

**Yardley Borough Council Meeting**  
**August 7, 2018**

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

Ryan Berry	David Bria	Sandi Brady
Matthew Ross	Michael Ruttle	

Also in attendance were Chief Joseph Kelly, Solicitor E. Closser, Borough Engineer Tom Beach, and Assistant Borough Manager Paula Johnson. Vice President Bria called the meeting to order at 7:30 pm, and led with the Pledge of Allegiance.

**Minutes**

Mr. Bria moves to approve the minutes of the July 17, 2018 meeting, which is seconded by Mr. Ross. Motion carries with Mr. Ruttle abstaining.

**Progress Reports**

**Solicitor**

A draft ordinance has been prepared to update borough property maintenance code. The current code is very out of date. It will be referred to General Government Committee for review and will be brought to the Council soon.

Mr. Berry asks if the solicitor had an opportunity to look into the natural resources ordinance. Mr. Closser indicates that he has asked his colleague Jim Esposito to look into that and an update will be provided.

**Borough Assistant Manager**

The 2019 budget is being worked on.

The 2017 audit is done and is available on the website now.

A request has been submitted to PennDot for reimbursement for the sidewalks for close to \$400,000.

Mr. Berry questions the Septa work being done at the bridge with the pathway being blocked off. Ms. Johnson responds that the walkway will remain closed for the duration of the bridge project for safety reasons and it is Septa's property. Mr. Ruttle responds that Septa is responsible for maintenance on the southbound side of the bridge and Conrail for the other side. It is not a long project, perhaps only until December.

**Mayor**

Not in attendance

### Police Chief

Chief Kelly reports for the month of July the Police Department answered 666 calls for service, issued 12 parking tickets, 291 traffic citations, 1 non-traffic citations, investigated 9 motor vehicle accidents and made 4 arrests, 1 being a DUI.

August 23<sup>rd</sup> was the first Cone with a Cop event. Approximately 100 people attended despite the inclement weather. The Chief thanks all who attended.

### Borough Engineer

Road program – Contracts were delivered to assistant borough manager tonight. The job hopefully will start in September/October.

We have taken bids on the 2015 for FMA elevation project for 31 N. Delaware. Four bids were received ranging from 180,000 to 247,000. This matter will be discussed under old business.

Mr. Berry asks two questions:

1-Green Lake Go Grant – Is there an update on Septa doing the ramps at Main and Afton Mr. Beach responds the work is under contract for them and just needs to be coordinated with PennDot. It's a slow process.

2-Does borough engineer know if PennDot is paving Main Street this month? Mr. Beach indicates work is to be done in late October or November.

### Council Vice President

Trenton Thunder community event is on Thursday, 8/9.

Borough Manager search is progressing. Applications are still being received, phone screenings are being conducted, and a few interviews are scheduled.

### Council President

Not in attendance

### Council Committees

#### General Government

2019 budget is on their plate now, they are getting ready for preliminary budget. The next General Government meeting will be in two weeks. There will be open town hall meetings and the committee is looking for someone to chair the meetings who isn't a Council member so community members should contact the Borough if they are interested in serving.

The Environmental Advisory Council has a vacancy. Interested members of the community are encouraged to apply.

#### Community Outreach

No updates

### Public Works

No updates

### Community & Economic Development

Mr. Ross reports that 2019 budget is being reviewed and will be submitted to General Government Committee in the next couple of weeks. Items added to the budget included crosswalks at Main Street on both the north and south end and the Mary Yardley Bridge. More info to follow at the next meeting.

Mr. Berry asks to confirm that BRAM will present at next meeting to present on the airport.

### Public Safety

The committee has reviewed police statistics. The e-citations has resulted in more citations and more efficiency.

The committee is looking into a program called Municibid. Municipalities can't just toss or sell equipment, it must be put out to bid. This program is compliant with PA law and allows an easy and compliant way to get rid of equipment.

Ross Forester, the code enforcement manager, attended the public safety meeting and reported on a meeting with FEMA regarding flood insurance discounts. More information is to follow.

The Borough is not participating in 2017 FMA program for home elevations but is looking at the 2018 program. Mr. Bria is looking for consensus from the Council to have Susan Mazzitelli our consultant, begin preliminary work regarding applying for the 2018 program. Consensus was given.

### Planning Committee

No updates

### Bill List

Mr. Berry moves to approve the bill list dated August 7, 2018, which is seconded by Ms. Brady. Motion carries.

### Correspondence

Correspondence regarding the Foster project was received and is included in the meeting materials. This correspondence will be read aloud when Foster project comes up on the agenda.

Mr. Berry continues to receive some complaints about the hedges on the North Main Street sidewalk. Mr. Beach reports they will be trimmed back in October.

Mr. Berry asks if the Yardley Walk trash issue has been resolved. Mr. Beach reports that it should have been cleaned up.

