

**MINUTES
LANGHORNE MANOR BOROUGH COUNCIL
MEETING OF JULY 5, 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 Wednesday July 5, 2006, at 8:06 P.M. Eastern Standard Time by William McTigue 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; William McTigue, President; Steven Yourtee; Francis Farmer, Mayor; Loretta M. Luff, Secretary/Treasurer and Thomas J. Profy III, Solicitor.

PERSONS ABSENT – Stephen Galazin; Nicholas Pizzola

- 2. APPROVAL OF MINUTES** – Motion was made by Mr. Yourtee and seconded by Mrs. Barnes to approve the May 22, 2006 minutes as amended. No objections were presented. Motion carried

Mr. Pizzola entered the meeting at 8:10 P.M.

Motion was made by Mr. Yourtee and seconded by Mrs. Cianci to approve the June 6, 2006 minutes as amended. Mrs. Barnes abstained, as she had been absent. Motion carried.

- 3. POLICE REPORT** – Mayor Farmer gave the police report for June, 2006.
- 4. COMMENTS FROM RESIDENTS & VISITORS** – Mr. McTigue stated that residents are welcome to express their opinions and comments, but once the comment period closes, the meeting is resumed to deal with Council business. There is to be no further dialogue between residents and Council. Mr. McTigue stated that there has always been, but not enforced, a three-minute time limit on comments. He stated that he would like to stick to the three-minute time limit, if a person is not finished with their comments, then they may be granted another minute.

Mrs. Patricia Patchet (203 Prospect Avenue) spoke on the location of two street signs in the 200 block of Prospect Avenue; both signs are in front of her house. She feels that they could be relocated. Mrs. Patchet presented pictures showing the locations of the signs. Mr. McTigue stated that her comments would be taken under advisement, and they would take a closer look at this particular problem.

Mrs. Betty Linington (308 Gillam Avenue) stated that she was upset that the "No Parking" sign on Manor Avenue, that she fought very hard for, had been taken down and she wants the sign put back, especially because of emergency vehicles must get to the nursing home and the Philadelphia Biblical University.

Mr. McTigue replied that the sign was twisted, that there were complaints about its condition, and said that the sign will be replaced. There are a number of "No Parking" signs throughout the Borough that need to be reviewed in terms of the Borough Ordinance.

Ms. Jane Boyle (308 Gillam Avenue) inquired as to the handicap parking at Borough office and asked if stencils that Mr. Bush had put in the basement of 616 Hulmeville Avenue had been found. Mrs. Cianci stated that she could not find the stencils; Mr. Bush was to look into the requirements for the handicap parking area. Mr. Bush stated that he would order another set of stencils.

Ms. Boyle inquired about the storm drain on Hulmeville Avenue near their house, stating that the people she spoken to said that everything is ready to go, except for the pipes the Borough is to supply. She asked for the status of the pipes.

Mr. McTigue replied that when the storm drain was addressed earlier this year. The Borough's engineer estimated a cost of \$30,000 to replace the storm drain. Ms. Boyle stated that she knows all of that and repeated that all she hears is that we are waiting for the pipes. Mr. McTigue replied that he does not have the same information.

Ms. Boyle asked if the minutes could reflect the answers to the questions that residents ask. Mr. McTigue replied that the minutes are not, and never were, intended to be a transcript, but rather they are only to state what Council actions were. Mr. McTigue feels that some minutes are more detailed than are appropriate. Mr. McTigue stated that they would get together as a group and make a decision as to how the questions and responses would be handled pertaining to the minutes.

Ms. Boyle inquired about the Borough Hall restoration and that at the last Council Meeting it was stated that the Borough Hall committee had held their last meeting and would be making a presentation at the August Borough Council meeting. Ms. Boyle wanted to know if there was going to be any meetings to compile the information.

Mrs. Beth Bartnikowski replied that the committee is planning to get together sometime in July 2006 to hold a working meeting to put together the report and will present it to the Council and the residents sometime in August 2006. Ms. Boyle asked when the meeting would be, as she would like to attend. Mrs. Bartnikowski replied that it would be held at her home and that the committee would be using this time to compile the information received over the past few months. Mrs. Bartnikowski stated that the Committee has always welcomed residents to attend their meetings and noted that Ms. Boyle has, in fact, attended all of their meetings, but that this is a meeting strictly to finalize the report, which will be presented to the Council and residents.

