

**Borough Council Meeting Minutes
February 9, 2022**

A meeting of the Langhorne Borough Council was held on Wednesday, February 9, 2022, at 7:30 p.m., both in Council Chambers and virtually via Zoom. President Murdock called the meeting to order and invited everyone in attendance to Pledge Allegiance to the Flag.

Present were: President Paul Murdock, Vice President Richard Mason, Councilman Anthony Marfia, Councilwomen Kathleen Horwatt, Kristen Farry and Nancy Culleton, Mayor Joseph Taylor, Borough Manager/Secretary Christine Schoell, Police Chief John Godzieba, Treasurer Ellyn Schoen and Solicitor Catherine Anne Porter.

Toll Brothers: President Murdock reported that Toll Brothers had not filed a formal plan but had met with Borough professionals to discuss development sketch designs. After the first meeting, Toll Brothers changed portions of their concept plan to have traffic entering and exiting through other means and preserving the historic residences. They expressed a willingness to consider other changes. President Murdock assured that he would remain transparent with Council concerning meeting dates and conveying areas of concern. President Murdock thought the discussions had resulted in more acceptable plans. Mayor Taylor suggested that the Fire Chief be given a copy of the plans to ensure that the site adequately addresses fire safety needs.

Public Comment: The following individuals expressed their opposition to the PennDOT Route 1 RC3 Project, raising safety concerns, impact of increased traffic through the Borough, potential damage to historic structures, need to direct Rt 413 via I-295, the need for additional meetings with PennDOT and prior success in stopping or delaying projects until Borough needs were addressed: Paul Schneider of 233 N. Bellevue Ave.; Beverly Adams of 118 W. Richardson Ave.; Carol Zetterberg of 129 W. Marshall Ave.; Wanda Search of 221 S. Bellevue Ave.; Barry Truchil of 312 N. Bellevue Ave.; Debbie and Robert Tyl of 197 W. Marshall Ave.; Richard O'Hern of 227 N. Bellevue Ave.; Peggy Malandra of 203 Station Ave.; Dawn Moriens of 160 E. Highland Ave; and Kris Wood of 127 Summit Ave.

Letters from Barbara Simpson on behalf of the Bethlehem African Methodist Episcopal Church and from Ellyn Schoen of 113 W. Maple Ave. on behalf of the LBBA in opposition to the project were submitted.

Mayor's Report: Mayor Taylor thanked the residents who paid attention to the requirements of the Borough's snow emergency ordinance and asked that the snow removal contractor come back more often to keep sidewalks and parking lots clear. Mayor Taylor reported that the police equipment must be removed from the Ford Fusion before it is listed on Municibid and that the 2013 Ford Explorer would be taken to Fred Beans to replace the catalytic converter, spark plugs and fuel injectors.

Chief's Report: Chief Godzieba reported that Officer Burns participated in active shooter training at 315 W. Maple Ave. and did a security assessment of the building. He assured that there was regular enforcement of speed on N. & S. Bellevue Ave., stop sign violations on S. Bellevue Ave. and cut-through traffic on Summit Ave.

He reported that the Borough Hall security system was installed and that a vehicle was stolen from the Wells Fargo bank when the motorist left the car running to go to the ATM. While the Chief had

been reporting potholes, he wanted residents to know that they could also report road condition issues directly to PennDOT via their website at www.penndot.gov.

Manager's Report: When speaking with other municipalities, both Manager Schoell and Solicitor Porter received positive reports on Dumack and CKS Engineering. Councilwoman Culleton heard glowing comments regarding CKS from Newtown Borough and said the only downside was their distance from the Borough. Councilwoman Horwatt asked if Gilmore would still have a conflict if the property were not sold. Solicitor Porter advised that it was still an issue.

Motion: On motion of Councilwoman Horwatt seconded by Councilwoman Culleton, Council voted unanimously to appoint CKS as the new Borough Engineer.

Due to safety, equipment and overall fitting reasons, Manager Schoell advised having GameTime replace the swings stolen from the Mayors Playground. It would cost \$705 and take three to four months for them to arrive. President Murdock will contact Neshaminy School District to see if they have some swings the Borough could use until then.

Manager Schoell reviewed the application non-profits would use to request ARPA funds. Councilman Haldeman suggested revising the amount from "\$1,000" to "up to \$1,000." Solicitor Porter suggested that it be directed to non-profits located in and serving Borough residents. Councilwoman Farry stated the committee did their research and were trying to be fair by equally distributing the funds among all applicants that met the requirements in order to help Borough organizations that have fallen on hard times due to the COVID pandemic. Carol Zetterberg asked for clarification on how they would show financial loss and was advised an inability to hold fundraisers during the pandemic was such proof. At the moment the Borough seems to be the only municipality providing funds to non-profits. The application would be put on the Borough website and due back by March 1st.

Motion: On motion of Councilman Haldeman seconded by Vice President Mason, Council voted unanimously to approve the ARPA funding application for local organizations with the aforementioned changes.

