

## Langhorne Borough Council Meeting

May 11, 2022

A meeting of the Langhorne Borough Council was held Wednesday, May 11, 2022, in person with Zoom attendees. President Paul Murdock called the meeting to order at 7:35 p.m. and invited those in attendance to join in the Pledge of Allegiance to the Flag.

**In attendance:** President Paul Murdock, Vice-President Rich Mason, Councilpersons Nancy Culleton, Kristen Farry, Scott Haldeman, Kathleen Horwatt, and Anthony Marfia, Solicitor Catherine Anne Porter, Police Chief John Godzieba, and Treasurer Ellyn Schoen. **Absent:** Mayor Joseph Taylor.

**Mayor's Report:** President Murdock read a note from the Mayor congratulating Langhorne Council for the Arts on its very successful Edward Hicks Day.

**Police Chief's Report:** Extra officers were on duty on April 25<sup>th</sup> (Hicks Day) and on May 7<sup>th</sup> (Run for Woods). On Drug Takeback Day (April 30<sup>th</sup>), 61 lbs. of medications were turned in.

### Announcements and Presentations:

**Planning Commission:** Brian Smiley reported that there has been little movement regarding the US 1 RC3 Project. The Commission has discussed SEPTA accommodations, lane widths, and pullovers. Joe Fiocco of SAFE Engineering has met with JMT to discuss roundabouts and has been talking to Langhorne Manor and Middletown Township about the idea of redistributing some traffic from the proposed cloverleaf by using Interchange Road. While roundabouts don't reduce traffic volume, they reduce crashes by reducing speed and speeding through lights and they meter traffic to produce a drip rather than rushes. Joe Fiocco will probably have updates before the next Council meeting.

**Suburban Realtors Alliance:** At Councilman Haldeman's invitation, Robin Kemmer and Jamie Ridge from the SRA, which represents 14,000 realtors, explained the benefits of removing the Borough's Use and Occupancy Certificate requirement. During the pandemic, some inspections couldn't be done and people were kept from moving; requiring a borough inspection can give buyers a false sense of security. At the moment only 20 of 54 Bucks County municipalities require a certificate of occupancy. They recommended keeping certain exterior requirements, abolishing the interior ones, and using an affidavit system, under which the seller can agree to do repairs based on the buyer's inspection, buyers can negotiate a better price if they are willing to assume risk, and buyers can protect themselves by getting their own inspections.

Council discussed the importance of chimney, electrical, and sidewalk inspections. President Murdock suggested considering SRA's recommendations in a work session. Councilman Haldeman requested a resolution to suspend the Certificate of Occupancy requirement. Solicitor Porter will draft a resolution for consideration.

### Public Comment on Non-Agenda Items:

Cheryl Kaufman of Woods Services thanked the Borough, police, and citizens for helping to make the Run for Woods a success. Participation was especially strong given the bad weather. The event exceeded its fundraising goal.

Don Minnick, 149 W Richardson Avenue, Vice Commander of the Jesse Soby Post, thanked the Borough for its donation to the Memorial Day Parade. The public is welcome at parade planning meetings.

Bill Tynan, 219 E Richardson Ave., asked whether traffic roundabout studies done during pandemic times can yield good data. He was advised to save the question for the later public comment period.

Paul Schneider, 233 N Bellevue Avenue, asked whether the movement of public comment on agenda items to later in the meeting was a permanent change. President Mason replied that it was done to expedite routine business that has been delayed during discussion of RC3.

Beth Delaney, 119 W Marshall Avenue, asked for an update on Woods' potential sale of the Crestview property. Cheryl Kaufman confirmed that the residences there have been vacated. Solicitor Porter advised that Toll Brothers had submitted escrow checks to pay for the professional fees but had taken no further steps, and that any plan submitted by Toll would go to the Zoning Hearing Board and Planning Commission before it came to Council.

Beverly Adams, 118 W Richardson Ave., thanked Council again for its service and asked that people treat each other with respect.

Patrick Carr, 240 N Green St., reported that unsightly telephone poles that were not being used had still not been removed and was advised that Comcast's cooperation was still needed.

**Letter to Representative Farry:** Vice President Mason circulated a revised draft of the proposed letter in response to Representative Farry's March 18<sup>th</sup> email. The revisions were based on comments made during the April 25<sup>th</sup> work session. Councilwoman Farry appreciated the revisions but felt a phone call would have sufficed instead of a letter with this level of formality. Councilwoman Culleton felt that a written response was necessary and that the revised letter was respectful in tone.