Mrs. Bartnikowski referred to the Shade Tree Commission, which is a commission set up by statute that is supposed to hold regularly scheduled meetings, and asked Ms. Boyle why they have never held a regular meeting open to the public. Ms. Boyle stated that they

have, but could not remember when. Ms. Linington interrupted and stated that Ms. Bartnikowski is a "trouble maker"

Mr. McTigue stated that there will be a report from the Borough Hall Committee at which time it will be presented to Council and the public.

Mr. Profy stated that the Borough Hall Committee meeting in question is not a Sunshine Act meeting. Ms. Boyle replied that was all she wanted to know.

Mr. Kevin Transue (309 Penncrest Drive, Langhorne Borough and 304 Hill Avenue) spoke about the street sign that was installed at the right-of-way at the corner of Hill and Gillam Avenues, which he mistakenly thought that the sign was in his property. He related that he allegedly had a confrontation with Mr. Yourtee pertaining to the placement of the sign, stating that \ Mr. Yourtee told him that he alone decided where to place the signs, that Mr. Transue had nothing to say about it.

Ms. Cianci spoke of the 40 mile speed limit sign on her property.

Mr. David Stetz (315 Hill Avenue) spoke about the storm water that is running on his property that is coming from Station Avenue, which is located in Langhorne Borough. He asked Council to look into this water problem and to keep him informed of any progress they make. Mr. McTigue stated that they would contact Langhorne Borough concerning this storm water problem.

Mrs. Barnes explained that Council has been aware of this problem and how Council has tried to get help in the past to correct this problem.

Mrs. Mildred Smith (Manor Avenue, Middletown Township) expressed concern about the Stop sign and No Parking sign on Manor Avenue that were removed, and the problems caused by cars parking on Manor Avenue.

Mr. George Komelasky from Paist and Noe summarized his insurance proposal for year July 15, 2006 to July 15, 2007. He explained the differences in option one at a cost of \$17,989, and option two at a cost of \$20,592.00.

Motion was made by Mrs. Barnes and seconded by Mr. Yourtee to approve Insurance Premium Option One at the cost of \$17,989.00.

5. COMMITTEE REPORTS – Mrs. Barnes – No report.

Mrs. Cianci asked about the lights being on outside the 618 Hulmeville Avenue during the day. It was explained when the power goes off the timer has to be reset.

Mrs. Cianci asked Mayor Farmer if he had spoken to Chief Bumm about the speeding on the access roads. Mayor Farmer replied that the police had been monitoring the access roads.

Mrs. Cianci asked about guidelines for being absent at Council meetings.

Mr. Profy explained the code states that if a member of Council shall neglect or refuse to attend two successive regularly scheduled meetings and unless the member is sick or prevented by necessary absences from the Borough, then the Borough Council may declare the person's office vacant, and they may fill such vacancy as provided in Section 101 of the Pennsylvania Administrative Code (PAC). Also the code states that no office shall be declared vacant for failure to attend meeting until there has been a hearing before the Council, at which time the person who is to be removed has the opportunity to appear, and there must be a ten-day written notice as to the hearings time and place. He reported that the Supreme Court of Pennsylvania has ruled on the necessity of due process, a record of the hearing, and every step of the proceedings must strictly comply with due process of requirements.

Mrs. Cianci asked what does Council plan to do about Mr. Galazin being absent, as there is money available for grants, and he has not been applying for any.

Mr. McTigue stated that he was aware that Mr. Galazin was not going to be attending June, 2006 and July, 2006 Borough Council meetings, but he anticipates that Mr. Galazin will attend the August, 2006 Council meeting. Mr. McTigue told Mrs. Cianci if there are any particular grants that she or Council are aware of that should be pursued, Mr. McTigue will see that they are applied for.

Mrs. Barnes stated that she would not be attending the August 2006 Council meeting, as she is having surgery.

Mr. Yourtee stated that not only is Mr. Galazin's seat vacant, Mr. Galazin has not sent any reports and no follow-up of the issues from several months ago. It is more than just a vacant seat, it seems to be a lost interest and a disappearance and the lack of any reports. Mr. Yourtee asked Mr. McTigue if he had any reports from Mr. Galazin. Mr. McTigue replied that he reported the most recent information provided by Mr. Galazin.

