, that might be the time to appoint three members of Council to create a sub-committee to explore how to set up the Human Relations Commission.

PRESENTING THE SAFE ENGINEERING REPORT TO OTHER MUNICIPALITIES: Councilperson Horwatt felt strongly that Joe Fiocco of SAFE Engineering should be asked present the findings of the SAFE Report to officials of Langhorne Manor and Middletown Township, as well as to Senator Farry.

MOTION: Councilperson Horwatt made a motion, seconded by Councilperson Haldeman, to send the SAFE Engineering report to Langhorne Manor Borough and Middletown Township with an option of paying Joe Fiocco \$129/hour with a cap of \$500 to present the report to the municipalities if they wish.

DISCUSSION: There was discussion about how receptive the other municipalities would be to Mr. Fiocco's presentation and about their level of interest in the issue.

Council agreed to defer the motion until after two other motions were considered.

MOTION: On motion of Councilperson Culleton, seconded by Vice President Mason, Council voted 4 to 2 to endorse the Grassroots Truck Study. Vice President Mason and Councilpersons Culleton,

Haldeman, Horwatt, and Marfia voted in favor; President Murdock and Councilperson Farry voted against.

DISCUSSION: President Murdock and Councilperson Farry felt the truck study's claim of "environmental racism" was inappropriate. Councilperson Farry questioned the accuracy of the study's claim that PennDOT had said only 4 trucks an hour traversed 413. The response was that both Councilperson Horwatt and Council President Murdock had heard the 4 count statement and both had questioned PennDOT as to the accuracy and time frame.

MOTION: On motion of Councilperson Marfia, seconded by Councilperson Culleton, Council voted unanimously to approve Resolution 2023-09, Supporting SAFE Engineering Study Opposing PennDOT's ParClo Alternative 2A plan.

MOTION: Amending the original motion, Councilperson Horwatt, seconded by Councilperson Haldeman, made a motion to send a packet including the SAFE Engineering study, the Grassroots Truck Study, and Resolution 2023-09 Supporting SAFE Engineering Study Opposing PennDOT's ParClo Alternative 2A Plan, to Middletown Township and Langhorne Manor Borough. The motion passed unanimously.

MOTION: On motion of Councilperson Haldeman, seconded by Councilperson Horwatt, Council voted unanimously to approve Resolution 2023-10, transfer of funds from Borough bank into Pennsylvania Local Government Investment Trust (PLIGIT) account.

MOTION: On motion of Vice President Mason, seconded by Councilperson Culleton, Council voted unanimously to approve Ordinance 2023-03, Adopting the 2018 International Property Maintenance Code.

MOTION: Councilperson Haldeman, seconded by Councilperson Culleton, made a motion to advertise Ordinance 2023-04, Regulating the Installation and Operation of Security and/or Fire Alarm Systems.

COUNCIL DISCUSSION: Council discussed what the ordinance would entail. It was felt that it would be burdensome to residents. Further investigation into Middletown's ordinance was suggested.

Motion Tabled: On motion of Councilperson Horwatt, seconded by Vice President Mason, Council voted unanimously to table the motion to advertise Ordinance 2023-04, Regulating the Installation and Operation of Security and/or Fire Alarm Systems.

MANAGER'S REPORT:

- Codification is still being worked on.
- A meeting is scheduled for August 9 with the RDA to discuss grants.
- A zoning application was submitted for a minor lot line change at 151-141 W. Maple Ave.
- A Stormwater easement between Borough Hall and 118 E. Maple is being worked on.
- The office computers are being networked.

SOLICITOR'S REPORT: Solicitor Truelove said the solicitors had been working on ordinances, resolutions, and other Borough issues.

COMMITTEE, BOARD & COMMISSION REPORTS:

Environmental Advisory Commission: Vice President Mason noted the August 17 meeting would be

postponed until Sept 17. EAC is actively seeking new members.

Fire Company: No Report.

Councilperson Haldeman spoke to the report he had sent out regarding the fire calls for the Borough. It was a very detailed spreadsheet noting the time and place of each call and the distance from Borough Hall. Council further discussed the calls and how Middletown Fire Department is assisting all surrounding volunteer fire companies.

