

Langhorne Council Meeting Minutes November 10, 2021

A meeting of the Langhorne Borough Council was held on Wednesday, November 10, 2021 at 7:30 p.m., as a hybrid meeting, both in person and virtually via Zoom. President Thomas called the meeting to order and invited everyone in attendance to Pledge Allegiance to the Flag.

Present in person were: President Kari Thomas, Vice President Scott Haldeman, Councilmen Richard Mason, Anthony Marfia, and Paul Murdock, Councilwomen Kathleen Horwatt and Kristen Farry, Borough Manager/Secretary Christine Schoell, Sergeant Michael Phelan, Treasurer Ellyn Schoen, and Solicitor Catherine Anne Porter. Absent were: Mayor Joseph Taylor and Police Chief John Godzieba.

President Thomas stated that there would be an executive session after this meeting regarding personnel.

Mayor's Report: No Report.

Chief's Report: Councilman Murdock asked for increased patrol on Summit Avenue to enforce restricted vehicle access, especially between 2 p.m. and 4 p.m. when children are getting off the buses. Sergeant Phelan agreed to speak with Chief Godzieba regarding added patrols. Councilwoman Horwatt expressed appreciation for the police presence on Halloween night and their handling of Harvest Day.

Planning Commission: Brian Smiley stated that he received a letter from JMT on September 14th in response to their July letter and asked Council to consider the response they had drafted. Mr. Smiley did not want to respond to each issue raised, but to request a sit down meeting to go over the items. He did not want the letter to appear adversarial in nature, but they did not think that PennDOT had answered all of their questions. Members of the Planning Commission collected 120 signatures from Borough residents opposing the Route 1 Interchange Project. Mr. Smiley pointed out that the 2014 Comprehensive Plan for the Borough listed improved walkability of the Borough as a goal. Mr. Smiley spoke with Rich Brahler from BCPC and Brian Keaveney from Pennoni, who were in favor of requesting a Purpose of Need for the Project, which would require PennDOT to state why the interchange was necessary. It was also suggested that the Borough ask for an advanced copy of the upcoming Nov. 22nd presentation in order to prepare for it. As the Borough is in agreement that Route 1 should be upgraded, Borough will need to justify any proposed alternative plans, show where there will be increased traffic, and gather and present the necessary traffic data to prove the problems that the interchange may cause. Councilwoman Horwatt advised that she would contact TMA to try and get updated traffic counts. She discussed the 2014 PennDOT plans for Route 1 that consisted of off-ramps instead of a full interchange. Mr. Smiley suggested getting a copy of the 2014 plans.

Councilman Murdock was advised that the November 22nd presentation would be similar to the September presentation. He stated that the time to discuss Borough concerns would be when PennDOT brings up the traffic data. He emphasized that if the plan was to go forward that the Borough request remediation assistance such as new sidewalks and bike paths.

Paul Schneider thought the Borough's position on the proposed interchange should be made very clear at the meeting. Councilman Mason strongly suggested that the Borough present PennDOT with an alternative plan since it was unlikely the project would be completely scrapped. Councilwoman Farry asked Council to reach an overall consensus and provide some direction on how to proceed. Councilman Marfia opposed the interchange, citing that it would be detrimental to the Borough. Brian Smiley indicated that the Planning Commission could collect additional signatures on the petition from Borough residents opposed to the project.

President Thomas suggested rewording the letter and instead of outright opposing the interchange, setting forth a compromise with alternative plans. Councilwoman Horwatt suggested authorizing the traffic engineer to review the Project and propose alternative options. Councilwoman Farry asked that the letter to PennDOT be from Borough Council.

Motion: Councilman Murdock made a motion seconded by Councilman Mason to send the letter to PennDOT as is. By a vote of 3-4-0, the motion failed. President Thomas, Vice President Haldeman, Councilwoman Farry and Councilman Murdock voted in dissent.

Council discussed revising the letter. Councilman Mason suggested adding a sentence requesting that alternative plans be considered. President Thomas also suggested that PennDOT be asked to consider alternative plans rather than the Borough blatantly rejecting the plans. Councilman Murdock suggested rewriting it as a "consideration of an alternate interchange on the southbound side of Route 1 to work within the existing road framework." He stated that the northbound interchange would be necessary due to the blinking traffic light on Bellevue Ave. and Pine St. on that side. Council ultimately decided to table the letter for engineer revision.

Manager's Report: Manager Schoell asked to advertise the 2022 Borough Meeting Schedule and advised that the posted work sessions could be cancelled if not needed.

Motion: On motion of Councilwoman Horwatt seconded by Councilman Marfia, Council voted unanimously to approve the advertisement of the 2022 Borough Meeting schedule.

