

## COUNCIL MEETING

April 2, 2018

Council President, Beverly Wolfe, called the meeting of the Penndel Borough Council to order at 7:30 p.m. with the pledge of allegiance.

### Present at the meeting

Mayor Robert Winkler  
Council President Beverly Wolfe  
Council Vice President Barbara Heffelfinger  
Councilman John Stratz  
Councilwoman Kali Sodano  
Councilwoman Laura Germain  
Councilman Rich Flanagan

### Also present

Dave Truelove, Hill Wallack, Solicitor  
Carol Schuehler, Value Engineering, Borough Engineer  
Officer Sean Perry, Chief of Police  
Marie Serota, Borough Secretary/Treasurer

### Announcements

Barbara Heffelfinger thanked the Activities Committee for the Easter Egg Hunt this past weekend. There was a great turn out and it was a nice day.

Dave Truelove explained that there was an executive session tonight from 6:15 to 7:15 p.m. All of Council, the Mayor and he attended to discuss police administration.

MOTION BY BARBARA HEFFELFINGER TO APPROVE THE CONTRACT TO EMPLOY SEAN PERRY AS CHIEF OF POLICE EFFECTIVE APRIL 2, 2018 WITH A FEW CHANGES AS OUTLINED IN THE EXECUTIVE SESSION. SECONDED BY JOHN STRATZ. The roll call vote was: Rich Flanagan no, Kali Sodano no, Beverly Wolfe yes, Barbara Heffelfinger yes, Laura Germain yes, John Stratz yes. Motion passed 4-2.

Rich Flanagan welcomed Sean Perry as Chief and thanked him for his time as Officer in Charge. He said he voted no because of a money issues in the contract. Kali Sodano explained that she did not agree with every item in the contract but is happy to have Sean Perry as Chief of Police.

Chief of Police Sean Perry was sworn in by Judge Daniel Baranoski.

Council interviewed the following residents to fill the vacancy left by Louise Dicken last month: Dan Cahill, Jeffrey Ferrell, Karen Flowers, Mark Moffa.

MOTION BY KALI SODANO TO APPOINT KAREN FLOWERS TO FILL THE VACANCY ON BOROUGH COUNCIL. SECONDED BY RICH FLANAGAN.

LAURA GERMAIN MADE A MOTION TO TABLE THE MOTION TO FILL THE VACANCY TO THINK ABOUT THE CANDIDATES. There was no second.

The roll call vote to appoint Karen Flowers was: Rich Flanagan yes, Kali Sodano yes, Beverly Wolfe no, Barbara Heffelfinger no, Laura Germain no, John Stratz no. 2 ayes, 5 no votes. Motion failed.

MOTION BY RICH FLANAGAN TO APPOINT DAN CAHILL TO FILL THE VACANCY ON COUNCIL. SECONDED BY KALI SODANO. The roll call vote was: Rich Flanagan yes, Kali Sodano yes, Beverly Wolfe no, Barbara Heffelfinger no, Laura Germain no, John Stratz no. 2 ayes, 5 no votes. Motion failed.

MOTION BY JOHN STRATZ TO APPOINT MARK MOFFA TO FILL THE VACANCY ON COUNCIL. SECONDED BY BARBARA HEFFELFINGER.

Comments:

Gianpiero Lo Piccolo, Council is rushing the decision. Karen Flowers deserves the seat on Council because of her great work on Council.

John Stratz, the public don't have access to the resumes, Mr. Moffa's resume was incredible.

Pat Donohue, everyone should have been asked the same questions.

Dave Cahill, Council should know the names of borough streets

Tom Sodano, Karen Flowers received almost enough votes to get elected. The county sent Mark Moffa here to fill the seat.

Jeff Ferrell, encouraged Council to wait.

Dan Cahill, appreciates the opportunity to be interviewed. He believes that Council is comparing him to someone else with the same last name.

MOTION BY KALI SODANO TO TABLE THE MOTION TO APPOINT MARK MOFFA TO FILL THE VACANCY ON COUNCIL. SECONDED BY LAURA GERMAIN. The roll call vote was: Rich Flanagan yes, Kali Sodano yes, Beverly Wolfe no, Barbara Heffelfinger no, Laura Germain yes, John Stratz no. 3 ayes, 3 no votes. Motion failed

Steve Lowe, asked why the Mayor could not be the tie breaking vote. Dave Truelove explained that the Mayor cannot break the tie on a procedural motion.

