

**MINUTES
LANGHORNE MANOR BOROUGH COUNCIL
MEETING OF APRIL 6, 2004**

1. **CALL TO ORDER** - The meeting of Langhorne Manor Borough was called to order in the Langhorne Manor Borough Hall, 618 Hulmeville Avenue, Langhorne, Pennsylvania, on Tuesday, April 6, 2004, at 8:05 P.M. Eastern Standard Time by Maryann Barnes, President.

At this point in the meeting Mr. Farmer led us in the "Pledge of Allegiance to the Flag."

PERSONS PRESENT – Maryann Barnes, President; Francis Farmer; Sharon Gimpel; William McTigue Vice President; Steven Yourtee; Thomas J. Profy, III, Solicitor; and Loretta M. Luff, Secretary/Treasurer.

PERSONS ABSENT – Robert Byrne; Nicholas Pizzola; Gerald Seader, Mayor.

2. **APPROVAL OF MINUTES** – Mrs. Barnes entertained a motion to approve the minutes of the March 2, 2004 Borough Council meeting. Motion was made by Mr. Farmer and seconded by Mr. McTigue to approve the minutes as amended.

3. **POLICE REPORT** – In the absence of Mayor Seader, Mr. Farmer gave the police report for the month of March 2004.

4. **COMMENTS FROM RESIDENTS & VISITORS** – There were no requests presented from residents or visitors

5. **COMMITTEE REPORTS** –

Mrs. Barnes had no report.

Mr. Bush stated that Bucks County Planning Commission would have a draft copy of the new comprehensive plan in the near future. When a copy of the draft is received a Planning Commission meeting will be scheduled so the draft can be reviewed.

Mrs. Barnes stated that she received a draft from the Delaware Regional Planning Commission, she made some corrections, and she notified them as to the corrections, at that time they inquired about the comprehensive plan.

Mrs. Barnes attended another meeting of the Middletown Study Commission of the Parks and Recreation Facilities. They had a slide presentation by Gannet Fleming who put together the proposal for the study. Mrs. Barnes stated that there was no information presented concerning the easement for the Langhorne Spring Water, which is the reason she attends the meetings, they told Mrs. Barnes information would be available at the next meeting.

Mrs. Barnes received a letter from Woods Services with a \$6,000.00 contribution in recognition of the cooperation and assistance provided by the Borough of Langhorne Manor's Higher Education and Health Authority.

Mr. Farmer recommended that the \$6,000.00 be saved till the fall and if the budget is in decent shape the money could be used for repairs to the Borough Hall.

Mr. Byrne-absent.

Mrs. Luff reported that a bill had been received from Precision Electrical Signal stating that the light at 502 Hulmeville Avenue had been repaired but the light at the Access Road and Station Avenue need PECO to follow up with repairs.

Mr. Farmer reported that the Police Committee met and the Council will go into Executive Session following this Council Meeting concerning an issue discussed at the Police Committee meeting.

Mr. Farmer reported that the repairs had been done to the road on Manor Avenue, and he had received the post puller.

Ms. Gimpel stated that the no parking sign in front of 103 Manor Avenue is twisted and the no parking sign at Elm & Station Avenues is lying on the ground.

Ms. Gimpel reported that she had attended the Pennsylvania Boroughs Association Conference in March and she found it very informative. She had also been in contact with the Shade Tree Commission and would like a copy of the Shade Tree Ordinance for Mrs. Bartnikowski for the web site. The membership application for Pennsylvania Urban and Community Forestry Council is due and the cost is \$50.00 for three memberships.

Ms. Gimpel stated that the Liberty Tree Project is being held once again in honor of our servicemen and servicewomen. Ms. Boyle read from the article that the trees would be planted on public lands in four Liberty Tree Forests. For every \$2.00 contributed, one serviceman or servicewoman will receive a thank you letter and a Liberty Tree Planting Certificate from the organization contributing, American Forests and the V.F.W. Foundation acknowledging their service to our Country.

Motion was made by Mr. Farmer and seconded by Mr. McTigue to send a donation in the amount of \$100.00 for fifty trees for the Liberty Tree Program. No objections were presented. Motion carried.

Motion was made by Mr. Farmer and seconded by Mr. Yourtee to renew the three memberships in the amount of \$50.00 for the Pennsylvania Urban and Community Forestry Council for Municipalities. No objections were presented. Motion carried.

There was a discussion pertaining to the Pennsylvania State Association of Boroughs News. Starting this year there is a charge for the subscriptions. Motion was made by Mr. McTigue and

seconded by Mr. Yourtee to send for eight subscriptions at a cost of \$175.00 No objections were presented. Motion carried.

Mr. Yourtee inquired if any residents had applied for the vacancy on the Shade Tree Commission. Mrs. Barnes stated that she had not received any. Ms. Linington stated that Mr. Yourtee and Mr. McCaffery are interested. Mrs. Barnes stated if anyone is interested, they are to write a brief note and give it to Mrs. Luff, Ms. Gimpel or herself so it can be voted on at the May 4, 2004 Borough Council meeting.

