

**Langhorne Borough Council Meeting**  
**November 13, 2024**

A Langhorne Borough Council Meeting was held at Council Chambers on Wednesday, November 13, 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 Culleton; Vice President Kathleen Horwatt; Councilpersons Tim Harris, Anthony Marfia, and Scott Haldeman; Solicitor Dave Truelove; Manager Steve Bradshaw; Clerk Gabe Tenaglia

**ABSENT:** Mayor Joe Taylor; Chief John Godzieba; Treasurer Ellyn Schoen; Councilpersons Adam Zielinski and Bob Cumming

**AGENDA REVIEW:** President Culleton said that the motion to approve Ordinance 2024-05 will be tabled because it has not gone through full review by Planning Commission and the Bucks County Planning Commission. She also listed items that will be discussed at future meetings.

**ANNOUNCEMENTS & PRESENTATIONS:** Don Minnick, 149 West Richardson Avenue, thanked the Borough on behalf of the Jesse W. Soby Post for supporting their 5K run on November 2<sup>nd</sup>. Jay Ferraro with the Barbara T. Ferraro Foundation thanked the Borough, the police department, and the fire department for supporting their 5K on the 9<sup>th</sup>. Rec Board Chair Tricia Gorman announced that the Holiday House Tours are next Thursday. Then Andrew Schifferli, Director of Operations of the Penn-del-Middletown Emergency Squad (PMES), introduced himself. He thanked Manager Bradshaw and the Borough for helping with the RDA grant application for an HVAC replacement for PMES.

**CONSENT AGENDA:** The consent agenda consisted of the minutes for the 10/09 Council Meeting and 10/24 Work Session with a correction to the title of the Work Session minutes, the treasurer's report, payment of the bills, and cancellation of the 11/21 Work Session.

**MOTION:** On motion of Vice President Horwatt, seconded by Councilperson Marfia, Council voted 5-0 to approve the consent agenda.

**WAIVER OF U&O REQUIREMENT FOR THE HICKS HOUSE:** Joe Cimino, owner of the Hicks House, said that he intends to sell the building and objects to the Borough requiring a Use & Occupancy permit for a 250-year-old building. He said that the heating system is under a service contract, the chimney has a stainless-steel stack, and there are smoke alarms on all four floors. His insurance company inspects the building every year. There was discussion of the residential resale U&O form, and Councilperson Haldeman said that there are over twenty units in the building and questioned whether it was feasible to have a U&O inspection for such a property. President Culleton said that U&Os are mainly for safety and expressed concern about waiving them. Councilperson Haldeman said that he is not in favor of U&Os, and noted that Middletown and Northampton Township do not have them. President Culleton said that the Borough should look into doing away with U&Os instead of making exceptions. There was further back-and-forth about inspections and Vice President Horwatt suggested that Mr. Cimino could get the required inspections done while the Borough considers what to do about U&Os. Councilperson Marfia expressed concern about the precedent it would set for other property owners if the Borough waived the U&O. Councilperson Haldeman asked if Mr. Cimino will get electrical, heater, and level 2

chimney inspections, and he said that he would. Councilperson Haldeman felt that this was enough. Councilperson Haldeman moved to approve the waiver of the U&O for the sale of the Hicks House. No one seconded and the motion failed. After further discussion with Solicitor Truelove, President Culleton announced that there would be no motion tonight to change the U&O process, but the Borough will review the process and make a decision. She suggested that Councilperson Haldeman, Clerk Tenaglia, and Manager Bradshaw discuss and come back with a recommendation for Council. Mr. Cimino said that he will get the required inspections in the meantime and submit the certificates to the Borough. Vice President Horwatt also requested that he get a Fire Marshall inspection. Mr. Cimino said he will contact Senator Farry.

**POLICE CHIEF'S REPORT:** Chief Godzieba is under the weather and could not attend the meeting, but he submitted his report earlier today. President Culleton spoke with him this morning, and he expressed interest in establishing an auxiliary police unit in the Borough. It would be made up of volunteers trained to help out with things like traffic control and getting in touch with first responders. They would have first aid training and use the police radio, but would not be armed. They could also help with large events in the Borough that require extra police detail. Mayor Taylor has expressed support for this idea. Chief Godzieba also brought up two infrastructure needs, the first being replacing the police firewall. He received a quote for \$7,000 for hardware installation, transfer of data, and post-installation support. The second was replacing the police copier and fax unit. Chief Godzieba suggested that it would be most cost-effective for them to lease a unit for \$9 a month under a five-year agreement including maintenance and supplies. President Culleton asked if Council needs a motion to approve these infrastructure needs. Vice President Horwatt said they can come out of the police budget. If the budget is a problem, she said that the cost of the firewall can come from the Capital Fund.

