

Council Work Session  
April 7, 2010  
Council Chambers

The regular monthly Work Session of Newtown Borough Council was called to order at 7:00 P.M. on Wednesday, April 7, 2010, by President of Council Julia Woldorf.

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

### **Amendments to the Agenda**

Discussion of the Town Watch Program was moved up on the agenda in order for Chief Wojciechowski to be present.

### **Public to be Heard**

Kati Sowiak asked for clarification about where on the agenda the lighting for Linton Park would be discussed and Ms. Woldorf said it would be the third item on the agenda.

### **Formation of a Town Watch Program – Doug Levin**

With regard to formation of a Town Watch Program, Chief Wojciechowski welcomed the volunteers who will be the “eyes and ears” for the police, but he reminded the group and the public that people must call the police department whenever they see something of concern. Officer Rosenfeld will be the liaison to the Town Watch group and Corporal Warunek will be her supervisor.

Town Watch organizer Doug Levin, 110 Centre Avenue, reported that seven individuals have agreed to help organize the program and thirty-seven individuals have offered to volunteer where needed. The goals for the first meeting are to create a mission statement, define the scope of the program, define tasks and assign due dates, and then to update all volunteers with information from the meeting. Michelle Amazeen started a Town Watch in Georgia where a block captain was assigned who was responsible for that area and who would be familiar with the patterns of that block. Another approach would be to enlist the assistance of delivery people such as mail carriers, UPS and pizza delivery people who could be trained to watch for and call the police if anything unusual was observed. In Mr. Levin's research of programs, two things were consistent throughout: do not get involved in law enforcement, simply be the “eyes and ears” and have an established alert system, whether text messaging or e-mailing, in order to make all volunteers aware of a situation. Marketing the Town Watch program is important so that people are aware it exists in the community. Mr. Levin will return to the May Work Session to give Council an update on the program.

Mr. O'Malley applauded the formation of the group and felt that this program is a key element to Chief Wojciechowski's overall safety plan. He also noted that continued communication between the police department and the Council is important.

## **Old Skunky Update – Sharon Dotts**

Ms. Dotts of Gilmore & Associates provided a draft of the Old Skunky report which will be presented to the Environmental Advisory Council (EAC) at a public meeting on April 20, 2010, at 7 P.M. Ms. Dotts noted that Old Skunky has a great deal of erosion, which is detailed in the study. A list of recommendations has been developed, including a range of potential costs. After the meeting with the EAC, revisions will be made and the report completed.

## **Lighting in Linton Memorial Park – Heidi Adams**

Recreation Board Co-Chairman, Heidi Adams, addressed Council about electricity for the shed and light for the flagpole in Linton Memorial Park. Mr. Sellers added additional lighting for the shed and in the tot lot to the discussion. Three estimates were received for the proposed work and the bid from Hepp Electric, Inc. was recommended. Mr. Sellers explained the reasons for not installing motion detector lights, which included a delay in the light response for sodium lights and the fact that they are not as durable. Sodium lights were recommended because of the softer light for a residential area.

Kati Sowiak questioned the need to light the flagpole. When the playground was built and the flagpole donated, the Board was told that ambient light was sufficient to light the flag. However, members of the American Legion have voiced concern that the flag should be lit after dark. Ms. Sowiak asked if a different flag, perhaps Tree City USA, could be flown on that pole, which would eliminate the need for lighting.

- ❖ A motion was duly made by Councilor Sellers, seconded by Councilor Burke, and carried unanimously, to accept the proposal of Hepp Electric, Inc., dated January 31, 2010, eliminating project #2 (light for the flagpole) from the proposal, in the amount of \$2715.

Resident Joe Lovi questioned why the American flag would be replaced, especially considering a veteran donated the flagpole and that veterans fought and died for this country.

- ❖ A motion was duly made by Councilor Walker, seconded by Councilor O'Malley, and carried unanimously, to restore project #2 (light for the flagpole) to the proposal, for a total cost of \$3240.

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

- Frost Lane Project  
Ms. Saylor reported that a meeting was held with Newtown Township regarding the Frost Lane project. Newtown Township will draw the plans, bid the project and the Borough will share in the costs. Ms. Saylor will have more details and will discuss the project at the May Council meeting. An intergovernmental agreement will be required for this joint project and Solicitor Cohen will work with Solicitor Garton on the agreement.

