

**IVYLAND BOROUGH COUNCIL MEETING**

**May 10, 2023**

- CALL TO ORDER:** 7:30PM
- PRESENT:** Sal DiPaolo, President, Christina Finello, Vice President, Bill Linwood, Todd Savarese, Matthew Piotrowski, Chuck Bristow, Chris Brandchilde Branchide
- OTHERS PRESENT AT MEETING:** Mayor Anthony Judice, Greg Sturn, Borough Solicitor, Chris Peterson, Borough Engineer, Janet Pacchioli, Treasurer/Secretary, Danielle Turner, Recording Secretary
- PUBLIC COMMENT/VISITORS:** Michael Tulio

**ESTABLISHMENT OF QUORUM**

**PLEDGE OF ALLEGIANCE WAS FOLLOWED BY A MOMENT OF SILENCE**

**SWEARING IN OF COLLEEN FAURE FIRE POLICE**

Mayor Judice swore in a new member of the fire police for Ivyland Borough, Ms. Colleen Faure. Mayor Judice congratulated Ms. Faure on her commitment to Ivyland Fire Company and she was presented with her badge.

**MINUTES APRIL 12, 2023**

*Motion to approve the April minutes was made by Mr. Linwood and seconded by Mr. Savarese. Motion approved 6-0.*

**TREASURER'S REPORT/BILLS LIST**

Janet Pacchioli read the May treasurer's report into the record. The general fund sits at \$708,479.74, the capital reserve is \$442,336.74, Liquid Fuel is \$106,181.59 and the fire company account balance is \$80,635.73. Total Funds are \$1,337.633.80.

Comment: The Borough received \$17,000 from a class action settlement suit resulting from MMS4 for Round Up which was unexpected revenue for the Borough.

The report was accepted and subject to audit.

Janet Pacchioli reported that the prepaid bills listed totaled \$75,202.93. Unpaid bills list \$5,353.50

As part of the unpaid bills for the month, \$32,513 is allocated yearly for the for the Roadway project.

*A motion to pay all outstanding invoices was made by Mr. Bristow and seconded by Mr. Linwood. Motion approved 6-0.*

The Hess family has filed a permit to close Twining between Gough and Lincoln for the Hess graduation party.

*Motion to approve the permit for closing of Twining road by Mr. Bristow, seconded by Mr. Linwood. Motion approved 6-0.*

### **Geff Rapp: 150<sup>th</sup> Anniversary**

There will be a volunteer meeting at 7pm on May 17, 2023 at the Borough Hall. Insurance has been bound for the event but we have not received the certificates of insurance yet. A Public Safety Plan was created by Mr. Judice and Mr. Rapp for the event, assuming the bridge will be open at that time. Notification will be going out to the residences about the Public Safety Plan so everyone is aware of closures and procedures for the event. BJ said we can use his lot for the celebration and Milton Roy, Burger Brother and the Fuge have made their parking lots available as well. We have a transport shuttle from Ann's Choice and to the Fuge, drop off will occur at Wilson and Twining. Great contingency if that parking is not available. Parks and Recreation will be purchasing some 10x10 tents for the event. A blacksmith will be setting up by the mill for the event. Lawn signs and banners are purchased and will be put out after the election.

*Motion by Mr. DiPaolo to approve Tranquility Brewery to attend the event, if the insurance rider is approved and received. This motion was seconded by Mr. Linwood. Motion approved 6-0.*

### **1120 Jacksonville Road/Authorization to sign Financial and Improvement Agreements/Acceptance of Final Plans**

The resident is requesting temporary relief from the Borough's 5 million dollar insurance policy. The contractor has a 5 million insurance coverage, and the resident has a 2 million in insurance coverage. Ivyland Borough will temporary; accepts the 2-million-dollar policy as long as the contractor 5-million-dollar policy is received prior to construction.

*Motion to approve made by Mr. Bristow and seconded by Mr. Linwood. Motion passes 6-0.*

Mr. Sturn is requesting the Council to sign the agreement for 1120 Jacksonville Road and the facilities storm water ordinance form.

