

COUNCIL MEETING

March 5, 2018

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 Kali Sodano  
Councilwoman Louise Dicken  
Councilwoman Laura Germain - absent  
Councilman Rich Flanagan

Also present

Dave Truelove, Hill Wallack, Solicitor  
Carol Schuehler, Value Engineering, Borough Engineer  
Officer Sean Perry, Officer in Charge  
Marie Serota, Borough Secretary/Treasurer

MOTION BY KALI SODANO TO APPROVE THE MINUTES OF THE FEBRUARY 20, 2018 MINUTES WITH THE FOLLOWING ADDITION BEFORE THE MOTION TO APPOINT SEAN PERRY CHIEF OF POLICE:

I would like to share something so the public understands what I shared with my colleagues in Executive Session. I think very highly of Sean Perry. He is a great officer and he has a lot of potential and I liken where he is in his career kind of with where I am in my career. We're about the same age, and I hope to grow in my career, but I'm not at that point yet and I think that it would be a disservice to him to put him in a position of power with his only mentor being Bob Winkler at this time in his career. It will be worse for him in the long run and it will destroy all his potential. It's also a disservice to the Boro because we have two very qualified candidates that we narrowed down to. They have years of extensive experience and we're just tossing that away, and we will probably end up paying the same amount of money.

SECONDED BY JOHN STRATZ. All ayes, carried.

MOTION BY JOHN STRATZ TO PAY THE FOLLOWING BILLS FOR THE MONTH OF FEBRUARY:

<b>General Fund</b>	<b>\$19,915.63</b>
<b>Refuse Fund</b>	<b>\$14,772.27</b>
<b>Sewer Fund</b>	<b>\$36,978.31</b>
<b>Liquid Fuel Fund</b>	<b>\$ 1,775.29</b>
<b>Capital Reserve Fund</b>	<b>\$ 2,427.00</b>
<b>Sewer Capital Fund</b>	<b>\$ 2,425.50</b>
<b>Escrow Fund</b>	<b>\$ 4,530.35</b>

**Payroll**

General Fund	\$19,837.38
Sewer Fund	\$ 2,323.20
Refuse Fund	<u>\$ 499.84</u>

**Total**                    **\$22,660.42**

**Pre-paid Checks**

Check #11802 dated 1/3/18 made out to DCED in the amount of \$80.00 for 4<sup>th</sup> Quarter UCC Surcharge

Check #11855 dated 2/26/18 made out to PA DCED in the amount of \$100.00 for PA Small Water & Sewer Grant Application

Check #11856 dated 2/26/18 made out to PECO Energy in the amount of \$272.86 for 37 W. Woodland Avenue electric

Check #11857 dated 2/27/18 made out to TD Ameritrade in the amount of \$25,058.00 for 2017 MMO payment

Check #11858 dated 2/28/18 made out to TD Ameritrade in the amount of \$2,242.32 for interest

**Escrow Bills:**

Verrichia:

Hill Wallack	\$1,502.80
Value Engineering	\$ 74.25

Mill Creek 2:

Hill Wallack	\$1,715.80
Value Engineering	\$1,237.50

SECONDED BY BARBARA HEFFELFINGER. The vote was 4 ayes, 2 nos. (Kali Sodano, Rich Flanagan). Kali explained that she opposed the engineering bills because costs are not in line with the budget. Motion carried.

**President's Report**

At Council Presidents request, Solicitor Dave Truelove responded to resident Arlene Harms' question about the status of liens on properties that did not complete the sidewalk and curb repairs as required of the 2017 Road Reconstruction Project. Two residents, George Krushauskas and Mike Sodano, were concerned with enforcing this ordinance as currently written. His firm agrees that the ordinance needs to be updated and anticipates an updated ordinance in April for review then enactment and the borough will be able to enforce the liens.

Mr. Lloyd Patton requested relief of permit fees for the reconstruction of his home that is uninhabitable due to fire damage. Copies of permits where permit fees were waived for: Redeemer Lutheran Church, Penndel Fire Company and District Court were distributed for Council's review. One other waiver was granted for a temporary mobile home utility waiver as the result of a home fire. All of the other waivers were for organizations not individual residents.

