

Council Work Session
May 7, 2014
Council Chambers

The regular monthly Work Session of Newtown Borough Council was called to order at 5:30 P.M. on Wednesday, May 7, 2014, by Vice President of Council Larry Auerweck.

Present were Councillors Auerweck, Grunde-McLaughlin, Gusty, King, and Warren; Mayor Swartz; Solicitor Bolla; and Engineer Canales. Councillor Walker was excused.

Amendments to the Agenda

Mr. Auerweck added the Amendment to the Vehicle and Traffic Ordinance for the Addition of Prohibited Parking Areas to the agenda under the Solicitor's Report.

Public to be Heard

Attorney Ed Murphy introduced Karen Miller, who wants to develop the Buckman property on N. State Street, and Greg Glitzer from Gilmore, who reviewed a sketch plan for "Buckman Place." Mr. Murphy explained that they wanted to present the conceptual sketch plan to Council as information, understanding that they still need to go to the Planning Commission and other entities in order to proceed with their proposal.

Mr. Glitzer said that they are proposing three new single-family lots, with structures of similar massing to the existing Victorian house on the property. They would use the required 50' lot line width for each, except for one property that is slightly shorter by about 2 feet; they would look for a variance for the shorter lot. Mr. Glitzer said that their alternative plan would be to build a twin and two single family homes, if a variance for lot frontage width was not granted, but they would prefer to build three singles. Mr. Murphy said they were not aware that any additional variances would be needed. They hope to retain only one curb cut and make some modifications for entrance walks. Mr. Murphy said his understanding was that the office building would be removed; they had consulted Jeff Marshall [Heritage Conservancy], who stated he did not think the building had any historic value, with all its modifications.

Architect Matthew Piotrowski presented a front elevation, stating that the homes would have front porches and be in scale with the existing house; he said they would work with HARB regarding details. Mr. Bolla said that Council would take the matter under advisement, clarifying that the presentation and sketches were only conceptual. Copies of the front elevation and sketch plan were distributed to Council.

Robert Bolton, 115 Lincoln Avenue, raised two concerns. He said that during the snow removal a large amount of snow was left at the end of driveways, which is difficult to remove. He said that could be a problem for seniors and/or persons with medical issues. He suggested that the Borough negotiate with the snow removal company to clear driveways and aprons for residents

with special needs; these persons could be designated with some kind of symbol or signage. Mr. Auerweck noted that the Borough was heavily in debt for snow plowing this year and that it would be costly to have someone come back through to plow again. Mr. Bolla said that everyone in every municipality has the same problem. Mr. Gusty said that it would be difficult to decide who would receive special designation. Mr. Bolla said that a special arrangement with the snow removal company might present possible liability issues for the Borough. Mr. King suggested that Scott be contacted for ideas and for information regarding what other municipalities were doing, and that perhaps individuals could contract with him separately for some snow removal. Ms. Grunde-McLaughlin suggested that residents might contact local teens, who might be interested in earning money for snow removal.

Mr. Bolton said that he was also concerned that many people do not stop at the stop sign at the intersection of N. Lincoln and Greene Street. He said that cars use Greene Street to bypass the traffic light at Washington Avenue. He suggested that either Greene Street be made one way from N. Lincoln to Maple Street or that there be additional policing of the corner. Ms. Grunde-McLaughlin said that she has mentioned the issue to Chief Wojciechowski. She said that if Greene Street were to become one way, then people from Washington Village would need to come out onto Washington Street. Mr. Bolton said that a drawback to this would be increased traffic on Washington Avenue. Ms. Grunde-McLaughlin said that there are two issues to the situation: compliance and amount of traffic.

Mr. Auerweck said that Council would follow up with the snow removal and stop sign issues.

Planning Commission Update – Mark Craig

Mr. Craig reported that the Planning Commission (PC) had discussed looking at the business district, noting that there had not been any development since it was last considered and that some conclusions previously made might not be relevant now. He contacted the Bucks County Planning Commission (BCPC) and was made aware of a free service offered by them called the Municipal Economic Development Initiative (MEDI). Mr. Craig said he then asked the Borough if he could contact and arrange a meeting with representatives from BCPC, to which Council agreed.

Mr. Craig said that Lynn Bush and Maureen Wheatley from BCPC gave a presentation about the MEDI to the Planning Commission at their May 1, 2014, meeting. Mr. Craig said that some of the tasks/information that the BCPC could assist with have already been completed, such as previous visioning and public input, and that many services offered were relevant and would be useful to the Borough. He said that three areas of assistance from the MEDI have been identified:

1. A review of the business district (State Street, 10 Centre, etc.), including parking, multiple uses, new best practices, zoning and traffic flow.
2. The provision of ideas, information and advice for Borough businesses on the planning and implementation of business.
3. Analysis of the business environment in the Borough, including inventory of the number, types and locations of businesses.

