

**Yardley Borough Council Meeting
September 18, 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.

A moment of silence was held in honor of Ret. Chief of Police James O'Neil who passed away recently.

Minutes

Mr. Bria moves to approve the minutes of the September 4, 2018 meeting, which is seconded by Ms. Thompson. Motion passes.

Progress Reports

Solicitor

Nothing to report.

Borough Assistant Manager

1. After receipt of a correspondence about the Cramer's parking lot, Ms. Johnson reports that Mr. Cramer will be repaving, restriping, and re-signing the directional arrows in the parking lot.
2. The Liquid Fuels audit will be conducted this Thursday.
3. PEMA was out last week working on the 2014 grant which is very close to being done.

Mayor

1. On Wednesday, Wes Foraker, Mayor Harding, and Chief Kelly will be participating in a Bagging for Hunger event at Lower Makefield Shop-Rite. The event will be followed by the Yardley Borough radio show which will be presented live from ShopRite.
2. Mayor Harding thanks Chief Kelly and his department for their excellent work on the many events on the past weekend as well as the events recognizing Chief O'Neil. Sgt. Golden, PFC Bailey, and Officer Stanley were specifically recognized.

Police Chief

1. Harvest Day was held Saturday was very successful and there were no public safety issues and no medical calls.
2. Chief O'Neil's funeral events were held this past Sunday and Monday and were attended by the local police force, veterans, and public officials. Special thanks are given to LMT police force and Chief Coluzzi who provided staffing so Yardley PD could pay their respects to Chief O'Neil.
3. On Wednesday at Starbucks the Police will be having their first Read Along with a Cop event which will promote literacy for children and positive interaction between community and police force
4. In October the Yardley PD and Yardley Florist will be assisting with the Pedal it Forward campaign along Main St and Afton Ave.

Borough Engineer

1. North Main Street Sidewalks – Change order #1 will be presented as part of old business tonight. There is an adjustment of quantities which puts the project about \$30,000 under original contact. More information is coming for a second change order regarding the extension of pipes.
2. Main and Afton Signal – A resolution is coming in the next meeting or two to approve a message to PennDot regarding the location of the lights.
3. Liquid Fuels Road Program – Lookover Lane done. Parking lots are underway, weather permitting.
4. FMA 2015 Grant Application at 31 N. Delaware is moving forward.
5. Yardley Walk – Engineer is coordinating with developer's engineer on the leakage of the upper dam. Meeting being scheduled.

Council Vice President

Mr. Bria provided a recap of the manager search. A selection has been made of two finalists. There were 23 total applicants, of which 3 withdrew, so the committee worked with a pool of 20 applicants. That number was widdled down because of lack of experience or salary requirements, leaving 9 who had phone screens. Five of those were given in-person interviews, which 4 attended. 2 candidates are recommended for final interviews on 9/27 in executive session. Currently only Mr. Bria and Ms. Brady know who the two final candidates are. They are expecting an announcement of finalist and vote by Council at the 10/3 meeting.

Mr. Berry asks why interviews are being held in executive session. Mr. Bria answers this is standard practice for municipalities. Information about the applicants will be provided to Council members in advance of 9/27. Mr. Marshall asks that some engagement with the public happen over this topic. Mr. Ruttle suggests that if further information is needed after the executive session it could be brought before Council and community at the 10/3 Council meeting and if necessary postpone the vote until the meeting on 10/17.

Council President

1. Mr. Marshall thanks the veterans, the police, and public officials for their support on the 9/11 commemorations and for Harvest Day. Mr. Marshall notes that Mrs. O'Neil was very appreciative and thankful of the Council's support after her husband's passing.
2. Harvest Day was very successful.

Council Committees

General Government

1. Ms. Thompson reports that the first budget town hall was held and an updated budget will be circulated on 9/25. The committee is planning an 11/6 vote on preliminary budget with a second town hall in advance of that. The committee wants to launch a community survey to poll the community for projects they would like to see done in the coming years.
2. We did receive surety bond as discussed at the last meeting.
3. There will be an Annex tour on 9/24 or 9/25 for any Council members who wish to join Ms. Thompson, Mr. Bria, Mr. Ross, and Mr. Berry. The tour will be at 6:00 pm and should last about 30 minutes.
4. PSAB conference is being held near Pittsburg. Mr. Ross and Mr. Bria are considering attending. Council currently has no budget funds available for training and continuing education to fund this trip. Ms. Thompson asks if \$5,000 can be moved from BRAMM budget item to the training to fund their trip. Mr. Ruttle motions to approve the moving of budget money from BRAMM to Continuing Education to fund travel and registration for Mr. Bria and Mr. Ross to attend PSAB conference, not to exceed \$800 per person, which Mr. Ross seconds. A vote was held which passed 6-1.

