

## COUNCIL MEETING

August 5, 2019

Council President Beverly Wolfe called the meeting of the Pennel Borough Council to order at 7:30 p.m. with the Pledge of Allegiance. She called for a moment of silence for the victims of the tragedies this week.

Dave Truelove reported that an executive session commenced at 6:15 p.m. All council members were present that are on the dais. Mayor Winkler and he were present at the executive session as well. Several items were discussed including litigation, real estate, personnel information items, security items and confidential items as well. The executive session concluded at 7:20 p.m.

### Present at the meeting

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

### Also present

Dave Truelove, Solicitor, Hill Wallack  
Chief Sean Perry  
Carol Schuehler, Value Engineering  
Mike Italia, Barry Isett & Associates  
Marie Serota, Borough Secretary/Treasurer

### Presentations

State Representative Tina Davis read and presented Mayor Bob Winkler with a proclamation from the House of Representatives and signed by the Speaker of the House for PSAB's Mayor of the Year. A copy is on file in the secretary's office.

Ken Moore, K-M Auto, said about five or six months ago, his wife passed out at their shop. Before he got off the phone, Chief Perry was there. He came to check on her a couple days later and she has been bugging him since that day so they had to do something for the police department. They heard that the police department needed a good jumper box. Ken, Beverly & Ray Moore presented the jumper box to Chief Sean Perry. Ray Moore added that he has been in the town a long time and said it's a great crew, great fleet of cars and this is probably the best they've ever had and the Mayor is right there with them.

Mayor Winkler read the proclamation for National Night Out, which is attached.

Mayor Winkler read a thank you letter to Aidan Crossland for the flag deposit box for old flags that he made and is hanging on the front wall of borough hall, which is attached.

### Announcements

Bob Winkler announced a fundraiser for Phil Oseredzuk. They want to make a foundation called the Live Like Phil foundation to help families like theirs who suddenly lose a school age child. It will cover unexpected costs like the funeral, medical, loss of work, etc. As part of the foundation, they only ask that you spread joy and love to others that need it. The price of the hats they are selling is \$25.00. He has the phone number that you can call. It will be available in the office.

Beverly Wolfe said they are going to make some changes to the public meetings. She read the following:

- 1) All speakers, there are NO EXCEPTIONS, will be required to ask to be recognized, when recognized must proceed to the podium, and use the microphone. You must state your name, address each time you come up to speak. By Borough Code, persons with a disability can call for a microphone to be brought to them where they must abide by the same rules.
- 2) While the council meeting is in session, during the portions when specific issues are being addressed or voted on, the Council President will ask if there are any questions from the audience. The audience member must approach the podium, state their name and address and direct the question to the President. The President will decide to either answer the question or ask another counselor or professional for input.
- 3) Persons to be Heard/Comments will continue to be held to three (3) minutes.
- 4) During Persons to be Heard/Comments, all comments and questions are to be directed to the Council President, who in turn will decide how to handle it. The President may choose to answer directly or will ask the appropriate counselor or professional to respond if they wish to do so.
- 5) Persons with issues that are complex issues, detailed questions, of a legal nature or anything of the like will be directed to submit them in writing to the Borough Secretary so there is no misinterpretation, misrepresentation of either the question(s) or the answer(s) provided.
- 6) Persons using personal attacks, foul language, will be warned and the Council President may recess the meeting. Once order is restored, the meeting will be reconvened.

Barbara Heffelfinger announced National Night Out. They would like all the residents and businesses to turn their lights on and go out and say hello to your neighbors. Please turn on your lights because we would like to light up the sky and say we are Penndel.

Laura Germain said that National Night Out is from 7:00 p.m. – 10:00 p.m. Tuesday night. Go outside, go on your porches, and talk to your neighbors. There will be events at borough hall such as games, food, drinks. Also moonlight tours of Penndel starting at Redeemer Lutheran Church and tours of the police station as well. She encouraged everyone to come out and talk to their neighbors and the police. Beverly said they would have maps available for the little walking tour to the few historic buildings that we have.

### CONSENT ITEMS:

MOTION BY BARBARA HEFFELFINGER TO APPROVE MINUTES OF THE JULY 15, 2019 WORK SESSION. SECONDED BY JOHN STRATZ. 5 aye, 0 nay, 1 abstention (Mark Moffa). Motion carried.