Ann Bye, 400 Edgeboro Drive, had concerns about the previous work done on Frost Lane. Ms. Bye was told that additional work would be needed to address outstanding issues, but nothing has been done thus far. Ms. Bye has significant problems with water run-off onto her property. Mr. Walker was familiar with the issue and noted that the proposed work could also have an impact on her problem.

Ms. Saylor will contact Gilmore & Associates, who oversaw the original project and Mr. Walker will assist.

- Update on 252 S. State Street

Ms. Saylor discussed the water problem at 252 S. State Street. Property owners Chris and Donna Gusty were present. Ms. Saylor reviewed various possible causes for the water, but found nothing that related to the Borough. The Gustys felt that the problem started after construction of the new home across the street from their property, but research showed that the building permit was pulled for the home after the initial problem began, so she felt that the new home was not a factor. The water table was extremely high during the periods in question. Ms. Saylor recommended the Gustys consult a geologist as the problem could be an underground spring or an occurrence underground that changed the flow. The only other option is a bright colored biodegradable dye that could be used to follow the flow of the stream from Penn Street down to see if that is causing a problem. The Gustys asked the Borough to cover the cost of a geologist, but the Solicitor felt that the Borough was not obligated to do that. Ms. Saylor had asked the Gustys to have the water tested by Newtown Artesian Water for the presence of chlorine to rule out the possibility of a water leak, which has not yet been done. Council asked that the water test be completed before pursuing the dye option. Mr. Walker asked what the Borough's liability would be if the dye was used. Council decided to see the result of the water test before authorizing the dye test.

#### Playground Resurfacing

- Ms. Saylor asked about the resurfacing of the playgrounds. Mr. Sellers commented that a comprehensive review of playground standards is needed. Within the next 30 days, a memo with recommendations and names of playground inspectors will be provided.

- Sidewalk Ordinance

Driveway apron details need to be upgraded and a question was raised about how to handle the replacement of curb ramps if they are tied to sidewalk repairs and who would bear the cost for the ramps. The question was also raised about a corner property being responsible for all four curb ramps being brought into compliance. The ordinance would reference ADA and PennDOT compliance.

Resident Sally Thompson, 200 N. Chancellor Street, questioned the use of sidewalk materials that are not approved by the ordinance. Ms. Thompson asked that Council enforce the existing ordinance and consider uniformity of the sidewalks. She was also concerned that individuals are paving over their sidewalks when replacing driveway aprons and asked Council to address that issue as well.

The sidewalk discussion will continue at the May Work Session.

### **Special Events – Mayor O'Brien**

Council discussed the following two events and had no issues with either activity.

- Memorial Day Parade – May 31, 2010 at 9 A.M.
- Market Day – October 2, 2010 from 10 A.M.-4 P.M.

## **Streets, Lights & Properties – Michael Sellers**

Mr. Sellers noted that the police station lease is coming up for renewal.

Chief Wojciechowski is pursuing security locks for Borough Hall and the lock discussion may be on the Tuesday agenda.

Secretary Scull relayed information from Ron Fesmire regarding the use of a rubber playground surface. A parent commented to him that she has been bringing her children to Brian Gregg Park since the Roberts Ridge Park installed rubber mulch, which coats the children's clothes and shoes with a black sooty material. This could be a factor in the decision about playground resurfacing.

## **Approval of Professional Invoices**

- ❖ A motion was duly made by Councilor Walker, seconded by Councilor O'Malley, and carried unanimously, to approve Gilmore & Associates January 11, 2010, invoice in the amount of \$3964.76.
- ❖ A motion was duly made by Councilor Walker, seconded by Councilor O'Malley, and carried unanimously, to approve the February 2010 professional services invoices.

Councilors O'Malley and Walker will discuss the possibility of quarterly budget reports at the May Work Session.

## **Approval of Letters**

Ms. Woldorf explained that all police departments are required to replace their police radios by 2012 and the proposed letter would request assistance from the Bucks County Commissioners for funding of this mandated project.

A letter authorizing the County to spray Newtown Borough for West Nile Virus is required and Council agreed to send both of the proposed letters.

## **DCED Extension Request**

- ❖ A motion was duly made by Councilor Warren, seconded by Councilor Burke, authorizing the President of Council to send a letter to the Department of Community and Economic Development (DCED) requesting a 3-month extension for completion of the Old Skunky grant.

