

Langhorne Borough Council Meeting
January 8, 2025

A Langhorne Borough Council Meeting was held at Council Chambers on Wednesday, January 8, 2025. President Culleton called the session to order at 7:05 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; Mayor Joe Taylor; Chief John Godzieba; Treasurer Ellyn Schoen; Interim Manager Mary Zimmerman; Consultant Paul Leonard; Clerk Gabe Tenaglia

There was an issue with the video and Zoom attendees did not have working video until partway through the meeting.

ANNOUNCEMENTS & PRESENTATIONS: President Culleton informed the public that the Council Work Session on December 19th was primarily an Executive Session, which are for discussion of legal, personnel, and real estate issues that cannot be discussed in public for privacy and liability reasons. She then presented Pennel-Middletown Emergency Squad Director Andrew Schifferli with a check in the amount of \$2,948.25, which should have been allocated to PMES in years prior. President Culleton also stated that the Bucks County Redevelopment Authority Municipal Grant Program awards have been announced, and the paving and sidewalk project for Country Club Lane and North Bellevue Avenue only received partial funding in the amount of \$75,000 out of \$124,160 requested. The other RDA grant applications were funded in full.

CONSENT AGENDA: President Culleton said that the consent agenda consist of the minutes from the December 11th Council Meeting and December 19th Work Session, the Treasurer's Report, and payment of the bills.

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

POLICE CHIEF'S REPORT: Chief Godzieba reported that there were no vehicle crashes in the month of December. He will schedule the upgrades for the cameras and the additional camera for the Mayors Playground when the contracts for the RDA grants are sent to the Borough for signing. Councilperson Zielinski asked to be kept informed of when the camera upgrades are happening. Chief Godzieba said that the existing camera at the playground recently lost power and someone will have to check the pole it is plugged into.

AUXILIARY POLICE FORCE: President Culleton said that an Ordinance would allow Chief Godzieba to recruit and train auxiliary police officers, who would be local volunteers available to help with Borough events. They would not be armed but would have appropriate training. She asked how members of the auxiliary police force would be vetted to determine whether their temperament is suitable for their role, and how to assure that no member is surreptitiously carrying a firearm. Chief Godzieba said that the police department will do their own interviews and make the rules of the position clear, and that if any member is found with a weapon, they will be removed from the auxiliary police force.

MOTION: On motion of Vice President Horwatt, seconded by Councilperson Cumming, Council voted unanimously to direct the solicitors to draft an Ordinance establishing an auxiliary police force.

ENGINEER'S REPORT:

Country Club Lane & North Bellevue Avenue Paving & Sidewalk Project: George DiPersio of CKS said that the partial RDA grant award of \$75,000 should be enough for the paving of Country Club Lane, as well as for the paving of the segment from Summit Avenue to Country Club Lane. However, the Borough will not know for sure until the project is bid. The sidewalk extension that would continue from the Middletown Country Club driveway is what caused the grant request to be over six figures, as the Borough would have to put in a crosswalk and ramps compliant with the Americans with Disabilities Act at the end of the sidewalk to direct users. CKS is recommending that the Borough proceed with the design of the project as if every proposed item will be completed, but have the paving be the main bid item and the other items be alternates. This will allow the Borough to receive pricing on all items with the option to include or reject the sidewalk and ramps depending on the cost. Vice President Horwatt mentioned that there is money available in liquid fuels funds that could be used for the paving and sidewalk work. Mr. DiPersio said that CKS would need to know soon if the Borough intends to use liquid fuels funds because that will affect their contract specifications. He recommended that these funds be used for the paving because the Borough would not be permitted to use them for the sidewalk work. Mr. DiPersio then brought to Council's attention the unique driveway condition of 425 North Bellevue Avenue at the corner of Summit Avenue. CKS does not intend for the work to encroach on their property unless directed to do so, but Mr. DiPersio said that if the property owner expects the Borough to do something with their driveway, it may be worth discussing with them prior to going out to bid. The Middletown Country Club is aware of the proposed work and submitted a letter of support for the RDA grant application, but Mr. DiPersio said it may be a good idea to notify them in advance to see if they will be doing any of their own sidewalk and driveway work before the Borough begins paving.