**Motion:** On motion of Councilwoman Horwatt, seconded by Councilwoman Culleton, Council voted 4-3 to send the revised letter. In opposition were Councilmembers Murdock, Haldeman and Farry.

**ARPA Initial Report:** Councilwoman Horwatt found the report difficult but was able to complete it with help from others. She recommended using the funds for one big project such as Richardson Avenue drainage. Councilmembers Horwatt, Murdock, and Haldeman are now listed in the ARPA database. The Borough municipal workers were issued checks for \$500 each for working extra hours during COVID.

**West Richardson Avenue Drainage:** Councilwoman Horwatt will give CKS the documents provided by the prior engineer and will ask for a recommendation and estimate to remedy the problem.

**Manager's Report:** President Murdock thanked council members Haldeman, Mason, and Culleton for stepping up to help in the absence of a manager and Councilwoman Horwatt for doing the ARPA report.

**Personnel Committee:** Vice President Mason sent Council information on a candidate for manager, which will be discussed in executive session.

**Renewal of Auditor's Contract:** Vice President Mason requested access to information to complete the process. There was discussion of the GAAP (generally accepted accounting principles) changes and the impact of these on municipal audits.

**Insurance Renewals:** Vice President Mason asked for information to complete the renewal process and recommended increasing liability limits to \$2,000,000.00. Chief Godzieba and Councilwoman Horwatt will provide the needed information.

**Motion:** On motion of Councilwoman Horwatt seconded by Councilman Marfia, Council voted unanimously to authorize Vice President Mason to negotiate up to a \$300 yearly increase in the insurance premium to secure increase limits to \$2,000,000.

**Thermoplast:**

**Motion:** On motion of Councilwoman Horwatt seconded by Councilman Haldeman, Council voted unanimously to authorize Armour and Sons to replace the thermoplast at Pine Street and Flowers Avenue, near the AME Church, for a price not to exceed \$2,000, payable from Liquid Fuels.

**Traffic Study Proposals:** Councilwoman Horwatt sent Council the proposals from two engineering firms, SAFE and Pennoni, to study current traffic patterns in all four borough quadrants. Discussion of the two proposals, and a discussion of changes to the Certificate of Occupancy requirement, were postponed until the continuation of this meeting to a later date.

**Engineer:** No report.

**Approval of Minutes:**

**Motion:** On motion of Vice President Mason seconded by Councilwoman Horwatt, Council voted unanimously to approve the minutes from February, March, and April 2022, as revised by the Solicitor.

**Approval to Pay the Bills:**

**Motion:** On motion of Councilwoman Farry seconded by Vice President Mason, Council unanimously approved the payment of the bills.

**Treasurer's Report:**

**Motion:** On motion of Councilwoman Culleton seconded by Councilwoman Farry, Council voted unanimously to accept the Treasurer's Report.

**Committees, Boards and Commissions:**

**EAC:** Vice President Mason reported that we need to have dry-run and building stormwater inspections done by June 30 in preparation for the annual report to the DEP due September 30. He will ask CKS to review the report before it is submitted. By next year we will need to have an increased number of sediment reduction credits. Middletown's EAC says they do not need the credits from the retrofit of the bioretention basin at the Methodist Church but will share them with us if we fund the project. Vice President Mason will explore an opportunity to share the costs with PennDOT through Working Lands Investment Partners.

**Fire Company:** No report.

**HARB:** No report.

**LOSI:** Pat Carr reported that bad weather forced cancellation of the jazz concert at the farm. Councilwoman Horwatt will register the May 21 Catawissa Cleanup Day so the borough can get a stormwater credit.

**Recreation Board:** Councilwoman Horwatt reported that many people helped with playground mulching on May 10. Due to wet weather, completion of mulching is postponed to May 17. The new swings are here. Dedication of the Mayor's Playground is still scheduled for the day of the Rotary Pet Fair. School district officials will be invited.

**Shade Tree Commission:** Councilwoman Culleton sent Council the report of the April meeting. Arbor Day will take place at a future date in front of the American Legion, where a large tree has been taken down and will be replaced. Chris Blaydon will be in touch with Councilwoman Horwatt about planting an Eastern Redbud at the playground.

