

IVYLAND BOROUGH COUNCIL MEETING

September 8, 2021

CALL TO ORDER: 7:30 p.m.

PRESENT: Council Members: Sal DiPaolo, President,
Bill Linwood, Vice President, Todd Savarese,
Matthew Piotrowski, Chuck Bristow (7:32 p.m.)
Excused: Christina Finello, 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 8/11/21:

Bill Linwood made a MOTION, seconded by Todd Savarese to approve the minutes of the Council meeting of August 11, 2021, as submitted.

MOTION was ADOPTED 4-0. Chuck Bristow was not present at this time.

TREASURER’S REPORT:

Janet Pacchioli read the Treasurer’s report into the record. The report was accepted subject to audit.

BILLS LIST:

Janet Pacchioli reported that the prepaid bills list totaled \$101,782.31 and the unpaid bills list totaled \$13,022.28.

Bill Linwood made a MOTION, seconded by Matthew Piotrowski to pay the bills.

MOTION was ADOPTED 5-0.

CORRESPONDENCE:

Janet Pacchioli announced that Bill Norton has resigned as Zoning Officer after many years of service.

Sal DiPaolo made a MOTION, seconded by Bill Linwood to send a fruit basket to Bill Norton thanking him for his many years of service.

MOTION was ADOPTED 5-0.

Janet Pacchioli continued that the William Tennent Marching Band sent a note thanking Borough Council for their donation.

An email was received from a Warwick resident advocating for a pedestrian crosswalk at Willard Avenue and Jacksonville Road.

Also, an email was received from residents of 39 and 45 Chase Avenues who would like to install curbs on their properties questioning whether permits are required, and the email was forwarded to Borough Engineer.

JOHN SPOGNARDI AND MATTHEW PIOTROWSKI – 101 WILSON AVENUE:

Matthew Piotrowski presented a plan of a proposed garage noting that at the rear of the property there is an existing two-story barn in bad condition that is beyond saving. They would like to remove it and build a two-car, one-story garage that would meet setback requirements and the façade would match the existing house as well as install a driveway along the front. Feedback from Council was requested prior to submitting for building permits.

Todd Savarese questioned whether proposed accessory structure meets all dimensional requirements.

Matthew Piotrowski replied yes, as we are replacing a nonconforming structure.

Todd Savarese questioned whether zoning relief is necessary.

Greg Sturn replied he will need to check on that; however, the Historic District Ordinance requires that if a historic resource is demolished, a conditional use application is required.

Todd Savarese said he has no issue as long as the nonconformity is not increased by building closer to the rear of the property line, and that the proposed structure is not subject to the Historic District's regulations.

Greg Sturn suggested that Council may wish to make a finding that, based on the representation, that there is not much remaining of the structure to qualify as being part of the Historic District.

Todd Savarese said that is the Zoning Officer's job to make that determination.

Matthew Piotrowski said we will formally make a submission to the Borough and list reasons why we feel it is not historically significant and see what is determined by the Zoning Officer.

PUBLIC COMMENT:

Dorothy Palmer, 26 Gough Avenue, expressed concern about her personal safety crossing over Jacksonville Road on her bicycle.

Todd Savarese said we worked with Borough Engineer to apply for a grant to PennDOT's Transportation Alternative Set-Aside Program where the Borough will be reimbursed for construction costs for roadway improvements including pedestrian-friendly crosswalks.

There is a meeting set for September 16th with County Planners and PennDOT as well other agencies involved with the program, and there is every indication that this project will satisfy criteria to obtain funding to construct a crosswalk in the future.

Scott Aldin, 49 Wilson Avenue, suggested installing a sidewalk from Jacksonville Road to the back driving lane, and he does not want another traffic light.

Residents via Facebook Live commented that the barn is not salvageable; also, they thanked Council for reinstalling the basketball hoop at the playground.

Scott Aldin asked for the status of the Ivyland Hotel.

Greg Sturn replied there is a written agreement regarding zoning and one of the main issues was the number of units, so the developer presented a floor plan of eight apartments that Council found to be acceptable; however, there is still the matter of the requirements of the Historic District Ordinance concerning the appearance of the hotel. The developer will need to make a detailed presentation before Borough Council before moving forward with the project.

Sal DiPaolo added that the working subcommittee of Council put together guidelines from a historical perspective of what we expect to see with regards to the hotel, and those requirements were provided to the developer in which development plans will be reviewed and approved by Council.

ZONING/CODE ENFORCEMENT REPORTS:

Bill Linwood made a MOTION, seconded by Chuck Bristow to accept the August reports.

