

Langhorne Borough Council Meeting
October 9, 2024

A Langhorne Borough Council Meeting was held at Council Chambers on Wednesday, October 9, 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 Bob Cumming, Tim Harris, Anthony Marfia, Scott Haldeman, and Adam Zielinski; Solicitor Barbara Kirk; Police Chief John Godzieba; Manager Steve Bradshaw; Treasurer Ellyn Schoen; Clerk Gabe Tenaglia

Court reporter Cindy M. Oliverio was present for the hearing on proposed Ordinances 2024-01A, 2024-01B, and 2024-01C. She left after the hearing, at approximately 7:33 p.m.

ABSENT: Mayor Joe Taylor

AGENDA REVIEW: President Culleton announced that there would be an Executive Session.

ANNOUNCEMENTS & PRESENTATIONS: Keith DeVore, 111 Flowers Avenue, was invited to speak about the new podium he made for Borough Hall. Mr. DeVore unveiled the podium and Council expressed its thanks for his gift. After his presentation, President Culleton read a letter from Pat Mervine, president of the Langhorne Council for the Arts, thanking Borough Council, Chief Godzieba, and Borough staff for helping out with Porch Fest, which was October 5th. President Culleton also announced that the traffic safety forum would be held on Tuesday, October 15th from 6:00 p.m. to 7:00 p.m.

ZONING HEARING: President Culleton announced that Ordinance 2024-01C will be tabled to allow necessary changes to be made to the zoning map. Solicitor Kirk explained that a few residents noted that the lines for the historic district did not include all historic properties. The map will be tabled until these issues are resolved. Solicitor Kirk recommended making an official motion to table pending submission of a revised map. Then President Culleton mentioned appendices H and I to the Zoning Ordinance. Solicitor Kirk said that on the September 12th meeting, a motion was passed unanimously to approve advertisement of the Ordinance to amend the TND to include appendices H and I, with the understanding that the hearing would not take place until November. The advertisement has not gone out yet. Council discussed what to do about the appendices.

MOTION: On motion of Vice President Horwatt, seconded by Councilperson Cumming, Council voted unanimously to table Ordinance 2024-01C: **ADOPTING AN UPDATED ZONING MAP FOR THE BOROUGH TO INCLUDE TND OVERLAY DISTRICT, TO REPEAL INCONSISTENT PROVISIONS, AND TO ESTABLISH SEVERABILITY AND EFFECTIVE DATE.**

Solicitor Kirk stated that all three Ordinances were submitted to the Bucks County Law Library. She also has affidavits of publication; all three Ordinances were published in the Bucks County Courier Times in September. She also has an affidavit of posting for each of the properties where notice was posted, signed by Manager Bradshaw and the Borough's zoning officer. Mailings went out to the affected property owners, and there is an affidavit signed by Solicitor Kirk's paralegal attesting to the fact that she wrote and sent out the letters. Middletown Township received special notice. Solicitor Kirk then asked Paul Schneider to give a general overview of why the TND Overlay is being proposed. He explained

that the TND Overlay is meant to guide development in a way that ensures that development projects are in line with the character and appearance of the Borough. Solicitor Kirk noted that the Borough's Planning Commission worked with the Bucks County Planning Commission and the Engineer. Mr. Schneider further explained the TND Overlay and said that PC recommends the Ordinance be adopted.

MOTION: On motion of Councilperson Marfia, seconded by Councilperson Cumming, Council voted unanimously to approve Ordinance 2024-01A: AMENDING A PORTION OF THE ZONING ORDINANCE OF THE BOROUGH AS ADOPTED IN 1995, AND AS FURTHER AMENDED, TO ADD TND OVERLAY DISTRICT, TO MODIFY CERTAIN PROVISIONS OF THE ZONING ORDINANCE, TO REPEAL INCONSISTENT PROVISIONS, AND TO ESTABLISH SEVERABILITY AND EFFECTIVE DATE

Solicitor Kirk noted that all the advertisement, notices, and publication for Ordinance 2024-01B were a part of the packet she described earlier. Then Mr. Schneider spoke about Ordinance 2024-01B; he said that the goal of the Ordinance is to refine the permitted uses from a residential standpoint, keeping in mind characteristics that PC and Council would like to see in the Borough. There was further discussion of the uses permitted and not permitted in the Ordinance.

PUBLIC COMMENT: Paul Names, 321 South Bellevue Avenue, asked whether the Ordinance will make it so no property in the PS District can be converted to apartments. Council and Mr. Schneider said yes, but Solicitor Kirk added that residents can still seek a variance from the Zoning Hearing Board for residential conversion.

