

**Yardley Borough Council Meeting  
September 4, 2018**

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

David Bria	Sandi Brady	Bryon Marshall	Ryan Berry
Matthew Ross	Michael Ruttle	Caroline Thompson	

Also in attendance were Mayor Chris Harding, Chief Joseph Kelly, Solicitor E. Closser, Borough Engineer Thomas Beach, and Assistant Borough Manager Paula Johnson. President Marshall 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 August 21, 2018 meeting, which is seconded by Mr. Ross. Motion carries with Mr. Berry abstaining.

**Progress Reports**

**Solicitor**

Nothing to report

**Borough Assistant Manager**

The Borough has received its rating back from S&P and it remains the same at a AA rating. Mr. Ruttle asks if our rating has any impact on the sewer authority. Mr. Closser indicates there is no negative impact.

**Mayor**

The Septa ribbon cutting ceremony was held on Sept 4<sup>th</sup>, for the opening of the renovated Yardley train station. The event was attended by several Council members as well as representatives from Septa.

**Police Chief**

Chief Kelly reports for the month of August 2018 the Police Department answered 638 calls for service, issued 4 parking tickets, 198 traffic citations, 0 non-traffic citations, investigated 9 motor vehicle accidents and made 3 arrests, 2 being for DUI.

**Borough Engineer**

1. North Main St. sidewalk. The contractor has provided change orders. The orders and a payment certificate will be considered at the next meeting.
2. Main and Afton signal improvements. Awaiting ADA ramp layout plans from PennDot. The Borough has submitted preliminary layouts to PennDot. The timeframe for overlay

of Main Street is October. Once the ADA ramp designs are received the design of the intersection will be done. PennDot will do the ramps.

3. Liquid Fuels. There was a preconstruction meeting on the 8/29. Notice to proceed will be September 10<sup>th</sup>. It is a two-week project and constructions will start in approximately two weeks.
4. The final FMA 2015 elevation project at 31 N. Delaware will be prepared soon to be elevated.
5. Yardley Walk. There have been some reports of leakage at the upper dam. Mr. Beach will meet with the developer next week to review the plan and a sketch provided by an engineer hired by the developer. Mr. Beach is awaiting a report from the developer.

The Mayor asks at what stage would the plans for the Main Street/Afton intersection project be available for viewing. Mr. Beach reports that this project is particularly complicated due to the situation of the intersection and the requirements for the ADA ramps. PennDot is working on the plans and they can be shared once they are received.

Mr. Ruttle asks if the N. Main St. sidewalk project will be completed when change orders received. Mr. Beach reports that yes, the project will be done but may be extended based on one of the change orders regarding the extension of the pipeline.

Mr. Bria asks regarding the N. Main St. sidewalk project if the Borough has submitted as-completed plans as required by the PennDot traffic study. Mr. Bria wants to ensure those are submitted as required. Mr. Beach indicates they will submit by early October at the latest.

#### Council Vice President

Manager Search. First round interviews will wrap up soon. The committee will probably recommend three finalists to be interviewed by Council. The committee hopes to have a vote at the first meeting in October.

#### Council President

1. Mr. Marshall reports changes to the committee structure. He asks Mr. Ross to assume the chair of the public works committee. Mr. Ross accepts. Ms. Brady will assume the chair of the public safety committee. Mr. Marshall also asks Mr. Berry to accept placement on the public safety committee. This leaves vacancies as follows: public works member and the general government member.
2. Mr. Marshall has asked Mr. Berry to act as liaison to the Reading Avenue group/committee. Mr. Marshall indicates that the letter received from the group will receive a response.

## Council Committees

### General Government

Nothing to report

### Community Outreach

1. There will be a grand opening for Appletini photography on Saturday Sept 8. Ribbon cutting is at 12:00 followed by block party until 6pm. The address is 45 E. Afton Avenue. Please come out to support our local businesses.
2. There is an opening on the Environmental Advisory Committee. Please spread the word in the community.

### Public Works

Nothing to report

### Community & Economic Development

Mr. Ross and Mr. Bria met to discuss the Mary Yardley Bridge and the proposed crosswalks at either end of Main St. Reports are getting put together to get proposals in front of the Council so planning can get started. The Borough Engineer will conduct a sidewalk study so a proposal can be presented to Council hopefully at the next meeting. Mr. Ruttle comments that Mr. Bria and Mr. Ross have tasked Mr. Beach and Mr. Closser to scope out the mechanics of the projects as well as the specs for fundraising for these projects. Mr. Ruttle wishes to emphasize that fundraising has to start ASAP, by the end of the year.

Ms. Brady asks that Mr. Ross make a statement about the finalization of the Foster project with respect to the previous discussions regarding the trees and shrubs. The Fosters have decided to move forward with the original plan

### Public Safety

1. The committee met this evening.
2. There is a new program called Cops and Kids which promotes literacy in the community and promotes positive interaction between the community and our local police force.
3. Council should expect that at the next meeting there will be a vote on Chief Kelly's contract for next three years.

Mr. Ruttle reports on interactions with the Zoning Hearing Board and the many matters before the ZHB specifically with regards to the flood plain and variance applications. Fences in the flood plain will be discussed tonight.

**Bill List**

Mr. Thompson moves to approve the bill list dated September 4, 2018, which is seconded by Mr. Bria. Motion carries.