**Communications Team:** Councilwoman Culleton plans to post Council minutes starting from January 2021 on the website in addition to all approved minutes going forward. Posted minutes will not include attachments that are kept with minutes in the Borough office.

**Public Comment:** Solicitor Porter reported that on April 26 at 5:30 am she saw a truck and car block the intersection at Maple and Pine and prevent an emergency vehicle from passing.

Fran Grous, 360 Greenridge Rd., Middletown Township, hoped that the idea of replacing the service roads near Route 1 with bike paths will be reconsidered.

Carol Zetterberg, 129 W Marshall Ave., asked if Council's letter to Representative Farry is public. President Murdock replied that it can be obtained under the Right to Know Act and suggested she call Representative Farry's office in a few days to ask for a copy.

Councilwoman Culleton asked President Murdock to share with the rest of Council the petition to PennDOT opposing the partial cloverleaf that resident Beth Delaney gave him at the last meeting. President Murdock will email it to Council. Petition signatures can be viewed in the borough office.

Beverly Adams, 118 W Richardson Ave., reported that a streetlight is out on West Richardson and noted the danger at Gillam and Bellevue, which is not a four-way stop.

Paul Schneider, 233 N Bellevue Avenue, and Pat Carr, 230 N Green St., felt the scheduling of public comment on agenda items for late in the meeting might discourage comment on important issues. President Murdock explained that tonight's format was designed to enable Council to address business other than RC3 before a late hour. Other municipalities use this format or have public comment as each issue comes up. Council will decide on the format for future meetings and consider suggestions to have public comment before hearing from boards and commissions, or to start Council meetings at 7:00 p.m.

Councilman Haldeman reported that the new color printer will be put in tomorrow and the garage doors are ready to be replaced.

Pat Carr, 240 N Green St., asked whether the proposed borough traffic study will address Route 413. Councilwoman Horwatt replied that it will be a holistic look at all quadrants so we can address safety under current conditions. It will also provide a baseline study to help future councils understand the effects of RC3 and press for mitigation.

Chief Godzieba confirmed that police equipment has not yet been taken out of the Ford Fusion that will be put out to bid. Mileage on the new Durango is 311 (a correction to his written report).

President Murdock confirmed he is the Council liaison to LOSI and that he is the replacement for Councilman Marfia on the RC3 subcommittee.

Carol Zetterberg, 129 W Marshall Ave., asked whether we can buy a street from PennDOT. Councilwoman Horwatt said we would have to sign an agility agreement, but not have to pay.

Sue Taormina, 301 Penncrest Dr., Middletown Township, asked about recourse when her street becomes congested when work is done on Route 413. President Murdock recommended she ask Middletown to work with the Borough and Langhorne Manor on a solution that works for all.

Brian Smiley, 120 E Marshall Avenue, would like to see what other studies the two companies under consideration for the borough traffic study have done.

Fran Grous, 360 Greenridge Rd., Middletown Township, encouraged people to let Middletown supervisors hear their opinions on RC3 and expressed concern about traffic that cuts through her street when Route 413 floods. Councilwoman Horwatt suggested she ask Middletown to put up barriers.

**Executive Session:** On motion of Councilwoman Horwatt, seconded by Councilman Marfia, Council voted unanimously to move into Executive Session at 9:33 p.m. to discuss a personnel matter. Council returned to public session at 10:06 p.m.

**Motion:** On motion of Councilwoman Horwatt, seconded by Vice President Mason, Council voted unanimously to offer the position of Manager to Paul Leonard, subject to background check, and authorized the personnel team to negotiate salary to a maximum of \$50K.

**Motion:** On motion of Vice President Mason seconded by Councilman Marfia, Council voted unanimously to continue the meeting to May 26 at 7:30 p.m. The meeting was suspended at 10:12 p.m.

Respectfully submitted,

Nancy Culleton

Councilwoman/Interim Secretary

## Langhorne Borough Council Meeting

May 26, 2022

The continued May 11<sup>th</sup> meeting of the Langhorne Borough Council was held Wednesday, May 26, 2022, in person. President Paul Murdock called the meeting to order at 7:35 p.m. and invited those in attendance to join in the Pledge of Allegiance to the Flag.

