

Ivyland Borough Council Meeting

Wednesday, March 13, 2024

CALL TO ORDER: 7:00 PM

ATTENDANCE: Chuck Bristow, Sal DiPaolo, Dr. Christina Finello, Bill Linwood, Todd Savarese

ABSENT: Chris Branchide, Tony Judice, Matt Piotrowski

OTHERS PRESENT: Krista DiPaolo, recorder, Mark Freed, Borough Solicitor, Janet Pacchioli, Treasurer, Chris Peterson, Borough Engineer

Establishment of Quorum:

Pledge of Allegiance:

Moment of Silence:

Minutes of 2/14/24: Mr. Savarese stated a correction, page 4, third line regarding last month's discussion about the Naval Housing land. Mr. Savarese stated that the deed does not prohibit placement of a playground. Mr. Linwood made a motion to approve, Mr. Bristow seconded the motion. Motion passed 4-0-0.

- **Treasurer's Report:**

Mrs. Pacchioli read the February Treasurer's report. The balances are as follows as of 3/13/24:

General Fund:	
Balance on Hand:	\$331,193.96
Capital Reserve Fund:	\$660,998.06
Liquid Fuel Fund:	\$91,217.50
Fire Company Account:	\$59,329.54
Total Funds 3/13/24:	\$1,142,739.06

An amount of \$500,000 was placed in a CD @ 5.01% with TD Bank.

Treasurer's report accepted, subject to audit. Funds budgeted for 2024 all went into their appropriate Capital Accounts.

- **Bills List:**

Prepaid Bills List Total:	\$40,060.75
Unpaid Bills List Total	\$14,214.89

Mr. Linwood made a motion to approve the bills, Mr. Bristow seconded. Motion passed 4-0-0.

- **Correspondence:**

Mrs. Pachioli presented the following items:

- a. There will be a Borough Associations Meeting at the Logan Inn on March 26, 2024. Evan Stone, Executive Director of the Bucks County Planning Commission will be speaking. Mr. DiPaolo will attend (RSVP date, March 20, 2024).
- b. The Borough received the annual letter from the Bucks County Department of Health to participate in mosquito control spraying. Mr. Linwood made a Motion to accept the service. The motion was seconded by Mr. Savarese. Motion passed 4-0-0.
- c. The Pennsylvania Department of Transportation, Bureau of Planning and Research is conducting random traffic studies of state roads. Ivyland was on the list. The study may include Jacksonville Road. The study will be conducted in March through November of 2024. It was requested that the Borough reach out to the Municipal contact, Brian Dayton, at PennDot to attain more information.
- d. In response to discussions about phone numbers on the Borough website, it was stated that the Borough does not give out councilpersons' personal phone numbers. When communications are received from the community, the office staff directs the correspondence to the appropriate Board Member. It was noted by Mr. DiPaolo that all Council members' cell phone numbers are available on the Borough website.
- e. In regards to the Room Use form, documentation is posted to remind users to vacuum and restore chairs to the original position. Parameters for handling audio equipment will be added to the documentation.
- f. The entire Borough Council is invited to the grand opening of the Hometown Dental office on Friday, March 22, 2024. The ribbon cutting will occur at 11:00 am.

- **Public Comment:**

- a. MTWS LLC Preliminary Land Development Application: Mr. Malloy, Mr. Tulio and Mr. Costanza were in attendance at tonight's meeting. They requested preliminary