The roll call vote to appoint Mark Moffa to fill the vacancy on council: Rich Flanagan no, Kali Sodano no, Beverly Wolfe yes, Barbara Heffelfinger yes, Laura Germain no, John Stratz yes, Mayor Bob Winkler yes. 4 ayes, 3 no votes. Motion carried.

MOTION BY JOHN STRATZ TO APPROVE THE MINUTES OF THE MARCH 19, 2018 WORK SESSION. SECONDED BY BARBARA HEFFELFINGER. All ayes, motion carried.

MOTION BY JOHN STRATZ TO PAY THE BILLS FOR THE MONTH OF MARCH 2018:

<b>General Fund</b>	<b>\$16,945.60</b>
<b>Fire Tax Fund</b>	<b>\$ 3,384.57</b>
<b>Refuse Fund</b>	<b>\$14,870.62</b>
<b>Sewer Fund</b>	<b>\$48,359.06</b>

<b>Capital Reserve Fund</b>	<b>\$ 173.25</b>
<b>Sewer Capital Fund</b>	<b>\$ 445.50</b>
<b>Liquid Fuel Fund</b>	<b>\$ 8,303.49</b>
<b>Escrow Fund</b>	<b>\$ 1,489.55</b>

**Payroll**

General Fund	\$24,261.82
Sewer Fund	\$ 2,904.05
Refuse Fund	<u>\$ 624.77</u>

**Total \$27,790.64**

**Pre-paid Check**

Check #11899 dated 3/22/18 made out to Office of Labor & Industry State Workers Insurance Fund in the amount of \$673.00 for fire department workers' compensation insurance installment

**Escrow Bills:**

McManus:

Value Engineering	\$470.25
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Mill Creek 2:

Hill Wallack	\$573.80
Value Engineering	\$445.50

SECONDED BY BARBARA HEFFELFINGER. Kali Sodano questioned the increase in the Bucks County Water and Sewer Authority invoice by \$12,000.00.

BARBARA HEFFELFINGER AMENDED THE ABOVE MOTION WITH THE EXCLUSION OF THE BUCKS COUNTY WATER AND SEWER AUTHORITY SEWER INVOICE FOR \$39,454.90. SECONDED BY JOHN STRATZ. The vote was 5 ayes, 1 no (Kali Sodano). Motion carried.

Karen Flowers asked if the overage of the invoice from BCW&SA could be claimed with the insurance committee.

**President's Report**

The PA State Association of Boroughs has dedicated the week of April 9<sup>th</sup> through April 13<sup>th</sup> as Local Government Week for the purpose of promoting the importance of local government in the lives of the citizens in the Commonwealth. There will be an open house at borough hall on April 9<sup>th</sup> from 7:00 to 8:00 p.m.

MOTION BY LAURA GERMAIN TO ADOPT RESOLUTION #2018-4 SUPPORTING LOCAL GOVERNMENT WEEK AND DECLARING AN OPEN HOUSE AT BOROUGH HALL ON APRIL 9, 2018. SECONDED BY BARBARA HEFFELFINGER. All ayes, motion carried.

**Mayor's Report** – the Mayor read his report, which is attached.

**Code Enforcement Report** – the Mayor read the report, which is on file in the secretary's office.

**Police Department Report** – Chief Sean Perry read the report, which is on file in the secretary's office.

### Solicitor's Report

Drafted and updated the police chief's contract

Review the ordinance on enforcement of liens on sidewalk and curb work not completed. Will update that so it is enforceable. Worked with Mr. Guthrie at Keystone on some code enforcement matters and will continue with Mr. Isett. Drafted a resolution for tonight. Worked on some matters for Wawa and other developments that are ongoing in town. Worked with the engineer on different issues. Handled numerous right to know matters in conjunction with the borough secretary.

Engineer's Report – Carol Schuehler from Value Engineering gave her report, which is attached.

Rich Flanagan said he thought the Memorial Park grant was for \$400,000. Carol Schuehler explained that \$235,312.00 was based on the estimate by the contractor. They did not have detailed information from the contractor at the time the motion was made not to exceed \$400,000.00.

Amanda Mieluch asked if we could get PennDot to fix the intersection of Lincoln Hwy. and Hulmeville Avenue instead of Lincoln Hwy. and Bellevue Avenue since Wawa is going to work on that intersection. Carol explained that the PennDot contract has already been made on the project which includes Lincoln Hwy and Bellevue Avenue. The request to repair the intersection of Lincoln Hwy. and Hulmeville Avenue was years ago. She believes that progress has been made but doesn't have details to provide.

