

Council Meeting
July 8, 2014
The Chancellor Center

President of Council Robert Walker called the regular semi-monthly meeting of Newtown Borough Council to order at 7:00 P.M. on Tuesday, July 8, 2014. Mr. Walker asked those in attendance to join him in a moment of silence followed by the Pledge of Allegiance.

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

Mayor's Report

Special Event Application

- ❖ A motion was duly made by Councillor Grunde-McLaughlin, seconded by Councillor Auerweck, and carried unanimously to approve the Special Event Application for *Music in the Park* on September 5, 2014.

Police and Emergency Services Report

Mayor Swartz reported that the police handled 572 moving violations during the second quarter of the year and there were four driving under the influence and eight crime investigations, which included burglaries, thefts and drugs.

Special Events Reminders

Movies in the Park – July 9, 2014, 8 PM – *The Goonies*

July 16, 2014 – *Elf*

July 23, 2014 – *Willy Wonka & The Chocolate Factory*

July 30, 2014 – *Close Encounters of the Third Kind*

August 6, 2014 – *The Lego Movie*

Antique Auto Show – July 20, 2014 from 10 AM – 3 PM

Honor Flight Bucks County – September 22, 2014 – Invitation to WW II veterans to tour Veterans' Memorials in Washington, D.C. – Newtown Borough made a donation toward the trip expenses

Resolution

- ❖ A motion was duly made by Councillor Grunde-McLaughlin, seconded by Councillor Gusty, and carried unanimously to approve Resolution #07-08-14 supporting Senate Bill 1340 and House Bill 1720 enabling municipal police to use the same motor vehicle speed-timing equipment as the Pennsylvania State Police.

Amendments to the Agenda

Discussion of Promenade water run-off

Public to be Heard

There was no one who wished to be heard at this time.

President of Council – Robert Walker

Mr. Walker reported on the June Work Session discussion of proposed expansion of permit parking at the Stockburger site. After speaking to Allan Smith and Scott Dengler about the expected costs to make the lot accessible, Mr. Walker recommended not pursuing the project.

The Bucks County Planning Commission sent a letter about proposed support activities that they could provide to the Borough by reviewing the current business district zoning, assessing the business environment and planning needs for parking and parking space sizes. The services are at no cost to the Borough and the Planning Commission Chairman indicated that he was in favor of their help.

Certificates of Appropriateness – Robert King

- ❖ A motion was duly made by Councillor King, seconded by Councillor Grunden-McLaughlin, and carried unanimously, to follow the recommendation of the Historic Architectural Review Board and direct President of Council to sign the following Certificates of Appropriateness, thereby approving the historical appropriateness of the application, with final approval by the Code Enforcement Officer.

COA 2014-014-H Residents James Coane & Marjorie Moss-Coane, 319 E. Washington Avenue

The applicants were seeking a Certificate of Appropriateness for replacement of garage asphalt shingles with standing seam steel roofing. HARB recommended denying the proposed steel roof and the applicant agreed to use slate instead.

COA 2014-015-H Applicant: David Witchell, 22 S. State Street, David J. Witchell Home retail store

The applicant was seeking a Certificate of Appropriateness for the installation of a hanging sign in the front and a wall sign in the rear of the building, noting that the rear wall sign would be sized appropriately to the space.

Amendment to COA #2014-010

Ms. Brown presented a letter from Nicholas Mancini requesting a change in COA #2014-010 to permit pressure treated wood (painted or unpainted) instead of the

approved Azek for fencing on his property. He stated that he could not locate a purveyor of Azek fencing. It was clarified that pressure treated wood fencing would require painting but cedar wood would not.

COA14-013-H - demolition only Applicant: Buckman Place, L.P. (Karen Miller) 119 N. State Street, office building

The applicant was seeking a Certificate of Appropriateness for the demolition of the existing office building on the property.

Mr. King explained that the Joint Historic Commission did not feel that there was sufficient historic significance for retaining the building and recommended demolition. Some of the HARB members felt that they did not receive enough narrative from the Joint Historic Commission on that recommendation to make a decision. After two motions that both resulted in 3-3 ties, Council needed to make a decision on how to handle the COA.

After lengthy discussion about the proposed demolition and comments from the chair of the Joint Historic Commission regarding their site visit and the well-documented reasons for their recommendation; the chair of HARB, who was not in attendance at the HARB meeting, but who spoke to some members after the meeting regarding their concerns and noted that HARB is only to review what is visible from the right-of-way; the applicant, who referred to her architect and Jeff Marshall of the Heritage Conservancy who supported the demolition; and resident Joe White who voiced concern about approving the demolition because he felt the building was a contributing property to the Historic District, Council made the following motion:

- ❖ A motion was duly made by Councillor King, seconded by Councillor Auerweck, and carried unanimously, to ask the applicant to return to HARB with additional information to seek approval.

