

**MINUTES
LANGHORNE MANOR BOROUGH COUNCIL
MEETING OF JUNE 24, 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, June 24, 2004, at 8:03 P.M. Eastern Standard Time by Maryann Barnes President.

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

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

PERSON ABSENT

Mrs. Barnes opened the meeting and introduced Mr. Harry J. Barford Jr. from Carroll Engineering who spoke on the May 27, 2004 proposal pertaining to the Municipal Infiltration/Inflow Removal Plans for the Bucks County Water & Sewer Authority Neshaminy Interceptor. Mr. Barford explained that they would be monitoring the flow of water to see if manhole covers are loose allowing rainwater to enter. They will be checking homeowners' properties for missing sewer caps or sub-pump running water into the system. The purpose of this project is to cut down on the water entering the Neshaminy Interceptor System. At this time there are no new sewer connections being allowed.

Mr. Barford explained that there are three stages to the report. Phase I Summary of specific activities, investigations including mapping of monitoring locations, past and present studies and copies of data collected includes a detailed report of flow metering investigation and studies performed. Phase II will include a detailed listing of efforts that are in progress or planned and the results of these efforts. Phase III will include what other investigations, evaluations or repairs should be done.

Mr. Barford stated that Philadelphia has indicated that they are going to penalize the County Sewer System for the inflow and the penalty will be passed back to the municipalities.

Mayor Farmer asked if we would be penalized even though we are doing what we have been asked to do. Mr. Barford stated that there is no guarantee that we would not be, if they penalize the County, the fee has to be passed on to the municipalities or customers. At this point all municipalities have agreed to this plan.

Mr. Profy stated that the action Council has to take is to act on the proposal from Carroll Engineering to start the process of Phase I in the amount of \$5000.00.

Mr. Yourtee asked about the evaluation of wet weather flow. Is the best time to do this study during the summer months?

Mr. Barford replied that we have to have the report into the City of Philadelphia within ninety days. Carroll Engineering is hoping to get some rain events for this study. They have already reviewed some past flow records, they have an idea to the amounts, but the more rain we have the better, and easier it would be to find any problems.

Mr. Yourtee asked if Carroll Engineering is planning on having Phase I completed within ninety days.

Mr. Barford replied no the whole project is to be completed within ninety days.

Mr. Barford stated that he knows that this is frustrating for everyone concerned, financially and the time limit allowed.

Mr. Barford stated that the County has held some meetings with the City of Philadelphia and they had not been very successful and they are trying to get other meetings arranged so they can get through this process and do the negotiations with the City of Philadelphia and be able to purchase more capacity.

Mr. Barford explained the three phases of the proposal: Phase I at a cost of \$5000.00 is the investigation phase. They will check past meter readings from the sewer system from the past several years. They will analyze the rain events and the increase of water flow; the average flow is 25,000 to 35,000 gallons per day. During a rain event it goes as high as 90,000 gallons a day.

Mr. Profy asked how would they do the investigation for excess inflow? Mr. Barford stated that their investigators would be doing on site inspection of residents' properties. They will be checking basements for sump pumps connected to the sewer system. Inspect every clean out connection through out the borough. If there is a back up they will check to see if there is a problem within the sewer system. There is a cost of \$12,000.00 for Phase II.

Phase III is the repair plan. That is where all the data that had been gathered is put into a report and presented to Borough Council and it will explain where the problems are and what has to be done to correct the problems. Phase III cost is \$5,000.00

Mr. McTigue asked are the fines based on the number of municipalities or on the size of the municipalities. Mr. Barford replied on the size of a municipality.

Mr. Pizzola asked if the cost is done on a hourly rate. Mr. Barford replied yes, the rate varies depending on the people involved, field inspector would be \$ 60.00 to \$80.00 per hour, and an engineer is \$90.00 to \$ 120.00 per hour. They give an estimate so they don't exceed those costs and they hope it can be done for less.

Mr. Pizzola asked what it means that there are no new connections allowed. Mr. Barford replied that there are no new houses, shopping centers, hospitals etc. being allowed to hook into the sewer system. This has been in effect for several months, there are 500 connections waiting to be connected at this time.

