

WORK SESSION

February 19, 2019

Present at the meeting

Mayor Robert Winkler
Council President Beverly Wolfe
Council Vice President Barbara Heffelfinger
Councilman Joe Dudash
Councilwoman Laura Germain
Councilman John Stratz
Councilman Rich Flanagan (by phone)
Councilman Mark Moffa (absent)

Also present

Ben Hauser, Hill Wallack, Solicitor

Announcements

Barbara Heffelfinger announced that the Heritage Society Soup Dinner is Saturday night, February 23rd at the Coffee Cup, 4:00 p.m. – 6:30 p.m. \$8.00 for all you can eat soup, salad, rolls, desserts and drinks.

Motion Items

MOTION BY BARBARA HEFFELFINGER TO APPROVE THE MINUTES OF THE FEBRUARY 4, 2019 COUNCIL MEETING AND TO PAY THE FOLLOWING INVOICES:

COMCAST BUSINESS INVOICE DATED FEBRUARY 1, 2019 IN THE AMOUNT OF \$143.90 FOR BUSINESS VOICEEDGE SERVICE

GETTYSBURG BENEFITS ADMINISTRATORS, INC. INVOICE DATED JANUARY 31, 2019 IN THE AMOUNT OF \$164.93 FOR DENTAL INSURANCE PREMIUM

INDEPENDENCE BLUE CROSS INVOICE DATED FEBRUARY 5, 2019 IN THE AMOUNT OF \$5,022.82 FOR MEDICAL INSURANCE PREMIUM

STATE WORKERS' INSURANCE FUND INVOICE DATED FEBRUARY 1, 2019 IN THE AMOUNT OF \$1,341.00 FOR FIRE DEPARTMENT WORKERS' COMPENSATION PREMIUM

SECONDED BY JOHN STRATZ. All ayes, motion carried.

President's Report

Beverly Wolfe said they are working on the original PA Small Water and Sewer Project Grant of 2017 to get an extension. The designs we originally had for the pump station were not suitable and had to be redone on the I & I work. We are sending a letter to the DCED.

Mayor's Report

Mayor Bob Winkler reported that we are losing one of our police officers to Bensalem by March 1st and he is asking if they can hire another one very soon. Beverly Wolfe asked if he has screened a candidate. He was interviewed by Barb Heffelfinger and Joe Dudash. Ben Hauser asked if he has had a physical yet and Bob said he did and also the background check has been completed. Joe Dudash said they had an officer sit in on the interview.

MOTION BY JOE DUDASH TO EXTEND AN OFFER OF EMPLOYMENT TO MICHAEL MEISNER FOR THE POSITION OF PART TIME POLICE OFFICER IN PENNDEL BOROUGH. SECONDED BY BARBARA HEFFELFINGER. Laura Germain asked if this was the typical way to hire an officer. Beverly Wolfe said the Public Safety committee is involved in it. Joe Dudash said the reason they did it with an officer is because Chief Sean Perry is friends with him so they brought in another officer to do it. Sean Perry was not allowed to do the investigation. They had more applicants but this one has a lot of qualifications. He is working at the prison at the same time. All ayes, motion carried.

Solicitor's Report

Ben Hauser reported that they reviewed contracts. He, Beverly Wolfe and Mark Moffa attended the Planning Commission meeting on ordinances.

Engineer's Report

Beverly Wolfe read the report which is attached.

COMMITTEE REPORTS:

Streets

John Stratz reported that he assisted the engineer with re-inspections and the accessible ramps designs. This past Thursday the engineer and the sewer committee met. He attended another street light meeting by PECO. He cannot get the lights paid for by Liquid Fuels for the rec field. That is the reason he went to the PECO forum. They have a lot of things to offer us. They have smart ideas for businesses which means they have incentives for us. Our street lighting guy will take a look so we know what to ask for from PECO. They will give us discounts and have agreed to help us with grants as well.

Revitalization Task Force

Barbara Heffelfinger said the Revitalization committee meeting will be February 28th.

