

**MINUTES  
LANGHORNE MANOR BOROUGH COUNCIL  
MEETING OF NOVEMBER 1, 2005**

**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, November 1, 2005, at 8:08 P.M. Eastern Standard Time by Maryann Barnes, President.

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

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

**PERSONS ABSENT** - Robert Byrne and Stephen Galazin.

**2. APPROVAL OF MINUTES** –Motion was made by Mr. Yourtee and seconded by Mr. McTigue to approve the October 4, 2005 minutes as amended. No objections were presented. Motion carried.

**3. POLICE REPORT** – Mayor Farmer gave the police report for the month of October 2005.

Mrs. Barnes introduced Mr. Charles Marte, Esquire who was here representing McGrath Homes who are in the process of purchasing lots #1 & #2 of the Rivera sub-division located at the corner of Hulmeville Avenue and Fairview Avenue, to construct two new single family residential homes. Mr. Marte asked Council to waive the requirements for curbs, gutters, sidewalks and street widening, and that if the waivers were granted; his client would be willing to make a Capital Improvement Contribution. After a brief discussion both parties were in agreement.

Upon Motion made by Mr. McTigue and seconded by Mr. Yourtee Borough Council approved modification of Paragraph 8 of the Development Agreement dated October 8, 1996, by and between **LANGHORNE MANOR BOROUGH** and **VICTOR C. RIVERA** and **MILAGROS C. RIVERA**, to provide that Occupancy Permits for Lots 1 and 2 and Lot 3 on which an existing family residence is situated to be issued prior to completion of the public improvements and appurtenant improvements for Lot 4 set forth in the Site Plan. Public improvements and appurtenant improvements set forth on the Site Plan for Lots 1 and 2 must be completed prior to the issuance of the Occupancy Permit for Lots 1 and 2. Council further approved as part of the Motion that the Borough is not at this time requiring curbs, gutters or sidewalks along Hulmeville Avenue and Fairview Avenue or the widening of Hulmeville Avenue and Fairview Avenue prior to the issuance of the Occupancy Permits for lots 1 and 2. This action waiving the installation of the aforesaid curbs, gutters and sidewalks and widening of Hulmeville Avenue and Fairview Avenue is approved by Borough Council without effecting or impairing the rights and remedies of the Borough under the Declaration of Deed Restriction and Covenant dated October 14, 1996, of Victor C. Rivera and Milagros C. Rivera to require said curbs, gutters, sidewalks and road widening at the later time and

said Declaration Deed Restriction and Covenant shall remain in full force and effect as therein provided through and until December 21, 2026.

This action of Borough Council is taken subject to the requirement and conditions that Victor C. Rivera and Milagros C. Rivera, Developers, deposit an additional Five Thousand (\$5,000) Dollars in the Escrow Security Account on or before December 1, 2005 and that said Developers' make a Ten Thousand (\$10,000) Dollar Capital Improvement Contribution to the Borough prior to the issuance of the Building Permit for the first of either Lot 1 or Lot 2 of the Project requested by Developer.

Dr. Babb from Philadelphia Biblical University presented copies of the "Bucks County Town & Country Living" and spoke on the article titled "The Future of Bucks Past". In this article they featured the Fairview Manor at PBU which was formerly the Verderame residence. It told of the preservation of the historical quality and beauty of the property. The history of the property was featured going back to when it was a summer home. Philadelphia Biblical University purchased the property in 1998.

Mr. Profy reported that one snow removal bid had been received and it is from Kevin Seifert, Inc. His bid is \$60.00 for initial start up, \$35.00 start up cost for second call up within twenty-four hours of initial start up, \$72.00 hourly service rate and \$110.00 for combination mixture of cinder, salt and sand per ton, and equipment is the same as was used in prior years.

Motion was made by Mr. Yourtee and seconded by Mr. Pizzola to accept Kevin Seifert Inc's bid for snow removal for 2005-2006 as presented by Mr. Profy. No objections were presented. Motion carried.

**4. COMMENTS FROM RESIDENTS & VISITORS** –Mr. Allen Sender, 215 Hulmeville Ave, inquired as to how Council figured the new rate for the sewer bills and what the new rate includes above the actual cost of the sewers.

Mr. McTigue explained what Council had taken into consideration the age of the sewers, unexpected repairs, etc. A balance of \$500,000 is to be kept in reserve for unexpected cost. Mr. McTigue explained in discussing the preliminary budget at the October 4, 2005 Council meeting there is an indication that the rates could even be lowered in the future again.

