

Langhorne Borough Council Meeting
May 8, 2024

A Langhorne Borough Council Meeting was held at Council Chambers on Wednesday, May 8, 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 Nancy Culleton; Vice President Kathleen Horwatt; Councilpersons Tim Harris, Bob Cumming, Scott Haldeman, Anthony Marfia, and Adam Zielinski; Mayor Joe Taylor; Solicitor David Truelove; Police Chief John Godzieba; Treasurer Ellyn Schoen; Manager Steve Bradshaw; Clerk Gabriel Tenaglia

Councilperson Harris arrived at approximately 7:23 p.m. Mayor Taylor arrived at approximately 8:37 p.m.

AGENDA REVIEW: President Culleton stated that the motions to approve Ordinances 2024-1A, 2024-1B, and 2024-1C would be tabled.

ANNOUNCEMENTS & PRESENTATIONS: Pat Mervine of the Langhorne Council for the Arts informed Council of their upcoming events. For their annual Porch Fest on October 5th, they will request the closure of a small section of Hill Avenue as they have in the past.

MAYOR'S REPORT: No report.

POLICE CHIEF'S REPORT: Chief Godzieba reported that the Bucks County Aggressive Driving Campaign ended April 28th. A few officers put in extra hours to work the detail. A total of 26 citations for traffic violations were issued. He announced that on April 27th, Langhorne Borough police participated in National Prescription Drug Takeback Day, collecting 125 lbs. of unwanted medication and used syringes. President Culleton said that a resident contacted her with concerns about the 35-mph speed limit. Chief Godzieba suggested putting up flashing strobe lights at the crosswalk. He said he would monitor it and then go to PennDOT if the speed limit is found to be unsafe. President Culleton also asked about the pedestrian fatality last winter. He reported that the investigation was cleared and it was found that the pedestrian was at fault, not the vehicle operator. President Culleton then asked about the solar speed signs, and Vice President Horwatt pointed out that the sign at Richardson is not working. Chief Godzieba said he is looking into it.

ENGINEER'S REPORT:

Route 413 Storm Inlets and New Pedestrian Crossing (at East Watson Avenue): PennDOT Highway Occupancy Permit No. 06117839 was issued on April 19th, 2024. George DiPersio announced that as a result of the permit, there is a need for a change order on the project. He provided a document with items listed for the change order; the total cost is \$33,655.72. There is \$65,409.20 in available funds from the Municipal Grant awarded by the Bucks County Redevelopment Authority to put toward the change order. Mr. DiPersio said that the first item on the order is that the stop bar be extended to where East Richardson approaches Pine Street. He also highlighted concerns about parking and said that CKS received an \$1,080 quote to remove the yellow paint from the curb along that area. He said that the last two items of the change order are optional, but the others are necessary to comply with PennDOT.

Vice President Horwatt asked when the change order will be done. Mr. DiPersio said that most of the items will be done after PennDOT repaves 413. The contractor is aware they cannot do any work or have any equipment out on Memorial Day weekend. Manager Bradshaw said the staging is taking place at the Heckman property. This was authorized by the Neshaminy School Board.

MOTION: On motion of Vice President Horwatt, seconded by Councilperson Zielinski, Council voted 6-0 to approve the change order from G&B Construction for Route 413 Stormwater Inlet Improvements and Crosswalk project. Councilperson Harris abstained.

DISCUSSION: Mr. DiPersio said he had no other major updates. President Culleton asked who requests the condemnation once the Borough receives the 7-11 easement appraisal. Solicitor Truelove said he would check with Solicitor Kirk. Mr. DiPersio said that G&B is aware that condemnation must happen before they can do any work in that area. Then Vice President Horwatt asked about PennDOT's Automated Red-Light Enforcement (ARLE) grant, noting that the grant application must be received by the end of June but Council will not be able to vote on it until their June 12th meeting, giving CKS only two weeks' notice. Solicitor Truelove said that Council could come to a consensus this meeting without a formal vote to permit the engineer to do what is required to apply for the grant.

MOTION: On motion of Vice President Horwatt, seconded by Councilperson Marfia, Council voted unanimously to authorize CKS Engineering to fulfill any requirements necessary for the ARLE grant and proceed with an additional application, if necessary, for the Green Light Go grant for upgrade of traffic signals, to be ratified at the June Council Meeting.

