

## COUNCIL MEETING

August 6, 2018

Council President, Beverly Wolfe, called the meeting of the Pennel Borough Council to order at 7:33 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 Rich Flanagan  
Councilman Mark Moffa  
Councilman Joe Dudash

### Also present

Dave Truelove, Hill Wallack, Solicitor  
Carol Schuehler, Value Engineering, Borough Engineer  
Officer Sean Perry, Chief of Police  
Marie Serota, Borough Secretary/Treasurer  
Nicholas Foufas, Fire Marshal

### Announcements

Tree Tenders Basic Training will be held on 9/25/18, 10/2/18, and 10/9/18 from 5:00 p.m. to 9:30 p.m.

Council is accepting donations for a memorial for deceased Constable Leroy Delano.

### President's Report

Sam Simon and Karen Flowers have asked for copies of a resolution, which they now have.

Mike Smith had a question regarding the Mill Creek 2 grading project at a previous meeting that Carol Schuehler, Borough Engineer will answer now.

The existing sanitary manhole at the bottom of the driveway is not a low point to accept storm water runoff. She isn't satisfied that the length of the water bar is sufficient to direct all the upslope parking area runoff to the new infiltration swale. Last month she spoke with Unitech Paving. They advised that they will rework the pavement to extend the water bar the full width of the driveway. They were unable to do it the past month; their schedule was backed up by the wet weather. The water bar will be extended.

### Motion Items

MOTION BY BARBARA HEFFELFINGER TO APPROVE THE MINUTES FROM THE JULY 2, 2018 COUNCIL MEETING. SECONDED BY LAURA GERMAIN. The vote was 5 ayes, 0 nos, 1 abstention (Mark Moffa). Motion carried.

MOTION BY JOHN STRATZ TO APPROVE THE MINUTES FROM THE JULY 16, 2018 WORK SESSION. SECONDED BY LAURA GERMAIN. All ayes, motion carried.

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

<b>General Fund</b>	<b>\$47,082.94</b>
<b>Fire Tax Fund</b>	<b>\$ 436.28</b>
<b>Refuse Fund</b>	<b>\$14,839.33</b>
<b>Sewer Fund</b>	<b>\$ 9,542.43</b>
<b>Capital Reserve Fund</b>	<b>\$ 84.98</b>
<b>Liquid Fuel Fund</b>	<b>\$ 4.63</b>
<b>Escrow Fund</b>	<b>\$ 9,526.72</b>

**Payroll**

General Fund	\$19,563.86
Sewer Fund	\$ 2,323.20
Refuse Fund	<u>\$ 499.85</u>

**Total** **\$22,386.91**

**Escrow Bills:**

Verrichia:

Hill Wallack LLP	\$ 1,891.20
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Escrow Releases:

Brynn Homes II	\$ 834.83
Country Builders	\$ 161.46
JT & Sons	\$1,500.00
ND Real Estate	\$ 8.57
Penndel Apartments	\$4,858.57
Penndel Realty, LLC	\$ 272.09

Pre-paid Check

Check #12060 dated July 5, 2018 made out to Langhorne Postmaster in the amount of \$267.48 for 3<sup>rd</sup> quarter sewer/refuse postage

SECONDED BY JOE DUDASH. All ayes, motion carried.

Dave Cahill asked where Penndel Apartments were. Beverly Wolfe responded that it is Westover Co./Mill Creek Apartments.

Mayor's Report – Mayor Winkler read his report, which is attached.

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

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

Solicitor's Report

Reviewed several Right to Know Requests. Frequent communications with council members, administration and other professionals on various issues. Helped draft resolutions and reviewed other items as well as ordinances and other documents regarding running the borough and legislation within the borough. Reviewed land development and zoning matters, pending matters and had meetings regarding the same. Reviewed contract and grant information and did legal research of various issues and reported some of the findings depending on circumstances to appropriate persons, secretary, assistant secretary, other professionals and council members.

