

**IVYLAND BOROUGH COUNCIL MEETING**  
**via Zoom**

**February 10, 2021**

**CALL TO ORDER:** 7:40 p.m.

**PRESENT:** Council Members: Sal DiPaolo, President,  
Bill Linwood, Vice President, Todd Savarese,  
Chuck Bristow, Matthew Piotrowski,  
Christina Finello (7:57 p.m.)  
Excused: Elaine Butkus

**OTHERS:** Tony Judice, Mayor  
Chris Peterson, Borough Engineer  
Greg Sturn, Borough Solicitor  
Janet Pacchioli, Treasurer/Secretary

**ESTABLISHMENT OF QUORUM**

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

**MINUTES OF 1/13/21:**

Bill Linwood made a MOTION, seconded by Matthew Piotrowski to approve the minutes of the January 13, 2021 Council meeting as submitted.

MOTION was ADOPTED 5-0.

**TREASURER'S REPORT:**

Janet Pacchioli read the Treasurer's report to Council. The report was accepted subject to audit.

**BILLS LIST:**

Janet Pacchioli reported that the prepaid bills list totaled \$86,019.60 and the unpaid bills list totaled \$3,021.34.

Chuck Bristow made a MOTION, seconded by Bill Linwood to pay the bills.

MOTION was ADOPTED 5-0.

**CORRESPONDENCE:**

Janet Pacchioli noted that she will send the schedules for the 2021 Council Meetings and Committee Meetings to Council via email.

**PUBLIC COMMENT:** None.

**ZONING OFFICER'S REPORT:**

Bill Linwood made a MOTION, seconded by Todd Savarese to accept the Zoning Officer's report.

MOTION was ADOPTED 5-0.

**CODE ENFORCEMENT REPORT:**

Bill Linwood made a MOTION, seconded by Matthew Piotrowski to accept the Code Enforcement report.

MOTION was ADOPTED 5-0.

**REPORT OF PRESIDENT:**

Geff Rapp, Chairman of the Zoning Hearing Board, read a letter into the record dated Monday, February 8, 2021 on behalf of the members of the ZHB regarding their search for a new ZHB Solicitor. After interviewing five potential candidates ranging from a sole practitioner to one of the largest firms in Bucks County, the ZHB has selected Scott A. McNair, Esquire with Clemons, Richter and Reiss, PC of Doylestown at a rate of \$168.00 per hour as the new Ivyland Borough Zoning Hearing Board Solicitor.

Members of the ZHB request approval of their recommendation by Borough Council to officially appoint the new Solicitor at its next meeting on March 11, 2021.

Also, it was suggested that the ZHB have alternate members in place should they be needed and members of the ZHB will make suggestions for alternates for Council's consideration, approval, and appointment.

Sal DiPaolo made a MOTION, seconded by Chuck Bristow to approve the Zoning Hearing Board's recommendation of Scott A. McNair, Esquire with Clemons, Richter and Reiss, PC as the new Ivyland Borough Zoning Hearing Board Solicitor.

MOTION was ADOPTED 5-0.

Sal DiPaolo continued that Tom DeSimone and Fran Hess have agreed to be alternate members of the Zoning Hearing Board.

Greg Sturn noted that alternate members to the ZHB should be adopted by resolution, which can be done at the March Council meeting, which is prior to the next ZHB meeting.

Christina Finello entered the Zoom meeting at 7:57 p.m.

Sal DiPaolo thanked Geff Rapp and Group G for their work on updating the Borough's website.

**ENGINEER:**

Chris Peterson, Borough Engineer, reported that regarding the Greeley Avenue stormwater improvement project; the bid opening has been rescheduled for February 24, 2021 to provide time for contractors to review two separate addendums that were posted on PennBid to adjust pricing. Tabulation of bids and letter of recommendation will be provided to Council for consideration at the March meeting.

Regarding the 2021 crack-sealing project; proposals were obtained to provide crack-sealing services on all Borough-owned roadways from three experienced local contractors and proposals are per PennDOT's standards. The lowest responsible bidder is Bux-Mont Asphalt Paving Company at \$14,650.00; Monster Landscaping & Paving at \$22,386.00 and Highest American Striping & Signage at \$33,200.00. After review, Bux-Mont Asphalt Paving Company's pricing is competitive and recommended if Borough Council is interested in doing this project.

Todd Savarese made a MOTION, seconded by Sal DiPaolo to approve recommendation of Borough Engineer to authorize the lowest responsible bidder Bux-Mont Asphalt Paving Company to provide crack-sealing services on all Borough-owned roadways at a price of \$14,650.00.

MOTION was ADOPTED 6-0.

Chris Peterson continued that Council previously authorized Bux-Mont Asphalt Paving Company to complete the inlet cleaning, but due to inclement weather that work will not begin until conditions improve.

Also, it was questioned whether the existing speed hump on Chase Avenue conforms to PennDOT's standards since it will be emulated on Chase Avenue between the intersection of Greeley and Pennsylvania Avenues, and it was confirmed that the existing speed hump is referred to as a Seminole County speed hump commonly referred to as a speed table and noted in the Pennsylvania Traffic Calming Handbook, and the existing line-striping is also in conformance with advanced warning markings. Bux-Mont Asphalt Paving Company provided a quote dated December 13, 2020 in the amount of \$7,470.00.

Chuck Bristow questioned whether there would be any advantage in getting all this work done at the same time.

Mr. Peterson replied mobilization of equipment is different for both activities so there may not be substantial cost-savings in scheduling them at the same time; however, he can speak with reps of the company to see if there is anything they can do about the price.

