

## Langhorne Borough Work Session

July 31, 2025

A Langhorne Borough Work Session was held at Council Chambers on Thursday, July 31, 2025. President Culleton called the session to order at 7:05 p.m. and invited those in attendance to pledge allegiance to the Flag.

**IN ATTENDANCE:** President Nancy Culleton; Councilpersons Scott Haldeman, Tim Harris, Anthony Marfia, Bob Cumming, and Adam Zielinski; Solicitor Barbara Kirk; Manager Mary Zimmerman; Clerk Gabe Tenaglia

**ABSENT:** Vice President Kathleen Horwatt

**AGENDA REVIEW:** President Culleton announced that the item to approve the sign expenditure will be moved to the top of the agenda after the motion to approve the Verizon Franchise Renewal Engagement Letter. She also announced that there will be an Executive Session tonight to discuss personnel matters related to Chief Godzieba's retirement at the end of September.

**ANNOUNCEMENTS:** President Culleton announced that the event at the Jesse W. Soby Post to honor the first responders to the West Richardson fire last November will be held on Monday, August 4<sup>th</sup>. Manager Zimmerman said that the event begins at 6:00 p.m. for dinner and the commendation ceremony starts at 7:00 p.m. The event is closed to members of the public due to limited space but members of Council are invited to attend. President Culleton then informed Council that Engineer George DiPersio sent in information about the consolidation of the Mayors' Playground lots this afternoon for discussion at the August Council Meeting.

**VERIZON FRANCHISE RENEWAL ENGAGEMENT LETTER:** President Culleton said that if Council were to approve the Verizon Franchise Renewal Engagement Letter, they would be engaging the services of the Cohen Law Group (CLG) to negotiate on the Borough's behalf along with other eligible Bucks County municipalities for the best possible franchise agreement with Verizon. The Borough would pay a \$6,400 fee to CLG for their services. They would handle all negotiations on behalf of the Borough and the Borough would stand to recover much, if not all of the \$6,400 in franchise fee payments. CLG would also conduct a franchise fee audit to ensure that the Borough has received all franchise fee revenue from Verizon to which it is entitled. Solicitor Kirk suggested that the Borough seek clarification on who will conduct the franchise fee audit and what preliminary items have already been discussed with Verizon. She also said that the Borough should confirm that the agreement being negotiated is the same agreement with which the Borough was presented. Councilperson Cumming asked why the Borough is paying \$6,400 when the Borough is entitled to franchise fee payments. Solicitor Kirk said that no one has been overseeing the franchise fees to determine that the Borough was receiving accurate payments. President Culleton said that the Borough could stand to make more money in franchise fee payments if CLG's services are employed. There was discussion of the \$6,400 fee charged by CLG, and Solicitor Kirk said that their fees are based on the population of the municipality. She also advised that CLG knows the ins and outs of telecommunications law and the loopholes used by cable franchises. Councilperson Haldeman expressed concern about paying \$6,400 with only the possibility of return on investment and said that more information is needed. There was further discussion of CLG's fee and the items they would negotiate on the Borough's behalf. Manager Zimmerman will follow up on the questions raised by Solicitor Kirk about the agreement with CLG.

**MOTION:** On motion of Councilperson Marfia, seconded by Councilperson Haldeman, Council voted 5-0 to approve the Verizon Franchise Renewal Engagement Letter. President Culleton and Councilpersons Marfia, Cumming, Harris, and Zielinski voted in favor. Councilperson Haldeman abstained.

**SIGN EXPENDITURE:** Manager Zimmerman reached out to three sign companies for quotes for purchasing signs for the Borough, and the lowest quote was from Main Stream Industries. Councilperson Cumming asked who will install the signs, and Manager Zimmerman said that the Borough's Public Works person Nick Palladino will install them. Councilperson Cumming then asked if PennDOT needs to supervise. Manager Zimmerman said that PennDOT will come out and mark where the speed limit signs need to go. There was discussion of the signs that will be ordered, and Manager Zimmerman asked Councilperson Harris if he approves of the no parking signs for the First Baptist Church. He said that he and the church approve. He said that two will be placed at the entrance of the park, and one will be placed at the beginning of the driveway to the church parking lot.