### **Public Comment**

1. John Celentano, 136 N. Main, and John McCann, 174 N. Main, address the Council regarding the Mary Yardley Bridge project. Documents were provided to the Council. Friends of the Canal did a study and the inspection report is included in the presented materials. The report indicates that the bridge is structurally deficient. The Friends of the Mary Yardley Bridge (FOMYB) recommend replacement of the bridge ASAP. The group presents a proposal for the council to formally approve replacement of the bridge.

A steel bridge is recommended. The estimated cost for the work is \$61,000, estimated cost of bridge, as of June, is \$32,000, subject to change based on tariff wars.

The FOMYB are requesting \$100,000 to \$110,000 be budgeted for the project in the 2019 budget cycle. The FOMYB will endeavor to secure grants and community support to help fund the project.

The FOMYB has questions for the solicitor and would like to schedule a meeting with all parties (FOMYB, Friends of the Delaware Canal, and the Canal Authority) as soon as feasible to develop a more comprehensive plan.

Mr. Berry asks if Borough will take on/own the project or will FOMYB? Friends of the Delaware Canal have offered to set up 501c3 to act as a depository for the funds.

Mr. Ruttle comments that Borough should control the project for liability reasons, FOMYB doesn't want to own bridge.

Mr. Ruttle asks regarding ownership issues, liability, and easement issues, which have been open questions for many years. Part of project will be to clarify borders and who owns which parcels of land and the abutments.

Ms. Brady comments regarding meeting with DCNR about canal. DCNR explained that they own 8ft on other side of canal. The entire bridge is on state property and we have right of way on an easement from 1980s. That right of way said that we had 1.5 years to build bridge. A copy of the easement will be provided to borough manager. Ms. Brady comments that we should have a capital plan for next few years as part of planning for all capital improvement projects that need to be done. We do have a surplus coming from 2017 but we're chipping into that so Council needs to do some work on capital planning. Mr. Berry indicates that Public Works Committee did not put MY Bridge into their budget. Mr. Bria indicates that Community Development is going to put the bridge project in their part of the budget planning.

Mr. Celentano indicates that the FOMYB plan to do some fundraising and grant writing to fund the bridge. There is also a \$20,000 challenge grant planned to increase private funding for the bridge. He is asking that the project be made a priority for the Council and the community as it will become a public safety issue very soon.

Mr. Ruttle agrees this is a public safety issue now because it is the only way to get out of the borough by foot if road is flooded. A functional bridge is a necessity, not an option.

Ms. Brady concurs the bridge is important, we just need to plan and discuss as part of budget and capital planning.

Mr. Celentano asks if the committee has authorization to meet with solicitor and the engineer to add depth to plan. Mr. Bria asks for consensus to spend money on preparing plan and speaking with solicitor and engineer. Consensus was granted.

Michelle Sharer, 31 N. Main, President of Friends of Lake Afton  
Dead and dying trees have been removed. A Borough resident paid to remove trees and will pay for a new Christmas tree.

Ms. Sharer brings up a major safety hazard in the St. Andrew church parking lot with regard to runoff which is causing the blacktop to crumble. Money needs to be raised to fix this issue and \$12,000 is estimated to build a runoff system to divert the water properly. The runoff system has to be implemented before fixing damage that has already been done. The Friends of Lake Afton are planning fundraisers to raise money for this project.

Good news on the inflow at dam. All the silt is gone and now a better flow of water is coming into the lake. That plus the biologic treatments are helping with algae and duckweed so there are good improvements at the lake.

There will be a fundraiser on Harvest Day.

Tim Foster, 103 S. Delaware  
Regarding the MY bridge, Mr. Foster supports the plan for the bridge and asks to be provided the information that the FOMYB provided to Council.

Regarding the parcel of land at the base of the bridge which holds the old electrical station, Mr. Foster asks about who owns land and what are the plans for it. Mr. Bria indicates that PECO wants to sell the parcel of land for \$275,000 which indicates that PECO doesn't understand flood issues. The land is on the Council's radar.

Nick Pugliese, 8 South Street  
Comments in favor of crosswalks on South Main Street, particularly at South Street and Letchworth which are very dangerous intersections.

### **Certificates of Appropriateness**

1. 18-16 24 South Main Street (door).....Mr. Bria  
Mr. Bria moves to approve Certificate of Appropriateness 18-16, which is seconded by Mr. Ross. Motion carries.
2. 18-17 76 South Main Street (sign)..... Mr. Bria  
Mr. Bria moves to approve Certificate of Appropriateness 18-17, which is seconded by Mr. Ruttle. Motion carries.
3. 18-18 105 South Main Street (sign).....Mr. Bria.

Mr. Bria moves to approve Certificate of Appropriateness 18-18, which is seconded by Mr. Ruttle. Motion carries. Mr. Ruttle notes the sign is for the Yardley Makefield Fire Company.

**Old Business**

1. Foster Project.....Mr. Ross

Proposed landscape change to original Foster project.