*Mr. DiPaolo made a motion, seconded by Mr. Linwood, to sign the document contingent that the 5-million-dollar policy received prior to the construction. Motion approved 6-0., Janet will need to be authorized to release the balance of around \$9,000 from the Land Development Application Escrow of \$15,000.00*

Dr. Finello arrived 8:02pm

*Authorize the release of the balance was made by Mr. DiPaolo and seconded by Mr. Savarese. Motion approved 7-0.*

**Mike Tulio:79 Gough Ave**

Mr. Tulio is requesting an update on the zoning determination with 79 Gough Ave. Mr. Sturn stated that Mr. Winter has applied for a zoning permit. Enforcement matter is looking to notifying Steve Ware with his failure to provide proper oversight in this matter.

Mr. Ware has asked Mr. Winter about what the description of his business is so he can determine if it is a home-based business. Mr. Ware will give an enforcement notice if he does not receive the information about the home-based business by the deadline.

There is no obligation by our zoning officer to provide a zoning determination. The borough does not know if there is any encroachment. It is a dispute between the neighbors. Mr. Winter provided a plan showing the driveway on his property. Enforcement notice has been sent regarding the failure to get a notice for the driveway. Mr. Winter has the right to appeal.

Mr. Tulio is claiming that he made a Right to Know request regarding the plan showing the driveway. Mr. Tulio said he needs to see the plans as he was only emailed the application not the plans. Mr. Savarese stated for Mr. Tulio to come into the office, and he can view any plans he requested. When Mr. Tulio had the property surveyed when he started the project. Mr. Linwood asked for those plans as they might provide some clarity to the issue. Mr. Tulio wanted to be on the record stating he disagrees with the Council's stance on this issue.

**PUBLIC COMMENT:** No public comment

**CODE ENFORCEMENT/ZONING REPORT:** Janet will follow up with the written report to the Council

**REPORT OF THE PRESIDENT:**

Mayor Judice and Mr. DiPaolo are meeting with Senator Farry on May 23, 2023. William Tennent High School is requestin decision on scholarships.

**ENGINEER:**

Mr. Peterson provided a brief summary of the Resolution of Ivyland Borough, Bucks County, PA authorizing Ivyland Village Park Development Project.

*Motion made by Dr. Finello and seconded by Mr. DiPaolo to approve the request of \$250,000 from the Commonwealth for a Trails and Recreation Program (GTRP) grant to be used for the Ivyland Village Park Development Program and authorize Dr. Finello, Mrs. Pacchioli and Christopher Peterson as designees to execute all agreements. Motion approved 7-0.*

58 Brewster about the 911 center. There were some improvements to the lights. A site visit was conducted, and we are in an agreement with the property owner that the lights are too

bright. George Hut, director of operations was responsive and he will be working to provide some resolution and a downward path and less bleed onto the properties.

Mike Granieri will go out and clear some obstructed pipes to the problem at the basin on Valentine Rd.. The Borough will look at the current contract to see if the basin is included. Two trees died on the side of the basin, which is a Borough issue. Mr. Peterson responded with some best practices for basin management.

Mrs. Pacchioli will follow up with Mr. Granieri so that if the basin is not under regular care, it will be added twice a year. Janet will get the area on our maintenance schedule.

**SOLICITOR:**

Mr. Sturn is providing the annual audit letter.

*Motion made by Mr. Bristow and seconded by Mr. Linwood for updated annual audit letter.  
Motion passed 7-0.*

**UNFINISHED BUSINESS:**

Mr. Bristow is providing an update on the broadcast system and webcam. A single mic may be an issue. Vendors provided multiple quotes, but all were expensive. Single camera back by the exit. Audio is the huge problem with site survey. Conference system microphone with multiple microphones that automatically turns on and off for council could be provided. We would broadcast the same way we do now through Facebook and YouTube channel. The camera will not track it is a fixed view. Quote is \$12,413 plus with a PC and outlets, close to \$14,000. Mr. Bristow will get three quotes and report back.

**MAYOR**

Police report for the month of April 2023: Two physical arrest, one borough ordinance violation, an opening burning, thirty six traffic violations, and five written warnings. The court check from Bucks County was \$821.77.

