

**Yardley Borough Council Meeting  
June 5, 2018**

The meeting was held in Council Chambers with the following members present;

Ryan Berry	David Bria	Sandi Brady
Bryon Marshall	Caroline Thompson	Mike Ruttle

Also in attendance were Mayor Chris Harding, Chief Joseph Kelly, Assistant Borough Manager Paula Johnson, Solicitor E. Closser and Borough Engineer Leanne Colubriale. President Marshall called the meeting to order at 7:30 pm, and led with the Pledge of Allegiance.

**Mayors Clock-Presentation of Check**

Russ Belmont, on behalf of Nancy Winslade and friends and family of William Winslade, presents a check to the Borough for \$2,795.65 to be used for the maintenance of the Mayors Clock.

**New Business**

1. Hiring of Part-Time Police Officer.....Mr Bria  
Mr Bria moves that Yardley Borough conditionally hire Ian R Stanley as a part-time Police Officer, pending certification from the Pennsylvania Municipal Police Officer’s Education and Training Commission (M.P.O.E.T.C.). Motion is seconded by Ms Brady. Motion carries. Mr Stanley is sworn in by Mayor Harding.
2. Appointment of Yardley Borough Recording Secretary.....Ms Thompson  
Ms Thompson introduces Mary Ann McLean, and moves to appoint her to the position of Yardley Borough Recording Secretary, which is seconded by Mr Bria. Motion carries.

**Minutes**

Mr Berry moves to approve the minutes of May 15, 2018, which is seconded by Mr Bria Motion carries, with Mr Ruttle abstaining.

Mr Berry moves to approve the minutes of May 29, 2018, which is seconded by Ms Brady. Mr Ruttle asks why minutes were changed after being submitted by the Recording Secretary. Mr Berry answers that he wanted more specific information entered into the minutes. Mr Berry makes a motion to amend the minutes, to strike the line “Mr Berry agrees to lead the process, and come to the next meeting with a proposal” and replace it with “After the original search committee of Ms Thompson, Mr Ross and Mr Bria stepped down, Mr Berry agreed to lead the search process, along with Ms Brady, and hopes to have a proposal at the next Council meeting.” Motion is seconded by Ms Brady. After some discussion as to what was actually said and heard at that meeting, Mr Berry amends his motion to strike “along with Ms Brady”. Amended motion is seconded by Ms Brady. Motion carries.

**Progress Reports;**

### Solicitor

No report

### Borough Assistant Manager

Ms Johnson submitted a written report to Council.

Mr Ruttle points out that there is content on the official Yardley Borough Face Book page, which misrepresents the facts. It is noted that Yardley, PA is a private Facebook page, and Yardley Boro is run by the Borough. Ms Johnson will look into this.

Mr Ruttle also would like the Borough website to be corrected, so he is not listed as President of Council.

### Mayor

Mayor Harding recognizes and thanks the Police Department for their handling of the Beer Fest and 5K Run, this past weekend.

### Police Chief

Chief Kelly reports that for the month, the department handled 583 calls for service, issued 15 parking tickets, 116 traffic citations, 1 criminal citation, investigated 13 traffic accidents, and made 6 arrests, one for DUI.

### Borough Engineer

North Main Street Sidewalk project is underway, and on schedule. The Main & Afton Signal Improvements project is continuing its work with PennDot, and a draft bid package has been provided to the Borough for the 2018 Road Program. Mr Berry asks for consensus of Council to advertise the bids for Lookover Lane, Fitzgerald-Sommer parking lot, the Annex Building parking lot and the Grist Mill parking lot. Approval is granted.

### Council Vice President

Mr Bria attended a Special Meeting of the Yardley Borough Sewer Authority on May 30, to hear a proposal from the Morrisville Municipal Authority. The subject was a new Wastewater Treatment facility which is being proposed on the Keystone Industrial site. Mr Bria encourages anyone with concerns or questions to attend the regular Sewer Authority meetings on the 2<sup>nd</sup> Wednesday of the month.

### Council President

Mr Marshall commends the volunteers for their work this past weekend, during the Beer Fest and 5K run.

Mr Marshall and Ms Johnson met with Septa officials, to look at the new train platform. Septa will announce a grand opening in the near future.

### Council Committees

### General Government

Ms Thompson reports that the Budget Request form has been reworked.

### Community Outreach

Ms Thompson notes that the Communication Advisory Board conducted a survey, with 195 residents responding. The response was in favor of live streaming the Council Meetings, and a proposal will follow.