Mrs. Cianci asked if there had been any paperwork showing who was or was not at fault when the first set of street signs were ordered.

Mr. McTigue explained that he provided additional paperwork to Mr. Profy, which he received in recent weeks. Attached to these papers is the list with the names of the streets. He does not know why the Correctional system did not recognize that. This information suggests that all the necessary information had been sent to them.

Mr. Yourtee asked Mr. McTigue to contact Mr. Galazin to remind him of the meeting and if he would not be attending the meeting, have him send a report or a reason as to why he is not attending. Mr. McTigue replied that he would contact him.

Ms. Gimpel reported that a tree was cut down at Highland and Station Avenues and that the Shade Tree Commission had contacted Mr. Bush concerning the removal of the tree.

Ms. Gimpel reported that the Sewer Committee would be meeting within the next couple of weeks to discuss the sewer rate issues, and both the status of repairs and effect of a separate irrigation system at Philadelphia Biblical University.

Ms. Gimpel stated that a portion of the new insurance premium authorized by Council action earlier this evening is to come out of the sewer fund, and she would get those figures to Mrs. Luff, and that the balance of the premium will come out of the general fund.

Mr. Galazin – absent.

Mr. McTigue stated that, thanks to the contractors and the tremendous amount of coordination on Mr. Yourtee's efforts, they were able to get the signs in by the June 30th deadline. All the grant money had been spent by June 30 and there were some additional monies that had to be used. Mr. Yourtee acknowledged all the help that Mr. McTigue had provided with the placement of the safety signs.

Mr. Yourtee reported that they have two handicap parking signs are to be installed. He will add them to the contractor's list.

Mr. McTigue addressed the "No Parking" signs on Manor Avenue, and stated that he would like to see them put in concrete even though the contractor would charge a higher fee.

Mr. Yourtee stated that the two previous signs had been in the concrete sidewalk, as there is no grass area between the curb and sidewalk. Mr. Yourtee feels that they should go on the lawn edge about four feet from the road.

Mr. Bush spoke on the regulation as to where the signs can be put. Mr. Profy told Mr. Bush to check on the regulation for installation of the signs.

Motion was made by Ms. Gimpel and seconded by Ms. Cianci to install the two "No Parking" signs on Manor Avenue in concrete at an additional cost paid to the contractor. No objections were presented. Motion carried.

Mr. Yourtee reported that there are three Watch Children signs and three 35 mile an hour signs back-ordered.

Mrs. Barnes asked how Council would address Mrs. Patchet's concerns. Mr. McTigue replied that he would go personally to meet with her and would report to Council at the August meeting.

Mr. Yourtee explained how he and Mr. McTigue had figured the placement of the signs as to curbs or no curbs.

Mrs. Barnes wants to know how Council will respond to the resident issues. Mr. McTigue stated that they would go out and see for themselves what the issues are and bring the information back to Council to decide as to how to handle the problems.

Mr. Pizzola complimented Mr. Yourtee and Mr. McTigue for all the work that went into getting all the new signs installed. He also feels that the complaints amount to a small percentage and they should all be addressed.

Mr. McTigue stated that he would be contacting Allied Waste as to the increase in the number of units they want to charge us for.

Mr. Pizzola – No report on budget, and he gave his report on street signs.

Mr. Yourtee reported on a quote of \$3,950.00 from Langhorne Paving for pot hole repairs on Manor Avenue, Highland Avenue at the overpass, northbound on the access road at Station, broken edge of the road at the corner of Station and Elm Avenues.

Mr. McTigue asked about the road work that is to be done at the corner of Hill and Gillam Avenues.

Mr. Yourtee reported that Mrs. Cianci, Ms. Gimpel, and he had been putting together a priority list of streets that were in need of repairs, but the sign work took precedence over this project.

The quote of \$3,950.00 from Langhorne Paving is for the patching of 113 potholes.

Mr. Yourtee spoke of the Highland Avenue area that is in need of repair work the portion east of Rt. 1 leading to the overpass. Mrs. Barnes stated that she does not believe that that section of Highland Avenue belongs to the Manor. Mr. Yourtee stated that 54 of the 113 potholes that Langhorne Paving is to repair are on that section of Highland Avenue.