MOTION: On motion of Councilperson Cumming, seconded by Councilperson Marfia, Council voted unanimously to approve Ordinance 2024-01B: AMENDING A PORTION OF THE ZONING ORDINANCE OF THE BOROUGH AS ADOPTED IN 1995, AS AMENDED, REGARDING PERMITTED USES WITHIN THE PROFESSIONAL SERVICES (PS) ZONING DISTRICT, TO REPEAL INCONSISTENT PROVISIONS, AND TO ESTABLISH SEVERABILITY AND EFFECTIVE DATE.

MOTION: On motion of Councilperson Marfia, seconded by Councilperson Zielinski, Council voted unanimously to close the hearing on the proposed Ordinances.

CONSENT AGENDA: The consent agenda consisted of the minutes for the 9/11 Council Meeting and the 9/26 Work Session, payment of the bills, an event and sign permit for Dickens Night on December 6th, a sign permit for Harvest Day on October 26th, and one for hat and coat collection organized by the American Legion Jesse Soby Post. Vice President Horwatt took payment of the bills off of the consent agenda for further review. There was also discussion of the hat and coat collection permit.

MOTION: On motion of Councilperson Cumming, seconded by Councilperson Zielinski, Council voted unanimously to approve the consent agenda minus payment of the bills.

POLICE CHIEF'S REPORT: Chief Godzieba announced that he completed three Bucks County RDA grant applications, one of which is for the upgrade for the intersection cameras and an additional camera for the Mayors' Playground. Chief Godzieba also informed Council that the speed sign has been repaired and returned with a new radar unit and will likely go up this week. He and his officers have also been doing traffic enforcement details. Chief Godzieba then informed Council of two events in the Borough that will affect traffic. The Soby Post 5K run will be early in the morning November 2nd, and some of the roads will be closed till the runners get off the roadway. On November 9th, the police are assisting with a 5K run called Touched by Teal, held by the Barbara T. Foundation. The run starts in Hulmeville and

affects the Borough on Hulmeville Avenue, West Richardson Avenue, and South Bellevue Avenue. It will shut down some intersections around 8:30 a.m. to 9:30 a.m.

ENGINEER'S REPORT:

MS4 Report: Engineer George DiPersio told Council that the MS4 report has been submitted to the Department of Environmental Protection.

Route 413 Storm Inlet Project: The shipping of the flashers to be installed at the crosswalk at Pine Street has been delayed to mid-October. Installation will begin after they arrive. Mr. DiPersio said that PennDOT has raised concerns about the concrete wedge between the utility pole and the curb in front of the 7-11, which a resident had mentioned as a possible hazard to wheelchair users last meeting. PennDOT is insisting that it be removed. CKS surveyed the area on Monday to confirm the elevations and was confident that the excess grant funds will cover the work, which would be done by G&B Construction. Vice President Horwatt asked if a bollard should be put at the spot. Mr. DiPersio said it would be easier to put a warning sign on the utility pole.

Country Club Lane & North Bellevue Avenue: Manager Bradshaw submitted the BCRDA grant for the work.

Mayors' Playground: CKS is working on the DCED Local Share Account Statewide (LSA) grant for the community building at the Mayors' Playground. The announcements for the COVID-19 ARPA Multi-Purpose grant the Borough applied for will come out in October, and if the Borough does not get the ARPA grant, the LSA grant should cover the project. The due date for the grant application is November 30th. Mr. DiPersio asked if Council would like CKS to pause the LSA grant application until they know whether the Borough has been awarded the ARPA grant for \$1.225 million. Council said yes. Mr. DiPersio also noted that the LSA grant is \$225,000 less than the ARPA grant. Council discussed what design elements of the community building they could cut to make up the difference.

141-151 West Maple Avenue Lot Line Change: Mr. DiPersio received the final record plans for 141-151 West Maple Avenue and will review them tomorrow to make sure the conditions in Resolution 2024-23 approving the lot line change have been met. Solicitor Kirk explained that a final record plan has to be submitted to the engineer along with two new deeds showing that 141 West Maple is smaller and 151 West Maple is larger. The Knights have not had the deeds prepared. Solicitor Kirk said she can either go back to the property owner to inform them, or the Borough's title company, Attleboro Abstract, can write the deeds and bill the Knights. Councilperson Haldeman suggested writing a letter informing the Knights that they can use Attleboro Abstract to write the deeds. Solicitor Kirk said she could write the letter. Vice President Horwatt said there must be escrow money to cover the costs.

