

Langhorne Borough Council Meeting
December 11, 2024

A Langhorne Borough Council Meeting was held at Council Chambers on Wednesday, December 11, 2024. President Culleton called the session to order at 7:00 p.m. and invited those in attendance to pledge allegiance to the Flag.

IN ATTENDANCE: President Culleton; Vice President Kathleen Horwatt; Councilpersons Tim Harris, Anthony Marfia, Adam Zielinski, Bob Cumming, and Scott Haldeman; Solicitor Barbara Kirk; Chief John Godzieba; Treasurer Ellyn Schoen; Interim Manager Mary Zimmerman; Consultant Paul Leonard; Clerk Gabe Tenaglia

ABSENT: Mayor Joe Taylor

AGENDA REVIEW: President Culleton moved the motion to adopt the 2025 budget to after approval of the consent agenda so it can be discussed while Treasurer Schoen is present. She also announced that Bob Wharton is not retiring from HARB; while he is stepping down as Chair, he will stay on as a member.

ANNOUNCEMENTS & PRESENTATIONS: President Culleton introduced Interim Manager Zimmerman and Consultant Paul Leonard, who has been brought on to assist the office through the middle of January. President Culleton also recognized the heroism of the Langhorne-Middletown Fire Department, the Pennel Fire Company, the Parkland Fire Company, the Pennel-Middletown Emergency Squad, and all the first responders to the fire that broke out on West Richardson on November 16th. Then Andrew Schifferli, Director of the Pennel-Middletown Emergency Squad, spoke before Council about the Borough resuming municipal contributions for the functioning and funding of the PMES. He gave an overview of the PMES' employees, facilities, services, budget, income, and expenses and explained that they are almost entirely reliant on billing insurance, which on its own is not enough to fund the services they provide. PMES get around 200-250 calls per year from the Borough. He went on to explain that as far back as their records go, which is 2014, Langhorne Borough was contributing around \$1,000 annually to the PMES, but from 2020 onward the Borough ceased its financial contributions. He said that a per person contribution rate would come out to around \$8,800 a year. Councilperson Haldeman asked if the majority of the Borough's calls come from Woods Services; Director Schifferli said he can find out. He also indicated that a \$1,300 annual contribution would be acceptable. President Culleton said that she and Treasurer Schoen identified extra tax money owed to the PMES in the amount of \$1,030.21, and provided Director Schifferli with a check for that amount.

POLICE CHIEF'S REPORT: Chief Godzieba said that the police covered five special events in November, and there are fourteen throughout the year. Some are very labor-intensive and for many of them, the police try to supplement their presence with the fire police from the Langhorne-Middletown Fire Company, but they currently have only four members and are not always available. He said that a volunteer auxiliary police unit would be very helpful given the demands events place on the department's resources. Tullytown and Quakertown have had great success with their auxiliary police units, and Yardley created one two years ago. Chief Godzieba said he will provide Council with additional information. He said that the police budget would be able to support the cost of uniforms and equipment, and the auxiliary police unit could do its own fundraising. He also explained the training the volunteers would receive. President Culleton said that adopting an auxiliary police unit can be discussed further in January once more information is received, and Council can have the Solicitor craft an

Ordinance. She also said that the cost of the police's infrastructure needs, namely replacing their firewall and leasing a copier, can come out of the police budget or the building fund if necessary. Chief Godzieba also suggested renaming the police car fund the police capital fund to allow for the funding of projects that are not covered by the general police budget. Treasurer Schoen said the fund may previously have been renamed to the vehicle fund and suggested that the minutes be looked through to confirm this change. Council determined that the change may have been in 2014. Councilperson Haldeman said that the car fund is for cars and should not be changed. Vice President Horwatt suggested putting in less money instead. She also announced that a Live Nativity event will be held at the United Methodist Church on Sunday the 22nd and Monday the 23rd from 6:00-8:00 p.m., and requested that a police vehicle be there to help slow traffic.