There will be a bridge closure that the borough was not aware of. Warminster was not notified of this closing either. Borough received an email as it is county bridge that will be closed 1-2 weeks or 3-4 weeks. Major Judice sent a request to the company doing the work and requested that the bridge be open by June 24 for the 150<sup>th</sup> anniversary, which will be a problem as we will then have to keep Greeley Ave. open. Dr. Finello asked what municipality owns the bridge Warminster or Ivyland or shared? Is there any talking about this issue as does the municipality have any input on the plans of action? Can we request they postpone the work until July 1, 2023? The request must be made through the county. Dr. Finello will advocate for the Borough that this bridge gets put to later in the schedule. Designate the engineer to look at the conditions on the roads and do a before and after assessment as we may need to bill the county for the damage that will occur to our roads.

Franc Environmental was at Greeley Ave with sewer discharge and Mayor Judice is still investigating. When ~~the close the~~ <sup>they closed</sup> the NADC the sewer lines reverted to the Warminster Municipal Authority and there was an issue with retention and volume. The base of Lincoln and Greeley was effected and the EPA was there and cleaned it up.

The Norman Kelly History Award nominees were vetted by Dr. Finello and Major Judice. One candidate stood out with her essay and her experiences in Ivyland as well as her grades. Another candidate stood out as well for their self-improvement so Dr. Finello is requesting that we assign two scholarships. Motion made by Mr. Linwood and seconded by Mr. Savarese to award two scholarships for the 2023 school year. Motion approved 6-0. Abstain by Mr. DiPaolo. Hunter Morris and Adeline DiPaolo were winners

Ivyland will be having the Memorial Day Parade this year with the William Tennent Marching Band in attendance.

## **COMMITTEE REPORTS**

### **Parks and Recreation:**

Quote for an edge barrier and expansion of swing set is still being made. Ivyland 5K on the 19<sup>th</sup> of August.

*Motion to approve the Ivyland 5K on August 19, 2023 made by Mr. Branchide and seconded by Dr. Finello. Motion 7-0.*

*Mr. Linwood made a motion to adopt the Young Lungs at Play which is a no smoking initiative for parks. Motion seconded by Dr. Finello. Motion approved 7-0.*

### **Finance:**

TD Bank rates for a 3-to-6-month period to move some funds now because the rates are pretty good right now. Capital, General and Liquid Fuel will be the monies that will be moved. Of the 1.3 million, how much will be moved? Mrs. Pacchioli stated 300k from general fund and 75K from fuel. Mrs. Pacchioli will reach out the fire company to see if they would like any funds moved over.

*Motion made by Dr. Finello open a 3- and 6-month CD with funds from the general fund, Capital and Liquid Fuel, seconded by Mr. Bristow. Motion approved 7-0.*

### **Public Safety:**

Mr. Linwood is requesting that Mrs. Pacchioli purchase 19 signs for "opposing traffic doesn't stop." Mrs. Pacchioli asked for the stops signs that are faded be replaced as well at the same time.

In regards to the bridge construction project on Ivyland Rd., Major Judice is asking for an officer to be on duty during the morning rush hour and fill out Ray's schedule as well for the afternoon. Concentrate on the Wilson and Greeley Aves. area. At end of project, we need to send the businesses a notice letting them know we will resume ticketing trucks cutting through the borough.

*Motion made by Mr. DiPaolo and seconded by Dr. Finello to approve the hiring of an additional officer to patrol the construction site.*

**Borough Property:** No report

**Streets and Walks:** No Report

**Planning Commission:** No Report

**Fire Company:**

There were nine calls to the Fire company in the last 30 days. Seven calls to FIRE and two calls to EMS. There twenty-nine calls on file year to date. Pancake breakfast was a huge success feeding 212 residents. The Memorial Day Parade will occur at 8am on Monday, May 29, 2023.

**EMERGENCY MANAGEMENT:** No Report

**NEW BUSINESS:**

Mr. Bristow is asking that we consider the next police car be EV.

The bamboo is coming back between the fire house and 50 Wilson Ave. Steve Ware had the name of the company who did the remediation, and it can be addressed.

**PUBLIC COMMENT:**

Mr. Tulio stated that he would come by the office tomorrow to review the plans. He also will submit sealed plans tomorrow. Mr. Tulio is being encouraged to submit all applications that he wants review on in writing.

**PERSONNEL MEETING:** began at 9:44

**ADJOURNMENT:**

10:27pm

Respectfully Submitted,

Danielle Turner, Minutes Secretary

Minutes Approved by Borough Council June 14, 2023.

with corrections p. 1+5