

Penndel Borough Council Meeting Minutes

October 7, 2024

Council President John Stratz called the meeting to order at 7:30 p.m. with the Pledge of Allegiance.

Present at the Meeting

Council President John Stratz
Council Vice President Barbara Heffelfinger
Councilman Mark Moffa
Councilwoman Robin Valentis
Councilman Gary Nickerson
Councilman Bud Murphy
Councilman Bob Winkler
Mayor Tom Sodano

Also present at the meeting

Barbara Kirk, Solicitor, Hill Wallack
Chief Sean Perry
Geoff Thompson, Borough Manager
Marie Serota, Secretary/Treasurer

Council or Borough Announcements

Barbara Kirk announced that council met in an Executive Session from 7:02 pm until 7:28 pm to discuss pending litigation issues.

Barbara Heffelfinger announced that everyone would be getting a newsletter, which was mailed today. Penndel officially became a borough in 1899, so they are celebrating 125 years. Everyone is invited to come in and look at all the historical things that are displayed. It will be on Friday evening October 18th from 7:00 pm to 9:00 pm and Saturday October 19th from 12:00 pm to 5:00 pm. Walk in, have some refreshments, and take a look at everything that they've compiled. They also have a commemorative item for every family that comes.

Consent Items

MOTION BY BARBARA HEFFELFINGER TO APPROVE THE MINUTES OF THE SEPTEMBER 16, 2024 WORKSHOP MEETING. SECONDED BY BUD MURPHY. All ayes, motion carried.

MOTION BY BARBARA HEFFELFINGER TO PAY THE FOLLOWING BILLS FOR THE MONTH OF SEPTEMBER 2024:

General Fund	\$65,340.34
Fire Tax Fund	\$ 31.68
Refuse Fund	\$22,603.57
Sewer Fund	\$57,704.39
Capital Reserve Fund	\$ 4,304.50
Liquid Fuel Fund	\$ 657.08
Escrow Fund	\$ 1,297.00
Payroll Fund	\$ 1,274.76

Payroll

General Fund	\$36,927.90
Sewer Fund	<u>\$ 3,340.28</u>
Total	\$40,268.18

Escrow Fund Bills

Schoolhouse Court:

Hill Wallack	\$ 1,240.00
Value Engineering	\$ 57.00

SECONDED BY MARK MOFFA.

Neil Berman, asked about which bills they were paying because he was a little confused. He said it looks like they're spending about \$1,100.00 a month on Comcast.

Dave Cahill, asked if that included the \$400.00 Cleanway bill.

All ayes, motion carried.

Reports:

President's Report

John Stratz reported that in September, he attended two seminars, one from PLGIT, regarding financial security for borough accounts and computer systems. He will be getting together with the manager with suggestions to upgrade their computer system security. The other one was Blue U Defense regarding security of election workers, citizens, and polling locations for November 5th. He also attended vendor meetings regarding the basketball court improvements and as per citizen complaints, he investigated the rock field, which turns out to be a necessary fixture in a construction zone. It keeps the construction vehicles from getting mud all over the place.

Borough Manager's Report

Geoff Thompson read his report which is on file in the secretary's office.

Mayor's Report

Mayor Sodano reported that he had no report due to being out of the country for most of September and just arriving back home today. He will have any September activity in his report for October.

Police Chief's Report

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

Solicitor's Report

Barbara Kirk reported that since the last council meeting, she received notification that Daniel and Ashley Darnley have filed an appeal of the Bucks County judge's decision to Commonwealth Court and it's in the appellate process, which could take quite some time.

Engineer's Report

John Stratz read Carol Schuehler's report which is attached.

New Business

MOTION BY BARBARA HEFFELFINGER TO RATIFY APPROVAL OF THE FOLLOWING MID-CYCLE INVOICES:

