

WORK SESSION

October 15, 2018

Council President Beverly Wolfe called the meeting of Pennel 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 Laura Germain
Councilman Joe Dudash
Councilman Mark Moffa
Councilman Richard Flanagan was absent

Officer Robert Osinski was sworn in by Mayor Robert Winkler.

Announcements

They will be adding an agenda item under new business for the sub-recipient agreement for the Woodland Ave. curb project.

Applications for the Planning Commission alternates. They have three open positions in the Planning Commission for alternates. If anyone is interested, please let the office know and you can fill out an application.

The chili cook-off is this weekend for the benefit of the rec field.

Motion Items:

MOTION BY BARBARA HEFFELFINGER TO PAY THE STATE WORKERS' INSURANCE FUND INSTALLMENT PAYMENT DATED 10/1/18 IN THE AMOUNT OF \$2,737.00 (DUE 10/26/18). SECONDED BY JOHN STRATZ. All ayes, motion carried.

MOTION BY BARBARA HEFFELFINGER TO PAY GETTYSBURG BENEFITS ADMINISTRATORS, INC. INVOICE DATED 9/28/18 IN THE AMOUNT OF \$164.93 FOR DENTAL INSTALLMENT (DUE 10/25/18). SECONDED BY JOHN STRATZ. All ayes, motion carried.

MOTION BY BARBARA HEFFELFINGER TO PAY COMCAST BUSINESS INVOICE DATED 10/1/18 IN THE AMOUNT OF \$141.66 FOR THE MONTHLY INTERNET AND VOICE SERVICES (DUE 10/24/18). SECONDED BY JOHN STRATZ. All ayes, motion carried.

MOTION BY BARBARA HEFFELFINGER TO PAY BRITTON INDUSTRIES FOR MULCH AT THE REC FIELD FOR THE TOT LOT THAT WAS DELIVERED TODAY IN THE AMOUNT OF \$1,436.00. SECONDED BY JOE DUDASH. All ayes, motion carried.

President's Report

No report

Mayor's Report

One of our cars was in an accident tonight. The officer went to the hospital. He was checked out and released. Our maintenance man has been doing a lot of work. He's been cleaning up and he got the lines painted.

Solicitor's Report

No report

Engineer's Report

Carol read the report which is attached.

COMMITTEE REPORTS

Refuse

Joe Dudash reported that they wrote up our bid contracts which were sent over to special counsel and they have reviewed it. They had some changes and sent it back to the committee to go over the changes in it. Most of it had to do with the China Sword issue with recyclables. They saw a lot of things with hidden charges and they are trying to prevent that. Beverly Wolfe asked when they could put this out for bid because they are running out of time. She asked if he thought it could be ready by the November council meeting. Joe thinks that once they all sit down and look at it and go over the changes made by special counsel, then they should have it pretty well nailed down. What has made it more complicated is the recyclables. They really had to research what they may come back at us with.

The police contract is great. They made a settlement. They sent it over to council and the solicitor and now it is in the hands of the PBA which has to sign off and send it back. The only thing he wanted to say is that this goes to show you what happened tonight with Officer Dallas Krum. It's not easy being a cop out there. If you saw the car, the front was completely torn off. He feels it is a fair contract to the residents of Penn del and the officers. He wants everyone to understand that this is not a quiet little town like everything thinks. He was in pursuit of someone when this happened. You can see our statistics. Route 1 is a nightmare. The guns we've been getting, the drugs, you name it, we've got it. Sleepy little town, yes we have that but it is not like the good old days. It's a different scene out there. Beverly Wolfe asked when he thought the contract would be ratified so they could vote on it. He said he thought they would be getting both the trash and police back next week.

Joe's wife asked him to get this out to everyone that on Saturday, November 17th, they will need assistance planting the trees at 9:00 a.m. at borough hall. Joe said he was kind of disappointed with the residents of Penn del with tree education. At the three meetings there were no Penn del residents. They had Jameson Tree Company and Rick's. They sent seven employees apiece to learn this whole thing with the trees. We had people from Bristol, Quakertown, Pennington, NJ, Philadelphia, New Hope, Perkasie, New Britain and Lansdale. It's a shame the residents here did not show up because we are the ones who have to make the improvements here. We can yell and scream about everything that's not done around here but if we don't participate, nothing's going to be done. We do need participation. Get it out to your friends because it is kind of embarrassing because we held the meetings here and all the other towns showed up. We did not have one resident from Penn del.

Recreation Board

Laura Germain said they will be having the chili cook-off this Saturday at the rec field from 12:00 pm to 3:00 pm. Going to be posting it on the rec board Facebook page and the borough page

promoting the prizes and reminders. There's going to be raffles, games and they will put up tents or tarps if the weather is bad and there will be a variety of chili. As Barbara mentioned, the mulch was delivered today. She wants to thank Karen Flowers for getting it to happen this budget year. Laura thought it was going to take to 2019 but Karen and Beverly figured out how to get it done this year.

