

**MINUTES  
LANGHORNE MANOR BOROUGH COUNCIL  
MEETING OF JANUARY 5, 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, January 5, 2004, at 8:00 P.M. Eastern Standard Time by Gerry Seader, Mayor.

At this point in the meeting Mayor Seader led us in the "Pledge of Allegiance to the Flag."

**PERSONS PRESENT** – Maryann Barnes, President; Robert J Byrne; Francis J. Farmer; Sharon Gimpel; William McTigue, Vice President; Nicholas Pizzola; Steven Yourtee; Gerald Seader, Mayor; Thomas J. Profy, III, Solicitor; and Loretta M. Luff, Secretary/Treasurer.

**PERSON ABSENT** - None

**2. Swearing in of Newly Elected Council Members** – Mayor Seader issued the Oath of Office to Sharon Gimpel, Steven Yourtee and Nicholas Pizzola to serve the next four years as Council Members and Robert J. Byrne to serve the next two years as a Council Member.

**3. Comments From Residents & Visitors** – There was no request forms presented.

**4. Election of President and Vice President** –Mayor Seader requested a nomination for the office of President of Borough Council. Mr. Farmer nominated Maryann Barnes. Mayor Seader asked if there were any other nominations and there was no response. No objections were presented. Motion carried.

Mayor Seader requested a nomination for the office of Vice President of Borough Council. Mr. Farmer nominated William McTigue. Mayor Seader asked if there were any other nominations and there was no response. No objections were presented. Motion carried.

Mayor Seader then turned the meeting over to Maryann Barnes, President, for the conduct of Borough business at this point of the meeting.

Mrs. Barnes reviewed the list of banks that our eleven accounts are in. Mr. Farmer recommended that we transfer our four bank accounts that we have with Wachovia to 1<sup>st</sup> National Bank and Trust Company of Newtown, which is a local bank. The accounts are General Checking Fund, Sewer Checking Department, Sewer Construction Savings and Payroll Checking.

Mr. Profy stated 1<sup>st</sup> National Bank and Trust Company has always been there whenever the Manor has asked for their services and it is up to the discretion of the Borough Council.

Motion was made by Mr. Farmer and seconded by Mr. McTigue to change the four bank accounts from Wachovia to 1<sup>st</sup> National Bank and Trust Company of Newtown. No objections were presented. Motion carried.

Mrs. Barnes reviewed the Officials, Commissions, Authorities and Appointees list. Mrs. Barnes stated that Steve Yourtee's five-year term on the Planning Commission is up for re-appointment. Motion was made by Mrs. Barnes and seconded by Mr. McTigue to re-appoint Mr. Yourtee to a five-year appointment until 2009 on the Planning Commission. No objections were presented. Motion carried.

Mrs. Barnes stated that the two Auditors William Hiltner and Nicole Innamorato were unable to attend this evening and they will be sworn in at a later date.

Mrs. Barnes then stated that Lois Abbott's three-year term on the Zoning Hearing Board is up for re-appointment and Mrs. Barnes recommended Ronald Bartnikowski for a three-year term. Mr. Farmer seconded the recommendation. No objections were presented. Motion carried.

Mrs. Barnes stated that Gary Mucklow's appointment on the Zoning Hearing Board was up for re-appointment. Motion was made by Mr. Byrne and seconded by Mr. Pizzola to re-appoint Mr. Mucklow to a three-year term on the Zoning Hearing Board. No objections were presented. Motion carried. Ms. Gimpel abstained.

Mrs. Barnes stated that Jean Nelson's position on the Langhorne Manor Borough Higher Education and Health Authority is up for re-appointment. Motion was made by Mrs. Barnes and seconded by Mr. Farmer to re-appoint Jean Nelson to a five-year term on the Langhorne Manor Borough Higher Education and Health Authority. Mr. Profy commended Jean Nelson on the work she does on this committee. No objections were presented. Motion carried.

