

MINUTES
LANGHORNE MANOR BOROUGH COUNCIL
MEETING OF OCTOBER 3, 2006

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 October 3, 2006, at 8:04 P.M. Eastern Standard Time by Maryann Barnes, Vice President.

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

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

PERSON ABSENT – Stephen Galazin, William McTigue, President, Nicholas Pizzola.

2. APPROVAL OF MINUTES – Motion was made by Mr. Yourtee and seconded by Ms. Gimpel to approve the minutes of September 5, 2006 as amended. No objections were presented. Motion carried.

3. POLICE REPORT – Mayor Farmer gave the police report for the month of September 2006.

Mrs. Barnes stated that the new voting machine was on display and everyone was invited to try it.

Mrs. Barnes introduced Mr. John Swenson from Carroll Engineering who explained the reason why the Borough will not have to meter the sewer pump station as previously recorded in the minutes.

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

Mr. Swenson addressed the manholes that are in need of repairs, he reported that Carroll Engineering is going to meet with two contractors and will be getting some quotes for the repairs on the manholes. They were told that the cost range would be from \$500.00 to \$3,000.00 per manhole. Mr. Swenson recommended that Council not proceed any further, than what the authority requires.

Mr. Yourtee inquired about the sump pumps that are entering the sewer system. Mr. Swenson stated that there were two property owners who refused to allow an inspection of their sump pumps. Mr. Swenson stated that they could do a follow up inspection or it could be handled through the Borough's Code Enforcement Officer.

Mr. Profy recommended that under the current Building Code the Borough has the right to inspect properties and the inspection of the two properties should proceed that way.

Mr. Yourtee asked Mr. Swenson if the Borough is still on schedule for having the moratorium lifted by year end. Mr. Swenson replied that with the results of the September data that Carroll Engineering received he could petition the authority on behalf of the Borough to lift the restriction earlier.

Mr. Bush stated that there are several grates on storm water inlets on Bellevue Avenue which have collapsed. Bellevue Avenue is a state road and PennDot is responsible for the road surface which includes the grates, but not anything underneath which is the inlet boxes which support the grates. Mr. Bush asked Mr. Swenson if he would ask the contractor who is going to replace the sanitary sewer manholes if he could fix the storm water inlets which need to be repaired.

Mr. Swenson replied that he would ask the contractors that he would be meeting with pertaining to the manholes if they could repair the collapsed inlet boxes.

4. COMMENTS FROM RESIDENTS & VISITORS – Mrs. Barnes reminded the residents as to the three-minute time limit per person for comments.

Mrs. Beth Bartnikowski (204 Central Avenue) wanted to clarify a statement made by another resident during the June 2006 Council meeting concerning an issue that occurred during the May primary election. It was stated that voters arrived to vote after the polls had closed and that in a subsequent conversation with a Board of Election employee, it was advised that the election official could have allowed the voters to cast their vote. Mrs. Bartnikowski was concerned with this statement, so she contacted Deena Dean, Director of Board of Elections and was assured that no one on her staff would give that advice. The law states that the polls close promptly at 8:00 PM and unless the voter is in line at the time the polls close, they are not permitted to vote.

Mr. Joseph Erb (207 Prospect Ave) wanted to know what the procedure is for having a block party on Saturday November 11, 2006. He was told that he had to contact the Borough Secretary or the Police Chief and inform them as to the time and date of the block party a couple of weeks prior to the affair.

Ms. Jane Boyle (308 Gillam Avenue) wanted to thank the person (Mr. Yourtee) for the installation of the handicap signs on both sides of the Borough Hall. She also stated how nice the windows on the Borough Hall look since they were scraped and painted.

Ms. Betty Linington (308 Gillam Avenue) spoke about the vines and trees that are hanging over the roadway and other people's property. She referred to Station Avenue at the access road where the tree is blocking the view of the stop sign and the cars are going over the low curb and entering the highway. She feels that this should be looked into as there is going to be an accident in that area.

Ms. Linington stated that at the September Council meeting, Mr. Profy stated that the homeowner would be responsible if there was an accident in that area. She does not understand how a homeowner can be responsible for a sign that they did not put there.