President Murdock stated that Councilwoman Farry volunteered to take over the Borough's social media and Councilwoman Culleton advised that she will take over the Borough website, and Constant Contact for residents, but will let Council know if she feels it is beyond her capabilities. Manager Schoell stated that some notices could be posted in the event of an emergency, through Mayor Taylor/Chief Godzieba, but that any other postings should go through the President of Council or Council prior to posting.

Manager Schoell stated that she received a request from the Department of Health about the mosquito program to spray certain areas in the Borough. Council was in favor of accepting the request. Manager Schoell reported that the next Bucks County Boroughs Association meeting was March 24th; that she dropped off the RDA Grants at the Bucks County RDA office last month; and, that she received and will complete the documents needed to register the Borough for three years for the FEMA/SAM/Unique ID (DUNS is being phased out of the Federal program).

Manager Schoell received applications from the American Legion Post for the May 30th Annual Memorial Day Parade and for banners and from the American Legion Auxiliary for banners for the parade and for the collection of items. Donald Minnick of the Jesse Soby Post thanked the Borough

and Manager Schoell for everything they do but expressed concern over the disrepair of certain roads. He was advised that those roads were state roads. Stat Representative Frank Farry advised that he had contacted PennDOT on multiple occasions and his requests to repave Richardson Ave. have been denied. He will continue in his efforts.

Motion: On motion of Councilwoman Horwatt seconded by Councilman Marfia, Council voted unanimously to approve the American Legion Post's applications for the Memorial Day Parade and banner and the Auxiliary's banner requests.

Manager Schoell received an application from the Langhorne Council for the Arts for the April 24th Hicks Day, which included a banner request and a request to close one block of S. Bellevue Ave. between Maple Ave. and Richardson Ave.

Motion: On motion of Councilwoman Horwatt seconded by Councilman Haldeman, Council voted unanimously to approve the application for Hicks Day and the banner will be approved on the condition that an image be sent to Recreation Board for final approval.

Engineer's Report: None.

Approval of the Minutes:

Motion: On motion of Councilwoman Horwatt seconded by Councilwoman Culleton, Council voted unanimously to approve the January 3rd Council Reorganization Meeting Minutes and the January 12th Council Minutes, as revised by the Solicitor.

Treasurer's Report:

Motion: On motion of Vice President Mason seconded by Councilwoman Farry, Council voted unanimously to approve the Treasurer's Report.

Payment of the Bills:

Motion: On motion of Councilman Haldeman seconded by Councilwoman Farry, Council voted unanimously to approve the payment of the bills.

EAC: Vice President Mason reported that the EAC met on February 3rd. After reviewing the estimate from National Esolutions for the installation of EV charging stations in the Borough, he found some substantially cheaper estimates. Manager Schoell indicated that there may be lighting requirements for the EV stations and that Kari Thomas confirmed that it was still acceptable to install one at the Will Travel building.

Vice President Mason was advised by the Pennsylvania Department of Environmental Protection that the Borough may be eligible for sediment reduction credits after a retrofit of the bio retention basin behind the Langhorne United Methodist Church. As most of the basin is in Middletown Township, the DEP suggested an allocation of the sediment reduction credits with Middletown. Vice President Mason will start preliminary negotiations with Middletown.

Fire Company: While a law requires the municipality housing a fire company to pay for its workers' compensation insurance, that law also authorizes the host municipality to recover portions of the cost from the other municipalities that it services. The Fire Company is negotiating with Middletown

Township to contribute to the costs. Mayor Taylor stated that at some point the policy was switched over to the LMFC name and needs to be changed back. Solicitor Porter and Manager Schoell will look into having the change made.

HARB: HARB recommended the approval of the following application:

1. 121-123 N. Bellevue Ave. Install white Anderson composite windows and composite moldings.

Motion: On motion of Councilwoman Horwatt seconded by Vice President Mason, Council voted unanimously to approve the February 2022 HARB Report.

Farm/LOSI: Pat Carr reported that the Civil War reenactment originally scheduled for this year would be postponed to sometime next year.

Planning Commission: Brian Smiley reported that the Borough Comprehensive Plan, which reflected the vision of the residents for a small walkable community, did not support the RC3 project. He asked Council to request that PennDOT pause the cloverleaf portion of the US Route 1 project, not the entire PennDOT project and asked if there was a way for the Planning Commission to expedite the conversations with PennDOT, JMT and the Bucks County Planning Commission. He discussed the Planning Commission working directly with the recommended traffic engineer, the reliability of the study statistics, reducing the size of the roundabout, working with the planning commissions for Langhorne Manor and Middletown Township and meeting with Woods Services to discuss their development plans. President Murdock suggested that the focus remain on those aspects of the project directly affecting the Borough. The Solicitor advised caution when using copyrighted materials in presentations.

President Murdock addressed the problems that arose when multiple groups are communicating with PennDOT and JMT and PennDOT's request that all contact go through the President of Council. Vice President Mason agreed that a Borough Council representative should remain the primary contact with PennDOT and JMT, but that the Planning Commission should look through the current plans and traffic studies. Vice President Mason also focused on the February 4th letter from PennDOT addressing questions about the future expansion of Route 413.

