

**Langhorne Borough Council Meeting  
November 8, 2023**

A Langhorne Borough Council Meeting was held at Council Chambers on Wednesday, November 8, 2023. President Murdock called the session to order at 7:37 p.m. and invited those in attendance to pledge allegiance to the Flag.

**IN ATTENDANCE:** President Paul Murdock; Vice President Rich Mason; Councilpersons Tony Marfia, Nancy Culleton, Kathleen Horwatt, Scott Haldeman, and Kristen Farry; Mayor Joe Taylor; Solicitor Barbara Kirk; Police Chief John Godzieba; Treasurer Elynn Schoen; Manager Steve Bradshaw. Councilperson Haldeman left the meeting at approximately 9:15 p.m.

**MAYOR'S REPORT:** Mayor Taylor and President Murdock briefly discussed the work on the Richardson Avenue Drainage Project. President Murdock said that it was supposed to be done August 31<sup>st</sup>. Manager Bradshaw said that he would reach out to the contractor. Mayor Taylor also mentioned that the leaf pickup was due on the 16<sup>th</sup>.

**POLICE CHIEF'S REPORT:** See attached document.

**ANNOUNCEMENTS & PRESENTATIONS:** None.

**PUBLIC COMMENT:** None.

**ENGINEER'S REPORT:** George DiPersio from CKS Engineering reported:

**Country Club Lane:** CKS performed a field investigation of the existing roadway on Friday, September 22<sup>nd</sup>, 2023. The road is 26 feet wide, serves a total of ten single-family dwellings with driveways, contains five storm inlets, and terminates at an 80-foot diameter cul-de-sac.

CKS recommends milling and repaving of the roadway with replacement of one inlet top, a section of curb replacement, and addition of a stop bar adjacent to the existing stop sign at N. Bellevue Ave. At the request of the Solicitor and Manager, CKS is drafting legal descriptions for the Country Club Lane right-of-way and 25 ft. by 25 ft. snow storage easement. CKS will explore available grant opportunities and report on potential programs/timelines to Council in the future. As previously noted, the Borough should anticipate requesting \$50,000 to address paving and necessary repairs.

**COUNCIL DISCUSSION:** Solicitor Kirk clarified for Councilperson Horwatt that there is no easement yet, but one is planned. Councilperson Horwatt asked if it was alright to put it where the storm water drain is located, from where it will melt into the basin. Mr. DiPersio said that he believed the snow would drain into the inlet as it melts, not the basin, but that it can be double-checked.

**Route 413 Storm Inlets:** CKS assisted the Borough Manager in preparing a Municipal Grant Application to the BCRDA. The application was filed on September 27<sup>th</sup>, 2023 and requested funds to cover storm inlet work, provide a crosswalk at Pine St. and E. Watson Ave., and upgrade striping at the existing Winchester Ave. crosswalk. The Borough Manager made a brief presentation to the BCRDA on October 20<sup>th</sup>, 2023. He advised CKS that the notice of award for the BCRDA Municipal Grant is expected by December 2023.

LS Land Construction, LLC supplied the Borough with an estimate of \$3000 for removal of grates and cleaning of the 13 affected inlets. Mr. DiPersio advised Council to vote on their proposal from October 11<sup>th</sup>, 2023.

CKS will commence drafting of design drawings and specifications following all field surveying. PennDOT permit applications will be filed only after notice of a grant reward is received.

**COUNCIL DISCUSSION:** In response to a question from Councilperson Horwatt, Mr. DiPersio clarified that the intent is the approach from side streets as much as possible so that Route 413 is not obstructed.

**MOTION:** On motion of Vice President Mason, seconded by Councilperson Haldeman, Council voted 6 to 0 to approve the LS Land Construction, LLC inspection and cleaning of the grates. Councilperson Horwatt abstained.

**141-151 W. Maple Ave. Minor Subdivision:** An extension request was submitted by the applicant extending the timeline for Council to render a decision on the application through December 31<sup>st</sup>, 2023.

At its meeting of October 25, 2023, the Planning Commission voted to recommend denial of the application unless an extension and requested information are provided.

The Borough Engineer is awaiting revised plans in response to the initial review letter.