Rich Flanagan asked Mr. Patton how long he has resided in the borough. Mr. Patton said he has lived here since 1975 and is a retired police officer from Middletown Township, where he

was employed for 27 years. Resident Mike Smith informed the Council President that permit fees were waived for reconstruction of his home after a home fire. John Stratz and Beverly Wolfe informed him that the permit was noted with the check number and date of payment. Mr. Patton said that the prior solicitor said it is common practice for situations like his. He also said Mike Smith was a democrat when his fees were waived and eluded that Council was not going to side on his favor because he was not. Mrs. Wolfe responded that this this request nothing to do with that and they were stating facts from previous similar situations. Mrs. Dicken thought this would set precedence and asked if insurance covers this. Dave Truelove explained that each circumstance is different and can be decided individually. Kali Sodano feels since fees were waived for both churches in the past Council should waive the fees because the resident has a hardship.

MOTION BY KALI SODANO TO WAIVE PERMIT FEES REQUESTED BY LLOYD PATTON FOR RECONSTRUCTION OF HIS HOME AT 421 NESHAMINY STREET. SECONDED BY RICH FLANAGAN. The roll call vote was: Rich Flanagan yes, Kali Sodano yes, Louise Dicken no, Beverly Wolfe yes, Barbara Heffelfinger yes, John Stratz abstained. 4 ayes, 1 no and 1 abstention. Motion passed.

Judge Daniel Baranoski distributed information and activity of Magisterial District Court 07-1-07 at 142 Centre Street in the borough.

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

Code Enforcement Report- Mayor Winkler read the report, which is on file in the secretary's office.

Emergency Management

No information was received yet on the upcoming storms.

Police Department Report

Officer in Charge Sean Perry read his report, which is on file in the secretary's office.

Solicitor's Report

The possible ordinance amendment for curbing and sidewalk enforcement regarding liens has already been discussed.

Worked with Ms. Schuehler and her office regarding easement issues for the recent sewer spill, and how to rectify access issues.

Working on some personnel issues.

Had a meeting on the Wawa to discuss some issues with land development.

Discussion with Mr. Guthrie from Keystone Associates on code enforcement issues regarding a sign.

Engineer's Report-Carol Schuehler gave her report, which is attached.

Committee Reports

***Finance/Administration (Barbara Heffelfinger):***

Meeting with the secretary daily to review revenues and expenses.

**Public Safety (John Stratz):**

Currently working on equipment that will enhance the safety of our Crossing Guards.

**Community Development (Barbara Heffelfinger):**

Paperwork has been submitted for the remaining funds left from the Road Reconstruction Block Grant. They responded that we are approved to use the funds for whatever we feel is necessary. Corrections will be made to the scope of work.

The CDBG application for recreation field lights was submitted; the deadline was February 28th. According to records found, the current lights were installed in 1965. They would like to have more lighting for the walkway to the back of the tot lot for safety reasons. We were given permission to file a preliminary application and provide more information up to the time of submission. She has met with two contractors and will meet another one tomorrow. Once the poles have been selected they will do a definitive scope of work. Work will be done with the Wildcats and the Recreation Board. Rec. Board member Karen Flowers was there when they met with one of the contractors and was very helpful.

There was a committee conference last week with the Bucks County Planning Commission. They discussed the MEDI Program and revitalization of the borough. They took suggestions from everyone on the committee. There will be another meeting in March to review the information discussed and come back at the next meeting with information on where we should start. Beverly Wolfe added that there will be another town hall meeting after all of the data is compiled and the meetings have taken place.

Kali Sodano asked if Council will be voting on how the remaining \$30,000.00 will be spent. Barbara Heffelfinger explained that the engineer has walked through and inspected areas that were repaved and will determine the best ways to spend the funds. Carol has prepared a scope of work and already spoke to the Community Development office about Clarissa Lane matter of water coming out of the seams in the road and other areas where conditions have severely deteriorated. They need to go back to the Office of Community Development and clarify where the funds can be applied. There are a number of roads that can use additional attention in addition to the matter on Clarissa Lane.

**Streets (John Stratz):**

John Stratz requested that residents report locations of potholes and Pothole Killers will be notified of the locations. The joint project with Middletown Township, the Woodland Avenue Project, won't be started until July and will be paid from Liquid Fuels fund. It was decided last year during the budget process. John Stratz will walk with the engineer to inspect the curbs and sidewalks that will be necessary to be completed.

**Building & Maintenance (Barbara Heffelfinger):**

The committee will be meeting this week for the first time.

**Community Relations (Barbara Heffelfinger):**

The committee is working on the first newsletter. Laura has a lot of great ideas for the newsletter; two will be sent out this year. The first one should be out in the spring.

**Recreation Board (Rich Flanagan):**

The Board is currently waiting to see what funding can be obtained for the lighting at the recreation field.