Community Relations

Laura Germain said Barbara Heffelfinger and herself will be meeting on Thursday to finalize the newsletter. They met with another website company and are going to prepare those bids. That will be for 2019 but they are going to get their ducks in a row. They said they were going to give her 2018 prices and she is going to go back and ask the first company to do the same. They are looking into getting a new Penn del logo that they will give us prices on but having the possibility of getting it for free. Her husband is a designer and he is going to make a few mock ups to see we like them and obviously he would not charge us. Our lawyers just cleared an idea we have been talking about for a few months. Our little free library which she is very excited about. Basically it's like little birdhouses and you put books in them. You take a book and leave a book. The idea is to have one in front of borough hall and maybe one in front of the rec field. We have to figure it out. It is all planning right now. What she would love to do and has to figure it out is to have residents have them in front of their own houses. She would definitely put one in front of her own house. This tends to make the town walkable. In other towns where they do this they have maps and people go from little free library to little free library. She said it would be a small thing but a great thing for our town. She had a few people say they would donate materials and her husband would build a few. Mark Moffa said if they need books for the houses he works with a non-profit that is in this area that has a ton of books and are looking for a way to distribute their books for free. Beverly Wolfe said she thinks that once they word gets out Laura is going to be inundated with books. She thinks the resident's will step up and will be dropping them on her doorstep. Mark said he drives by one every day on his way to work in Princeton.

Revitalization

Mark Moffa said they will be meeting this week. They haven't met in a while. He's been waiting for the county to tabulate the results of the business survey. They supposedly have been doing some work for us looking at our Transit Overlay District. In their previous meeting they went through it and marked it up with things they thought they needed to change. They are hopefully coming back to us with some results from those suggestions as well. They hope to have a presentation coming soon.

Ordinances

Mark Moffa had a conversation with Ben Hauser today and he promises we're going to have the ordinances addressing medical marijuana and group homes ready for the next meeting. They have been in the works for quite some time. There are a couple of others that have been on the radar that they've been going back and forth on. Bamboo is something that is questionable as to whether we should regulate or not. There were a couple of particular parcels mentioned that were going to be a concern. Beverly spoke to Joe Dudash's wife who knows about those things. She wanted her opinion and it is very invasive and can start taking over whole lots. It is located by Hulmeville Rd. and it is starting to creep up this way. Beverly said she has a few friends that it has cost them tens of thousands of dollars to eradicate them because the bamboo took over their entire yard. They couldn't get rid of it and ended up selling their house and moving. Mark Moffa said he wants to protect the borough owned properties from it. Beverly asked council what they thought about proceeding with this and how to regulate it. Mark said there is a model in place in Lower Makefield and Ben's firm is a representative of that

municipality as well and they have worked on it. There are a couple of ordinances. They passed one regulating bamboo and then they updated it because he thinks they found a flaw. Mark can show the language that has been used. It does not prevent people from growing bamboo. It stipulates a certain way that it has to happen. The roots are kept in that spot. It cannot migrate off out of the area. Ben Hauser said that Lower Makefield is not the only one that has an ordinance. He believes Middletown has one and Bensalem has one. It's called obnoxious or invasive plants. The trend began in Yardley Borough. The borough wants to enforce an ordinance that perhaps is between neighbors which is kind of a concern but many municipalities in this county have drafted such ordinances. Beverly asked if they wanted to continue to waste their energy on it or is there bigger fish to fry. Mark said they can certainly look at more than one at a time. The fence ordinance has come to their attention and he started looking at the contradictions in our laws. Mark said we can look at fences and bamboo or just fences and put bamboo on the back burner. John Stratz mentioned there was a large swatch across Neshaminy St. Joe Dudash said they should research it and go to the residents of Pennel. He said he did not want bamboo next to him. You have to get a bulldozer to get it out and then you can't always get rid of it. You actually have to put metal down to block the roots. Mark said the problem is that they are reactive. The problem happens and then they respond to it the best they can. This is a little unusual in that they do not know of a problem yet that's in our borders. Do they want to get ahead of that and prevent someone from going crazy? Joe Dudash said they should be proactive. Laura Germain asked about people that already have it and Mark said typically the ordinances address existing planting. Beverly suggested putting that on the warmer. Barbara Heffelfinger said that the fence ordinance is the top priority. Beverly thinks that the medical marijuana dispensary and all that other stuff and nonsense that our ex-solicitor rolled into one gigantic ordinance that never got passed and that's why it's taking so long because it has to be split out should be more of a priority. Mark said they should get them off the table. Ben Hauser said if you authorize advertisement by the beginning of November, they will probably be passed in December. Mark said the fences and bamboo will be what they look at next.

Insurance and Pension

Mark Moffa has been in contact with the Borough's Association to see if who we were using for our pension program were good and they come highly recommended. With insurance we have an issue. This all started with researching our options for insurance next year whether they can change our broker or firms. An issue came up when we were trying to get a quote from our current provider EMC so that they could compare to others. Their underwriters are not even going to give us a quote until we answer a series of questions that relates to a specific incident that occurred on August 15, 2017. Beverly Wolfe stated they could not talk about it because there is an ongoing investigation. Ben Hauser said for the record there was an incident that occurred in the summer of 2017 that may or may not be in litigation down the line. Mark said the insurance company wants to know moving forward what we are doing about street lights that are out in the borough. They want to know that we are taking corrective action, that we have a plan in place and they want to know who the responsible individual or individuals would be for identifying streets lights that are out and replacing them. Beverly said it is addressing something that the insurance company said may have contributed to the problem. We did answer their questions but what they want is to see from us in writing is a Standard Operating Procedure. They want thing by thing, item by item as to how in this borough, if a street light is malfunctioning or out, they want something a lot tighter and a lot more detailed than we have been doing for many, many years. And what we have been doing is when you guys tell us there is a street light or when our police when on patrol tell us a street light is out, Armour and Son's Electric is contracted to take care of all those things. We pay a yearly contract to them and they will come in and fix it. That is not good enough for the insurance company. They want