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

Council President Beverly Wolfe distributed to Council an article from the Philadelphia Inquirer dated June 29, 2018 regarding the street light procurement program. There are only 35 municipalities in the program with the DVRPC. Mark Moffa did some research on the program and said there has been a lot of concern regarding the blue LED lights. He mentioned a report from two years ago quoting electrical and electronic engineers regarding municipalities that entered the program early (around 2008) and were sorry that they did. Residents complained about the blue lights. The information from research was that the blue lights are better on the eyes but there were issues with them. There have been changes in the percentage of the blue lights over the years. He asked borough engineer if we will be getting the newer version of blue lights or would they be the original ones that there were complaints about. Ms. Schuehler responded that there will be access to professionals that have that information as part of the program. They will select a design services professional to handle all of that information. Mark said unfortunately this information will be available to us after we pay the \$5,000.00 fee. John Stratz said that at the informational meeting he and Carol Schuehler attended there was no mention of quality of light. Mark said that the information provided to them had a minimal amount of information on the blue light concerns. The lighting designers will decide the type of lighting that will benefit our specific needs. Mark Moffa said that at this point we don't know who the contractors will be. The DVRPC will have all of the municipalities together. There will be one municipality that will accept volunteers to be on their board. They will select the design professional and legal consultant. Carol Schuehler said it is the DVRPC that is handling this not an unknown entity and is funded with grant money from the DEP. In the September of 2016 article it said that the standard has changed in the industry and what is being installed. Carol confirmed that the commitment is to pay the \$5,000.00 fee but nothing further. Joe Dudash asked if Council will be able to choose the contractors after all of the information is received. Carol explained before they will put it out for bid they will select the design services professional, who will design all of the lighting and manage the contracts and the legal professional who will oversee the contracts. They will likely select the lowest qualified bidder. They will provide services that she would normally provide during a street contract. Joe Dudash said that Hulmeville Borough already has their new lights and asked why we have to pay a front man \$5,000. Ms. Schuehler said she isn't familiar with their program but they may already have their design consultant. The contractor will come in to the borough and present their plan to Council.

Kevin Konski, 126 W. Lincoln Hwy., said there are articles out there that address the color temperature issue. The manufacturers have adjusted the color temperatures in the lights to address this issue. He works in a facility that just installed LED lighting. The electric bills have dropped \$50,000 a month. He said there is a big difference between indoor and outdoor LED lighting. LED lighting was also installed at his church and there is a huge savings on their bills.

Tom Sodano, 126 W. Woodland Avenue, explained that the colors in LED Lighting are expressed in a heat range in kelvin units. He worked for a company that changed a warehouse over to LED lighting. No matter what brand or what type of LED lighting you use, the federal government requires that the color is listed on the unit. If they tell you what lights they are putting in, you can get the color information online.

Beverly Wolfe said a decision has to be made before the next meeting. John Stratz said we have until the upcoming work session to decide. We can contact Hulmeville Borough in the meantime. Beverly Wolfe will provide the contact information for them. Dave Truelove asked if there is anything in writing confirming that. John Stratz said it was verbal by director Liz

Compitello. Mrs. Wolfe will ask for it to be confirmed in writing. Laura Germain asked if he reviewed the AMA LED Guidelines. Mark said no, but the information he reviewed referenced the AMA Guidelines. Mark Moffa said that some of the towns listed are already in the program in 2017 and suggested checking with them to see how the process is going. Carol Schuehler said that some of the municipalities already participating were in attendance at the meeting she and Mr. Stratz attended because they are coming back to join in the next round. Springfield Township in Montgomery County was one of them. There was positive feedback. Beverly Wolfe said this should be deferred to the 8/20 work session so Council can review all of the information.

MOTION BY JOHN STRATZ TO TABLE THE MOTION TO APPROVE AND SIGN THE REGIONAL STREETLIGHT PROCUREMENT PROGRAM; LETTER OF INTENT TO PARTICIPATE IN DVRPC'S REGIONAL STREETLIGHT PROCUREMENT PROGRAM. SECONDED BY MARK MOFFA. All ayes, motion carried.

