

Council Work Session
October 6, 2010
Council Chambers

The regular monthly work session of Newtown Borough Council was called to order at 7:00 P.M. on Wednesday, October 6, 2010, by Vice-President of Council Perry Warren.

Present were Councilors Burke, O'Malley, Sellers, Walker and Warren; Mayor O'Brien; Solicitor Paul Cohen and Engineer Maryellen Saylor of Pickering, Corts & Summerson. President Woldorf was excused.

Amendments to the Agenda

Mr. Burke removed discussion of the "no outlet" signs for Jefferson Court from the agenda because Mr. Walker advised that the existing sign had been vandalized and would be repaired and re-installed.

Public to be Heard

Resident Ben Douglas, 207 Court Street, addressed Council about parking problems on Court Street. Mr. Douglas felt that Borough business employees use Court Street as a parking lot and he is unable to find parking between 9 A.M. and 7 P.M. in front of his home. Mr. Sellers noted that other residents on Centre Avenue and Court Street have voiced the same concern to him and he suggested having the Police Committee speak to Chief Wojciechowski about the possibility of a hybrid-parking permit, with 2 hour parking, except for residents with permits.

Playground Audit Update

With regard to the playground audit, Councilor Burke reported that the issues at the Brian S. Gregg Park are all items that can be easily addressed, and with little cost to the Borough. Some of the concerns at Linton Memorial Park will require immediate action and involve significant expense. Immediate removal of the tires and large swings is recommended since they present safety and liability concerns. The equipment in the tot lot needs significant work and/or replacement and the see saw should be removed. Mr. Burke suggested replacing the tot lot equipment with a new piece, which is currently on sale at 50% of the original price. Mr. Burke said that he had spoken to Newtown Township about a possible agreement to use their playground inspector for future inspections. In response to questions about equipment repair, Mr. Burke said that although parts of the equipment could be retrofit, some of those repairs would lead to additional issues with other parts that were not repairable. Mr. O'Malley felt that the manufacturer of the existing equipment should still be contacted about possible repairs/retrofitting before purchasing new equipment.

Kati Sowiak commented that if Council does additional work in the tot lot, they might consider a French drain around the play yard, as drainage has been a problem since the original installation at the park.

Engineer's Report – Maryellen Saylor, Pickering, Corts & Summerson

- **Sidewalk Discussion**
Ms. Saylor revised the sidewalk specifications to PennDOT and ADA standards, based on the approved materials for sidewalks, curbs, and driveway aprons.

With regard to the curb ramp issue, Ms. Saylor explained that PennDOT advised that the Borough could defer curb ramp installation if Council defines ramp work improvement in the Borough's Master Plan.
- **Newtown Artesian Water Company State Street Project**
Ramps #7 and #8, at the intersection of State and Washington Avenue, required additional design work and Ms. Saylor asked Gannett Fleming to address those issues. She asked to see the drawings that are being submitted to PennDOT and Newtown Artesian Water Company.
- **Handicapped Ramp at Lafayette Street and Lincoln Avenue**
Ms. Saylor reported that a Pedestrian Study is required prior to removal of the handicapped ramp at Lafayette and Lincoln Avenue, but PennDOT must provide additional detail about the study.
- **2009 Frost Lane Update**
Harris Blacktopping milled and resurfaced the two sections of Frost Lane that required additional work. In addition, since there was not enough basecoat at the Frost and Edgeboro inlet, Harris thickened the base and resurfaced it. Since the work is now complete, Ms. Saylor is recommending the release of the 5% retainage (\$4,974.84) for this project, contingent on submitting the contractor's affidavit, contractor's release, and statement of Surety Company forms signed and executed. A letter was received dated with the project completion acceptance, so the maintenance bond would start as of the date of that letter.
- **2010 Frost Lane Update**
The deep section of storm sewer installation started last week and will continue, dependent on the weather.

Pedestrian Safety Week

Traffic Committee member Jen Pennington reported that the Joint Traffic Committee wished to expand on their previous pedestrian safety programs using additional signage and posters. The committee is hoping to obtain portable message signs to strategically place as people enter the Borough signaling *Pedestrian Safety Week, October 25 thru Halloween*. Both Newtown Borough and Newtown Township will pass Resolutions designating *Pedestrian Safety Week* and the Borough will adopt their Resolution at the October 12, 2010, Council meeting.