Community Outreach

1. Movie night sponsored by the Rec board has been moved to Saturday, September 29th at 7pm.
2. Susan Schneck from the Rec board presented the results from the June 5k race which was very successful. There were 325 registered participants and a great response from sponsors. The Rec board would like to present \$2,500 for non-profit donations as follows: \$1,000 to the Friends of Delaware Canal for the Mary Yardley Bridge project, \$1,000 to Friends of Lake Afton to help with installation of erosion control, and \$500 to the Yardley Historical Association to fund maintenance on the Afton Library. Ms. Thompson motions to ratify the \$2,500 in donations as noted above, which Mr. Ross seconded. Motion passes.
3. Ms. Thompson advises that the Communication Advisory Board would like to inform Council of the items needed to be purchased for broadcasting Council meetings project and the Wifi network. There are changes to the items that are needed but everything should still fall within the original budget.

Public Works

1. Mr. Ross reports on paving progress which should be done in next couple of weeks.
2. Possible change order for the sidewalk was discussed. Proposal regarding sidewalk should be provided at the next meeting.
3. Midsection crosswalks are being discussed with Chief Kelly and should be set in a couple of weeks.
4. Waiting for PennDot for turn restriction signs on Main Street.

Public Safety

Ms. Brady echoes Mayor's comments on Chief O'Neil's services.

Environmental Advisory Commission

Applications are on the webpage for committee members. Ryan Berry is liaison.

Planning Committee

Nothing to report.

Zoning Hearing Board

Nothing to report.

Community & Economic Development

1. Mr. Ruttle echoes comments about Chief O'Neil and the commemorations. Harvest Day was the best one ever with great weather, thorough cleanup, and no disorderly conduct. He notes the vendors did really well this year and it was a big success.
2. Fitzgerald parking lot is being paved this week.
3. September 25th will be the first Community and Economic Development meeting of this year. Issues to discuss include:
 - a. Development in the flood plain. Two variances, which are likely to be significant and contentious, are coming down the pipe regarding development in the flood plain
 - b. PEMA provided positive feedback on language proposed for ordinance regarding fences in the flood plain. A final copy of the ordinance has been prepared and submitted to Buck County Planning Commission and Yardley Borough Planning Commission. Mr. Ruttle is hoping to present the final version of the ordinance for a vote in second meeting in October for adoption.
 - c. Revive and readvertise the performance standards of our zoning ordinance with respect to steep slopes and proximity of land development to water forces. National Resource Protection Ordinance was tabled when discussed previously and Mr. Ruttle expressed his disappointment that it didn't pass. He requests that council members who are not in favor of the ordinance please provide specifics on reasoning to the committee. Mr.

Ruttle hopes to bring the ordinance to a vote at the next meeting. Mr. Berry indicates that Mr. Esposito was consulted and he knows all the issues of concern and may be able to provide possible solutions.

4. Mary Yardley Bridge - To discuss in old business

Bill List

Ms. Thompson moves to approve the bill list dated September 18, 2018, which is seconded by Mr. Bria. Motion carries.

Correspondence

Jason Simon posted on the Borough FaceBook group regarding a large bush on the corner of Reading Ave and Main St and requesting it to be cut back as it makes the intersection very difficult to navigate. Ms. Johnson reached out to the property owners and reports that they will trim it back and hopefully it will help. It is a difficult intersection.