**ENGINEER'S REPORT:**

**Route 413 Storm Inlets and New Pedestrian Crossing:** Engineer George DiPersio said that the Route 413 project is essentially complete, but Council must vote on the change order prepared by G&B Construction to replace the concrete wedge and surrounding sidewalk in front of the utility pole by the 7-11. Mr. DiPersio said that if G&B Construction determines that they need to replace a portion of the cheek wall during construction, it would add a rate of \$85 per linear foot to the cost. He estimated that the area to be replaced would be no more than twelve feet, adding another \$1,020 to the cost of the work. He also estimated that the Borough has \$29,333.87 left in the BCRDA grant for the work, so it would cover the cost. President Culleton asked what the Borough will do to keep people from getting stuck trying to pass through the space between the pole and the cheek wall, which is too narrow for wheelchair users. Mr. DiPersio said that nothing is required by PennDOT; Vice President Horwatt said that they had discussed putting up a sign at a previous meeting.

**MOTION:** On motion of Vice President Horwatt, seconded by Councilperson Harris, Council voted 5-0 to approve Route 413 Change Order #3 for \$3,597 with total cost not to exceed \$5,000.

Mr. DiPersio said that he will inform G&B Construction tomorrow that the change order has been approved. G&B's subcontractor will meet with PennDOT's Signals Unit on Friday to inspect the flashers, which were installed and activated on October 29<sup>th</sup>.

**Stormwater Ordinance Revisions:** A fifteen-page document with CKS' suggested revisions to the Stormwater Ordinance was sent to the Solicitor's office a few weeks ago. One question that came up in CKS' review concerned the application and checklist in the Borough's Ordinance. It was not clear if the

application and checklist are actually used. Mr. DiPersio suggested that the Manager's office could look into this. He also said that the document was not included in the meeting packet because it was not in a format for advertising, and the Solicitor's office needs till December to prepare it. He recommended sending it to the Environmental Advisory Committee before Council sees it. After some discussion, President Culleton said that it should go to Vice President Horwatt and Councilperson Harris, and asked if Vice President Horwatt could distribute it to the rest of the EAC as Council liaison.

**Local Share Account Grant Application for Mayors' Playground:** The DCED Local Share Account Statewide (LSA) grant application for the Mayors' Playground community building is being prepared for submission by the November 30<sup>th</sup> deadline. Mr. DiPersio presented a list of the line items in the plan and asked for recommendations from Council. Vice President Horwatt asked if 10% of the total grant award will go toward engineering costs; Mr. DiPersio said that 10% is the program limit and CKS does not need that much to complete the project. He informed Council that Councilperson Zielinski is working on getting letters of support, and asked Manager Bradshaw to get letters from Representative Hogan and Senator Farry. Councilperson Harris asked if the increased need for parking has been considered. Mr. DiPersio said that the plan lists additional parking on Cherry Street as a potential addition, and it is possible that the proposed development of the Heckman property could include help with the playground. Councilperson Harris asked specifically about parking at the First Baptist Church of Langhorne at 215 East Richardson Avenue, and Mr. DiPersio said there is no plan to modify or expand the church parking lot. Vice President Horwatt suggested revisiting the plan to put more parking on Cherry Street and change the curb and sidewalk line. Mr. DiPersio said that the plan currently presents an option for this, but they are not asking for money for the project with the expectation that the development of Heckman could meet parking needs. Councilperson Harris pointed out that the church parking lot will be the closest access point to the community building, which could cause the parking lot to be filled up at the expense of parishioners. Mr. DiPersio and Council discussed adjusting the plan to move the curb line and sidewalk on Cherry Street and adding paving. Mr. DiPersio said that CKS can modify the budget to account for the Cherry Street parking modifications.