Dave Cahill asked if the result of a lateral inspection shows that the borough's portion needs repair, will the borough fix the lateral. Carol responded that she will have to review the ordinance.

Frank Flowers asked Carol Schuehler how much it cost for her to complete the grants' applications she reported on and if we aren't awarded the grants, does the borough have to pay her and he asked if anyone on Council can fill out the grant. Carol responded that some of it is technical work, gathering engineering estimates that are needed for the applications. President Wolfe told Mr. Flowers that he can review the grant applications that have more complicated engineering work if he would like to see them.

### Committee Reports

#### ***Community Relations (Laura Germain):***

Laura Germain's husband made and donated a bulletin board to be hung by the front door of the hall for kid's drawings. The theme will be changed periodically. The first theme will be "What I love about PennDel". Residents are encouraged to bring their kids or grandkids in to draw pictures and post them on the board.

#### ***Public Safety (John Stratz):***

John Stratz congratulated the new Chief of Police on his appointment.

#### ***Streets (John Stratz):***

On March 16<sup>th</sup> John Stratz accompanied borough engineer to investigate Schoolhouse Court water problems and to inspect curbs and sidewalks on Woodland Avenue, which will be paved in three months or so.

***Community Development (Barbara Heffelfinger):***

The Revitalization Task Force had a conference with the Bucks County Planning Commission this month, which was over two hours and well attended. There were some very good ideas discussed, which will be shared at the public meeting as well as what the Planning Commission has presented to them. The date has not been set at this time.

***Building & Maintenance (Barbara Heffelfinger):***

Work has started on the old police office. The ceiling has been replaced and painted; the rest is slowly coming along.

***Refuse (Rich Flanagan):***

He received a notice regarding electronic waste from J.P. Mascaro and Sons. He will look into it and come back to council with information.

New Business

MOTION BY BARBRA HEFFELFINGER TO ADOPT RESOLUTION #2018-3 AUTHORIZING THE DISPOSITION OF RECORDS. SECONDED BY JOHN STRATZ. All ayes, motion carried.

MOTION BY BARBARA HEFFELFINGER TO ADJUST SEWER BILL ACCOUNT #451, 372 W. LINCOLN HWY. SECONDED BY JOHN STRATZ. Kali Sodano asked if we can ask Bucks County Water and Sewer Authority to waive \$12,000.00 on their bill. The vote was 4 ayes, 2 no votes (Kali Sodano, Rich Flanagan). Motion carried.

MOTION BY JOHN STRATZ TO APPROVE ESTIMATE #26731 FROM PATCH MANAGEMENT, INC. FOR \$1,800.00 TO FILL AND REPAIR POTHOLES. SECONDED BY BARBARA HEFFELFINGER.

Rich Flanagan asked if this estimate includes the potholes at Durham Road and Woodland Avenue. John Stratz explained that he is getting a separate estimate for that area due to the size and the upcoming repaving of Woodland Avenue. He also said that half of those potholes are in Middletown.

Beverly Wolfe requested the one-year warranty in writing.

Gianpiero Lo Piccolo agreed that Middletown should be contacted if some of the holes are theirs.

Karen Flowers asked if the hole in the borough hall parking lot was included. John Stratz responded that it is.

All ayes, motion carried.

MOTION BY JOHN STRATZ TO ACCEPT THE CHECK FROM MIKE SMITH TO SATISFY THE DEBT OWED FOR POLICE PROTECTION DURING THE TRAVELING VIETNAM MEMORIAL WALL PER CONTRACT. SECONDED BY BARBARA HEFFELFINGER. 5 ayes, 1 no vote (Kali Sodano). Motion carried. President Wolfe added that the borough considers this obligation to be satisfied.

Persons to be Heard

**Amanda Mieluch, 16 Oak Avenue**, would like information from the revitalization task force meeting after she left, since Mark Moffa has been appointed to council, there will be three council members on the committee

**Dave Cahill, 462 Cynthia Avenue**, building and maintenance committee is responsible for heater damage at the sewer plant, said he asked John Stratz to call Middletown about potholes at last meeting

Rich Flanagan stated that he would like to be on the building and maintenance committee with Barbara Heffelfinger.

MOTION BY BARBARA HEFFELFINGER TO ADJOURN THE MEETING AT 8:54 P.M.  
SECONDED BY LAURA GERMAIN. All ayes, motion carried.

Submitted by: \_\_\_\_\_  
Marie Serota, Secretary/Treasurer