**MOTION:** On motion of Councilperson Cumming, seconded by Councilperson Zielinski, Council voted 6-0 to approve the expenditure of \$2,061.25 to purchase the signs from Main Stream Industries.

**REMOVING APPENDIX A FROM THE ZONING ORDINANCE:** President Culleton said that this issue arose after Joe Kontz attended the July Council Meeting regarding his HARB application for 232/234 North Pine Street and was told that he would have to appeal the notice of violation to the Zoning Hearing Board. The question arose of whether to direct Solicitor Kirk to prepare to remove Appendix A, which establishes and sets out the regulations for the historic district and Historic Architectural Review Board, from the Zoning Ordinance to avoid a similar situation in the future. Paul Schneider, Chair of Planning Commission, has recommended waiting to take action on Appendix A until after the Borough receives confirmation of whether they have been awarded the Municipal Assistance Program (MAP) grant funding to rewrite the Zoning Ordinance. President Culleton said that she agrees with Mr. Schneider's suggestion, and that a provision was put in the grant application for the separation of Appendix A and the Zoning Ordinance. If the Borough does not receive MAP grant funding, the Bucks County Planning Commission estimated that it could cost around \$5,000 to remove Appendix A and any references to it from the Zoning Ordinance, not including costs such as advertising and attorney's fees. After further discussion, Council agreed to wait for notification of the MAP grant.

**TRAFFIC ISSUES:** President Culleton announced that the next ad hoc traffic study group meeting is scheduled for August 11<sup>th</sup> at 7:00 p.m. She said that a resident reached out to request one-way signage on National Avenue during certain times of the day, and explained the history behind this request. Councilperson Cumming suggested addressing this at the meeting. Then President Culleton said that there had been discussion of setting up a pre-grant application meeting with Don Centofante of PennDOT, the Borough Engineer, and office staff for the Bucks County Redevelopment Authority (RDA) grant application for RRFBs at the crosswalk at Green Street and Maple Avenue, which is due in September. She said the meeting should be scheduled sooner rather than later. Councilperson Cumming said that he received an email about a grant workshop on August 19<sup>th</sup> at the Middletown Country Club organized by Senator Frank Farry's office and asked if the office staff will be sent to this workshop. Clerk Tenaglia said that he signed up for an online grant writing workshop through the Pennsylvania State Association of Boroughs (PSAB) that is held every Tuesday of August, which conflicts with Senator Farry's workshop. Councilpersons Cumming and Zielinski expressed interest in attending Senator Farry's workshop. Manager Zimmerman said that she will attend as well. She informed Council that she spoke with Mr. Centofante last Friday and sent him the TE-109 form for truck traffic restrictions and will reach out to him tomorrow to schedule a pre-grant meeting. President Culleton then updated Council on the

Borough's correspondence with Ken Yerges of JMT regarding the RC3 Project. She had sent him a letter regarding Vice President Horwatt's exchange with Transportation Secretary Michael Carroll at the June PSAB Conference. Vice President Horwatt forwarded President Culleton's response letter to Secretary Carroll, who responded. He does not agree with SAFE Engineering's alternative proposal for the RC3 Project. There was further discussion about Secretary Carroll's response letter.

**315 WEST MAPLE AVENUE ZONING HEARING BOARD HEARING:** The Bucks County Learning Cooperative's appeal of the Borough's stop work order on the shed at 315 West Maple Avenue was upheld by the Zoning Hearing Board. President Culleton thanked Solicitor Kirk for her work on the Borough's behalf. Councilperson Zielinski asked why they won; Solicitor Kirk said that they argued that the school has been there for a long time and the shed is a natural expansion of a pre-existing, nonconforming structure. President Culleton said that the application fees must be returned to the applicant.