approval of the land development application by the Ivyland Planning Commission. The applicant requested approval by Council to move the project forward tonight. Mr. Freed responded to the request by describing the Planning Commission's recommendations from their February 21, 2024 meeting for the conditional approval of land development. The recommendations enumerated the following; compliance with the Warminster Municipal Authority Engineer's review letter of January 30, 2024 compliance with any comments, and/or recommendations of the Pennsylvania Department of Labor and Industry regarding ADA requirements, waiver of curbing requirement along Pennsylvania Avenue, waiver for back up area requirement if affected parking space is marked "Compact Cars only". Conditions for Approval include parking spots assigned to individual building units and an approval letter from the Fire Marshal that adequate water supply is available for fire suppression requirements. Mr. Bristow raised questions about adequate supply for sprinklers having not yet been resolved. Applicant stated that they had entered into agreement with WMA to construct water mains for adequate water service to the building for fire suppression. Applicant commented that proof of water service would be done at the permitting stage. Mr. Bristow questioned whether the building was covered or not covered as a historic building under ADA. Is there a statute in place for ADA compliance? Historic or not, the Applicant can ask for a waiver. The Borough has the opportunity to speak to the state about ADA. Mr. Bristow commented that he is concerned that the building will preclude people with disabilities from accessing it. Mr. Tulio is applying for a variance from the requirement. Applicant is requesting the Pennsylvania Department of Labor and Industry to waive the ADA access requirement. The Planning Commission recommended compliance with all borough, county, state and federal regulations. Labor and Industry asked the Borough for input into the waiver application. Mr. Savarese asked Mr. Costanza about the impact of the waiver. Mr. Savarese shared he cannot vote to approve the application without knowing the impact of the waiver. Mr. Costanza could not provide an answer. Mr. Savarese made a motion to table the application until the next meeting. Mr. Bristow seconded the motion. Motion passed 5-0-0.

- b. Douglas and Sharon Hamilton: Dr. Hamilton invited the Borough Council to the ribbon cutting ceremony for the Hometown Dental office. They need a Certificate of Occupancy to open the building. They are having issues getting the Zoning Officer information from their surveyor. They are planning to open March 25, 2024 and have

patients scheduled. They requested a temporary C of O. Mr. Pertersen responded that a temporary C of O could be issued. Mr. Savarese motioned to authorize our zoning officer to grant a temporary C of O. Mr. Bristow seconded the motion. Motion passed 5-0-0. Dr. Hamilton distributed flyers for ribbon cutting.

- a. Justin Winter: 86 Lincoln Avenue. Mr. Winter is concerned with mud that accumulates on the Pennsylvania side of the hotel. He asked the Council if there can be any type of remediation. Remediation recommended - add stone or grass.

- **Code Enforcement/Zoning October Report:**

- a. Mr. Savarese mentioned the report. Specifically, Item #2 regarding Mr. Prickett at 1060 Greely Ave. Geoff Rapp did not elect to speak to Mr. Prickett because there is no formal application for parking at this time. Mr. Linwood made a motion to approve the report. The motion was seconded by Mr. Bristow. Motion passed 5-0-0.

- **Report of President:**

- a. Nothing to report.

- **Engineer:**

- a. Mr. Petersen updated the Council on demolition at the Navy Housing site. The demolition is almost complete, the buildings are down and the contractor is working on leveling the area. Received certified payroll from contractor for payment. Application #1 was submitted for \$60,895.00 for approval. Mr. DiPaolo made a motion to approve, Mr. Savarese seconded the motion. Motion passed 5-0-0.
- b. Mrs. Pacchioli asked how to pay the bill. She asked if the Borough paid now and would get reimbursed later? If yes, would Council want payment through the Capital Fund? Discussion ensued and decided that the Capital Fund was the appropriate source for payment for the demolition vendor. A second item, with regard to the Navy Housing site, was the termination of the water supply to the site. Warminster Municipal Authority requested a more thorough termination and suggested to the contractor they submit a change order to cover the additional work and materials. The Contractor is requesting a change order to cover the joint restraint fitting, concrete cavity and additional digging and labor at \$2125. This is change order #1 for the project. Mr. Bristow made a motion for the change order, Mr. DiPaolo seconded. Motion passed 5-0-0. Dr. Finello asked for a completion timeline. Mr. Petersen estimated it to be 2 weeks from today.

- c. Mr. DiPaolo, Mr. Savarese and Mr. Petersen met with the grant administrator to discuss the Greenways Trail and Recreation grant. A contract was awarded for the demolition on December 29, 2023 and was signed with the vendor on January 2, 2024 with work starting onsite on January 17, 2024. The three of them are working to see that all expenses received after the grant awarding, January 16, 2024, are covered by the grant.

- **Solicitor:**

- a. Attended Zoning Hearing Board meeting for home business zoning application for Mr. Winter. The ZHB did not issue the permit. Subsequently, he does not have an employee now and has reapplied and has been issued a permit.

Attended a meeting with Mr. DiPaolo, Zoning Office Mr. Hallowell and Mr. Prickett to discuss Mr. Prickett's plans for the Hobensack Mill.

