

WORK SESSION

May 21, 2018

Council President, Beverly Wolfe, called the meeting of 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 Joe Dudash
Councilwoman Laura Germain
Councilman John Stratz
Councilman Rich Flanagan-absent (out of town)
Councilman Mark Moffa

Also present

Ben Hauser, Hill Wallack, Solicitor
Carol Schuehler, Value Engineering

Announcement

Penndel Hulmeville Memorial Day Parade is on Saturday, May 26th.

Engineer's Report – Carol ready the report, which is attached.

Beverly Wolfe added that it took a lot of effort to get PennDot to delay the paving of Lincoln Hwy. Borough officials met today with State Representative Tina Davis and her Chief of Staff Bryan Allen to address the issues regarding PennDot's timeframe and the municipal work ensuring the borough code is enforced. Borough Engineer, Carol Schuehler was successful in getting PennDot officials to defer the paving work in Penndel until September. The above mentioned officials are going to seek potential financing options (low interest loans) for the business/property owners on Lincoln Hwy. because of the financial impact. No borough efforts to lien properties will be sought. Once the information is obtained there will be a meeting scheduled to meet with the property/business owners and present these options. Letters were received from some business owners along Lincoln Hwy. requesting a waiver. All of the properties are within the Wawa development area.

There are two existing inlets in front of Penndel Pizza both are in questionable conditional structurally. There have been discussions with PennDot on how to get them repaired. The inlet extends under the sidewalk that Penndel Pizza needs to repair. Carol Schuehler is trying to find a way to repair the storm drains before repairs are made to the sidewalk. The property owner is not responsible for the storm drains.

Resolution for Properties/Businesses on Lincoln Hwy.

Beverly Wolfe explained the resolution has been prepared to allow the properties affected by the Wawa project to request for a waiver from completing the concrete work. Mark Moffa asked if the Wawa project doesn't take place will they have to comply with the borough specifications for the concrete work. Carol Schuehler explained that the properties listed on the resolution are properties within the block that Wawa intends to purchase and reconstruct the frontage on as part of their HOP to upgrade the signalized intersection.

Karen Flowers, 500 Hulmeville Avenue, asked if the same financial options will be available to the businesses that will possibly be doing the work later if the Wawa project falls through. Bev Wolfe responded that they will seek out the same options for them also.

Steve Lowe, 409 Cynthia Avenue, asked if the property owners affected by the Wawa have to do the work at a later date will they have to apply for a highway occupancy permit? Carol Schuehler responded that it will be the same as it is now for the concrete work. If they are repairing or replacing they will not need a HOP permit but will be responsible for pavement restoration.

Mike Smith asked if the handicapped ramps are going to be done. Carol explained that the intersections of Lincoln Hwy. and Durham Road and Lincoln Hwy. and Bellevue Avenue will be done under the Wawa project. The ramps other than those will not be done because that will require a HOP. It will be PennDOT's responsibility when they repave the road. PennDOT's ADA ramp contract for this year mostly involves the corners that Wawa is going to do. They have pulled most of PennDOT's ramps because of the contract.

Amanda Mielich, 16 Oak Avenue, asked will the low percentage loan rates for businesses also be available to residents. President Wolfe said they will try to make them available for everyone.

Sam Simon, 126 Holly Avenue, asked about the ramps at the intersection at Lincoln Avenue. Carol responded that PennDOT will be responsible for those ramps also.

MOTION BY JOHN STRATZ TO AMEND RESOLUTION #2018-10 BY ADDING: BE IT FURTHER RESOLVED, FOR ANY REASON THE WAWA PROJECT IS TERMINATED AND DISCONTINUED, THE NAMED PROPERTY OWNERS WILL HAVE 30 DAYS FROM THE DATE THE BOROUGH OFFICIALLY NOTIFIES EACH PROPERTY OWNER TO APPLY FOR A PERMIT WITH THE WORK COMPLETED WITHIN 90 DAYS. SECONDED BY MARK MOFFA. All ayes, motion carried.