something a little bit more. Based on the documentation she saw, she can see why they want it. Mark Moffa said the method that we can count on is the police officers. He doesn't believe they can instruct the police officers to do anything so they have put together a resolution to try to get some things in writing to satisfy the insurance company. This resolution simply asks that the mayor please direct the police department as a part of their regular duties to take a look for street lights that are out. This gives us a little bit of a paper trail. Beverly said the insurance company wants to see in writing, our Standard Operating Procedure for the identifying and dealing with any street lights that are malfunctioning. This would be a way that we could show them that we have a procedure in place. Bob Winkler said when a resident reports a street light out, they report it to Karen or Marie and they send an email to Armour. He does not know how long it takes for them to get out there and that is the question. Beverly asked if an officer notices a light out while on duty, they basically do the same thing, correct? Bob said if Karen is here, they notify her otherwise they notify the chief and in the morning the chief will notify Karen. Joe Dudash asked if there was a paper trail and Beverly said that's what they need to create. Mark asked Bob if they pass this tonight, is there a way for him in some way to document a memo, in light of this, instructed the police. Bob said he will check with the chief to see if it was issued. Mark said they feel that council did something, we have records the department is on it and that there is a procedure in place. Beverly said they will write up an SOP for this kind of thing. That way they can show that to the insurance company. Joe said the downtime could be when the police report it to Armour getting out there. Beverly said that's something they can find out when they ask Karen for the records of the emails when it went to them and when they came out to actually do it. Bob said it depends on how much work they have. Joe asked legality wise, is there so many hours in which that light has to be fixed. Ben Hauser said not that he is aware of. If someone were to make a claim that the light out was out and that contributed to the accident, ultimately that gets decided or talked about by lawyers, was that reasonably long enough time. As he spoke about to Mark, during the day you don't always know if your light doesn't work. Joe asked how do you know if it goes out. Beverly said the maintenance guy is here during the day. Bob said sometimes the ballast goes out. It could be on and by the time you get to the other end of the block, it goes out. Mark said he doesn't know how they found out that we have no public works department. They asked why we got rid of our maintenance people. He told them he did not know the answer to that because it happened before he came but then he thought afterwards that they would be working during the day so they will not be patrolling at night looking for street lights that are out. They are indicating that it is an increased liability that we don't have maintenance people. We have one but he is not replacing street lights. Ben Hauser said certainly if it would be an issue if in Penndel Borough it takes a week to replace a street light when in every municipality in Bucks County it takes half an hour. Beverly said she thought that Armour was very responsive and always was when she was on the streets committee. It was usually within a couple days. Mark said he thinks the risk management person from EMC will be pleased to see that we did something. Beverly asked if they still wanted to do the resolution so they could prove it to them. Joe asked if we needed to stay with EMC. Mark said we do not have to stay with them and that's how this all came about. He was looking for other opportunities. There are probably only 3 or 4 companies you can go with for comprehensive municipal insurance. EMC is one of the big providers. He doesn't know if he can go to another insurance company because of this big claim. Joe Dudash asked if legality wise would it be better for the borough if our officers do an incident report. Mark said that would be more of a procedure than so and so is going to tell Sean who is going to tell Karen. Mark asked the mayor if they can see documentation that the police department has been instructed to provide and incident report. The mayor said he would do that.

MOTION BY MARK MOFFA TO ADOPT RESOLUTION #2018-28 A RESOLUTION OF THE BOROUGH OF PENNDEL BUCKS COUNTY PENNSYLVANIA REQUESTING THE MAYOR

AND POLICE DEPARTMENT REPORT STREET LIGHT OUTAGES. SECONDED BY BARBARA HEFFELFINGER. All ayes, motion carried.

Laura Germain asked if there should be anything about the paper trail or incident reports be in the resolution or is it not necessary. Beverly said it was not necessary since the mayor is going to give a memo. Ben Hauser said that the minutes will be transcribed and will be approved and on the record. Bob Winkler said he is making a recommendation that they give them a log book or set up in the computer where they can log all of this down where there is a running list because we could repair a light and replace a bulb and then the ballast go bad two days later. Mark said he intended to mention their desire to convert to LEDs which would help reduce the occurrence of outages. He thinks they want to know more about what we are doing right now but down the road he thinks that's worth mentioning.

Long Range Finance

Mark said he is trying to revive the Long Range Finance Committee. They asked for applications and he received two as well as people coming to him and expressing their interest. They also have two sitting members who are interested in continuing to serve on the committee. There would be the council member and the four members of the public. Mike Sodano is a sitting member and is interested in continuing and his term doesn't expire until 2021. Gary Nickerson is a sitting member and his term expires this year, however he is interested in continuing to serve. He would like to reappoint Gary Nickerson. Beverly said his term expires December 31 so he would need to wait to do that.

MOTION BY MARK MOFFA TO APPOINT KAREN FLOWERS TO LONG RANGE FINANCE. SECONDED BY LAURA GERMAIN. All ayes, motion carried.

MOTION BY MARK MOFFA TO APPOINT AMANDA MIELUCH TO THE LONG RANGE FINANCE. SECONDED BY JOE DUDASH. All ayes, motion carried.