**In attendance:** President Paul Murdock, Vice-President Rich Mason, Councilpersons Nancy Culleton, Kristen Farry, Scott Haldeman, Kathleen Horwatt, and Anthony Marfia.

**Traffic Study Proposals:** Council reviewed the proposals of both Pennoni and SAFE Engineering. Councilwoman Horwatt reviewed the goals of the study as explained in the RFP. She stated that Pennoni has helped us in the past with studies of Cherry and Richardson and has helped Middletown with similar issues. She felt that of the two proposals, Pennoni responded to the RFP more directly.

Councilwoman Culleton noted that the Pennoni proposal would primarily gather data on side streets; SAFE proposes using data already gathered on Maple and Pine Streets in conjunction with observations of borough streets and emphasizes collaboration with borough officials. Vice President Mason suggested that SAFE be asked to refine its proposal. Others felt that is not necessary. Both proposals involve studying traffic when school is in session and should not be done before the fall.

Councilwoman Horwatt suggested connecting with a community planner through the Bucks County Planning Commission to get a bigger picture of what's going on with the borough overall, not just with traffic. Council asked her to investigate this idea. She will also ask the county what the next step might be for getting Route 413 renumbered to follow 295 around the borough. A decision on the traffic study proposals was tabled.

There is money in this year's engineering budget to fund the traffic study, the Richardson Avenue drainage study, and studies for the Toll Brothers project if necessary.

**Use and Occupancy Certification:** Councilman Haldeman suggested that the borough either adopt a resolution to suspend the Use and Occupancy Certificate requirement in the absence of a borough manager or adopt a short form of the certificate that involves fewer inspections. If a short form is adopted, Jamie Ridge of Suburban Realtors Alliance recommends requiring heat, chimney, electrical, sidewalk and curb inspections, plus sewer lateral inspection if mandated by the state. The cost of the sewer lateral inspection is about \$500 and requires a special camera.

Councilman Haldeman further noted that a Use and Occupancy inspection can result in a pass, a provisional pass (permitting occupancy with 12 months to complete mandated repairs) or access-only (permitting access for 12 months to complete mandated repairs). The borough can be liable if inspections are poorly done. Electrical inspections should be done by a certified underwriter. There is a separate set of inspections when tenants change in rental properties. Councilman Haldeman suggested adding a list of local contractors to the Use and Occupancy form, for the convenience of applicants. Others felt it is not appropriate to make specific recommendations.

With the short form certificate, the seller's disclosure would cover all other issues. An affidavit system, which would protect the buyer, would be used only if there is no Use and Occupancy certificate requirement.

President Murdock suggested that the borough inform residents that their sidewalks will not pass inspection before they move to sell their homes. Laws and setbacks change, and newer residents are not always aware of the rules.

Councilman Haldeman made a motion to temporarily suspend all Use and Occupancy Certificate requirements. There was no second.

**Motion:** Councilman Haldeman made an amended motion to require a modified version of the Use and Occupancy Certificate that requires only heat, chimney, electrical, sidewalk and curb inspections, plus sewer lateral inspection if mandated by the state. Councilwoman Farry seconded, and the motion passed unanimously.

**Executive Session:** At 8:24 p.m. Council moved into executive session to discuss personnel matters. It returned to public session at 8:45 p.m.

**Motion:** On motion of Councilman Mason seconded by Councilwoman Farry, Council voted unanimously to extend an employment offer to Paul Leonard as interim borough manager at \$110/hour for 16 hours/week, with the contract to auto-renew monthly unless either party, with or without cause, provides 14 days advance written notice of termination. The start date will be as soon as possible. The interim manager's employment is projected to last two or three months and will include training his successor.

**Motion:** On motion of Vice President Mason seconded by Councilwoman Farry, Council voted unanimously to extend an offer of employment to Shirley Woods as borough clerk, secretary, and manager-in-training, at \$21/hour, subject to reference check, with hours to be determined by the interim manager but not to exceed 24 hours/week.

President Murdock will post an advertisement for a part-time public works employee to replace Steve Schoell.

In the absence of a public works employee, Council members made plans to help with barricades and trash collection before and after the Memorial Day Parade.

**Motion:** On motion of Councilman Haldeman seconded by Vice President Mason, Council voted unanimously to adjourn at 8:57 p.m.

Respectfully submitted,

Nancy Culleton

Councilwoman/Interim Secretary