**CODIFICATION UPDATE:** Clerk Tenaglia said that 231 of General Code's 278 questions have been completed. 47 questions are incomplete. The soft deadline to complete all questions and send them back to General Code is September 24<sup>th</sup>. Clerk Tenaglia expressed concern that addressing question related to the Zoning Ordinance could conflict with the Borough's plan to rewrite the Zoning Ordinance through the MAP grant. He suggested not making revisions to the Zoning Ordinance until the MAP grant awards are announced. Solicitor Kirk said that she went through questions assigned to her and directed General Code not to make any revisions because she does not have the authority to approve revisions unilaterally. She has prepared a summary of the questions to present to Council for review and approval. There was more discussion and Solicitor Kirk suggested assigning the remaining questions to her for review. Clerk Tenaglia said that most of General Code's question are about other Borough ordinances, and he has gone through them and accepted the revisions suggested. Solicitor Kirk advised that he cannot accept them because ordinances can only be amended with Council's approval. There was discussion of how the revisions proposed by General Code will be passed, and Manager Zimmerman and Clerk Tenaglia said that General Code will prepare an ordinance with all the revisions to come before Council. In light of this, Solicitor Kirk said that she will have to go back and change the answers to her questions. She suggested asking General Code to explain, in writing, how they propose to handle any revisions that are accepted.

**PRELIMINARY BUDGET PLANNING:** President Culleton said that Council should determine big-ticket budget items for the Budget Committee to discuss before their meeting. Councilperson Haldeman asked if the Budget Committee has to consist only of Council members, and after discussion President Culleton said that further research can be done into Budget Committee membership. Councilperson Haldeman said he will set up a Budget Committee Meeting in August and President Culleton suggested that he could touch base with her and Councilperson Zielinski to schedule. She summarized the Borough's budget halfway through the year and provided a list of items to include in next year's budget: \$6,450 for the Comprehensive Plan update; \$26,000 for the Watershed Restoration & Protection Program grant match; \$20,000 for the MAP grant to redo the Zoning Ordinance; the soft costs for the RRFBs at Green Street and Maple Avenue; staff raises and health benefits; the hiring of an additional police officer; the PA Statewide Local Share Account grant for the Mayors' Playground community center. Councilperson Zielinski said that the Borough's 250<sup>th</sup> anniversary celebration should also be budgeted for.

**PROFESSIONAL SERVICE PARTNERS MEETING:**

**Code Enforcement Procedures Meeting Update:** Manager Zimmerman said that she, President Culleton,

Clerk Tenaglia, Solicitor Kirk, and the building inspector and zoning officer had a meeting at the office two weeks ago to discuss office procedures and code enforcement. They are planning to have a monthly Professional Service Partners meeting and include Engineer George DiPersio. Manager Zimmerman said that the meeting was helpful to clarify people's roles and responsibilities. One of the things they discussed was creating door hanger courtesy notices to notify people of code violations before sending a formal violation notice. Councilperson Cumming asked who issues these notices, and Solicitor Kirk said it would be the code enforcement officer and building inspector. She then explained to Council that building code violations must go before a Code Appeals Board, which the Borough does not have. The Borough can either make their own, or enter into an agreement with another municipality to use theirs. There was discussion of who has been handling such appeals up to this point, and of the Code Appeals Board composition as required by state law. President Culleton said that the Borough may not have the resources to establish a Code Appeals Board, and Solicitor Kirk said that the solution would be to establish an intergovernmental agreement with another municipality.

**Use & Occupancy:** Manager Zimmerman said that the office has not been able to locate the Borough's Use & Occupancy ordinance. She has been reviewing other municipalities' U&O ordinances and the building inspector has suggested that only chimney and electrical certifications be required. Councilperson Haldeman said that he can look for the U&O ordinance in his files.