Mark Moffa had a question for Ben Hauser. Mark said they passed this resolution redefining the committee in August 20 and there are two parts to it that he's wondering if they can tweak. Ben said they can pass a resolution to amend it. Mark said there is a part of the resolution point number five where it says the committee shall provide a written report of its findings and recommendations to borough council on a monthly basis. They don't know if this committee is going to be meeting every month yet. Maybe change it from monthly to regular basis or as deemed appropriate or at council's request. Barbara Heffelfinger said they should be done after every meeting and submitted to council. Mark said it could say to be given within five days after meeting to borough council. The second part is after his discussions with various people about reviving this and with Gary who is a current serving member, everyone has said this committee, when it met previously, it was ill defined what the duties and responsibilities were. If we are going to have it again there really should be direction from borough council as to what the committee should be looking at.

Sewer and Streets

John Stratz said the committees met on Friday with the engineer. First part of the meeting was working on budget estimates. The second half was a meeting with Bucks County Water & Sewer Authority's John Butler and Lee Alexander. The sewer authority has a proposal for us. They would like to be our go to company for any sewer and water emergencies in the borough. They are willing to come and do a proposal. Beverly Wolfe suggested that the November work session would be good for them to come and said it was a very interesting packet that will go to all of council so they can understand what they are offering us as far as emergency situations.

John Stratz said he will be attending a meeting with the DVRPC on October 18 at the Tredyffrin Township building in Berwyn. This will be the first meeting of the committee that will be in charge of the lighting program. They will be evaluating proposals from these companies and will be deciding on the top eight companies in order to interview them in person the following week.

John mentioned bids for snow removal and deicing. Seifert has been our ongoing company. Do they want to continue with them or put it out to bid. Carol will do this for us. It will be \$1,400.00 to prepare the bid package, advertise, and make sure everything will be done the right way. Ben Hauser asked if the contract expired or if there was an option on the contract. It is just a proposal for plowing and we provide the salt. Beverly Wolfe asked if everyone was happy with the job they were doing and Barbara Heffelfinger said she was not. She said they overstay their welcome and just drive around the streets. In a heavy snowstorm, what could be done 5 hours is stretched to 8 – 10 hours. They are horrible on the corners and just pile it on the corners. They don't try to keep driveways open. She just doesn't think they are doing a good job for the money they charge and she doesn't think they should be awarded another contract. Mark Moffa asked what their rates were. They have a man hour rate and we also have them shovel at the borough hall and rec field. Beverly said they budgeted \$2,000.00 for salt and de-icing materials. We provide that, they don't. It looks like we spend only \$400.00 of that. We spent about \$11,000.00 in plowing. We budgeted \$10,000.00. Seifert is the only company we have used since we stopped using our own people. Many of the landscaping companies do snow plowing in the off season. Many of them will not quote municipalities because of the insurance. We were told if we were not happy with them, put it out for bid and see what you get. John Stratz said he has gone to our neighbors say they use their own people. Beverly thinks Hulmeville and Langhorne Manor use Seifert. Mike Smith said we have a \$55,000.00 truck sitting at the plant and we don't use it. We have a \$7,000.00 salt box sitting down there that we don't use. There were complaints of handicap ramps being plowed in. Beverly said if we put that in the specs that we want them to get and shovel them, it will cost more. Mark asked if we had any idea what the current rates are before we spend \$1,400.00 to try to get a better rate. Beverly said she's not sure better rate is all we are going for. She wants to make sure every dollar of that money they are spending is on somebody who is doing the job the way we want it to be done. John Stratz asked if they could write up their own contract and tell them we want this followed. Ben Hauser said you're looking at \$11,000.00, which starts to trigger bid requirements. It might be under that but to be cautious, rather than just dealing with Seifert, you may have to go through the 3 quotes process. The threshold is \$10,900.00. Under that amount you don't have to bid it. The middle threshold is \$10,901.00 to \$20,100.00 you have to get 3 written bids. After that you have to go through the formal bid process. Beverly said the problem is when they were looking for 3 quotes, nobody wanted to do it. Mark asked about the \$1,400.00 for Carol. Beverly said that is for her to prepare a bid package. Carol said she would work with the streets committee to put out a bid package on Pennbid. If they need to advertise, that would be separate. The borough goes through the Bucks County Courier Times. And as we've seen with the refuse bid package, they are complicated. Beverly asked John if Seifert raised their rates. John said not on the standard plowing and deicing but they add the front end loader. Beverly said we were very demanding about them shoveling the sidewalks and they were complaining about that so she figured they would hike it up.

Amanda Mieluch, 16 Oak Ave., said when the borough did it, it wasn't any different than this company that is doing it now. The driveways were still blocked in, your sidewalks were still blocked in, and you had to dig everything out, empty out your driveway and go back and do it again. It's no different than when the borough did it or this company who you are paying to do it. So to say Seifert is doing such a lousy job, she doesn't see that.

Sam Simon, 126 Holly Ave., said the biggest thing he sees with the borough is they leave cars on the street. If you're going down the street plowing, if you have a car and you go to cut back

in, you're two cars down before you're back in. You can't blame the plow guy for that. You have to blame our residents. If they don't have a driveway, the ground is frozen so put the car in the front yard. Amanda Mieluch said they have someone on their street who has a lawn service as a second job and had his big, old truck out there all winter long. Everybody else had to get off the street but he was allowed to sit there because he's a Bensalem cop.