#### Public Works

Mr Berry reports for the EAC, that they will be seeking approval at the next meeting for submission of the Growing Greener grant, for the Buck Creek Watershed Restoration Assessment.

Mr Ruttle comments that he has not seen a Borough presence at the North Main Street Sidewalk project. Mr Marshall responds that he and another Council member have been on site.

#### Community & Economic Development

Mr Bria reports for Mr Ross, that Yardley Commons Homeowners Association may be putting in a sidewalk along their property on South Main Street, which would make the area eligible for a crosswalk study. There is currently no crosswalk for those residents to cross to the Train Station or walk into town.

#### Public Safety

Mr Bria attended an Emergency Management meeting, and discussed and reviewed the response to the recent flash flooding.

Mr Ruttle points out that according to Pennsylvania State Ethics rules, no public official shall engage in a conflict of interest, and he fears that this is the case in the search for a new Borough Manager.

#### Bill List

Ms Thompson moves to approve the Bill List dated June 5, 2018, which is seconded by Mr Bria. Motion carries.

#### Public Comment

Tom Cadwallader, 85 W Afton Ave, notes that some sewer work is scheduled along Brock Creek, and wants to make sure there will be no conflict with the work to be done on the Growing Greener grant project. Mr Cadwallader also comments that he has a difficult time finding the meeting Agenda on the Borough website. Irene Silveus from the Communications Advisory Board states that there is a website audit going on, which should improve the site and make it easier to use.

Carol Petty, 46 Cadwallader Ct, is concerned about several trees around Lake Afton Ave, that look to be dangerous. The Shade Tree Commission will look into this.

John McCann, 174 N Main St, would like to make sure residents are included in any PennDot meetings regarding truck traffic on Main Street.

Edward Garlits, Morgan Ave property owner, speaks about the recent overflow of the Canal. He believes the bank of the canal needs to be raised in certain areas. He also suggests that an on duty Borough Police Officer should have a key to the lock, so the gates could be opened in an emergency. Mr Bria responds that the Public Safety committee is looking into this and will follow up on this subject.

Mr Ruttle remarks that when the Delaware River level is high, it feeds into the Canal in New Hope, and so the Canal level is directly affected.

Joe Hunter, 62 Letchworth Ave, asks about the Borough's FEMA rating, for flood insurance. Mr Closser responds that he and the project manager are working with the FEMA officials, and this should be resolved soon.

### **Certificates of Appropriateness**

No activity

#### **New Business**

Approval of ML7 Parking Lot Extension.....Mr Bria

The project has been reviewed by the Planning Commission. Doug Waite from Gilmore & Associates is present to answer any questions. Mr Ruttle asks about water run-off, and it is explained that there will be an underground cistern system. Mr Bria makes a motion to approve the ML7 2018 Parking Lot extension, conditional on the changes recommended by the Yardley Borough Planning Commission and Remington & Vernick Engineers. Motion is seconded by Ms Brady. Motion carries.

#### **Old Business**

- Yardley Borough Council Guidelines for Order.....Ms Thompson  
Ms Thomson moves that Council affirms the Yardley Borough Council guidelines for order. Motion is seconded by Mr Bria. Mr Ruttle asks if this has been reviewed by the Solicitor, and is told that all of the guidelines will need to be interpreted in accordance with the provisions of the Borough Code and adjusted later. Motion carries.
- Authorize Search Committee to Advertise.....Mr Berry  
Mr Berry asks Council to appoint the members of the Search Committee. Ms Thompson moves to approve Ryan Berry and Sandi Brady to the Search Committee, which is seconded by Mr Bria. Joe Hunter, 62 Letchworth Ave, remarks that 3 months is too long for this process. Thomas Loveless, 123 N Main St, suggests that members of the community should have a voice in this. Mr Berry would be willing to accept applications from interested residents. Mr Bria agrees to be on the Search Committee. Ms Thompson amends her motion to include Mr Bria. Roll call vote as follows; Ms Thompson, Aye, Mr Berry, Aye, Ms Brady, Aye, Mr Bria, Aye, Mr Marshall abstains, and Mr Ruttle, Nay. Motion carries 4 to 1. Mr Berry moves that Council authorize the Search Committee to seek applications for the Yardley Borough Manager position (part-time or potentially full-time) by placing ads in targeted publications, not to exceed \$1,500. Motion is seconded by Ms Brady. Mr Ruttle questions how the Borough can advertise a job that is not specific to part-time or full-time. Ms Brady explains her position that this issue of part-time/full-time seems to be halting the process, and Council needs to move forward and work together. Mr Bria still feels a Search Firm is necessary. Mr Ruttle believes an objective search would be impossible as long as the Council President is interested in the job. Ms Brady feels that, with the exception of the last meeting, the process has been moving on schedule. Ms Thompson states that she has informed both Search firms that a decision has not been made, and in order to post the job on an online search site, a