Bucks County Law Library invoice dated 9/5/2024 in the amount of \$10.00 to register Ordinance #2024-3 adopting the residential rental inspection program.
Cleanway Property Management, Inc. Invoice #1911 in the amount of \$400.00 for police station cleaning
Comcast invoice dated 8/26/2024 in the amount of \$196.78 for internet & voice services at 300 Bellevue Avenue
Comcast invoice dated 8/26/2024 in the amount of \$218.88 for internet & voice services at 37 W. Woodland Avenue
Leck Waste Services Invoice #491695 in the amount of \$22,218.000 for September trash removal
The Hartford Invoice #357526075821 in the amount of \$857.76 for life insurance.
Locality Media, Inc. Invoice #2519 in the amount of \$4,650.00 for occupancy, inspections, and invoicing software and online training package
CDW Government Invoice #1CFN3L3 in the amount of \$6,930.00 tough book, keyboard, and docking station for new police vehicle.
Comcast invoice dated 9/2/2024 in the amount of \$605.78 for internet at 790 Neshaminy Street (2 months)
Gettysburg Benefit Administration invoice dated 8/30/2024 for dental insurance premium installment.
Office of Labor & Industry invoice dated 8/30/2024 in the amount of \$1,953.00 for fire department workers' compensation insurance installment.
PECO invoice dated 9/6/2024 in the amount of \$41.04 for 790 Neshaminy St. outdoor lighting.
Ready Refresh Invoice #14H0431953892 in the amount of \$46.98 for cooler rent
Comcast Invoice #216993436 in the amount of \$381.75 for business voice edge service
Selective Insurance Co. of America invoice dated 9/11/2024 in the amount of \$5,613.00 for workers' compensation and commercial package insurance installment.
PECO invoice dated 9/16/24 in the amount of \$1,430.02 for Streetlights' electric.
Keystone Health Plan East Invoice #240906210262 in the amount of \$10,434.34 for medical insurance installment
De Lage Landen Financial Services, Inc. Invoice #5885239540 in the amount of \$108.00 for copier lease payment
Langhorne Postmaster invoice dated 10/1/2024 in the amount of \$251.00 for quarterly S/R billing postage.

SECONDED BY GARY NICKERSON.

Mike Smith, asked about the cost of the Comcast invoices. John said that for the sewer plant, it is for the security system. Mike felt it was a lot of money and suggested they look into it. Mike asked about the \$47.00 to rent a water cooler. They can get one at Home Depot for \$77.00. Also, they could just buy cases of water and put them in the refrigerator. Robin said they would look into it.

Dave Cahill, asked about the \$400.00 bill for Cleanway. He asked if they fired Michelle. Barbara said she does not do the police station anymore and was not fired.

All ayes, motion carried.

MOTION BY GARY NICKERSON TO ADOPT ORDINANCE #2024-3 ESTABLISHING A RESIDENTIAL RENTAL HOUSING REGISTRATION AND INSPECTION PROGRAM, TO ESTABLISH ADMINISTRATIVE PROCEDURES FOR REGISTRATION AND INSPECTIONS

TO ESTABLISH FEES AND PENALTIES FOR NON-COMPLIANCE, AND TO ESTABLISH AN EFFECTIVE DATE. SECONDED BY MARK MOFFA.

Barbara Kirk said she suggests they call it the Residential Rental Housing Registration and Inspection. The body of the ordinance refers only to the residential rental units. It doesn't deal with owner occupied homes or commercial units.

Mike Smith, asked if it means every time somebody moves in and out of an Airbnb, it has to be inspected. Barbara said it's not for Airbnbs per se, it's for the long-term renters. She believes there's a different ordinance for Airbnb. Geoff said they don't have one yet, but this does not pertain to Airbnbs. Barbara said this is designed more to deal with situations with long term rentals, where if somebody is in there, and has not been inspected and updated to meet building code requirements, it's a mechanism to enable the borough to do that. Something is being looked at independently for the short term for Airbnbs. Geoff said he thinks they should if it becomes a continuing problem.

Dave Cahill, asked if this inspection includes houses in the R1 district that have apartments. Barbara said it's for any residential unit that is being rented and not owner occupied. Dave said he doesn't know if these two particular properties on Cynthia Ave. are collecting rent, but he thinks they all know the two properties that he's speaking of. He wants to know if there's going to be an inspection done on these units that are single family dwellings that also have apartments within them. Some people would like to call them in-law suites but they're actually apartments. Barbara said if they are actual apartments that are being rented, then yes. Dave said there's nothing coming back to the borough that these are being rented but the apartments exist. Barbara said he should contact the building inspection department of the borough and indicate that you believe these two properties have rental apartment units. Dave said the borough is not going to enforce the ordinance. They want the residents to rat out their neighbors. Barbara said that's generally how it works. Dave said it's already a failure and it hasn't even been voted on. Barbara said in his eyes maybe, but it says anybody who is renting property has to provide a list to the person for each rental unit being offered. They all know there are people who are not necessarily going to comply and the only way that the borough may be aware of some properties being rented is if somebody files a complaint with the borough about it. They're not going to necessarily know every unit that is being rented. Dave said there's another one down on Rumpf and Julie. There's another property that has a bunch of people living in it and it's going to be the same deal. So, if the homeowner or the landlord or whoever owns the home doesn't report it as a rental, then there's not going to be an inspection. Barbara said that is correct. Dave said then the ordinance is a failure.

All ayes, motion carried.

Barbara explained that the following ordinance, as it involves modification to zoning regulations, was submitted to the Bucks County Planning Commission as required. The Planning Commission reviewed and issued its report and recommendation on September 4th, 2024. A copy of that report was submitted to the borough. The notice of tonight's ordinance was advertised two times in the Bucks County Courier Times, as required on September 13th and September 20th, 2024. A copy of the affidavit of publication has also been provided to the borough.

