

**Yardley Borough Council Meeting
February 19, 2019**

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

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

Council member(s) not in attendance: Mike Ruttle

Also in attendance were Mayor Chris Harding, Chief Joseph Kelly, Solicitor E. Closser, Engineer Vanessa Nedrick, and Borough Manager Paula Johnson. Council 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 February 5, 2019 meeting, which is seconded by Mr. Ross, noting a correction in the spelling of Mr. Closser's name. The motion carries.

Progress Reports

Solicitor

Nothing to report.

Borough Manager

1. Annual audit and single-line audits are almost completed. These are being completed much earlier than usual.
2. The Borough has been advised of some unclaimed property that is due to the Borough so Ms. Johnson has filled out the necessary forms to claim these items.
3. The office has been very busy and the new financial assistant, Patty, has been doing a great job so far.
4. A meeting is scheduled in March with Newtown Borough to see how they do their budget and perhaps update our budget format and process.

Mayor

1. Wednesday, 2/20/19, 4am-10am – Fox news will be at Charcoal for their It's Your Town feature. They will be broadcasting live segments throughout the morning.
2. Yardley Borough On Air is seeking local musical artists to create and perform a new theme song each week on the show. The Mayor is hoping to highlight local musicians with this program.

Police Chief

1. The new part-time police officer, Gary Zumpano, was sworn in. The Chief is awaiting his certifications so he can get out into the community.
2. There were no notable accidents in last storm.

Borough Engineer

Ms. Nedrick noted several items:

1. Main/Afton signal improvements – They will be making their submission to PennDot this week.
2. 2018 Liquid Fuels Road Program – CS4171 form is being completed to submit to PennDot.
3. Inlet cleaning and jetting – TLC has been informed that an occupancy permit is required and they need to use their insurance policy to cover the costs to excavate and retrieve the jetter nozzle that was lost when they did their work.
4. University Drive sink hole – Were hoping that Bucks County Water and Sewer would assist in this repair but due to a court ruling they are not able to assist. Engineer is waiting for their recommendations on the repair and then other contractors may have to be retained to do the work.
5. 2015 FMA grant application – 31 N. Delaware is still under construction and hoping to be completed by the end of February, weather dependent.
6. Yardley Walk – More communication with DEP is needed. Lenar says that DEP is requiring them to conduct a study for the dam improvements. Engineers will reach out to DEP to find out what exactly is needed to close out the project.
7. Police station roof – The roof was inspected recently. Mr. Beach will provide recommendations. This item is on the agenda for discussion this evening.

Council Vice President

Mr. Bria attended a joint meeting at Steve Santarsiero's office regarding the Trenton Mercer Airport expansion. Several local stakeholders were in attendance and Mr. Bria represented Yardley Borough. There will be a follow-up meeting. The Borough Council has not budgeted any funds in the 2019 budget for fights about the airport.

Council President

Nothing to report.

Council Committees

Community Outreach-Ms. Thompson

Nothing to report.

General Government-Ms. Thompson

General Government is working on the annual review of fee schedules and they are asking for input from Council and the community on any items of specific interest. They will pull fee schedules from other municipalities to compare fees. Ms. Brady has submitted suggestions regarding police fees.

Liaison Report - Mr. Berry

The solicitor has drawn up a draft regarding the Reading Avenue Woods easement. The committee has reviewed the draft and suggested some changes which will be submitted and a revised draft will be distributed. A draft will be presented to Council at the 3/5/19 meeting and will also be submitted to the Planning Commission for their March meeting.

Public Safety – Ms. Brady

Ms. Brady attended a meeting of North Main Street residents. This ad hoc committee focuses mainly on traffic safety. Some action items they have suggested will be brought to the public safety meeting for discussion.

Community & Economic Development – Mr. Bria

This committee has not met since the last Council meeting. The committee has received suggested changes to the draft of the flood plain ordinance made by Wes Foraker and Susan Mazzitelli. These changes need to be reviewed in committee and by the Planning Commission.

Public Works-Mr. Ross

1. Proposal for police roof – This item is on the agenda tonight.
2. A resident has brought a suggestion for a possible grant to support electric car charging stations in the Borough. The committee will look into this.

EAC – Mr. Ross

Nothing to report.

Bill List

Ms. Thompson moves to approve the 2/19/19 bill list, which is seconded by Mr. Bria. Motion passes.

Correspondence

None.