**RECREATION BOARD REPORT:** The Rec Board report was moved to earlier in the meeting, as Councilperson Zielinski had updates that he was not able to provide in person. Tricia Gorman, the Rec Board Chair, informed Council that a vandal broke one of the toy cars at the Mayors' Playground. The insurance money will come in soon, and Rec Board plans to replace the toy with a swing for people with disabilities. Councilperson Zielinski is also working with Game Time to put in more play equipment for the playground; Mr. DiPersio said that they were looking at a climbing course, but it would have overcrowded the play area. Instead, Rec Board could put in three smaller pieces of play equipment. The final cost for the equipment is subject to change, but is currently estimated at \$70,000.

**PLANNING COMMISSION:** There is no report, as Chair Paul Schneider is attending the Middletown ZHB meeting tonight. President Culleton noted that Ordinance 2024-05 amending the Zoning Code to include appendices H and I was not sent to the Bucks County Planning Commission and the Planning Commission for final review and called for a motion to table approval of the ordinance until the December 11<sup>th</sup> meeting. Vice President Horwatt asked if it has to be sent with a cover letter to BCPC even though they attend all the Borough's meetings. Solicitor Truelove said that they need a review letter, and agreed with Vice President Horwatt that the best course would be to send a letter with the application from the Borough Manager. Manager Bradshaw said it has already been submitted. President Culleton asked if the Borough's Planning Commission needs a cover letter; Solicitor Truelove suggested sending one to be safe. Manager Bradshaw said that he sent the Ordinance to PC for review. He also emailed Luke Rosanova of the BCPC giving notice that the Ordinance will be sent. President

Culleton asked how long BCPC and PC need for review; Solicitor Truelove said that 30 days is adequate.

**MOTION:** On motion of Councilperson Haldeman, seconded by Councilperson Harris, Council voted 5-0 to table approval of Ordinance 2024-05: AMENDING A PORTION OF THE ZONING CODE OF THE BOROUGH, SPECIFICALLY THE TND-1 OVERLAY DISTRICT AS ORDAINED BY ORDINANCE NO. 2024-01A, IN ORDER TO INCLUDE APPENDIX H REGARDING REPRESENTATIVE RESIDENTIAL BUILDINGS AND AMENITIES FOR THE TND-1 OVERLAY DISTRICT AND APPENDIX I REGARDING IDEAL DEVELOPMENT BUILD OUT PLAN (IDBO), TO REPEAL INCONSISTENT PROVISIONS, AND TO ESTABLISH SEVERABILITY AND EFFECTIVE DATE until the December 11<sup>th</sup> Council Meeting.

#### **MANAGER'S REPORT:**

- Manager Bradshaw informed Council that the hedge at the cemetery is dying due to the drought. Vice President Horwatt had approached some residents about watering the hedge, but they refused. There has been disagreement about whether to take it out or not. Councilperson Haldeman suggested not watering it and letting nature take its course. President Culleton said that the Borough will keep it trimmed if it survives into next year. Councilperson Marfia requested that it be trimmed 3-4 inches so as not to obscure the view of drivers in the road.
- Manager Bradshaw is working on resolving the issue with the State and Local Fiscal Recovery Funds (SLFRF). President Culleton said that the Borough must account for all spent American Rescue Plan Act (ARPA) funds. Vice President Horwatt said that if the money is not accounted for by the end of the year, the Borough must give back the \$142,000 they were awarded. Manager Bradshaw needs information on what the money was spent on. He has requested it from Treasurer Schoen. Vice President Horwatt said that the information they need is the report Manager Bradshaw put in last April.
- Manager Bradshaw received the fire safety inspection report for Borough Hall. He is working on correcting the issues that were identified. Councilperson Haldeman asked if there were any electrical issues identified in the fire inspection; Manager Bradshaw said that there was some exposed wiring that needed to be covered. Councilperson Haldeman asked if anything was wrong with the garage; Manager Bradshaw said that there was not. President Culleton asked if there was work that had to be done to the fire escape, and Manager Bradshaw said that there is a door that leads to the roof without a railing. He said the Borough could get fencing around the roof.
- Vice President Horwatt asked if a claim was submitted for the damaged pillar at the Mayors' Playground. Manager Bradshaw said he believed it had already been taken care of, but will look into it.

#### **COMMITTEE, BOARD & COMMISSION REPORTS:**

**Communications Team:** President Culleton said that the Comm Team has been advertising for new members for the EAC. Clerk Tenaglia said that he plans on putting out a call for new members for other boards and committees in the next monthly newsletter. He noted that the committees in need of new members were the EAC, HARB, Rec Board, and possibly Shade Tree.