President Wolfe asked for an update on the Lincoln Hwy. issues. On a couple of occasions certain property owners along Business 1/Lincoln Highway have sent the Borough a document from PennDOT entitled "Regulations and Policies" wherein PennDOT summarizes its duties under the 1945 State Highway Law. Specifically, the document contains a bullet point stating:

**Boroughs and Incorporated Towns (Bloomberg)** – Section 513 of the State Highway Law of 1945, 36 P.S. §670-513, gives the Secretary of Transportation the power to determine the width and type of maintenance activities PennDOT will perform. PennDOT's curb-to-curb maintenance policy was upheld as in conformance with this section in O'Brien v. Borough of Jeannette, 194 A. 314 (Pa. Super. Ct. 1937).

First, the interpretation that PennDOT is responsible for the curbs and sidewalks is not supported by this statement. It merely states PennDOT will determine what work it will perform in Boroughs. To date, we have received no indication that PennDOT will be doing this work.

Second, Section 513 provides that "[t]he department shall, at the expense of the Commonwealth, improve or reconstruct and maintain all State highways within boroughs and incorporated towns, to such width and of such type as shall be determined by the secretary." 36 P.S. §670-513. Again, the State Highway law vests the discretion as to the type of work performed with the Secretary, i.e. PennDOT.

Third, the O'Brien case, which predates the State Highway Law of 1945, cited to an older statute not unlike Section 513. The Superior Court stated that "[w]e agree with the court below that 'a street within a borough is none the less a borough street because the State Highway Department may have constructed it at the expense of the state.'" O'Brien, 194 A. at 317. Moreover, "the act provides that the secretary of highways shall determine the width of any road, street or highway in boroughs or incorporated towns that shall be improved, reconstructed, and maintained by the Department of Highways. In fixing North Third street as part of the state highway route, it does not follow that the entire street including the sidewalks becomes a part of such highway. .... the Highway Department maintained only the portion between the curbing. It follows that the sidewalks remained under the control of the borough and it is therefore responsible for their condition. Id. at 317-18.

Fourth, PennDOT has issued a series of FAQs through their various district offices. District 6 serves Bucks County and their FAQ page states:

### **Why does PennDOT not replace curbs and sidewalks?**

By Pennsylvania State law, the local municipality or property owner is responsible for the maintenance or installation of curbing and sidewalk.

Fifth, as for any argument that might subsequently be raised that it would be the Borough's responsibility to redo the curbs and sidewalk, the Borough Code provides:

"The borough may also require owners of property abutting on any street or State highway to grade, construct, drain, pave and repave the sidewalk, curb or gutter and keep them in repair and in safe and usable condition along the property at the grades and under the regulations and specifications as council may prescribe." 8 Pa.C.S. §1801(a)(2).

Sixth, PennDel's Code provides:

The owner or owners of any, all and every lot or lots of ground in the Borough of PennDel fronting on any street or streets in said Borough upon which a grade has heretofore been or hereafter shall be established by ordinance shall, at their own cost and expense, upon receipt of 30 days' notice in writing from the Borough Council to do so, construct cement concrete curbs and sidewalks along the entire street frontage, with the slope provided for in §350-7 of this article, at the grade elevations established by the Borough and, when so required, shall lay conduits or drainpipes underneath the sidewalk from the property line to the gutter in strict accordance with the provisions and specifications hereinafter contained. §350-8

Carol Schuehler also has the same interpretation and practices they follow as well from an engineering and construction perspective. Dave Truelove did not speak with PennDot directly.

Mr. Konski received information from a representative at PennDot District 6, a full drawing set of Route 1 with an email highlighting what PennDot covers. One thing people miss on this document (you cited North Street) this is the part of the highway that the borough is responsible for unless it has been resolved by adoption of the street as part of the state highway route. He asked PennDot directly, what do they cover. PennDot sent him an email highlighting what is covered through the whole town. Dave Truelove said with this just received tonight, they will have to look into it also from an engineering standpoint. Mr. Konski said there is a whole page that has tabulation for curb installation and deals with removal and installation of the curb.