**Sewer Lateral Inspection:** Solicitor Kirk said that with the Department of Environmental Protection coming down on municipalities about sewer transmissions and water inflows, there has been a push to require a sewer lateral inspection whenever a property is sold. A sewer lateral inspection involves using a camera to inspect the sewer line from the house to the lateral connection in the street to ensure that the line is not crumbling. Solicitor Kirk provided a sample ordinance that she drafted for Lower Makefield Township for Council's consideration. There was discussion of sewer lateral inspections and Councilperson Haldeman recommended adding a recommendation to the U&O application that sellers have sewer lateral inspections, but advised against requiring them. President Culleton said that sewer lateral inspections will make the Borough safer because sewage leaching into the ground is a public hazard. Councilperson Cumming agreed. Councilperson Haldeman said that it is an added expense for the seller. Councilperson Zielinski said that adding more inspections could be cumbersome to property owners. Solicitor Kirk suggested forwarding her draft sewer lateral ordinance to Mr. DiPersio for advice on whether it could get the Borough additional MS4 credits. After further discussion, President Culleton said that the Borough is not yet prepared to adopt a sewer lateral ordinance since it will likely be tied into the creation of a new U&O ordinance. Councilperson Haldeman suggested taking the matter up at a Council Meeting and discussing with Mr. DiPersio. President Culleton said that this can go on the agenda of the August Council Meeting.

**Bamboo Ordinance:** Manager Zimmerman said that bamboo is becoming an issue again on Marshall Avenue, between Marshall and Wells Avenue, and at Catawissa. Councilperson Haldeman said that residents are allowed to have bamboo on their properties, and Manager Zimmerman said that it has to be sealed and located ten feet from the property line. This requires a plastic liner to be set into the ground to prevent roots from continuing to grow. There was more discussion of bamboo remediation practices. Manager Zimmerman said that Solicitor Kirk found inconsistencies in the Borough's bamboo ordinance and other municipalities have been repealing their bamboo ordinances. She said that currently, if a property owner were to pursue action against a neighbor bamboo growing on their property, they would have to go before the Zoning Hearing Board, which would involve application fees and the only enforcement action that the Borough could take would be to fine the property owner whose property the bamboo is growing from \$1,000. Solicitor Kirk specified that bamboo is regulated

under the Borough's invasive and toxic plant ordinance that is in the Zoning Ordinance, and the ordinance does not empower the Borough to make the offending property owner address the bamboo itself. There was more discussion about legal action against properties with bamboo growth. After further discussion, President Culleton recommended that the issue of bamboo be revisited when the Zoning Ordinance rewrite begins.

**CELL TOWER/SMALL CELL PERMIT APPLICATION FOR THE CORNER OF MAPLE AVE. AND PINE ST.:**

Solicitor Kirk said that most cell towers are not considered utilities under law, so their location can be determined by the municipality in which they are located. However, Crown Castle Fiber LLC, the company that has submitted the permit application, is considered a small wireless facility and has a certificate from the PA Utilities Commission that makes them a utility, so they have the right to go into the public right-of-way. Manager Zimmerman spoke with the representative of Crown Castle who first approached her about the project and he informed her that they identified a spot at the intersection of Pine Street and Maple Avenue at the corner of Brothers Pizza, between the sidewalk and their planters. Manager Zimmerman said that she had proposed alternative locations for the cell tower and suggested to Council that Crown Castle could put the tower in the right-of-way in front of the Langhorne Library. There was further discussion of the application, the potential location of the tower, which is a wooden pole with a cap, and its effect on cell service in the Borough. President Culleton said that the Borough could charge Crown Castle a \$270 maximum yearly fee. Solicitor Kirk said that Crown Castle owns the pole and can lease it out to different service carriers. Councilperson Haldeman asked if a representative from Crown Castle could come before Council to answer questions. Manager Zimmerman suggested setting up a phone or video call, and Solicitor Kirk said that the Borough could ask a representative to attend a Council Meeting. President Culleton asked Manager Zimmerman to follow up with the Crown Castle representative.

**EXECUTIVE SESSION:** Council entered into Executive Session at 8:55 p.m. to discuss personnel and legal matters.

**ADJOURNMENT:** On motion of Councilperson Harris, seconded by Councilperson Haldeman, Council voted 6-0 to adjourn at 9:54 p.m.

Respectfully submitted,

Mary Zimmerman, Borough Manager / Secretary

**Next Work Session: August 28<sup>th</sup>, 2025 at 7:00 p.m.**