MOTION BY JOHN STRATZ TO ADOPT RESOLUTION #2018-10 GRANTING A CONDITIONAL WAIVER FROM REQUIRED CURB AND OR/ SIDEWALK REPAIR AND RECONSTRUCTION FOR CERTAIN PROPERTY OWNERS CONNECTED WITH A PROPOSED WAWA BE IT FURTHER RESOLVED, FOR ANY REASON THE WAWA PROJECT IS TERMINATED AND DISCONTINUED, THE NAMED PROPERTY OWNERS WILL HAVE 30 DAYS FROM THE DATE THE BOROUGH OFFICIALLY NOTIFIES EACH PROPERTY OWNER TO APPLY FOR A PERMIT WITH THE WORK COMPLETED WITHIN 90 DAYS. SECONDED BY MARK MOFFA. All ayes, motion carried.

MOTION BY BARBARA HEFFELFINGER TO PAY PECO INVOICE DATED 5/18/18 IN THE AMOUNT OF \$175.78 FOR ELECTRIC AND GAS SERVICE AT 37 W. WOODLAND. SECONDED BY JOHN STRATZ. All ayes, motion carried.

MOTION BY BARBARA HEFFELFINGER TO PAY PECO INVOICE DATED 5/18/18 IN THE AMOUNT OF \$29.79 FOR RECREATION FIELD ELECTRIC. SECONDED BY JOHN STRATZ. All ayes, motion carried.

President's Report

There was a complaint regarding the mosquitos in Taddei Woods. We are going to look at the cost of larvae-ciding that the health department recommended. They have already sprayed the property this spring and will not be back until later in the summer.

Mayor's Report

Community Day is June 2nd.

Residents of Cynthia Avenue are planning a block party and the street being closed off to traffic. The Chief has been in contact with the residents regarding emergency vehicle entrances if necessary. Council received a list of neighbors' signatures approving the block party on May 27th at 2:00 p.m. and requesting the street be closed off. It appears that every person that lives on the street has signed it except the owners of the vacant house. Solicitor reviewed the list and said he did not see block parties in the borough code and asked what the borough's past practice regarding them is. Council responded that they have approved them in the past individually as requested. Ben Hauser said as long as the emergency issues have been addressed that it was ok to consider for approval.

MOTION BY MARK MOFFA TO APPROVE THE BLOCK PARTY ON CYNTHIA AVENUE ON MAY 27, 2018 FROM 2:00 P.M. TO 8:00 P.M. SECONDED BY BARBARA HEFFELFINGER . The vote was 6 ayes, 0 nos and 1 abstention (Rich Flanagan). Motion carried.

Engineer's Report – Carol read the report, which is attached.

Green Light Go Grant

Carol added that she was previously asked if pavement markings will be a part of the repaving project. They will replace the crosswalks and stop bars where they put down new pavement, which will be the Lincoln Hwy. approaches but they will not do the Hulmeville Avenue approaches.

Rich Flanagan asked regarding Option 1, on Carol's report, are ADA design-built ramps required and aren't the ADA ramps required anyway. Carol responded if the mast arms are changed they have to change the foundation of the mast arms and that involves concrete work. They are only required when a change is made. The PennDot representative told her that if they do the concrete work to change the foundation of the mast arm, that will generate having to do the concrete work on the accessible ramps. It would be part of the boroughs project to upgrade those mast arms and the expense of the borough. In Options 2, 3 and 4, the handicapped ramps do not have to be addressed. Mark Moffa asked if Carol was able to come up with any more options to utilize more of the grant funds because with the four options we miss out on approximately \$5,000.00. The other options were to do the other intersections at Lincoln Hwy. & Durham Road and Lincoln Hwy. & Bellevue Avenue, which were removed from the original grant application because of the Wawa project. Wawa will take care of those intersections.

Mike Smith, 127 DeHaven Avenue, asked if there was prior discussion to put a red light at Centre Street for the fire company to enter Lincoln Hwy. Barbara Heffelfinger responded that it was included in a grant application that was denied.

Karen Flowers, 500 Hulmeville Avenue, recalls there was something included in the Wawa project at the Hulmeville Avenue intersection. Carol Schuehler has seen the highway occupy plans and the conditions of approval and doesn't remember seeing anything about that. Beverly

Wolfe said that Wawa committed to give some funds to the borough for the police station but she will look the information to check.