Community Relations

Laura Germain wanted to thank everyone who helped with the Valentine's Day party that they hosted with the rec board. She thanked the following people for their contributions: Karen Flowers, Amanda Mieluch and Alison Nickerson from the rec board and Frank Flowers, the Mayor and Kirsten and Ken Houser. Beverly Wolfe was there too. The people that were there were very happy that they are having these events. One person gave them money to donate to the rec board. They advertised at Hoover Elementary School and what she would like to do with the rec board and the Activities Committee is come up with a big flyer by May or June with all of their summer activities. They will get a lot of people with Hoover and OLG kids as well. She is going to figure out a date for science week. She was thinking about Women's History Month in March and maybe do something before one of the council meetings. Maybe invite Penndel residents to read the Declaration of Sentiments which is the Women's Declaration of Independence before one of the March meetings. The fourth graders at Hoover will be dressing up as famous Americans for one of their projects and she would like to invite them to come. She is planning to have the March 18th meeting at 6:00 p.m.

She is working on the newsletter. She spoke to the guy from the website today and she should have revised logos to present to council by next meeting.

Recreation Board

The committee is meeting this Thursday at 7:00 p.m. Karen Flowers said the bench dedication is scheduled for 11:00 am on March 30th.

Refuse

Joe Dudash reported that Advanced Disposal will start picking up trash at 4:30 a.m. tomorrow due to the impending storm. Beverly Wolfe said the message went out through Ready Notify. She said she would stay after meeting to help people sign up if they need help.

He received complaints regarding the snow removal and how it was spraying on the cans and knocking them down. They talked to the people and resolved the issue.

Advanced Disposal had asked if they could move the yard waste pick up from Wednesdays to Saturdays. With the help of Ben Hauser and Joe from Advanced Disposal, according to the contract it will remain on Wednesdays.

Public Safety

Joe Dudash reported that Sunday Breakfast Rescue Mission on Bellevue Ave. has closed and they will be totally out by March. He spoke to the director about the dumping going on. Joe would like to speak to the Mayor and Chief about it because no one is going to be there and the trash was piled really high. He would like the officers to check around because people are dumpster diving and making a mess. Bob Winkler said he turned it over to Mike Italia because it is a code violation. They can have the officers check the property.

The roof on the police station was leaking and they had Dennis & Sons Roofing come out and patch it. Bob Winkler said it was a seal where the roof and wall meet.

Joe reported that Barbara Heffelfinger has been working on a grant for getting the trees cut down along the border at the rec field, a new fence and a pavilion roof. Barbara said they are waiting for an estimate from Rick's Tree Service since Bill Young doesn't have the equipment to do it.

Building & Maintenance

Joe said as for the roof, Dennis & Sons Roofing patched the roof on the borough hall. We received a grant from the RDA to replace the roof. Dennis Roofing came in as the lowest bidder. Cardinal Roofing gave 3 estimates because at the time they were patching. The other was Mobair Roofing. Another was HRL Roofing from Quakertown and J Story Inc. He and Barb sat down with him because they also want to do the windows with the grant money. Joe said that he mentioned there might be a problem with the cost because of the copper snow guards. He said he would see if he could take the old ones off and reuse them. If some are broken, he can space them out to still keep the historical purpose of the roof. That amount came to \$16,408.00. Even with the 4 bidders, he is the lowest. Ben Hauser asked Joe to read the bid amounts. Joe said Cardinal Roofing was \$18,900.00 for a 50-year warranty. The second was \$17,220.00 for a 30 year warranty. J Story from Warrington came in at \$19,019.00. H&R Roofing in Quakertown came in at \$20,910.00 and Mobair came in at \$21,200.00. Dennis Roofing has a lifetime warranty from the manufacturer on the shingles, cap attic vent, shingles and leaf barrier. It's on the actual shingles and materials. Karen Flowers had a question about the cost of the pavilion roof. Joe Dudash explained it is because of the wood underneath. It has to be special ordered and it is hard to find. Steve Lowe asked how much was put in for the RDA grant for the roof and Joe said it was \$18,000.00. Steve said what he knows of the RDA, you don't have to go with the cheapest bid as long as you can prove the most responsible

