

**Yardley Borough Council Meeting**  
**September 20, 2022**

The meeting was held in Borough Hall with the following members present:

Kim Segal-Morris  
John McCann

Don Carlson  
David Appelbaum

Matthew Curtin

Council member(s) not in attendance: Matt Ross, Caroline Thompson (arrived 7:45)

Also in attendance were Chief Joseph Kelly, Borough Manager Paula Johnson, Engineer Patrick Foley, and Solicitor Ernest Closser.

Don Carlson and David Appelbaum were sworn in as new Borough Council members.

I. CALL TO ORDER – Kim Segal-Morris, Vice President

The meeting was called to order at 7:30.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

IV. COMMUNITY ANNOUNCEMENTS

- October – Canal-O-Ween, Carve-A-Thon. Check out Experience Yardley website and Facebook for details.
- Michele Sharer-Friends of Lake Afton. Thanks community members for coming out to meet Lady Afton on Harvest Day. She was very popular, and the hope is to add another swan in the future. Cleanup day to be held 10/22 8am-12pm. On 11/29 2pm-5pm at Yardley Community Center the 2<sup>nd</sup> annual All Things Yardley gift shop will be held.

V. PUBLIC COMMENT

- Dawn Perlmutter, 18 W. College Ave. Council is not addressing public concerns regarding selective zoning, code, and building enforcement and other matters. Ms. Perlmutter requests new members of Council to be open to the investigating issues brought to Council. Mayor Harding notes that Ms. Perlmutter's statements about him and other Council members do not represent fact and are her opinion. Mr. Curtin has researched some of the accusations of financial impropriety, and no evidence of fraud or impropriety has been found.

VI. CONSIDERATION OF CONSENT AGENDA DATED September 20, 2022

- A. Approval of Minutes Dated September 6, 2022
- B. Certificates of Appropriateness: 22-25-9 South Main Street – Sign
- C. Accept Resignation from Planning Commission
- D. Accept Resignation from Shade Tree Commission

Mr. Carlson and Mr. Appelbaum request to have the minutes considered separately.

Mr. McCann motions to approve the Consent Agenda, excluding the 9/6/22 minutes, dated September 20, 2022, which is seconded by Mr. Curtin.

A vote was held, and the motion passes 5-0.

Mr. Curtin motions to approve the minutes from the September 6, 2022 meeting, which is seconded by Mr. McCann.

A vote was held, and the motion passes 3-0-2.

## VII. POLICE CHIEF'S REPORT

Nothing to report.

## VIII. MAYOR'S REPORT

Nothing to report.

## IX. MANAGER'S REPORT

### A. Accept Finance Report Dated September 20, 2022

Mr. Curtin moves to accept the Finance Report dated September 20, 2022, which is seconded by Mr. McCann.

A vote was held, and the motion passes 5-0.

### B. Minimum Municipal Obligation (MMO) for Police and Non-Uniform Pension

Mr. Appelbaum moves to accept the Minimum Municipal Obligation for police and non-uniform pension, which is seconded by Mr. Curtin.

Much of the cost is covered by state funding, Borough's contribution is within the budgeted amount.

Ms. Perlmutter – The last few audits of the pension plan have noted a failure to maintain adequate records.

Ms. Johnson notes that auditors had that finding for every municipality in PA that uses PMRS due to the pandemic, system changes, and staffing issues at PMRS.

A vote was held, and the motion passes 6-0.

### C. Resolution 22-20 Waiver of Officer Contributions for Pension Plan

Mr. Curtin motions to approve Resolution 22-20, Waiver of Officer Contributions for Pension Plan, which is seconded by Mr. McCann.

A vote was held, and the motion passes 6-0.

### D. Consideration of Transition of Staffing Duties from Borough Manager to "Right to Know Assistant"

Mr. Curtin motions to appoint Mary Ann McLean as the Right to Know Assistant at the rate of \$18/hour on an as-needed basis, which is seconded by Mr. Appelbaum.

The assistant will be contracted to assist with significant RTK projects only on an as-needed basis.

Earl Markey – College Ave, suggests: Discussions with RTK requestor regarding timelines for completing requests rather than incurring additional cost to complete the request; Records made more readily available to the public; Meetings with frequent

requestors to discuss their issues in a less burdensome manner; Improve technology to made redactions easier.

Ms. Perlmutter – Appeals to RTK requests can be avoided if Borough is more transparent with records. Also asks what the qualifications are for this position and will there be training.

A vote was held, and the motion passes 6-0.

E. Consideration of Transition of Billed Services for Flood Plain Manager from Zoning Officer to Dedicated “Flood Plain Manager”

Current person at Barry Isett handling flood plain matters has moved out of state. She is willing to continue remotely but that is not ideal.

The rate is the same so there is no impact to budget.

Mr. Curtin motions to hire Susan Mazzitelli as Flood Plain Manager on an as-needed basis, which is seconded by Ms. Thompson.

A vote was held, and the motion passes 6-0

X. SOLICITOR’S REPORT

Nothing to report.

XI. COUNCILMEMBER REPORTS

A. Kim Segal-Morris – Public Safety Committee, Human Relations Committee, EY  
Nothing to report.

B. Matthew Ross – Public Works Committee, Sewer Authority, APO  
Nothing to report.

C. Matt Curtin – General Government Committee, YMFC  
Nothing to report.  
Budget season beginning

D. John McCann – Community & Economic Development Committee, Historic & Architectural Review Board, Shade Tree Commission  
CED – Meeting to be held 10/4. Businesses are invited to attend to discuss all matters and specifically the outdoor dining ordinance.

E. David Appelbaum – Community Outreach Committee, YBA, Parks and Rec  
Nothing to report.

F. Don Carlson – General Government, ZHB, Sewer  
Nothing to report.

G. Caroline Thompson – Planning Commission  
Informational grant form was distributed for the Mary Yardley Bridge project. The grant was brought to Council by Steve Santasiero’s office, and the grant is worth 50k.  
Ms. Thompson seeks consensus to send in this form in to see if Borough is a match for the grant. Consensus is granted.

XII. DISCUSSION ITEMS

None.

XIII. OTHER BUSINESS

A. Acceptance of Terms of Construction Easement 136 North Main Street – M Ross  
Ms. Thompson votes to accept the terms of the construction easement for 136 North Main Street, which is seconded by Mr. Curtin.

A vote was held, and the motion passes 6-0.

B. Zoning Decision – 35 South Main Street

Ms. Thompson motion to adjourn to executive session, which is seconded by Mr. Curtin.

Executive Session: Legal-Zoning Hearing Board Decision Case No. 07252022

Application of Yardley Lobster LLC d/b/a La La Lobster

The meeting reconvened at 8:40.

C. Consideration of Vote to Appeal Zoning Hearing Board Decision Case No. 07252022

Ms. Segal-Morris asks for a motion to appeal Zoning Hearing Board Decision Case No. 07252022.

No motion was made.

XIV. ADJOURNMENT

Mr. Curtin motions to adjourn the meeting at 8:41, which is seconded by Mr. McCann.

A vote was held, and the motion passes 6-0.

Submitted by,  
Mary Ann McLean