

**MINUTES
LANGHORNE MANOR BOROUGH COUNCIL
MEETING OF AUGUST 5, 2008**

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, August 5, 2008 at 8:03 P.M. Eastern Time by William McTigue, President.

At this point in the meeting Mr. Badgley led us in the "Pledge of Allegiance."

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

PERSON ABSENT – Donna Cianci; Nicholas Pizzola; Francis Farmer, Mayor.

Mr. Pizzola entered the meeting at 8:05 P.M.

2. APPROVAL OF MINUTES – Motion was made by Mr. Yourtee and seconded by Mr. Badgley to approve the minutes of July 15, 2008 as presented and amended. No objections were presented. Motion carried

3. POLICE REPORT – Mr. McTigue gave the police report for the month of July 2008.

4. INSPECTOR'S REPORT- Mr. Peet gave the inspector's report for the month of July 2008.

5. COMMENTS FROM RESIDENTS & VISITORS – Mrs. Lois Abbott (803 Hulmeville Avenue) asked if the new Noise Ordinance would address the noise from motorcycles. Mr. McTigue replied that it did.

Mrs. Abbott referred to the letter that Mayor Farmer requested that she write pertaining to her concerns about the police department. Mr. McTigue stated that he would address her concerns in the absences of Mayor Farmer. He stated that Chief Bumm works twelve hour shifts at his full time job and is not able to attend the Borough Council meetings. Mr. McTigue referred to having the police report in the minutes; he stated that the purpose of the meeting minutes are to record the business that Council conducts and any decisions that are made by Council.

Mr. Profy stated that all the minutes have to contain is a description of the actions taken and the votes by Council.

Mr. McTigue explained that the police and inspector's reports are public documents. Mr. McTigue stated that in all the years that he has been on Council, this is the first time that it has been requested that the reports be in the minutes. If anyone wants a copy of the monthly reports they can contact the Borough secretary for a copy,

Mrs. Abbott replied, then every month she is to write a letter to Mrs. Luff requesting a copy of the reports. Mr. McTigue replied yes if you are interested in the reports.

Mr. Yourtee asked why Langhorne Manor's police activity is not reported in the newspaper. Mr. McTigue told Mr. Yourtee that he would rather have Mayor Farmer or Chief Bumm address his concerns at the next meeting. Mr. Yourtee asked, if Mayor Farmer is not going to be able to attend the September 2, 2008 Council meeting, that he put something in writing so it can be read.

Mr. William Abbott (803 Hulmeville Ave) stated that he would wait till Mayor Farmer is at a meeting to discuss his concerns.

Mr. Harold Stetson (501 Hill Avenue) stated that all the water from Rt. 1 drains onto his property as the inlet is clogged, there are storm drains located at 500 and 503 Hill Avenue and at the corner of the Access Road and his property. He would like to see if the water can be diverted to one of the existing drains.

Mr. Stetson also reported that there is a depression in the Access Road near Hill Avenue, when trucks run over the depression it shakes his house.

Mr. Profy referred to Mr. Charlie Marte who is representing Mr. Michael Wielehowski who is the owner of 629 Bellevue Avenue and Mr. Steven McCaffery of 200 W. Fairview Avenue.

Mr. Marte explained that Mr. Wielehowski would like to convert his property at 629 Bellevue Avenue into a multi family unit, and this can be done if they meet the qualification for the special exception which is listed in Langhorne Manor Borough Zoning Ordinance. The request for five apartment units meets all of those requirements. After hearing the residents comments that they did not want the five unit plan and that they want it owner occupied, Mr. Marte presented new plans that include the same building, the only difference is the 358 square foot patio in the back of the building, which they want to enclose and it would become an additional room for the first floor. The new plan calls for three condominiums, which will be sold and hopefully owner occupied. There would be two-two bedroom condominiums on the first floor and a three bedroom with a den on the second and third floor. There would also be less number of parking spaces.

Mr. Profy asked if they were planning on establishing a condominium association which would be responsible for maintaining the common areas. Mr. Marte replied yes.

Mr. McCaffery asked if any of the houses in Langhorne Manor Borough could be converted into multi family homes.

Mr. Profy explained that when the Zoning Ordinance of 1993 was developed with the Bucks County Planning Commission, the recognition was that there were at the time, many larger properties with apartments, some of which had been converted, some improperly and some properly. When it was originally incorporate into the Zoning Ordinance it was called residential conversion. This property does meet the standards so this property can be converted to multi family units.

Residents speaking against this project were Diane and Mark Shapcott (108 Langhorne Avenue), Lori Huffert (625 Bellevue Avenue), and Elsie Ruszin (106 Langhorne Avenue).