### Committee Reports:

#### ***Finance & Administration (Barbara Heffelfinger/Mark Moffa):***

They had a committee meeting on July 23<sup>rd</sup>. Barbara Heffelfinger reported they discussed refinancing the borough's loan balance. They also discussed allocation of funds for the roof, which will be brought up later in the meeting and an emergency generator for the police department. When talking about applying for grants in the future, we have been classified as a distressed community, which will be in our favor when applying for funding. Three years ago we agreed to increase the fire tax one half of a mill over three years. The upcoming budget year will be the end of that agreement. Budget meetings are coming up soon. She requested lists with specific requests from committees by the end of the first week of September. The budget meeting dates will be announced at the September work session. Mark Moffa said they will be meeting with a financial advisor at PLGIT to discuss refinancing on August 13th.

***Insurance, Pensions & Ordinances (Mark Moffa):***

The committees met on July 25<sup>th</sup>. They are looking into alternatives to Brown & Brown of Lehigh Valley and should have more information by the September meeting. They discussed combining some of the regulations on medical marijuana coordinates, group homes, and bamboo together along with the TOD district and revitalization. They will be discussing discrepancies in the fence ordinance along with others provided by Bryan Guthrie from the borough's previous inspection company, Keystone Municipal Services.

***Public Safety (Joe Dudash):***

Mr. Dudash thanked Officer Ian McAnlis for taking a gun off the street after a robbery in town. The committee met on July 28<sup>th</sup> to discuss the police contract. They will be fact finding and will meet again on August 25<sup>th</sup>. The new police car has arrived and was put into service. He still needs child clearances from some members of Council. Also he met with Steve Lowe and Rich Schramm at the Fire Department and suggested the rest of Council go over to the firehouse also. There is a lot more to firefighting than jumping on the truck and grabbing a hose to put out fires. October 10<sup>th</sup> is fire prevention day and it will be open to the community. The department has some ideas on handling recruiting problems. If anyone knows anyone that is interested, have them contact Steve Lowe.

***Building & Maintenance (Joe Dudash):***

The Mayor trimmed weeds at the old sewer plant. Mr. Dudash received proposals for roof repair. We are only repairing at this time. He thanked the residents that provided contractor information to him. Dennis and Sons's proposal came in low at \$200.00 to be considered later in the meeting. The roof replacement bids for the 2019 budget have come in and will be distributed to Council.

The emergency landscaping project consists of two entrances to Taddei Woods, the pond, and work to be done at the sewer plant. He thanked Mr. Worthington for the contractor contact information he provided that helped speed up the process. Beverly Wolfe added that the tractor will also be removed. While going out with the contractors, Joe Dudash said he has seen a lot. The pond is becoming a dumpsite. Yard waste and tires have been dumped back there. There is drinking going on back there also. Mr. Dudash thanked the Mayor and Police Chief for agreeing to add extra patrols on Washington Avenue and Holly Avenue. He asked the residents to report anything they see back there to the police department. The police can't be there 24/7. Also someone dumped creek stone in there. Once the property is cleaned up, the DEP will be able to get in there and then we can have it maintained regularly. Mark Moffa asked if there will be more bids on the removal of trash and clean up. Joe responded that there will be more to follow. It is broken down so they can select the services for approval. The weeds growing at the war memorial is included. He thanked Barbara Heffelfinger for taking care of the flowers. Mrs. Heffelfinger said that Karen and Frank Flowers have been taking care of the memorial also.

Donna Heron asked if a community clean up would help. She planted flowers around the entrance sign years ago, which are gone now. Mrs. Heron said that they need to put dunks down there because of the mosquitos. Foxes got the frogs that were helping with the mosquitos. The property was sprayed but it doesn't take care of the larvae.

Contractors are coming in to look at the step at the front of borough hall.

There were only three applicants for the maintenance position. After review of the applications, one will be interviewed.

