

COUNCIL MEETING

January 7, 2019

Council President Beverly Wolfe called the meeting of the Penndel 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 Mark Moffa
Councilman Joe Dudash
Councilman Rich Flanagan – absent

Also present

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

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

PD Commendations for 2018

Beverly Wolfe asked the Mayor to come up for a presentation of commendations to Penndel Police Officers. Chief Perry commented on the great job the officers did this past year. He proceeded to give out the following commendations:

Officer Kyle Wojciechowski – 17 years of service, with Penndel Police the longest, TASER instructor

Officer Alan Sigafos – 12 years of service, Evidence Technician

Officer Kathleen Bevans – 7 years of service, integrity, commitment

Officer Dallas Krum – Investigative techniques, illegal firearm taken off the street

Officer Michael Riccio – Most arrests, tickets issued, incidents handled, assisted US Marshall Service take an attempted murder suspect into custody

Officer Paul Callan – 15 years of service, Field Training Officer, Firearms Instructor

Officer Ian McAnlis – Due to his swift police action, an illegal firearm and violent criminal in a gun robbery/kidnapping incident was taken off the street

President Beverly Wolfe called for a 5 minute recess at 7:42 p.m. for pictures to be taken of the officers and their commendations.

MOTION BY BARBARA HEFFELFINGER FOR A 5 MINUTE RECESS. SECONDED BY JOHN STRATZ. All ayes, motion carried. The meeting reconvened at 7:47 p.m.

Beverly Wolfe read a statement that she said comes from everyone on council and probably everyone in the audience as follows:

We know that our officers of Pennel give up a lot. They do a lot for our community. To you, the officers of Pennel Borough, thank you for everything that you do. Thank you for making that choice to protect and serve. Thank you for doing what so many of us are not brave enough to do. Thank you for keeping all of us safe.

MOTION ITEMS:

Consent Items:

- a. Approval of Minutes: December 17, 2018 Work Session
- b. Approval of Minutes: December 10, 2018 Budget Work Session
- c. Approval of Minutes: December 28, 2018 Budget Work Session

MOTION BY MARK MOFFA TO APPROVE THE CONSENT ITEMS. SECONDED BY JOE DUDASH. All ayes, motion carried.

MOTION BY BARBARA HEFFELFINGER TO APPROVE BILLS.

General Fund	\$24,536.18
Fire Tax Fund	\$ 311.37
Refuse Fund	\$ 1,942.78
Sewer Fund	\$62,007.87
Sewer Capital	\$ 49.50
Liquid Fuel Fund	\$ 4,336.58
Escrow Fund	\$ 4,746.42

Payroll

General Fund	\$22,411.21
Sewer Fund	\$ 2,323.21
Refuse Fund	\$ 499.82
Total	\$25,234.24

Escrow Bills:

Mill Creek 2:

Hill Wallack LLP	\$2,199.42
Value Engineering	\$ 272.25

McHugh:

Hill Wallack LLP	\$ 330.00
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Schoolhouse Court:

Hill Wallack LLP	\$ 930.00
Value Engineering	\$1,014.75

Pre-paid Check

Check #12301 dated December 3, 2018 made out to Langhorne Postmaster in the amount of \$179.67 for newsletter postage

SECONDED BY JOHN STRATZ. All ayes, motion carried.

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

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

Solicitor's Report – Ben Hauser wished everyone a Happy New Year. His office attended meetings, revised agreements, reviewed agreements and perspective purchase documents, redrafted resolutions, reviewed zoning applications. Reviewed and advised borough personnel on right to know requests. Reviewed and revised draft ordinances. Late last year the borough advertised two ordinances, 2018-5 regarding sober living facilities and 2018-7 regarding medical marijuana grower/processor uses and medical marijuana dispensary uses. These were submitted to the county planning commission. The county planning commission came back with some recommendations. Their office has revised those ordinances according to those recommendations. In regards to the medical marijuana ordinance, they recommended some parking and buffer standards that they use a lot in borough code. Present code loading area requirement consistent with other areas of the borough code. With regard to the sober living facilities, they wanted a clearer reference to the fair housing act. They did not want to use the borough's definition of 4 or more individuals becoming a sober living facility. And that has been changed. He believes a motion would be in order to amend the draft ordinances to be in conformance with the BCPC recommendations and then authorize advertisement as a second motion. Mark Moffa said he reviewed the planning commission's recommendations and everything seems in order. The solicitor's opinion is that they are substantive enough to warrant the reproduction. Readvertisement of these ordinances is to cover all our bases.