Mrs. Barnes stated that there are no expired terms on the Shade Tree Commission. Mrs. Luff stated that she would like to be removed from the Shade Tree Commission. Mrs. Barnes stated that Mrs. Luff would have to submit a letter of resignation and at that time there would be an opening.

Mrs. Barnes stated that she would read the list of Officials, Commissions, Authorities and Appointees, if any Council Member has a problem with anyone of them, then it will be discussed.

**OFFICIALS, COMMISSIONS, AUTHORITIES, APPOINTEES, ETC.**

Constable	Jim McMeeking (6Yr. 2004-2010)
Fire Marshall	Frank Farry
Secretary/Treasurer	Loretta M. Luff
Solicitor	Thomas J. Profy III, representing Begley, Carlin & Mandio
Building Inspector	Joseph A. Bush, Jr. (2 Yr. 1-01-04-12-31-05)

Code enforcement Officer	Joseph A. Bush Jr. (2 Yr. 1-01-04–12-31-05)
Zoning Officer	Joseph A. Bush, Jr. (2 Yr. 1-01-04-12-31-05)
Plumbing Inspector	James Peet (2 Yr. 1-01-04-12-31-05)
Borough Engineer	Pickering, Corts & Summerson
Custodian, Outside	Jim McMeeking
Custodian, Inside	Loretta Luff
Emergency Management Coordinator (Appointment by recommendation of the governor)	William McTigue (Appointed 1996)
Vacancy Board (1 year appointment)	John Gibbons
Assistant Secretary	Betty Cichy
Liaison to Comcast Cablevision	John Lisa

Mr. Yourtee told Mrs. Barnes that she omitted the Police Chief Russell Bumm. Mrs. Barnes replied that he is not appointment. Mr. Profy stated that it is not a matter to be acted upon by Council as part of the organization meeting.

Motion was made by Mr. Yourtee and seconded by Mr. Farmer to approve the list of Officials as presented by Mrs. Barnes. No objections were presented. Motion carried. Ms. Gimpel abstained.

Mrs. Barnes stated that the list of Committee assignments would be deferred to the February 3, 2004 meeting.

**5. APPROVAL OF MINUTES** – Mrs. Barnes entertained a motion to approve the minutes of the December 2, 2003 Borough Council meeting. Motion was made by Mr. Yourtee and seconded by Mr. McTigue to approve the December 2, 2003 minutes as amended. No objections were presented. Motion carried. Mrs. Barnes and Ms. Gimpel abstained.

**6. POLICE REPORT** – Mayor Seader gave the Police report for the month of December 2003 and he also gave the Police report for the year 2003.

**7. COMMITTEE REPORTS** – Mrs. Barnes thanked the Borough Council for all the cards and flowers she received while she was ill. Mrs. Barnes had no report as Chairman of the Borough Planning Commission.

Mrs. Barnes reported she had received a check in the amount of \$15,000.00 from Langhorne Manor Borough Higher Education and Health Authority for use of the facilities of the Borough and

administrative services provided by the Borough from November 1, 2002 thru October 31, 2003. A bill was received from the Bucks County Planning Commission in the amount of \$540.00 for materials review and comprehensive plan preparation.

Mrs. Barnes asked Mr. Profy if he wanted to speak on the State Police issue. Mr. Profy reported that the State Police injunction concerning the future status of keeping the Trevoise Barracks opened is in effect thru May 2004 unless the State Police takes action to have the injunction vacated; the injunction will remain in place.

Mrs. Barnes stated a letter had been received from the Bucks County Planning Commission revising their fee schedule for review of sub-division and land development plans. A copy will be given to Mr. Bush.

Mr. Profy suggested that Borough Council revise their fee schedule for review of sub-division and land development plans, as there is often a negative balance. He knows it is controversial when a resident is told of the fee amount.

Mrs. Barnes received a letter from Middletown Township as she has been attending the Park and Recreation Study Committee Meetings along with Mr. Farmer. A tour of the parks is scheduled for Wednesday January 14, 2004 at 9:00 A.M. Mrs. Barnes will find out why Langhorne Manor is included in this study.

