

WORK SESSION

April 16, 2018

Council President, Beverly Wolfe, called the meeting of Penndel Borough Council to order at 7:30 p.m. with the pledge of allegiance. Newly appointed to Council, Mark Moffa was sworn in by Mayor Winkler.

Present at the meeting

Mayor Robert Winkler
Council President Beverly Wolfe
Council Vice President Barbara Heffelfinger
Councilman John Stratz-absent (vacation)
Councilwoman Kali Sodano
Councilwoman Laura Germain
Councilman John Stratz-absent
Councilman Rich Flanagan-absent (out of town)
Councilman Mark Moffa

Also present

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

Motion Items

MOTION BY LAURA GERMAIN TO APPROVE THE MINUTES FROM THE APRIL 2, 2018 COUNCIL MEETING. SECONDED BY BARBARA HEFFELFINGER. Four ayes, 1 abstention (Mark Moffa). Motion carried.

MOTION BY KALI SODANO TO ADOPT RESOLUTION #2018-5 IN SUPPORT OF THE PLACEMENT OF A TIME CAPSULE IN CONNECTION WITH THE VIETNAM TRAVELING MEMORIAL WALL. SECONDED BY BARBARA HEFFELFINGER. All ayes, motion carried.

MOTION BY BARBARA HEFFELFINGER TO PAY PECO INVOICE DATED 4/10/18 IN THE AMOUNT OF \$282.54 FOR ELECTRIC AND GAS SERVICE AT 37 W. WOODLAND AVENUE. SECONDED BY LAURA GERMAIN. All ayes, motion carried.

MOTION BY BARBARA HEFFELFINGER TO PAY PECO INVOICE DATED 4/10/18 IN THE AMOUNT OF \$29.12 FOR RECREATION FIELD ELECTRIC. SECONDED BY LAURA GERMAIN. All ayes, motion carried.

President's Report

Four trees were planted on Saturday 4/14 at borough hall.

Mayor's Report

There was some flooding this morning from the heavy rain on Durham Road and Bellevue Avenue. Storm drains need to be cleaned out. It hasn't been done in ten years or so. Carol is going to get some rates for a jet vac truck to clean out six storm drains and bring the information back to Council.

Streets Committee

Carol Schuehler reported the following:

E. Woodland Avenue Paving Project

The bids for the repaving of E. Woodland Avenue that Middletown Township received were slightly higher than the estimate received previously. The total cost is \$20,083.96, which is a minor increase. It is time for Council to decide if they want to send out notice to property owners about curbs and sidewalks on E. Woodland Avenue that need repair or replacement. There are seven properties affected including Our Lady of Grace Church, being the largest. There are five residential properties that need repairs to sidewalk and driveway apron. At the end of Woodland Avenue, Dhillon Auto has a bit of depressed curb, sidewalk and driveway apron that needs to be replaced. The project will be completed with liquid fuels funds. Project approval needs to be obtained from PennDot Municipal Services division to obtain approval and comply with the regulations regarding accessibility. There are 6 existing curb ramps on the PennDel side of Woodland Avenue that will be required to be upgraded. Each corner will need to be surveyed and put out for bid for construction. This will cost an estimated \$47,000.00 in additional expense for this project. The time frame is very tight to complete this because Middletown Township already has a contract out to do this work. If Council wants to go ahead and authorize this project tonight to survey and prepare bid documents and advertise for bids, the goal would be to present the construction project to Council for award at the May 21st Council meeting.

Ben Hauser spoke with Middletown Township's solicitor and they were not able to get the definite timeline as to when they will be ready to do the project. That is why we plan to have everything done before the earliest time possible for them to start E. Woodland Avenue.

The handicapped ramps and pedestrian crosswalks need to be done due to federal mandates and PennDot's requirements when you are milling and paving a road. The question arose would the handicapped ramps need to be done if liquid fuels funds were not used. Carol recommended that the solicitor be consulted to figure out the liability of doing that work without complying with the Department of Justice and Federal Highway Administration recommendations. Kali asked if this will be the same when they pave Lincoln Hwy. PennDot is doing a separate contract for accessible ramps. Carol said they have accessible ramp upgrades planned for the intersection of Bellevue Avenue and Lincoln Hwy. They may not want to spend taxpayer money on that because the Wawa development has planned to do that also. The construction cost is around \$37,000.00, total expenses with survey, design for the ramps, bidding the project, construction stake out for the ramps, contract administration, inspection and advertisement will be over by \$47,000.00, the amount originally anticipated for the project.

Middletown's plan to start paving is July. It only gives us a couple of months to get the work done. Laura Germain said that the committee looked into possibly splitting up the work but it can't legally be done that way. Kali Sodano suggested that we postpone the paving until 2019. Bev Wolfe said that Middletown is going to go ahead and pave E. Woodland Avenue. The bid has already gone out and it has been awarded. E. Woodland Avenue is just a portion of that bid. Kali asked if the project is done this year, where will the additional \$47,000 be paid from. Laura Germain asked if there will be any legal liabilities if we wait until 2019 to do the work. Carol Schuehler explained that the curb work should be done before paving because the road will need to be dug up to put the curbs in. HUD is telling us what the remainder of funds (approx. \$30,000) can be used for. That determination has not been made. If we could use those funds to do the h/c ramps, there will not be enough time to get everything done. The scope of work will have to be rewritten and submitted to the commissioners for their approval at

their next meeting and the CDBG have additional requirements prevailing, and Davis Bacon wages and all of the HUD requirements in the contract. It needs to be approved by CDBG before it can go out for bid. Carol said that it would be a challenge to get all that done with the tight time frame but the advantage of doing the project at this time is that any unfinished concrete work not completed by residents will be completed by the contractor already in place.