**Correspondence**

Mr. Berry has received a letter from a neighbor complaining about the CVS parking lot. The primary complaint is it is dangerous, the signage is inadequate, and there are no lines for parking spots. Ms. Johnson is researching the history of the design of the lot with the zoning officer but nothing has been discovered yet about the reasoning for the design as it is. Mr. Marshall asks to ensure that Mr. Cramer and CVS are contacted about this issue.

**Public Comment**

David Applebaum, 39 Breece Drive, asks for clarifications on committee changes which were provided.

**Certificates of Appropriateness**

No activity

**Old Business**

1. Appointment/Bonding of Treasurer.....Ms. Thompson  
Ms. Thompson makes two motions with regard to appointing Ms. Paula Johnson as Borough Treasurer following enactment of Ordinance 475 on June 19, 2018. History on this issue is provided in the meeting documents.

Ms. Thompson moves to set the bond amount for the position of treasurer at \$100,000, which is seconded by Mr. Ross.

Mr. Berry asks what the meaning of the bond is and Mr. Closser reports that it functions as insurance that the Treasurer will carry out the duties of the office.

Mr. Bria asks if this is permanent appointment. Ms. Thompson indicates it is.

Pete Guidotti, 44 S. Bell, asks how the bond is held, does it go with the person or the position. Ms. Thompson indicates it is held by the individual.

Mr. Berry asks if it is a permanent position. Ms. Thompson indicates it is.

A vote was held and the motion passes.

Ms. Thompson moves to appoint Paula Johnson to the position of Treasurer pending receipt of the bond, which Mr. Ross seconds.

Mr. Berry asks if this position is permanent regardless of any future decision on the borough manager appointment. Ms. Thompson indicates it is.

A vote was held and the motion passes.

2. Budget Town Hall, September 11, 2018.....Ms. Thompson

A budget town hall meeting will be held September 11, 2018 at 7:00 pm in the Borough Hall. Ms. Thompson asks that the draft budget be posted to the website so the public can see it in advance of the meeting. She notes that there is a \$56,000 deficit in the draft budget because the committee would like the community's input to help decide what items go into the final budget.

Ms. Thompson motions to set the date of the first budget town hall, which Mr. Ross seconds. Mr. Berry asks about the meeting being moderated by a non-council member. Ms. Thompson indicates the desire for a neutral party to moderate in order to keep any bias out of the discussions. Dan Mohn will moderate the first meeting and Paul Schneider will moderate the second. A date for a second meeting in November will be provided at next meeting.

Ms. Johnson asks if recording secretary is needed and Ms. Thompson indicates it is not needed.

A vote was held and the motion passes.

### New Business

1. Minimum Municipal Obligation (MMO).....Ms. Thompson  
Ms. Thompson motions to approve the Minimum Municipal Obligation (MMO) for the Yardley Borough Non-uniformed Pension Plan to be \$6,499, which Mr. Berry seconds. Motion passes.
2. Resolution No. 18-08 (Police Pension Plan).....Ms. Thompson  
Ms. Thompson motions to approve Resolution No. 18-08 for the Yardley Borough Police Pension Plan to be \$35,187, which Mr. Berry seconds. Motion passes. A full text of the resolution is provided in the meeting materials.
3. Fences in the Floodplain.....Ms. Thompson  
Ms. Thompson moves that Council support advancing the proposed ordinance to FEMA and the Yardley/Bucks Planning Commissions for official comment and with modifications suggested by Mr. Ruttle as outlined below, which Mr. Ross seconds. A full discussion of the history and language in the ordinance is provided in the meeting materials.

Mr. Ruttle comments that previous Council met with Ms. Wolf from PEMA in the past. Council was told that it's better to have a less severe ordinance rather than many variances. FEMA wants to see that Borough is serious about enforcing the floodplain. Mr. Ruttle suggests some language modifications as follows:

1. Section 8-501H 4a regarding permitting chain link fences. He suggests changing the language to remove chain link and pipe fences as they hold debris and cause a lot of damage. Suggest fence types allowed be open wire, picket, and wood rail.
2. Section 8-501H 5 regarding types of fences not allowed be modified to add chain link and pipe fence.
3. Add a sentence (8) to add language that no concrete footings shall be used in the construction of fences.

Mike Hayduk, 44 Breece, asks if the draft can be shared with the zoning hearing board. ZHB would like Council to present to the ZHB regarding the detail of the standards for

reviewing the floodplain. Mr. Ruttle will happily be available to ZHB to discuss these matters.

David Applebaum, 39 Breece, asks if changes will help assure that insurance rates won't go up. Mr. Ruttle thinks insurance rates won't change.

Pete Guidotti, 44 S. Bell, asks if he, as a member of the planning commission, may attend the ZHB on this issue. He is welcome to attend.

A vote was held and the motion passes.

4. Approval of Inlet Cleaning/Jetting.....Mr. Ross  
Mr. Ross moves to grant contract for inlet cleaning/jetting to TLC Drain and Sewer for \$4,748, which Mr. Ruttle seconds. Motion passes.
5. Acceptance of Salt Bid.....Mr. Ross  
Mr. Ross moves to accept Morton Salt, Inc bid for \$47.92 delivered and \$47.00 undelivered, which Mr. Ruttle seconds. Motion passes.

Mr. Ruttle motions to adjourn to executive session at 8:20, which is seconded by Mr. Bria. Motion passes.

Executive Session-Legal

Submitted by,  
Mary Ann McLean