Nick Foufas, 326 Bellevue Ave., asked if they only spent \$400.00 for the salt and de-icing last year. He said he watched the trucks and there were almost no K.E. Seifert trucks in the borough last year with a salt box in the back. Woodland Ave. and Centre St. was nothing but ice. They need to either salt or not do it and we find someone else. We should put the salt box in our \$55,000.00 truck and do it ourselves. Every time Seifert plowed this parking lot, he puts the blade down at the sidewalk and pushes it right into his fence. If you look at his fence, it looks like an "S" all the way down. It's been like that since he put it up 4 years ago. The first year they pushed the snow from the borough into his fence. They don't care. It's not their property. He fixed it the first year and the second year. He's not fixing it again until we get somebody different.

Patrick Donahue, 520 Bellevue Ave., you should have a safe walkway to get across the street. He walks and you cannot get across the street. You have to go down to the middle of the block and cross over the snowbank. The do in front of the concession stand at the rec field in the middle of a snowstorm. That's costing us money. And the sidewalks down there, nobody walks on them and we are paying them. Beverly said by law we have to keep them clean. Carol said for a large pickup truck it's \$120.00 an hour so they are not out of the range with others. If we proceed Carol would like to work closely with the streets committee in preparing a map to include with that bid, not only showing where you want cleared but also where you want snow piled. Beverly asked Carol if putting this out for bid can be part of liquid fuels. Carol said she believes we can. Beverly said we have some reserve in liquid fuels so if we go ahead with putting it out for bid, perhaps it is a nice investment to see what else is out there so that we are getting the best bang for our buck.

**MOTION BY JOHN STRATZ TO REQUEST BIDS FOR SNOWPLOWING AND DE-ICING AND TO HAVE OUR ENGINEER PREPARE BID PACKET NOT TO EXCEED \$1,400.00.
SECONDED BY MARK MOFFA.**

Joe Dudash asked why they don't go to Seifert and say this is what we need. Beverly said we are approaching a bid threshold where it is the law that we have to get at least 3 bids. Joe said he meant before we go that route, why can't we just say to him what we want. Ben Hauser said because of the bid threshold you should formally bid it out. You can get 3 quotes if you can get someone to do that. Carol said we can put together a less extensive package up on Pennbid, understanding it would be under the \$20,000.00 threshold so we don't have to do full blown bids but get it out there for as many bidders as possible. Mark Moffa said one of the issues is the corners and that means the corners are going to have to be hand shoveled. No one asked Seifert to do that. Beverly said she thought they did but it was not written. She said they should try to draw up something simple. We should go to the vendor of record and tell him what we don't like and ask them what would it take to fix these problems. From there if there is no resolution, we take it a step further. Mark said the issues we want to address are the handicap ramps, salting specific parcels, what we want done differently because it seems like different people have different experiences. Barb isn't happy and she cites these things she wasn't happy with. He thought it was phenomenally well done on his street. They can't complain the corners weren't done if we didn't ask them to do them. Beverly said they don't know what they were asked to do. Bob Winkler said if you look through the minutes, you probably won't find anything. Beverly asked John Stratz to contact Seifert with a list with these things and see what they have to say about it. Mark asked Mike Smith in what way was he referencing the truck. Did he mean they borough should hire someone to do it ourselves? Mike Smith said that's what

they did before. Steve Lowe and some other people. Beverly said and the liability that goes with that. Mike said as far as corners go, it's very hard for the snow plow to take it off the corner. It takes 4 – 5 hours to plow the borough if it's a normal snow, up to 10 inches. Once you get over the 20 inch threshold it's totally different story. You're going to go to 10 hours. Back in 1995 when it was 36 inches, he was in the truck for 36 hours straight. As for the driveways, don't dig them out until the plows are done. As soon as there is an opening for the snow to come off that blade, it's gone. As a homeowner, you have to think, do you want to dig it out 3, 4, 5 times or do you want to do it once. As far as corners go, you are going to go so far above your budget. Beverly said they can at least just ask the question. Mike said has Seifert done a great job, no, a good job, yes. Mike said he didn't know about Nick's fence. Beverly said this is the first time she is hearing about that. Barb said they wrecked our wrought iron fence. Mike said the borough parking lot is extremely hard to plow. The best way to do it is with his quad because you can get around everywhere. Get the batteries in the backhoe. We've got it, use it. We have the equipment. As far as shoveling the sidewalks out there, we just hired a guy. We have a snow blower. Bring it up and put it in the shed and have our maintenance man do it. Beverly said let's have John go back to Seifert and tell him what we are unhappy about and what is realistic. Joe Dudash asked what the deal was with cars. He said in D.C. they just tow your cars. Bob said we have an ordinance but you also have to post signs. Beverly said that's always been the problem. You have to post signs every so many feet. We could post them but it is going to cost money. Amanda Mieluch said what is wrong with the residents that they couldn't move their vehicle when they get the call. Ben Hauser said he is going to look into whether you need to put up signs if you have a public ordinance in which it is presumed to know that the ordinance is out there.

JOHN STRATZ MADE A MOTION TO TABLE THE MOTION TO AUTHORIZE THE BOROUGH ENGINEER TO PUT A BID PACKAGE TOGETHER. SECONDED BY LAURA GERMAIN. All ayes, motion carried.