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

<b>General Fund</b>	<b>\$44,204.43</b>
<b>Fire Fund</b>	<b>\$ 295.44</b>
<b>Refuse Fund</b>	<b>\$16,063.89</b>
<b>Sewer Fund</b>	<b>\$55,383.09</b>
<b>Capital Reserve Fund</b>	<b>\$ 2,926.48</b>
<b>Sewer Capital Fund</b>	<b>\$14,896.40</b>
<b>Liquid Fuel Fund</b>	<b>\$ 1,987.49</b>
<b>Escrow Fund</b>	<b>\$ 2,326.30</b>
<b>Payroll Fund</b>	<b>\$ 569.27</b>

**Payroll**

General Fund	\$23,344.25
Sewer Fund	\$ 4,175.03
Refuse Fund	<u>\$ 695.81</u>

**Total** **\$28,215.09**

**Escrow Bills:**

Mill Creek 2:

Hill Wallack	\$505.50
Value Engineering	\$144.00

Robbins Avenue:

Hill Wallack	\$600.00
--------------	----------

Adams SD:

Hill Wallack	\$542.80
Value Engineering	\$127.50

Schoolhouse Court:

Value Engineering:	\$406.50
--------------------	----------

Prepaid Checks Total \$13,804.75

Check #12686 dated July 1, 2019 made out to PA State Association of Boroughs in the amount of \$389.00 for website renewal

Check #12722 dated July 2, 2019 made out to Langhorne Postmaster in the amount of \$266.10 for sewer/refuse billing postage

Check #12724 dated July 11, 2019 made out to Basic Maintenance Supply in the amount of \$52.99 for a case of toilet paper

Check #12725 dated July 11, 2019 made out to Business Card in the amount of \$1,441.40 for Dell Computer, Application Fees for inlet and trails grants, Bellevue Ave concrete notices' postage, When to Work online scheduling program

Check #12726 dated July 11, 2019 made out to Complete Payroll Resources in the amount of \$239.65 for June payroll

Check #12727 dated July 11, 2019 made out to Deer Park in the amount of \$50.91 for 4 5-GAL bottles of spring water

Check #12728 dated July 16, 2019 made out to A T & T Mobility in the amount of \$156.10 for wireless service

Check #12729 dated July 16, 2019 made out to Comcast in the amount of \$175.37 for business internet and voice service for police department

Check #12730 dated July 16, 2019 made out to Gettysburg Benefit Administration in the amount of \$164.93 for dental insurance installment

Check #12731 dated July 16, 2019 made out to Office of Labor & Industry in the amount of \$1,780.00 for fire department workers' compensation installment

Check #12732 dated July 16, 2019 made out to PECO in the amount of \$222.69 for borough hall, police department and recreation field electric

Check #12733 dated July 16, 2019 made out to Swank Motion Pictures, Inc. in the amount of \$435.00 for Mary Poppins Returns DVD

Check #12734 dated July 24, 2019 made out to Dennis & Sons' Contracting Co., Inc. in the amount of \$4,765.50 for 1/3 deposit of windows quote

Check #12735 dated July 31, 2019 made out to Comcast in the amount of \$185.28 for business internet and voice service for borough offices

Check #886 dated July 16, 2019 made out to PECO in the amount of \$1,679.83 for street light electric

Check #888 dated July 31, 2019 made out to Patch Management in the amount of \$1,800 for Invoice #19-0773 for pothole repair

SECONDED BY JOHN STRATZ. All ayes, motion carried.

#### President's report

Beverly Wolfe said the situation on Holly Ave. that a resident brought up about water issues is still being worked on. The solicitor's office now has information that they needed to investigate it. They will keep everyone updated.

For BCWSA, at the last work session they signed the new Penn Hill agreement with some amendments. She is happy to report that BCWSA didn't hesitate and they agreed to it immediately and the contract has been executed. They are good with the new rates for the Penn Hill agreement. They are actively working with the borough engineer to look at the other potential issues in that area.

For Taddei Woods, the Board of Health was in and did the spraying and they put the dunks in for larvacide.

#### Mayor's report

Mayor Winkler read his report which is on file in the secretary's office.