MOTION: On motion of Councilperson Marfia, seconded by Councilperson Cumming, Council voted unanimously to direct the Engineer to solicit bids for the paving of North Bellevue Avenue and Country Club Lane and new sidewalk on North Bellevue Avenue and to make application for liquid fuels.

PLANNING COMMISSION:

Historic District Boundaries: At their meeting last month, PC discussed four versions of the historic district map that Mr. DiPersio and Luke Rosanova of the Bucks County Planning Commission put together. At issue is the line that runs from Flowers Avenue south through the Woods Services property, as it runs through several buildings that are meant to be included in the district. Tomorrow, Planning Commission Chair Paul Schneider has a meeting with Mr. DiPersio, the Solicitor, Florence Wharton, and Megan McNish of the Pennsylvania Historical and Museum Commission (PHMC). The goal is to find a way to redo the map in a way that meets the Borough's legal needs but will not require going through the recertification process with the PHMC. Recertification is required if a new property is added to the historic district. Solicitor Kirk asked about the verbal descriptions; Mr. DiPersio said they were taken from the original application to the PHMC from 1985. Solicitor Kirk said they were not actual surveyed legal descriptions of the properties, and advised that the Borough follow the intent of the application but not the descriptions verbatim. Then Mr. Schneider and Mr. DiPersio showed Council the four different maps and discussed how they propose altering the line going through the Woods Services property. Mr. Schneider said that Map Four seemed to be the best option. Council did not object to Mr. Schneider proceeding with Map Four at the meeting with Ms. McNish of the PHMC.

Recommendation Regarding Curb Ordinance: Mr. Schneider said that PC passed a motion recommending permitted materials for curbs and sidewalks, but it had not been distributed to Council. President Culleton noted that she spoke with Solicitor Kirk, who recommended that the ordinance be passed tonight to get it out of the Zoning Ordinance and then make amendments in the future. Solicitor Kirk suggested that PC's recommendations be implemented after the Zoning Code is updated. She said that the issue with the Curbs and Sidewalks Ordinance is that sidewalk maintenance currently falls under zoning, not property or general maintenance. This means that any appeals to notices of violation relating to sidewalks go to the Zoning Hearing Board, which has no jurisdiction to the condition of sidewalks. The solution is to remove everything relating to sidewalks from the Zoning Ordinance and put it in a general maintenance section of the Borough's code. After further review and discussion of the Zoning Ordinance and relevant amendments, Council elected to pass the Curb and Sidewalk Ordinance tonight as-is. Solicitor Kirk said that the ordinance was sent to BCPC for review, and they issued a recommendation that Council adopt the proposal as submitted. Because it involved a zoning change, it was also advertised in the Bucks County Courier Times on December 17th and December 24th. A copy of the ordinance was also put on the Borough's website.

MOTION: On motion of Vice President Horwatt, seconded by Councilperson Cumming, Council voted unanimously to approve AN ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF LANGHORNE, BUCKS COUNTY, PENNSYLVANIA, AMENDING CHAPTERS 400 & 600 OF THE ZONING ORDINANCE, TO AMEND CHAPTER 1300 OF THE GENERAL ORDINANCE, AND TO AMEND APPENDIX A-1 , KNOWN AS THE HISTORIC PRESERVATION ORDINANCE OF THE BOROUGH'S ZONING ORDINANCE, REGARDING REGULATIONS CONCERNING CURBS AND SIDEWALKS, AND ESTABLISHING AN EFFECTIVE DATE.

