

COUNCIL MEETING

September 4, 2018

Council President, Beverly Wolfe, called the meeting of the Penndel Borough Council to order at 7:32 p.m. with the Pledge of Allegiance. The pledge was followed by a moment of silence for Senator John McCain.

Present at the meeting

Mayor Robert Winkler
Council President Beverly Wolfe
Council Vice President Barbara Heffelfinger
Councilman John Stratz
Councilwoman Laura Germain
Councilman Mark Moffa
Councilman Joe Dudash
Councilman Rich Flanagan – absent

Also present

Ben Hauser, Hill Wallack, Solicitor
Officer Sean Perry, Chief of Police
Marie Serota, Borough Secretary/Treasurer
Nicholas Foufas, Fire Marshal

Presentation by Steve Lowe, Penndel Fire Co., 2019 RDA Grant Fund Request

Steve Lowe, speaking on behalf of the Penndel Fire Co., said they are putting in for a \$125,000 grant and they need a resolution from council. The application will be finished next week. They need to add a liaison to the grant application. Barbara Heffelfinger will be the liaison. It needs to be submitted by 4:30 p.m. on September 28, 2018. He asked if the resolution could be done tonight or at the work session on the 17th. They need support from a contiguous municipality which Penndel has just become. Mark Moffa asked if we sign on for this how would it affect our applications since there is a limited pot of money. Steve Lowe said there is 3.2 million for 10 municipalities and just because you apply for \$125,000, doesn't mean you will get it all. They could come back and ask what you can get for \$80,000. A copy of the executive summary is attached.

Announcements

The Activities Committee will hold the seniors' dinner on September 30, 2018 at Redeemer Lutheran Church hall for residents 75 and up. They receive goodie bags, a dinner and entertainment.

Annual Pension meeting

Minimum Municipal Obligation for 2019
Police Pension \$4,872
Employee's Pension \$23,030

MOTION BY BARBARA HEFFELFINGER TO APPROVE CONSENT ITEMS:

- a. Approval of Minutes: August 6, 2018 Council Meeting - 6-0
- b. Approval of Minutes: August 20, 2018 Work Session – 5-0, 1 abstention
- c. Approval of Bills for the month of August 2018:

General Fund	\$42,354.30
Fire Tax Fund	\$ 1,946.12
Refuse Fund	\$14,774.68
Sewer Fund	\$76,349.37
Liquid Fuel Fund	\$ 493.62
Escrow Fund	\$ 840.75

Payroll

General Fund	\$23,794.69
Sewer Fund	\$ 2,916.99
Refuse Fund	<u>\$ 628.50</u>

Total **\$27,340.18**

Escrow Bills:

Mill Creek 2:

Hill Wallack LLP \$ 420.00

Value Engineering \$ 321.75

Schoolhouse Court:

Value Engineering \$ 99.00

Pre-paid Check

Check #12144 dated August 10, 2018 made out to GBA Premium Account in the amount of \$329.86 for dental insurance

SECONDED BY JOHN STRATZ. All ayes, motion carried.

President's Report

Last work session Mr. Smith asked her a couple of questions. The first question was regarding stop signs that were placed at Walker & Crescent and asked about the warning signs before that. According to the ordinance, notes and the minutes from the meeting, there was no mention of posting warning signs reading "be prepared to stop" signs or anything like that. The other thing you asked was about the road openings and the 5 year moratorium from John Butler. Beverly spoke to his office and pulled the minutes from the meeting where that was mentioned which was August 7, 2017 from the engineer's report where it read that John Butler said we would be receiving a letter soon on the 5 year moratorium on roads recently paved. Work will be done on Centre St. before it is paved. John Butler never wrote this letter and doesn't recall ever being asked to do that. Bucks County Water and Sewer Authority would not do that. It would typically come from PECO or Penndot. That is a direct quote from his secretary. Mike Smith said the engineer at the time said he spoke to all of the utility companies. Beverly said Mike asked specifically about BCWSA and that's the one she researched.

Mayor's Report – Mayor Winkler read his report, which is on file in the secretary's office. There will be a Blue Mass at Redeemer Lutheran Church on September 20, 2018 at 9:20 a.m.

