

**IVYLAND BOROUGH COUNCIL MEETING**

**July 13, 2022**

**CALL TO ORDER:** 7:30 p.m.

**PRESENT:** Council Members: Sal DiPaolo, President,  
Bill Linwood, Todd Savarese, Chuck Bristow,  
Christina Finello, Vice President (7:54 p.m.)  
Excused: Matthew Piotrowski, Chris Branchide

**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 6/8/22:**

Todd Savarese made a MOTION, seconded by Sal DiPaolo to approve the minutes of the Council meeting of June 8, 2022.

MOTION was ADOPTED 2-0-2. Bill Linwood and Chuck Bristow abstained.

**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 \$38,314.06 and the unpaid bills list totaled \$10,071.42.

Todd Savarese commented that there is no description on the reconciliation detail report for deposits and credits, and he asked for that field to be filled in.

Bill Linwood made a MOTION, seconded by Todd Savarese to pay the bills.

MOTION was ADOPTED 4-0.

**CORRESPONDENCE:**

Janet Pacchioli reported that the second round of ARPA funding from the Federal government should be received by July 18<sup>th</sup>. Also, repair work of the basin behind Ann's Choice will be completed this month; there was a resident request for trimming along Greeley Avenue; and office hours of Dave Tweed, Code Enforcement Officer, are Tuesdays and Thursdays from 10-11 a.m.

**STEVE MANGIN – 1061 GREELEY AVENUE:**

Mr. Mangin presented a drawing of proposed personal training business along with proposed parking spaces for property located at 1061 Greeley Avenue.

Todd Savarese suggested that Mr. Mangin make an appointment with the Borough's Zoning Officer regarding proposed plan noting the applicant may need to appear before the Zoning Hearing Board.

**79 GOUGH AVENUE PROPERTY:**

Mr. Tulio owner of property located at 79 Gough Avenue along with Mr. Studley were present, and Mr. Tulio indicated that he would like to advance this matter the easiest way possible.

Greg Sturn clarified there is the unresolved zoning issue regarding aesthetics (stucco) that pertains to the Historic District Ordinance and Mr. Tulio needs to apply for a zoning permit. Also, property maintenance code violations are another aspect of the situation.

Mr. Tulio said he is committed to getting this matter resolved.

Todd Savarese said the purpose of the stipulated settlement agreement was to encourage getting this matter resolved, and he does not know whether the requirements were completed, so he requested that Borough Solicitor provide the Borough's Zoning Officer with a copy of the settlement agreement for review and then Mr. Tulio can make an appointment with the Borough's Zoning Officer and submit his plan.

Sal DiPaolo suggested that he, along with Borough Solicitor and the Borough's Zoning Officer have a meeting with Mr. Tulio and Mr. Studley next Tuesday, July 19<sup>th</sup> at 10 a.m. at the Borough Office.

Mr. Tulio agreed.

**150<sup>th</sup> ANNIVERSARY EVENT UPDATE:**

Mr. Geff Rapp reported that our committee has been meeting on a monthly basis and it has been decided that the celebration will begin with a small introductory event on Friday, June 23, 2023, with the main event held on Saturday, June 24, 2023. We are looking to have a fundraiser such as a concert on September 10<sup>th</sup>, which is the date of the Boroughwide Yard Sale, and the concert/fundraiser could be held that same evening. Also, we will be having other fundraisers in the future and a website will be put together as well as pursuance of nonprofit status for the Heritage Association.

A sample banner was presented as a promotional item leading up to the event for the light poles and the committee is requesting funding from the Borough to purchase 45 banners including the hardware and spray paint in the amount of \$2,000.00.

Todd Savarese made a MOTION, seconded by Bill Linwood to authorize expenditure of \$2,000.00 from the Parks and Recreation budget for purchase of promotional banners including hardware and spray paint for the 150<sup>th</sup> Anniversary event.

MOTION was ADOPTED 5-0.

Janet Pacchioli requested that Council consider authorizing a certain amount as a line item in the Parks and Recreation budget to be put towards the 150<sup>th</sup> event, if needed.

Mr. Rapp continued that the committee's formal budget will be presented in September.

**PUBLIC COMMENT:**

A resident asked why the trimming of overgrowth along Greeley Avenue has not been automatically scheduled for the Borough's landscapers.

Janet Pacchioli replied that she will call Mr. Granieri about it. Also, the Warminster Symphony concert was a success with a large crowd attending.

**ENGINEER:**

Chris Peterson reported that the MS4 permit ended on June 30<sup>th</sup> and the annual report is due by the end of September. The map was updated to include the Greeley Avenue outfall and we completed all outfall inspections.

Also, the sinkhole on Pennsylvania Avenue's cul-de-sac was repaired last week and he recommended payment of invoice.