Beverly Wolfe invited Marta Gross, 561 Bellevue Ave., to speak about her husband. She showed a picture of her husband in recent years. She stated she has been a resident of Pennel for 42 years. She sits outside her house for the annual Memorial Day parade. She said it would be a little hard for her to talk especially at this time of year because they are getting near Veteran's Day. Her husband was in the Marine Corp., 1st Battalion, 9th Marines. He went into the conflict in Vietnam. There were 849 men in his unit and 49 came back. Everyone else had severe Post Traumatic Stress Syndrome from exposure to Agent Orange which they denied any wrong doing to the men. They discharged her husband after 14 years in the Marine Corp. due to his diabetes and they gave him a retirement benefit of \$250.00 a month. From exposure to Agent Orange which our country denied for many, many years, he started out with diabetes. He had his toes removed from his one foot first then he had his leg removed right below his knee and he was unable to work for many years. She took care of him. She worked 2 or 3 jobs near the house in case he needed her. She put both her kids through college. She kept telling him to back to the VA because he was entitled to more benefits. Her husband got everything that Agent Orange gives you. Besides his diabetes, he had congestive heart failure, COPD. She kept telling him to go to the VA but he was the type of man who said his country doesn't owe him anything. She looks back with no regrets and if she had to do it over again she would. She doesn't think we realize what happens to the men and women in the military when they come back from war and what they encountered. They sat outside every year they have lived here. People see her outside every Memorial Day with a setup she has out there. He always felt like he was forgotten and she makes sure he was never. He was a member of the American Legion when it was here. When it was no longer here he was a member up in Langhorne. She was planning his funeral for many years before he passed. In the year and a half before, when

he went on oxygen 24/7, they knew his time was limited. She told her sons if they had anything to say to your father, say it now but don't say anything that you will be sorry for. They kept saying oh mom, he's doing great, he will be fine, he's a survivor. One thing she was unhappy at Pennndel Borough for was during hurricane Irene when we lost electricity, she couldn't get a generator. She came to the borough for assistance because he was on an oxygen machine and was in bed and there were no more generators anywhere. When she came to the borough a person took her name and said the police would come by the house to make sure your husband was ok and see if he needed to get to a hospital. No one came by and she never heard from anyone. She remembers sitting by the side of their bed hoping they would make it through the day until they got electricity. Anyhow, he wanted to be buried as a Marine. He wanted dress blues but he said she wouldn't be able to find any to fit him. Her sister helped put her in touch with someone to help. It always amazed her how people came together, people they didn't even know. Four or five years before he passed away he finally went to the VA because he wanted to make sure that she and her sons would be taken care of and he was made 100 percent disabled after about 2 ½ years. What amazed her was that she had planned his funeral and this gentlemen asked her for his size so she measured him while he was asleep. He told her it would probably be over \$1,200.00 and she said she didn't care how much it cost. He was always a Marine until the day he died and she wanted him to have what he wanted. He was in Virginia and he emailed her back and said Semper Fi which mean forever faithful. When they got to the last 2 weeks, he called her at work and told her he needed her to come home. They said he had 2 weeks tops. She did hospice care herself for him. Her neighbor across the street who doesn't live there anymore, Mark Snyder, came over while in hospice care and said he didn't want to interfere with her arrangements but he would like to escort him and she was totally out of it and said whatever. They buried her husband from Fluehr's Funeral Home in Richboro. He is buried in Washington's Crossing Cemetery. When they were in the funeral home after the service, they could hear motorcycles outside. When they went out, it was something you would never, ever believe. The streets were lined with people from the funeral home to Washington's Crossing, most who they didn't even know. Somehow on social media it went out that one of their men was down. Later she had heard that they were worried how they would get around the bypass and Rt. 413. The fire department and the ambulance squads blocked off the streets so they could go to the cemetery. She got numerous letters and emails after his funeral that they had been to many funerals but nothing like this they had ever seen before. She wanted to come to a township meeting for so long. When this all happened, Newtown Township, Upper Makefield Township, Northampton Township, Newtown Borough, all their police officers and squads participated. She heard nothing from where they lived for 42 years. She was very hurt. The house that she lives in was the house that they bought which was supposed to be their starter home but when he got discharged, he wanted to move but she refused to because she didn't want to lose her home and she wanted to raise her children and do what she could to get him through. She wanted to meet in Newtown to thank everybody. He said when they came back from Vietnam they were spit on, they couldn't get jobs, and they were downtrodden. And all the years that they have lived here with the parade, no one ever asked him to participate, no one ever asked him to ride in a car, no one asked to include him. You have to go by our house and you could see him. He would sit in his wheelchair in the driveway and you could see the tears stream down his face. She just wanted some kind of something from the borough, a commemoration that his life mattered here for 42 years and for people to understand that freedom is not free, it costs some of us dearly. This country would be nothing. We would just like some kind of recognition so he is remembered. Everyone must have seen him. Everyone who ever worked in this borough had to know him, had to see him. The last summer before he passed away was his best summer. She would come home from work and there would be people all over the driveway who would come along and see him in his wheelchair they would come up to him and thank him. Her biggest regret is he was in bed and