Ms. Ciani asked who will pay for this project, residents or the Borough.

Mr. Profy replied it is not paid for by your real estate taxes or any other taxes. The revenues that are received from the sewer bills fund the sewage collection system. Mr. Profy stated by reviewing the resources available there should be no impact on the sewer rates.

Ms. Conke asked about the responsibility of individual homeowners and would there be a time frame for completing the problems within their properties.

Mr. Barford replied that the problems should be small and should not involve much time or money. The residents should have thirty days.

Mr. Ronald Bartnikowski asked if the City of Philadelphia would be satisfied with the report when it is completed and would we still be responsible for the payment of the fines when they are assessed to the municipalities. Mr. Barford replied that the fines would be passed on to the rates, so the fines would be passed on all the customers, everyone would be penalized.

Mr. Profy explained the Borough has 300 connections; the County system has 50,000 customers so our share of the fines would be very small.

Mr. George Vile asked if there are other firms that do this kind of work and if the Borough could advertise for other bids. Mr. Profy explained that Carroll Engineering is the engineer for the sanitary sewer system, they supervised the construction of the system and they also designed it.

Ms. Ciani asked if the storm sewers would have any effect on the study. Mr. Barford replied no they are a separate system.

Mr. Profy recommended that Borough Council act upon this proposal this evening even though we are a small part of the system; we are still a part of it.

Mr. McTigue asked if we authorize for Phase I at a cost of \$5,000.00 are we authorizing for Phase IA and IB with phase IB at an extra cost of \$3000.00 if necessary. Mr. Profy recommended that Borough Council authorize for Phase IA and IB, if it is not done at the present time Council would have to go through this process again as we will have the action plan in place at that time and the Engineer would be advising Council as to what has to be done and what the cost would be. They do not do the work. If there is an infiltration the Borough will have to pay to have the work done, as you are already paying to have the sewage treated, by taking storm water out of the system the Borough will be paying less in sewage fees.

Mr. Yourtee inquired as to when the study would start. Mr. Barford replied immediately. Carroll Engineering has already been gathering data on the system from their records.

Mr. Profy stated that the total cost would be \$22,000.00.

Motion was made by Mr. McTigue to accept the May 27, 2004 proposal from Carroll Engineering and authorize the payment for work pertaining to Phase IA and IB, Phase II not to

exceed \$22,000.00. Mr. Pizzola asked Mr. McTigue to amend his motion to read not to exceed \$25,000.00 with the IB additional cost of \$3,000.00.

Mr. McTigue amended his motion not to exceed \$25,000.00. Mr. Pizzola seconded the motion. No objections were presented. Motion carried.

2. **COMMENTS FROM RESIDENTS & VISITORS** –Ms. Linington stated that at one of the Council meetings a gentlemen made a remark to her, what is this, an English or spelling class with the corrections of a coma, period or correcting the spelling. She feels this could be done in another way. She is referring to those kinds of corrections. Mrs. Barnes stated the purpose of corrections in the minutes is exactly that; the minutes are corrected at the meeting not before.

Krista Conkle asked when the meeting with Penn Dot was held. Mrs. Barnes replied that it had been held on Thursday June 3, 2004.

Ms. Conkle asked who attended the meeting. Mrs. Barnes replied Mr. Profy, Mayor Farmer, Mr. Bush and herself along with Andrew Warren who is the District Administrator for Penn Dot.

Ms. Conkle asked what topics had been discussed. Mrs. Barnes replied that all the topics that had been discussed at the previous Council meeting, the water problems on Hulmeville Avenue, and the access roads issues.

Ms. Conkle asked what results came out of the meeting. Mrs. Barnes replied that they had a very good discussion with Mr. Warren and he was very helpful. One of the discussions was concerning the access roads and he suggested that we contact Penn Dot and see if they would accept the access roads back. Mr. Warren feels that it would be beneficial to Penn Dot to take back the access roads as to opposed to Langhorne Manor Borough trying to maintain them in a piece work fashion. Mr. Warren was very agreeable with that and a letter was sent from Langhorne Manor Borough to Penn Dot requesting them to take the access roads back.