Historic District Review: CKS created a map outlining the boundary of the historic district based on their interpretation of the description included in the 1985 PA-SHARE application. Mr. DiPersio presented a full-size copy to Council.

RESOLUTION 2024-30: President Culleton stated that the LSA grant application will be paused until Council knows whether the Borough has been awarded the ARPA grant. Vice President Horwatt asked if both grants include soft costs for engineering. Mr. DiPersio said that the ARPA grant includes soft costs and the LSA grant will cover up to 10% of soft costs, or \$100,000.

MOTION: On motion of Councilperson Zielinski, seconded by Councilperson Cumming, Council voted unanimously to approve Resolution 2024-30: AUTHORIZING AND APPROVING SUBMISSION OF GRANT APPLICATION TO THE PENNSYLVANIA STATEWIDE LOCAL SHARE ACCOUNT FOR FUNDS FOR THE PROPOSED IMPROVEMENTS TO THE MAYORS' PLAYGROUND.

PLANNING COMMISSION: Mr. Schneider urged Council to seek party status to the Erin Development Middletown project when they come before the Middletown Zoning Hearing Board. Solicitor Kirk advised that if the Borough intends to send legal counsel to the Middletown ZHB meeting to request party status, they may have to appoint outside counsel because Solicitor Truelove works for Middletown Township and it may create the appearance of a conflict of interest. Vice President Horwatt asked if it has to be legal counsel; Solicitor Kirk said Council could appoint anyone to attend. President Culleton noted that the hearing, which was scheduled for tonight, has been postponed until the November 13th Middletown ZHB meeting. There was further discussion of the application in Middletown and who the Borough wants to attend the Middletown ZHB meeting.

PUBLIC COMMENT: Carol Zetterberg, 129 West Marshall Avenue, was invited to speak because she had just been at the Middletown ZHB meeting. She said that they moved to continue the Erin Development hearing on November 13th, but did not explain why. After further discussion, Councilperson Cumming volunteered to attend the Middletown ZHB meeting as a representative of the Borough to request party status. Mr. Schneider suggested having Mr. DiPersio look over the plan submitted to Middletown to provide input. Solicitor Kirk said she could reach out to the Solicitor of the Middletown ZHB and request a copy. President Culleton suggested that Council wait until receiving the plan to have CKS do anything.

MOTION: On motion of Councilperson Zielinski, seconded by Vice President Horwatt, Council voted unanimously to have Councilperson Cumming attend the Middletown Zoning Hearing Board meeting on November 13th as a representative of the Borough to request party status to the Erin Development application.

Resolution 2024-31: President Culleton reminded Council that a 50% match of \$18,000 is expected from the Borough if the Municipal Assistance Program grant is awarded. It can be paid over multiple years.

MOTION: On motion of Vice President Horwatt, seconded by Councilperson Marfia, Council voted unanimously to approve Resolution 2024-31: AUTHORIZING BUCKS COUNTY PLANNING COMMISSION TO SUBMIT AN APPLICATION TO THE PENNSYLVANIA MUNICIPAL ASSISTANCE PROGRAM FOR GRANT FUNDS FOR REVIEW AND UPDATES TO THE BOROUGH'S ZONING ORDINANCE.

MANAGER'S REPORT:

- The cemetery hedges have been installed. Vines, shrubbery, and other undesirable foliage is in the process of being removed.
- The office has been pursuing training opportunities for Clerk Tenaglia to potentially become the Borough's grant writer. Manager Bradshaw also spoke with someone from Millennium Strategies, a grant research and administration service. They can find grants that meet the Borough's needs. Vice President Horwatt said she was opposed to employing someone to find grants when the Borough Engineer, Planning Commission, and Senator Farry already do this. Councilperson Haldeman said that employing Millennium Strategies to find grants and Clerk Tenaglia to write them would save the Borough money. Manager Bradshaw said the person he spoke to from Millennium had offered to make a presentation to Council.

- Several street lights are out; they have been reported and should be fixed in the morning. Armor and Sons also said that they would mount the new speed sign.
- Manager Bradshaw is working on getting the unused utility poles taken down.
- The Borough office's new phone system has been installed.
- Credit card processing services for permits are in the final stages of being set up.
- Work on the crosswalk and striping has been requested by Middletown; Manager Bradshaw expects to have an estimate and timeline tomorrow. Council discussed the work being done.
- Councilperson Cumming asked about the traffic study being done on Maple Avenue. Manager Bradshaw said he requested it a few months ago. He is also waiting on the report for the speed study done on Pine Street.