she was crying and he asked why she was crying and she said it's because you are sick and I can't make you better and shortly after that he passed. Unfortunately she passed out and she doesn't remember that day and she had made arrangements that her children didn't know about but her sister did know how to take care of everything. And if you knew her husband you could only imagine what he had to do to survive, to get out, how many people he may have had to kill, men, women or children. Her husband was the kind of person couldn't correct a dog let alone physically hurt someone. She just wanted him to be remembered. She goes to the cemetery every week and she puts a dozen roses on his grave. People tell her that she is crazy. She just wants him to know he will never be forgotten. She has been lax this past year because she has had major back surgery and she ended up in a facility for 90 days. She had a metal plate and rod with screws put in her back but she's getting back on track. I just want him to be remembered. All the other organizations came out of the woodwork and it bothered me for years and I just want to try to make it right if that's possible. She said she was sorry. Beverly Wolfe told her not to be sorry that it was important for everybody to hear. Beverly said she salutes her every year that she goes by. She wishes she could stop the parade but she can't. It's important for her to tell everyone. Beverly did not know her story until it was told to her. None of the rest of them knew the story either she doesn't think. Mark Moffa asked her if she could attend the next borough council meeting on Monday November 5th. If not, whenever it is convenient. She should let them know and they will have something for her. Laura Germain said that in the newsletter they wanted to add a spotlight on the residents section. She would to sit down and interview her if she would like. Beverly thanked Marta Gross for bringing the story to them. Chief Sean Perry gave her his card so that she could give him her contact information for the next parade. He would like her to sit in the front seat with him and bring him with her and lead the parade. That way he will be in the parade with them.

Council recessed for 5 minutes.
Meeting was reconvened.

Finance Committee

Barbara Heffelfinger reported that they have a number of grants that they've been very lucky to even have the opportunity to apply for. They did received the CDBG grant for \$40,000.00 to do the ADA ramps on E. Woodland Ave. They did apply for the rec board for LED lights for the field. They have heard nothing yet on that. Beverly said they heard they were going to award it in November. They also have submitted 3 grants to the RDA. After years of fighting with them we are now qualified to receive casino funds. They did one for the police, one for building repairs and one for the fire company. Bev, the Mayor and Barb will be going over to give a presentation for the grants. They give you a whole 15 minutes. They sent the letter to the consortium about the lights. We received the sewer and small water grant which we received 2 years in a row. Barb said they have to get moving on the budget. They are getting into crunch time and she's starting to lose sleep. Anybody who hasn't gotten their stuff to her, she wants it yesterday. Beverly said they need it. It is a monstrous task. Barb said she does not want to spend her Christmas holiday in here. Beverly thanked Barb for all the work she did on the grants.

Mayor Winkler asked if they were getting trees. He asked if they could get a plaque and dedicate one of the trees to a resident. He is going to have a proclamation for Veteran's Day and it could be his day (referring to Clement Gross). Bob said they could do that for all veterans. Bev said they have Veteran's Remembrance Day which is a Penndel holiday in July commemorating The Wall. Ben Hauser did not think it would be inappropriate for the Mayor to issue a proclamation saying this Veteran's Day is in honor of whoever you may want. Beverly said as for the tree and plaque she would personally be happy to donate to that. No borough

funds to be used. Karen Flowers asked if they could do something down at the memorial park because they have the stuff for Mr. Dalola. Beverly said they can figure out where to place it. Bob said it didn't matter to him where the plaque goes. Since they are getting trees which are living memorials, they can get the plaques. Mark Moffa said they can have the borough issue a resolution on it. Laura said there must be other people out there like him so we have to find ways to reach out to them. As far as she can remember we have said if you are a veteran, please contact the borough so somehow he didn't see it or she didn't see it. Beverly said a lot of them might not want to. Like he said, his country owes him nothing. He didn't want it but she needed it for the closure. Beverly said that she and Barb were talking during the recess and are coming up with something like what she is talking about. They will announce it later when they get it down pat. Frank Flowers said to put the plaque on the fence. Barb said they would have to go to the parade committee for that and Karen Flowers said another set of fence like The Wall fence. Bev said it is a work in progress. Residents want walkability and maybe a place to sit. Maybe put a couple of plaques on a bench. They are looking into all of that.

New Business

MOTION BY JOHN STRATZ TO AWARD THE BID TO SEWER SPECIALTY SERVICES CO., INC. IN THE AMOUNT OF \$81,250.00 FOR THE INFLOW AND INFILTRATION INVESTIGATION AND REMEDIATION PROJECT AS RECOMMENDED BY BOROUGH ENGINEER. SECONDED BY MARK MOFFA. All ayes, motion carried. Carol Schuehler said the borough received 4 bids that were opened on October 8 for the I&I investigation and remediation. The 4 bids have been reviewed and tabulated and the bid tabulation was provided to the borough. The lowest responsive and responsible bidder was Sewer Specialty Services Co., Inc. with a base bid price of \$81,250.00. All of the required information was submitted with the bid and she listed that in her letter to council. A copy of all of those documents has been provided to the borough. Sewer Specialty Services Co., Inc. have received excellent references from the 3 different engineers that she spoke with that worked with them on multiple contracts. So she is pleased to make a recommendation to the borough council that you consider the award to Sewer Specialty Services Co, Inc. for the I&I investigation and remediation. This is a contract for what they call quadrant 1 for the sewers that are draining to pump station 1, first to do smoke testing then to follow up with video inspections and then based on the results of those 2, come through and do repairs. It is a unit price contract and when we get into the repairs, we don't know exactly what that total will be. We have a bid unit price for CIPP Point Repairs. We have 4 bids ranging in price from \$81,250.00 all the way up to \$116,282.00. Beverly reminded everyone that this was part of the last round of PA Small Water & Sewer grant package. It is completely funded by that grant. Mike Smith asked Carol what kind of repairs they were going to be doing or that you recommend that they do. What they have in bid is the cured in place plastic point repairs. He asked if they were going to do spots or the whole area. Carol said they will just be lining the damaged sections. Mike asked if it would be advisable to put the extra money into lining the mains if they are leaking because you both know if you do a 10 foot section, 15 feet down the line it springs in again. Carol said they will just need to see what comes up with the video. Mike said Joe and Mark should sit down and look at the video. Carol said the smoke testing isn't something the borough has done before so she thinks it's a good thing.