#### Chief's Report

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

Donna Heron, 475 Washington Ave., asked the chief what the unit block was and where it was. Chief Perry explained that the unit block is less than 100. It would be 0 – 99.

#### Solicitor's report

No report

#### Engineer's report

Carol Schuehler read her report which is attached.

#### Code Enforcement report

Mike Italia read his report, which is on file in the secretary's office.

#### Finance & Administration

Barbara Heffelfinger reported that budget season has begun. They had a finance meeting last week and it was very productive. All budget requests should be submitted by September 15th. She strongly urges everyone to meet with their committees to go over what their requests are. She will be sitting down with Marie to schedule those budget meetings.

Mark Moffa reported that he attended the finance meetings. He consulted with the council president on the new rules of conduct that she instituted for the meeting and on the employee handbook. He is looking into transcription services and will have more information.

#### Insurance & Pensions

Mark Moffa said there was nothing new with insurance.

#### Public Safety

Joe Dudash said there was nothing new to report.

#### Redevelopment & Open Space

Barbara Heffelfinger reported along with Chief Perry she will be working on the RDA grant again. They will be scheduling a public meeting for comments and suggestions. Please keep in mind that all the projects have to connect some way to Parx Casino. The public meeting will be announced and advertised. There is a small amount of money left. The contract has been awarded for the windows. There is about \$10,000.00 left and she and Joe are going to sit down and see where to apply that money. Beverly said if anyone has suggestions they could email them to Barbara.

Joe Dudash reported on the Taddei Woods. After the big storm, Bob Worthington, Jeff Lewis and Mary Konopka from Parkview Ave helped him with overhanging trees on Washington Ave. A tree on Washington Ave., on Mr. Lewis's property that is bigger than the Christmas tree out here dropped and just missed his house. He was kind enough to save the borough \$1,400.00 and Mr. Young came out and cut it up. There are other issues out there because of the storm. Parkview Ave. has the same scenario. He's getting estimates from tree contractors. As far as the mosquitos in Taddei Woods, they put in the dunks so hopefully that will keep it down. Beverly asked him to keep them informed of any overhanging trees and if he sees any public safety issues.

#### Ordinances

Mark Moffa reported nothing new there. The ongoing big news is the development with the TOD which Hill Wallack and Value Engineering are working on.

### Streets & Sewer

John Stratz reported that on July 28th he attended a meeting with PennDOT. This meeting was in regard to funds for snow plowing payout from liquid fuels. He hopefully smoothed the rough feathers with PennDOT for not getting the required three quotes. He explained to them that he tried to get three quotes. He went to all of the neighboring municipalities but they have their own maintenance crews. We have to find someone to remove our snow. There was only one company interested in doing that because of the requirements of a million dollar insurance policy and because of the other things the state requires. Hopefully we'll be able to continue paying for snow removal with liquid fuels.

On Monday, August 19th, all are welcome to attend a public demonstration of the various voting machine options being considered for purchase by Bucks County. Try out the systems, question the vendors, and give them your feedback. The third and final demonstration of the new voting machine options is at Bucks County Community College's Newtown campus at 275 Swamp Road from 5:00 p.m. to 8:00 p.m. in the Gallagher Room of the Rollins Center at the campus.

### Refuse

Joe Dudash reported the only change is that there is a new representative for Advanced Disposal. We're going to give this person a chance and see how it goes because of the issue with bags and leaves. Let Karen know if you have any problems and we will contact the new person and say it's not improving and we need a sit down. It seems like it was certain streets we were having problems with.

### Building & Maintenance

Joe Dudash reported the new windows are coming in from Dennis & Sons. They are coming mid-week to check on the manufacturer and sizes. We gave them a deposit to start the work. John Stratz had a suggestion for the leftover \$10,000.00 which is to pave the outside driveway although it has been made known to him that \$10,000.00 is just a drop in the bucket for a full paving job of the entire area. Maybe we can look for another grant to go with that.