Mrs. Barnes referred to the article in The Courier Times pertaining to Langhorne Borough preparing an Earned Income Tax ordinance. Mr. Profy stated that a Local Tax enabling Act referred to as Act 511, which authorizes that the earned income tax be shared with the Borough if a school district levies an Earned Income Tax and receives notice forty-five days in advance of the date on which they adopt their budget. A school district must adopt their budget by June 30<sup>th</sup>. A municipality can give notice of its intent to adopt during its next fiscal year of the earned income tax so they can receive their ½ share.

An ordinance must be adopted stating that the Borough is going to propose a tax in the same amount. The ordinance must be adopted at the April or May 2004 Council Meeting. Mrs. Barnes stated if Council adopted the ordinance, then the ordinance would enable the Borough to share ½ of the earned income tax collected by the school district. Mr. Profy stated that we would give the school district notice forty-five days prior to the adoption of their budget, that we have the right to co-op by adopting the tax. Mr. Farmer asked if the school district does not do it this year could we give the same notification next year. Mr. Profy stated that we would give notification every year to protect our interests. Council directed Mr. Profy to prepare an Income Tax Ordinance for future consideration.

Mr. Byrne – No report.

Mr. Farmer reported that he had put the stop signs up at Pine Street and Fairview Avenue along with Ron Bartnikowski's help.

Mr. Farmer presented a schedule for hours for the Police Department, which provides for eight-hour shifts on Sundays, and twelve-hour shifts on Saturday and weekdays. The budgeted amount for the Police department is \$58,000.00; the new amount will be \$58,520.00. Programs such as T.R.A.C.K. and DUI will cover the \$520.00 over budget. The total hours per month are 340. This will go into effect February 1, 2004.

Mr. Farmer reported that the policy for the Police department on lateness would be presented at the February 3, 2004 Council meeting.

Ms. Gimpel – No report.

Mrs. Barnes stated that all Council members received a copy of the year-end report from the Shade Tree Commission.

Mr. McTigue stated a summary was presented at last month's meeting by Ms. Gimpel concerning refuse revenue vs. expense for the period of 1992 thru 2002. Ms. Gimpel basically made the point that revenue exceeded expenses by about \$22,435.00. Her point was to match as closely as possible through the trash assessment fees the revenue expenses. Any access monies that were collected went to the General Fund, therefore the taxes went for the public good so to speak. The trash assessment fees also went towards legal fees, related administrative fees, newsletters etc. Mr. McTigue spoke of a letter received from Mr. Profy stating that for the period January 1, 1992 thru December 2003, \$556,000.00 in expenses and 4% of that was for administrative fees would equal about \$22,000.00. Mr. Profy also advised that it was legal and prudent to have administrative cost factor of approximately 5% over and above the direct payment that we pay the vendors. The projections that we have made for the trash assessments and refuse collection expenses for the current contract year for 2004 indicated that our current level tax assessment is less than what we will be paying out for that expense. Mr. McTigue proposed that we maintain the trash assessment at \$211.00; at the end of 2004 we will review the calculations and figure out what we should do for the future. No one objected.

Mr. Pizzola presented an article from the Advance showing what the areas around Langhorne Manor Borough are paying for trash removal and what their increases are for 2004 and where we stand compare to the other areas.

Mr. Yourtee asked Mr. McTigue about the letter addressed to Mr. McTigue from Mr. Profy showing that the Original Assessment for trash removal would have the Borough falling short and we only assessed the residents \$211.00 does that mean that there will be a large increase for the year 2005. Mr. McTigue replied if there was a 5% administrative fee for this year the short fall would be greater than what is specified. The \$223.00 figure that had been presented would be short \$9,500.00 based on the 5% administrative fees.

**8. INSPECTOR'S REPORT** –Mr. Bush gave his Inspector's report for the month of December 2003 at this time, as he had to leave.

Mr. Pizzola reported that he and Mrs. Luff had attended a conference in Reading on December 9, 2003 presented by the State Borough's Association on Government accounting.

