

MINUTES
LANGHORNE MANOR BOROUGH COUNCIL
MEETING OF April 5, 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, April 5, 2005, at 8:03 P.M. Eastern Daylight Savings 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; Stephen Galazin; Sharon Gimpel; William McTigue, Vice President; Steven Yourtee; Francis J. Farmer Mayor; Loretta M. Luff, Secretary/Treasurer; and Thomas J. Profy, III, Solicitor.

PERSON ABSENT - Robert Byrne and Nicholas Pizzola.

2. APPROVAL OF MINUTES –Mrs. Barnes stated that all members of council received a copy of the minutes of the March 1, 2005 meeting.

Ms. Gimpel made a statement concerning the accuracy of the March 1, 2005 minutes. Motion was made by Ms. Gimpel to table the minutes of March 1, 2005 to be revised by the borough secretary. Motion failed for lack of a second.

Motion was made by Mr. Yourtee and seconded by Mr. Galazin to approve the March 1, 2005 minutes as amended. Ms. Gimpel opposed. Motion carried.

3. POLICE REPORT – Mayor Farmer gave the police report for March 2005. Mayor Farmer also reported that each of the borough police cars are equipped with oxygen and defibrillators and all officers are trained in their use. Mayor Farmer also reported that the police conducted a truancy detail, which we are reimbursed \$19.50/hr.

Mr. Pizzola entered the meeting at 8:18 P.M.

4. COMMENTS FROM RESIDENTS & VISITORS –

Mrs. Cianci informed council that Saturday, April 9, 2005 at 10:00am, children from the youth development center will be picking up trash along the woods and clean the access roads along the borough's curb sides.

Mrs. Cianci asked if information could be put into the newsletter informing the residents that there is help available in getting their items for bulk trash pick up to the curb, and whom they should contact to make these arrangements.

Ms. Linington asked about the status of a reduction in the sewer assessment bill.

Ms. Linington commented on the recent hiring of a part-time borough file clerk and the need for volunteers.

Mr. Profy introduced the visitors from the Philadelphia Biblical University (PBU). Attending the meeting from PBU were Dr. Babb, Mr. Hass and their solicitor, Mr. Eastburn. Mr. Eastburn explained PBU is requesting a zoning change for the 5.5 acres of Brighton at Lakeside. The property would be used for student housing and some activities connected with the university. Students would be moved from the Pennel location and they feel this would cut down on the traffic on Manor Avenue. Langhorne Manor Borough's Planning Commission has issued a letter of recommendation, dated April 1, 2005.

Mr. Profy stated that the proposed ordinance is for the reclassification of the 5.5-acre parcel on Manor Ave. from RC Residential District C to an I Institutional District. The advertising requirements under the Municipalities Planning Code have been satisfied. Each council member has received a copy of the reports from the Bucks County Planning Commission, Langhorne Manor Borough Planning Commission and Borough Engineer, Pickering, Cort and Summerson Inc. In addition, Mr. Bush had inspected the facilities.

Mr. Hass explained to Council and visitors:

- The operation and maintenance program for the porous pavement system. PBU is willing to complete all recommendations by Pickering, Cort and Summerson, Inc.
- A lottery system would allocate the seventy (70) parking spaces at this facility with all other parking restricted to PBU's existing on campus parking lots.
- PBU was in agreement with the prohibition of the street parking by students, employees and guests of PBU on Manor Avenue and PBU will monitor and enforce said prohibition.
- PBU could withdraw the student's parking sticker if they are in violation and also impose a fine.
- PBU's security could patrol Manor Avenue with respect to looking for vehicles with PBU stickers on them.

Mrs. Barnes asked council members if they had any questions. They replied no. Mrs. Barnes then asked for public comments.

Ms. Gimpel stated that she had a meeting with residents from Middletown and Langhorne Borough, along with representatives from PBU after the Planning Commission meeting in an attempt to try to resolve traffic and parking concerns. What they came up with was a list of items that they would like to put before Borough Council.

- They want to put stop bars painted on the street so motorists using the street are notified of the stop signs on Manor Avenue.
- They suggest that cat eyes be installed on the stop signs and that stop signs are installed at Park Avenue and Pine Street to slow down the traffic within the area of the university.
- They also request a letter be sent to Langhorne Gardens Nursing Home to make them aware that pedestrians should use the sidewalks at all times and they should adhere to the traffic laws as well.
- It was the view of those attending the meeting that it is not just university traffic causing the traffic problems.

Mr. Eastburn personally thanked Ms. Gimpel for her efforts.

Additional, comments from visitors centered on the, above mentioned, parking and traffic control of Manor Avenue.

Mr. Profy read the ordinance of the Langhorne Manor, Bucks County, Pennsylvania amending the Borough's Zoning Ordinance of 1993. Motion was made by Mr. Yourtee and seconded by Mr. Galazin to adopt ordinance 2005-004 as presented by Mr. Profy. No objections were presented. Motion carried.