bidder. Ben Hauser said the general standard for bidding is the lowest responsible and responsive bidder. To throw out a low bid you have to have a good reason why the person can't do the work. Beverly Wolfe said Dennis & Son gave a substantial amount of references and details on the estimate and documented every piece of work. Ben Hauser asked if the council or respective departments received any information that the prospective awardee would not be able to do the job and Joe Dudash said no, he is bending over backwards for us and has already done work here and at the police station. Mike Smith asked if the bid specs called for replacement of the copper snow guards. Beverly Wolfe said the grant specs were for replacing the roof and to keep the historic look if possible. Barbara Heffelfinger talked to the RDA to let them know what they are doing. We can do what is necessary. If we find there's problems under the roof, even though that was not in the grant, we let them know we found a problem. We can divert that money to fix a problem. Rich Flanagan questioned the process. Beverly Wolfe explained that they gave the RDA estimates on each of the phases on the grant for the municipal building. The roof phase was around \$20,000.00. That's what they estimated was the cost of the roof and to fix the damage. We can select the proper contractor to do the job the proper way and maintain contact with the RDA, they will be fine with it. You just have to tell them what you are doing.

MOTION BY JOE DUDASH TO AWARD THE MUNICIPAL BUILDING ROOF BY DENNIS AND SONS ROOFING ESTIMATE #18-174 IN THE AMOUNT NOT TO EXCEED \$16,408.00 UNDER THE TERMS AND CONDITIONS OF THE RDA GRANT. SECONDED BY BARBARA HEFFELFINGER. All ayes, motion carried. John Stratz asked what if he can't use half of the snow guards and Beverly Wolfe said he would space them out to make them appealing. Ben Hauser said if they go above the \$16,408.00 because of the copper, they would need to come back and do a subsequent cancel act for a new job. Laura Germain asked if we don't use all that money on the roof do we get to keep it and use it on the building. Beverly said we do. Barbara said we get \$40,400.00 to make repairs to the building. Ben Hauser asked Joe Dudash if he would come to council if a lot of the copper is damaged and he said he would. Joe Dudash went back to Karen Flower's question about the pavilion roof. Joe said it came out to \$5,525.00 because of the special wood. Barbara said we cannot use RDA money for that. She is putting in for a grant from the DCNR for the roof, the fence and cutting the trees around the fence. Karen asked if he meant the whole fence line and Joe said at the back and around. There are no trees in the front. Steve Lowe asked Bob Winkler what was so special about the wood on the pavilion. Bob answered it is tongue in groove, yellow pine and it is about an inch and three quarters thick.

New Business

MOTION BY BARBARA HEFFELFINGER TO APPROVE SUPPLEMENT NO. 7 FROM GENERAL CODE NOT TO EXCEED \$1,040.00 FOR CODIFICATION SERVICES. Beverly Wolfe said this is Ordinance #2017-5, 2018-1 through 2018-6 for updates to the Borough Code which need to be codified. Codification means it gets officially accepted into our code. It will be published in E-code 360 so that everybody can see it is now part of our code. SECONDED BY LAURA GERMAIN. All ayes, motion carried.

MOTION BY JOHN STRATZ TO SEND OUT NOTICES TO E. WOODLAND AVENUE RESIDENTS FOR CURB AND/OR SIDEWALK REPAIRS. SECONDED BY LAURA GERMAIN. John Stratz said they spoke to a lot of residents who were out and they are ready to go. Beverly Wolfe said they sent out a letter last year warning them it was coming. All ayes, motion carried.

MOTION BY BARBARA HEFFELFINGERTO APPROVE THE BOROUGH ENGINEER TO INSPECT SIDEWALKS AND CURBS ON THE ENTIRE STRETCH OF BELLEVUE AVENUE

AS INDICATED THAT PENNDOT WILL BE REPAVING THE AMOUNT NOT TO EXCEED \$2,000.00. SECONDED BY JOHN STRATZ. Joe Dudash asked if since Penndot is redoing Bellevue Ave. are the homeowners tearing everything up before they do the street. Beverly said they have to get the repairs done before they do the street. Ben Hauser said that this was previously covered by the engineer and her office prefers the curbs and sidewalks be done before Penndot comes in. Beverly said if you are replacing the curbs, the reveal is underneath and you would have to rip up a brand new road to put the curbs and sidewalks in. If you do it before they come in, then there is a nice seal along the new curb, minimizing water from getting underneath. Joe asked what would happen if they accidentally chew up the new curbs and sidewalks the homeowner just put in. Beverly said Carol would go after Penndot and have them fix it. All ayes, motion carried.