### Community Relations

Laura Germain reported that they had the movie night two Fridays ago and it was great. There was about 70 people there which was a great turnout. People got there an hour early to get their seats. Laura thanked Rita's Water Ice for donating three big containers of water ice. Thank you to Karen Flowers, president of the Rec Board for making that happen. A thank you to her neighbor Ian Stower who lent them his speakers because they thought theirs wasn't enough. Thank you to the Wildcats and the cheerleaders. They gave them access to everything and the cheerleaders came and sold snacks. She thinks more people came because of them. She thanked her husband's company Steel City Displays for donating over \$1,000.00 in equipment for the movie night to happen. She has to thank her husband Matt for setting it up, he built the frame. The movie ended about 11:00 p.m. and they were there until about 1:00 a.m. breaking it down. He just did so much work. He helps her with all of the events. And thank you to everyone that came. People were happy and enthusiastic even though it was a little buggy. And to the mayor and council who came as well. A reminder that they have PennDel Playdates every Wednesday morning at 10:00 a.m. There are thunder storms predicted so she will cancel if necessary. They are starting to work on the September newsletter so if anyone has anything, let her know. There is also a "contact us" section on the new website that you can use to send suggestions.

### Recreation Board

Laura Germain reported that the July meeting was cancelled because a lot of people were away but they asked her to remind everyone that this Wednesday from 6:00 p.m. – 8:00 p.m. at Rita's Water Ice they are doing their monthly summer fundraiser. If you buy something from Rita's at that time, the Rec Board will get a portion of that.

### Long Range Finance

Mark Moffa reported they met on July 10th and their guest was our tax collector Donna Caracappa who enlightened them on some details that folks had questions about on tax collections. They continue to look at how they can achieve their objectives and the ultimate goal is to remind everybody that that committee will deliver recommendations to council on the things they have been tasked to look at. They will not be able to meet in August due to various vacations so they are looking at the next scheduled meeting on September 11th.

### Revitalization Task Force

Mark Moffa reported that they have been trying to see if they can meet again since they haven't had a meeting in a while. The Task Force sort of accomplished the first part of the goal as to the starting line of the TOD ordinance process. People have been looking for them to meet in light of the sale of the Levine property. He and Beverly each reached out to John Ives. He is the county planning official who is instrumental in helping that group and get that final report together and make the presentation here. They are looking to get him back here to meet with the Revitalization Task Force in light of the sale of one of the key properties and to talk about the next steps going forward. He thinks it would be valuable for that group to be involved. If he comes back saying he doesn't think he has anything to add at this time, the county doesn't have anything, then they will get the task force together without him to talk about what they need to do moving forward. Beverly said he did leave her a voice mail message, that she thought she passed along to him, that he and his whole group are working on a new vision or a different kind of vision taking all things into consideration. He also has the backing of Evan Stone who is the executive director of the Bucks County Planning Commission. He is very involved and interested in what happens here.

### New Business

Carol Schuehler gave a presentation on the Act 537 Plan, which is on file in the secretary's office.

MOTION BY BARBARA HEFFELFINGER TO APPROVE PAYMENT #1 TO T. SCHIEFER CONTRACTORS, INC. FOR THE WOODLAND AVENUE ADA RAMP PROJECT IN THE AMOUNT OF \$29,689.00 AS RECOMMENDED BY THE BOROUGH ENGINEER.  
SECONDED BY JOHN STRATZ. All ayes, motion carried.

MOTION BY MARK MOFFA TO GRANT AN EXTENSION OF TIME TO CONSIDER THE APPLICATION FOR 524-526 BELLEVUE AVENUE, CONSISTENT WITH THE MUNICIPALITIES PLANNING CODE TO NOVEMBER 27, 2019. Dave Truelove explained that under the Municipalities Planning Code, the borough is allowed a certain amount of time to consider the application for a land development project. It happens more times than not because there are various issues and other things that are required that need an extension of time to look at all the information. They did some mitigation with the attorney for the property owner and applicant as well as their engineer. They were a little late getting some of the information to us. If you vote to deny, it you have to be very specific because it might not be a complete enough record to do so effectively. As is common, we get extensions of time so that

