

## COUNCIL MEETING

February 5, 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 Louise Dicken  
Councilwoman Laura Germain,  
Councilman Rich Flanagan – arrived late

### Also present

Dave Truelove, Hill Wallack, Solicitor  
Carol Schuehler, Value Engineering, Borough Engineer  
Officer Sean Perry, Officer in charge  
Marie Serota, Borough Secretary/Treasurer  
Joe Russella, Howell Engineering  
Ken Coffman, Westover Companies

### Announcements

Heritage Society Soup Dinner will be on Saturday, February 24, 2018 from 4:00 p.m. to 6:30 p.m. at the Coffee Cup Café. The cost is \$8.00 per person.

The Heritage Society is also reprinting their Centennial Book. Estimated availability date is February 24<sup>th</sup>. The cost is \$15.00 a copy. Semi-annual supplements will be available at a cost not yet determined.

John Stratz will donate two blue spruce trees to the borough to improve grounds. Committee members will work on locations for them to be planted.

### Mill Creek 2 Driveway Project

Joe Russella, Director of Operations at D.L. Howell & Associates, Inc., presented the plan for Westover Company's driveway connection plan between Mill Creek Village Apartments and their newly purchased apartments that were previously dormitories for Cairn University (now called Mill Creek Village 2). They propose to build a driveway connection between the two properties to provide safety and circulation between the two separate parking lots by linking them together. Westover has totally renovated the apartments. Due to the age of the apartments there was no storm water management on the property. Their plan would slow the water run-off. Currently the water runs across the parking lot from south to north across the pump station. They plan to correct the flow path of the water by slowing it down, introducing groundwater infiltration and cleaning up the water quality. It will decrease the amount of impervious surface area on the property. It will also provide safety for residents by making it easier for emergency services to get to the properties. They will submit a grading permit for the engineer to review but would like a waiver from the land development process. They have

already submitted the plan to the Bucks County Conservation District and will be compliant with their requirements.

In the rear of the building I, J, & K, where they used to be a pool, they will be installing an underground storm water facility and additional parking. Currently the facilities do not have enough parking area. By cleaning up this area, it will provide entrance into the rear of the building plus 25 additional parking spaces. They will also provide landscaping and lighting. They will submit application for this project through the land development process after the driveway is completed. Borough Engineer prepared a review of this plan dated February 2nd and stated that if all of the items mentioned were agreed to, she would recommend a waiver of the land development process.

***Public Questions & Comments:***

Tom Sodano, W. Woodland Avenue, how will you prevent the driveway from becoming a cut through from Durham Road to Lincoln Hwy.

Response: There will be traffic control devices, stop bars/signs, speed bumps, etc.

Leo Campbell, DeHaven Avenue, asked how many parking spaces will be eliminated.

Response: Two spaces in the first plan but an additional twenty five spaces will be added when the parking area is finished.

Karen Flowers, 500 Hulmeville Avenue, asked if the pool that was mentioned was on Lincoln Hwy.

Response: No, it was an old pool that is underground. Remnants of the foundation of the pool will be removed and an underground storm water system will be put in.

Karen Flowers, 500 Hulmeville Avenue, asked what the timeline is of the two projects

Response: They would like to start construction of the second project in early fall.

Kali Sodano asked Carol Schuehler if the letter from Gilmore & Associates dated 9/21 were the same as the items in her review letter.

Response: No, their review was based on the sub division/land development ordinance.

Barbara Heffelfinger asked that Mr. Russella show on the plan how the driveway cut through would affect the property. This will be added to the conditions of approval for LD waiver, which is not applicable if Council waives the process.

MOTION BY JOHN STRATZ TO APPROVE THE REQUEST FOR WAIVER OF LAND DEVELOPMENT BY THE DEVELOPER FOR THE MILL CREEK 2 DRIVEWAY PROJECT, ONLY, AS DESCRIBED IN THE PRESENTATION TO BOROUGH COUNCIL. SECONDED BY LAURA GERMAIN. All ayes, carried.

MOTION BY JOHN STRATZ TO APPROVE THE ISSUANCE OF A GRADING PERMIT FOR THE MILL CREEK 2 VILLAGE DRIVEWAY PROJECT, SUBJECT TO COMPLIANCE WITH THE TERMS OF THE VALUE ENGINEERING FEBRUARY 2, 2018 REVIEW LETTER, AND THE CONDITIONS FOR ERECTING TRAFFIC CALMING MEASURES IN THE

DRIVEWAY/PARKING LOT AREA, IN THREE LOCATIONS, AS DESCRIBED IN THE PRESENTATION. SECONDED BY LOUISE DICKEN. All ayes, carried.

