

## Langhorne Borough Council Meeting

September 14, 2022

A meeting of the Langhorne Borough Council was held Wednesday, September 14, 2022, at Borough Hall with in-person and Zoom attendees.

**In attendance:** President Paul Murdock, Vice President Rich Mason, Councilpersons Nancy Culleton, Kristen Farry, Kathleen Horwatt, Scott Haldeman, and Tony Marfia; Solicitor Catherine Anne Porter; Mayor Joseph Taylor; Police Chief John Godzieba; Treasurer Ellyn Schoen; Manager Paul Leonard; Clerk Mary Zimmerman.

President Paul Murdock called the meeting to order at 7:30 p.m. and invited those in attendance to pledge allegiance to the Flag.

**Mayor's Report:** Mayor Taylor spoke in favor of enacting an Earned Income Tax to meet current and future funding needs for public works and for police salaries and benefits.

**Police Chief's Report:** Chief Godzieba said he was asking local trucking companies to reroute quarry trucks that have been passing through the Borough. Pedestrian crossing signs for Maple and Green have been purchased. Armor Electric will soon activate the solar speed signs, and the garage doors will soon be installed. The Chief needs a copy of LBBA's insurance certificate to cover Harvest Day.

### Public Comment:

April Hess, 211 Station Avenue, asked what could be done about current and potential damage to her property from a neighbor's trees. Solicitor Porter suggested she inform the neighbor in writing that she considered the trees dangerous.

Beverly Adams, 118 W Richardson Avenue, reported that the streetlight was still out near her home and felt that the intersection at Gillam and S Bellevue was still very dangerous. She asked how she might deal with vegetation growing onto her property through her neighbor's fence. Councilperson Haldeman replied that she was allowed to trim or remove any vegetation on her property. President Murdock noted that he would like the next borough manager to work on ensuring that codes were enforced fairly and applied to all.

Jill Sayre, 140 E Marshall Avenue; Brian Sayre, 140 E Marshall Avenue; Robert Bradley, 133 E Marshall Avenue; Joanne Bradley, 133 E Marshall Avenue; Jacklyn Cassidy, 130 E Marshall Avenue; Michael Berling, 224 N Pine Street; and Rich Freyer, 109 E Marshall Avenue, each spoke about their anger and frustration regarding the lack of resolution to the problem of tenant behavior in a property owned by Councilperson Marfia. They expressed concern about safety and mental health issues as well as the damage to quality of life for residents in the neighborhood. The problem, which has gone on for years, has resulted in many calls to the police and, more recently, the involvement of other agencies.

Councilperson Marfia responded that he had been taking a compassionate approach to working with the tenant. Other Council members expressed dismay and sympathy for the situation of neighborhood residents and agreed that it is past time for the problem to be solved, although legally, there was little that Council could do. Council members expressed support for considering a Borough ordinance

requiring that landlords obtain a rental license and that rental properties be regularly maintained and inspected.

Manager Leonard stated that residents' behavior was a police issue and property maintenance was a Borough issue. He reminded residents that in case of any violation of the law, breach of the peace, or safety emergency, they should call 911. He praised the work of the Borough Police Department. Chief Godzieba noted that it was Borough Police who alerted other agencies to the problem.

**Motion:** On motion of Councilperson Culleton seconded by Councilperson Horwatt, Council voted 5-2 to approve Barry Truchil as an alternate member of the Zoning Hearing Board. In favor were President Murdock, Vice President Mason, and Councilpersons Culleton, Horwatt, and Marfia. Opposed were Councilpersons Farry and Haldeman.

**Motion:** President Murdock requested a motion to change the date of the October 4 work session to avoid the Yom Kippur holiday and to devote the session to public feedback on the proposed Earned Income Tax. The motion was made by Vice President Mason and seconded by Councilperson Haldeman. The motion passed unanimously. October 3 will be the date of the session.

**Motion:** On motion of Vice President Mason, seconded by Councilperson Haldeman, Council voted unanimously to hold a vote at the October 12 Council meeting on the proposed Earned Income Tax ordinance. The vote must be advertised three weeks in advance in the newspaper. The public comment session and the date of the vote will be announced on the Borough website. Several members of Council noted that they did not like the tax but felt it was necessary for providing quality public services, hiring and retaining quality employees, and protecting the Borough from bankruptcy in case of a disaster. President Murdock noted that the Borough budget had not changed significantly for years, during which time it had lost significant buying power. He stated that if the tax brought in more money than required, the Borough could consider ways to return some of it to residents.

All but two Bucks County municipalities already have the EIT; many Langhorne Borough residents pay it to other municipalities but would pay it to Langhorne Borough instead, keeping the money at home and helping the Borough keep property taxes low. If a 1% EIT (the maximum allowed by law) is enacted, Neshaminy School District would be allowed to take .5% and leave the Borough the other .5%. School districts can only enact the tax by referendum.

**Borough Hall Roof Replacement:** Manager Leonard reported that the Borough received a qualified Costars bid with an estimate of \$98K. Work would be funded with an RDA grant that must be used by September 30. The contractor would charge an additional \$50k to use genuine slate, which was beyond the available funds. HARB was comfortable with the use of synthetic material that looked like slate. The Borough will ask for an extension on the September 30 deadline. If it is granted, the project could be put out to bid by at least three other contractors.

**RDA Grants:** Chief Godzieba presented a list of eight items for which he is requesting RDA grants. Each of the grant applications required a separate resolution from Council. **Motion:** On motion of Councilperson Horwatt, seconded by Councilperson Marfia, Council voted unanimously to approve all eight requests for 2022 RDA municipal grants and the preparation of eight resolutions to be signed.