Public Comment

1. David Applebaum, 39 Breece Dr. Thank you to the Council for support of Harvest Day and recognition of Margaret Bork, the committee, and the YBA for their continued efforts on behalf of the Borough.
2. Heather DiPrato, President of Yardley Business Association. Thanks to all for efforts on behalf of a very successful Harvest Day. YBA Board brings to Council that the Borough would like to refresh the outside holiday décor. The YBA Board offers a match of up to \$10,000 if the Borough can raise funds to refresh the décor.
3. Chris Kavanagh, 21 Reading Ave.
 - a. Would like to recognize Yardley Rec Board in Borough.
 - b. Borough property is hanging over the road on Reading Avenue and the speed limits are not enforced, especially in the morning. It is very dangerous.
 - c. On 8/20 a question was sent to the Borough engineer regarding drainage on Reading Avenue. Mr. Kavanagh requests to know what the plan is for the Borough to remediate the situation. Mr. Beech reports that he did not receive the letter. Mr. Marshall asks Ms. Johnson and Mr. Beach to look into the situation.
4. Peter Guidotti, 44 S. Bell. Since another circuit is being brought into the borough for the broadcasting project, he asks if we can we offer public Wi-Fi from that new circuit. Mr. Applebaum, 39 Breece Ave, wants to take this question back to CAB for consideration. He is concerned about cyber security issues.
5. Michael Giovanni, 169 Lincoln Ave. Regarding Lincoln Avenue parking on the street. Some yards have cutouts for parking which allows easier and safer parking. Mr. Giovanni would like the Council to look into parking issues on Lincoln Avenue. Mr. Marshall directs the Public Safety Committee to research
6. Thomas Loveless, 123 North Main. No one in the community knows about the borough manager hiring process even though this was promised at the beginning of the process. The Council didn't take the help from the community that was offered to select a borough manager. The new Council currently in place since January is not transparent and has

not lived up to its promise. Dr. Loveless is very disappointed that Council asked for the community's help but then didn't take the help offered.

7. John Bachalis, 181 Harper Avenue. Can Council offer explanation for hiring process and why wasn't there more public input? Mr. Bria responds that the hiring committee gives a status report at every meeting and no one has used public comment as a way to give input. Mr. Bria notes that a meeting was held at the beginning of the hiring process but only three or four people came. He also notes that the industry standard is not to have a public interview for candidates.
8. John Bachalis, 181 Harper Avenue. Are there any plans to repave Afton and Main? Mr. Beach indicates it will be done in October/November and all of Main Street is to be paved. PennDot's design process regarding ADA accessibility held up the process for moving forward on that more quickly.
9. Jeff Smith, 116 Riverview. Mr. Smith asks if community members included in the hiring process at all considering that community members were included in search for police chief. Mr. Bria indicates that no, they were not included in the weekly meetings. Ms. Brady asks how can privacy be ensured for the final two applicants if we open the hiring process up to the community. Mr. Marshall asks if Mr. Closser can provide some ways to get community input into the process that allows privacy to be maintained. Mr. Marshall offers that Council will discuss amongst themselves and find a way to include the community. Mr. Bria and Ms. Brady, as the hiring committee, are only two who know names of the finalists. A discussion ensued about the purpose of holding interviews in executive session and can/should the process be open to the public. Ms. Thompson suggests that credentials can be published with personal information redacted so community can see the information and submit questions to the committee.
10. John Bacalis, 181 Harper Ave. Mr. Bacalis notes that hiring is not done in most places by the public. An ad hoc committee could help on occasion as needed. He notes that the community should trust their elected officials to handle hiring processes correctly. Mr. Ruttle agrees and notes that keeping the process private keeps it from getting ugly.
11. Peter Guidotti, 44 S. Bell. Can the hiring committee host a meet and greet with the community to allow for some public exposure of the process.

Certificates of Appropriateness

1. 17-17 – Amended 24 S. Main St. (siding)
Mr. Ruttle moves to approve Certificate of Appropriateness 17-17 as amended for 24 S. Main St, which is seconded by Mr. Ross. Motion carries.
2. 18-22 – 7 S. Main St. (sign)
Mr. Ruttle moves to approve Certificate of Appropriateness 18-22 for 7 S. Main. Mr. Ross asks if it's a change of sign it shouldn't be approved until the change of use has been approved. Mr. Ruttle withdraws his motion and tables until use question is resolved. Mr. Ruttle makes a motion to table, Mr. Ross seconds.
3. 18-23 – 53 S. Main St. (roof)
Mr. Ruttle moves to approve Certificate of Appropriateness 18-23 for 53 S. Main St, which is seconded by Mr. Ross. Motion carries with Mr. Bria abstaining.