Question: Is Council asking the Solicitor to intervene with the situation with L & I and ADA at the Hotel? This item should be discussed in the Executive Session.

- **Unfinished Business:**

- a. Mr. DiPaolo commented that codification of ordinances is still an outstanding project. He commented that he would forward the most recent proposal for the project. Note that \$20,000 was put into the budget to accomplish this. Motion to table the discussion on codification until the next Council meeting was made and approved.

- **Mayor:**

- a. The mayor was not in attendance this evening.

- **Committee Reports:**

- a. *Park and Recreation:* The Annual Ivyland Easter Egg Hunt will be on Saturday, March 30th at 1:00 pm, complete with the Easter Bunny. Mr. DiPaolo requested to invite borough residents to attend the next Park and Rec meeting, March 20, 2024 at 7:30 pm in the Borough Hall, to offer ideas/suggestions for the old Navy Housing area.
- b. *Finance:* All banking proposals have been shared with the Council. Three proposals have been attained. Mrs. Pacchioli read an email response from TD Bank stating that they could not offer any better rates. Mr. Savarese abstained from voting as he is a board member for Inspire Bank. First National was not comparable to the other two

banks; Penn Community Bank and Inspire. Mr. Bristow feels Penn Community is a more stable bank. Mr. DiPaolo asked if the Council wanted to have everyone vote tonight. Mr. Linwood stated that he hasn't had a full review of all the information. Discussion and voting is tabled until the next meeting. Mr. DiPaolo made a motion to table the discussion, Mr. Bristow seconded. The motion passed 4-0-1. Mr. Savarese made the suggestion that the banks attend a meeting and present proposals to the Council. Mrs. Pacchioli will request this from the banks. Mr. DiPaolo thanked the Finance Committee for their hard work.

- c. *Public Safety:* 48 calls of service in February. Car 3802 traveled 625 miles. Car 3801 traveled 524 miles. The Borough received a check from the courthouse for \$402.74.
- d. *Borough Property:* A quote has not been received for the Borough Hall porch to date. Mr. Canal fixed two doors that were coming off the hinges inside the building. He is still interested in submitting a porch bid. Mrs. Pachioli received a call from Unit 40 in Ivy Meadows regarding borough trees which are hanging over into their property. The resident asked if the Borough can take care of cutting the limbs back. The Borough also received a call from the Homeowners at 81 Valentine Rd. Their property backs up to the current Navy housing demolition. The homeowners report that the trees along that area may need to be trimmed. Mr. Peterson commented that the trees in the demolition area that were in poor condition were removed. The trees in good condition have not been removed.
- e. *Streets and Walks:* Mr. Savarese instructed Mike Granerri to remove the "Welcome to Ivyland" sign that was on Bristol Road as it was a hazard.
- f. *Planning Commission:* Nothing new to report at this time.
- g. *Fire Company:* The Company president reported the following; Within the last 30 days they had 14 calls; 10 fire, 4 medical and a total of 21 calls YTD. The Fire Company will be at the Easter Egg hunt. The Company had a recruitment and retention event at WTHS on March 12, 2024. The company training consists of 150 hours per person and drill night gets around 15 members. IFC members signed up for 570 hours of training this year

- **Emergency Management:**

- a. Nothing to report at this time.

- **New Business:**

a. Nothing to report at this time.

- **Public Comment:**

a. Mrs. DiPaolo commented about the FB posting on *I Grew Up or Lived in Ivyland Borough PA* by a borough resident. The post, dated March 9, 2024, showed a Ring device picture and video of a woman in a resident's backyard. This person had possession of the homeowners soccer ball. Homeowner confronted her and she returned the items. The social media content was requested to be sent to Mr. Linwood for review. The information was sent to Mr. Linwood's cell phone.

- **Personnel:**

a. Nothing new to report at this time.

- **Adjournment:**

a. Mr.. DiPaolo made a motion to adjourn. Meeting adjourned at 8:42 pm.

- **Council Entered into executive session to discuss legal matters at 8:45 pm and ended it at 9:15PM.**

Respectfully Submitted,
Krista DiPaolo, recorder

Minutes Approved by Borough Council April 10, 2024
As presented.