Special Events – Mayor O'Brien

- **Halloween Parade – October 30, 2010**, with costume judging at the Stocking Works at 9 A.M., the parade beginning at 10 A.M. and ending with the award ceremony at the Newtown Theater.

- Holiday Parade – December 5, 2010 from 1-5 P.M., with the parade starting at 2 P.M. at the Stocking Works. The previously approved Holiday Parade application was withdrawn.

Streets, Lights & Properties – Michael Sellers

- Locks for Borough Hall
Mr. Sellers suggested the installation of two mechanical keypad locks (KAB simplex), one on the exterior door, and one on the office door, at a cost of approximately \$450-480 per device with an additional cost for installation. Mr. Sellers will return to Council with a formal price proposal.
- Brick Pointing for Newtown Borough Police Department
Mr. Sellers reported that the north-facing wall of the police department has serious areas that require re-pointing, and two contractors have looked at that wall, but with no formal estimates provided. Mayor O'Brien also had an individual inspect the area, with no formal proposal submitted. Mr. Sellers will obtain formal bids for the proposed work.

Budget and Finance – Gerard O'Malley

- ❖ A motion was duly made by Councilor O'Malley, seconded by Councilor Walker, and carried unanimously, to approve the professional services invoices outlined in the e-mail from Patricia Ours on September 16, 2010.

Council received a copy of the 2011 preliminary draft budget. A special budget meeting is scheduled on October 21, 2010, and Treasurer Ours will highlight some of the areas that reflect change and what is affecting those changes. Mr. O'Malley asked Council to review the draft and provide the finance committee with any questions prior to the meeting. Council decided to hold an Executive Session prior to the October Council meeting for discussion of personnel and salaries.

Discussion of Date/Time Change for November Work Session

Mr. Warren raised the possibility of changing the November Work Session to 4:30 P.M. in order to avoid a conflict with Game 6 of the World Series. Mr. O'Malley voiced concern about moving the time of an advertized meeting, other than for a religious holiday, and Council agreed to keep the original time.

Solicitor's Report – Paul Cohen

- Zoning Hearing Board Application
Mr. Cohen asked Council whether they wished to oppose the Zoning Hearing Board application for the fence at Newtown Station. After discussion, Council concurred that sending the Solicitor would not be necessary.
- LaStalla Restaurant Sound Test
The rescheduled LaStalla Restaurant sound test is October 7, 2010, at 8 P.M. Under the Liquor Control Board (LCB) laws, sounds are not supposed to leave the property. Mr. Sellers asked why the Liquor Control Board does not enforce its own prohibitions on amplified music, since the LaStalla license does

not permit it and the restaurant has been in violation of it for two years. Mr. Cohen suggested authorizing the President of Council to send a letter to the LCB voicing that concern.

Old Business

Mr. Burke advised Council that he was in receipt of 4-5 applications for the Junior Councilor program. He will share the applications with Council members and a decision on how to proceed will follow.

Isaac Newton's Restaurant donated five trees for planting in the municipal parking lot island and Councilor Burke would like to recognize Glenn Blakely of Isaac Newton's for that donation at the Tuesday Council Meeting.

New Business

A resident from Chancellor Street approached Mr. O'Malley with concerns about the Borough's geo-thermal ordinance. The resident's contractor felt that the Borough is overly restrictive in its requirements, especially with regard to the setback standards. Mr. O'Malley would like to see the ordinance regulations revisited by the Zoning Officer or the Planning Commission.

Public to be Heard

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

There was a motion to adjourn at 9:00 P.M.

Respectfully submitted,

Marcia M. Scull
Borough Secretary

IN ATTENDANCE

Warren Woldorf	440 E. Washington Avenue
Gema Duarte	Bucks County Courier Times
Jeff Werner	The Advance
Tina Leck	For the Holiday Parade
Kati Sowiak	121 S. Chancellor Street
Jen Pennington	524 Penn Street
Ben Douglas	207 Court Street