4. 18-24 – 49 S. Main St. (roof)
Mr. Ruttle moves to approve Certificate of Appropriateness 18-24 for 49 S. Main, which is seconded by Mr. Ross. Motion carries 6-1 with Mr. Bria abstaining.
5. 18-25 – 30 S. Main St. (roof)
Mr. Ruttle moves to approve Certificate of Appropriateness 18-25 for 30 S. Main, which is seconded by Mr. Ross. Motion carries 6-1 with Mr. Bria abstaining.
6. 18-26 – 45 S. Main St. (roof)
Mr. Ruttle moves to approve Certificate of Appropriateness 18-26 for 45 S. Main, which is seconded by Mr. Ross. Motion carries 6-1 with Mr. Bria abstaining.
7. 18-27 – 13 E. Afton Ave. (sign)
Mr. Ruttle moves to approve Certificate of Appropriateness 18-27 for 13 E. Afton, which is seconded by Mr. Ross. Motion carries.

Old Business

1. N. Main St. Sidewalk Change Order No. 1 and Payment Certificate No. 5.....Mr. Ross
Mr. Ross moves to approve Change Order No. 1, which Mr. Bria seconds. Motion carries.
Mr. Ross moves to approve Payment Certificate No. 5, which Mr. Bria seconds. Motion carries.
2. Adoption of Ordinance No. 476 Buttonwood Drive.....Mr. Ross
Mr. Ross moves to approve the Adoption of Ordinance No. 476 to designate Buttonwood Drive as a public street, which is seconded by Mr. Ruttle. A community member ask if street signage will be included. Mr. Ross indicates it is. A vote was held and motion carries.
3. Adoption of Ordinance No. 477 Property Maintenance Code.....Ms. Thompson
Ms. Thompson moves to adopt Ordinance No. 477, Property Maintenance Code, which Mr. Ruttle seconds. Mr. Closser clarified the meaning of the ordinance in layman’s terms for the community. A vote was held and motion carries.
4. Mary Yardley Bridge Res. No. 18-09.....Mr. Ruttle
Mr. Ruttle moves to approve Mary Yardley Bridge Resolution No. 18-09 as included in the meeting materials, which Mr. Bria seconds.
A discussion followed regarding the rebuilding/renovating the Mary Yardley bridge, specifically regarding the funding for paying for the project. There is concern that if the project is designated as being funded by public/private contributions that the private donations will not materialize and the project will have to be paid for completely by the Borough. The question is also raised if whether or not the bridge can be renovated rather than replaced. Mr. Berry will not vote until a final report is presented and a quote for repairing is provided.
Ms. Brady asks if there has been any luck with finding grants. Mr. Beach notes that nothing has been found yet and it is hard to find grants when the bridge cannot be made

ADA accessible. Mr. Ruttle wishes the council to approve a funding amount in order to show the Council's commitment to the project which will encourage the community to donate to the project. It is easier to raise money if Council commits to their contribution up front. A discussion followed about what the project is actually going to cost.

A community member suggests the state should pay for it. Council notes that the state has never been a viable option for funding.

A community member asks if new borough manager has significant grant writing experience and experience dealing with big grants of money and projects such as this.

Mr. Bria answers yes.

Mr. Guidotti indicates that Dr. Sinberg on the Planning Commission has mentioned that this bridge is made from a very particular type of African hard wood. He suggests that Council get local artists to use some of the unique bridge parts to make art to sell as fundraising. Mr. Ruttle notes this idea is worth exploring.

Mr. Marshall asks Mr. Ruttle if all information from the committee has been presented to Council and Mr. Ruttle indicates it has.

Mr. Marshall asks Mr. Beach if report on the bridge is credible. Mr. Beach has not inspected bridge in two years but all signs point to it being structurally unsound and the engineering report being reliable.

A discussion followed on the cost of bridge and it was felt that \$135,000 must be planned as Council's responsibility with funds offset by grants and community contributions.

Ms. Brady notes that a resolution isn't necessary and the Solicitor should just go ahead and start planning for receiving and holding the money which would indicate the Council's commitment to the process.

A roll-call vote was held as follows:

Ms. Thompson Y

Mr. Berry N

Ms. Brady N

Mr. Bria Y

Mr. Marshall Y

Mr. Ruttle Y

Mr. Ross Y

Motion passes 5-2.

New Business

No Activity

Mr. Berry motions to adjourn to executive session at 9:40.

Submitted by,
Mary Ann McLean

Executive Session adjourns at 10:30