

Council Work Session
October 8, 2014
Council Chambers

The regular monthly Work Session of Newtown Borough Council was called to order at 5:30 P.M. on Wednesday, October 8, 2014, by Vice-President of Council Lawrence Auerweck. There was a Moment of Silence in memory of Brian S. Gregg, killed in the line of duty on September 29, 2005.

Present were Councillors Auerweck, Grunde-McLaughlin, Gusty, King, and Warren; Mayor Swartz; Solicitor McNamara; and Engineer Canales.

Amendments to the Agenda

Mayor Swartz added a presentation from the Newtown Borough Police Department to the agenda.

Public to Be Heard

No one wished to be heard at this time.

Mayor's Report – Charles Swartz

Banner Request

Charles Lewis representing the State Street Association requested approval to hang a banner advertising Restaurant Week.

- ❖ A motion was duly made by Councillor King, seconded by Councillor Grunde-McLaughlin, and carried unanimously, to approve placement of a banner to advertise Restaurant Week from October 19-23, 2014. The banner will be moved to several locations during the course of the week.

Special Event Application

- ❖ A motion was duly made by Councillor Gusty, seconded by Councillor King, and carried unanimously, to approve the Special Event Application for the Newtown Holiday Parade on December 7, 2014, from 2-3 P.M.

Fire Prevention Week

Mayor Swartz announced that the week of October 5-11, 2014 is Fire Prevention Week and he will present the Newtown Fire Company with a proclamation at the October 8, 2014, Council meeting.

Newtown Borough Police Department

Corporal Warunek asked for Council's support to establish a Facebook account for the Newtown Borough Police Department. They feel that social media is a good way of communicating with the public and 90% of the police/fire departments in Bucks County have Facebook accounts. It would give the police department the ability to build relationships with the community by providing information to them, i.e. lane restrictions, upcoming events with street closures, traffic advisories, and snow emergencies. The police would be able to let the residents know when they issue solicitation permits and the vehicle description associated with those solicitors. They could also post simple facts about rules and regulations on the site. There are established guidelines for police departments from the FBI for Facebook pages and it will be a monitored site.

Council felt that a Facebook page would be worthwhile and a good way to communicate with the public. In response to Councillor Warren's question, Corporal Warunek said that since it would be a public page anyone could access it, even if someone does not have a personal Facebook account.

- ❖ A motion was duly made by Councillor Grunde-McLaughlin, seconded by Councillor Gusty, and carried unanimously, to establish a Newtown Borough Police Department Facebook page.

Engineer's Report – Mario Canales

Flood Plain maps

Mr. Canales reminded Council, based on a recent letter from FEMA, that each municipality must update and adopt a new compliant Flood Plain Ordinance by March 16, 2015. Ms. Rhodes from FEMA is willing to tailor a model ordinance for each municipality, at no cost, after a teleconference to obtain basic information and understand the limits for development in their individual flood plains. The Borough must designate a Flood Plain Administrator to issue permits for the flood plain and the Borough must decide if the ordinance should be a stand-alone ordinance or a part of the zoning ordinance.

Meglio Land Development Submission

Because of its close proximity, Newtown Township provided the Borough with plans for the Meglio Land Development on Sycamore Street. Plans are for a 50-seat restaurant with two upstairs apartments in Phase I and in Phase II a 1200 sq ft. retail space with one second floor apartment. There are plans for an underground stormwater management basin and a traffic study is not required because of the size of the project.

Budget & Finance – Chris Gusty & 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 August 2014.
- ❖ A motion was duly made by Councillor Warren, seconded by Councillor Gusty, and carried unanimously, to approve Resolution 10-8-14 amending the 2014 Fee Schedule to raise the permit-parking fee to \$150 annually.

2015 Preliminary Budget

Mr. Gusty referred to a page attached to the budget outlining three different scenarios for the 2015 Budget-no increase, a 3.25 Mil increase, and another with a 4.25 Mil increase. He indicated that there would probably be a tax increase. There will be discussion at the October 23, 2014, Special Budget Work Session.

Municipal Parking Lot Discussion

Mr. Canales prepared an estimate to repair and mill the main municipal parking lot, with the exception of 10 spaces when you enter from Washington Avenue that would be crack sealed. The construction costs would be \$190,000 for milling and base repair and then grading with asphalt leveling. There are currently two inlets along the creek, with plans for four. The plan is to replace the curb line and guide rail on the creek side. The entire lot would be restriped and a separate estimate of \$65,000 was prepared for lighting. Another option would be to install conduit for future lighting, rather than installing lights at the time of the repairs.

