

WORK SESSION

August 19, 2019

Council President Beverly Wolfe called the meeting of Pennel 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
Councilwoman Laura Germain – absent
Councilman John Stratz
Councilman Mark Moffa
Councilman Joe Dudash
Councilman Rich Flanagan - absent

Also present

Ben Hauser, Hill Wallack, Solicitor
Carol Schuehler, Value Engineering

Announcements

Beverly Wolfe announced for Laura Germain that Tuesday night is family board game night. Everyone is welcome and it should be fun. Everyone that came out to National Night Out, thank you for your help. It was a great night. Beverly said that Laura did a fantastic job.

Presentation by Adela Moraux, Census Bureau. She said the Census Bureau wants to let everyone know that they want to count everybody once and in the right place. It is easy, safe and important and it starts April 1, 2020. You will receive an invitation in the mail in March with an encrypted number on it so you can go online and fill out the questionnaire which is ten questions and will take about ten minutes. They would like everyone to respond quickly and if you don't, they will figure you want a paper form which will then be mailed out. If you don't respond to the paper form, they will send out what they call their enumerators which they are currently hiring to knock on doors and they have permission to knock up to five times to get that form. Nobody likes people knocking at their doors so they are trying to get the word out. Right now, they have canvassing going on to check addresses. They have a program called LUCA and they work with the planning commissions starting at the county level. They compare addresses they have, the addresses that the post office has and addresses that they have in their own banks. There is an interactive map you can go on to click on your own municipality area to see the percentage of the people that respond. She also spoke about the importance of everyone being counted because it affects grant writing on the county level and it is important for school districts. It's easy because it's now available online and it is safe. They are a statistical collecting agency and cannot share any info collected. She asked for the borough to put their logo on the borough website so that people will know we are partnered with the Census Bureau and that it's a good thing to do. A census packet is on file in the secretary's office. John Stratz asked, for speeding things up for seniors and those who do not want to go online, if there was an 800 number to call to ask to go past step one and go right to step two, email the paper instead. Adela said no, they basically know the seniors and if they don't respond online, the paper will be sent to their house. Mark Moffa asked what the situation was about the complete count committees and the highest local elected officials participating. Adela said she went to the county commissioners to see if she could organize a complete count committee but

they were not ready to do that right now. They approved the website that the planning commission built that was sent to the municipalities. The League of Women Voters is going to be one of the first complete count committees formed. There are no restrictions of who can sit at your table. If you form one at the borough, you bring in your department heads and they do a little training. Mark said he understands that she has very little staff. If she is looking at the department heads, council is it. They are volunteers and most have day jobs. He said he can figure that the apartments are the lowest responding in Penn del. He asked if she was set up to focus on them or do they not have the staff and is depending on the municipalities to do. Adela said if you have an event there or a newsletter that goes to them or even rent envelopes that she has information to put in would help. Mark asked if she has information that she can give to them to put in bills that would go to them. She said yes. Mark asked her if she knew of anything that would cause problems or issues of them targeting only part of the community and not the whole town. He asked if there was any legal issue with it. Adela said no. Beverly said she thinks they should just put it in the newsletter and the sewer bills. Beverly said they all know that one of the first things Evan Stone gave them is census data, demographic data. How did he get it? From the census. So, everyone knows what's at stake.

MOTION BY BARBARA HEFFELFINGER TO APPROVE THE MINUTES OF THE AUGUST 5, 2019 COUNCIL MEETING. SECONDED BY JOE DUDASH. All ayes, motion carried

MOTION BY BARBARA HEFFELFINGER TO PAY THE FOLLOWING INVOICES:

First Net invoice dated 7/31/19 in the amount of \$156.20 for MDT wireless service

PECO invoice dated 8/7/19 in the amount of \$1,679.84 for street light electric

PECO invoice dated 8/2/19 in the amount of \$35.05 for borough hall gas service

PECO invoice dated 8/13/19 in the amount of \$322.84 for borough hall electric

PECO invoice dated 8/15/19 in the amount of \$39.56 for traffic lighting electric

Independence Blue Cross invoice dated 8/8/19 in the amount of \$5,022.82 for medical insurance installment

Gettysburg Benefits Administrators invoice dated 7/31/19 in the amount of \$164.93 for dental insurance installment

Comcast invoice dated 8/2/19 in the amount of \$255.74 for July and August service at 790 Neshaminy Street

Comcast invoice dated 8/1/19 in the amount of \$175.37 for service at the police department

SECONDED BY JOHN STRATZ. All ayes, motion carried.