COMMITTEE, BOARD & COMMISSION APPOINTMENTS: President Culleton announced that Councilperson Cumming had resigned from the Budget Committee and she was appointing Councilperson Zielinski to be the third member. She also said that a process for reaching out to the community about vacancies on boards and commissions had been approved. She encouraged the Council liaisons to check with their boards and commissions about members whose terms are up in December 2024 and whether they have interest in being reappointed.

TREASURER'S REPORTS: Vice President Horwatt said that certain bills are being paid that should be covered by escrow. Treasurer Schoen pointed out that the Borough spent \$1,260 over the \$1,500 escrow provided for the 141-151 West Maple Avenue lot line change application. President Culleton suggested sending a letter to the owners requesting more escrow funds. Treasurer Schoen recommended that the Borough ask for \$2,000.

MOTION: On motion of Vice President Horwatt, seconded by Councilperson Haldeman, Council voted unanimously to approve the September 2024 Treasurer's Report.

MOTION: On motion of Councilperson Haldeman, seconded by Councilperson Zielinski, Council voted unanimously to approve the October 2024 Treasurer's Report.

MOTION: On motion of Vice President Horwatt, seconded by Councilperson Marfia, Council voted unanimously to pay the bills.

COMMITTEE, BOARD & COMMISSION REPORTS:

Budget Committee: Councilperson Haldeman explained the changes made in the draft budget and expressed concerns about the Borough's expenses, particularly when it comes to incurring engineering costs. He said that the influx of money from the Earned Income Tax was quickly used up. President Culleton said that the Budget Committee is suggesting that the revenue line for the EIT be increased to \$400,000. There was discussion about funds being paid to the Borough in lieu of taxes that have not been received. Councilperson Haldeman suggested appointing a Councilperson to go over the engineering and legal bills and present a report to Council each month. There was discussion on who will be responsible for reviewing them, and Vice President Horwatt volunteered to review one or both and offered to work with Councilperson Zielinski to get the process started. President Culleton said that the Budget Committee will present an updated budget proposal at the November Council Meeting.

Communications Team: At their monthly meeting, the Communications Team discussed limiting

comments on the Borough's social media and posting notice of vacancies for boards and committees.

Human Relations Commission: President Culleton said she received a report from the HRC. The HRC has completed the fact-finding phase of the current case before it and will issue a report to Council within the next three weeks. She also announced that the HRC had connected with the Rainbow Room at St. James' Church, a meeting space for LGBTQ+ youth, and that Rainbow Room representatives would be sharing a table with the HRC at Harvest Day on the 26th.

Heritage Farm/L.O.S.I.: Pat Carr announced that the dead trees near and along the Catawissa Trail were taken care of by Transue on October 2nd. The sign at Catawissa, which fell and cracked a few months ago, has been repaired and will be installed on the 16th. To hold the sign, a 2x2 black aluminum post will be installed with a concrete base. Vice President Horwatt brought up issues with the sidewalk, and Mr. Carr said there is some budget in the Borough for sidewalk repairs, which includes repairing the sidewalk in front of the Maple Avenue entrance of the Catawissa. Weeds are also growing between the bluestone at the entrance and may pose a potential tripping hazard, so part of the quote the Borough will cover is realigning the bluestones to put them closer together. Mr. Carr suggested that additional bluestone be purchased to avoid decreasing the size of the sitting area. L.O.S.I. will cover the cost for the new bluestone. President Culleton then listed the other quotes for sidewalk repairs.

Recreation Board: Councilperson Zielinski said that Hulmeville Soccer is wrapping up their season at the end of the month, and there will be one last mulching on Election Day. Vice President Horwatt asked about fixing the rotary seal sign at the Mayors' Playground with the money in the sidewalk budget. Councilperson Haldeman felt the work was not necessary, but no one else on Council was opposed to it. President Culleton said they should proceed with the work.

Shade Tree Commission: President Culleton said there were eight requests for trees, and Chair Chris Blaydon had met with almost everyone who made requests to discuss the placement of the trees. They will all be in the right-of-way, so the Borough will pay for them out of the Shade Tree Commission fund. Councilperson Harris asked why the Borough pays for trees planted in front of peoples' houses, and how much a tree costs to plant. President Culleton said each one is several hundred dollars, and there is a budget allotted for Shade Tree for tree plantings. Councilperson Haldeman pointed out that the money is specifically for Shade Tree and does not go back to the general fund. President Culleton also explained the fall planting process and said that she would apply for Tree City status for the Borough again.