Mr. Profy explained that if it is an over hanging tree or vegetation growth affecting the clear sight triangle, the property owner is primarily responsible for that condition.

Mayor Farmer asked when Harvey Spencer was going to trim the trees. Mr. Yourtee replied that he believes it is going to be the week of October 15, 2006.

Mr. Kevin Transue (324 Hill Avenue) referred to the one hundred ninety holes that were left after the old street signs had been removed. Mr. Transue also referred to the placement of the new signs through out the Borough. He wanted an answer to the inconsistency of the placement of the signs.

Mrs. Barnes asked Mr. Yourtee about the placement of the signs. Mr. Yourtee replied that he had no comment. Mrs. Barnes asked Mr. Yourtee about the holes that were left after the removal of the old street signs. Mr. Yourtee's asked, what does Council want to do, put something together for a bid package?

Mayor Farmer said that Mr. Yourtee should contact the contractor who removed the signs and have him fill in the holes.

Mrs. Barnes told Mr. Yourtee to give her the name and phone number of the contractor and she would contact him.

Mr. Jeffery Schuder (902 south Pine Street) inquired about the original set of street signs that had been ordered and were made incorrectly; he asked if they had been paid for.

Mr. Profy replied that the Borough had not paid for the original set of street signs and there has not been any request for payment.

Mr. Schuder asked if Mr. Galazin is going to attend any future Council meetings. Mrs. Barnes stated that she had not spoken to Mr. Galazin and she does not know what his plans are.

Mr. Profy stated that there is a provision in the Borough Code stating that if you miss two or more consecutive meeting, a Council person is subject to removal, however the Pennsylvania Supreme Court has held that the provision of the Borough code is unconstitutional and the only basis for removal of a public official is a conviction of a crime of misbehavior in office or a conviction of a major crime.

Mr. Schuder asked how it would be handled if there were a demand for payment for the original street signs.

Mr. Profy replied it would be in litigation as the Borough's position is they are not responsible for the signs being made incorrectly.

Mayor Farmer stated that Mr. Galazin gave sufficient proof to Mr. McTigue that he had ordered the signs correctly.

5. COMMITTEE REPORTS – Mrs. Barnes had no report for the Planning commission. Mrs. Barnes informed the Council members if they wanted any information on the web site pertaining to their committee, they are to contact Mrs. Bartnikowski.

Mrs. Cianci reported that the light on Hill Avenue and a light on Hulmeville Avenue would be fixed. PECO had replaced the pole on Comly Avenue and Precision Electrical system will be replacing the light on that pole.

Mrs. Cianci requested stop signs to be put at Langhorne Avenue at Pine Street and Pine Street at Langhorne Avenue, there is a school bus stop there and it is very dangerous.

Mr. Profy stated that the sign ordinance would have to be amended.

Motion was made by Mrs. Cianci and seconded by Mr. Yourtee to advertise the stop signs at Pine Street North at Langhorne Avenue and Langhorne Avenue East at Pine Street. Motion carried. Mr. Pizzola abstained.

Ms. Gimpel - No report.

Mr. Pizzola reported that the preliminary budget will be ready for the November 8, 2006 Council meeting.

Mr. Pizzola reported that he, Mrs. Barnes, and Mr. Yourtee had attended the Bucks County Association of Boroughs dinner meeting in September and they saw a demonstration of the new voting machines that evening.

Mr. Yourtee reported that Langhorne Paving had completed the road patching and also the handicap signs had been installed at the Borough Hall. Mr. Yourtee thanked Ms. Gimpel and Mr. McTigue for sending out the newsletter. Mr. Yourtee had asked Mr. Spencer to wait to do the tree trimming so the residents could read the newsletter pertaining to the trimming of the trees and that this was a one-time project related to the sign project and it would be the resident's responsibility in the future.

Mr. Yourtee referred to the two inlet boxes that are in need of repairs on Bellevue Avenue that were identified in the NPDES report and also by PennDot.