***Refuse (Joe Dudash):***

They are expanding the dumpsites at U.S. Steel. It is closing the Tulleytown site and are expanding the other two sites. In June he recommended we approve the county plan, we aren't getting anything from them now. They will base the decision by population. Middletown Township because of its' size can cancel our decision out. Mr. Dudash said that Councilman Moffa and borough residents helped him decide to vote against it for a couple of reasons. They asked for information from municipalities and asked for feedback. We and our neighboring municipalities did not respond so how did they accurately know what the data was for each town. The main issue is that China not accepting the recyclables. It is going to go back into the landfills so how are we accomplishing anything. The county is getting 85 cents per ton. Most of our trash comes from New Jersey and New York so where is the money going. He feels we should ban plastic. In the past, milk bottles and soda bottles were returned and reused. The county has a 35 percent recycling goal. In five years we have never progressed. Joe thinks the county should have their own facilities. In Lower Makefield, leaves collected in town are taken to a farm which provides mulch for the residents. Lancaster has a big plant that recycles everything. Since 2014, an Israeli company, Elcon Recycling Services, is planning to buy part of U.S. Steel and burn medical waste, specifically electronics and semi-conductor, pharmaceutical, chemical, and metals processing but will not burn radioactive activities or oil and gas fracking. Donna Heron asked if they are going to turn it into energy. Joe responded that it will be trash to energy. It doesn't say anything about where sludge is going.

***Street & Sewer (John Stratz):***

The committee met on August 1<sup>st</sup> with the Mayor, Council President and Borough Engineer. Their discussion was included with the engineer's report. John thanked Chief Perry and Mayor Winkler for completely reorganizing the school zone in front of Our Lady of Grace School. They met with PennDot about about the intersection and they made the upgrades saving the borough \$8,000.00.

***Community Relations (Laura Germain):***

The Penndel play dates continue at the recreation field. There have been three with one cancellation due to thunder storms. Attendance has ranged from 12 to 20 children which is a good turnout. This coming Wednesday the theme will be superheroes. Kids are encouraged to dress up as superheroes. There may be a special guest visit by a police officer.

The date for Penndel's Got Talent will be on August 22<sup>nd</sup> at borough hall from 6 to 9 p.m. Some of the acts will be indoors, others will be outdoors. Water will be available. Barbara and Laura will be meeting with some talented Penndel residents. Some residents couldn't attend on the 22<sup>nd</sup>, so there will only be six acts. They are: Tae Kwon Do, history of music, rock and mineral show, heritage society, genealogy, guitar and open mike.

There have been over 500 followers on the borough's Facebook page. They will be discussing the newsletter to be sent out in the fall. If anyone has information for the newsletter, contact Laura Germain.

***Recreation Board (Laura Germain):***

The July meeting was cancelled. The Rita's Water Ice Fund Raiser will be on August 15<sup>th</sup>. The football contract will be discussed at the August 20<sup>th</sup> work session.

***Mark Moffa (Revitalization Task Force):***

The revitalization surveys from the businesses have been returned and sent to the Bucks Co. Planning Commission. The next task force meeting will be sometime in the first two weeks of

September. They will be discussing the results from the survey and the TOD before moving forward.

At the last meeting, there was discussion on dissolving the Long Range Finance Planning Committee, which Mark disagrees with. The committee will be discussing reviving that committee. A couple of changes need to be made to the 2007 resolution that established it. Council will be accepting resumes for anyone interested in becoming a member.

#### New Business

MOTION BY JOE DUDASH TO DISAPPROVE THE FINAL MUNICIPAL WASTE MANAGEMENT PLAN OF BUCKS COUNTY FOR THE PERIOD 2018 THROUGH 2028. SECONDED BY MARK MOFFA. All ayes, motion carried.

Dave Truelove explained that the reasons that Mr. Dudash mentioned are included in the resolution and thanked him for taking the time to thoroughly list the reasons for disapproval. This is one of the better resolutions he has seen of these types.

MOTION BY MARK MOFFA TO APPROVE THE PROPOSAL FROM DENNIS AND SONS' CONTRACTING, INC. IN THE AMOUNT OF \$200.00 FOR ROOF REPAIR AT BOROUGH HALL. SECONDED BY JOE DUDASH. All ayes, motion carried.

MOTION BY BARBARA HEFFELFINGER TO ADOPT RESOLUTION #2018-19 AUTHORIZING COUNCIL PRESIDENT TO SIGN THE PENNDOT APPLICATION FOR TRAFFIC SIGNAL APPROVAL AT HULMEVILLE AVENUE BETWEEN DEHAVEN AVENUE AND CRESCENT STREET. SECONDED BY MARK MOFFA. All ayes, motion carried.