PINE STREET SPEED LIMIT REDUCTION FROM 35MPH to 30MPH: Former Manager Steve Bradshaw had said he got approval from PennDOT to lower the speed limit on Pine Street to 30mph, but the Borough has no record of PennDOT issuing their approval. They did receive the results of the study on Pine Street, and Interim Manager Zimmerman said that PennDOT will send over the results of the study done on Maple Avenue. President Culleton noted that, according to the results of the study, the portion of Pine Street in the Borough does not have a speeding problem because the volume of traffic keeps cars from going too fast. Council and Chief Godzieba debated whether a 5mph speed limit reduction is worth pursuing, given the expense the Borough would incur for advertising the change and the difficulties in enforcing it. Vice President Horwatt suggested tabling the motion to lower the speed limit on Pine Street until proof is found that PennDOT actually approved the change. Mr. Leonard said that PennDOT confirmed they will drop the speed limit to 30mph when he spoke with them. After further discussion Vice President Horwatt suggested having delineators at the library and asked how much it would cost. Mr. DiPersio estimated that it would cost \$30,000. Councilperson Cumming asked about the status of the application for limiting tonnage on Maple Avenue; Interim Manager Zimmerman said she will check.

MOTION: On motion of Councilperson Cumming, seconded by Councilperson Haldeman, Council voted unanimously to table advertisement of Ordinance 2024-XX: AN ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF LANGHORNE, BUCKS COUNTY, PENNSYLVANIA, FOR REDUCING THE SPEED LIMIT ON PINE STREET (ALSO KNOWN AS STATE ROUTE 413) IN ACCORDANCE WITH THE REGULATIONS PROMULGATED BY PA. DEPARTMENT OF TRANSPORTATION, PROVIDING PENALTIES FOR VIOLATIONS AND ESTABLISHING AN EFFECTIVE DATE until more information about the Maple Avenue speed study is available.

CONSENT AGENDA: The consent agenda consisted of the minutes for the 11/13 Council Meeting and 12/03 Special Council Meeting, the treasurer's report, and payment of the bills. President Culleton thanked Treasurer Schoen for providing a list of the bills.

MOTION: On motion of Vice President Horwatt, seconded by Councilperson Cumming, Council voted unanimously to approve the consent agenda.

2025 PROPOSED BUDGET: Treasurer Schoen provided Council with a revised budget this afternoon. Solicitor Kirk noted that the original budget proposal was already advertised and asked how significant the revisions are. Treasurer Schoen explained that on the recommendation of the Borough auditors, she moved three items into the General Fund that had always been classified separately in order to meet the Department of Community and Economic Development (DCED) filing requirements. The items increased both the revenues and expenses, resulting in a net zero increase of the total budget. Solicitor Kirk said that this poses no issues for adoption. President Culleton said that the earned income tax figure

on the budget is set at \$400,000, and the Borough has over \$500,000 for this year. Interim Manager Zimmerman and Mr. Leonard have been working with Keystone Collections to verify that the money really belongs to the Borough and was not erroneously appropriated from another municipality. There was further discussion, and then Vice President Horwatt asked Treasurer Schoen for more explanation of her changes. She explained each one to Council. There was some back-and-forth about which version of the budget to approve, and Council ultimately elected to pass the original proposed budget and then update it later based on the auditor's recommendations. Vice President Horwatt also asked if the Borough received any additional insurance money for the Mayor's Playground aside from reimbursements for the demolition and the pillar. Treasurer Schoen said no other insurance money was received. After further discussion, President Culleton asked Councilpersons Zielinski and Cumming to work with Interim Manager Zimmerman on the insurance payments.

MOTION: On motion of Vice President Horwatt, seconded by Councilperson Zielinski, Council voted unanimously to approve the 2025 budget for \$803,000.

ENGINEER'S REPORT:

Stormwater Management Ordinance Amendment: Solicitor Kirk prepared a bill for advertisement summarizing CKS' recommended changes to the Borough's Stormwater Ordinance. Engineer George DiPersio suggested that if the Borough votes to advertise that they hold off until the Environmental Advisory Committee has had a chance to provide feedback. Vice President Horwatt said that Mr. DiPersio should be at the EAC meeting where the changes are discussed. Solicitor Kirk said that given the cost and timing requirements for advertisement, Council should first submit the Ordinance to the EAC for review as quickly as possible. President Culleton said that the EAC was hoping to have Mr. DiPersio present for the January meeting to provide guidance on the MS4 Project. Mr. DiPersio said he can attend an EAC meeting of Council's choice to discuss the Ordinance and MS4 Project. Councilperson Haldeman expressed concern about overwhelming new EAC members and Council discussed when to have Mr. DiPersio attend an EAC meeting. Solicitor Kirk suggested scheduling a special EAC meeting to discuss the Stormwater Ordinance Amendment once the new members are appointed. Mr. DiPersio asked if questions could be compiled ahead of the actual meeting so CKS can be better prepared.