#### Approval of Minutes

Kali Sodano requested the following addition be made to the 1/2/18 meeting minutes: Kali Sodano requested rates and information on both of the professionals, solicitor and engineer, before the motions were made because she and Councilman Rich Flanagan did not have them.

MOTION BY JOHN STRATZ TO APPROVE THE MINUTES FROM THE JANUARY 2, 2018 COUNCIL MEETING MINUTES AS AMENDED. SECONDED BY KALI SODANO. All ayes, carried.

MOTION BY JOHN STRATZ TO APPROVE THE MINUTES OF THE JANUARY 16, 2018 WORK SESSION. SECONDED BY BARBARA HEFFELFINGER. All ayes, carried.

Kali Sodano requested that the excerpt from the DCED Handbook that she read before the budget was approved be added to the 1/25/18 meeting minutes. She will forward the information to the borough secretary.

MOTION BY BARBARA HEFFELFINGER TO APPROVE THE MINUTES OF THE JANUARY 25, 2018 SPECIAL MEETING AS AMENDED. SECONDED BY KALI SODANO. The vote was 6 ayes, 0 nos and 1 abstention (Rich Flanagan was absent). Motion carried.

#### President's Report

The street light at on Woodland Avenue at the Fairview Avenue intersection has been repaired.

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

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

#### Emergency Management

The Mayor reported that last night the county was put on a Code Red at Five Points in Levittown and in Upper Bucks. Today we are back to Code Green.

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

Fire Marshal Report – none

#### Solicitor's Report

Council held an executive session tonight at 7:00 p.m. regarding police administration and personnel issues. All Council attended except Councilman Rich Flanagan. They are still receiving information from the previous solicitor. Mr. Hauser met with OIC Sean Perry at the County courthouse for an emergent matter.

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

Rich Flanagan asked what the streets committee recommended for the \$30,000.000 remainder of 2017 CDBG funds to be used for. She has provided the streets committee with areas that

need pavement patching. Clarissa Avenue that was recently repaved has water coming up through the center seam in the road and has created icy issues on numerous occasions.

Kali Sodano suggested that \$18,000 of the remainder of funds be used for the borough portion of the repaving of Woodland Avenue that Middletown Township is planning this year. She asked Ms. Schuehler to confirm that the businesses on Lincoln Hwy. will not be required to put in curbs and sidewalks. Carol responded that there isn't enough time for the business owners to complete that before the paving begins. She will continue conversation with PennDOT to get more timeline information. Kali would like the streets committee to consider other options, possibly work with code enforcement to get the work done. Laura asked Carol about having the work done after the road is paved. Carol said that it is better to have that work done before to prevent having to cut into the newly paved road to put in the curbs and sidewalks. Louise Dicken asked if the businesses have been notified of the project. Carol responded not that she is aware of. John Stratz explained that we have no control over what PennDOT does and the borough hasn't been notified of their schedule. Carol said based on their notice to proceed the work could start as early as March. The project manager said they will contact us with the date of the pre-construction meeting with Blooming Glen. Beverly Wolfe asked if the business owners would have to apply for a highway occupancy permit to do the concrete work. Carol said it depends on the extent of work that needs to be done. If it is just a sidewalk replacement, they may not be required to have an occupancy permit but more extensive work like putting more defined driveways in where there is none would require a permit. It takes at least six months to get a highway occupancy permit. Beverly Wolfe asked Carol if it would be worthwhile to take a look at the curbs and sidewalks that are there and see if there is anything we can do regarding obvious tripping hazards. Carol said that is a good idea and they can be addressed according to borough code. There is enough time for that to be addressed.

***Public Questions & Comments:***

George Krushauskas, 510 DeHaven Avenue, will Wawa be able to connect to sewer? Carol responded the Wawa and Robbins Avenue projects were already approved.

Pat Donahue, Bellevue Avenue, Council had enough time to prepare for the repaving of Lincoln Hwy.

**Committee Reports**

***Finance/Administration (Barbara Heffelfinger):***

The committee had a few conferences. The special meeting for the 2018 budget adoption will be on February 13<sup>th</sup> at 7:00 p.m.

***Insurance/Pensions (Louise Dicken):***

No meetings yet. A conference will be scheduled.

***Sewer (John Stratz):***

On January 22<sup>nd</sup> John, the Mayor and Borough Engineer attended a meeting with the DEP for a review of the status of the Act 537 Plan. Since we have not adopted a 537 Plan the DEP will not release sewer connections. Previous projects have already been approved. Additional development and the development at 200 W. Lincoln Hwy. will not be released until the plan is adopted. The borough engineer and the committee will be working to get the Act 537 Plan back on track with an inflow and infiltration reduction plan in the coming months.