Chief's Report – Chief Perry read his report, which is on file in the secretary's office.

Fire Marshal's Report – Nick Foufas read his report, which is on file in the secretary's office.

Solicitor's Report – Working on resolutions and ordinances but not much to report tonight.

Engineer's Report – John Stratz read the report which is attached.

Committee Reports

Finance Committee (Barbara Heffelfinger):

Dates were set for budget meetings. They will be: Police, 10/22, Community Relations & Rec Board, 9/11, Refuse & Building & Maintenance, 10/24, Insurance & Pensions, 11/1, Streets & Sewers, 10/3 and Ordinances, 10/8. Hopefully we can get everything ready by early November and then get everything together for the public to look at and go from there. She does not want to get backed up into December. We've been working very hard on the budget. We had a great meeting with Jamar Kelly from the DCED on budgeting and went all through the process.

Insurance & Pension (Mark Moffa)

Going back and forth with Brown & Brown to see what the best options are. MMO's were covered.

Ordinances (Mark Moffa)

Discussion with Ben Hauser to proceed with ordinances soon – fence, bamboo, medical marijuana, and light.

Public Safety (Joe Dudash)

Still negotiating with the police. Met with police and have another meeting scheduled. Blue Mass for police officers, 9:20 a.m. at Redeemer Lutheran Church

Community Development (Barbara Heffelfinger)

On the Medi plan for the Revitalization, do not have a date set yet. They have to sit down at the community development meeting they will set a date and contact the county hopefully in the next couple of weeks.

Joe Dudash said contractor bids are coming in for mulch. Taddei pond cleaned up. Next phase is Friday with cleaning up the entrances. Tree Tenders class needs a minimum of 20 people. We need an additional 10 people. Deadline and sign up information online. Lantern Fly was found at the rec field so it is in Penndel now. If you find eggs that look like black crust, you can dump it in rubbing alcohol. We are moving ahead with mulch and the trees are down at the recreation field.

Streets (John Stratz)

DVRPC street lighting. John will be point of contact for the DVRPC street lighting procurement project instead of the engineers to save money. He will update the timeline of the program and will report back to council. There will be a conference call tomorrow morning regarding the street light procurement program. The PA DEP has issued a code orange air quality report for Southeastern Counties for tomorrow, September 5th. Please keep an eye out for your elderly family and neighbors.

Refuse (Joe Dudash)

Bids will go out next week, he wants to discuss the Chinese Sword with them since we are supposed to be a partnership and also the trash contract. Getting back to the Lantern Fly, its fruit trees, oak and sycamore.

Building & Maintenance

Patched roof, bids for new roof for 2019. Painter bids for hall and doors. Getting bids for step out front. How to get rid of TV's with the county.

Community Relations (Laura Germain)

On August 22nd they had two events. They had Penndel's Got Talent. Laura thanked everyone who participated. They had some council people and residents show off their talent and she had some residents say they would like to participate next year. They had the final Penndel Play Dates and had about 30 children. Got feedback from parents on having some in the evening for working parents. She has a tentative date for the movie night sponsored by the Mayor on September 22nd at Redeemer Lutheran Church. Met with one website designer and is setting up meetings with other ones. They are working on the newsletter for publication in early fall.

Recreation Board (Laura Germain/Rich Flanagan)

Wildcats contract signed, updated contract, will discuss mulch at work session.

New Business

MOTION BY BARBARA HEFFELFINGER TO AUTHORIZE ADVERTISEMENT OF THE 2019 BUDGET MEETINGS. SECONDED BY JOHN STRATZ. All ayes, motion carried.

Mark Moffa can't make 11/1 possibly.

MOTION BY JOHN STRATZ TO AUTHORIZE ADVERTISEMENT (TWICE) FOR BIDS VIA PENNBID FOR INFLOW AND INFILTRATION INVESTIGATION AND REMEDIATION AS RECOMMENDED BY BOROUGH ENGINEER. SECONDED BY LAURA GERMAIN. All ayes, carried.