Mr. Profy read the agreement that provides for payment in lieu of real estate taxes. If not paid interest and penalties would be adjusted.

Ms. Gimpel asked what would happen if a countywide reassessment were to be done. Mr. Profy replied that whatever taxes would be payable after reassessment the property would be billed at that rate.

Motion was made by Mr. Yourtee and seconded by Mr. McTigue to approve the agreement to accept payment in lieu of taxes as presented by Mr. Profy. No objections were presented. Motion carried.

Mr. Profy reported that PBU has requested from the Borough's Higher Education and Health Authority (HE&HA) to act as the issuer of up to 7.9 million dollars in bonds to be used to acquire and renovate the student resident facilities at 250 Manor Ave.

Mr. Profy read the resolution approving the financing by the Langhorne Manor Higher Education and Health Authority to the PBU, in the amount of up to 7.9 million dollars in bonds.

Motion was made by Mr. Yourtee and seconded by Mr. Pizzola to approve financing by the HE&HA. No objections were presented. Motion carried.

Mrs. Barnes stated that Mr. McTigue has served as the Penn Vest Finance Committee Chairman and he will make a presentation at this time.

Mr. McTigue stated that the reduction in the sewer assessment has come up the past several months, and as a result of the audit report that was recently received, enhanced confidence in our balances, he is now able to provide a report detailing a possible assessment reduction. Mr. McTigue stated that there are two major options pertaining to a reduction in the assessment: (1) a large reduction leaving no money in the Capital Reserve Account, or (2) having a Capital Reserve Account with enough money in it to help in rates stabilization, because it can generate some interest income, as well as provide funds for studies that are required, routine maintenance and to fund unforeseen liabilities. Mr. McTigue feels that \$500,000 should be the amount in the Capital Reserve Account. The Penn Vest loan will be paid off in August 2007.

Mr. McTigue's estimate for the installment method would leave the Borough with \$533,350 in the Capital Reserve Account. If the borough were to pay the loan off on July 1, 2005, the borough would have approximately \$531,000 in the Capital Reserve Account. He feels that the borough should pay off the loan on July 1, 2005 and reduce the sewer assessment from \$800 to \$500 per year for each household since there is only a \$2,000 difference between the two estimates.

Mr. Pizzola stated that funds generated could only be used for the sewer funds. They cannot be used for the general funds. Mr. Pizzola feels that the account cannot be allowed to go to zero. An example of why is this year the borough had to pay \$30,000 for the unexpected study that the borough was required to do. Mr. Pizzola supports the idea of having a reserve fund as you can never know what is going to happen in the future with the sewer system.

Mrs. Barnes told Mr. McTigue what a wonderful job he did and all the information he put into the report and she feels that this is a good time to make a decision on the sewer assessment.

Mr. Yourtee asked Mr. McTigue if he favored the \$500 assessment over the \$400 assessment and he replied yes. He thinks it is smart to keep the \$500,000 in the reserve capital fund.

Mayor Farmer asked Mr. McTigue if he knew what it would cost to replace the pumping station. Mr. McTigue replied that the amount was \$200,000 when originally installed and that included excavation.

Ms. Gimpel asked Mr. McTigue if PBU and Langhorne Gardens Nursing Home's sewer collection income was factored into the figures and does the transmission fee includes those figures.

Mr. McTigue stated that yes they were factored into the figures.

Mr. Galazin stated that he approves of the sewer assessment fee being lowered to \$500 per year per household.

Mrs. Barnes asked which option Mr. McTigue would recommend.

Mr. Profy explained that if the Borough does not pay off the Penn Vest loan, these funds could not be used for any purpose other than sewers, because they are pledged to Penn Vest to pay that loan. The borough cannot invest the money for profit.

Mr. McTigue recommended that the borough pay off the loan.

Mayor Farmer asked if the money should be better invested in order to get a better interest rate than 2.1% we currently receive. Mr. McTigue agreed that we should look into doing that.

Mr. Profy said that this action must be codified in an ordinance; he stated that he would draft and advertise such an ordinance for consideration at Council's May 2005 meeting.

Motion was made by Mr. Galazin and seconded by Mr. Yourtee to pay off the Penn Vest loan on July 1, 2005 and amend the sewer assessment rates to be \$500 per year per household beginning on July 1, 2005. No objections were presented. Motion carried.

5. COMMITTEE REPORTS- Mrs. Barnes stated that the planning commission met on March 14, 2005 and discussed the amendments to the borough-zoning map. Mrs. Barnes stated that there is a vacancy on the HE&HA due to the death of Ella Shock and she wants to appoint Mr. McTigue to fill the vacancy.

Motion was made by Mr. Yourtee and seconded by Mr. Pizzola to appoint Mr. McTigue to the HE&HA. No objections were presented. Mr. McTigue abstained. Motion carried.