HARB: The following applications were approved by HARB:

Aloi Properties LLC, 135 N. Bellevue Ave, to paint the property with the Sherwin-Williams historic colors submitted.

Shalim Shahid, 104 E. Maple Ave., to replace the existing sign with a sign with vinyl lettering over wood, using the existing sign as base.

John Kittel, 136 W. Marshall Ave., to install a 16' x 16' deck at the rear of the house using composite decking, and, also at the rear of the house, a 16' x 22' patio utilizing stamped concrete.

MOTION: On motion of Vice President Mason, seconded by Councilperson Horwatt, Council voted unanimously to approve the HARB Report.

Heritage Farm/L.O.S.I.: No Report.

Planning Commission: Chair Paul Schneider said he was disappointed and surprised that Toll didn't come back to further work on an overlay. He reported that Planning Commission continues to work on the overlay ordinance and the minor lot line change request for 141-151 W Maple.

Recreation Board: Councilperson Horwatt reported the there was a major leak at the playground. When K.E. Seifert's crew came out they had to take down a tree and unfortunately did a lot of damage to the grounds. Repairs cost \$800. Seifert did not bill for the tree work.

Shade Tree Commission: No Report.

Communications Team: Councilperson Culleton commended the Borough staff, especially the Clerk, for their work on the website, which is shaping up very nicely. It continues to be a work in progress. The Communications Team will continue to request content updates from boards and commissions. The Photo Contest has evolved into an invitation to submit photos of the Borough over the course of a year, which will be used as content for the website and as a means of bringing people to the website. At the end of the year a vote would be held for the best photos. A photo waiver has been created.

President Murdock had stepped down from the Communications Team. It was decided that he did not need to be replaced, that Councilperson Farry would stay on the team as a consultant, and that Councilperson Culleton would attend the monthly meetings. Manager Bradshaw would like to donate rocks to help facilitate the Langhorne "Rocks" Project. They could be placed in the pink wheelbarrow Amy Andrews donated for people to "take a rock, leave a rock." The Langhorne Rocks Facebook page is still very active. Manager Bradshaw said that Comcast is actively working with the Borough on upgrades to the system.

APPROVAL OF PERMITS, ZONING, MINUTES, TREASURER'S REPORT & BILLS

MOTION: On motion of Vice President Mason, seconded by Councilperson Culleton, Council voted unanimously to approve the sign permit for Ivy Rehab.

MOTION: On motion of Councilperson Haldeman, seconded by Vice President Mason, Council voted unanimously to approve the sign permit for Smoke City.

MOTION: On motion of Councilperson Marfia, seconded by Councilperson Haldeman, Council voted unanimously to approve the Mayor's Park soccer field permit for Hulmeville Soccer Club.

MOTION: On motion of Councilperson Culleton, seconded by Councilperson Marfia, Council voted unanimously to approve the permit for Langhorne Council for the Arts Porch Fest on September 9 with a rain date of September 10, 2023.

MOTION: On motion of Councilperson Farry, seconded by Councilperson Marfia, Council voted unanimously to approve the permit for the American Legion Soby Post Annual 5K Run/Walk on November 4, 2023.

MOTION: On motion of Councilperson Culleton, seconded by Vice President Mason, Council voted 6 to 0 to approve the Treasurer's Report. Councilperson Haldeman abstained.

MOTION: On motion of Vice President Mason, seconded by Councilperson Farry, Council voted unanimously to approve payment of the bills, subject to any changes in the solicitor's bills.

MOTION: On motion of Councilperson Horwatt, seconded by Councilperson Haldeman, Council voted unanimously to approve the June 29 Work Session minutes and July 12 Council Meeting minutes.

PUBLIC COMMENT: Councilperson Horwatt, 217 W. Maple Ave, encouraged everyone to come to the Pet Fair on August 26. She also asked the Manager to find out what Middletown Township is doing on the Borough border.

ADJOURNMENT With no other business, on motion of Councilperson Farry, seconded by Councilperson Marfia, Council voted unanimously to adjourn at 9:40 p.m.

Respectfully submitted,

Steve Bradshaw, Secretary

Next Council Meeting: September 13, 2023, at 7:30 p.m.