MOTION BY JOE DUDASH TO AUTHORIZE A LETTER TO GO OUT TO ALL THE PROPERTY OWNERS ALONG BELLEVUE AVENUE LETTING THEM KNOW WHAT IS COMING WITH THE REPAVING PROJECT AND TO GIVE THEM A HEADS UP AND COMMUNICATE MORE WITH THEM DOWN THE ROAD. SECONDED BY BARBARA HEFFELFINGER. All ayes, motion carried.

MOTION BY JOHN STRATZ TO AUTHORIZE THE BOROUGH ENGINEER TO PREPARE BID DOCUMENTS FOR E. WOODLAND AVENUE ACCESSIBLE RAMPS. SECONDED BY LAURA GERMAIN. John Stratz asked if the grant was taking care of the ramps and Beverly Wolfe said it is. 5 yes, 1 no (Rich Flanagan), motion carried.

MOTION BY JOHN STRATZ TO AUTHORIZE THE BOROUGH ENGINEER TO PREPARE BID DOCUMENTS FOR PUMP STATION #2 RETROFIT AND MAINTENANCE. SECONDED BY BARBARA HEFFELFINGER. Mike Smith asked what the difference was of what it was before and what is recommended now. Mike said he thought it was done. Beverly said it was the I & I work that was done. Carol had to redo the plans. Joe Dudash asked what it means by amendment map and calculations, reduced frequency, street sweeping and reduction in required tree plantings. Beverly said it is the MS4 and that Carol would be better to answer the question. John Stratz said the improvements that we are making, the corrections and repairs to the system nullified the need to plant 6,000 trees that they were requiring. All ayes, motion carried.

MOTION BY BEVERLY WOLFE TO AUTHORIZE ADVERTISEMENT OF ORDINANCE #2019-1 ESTABLISHING CERTAIN NEW ZONING USE CLASSIFICATIONS, PROVIDING FOR THE CREATION OF REGULATIONS RELATING TO SOBER LIVING FACILITIES' USES. Beverly explained that Mark took this before our Planning Commission to get their input and they gave him some great ideas. Those ideas caused Ben, Hill Wallack and the committee to take another look. They want to do it one time and do it right. They want to reduce any problems or liability to the borough as best as they can, unlike some other ordinances that are problematic and they have to go back and fix them. Hill Wallack took a look at some other case law and they found something that gave them a little pause and went back in and made some corrections. It's enough of a correction that it needs to be advertised again and sent back to the Bucks County Planning Commission for one final look. Ben Hauser said the Penndel Planning Commission had some insight but some they can't do. The Fair Housing Act is a very tough thing to navigate. Ben passed around the ordinance in plain text and you can see by the underlined corrections. Beverly Wolfe withdrew the motion to authorize advertisement of ordinance #2019-1 establishing certain new zoning use classifications, providing for the creation of regulations relating to sober living facilities uses. Ben Hauser said the Bucks County Planning Commission's irritation with it was the way it was written a long time ago by a prior

council is that we were creating a division with the number of people in a family or who could live in a facility. Instead of the ordinance looking like it is targeting people who have an issue, we are creating an ordinance is regulating the people who are going into the business of treating these people. They are going after those who want to run it like a profit or non-profit and they are going to cram people in. Joe Dudash asked if there was anything in there about the person who is the director of the institution if they have been arrested or incarcerated, does that wipe out the contract. Ben said that government can't interfere with a contract. That may be beyond our scope. Once we get this ordinance on the books, it doesn't mean you can't change it down the road. Joe Dudash asked if it includes the fire marshal going in, the Chief of Police, our police department for overdoses. Beverly said we are the only municipality that is requiring Narcan. And we are also requiring that if you use it, you must call 911. Ben said you can insert language approval by the borough fire marshal. Joe would like to add inspections by the fire marshal and Chief of Police to follow the guidelines to protect the individuals who are getting treated. Beverly said this is exactly what this ordinance is meant to do. Bob Winkler said he would not specify Police Chief because if the chief is not here, then the officer could not go in and inspect. Ben said presently Subsection F under special criteria, under page 12, are you okay with the first sentence the applicant shall submit a floor plan for approval by the borough, would anyone like to make an addition. Joe would like to put in fire marshal and police department and zoning officer. Ben said after the borough, in will be including the borough police department, the borough fire marshal and the borough zoning/code enforcement officer. Such approval shall not be unreasonably withheld. Joe wanted to know what recourse the borough has if the police are going there all the time for overdoses. Ben said we are the lowest of government to get involved and it would be the Bucks County District Attorney's office and the Attorney General's office.