After much discussion as to whether Langhorne Manor Borough owns that section of Highland Avenue, it was agreed that Langhorne Paving would only do repairs on Manor Avenue, Station and Elm Avenues, northbound access road at Station Avenue. Highland Avenue repair of 54 potholes will be put on hold until ownership is established.

Mr. Bush stated that he felt it would be worth while to contact PennDot and try to get them to take back these roads. Mr. Bush said he would call the Deputy Secretary.

Mr. McTigue asked Mr. Yourtee to get a quote for road repairs at the corner of Hill and Gillam Avenues, the Tomlinson's driveway area, also the area on Hill Avenue before Central Avenue, and Station Avenue at Park Avenue.

Mr. McTigue stated that he had contacted a contractor to get a quote for possibly replacing the nails that are popping up out of the wooden walkway at the Borough Hall with screws.

Mr. Bush reported that Pickering Corts and Summerson was out and started inspecting the manholes for the NPDES requirement and also surveying Hulmeville Avenue for the storm water project. Mr. Bush also asked Council on how they were going to handle the sewer moratorium. Mr. Profy said Mr. John Swenson from Carroll Engineering will be at the August Council meeting to discuss this.

Mr. Yourtee reported that Council has to decide as to what they want to do with the old street signs.

Mr. McTigue stated that Council could discuss this at the August 1, 2006 Council meeting as to how they are going to handle the disposition of the street signs.

6. MAYOR'S REPORT – Mayor Farmer had no report

7. SOLICITOR'S REPORT – Mr. Profy reported that John Swenson from Carroll Engineering could not attend the meeting tonight as he was on vacation. He will be at the August 1, 2006 Council Meeting.

Mr. Profy stated that there is documentation that the list was received by the Pennsylvania Correctional System with the 84 signs and a list of the names for the 84 signs, and Mr. Profy worked with Mr. Galazin to get some resolution on this matter. This does not appear to be the total responsibility of Langhorne Manor Borough.

Mr. Yourtee inquired as to the 4-way stop sign at Hill and Elm Avenues. Mr. Profy stated that it probably did not support the code, and the next time any updating of the ordinance is done, this matter should be addressed.

Mr. Yourtee asked Mr. Profy on an update on the Verizon Cablevision project, and he referred to a mailing from the Pennsylvania Association of Boroughs regarding the franchising of the cable industry.

Mr. Profy replied that he had sent the last update that he had received to the Council members. The cable industry is trying to get Congress to pass legislation to limit the services that the local municipalities can collect of the franchise fees. It is his understanding that there is a meeting planned for the middle of July, so by August, he would know if they are going to go ahead and issue a franchise ordinance imposing the template that is recommended by the consortium. Mr. Profy recommended that council stay with the consortium for another month to see if they can work out a final agreement with Verizon to adopt an ordinance, which would enable the Borough to impose franchise fees.

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

Mr. Yourtee asked about the house on Hill Avenue where the homeowner had the shoulder of the road paved. There was much discussion as to how this was to be handled. Mr. McTigue told Mr. Bush that Council wants this paving job corrected and it is to be handled whatever way Mr. Bush feels is necessary. Mr. Bush is to review the ordinance pertaining to the paving of the shoulder.

It was reported that the letters were sent to the residents living along the access roads instructing them that it is their responsibility to keep the gutters along their property clean.

- 9. CORRESPONDENCE** –Mrs. Luff reported that she neglected to put in the January minutes a letter from Mrs. Coschi 805 Station Avenue thanking Mr. Yourtee for the removal of a large limb that had fallen. Mr. Yourtee requested that this letter be added to the minutes.

Mrs. Luff reported on the three proposals she received for the new copier, From Fraiser for a sharp copier, \$2995.00, Digital Imaging Solutions for a Gestetner DSm 620d \$3535.00 and Ikon for a Ricoh 2018d \$2196.00. After some discussion it was suggested that Mrs. Luff contact Ikon and get all that is included on the Ricoh and also what is included and the cost in their service contract.

- 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. He asked if there were any questions or discussions. Ms. Gimpel asked about the Bulk Spring Clean up cost of \$7,004.00. Mr. McTigue stated that the contract for 2005 was \$6,800.00 and 2006 and \$7000.00 is for 2006.