**COUNCIL DISCUSSION:** Councilperson Horwatt asked if the applicant had to refile and re-pay, and Mr. DiPersio answered that they do not have to as long as they keep extending. Councilperson Horwatt then asked why the Planning Commission denied the application, and if it was because the 60-day deadline was up. Mr. DiPersio explained that the extension was not acknowledged at the Planning Committee meeting, which is why they voted to recommend denial.

Solicitor Kirk stated that any additional extension can include a waiver of any time limitations, which will protect everybody. Councilperson Horwatt expressed support for the idea, as the applicant would not have to keep extending, and suggested that Solicitor Kirk work on that next time. She agreed, and offered to send Mr. DiPersio the proposal. He said that there was a template she could fill out.

**Crestwood – Bellevue Avenue Residential Development Project:** On October 20<sup>th</sup>, 2023, Toll retracted its previous amendment to the Zoning Hearing Board application, reverting to the original 60-unit plan requiring 24 variances.

Bucks County Planning Commission, with direction from Langhorne Borough PC and support from Tom Committa Associates and CKS, has drafted an overlay ordinance and an Ideal Development Buildout (IDBO) Plan for Council's comment and consideration. The IDBO Plan contemplates 36 new dwellings and three retained historic structures for the site and is consistent with the plan presented to Council at its October 10<sup>th</sup>, 2023 meeting.

The next Zoning hearing will occur on November 30<sup>th</sup>, 2023 at the American Legion, Soby Post.

**COUNCIL DISCUSSION:** Mr. DiPersio requested feedback from Council on the overlay ordinance to be incorporated. The three main items he listed for discussion were density/housing types, impervious cover/stormwater, and site access/circulation. Mr. DiPersio specifically asked if Council had ideas about facilities that could benefit the Borough beyond what is required for stormwater management measures under the current ordinance.

President Murdock asked whether the variances Toll already requested last year would be affected if Council approved the overlay ordinance. Solicitor Kirk said that they cannot be prevented from pursuing their application the way it is submitted.

Vice President Mason asked about uses for the overlay other than those proposed by Toll. Mr. DiPersio answered that Toll has maintained that by right, under the Professional Services District, they can build single and two-family homes. He said that the site would win support if there were other uses, and that Professional Services allows quite a few uses that are not residential. Solicitor Kirk added that because this is an overlay district, even if the ordinance were passed today, Toll would not be required to follow it. The overlay does not change the district; it just provides another option for development.

President Murdock recommended that the overlay be applied to a wider area beyond the site.

Councilperson Horwatt asked if there was anyone who thought that Council should not pursue additional stormwater management suggestions, like those presented by Mr. DiPersio. Councilperson Horwatt said that she heard Toll could build more townhouses near the Presbyterian Church, where the land is fairly wet. Council discussed the possibility of a wetland survey being conducted on the property.

Councilperson Horwatt emphasized the importance of having people communicate and getting more documents into the testimony at the Zoning Board hearing next week. Solicitor Kirk said that the easiest position to take is that Toll does not meet the five elements necessary for a variance because the property does not have a unique physical hardship that precludes it from being developed in accordance with the zoning ordinance. She advised against including more testimony.

In response to a question from Councilperson Marfia, Mr. DiPersio explained that there is opposition to development on the lower end of the site because of concerns that the ground is too wet. He said that it falls on the applicant to demonstrate that it is not if they want to put buildings there.

**2024 REORGANIZATION MEETING:** President Murdock confirmed that the meeting is set for Tuesday January 2<sup>nd</sup> and that it can be advertised with 2024 meeting dates in December.

**PAYMENT OF TOM COMITTA ASSOCIATES:** Councilperson Horwatt stated that CKS must now charge a 15% surcharge on consultants, so it is recommended that Council pay directly rather than having CKS pay in order to save the 15%.

**MOTION:** On motion of Councilperson Culleton, seconded by Councilperson Horwatt, Council voted unanimously to approve advertising the 2024 budget.

**DISCUSSION:** Councilperson Horwatt asked if the current proposed budget can be advertised despite being subject to revision. Solicitor Kirk answered that the preliminary budget can be advertised, but that it must say “subject to change.” Councilperson Culleton sought clarification on whether Council can make changes and then advertise. Solicitor Kirk answered that the additional changes should be made before advertising.