Ms. Conkle inquired if there were any discussions regarding their drainage problems on Hulmeville Avenue.

Mrs. Barnes stated that they had the engineer's plans at the meeting, they showed Mr. Warren where the problem areas are. They reviewed all the information with him and Mr. Warren took this information under consideration and advisement.

Mr. Profy stated that it would have to be researched with people from Penn Dot. Mr. Warren also stated that he would be recommending that the storm drain under Route 1 be televised, as it appears to back up when it shouldn't. Penn Dot has to hire an out side contractor to televise the storm drain line.

Ms. Ciani stated that she has not seen anybody working on the storm drain that crosses Route 1 by her house.

Ms. Conkle asked if she could pass around pictures of her property at 217 Hulmeville Avenue for the Council members to see.

Mrs. Barnes replied that we would like to do it in three minutes. Ms. Conkle replied where is it written for three minutes.

Ms Conkle's pictures showed the amount of water that lies between her property and 219 Hulmeville Avenue. She stated that after her property is graded and they put in the drainage pipe that is needed, there would be a lot of water that will be draining and where is this water to go. Ms. Conkle was hoping that somebody would have brought a diagram of where the Hill Avenue storm drains are.

Mrs. Barnes stated that she understands that Ms. Conkle does not have a small problem, it was emphasized to Mr. Warren, he was very cooperative, and understanding and he reviewed the plans.

Ms. Conkle interrupted Mrs. Barnes and stated that she had spoken to Representative Wright and Mrs. Barnes stated that Langhorne Manor Borough had also contacted him. Ms. Conkle stated that Representative Wright stated that he was not aware of the Hulmeville Avenue problem. He did not know or claim to be on the agenda for the meeting with Mr. Warren, Representative Wright claims that Mr. Warren briefed him after the meeting and Hulmeville Avenue was not mentioned. Ms. Conkle stated that there must not have been much discussion with Mr. Warren concerning Hulmeville Avenue.

Mayor Farmer stated that was not true, they spent a considerable amount of time going over this problem with Mr. Warren. Mayor Farmer stated that we now have to wait to hear from Penn Dot on their decisions.

Mr. Bush stated that this takes a while as they get thousands of requests.

Ms Conkle stated that she does not expect Penn Dot to correct their problem, but she needs someplace for the water to go after they have corrected their problem, they are going forward with the corrections that are needed on their property.

Mrs. Barnes stated that they are asking for help with the whole piece of ground that is in Langhorne Manor and part of it could be in Langhorne Borough.

Mr. Bush stated that he had spoke with Ms. Conkle and her neighbor last year as to the steps that has to be taken; you just can't grade your backyard. Ms. Conkle replied that they are taking the correct steps. She will not let this problem be dropped; she wants to be able to enjoy her piece of property that they spent a lot of money on.

Mayor Farmer stated that Penn Dot could take a long time correcting this problem.

Mr. Pizzola stated from his observation on Council any time we have a problem involving PennDot, you are talking in terms of months or possible years for a problem to be corrected.

Ms. Conkle asked Mr. Yourtee if he had found volunteers for the clean up project. Mr. Yourtee replied no, but he received the insurance information and he can now proceed. Ms Conkle showed Mr. Yourtee an article from the Courier Times concerning volunteers through the court system, it stated that there is not enough volunteer work for the people who have through the courts been told to do community service work. Mr. Yourtee stated that he would look into it.

Ms. Ciani spoke of her concerns about the storm drain on the access road that causes water to back up into her basement and the remark that was made that it could take Penn Dot so long to correct a problem.

Mr. Profy stated that he does not believe that they were talking about months as far as the investigation of the line under Route 1. Mr. Profy will take the responsibility to follow up with Mr. Warren's office prior to our Council meeting on July 6, 2004.