MOTION BY BARBARA HEFFELFINGER TO AMEND ORDINANCE 2019-1 AS PREVIOUSLY STATED, AMENDMENT TO SECTION 3, SUBPART 12, SUBPARAGRAPH F. SECONDED BY JOE DUDASH. Mike Smith asked if the employee that is trained in the use of Narcan leaves, who regulates the next employee coming in to verify they've been trained. Beverly said the applicant will ensure that all staff members or employees are appropriately trained in the use of the lock zone. Ben said should the applicant fall out of compliance with the zoning ordinance, should the borough become aware that the applicant has come out of compliance of the zoning ordinance, then that would be a code enforcement matter. Ben said there is a general principle in the law that if you create an ordinance of this kind of nature, and it says you shall ensure that you have everyone certified in Narcan and you fail to do so and someone gets injured because someone doesn't have that Narcan it's called what is known as negligence per se. You failed to comply with an ordinance, a state statute that gives the potential person that was harmed or their heirs or their personal representative extra ammo to deal with that failure to abide by the law. Steve Lowe said when you have your yearly inspections you should have them show proof of all certifications. Ben said they can provide us proof. Laura Germain said that would shift the burden to the borough. The way it is written now, if something bad happened, it would be the facility's fault. If we get a fake certificate and we don't spot it, it would be our liability. All ayes, motion carried. (5-0, lost communication with Rich Flanagan.)

Karen Flowers said she agrees with Laura about inspecting. She said the person who opens one of these homes, is probably getting funding from someone so it should be their responsibility to keep up on that and to come in and check up on the individuals who are getting care and living there. She thought Tina Davis passed a bill that they can't just herd people in, that they have to go by state guidelines. She thinks that if the state is doing their job and the agencies that are giving them the money, that would take the pressure off. Beverly said when they apply, they can show their licensing. Donna Heron said she used to work for the county

and they had to take X amount of classes every so often to keep her certification. Joe Dudash would like them to come in yearly with their certifications. He asked how far they can push this legality wise. Ben said his colleague has done some research on the state level on these and she informed him the state has been working out state law on this, there are no guidelines for a certificate, as far as they are aware of, for sober homes. There is a private organization that issues some sort of certificate and her understanding is that the general assembly will probably weigh in on that one element. So his suggestion is, with respect to a certificate, you revisit that one particular issue when we get more guidance from Harrisburg. Beverly said that's not until July so that leaves us wide open. Ben said that once there is a state license to operate this facility, they have to provide us proof that their licenses are in order. Barbara Heffelfinger said we need it now before somebody comes in and dumps on us. We have nothing and if we do this, at least we can say you can't come into different zones. The Zoning Hearing Board has stressed to her that we need this. At least we would have some kind of control.

Beverly Wolfe asked for unanimous consent for a 5 minute recess. All ayes, motion carried.

The meeting was called back in session.

Ben Hauser said the Pennsylvania Department of Drug and Alcohol Programs (DDAP), is developing a licensure program for drug and alcohol recovery houses. They are trying to get this program up and running by the end of this year. It only affects houses that want state funding or state referrals. When we see how it plays out, we can amend or add extra things. Joe asked if these changes would be sent to the county. Ben Hauser said they will send this to the county and to the borough planning commission to take another look. The planning commission brought up the idea of limiting the distances between the homes and regretfully we cannot because we are constraining the ability of the people to live here. Karen Flowers asked about distances from schools and Ben said they are trying to integrate these people who are disabled but not criminals into the community unless there is some order from a court that says they can't be. Beverly and Ben said the districts they are allowed in after a walk through, they are designed that there is some residential but are also positioned near bus and train lines so that if they are unable to use a car, they still can get to a job. They also have something in that that says they are requiring the group is to be permanent and stable, not transient or temporary in nature.