salary range is usually required. Irene Silveus, 135 Pennsylvania Ave, adds that Ms Johnson has been performing admirably as the Interim Borough Manager, and that patience is needed to get the right candidate for the job. Mr Marshall states that his interest in the job was made public, and he has tried to remain neutral, and does not feel that being Council President should count against him. Dave Collins, 97 N Delaware Ave wants to know if Council members think they can afford a part-time manager, and would also like a time line for the hiring. Ms Thompson believes that Council needs to define a salary and decide whether the position is part-time or full-time. Mr Bria moves to table this issue, which is seconded by Mr Ruttle. Roll call vote as follows; Ms Thompson, Aye, Mr Berry, Nay, Ms Brady, Nay, Mr Bria Aye, Mr Marshall abstains, Mr Ruttle Aye. Motion carries, 3 in favor 2 against. Mr Berry steps down from the Search Committee.

**New Business**

- Destruction of Obsolete Police Citations and Tickets.....Mr Bria  
Mr Bria moves that Yardley Borough approve the destruction of these obsolete tickets and citations, both traffic and non-traffic, and that Yardley Borough Police Department document the process in their records management system. Motion seconded by Ms Brady. Motion carries.

- Resolution 18-05, Stronger Protection Against Gun Violence.....Mr Bria  
Mr Bria moves to pass Resolution 18-05, urging state and federal lawmakers to enact stronger protections against gun violence. Motion is seconded by Ms Thompson. Mr Berry would like more time to review this before voting. Mr Ruttle agrees with the idea, but feels it does not do enough. Mr Ruttle points out that the Borough cannot pass regulation about the sale of guns, but can regulate other areas related to the use of guns. Yardley Borough’s ordinance has a discharge of firearms section. The section on conduct was repealed to avoid lawsuits, and could and should be reenacted now. Rick Garnier, 31 Homestead Drive, Lower Makefield, speaks out against any restrictions on gun use. Another Bucks County resident would like to see municipalities band together against gun violence. Tom Cadwallader, 85 W Afton Ave supports the Resolution. Frank Gallo, 1252 Dickinson Dr, Lower Makefield, is against any gun restrictions. Elissa Darnowsky, 55 Lookover Lane, strongly supports the Resolution. John McCann, sees the Resolutions as common sense legislation, that would not keep guns away from law abiding citizens. Mandy Berwald, 1375 Heller Dr, Lower Makefield, is a gun violence prevention researcher, and supports the Resolution. Julie Buehler, 44 N Edgewater, supports the Resolution. Tom Wells, 105 Pennsylvania Ave, supports the Resolution.

Mr Berry moves to postpone the motion until the next meeting. Motion fails. Roll call vote for Resolution 18-05 as follows; Ms Thompson, Aye, Mr Berry abstains, Ms Brady abstains, Mr Bria, Aye, Mr Marshall, Aye, Mr Ruttle Aye. Motion carries, 4 in favor, and 2 abstentions.

- Destruction of Obsolete Police Personnel Records.....Mr Bria

Mr Bria moves that Yardley Borough approve the destruction of these obsolete personnel files, and that the Yardley Borough Police Department document the process in their records management system. Motion is seconded by Ms Brady. Motion carries.

- Mary Yardley Bridge Committee.....Mr Bria  
The Mary Yardley Bridge which crosses the Delaware Canal, is in need of repair. The Borough owns the bridge, but it is on State owned land. John Celentano, Chris Harding, Susan Taylor, John McCann, Rich Wayne, Susan Harvey, Caroline Thompson, Mr Bria and Matthew Ross have all expressed an interest in being on a Committee. Residents are also welcomed to apply. Mr Bria moves to create the Mary Yardley Bridge Replacement Committee, which is seconded by Mr Ruttle. This would be part of the 2019 budget. Motion carries.

Mr Ruttle offers to be a third person on the Search Committee, along with Mr Bria and Ms Brady.

Meeting adjourns at 10:30pm

Submitted by,  
Cheryl Cler