Barbara Heffelfinger said they have been trying for about two years to get PECO bills sent all at one time. Every time they turn around, something else happens. That's why there's all of the separate PECO bills. They are not cooperating.

President's report

Beverly Wolfe reported that she had an interesting email come in this week from Senator Tomlinson's office regarding the RACP grant program. It is a capital budget request for specific categories that you can ask for grant funding. Unfortunately, most of them we don't have. One of them is for state owned facilities, equipment and furniture purchase of a minimum project of \$100,000.00, transportation assistance projects, DOT, mass transit, inner city rail. Most of the rest of them are transportation related and one is flood control. That is U.S. government, Army Corp. of Engineers, designated federal flood control areas. There is one that we might qualify for. That is the redevelopment assistance project. They are primarily economic development projects that have a regional multi-jurisdictional impact. They include projects with cultural, historic or civil significance. Projects must have total cost of at least \$1,000,000.00. The minimum local share is 50%. She had a thought about this grant because a similar one was used by our neighbors in Langhorne Manor Borough not too long ago to rehabilitate their borough hall. They stacked it with another grant to cover some of the whopping 50%. If council has an interest in her spending time taking a look at this to see what they can do, how does everyone feel about that? Mark Moffa gave a thumbs up. Joe Dudash said give it a try. John Stratz mentioned a clock tower. Barbara Heffelfinger said if you don't try, you don't get anything. Beverly said she doesn't mind doing the work if everyone is on board with it. She has a phone call into the person she spoke to from Langhorne Manor on how this grant worked. The deadline is September 15th and this just came out. She thinks this is something that we need and want. She should know by the next meeting if they can do it. The match is the problem. Mark Moffa asked if the next meeting was on Labor Day. Barbara Heffelfinger said it is Tuesday, September 3rd.

Mayor's report

Mayor Winkler reported that the logs have been removed from the Spring St. ditch. Some of the water has been passing through now.

Engineer's report

Carol Schuehler gave her report which is attached.

John Stratz asked if Giuseppe's Restoration has experience with something like the drain and have then been asked to give a quote. Carol thinks they asked him but did not get a quote. Joe Dudash asked about the clogs with the rags and the grease. He was a little confused on where it comes from. Carol explained that the grease gets hot and flows through and coagulates as it cools down and it clogs. It could be any of the restaurants if they have not cleaned their grease traps. She reached out to the code department and Karen's office to find out when they were done and who did them. It was not Barry Isett's office. They will have someone do it and Karen is mailing out the notices that grease trap inspections will be done. Joe asked where the clog was and did it come from the apartments to the pump station. He asked if that's why they spent the \$1,114.00. Carol said no, they spent the money because they started to have problems in the apartments with sewer backing up and they were trying to figure out why. Joe said Cairn University sold to them and redid all those apartments and they have garbage disposals. They've got all Cairn kids there. Ten to one that's where it's coming from. Carol said usually that kind of grease and Joe said she doesn't know college kids. They clogged up Cairn with chicken bones and had to have Roto Rooter out. He doesn't want to pay the bill. He wants to know what they found. They've been asking for the videos for that part of the parking lot and got nothing. They can wait and he wants our zoning guy to go in and look at those because they did the whole section over there because they now have garbage disposals over there which they didn't have when Cairn owned it. And he doesn't understand the rag

thing. Is the car wash throwing rags down the drain? Beverly said that was station two. Carol said they were talking about a grease clog.

Joe asked about the railroad bridge. He asked if there was enough width since they're putting markers for pedestrians, why they couldn't put concrete barriers up. Carol said there are a few puzzle pieces. That bridge project spans Pennel, Middletown and Langhorne Manor. Technically, the portion that crosses the railroad tracks is in Middletown Township. If there was a designated sidewalk on that bridge, Middletown would have to agree to shovel it every time it snows. That's one piece of the puzzle. The second piece is the bridge is designed and out to bid right now so adding curb and sidewalk is too late. If you create concrete barriers between the traffic and pedestrians, who is going to clean it and maintain it. We don't want to slow down the replacement of the bridge. The original section has two 12-foot-wide lanes and four-foot eight-inch shoulders on each side. They talked about making them 11-foot lanes or shift everything to one side so that you can have a little more room for pedestrians. They were going to go back to their traffic unit to start that discussion because it's important to the borough and your TOD and revitalization to have walkable and bicycle routes to the regional rail system. They don't want to stop them but wanted them to know how important it is to the borough. Joe said it seems odd to him that they want to put a bike lane on Bellevue but not where it really needs to be, on the bridge. Carol said there's two reasons for that. The first is that PennDOT changed since that project began. There's a new head at PennDOT who is really into connecting communities with the PennDOT Connects program. That didn't exist when the Hulmeville Ave. bridge started back at least five years ago now. It used to be here's what it is, like it or lump it. PennDOT has changed how they interact with us. They are much more cooperative than they used to be. The second is they said to us when they started this project they looked and there are no pedestrian accommodations on either side so why would they put a sidewalk in the middle of nowhere. There's no bike lane, no sidewalk, not even a safe place to walk. Why would they accommodate that when it's not going to or from anything? We did our best to try to explain to them that we do think it will go to and from something but not too far off. We have those relationships with the other municipalities that we think we can build that into the future. We don't want that shut off by what they do now. Joe asked if there was federal money involved in this since it's a bridge. Carol said she doesn't know. She said she knows there's a lot of other approvals from all the railroad companies.

