

**MINUTES
LANGHORNE MANOR BOROUGH COUNCIL
MEETING OF AUGUST 5, 2014**

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 2, 2014 at 8:02 P.M. Eastern Time by William McTigue, President.

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

PERSONS PRESENT – Maryann Barnes Vice President; Sharon Gimpel; Edward Hanisco; William McTigue, President; Patricia Silcox; Steven Yourtee; Robert Byrne, Mayor; Loretta M. Luff, Secretary/Treasurer James Peet Zoning and Building Inspector; and Thomas J. Profy III, Solicitor.

PERSON ABSENT -Nicholas Pizzola;

2. APPROVAL OF MINUTES – Motion was made by Mr. Yourtee and seconded by Mrs. Barnes to approve the minutes of July, 2014 as amended. No objections were presented. Motion carried.

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

3. POLICE REPORT – Mayor Byrne gave the police report for June and July 2014. Mayor Byrne reported that Officer Kenney will be leaving and another officer might be asked to resign. Mayor Byrne would like to interview for two new officers. Mayor Byrne reported that the Police Department would be using J&C Auto Repair in Penndel for maintenance and repairs on the police cars.

Mayor Byrne reported that an Active Shoot Disaster Drill will be held at Cairn University on Thursday, August 14, 2014 at 4:00 P.M. and they are planning on having 100 volunteers.

Mayor Byrne also stated that he wants the officers to patrol between 10 to 20 miles per shift. He also stated that there has been some interest in the purchase of our En Rad system, he is asking \$3,000.00.

M. Profy stated that the Borough Code stated that if the personal property to be disposed of exceeds \$1,000.00 advertisement is required.

4. INSPECTOR'S REPORT – Mr. Peet gave the Inspector's report for the month of July 2014.

5. COMMENTS FROM RESIDENTS AND VISITORS – Mr. Richard Funk (107 West Prospect Avenue) spoke again about the water coming on his property when it rains. He feels that it is coming from his neighbor's property since he built the garage. Mr. Peet does not feel

that the new garage at 607 Station Avenue is contributing to Mr. Funk's water problem. Mr. McTigue asked Mr. Peet to check on Mr. Funk's Problem.

Mrs. Beth Bartnikowski (204 Central Avenue) reported that the Website for the Route 1 PennDot's Project is up and running, she encouraged everyone to check it out. She stated that they had responses from residents in Langhorne and Parkland; she wondered how the members of Council felt about this issue. Mrs. Bartnikowski passed out copies of comments from Langhorne Manor Borough residents pertaining to the Route 1 PennDot Project.

Mr. McTigue stated that by the end of the week he will draft a letter to PennDot about the different concerns of the residents and also the meeting planned for the end of September with State Representative Frank Farry and State Senator Tommy Tomlinson.

Mrs. Lois Abbott (803 Hulmeville Avenue) wanted to know if PennDot was going to repave Gillam and Highland Avenues after the Route 1 Project is completed. Mrs. Abbott referred to Lower Makefield returning three of their roads back to PennDot. Mr. McTigue stated that he would address Mrs. Abbott's concerns in his letter to PennDot.

Mrs. Melissa Hertenberger (316 Hill Avenue) spoke about two strange cars that had approached her son at the school bus stop. The first one was orange and the second one was a red Jeep Cherokee. She spoke to a police officer from Langhorne Manor Borough about the 2nd incident and she hasn't heard back from them. She stated that they had gotten the tag number of the second car and gave that information to the officer. This had happened in late May of 2014 and she is still waiting for a reply. Mayor Byrne is to look into this matter with Chief Bumm.

6. COMMITTEE REPORTS – Mrs. Barnes had no report for the Planning Commission. Mrs. Barnes reported that she had a conversation with State Representative Farry about the meeting to be held in September 2014 pertaining to the Route 1 PennDot project.

Ms. Gimpel had no reported

Mr. Hanisco had no reported

Mr. McTigue reported that he is still trying to see if we can re-negotiate with Waste Management for weekly recycling.

Mr. Pizzola reported that he has requested bids for the pothole repairs throughout the Borough.

Mr. Pizzola spoke about the wash out at 905 Hulmeville Avenue, he stated that he had contacted PennDot and they had responded immediately and resolved the problem.

Mrs. Silcox had no reported on grants. She reported that she has reviewed the ordinances and she has a letter for Council to review pertaining to existing ordinances regarding upkeep of properties and miscellaneous ordinances.

Mr. Yourtee had no report

7. MAYOR'S REPORT – Mayor Byrne had no report.

8. **SOLICITOR'S REPORT**-Mr. Profy stated that there is a matter pending before the Zoning Hearing Board pertaining to Mrs. Linda Bradley's request to build a house on Bellevue Avenue.

Their Lawyer Ms. Julie Von Spreckelsen spoke about Mrs. Bradley's zoning application. Ms. Von Spreckelsen stated that they need two variances, one for disturbance and one for impervious surface.

Mr. Heath Dumack P.E., spoke about storm water management on the property and about the changes Mrs. Bradley had made and the improvements they are willing to do which will cost them \$3,000 to \$4,000 and they are asking for Council's approval for their request this evening.

Mr. Profy stated that this would have to be discussed in an Executive Session and when we reconvene the meeting Council's decision will go on the record.

9. **CORRESPONDENCE** –Mrs. Luff stated that she had received a proposal from Langhorne Electric in the amount of \$1,235.00 to install Photo cell on 2 front porch light fixtures-\$300.00, safe off wires at panel area, wires not properly terminated, install junction box to accommodate wires-\$225.00, repair lamp post line damaged underground at sign-\$345.00, and replace 1 lamppost head with new fixture (will match as close as possible) - \$365.00

Motion was made by Mr. Pizzola and seconded by Ms. Gimpel to accept Langhorne Electric's proposal of \$1,235.00. No objections were presented. Motion carried.