MOTION: On motion of Councilperson Cumming, seconded by Councilperson Marfia, Council voted unanimously to table advertisement of Ordinance 2024-XX: AN ORDINANCE OF THE BOROUGH OF LANGHORNE, BUCKS COUNTY, PENNSYLVANIA, AMENDING THE LANGHORNE BOROUGH RESOURCE PROTECTION AND STORMWATER MANAGEMENT ORDINANCE, AND ESTABLISHING AN EFFECTIVE DATE.

MOTION: On motion of Councilperson Zielinski, seconded by Councilperson Marfia, Council voted unanimously to approve Resolution 2024-39, Approving Highway Occupancy Permit (HOP) Condition Statement.

Mayors' Playground LSA Statewide Grant Application: Mr. DiPersio announced that CKS submitted the DCED Local Share Account Statewide (LSA) grant application seeking \$1,000,000 through the online portal on November 27, 2024. The grant awards will be announced in the fall of 2025.

7-11 Crosswalk Wedge: Mr. DiPersio said that the wedge between the curb and utility pole at the 7-11 has been repaved.

141-151 West Maple Avenue Lot Line Change: Clerk Tenaglia asked if Mr. DiPersio could explain what

the office needs to do to finalize the 141-151 West Maple Avenue lot line change. He said that the record plan has been approved and CKS is recommending that it be signed. The Borough must sign off on the plan and it should not be released until the applicant pays all outstanding invoices. Solicitor Kirk further explained that she asked the attorney for 151 West Maple Avenue to sign and record the deeds. There was lengthy discussion of escrow monies owed to the Borough and who is responsible for recording the final record plan, and Council determined that the Borough would record the plan.

PLANNING COMMISSION: President Culleton explained the Ordinance amending the TND-1 Overlay District and Solicitor Kirk explained that the Ordinance has been numbered 2024-05. A copy has been submitted to the Bucks County Law Reporter and it has been advertised in the Bucks County Courier Times. It was also submitted to the Bucks County Planning Commission, who reviewed it and issued recommendations. Solicitor Kirk submitted the final version to the Borough's Planning Commission.

MOTION: On motion of Vice President Horwatt, seconded by Councilperson Cumming, Council voted unanimously to adopt Ordinance 2024-05: AN ORDINANCE OF THE BOROUGH OF LANGHORNE, BUCKS COUNTY, PENNSYLVANIA, AMENDING A PORTION OF THE ZONING CODE OF THE BOROUGH, SPECIFICALLY THE TND-1 OVERLAY DISTRICT AS ORDAINED BY ORDINANCE NO. 2024-01A, IN ORDER TO INCLUDE APPENDIX H REGARDING REPRESENTATIVE RESIDENTIAL BUILDINGS AND AMENITIES OF THE TND-1 OVERLAY DISTRICT AND APPENDIX I REGARDING IDEAL DEVELOPMENT BUILD OUT PLAN (IDBO), TO REPEAL INCONSISTENT PROVISIONS, AND TO ESTABLISH SEVERABILITY AND EFFECTIVE DATE.

Historic District and Zoning Map: PC Chair Paul Schneider, who attended via Zoom, explained that the Borough had incorporated both the historic district and the zoning map, and PC voted at their last meeting to sever the two of them. They have since decided to keep the historic district and zoning map together, along with a GIS map to be created by Bucks County Planning Commission, in order to make a highly-accurate and enduring map of the historic district. Mr. DiPersio and Luka Rosanova of the BCPC went through the verbal description of the historic district and worked to align it with the map. There was discussion of properties that were inaccurately included or left out of the historic district. Mr. DiPersio and Mr. Schneider recommended that Council have BCPC map the revised historic district instead of CKS, as it would cost less. He distributed a copy of CKS' hand-drafted map based on the verbal descriptions of the historic district and explained that BCPC's GIS staff will use their map as a baseline for creating the historic boundary on the zoning map and mapping the new TND Overlay District and the historic district. There was more discussion about properties in the historic district, including 375 South Bellevue Avenue, which was brought to the attention of the Borough by the owners Ellen and Lillian Rossiter. Mr. DiPersio said that the Rossiters' home is in the historic district, but their garage is not. He said that if the Borough wanted to add a structure to the historic district, they would have to submit a new application to the state. Solicitor Kirk said that it should be made clear to residents that this map is just clarifying the historic district boundaries, not changing them. She also pointed out that the motion on the agenda to consolidate the revised historic district map with the proposed zoning map has been withdrawn by PC because they have elected not to make changes to the map.