Joe Dudash asked Carol what she found out about the turtles. Did they find the turtles? Carol said they actually found the turtle and she will share the report. It is a turtle nesting area. We can adjust construction to accommodate it.

Beverly asked about the grease clog. She asked if the grease required to clog up a main sewer line, in her expert opinion, would that be something that a typical person put down a garbage disposal or is that more like somebody dumped out their French fry fryer? Carol said the last time she saw that and she's not singling out anyone but the last time she saw that in another community, there was a Chinese restaurant that gets their grease really hot and their grease trap wasn't big enough and that super-hot grease went down the lines and then coagulated. She's not saying that's what happened here. That was her last experience that was similar to this. Her first thought when she saw this come through PUE was that we need to be talking to our code officers about checking out the grease traps. The volume that was there would be from a commercial kitchen. Beverly asked how big the main was that got clogged up. Carol said it was an eight-inch main. Beverly said that was probably building up for a while. Carol said no because earlier this year we had the same situation and it was when Sewer Specialty Services happened to be around and they found it just as it was starting to back up and was able to deal with it. We dodged a bullet but it came back. Joe Dudash said when Cairn had

them, it seemed like there was always back up problems with those pipes in the apartments. Carol said they know they have an offset joint that they know they have to repair. What a normal residential kitchen would do isn't going to be clogging an eight-inch main. Joe asked if they were investigating where the rags are coming from. Beverly said those rags have been down in those baskets at station two for as long as she can remember. They are redesigning station two so hopefully they will have something a little better to deal with those rags. Carol said we have a section in the code requiring grease trap inspections annually. With those inspections you are supposed to keep records of when you had it cleaned. They are not only going to look at what it looks like today, they will look at records and upkeep. She can't promise you that it is going to give you an answer but it is the first thing she thought of when she heard about the problem.

Mark Moffa asked Carol if the clog is unrelated to the issues that are going on at the apartments that were being inspected at the time. They were discovered by the company who was doing the lateral inspections but the clog was unrelated to that. Carol said she doesn't know what problem they were having that prompted them to call Zoom. The report that they got was that Zoom started to lift manholes and found the water backed up so they kept going forward and lifting manholes until they got to the pump station fence and said they had to call somebody. They called PUE who came out. The wet well was not full. The line between the manhole and the wet well was clogged. Zoom was able to get into the pump station area to backwash from the wet well, free that clog and get things flowing again. PUE's report says they had some challenges getting their end working right but that's neither here or there. It was the borough's sewer main that was clogged. She doesn't have reason to suspect it was because of the apartments. She understands there was a grease clog in that line in the main. The last line leading to the pump station. That's draining all of Legrande, all of quadrant one. Mark said it seems that that would be the borough's responsibility. Carol said that was her perspective too and would be her recommendation that the borough consider paying the bill. Mark asked if there was an update on the video inspections going on there, unrelated to this. Carol said they had them out one more day under the change order to look at some lateral locations that were suspect. They got details of the flows coming in. There are three or four laterals that are problematic and Jamie added it up to something like 17 gallons per minute coming in from those sources added together which is a lot of water. They are back talking to Sewer Specialty Services about whether they can access them to repair them. She wants to confirm whether they are in the road or back, whether it's ours or theirs so she's trying to get all that data together. They spent one more day out there and found some good leaks.