Sal DiPaolo questioned whether liquid fuels funds could be used for the projects.

Chris Peterson replied it was confirmed with PennDOT District 6 that liquid fuels funds can be used for crack-sealing work, but he will need to confirm that for installation of speed hump.

Sal DiPaolo made a MOTION, seconded by Bill Linwood to authorize Borough Engineer to speak with reps of Bux-Mont Asphalt Paving Company about the possibility of scheduling both projects at the same time and provide a consolidated price, and to TABLE approval of installation of a speed hump until Council has an updated price.

Todd Savarese expressed concern that if Bux-Mont is not willing to show some consideration for installation of the speed hump at the same time as the crack-sealing project, he would like to postpone installation of the speed hump.

MOTION was ADOPTED 6-0.

Sal DiPaolo said previously Council authorized Borough Solicitor to send a letter to the New Hope/Ivyland Railroad regarding the condition of the crossing on Wilson Avenue/Ivyland Road, and Borough Solicitor suggested that the Borough Engineer investigate the site, take photos of the general condition of the crossing, and submit a formal report to Council.

Sal DiPaolo made a MOTION, seconded by Chuck Bristow to authorize Borough Engineer to investigate the crossing of the New Hope/Ivyland Railroad located on Wilson Avenue/Ivyland Road, take photos of the general condition of the crossing, and submit a formal report to Council.

MOTION was ADOPTED 6-0.

**SOLICITOR:**

Greg Sturn questioned whether Council wishes to take a position on the zoning application that will be presented before the Zoning Hearing Board.

Matt Piotrowski questioned whether the applicant should be requesting a special exception, or should they request a zoning variance because the nonconforming use has not been part of that building for quite some time.

Greg Sturn replied that he spoke with the applicant's attorney informing him that the zoning ordinance has an abandonment provision and their attorney assured that he is prepared to address it. Typically, changing from one nonconforming use to another requires a special exception, so he could suggest to the applicant's attorney to apply for a variance request as an alternative.

Todd Savarese said regarding whether Council would like to take a position on the zoning application, the applicant does not provide a lot of detailed information upon which to make a determination.

Mayor Judice suggested that Council require more detailed information.

Greg Sturn replied that this may require land development process as well as zoning approval, so Council will have a chance to review it.

Matthew Piotrowski noted there is a Council meeting scheduled prior to the ZHB meeting, so if the applicant can provide more details, Council could then decide whether to have representation at the ZHB meeting.

Greg Sturn replied he will ask the applicant's attorney about providing further details in advance, and he will investigate whether the land development approval process is needed.

Todd Savarese asked for the attorney to be informed that Council is struggling to decide on whether to oppose the application due to lack of information and any additional details would be useful.

Chuck Bristow commented that lawnmowers and some fuel is one thing; however, Council would like to be informed about any lawncare-chemicals, storage, etc.

Greg Sturn continued that he will follow up on the matter of Ivyland Hotel.

**UNFINISHED BUSINESS:** None.

**MAYOR:**

Mayor Judice said there was no police report from the past month.

Also, he posted an invitation to residents on Facebook to make any comments as well as an announcement from Code Enforcement Officer asking residents to clear their sidewalks from snow so no citations will be issued.

He emailed to Council a copy of an article regarding Act 101 of 2020 that is part of Senate Bill 940 that gives municipalities more latitude in condemnation orders for blighted and abandoned properties.

Chuck Bristow asked Borough Solicitor to review Act 101 of 2020 for possible enactment by Borough Council.

Greg Sturn agreed, and will provide a draft ordinance by the next Council meeting for implementation, if required.

Sal DiPaolo made a MOTION, seconded by Bill Linwood to authorize Borough Solicitor to review Act 101 of 2020 that is part of Senate Bill 940 and provide a draft ordinance by the next Council meeting for implementation, if required.

MOTION was ADOPTED 6-0.

**COMMITTEE REPORTS:**

**PARKS AND RECREATION:**

Sal DiPaolo questioned whether Council would like to pursue further sending out for bid for demolition of the former Navy homes since it is wintertime and may get better pricing.

Council agreed.

Sal DiPaolo made a MOTION, seconded by Christina Finello to authorize Borough Engineer to send out for bid for demolition of the former Navy homes located on Jacksonville Road.

MOTION was ADOPTED 6-0.

**FINANCE:** No report.

**PUBLIC SAFETY:**

Bill Linwood reported we are still waiting for the new police vehicle to be outfitted.

**STREETS/WALKS:**

Todd Savarese reported that Granieri has done a good job snowplowing.

**PLANNING COMMISSION:** None.

**FIRE COMPANY:**

Pat Gibbons, Chief Engineer, Ivyland Fire Company, reported that there were eight calls YTD. Training is an ongoing and there are six new members. Also, the Fire Company has assisted with recent snowstorms.

**EMERGENCY MANAGEMENT:** No report.

**NEW BUSINESS:**

Chuck Bristow commented that Leck's trash trucks are quiet and he is pleased with their service; however, if anyone is having difficulty to let Council know.

**PUBLIC COMMENT:**

A resident asked if there will be a posting of the meeting on Facebook and it will be.

**BOROUGH PROPERTY:**

Janet Pacchioli commented that Christian Brothers has been the company that the Borough has used for heating/air conditioning of the Borough Office and their prices have always been high, so she asked a resident who works with HVAC if he would provide another evaluation, and he agreed.

Council Meeting

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**ADJOURNMENT:** 8:48 p.m.

Respectfully submitted,

Liz Vile, Recording Secretary

Minutes approved by Borough Council \_\_\_\_\_, 2021