

Yardley Borough Council Meeting
April 2, 2024

The meeting was held in Borough Hall with the following members present:

David Appelbaum
Michele Share
Uri Feiner

Jared Stump (remote)
Caroline Thompson

Kim Segal-Morris
Don Carlson

Council member(s) not in attendance:

Also in attendance were Chief Kelly, Borough Manager Paula Johnson, Engineer Patrick Foley, and Solicitor Andrew Griffin.

I. CALL TO ORDER – Caroline Thompson

The meeting was called to order at 7:30.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

IV. COMMUNITY ANNOUNCEMENTS

Tim Ruterow – 62 North Main Street Vacant Lot

Mr. Ruterow would like to donate the lot to Yardley for the purpose of building a park in honor of his wife, Judy.

Ms. Thompson suggests the next step be that the Borough Solicitor and Mr. Ruterow's lawyer get together to discuss the process of acquiring the lot.

V. PUBLIC COMMENT

None

VI. CONSIDERATION OF CONSENT AGENDA DATED April 2, 2024

A. Approval of Minutes Dated March 19, 2024

B. Certificate of Appropriateness 24-03 – 31 W Afton Ave – Siding and Decking

C. Certificate of Appropriateness 24-04 – 31 N. Main St. – Handrail

D. Certificate of Appropriateness 24-05 – 43 S. Main St. – Sign

E. Lennar – Yardley Walk Financial Security Release No. 1

F. Lennar – Yardley Walk Financial Security Release No. 2 Final

Mr. Appelbaum asks that Items B and C be removed from consideration.

Mr. Carlson asks that Items E and F be removed from consideration.

- A motion was made by Mr. Feiner to approve the Consent Agenda, Items A and D, dated March 5, 2024, which is seconded by Ms. Sharer.
A vote was held, and the motion passes 7-0.

- Mr. Appelbaum motions to uphold the decision (rejection) by HARB of Item B, which is seconded by Mr. Feiner.
A lengthy discussion was held regarding Item B, including Mr. Taylor, Chairman of HARB, and the contractor for the applicant.

A roll call vote was held as follows:

Carlson Yea

Feiner Yea

Thompson Yea

Segal-Morris Yea

Sharer Nay

Appelbaum Yea

Stump Yea

The motion carries to uphold the denial 6-1.

- Ms. Segal-Morris motions to approve Item C, 31 N. Main Street - handrail, which is seconded by Mr. Appelbaum.
A discussion was held with Mr. Taylor and Tim Foster from HARB as well as the applicant regarding the process undertaken for the decision on the handrail and ADA requirements.
A vote was held, and the motion passes 6-0-1.
- Ms. Segal-Morris motions to approve Items E and F, which is seconded by Mr. Feiner.
A vote was held, and the motion passes 6-0-1.

VII. POLICE CHIEF'S REPORT

Police service statistics for March 2024:

In March 2024, the Police Department responded to 570 calls for service, issued 6 parking tickets, issued 81 moving traffic citations, handled 1 DUI, and investigated 4 traffic accidents.

A. Budgeted Expense – Vote to Authorize Purchase of Replacement Police Vehicle

Mr. Feiner motions to authorize the purchase of replacement police vehicle, which is seconded by Ms. Segal-Morris.

A vote was held, and the motion passes 7-0.

VIII. FINANCE REPORT

A. Consideration to Accept the April 2, 2024 Finance Report

Consensus was granted.

IX. MANAGER'S REPORT

Manager Johnson presented her monthly report.

- Annual audit completed and on website.
- One bid received for professional services for comprehensive plan.
- RTKs have increased. One appeal, ruled in our favor by OOR. RTK solicitor for February was over \$5,000. RTK budgeted expenses for all of 2024 is \$15,000. Mr.

Appelbaum appeals the public to use the RTK process with thoughtfulness and concern for the cost in fees and administrative time to the Borough.

- Zoning – 6 applications
- One ZHB, variance granted
- Building permits – 4
- Three UNOs
- Borough received full funding for Phase III Sidewalk project. Thanks to Senator Santarsiero and Representative Perry Warren.

X. ENGINEER’S REPORT

Nothing to report in addition to submitted report.