Mr. Craig said that Council has given approval for the PC to proceed to work with the BCPC. The BCPC should be contacting the Borough soon with a confirming letter and description of the goals

of the initiative. Mr. Craig said that input would be presented from the MEDI, from which PC would make a recommendation(s) to Council.

Mr. Craig said that he will present the parking space size issue at a later date, after Council has a chance to review the information he recently distributed to them regarding a discrepancy in parking space sizes between the Borough ordinances and SALDO.

Mr. Craig noted that the BCPC has been sending mail to the home addresses of many municipal officials, including Borough Councillors. He will speak with the Commission regarding a change to businesses addresses.

Mayor's Report – Charles F. Swartz, III

Mayor Swartz presented a Special Events Application and asked for Council's approval of the event.

- ❖ A motion was duly made by Councillor Grunde-McLaughlin, seconded by Councillor Gusty, and carried unanimously, to approve the Special Events Application for the Antique Auto Show on July 20, 2014, on State Street from Centre Avenue to Jefferson Street from 10 A.M. – 3:00 P.M.

Mayor Swartz reported that the dedication and renaming of the Newtown Bypass to the *Officer Brian S. Gregg Memorial Highway* was well attended by Gregg family members and 100-150 persons, 70-80 of whom were police officers. The signage was installed by the time the ceremony had concluded.

Engineer's Report – Mario Canales

Mr. Canales reported that the projects on Greene Street and Liberty Street were completed. The final price of \$56,209.50 was \$6200 less than the original contract price since some expected demolition was not needed.

- ❖ A motion was duly made by Councillor King, seconded by Councillor Gusty, and carried unanimously, to authorize the final payment to Bray Brothers, Inc. in the amount of \$56,209.50 for the ADA Handicap curb ramps at Liberty and Greene Streets and for the cost of the West Greene Street storm sewer replacement.

Mr. Canales said that the annual MS4 report is due to DEP on June 9, and that he would be finalizing the report and sending it to the Borough Secretary for Council to review; he will be looking for authorization to sign the report at the June Council meeting.

Budget & Finance – Perry Warren

- ❖ A motion was duly made by Councillor Warren, seconded by Councillor King, and carried unanimously, to approve the Professional Services Invoices for the month of March 2014.

SEPTA Lot Update – Chris Gusty

Mr. Gusty said that there have been a number of conceptual ideas for use of the lot over the years. He and Ted Schmidt took a look at the site and realized that heavy equipment would be needed to

clean up the site, and that it was not a job for volunteers only. He said that they have received a quote of \$2400 from *Scott's All Seasons* for leveling stone and cleaning up the site; it was clarified that the cost included disposal of debris. Mr. Gusty said that they may need to get an extension for clean up time, suggesting a 5 year extension period. He said that Scott has suggested adding a few planting beds and trees by adding soil to the site, but that they needed to review the agreement with SEPTA to see what they would allow; Mr. Bolla said he would review the agreement. Mr. Gusty said that they would plan to look for donations to fund the clean up and Scott Dengler will provide a sketch plan.

Ms. Woldorf said that now the Borough needed to pay for site clean up and said that, since it is SEPTA property, SEPTA should pay for site management. She asked if anyone had considered going to SEPTA to ask if they would fund and clean up the site. Mr. Bolla noted that the Borough originally asked SEPTA if they [the Borough] could clean up the site. Ms. Woldorf said that the lot is a hazard and an eyesore and that SEPTA has no intent to do anything, even though they could afford to do so. She said that the site is becoming a budget item.

Mr. Bolla said that if the Borough was contentious with SEPTA that they might be denied any use of the site. He said that, in response to resident complaints, clean up of the site was a good idea. Mr. Woldorf asked if the clean up would be privately funded through donations. He said he did not believe that public money should be used to clean up private property.

Mr. Gusty clarified that the SEPTA lot is not a budgeted item and that a clean up would be accomplished through donated funds and donated services. He noted that they only had a clean up estimate, sought after determining that it was not a volunteer project. Mr. Warren asked if it made more sense to seek funding rather than labor for the project, and if the Borough's weed ordinance could give the Borough any leverage toward clean up by SEPTA. Mr. Bolla said possibly, but that it could elicit a poor response from SEPTA.

Mr. Schmidt said he thought he could obtain a lower cost quote for a clean up and could look for a few additional bids. Mr. Gusty urged him to pursue the matter.