MOTION was ADOPTED 5-0.

REPORT OF PRESIDENT:

Sal DiPaolo thanked the Fire Company for their assistance with the recent storm.

ENGINEER:

Chris Peterson reported that after inspection of the bridge on Greeley Avenue, there were no major issues; however, there was debris on the sanitary sewer adjacent to it.

At the last meeting, Change Order #2 for Greeley Avenue storm sewer project was tabled. Tonight, he presented two different change orders; one includes the balancing change order to reconcile the quantities that were installed and the second one includes the same line item with the addition of material price increase as a requested change order by the contractor.

If Council chooses to accept the change order with the material price increase of \$3,297.05 that still represents a decrease in the overall contract amount of \$88,028.95 and the original contract amount was \$90,457.98 and payment application of \$11,770.24 goes along with that.

Separately, there is a change order without the material price increase noting the overall contract would be reduced by the \$5,726.08 that was realized by not having to relocate two residential water services resulting in total contract of \$84,731.90, which is \$3,700 less than the contract price.

Greg Sturn said if Council wishes to accept the change order for the material price increase, they may do so.

Bill Linwood commented that the contract amount came in under the original amount.

Todd Savarese commented that it came under because there was work that did not need to be done and Borough Solicitor indicated that the Borough is not obligated, but if we were to approve it, we would not violate any public bidding laws by honoring the request. Although the project was competently completed, he is against authorizing payment that includes an increase in material cost.

Bill Linwood said he works in the construction field and understands price increases that have occurred especially during this time, and sometimes it can be unforeseen, so he is in favor of honoring it, and it may result in this contractor willing to work in the Borough in the future.

Chuck Bristow said he would like to have seen a material escalation clause in the contract; however, he is in favor of honoring it.

Matthew Piotrowski agreed that the contractor should have had an escalation clause in the contract.

Sal DiPaolo said he works in manufacturing, so he understands price increasing, and he is inclined to approve it.

Sal DiPaolo made a MOTION, seconded by Chuck Bristow to approve Change Order #2 of contract from Twining Construction Company to include material price increase of \$3,297.05.

MOTION was ADOPTED 3-2. Todd Savarese and Matthew Piotrowski opposed.

Chris Peterson requested approval of final payment application in the amount of \$11,770.24 including the change order to Twining Construction Company and that would close out the contract for the Greeley Avenue storm sewer project.

Bill Linwood made a MOTION, seconded by Chuck Bristow to approve final payment application in the amount of \$11,770.24 that includes the change order to Twining Construction Company closing out the contract for the Greeley Avenue storm sewer project.

MOTION was ADOPTED 5-0.

Chris Peterson said as previously mentioned, there will be a meeting held on September 16th with County Planners and PennDOT as well other agencies regarding the Jacksonville Road crosswalks to discuss what has already been submitted, which was an estimate of the description of the project as well as further justification, and they will assist in completing the application prior to the deadline of October 15th.

Also, at the last meeting, there was discussion about the drainage issue at 57 Chase Avenue and his firm completed an inspection of Chase and DuBois Avenues, and it was verified that the inlet drains downslope towards 57 Chase Avenue exiting at the rear of the property. We also looked at the sinkhole that developed and determined that there is a small six-inch PVC storm drain that was inserted into an eight-inch pipe without the benefit of any type of coupling. Estimate from Bux-Mont was \$3,600 and another estimate was in the amount of \$5,500. To address just the issue of the sinkhole, a local plumber from Winter Plumbing and Heating Company, Inc. provided a cost estimate of \$450.

Todd Savarese expressed concern about setting precedent on spending taxpayers' money to make a repair on something that we are not sure is part of the Borough's stormwater infrastructure.

Sal DiPaolo said all storm culverts in the Borough's public streets have eight-inch drain lines.

Todd Savarese expressed concern that we should address stormwater as a capital project, not just for one property owner but for anyone who has an underground pipe running through their property, extract an easement, and improve that line as a best management practice. Does the Borough Engineer recommend addressing the sinkhole and then doing something more than just putting a band aid on a mismatched diameter pipe?

Chris Peterson replied he did not have a chance to look at what drainage area is getting to that inlet as well as determine what size pipe would be appropriate. He was under the impression that if we can correct the issue of the sinkhole, it could continue to operate in its current condition.

Mayor Judice noted that the stormwater system as it stands today is the same system that has been in place since the early part of the 20th Century.

Bill Linwood said he did not install the pipe, and if we cannot fix it, we need to find another avenue to stop the water from causing sinkholes in his backyard.