Joe Dudash asked Carol if there were people who already started the concrete work. Beverly said not on that section. Carol said she had one submit a permit application and she delayed processing it because she was just finding out that they might not have to do that. The person she talked to from PennDOT said that street wasn't in as bad of condition and they heard rumors there may be a driveway permit coming in. She didn't bother telling him about HSIP Multi-Modal and everything else that's happening out there that might change the curbs and sidewalks. It seemed like the right thing to her to bring it back to council and ask if you want to reach out to these people and tell them they don't have to do it by September anymore.

Steve Lowe, Penndel Fire Co., asked Carol about the bridge. He said apparently, it's out for bid. He asked if the structural weight limit or class has been changed or is it the same or exceeded. Carol said she did not know the answer. Steve asked council to find out the information and get it to the fire company, to Rich Schramm via email because fire trucks keep getting bigger and heavier. That's a very important link for other companies to come to Penndel and likewise for them to go that way, especially if there is a train and they don't fit some of their

equipment in the Hulmeville Rd. tunnel. Carol asked who she can hand the name and email of the project manager to from the fire co. and let them talk to them directly in case there's any kind of problem.

COMMITTEE REPORTS:

Mark Moffa had no updates on his committees.

Building & Maintenance

Joe Dudash reported they are getting estimates for the RDA for a separate generator for the police department which would keep the entire building active if we lose power. They are getting estimates for one for the borough hall also to keep the hall active in case of a disaster and then they could take care of people and have seniors stay in our air conditioning. They are also getting estimates for the sound system. They are trying to get it like a court room where you can have recording and television although the television would not be outside, just for in here. It will help the secretaries with the minutes and can see who is standing up speaking.

Open Space

For Taddei Woods, they had a lot of problems from the last storm. A tree on Washington Ave. fell and just missed Mr. Lewis's house. Even though it is ours, he spent the \$1,400.00 to get it taken away. We have dead trees leaning towards his garage and shed areas. Joe got an estimate from Young's Tree Service for \$800.00 to take the trees out. If we don't do it now, we could end up paying for a garage. There are more on Washington Ave. towards the other house and Worthington's would be in front of it. There are more dead trees that are tilting because of the storm and are ready to go. Some of them are ash. Young's said on that particular job it would be \$3,000.00 and that's to remove four ash trees and the other one has three dead trees. On Parkview Ave. a woman called and the trees are ours. They looked at them. There are two gigantic oak trees. It would be another \$1,400.00 a piece to take them down. There are vines on them. We can save them by just cutting the vines. We have another smaller tree with vines and all this invasive stuff. They are afraid of the vines pulling the trees down. For the smaller tree, Young's said to get someone else to cut the vines and there is ground stuff. He reached out to Burcz for a price for cutting the tree and cleaning up on our side of the fence for \$826.80. If you total up Young's jobs it equals \$3,800.00. These three areas are an emergency. The trees are leaning over and the one on Parkview is leaning over the garage. If they were sitting back more, we would be alright. They are right on the boundary line.

MOTION BY JOE DUDASH TO HAVE YOUNG'S TREE SERVICE TAKE CARE OF WASHINGTON AVE AT TWO LOCATIONS NOT TO EXCEED \$3,800.00. SECONDED BY MARK MOFFA. John Stratz asked if we could get a grant like Bristol who has 27 parks. Barbara Heffelfinger said they got information from PECO. The limit is \$10,000.00 but it could be found money for open space. We did get one before for \$10,000.00. If that's what you would like to do, she would be happy to put it together. Beverly said if she's not mistaken there are DCNR grants out there for conservation. She said they are going to look at every grant opportunity that they possibly can. They are definitely going to look into more grants for Taddei Woods. Joe Dudash said they got estimates from Young's and other tree services and to do the whole thing would cost between \$60,000.00 - \$70,000.00. That's for just doing a buffer zone around the whole woods. It was to create a four-foot buffer and they just wanted estimates. They said that entailed not taking the trees out. It would be dropping them there to save money. Beverly said there are grant opportunities for the nature conservancy. There are all of these conservation groups. After we get done with some of these infrastructure grants, we need to go after everything. Mark asked about the PECO grant and Barbara said it is the Green Region

grant and we have gotten one before. John Stratz said he is all for dropping the trees there but can they help them move the tree at the Washington Ave. entrance. A tree dropped right across the pathway and it is too heavy for two guys to move. Beverly said the idea was when they cut them and left them, residents could take them as firewood. She said they are just trying to stay ahead of it. All ayes, motion carried.