MOTION BY BARBARA HEFFELFINGER TO ADOPT RESOLUTION #2018-20 AUTHORIZING COUNCIL PRESIDENT TO SIGN THE PENNDOT APPLICATION FOR TRAFFIC SIGNAL APPROVAL AT LINCOLN HIGHWAY AND HULMEVILLE AVENUE. SECONDED BY LAURA GERMAIN. All ayes, motion carried.

MOTION BY JOHN STRATZ TO AUTHORIZE BOROUGH ENGINEER TO PREPARE A BID PACKAGE FOR INFLOW AND INFILTRATION INVESTIGATION AND REMOVAL AS PER THE PA SMALL WATER AND SEWER GRANT WE RECEIVED. SECONDED BY BARBARA HEFFELFINGER. All ayes, motion carried.

MOTION BY MARK MOFFA TO ADDRESS THE LETTER FROM THE DEP DATED JULY 13, 2018 REGARDING THE MS4 NPDES APPLICATION. SECONDED BY JOHN STRATZ. All ayes, motion carried.

MOTION BY BARBARA HEFFELFINGER TO APPOINT GEORGE LAMB TO THE REVITALIZATION TASK FORCE. SECONDED BY MARK MOFFA. All ayes, motion carried.

Dave Truelove explained the necessity of appointing a conflict counselor for conflicts that occur for the borough solicitor with different clients. Years ago when Don Williams was the solicitor, Mr. Truelove was the conflict counselor. Currently there are two matters that require special counsel. One being a Right to Know Request that we found out after it was submitted by a client of his firm. Due to the press for time it needed to be approved. The second being the upcoming waste hauler contract. Hill Wallack does work for Waste Management. It would not be appropriate for his firm to perform the required work. It is appropriate for a firm that does a lot of municipal government work to be appointed. Rudolph Clarke represents Bensalem

Township, Falls Township, and numerous public entities, authorities, and school districts throughout Bucks and Montgomery Counties. He has worked with them in other capacities in the past and recommends the firm for special counsel.

MOTION BY BARBARA HEFFELFINGER TO APPOINT RUDOLPH CLARKE, LLC AS SPECIAL COUNSEL FOR BOROUGH MATTERS AS NECESSARY. SECONDED BY MARK MOFFA. All ayes, motion carried.

An audience member asked what it will cost the borough. Dave Truelove responded that it is \$130.00 an hour (\$10 more than his hourly fee), which is a good proposal.

Dave Cahill asked the borough solicitor if he represented the borough on a Right to Know Request when Don Williams had a conflict. Dave Truelove acknowledged that he had. Mr. Cahill said Lloyd Patton is still waiting on that information from six years ago. Dave Truelove said he was not aware of that.

Beverly Wolfe announced that there is a zoning hearing board meeting on August 15<sup>th</sup> for the Wawa project. She would like council to consider having a representative from Hill Wallack attend to observe and report back to Council. Dave Truelove said this is not for opposition of the requests but to participate, clarify issues or answer questions that may help the process move along. The project has been around for quite a while and variances are being requested for certain relief.

MOTION BY MARK MOFFA TO APPROVE A REPRESENTATIVE FROM HILL WALLACK TO ATTEND THE ZONING HEARING BOARD MEETING FOR WAWA ON AUGUST 15, 2018. SECONDED BY JOE DUDASH. All ayes, carried.

John Stratz asked how our attorney's presence differs from the zoning hearing board's attorney attending. Dave Truelove explained that the zoning hearing board's attorney advises the board on any legal issues that arise. Hill Wallack is attending due to the nature and complexity of the project to assist with any questions on the borough's behalf, for example, highway easements. Mark Moffa added he was on the Zoning Hearing Board in Lower Makefield for three years and said it is not uncommon for this to happen.