MOTION BY MARK MOFFA TO APPROVE THE AMENDMENTS TO ORDINANCE #2019-1 THE SOBER LIVING ORDINANCE AND #2019-2 MEDICAL MARIJUANA ORDINANCE. SECONDED BY JOE DUDASH. All ayes, motion carried.

Laura Germain asked why that organization had to review them. Ben Hauser said the MPC requires a planning commission review. Laura asked if from now on they can do that first before advertising or did they have to do it in that order. Ben Hauser said you can. He said sometimes there is a time frame and people want to get them passed as expeditiously as possible. On the next one Ben said he would not put a firm date when you want it advertised just in case one of them gives you a little surprise. Beverly Wolfe told Laura that during her time on council, she has never seen this happen.

MOTION BY MARK MOFFA TO READVERTISE ORINANCES #2019-1 AND #2019-2. SECONDED BY BARBARA HEFFELFINGER. All ayes, motion carried.

Committee Reports

Refuse:

Joe Dudash said to give the trash company time to learn the borough. They had a problem coming down his street. He then read his report on the new trash hauler which is attached. Joe asked the residents to not put trash out in bags because animals get into it and it makes it harder for the trash men to pick up. Please use trash cans. Stickers for yard waste will be given out. Some people have been putting yard waste in the blue recycle containers. The

stickers identify the containers and there are no problems. Regarding storm water with our streets, people are blowing grass and leaves into the street and when it rains it washes down the storm water system and clogs it up. Then it costs the residents more money to unclog it.

Public Safety:

Joe Dudash said he was very proud of the officers and the chief. They are really doing a lot as you can see from the arrests that they are making. What he is learning is that the state troopers handle I95 so they are using Rt.1 as a freeway between Philadelphia and Trenton. Many towns don't have cops on all of the time. Our cops are really doing a great job.

Building and Maintenance (Joe Dudash):

Nick Foufas, Fire Inspector, alerted him today that we are in violation of the fire code. We will be making those repairs.

Joe Dudash thanked the Pennel Fire Co. for driving Santa Claus through town on Christmas Eve. He said it really makes the town.

Insurance and Pension:

Mark Moffa said there is no further activity from when they wrapped up the year.

Ordinances:

Mark Moffa said they already dealt with the two issues that were on the table.

Long Range Finance:

Mark Moffa said they will be having their first reorganized Long Range Finance Committee meeting on Wednesday.

Revitalization Task Force:

Mark Moffa said they will be having a meeting on Thursday which is not a public meeting. He hopes this is the last meeting before they can have a public meeting.

Finance and Administration:

Barbara Heffelfinger reported that the budget passed and there was no tax increase for the general fund. There is a half mill increase in the fire tax which was part of an agreement that was made with the prior council to raise their millage to 3 mills. That is the top amount they are allowed to assess so there will be no change in that in years coming up. They worked very hard. Next year they will be a little stricter and get the budget done before the Christmas holidays. Barbara thanked everyone for their input.

Community Development:

Barbara Heffelfinger had nothing to report.

Community Relations:

Laura Germain said they will be having a meeting on Wednesday to finalize the website. They will have more details about it at the work session. They will have some mock ups of a town logo which will be free because her husband is doing it. They will also be discussing the first of 3 newsletters that is the reason they are talking about a new copier. The Community's response to the quality of the last one was not favorable and now hopefully it will be better quality. In terms of events, her goal is to have an event run by the borough every month. They will be missing January but she is hoping to do a valentine's one for the kids. Then they have science week coming up and local government day.