Ms. Ciani asked if she could attend the meetings that Borough Council has with Penn Dot. Mrs. Barnes stated that they were very fortunate that they had the meeting as quickly as they did with Penn Dot and with Mr. Warren in attendance.

Ms. Ciani referred to the letter to Penn Dot asking them to take the Route 1 access roads back; she asked Mayor Farmer would he admit that Langhorne Manor was responsible for the roads. Mayor Farmer replied apparently we were responsible for them, but he never saw anything in writing. When he was off of Council for several years is when the letter had been received.

Mrs. Barnes asked Mr. Profy to explain the process for interviews for the vacancy on Borough Council.

Mr. Profy explained that the interview for the vacancy on Borough Council was advertised in the Courier times. The Borough is not obligated to, but this is the policy the Borough follows is to have a public advertisement to solicit resumes to give individuals the opportunity to be interviewed. Being there is more than one applicant the applicants will leave the room while an applicant is being interviewed.

Mrs. Barnes stated that she received four letters of interest for the position. They were from Jane Boyle, Donna Ciani, Beth Bartnikowski and Stephen Galazin who was not able to attend this evening.

The three candidates that were present spoke on their qualifications and the reasons they would like to serve on Borough Council. Members of Council asked questions of each of the candidates. Mrs. Barnes spoke on behalf of Mr. Galazin. She spoke of what he had accomplished when he was previously on Council. He was not able to attend this evening due to a commitment to his students; he is on a cycling trip throughout Europe, which had been previously planned.

Mr. Pizzola spoke on behalf of Mr. Galazin, he stated that he had served with him and how dedicated he was to the residents of the Borough.

Mr. Byrne asked why Mr. Galazin left his position on Council. Mrs. Barnes stated that his term had expired and he ran on the ballot in the 2003 election and lost.

Mr. Profy explained that there is a vacancy and there will be a roll call vote to fill the vacancy.

Mrs. Barnes stated that there were four candidates for the vacancy on Borough Council.

Motion was made by Ms. Gimpel and seconded by Mr. Yourtee to nominate Ms. Boyle.

Mr. Profy stated that in the past a roll call vote was taken as to whom they are voting for.

Mr. Pizzola-----Stephen Galazin

Ms. Gimpel-----Jane Boyle

Mrs. Barnes-----Stephen Galazin

Mr. McTigue----Stephen Galazin

Mr. Yourtee-----Jane Boyle

Mr. Byrne-----Donna Cianci

Mr. Profy stated that Stephen Galazin receive the most votes.

Mrs. Barnes stated that Mr. Galazin would be returning from his trip and hopes to be able to make the July 6, 2004 meeting. She thanked the other candidates who expressed an interest in the position and how they had done an excellent presentation of their qualifications.

A motion was made by Mr. McTigue and seconded by Mr. Pizzola to appoint Stephen Galazin to fill the position on Council, the vote was four ayes and two opposed. Motion carried.

Ms. Boyle asked Mrs. Barnes how could you appoint a person who is not present and was not interviewed by Council to the vacancy.

Mrs. Barnes stated that because they know Mr. Galazin and they know his qualifications and he did submit some information for them to review and she answered questions on his behalf.

Ms. Gimpel stated that she does not feel what was done is right. Mr. Galazin was voted out of office at election time. The residents have spoken and he was not the people's choice. She recollects on Election Day all the candidates spent time at the polls meeting the residents. How many meetings has he attended since the beginning of the year? In all fairness to the other candidates who have put their time into attending the Council meetings and he wasn't the people's choice. You should be looking at the other candidates. We are here to serve the community, the residents had spoke at election time and we have an obligation to continue to represent those residents.

Mrs. Barnes stated that this was not an election this was an appointment.

Ms Gimpel stated that we are elected officials here to represent the community.

Mrs. Barnes stated that the majority of the Council has spoken.

Ms. Gimpel stated that she is the only one, who did stand before Council to try to get appointed, but the people elected her and that shows that the people should have the opportunity to speak and they spoke in the 2003 election.

Mrs. Barnes stated that will happen again

Ms. Gimpel replied you bet.