STREET REPAIR FOR PARADE ROUTE: Councilperson Haldeman said that for safety reasons the streets need to be patched up prior to the Memorial Day Parade. He asked Ken Banks from Asphalt Services to review the streets on the parade route. He informed Council that there is a \$1,400 balance from previously approved funds that can be used to put toward repairs. Solicitor Truelove advised that because a vote was not on the agenda, Council could approve more funds only if they were needed for emergency repairs. Mr. Banks then told Council that Asphalt Services could fix up the potholes temporarily while staying within the \$1,400 budget but for more they would be able to do more permanent repairs. Solicitor Truelove asked Mr. Banks for his highest estimate. Mr. Banks said \$10,000. Solicitor Truelove advised that the motion to authorize the work stipulate that it not exceed \$10,000. Mr. Banks also offered to do repairs on Country Club Lane.

MOTION: On motion of Vice President Horwatt, seconded by Councilperson Harris, Council voted unanimously to authorize emergency repairs for asphalt and paving not to exceed \$10,000.

PLANNING COMMISSION REPORT: PC Chairperson Paul Schneider informed Council that PC made a motion to recommend approval of the lot line change at 141-151 West Maple, subject to a number of conditions. They also moved to amend the Professional Services Permitted Use document that came before Council at the beginning of the year to reinstate B9, Care Facility as a permitted use, and moved to recommend three documents as part of the Traditional Neighborhood Development (TND). PC also made motions regarding RC3 and the Heckman property. Mr. Schneider said that the PC is seeking authorization from Council to ask Mr. DiPersio and the Bucks County Planning Commission to make modifications to the TND ordinance. Solicitor Truelove explained that if Council accepted the PC's recommendations for the PS Permitted Uses and TND, they would have to table the motions to approve Ordinances 2024 1A, 1B, and 1C.

MOTION: On motion of Councilperson Marfia, seconded by Vice President Horwatt, Council voted 6-0 to accept recommendations of Planning Commission for changes to PS Permitted Uses, existing Zoning Ordinance, TND Appendix F, and TND Appendix G. Councilperson Haldeman abstained.

MOTION: On motion of Vice President Horwatt, seconded by Councilperson Marfia, Council voted unanimously to authorize Planning Commission to proceed with asking CKS Engineers and Bucks County Planning Commission to make any modifications needed to make the TND applicable to the East side of Pine Street.

MOTION: On motion of Vice President Horwatt, seconded by Councilperson Zielinski, Council voted unanimously to accept Planning Commission's recommendation to approve the lot line change at 141-151 West Maple Avenue, subject to certain conditions.

DISCUSSION: President Culleton said that one of the conditions for approving the lot line change was that the amendment to the 1997 agreement that disallowed further subdivision of the property needs to be signed and submitted.

PROPOSAL FROM BCPC FOR REDOING ZONING ORDINANCE: President Culleton said that BCPC is proposing to redo the Zoning Ordinance for an amount not to exceed \$36,150. Vice President Horwatt said that Council could authorize BCPC to proceed with the Zoning Ordinance PS proposal, but Council can't authorize the rest of the work because it's not on the budget. BCPC must first apply for the grant. If the grant is obtained, the Borough would pay BCPC its cost-share portion of \$18,000.

MOTION: On motion of Vice President Horwatt, seconded by Councilperson Cumming, Council voted unanimously to authorize BCPC to produce a grant application to secure funding and cover partial costs of redoing the Zoning Ordinance.

MOTION: On motion of Vice President Horwatt, seconded by Councilperson Zielinski, Council voted 4-1 to approve the petition filed for dedication of Country Club Lane and Ordinance 2024-03: ACCEPTING DEDICATION OF THE ROADWAY COMMONLY KNOWN AS COUNTRY CLUB LANE LOCATED WITHIN THE BOROUGH. President Culleton, Vice President Horwatt, and Councilpersons Haldeman and Zielinski voted for. Councilperson Marfia voted against. Councilpersons Cumming and Harris abstained.

PUBLIC COMMENT: Tim Williams, 23 Country Club Lane, thanked Council for considering dedication of Country Club Lane. Jason Green, 52 Country Club Lane, Mary Vanwert, 43 Country Club Lane, Kevin Paton, 53 Country Club Lane, Meredith Lafferty, 42 Country Club Lane, and Cynthia Murphy, 62 Country Club Lane all stated that they were unaware the roadway was not dedicated when they moved in.

MOTION: On motion of Councilperson Haldeman, seconded by Councilperson Zielinski, Council voted unanimously to prepare a complete spec package for potential contractors to bid on Country Club Lane repaving.

PUBLIC COMMENT: Mrs. Vanwert asked that someone contact PECO about the work they have been doing around North Bellevue and Country Club Lane. President Culleton asked Manager Bradshaw to consult with her.