10. **APPROVAL OF BILLS & TREASURER'S REPORT FOR PAYMENT** – Mr. McTigue stated that all Council members have received a copy of the bill list for payment. He asked if there are any questions or discussions. Motion was made by Mr. Yourtee and seconded by Mr. Hanisco to pay the bills as presented. No objections were presented. Motion carried. Mr. McTigue stated that all Council members have received a copy of the Treasurer's report for July 2014 and asked if anyone has any comments. Motion was made by Mr. Pizzola and seconded by Mrs. Barnes to table the Treasurer's Report for July 2014. No objections were presented. Motion carried.

Council went into Executive Session at 8:55 P.M.

Meeting reconvened at 9:30 P.M.

Mr. Profy reported on the application of Linda F. Bradley for Variances pending before Hearing Board of the Borough, wherein Ms. Bradley requests a Variance from Section 601(d) – Environmental Performance Standards – Forests to permit a Forest Disturbance of 50.4% rather than the maximum permitted disturbance of 40%, a Variance from Section 227 "Definitions-Impervious Surface Ratio" to permit the Impervious Surface Ratio to be calculated using the

base site area instead of the net buildable site area as calculated on the original Subdivided lots, or in the alternative, a Variance from Section 603 "Table Performance Standards – Maximum Impervious Surface Ratio" to permit an Impervious Surface Ratio of 39.4%, rather than the maximum permitted 20%.

Mr. Profy advised that the property owner has agreed to accept the nine (9) conditions set forth in the annexed Attachment, and that the Borough Engineer and Solicitor have received the conditions and believe that the granting of the requested Variances with the attached conditions is preferable to litigating the Variances before the Zoning Hearing Board and Court of Common Pleas of Bucks County, which will be problematic and which will be quite costly to the Borough.

Motion was made by Mr. Yourtee and seconded by Mrs. Barnes that the Borough not oppose and to approve the Variance Application subject to the property owner accepting the placement of the Approval of the nine (9) conditions submitted by the Solicitor. Motion carried with five (5) affirmative votes and two (2) abstained, namely Mr. Hanisco and Ms. Gimpel.

Borough Council is requesting that the Zoning Hearing Board require as a condition for the granting of the variances requested by the Applicant the following:

- 1) That an Operation and Maintenance Agreement for the privately-owned Stormwater facility shall be prepared and executed by the Applicant, submitted to the Borough Solicitor for review and approval and that no building, permit or occupancy permits be issued until the Operation and Management Agreement is recorded in the Office of the Recorder of Deeds of Bucks County;
- 2) That the Bucks County conservation District be required to approve the erosion and sediment control measures to be utilized during the construction of this project;
- 3) That all work within the Bellevue Avenue right-of-way will be done only after the PennDot Highway Occupancy Permit is issued and delivered to the Borough, and prior to the Borough issuing a grading permit and the driveway of the property shall be aligned with Prospect Avenue, the street across Bellevue Avenue from the Property;
- 4) That the Applicant shall make application for and shall make payment for all permits required for the construction and erection of the single-family residence and the installation of all related improvements;
- 5) That Applicant shall comply with and shall construct and install all work in strict accordance with the Ordinance, rules and Regulations of the Borough and all other governmental bodies and regulatory agencies with jurisdiction over the property;
- 6) That the Applicant shall make payment of all costs incurred by the Borough in connection with the Application, including those of the Borough engineer required to review and approve the various Plans submitted by the Applicant and the calculations for the drywall plans and calculations for the drywall, trench plan and other drainage improvements;
- 7) That the single-family residence shall be constructed, erected, installed and maintained by the Applicant in strict adherence to the Exhibit submitted at the July 17, 2014 Hearing which have been identified as Tab 7, of Exhibit A-1 and the New Single Family Dwelling for Bradley Family Plan prepared by Paul Deitz, III P.E. dated March 21, 2013 and consisting of eight (8) drawing pages which was part of the Variance Application to

Zoning Hearing Board Dated February 15, 2014 and identified as architectural drawings A-1 through A-8;

- 8) Capacity of the subsurface ballast pit shown on the Zoning Variance Plan dated September 18, 2012 and last amended on May 27, 2014, the approximate dimensions of which are three (3) feet deep, one hundred and twenty (120) feet long and ten (10) feet wide shall be increased between twenty (20%) percent and (twenty five (25%) percent by deepening the ballast pit an additional nine (9”);
- 9) Applicant shall revise and resubmit for re-view the building layout plan prepared by Dumack Engineering consisting of one (1) sheet dated September 18, 2012, and last revised April 18, 2013 to reflect the changes specified and shown on the Zoning Variance Plan, also prepared by Dumack engineering consisting of one (1) sheet dated September 18, 2012 and last revised May 27, 2014.

11. SECOND MEETING – Mr. McTigue stated that a second meeting is scheduled for Tuesday August 19, 2014; at the present time there is no business for the agenda. Motion was made by Mrs. Silcox and seconded by Mr. Hanisco 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. Hanisco and seconded by Mrs. Silcox to adjourn this meeting. No objections were presented. Motion carried. Meeting adjourned at 9:35 P.M.

The next meeting will be Tuesday September 2, 2014 at 8:00 P.M.

Respectfully submitted,

Loretta M. Luff
Secretary/Treasurer
Langhorne Manor Borough