Public Comment

1. Alex Thorne, 100 N. Main, made the following inquiries:
 - a. Zero based budgeting – Ms. Thompson is working on first draft. Zero based budgeting and a budget for each account represents a huge overhaul of budget but the process is underway.
 - b. PennDot tractor trailer signs – Can someone comment on the location and timing of the signs being posted? Ms. Johnson responds that the signs will be going up shortly.
 - c. North Main Street Sidewalk project update – The engineer reports the project is on hold. The grant wasn't approved for this year but will be resubmitted for next

year. We've been rejected twice. The project can't move forward without a grant.

- d. What were the action items from the North Main Street ad hoc committee - Ms. Brady notes the committee's main concern is about trucks speeding. Traffic study was done and the results were shared with them. The ad hoc committee has done their own informal studies. Other topics included: Additional signage was discussed which the committee will take back to discuss with their neighbors; statistics around citations given out to trucks versus other types of vehicles; leveraging of state troopers on 295 to stop speeding before it gets to borough; cross walks; Delaware Avenue speed limits.
2. Michelle Sharer, 31 N. Main, asked a follow up question about the dam that the engineer was discussing. The dam is not near the Friends Meeting house but is much further back by the last building.

Certificates of Appropriateness

None

Old Business

1. Car Show Date Change.....Ms. Thompson
Ms. Thompson moves to approve the date change of the Rotary Car Show to May 4th and May 5th rain date, which Mr. Ross seconds. Motion passes.
2. Appointment of Zoning Officer.....Ms. Thompson
Background on this topic is provided in the meeting materials.
Ms. Thompson moves that Council accept the recommendation of Manager Johnson to execute the Professional Service Agreement between Yardley Borough and Barry Isett & Associates for Zoning Services, which Mr. Ross seconds.
Mr. Berry asks if the new officer will have office hours. The office hours will be held on an as-needed basis only. If office hours are needed travel is not included, per the contract. Mr. Bria comments that there should be a point person for filtering of zoning requests so the process is streamlined and efficient. It is suggested that Ms. Johnson and one person from Council be that conduit. Mr. Berry suggests to add that the Council President also be a conduit. Ms. Brady asks what was the time spent by the interim zoning officer. One contract was reviewed and the interim officer was very thorough. Additionally, most municipalities are using remote services. Mr. Marshall notes that the service has backup coverage as needed. Irene Silvius, 135 Pennsylvania Ave, asks about liability. The Borough is not liable in the case of malfeasance or gross negligence. Ms. Silvius also commended Council for doing a great job taking care of this situation.
A vote was held and the motion passed unanimously.
3. Disposition of Records.....Ms. Thompson
Ms. Thompson moves to approve the disposal of the records detailed in the meeting notes in accordance with the Municipal Records Manual dated 12/16/08 and amended 12/16/19, which Mr. Ross seconds. Motion passes.

4. Flat Roof Repair Decision.....Mr. Ross
Mr. Ross moves to approve the repair the police roof with the installation of a membrane for a cost of approximately \$12,200, which Mr. Bria seconds. Mr. Berry asks what the threshold is for putting work out to bid. Mr. Closser notes the threshold is \$20,000 and since this repair is over \$11,000 it is required to get three phone quotes before approving the work. Mr. Ross indicates that he will make calls we will go with lowest one provided it isn't more than \$12,200. Chief Kelly indicates that the situation at the police station is an emergency and a risk to health and safety. Recently the ceiling in one of the rooms collapsed resulting in damage to both Borough and private property.
Mr. Ross makes an amended motion that under the guidelines of health and safety that Council approves the cost of \$12,200 to repair the police roof, which Ms. Thompson seconds.
Irene Silvius, 135 Pennsylvania Avenue, asks how did this situation happen and it sounds like the 2003 sewer problem. In that case a bonded company went out of business and when the work was found to be faulty and taxpayers had to cover the costs of the bad work. What is the responsibility of the bonded company for faulty work? Mr. Closser says that it depends on what type of bond it is, a performance or a payment bond, a warranty is different and the warranty on this roof was held by the company that went out of business so we have no recourse. Ms. Silvius asks what kind of warranty this roof has. Mr. Ross notes that the roofer can't guarantee this repair because of the type of work being done.
Barry Sharer, 31 N. Main, suggests always getting a manufacturer's warranty and in the future don't depend on the contractor's warranty.
Alex Thorne, 100 N. Main, offers a compliment to Ms. Johnson for finding someone so quickly to take care of this work.
Mr. Berry asks what the long term plan is. Mr. Ross says a new roof will have to be installed and Council should start planning in the budget in the next two to three years for those costs.
David Applebaum, 39 Breece, asks if there is insurance that can help cover these costs. Ms. Johnson will follow up on this.
A vote was held and the amended motion passes unanimously.

New Business

None

Mr. Bria motions to adjourn at 8:12, which is seconded by Ms. Brady.

Submitted by,
Mary Ann McLean