MOTION BY MARK MOFFA TO ADOPT RESOLUTION #2018-21 REVISING THE COMPOSITION, DUTIES AND RESPONSIBILITIES OF THE FINANCE AND LONG RANGE PLANNING COMMITTEE. SECONDED BY JOE DUDASH. 5-1 (Barbara Heffelfinger, no.) Replaces Resolution #2007-2. Laura Germain asked if anyone is still sitting on the committee from the old board. Mark Moffa said there are two members whose terms have not technically expired and one does want to serve and the other one does not.

MOTION BY JOE DUDASH TO ADOPT RESOLUTION #2018-22 ESTABLISHING AND DELEGATING SUPERVISORY AUTHORITY AND RESPONSIBILITY OVER PART-TIME MAINTENANCE EMPLOYEE. SECONDED BY JOHN STRATZ. All ayes, motion carried. This pertains to the maintenance employee we just hired. He would be supervised under the control of the Mayor, Bob Winkler. Joe Dudash said he knows some of you won't be happy about it but there is a counter balance, with him as the chair of the committee and the mayor is here all the time for supervision and continuing the process, giving him assignments and things he can do. He does not want him just sitting here collecting money when Joe is not here. That is the problem they have. If you can come up with something different, let him know. Mike Smith said that every member of council would come up with their needs or wishes and put them on a clipboard, same way he handled them when he was here. Joe said Marie and Karen run the whole place as far as what the needs are. That's how he finds out about half the stuff that's going on. We don't have a full time business manager. Mike Smith said he didn't agree with Joe but he knows that he's going to do it anyway. The two guys would come in and would read the note board and find out what was needed to be done and if they were done with the sewer stuff they would go out and do the maintenance work. It was just that simple. Karen and Marie were always putting stuff on the board. Joe said what's different with this council is when they

tell him something is due, they work together on it and get it done. Joe said that Bob has been doing most of the work around here like patching. Mike Smith said he's not supposed to be doing it. Joe Dudash asked who else was going to do it. This is why we hired somebody. Joe said the one thing you know, we have a budget here that is very tight and this is how you have to work. Most of the common persons in Penndel Borough are not educated on the borough's finances. He wasn't educated until he sat up here and it's a shocker. Beverly said she has a job description that was written back in January. This will be on a checklist and will be the duties to be performed. Mark Moffa said just the fact that the mayor is the supervisor, it doesn't preclude that if he has something he needs done, he can communicate that to Marie or Karen or Bob and that can be communicated to the maintenance person. Beverly said in the job description it says it's directed by supervisory staff and as needed so if something comes up that you need done, she sees no problem with it. Gianpiero Lo Piccolo asked how long the set up takes place for, does it expire, does it change when someone else comes in, or if you hire a borough manager. Ben stated it expires upon the death, resignation or removal from office or the expiration of his term. It also expires if the borough hires a borough manager or if the council decides to pick a different person.

MOTION BY JOHN STRATZ TO ADOPT RESOLUTION #2018-23 REQUESTING A MULTIMODAL TRANSPORTATION FUND GRANT FROM THE COMMONWEALTH FINANCING AUTHORITY FOR FUNDS FOR THE REDEVELOPMENT IN OR RELATED TO REDEVELOPMENT RELATED TO THE TRANSIT ORIENTED OVERLAY AND/OR BUSINESS ROUTE 1; AUTHORIZING THE PROPER OFFICERS OF THE BOROUGH TO SIGN SUCH APPLICATION AND TO SUBMIT SUCH APPLICATION AND INFORMATION AS MAY BE REQUIRED. Beverly stated they've already done this, they are just asking for a little different language on the resolution. Seconded by Mark Moffa. All ayes, motion carried.

Persons to be heard

Kevin Konski, 126 W. Lincoln Hwy., since the sidewalks & curb are being replaced on Rt. 1, has a question in regards to the ADA sidewalks and curbs, who is responsible for those repairs? Mr. Konski handed out pictures to council. Ben Hauser said to defer to Ms. Schuehler to provide some comment. He believes it would fall under the curb and sidewalk replacement.

Sam Simon, 126 Holly Ave., use microphones.