**SOLICITOR:**

Greg Sturn said all three members of the Appeals Board are available for the dates proposed for the appeal hearing. Also, it would be appropriate to appoint an attorney to assist the Appeals Board, if necessary.

Bill Linwood made a MOTION, seconded by Chuck Bristow to appoint Mr. Scott MacNair, Attorney with Clemons, Richter & Reiss, P.C. as the attorney to assist the Borough's Appeals Board.

MOTION was ADOPTED 5-0.

**Fireworks -**

Sal DiPaolo said there was an email from a resident expressing concern about fireworks over their historic home, and he asked Borough Solicitor for an update.

Greg Sturn replied there is a new State law on fireworks giving flexibility to municipalities in controlling "consumer fireworks," where a permit could be required along with time restrictions except for certain holidays such as the 4<sup>th</sup> of July and New Year's Eve. The Borough's Firearms Ordinance was previously modified to include certain types of fireworks; however, Borough Council may wish to consider adopting a dedicated fireworks ordinance.

Mayor Judice said what has not changed from the Borough's existing legislation is the 150 ft. safety designation as there are no properties in the Borough having that distance between structures except for one property on Chase Avenue, so the Borough can ban aerial fireworks. The new legislation tightens up the definition of Class "C" Consumer Fireworks. Also, residents need to make a formal complaint to the police so there would be a record on file.

Chuck Bristow said if aerial fireworks are ongoing in the Borough, the police need to investigate and issue a citation to the homeowner; also, he suggested having two police officers on duty on certain holidays.

Sal DiPaolo added that Borough Council has zero tolerance for aerial fireworks.

Bill Linwood said the Public Safety Committee will discuss that as well as inform the police about enforcement citing the 150 ft. distance provision of the Borough's existing ordinance.

Todd Savarese said Council needs to review and consider adopting an ordinance consistent with the new State law signed by Governor Wolf on July 11, 2022, and he asked Borough Solicitor to provide Council with options.

Greg Sturn said he will advertise a draft ordinance for review and consideration by Council at their next meeting.

**UNFINISHED BUSINESS:**

Christina Finello said regarding the grant application to the *Greenways Trails and Recreation* relating to the Ivyland Village Park project, an analyst was assigned to review our application and has requested detailed information on the cost estimate, and she asked the Borough Engineer for assistance.

Chris Peterson replied since he will be on vacation next week, he will have someone from his office take care of it.

**MAYOR:**

Mayor Judice provided the police report for June 2022; there were 30 traffic citations, five written warnings, and two parking tickets issued; and one nonreportable accident investigated. Check from District Court for June 2022 totaled \$508.11.

**COMMITTEE REPORTS:**

**PARKS AND RECREATION:**

Sal DiPaolo announced that September 10<sup>th</sup> will be the date of the Boroughwide Yard Sale. Also, to get the tree planting project back on track along Pennsylvania Avenue, an Eagle Scout from Troop 200 will be assisting.

**FINANCE:** No report.

**PUBLIC SAFETY:**

Bill Linwood requested that an Executive Session be held tonight following the meeting.

**BOROUGH PROPERTY:**

Janet Pacchioli reported that squirrels are a problem in the basement of the Borough Office, and it was recommended getting it cleaned out.

**STREETS/WALKS:** No report.

**PLANNING COMMISSION:** None.

**FIRE COMPANY:**

Ed Hoffman, Deputy Chief of Ivyland Fire Company, reported that there were 14 calls in the past 30 days, 67 YTD. The Fire Company held a Coin Toss and participated in the New Hope Parade, the Warminster Symphony Concert and the 4<sup>th</sup> of July events. Also, we are reforming our Truck Committee to discuss plans to replace Engine 62; three businesses in town ordered Knox boxes; and training is ongoing.

**EMERGENCY MANAGEMENT:** No report.

**NEW BUSINESS:** None.

**PUBLIC COMMENT:**

A resident expressed concern about speeding and running “STOP” signs on a daily basis and asked Council to consider “speed humps” on Greeley Avenue.

Mayor Judice said we may want to consider putting a second officer on duty during morning and evening rush hours.

Todd Savarese said he would be more in favor of a mobile electronic speed sign as opposed to “speed humps.”

Sal DiPaolo asked about the cost of an electronic speed sign.

Mayor Judice replied several years ago, cost was approximately \$3,000-\$4,000.

Chuck Bristow suggested borrowing one from another police department.

Bill Linwood said he will reach out and see.

**EXECUTIVE SESSION:**

An Executive Session was held beginning at 9:44 p.m. until 10:09 p.m.

Council Meeting

July 13, 2022

**ADJOURNMENT:** 10:09 p.m.

Respectfully submitted,

Liz Vile, Recording Secretary

Minutes approved by Borough Council \_\_\_\_\_, 2022