Zoning/Building Inspection Reports: The office has received a zoning report; the building report has not come in yet. Manager Bradshaw said that the office is working on a new template for the reports.

DAUGHTERS OF THE AMERICAN REVOLUTION AWARD: On October 19th, the DAR planned to hold a dedication ceremony for the bench at the Revolutionary War Cemetery and present the Borough with an Excellence in Historic Preservation award. However, questions were raised about the appropriateness of Council accepting an award from the DAR given the racial discrimination in the organization's past. Councilperson Harris spoke against accepting the award, warning about the message it could send to Borough residents and said that he would not attend the ceremony. There was further discussion and President Culleton invited Jennifer Viscusi, Regent of the Washington Crossing chapter of the DAR, to speak. Ms. Viscusi explained that the DAR does not have to present the award. President Culleton added that the award is meant to recognize the work done by people in the Borough to preserve the cemetery. She spoke about some of the DAR's initiatives to identify patriots of color and their descendants and bring them into the organization. She also asked what precedent refusing the award would set for

vetting other organizations and the Borough's own Boards and Commissions.

PUBLIC COMMENT: Tracey Boyd, 249 East Richardson Avenue, agreed with Councilperson Harris. She said that having the award presented would polarize the Borough community instead of bringing it together. Councilperson Harris said that concerns about discrimination within the DAR are quite recent.

Carol Zetterberg, 129 W. Marshall Avenue, spoke against accepting an award that would cause offense to some in the community.

A motion was made by Councilperson Harris, seconded by Councilperson Haldeman, to respectfully decline the award. After further discussion, Ms. Viscusi withdrew the offer of the award. No vote was taken on the motion.

Councilperson Harris will receive some literature, which he would like to display in the office. There was discussion about whether it would be appropriate to share this information on the Borough website. Solicitor Kirk suggested waiting until Councilperson Harris receives the literature to decide what the Borough should display or publish. Councilperson Marfia objected to the Borough doing publicity or advocating for the DAR; Councilperson Harris said that it would just be educating the community. Council decided to table further discussion until the literature is received.

MOTION: On motion of Councilperson Zielinski, seconded by Councilperson Cumming, Council voted unanimously to approve two new "Welcome to Langhorne" signs for \$1,643.00.

SNOW REMOVAL/SALTING BID: Solicitor Kirk read the bid for snow removal submitted by LS Land Construction. It is for \$125 an hour to plow and salt the streets, \$60 an hour to plow and salt Borough properties. The cost per ton for salt for street and driveway plowing is \$175. 50 lb. bags of salt for sidewalks are \$30 each. This was the only bid submitted. Vice President Horwatt noted that she submitted disclosure of conflict of interest forms.

MOTION: On motion of Councilperson Cumming, seconded by Councilperson Harris, Council voted 6-0 to accept LS Land Construction's snow removal/salting bid for 2025. Councilperson Horwatt abstained due to a conflict of interest.

LEAF CLEAN-UP: Solicitor Kirk announced that the Borough received a bid for leaf clean-up from Parkyn Landscape and Hardscape, LLC. The first clean-up would be \$25,000, and so would the second. The second bid was from LS Land Construction; the first leaf clean-up would be \$4,950, and the second would be \$2,975. Vice President Horwatt noted that she submitted disclosure of conflict of interest forms.

MOTION: On motion of Councilperson Cumming, seconded by Councilperson Zielinski, Council voted 6-0 to accept the leaf clean-up bid from LS Land Construction. Vice President Horwatt abstained due to a conflict of interest.

2025 FEE SCHEDULE: Tabled until the October 24th Work Session.

RC3 PROJECT MEETING FOLLOW-UP: Tabled until the October 24th Work Session.

PUBLIC COMMENT: Treasurer Schoen said that Budget Committee discussed transferring some Borough

funds to three new PLGIT accounts. After further discussion, it was decided that she will email the information about the accounts to Solicitor Kirk, who will draft Resolutions to open them.

ADJOURNMENT & EXECUTIVE SESSION: On motion of Councilperson Zielinski, seconded by Councilperson Harris, Council voted unanimously to adjourn and enter into executive session at 10:20 p.m.

The executive session was suspended at 10:42 p.m. due to the lateness of the hour, with agreement that it would be continued on Tuesday, October 15, 2024, at 7:30 p.m.

Respectfully submitted,



Gabriel Tenaglia, Interim Borough Manager / Secretary

Next Council Meeting: November 13, 2024 at 7:00 p.m.