MOTION BY GARY NICKERSON TO ADOPT ORDINANCE #2024-4 AMENDING CHAPTER 405 – “ZONING,” ARTICLE II- “DEFINITIONS,” SECTION 5 – “TERMS DEFINED,” ARTICLE V – “DIMENSIONAL AND SUPPLEMENTAL REQUIREMENTS,” SECTION 22 – “TRAFFIC

VISIBILITY REGULATIONS”, SECTION 23 – “FRONT YARD REGULATIONS,” SECTION 28 – “RECREATION SPACE AND SWIMMING POOLS AND SECTION 28.1 – “FENCES, AND ESTABLISHING A NEW SECTION 22.1 – “STREET CLASSIFICATIONS” TO REVISE AND CLARIFY THE APPLICABLE REQUIREMENTS FOR FENCES, POOL FENCES, AND DECORATIVE WATER FEATURE FENCES IN THE BOROUGH OF PENNDEL. SECONDED BY MARK MOFFA. All ayes, motion carried.

MOTION BY GARY NICKERSON TO APPROVE PAYMENT #1 IN THE AMOUNT OF \$16,866.00 TO LB CONSTRUCTION ENTERPRISES, INC. FOR WORK COMPLETED TO DATE ON THE BALL COURT IMPROVEMENTS PROJECT AS RECOMMENDED BY BOROUGH ENGINEER. SECONDED BY ROBIN VALENTIS. All ayes, motion carried.

MOTION BY GARY NICKERSON TO APPROVE THE CLOSING OF WOODLAND AVENUE BETWEEN FAIRVIEW AVENUE AND HIGHLAND AVENUE ON OCTOBER 26, 2024, BETWEEN 4:00 P.M. TO 10:00 P.M. AS REQUESTED BY CAROLYN RUTTER. SECONDED BY MARK MOFFA.

Robin said when they talked about this a while back, approval required a certain percentage of the street. John said there is a 70% approval and that has been satisfied.

Bud asked if they have any requirement for insurance for the event. Barbara Kirk said the new regulations that the draft ordinance had for special events and block parties were circulated to council for review back near the end of June and it was still being circulated for consideration, but nothing further has happened.

Mayor Sodano said there wasn't a follow up from the first meeting in July when it was discussed after the people on Holly had requested a closure, which was on the same day as the Memorial Day Parade, and it was a street that bordered on a state road. There were a lot of reasons that it, at the time, created a lot of questions. In this particular case, this would be the 300 block of Woodland Ave. between Fairview and Highland and is a street that can be blocked off. Last year, when the same subject by these same residents came up on short notice, he did inform them that they would need to request a closure, which is what happened this year. On Holly Ave., they went ahead and had a block party, as he had suggested could happen and successfully did so without a street closure. In this particular case, while it could happen, the times that they do allow road closures in the borough, they normally have an extra police officer on and that's the reason for permits. And it's also required that someone is identified as being the responsible party, should there be any damage, and a great example would be the OLG Blocktoberfest. The borough submits a bill to them for the police services of that evening and they pay it, in theory, part of the reason that they would request a permit fee for a road closure. These are just points of explanation. They needed to set parameters back in July when they spoke about this, and they should consider getting that accomplished sooner rather than later. John said this is a two-block radius and Carolyn Rutter has assumed responsibility.

Desiree Morris, said the reason they want the block party is because Officer Peck did a brilliant job connecting the community in the past thirty plus days. They asked for one last year, so they can get to know new neighbors because there's been a lot of turnover in the neighborhood where they live in the twins, and the row home strip. There are a lot of kids, with the oldest being eight. They will not be rowdy. There are small children that want to just safely run around back and forth across the street. Local traffic would be fine to let through and they can even move it from 5:00 to 9:00 because they are so young. They did try to have it last year and most traffic was accommodating and they just posted signs but when it becomes dark, they

don't have the lighting and stuff to light it up. She doesn't think Carolyn should be taking financial responsibility. Just because Carolyn put her name to it, does not mean she should put her checkbook to it. The police officer did a great job and connected the neighborhood, and they'd like to keep that going. If they want to talk about permits in the future, that's fine but as of this Halloween, they want a block party.

All ayes, motion carried.

MOTION BY BARBARA HEFFELFINGER TO ACCEPT THE RESIGNATION OF PATROLMAN LIAM KRIMMEL EFFECTIVE 10/19/2024. SECONDED BY ROBIN VALENTIS. All ayes, motion carried.

Public Comment

Pat Donahue, asked when they changed the ordinance for the curbs. John said they haven't yet but they're working on it. Pat said when he was putting in his sidewalks, they had to use metal forms. Last week, on Holly Ave., the contractor was using wood for his curbs. Robin said they should have been informed, so they need to find the permit and who inspected that. They will get an answer for him.