**Manager's Report:** Manager Leonard introduced clerk Mary Zimmerman. He said the professional team working on the overlay ordinance for the Toll project met twice and would present a preliminary draft by September 30. It would allow townhouses and require preservation of historic properties under conditional use that would have to be decided by Council. The ordinance would not include all design features but would reference a separate set of guidelines. A suggestion from Bucks County Planning Commission was to have some townhouses face Flowers Avenue to make the development look more integrated with the town. Councilperson Marfia noted that the team seemed willing to work with HARB on its suggestions for preservation of historic structures.

**Engineer's Report:** None.

**Approval of the Minutes:** On motion from Councilperson Farry, seconded by Councilperson Haldeman, Council unanimously approved the minutes of the August 10 Council meeting.

**Approval of the Treasurer's Report:** On motion of Councilperson Horwatt, seconded by Councilperson Farry, Council voted unanimously to approve the Treasurer's report. The Treasurer explained that although the budget lists \$15K in expected revenue from stormwater fees, Council decided not to collect fees this year. The ordinance had been passed but the fee had yet to be voted on. The fee could not be higher than what was stated in the ordinance.

**Payment of the Bills:** On motion of Councilperson Farry, seconded by Vice President Mason, Council voted unanimously to pay the bills. These included a charge from First National Bank of Newtown to drill open a safe deposit box containing items related to the Revolutionary War Cemetery.

**Environmental Advisory Committee:** Vice President Mason reported that the stormwater management report would be submitted to the DEP by its September 30 deadline. CKS Engineers and Manager Leonard have suggested asking the DEP if it will excuse the Borough from having to get sediment reduction credits for the Mill Creek watershed as only a small percentage of the Borough impacted it.

**Fire Company:** Mayor Taylor reported that the local fire companies were working together to determine a formula for contributions to Workers Compensation.

**HARB:** Bob Wharton reported that this month, HARB unanimously approved a request to replace a roof at 311 W Maple Avenue with copper. Last month, HARB approved two applications, one for paint selection at a residence on Pine Street and one for a ground level patio to replace a deck on West Maple Avenue. **Motion:** On motion of Councilperson Horwatt, seconded by Vice President Mason, Council voted unanimously to approve the HARB reports from both last month and this month.

**LOSI:** Pat Carr reported on upcoming events at the Farm and asked for volunteers to help with parking. Repairs were made to the washer/dryer at the farmhouse. Pat will talk with Mayor Taylor about placement of smoke detectors in the farmhouse. An insurance check for the plumbing emergency was received but it didn't cover all damages. LOSI will reimburse the Borough for the balance.

**Planning Commission:** Vice Chair Florence Wharton praised the work of past councils to bring about ownership of the Mayor's Playground. Planning Commission requests that Council enact an "open recreation" ordinance to cover the Playground. Planning Commission asks that Council support the work of Joe Fiocco of SAFE Engineering, whose work is pivotal to the safety of the Borough. In response to the

proposal for a traffic study, Planning Commission would like the Borough to use a professional community planner to look at entire broad picture of roads, businesses, and pedestrian/bike traffic.

President Murdock explained that to date SAFE Engineering was paid \$8,752.50, which was beyond the \$5K approved by Council. The freeze on SAFE's work was because PennDOT kept asking for more information and Joe Fiocco recommended against spending more at this point and wait until the Borough sees PennDOT's actual plan, not only the proposed plan. PennDOT sent a letter to SAFE and President Murdock stating that its proposal reduces accidents over the whole project corridor and would not increase traffic in the Borough. Planning Commission and the RC3 Subcommittee will review the letter and consider next moves.

**Recreation Board:** Councilperson Horwatt reported that students doing community service would help with playground cleanup. The Rotary Pet Fair was a big success resulting in lots of donations to the Rec Board. Rotary itself made \$7,500. Storm drain conditions were very bad, especially on Maple Avenue and at the intersection of N Bellevue and Marshall. Residents' help was needed to clean them. The ARPA check that went to the Boy Scouts had not yet been cashed.

**Shade Tree Commission:** Councilperson Culleton provided the list of residences at which STC will plant trees this fall. Tree work on Maple Avenue near the playground would be a winter project.

**Public Comment:** Councilperson Horwatt reported that the second ARPA check for \$82K was received. Due to the challenges of paperwork, it would be best to spend it on one project such as West Richardson Avenue drainage.

Manager Leonard contacted Middletown Township and PECO about concerns raised last month about trees on West Marshall Avenue and unused utility poles left in the Borough.

Melissa Hertenberger, Hill Avenue, Langhorne Manor, stated that closing the Route 1 service roads will create inconvenience and an increase in local traffic.

Peggy Malandra, 203 Station Avenue, asked about the Borough's chicken ordinance and trash ordinance and expressed concern about trash on a neighbor's property. Photos were given to the manager, who will contact Keystone.

Joanne Bradley, 133 E Marshall Avenue, thanked Council for its work and for listening to the complaints about the tenant on Marshall Avenue. She appreciated its willingness to consider an ordinance.

**Solicitor's Report:** The Borough will send out a notice to residents adjacent to the Mayor's Playground informing them that Council will vote in November on rezoning the playground.

At 9:45 p.m. the meeting was continued until October 3. Council then moved into executive session to discuss personnel issues.

Respectfully Submitted,

Nancy Culleton, Councilperson/Interim Secretary