Manager Schoell received two proposals for snow removal bids for the 2021-2022 year. Solicitor Porter advised that LS Land Construction LLC was the lower of the two bids, with \$100 less per hour than the other company, Grimmer. There was one mowing bid received for the 2022 mowing year from LS Land Construction, LLC.

Motion: On motion of Vice President Haldeman seconded by Councilman Mason, Council voted 6-0-1 to accept the snow bid from LS Land Construction, LLC for the 2021-2022 year and the mowing bid from LS Land Construction LLC for the 2022 year, with an abstention from Councilwoman Horwatt for personal reasons.

Manager Schoell requested approval to place the 2014 Ford Fusion on Municibid after the police equipment was removed and the new vehicle outfitted. Councilwoman Farry asked about selling any equipment in the vehicle that could not be reused.

Motion: On motion of Councilwoman Farry seconded by Councilman Marfia, Council voted unanimously to place the 2014 Ford Fusion along with any police equipment that has been removed on Municibid, once the new police vehicle is outfitted.

Manager Schoell sent quarterly reports to the RDA for three open RDA grants for the Tasers, Police Vehicle and Borough Hall Security System. Adam Zielinski, who is assisting the Borough with audio and technical matters for Council meetings, stated that he was looking into different options to try and find equipment that will work best for Council Chambers.

Manager Schoell asked if she should look for a new Borough engineering company moving forward. Council suggested that she reach out to Dumack, and that Pennoni should continue to be used regarding transportation and stormwater management.

Manager Schoell reported that the Bucks County Board of Commissioners requested that municipalities provide assistance from the American Rescue Plan Act fund to the County EMS. They were asking for a donation of \$5,116.00. Council declined to act until it was determined if any of the money would go to local volunteer emergency services staff.

The Langhorne-Middletown Fire Company asked for approval to hold their Annual Coin Toss on November 27, 2021 from 9 a.m. to 3 p.m. at the intersection of Maple Ave. and Pine St..

Motion: On motion of Councilwoman Horwatt seconded by Councilman Mason, Council voted unanimously to approve the application for the Middletown Fire Company to hold their Annual Coin Toss event.

Manager Schoell asked if the Reorganization Meeting for 2022 would be held on January 3rd or at the regular Council meeting. Solicitor Porter stated that a January 3rd Reorganization Meeting would have to be advertised.

Motion: On motion of Councilman Mason seconded by Councilman Murdock, Council voted unanimously to add the January 3, 2022 Reorganization meeting to the 2022 Council Meeting Schedule.

Manager Schoell requested permission to replace the deteriorating fireproof cabinets and to purchase new fireproof cabinets, for an estimated cost of \$1,500 to \$1,700 each.

Motion: On motion of Councilwoman Horwatt seconded by Vice President Haldeman, Council voted unanimously to approve the allocation of up to \$7,500 for the purchase of fireproof filing cabinets for the Borough Office.

Planning Commission: Brian Smiley revised the letter to PennDOT regarding the Route 1 Interchange Project in order to more accurately reflect what was discussed earlier in the meeting, including consideration of working with existing road configurations on Route 413 and the southbound side of Route 1, and redirecting truck traffic to other major highways including I-295 and US Route 332.

Motion: On motion of Councilman Murdock seconded by Councilwoman Horwatt, Council voted 5-2-0 to approve the letter to PennDOT as amended, Vice President Haldeman and Councilwoman Farry voted in dissent. Councilwoman Farry clarified that the reason for her dissenting vote was not based on the content or merits of the Planning Commission's letter but on her belief that as the Borough's elected representatives, Council should be taking the lead on any further negotiations or interactions with PennDOT.

Manager Schoell asked Council to allot a \$50 donation to the Jesse Soby American Legion Post for the October 20, 2021 meeting.

Motion: On motion of Councilman Murdock seconded by Councilman Marfia, Council voted unanimously to approve the allotment of a \$50 donation to the Jesse Soby American Legion Post.

Councilwoman Horwatt suggested that Manager Schoell send copies of the letter to State Representative Frank Farry and State Senator Tommy Tomlinson. Councilman Murdock suggested that the Planning Commission send the letter to JMT and that a representative of Council should handle future correspondence. Manager Schoell agreed to e-mail a copy of the letter to the state representatives and PennDOT. Brian Smiley will also send the Planning Commission minutes to JMT and requested that the minutes be posted on the Borough web-site. Council decided to ask Brian Keveaney to attend the Nov. 22nd PennDOT meeting. Councilman Murdock confirmed that Council as a whole would be notified of any new information in the meeting and that there would be three Council representatives there.

Engineer's Report: None.