Minimum Municipal Obligation

Vice-President Auerweck read the following amendment of the MMO into the minutes:

Amending the 2015 MMO (Minimum Municipal Obligation) for the Police Pension Plan from \$86,367 to \$86,751. The 2015 Police Pension MMO was read into the minutes at the September 9, 2014, Council Meeting and the difference in the amount is now \$384.

Solicitor's Report – James McNamara

Mr. McNamara reported on Mr. Bolla's attendance at the Zoning Hearing Board meeting the night before and noted that the Board denied the request from the owners of The Bird in Hand. Ms. Grunde-McLaughlin explained that the applicants wished to obtain zoning approval for several different mixed uses but they do not have a specific plan at this point. Mr. Bolla argued that any approval would stay with the property and the Borough really would not know what they might be getting into since there were no specific details outlined.

Old Business

Steeple View Traffic Study – Bob King

Mr. King spoke to Newtown Township about traffic studies for The Promenade and then made comparisons of the raw data at two intersections that were involved in both The Promenade (2009) and the Steeple View (2011) studies: Washington/Sycamore and Jefferson/Sycamore. There was a wide variation in the numbers provided for both. Mr. King questioned the validity of the studies and suggested the possibility of doing another traffic study for Steeple View. In a recent conversation with the Steeple View traffic study engineer, Mr. Canales learned that as part of the highway occupancy permit for Phase I, a condition statement by the applicant agreed that another traffic study must be completed if any additional development is undertaken on the site beyond the approved Phase I plans.

Buckman Place

The applicant resubmitted the plans, which are currently under review and will be on the November 3, 2014, Planning Commission agenda.

- ❖ A motion was duly made by Councillor Grunde-McLaughlin, seconded by Councillor Warren, and carried unanimously to authorize Engineer Mario Canales and Zoning Officer Jo-Anne Brown to attend the Planning Commission meeting on November 3, 2014, for review of the Buckman Place project.

New Business

Mr. Warren provided Council with copies of a letter from a property owner requesting a waiver from paying the South State Street sidewalk repairs because she feels she has incurred substantial costs for snow removal. Council discussed the fact that although the Borough was responsible for snow removal in the alleyway based on the agreement; the owner took it upon herself to pay for snow removal because of concerns that the Borough did not remove it as quickly as she wanted. The Borough pays for liability insurance coverage on the area and does follow up clearing of the area. Council did not take any action on her request.

After discussion about whether to change the Council meeting date in November because it falls on Veterans Day, Council decided to keep the standing date of November 11, 2014.

Mr. Gusty noted that he received three applications for the Recreation Board and two applications for the Environmental Advisory Council. Another resident is interested in both the Traffic Committee and the EAC. The appointments will be made at the Council meeting next week. Ms. Grunde-McLaughlin noted that Dave Krewson resigned from the Traffic Committee.

The owner of The Tubby Olive voiced concern to Mr. Gusty about a lack of signage for the Municipal Parking Lot. Ms. Grunde-McLaughlin said that the Traffic Committee had also discussed the issue and felt that additional signage should be considered.

Mayor Swartz noted that a "No Wake Zone" sign appeared on the North side of Washington Avenue at Greene Street.

Ms. Grunde-McLaughlin raised the issue of installing pedestrian walk lights at Washington and Lincoln Avenues. Ms. Woldorf said that Lincoln Avenue is a Borough road but Washington Avenue is a State Road. Mayor Swartz suggested a grant for light upgrades that he had noticed in a newspaper article.

Mr. Warren asked the Solicitor for clarification on the term "resident." A member of the Shade Tree Commission, who still owns commercial property, is moving out of the Borough from her residential property. She would like to remain on the Shade Tree Commission, but the requirements of the Commission require members to be residents of the Borough. The question was whether property ownership qualifies. Solicitor McNamara said that an individual could only reside in one place; hence, property ownership alone would not permit her to continue. Mr. McNamara did say that the ordinance could be modified to permit non-residents to serve on the board if Council so chooses.

Public to be Heard

Julia Woldorf voiced concern about proposed plans for the municipal parking lot, as it appears that the grading of the asphalt would angle water to the drains and into the creek, which she says is not considered Best Management Practices. She asked Council to look at what could be done to improve the parking lot but protect the creek, perhaps with plantings that would capture run-off before it reaches the creek.

The meeting was adjourned at 6:50 P.M.

Respectfully submitted,

Marcia M. Scull
Borough Secretary

ATTENDEES

Ted Schmidt
Jeff Werner
Julia & Warren Woldorf

Charles Lewis