Recreation Board:

Laura Germain reported that they met on December 20th. They presented \$482.00 to the Pennel Wildcats Cheerleaders which was half of the proceeds from the chili cook-off. They officially welcomed their 2 new members, Amanda Mieluch and Alison Nickerson. They raised \$750.00 from the Red Robin Gift Card sale and they received \$150.00 of that. They discussed the pavilion roof which will cost \$5,000.00 to repair. Karen Flowers asked the members to look at the Wildcats contract to discuss at the January meeting. Also at the January meeting they will vote on chair, vice chair and secretary. The bench made by the Boy Scouts and approved by council, they do not have a timeline on that yet. Council President Beverly Wolfe will be attending the January meeting.

Sewer:

John Stratz said he had nothing to report until the work session.

Streets:

John Stratz said for the finale of 2018, he was able to have a meeting on December 24th and 26th with Patch Management. They drove the borough and identified potholes. They will try to have them all filled before the snow hits. They had a streets committee meeting to go over the report. They needed to get this done before the end of the year to have it paid for out of 2018's budget. Beverly Wolfe asked if John knew when the DVRPC were coming to meet with council on their proposals on the Regional Street Light Procurement Program. John said he did not. He said he wants to come in on January 22nd in the morning for a follow up on the meeting they had before. Beverly said she was asking because they have a lot of questions on the contract and resolution that she presented to them. John said he thinks she is unaware that Mike Fuller cancelled the meeting they were supposed to have with council at the last work session. He will call her and explain he needs him to appear before council before he can present anything. John said it looks like he will not be able to get the rec field lighting paid for by this program since it is strictly street lighting. PECO has sent an email offering another LED program. He will attend that meeting on January 26th. If he can't get the planning commission to help with the rec field lights, he's sure PECO will pick up the ball and run with it. Beverly said we still have not heard about the CDBG grant which is not good news. We have not gotten a response but we have not given up on that. That was the grant they applied for last year for the lights, poles and other stuff for the rec field.

New Business

MOTION BY BARBARA HEFFELFINGER TO ASSIGN NEWLY APPOINTED LONG RANGE FINANCE COMMITTEE MEMBER KAREN FLOWERS TO THE REMAINDER OF THE TERM EXPIRING 12/31/2019. SECONDED BY JOHN STRATZ. All ayes, motion carried.

MOTION BY BARBARA HEFFELFINGER TO ASSIGN NEWLY APPOINTED LONG RANGE FINANCE COMMITTEE MEMBER AMANDA MIELUCH TO THE REMAINDER OF THE TERM EXPIRING 12/31/2020. SECONDED BY JOHN STRATZ. All ayes, motion carried.

MOTION BY BARBARA HEFFELFINGER FOR REAPPOINTMENT OF GARY NICKERSON TO THE LONG RANGE FINANCE COMMITTEE TO A FOUR-YEAR TERM EXPIRING 12/31/2022. SECONDED BY JOHN STRATZ. All ayes, motion carried.

MOTION BY BARBARA HEFFELFINGER FOR REAPPOINTMENT OF STEVE LOWE TO THE ZONING HEARING BOARD TO A THREE-YEAR TERM EXPIRING 12/31/2021. SECONDED BY LAURA GERMAIN. All ayes, motion carried.

MOTION BY BARBARA HEFFELFINGER TO ADOPT RESOLUTION #2019-1 AUTHORIZING THE ACCEPTANCE OF A MUNICIPAL GRANT PROGRAM CONTRACT 2018-34 PERTAINING TO PENNDEL BOROUGH POLICE VEHICLE AND EQUIPMENT AWARDED BY THE RDA OF BUCKS COUNTY FOR \$61,300.00 AND APPROVE AND SIGN THE CONTRACT. SECONDED BY MARK MOFFA. All ayes, motion carried.