Approval of the Work Session Minutes:

Motion: On motion of Councilwoman Horwatt seconded by Councilman Mason, Council voted unanimously to approve the October 5, 2021 Work Session Minutes; as revised by the Solicitor.

Approval of the Council Meeting Minutes:

Motion: On motion of Councilman Murdock seconded by Vice President Haldeman, Council voted unanimously to approve the October 13, 2021 Council Meeting Minutes; as revised by the Solicitor.

Approval of the Treasurer's Report:

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

Payment of the Bills:

Motion: On motion of Councilman Mason seconded by Vice President Haldeman, Council voted unanimously to approve the payment of the bills.

EAC: Councilman Mason suggested that the Borough adopt a storm drain program in which homeowners who live near storm drains would keep them clean and unobstructed. He also suggested sending a flyer with the solid waste bills and attaching plaques attached near them to show who was responsible for cleaning each one.

Motion: On motion of Councilman Murdock seconded by Vice President Haldeman, Council voted unanimously to approve the EAC storm drain program as proposed.

HARB: While there were no formal HARB applications for this month, Manager Schoell reported that there was an emergency application due to an active leak at 124 E. Maple Ave. The owner, Ernest Padovani, stated that he would like to change the shingles on the building to match the already existing ones on the shed in the back of the property. However, HARB members are not in agreement with the proposed color, instead wanting the shingles to be all gray or all black.

Motion: On motion of Councilwoman Horwatt seconded by Vice President Haldeman, Council voted unanimously to approve the HARB recommendation for 124 E. Maple Ave. to have shingles that are a single solid color such as gray or black.

Farm/LOSI: None.

Recreation Board: Councilwoman Horwatt stated that the Lucille Messina Memorial Tree planted at the Mayors Playground at no cost by Jeff Bartlett of Big Oak Tree Services had died. Because the tree was purchased from Feeney's Wholesale, its survival was not guaranteed. A new tree was purchased at a cost of \$500. The Shade Tree Commission agreed to pay \$200 toward the new tree.

Motion: On motion of Councilman Murdock seconded by Councilman Marfia, Council voted unanimously to use \$200 from the Shade Tree Fund and \$300 from General Funds to pay for the new memorial tree.

Councilwoman Horwatt stated that the Recreation Board normally received \$4,000 a year for purchases and reminded Council that \$26,000 remained in the playground escrow account. She requested approval to purchase two replacement benches for the Mayors Playground.

Motion: On motion of Councilman Mason seconded by Councilman Murdock, Council voted unanimously to approve the purchase of two replacement benches for \$600 each.

Public Comment: Carol Deaver of 203 W. Watson Ave. stated that she had resigned as Judge of Elections in the Borough after 15 years of service and that the majority inspector, Beth Delaney, was having difficulty finding a replacement. Council thanked her for her years of service.

Solicitor's Report: Solicitor Porter stated that she would call the Bucks County Commissioners to see if the Hazard Mitigation Plan could be amended to include Attleboro and the Woods School.

Solicitor Porter discussed the purchase of the Mayors Playground and asked for a vote to purchase the property and to terminate the lease agreement once the property was purchased.

Motion: On motion of Councilwoman Horwatt seconded by Vice President Haldeman, Council voted unanimously to terminate the lease agreement after the purchase of the Mayors Playground.

Vice President Haldeman was concerned that the reversionary clause would cause problems for the Borough later. Councilwoman Horwatt stated that the park must go to settlement within the next week or the purchase could be in jeopardy. She recommended rezoning that property as open space after the purchase is complete. Vice President Haldeman confirmed with Solicitor Porter that if the property were to revert ownership again, Neshaminy School District could not change the zoning on the property.

Motion: On motion of Councilwoman Horwatt seconded by Councilman Murdock, Council voted unanimously to approve the Mayors Playground Resolution as written.

Treasurer Schoen suggested either using the savings account from the general MM until the CD matures or cashing in the CD before it matures with a penalty. Council agreed to use funds from the savings account money until the CD matures. Once the CD matures, the funds would be returned to the Money Market account.

Motion: On motion of Councilman Murdock seconded by Councilman Mason, Council voted unanimously to approve the use of the general MM savings account for the payment for the Mayors Playground until the CD matures, at which time the funds will be returned.

An Executive Session was called to discuss personnel matters.

Executive Session Start: 9:54 p.m.

Executive Session End: 10:22 p.m.

Adjournment: With no other business, on motion of Councilman Mason seconded by Councilman Murdock, Council voted unanimously to adjourn the November 2021 Council Meeting at 10:24 p.m.

Respectfully Submitted,



Christine Schoell
Borough Secretary