

IVYLAND BOROUGH COUNCIL MEETING

April 13, 2022

CALL TO ORDER: 7:31 p.m.

PRESENT: Council Members: Sal DiPaolo, President,
Christina Finello, Vice President, Todd Savarese,
Bill Linwood, Chris Branchide, Chuck Bristow
Excused: Matthew Piotrowski

OTHERS: Tony Judice, Mayor
Chris Peterson, Borough Engineer
Greg Sturn, Borough Solicitor

ESTABLISHMENT OF QUORUM

THE PLEDGE OF ALLEGIANCE WAS FOLLOWED BY A MOMENT OF SILENCE

MINUTES OF 3/9/22:

Todd Savarese made a MOTION, seconded by Bill Linwood to approve the minutes of the Council Meeting of March 9, 2022, as presented.

MOTION was ADOPTED 6-0.

BILLS LIST:

Sal DiPaolo made a MOTION, seconded by Bill Linwood to approve the prepaid bills in the amount of \$113,805.72.

MOTION was ADOPTED 6-0.

CORRESPONDENCE:

Council received “thank you” notes from the Transplant Foundation, Ben Wilson Senior Activity Center, and the Bucks County SPCA for their donations.

150th ANNIVERSARY EVENT:

Geff Rapp thanked those who have volunteered to help with the planning of this event as well as the leaders of the committees. During the meeting, we discussed a tentative date for the weekend of June 23-25, 2023, and the event committee requested seed money to initiate the planning of activities. The next meeting is scheduled for April 26th.

Council asked for a budget proposal to be provided for review.

ERIC KRETSCHMAN – 79 GOUGH/HOTEL:

Mr. Eric Kretschman explained that currently he has the Ivyland Hotel property located at 79 Gough Avenue under agreement working to finalize the sale and his lender asked for further information on zoning and historic preservation requirements for the property.

Greg Sturn noted there has been an extended series of zoning hearings on variances regarding Mr. Tulio's development plan for the hotel and there was an appeal filed that was settled resulting in granting of all variances necessary except for aspects of the Borough's Historic District Ordinance.

There was a meeting with Mr. Tulio where we discussed aspects of the Historic District requirements; however, we came to an impasse regarding the siding of the building. The hotel façade is currently stucco and Borough Council's opinion is that to preserve the historic appearance of the hotel it should remain stucco, and Mr. Tulio disagreed, so no further movement has been made.

Sal DiPaolo added that the Borough has been liberal with Mr. Tulio regarding items such as windows, PVC materials, etc., but it is about preserving the look and feel of the building and Mr. Tulio presented vinyl siding.

Mr. Kretschman said he prefers to keep the wood and restore the building as much as possible. Also, the lender indicated they do not want to get involved with zoning and historical preservation matters and they want certainty, so he asked for a letter of agreement from Borough Council to get his lender to close.

Also, he provided a color scheme photo of the building noting that he would restore all the historical details and either use Trex or wood material for the deck, the slate roof would be synthetic, and he will restore the circular windows and the interior will be the same as Mr. Tulio's plans. Also, he will be managing the building himself keeping a close eye on it.

Greg Sturn questioned whether Mr. Kretschman would accept a zoning permit indicating that the stucco will remain on the hotel building.

Mr. Kretschman replied if a letter of agreement is provided, he would be happy to sign off indicating no vinyl siding will be used.

Todd Savarese asked for a detailed plan to be submitted to Council, and then following review, we will discuss an agreement with regards to acceptance of the specifications and then the Borough Solicitor will condition the zoning permit to be consistent with the specs and a permit would be issued, which should be satisfactory to the lender.

Mr. Kretschman agreed to submit a plan to Council.

Bill Linwood made a MOTION, seconded by Chuck Bristow to direct Council's subcommittee to review specifications of a plan provided by Mr. Kretschman regarding the Ivyland Hotel property located at 79 Gough Avenue, and if Borough Council approves, a zoning permit will be issued per that approval.

MOTION was ADOPTED 6-0.

Council indicated that other hotel matters will be discussed during Executive Session.

PUBLIC COMMENT: None.

RICHARD GERACE – ATTORNEY - REAL ESTATE TRUST FOR THE MILL PROPERTY:

Mr. Richard Gerace, Attorney representing the new owners of the Real Estate Trust for the Mill property located at 1060/1061 Greeley Avenue, said we entered into agreement to take over the property in-lieu-of foreclosure and all back taxes have been paid to-date. There is an effort to sell the property and a potential buyer is here this evening questioning whether it would be permitted to put a commercial use in the lower level of the building with apartments on top. He asked for guidance from Council as to what change they would like to see at this location.