Mr. McTigue reported that the leaf pick-up date was changed to Wednesday May 12, 2004 due to the bad weather the past couple of weeks. The bulk pick-up date is scheduled for Saturday May 22, 2004.

Mr. Yourtee reported that the Community Yard Sale is scheduled for Saturday May 15, 2004; rain date will be Sunday May 16, 2004.

Mr. McTigue stated that he would work with Mr. Yourtee to get a newsletter mailed to the residents informing them of the dates and also have Mrs. Bartnikowski put it on the web site.

Mr. Bartnikowski mentioned that he would like to clean up behind the Borough Hall before bulk pick up. Mr. Farmer stated Mayor Seader was going to get a couple people to work on cleaning it up.

Mr. McTigue thanked Mrs. Bartnikowski for all the work she has done on the web site. The format on the web site has been updated; Police page, Borough Services, and the Federal, State and County Officials have been added. The web site is now registered with Yahoo and Net Scape the registration with Google is pending.

Mrs. Bartnikowski has hooked up with the Pennsylvania State Association of Townships, Borough's Association and the Philadelphia Biblical University to link our web site on theirs.

Mr. McTigue stated that a bio from Mr. Byrnes is still needed. Mrs. Bartnikowski stated if Council members want their E-Mail addresses posted let her know. She reported on the conference she had attended pertaining to E-Mail addresses being listed. It was suggested that the borooffice@comcast.net be the only one listed as the personal addresses could start getting a lot of spam.

Mrs. Bartnikowski inquired if the approved Borough Council minutes could be posted on the web site and a policy made so they are to be posted within seventy two hours or what ever is approved and it could start with January 2004's minutes.

Mr. Profy suggested that a motion be made that the policy of the Borough, is to have the Borough Secretary place on the Borough web site the official minutes of Langhorne Manor Borough's Council meeting within seventy- two hours after the approval of said minutes. Motion was made by Mr. Farmer and seconded by Mr. McTigue to have the minutes placed on the Borough's web site as recommended by Mr. Profy. No objections were presented. Motion carried.

Mr. Yourtee reported that he had spoke with Mr. McMeeking regarding maintenance of the lawn and shrubs, he will continue with a light mulching of flower beds, and a fertilizing program for the lawn areas at 616 and 618 Hulmeville Avenue. He reported on an area at the corner of the Borough Hall building where the water lays due to a problem along the top of the building and water erodes the mulch and kills the plants, he feels that the problem on the building should be corrected before the water starts leaking inside the building.

Mr. Yourtee reported that the split rail fence behind 616 Hulmeville Avenue is in very bad condition. He wanted to know if any sections of the fence are necessary. Mr. Farmer stated that the only part of the fence that should be kept is the section between the neighbors property. Mr. Yourtee would like to save some rails to repair the sections that remain between the properties. Mr. Yourtee will get a quote from Mr. McMeeking for removal of the fence and have it completed for bulk pick up.

Mr. Farmer stated if the fence is in bad condition between the neighbor's property and 616 Hulmeville Ave, those sections should also be removed. He also stated that our post puller should be used for removal of the fence posts.

Mr. Yourtee asked what is going to be done about the problem at the corner of the Borough Hall. Mr. Farmer replied that he would look at it. Mr. Bush stated that it had been fixed four or five years ago.

6. **MAYOR'S REPORT** – There was no Mayor's report due to Mayor Seader being absent.

7. **SOLICITOR'S REPORT** – Mr. Profy stated that an announcement should be made that following the March 2, 2004 Council meeting an Executive Session of Council and issues were discussed pertaining to Code enforcement

Mr. Profy stated that all Council members received a draft of the amendment to the Fence Ordinance, it has been advertised for adoption this evening. It was discussed at the March 2, 2004 Council meeting that the Code of Langhorne Manor Borough adopted as Ordinance #95-03-01 on March 7, 1995 is hereby amended via the addition of Subsection (f) of Section 08.01, Article III – Fences in Residential Districts. Mr. Profy stated that this is basically the same as under the subdivision of land development regulation. If there is something unique about the property, which makes strict enforcement cause an unnecessary hardship, Council has the right but not an obligation to grant a waiver. Motion was made by Mr. Yourtee and seconded by Mr. McTigue to approve the adoption of the Amended Fence Ordinance as recommended by Mr. Profy. No objections were presented. Motion carried.