Old Business

Two quotes were obtained for the installation of backflow devices for 300 Bellevue Avenue and 37 W. Woodland Avenue from DiFabio Brothers one for each building. There is a letter on file from Bucks County Water & Sewer Authority dated August 31<sup>st</sup>, notification that a backflow preventer is required for 37 W. Woodland Avenue. There was a question at the previous meeting if it was received. Reviewing copies of emails, Beverly Wolfe read that BCW&SA would be sending out notices eventually that it will be required at 300 Bellevue Avenue also. The quotes were:

DiFabio Brothers	300 Bellevue Avenue	\$1,793.00
	37 W. Woodland Avenue	\$1,768.00
Finn Plumbing	Both locations	\$1,800.00
K.E. Seifert, Inc.	Both locations	\$1,735.00

MOTION BY JOHN STRATZ TO APPROVE K.E. SEIFERT, INC. TO INSTALL BACKFLOW DEVICES AT 300 BELLEVUE AVENUE AND 37 W. WOODLAND AVENUE FOR \$1,735.00. SECONDED BY LOUISE DICKEN.

Gianpiero Lo Piccolo stated that it may be a while before notice is received that 300 Bellevue Avenue is also required to have it installed. He questioned why have the work done if we haven't been notified yet and it will also cost \$125.00 to do the test so why spend \$250.00 if it isn't required yet.

Dan Cahill asked if the work would require digging up the lateral and does the backflow device go before or after the clean out.

MOTION BY BEVERLY WOLFE TO TABLE THE MOTION TO OBTAIN FURTHER INFORMATION. SECONDED BY BARBARA HEFFELFINGER. All ayes, carried.

The motion to approve the proposal from Armour & Sons Electric, Inc. was tabled.

Discussion on the request for permit fee refund of \$840.50 for Building Permit #5738, Account #349. The contractor paid the permit fee and the borough inspector was paid for reviewing the application and issuing the permit. Rich Flanagan said the matter should be between the company and the property owner.

MOTION BY RICH FLANAGAN TO DENY THE PERMIT FEE REFUND OF \$840.50 FOR BUILDING PERMIT #5738, ACCOUNT #349. COUNCIL DETERMINED THAT THE ISSUE SHOULD BE RESOLVED BETWEEN THE CONTRACTOR AND THE PROPERTY OWNER. SECONDED BY JOHN STRATZ. All ayes, carried.

Council discussed the request for sewer bill adjustment of \$502.67 on Account #349. Resident Mike Smith asked how the adjustment amount would be determined. Beverly Wolfe responded that they will adjust according to past history of the account billing.

Karen Flowers asked if insurance covers the excess bill. Beverly Wolfe explained that the bill increase was due to the broken pipe and the excess water did not go into the sewer system.

Kali Sodano asked what the cost was to have the inspector check the situation. Beverly Wolfe explained that we had to pay the inspector \$55.00 to make sure it didn't go into our sewer system.

John Stratz asked if they can be responsible for the \$55.00 inspector's bill.

MOTION BY JOHN STRATZ TO ADJUST SEWER BILL FOR ACCOUNT #451 FOR \$502.67. SECONDED BY LOUISE DICKEN. The vote was 4 ayes, 2 no (Kali Sodano, Rich Flanagan). Motion carried.

#### New Business

Public interviews were held at the February 20, 2018 work session for code and zoning enforcement services. Rich Flanagan and Beverly Wolfe liked Mike Italia from Barry Isett & Associates. Mrs. Wolfe explained that they bill differently than we are used to. Their hourly rate is \$75.00 and they have a fee schedule that they go by for miscellaneous services; very little will fall under that schedule. They are very flexible and will work with us on how we would like to set up permit process.

MOTION BY RICH FLANAGAN TO APPOINT BARRY ISETT & ASSOCIATES INC. TO PROVIDE CODE ENFORCEMENT AND ZONING ENFORCEMENT SERVICES EFFECTIVE MARCH 12, 2018. SECONDED BY LOUISE DICKEN. All ayes, carried.

#### Persons to be Heard

**Lynda Roe, 391 Walker Avenue**, cars parked on borough streets during upcoming snow  
**Dan Cahill, 41 W. Woodland Avenue**, use CDBG grant funds towards Woodland Avenue paving

MOTION BY BARBARA HEFFELFINGER TO ADJOURN THE MEETING AT 8:40 P.M. SECONDED BY LOUISE DICKEN . All ayes, carried.

Submitted by:

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Marie Serota, Secretary/Treasurer