**EAC:** The EAC is meeting December 2<sup>nd</sup>. President Culleton announced that the Borough has already received three letters of application from residents interested in joining the EAC. She said that they should go to EAC members to be discussed on the meeting on the 2<sup>nd</sup>. She recommended that the applicants be asked more about their interest in the EAC. Vice President Horwatt suggested inviting them to the meeting. President Culleton encouraged Councilmembers to reach out to people who they

know are interested in being involved in a committee.

**Fire Company:** Councilperson Haldeman said that the fire siren went off at 6:33 this morning. He said that the timer has to be changed for Daylight Savings time.

**HARB:** Councilperson Marfia announced that Amy Mladjen will serve as HARB Chair until the Reorganization Meeting in January. President Culleton said that Council has to officially accept Bob Wharton's resignation from HARB. Vice President Horwatt was concerned about not having his expertise for the RC3 Project environmental study. Solicitor Truelove said that Council can accept his resignation pending discussion of the study. Councilperson Marfia said that Council should send a letter thanking him for his service. There was further discussion of the impact of Mr. Wharton's resignation. Then Council reviewed the HARB report; Councilperson Marfia chaired the November 6<sup>th</sup> HARB Meeting in the absence of Mr. Wharton. Councilperson Cumming attended the meeting as a resident to discuss the accessory school building being constructed at 315 West Maple Avenue facing his property. HARB determined that it was a zoning matter and not something they can act on. Councilperson Marfia also brought up the issue of whether HARB should be keeping meeting minutes. President Culleton said that writing up the reports as he has been doing is sufficient. Solicitor Truelove noted that the minutes simply record what happened and are not a verbatim record of what was discussed. At the meeting, an application for installation of a steel door at 239 North Pine Street was denied and an application for 15 replacement windows at 148 West Marshall Avenue was tabled to December. There was further discussion about the two HARB applications and what should be included in the HARB report.

**MOTION:** On motion of Councilperson Haldeman, seconded by Vice President Horwatt, Council voted 5-0 to approve the HARB report.

**Heritage Farm:** Pat Carr, in attendance via Zoom, announced that the Christmas Tree sale is coming up, and the trees will be delivered the Sunday before Thanksgiving at 3:30 p.m. The sale itself will be the Saturday and Sunday after Thanksgiving. Mr. Carr thanked Manager Bradshaw for arranging for the groundskeepers from the Middletown Country Club to look at the trees hanging over the road and into the line of traffic on Marshall Avenue from the country club.

**Shade Tree Commission:** President Culleton said that the window to plant the requested shade trees is until November 18<sup>th</sup>. There are 7 trees requested by residents and an 8<sup>th</sup> requested by Rec Board. Chris Blaydon will speak with Councilperson Zielinski about the placement and species of the tree. As he is stepping down as Chair of Shade Tree, the tree will be planted in the Mayors' Playground to commemorate his decades of service to the Borough. He recommended that this planting be done in the spring, near Arbor Day. While Mr. Blaydon is stepping down as Chair, he still intends to stay on as a member. Barry Hitchen will be Chair as of January. Shade Tree is limited to three members, but they are still interested in bringing in new people. They are considering advertising for new members to gauge interest and to keep interested people in mind for future openings.

**MOTION:** On motion of Councilperson Haldeman, seconded by Councilperson Harris, Council voted 5-0 to ratify emergency milling and pothole repairs by Asphalt Services at the Bellevue and Maple Avenue intersection for \$1,747.26.

**PROPOSED 2025 BUDGET:** Councilperson Haldeman said that he came up with a different number for the budget than Treasurer Schoen; he had \$803,000, while she had \$805,025. After further discussion, Solicitor Truelove said that Council could advertise the proposed budget for the \$805,025 amount and

then amend the budget before approving it if necessary. Vice President Horwatt asked if item number 451, Culture, could be raised because the Borough has its 150<sup>th</sup> anniversary coming up. She asked if money could be moved to Culture from item 454, Parks. Councilperson Haldeman said it doesn't make sense to move the funds since both Parks and Culture are under the same budget category. President Culleton noted that the anniversary celebration will not be until 2026. Vice President Horwatt said money may be needed for the planning phase. President Culleton also mentioned that Chief Godzieba put in a request for a full-time police officer for around \$74,000. Council said the funds would not be allocated for this request, but the 2025 budget includes all of his other requests. Mr. Schifferli of the PMES noted that they received a \$1,300 allocation from the Borough, last given in 2020. They have not received any allocations since, and are hoping to receive financial support from the Borough going forward. Mr. Schifferli said that priced out per resident, the Borough would be paying \$8,000, but PMES does not expect that large an allocation. He and Vice President Horwatt discussed further, and she said that the Borough had been allocating funds for the PMES from RDA grants. Mr. Schifferli noted that funds received from the RDA have limited uses. After some discussion, Council agreed to advertise the budget as-is with the understanding that more work will be done.