Council then discussed the budget and corrections to be made. Councilperson Culleton suggested putting the advertisement for the budget on the Borough website, and Councilperson Horwatt added that it should be up for adoption at the December meeting.

**MOTION:** On motion of Vice President Mason, seconded by Councilperson Haldeman, Council voted 6 to 1 to approve Resolution 2023-16, authorizing and approving the Borough’s assumption of ownership of

Country Club Lane. President Murdock, Vice President Mason, and Councilpersons Culleton, Farry, Haldeman, and Horwatt voted in favor. Councilperson Marfia voted against.

**DISCUSSION:** Solicitor Kirk explained that the petition was drafted as previously approved and that it has been submitted to Manager Bradshaw.

President Murdock asked if there was an estimate of the total cost involved in the process. Solicitor Kirk said that it depends on the number of parcels and deeds. She also brought up the engineer's fee, and Councilperson Horwatt added that the engineer discussed a number of repairs that should be done before the Borough can take ownership of the property.

Solicitor Kirk stated that if Council wants the property owners to pay, it should be clarified that if they do not unilaterally agree to pay, the Borough would not accept ownership of the road. Councilperson Culleton suggested that Council pay instead, as the cost will not be that great and it will be easier than trying to get all the property owners to pay.

Solicitor Kirk clarified that the decision was to pass Resolution 2023-16 and proceed without asking the property owners to pay. Councilperson Marfia expressed concern that the property owners could take issue with the maintenance the Borough is paying for, Mayor Taylor said that they are taxpayers and entitled to the same public services as other residents of the Borough. Councilperson Culleton added that having them pay would not generate goodwill. Vice President Mason said that he thinks the property owners should pay half, but administratively, the process of going about that would be too onerous.

**MOTION:** On motion of Vice President Mason, seconded by Councilperson Marfia, Council voted unanimously to approve advertising for applicants for the Langhorne Borough Human Relations Commission.

**MOTION:** On motion of Vice President Mason, seconded by Councilperson Horwatt, Council voted unanimously to approve Hill Wallack's revised fee agreement with changes proposed by Vice President Mason.

**DISCUSSION:** Vice President Mason proposed a change to the agreement, namely that if the Borough's outstanding balance is over \$10,000, Hill Wallack will advise them of their fees more frequently.

Councilperson Culleton expressed confusion because she had thought the fee agreement was for next year. Solicitor Kirk clarified that the retainer was prorated for the remainder of 2023, and all the provisions still only apply to 2023 as of now.

**MANAGER'S REPORT:**

- The Zoning Hearing Board Solicitor released the new 2024 fee schedule.
- Resumes for the Borough Clerk position are being collected.
- Spoke with the manager of Middletown about the fire marshal program, and she suggested it would be best for the Borough to work with Keystone Municipal.
- The Reorganization Checklist has begun.
- Manager Bradshaw set up the financial interest statements for this year.
- The Ford Fusion sold for \$8,800.
- Salt for the winter has been coordinated with Middletown Public Works.

- The grass strip between Borough Hall and 118 Maple has been appraised. Waiving the permits for 118 Maple had been discussed previously.
- The recycling grant contract is coming up.

**DISCUSSION ON FIREFIGHTER INCENTIVES:** Solicitor Kirk described how the Borough could attract more volunteers, such as providing rebates and waivers. Mayor Taylor added that Middletown Township provides a stipend for all its firefighters depending on their activity level. Solicitor Kirk stated that tax waivers would be more useful in creating financial opportunities for volunteers than unilaterally handing out money.

Councilperson Farry expressed interest in further exploring how Middletown Township attracts more volunteers, stating that active members of the fire company should receive benefits and incentives. Solicitor Kirk stated that there is a process for receiving tax rebates and criteria for members who qualify, and that there are certain credits that volunteers can receive based on various criteria.