MOTION BY JOHN STRATZ TO AUTHORIZE THE ADVERTISEMENT OF ORDINANCE #2019-1 ESTABLISHING CERTAIN NEW ZONING USE CLASSIFICATIONS, PROVIDING FOR THE CREATION OF REGULATIONS RELATING TO SOBER LIVING FACILITIES USES WITH THE CHANGES AS PREVIOUSLY NOTED TO THE ORDINANCE. SECONDED BY JOE DUDASH. All ayes, motion carried. (5-0, lost communication with Rich Flanagan.)

Ben Hauser distributed corrected copies of Ordinance #2019-2 regarding medical marijuana. Beverly Wolfe explained that the planning commission was very helpful and Hill Wallack looked at it and found some things. He said Joe Dudash had asked earlier for some fire changes; some were made and some were not made. Beverly discussed the changes. Mrs. Dudash had brought up about the water and Carol Schuehler is looking at it. They will review the discharge/toxins into the sewer system. Ben Hauser said the nice thing about the Marijuana Act is to get an application through you have to abide by the local regulations before someone can come in and set up a dispensary or a grower/processor. There are rules how far they can be from certain facilities.

MOTION BY JOE DUDASH TO ACCEPT THE AMMENDMENTS TO ORDINANCE 2019-2 AS

OUTLINED IN THE RED LINED COPY THAT HAS BEEN GIVEN OUT TO COUNCIL. SECONDED BY JOHN STRATZ. Laura German asked if the changes were after she spoke to the planning committee. Beverly said some of them were which caused the whole ordinance to be looked at again. Laura was concerned that it was already advertised and now needed to be readvertised. Ben Hauser explained the process. Joe Dudash asked if Pennsylvania legalizes pot, how does it affect this. Ben Hauser said he has not seen what has happened in Colorado. He imagines they still have medical dispensaries. He said with the politics, we are probably still far away with it. Beverly said this ordinance has been around for a while. They thought it was passed in 2017 but they found out it wasn't. All ayes, motion carried. (5-0, lost communication with Rich Flanagan.)

MOTION BY BARBARA HEFFELFINGER TO AUTHORIZE THE ADVERTISEMENT OF ORDINANCE #2019-2 ESTABLISHING CERTAIN NEW ZONING USE CLASSIFICATIONS, PROVIDING FOR THE CREATION OF REGULATIONS RELATING TO MEDICAL MARIJUANA DISPENSARY USES AND MEDICAL MARIJUANA GROWER/PROCESSOR USES. SECONDED BY JOE DUDASH. All ayes, motion carried (5-0, lost communication with Rich Flanagan.)

Ben Hauser said he had discussions with Mark Moffa, the Council President, the Mayor and the Chief of Police regarding the snow removal ordinance. There was concerns over the odd even parking scheme. They looked at it again with considerable input from a number of people. For the most part they are retaining the odd even parking scheme in the borough on streets that are not going to be designated as snow emergency routes. When snow starts to fall and it gets to 2 inches, you will need to move to one side of the street or the other, across the borough. However, 9 streets have been designated as snow emergency routes, which upon declaration from the Mayor, you have to get your car out. There are also provisions for clearing out the fire hydrants, clearing sidewalks, and don't unlawfully deposit snow in a certain place. They are trying to accommodate a number of issues which is public safety and public convenience. Beverly Wolf said the public wants their street plowed curb to curb which can't be done with cars there. When the Mayor declares a snow emergency, the meat of this ordinance goes into effect. Ben Hauser said one of the aspects of this is going to be the towing of vehicles. Before you tow you need to give people proper notice. They will need signs for snow emergency and for moving them to the odd and even sides. Donna Heron asked if it included sidewalks. Beverly said there is an ordinance for that. Donna said she feels bad for the elderly if they can't shovel and Beverly agreed. Ben Hauser agreed but said everyone has the duty as a property owner for the public to travel through their property safely. John Stratz recalled when we had 2 inches of ice and you could not remove it. Ben said the borough has a prosecutorial entity with enforcement and does have some discretion. You have to apply it fairly but you also don't have to be blind to particular circumstances. As with any ordinance like this, someone is always within the rights to appeal. Beverly said they are trying to protect the property owner because if someone slips and falls, they will sue the property owner. The sidewalks must be clear of all snow, ice, hail or sleet. Ben Hauser asked the mayor if he thought 12 hours was sufficient time. Bob answered that he thought it should be except if you have an ice event and you have 48 hours of 10 degrees out there, it's not going to move too easily. Beverly said she thinks that's an exception. Ben said the borough would exercise common sense in that situation.