MOTION: On motion of Councilperson Cumming, seconded by Councilperson Marfia, Council voted unanimously to table Ordinances 2024-1A, 2024-1B, and 2024-1C until the June 12th Council Meeting.

RESPONSE TO SAFE ENGINEERING DRAFT LETTER OF APRIL 30th TO PENNDOT: At the previous Council meeting, Council authorized Joe Fiocco of SAFE Engineering to prepare a response letter. The Planning Commission recommended that Brian Smiley create a sketch plan for inclusion with the letter. Vice President Horwatt explained the corrections she made to the letter and said the letter should be sent to the Delaware County Planning Commission and Bucks County Planning Commission. President Culleton added that it should also go to Representative Joe Hogan. Council also agreed to notify Senator Frank Farry of the change in protocol.

MOTION: On motion of Councilperson Marfia, seconded by Councilperson Cumming, Council voted unanimously to approve the letter from SAFE Engineering to PennDOT, with the changes specified by Vice President Horwatt and additional material provided by Brian Smiley, to be sent to the Borough Manager to send out to all the parties listed.

MOTION: On motion of Councilperson Cumming, seconded by Councilperson Haldeman, Council voted unanimously to approve the Solicitor's letters to Middletown Township and Erin Development regarding the Heckman property.

MOTION: On motion of Vice President Horwatt, seconded by Councilperson Zielinski, Council voted unanimously to appoint Councilperson Scott Haldeman as President Pro Tem.

RESOLUTION 2024-16: President Culleton explained that the Resolution allows Council to vote at Work Session meetings. Voting items would have to be on the agenda, same as regular Council Meetings. She said that voting items would be limited to time-sensitive matters and explained the Consent Agenda, which groups certain agenda items into one to be approved with a single vote.

MOTION: On motion of Councilperson Haldeman, seconded by Councilperson Zielinski, Council voted unanimously to approve Resolution 2024-16: MODIFY THE SECOND MONTHLY MEETING OF BOROUGH COUNCIL FROM A WORK SESSION MEETING TO A WORK SESSION/VOTING MEETING AND TO FURTHER MINIMIZE THE REQUIRED ACTION ITEMS BEFORE COUNCIL BY ADOPTING CONSENT ITEMS.

TOLL NOTICE OF LAND USE APPEAL: Council previously authorized Solicitor Kirk to file a petition to intervene in Toll Brothers' appeal hearing before the May 6th deadline. This authorization was given with the understanding that in May, Council would vote to either ratify the petition or request that it be withdrawn. Solicitor Truelove explained the appeal process to Council.

MOTION: On motion of Councilperson Cumming, seconded by Councilperson Haldeman, Council voted unanimously to ratify the Solicitor's petition to intervene.

MOTION: On motion of Councilperson Haldeman, seconded by Councilperson Cumming, Council voted unanimously to approve Resolution 2024-17: CORRECTING 2023 POLICE WAGE RESOLUTION.

MOTION: On motion of Councilperson Cumming, seconded by Councilperson Marfia, Council voted unanimously to amend Resolution 2024-18: SOCIAL MEDIA MANAGER CONTRACT.

MAPLE SQUARE RETENTION BASIN OPERATING AGREEMENT: Vice President Horwatt explained that the map provided by Erin Development shows that the Maple Square basin is in Langhorne Borough, but Maple Square has never paid the Borough for upkeep despite the fact that an agreement was signed

when the basin was developed. The maps found by Solicitor Kirk show that the basin is not in the Borough. Vice President Horwatt said that Middletown ceded responsibility of the basin to the Borough. She said a notice should be sent to Maple Square to fix the basin. Solicitor Truelove said that he would follow up with Solicitor Kirk and look for the original documents.

MOTION: On motion of Vice President Horwatt, seconded by Councilperson Cumming, Council voted unanimously to approve the minutes from the April 10th Council Meeting and the April 25th Work Session with the corrections submitted by Vice President Horwatt.

MOTION: On motion of Councilperson Marfia, seconded by Councilperson Cumming, Council voted unanimously to approve the Treasurer's Report.

DISCUSSION: Vice President Horwatt noted that Keystone Municipal Services is 140% over budget. Treasurer Schoen provided a breakdown showing that a large portion of the expense was from 118 East Maple Avenue. Vice President Horwatt said that as per his agreement with Council, the applicant had to pay the inspection fees. Manager Bradshaw said that he had paid them. President Culleton suggested authorizing payment to Keystone.

MOTION: On motion of Councilperson Cumming, seconded by Councilperson Haldeman, Council voted unanimously to approve payment of the bills.