Gianpiero Lo Piccolo, 132 Crescent St., stop sign at Crescent & Fairview/Walker. Is the stop sign going north on Crescent at the intersection of Centre going to be erected? Beverly said it was next on the schedule. Bob Winkler is working on getting the hedge trimmed there. Are the hedges a violation? Bob gave it to the new inspector and he understands he sent a violation notice.

Steve Lowe, Penndel Fire Co., is that the stop sign that he asked them to not put there because of liability on the Fire Department when they go to calls? Beverly stated the ordinance was passed in 2017. Steve Lowe asked is that not the one he brought up representing the Fire Company when the ordinance was advertised because they talked about it internally and said there is a liability issue now being placed on the Fire Department? If there was an accident, number 1, the hedges are a visual obstruction and number 2, he knows that when you have red lights and sirens that you're supposed to yield to emergency vehicles and people do that all the time, however, it's a liability on the fire department because they asked specifically for borough council not to put the stop sign there. Beverly stated it is in the ordinance and Steve asked if they could make an exception. Ben Hauser said under section 2, Crescent St. and Centre St. have stop signs both ends of travel. As for removing the stop sign, it would have to be removed

by subsequent ordinance. Steve Lowe asked as a representative of the Fire Co., can he ask if council could proceed with the ordinance of removing that stop sign at the corner of Crescent St. and Centre St. going in the direction of Lincoln Hwy. Beverly said they will have Mr. Moffa take that to the committee and take a look at it. As of right now, it is the law and the ordinance reads it needs to be there. They will have something hopefully by the work session. Steve wanted to know how long before it is installed. Beverly said they first have to deal with the hedges before it is installed. It won't happen by the time they have a chance to review. They need to fix the obstruction before the sign can be put in. Gianpiero Lo Piccolo said it's not an attack on the fire co., the ordinance was already written. There is supposed to be a stop sign traveling north and south. The stop sign should have been there but at the request of the fire co. there wasn't one so he did the right thing and went to Chief Sciscio and talked about the ordinance and said he would like to work together to correct the ordinance book. Most stop signs going down Centre did not have stop signs in the ordinance at Joyce, Dehaven and Woodland so Joe and he worked together to come up with the corrections because technically if you got pulled over at an intersection that said there was not a stop sign in the ordinance, they could actually get out of the ticket. But you would have to be privy to the ordinance book. Most people just pay it and go away. People were asking why we were attempting to put a stop sign at Fairview and Walker/Crescent and he asked the chief what he recommended they do and he had Officer Longhitano do an intersection analysis. He spent several days at the intersections and reported that on various days approaching Crescent and Centre Streets, 446 vehicles utilized the intersection. The northbound lane of Centre is the one with no stop sign. While conducting the traffic study he observed 187 drivers appeared to be confused, 71 incidents almost caused crashes. So he believed it would be beneficial to have the location have a 4 way stop. Pennel Fire Co. had 514 calls during the course of the year. So 514 calls in one year versus 446 observed by our officer in 5 days. As a resident, the fire co. is a good neighbor. This isn't an attack on the fire co. at all. This is just a fact that your officer who observed the intersection recommended it and the former chief recommended it. A lot of people speed down Woodland every morning. It needs to be there. He understands the need of the fire co. It should have been there all along. He didn't change the ordinance, he corrected it. John Stratz asked if they do decide to put the stop sign in, can they just add an extra sign that says emergency vehicles entering intersection. Beverly said it had been suggested before. Joe Dudash asked if this was the same street that is sinking. Steve said it was the opposite side. Gianpiero Lo Piccolo said if the philosophy of the fire co. is to get rid of that stop sign, then get rid of the stop sign at Woodland Ave. because their trucks go both ways. If you're going to get rid of one stop sign then get rid of both. If the people on Crescent St. suffer with a 3 way traffic stop then the other intersection should have one too.

MOTION BY BARBARA HEFFELFINGER ADJOURN THE MEETING. SECONDED BY JOE DUDASH. All ayes, motion carried.

Submitted by: _____
Marie Serota, Secretary/Treasurer