Dave Cahill asked if the previous plans changed and all previous plans submitted are null and void. Dave Truelove said no, this is a variance for allowed use for one particular part of the property to be allowed in a particular zoning district. He said the plan is the same, it will enable the project to move forward. Dave Cahill said that Rite Aid is no longer going to be there so he knows the plans will be changed. Mr. Truelove said there haven't been any new plans yet submitted for the land development process. If they plan to, this may be a step in that direction. The basic footprint for the Wawa is the same. It's just to utilize the property in a way that enables them to use the entire property. There are different property owners involved with this project. This is a step, not the final step for this project. If they don't get this relief, that may involve other options. Dave Cahill said the first set of plans approved had a Rite Aid and a Wawa. Dave Truelove again confirmed that there hasn't been any new plans submitted through the land development process. He said it is possible they want to make sure they can get the variances before drawing new plans. Dave asked if the Zoning Hearing Board meeting on 8/15 involves Thompsons Motors. Mr. Truelove said yes it does. It involves relocating Thompsons to a different zoning district.

Beverly Wolfe announced that the borough entered into an agreement with the Bucks County Redevelopment Authority to assist us in grant funding applications for infrastructure and roads. The first application was submitted on July 31<sup>st</sup> for a Multi-Modal Transportation Fund Grant which would include fixing borough roads in the downtown area and infrastructure for approximately 2 million dollars. We won't find out for a couple of months if we are approved. Letters of support were submitted on behalf of the borough and were included with the application.

Persons to be heard

**Kevin Konski, 126 W. Lincoln Hwy.**, asked why PA One Call wasn't called for the concrete work on Lincoln Hwy. A gas main was broken during the process at an adjacent property. Carol Schuehler responded that it is state law that it is the contractor's responsibility to notify PA One Call at least three days in advance of excavation. If there is a design plan on the job, the designer also contacts PA One Call. There was no design plan on this project.

**Donna Heron, 475 Washington Avenue**, said that if you drive down Woodland Avenue from Hulmeville Avenue or from Bellevue Avenue during bus time between 3:30 and 4:00 pm. you can't get down the road because parents are parked on both sides of the road. She is requesting it be parking only on one side. Beverly Wolfe said we will look into this. Mark Moffa said they can be ticketed for parking the wrong way. Chief Perry said when they are in the school zone, they will be more mindful of the situation.

**Tom Sodano, 126 W. Woodland Avenue**, said he asked Chief Sciscio six times and the Mayor to have officers mention to parents that they are endangering their children when parked the wrong way. Chief Perry said when they are at a walk-through of the school he will ask the principal if they can get word out to parents about parking.

**Dave Cahill, 462 Cynthia Avenue**, said he is waiting for an answer from Carol about the sewer lateral question he asked at a prior meeting about breaks or repairs needed at the borough's part of the lateral during inspection. Carol responded that she reported at a previous meeting that they reviewed the ordinance. The private lateral is from the house to either the curb line or to the trap. The lateral from the trap to the main belongs to the borough. The videoing is required when there is a transfer in ownership is from the house to the main. Since viewing the video footage, there hasn't been a case where there was a problem in the borough's portion of the lateral. She assumes that when that occurs, the borough will share some responsibility but she hasn't come across that yet.

Mr. Cahill asked Laura Germain if she lives at 43 Holly Avenue and if she put a second floor addition above her garage. Laura responded yes, her husband submitted the necessary permits, which are on file. One contractor started the job then they switched to a different contractor to complete the work. Dave Cahill said that a resident that wanted to put an addition above their garage had to appear before the Zoning Hearing Board. He asked why she didn't have to go in front of the board for a variance. Laura said that all of the paperwork was done before she was on council if that is what he is insinuating. He asked why she didn't have to go in front of the Zoning Hearing Board. Her husband called the contractor and he came out and told him what permits he needed to apply for and her husband submitted the required permit applications. She said if there was something else she was supposed to do, she wasn't aware of it.

Joe Dudash asked Karen Flowers about the water main break and the road repair she mentioned earlier. Beverly Wolfe said we are aware of the situation and are looking at the damage in the curbing in the photographs. It more than likely is a temporary patch but we will make sure.

MOTION BY BARBARA HEFFELFINGER TO ADJOURN THE MEETING AT 9:21 P.M.  
SECONDED BY MARK MOFFA. All ayes, motion carried.

Submitted by: \_\_\_\_\_  
Marie Serota, Secretary/Treasurer