Also, part of the settlement agreement was to allow the previous owner time to remove the massive amount of stuff from the barn and that date expired April 10th and the plan was to padlock the door, change the locks, and throw everything out; however, tonight the doors were open, so he supposes the previous owner was in there. And improvements were made to the interior of the building per the Borough's Fire Inspector, which are 80% completed.

Bill Linwood commented that it is difficult to say what should be done with that property without seeing some type of proposed detailed plan, but in terms of apartments, there is not a lot of parking space; also, how would tenants enter the building because on the street side there are no sidewalks, and it would not be safe on the railroad side.

Sal DiPaolo commented that he would be averse to apartments as there are parking issues; however, Council would be open to reviewing a proposed development plan, although we would like to preserve the spirit of the buildings bringing them into the 21st Century and not have to tear them down and put something in their place.

Chuck Bristow added that any proposed project would be considered on its own merits.

Todd Savarese said the applicant will need an engineering survey, provide an as-built plan showing what buildings are proposed to remain/remove, which may involve a zoning change as well as require an appearance before the Zoning Hearing Board, and the applicant will need to provide a site plan of proposed uses for the buildings. Also, Council recognizes that a buyer would need an incentive to invest because that property is no longer used as a mill.

Mr. George McInerney, potential buyer of the mill property, questioned whether Council is concerned about historical preservation of the mill equipment as well as the exterior of the building, and he asked for guidelines of square footage relating to apartments.

Sal DiPaolo replied Council is concerned about the exterior of the building; however, most likely reps of the Mercer Museum would like to see the inside of the Mill before any of it would be removed.

Greg Sturn replied that the Borough's Zoning Ordinance includes information on dimensional and parking requirements, etc.

CODE ENFORCEMENT/ZONING REPORT:

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

MOTION was ADOPTED 6-0.

REPORT OF PRESIDENT:

Sal DiPaolo reported that progress has been made with the McMillan property, the Ivyland Hotel and possibly the Mill.

ENGINEER:

Chris Peterson reported that plans for the “No Truck Turning” signs were approved by PennDOT on March 21st subject to the Borough being responsible for installation and maintenance of the signs. Three contractors were contacted for proposals to install the signs in accordance with the plans and the following proposals were submitted:

- American Striping & Signage: \$1,588.00
- Established Traffic Control, Inc. - \$2,000.00
- Marino Corporation - \$4,800.00

Based on the results of the various proposals submitted, Carroll Engineering recommends that Council award the installation of the “No Truck Turning” signage to American Striping & Signage for a not-to-exceed amount of \$2,000.00, which covers the proposal amount of \$1,588.00 plus any unforeseen non-standard excavation required for the post installation.

Todd Savarese made a MOTION, seconded by Bill Linwood to award the installation of the “No Truck Turning” signage to American Striping & Signage for a not-to-exceed amount of \$2,000.00, which covers the proposal amount of \$1,588.00 plus any unforeseen non-standard excavation required for the post installation.

MOTION was ADOPTED 6-0.

Chris Peterson continued that he reached out to PennDOT regarding the repair of the sinkhole on Jacksonville Road.

Sal DiPaolo suggested informing PennDOT about Borough Council’s concern that it is an unsafe situation.

Chris Peterson said draft report was sent to Natural Lands regarding the PECO Green Region Grant for their comments and acceptance.

Also, repairs were made at the railroad crossing.

SOLICITOR:

Ordinance Requiring Knox Boxes-Commercial Properties:

Greg Sturn said the ordinance has been advertised and Council may wish to open a public hearing for consideration of adoption.

Council opened Public Hearing at 9:08 p.m.

Council asked for any public comments. There were none.

Todd Savarese made a MOTION, seconded by Bill Linwood to adopt Ordinance 2022-1 Requiring Knox Boxes – Commercial Properties as advertised.

MOTION was ADOPTED 6-0.

Council closed Public Hearing at 9:11 p.m.

Appeals Board for Ivyland Borough:

Greg Sturn said an appeal was filed from enforcement notice under the Property Maintenance Code that triggers a requirement of appearing before an Appeals Board, and currently, the Borough does not have an Appeals Board, so one needs to be appointed.

Bill Linwood made a MOTION, seconded by Chuck Bristow to appoint Ted Kowalski, Albert DeGideo and James Cantore as members of the Appeals Board for Ivyland Borough.

MOTION was ADOPTED 6-0.

Greg Sturn said he spoke with George Schlossberg regarding the Jacksonville Road properties, who asked what the Borough would like to do with the property if the park and recreation restriction is lifted.

Todd Savarese suggested exploring the idea of giving the property back to the Navy.