MOTION: On motion of Vice President Horwatt, seconded by Councilperson Marfia, Council voted unanimously to authorize the Bucks County Planning Commission to map the revised historic district boundary in GIS.

Status of Erin Development Project: Mr. Schneider and Councilperson Cumming attended the Middletown Zoning Hearing Board Meeting on November 13th. Mr. Schneider said that representation at future meetings is needed, and recommended that the Solicitor and Engineer be present. Vice President

Horwatt suggested moving the motions to appoint legal counsel and authorize EAC member Rich Mason to be present for the January 8th Middletown ZHB meeting up on the agenda for discussion. President Culleton noted that the Solicitors had previously raised concerns about representing the Borough in this matter because Solicitor Truelove does work for Middletown Township, but Middletown Township has not yet become involved with the ZHB application submitted by Erin Development. Solicitor Kirk said that this means they are not a party to the underlying zoning and if she were to attend the ZHB Meeting, she would not be in opposition to Middletown Township. It would only become a conflict of interest if Middletown Township decided to intervene, and the Borough would have to seek new legal counsel. Council debated whether to appoint outside counsel or proceed with Hill Wallack. Councilperson Haldeman said that it is too early to get counsel involved, as there is too much to consider for the Middletown ZHB to make a decision on the application at the January 8th meeting. President Culleton, Vice President Horwatt, Councilperson Cumming, and Mr. Schneider expressed concerned that they could miss their opportunity to ask questions.

PUBLIC COMMENT: Pat Carr, 240 North Green Street, said that if the Borough missed an opportunity to ask questions in the course of the ZHB hearing, they would not get another chance. Solicitor Kirk confirmed that if the ZHB's decision gets appealed to Doylestown, the Borough cannot ask questions they did not ask before. Council also clarified that CKS would assist at the next Middletown ZHB meeting by preparing questions. Then Council discussed having Rich Mason speak at the meeting because of his knowledge of relevant environmental issues. Solicitor Kirk suggested that Council authorize her to speak with him about what he wants to ask or call him as a witness. After further discussion, it was determined that no motion is necessary for this authorization.

MOTION: On motion of Councilperson Cumming, seconded by Vice President Horwatt, Council voted 6-1 to appoint Solicitor Kirk to represent the Borough at the Middletown ZHB Meeting on January 8th, 2025, with the assistance of CKS. President Culleton, Vice President Horwatt, and Councilpersons Cumming, Harris, Zielinski, and Marfia were in favor. Councilperson Haldeman voted against.

MOTION: On motion of Councilperson Zielinski, seconded by Councilperson Marfia, Council voted unanimously to adopt Resolution 2024-36: A RESOLUTION OF THE BOROUGH OF LANGHORNE, COUNTY OF BUCKS PENNSYLVANIA, APPROVING THE BOROUGH'S REVISED FEE SCHEDULE TO BECOME EFFECTIVE JANUARY 1, 2025.

KEYSTONE FEE AGREEMENT: Council briefly discussed Keystone Municipal Services' new fee agreement. Then Councilperson Marfia asked about seeking proposals from other inspection agencies. President Culleton said that it would place unnecessary burden on the office during a period of transition. Vice President Horwatt, Councilperson Marfia, and Councilperson Cumming objected to the zoning officer's process of making decisions on applications and pointed out issues of concern on the zoning officer's report. Clerk Tenaglia clarified the status of some of the applications listed in the report. President Culleton said that Council reappoints their professionals in January, and if they elect not to continue with KMS they should have an idea of who they want to elect instead. Councilperson Zielinski pointed out that KMS has a sixty-day termination policy. Council also discussed the possibility of KMS conducting a fire inspection for 116 North Bellevue Avenue, and Mr. Leonard explained that the owner of 116 North Bellevue initially reached out to the Borough for assistance with addresses for the building's units, and in the process of looking at their mailboxes Mr. Leonard identified a number of fire violations. He called Fire Marshall Farry, who advised that the Borough get a fire inspector from KMS to make an appointment with the owner to inspect the property.