Mr. Profy reported on the Uniform Construction Code Adoption. This was acted on by the Borough Council on March 2, 2004 upon the recommendation of the Borough's Code Enforcement Officer, Mr. Bush and Council agreed that the Pennsylvania Construction Code Act and Regulations promulgated there under by the Department of Labor and Industry and providing for the administration and enforcement of said Code within the Borough of Langhorne Manor. This had been advertised but the proof of publication has not been received. We have a copy of the newspaper

in which it has been advertised Motion was made by Mr. McTigue and seconded by Mr. Farmer to approve the Uniform Construction Code Ordinance as presented by Mr. Profy. No objections were presented. Motion carried.

Mr. Profy reported that he had received the Firearms Policy it had been reviewed by the Police Committee. Mr. Farmer stated that Chief Bumm and Mayor Seader had reviewed it and the Police Committee is relying on their recommendations. Mr. Profy stated that he had reviewed the policy and made modifications and Mayor Seader made one other modification pertaining to all repairs will be done by Certified Armour. Motion was made by Mr. Farmer and seconded by Mr. McTigue to approve the Firearms Policy as presented by Mr. Profy. No objections were presented. Motion carried.

Mr. Profy reported on a letter received from Philadelphia Biblical University pertaining to Land Development Plan for the new education facilities specifically completion of Parking Lot 46. They are planning on proceeding with phase II of the work under the Langhorne Manor Borough Development Agreement, which allowed them to construct the new education facilities. The first work to be done will be construction of the future phase of parking lot 46. Once those new parking spaces are constructed they will eliminate parking lots 34 and 36 and construct the "future landscape walkway." They will submit detailed drawings of the "future landscaped walkway" when they are completed; the walkway is currently at the preliminary design stage. They know they will be required to reimburse the Borough for costs associated with the planned work, such as the Borough Engineer's inspection of the work.

Mr. Profy stated that when they constructed an addition to another existing parking lot they were not required to provide a letter of credit and at this time they would appreciate it if the Borough Council would waive the letter of credit for the "future phase of parking lot 46" and the "future landscape walkway". The estimated cost is \$66,799.00, which is a much lower cost than the land development of phase I project.

Mr. McTigue asked, what is the worst thing that can happen? Mr. Profy replied that if they do not complete the project, then Council could use the letter of credit to fund the projects completion. Mr. Profy stated if Council grants the waiver of the letter of credit the only person that is going to be affected is the property owner. Innocent third parties, neighbors or users of the facilities will not be affected. The only people harmed will be the college and students. Motion was made by Mr. Farmer and seconded by Mr. McTigue to grant Philadelphia Biblical University a waiver for the letter of credit. No objections were presented. Motion carried.

Mr. Profy asked Mr. Bush if engineering review fees would be more than \$5000.00. Mr. Bush stated that he does not think so, but they have to resubmit their revised plans to the Bucks County Conservation District for review and approval.

Mr. Yourtee asked about lot 46 would this require the clearing of the wooded area. Mr. Profy replied that it will and Philadelphia Biblical University has a tree removal plan that was approved by the Borough Council. Mr. Yourtee asked if that prior approval required replacement.

Mrs. Barnes stated that when this was previously approved there was a tree replacement plan and the Borough engineer will review the prior plan.

8. **INSPECTOR'S REPORT** – Mr. Bush gave the Inspector's report for the month of March 2004. Mr. Bush reported on the classes and conferences he had attended.

9. **CORRESPONDENCE** –A letter was received from the Bucks County Council Boy Scouts of America thanking the Council for their donation in memory of Mr. William J. Carlin from the law firm of Begley, Carlin & Mandio

10. **APPROVAL OF THE BILL AND TREASURER'D REPORT** – Mrs. Barnes stated that all Council members received a copy of the bill list for payment. She asked if there were any questions or discussion. Questions were asked pertaining to certain bills and what they were for. After Mrs. Luff answered their questions a motion was made by Mr. Yourtee and seconded by Mr. McTigue to approve the bill list as presented, subject to specific approval by Mayor Seader of check #3757. No objections were presented. Motion carried.

Mrs. Barnes entertained a motion to approve the Treasurer's Report as presented. A copy of the cash receipts was handed out prior to the meeting. It was missing in the report. Motion was made by Mr. McTigue and seconded by Mr. Yourtee. Ms. Gimpel opposed due to receiving the cash receipts this evening. Motion carried.

11. **SECOND MEETING** –Mrs. Barnes stated that a second meeting is scheduled for Tuesday April 20, 2004. At this time there are no items for the agenda for that meeting. Motion was made by Mr. McTigue and seconded by Mr. Yourtee to dispense with the April 20, 2004 meeting. No objections were presented. Motion carried.

Mrs. Barnes stated that we would be going into Executive Session following this meeting and there will be no action taken at that time.

12. **ADJOURMENT** – Motion was made by Mr. Yourtee and seconded by Mr. McTigue to adjourn this meeting. No objections were presented. Motion carried. Meeting adjourned at 9:35 P.M.

The next meeting will be Tuesday May 4, 2004

Respectfully submitted,

Loretta M. Luff
Secretary/Treasurer
Langhorne Manor Borough