Mr. Profy stated that Mr. Wielehowski is not asking for a variance, he is asking for a special exception. Mr. Profy stated that the hearing was on an application for a special exception, it was not a Zoning Hearing. It is a residential conversion whether you have one residential unit or if you have three, four or five.

Some of the residents concerns were the condominiums association, buyer of the condominiums not living in them, property values decreasing, They feel that Council is not protecting the integrity of the Manor by allowing a five unit apartments or a three unit condominiums.

It was asked who decides if this is to be a special exception, Council or the Zoning Hearing Board.

Mr. Profy explained the zoning ordinance is an established criteria to qualify for. If the Zoning Hearing Board finds that the criteria have been met then the owner is entitled to convert the five apartment units. If the Zoning Hearing Board finds that they did not meet the criteria Mr. Wielehowski can try to convince the Judge at another level. It was asked if the residents can take him to court; Mr. Profy replied that you can if you elect party status and you haven't elected party status. Party status makes you subject to certain costs as part of the appeal subject. Mr. Profy stated that this is not a variance. Special exception to the rule is principal of the law, if you meet the requirement of the ordinance then you are entitled to the use.

Someone stated that in their original letter it stated that they were changing the zoning from residential home to a five unit apartment.

Mr. Profy read the original letter which states, special exception to permit the conversion of the existing single family dwelling located at 629 Bellevue Avenue into a five unit apartment complex.

. It was asked as to the prices that the condominiums would sell for. Mr. Wielehowski replied that the two - two bedroom units would sell for \$250,000.00 to \$260,000.00; the three bedroom unit would sell for \$300,000.00.

All the residents that attended the meeting were in agreement that they want this property to be kept as a single family home.

Motion was made by Mr. Pizzola and seconded by Mrs. Barnes that Council support the new proposal presented by Mr. Wielehowski to convert the property at 629 Bellevue Avenue to three condominiums. Ms. Gimpel voted no. Motion carried.

Mr. Marte also represented Mr. Steven McCaffery (200 W. Fairview Avenue), who is presenting a revised set of plans to add an addition to his house, which would include an eat in kitchen, a great room, and a three car garage.

Motion was made by Mr. Pizzola and seconded by Mr. Yourtee for Council to take no position for the new set of plans for the addition for the property of Steven and Danielle McCaffery at 200 W. Fairview Avenue. No objections were presented. Motion carried.

6. COMMITTEE REPORTS – Mrs. Barnes had no report for the Planning Commission.

Mr. Badgley reported that the \$5000.00 grant that had been approved with the help of State Representative Chris King's office had been received. Mr. Badgley will write a letter thanking Representative King's office for their help in writing the grant and also for their support when the Borough Hall was being considered for the National Registry.

Mrs. Cianci sent a report that the light at Langhorne Avenue and Pine Street had been fixed. Mrs. Cianci also asked that a depression on the Access Road in front of her house be put on the list of roads to be repaired.

Mr. McTigue asked Mr. Yourtee to find a contractor that would do this kind of work since Langhorne Paving is no longer in business.

Ms. Gimpel reported that the Shade Tree Committee has decided not to take action about the tree in the 400 block of Station Avenue, as there are a lot of other trees in the Manor in worst condition. This could be considered selective enforcement.

Ms. Gimpel reported that she was able to get a new rate of 3.3% for the second CD that had matured.

Ms. Gimpel reported that there is no need to transfer our bank accounts to different banks which have in excess of \$100,000.00 in them. The report from The First National Bank and Trust Company of Newtown stated that the public funds are secured by a pool basis; they said that any money they have on deposit has government security to back them up and that is why they pay the lower rate on the CD'S.

Ms. Gimpel also reported that our Invest account also goes with the higher standard and tries to only pull the funds with life pool funds and only go for a triple A rating.

Mr. McTigue reported the new three year trash contract should be advertised in October. Mr. Profy stated that the new three year trash/recycle contract would be advertised in September. Mr. McTigue asked if the new contract could have the option of having the recycling picked up on a weekly basis. Mr. Profy replied that he would work up the new contract so it could be advertised in September.

Mrs. Luff reported that Allied Waste and Republic are merging and this transaction is expected to be completed by the end of 2008.

Mr. Pizzola reported that the new "No Parking" signs would be in place within the next two weeks.

Mr. Yourtee stated that he does not know about any other tree in the Manor that has lost as much percentage that the tree in the 400 block of Station Avenue has lost in the various storms and is still standing. It will be very dangerous if it comes down and lands on the street or hurts somebody. When he gets the call that the tree has fallen down, he will refer the call to the Shade Tree Committee.