**MOTION:** On motion of Councilperson Haldeman, seconded by Councilperson Harris, Council voted 5-0 to approve advertisement of the proposed 2025 budget for \$805,025.

**PROPOSED 2025 FEE SCHEDULE:** Clerk Tenaglia thanked Joe Cimino for consulting on the fee schedule. He then explained his proposed changes. The biggest was the change to the building construction fees, which have been amended to a \$75 inspection plus 1% of the cost of work, based on Middletown's fee schedule. The cost of new mechanical permits has also been changed to fall under building construction. There were also minor changes to lower fees for certain items. There was some discussion about replacement versus new mechanical work. Clerk Tenaglia said that he can post the proposed fee schedule on the website.

**MOTION:** On motion of Vice President Horwatt, seconded by Councilperson Marfia, Council voted 5-0 to advertise the proposed 2025 fee schedule.

**CURB & SIDEWALK ORDINANCE:** Vice President Horwatt noted that she has seen contractors paving sidewalks with asphalt, which should not be permitted. President Culleton asked who should advertise the Curb & Sidewalk Ordinance; Solicitor Truelove said that Solicitor Kirk will take care of it.

**MOTION:** On motion of Councilperson Marfia, seconded by Councilperson Haldeman, Council voted 5-0 to approve advertisement of Ordinance 2024-XX: 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.

**RESOLUTION 2024-33:** Vice President Horwatt said that approval of the Resolution should be subject to the inclusion of the correct map.

**MOTION:** On motion of Vice President Horwatt, seconded by Councilperson Harris, Council voted 5-0 to approve Resolution 2024-33: AUTHORIZING THE ACCEPTANCE OF A CERTAIN DEED OF EASEMENT FOR SNOW REMOVAL AND STORAGE OVER CERTAIN REAL PROPERTY AS MORE PARTICULARLY DESCRIBED HEREIN, with the addition of the map in Exhibit B.

**KEYSTONE MUNICIPAL SERVICES 2025 FEE SCHEDULE AND PROFESSIONAL SERVICE AGREEMENT:**

Council elected to table discussion. Vice President Horwatt said that Council received the agreement but not the fee schedule. President Culleton asked Manager Bradshaw to follow up with Keystone about the fee schedule.

**114-118 EAST MAPLE AVENUE LOT LINE CHANGE:** Council elected to table discussion. President Culleton suggested that this be discussed in Executive Session.

**EXECUTIVE SESSION:** Council entered into Executive Session at 9:19 p.m. and emerged from Executive session at 10:16 p.m.

**MOTION:** On motion of Vice President Horwatt, seconded by Councilperson Harris, Council voted 5-0 in favor of a 3% increase in Police Chief Godzieba's salary, to \$94,760, for the year 2025.

**MOTION:** On motion of Councilperson Marfia, seconded by Councilperson Haldeman, Council voted 5-0 to approve a work agreement for Clerk Gabriel Tenaglia for a yearly salary of \$45,968, effective immediately. The agreement is based on a base salary of \$26/hour for 34 hours of work per week. It includes 2 weeks of PTO and all holidays on which the Borough Office is closed.

**MOTION:** On motion of Councilperson Haldeman, seconded by Councilperson Marfia, Council voted 4-1 not to renew Manager Steve Bradshaw's contract after his current contract expires on November 30<sup>th</sup>, 2024. Vice President Horwatt and Councilpersons Haldeman, Harris, and Marfia voted in favor. President Culleton voted against.

**ADJOURNMENT:** On motion of Councilperson Harris, seconded by Councilperson Marfia, Council voted 5-0 to adjourn at 10:30 p.m.

Respectfully submitted,

Gabriel Tenaglia, Interim Borough Manager / Secretary

**Next Council Meeting: December 11, 2024 at 7:00 p.m.**