Mr. Bob Rosecrans, 213 Hulmeville Ave, inquired about the administration fee for the sewer bills. Mr. Pizzola explained that out of the Sewer Fund \$24,000 is transferred to the General Fund for Administrative costs.

Mr. Profy stated the costs involve the Borough Secretary, use of the Borough facilities, general overhead administration cost.

Mr. Rosecrans asked if the \$24,000 for administrative expenses is justified and did Council ever consider having an outside firm handle the sewer account.

Mayor Farmer stated that this is a source of revenue for the Borough and if we have an outside firm handle this we would not have any income coming into the Borough from the sewers. Mr. Rosecrans replied that he understands what is involved and how the administrative costs are handled.

Mr. Ed. Hanisco, 900 S. Pine Street, told Council how the traffic problem on Pine Street has improved since the new stop sign had been installed. He stated that he would paint stop at all stop signs in the Borough on the roadway, they need a template so they can do this job. Mr. Hanisco was under the impression that two stop signs were to be placed on North and South on Station Avenue at Park Avenue.

Mr. McTigue stated that he did not recall discussing Station and Park Avenues for four way stop signs. Borough Council voted to put a stop sign going south on Station Ave at Elm Ave and North and south on Hill Avenue at Elm Avenue and north and south on Pine Street at Park Avenue.

Ms. Jane Boyle, 308 Gillam Avenue, asked if any information had been obtained for getting a light in the parking lot. Mr. Yourtee replied that he had received a verbal quote from Langhorne Electric was \$3,500. Mr. Yourtee is waiting to receive this quote in writing.

Mrs. Donna Cianci, 505 Hulmeville Avenue spoke on the vandalism throughout the Borough. Mayor Farmer replied that he has made our police department aware of what is going on and if they catch someone spraying graffiti they are to arrest the individual (s) involved.

Mrs. Cianci reported that the police have to patrol the access roads as the speeding is out of control.

Mrs. Cianci reported that the children from Pennel Youth Center would be raking leaves at 616 and 618 Hulmeville Ave on Saturday, November 12, 2005.

Mr. Norbert Aicher, 322 Hill Ave, spoke on the water problem on his property. Mr. Aicher referred to the pool that had been built at 320 Hill Avenue and the seepage pit that had been built to collect the water run off. Mr. Aicher does not feel that the size of the seepage is adequate to absorb the water and he thought the Borough would be monitoring his problem. Mr. Aicher presented pictures showing inconsistencies between the pool installation and the regulations and variance issued.

Mr. James Hughes replied that he is tired of neighbors taking pictures of his property and staring at his family and property as this is scaring his family.

Mrs. Barnes stated that everything has been done correctly according to the Zoning Hearing Board. The engineers and the Zoning officer observed it. Mrs. Barnes stated that this problem is not a Borough Council issue. Mrs. Barnes feels that the record amount of rain that this area received in October may have attributed to the water problem.

Mr. Profy stated that the Borough Zoning Hearing Board granted a variance to Mr. Hughes to be able to install an in ground swimming pool subject to the condition that they install the underground chamber for collection of additional runoff from the additional impervious area. The

Borough engineer, Pickering, Corts, and Sommerson reviewed and approved the plans that Mr. and Mrs. Hughes had prepared by their engineer. The Borough engineers inspected what had been constructed according to the plans and it is adequate. You have to take into consideration that in the month of October 2005, we had ten inches of rain instead of the normal three inches.

Mr. McTigue stated that he has a couple questions regarding the seepage pit that was approved by the Borough engineer. Mr. McTigue would like to see a letter from the Borough engineer specifying what the objective of the installation of the seepage pit was and address the storm event or water flow criteria the Borough engineer was trying to achieve.

Mr. Profy stated the Council should request the Borough engineer, Pickering, Cort, and Sommerson, reinspect the work that was done with the seepage pit and also have him state if the seepage pit is working up to specifications.

Ms. Betty Linington, 308 Gillam Avenue, spoke on the water on her property. After much discussion, Mr. Bush will call Pickering, Cort and Sommerson to reinspect the seepage pit at 320 Hill Ave to see if it meets specifications.

**5. COMMITTEE REPORTS - Mrs. Barnes had no report for the Planning Commission**

Mrs. Barnes received information from the Commonwealth of Pennsylvania Department of Transportation pertaining to the surface improvement program showing work to be done on Highland Avenue from Business Route One to Highland Avenue. Mrs. Barnes received a sewer lien check in the amount of \$5,346.28.