Mr. Yourtee asked Mrs. Barnes to answer a question for him pertaining to the last time Council had an appointment and there were multiple candidates. After a discussion on the candidates the floor was opened for a motion, somebody made a motion to recommend an individual, and it was seconded and voted on. At that time we did not take a roll call vote.

Mr. Profy stated that the vote has been done both ways in the past.

Mr. McTigue asked Mr. Yourtee if he feels the vote would have been any different. Mr. Yourtee replied yes since you would be voting on just that motion. The last time as soon as Council had a discussion a motion was made very quickly to recommend someone which at that point everyone voted on that person, you would not be splitting the vote between three people.

Mrs. Barnes stated that the majority of the Council has spoken and Mr. Galazin is appointed.

Mrs. Barnes stated that the Planning Commission Meeting is planned for Tuesday July 27 2004 at 7:30 P.M. and Lynn Bush will be attending. They will be reviewing the Comprehensive Plan.

Mr. Profy asked if this is a joint meeting with the Borough Council.

Mr. Bush stated that this meeting is with the Planning Commission to review the draft copy of the Comprehensive Plan.

Mr. Profy stated that he would advertise the meeting in the Courier Times.

Mrs. Barnes received a correspondence from Lower Makefield Township, they have a Southeastern Bucks League of Municipalities and she would be attending the meeting and act as the representative from Langhorne Manor Borough on July 29, 2004 at the Bristol Township Building. Mrs. Barnes asked for an alternate representative, Mr. Byrne volunteered.

Mrs. Barnes announced that she had been in contact with the Langhorne Middletown Fire Company pertaining to their 175th Anniversary. After many phone call there were several things they asked for, they requested a proclamation from the Borough and participation in their activities in September 2004, like the Community Day Parade that could begin somewhere in our Borough. Mrs. Barnes did commit to them that Langhorne Manor Borough would place a full-page ad in their program, which is a Gold Sponsor. A Gold Sponsor includes a listing on their 175th Anniversary

tribute sign, which will be displayed throughout the year. We would receive a plaque from the Langhorne Middletown Fire Company showing our support of their organization.

A proclamation was designed with a lot of help from Mrs. Bartnikowski.

Mrs. Barnes asked for a motion to approve the Gold Sponsorship for \$500.00.

Motion was made by Mr. Pizzola and seconded by Mr. Yourtee to approve the gold Sponsorship in the amount of \$500.00. No objections were presented. Motion carried.

Ms. Conkle apologized for being rude after Mrs. Barnes rolled her eyes when she asked to show the pictures of her property and was told that she had three minutes for public comment. Ms. Conkle has been coming to the meetings for the past three or four months and she never was informed of the three-minute limit for comments. Ms. Conkle feels that this is an open forum and this is the only place she has to express her problems. Ms. Conkle stated that Council is there to listen to the people and it is not always going to be pleasant and she has observed a couple people on Council who displays a short temperament and impatience. You are elected to be up there and that is part of the job. Ms. Conkle stated that she comes here because she has frustrations, but she is also willing to help and volunteer as a member of the community, but she would like the same respect from the Borough Council when she has something to say.

Mrs. Barnes stated that in her defense if Ms. Conkle would refer to the comment forms, she would see where it stated three-minute limit. There are times when Council has a lot of business to conduct and in the past people have come before Council and spoke for fifteen to twenty minutes and the next person speaks about the same thing. She was not saying that Ms. Conkle was doing that. Council tries to limit public comment as much as they can, but Mrs. Barnes has never really enforced the time limit. When Ms. Conkle stated that she had pictures, Mrs. Barnes thought that it was going to be a big elaborate discussion.

3. ADJOURNMENT – A motion was made by Mr. McTigue and seconded by Mr. Pizzola to adjourn this meeting. No objections were presented. Motion carried Meeting adjourned at 10:40 P.M.

The next meeting will be Tuesday July 6, 2004 at 8:00 P.M.

Respectfully submitted,

Loretta M. Luff
Secretary/Treasurer
Langhorne Manor Borough