MOTION BY JOHN STRATZ TO AUTHORIZE ADVERTISEMENT OF ORDINANCE #2019-3 AMENDING CHAPTER 350 – "STREETS AND SIDEWALKS" ARTICLE III, SNOW AND ICE REMOVAL. SECONDED BY JOE DUDASH. All ayes, motion carried. (5-0, lost communication with Rich Flanagan.)

Persons to be heard

Donna Heron, 475 Washington Ave., wanted to know if Washington Ave. was dedicated or not dedicated. Beverly Wolfe said the front section is Middletown Township and the back section is Penn del Borough. Beverly asked her if she was talking about it for purposes of potholes because they have filled potholes back there. Beverly said she did not know if the Penn del portion is dedicated or not and that she would find out.

Mike Smith, 127 Dehaven Ave., asked if they could find out if we were paid for the Pennhill agreement. Beverly said they were working on it because she wants a final answer. Mike said if we were paid for it then that means that it renewed.

Mike said when Seifert plows, he pushed the snow from one side of the street to the other side. Everybody already had their sidewalks clean and then they picked up speed and all the snow went over the sidewalks and they had to go back and clean them off again. Beverly said they would talk to them about it.

Pat Dicken, 35 Oak Ave., asked if anything could be done about parking in front of fire hydrants. She asked if anyone was immune to parking there because the people that do are cops and she was told no, it is a state law.

Amanda Mieluch, 16 Oak Ave., said she spoke to the Chief of Police and she was told they can talk to him about the violations. Beverly Wolfe asked Amanda if she would be willing to go on the borough's public works email. The mayor said he would talk to the chief and if there is a car there, to ticket it.

Karen Flowers, 500 Hulmeville Ave., asked how far from a stop sign you can park. The mayor said 20 feet.

Mike Smith, 127 Dehaven Ave., asked if they checked into the lighting at the rec field from Musco Lighting. He said they provide grants for little leagues. The Wildcats would have to apply for it.

Donna Heron, 475 Washington Ave., said she has a situation that she thinks was caused because Middletown Township let the guy take away the retention pond that was back where the new house was built. She's talking about Taddei Woods. Beverly Wolfe said they are getting it surveyed and once they get the report they will know if there is dumping of water into the woods. Donna said her property has dropped 2 feet since she bought it. That's why you're losing so many trees. When Middletown let him build back there, they let him take out the retention pond. Beverly said they authorized the spending of quite a bit of money to have it surveyed to deal with these issues. Joe Dudash said there's a couple of houses on Adams Ave. that should not have been built and a couple of people have sued Middletown and went all the way up to the county and won but everything is political and they built the houses anyway. They think the water is diverted into Taddei Woods. Joe said they found sump pump discharges from Middletown and they think an encroachment of a building built back there.

Steve Lowe, 409 Cynthia Ave., with Bellevue Ave. being paved, southbound Bellevue at Crescent, he believes there's a storm water inlet there and when you're doing 25 miles per hour And you're not holding on to your steering wheel you will actually cross lanes. Can you ask the engineer to look at it and make a recommendation to raise it a little. Bob Winkler said she already has that on her schedule and also the one at Bellevue and Lincoln Hwy.

MOTION TO ADJOURN BY JOHN STRATZ. SECONDED BY JOE DUDASH. All ayes,
motion carried. (5-0, lost communication with Rich Flanagan.)

Submitted by: _____
Marie Serota, Secretary/Treasurer