Mike Smith asked if it is possible to look into upgrading the street lighting at the Lincoln Hwy. intersections at Bellevue Avenue, Hulmeville Avenue and Durham Road where the crossing guards are posted during the school year. Carol Schuehler said that it would be a completely separate application.

MOTION BY MARK MOFFA TO APPROVE OPTION 4 ON CAROL'S REPORT: OUR LADY OF GRACE FLASHING WARNING DEVICE LED UPGRADES, REPLACE ALL OF THE 8"12" 3-SECTION VEHICULAR SIGNAL HEADS AT LINCOLN HWY & HULMEVILLE AVENUE & REPLACE THE EXISTING CROSSWALK AND STOP BARS (IN KIND) ESTIMATED COST IS \$15,108.00, \$7,554.00 TO THE BOROUGH. SECONDED BY JOHN STRATZ. All ayes, carried.

Committee Reports

The new committee assignments were distributed to council.

Community Relations (Laura Germain):

The newsletter was printed out and will be mailed by the end of the week.

A new program for the borough, Pennel Play Dates, will be held during the day in the summer which will include a variety of activities then time at the playground. Laura Germain will provide snacks for the first session then ask interested people to sign up. It will be posted in the newsletter, website and face book page. The first date is July 10 from 10:00 a.m. to 11:00 a.m. and will continue through July and August. Barbara Heffelfinger and Beverly Wolfe said that Laura did a great job putting together the newsletter.

Recreation Field (Rich Flanagan):

The recreation board chairman is going to contact Rich Schramm and Chief Perry regarding parking issues at the rec. field. They have been parking on the macadam, which is not permitted. That area is for police, fire and rescue vehicles and utility companies if needed. It is a breach of contract for that area to be used for parking. The Wildcats have been informed of the violation.

Playground mulch in the tot lot was budgeted (\$3,500) for this year. Bev asked the rec. board members at the meeting to look into purchasing mulch because it is needed.

Karen Flowers said the board is getting estimates to take down the dead trees hanging over the recreation field, another safety hazard. Barbara Heffelfinger contacted Middletown Township. They are going to come out and take a look at trees hanging over also.

John Stratz said he saw shredded tires at a playground in Maryland over the weekend. Other Council members said there are issues with chemicals and heat that are unfavorable.

New Business

MOTION BY BARBARA HEFFELFINGER TO RATIFY THE PROFESSIONAL SERVICES AGREEMENT WITH BARRY ISETT & ASSOCIATES INC. EFFECTIVE MAY 14, 2018. SECONDED BY JOHN STRATZ. All ayes, motion carried.

There is a 60 days termination clause in the agreement. They are currently working on revising our fee schedule to be comparable to other zoning and code enforcement companies'

schedules and other municipalities (Red Hill and New Britain Borough) and comparable to our size to develop the new fee schedule. It is not yet ready for review by Council. We will be billed 85% of permit fees according to this schedule of fees. The agreement states that the fee schedule is attached. It is not because it is not completed. They will charge \$75.00 for zoning officer, property maintenance and legacy permit services until the fee schedule is completed. It should be done by the June council meeting.

MOTION BY BARBARA HEFFELFINGER TO TABLE THE MOTION TO CONSIDER APPROVAL OF RATES PROVIDED BY NEW AMERICA POWER AND APPROVE AND SIGN THE CONTRACT. SECONDED BY RICH FLANAGAN. All ayes, carried.

MOTION BY BARBARA HEFFELFINGER TO ADVERTISE FOR A PART-TIME MAINTENANCE EMPLOYEE NOT TO EXCEED \$150.00 IN THE BUCKS COUNTY COURIER TIMES AS PREVIOUSLY DISCUSSED. SECONDED BY LAURA GERMAIN. All ayes, motion carried.

Persons to be Heard

Steve Lowe, 409 Cynthia Avenue, committee assignments posted on the website

MOTION BY BARBARA HEFFELFINGER TO ADJOURN AT 9:15 P.M. SECONDED BY LAURA GERMAIN

Submitted by: _____
Marie Serota, Secretary/Treasurer