MOTION BY BARBARA HEFFELFINGER TO ADOPT RESOLUTION #2019-2 AUTHORIZING THE ACCEPTANCE OF A MUNICIPAL GRANT PROGRAM CONTRACT 2018-36 PERTAINING TO PENNDEL FIRE COMPANY RESCUE TOOL REPLACEMENT AWARDED BY THE RDA OF BUCKS COUNTY FOR \$100,000.00 AND APPROVE AND SIGN THE CONTRACT. SECONDED BY MARK MOFFA. All ayes, motion carried.

MOTION BY BARBARA HEFFELFINGER TO ADOPT RESOLUTION #2019-3 AUTHORIZING THE ACCEPTANCE OF A MUNICIPAL GRANT PROGRAM CONTRACT 2018-35 PERTAINING TO A PENNDEL BOROUGH HALL REPAIR AND UPGRADES AWARDED BY THE RDA OF BUCKS COUNTY FOR \$40,000.00 AND APPROVE AND SIGN THE CONTRACT. BARBARA HEFFELFINGER WITHDREW THE MOTION DUE TO THE DISCREPANCY IN THE AMOUNT.

MOTION BY BARBARA HEFFELFINGER TO ADOPT RESOLUTION #2019-3 AUTHORIZING THE ACCEPTANCE OF A MUNICIPAL GRANT PROGRAM CONTRACT 2018-35 PERTAINING TO A PENNDEL BOROUGH HALL REPAIR AND UPGRADES AWARDED BY THE RDA OF BUCKS COUNTY FOR \$40,400.00 AND APPROVE AND SIGN THE CONTRACT. SECONDED BY MARK MOFFA. All ayes, motion carried.

Mark Moffa reported that Beverly Wolfe met with the borough's representative for the copier and there was an opportunity to get another machine for an increase of about \$300.00 a year. Beverly said our current lease is up and they have improved them. This was brought up at the last meeting about the print quality. This new machine will allow us to provide with residents with a printed newsletter that will be readable with color photos. This lease also includes the replenishables. One council member asked if it would be advantageous to buy it or lease it. By leasing it you get the replenishables and maintenance of the machine is included in the contract. Replenishables are very expensive. Mark said it is definitely a more sophisticated piece of equipment.

MOTION BY MARK MOFFA TO LEASE A KYOCERA CS-3000 SERIES COLOR MULTI-FUNCTION PRINTER AT A MONTHLY COST OF \$276.54 FOR FIVE YEARS UPON SOLICITOR'S APPROVAL. SECONDED BY LAURA GERMAIN. Barbara Heffelfinger said they had talked about color copies costing more so we had said we could print the first page in color and it would decrease the cost and the rest would be black and white unless there is a special event they want to highlight. All ayes, motion carried.

Persons to be heard

Kevin Konski, 126 W. Lincoln Hwy., wanted to know if council was aware that PennDOT is looking to make improvements to the intersection of Lincoln Hwy. and Hulmeville Ave. The residents and businesses just recently received certified letters saying that engineers and contractors will be on their properties making changes to that intersection. It is noted that after speaking with the project manager, they are looking to institute turn lanes. He wants to know if this was known previously to the residents and businesses upgrading their curbs and sidewalks. Beverly Wolfe asked for a copy of the letter he received. Beverly said they would address it with the borough engineer and get back to him right away. Beverly said this is the first time she is seeing it. Kevin Konski said it's been about 3 months since they had to make the improvements that were required by the borough and now they are getting a letter from PennDOT saying they are going to be making a major change to that intersection. Mayor Winkler said they are going to change the radius on the one corner and repair the storm drain and also work on the area of

the bridge. If it's 2 turn lanes, it's something different. Beverly said they would work on it immediately and get back to him right away. Council doesn't know anything about it. John Stratz said that as chair of the Streets Committee, on behalf of the engineer and himself, this was the first time they had heard of this. They did not inform us of anything regarding a turn lane at that intersection.

MOTION TO BY JOHN STRATZ TO ADJOURN THE MEETING AT 8:35 P.M. SECONDED BY MARK MOFFA. All ayes, motion carried.

Submitted by: _____
Marie Serota, Secretary/Treasurer