Mr. Yourtee recognized Mr. & Mrs. Bartnikowski for the repairs that they had done to the Borough Hall. Mr. Yourtee stated that Council should consider the removal of the inside wall in the Borough Hall and what was going to be involved in that project.

6. MAYOR'S REPORT – Mayor Farmer read a letter of resignation from Stephen Galazin who will be resigning from Borough Council effective November 7, 2006.

Mayor Farmer reported that during the month of October there would be a demonstration of a taser, the cost is approximately \$1,700.00 each.

7. SOLICITOR'S REPORT – Mr. Profy reported that the bid solicitation for the refuse collection had been advertised and the bids would be opened on Tuesday October 17, 2006 at 4:00 P.M. at the Borough Hall.

Mr. Profy reported that the bid solicitation for snow removal would be advertised with the bid opening to be held at the Borough Council meeting on Wednesday November 8, 2006.

Mr. Profy reported that in 1992 Victor Rivera posted a letter of credit, which had been renewed several times for public improvements, and the improvements have been completed on the sub-division of their property. An additional deposit of \$5,000.00 has been made to their escrow account for any remaining improvements. Mr. Profy recommended that a motion be made authorizing Mrs. Barnes to assign the cancellation of the letter of credit for the Rivera sub-division.

Motion was made by Mr. Yourtee and seconded by Ms. Gimpel to cancel the letter of credit as recommended by Mr. Profy. No objections were presented. Motion carried.

Mr. Profy stated that he had been working with Paist & Noe pertaining to the three insurance policies for the police department. He will have the three policies for Council to review prior to the November Council meeting.

Mr. Profy stated that he had two ordinances that had been advertised for adoption this evening, the Right Of Way Regulation Ordinance and the Verizon Cablevision Ordinance, since the advertisement of the Verizon Ordinance the consortium of which Langhorne Manor was one of the many municipalities in Lower Bucks have approved the cable franchise agreement. There are variations of what is called the unilateral ordinance in the final agreement, after talking with Verizon's counsel, Mr. Profy recommends that this ordinance should be re-advertised and it will be on the agenda for the November council meeting.

Motion was made by Mr. Pizzola and seconded by Ms. Gimpel to adopt the Right Of Way Ordinance #2006-03. No objections were presented. Motion carried.

8. INSPECTOR'S REPORT –Mr. Bush gave the Inspector's report for the month of September 2006.

Mr. Bush stated that after meeting with representatives from PennDot, they suggested that we wait until after the November election to see who the Governor appoints to District 6 Director and then meet with them and plan our case regarding the roads, access roads, guardrails, etc.

Mrs. Cianci asked Mr. Bush about storm water drain # 14 and 28 which have some type of a drain pipe going into them, she wanted to know if that was allowed. Mr. Bush replied that he would inspect the two drains.

9. CORRESPONDENCE – There was no correspondence.

10. APPROVAL OF BILLS & TREASURER'S FOR PAYMENT – 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. Bills to be added to the bill list are \$104.92 Galls, \$161.99 Galls, \$458.00 Alcoprp, \$96.96 Staples, and \$2600.00 Associate Imaging.

Motion was made by Mr. Yourtee and seconded by Mrs. Cianci to pay all bills as amended. No objections were presented. Motion carried.

Motion was made by Mrs. Cianci and seconded by Mr. Pizzola to approve the Treasurer's report for the month of September 2006 as presented. No objections were presented. Motion carried.

11. SECOND MEETING – Mrs. Barnes stated that a second meeting is scheduled for Tuesday October 17, 2006; at the present time there is no business for the agenda. Motion was made by Mrs. Cianci and seconded by Ms. Gimpel to dispense with the second meeting. No objections were presented. Motion carried

12. ADJOURNMENT – Mrs. Barnes entertained a motion to adjourn this meeting. Motion was made by Mr. Yourtee and seconded by Ms. Gimpel to adjourn this meeting. No objections were presented. Motion carried. Meeting adjourned at 9:32P.M.

The next meeting will be Wednesday November 8, 2006 at 8:00 P.M.

Respectfully submitted,

Loretta M. Luff
Secretary/Treasurer
Langhorne Manor Borough