2025 MEETING SCHEDULE: President Culleton said that while the EAC only has the date of their January meeting finalized, she advised the Interim Manager to list the EAC meetings as being on the 4th Monday of the month in January, April, August, and November because they typically meet quarterly. Vice President Horwatt said that would conflict with the Historic Langhorne Association, which meets the 4th Monday of every month. She said they can advertise the schedule as-is and correct the meeting dates later. The 2025 November Work Session is scheduled for the 20th, which will again conflict with the Four Lanes End Garden Club Holiday House Tour. President Culleton said the best course of action may be to cancel it. Interim Manager Zimmerman said she can take care of advertising the meeting schedule.

MOTION: On motion of Vice President Horwatt, seconded by Councilperson Haldeman, Council voted unanimously to adopt the 2025 Langhorne Borough Council Meeting Schedule.

BUDGET MANAGEMENT RECOMMENDATION: Councilperson Zielinski suggested that there be a spreadsheet of expenditures approved for projects in the Borough so that they can be easily referred back to instead of requiring extensive searching. President Culleton said that Interim Manager Zimmerman is working on a process for keeping track of expenses and bills.

MANAGER'S REPORT: Interim Manager Zimmerman provided a written manager's report for Council. She explained some of the new procedures the office is adopting to better keep track of information. President Culleton said that progress is being made in accessing the American Rescue Plan Act (ARPA) portal and making sure the funds are obligated before the end of December. She thanked Interim Manager Zimmerman, Treasurer Schoen, and Mr. Leonard for working on the ARPA reporting.

COMMITTEE, BOARD & COMMISSION REPORTS:

EAC: Vice President Horwatt said that it would be helpful to have Mr. DiPersio at the January 27th EAC Meeting. She will get in touch with Mr. DiPersio.

HARB: HARB only needs one more member, as Robert Wharton is staying on the board. Councilperson Marfia said that three Repair-Replace-In-Kind (RRIK) applications were approved. There was discussion about RRIK applications. Councilperson Marfia explained that RRIKs go to the HARB Chair, who has the authority to approve them. It was determined that there was no HARB report to approve.

Heritage Farm/L.O.S.I.: President of L.O.S.I. Pat Carr said that the outdoor light on the side of the main barn failed back in November but has since been fixed. L.O.S.I. paid for the work and their Treasurer will submit an invoice to the Borough to be reimbursed from the rental account. He also explained that back when L.O.S.I. saved the Catawissa, they offered to pay the Borough the amount they would have received in taxes had the land been developed and not turned into a park. They have been doing this ever since, but recently fell behind in these voluntary payments. Mr. Carr presented Council with a check for \$2,640 for the last three years they missed.

Recreation Board: Councilperson Zielinski said that he is looking for a playground equipment provider for the new equipment to replace the broken toy car. Council also discussed the insurance money for the damage done to the pillar.

MOTION: On motion of Councilperson Cumming, seconded by Councilperson Marfia, Council voted unanimously to approve Resolution 2024-38: A RESOLUTION OF THE BOROUGH OF LANGHORNE, COUNTY OF BUCKS, PENNSYLVANIA, APPROVING THE CORRECTIVE DEED FOR THE MAYOR'S

PLAYGROUND AS REFLECTED IN THAT CERTAIN POST CLOSING ADDENDUM AGREEMENT WITH THE SCHOOL DISTRICT OF NESHAMINY FOR THE CONSTRUCTION OF THE PROPOSED COMMUNITY BUILDING.

STREET LIGHT REPAIRS: It was determined that no motion is needed to approve the street light repairs. Council discussed the necessary repairs to the street lights and poles. There was also discussion of which poles Armour & Sons is responsible for; Vice President Horwatt said that they inspect street lights but not historic decorative lights. Vice President Horwatt said that the street light fund can pay for repairs the lights, but not the poles themselves.

PUBLIC COMMENT: PMES Director Andrew Schifferli asked if there will be a Work Session discussing amendments to the 2025 budget given the Borough's additional income from the earned income tax. President Culleton said that the budget has already been approved as advertised, so if Council wishes to amend the budget it will not be until at least January.

EXECUTIVE SESSION & ADJOURNMENT: Council entered into Executive Session at 10:00 p.m. On motion of Councilperson Cumming, seconded by Councilperson Harris, Council voted unanimously to adjourn from Executive Session at 10:55 p.m.

Respectfully submitted,

Mary Zimmerman, Interim Borough Manager / Secretary

Next Council Meeting: January 8, 2025 at 7:00 p.m.