Engineer's Report – Mario Canales

Mr. Canales reported on the MS4 program and his work to meet the required criteria of DEP. He has been creating an inventory of the Borough BMP's established since 2003, their locations, year of installation and the maintenance requirements for each. Mr. Canales suggested sending an annual letter to each property owner reminding them of their responsibility to maintain and asking for them to respond as to what measures they have taken to meet those requirements. His inventory for the 2014 report goes through 2009. In response to Mr. Gusty's question about only going back to 2009, Mr. Canales noted that since there are so many new issues to be addressed this year, he is comfortable with only going back to 2009 at this time. He will go back further for future reports. In addition to the inventory, some of the other requirements include employee training and facilities management. Ms. Woldorf voiced concern about self-monitoring, as in the case of Newtown Station, but Mr. Canales reminded the public that the

Borough encourages the reporting of illicit discharges and the Engineer would look into any of those reports.

Presentation of Minutes

- ❖ A motion was duly made by Councillor Gusty, seconded by Councillor King, and carried unanimously, to approve the June 4, 2014 Work Session minutes.
- ❖ A motion was duly made by Councillor Gusty, seconded by Councillor Grunde-McLaughlin, and carried unanimously, to approve the June 10, 2014 Council Meeting minutes.

COMMITTEE REPORTS

Budget & Finance – Robert Walker, Chris Gusty & Perry Warren

Consolidated Report

- ❖ A motion was duly made by Councillor Gusty, seconded by Councillor King, and carried unanimously, to accept, subject to audit, the consolidated expenditure report for the month of June 2014 totaling \$192,122.09.

Mr. Walker reminded Council that the Treasurer would be distributing the 2015 budget calendar by the end of July and asked members to begin thinking about budget issues.

Personnel Committee – Chris Gusty

Councillor Gusty announced that there are seven openings on the Environmental Advisory Council and one opening on the Recreation Board.

Recreation Board – Tara Grunde-McLaughlin

Ms. Grunde-McLaughlin received a letter from the Council Rock Newtown Athletic Association with a request for the installation of Emergency Signage for Pickering Field. They asked that the specific street address be noted on the sign for anyone needing to contact emergency personnel, if a need arises. In addition, Brian Gregg Park and Linton Park should have the same signage. Mr. Walker suggested adding GPS coordinates to the signs.

The Recreation Board discussed the use of “No Smoking” signage for the parks and supported their use. In response to the request to look into the legalities of such signage, Solicitor Bolla said the Borough could encourage “no smoking” but that it is not enforceable and he suggested, “It is the policy of the Recreation Board to have no smoking in the park.” Scott Dengler will obtain prices for both types of signage.

Streets, Lights & Properties – Robert Walker & Chris Gusty

Mr. Walker reported that the Borough solicited four bids for the streetscape work, but *Scotts All Seasons* was the only bid received.

- ❖ A motion was duly made by Councillor King, seconded by Councillor Grunde-McLaughlin, and carried unanimously, to accept the bid of *Scott's All Seasons* in the amount of \$14, 406.00 for the Borough Streetscape repairs to the West side of South State Street from Washington Avenue to Centre Avenue.

Solicitor's Report – William J. Bolla

There was no report from the Solicitor.

Old Business

Mr. Bolla suggested dedicating the August Work Session to discussion of a possible three-party agreement regarding the Borough owned property and parking areas at 10 Centre related to the Steeple View project.

New Business

Councillor Auerweck voiced concern about The Promenade on Sycamore Street looking for waivers to relieve themselves of stormwater management requirements. He wondered how those waivers might impact the Newtown Creek and the Borough. The Newtown Township Supervisors will discuss the issue at their July 9, 2014 meeting.

Public to be Heard

There was no one who wished to be heard at this time.

The meeting adjourned at 8:25 P.M.

Respectfully submitted,

Marcia M. Scull
Borough Secretary

ATTENDEES

Julia & Warren Woldorf
Ted Schmidt
Chris English
Jeff Werner
Jim McAuliffe
Jim & Marty Moss-Coane
David Witchell
Ramune Cobb
Mike & Eileen Molloy
Joe White
Karen Miller
Jeff Marshall