Mr. Yourtee – No report.

**9. MAYOR'S REPORT** – Mayor Seader reported that Sergeant Seitz attended a program in Newtown called We Care Bear Program. The police departments carry stuffed bears in the police cars, if there is an accident or fire etc., they have the bears to give to small children to provide some comfort at a trying time. Sergeant Seitz received their supply of bears.

Mayor Seader reported that a letter of resignation was received from Officer Mooney effective Saturday December 13, 2003. Motion was made by Mr. Farmer and seconded by Mr. McTigue to accept the resignation of Officer Mooney with regrets. No objections were presented. Motion carried. Ms. Gimpel abstained.

Mayor Seader reported a plaque was received from Bucks County Motor Carrier Task Force for our participation in the 2003 program.

**10. SOLICITOR'S REPORT** –Mr. Profy reported that the Curfew Ordinance had been advertised and distributed for adoption this evening. He asked what the preference of the Borough Council was.

Mrs. Barnes asked Mayor Seader to speak on the TRACK Program. Mayor Seader stated that TRACK stands for Truancy Reduction and Curfew for Kids. This is a program handled by many police departments and school districts through out Bucks County. Grants are issued through out the Commonwealth of Pennsylvania. It allows police departments track down children who are truant and allows the police department to visit the homes of these children at night so the parents are aware that their children are skipping school. The money provided covers the overtime expenses by the police department.

Motion was made by Mr. Farmer and seconded by Mr. Byrne to adopt the Daytime Curfew Ordinance # 2004-0001. No objections were presented. Motion carried.

Mr. Profy stated that it has been seven years since a Financial Audit had been submitted to Penn Vest; Mr. Farmer had asked Mr. Profy to contact Zelenkofske Axelrod LLC the accounting financial firm who prepares the Audit Financial Statements for the County. Richard Carlin, Mrs. Luff and Mr. Profy met on December 22, 2003 and the firm has submitted a proposal to audit the financial statements, one for the general operations and services of the Borough and a sub audit of the sewer system and reconstruct the operation of the sewer system so we have two separate accounting systems in place. The cost of the audit will be \$7500.00 and be paid from the Sewer Account.

Motion was made by Mr. Farmer and seconded by Mr. Yourtee to accept the proposal from the firm of Zelenkofske Axelrod LLC to audit the financial statements for the general operations and services of the Borough and a sub audit of the sewer system and reconstruct the operations of the sewer system for the fiscal year ending December 31, 2003 and a fee for services providing financial

and accounting consulting services at a cost of \$7500.00. No objections were presented. Motion carried.

Mr. Farmer left the meeting at 9:27 P.M.

**11. CORRESPONDENCE** – There was no correspondence.

**12. APPROVAL OF THE BILL AND TREASURER’S 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. Mrs. Luff stated that there are two additions \$540.00 for the Bucks County Planning Commission and a bill for Trevoise Flowers Inc. By Elda in the amount of \$49.29. Motion was made by Mr. McTigue and seconded by Mr. Pizzola to approve the bill list as amended. No objections were presented. Motion carried. Ms. Gimpel abstained.

Mrs. Barnes entertained a motion to approve the Treasurer’s Report for December 2003 as presented. Mrs. Luff explained that the additional trial balance for December 31, 2003 is the one to be voted on this evening, the one handed out previously was an up to date for accounts reconciled, it did not include the December accounting. Motion was made by Mr. McTigue and seconded by Mr. Byrne to accept the Treasurers Report as presented. No objections were presented. Motion carried. Ms. Gimpel abstained.

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

**14. ADJOURNMENT** – Motion was made by Mr. McTigue and seconded by Mr. Yourtee to adjourn this meeting. No objections were presented. Motion carried. Meeting adjourned at 9:32 P.M.

The next meeting will be Tuesday February 3, 2004 at 8:00 P.M.

Respectfully submitted

Loretta M. Luff  
Secretary/Treasurer  
Langhorne Manor Borough