State Representative Frank Farry appreciated being able to speak about the RC3 project, as there had been a lot of discussions among residents and a lot of misinformation received by his and Senator Tomlinson's offices. He gave background information on the project.

Representative Farry thought the Borough should ask for clarification from PennDOT on their plans to expand Route 413 and should focus on mitigation, both before the project starts and afterwards. He would be happy to assist in moving mitigation proposals forward. Councilwoman Horwatt thanked Representative Farry for everything he had done and understood the difficulty of his position representing multiple municipalities with differing needs. Brian Smiley did not think mitigation proposals would reduce speeding nor that PennDOT was the correct venue to address these issues. Solicitor Porter discussed the need for expert input to professionally determine what options the Borough had. Councilwoman Farry asked about giving more specific direction to the traffic engineer. Vice President Mason said the engineer should analyze PennDOT's conclusion regarding the increased traffic flow into the Borough.

Motion: On motion of Vice President Mason seconded by Councilman Marfia, Council voted 4-3 to approve the allocation of up to \$5,000 for SAFE Highway Engineering, LLC to review and consult on traffic studies and the US Route 1 RC3 project, and to allow Brian Smiley to speak with the engineer directly, with dissensions from President Murdock, Councilman Haldeman, and Councilwoman Farry.

There was discussion on communications with PennDOT and JMT.

Motion: On motion of Vice President Mason seconded by Councilwoman Horwatt, Council voted 3-4 against authorizing the attached letter to be finalized by the Planning Commission with minor corrections and presented to President Murdock to be forwarded to the appropriate representatives at PennDOT and JMT through State Rep Frank Farry's office. Councilwomen Culleton and Farry, Councilman Haldeman and President Murdock opposed.

Councilman Haldeman, and Councilwomen Culleton and Farry stated that they would like more time to review the letter before it gets sent out. Brian Smiley suggested going line by line to make any necessary corrections.

Motion: On motion of Councilwoman Culleton seconded by Councilwoman Horwatt, Council voted 4-3 to suspend the previous motion until the letter was read aloud. President Murdock, Councilwoman Farry and Councilman Haldeman opposed.

Councilwoman Farry asked for a recess and Council agreed. The meeting was suspended at 10:30 p.m. and resumed at 10:45 p.m. Paul Schneider presented an edited letter to Council.

Motion: On motion of Vice President Mason seconded by Councilwoman Culleton, Council voted 4-3 to send the revised letter to PennDOT through President Murdock or Manager Schoell. President Murdock, Councilman Haldeman, and Councilwoman Farry opposed.

Councilwoman Horwatt stated that the Borough may not have consulting party status for the March 4th designated date for the cultural review process. She asked for a motion to support the seeking of the cultural consulting party status for the review of the project. She stated that she did not know whether the Borough could submit documents but would present the information by February 11th for the Borough to file objections.

Motion: On motion of Councilwoman Horwatt seconded by Councilman Haldeman, Council voted unanimously to request consulting party status for the Borough in the US Route 1 cultural review process.

President Murdock stated that PennDOT sent the Borough the tribal notification and the cultural resources update summary which included an updated project description and mapping and advised that archeological investigations would be required within the construction section due to the scope of the project. Manager Schoell stated that she sent out the PATH information to President Murdock, Councilwoman Horwatt, and Brian Smiley. President Murdock stated that the information should also be sent to HARB.

Public Comment: Brian Smiley of 120 E. Marshall Ave. asked about moving Planning Commission to be earlier in Council meetings when the public was still present to discuss it. President Murdock agreed.

Jean White of 149 W. Richardson was concerned about the potential safety issues from the US Route 1 project.

Pat Carr of 240 N. Green St. asked about the Council President's attendance at the Toll Brothers concept plan meeting. Solicitor Porter indicated that he was present as a spectator, not a participant. He also hoped that they would stick to the Borough's ordinances.

Kris Wood of 127 Summit Ave. asked about finding deterrents regarding the traffic cutting through on Summit Ave., including speed bumps and signs.

Carol Zetterberg of 129 W. Marshall Ave. emphasized that PennDOT should stick to the Borough's ordinances and expressed concern regarding the historical integrity of the Borough.

Brian Smiley of 120 E. Marshall Ave. asked if PennDOT could look into the stormwater practices of the Borough more regarding the project.

Solicitor's Report: None.

Motion: On motion of Vice President Mason seconded by Councilman Haldeman, Council voted unanimously to authorize the repair of the police vehicle after additional estimates are received, amount not to exceed \$5,000.

Adjournment: With no other business, on motion of Councilwoman Horwatt seconded by Councilman Haldeman, Council voted unanimously to adjourn the February 2022 Council meeting at 11:20 p.m.

Prepared by Christine Schoell, Borough Secretary when the meeting was held. Affirmed as accurate and presented for approval by Nancy Culleton, interim Borough Secretary.