## **Temporary Banner**

- ❖ A motion was duly made by Councilor Burke, seconded by Councilor Warren, and carried unanimously, to approve the hanging of a temporary banner at the Friends Boarding Home advertising the Annual Zoo Friends Fair. The sign will be hung for three weeks prior to the event.

## **Revised Comprehensive Plan**

Council received copies of the revised Comprehensive Plan and Ms. Woldorf would like to approve the 45-day review period at the Tuesday Council Meeting. Council could adopt the plan at the June Council Meeting.

### **Traditional Neighborhood Development Proposals**

Mr. Sellers reported that the Planning Commission reviewed three proposals with their modifications for the Traditional Neighborhood Development Ordinance (TND) revision. After extended discussion, the prevailing opinion was to accept Mark Evans's proposal, contingent on his reduction of the overall cost. Mr. Evans has since submitted his revised proposal and the Planning Commission will be holding a special meeting on April 12, 2010, to make a formal recommendation to Council.

### **Bucks County Tax Collection Committee Report**

Mr. O'Malley reported that the Bucks County Tax Collection Committee adopted their by-laws and budget at its recent meeting. Council must approve a resolution to authorize the Committee to seek a Department of Community and Economic Development (DCED) grant to assist with start-up costs.

### **Solicitor's Report – Paul Cohen**

- ❖ A motion was duly made by Councilor Sellers, seconded by Councilor Walker, and carried unanimously, to authorize the Solicitor to draft an ordinance to restrict parking on Jefferson Street at Liberty Street.

Solicitor Cohen noted that an executive session was held prior to the meeting for discussion of real estate, contract negotiation concerning personnel and litigation, including a matter in Bucks County Court of Common Pleas docket #05-7968.

### **Old Business**

Ms. Woldorf asked for updates on the Borough's outstanding grants:

Mr. Sellers reported that the Department of Conservation and Natural Resources (DCNR) approved the proposed consultant's contract with The Heritage Conservancy for the Greenway Grant.

Mr. O'Malley reported that the Resolution and Reimbursement Agreement for the Pennsylvania Community Transportation Initiative Grant requires additional Council approval and signing.

The Old Skunky Grant was discussed earlier in the meeting and Council gave authorization to request a three-month extension from DCED for completion of the grant.

Ms. Woldorf asked the status of the Long Term Parking Committee and Councilor Walker said he would speak to committee members, but they would not be meeting on a regular basis.

Mr. Warren reported on the meeting with Mr. Burke and Newtown Corporation Chairman Frank Tyrol and Interim Director Paul Salvatore. Both Mr. Burke and Mr. Warren felt that the meeting went well, but that there was not enough detail or specificity in their plans. The Executive Director job description also needed to be

more specific. Mr. Sellers felt that the Newtown Corporation does not have enough experience running a non-profit group and their lack of a strategic plan and mission statement concerns him. Mr. Sellers is also concerned about how the Corporation's funds are being spent.

### **New Business**

- ❖ A motion was duly made by Councilor Walker, seconded by Councilor Burke, and carried unanimously, to donate three computer monitors to the Newtown Library Company.

Ms. Woldorf asked if anyone would be interested in implementing a Junior Borough Councilor program and Councilor Burke volunteered.

The Environmental Advisory Council met with two lighting consultants and Ms. Woldorf asked Council to consider hiring lighting engineer Ron Smith with a \$1000 retainer and \$100/hr against retainer. The idea will be discussed at the Tuesday meeting.

### **Public to be Heard**

No one wished to be heard.

There was a motion to adjourn at 9:55 P.M.

Respectfully submitted,

Marcia M. Scull  
Borough Secretary

### **IN ATTENDANCE**

Warren Woldorf	440 E. Washington Avenue
Joe Lovi	151 N. State Street
Diane LeBas	104 Penn Street
Danny Adler	Bucks County Courier Times
Jeff Werner	The Advance
Chris & Donna Gusty	252 S. State Street
Sharon K. Dotts	Gilmore & Associates, Inc.
Doug Levin	110 Centre Avenue
Karolyn Fisher	215 S. Chancellor Street
Chief Anthony Wojciechowski	Newtown Borough Police Dept.
Kati Sowiak	121 S. Chancellor Street
Sally Thompson	200 N. Chancellor Street
Heidi Adams	212 E. Washington Avenue