Mr. Yourtee reported on the bill from A.H. Cornell & Son Inc. and also the letter from Pickering Corts and Summerson explaining the break down for the street repairs that had been done on our roads, the total cost of the Street Reconstruction Project was \$47,334.50.

Mr. McTigue thanked Mr. Yourtee for all of the time he had put into this project.

Mr. Yourtee referred to the letter from Pickering Corts and Summerson recommending that striping and delineators be installed at the intersection of Station and Elm Avenues to improve the visibility of a 15" HDPE pipe. Mr. Yourtee is to see if he can get a private contractor to do this work.

Mr. Yourtee reported that Long Fence would be doing the guiderail work on Gillam and Highland Avenues in mid August.

Mr. Yourtee reported that Winter Best did the clearing of the vegetation in the areas where the guiderails are to be installed at a cost of \$300.00.

Mr. Yourtee feels that the same areas can be sprayed by Green Up Turf Care at a cost between \$125.00 to \$150.00. Motion was made by Mr. Pizzola and seconded by Mrs. Barnes to spend \$150.00 to spray the areas where the guiderail work is to be done. No objections were presented. Motion carried.

Mr. Yourtee was told that he could get Pickering Corts and Summerson to put together a bid package for the new guiderail work that could be done this winter. The cost of this project will be in excess of \$10,000.00

7. MAYOR'S REPORT – There was no Mayor's report due to Mayor Farmer's absence.

8. SOLICITOR'S REPORT – Mr. Profy reported on the resolution #01-2008 authorizing and empowering the local tax act 511 collector Berkheimer to impose and retain costs of collection on delinquent taxes. Motion was made by Mrs. Barnes and seconded by Mr. Pizzola to adopt resolution #01-2008 as presented by Mr. Profy. No objections were presented. Motion carried.

Mr. Profy spoke on the Noise Ordinance #2008-0002 which is to be advertised for adoption at the September 2, 2008 Borough Council meeting.

Mr. McTigue read the Noise Ordinance and he recommended that Chief Bumm be asked as to the kind of equipment that would be needed for enforcement of this ordinance.

Mr. Profy was given authorization to advertise the Noise Ordinance # 2008-0002.

Mr. Profy reported that a letter had been received from inmate # E33 of the Bucks County Prison asking about information as to where a sexually, violent predator can live in Langhorne Manor Borough. Mr. Profy stated that Langhorne Manor Borough has a sexual predator ordinance and that there is no place within the Borough that is not protected. Mr. Profy feels that we could provide the inmate with a copy of that ordinance or not respond at all till we get a second request.

9. CORRESPONDENCE – A flyer was received from Pennsylvania Emergency Management Agency. The purpose of the flyer is to provide guidance for the development, submission and funding applications for all non-disaster mitigation grants.

A letter was received from Congressman Patrick Murphy, informing us of work shops to be held on Federal Funding for local projects.

A thank-you card from Mrs. Barnes thanking Council for the basket of fruit she received after having surgery.

10. APPROVAL OF BILLS & TREASURER'S FOR PAYMENT – Mr. McTigue stated that all Council members had received a copy of the bill list for payment. A bill is to be added to the bill list for Cowan & Kelly for the Zoning Hearing for the Wielehowski property in the amount of \$1176.00 for 8.4 hours. Mr. Yourtee asked about the creeper that the police had purchased. Motion was made by Mr. Yourtee and seconded by Mrs. Barnes to pay all bills as presented with the addition of the Cowan & Kelly bill. No objections were presented. Motion carried. Mr. McTigue stated that all Council members had received a copy of the Treasurer's report and does anyone have any comments. Motion was made by Mr. Pizzola and seconded By Mrs. Barnes to accept the Treasurer's report as presented. No objections were presented. Motion carried.

11. SECOND MEETING – Mr. McTigue stated that a second meeting is scheduled for Tuesday August 19, 2008; at the present time there is no business for the agenda. Motion was made by Ms. Gimpel and seconded by Mrs. Barnes to dispense with the second meeting. No objections were presented. Motion carried.

12. ADJOURNMENT – Mr. McTigue entertained a motion to adjourn this meeting. Motion was made by Mr. Pizzola and seconded by Ms. Gimpel to adjourn this meeting. No objections were presented. Motion carried. Meeting adjourned at 10:37 P.M.

The next meeting will be Tuesday, September 2, 2008 at 8:00 P.M.

Respectfully submitted,

Loretta M. Luff
Secretary/Treasurer
Langhorne Manor Borough