ERIN DEVELOPMENT UPDATE: President Culleton said that the Borough had previously agreed to have Hill Wallack represent the Borough at the Middletown Zoning Hearing Board hearing on the Erin Development application for development of the Heckman property, but due to legal complications this would not have been possible. Solicitor Kirk was able to find alternate conflict counsel, attorney Keith Bidlingmaier, to represent the Borough at the hearing, which is being held today. Councilperson Cumming asked if the Borough should get a transcript of the minutes of last month's Middletown ZHB meeting. Council was hesitant because of the cost. Solicitor Kirk said she provided Mr. Bidlingmaier with the notes taken by Mr. Schneider and Mr. DiPersio and explained all the Borough's concerns. She also asked him to call Rich Mason of the Environmental Advisory Committee about environmental issues. After further discussion, Council decided to wait for Mr. Bidlingmaier's recommendation before deciding whether to purchase the transcript.

MOTION: On motion of Councilperson Cumming, seconded by Councilperson Marfia, Council voted unanimously to ratify the appointment of Keith J. Bidlingmaier, Esquire as conflict counsel for the pending Erin Development land development application in the Borough and at the Middletown Zoning Hearing Board hearing on the Middletown portion of the development.

FIRE SAFETY ORDINANCES: Consultant Paul Leonard reviewed the draft Fire Safety Ordinances prepared last year by Solicitor Kirk. He has been reviewing safety and liability issues in the Borough during his time in the office, and spoke with Fire Marshal Frank Farry, Mayor Taylor, and several code officials and managers from nearby municipalities. He expressed concern about resident safety, as the Borough has many apartments and not all of them are adherent to safety standards. He recommended that the Borough implement an inspection program and gradually adopt a set of three new ordinances. The first he recommended was the ordinance drafted by Solicitor Kirk establishing a residential housing

registration and inspection program and providing for non-residential fire safety inspections. Registration of apartments would allow the Borough to get a more accurate understanding of the number of apartments in the Borough and their level of risk. Mr. Leonard also presented Council with a housing and apartment inspection checklist taken from Middletown Township that he suggested the Borough follow. He then spoke about the other draft ordinance made by Solicitor Kirk establishing the offices of Fire Marshal and Fire Inspector, but suggested that Council focus on setting up a system of registrations before focusing on that ordinance. He then provided Council with three options on how the inspections could be done:

- Intermunicipal cooperation agreement (Middletown Township or another municipality)
- Independent Agency (Keystone Municipal Services, Barry Isett)
- Borough employee or contractor

Mr. Leonard said that the third ordinance would be to adopt the 2018 International Fire Code, which the Borough should do eventually as it is the industry standard. He recommended that the Borough not worry about keeping track of each individual tenant and that there be no fees for registering apartments, and suggested establishing ways to reward compliance with inspections by making the process easier. Then there was more discussion and some questions from Council. Eventually, President Culleton suggested that Council take up the matter of fire safety inspections and the draft ordinance at the next Council Meeting or Work Session. Interim Manager Zimmerman said that she would like to get information about the registrations to the public.

BUDGET COMMITTEE: While the budget was passed last month, Council had decided to revise the budget once it was approved. Council, Solicitor Kirk, and Treasurer Schoen discussed the changes made by the Treasurer related to grants and liquid fuels, as recommended by the auditors. They also talked about separate items to potentially add to the budget. President Culleton asked if there was a deadline by which to revise the budget; Vice President Horwatt said it is mid-February. There was also talk about what might happen if the Borough goes over budget. Treasurer Schoen said that the budget is a guideline and it is impossible to stick exactly to what is budgeted. Councilpersons Haldeman and Cumming spoke against making further revisions. President Culleton asked who will take care of the advertising; Interim Manager Zimmerman said that she can do it. Solicitor Kirk said that the final version of the budget must be available for public inspection ten days before the meeting.

MOTION: On motion of Councilperson Cumming, seconded by Councilperson Zielinski, Council voted unanimously to advertise the proposed revised budget.

MANAGER'S REPORT:

- Middletown Township continues to work on commendations for the firefighters involved in the fire rescue on Richardson Ave. The office will continue to coordinate with them and will update Council as details arise.
- Interim Manager Zimmerman has compiled the information necessary to obligate the Borough's State and Local Fiscal Recovery Funds (SLFRF) and is ready to submit by the new April filing date.
- The electrical repairs for the Borough garage will likely be scheduled for next week.
- The office received an email from Trinity Solar, a solar and roofing company, about requirements for door-to-door solicitation within the Borough. Borough code states that we can regulate solicitation by Ordinance, but the Manager and Clerk could find no record of any such

Ordinance being passed. Interim Manager Zimmerman said she will discuss further with Chief Godzieba. Vice President Horwatt said that the Borough has a Solicitation Ordinance.