On Thursday, January 25<sup>th</sup>, John Stratz was notified to check out the sewer plant due to water coming out of the building. CSL, a company that reads the meter for Bucks County Water & Sewer Authority went to the plant to read the meter. They discovered water coming out of the building. They notified the secretary who notified him and the Mayor. They arrived to find that a pipe had burst inside the office. Bucks County Water & Sewer was notified to shut the main down and they found that the heater was out of fuel in both buildings.

MOTION BY JOHN STRATZ TO APPROVE THE DUMPSTER RENTAL FROM REPUBLIC SERVICES AT NO CHARGE, NOT TO EXCEED \$700.00 TO REMOVE WET DEBRIS, AT THE SEWER PLANT PROPERTY. SECONDED BY BARBARA HEFFELFINGER. All ayes, carried.

George Krushauskas asked who checks the oil tanks at the buildings. Council President said she did not have a response for that but they will take steps to see that it doesn't happen again. It will be determined if the building will be kept running or shut down and the water shut off. There was a new heater installed last year which is not functioning because it got wet.

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

Mrs. Heffelfinger was informed that the last payment was made on the CDBG funds for the 2017 Road Reconstruction Project and \$30,982.00 was remaining on the grant, which expired in December of 2017. She contacted the CDBG officials and got an extension until the end of July for repairs or anything that had not been completed. Borough Engineer made some suggestions for areas that work needs to be done.

Resident Tom Sodano asked if \$18,000.00 needed for the project with Middletown Township has been earmarked from the grant funds as the residents were told. Barbara Heffelfinger responded that it was not. Beverly Wolfe responded that it is coming out of the Liquid Fuel fund.

Young's Tree Service removed some trees in Taddei Woods that were obstructing the trails. They are working on applying for another grant for clean-up and reconstruction of the entry ways in Taddei Woods to submit by the end of February. Beverly Wolfe has contacted the DEP that she would like them to come down and take a look at Taddei Woods and let us know what we can do to take care of the trees that have been affected by the emerald ash borer problem.

***Ordinance (Laura Germain):***

The committee hasn't had a conference yet. They are currently gathering information from different sources on duplications and confusing ordinances and prioritizing which ones need to be reviewed first. She hopes to have a conference within a week or so.

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

On January 25<sup>th</sup> John toured the borough with our engineer looking at areas that need repair. They responded to a complaint at 509 Julie Lane about a complete diagonal cracked sidewalk which is a corner handicap accessible ramp. Our engineer advised the installer that the contract between the borough and General Asphalt Paving states that this should be repaired under warranty. It should be done right away.

***Building & Maintenance (Louise Dicken):***

A conference will be scheduled to get started.

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

The committee had a conference this month. They plan to bring the newsletter back, two each year. If anyone has anything that they think should be included, let Laura know. They

discussed highlighting businesses, public service announcements and an introduction to Council.

The solicitor is reviewing the current social media policy so there hasn't been many Facebook posts. She found out today that is ok to start posting. She will be posting pictures and borough updates frequently. She has been responding to people that post on Facebook pretty quickly. They haven't had a chance to get on the borough website but they will be working on updating it, which will be a priority.

***Recreation Board (Laura Germain):***

The Recreation Board meeting for January was cancelled. The next meeting will be on Thursday, February 15<sup>th</sup>.

***Revitalization Task Force (Beverly Wolfe):***

The Bucks County Planning Commission wants to meet with the task force which is the first step in preparation for another town hall meeting. The meeting will be at the end of this month. They will provide us with their findings and get us started on the project. The borough consultant will be attending also. Then after that meeting there will be a public meeting scheduled to discuss the results of their findings.

Old Business

Rich Flanagan asked what the status is on the Wawa Project and if they are backing out. Solicitor Dave Truelove met with their attorney to discuss the relocation of some of the properties that will be affected by the project. Council should be receiving information soon about possible revised plans. It will be determined whether they need to go through full land development approval or if they can go through an amended process. He can't comment on that until the revised plans are reviewed. Discussion is ongoing; Council will be informed with the information as they get it. Dave said he gets no indications at all that they are backing out.

Louise Dicken attended the two-day Boot Camp Training through the PA Borough's Association and found it very informative. Laura Germain was able to attend only one day of training.

Rich Flanagan reported that it is now legal to purchase aerial fireworks in Pennsylvania.

MOTION BY BARBARA HEFFELFINGER TO ADJOURN THE MEETING AT 8:56 P.M.  
SECONDED BY LOUISE DICKEN. All ayes, carried.

Submitted by:

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Marie Serota, Secretary/Treasurer