President Murdock asked for clarification on what it would mean to provide tax benefits. Solicitor Kirk explained that the members would have to apply and get a credit before the filing of their tax returns that year, assuming they met the criteria. Councilperson Farry reiterated her position that the benefits need to be available for all active members. Mayor Taylor said that active members living outside the Borough do not pay Borough taxes and so do not benefit from tax incentives.

President Murdock said the goal is to draw more active members from the Borough.

**MOTION:** On motion of Councilperson Horwatt, seconded by Councilperson Marfia, Council voted unanimously to approve Mary Zimmerman as Social Media Consultant, not to exceed 10 hours a month.

**DISCUSSION ON SOCIAL MEDIA MANAGER:** Councilperson Farry asked if the plan was for the new Clerk to eventually take over responsibility for the Borough's social media. Manager Bradshaw confirmed that that is the plan and that social media messages will be reviewed before they are posted.

**MOTION:** On motion of Councilperson Horwatt, seconded by Councilperson Haldeman, Council voted 6 to 1 to waive the permit application fees of 118 East Maple, but not the inspection fees. President Murdock and Councilpersons Culleton, Farry, Haldeman Horwatt and Marfia voted in favor. Vice President Mason voted against.

**DISCUSSION ON WAIVING PERMITS FOR 118 EAST MAPLE:** Manager Bradshaw said that waiving the permit fees for 118 Maple had been discussed in the past, but that there was no record of Council reaching a decision. He said that if Council decided to waive the fee, the permit fee already paid by 118 E. Maple would have to be refunded.

**DISCUSSION OF RECYCLING GRANT CONTRACT:** Councilperson Haldeman discussed the cost benefits of continuing to have Hough Associates prepare the Recycling Grant package and suggested adding the stipulation that the Borough has the right to revise the fee in the event of reduction in grant monies.

**DISCUSSION OF LIGHTS IN THE BOROUGH:** Councilperson Horwatt discussed some of the street lights that are out at the playground and Cherry St. Manager Bradshaw said he would contact Armour & Sons.

**SOLICITOR'S REPORT:** No report.

**COMMITTEE, BOARD & COMMISSION REPORTS:**

**Environmental Advisory Commission:** No Report.

**Fire Company:** Already discussed.

**Heritage Farm/L.O.S.I.:** The driveway at Heritage Farm was worked on, and the Christmas tree sale will be held the weekend of Thanksgiving and again the following weekend.

**Planning Commission:** Chair Paul Schneider said that he and Manager Bradshaw had spoken to Jeff and Leigh Ann Knight regarding their extension for the minor lot change.

**Recreation Board:** Councilperson Horwatt said that she would be presenting the bills but it was taking a long time and asked for advice on how bring in more families as members of the Recreation Board, as well as cultivate a younger membership.

**Shade Tree Commission:** No Report.

**Communications Team:** Manager Bradshaw discussed the Borough Motto. Communications will put out a social media post asking for ideas, saying that they would take the top ideas and present them to Council. President Murdock said Council can solicit ideas from residents, have Council decide on them, and then send out the top 3 in a poll to the public.

Manager Bradshaw announced that Councilperson Culleton will temporarily assume responsibility for the communications.

**DISCUSSION OF APPLICATION FOR ZONING VARIANCES FOR 201 E. WATSON:** The zoning application is in progress. The Zoning Officer has to send what the applicant needs to do to Council.

**MOTION:** On motion of Councilperson Horwatt, seconded by Vice President Mason, Council voted 6 to 0 to approve the September 13<sup>th</sup> Council meeting minutes. Councilperson Haldeman was not present.

**MOTION:** On motion of Councilperson Culleton, seconded by Vice President Mason, Council voted 6 to 0 to approve the Treasurer's report. Councilperson Haldeman was not present.

**MOTION:** On motion of Councilperson Marfia, seconded by Vice President Mason, Council voted 6 to 0 to approve payment of the bills. Councilperson Haldeman was not present.

**ADJOURNMENT:** With no other business, on motion of Vice President Mason, seconded by Councilperson Farry, Council voted 6 to 0 to adjourn at 9:40 p.m. Councilperson Haldeman was not present.

Respectfully submitted,

Steve Bradshaw, Borough Manager / Secretary

**Next Council Meeting: December 13, 2023, at 7:30 p.m.**