- Interim Manager Zimmerman looked into the insurance claim regarding the vandalized toy car at the Mayors' Playground and determined that the \$1,000 deductible was appropriate. Councilperson Cumming asked about the insurance claim for the damaged pillar; Interim Manager Zimmerman said that she spoke with the agent and he is waiting to close out the claim. She said there is a plan for installing the new fence as well.
- The office has not yet received the report on the traffic study for Maple Avenue. President Culleton brought up the traffic study on Pine Street and Interim Manager Zimmerman said that email correspondence confirming that PennDOT had agreed to lower the speed limit had been found. Vice President Horwatt announced that PennDOT will resurface Maple Avenue this year.

BOARD, COMMITTEE & COMMISSION REPORTS:

Environmental Advisory Committee: Vice President Horwatt said that the EAC meeting will be held Monday, January 27th. The three prospective new members will attend, and EAC has requested the Mr. DiPersio attend as well.

Human Relations Commission: Ms. Burns summarized the HRC's activities during their first year. They researched other local HRCs, and Newtown Borough was particularly helpful in that regard. They collaborated with the Rainbow Room to host a booth at Harvest Day in October to educate the public on the HRC's mission and goals. In November, they met with the HRC of Middletown to collaborate and get ideas. They also focused on creating process documentation to enhance the HRC's efficiency and will likely make recommendations on the Anti-Discrimination Ordinance in the future. Ms. Burns also announced that they had managed and successfully resolved a discrimination complaint that was submitted regarding an incident at the Mayors' Playground on May 13th, 2024. President Culleton read aloud a proposed statement from Council based on the HRC's recommendation. The HRC also recommended further discussion of signage at the Mayors' Playground. Councilperson Zielinski said that the Recreation Board will have a specially-called meeting to discuss this issue. Council supported the recommendation. President Culleton thanked the HRC for working with all parties involved to find a solution and noted that the HRC also discussed the Harvard implicit bias tests. Ms. Burns said that once all HRC members complete the tests they will recommend that Council take them as well.

MOTION: On motion of Councilperson Haldeman, seconded by Councilperson Zielinski, Council voted unanimously to approve the following statement regarding the incident at the Mayors' Playground:

On May 13, 2024, an incident occurred in the public space of the Mayor's Playground that resulted in a discrimination complaint being filed with the Langhorne Borough Human Relations Commission (HRC). The Commission responded in a timely manner and in strict accordance with the provisions of the Borough's Anti-Discrimination Ordinance 2023-04. Following a fact-finding conference held by the HRC on October 1, 2024, both parties acknowledged that they wished to move forward and offered suggestions and actions. Langhorne Borough Council wishes to affirm publicly that it takes the Anti-Discrimination Ordinance seriously and will work diligently to ensure that every member of the community feels valued, respected, and safe in all the Borough's public facilities and parks.

Follow-up recommendation:

Langhorne Borough Council supports the Recreation Board's intention to hold public

discussions on the topic of signage at the Mayor's Playground. The goal of these discussions is to establish best practices on public access and how best to word signage for the community. All interested parties will be welcome to provide input and the complainant will specifically be invited to work in partnership and consultation in this effort.

HARB: Clerk Tenaglia answered questions about the HARB report.

MOTION: On motion of Councilperson Zielinski, seconded by Councilperson Haldeman, Council voted unanimously to approve the HARB report.

Recreation Board: Councilperson Zielinski said that the Rec Board Meeting had been pushed back two weeks to the 23rd. They will discuss plans for the Easter Egg Hunt.

Shade Tree Commission: The Shade Tree Commission Meeting that was supposed to be Monday the 6th was postponed to next Monday the 13th, at which point they will propose revisions to the Shade Tree Ordinance.