Mrs. Barnes received a letter from Wood Services along with a contribution of \$6,000.

Ms. Gimpel inquired as to the status of the letter that went out to the four properties with overgrown brush and trees. Mr. Bush replied that they had not decided if they were going to send to the one corner property in question or all four-corner properties.

Mr. Bush replied, as I presented to Council at a previous meeting, and several other times over the years, there are many corners in the Borough, which violate Section 519 of the Borough Zoning Ordinance which address's visibility at corners. How do we answer a resident's concern if they are being cited, but the other properties at the same corner are not? That is why I asked Mr. Profy to research this and come up with an opinion of whether or not this could be considered selective enforcement. Then the Council could discuss their options and direct me on how they would like to proceed with this.

Mr. Profy stated that Mr. Bush would like him to analyze and do legal research as to what the Borough's liabilities would be in the event notice is given to one owner without given to every similar owner in the borough and if any claims could be asserted against the borough or individually for selectively enforcing the ordinance.

Mr. Profy was given the authority to do legal research on Mr. Bush's and the borough's liability on selective enforcement.

Ms. Gimpel asked for a copy of the March 1, 2005 minutes for the Shade Tree Commission members, so they can document the effective date for the removal and replanting of trees in the right-of-way, as March 1, 2005.

Mr. Galazin reported that he would be attending the grant-writing meeting on Thursday April 21, 2005.

Mr. McTigue thanked Beth Bartnikowski for posting the dates of spring leaf collection - Saturday April 30, 2005, bulk trash day - Saturday, May 21, 2005 and the community yard sale - May 14, 2005.

Mr. McTigue and Ms. Gimpel will put together a newsletter informing the resident's of the three dates.

Mr. Pizzola-No Report

Mr. Yourtee reported a stop sign at Elm and Station Avenues has been removed. It was put up illegally.

Mr. Yourtee reported that it is pothole season and the following road problems were reported:

- two potholes on the access road, North bound
- edge of the road is crumbling on the 300 block of Hill Avenue

- a two feet gully on Pine St., on the PBU property, at Fairview Ave.

Mr. Yourtee asked about sweeping of the access roads. Mr. Farmer informed Mr. Yourtee that Reily Sweeping did the access roads last year.

Mr. Yourtee reported that he would be getting estimate for work to be done on the borough hall. He reported that he has access to clean-fill dirt and would like to have the community service people spread it behind 616 and 618 Hulmeville Ave. and in the front of 618 Hulmeville Avenues.

6. MAYOR'S REPORT – Mayor Farmer stated that the stop signs had been reported and the stop sign at Station and Elm Aves had to be taken down, as it could be a big liability for the borough.

7. SOLICITOR'S REPORT – Mr. Profy stated that he had earlier covered everything that he had to report this evening.

8. INSPECTOR'S REPORT- Mr. Bush gave the Inspector's report for the month of March 2005. Mr. Bush stated the last time the borough ordinance book was updated was in 1995, so he will be updating it along with Mr. Profy.

9. CORRESPONDENCE - No correspondence.

10. APPROVAL OF THE BILL AND TREASURER'S 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.

Ms. Gimpel inquired about checks #4132 to “Volunteer Insurance Renewal and #4135 for supplies and service contract to Sharp Copier. Ms. Gimpel also asked about the charges for the total cost of the audit. Mrs. Luff explained that we had been billed \$1,500 that was supposed to be billed to the HE&HA, so she was to deduct it from the audit statement leaving a balance of \$4,000. Then Weiss Advisory sent another bill for \$1,530, stating that they had forgotten to include this amount.

Mr. Profy recommended that we void checks #4148, #4149 and #3893. Motion was made by Mr. McTigue and seconded by Mr. Yourtee to approve the bill list for payment and to exclude check #4148 & #4149. Motion amended to include check #3893. Motion carried.

Mrs. Barnes entertained a motion to approve the Treasurer's report as presented. Motion was made by Mr. McTigue and seconded by Mr. Pizzola to approve the Treasurer's report as presented. Ms. Gimpel opposed. Motion carried.

11. SECOND MEETING- Mrs. Barnes stated that there would be a second meeting on Tuesday April 19, 2005. At this time, there are no items for the agenda for the meeting. Motion was made by Mr. Pizzola and seconded by Mr. Yourtee to dispense with the second meeting. No objections were presented. Motion carried.

12. ADJOURNMENT-Motion was made by Mr. McTigue and seconded by Mr. Yourtee to adjourn this meeting. No objections were presented. Motion carried. This meeting adjourned at 10:34 P.M.

The next meeting will be Tuesday, May 3, 2005 at 8:00 P.M.

Respectfully Submitted,

Loretta M. Luff
Secretary/Treasurer
Langhorne Manor Borough