Todd Savarese said he is in favor of a more permanent solution since the Borough installed the system, although he does not know why they installed a stormwater pipe on private property without obtaining an easement as well as to authorize payment to repair the sinkhole.

Todd Savarese made a MOTION, seconded by Chuck Bristow to approve payment of \$450 to Winter Plumbing and Heating Company, Inc., subject to the property owners' acceptance and to repair the coupling and restore the property damage that was caused by the mismatched pipe.

MOTION was ADOPTED 4-0-1. Bill Linwood abstained from voting.

Chris Peterson continued that the MS4 report will be finalized and sent to DEP before the end of this month. Also, Bux-Mont will be completing the inlet repair work.

SOLICITOR:

Public Hearing to enact ordinance to update Property Maintenance Code:

Greg Sturn said the ordinance to update the Property Maintenance Code has been advertised, and if Council is so inclined, they may consider holding a public hearing to take any public comment.

Council opened Public Hearing at 8:57 p.m.

Greg Sturn said he phrased this ordinance so that it will automatically include subsequent inclusions of the property maintenance code keeping it up to date.

Todd Savarese asked about a provision for dilapidated structures.

Greg Sturn said if Council would like to continue the hearing until the next meeting, he will look into that, and Council should ask for any public comments for purposes of this hearing.

Council asked for any public comments. There were none.

Matthew Piotrowski asked about the most current version of the property maintenance code.

Greg Sturn replied 2018.

Council continued the Public Hearing until the next Council meeting.

Landscaping and Snowplowing Bidding:

Greg Sturn said the Borough is in the final year of the current contract with Mike Granieri and Council may wish to consider going out for bid and then consider approval of a contract by the November Council meeting.

Todd Savarese said as part of a new contract, he would like to see the contractor, at no additional charge, prune branches from trees that are overhanging on streets or walkways from any Borough property. Also, currently, the Ivyland Village gazebo area is not included as part of the contract, and he suggested adjourning consideration of the bid specs until the next Council meeting in October.

UNFINISHED BUSINESS:

Chuck Bristow said the police department needs a new standalone computer and there are funds in this year's budget for it.

MAYOR:

Mayor Judice provided the police report for August 2021; there were 37 traffic citations issued; seven written warnings; one parking ticket; and one nonreportable accident was investigated. Check received from District Court totaled \$1,352.79.

Also, when an incident occurs in the Borough, he encouraged residents to report it to the Borough Office or call the nonemergency police department number and 9-1-1 for emergencies.

COMMITTEE REPORTS:

PARKS AND RECREATION:

Sal DiPaolo announced that the basketball hoop was put back up and it is operational. Also, the fall hayride/bonfire event will be held on October 23, 2021, at 7 p.m.

FINANCE:

Janet Pacchioli asked for budgets from the Committees.

PUBLIC SAFETY:

Bill Linwood reported that the Public Safety meeting was canceled due to inclement weather.

BOROUGH PROPERTY:

Sal DiPaolo asked about the light in front of the Borough Office.

Janet Pacchioli replied she will call Armor again about it.

STREETS/WALKS: No report

PLANNING COMMISSION: None.

FIRE COMPANY:

Dave Sharp, Chief of the Ivyland Fire Company, reported there were 11 calls in the past 30 days, 47 YTD. Budget for the Fire Company will be provided in November; training is ongoing, and goal is to increase membership, and we are in the process of the putting together a newsletter. Fire Prevention will be held on the same night as the bonfire; Coin Toss will be held on September 18th, and on that same date, we will be participating in Warminster Days with a recruitment/retention table; Coin Toss will be held again on Black Friday in November; Santa Breakfast will be on December 5th and Santa will tour the Borough on December 11th.

EMERGENCY MANAGEMENT: No report.

NEW BUSINESS:

Chuck Bristow announced that the Bristow's Annual Party will be held on September 18th at 5 p.m.

PUBLIC COMMENT:

Janet Pacchioli thanked the Fire Company for their assistance with the concert that was held on August 21st.

Residents via Facebook Live questioned whether there will be safety precautions during construction at the Ivyland Hotel regarding proper drainage; also, about asbestos, lead and bats living in the hotel. It was also questioned what will happen when the developer runs out of money once construction begins.

Matthew Piotrowski replied there will be escrow posted by the developer for public improvements.

Sal DiPaolo added that there is nothing else that building could be used for other than a multi-dwelling residence and we will do our due diligence making sure all issues are resolved as this project moves forward.

Council Meeting

September 8, 2021

ADJOURNMENT: 9:38 p.m.

Respectfully submitted,

Liz Vile, Recording Secretary

Minutes approved by Borough Council _____, 2021