Building & Zoning Report: Council discussed the possible conversion of the Wells Fargo bank building at 194 North Pine Street to a cigar shop and lounge. President Culleton noted that no application had been submitted; Interim Manager Zimmerman clarified that the interested party spoke with the zoning officer about possibilities for that space. Clerk Tenaglia said that the zoning officer recommended the interested party get more information about how the property was zoned.

APPOINTMENTS TO BOARDS AND COMMISSIONS: President Culleton announced that she is appointing Councilperson Harris to the Personnel Committee. She then listed the reappointments.

- Planning Commission: Beth Delaney for a four-year term ending in 2028, Michael Renshaw for a four-year term ending in 2028
- Zoning Hearing Board: Betsy Carr for a three-year term ending in 2027, Jim Ennis for a two-year term ending in 2026, David Marrington for a one-year term ending in 2025, Larry Langhans as an alternate for a three-year term ending in 2027
- Environmental Advisory Committee: Rich Mason for a one-year term ending in 2025
- HARB: Keith DeVore for a three-year term ending in 2027, Barry Truchil for a three-year term ending in 2027
- Human Relations Commission: Janet Burns for a three-year term ending in 2027
- Shade Tree Commission: Chris Blaydon for a five-year term ending in 2029

There is a vacancy on Rec Board, three vacancies on EAC, and one vacancy on HARB.

MOTION: On motion of Councilperson Marfia, seconded by Councilperson Harris, Council voted unanimously to approve the board, committee, and commission reappointments.

REAPPOINTMENT OF BOROUGH PROFESSIONALS: President Culleton listed the Borough professionals to be reappointed: Hill Wallack as Solicitor, CKS as Engineer, Keystone Municipal Services as the Borough's zoning and code enforcement agency, and Ellyn Schoen as Treasurer. Councilperson Marfia said that he would still like to look for another zoning and code enforcement agency in the future. President Culleton thanked the appointed professionals for their hard work on behalf of the Borough.

MOTION: On motion of Vice President Horwatt, seconded by Councilperson Harris, Council voted unanimously to approve the Borough professionals for 2025.

APPLICATION TO LIMIT TONNAGE ON MAPLE AVENUE & TRAFFIC CALMING RECOMMENDATIONS:

PennDOT indicated that the Borough is not likely to receive approval to limit truck tonnage on Maple Avenue, but invited them to apply regardless. Council discussed whether it is worth applying. Mr. DiPersio pointed out that the Borough has multiple traffic issues that need to be reviewed. He noted that CKS does not provide traffic engineering services and suggested that the Borough could seek guidance from a traffic engineering firm. President Culleton said that PennDOT indicated willingness to act on some of the Borough's proposed mitigations and suggested establishing a task force to review traffic concerns and determine what is feasible. Solicitor Kirk suggested creating a volunteer citizen's traffic advisory to review traffic concerns and report to Council, and then Council can determine whether it is necessary to find a traffic engineer. President Culleton said she would like Chief Godzieba, someone from Planning Commission, one or two members of Council, one or two members of the public, the Interim Manager, and possibly the engineer to be a part of any such advisory committee. There was more discussion about establishing a citizen's advisory traffic committee; Solicitor Kirk suggested writing up a memo of the purpose of the committee. Vice President Horwatt and Councilperson Cumming volunteered to be involved. President Culleton said she will work with the Interim Manager to give the public notice of the traffic committee.

PRIORITIES FOR 2025: President Culleton said that the January 30th Work Session will be dedicated to discussion of this year's priorities and expectations for Council and the office staff.

PUBLIC COMMENT: Mr. DiPersio thanked Council for reappointing CKS as the Borough Engineer.

EXECUTIVE SESSION & ADJOURNMENT: Council entered into Executive Session at 9:52 p.m. On motion of Councilperson Cumming, seconded by Councilperson Harris, Council voted unanimously to adjourn from Executive Session at 10:19 p.m.

Respectfully submitted,

Mary Zimmerman, Interim Borough Manager / Secretary

Next Council Meeting: February 12, 2025 at 7:00 p.m.