Mr. Byrnes - Absent.

Ms. Gimpel reported that the 2004 DCED report had been signed by the three Borough auditors and the certified receipt had been received as proof of delivery.

Ms. Gimpel reported that the newsletter had been mailed to the residents on October 19, 2005, regarding the leaf pick up dates and requesting volunteers to serve on the renovation and restoration committee.

Ms. Gimpel reported that she had reviewed the grant information for the Shade Tree Commission; she does not feel that the Shade Tree Commission could participate in the program at this time as it requires a 50/50 split of input and also participation in planting of the trees.

Mr. Galazin - Absent.

Mr. McTigue thanked Ms. Gimpel for getting the newsletter out to the residents with the leaf pick up dates.

Mr. Pizzola reviewed Budgets for the General Fund, Sewer Fund and Highway Aid Fund.

Mr. Profy stated that Council has to authorize the publication of the budget and the advertisement of the Tax Ordinance with the millage remaining the same at 29.5 for occupation, 7.125 for General Borough purposes, 2 mills for lighting for streets, highways and public areas, .25 mill for fire assistance and protection purposes, and trash and bulk pickup assessment of \$226.00

Mr. Pizzola discussed the sewer budget. He explained that the most conservative way would be if the sewer charge would be \$125.00 for the first and second quarters in 2006 and \$75.00 for the third and fourth quarters in 2006 this action would generate a surplus of \$67,000.00. If it is lowered to one quarter at \$125.00 and three quarters at \$75.00 a surplus of \$31,635.00 would be generated. After a discussion as to how much money Council wants to keep in the account. Mr. Pizzola proposed that the sewer budget be advertised at \$100.00 a quarter for 2006.

Mr. McTigue stated that the idea was to begin with a lower quarterly rate and evaluate it to see if it could be lowered even more in the future.

Ms. Gimpel is to run the calculation on one quarter at \$125.00 and three quarters at \$100.00 each.

Mr. Hanisco asked if he would be able to replace a garage where his old garage fell down. Mr. Profy asked when the garage fell down. Mr. Bush replied in 2004. Mr. Profy replied that it is a non-conforming use, and since the foundation is still there it can be rebuilt at the current location, but must be constructed to the current codes. Mr. Hanisco must present a site plan showing the dimensions of the current location and drawings of the construction before a permit can be issued.

Mr. Profy stated that a motion is needed to publish the availability of the 2006 General Fund Budget, Sewer Fund Budget, and Highway Aid Budget as presented.

Motion was made by Mr. Pizzola and seconded by Mr. McTigue to publish the availability of the 2006 General Fund, Sewer Fund, and Highway Aid Budgets as presented. No objections were presented. Motion carried.

Motion was made by Mr. McTigue and seconded by Mr. Pizzola to authorize the advertising of the 2006 tax ordinance; 29.5 mills occupation, 7.125 mills for general Borough purposes, 2 mills for street lights and .25 mill for fire assistance and protection and a refuse collection disposal assessment of \$226.00. No objections were presented. Motion carried.

Motion was made by Mr. Yourtee and seconded by Mr. McTigue to authorize the intention to adopt an ordinance amending the sewer operation's management ordinance to provide for a \$400.00 a year EDU service charge effective January 1, 2006. No objections were presented. Motion carried.

Mr. Yourtee reported two PennDot changes effective January 1, 2006, all municipal paving projects must use a super pave mix specifications which eliminates the Marshall Mix specifications. As of January 1, 2006, any use of Marshall Mix will not be eligible for Liquid fuel expenditures. Starting January 1, 2006, Penn Dot is implementing new changes for traffic signs regarding the reflectivity of the sign.

Mr. Yourtee stated that he received a letter from the Pennsylvania Environmental Council regarding our application for storm water management assistance on Hulmeville Avenue. It stated that twenty-six municipalities submitted over sixty candidate sites and at this time funding is available for only sixteen sites. Site selections are to be finalized by the end of October 2005.

Mayor Farmer asked about having the seams in the blacktop on the streets where the Borough had paving work done, sealed with hot asphalt this year. Mr. Yourtee is to contact Langhorne Paving for a quote to have this work done before winter.

**6. MAYOR'S REPORT**-Mayor Farmer reported that the new police car should arrive at Winner Ford in about eighteen or nineteen days. Winner Ford will then install the equipment that was removed from the 1997 police car and the new car should arrive at the Borough by the end of November.