Mr. Yourtee stated that he feels that street lighting and maintenance amount of \$607.00 for the month of June and the year to date of \$2,100.00 is high. He feels that maybe a service contract for light repairs should be considered for 2007.

Ms. Gimpel asked why paper had been ordered from Quill and not Staples, Mrs. Luff replied that she saved \$10.00 per box of paper from Quill.

Ms. Gimpel asked about Officer Sam Anderson being reimbursed for paint for speed lines and that it should be charged to account 433-00

Motion was made by Mrs. Barnes and seconded by Mr. Pizzola to pay all bill as discussed. No objections were presented. Motion carried.

Mr. McTigue asked for approval of the March 2006 Treasurer's report. Ms. Gimpel stated that part of the problem with the March Treasurer's report is there are two bills for \$9923.25 for signs, we passed the March report with a change for accounts payable, but we didn't realize that to get rid of the accounts payable we have to delete one of the checks. The March statement has to be amended as the cash account will be changed. Ms. Gimpel asked where the excess money for safety and street signs be posted in the budget.

Motion was made by Mrs. Barnes and seconded by Mr. Pizzola to amend the March Treasurer's report by voiding a check and rectifying the accounts payable. No objections were presented. Motion carried.

Motion was made by Mr. Pizzola and seconded by Mrs. Barnes to post the excess money spent on safety and street signs to account 433-00. No objections were presented. Motion carried.

Mr. Profy reported the building plans for the Mathai property 1006 Bellevue Avenue have been signed and he received an accounting for the Mathai escrow account. Mr. Profy stated that a letter would be sent to Mr. Mathai stating that their plans would be released for recording when the Borough receives a check in the amount of \$4,444.30.

Mr. Profy reported that Eldridge (1007 Hill Avenue) is still working on their plans and they will not get their permits till his negative balance in their escrow account is paid.

Mr. Profy explained that Eldridge's negative balance is after Begley, Carlin & Mandio was paid, because Council made the decision years ago that on the variance application to only require \$1000.00 in escrow and that amount does not cover the cost for a variance application and Council has not wanted to address the issue and Mr. Profy feels the minimum amount should be changed to \$1500.00.

After a discussion on increasing the amount required for a variance application, Mr. Profy was instructed to have a resolution for a revised zoning and land development fees schedule for escrow accounts for the August Council meeting.

There was a discussion of negative escrow accounts listed in the Treasurer's report. It was stated that the tax payers are out that money as long as Council continues to hear petitioner's case, and that the Borough will continue to be at a loss if we don't receive the money in advance. Mr. Profy stated that is the reason the escrow fees have to be increased. Mr. Profy will check as with other municipalities are charging and will have the figures for August meeting.

Motion was made by Mr. Pizzola and seconded by Mrs. Barnes to table the June Treasurer's report. No objections were presented. Motion carried.

11. **SECOND MEETING** – Mr. McTigue stated that a second meeting scheduled for Tuesday July 18, 2006. At this time there are no items for the agenda for the meeting. Motion made Mrs. Barnes and seconded by Mrs. Cianci to dispense with the second meeting. No objections were presented. Motion carried.

Mr. Yourtee asked what the status was for recovering the money for the emergency tree clean up for the Javian property at the corner of Station and Gillam Avenues and the property on Langhorne Avenue that had emergency tree removed.

Mr. Profy replied that he is in the process of filing the paper work with the District Justice pertaining to the Javian Property.

Mr. Yourtee asked how the Langhorne Avenue property where the emergency tree work had been done should be handled. Mr. Bush replied that a survey of the properties is the only way to determine the ownership of the tree which would cost \$2000.00. Ms. Gimpel and Mrs. Barnes both feel that the two homeowners should each receive a bill for half of the total amount that was charged.

12. **ADJOURNMENT** – Mr. McTigue entertained a motion to adjourn this meeting. Motion was made by Mrs. Cianci and seconded by Mr. Pizzola to adjourn this meeting. No objections were presented. Motion carried. This meeting adjourned at 11:14 P.M.

The next meeting will be Tuesday August 1, 2006 at 8:00 P.M.

Respectfully submitted,

Loretta M. Luff
Secretary/Treasurer
Langhorne Manor Borough