Mr. Auerweck suggested that Mr. Gusty and Mr. Bolla discuss the issue and return with a recommendation.

"No Smoking in Parks" Ordinance – Robert King

Mr. King presented a template for a "No Smoking in Parks" ordinance, which included the designation of a "Smoke Free Zone" primarily in the parks; the erection of signs; enforcement and how the community would be notified. He cited the Northampton ordinance as a simple example; smoking is not a fineable issue there, people smoking were just asked to leave the area. Mr. King cited an email sent to Council members with sample ordinances from other municipalities.

Mr. King said that other communities have amended existing ordinances, noting that the Borough does have a park section, which could be amended to add a smoke free zone. Enforcement could be addressed, and coaches, teachers and local organizations could be asked to spread the word. Mr. King felt that it was an educational issue. He noted that e-cigarettes have not been addressed, and that some people felt that they were not a good example for children in a park area where they played. Ms. Grunde-McLaughlin suggested that there could be no active monitoring, but that a fine could be imposed if someone was caught smoking in a smoke free zone.

Mr. King suggested that the Recreation Board could look at the issue and make recommendations to Council.

- ❖ A motion was duly made by Councillor King, seconded by Councillor Grunde-McLaughlin, and carried unanimously, to refer the issue of a "Tobacco Free Parks" ordinance to the Recreation Board for discussion.

Solicitor's Report – William Bolla

Mr. Bolla cited discussion at previous meetings regarding two additional areas that the Police Chief had targeted to prohibit parking in the Borough. He said he had been authorized to prepare the ordinance and had submitted it to the staff and the Chief for their review.

- ❖ A motion was duly made by Councillor Gusty, seconded by Councillor King and carried unanimously, to authorize the Solicitor to advertise an Amendment to the Vehicle and Traffic Ordinance for the Addition of Prohibited Parking Areas at the regular Council Meeting on June 10, 2014.

Mr. Bolla said that Council needed to authorize Council President Walker to sign the lease extension agreement with Allan Smith for additional 50 parking spaces created on the Steeple View lot to serve as public parking administrated by the Borough, as identified by the plan that was prepared by Mr. Smith and submitted to the engineer for his review.

- ❖ A motion was duly made by Councillor Grunde-McLaughlin, seconded by Councillor Warren, and carried unanimously, to authorize the President of Council to sign the lease extension/expansion agreement with Allan Smith.

Old Business

There was no old business.

New Business

Mr. King said that he had heard about a resident who had spoken to the Police Chief about car that had been parked in the right of way on Court Street for about six months. Mayor Swartz said that if it is registered and inspected, it could be parked on the street without any time limit; he said the Chief should know if the car is registered and inspected.

Ms. Woldorf reported that the DCNR application was submitted prior to the deadline and she is now looking at the open space application. She said that DCNR recommended that the Borough simultaneously apply for other applications, as they might be able to receive some funding from them as well. She said that fracking money might be available; the application would be due in June or July and requires a \$100 application fee. Ms. Woldorf said that Bucks Beautiful may also have available funds. She said that she would forward information to Council.

Ms. Grunde-McLaughlin said that she had spoken with the Borough Secretary about promoting stormwater management issues to the public. She volunteered to set up a table with information for the public at voting locations during elections. Mayor Swartz suggested that information could also be disseminated at local events such as the Antique Car Show and Market Day. Ms. Grunde-

McLaughlin said she could man an information table in the morning, and noted that an information table need not always be manned. Mr. Gusty said that stormwater management is a big issue and it would be a good idea to begin to educate the public; he suggested including the information on the Borough website, disseminating information to residents, and holding public information sessions. Mr. Schmidt suggested that information be given to businesses as well. Mr. Gusty said that the Borough Secretary is going to make a list of municipal properties and target audiences.

Mr. Gusty said that two applications have been received for the vacant position on the Planning Commission, open recently with the resignation of Paul Salvatore. The two applicants are Ted Schmidt and Chuck Machion. Mr. Auerweck asked that the Board Vacancy issue be added to the Council meeting agenda.

Ms. Grunde-McLaughlin said that she has been updating an independent Facebook page "Newtown18940" by posting events, and she wanted to inform Council of her informal involvement. Council members had no objection.

On a motion by Mr. King and second by Mr. Gusty, the meeting adjourned at 6:58 P.M.

Respectfully submitted,

Leslie P. Dunleavy
Recording Secretary

ATTENDEES

Julia & Warren Woldorf
Ted Schmidt
Jeff Werner
Karen Miller
Robert Bolton