When Carol talked to Middletown weeks ago, E. Woodland Avenue was put into the bid as an alternate and they were going to seek direction from us to award the alternate or put it off until 2019. She does not know if that option is still available to us.

We are going to ask the property owners to do curb and sidewalk repairs within 30 days. We need to make the decision to do this now and take the funds from capital reserve then hold off doing the ramps until next year. This will give us time to pursue grant opportunities, or take the budgeted amount out of liquid fuels and pay the remainder from the capital reserve fund.

Kali does not want to make a decision until we find out if we can put off the project until 2019.

MOTION BY BEVERLY WOLFE TO AUTHORIZE LETTERS BE SENT TO SEVEN PROPERTY OWNERS ON E. WOODLAND AVENUE NOTIFYING THEM (BY 4/25/18) OF REPAIR AND REPLACEMENT THAT NEED TO BE MADE TO CURBS SIDEWALKS AND APRONS CONTINGENT ON GETTING CONFIRMATION FROM MIDDLETOWN TOWNSHIP THAT THE PROJECT MUST MOVE AHEAD IN 2018 AND CANNOT BE POSTPONED IN 2019. SECONDED BY MARK MOFFA.

Kali Sodano stated that she is only in agreement with the motion if we stay consistent with all road projects throughout the year including the Lincoln Hwy. repaving project requirements.

All ayes, motion carried. Carol Schuehler agreed to contact Mr. Duffy at Middletown Township on postponement of the project.

MOTION BEVERLY WOLFE TO AUTHORIZE BOROUGH ENGINEER TO BEGIN PREPARATION OF ADA RAMPS CONTINGENT ON WHETHER MIDDLETOWN TOWNSHIP WILL DO E. WOODLAND AVENUE PAVING IN 2018 OR 2019. SECONDED BY LAURA GERMAIN. All ayes, motion carried.

MOTION BY MARK MOFFA TO APPROVE AN ADDITIONAL \$259.00 FOR THE PAVING OF EAST WOODLAND AVENUE PROJECT WITH MIDDLETOWN TOWNSHIP CONTINGENT ON WHETHER IT WILL BE COMPLETED IN 2018 OR 2019. SECONDED BY BARBARA HEFFELFINGER. All ayes, motion carried.

MOTION BY BEVERLY WOLFE TO AUTHORIZE THE ADVERTISEMENT OF ACCESSIBLE RAMP PROJECT TWICE IN THE COURIER TIMES PURSUANT TO THE REQUIREMENTS OF THE BOROUGH CODE CONTINGENT ON WHETHER E. WOODLAND AVENUE WILL BE COMPLETED IN 2018 OR 2019. SECONDED BY LAURA GERMAIN. All ayes, motion carried.

Lincoln Hwy. Repaving Project

No official report on the project at this time. PennDot Highway Occupancy Permits are necessary to do driveways and put in curbs and ramps where they don't exist. There may be some latitude on repairs to existing curbs and sidewalks when they are replaced in kind. Contract has already been awarded and started. We don't know when they will be in the borough yet. There should be enough time for property owners to survey their properties and

get a highway occupancy permit and complete the work. Carol has contacted the DVRPC to see if we can take part in a grant funded program that would do the design down the road and require property owners to do the work with the borough backing them by doing the same thing. We can lien the sidewalks if we have to put them in. It doesn't seem like it could happen fast enough for this project that has already been bid and awarded by PennDot. For commercial properties the highway occupancy is more complex. For properties that have frontage with no defined driveway, PennDot will require will require them to define the driveway. They will need a plan of their property so they can figure out their traffic circulation and parking. Former Councilman, Gianpiero Lo Piccolo, said he received an email from PennDot that said that to do replacement work a highway occupancy permit is not required. Carol said it seems like they have changed their position as to whether it is required or not and asked that he forward that information to her. They haven't given us a timeframe as to when they will be in this area. The contractor awarded the job to Blooming Glen. They are supposed to forward a tentative schedule to PennDot for all municipalities. The entire project must be completed by 2018. They plan to do the paving in Penndel during night time hours. Carol is going to confirm with Penndot whether a highway occupancy is required or not for repair or replacement of existing concrete and respond before the 5/7/18 council meeting.