XI. SOLICITOR’S REPORT

XII. MAYOR’S REPORT

Carry the Load coming in early May.

XIII. COUNCILMEMBER REPORTS

A. Kim Segal-Morris– Public Safety Chair, General Government Member, Experience Yardley, Yardley Makefield Fire Company

Nothing to report.

B. Uri Feiner– Public Works Committee Chair, Planning Commission

Mary Yardley Bridge is open for use.

Borough has received full funding for Phase III of sidewalk, including the crosswalk at Dolington.

Mr. Feiner is discussing vape shops and concern about their predatory nature with respect to children with the solicitor.

C. Don Carlson– General Government Chair, Community & Economic Development Member, Sewer, Zoning Hearing Board

Audit completed.

Short-term rentals – Planning commission is working on this.

D. David Appelbaum– Community & Economic Development Chair, Public Works

Member, Historical Architectural Review Board, Environmental Advisory Commission

Ribbon cuttings – Borough Piercing and Wild Flower Valley, both women-owned businesses

Cleanup at Afton and River Road – weather is not cooperating this week, rain dates 4/6-4/10, celebration is 4/21.

E. Michelle Sharer-Public Safety Member, Community Outreach Member, Shade Tree, Human Relations

Nothing to report.

F. Jared Stump– Community Outreach Chair, Public Works Member, Yardley Business Association, Parks & Recreation

Attended ribbon cutting and Easter Egg Hunt.

Community crowd sourced help on social media to assist in finding a vehicle that was involved in a hit-and-run in the borough. Commendation to the community for coming together to help.

XIV. DISCUSSION ITEMS

XV. OTHER BUSINESS

A. Executive Session – Legal

XVI. ADJOURNMENT

Ms. Thompson adjourned to Executive Session at 8:51.

Submitted by,
Mary Ann McLean

Conflict of Interest
Abstention Memorandum

TO: Borough Secretary, Paula Johnson,
Yardley Borough, Bucks County, Pennsylvania

FROM: *Michelle Sharer*, Borough Council Person

DATE: *April 2*, 2024

Pursuant to Pennsylvania's "Public Official and Employee Ethics Law" (65PA CSA 1101 et seq) I hereby declare that I am required to abstain regarding the following issue/motion:

*Certificate of Appropriateness 24-04 31 N Main Street
Handrail*

My conflict/reason for abstaining is as follows:

*The Handrail is being paid for and installed
by Friends of Lake Afton, of which I am president*

Michelle Sharer
Signature of Public Official

NOTE: Section 3(J) requires the following procedure:

"Any public official or public employee, who in the discharge of his official duties, would be required to vote on a matter that would result in a conflict of interest **shall abstain** from voting **and, prior to the vote** being taken, **publicly announce and** disclose the nature of his interest as a public record in a **written memorandum** filed with the person responsible for recording the minutes for the meeting at which the vote is taken" (emphasis added)

This memorandum does **not** have to be utilized when a conflict is defined "by any law, rule, regulation, order or ordinance;" for example the School Code (Section 1111) prohibits voting to hire certain relatives.

Conflict of Interest Abstention Memorandum

TO: Borough Secretary, Paula Johnson,
Yardley Borough, Bucks County, Pennsylvania

FROM: Don Carlson, Borough Council Person

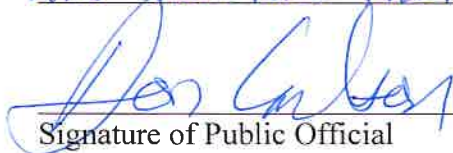
DATE: APRIL 2, 2024

Pursuant to Pennsylvania's "Public Official and Employee Ethics Law" (65PA CSA 1101 et seq) I hereby declare that I am required to abstain regarding the following issue/motion:

CONSENT AGENDA ITEMS E+F
LENNAR- YARDLEY WALK FINANCIAL SECURITY RELEASE

My conflict/reason for abstaining is as follows:

I AM CURRENTLY THE BOARD TREASURER OF YARDLEY WALK HOA
AND THEREFORE PREFER TO ABSTAIN OF MATTERS CONCERNING YARDLEY WALK


Signature of Public Official

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