MOTION BY BARBARA HEFFELFINGER TO APPROVE THE PAVILION RENTAL REQUEST FROM THE RECREATION BOARD FOR OCTOBER 20, 2018 AT 12:00 NOON TO 3:00 P.M. AND FEE WAIVER REQUEST. SECONDED BY LAURA GERMAIN. All ayes, motion carried.

MOTION BY LAURA GERMAIN TO APPROVE PURCHASE OF TREES FROM THE PA HORTICULTURE SOCIETY IN THE AMOUNT OF \$50.00. SECONDED BY JOE DUDASH. All ayes, motion carried.

MOTION BY BARBARA HEFFELFINGER TO APPROVE AND SIGN THE PROFESSIONAL SERVICES AGREEMENT FOR THE AUTO ZONE PROJECT. SECONDED BY MARK MOFFA. All ayes, motion carried.

Ben Hauser said there is a prospective applicant that submitted a sketch plan for Auto Zone at 200 W. Lincoln Hwy. As a normal process of land development, they often sign a professional services agreement which they agree with the borough to use our professional services like Carol, they will reimburse the borough and they put down an escrow.

MOTION BY JOHN STRATZ TO APPROVE AND SIGN THE SECOND PA SMALL WATER AND SEWER PROGRAM GRANT AGREEMENT FOR \$213,155.00. SECONDED BY BARBARA HEFFELFINGER. All ayes, motion carried.

Carol said this goes back to an undersized sanitary sewer pipe that is downstream from the decommissioned sewer plant where there is a 12 inch pipe going into a manhole with an 8 inch pipe leaving that manhole. This is a location where the borough has had sanitary sewer overflows, more than once this year with the heavy rains we've had. This is something that has to be addressed and an application was put in for the Small Water and Sewer Projects Grant. They have awarded a grant of \$213,155.00 and have provided the borough with a contract assigned towards that grant. That is probably only half the money we need based on the preliminary estimates to do this work. The borough can sign that contract and if for some reason the borough did not take action on it and did not withdraw that money, there is no penalty to the borough. She is exploring other grant opportunities at this point. She would recommend that the borough move forward with the contract in hopes that we can utilize that as part of the money needed for this project. It gives us until 2021 to utilize that funding.

MOTION BY BARBARA HEFFELFINGER TO SIGN THE SUB RECIPIENT AGREEMENT FOR THE CDBG PROJECT #18-16. SECONDED BY JOHN STRATZ. All ayes, motion carried.

Beverly said this is sub recipient agreement between the County of Bucks through the Department of Community and Economic Development for the E. Woodland Ave. curb ramp project we've been hearing about for a long time with Middletown to pave. Unfortunately what was not given to them was that they have to replace all of the ADA ramps at a significant cost. Barb Heffelfinger went out and worked with the DCED and got them to give us a grant in the amount of \$40,000.00 in additional money towards the project. We already had \$20,000.00 put away for the paving. Carol said it is \$76,000.00 including \$21,000.00 for milling and paving which was set aside in the budget. The total project with milling and overlay is \$76,000.00. We have \$40,000.00 from the CDBG and the borough is contributing \$36,000.00 and that is for the milling and overlays, survey, highway occupancy permit applications to PennDOT, project bid documents, all of the things we have to go through. Carol would recommend that the borough sign the contract for the \$40,000.00 for 6 accessible ramps and 3 of them require permits from PennDOT.

Persons to be Heard

Mike Smith, 127 Dehaven Ave., Sam Simon had offered once before to get the batteries for the backhoe and nobody has made mention of it. He asked if they needed to go through the rec board about the playground equipment. Beverly said it is the rec board's jurisdiction. Mike said even if they don't want it, it is a good thing for the borough to have or even donate it to Our Lady of Grace to add to theirs or maybe put a piece out back here. He knows they said it was about safety. Every municipal complex in the county has something for the kids. Beverly said we

don't have the ground. Mike said Sam has offered the truck to bring it down. If we get it, store it at the sewer plant. We have to get rid of that old shed down there. Beverly's issue is logistics and getting help. Mike Smith said get the batteries for the backhoe so it can be unloaded. He will make the arrangements. John Stratz said as for putting it outside the hall, at the last tree tenders class they were outside trimming and there was a violent prisoner transfer. Usually one sheriff comes. This guy was brought out in shackles, there were 2 sheriffs' vans and the entire lot was filled with cops.

John Stratz asked if resolution #2018-28 needed to be read in its entirety. Ben Hauser said you can skip the reading.

MOTION BY LAURA GERMAIN TO SKIP THE READING OF RESOLUTION #2018-28.
SECONDED BY JOE DUDASH. All ayes, motion carried.

MOTION BY MARK MOFFA TO ADJOURN THE MEETING. SECONDED BY JOE DUDASH.
All ayes, motion carried.

Submitted by:

Marie Serota, Secretary/Treasurer