Community Development Block Grant 2017

There is \$30,982.00 remaining in grant funds. CDBG has approved letting us use the funds although it cannot be used on the water problem on Clarissa Lane. They will accept a proposal on paving work on borough streets. The streets committee has communicated with Carol about prioritizing different streets. The east side of Crescent Avenue at the intersection at Bellevue Avenue meets requirements. Construction of that will use approximately 1/3 of the remaining funds. Using current pricing, she estimates that the accessible ramps can be replaced and repaving of the failed pavement of the crosswalk completed. The remaining money can be used to address pavement failure on Rumpf Avenue west of Julie Lane. The extent of repair would be defined by remaining funds. The cost of the survey and accessible ramp designs would be minimized if done with E. Woodland Avenue. The CDBG office is waiting on the revised scope of work if Council approves this suggested work. Kali Sodano asked if this work can be done with the remaining funds, why couldn't the handicapped curbing work be done on E. Woodland Avenue. Carol explained that if Woodland Ave. is to be done this year, the ramps need to be constructed in June. We don't have enough time to get that done because the CDBG and HUD requirements and approvals need to be done before moving forward. Kali said that if the streets committee listened to her and some residents back in January and looked into using that money on Woodland Avenue, this could have been taken care of. When Barb found out that there were unused funds in the grant, she went to Doylestown and asked if we could extend the contract and use the money. The paperwork was received, completed, then needed HUD approval and also the commissioners approval.

MOTION BY LAURA GERMAIN TO ACCEPT THE SCOPE OF WORK ON CRESCENT AVENUE AND ADA RAMPS AT BELLEVUE AVENUE INTERSECTION TO USE THE REMAINDER OF FUNDS LEFT FROM THE CDBG CONTINGENT UPON CDBG APPROVING THE SCOPE OF WORK. SECONDED BY BARBARA HEFFELFINGER. The vote was 4 ayes, one no (Kali Sodano). Motion carried.

Sewer Committee

Notice was received from Private Utility Enterprises today that there was a sanitary sewer overflow at Manholes #49 & #50 at Neshaminy Creek. PUE notified the DEP and they are handling the required paperwork.

Revitalization Task Force

The committee had a meeting. The Planning Commission has taken information and a public meeting will be scheduled by June for review.

Building & Maintenance Committee:

Trees were planted out front at borough hall. The back room is being painted, lights are up. A new floor will be put in and new window treatments installed.

Community Development

We are waiting for a response from the DEP on what we are permitted to do in Taddei Woods.

Community Relations

At the event on April 9th for Local Government week, parents showed interest in summer programs for the children in the borough. Laura Germain said any ideas should be submitted by May 1st. Kali and Bev discussed previously having activities on weekends at the pavilion at the recreation field. Scheduling will have to be coordinated with the Wildcats.

The newsletter is almost completed. Hope to have it out by the first of May.

Recreation Board

The Board is meeting this Thursday, April 19th at 7:00 p.m.

Old Business

Kali Sodano asked about the status of the social media policy. Ben Hauser, solicitor, said they are working on it. At this time there will be some minor alterations. It was modeled on the City of Philadelphia; the borough does not have as many administrative employees.

New Business

Borough Tax Collector, Donna Caracappa, has requested office hours on the 2nd and 4th Saturdays of each month from 10:00 a.m. to noon at borough hall effective June 1, 2018 due to handicap accessibility. She also says some residents prefer to pay taxes during daytime as opposed to evening hours. There will be other hours during the months of April and August. Kali Sodano asked what the operational costs will be. Beverly is going to check to see what arrangements other municipalities have in this situation and what the requirements are.

Kali Sodano announced her resignation from Borough Council effective April 17th. She has accepted a position that will not allow her to commit to meetings and necessary obligations. She thanked all the residents and neighbors that have supported her through the years.

MOTION BY LAURA GERMAIN TO ACCEPT THE RESIGNATION OF KALI SODANO FROM BOROUGH COUNCIL EFFECTIVE APRIL 17, 2018. SECONDED BY BEVERLY WOLFE. All ayes, motion carried.

Public Comment

Mike Smith, 127 DeHaven Avenue, handicapped ramps on E. Woodland Avenue, using liquid fuels funds to pay for ramps, using infrared on E. Woodland Avenue, wasn't aware of OLG's Spring Fling

Gianpiero Lo Piccolo, 132 Crescent Street, other streets in the area of E. Woodland Ave. are being paved this year, contact borough's association regarding tax collector accessibility requirements

Vince Carcel, 121 Joyce Avenue, condition of Route 1

Pat Donahue, 520 Bellevue Avenue, curbs and sidewalks on Route 1, third-party tax collector
Lynda Roe, 391 Walker Avenue, tax collector's request for Saturday hours at borough hall, 5 houses on Walker Ave. pumping water into street from sump pumps, she was denied doing that, Wawa asking for zoning relief

Karen Flowers, 500 Hulmeville Avenue, French drain on Woodland Avenue, mail slot in front door for tax payments

Amanda Mieluch, 16 Oak Avenue, why doesn't the state clean storm drains on state roads

Kirsten Houser, 555 Bellevue Avenue, Bellevue Ave. in front of her house floods during heavy rain, OLG selling beer at the Spring Fling

MOTION BY BARBARA HEFFELFINGER TO ADJOURN THE MEETING. SECONDED BY MARK MOFFA. All ayes, motion carried.

Submitted by: _____
Marie Serota, Secretary/Treasurer