we have more time to be able to look at the application as submitted in its entirety. This is a motion to accept their grant of an extension and it benefits them more than it does us. **SECONDED BY JOHN STRATZ.** Joe Dudash said it seems as though we are dragging this out. It seems like it keeps going and going. What if they stall? Dave Truelove said they got the information to them. There were vacations and there was a misunderstanding about what they were seeking, whether it was a duplex or a quadraplex. They finally got that hammered out. This is just the first extension. This is not unusual in the realm of things. They'll look at it, make suggestions and bring it before council at the October meeting, November at the latest. Tom Sodano, 126 W. Woodland Ave., said when Dave Truelove said it was hammered out whether it was a duplex or multiplex, he didn't understand what was hammered out. Dave Truelove said initially although he may be wrong, it was submitted as a duplex when the property has always been a quadraplex and that was one of the issues. The application appeared to make it a duplex and everybody including yourself who was familiar with the property said it was always a quadraplex. That was just one of the issues they had to determine. Also whether that was a non-conforming use on the zoning side and land development issues. Tom Sodano said so it has been identified as quadraplex. Four kitchens, four separate. Two on each side that are not interconnected. Carol said she was expecting to see a revised plan from them that shows that. The vote was 5 ayes, 0 nay, 1 abstention (Barbara Heffelfinger). Motion carried.

Beverly Wolfe explained a letter that was from Mr. Ed Preston who is the president of the PA Vietnam Veterans Memorial Fund. Beverly read the letter, which is attached. She said all they are asking for is a letter of support for the project since we are one of the hometowns to some of these 96 heroes who lost their lives in the Vietnam War.

**MOTION BY BARBARA HEFFELFINGER TO SEND A LETTER TO THE BUCKS COUNTY REDEVELOPMENT AUTHORITY SUPPORTING AND ENDORSING THE APPLICATION OF THE PA VIETNAM VETERANS MEMORIAL FUND FOR A MUNICIPAL GRANT FROM THE RDA AS A SUB-GRANTEE OF HULMEVILLE BOROUGH. SECONDED BY MARK MOFFA.** All ayes, motion carried.

#### Persons to be heard

**Louise Dicken, 125 Centre St.,** former council member, said she is back in Penndel to stay. She had the privilege of coming back for two really impressive things. The first one was seeing Mayor Winkler awarded Mayor of the Year for the borough and she said she had the privilege of watching him on TV the other night on channel 39. She would like to commend Barbara (Heffelfinger), Arlene (Harms), Karen (Kondrk) and Marie (Serota) for the wonderful job they did in the interview along with Bob. The second is she is personally involved in the Philadelphia Modifiers and she would like to thank Bob Winkler and Beverly for their input for making that a success. She has another two things. One is the McHugh tower. The light on top of the McHugh tower which is required by the FAS, has been out for a long time. The light in the back parking lot of Penndel Pub is out. She doesn't know if that's a borough problem. It's wonderful to be back. She loves Penndel and she's back to stay. Beverly said it's nice to have her back.

**Mike Simpson, 204 Bellevue Ave.,** brought pictures to show council. He had the inspection done and they took about ten feet off of his required repairs. He was told in the remaining 20 feet of curb, he had to go from four inches to eight inches. One of his students is a Photoshop master so he had him Photoshop what his front yard would look like when he goes from four inches to eight inches. He will have the only eight inch curb on the entire block on Bellevue. It will literally look like a person is buried in his front yard because the curb will be four inches and then jump to eight for 20 feet and then back to four. He will have to excavate the front yard and

bring up the landscaping which will obviously create a tripping hazard because he will have a hump in his front yard. He doesn't know why he has to do that and can't just make it four inches. It's at 3.75 inches and he was told he has to make it eight inches. It will destroy the curb appeal of his house. It is a well-traveled road. It's going to look ridiculous. From four inches to eight inches back to four inches. He will be the only person on the block who has a 20 foot eight inch curb. He's in agreement with making it four inches. He would do that tomorrow. His concern is that the front of his house will look ridiculous. Mark Moffa asked why he has to just replace that section. Mike Simpson said it's because that's the only section under four inches. He would gladly make it four inches tomorrow so that it's uniform like the rest of it. He rode around to confirm that he would be the only one the landscape raised up there. If you're standing on the corner of Crescent and Bellevue looking down the street, that little patch of grass is even the entire way down. Beverly told him she would get the official report from the engineer and will be in touch with him shortly.

MOTION BY BARBARA HEFFELFINGER TO ADJOURN. SECONDED BY JOE DUDASH. All ayes, motion carried.

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