Mayor Farmer read a letter addressed to Chief Bumm from Middletown Township's police Chief Frank McKenna thanking everyone who responded the evening when Officer Gregg was killed at Saint Mary Hospital on September 29, 2005.

**7. SOLICITOR'S REPORT**-Mr. Profy reported a resolution authorizing the participation of the Bucks County Hazard migration plan. There is a Federal Disaster Mitigation Act of 2000 that became effective February 26, 2002 requiring each municipality have a disaster migration plan.

Motion was made by Mr. McTigue and seconded by Ms. Gimpel to authorize Bucks County Planning Commission to prepare the Bucks County Hazard Mitigation plan to include Langhorne Manor Borough. No objections were presented. Motion carried.

Mr. Profy reported on the ordinance to increase the parking fines to be adopted at the December 6, 2005 Council meeting.

Mr. Profy reported that he had spoken to John Butler of the Bucks County Water and Sewer Authority concerning the water meter at the Langhorne Gardens Nursing Home that needs to be replaced. Mr. Butler assured Mr. Profy that the new water meter would be installed by the middle of November 2005.

**8. INSPECTOR'S REPORT**-Mr. Bush gave the inspector's report for the month of October 2005.

**9. CORRESPONDENCE**-Mrs. Luff reported on correspondence from the Department of Labor and Industry concerning the reimbursable employer's election for relief from charges and notice of solvency fee for calendar year 2006 at the cost of \$102.42.

Mr. Profy explained that there are certain categories where a person is entitled to workmen's compensation where the Council would not agree i.e., substance abuse or behavioral type of conduct by the employee. This covers the Borough for these types of occurrences at a cost of \$102.42 for 2006.

Motion was made by Mr. McTigue and seconded by Mr. Pizzola to pay the solvency fee of \$102.42. No objections were presented. Motion carried.

Mrs. Luff stated that she had received a letter from Falls Township informing us that they had passed a sexual predator residency restriction ordinance and their Council members signed the letter.

Mr. Profy stated that he recommends that Borough Council adopt a sexual predator residency restriction ordinance as most of the surrounding municipalities have passed this ordinance.

Mrs. Luff reported that our estimated Liquid Fuels allocation for 2006 is \$23,582.94.

**10. APPROVAL OF THE BILL AND TREASURER REPORT-**Mrs. Barnes stated that all Council members had received a copy of the bill list for payment. She asked if there were any questions or discussions.

Motion was made by Mr. Pizzola and seconded by Mr. McTigue to pay the bills presented. No objections were presented. Motion carried.

Mrs. Barnes asked if there were any questions or discussion on the Treasurers report. Motion was made by Mr. McTigue and seconded by Mr. Pizzola to approve the Treasurers report as presented. No objections were presented. Motion carried.

Mr. Yourtee inquired as to the cost recovery of removing the tree on the Javian property. Mr. Profy stated that he received an offer of \$250.00 of \$1025.00 total cost. Mr. Profy asked if Council wanted him to file with the District Justice. Mr. Yourtee replied that he would like to see Mr. Profy proceed with the filing.

Mayor Farmer inquired as to the tree that had been removed on Langhorne Avenue. Mr. Bush stated that he is working on that as to which resident owned the tree and who should be billed.

Mr. Yourtee asked who gave Mr. Hanisco permission to go around painting stop at all the intersections throughout the Borough. No one gave him permission.

Mr. Yourtee stated if anyone is going to be painting stop bars, he still has the list of intersections that Chief Bumm had given to Mayor Seader dated December 20, 2002 stating the intersections Chief Bumm felt should have stop bars painted.

Mr. Profy stated that someone should notify Mr. Hanisco that he is not to paint stop at the intersections.

**11. SECOND MEETING-**Mrs. Barnes stated that there is a second meeting scheduled for Tuesday November 15, 2005. At this time, there are no items for the agenda for the meeting. Motion was made by Mr. Yourtee and seconded by Mr. McTigue to dispense with the second meeting. No objections were presented. Motion carried.

**12. ADJOURNMENT-** Mrs. Barnes entertained a motion to adjourn. Motion was made by Mr. McTigue and seconded by Mr. Yourtee to adjourn this meeting. No objections were presented. Motion carried. The meeting ended at 10:48 p.m.

The next meeting will be Tuesday December 6, 2005 at 8:00pm.

Respectfully submitted,

Loretta M. Luff  
Secretary/Treasurer  
Langhorne Manor Borough