Jeff Jones, said he's been complaining for three months about the swings at the rec field. John said he reported on that last meeting. The swings are on order, and they will be replacing them. They don't sell them at Lowes. Jeff said they should get them from a swing company. There is one on Rt. 263. Or they could order it from Amazon.

Dave Cahill, complained about a dumpster and basketball hoop in the street on Cynthia Ave. The basketball net has been there for months. The dumpster has been there about 6 weeks. The school bus is having a tough time getting down Cynthia to Rumpf to pick up the kids because there's cars parked at the curb in front of Mr. Moffa's house. The school bus can't fit between the parked vehicles and the dumpster. They approved to close a road down for a block party. He hopes that the barricades can at least be moved so the emergency vehicles can come through if something happens at that block party. He thought the streets were for vehicles, not dumpsters and basketball nets. John said he wasn't there, so he should report it to the police. Dave said he let Officer Wojciechowski know and he did go out to both residences on Saturday, but he doesn't know if he had any luck finding anybody because the basketball net and the dumpster are still there. He called the dumpster company and asked them to move it onto the front lawn of the property and they told him to call the municipality to find out where the municipality stands on the dumpster being in the street.

Mike Smith, asked if they could trim the trees out front, since they're tidying up around here. John said it's on his list.

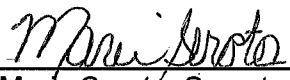
Council Members to be Heard

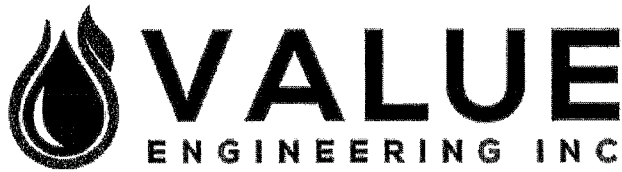
Robin said this is where she would bring up the special events ordinance to be put on the agenda for their next meeting. Gary said they need to talk about it. There's a lot of different ways they can do this. They can have fees, require insurance, require waivers, require 90%, 60%, 50% of the people, they can have what hours, and they can specify not on certain weekends. There's a lot of things, so they should all think about it. Barbara Kirk said that was circulated to council back in June. She said she would send it to them again.

Barbara Heffelfinger said she thinks it's very important that they all recognize their history and can say look at what they've done, and they've got a lot more to do. They really have a very

special town, and they'd like everyone to see all the nice things that they have accumulated. There will be refreshments and little projects for the kids and a memento to take home. She would like all of council there either Friday night or Saturday. If anyone has any questions, they will be able to ask them.

MOTION BY GARY NICKERSON TO ADJOURN THE MEETING AT 8:30 P.M. SECONDED BY MARK MOFFA. All ayes, motion carried.

Submitted by: 
Marie Serota, Secretary/Treasurer



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October 7, 2024 Engineers Report Penndel Borough, Bucks County

Memorial Park Ball Court Restoration funded by a CDBG grant

Project work is underway. The fence fabric was removed, and the old, cracked asphalt surface has been removed. The contractor has requested payment for this demolition work, which is on the agenda for Council consideration.

Noeland Avenue

Field survey was completed on Noeland Avenue, and base plans are being drafted to support design of sidewalks and driveway aprons where none exist today. We anticipate this work would be planned for spring or summer of 2025.

50 Hulmeville Avenue

In August we attended an administrative conference with the applicant, his representatives, BCCD and DEP. The applicant was presented detailed information on violations documented at the site, and a substantial fine proposed. Plans depicting restoration and stabilization of the waterway at the back of this property have been approved by BCCD and by the Borough Engineer. We have encouraged the applicant to obtain a permit from the Borough and get the work underway.

126 Holly Avenue

Installation of an infiltration bed to manage stormwater runoff is complete, including conveyance of garage roof drains and driveway runoff to that facility. The project is complete.

MS4 Annual Report

The annual MS4 report was filed this month as required. We note that the Borough must update the Pollutant Reduction Plan (PRP) and Total Maximum Daily Load plan (TMDL) to amend Borough Plans for reducing pollutants in runoff, as the hydrodynamic inlets identified on the 2018 plan no longer meet DEP criteria for achieving required pollutant reductions. Those revisions will be initiated in coming months, then presented to Council.

Chapter 94 Mid-Year Report

Mid-Year reporting on the sanitary sewer collection system was prepared and submitted to PaDEP and BCWSA. Overall flows for the first half of 2024 were up from prior years, as was the amount of rainfall in the first half of the year. The Borough continues to complete tasks identified in the approved Act 537 Plan to manage the system and mitigate I & I. A copy of the report is on file with the Borough.