Mr. Foster, Mr. Petty, architect, and Mr. Foster’s landscaper presented changes to sidewalk areas to improve aesthetics, changes to the rear buffer zone, and changes to the types of plants and trees to be planted. Also they are requesting to modify curbing in addition to landscaping.

Ms. Brady asks regarding the original plan for the plants and trees. Original plan had a hedgerow of arborvitae. The new plants (cryptomeria, southern magnolia, smokebush, all evergreens) will grow larger but at the same rate which will ultimately result in more coverage.

Mr. Ross adds that it appears to be less vegetation on paper but the plants get much larger, fewer plants overall but bigger growth.

One piece of correspondence on this subject was received from Debbie Booz, as owner of 19 S. Afton Avenue. The correspondence was read aloud and the letter was included in meeting packet. She is not in approval of the proposed changes to the landscaping.

Ms. Brady indicates she wants more plants to fill in the screen as she is the owner on the other side of the driveway in question. She indicates the driveway is not up to plan and is too narrow. She requests that the curbing changes be approved while Community Development has the opportunity to review the plans for the plantings.

Mr. Ruttle suggests that community development have the chance to review the plan in addition to the solicitor and engineer. He suggests giving time until the next meeting for those groups to review and bring questions and approval back to the next meeting.

Mr. Bria suggests the proposed changes should be routed through Community Development to address outstanding questions and the proposal be tabled for now pending review and brought back in two weeks.

Mr. Ruttle motions to approve the modifications to the Foster Buttonwood plan with the exception of the landscaping and vegetation changes proposed and that those changes will be reviewed at next meeting. Mr. Ross seconds the motion. Motion carries with Ms. Brady abstaining.

2. Vote to Advertise Buttonwood Drive Ordinance.....Mr. Ross

Mr. Ross makes a motion to advertise Buttonwood Drive Ordinance, which is seconded by Mr. Ruttle. Motion carries. This is ordinance 476.

A discussion followed regarding one way and two way directions.

3. Bid Award to 2015 FMA for 31 North Delaware Avenue.....Mr. Berry

Mr. Berry motions to accept the bid award for 2015 FMA grant for 31 N. Delaware Ave to our lowest bidder, Delta Inspection Services, for \$180,500, which is seconded by Mr. Ross. Motion carries.

**New Business**

1. Restaurant Week Banner (8/8-27/18).....Mr. Ross  
Mr. Ross motions to approve Restaurant Week banner on dates of 8/8 to 8/27/18, which Mr. Ruttle seconds. Motion carries.
2. Event Permit Movie Night in Buttonwood Park (8/17/18).....Mr. Ross  
Mr. Ross motions to approve event permit for Movie Night in Buttonwood Park on date of 8/17/18, which Mr. Ruttle seconds. Mr. Berry asks how will be shown and what movie. It will be via projector and movie is Toy Story. Motion carries.
3. Event Permit Labor Day Community Workout (9/3/18).....Mr. Ross  
Mr. Ross moves to approve permit for Labor Day Community Workout on 9/3/18, which Mr. Ruttle seconds. Motion carries.
4. Event Permit Harvest Day (9/15/18).....Mr. Ross  
Mr. Ross moves to approve event permit for Harvest Day on 9/15/18, which Mr. Ruttle seconds. Motion carries.
5. Harvest Day Banner (9/2-9/21/18).....Mr. Ross  
Mr. Ross moves to approve Harvest Day banner for 9/2-9/21/18, which Mr. Ruttle seconds. Mr. Berry asks if they have always shown their sponsor on the banner. Yes, for last two years. There is only one major sponsor. Motion carries.
6. Event Permit Christmas Parade (12/1/18).....Mr. Ross  
Mr. Ross moves to approve permit for Christmas Parade on 12/1/18, which Mr. Ruttle seconds. Motion carries.  
Mr. Ruttle moves to approve banner for International Day of Peace (banner is on other side of Harvest Day banner), which Mr. Ross seconds. Motion carries.
7. Christmas Parade Banner (11/17-12/8/18).....Mr. Ross  
Mr. Ross moves to approve Christmas banner from 11/17-12/8/19, which Ms. Brady seconds. The banner is the same one which has been used in the past with the date changed. Motion carries.
8. Santa’s Workshop (12/1-15/18 Saturdays).....Mr. Ross  
Mr. Ross moves to approve the permit for Santa’s Workshop from 12/1-15/18 on Saturdays, which Mr. Ruttle seconds. Audience member Heather Deprato wants to leave the Christmas Parade banner up until 12/18 because it references Santa’s workshop. Ms. Deprato will bring this back to the next meeting. Motion carries.
9. Friends Meeting Flea Market (9/8/18-rain date 9/22/18).....Mr. Ross  
Mr. Ross moves to approve permit for Friends Meeting Flea Market on 9/8/19 with a rain date of 9/22/18, which Ruttle seconds. Motion carries.

Meeting adjourns at 8:53 pm

Submitted by,  
Mary Ann McLean