MOTION: On motion of Councilperson Cumming, seconded by Councilperson Marfia, Council voted unanimously to approve the event permits for LBBA Olde Harvest Day on October 26th, the Soby Post Veterans 5K on November 2nd, and the Barbara T. Foundation 5K on November 9th.

MANAGER'S REPORT:

- Work on Route 413 has officially started. The School Board approved a 50-foot trailer to be staged at the Heckman property.
- POW/MIA flags are up.
- The bollards for the generator have arrived.
- Flags on Pine are half up, the other half will be put up tomorrow.
- Curb painting will begin shortly; the supplies have been purchased.
- Permits for the Car Show and the Memorial Day Parade have been submitted to PennDOT. Street sweeping has been requested.

DISCUSSION: Vice President Horwatt asked if street sweeping has been requested to both PennDOT and Middletown. Manager Bradshaw said he will reach out to Middletown. Councilperson Haldeman also asked him to follow up with Bucks County Water and Sewer regarding the sinkhole they filled in on South Bellevue.

COMMITTEE, BOARD & COMMISSION REPORTS:

Communications Team: The Communications Team discussed the photo submissions and the HRC's webpage. President Culleton presented a draft of the post for photo submissions. The Communications Team will be choosing submissions every month to be featured on the website and social media.

Environmental Advisory Council: The EAC met on April 18th. Prior to the meeting, CKS presented the EAC with a report of proposals for partial retrofits of the Methodist Church basin. EAC Chair Rich Mason said that Vice President Horwatt brought up the possibility of using the Maple Square basin at the Heckman property, which may be suitable as a fire retention basin. Mr. Mason suggested that he work with Vice President Horwatt or another Councilperson to conduct preliminary negotiations with whoever is paying for development of the Heckman property and see if they will collaborate with developing the basin into a fire retention basin. This could get the Borough enough sediment reduction to satisfy the Department of Environmental Protection. There was discussion of what the Borough intends to do with their portion of the Heckman property and whether the basin is in the Borough or Middletown. Solicitor Truelove said he will look into it. Then Mr. Mason explained Community Choice Aggregation, which the EAC also discussed at their meeting. A Community Choice Aggregation Ordinance gives the Borough the power to negotiate for energy services on behalf of Borough residents. This would allow the Borough to become more sustainable by reaching more advantageous contracts with sustainable companies. Mr. Mason said the EAC will look into this possibility further and provide a report. He also suggested that someone reach out to Neshaminy and find out who to speak with about the basin. Solicitor Truelove said his office could do that.

Fire Company: No report.

Councilperson Haldeman said that he has been making a monthly report of fire calls to use for negotiations in the event Middletown chooses to charge the Borough for use of its fire services. He can no longer access that information. He asked if the fire department could give a monthly report on fire calls in Middletown Township.

HARB: No report.

Heritage Farm/L.O.S.I.: President Pat Carr announced that the Farm and Catawissa cleanup days last week had 30 volunteers. The Eagle Scout project at the Catawissa Trail also started. He also announced the dates of upcoming events and said that the new electrical panel at the farmhouse will be installed on the 23rd.

Recreation Board: Vice President Horwatt announced that there was recently a massive cleanup at the Mayor's Playground.

Shade Tree Commission: President Culleton announced that the Arbor Day Celebration on April 27th was a success.

Zoning and Building Reports: Written reports.

PUBLIC COMMENT: Tracy Boyd, 249 East Richardson Avenue, complained about the staging work being done by B&G Construction at the Heckman property and the response she received from the Borough Manager when she brought this to his attention. She said that the construction crew was operating from 6 a.m. to 6:30 p.m. and leaving debris around the property, and claimed that the decision to stage at the property was discriminatory. Council asked the Manager to reach out to B&G Construction and ensure they are operating within the hours stipulated in their contract and clean up the debris. President Culleton stated that she would have follow-up conversations with both Ms. Boyd and Manager Bradshaw.

Councilperson Harris expressed his dissatisfaction with the lack of response to the rainwater pooling in front of his house. He asked what Council intended to do. President Culleton said that CKS had agreed to meet with him the next time it rained and observe the conditions. There was more discussion and Council decided that Councilperson Harris should get in touch with CKS directly.

SOLICITOR'S REPORT: No report.

ADJOURNMENT: With no other business, on motion of Councilperson Cumming, seconded by Councilperson Harris, Council voted unanimously to adjourn and enter executive session at 9:53 p.m.

Respectfully submitted,

Steve Bradshaw, Borough Manager / Secretary

Next Council Meeting: June 12, 2024, at 7:00 p.m.