Greg Sturn replied he is not sure whether there would be risk of the property being put back on the market to be used for a “homeless” use, which is why it was proposed to be used as passive parkland in the first place.

Todd Savarese said he understands taking the title back to control what uses could be established there; however, he feels there was not a full appreciation for the expense for remediating asbestos and demolition of the buildings, which is too much for the Borough to absorb.

The subcommittee will continue to do its due diligence in this matter.

Greg Sturn suggested that Borough Council may wish to amend the Historic District Ordinance regarding requirements that apply to new construction or additions to existing buildings.

Todd Savarese said he does not like the idea of amending an ordinance during ongoing discussions and/or during negotiations with potential buyers as it would not be appropriate.

Council tabled the matter.

UNFINISHED BUSINESS: None.

MAYOR:

Mayor Judice provided the police report for the month of March 2022; there were 52 calls for service; 28 traffic citations; two written warnings and six parking tickets issued, and two nonreportable accidents were investigated. Also, there was involvement with Warminster Police Department on a preliminary hearing regarding a burglary. Checks received from District Court in March 2022 was \$877.53; February 2022 was \$349.49; January 2022 was \$309.28; and December 2021 was \$733.57.

COMMITTEE REPORTS:

PARKS AND RECREATION:

Sal DiPaolo reported that the Easter Egg Hunt will be held on Saturday, April 16th at 1 p.m., and the Memorial Day Parade is being planned.

FINANCE:

Christina Finello said that a report is due for the ARPA (American Rescue Plan Act) funds by the end of this month.

PUBLIC SAFETY:

Bill Linwood indicated that a personnel session is needed.

BOROUGH PROPERTY:

Sal DiPaolo reported that the concrete slab at the gazebo has been repaired; there is a new light shining on the flagpole and new dust-to-dawn censor was put on the other two light fixtures in the park at the Village.

STREETS/WALKS:

Todd Savarese said there is a Bucks County Consortium consisting of 38 municipalities that enables those communities to purchase road salt in bulk resulting in better pricing. Ivyland Borough is not currently a member, and it is important that the Borough seize any opportunity to collaborate with other municipalities as well as other authorities. The fee is \$150 a year, and they meet once a month to discuss and collaborate on joint projects, and if the Borough wishes to become a member of the consortium, we need to adopt a resolution, which would be in the best interest of the Borough to tap into that resource.

The process would begin with the applicant making a request for membership to the Consortium Executive Board, pay the membership fee, and the applicant must be approved by two-thirds of the majority of voting members and the municipalities' governing body must formally adopt by resolution or ordinance the Articles of Agreement and the Cooperative Purchasing Agreement of the consortium and forward a certified copy of said formal adoption to the Coordinator of the consortium prior to being seated in the consortium.

Also, the cooperative agreement is referenced regarding any project a municipality member wishes to jointly enter; however, there is no obligation to be involved, so other than the \$150 membership fee, there is no other commitment to fund projects that the consortium may undertake. And the Borough needs to designate a representative on behalf of the Borough.

Todd Savarese made a MOTION, seconded by Christina Finello to approve applying for membership of the Bucks County Consortium, pay the membership fee, and have the Borough Solicitor review the Articles of Agreement and Cooperative Purchasing Agreement of the consortium and then draft a resolution to be considered for adoption by Borough Council.

MOTION was ADOPTED 6-0.

PLANNING COMMISSION: None.

FIRE COMPANY:

James Cantore, Assistant Chief of the Ivyland Fire Company, reported that in the past 30 days, there were 19 calls for service, 35 YTD. Three members will be meeting with the Public Safety Committee and two Fire Police need to be sworn in. Training is ongoing. Future events will be a Pancake Breakfast on May 1st, Coin Toss on June 11th and another scheduled for November, and Breakfast with Santa on December 4th.

EMERGENCY MANAGEMENT:

James Cantore confirmed that Bucks County received the ordinance adopted by Borough Council agreeing with their Mitigation Plan.

NEW BUSINESS: None.

PUBLIC COMMENT:

Chuck Bristow commented that there has been an increase in police activity at the Ivyland Hotel property.

Chuck Margiotta thanked Mayor Judice and Borough Council for their service. Also, he would like to thank those responsible for getting the road over the railroad tracks paved, and apartments at the Mill property would not be the best idea.

Council Meeting

April 13, 2022

EXECUTIVE SESSION:

Council convened an Executive Session beginning at 10:08 p.m. until 10:25 p.m.

ADJOURNMENT: 10:25 p.m.

Respectfully submitted,

Liz Vile, Minutes Secretary

Minutes approved by Borough Council _____, 2022