MOTION BY JOE DUDASH TO ACCEPT THE ESTIMATE FROM BURCZ LANDSCAPING TO CLEAR OUT WEEDS AND VINES AND A SMALL TREE ON THE PARKVIEW AVENUE SIDE OF TADDEI WOODS FOR AN AMOUNT NOT TO EXCEED \$850.00. SECONDED BY MARK MOFFA. John Stratz asked when he could get some help cleaning out the path on Washington Avenue. 1:25:30. Beverly said they are working on one thing at a time. All ayes, motion carried.

Refuse

Joe Dudash said they are still having problems with the yard waste pickup. The streets have changed this time so he does not know what the deal is. He's going to have a meeting with them. He's wondering if it is because they are dumping the truck and coming back and forgetting where they were.

Streets

John Stratz reported that they have started the process of getting proposals for snow removal. So far only Seifert has responded but per the meeting he had a couple weeks ago with PennDOT, you have to get three. They have tried. Beverly Wolfe said they will call him if they don't. He did offer that to them.

John said regarding the email council got a few days ago to explain what's happening with our street light program, PennDOT came down hard on them. The program has now decided to help of all the municipalities and has finally gotten financing available for any municipality that wants it. He will be in a meeting on September 11th to get all the particulars. One big question he will have for them is that the rate is mind-boggling so if he can have our present loan rolled up into it for a better rate. He will possibly push for financing it but only if he can get a better rate and only if he can get our present loan rolled up into it. Beverly said if they use the same company as our loans from 2006 and 2012. They tried to get a better rate. They didn't have much to offer us. It can't hurt to ask. Mark Moffa said our outstanding loan debt is larger than \$53,000.00. It would seem odd to him of them letting us roll \$1,000,000.00 into it when we are just borrowing \$53,000.00 more. Barbara Heffelfinger said she thinks they are limited to \$100,000.00. It doesn't hurt to ask. John Stratz said if he can't get them to roll this over, the starting point is \$100,000.00. Beverly said they won't do anything under \$100,000.00. John said they won't be able to finance \$53,000.00.

Joe Dudash asked John Stratz how much insurance you need to do snowplowing. John said \$1,000,000.00. Beverly said it is a standard liability policy. She saw Seifert's and it is \$1,000,000.00 aggregate, \$5,000,000.00 comprehensive. John Stratz said he learned at the grange fair that we can get this magnificent street size snowblower to rent. Beverly asked why we would do that. John said it's easier to drive than a front-end loader. It's not like we would be plowing our streets ourselves. We would be snow blowing our streets ourselves which would be much less wear and tear on the streets. Beverly said she would agree with that except for one little drawback. We would have to rent it which would be more money and then find someone to operate it who is licensed and certified. She said it's a great idea because it would be much less wear and tear on the roads and curbs and sidewalks. Joe Dudash asked if John checked with other townships. He said most of them have their own maintenance department.

Finance

Barbara Heffelfinger reported it is budget season. There is a budget schedule in everybody's box. The dates are 9/18 – Community Relations, Open Space, Pensions and Rec Board, 9/23 – Public Safety, 10/1 – Ordinances, Streets, Sewer, Building and Maintenance, 10/8 – Administration and Finance, Insurance and Community Development, 10/10, 10/15, 10/22 and 10/28 and 11/19 if necessary. Attached to the schedule she gave is a budget request form. With each request, submit a budget form. If you don't have enough forms, make a copy. Include three quotes and attach them to the form. If you can't obtain three quotes, like with the snow removal, submit the request anyway and explain why. That is so that they have something in writing that they can explain why you don't have three quotes. The meetings are at 7:00 p.m.

Community Development

Barbara reported that she is working on the RDA grants. They have almost all the information for the police. Sean has done a really good job of getting all of that together for her. They have another application for the building. Beverly had another suggestion for an RDA grant. Originally, they had plans drawn up to deal with the intersection of Bellevue and Hulmeville to turn it from that horrible "Y" where people from Holly Ave. try to cross over to the Memorial Field. There was a plan several years ago that turned that into a real intersection. There were crosswalks, pedestrian crossing, all kinds of signage for that intersection. She asked how council felt about looking at that option considering it's an easy tie in to the casino. It's on the road that leads to Parx through our town. Carol said we do have the report that followed that where they had a preliminary estimate and drawings of three different options. She said if it pleases council, she can take that and update the cost estimate and pull out the page and refamiliarize herself with it. Beverly asked how long it would take her and Carol said less than a day. Beverly asked council if they thought it was worth Carol's time to investigate and update those costs since the plan is from 2012-2013. It's a bad area. With people from Holly, Oak and Manor with young families trying to figure out how to get to the Memorial Field, this would be traffic softening. It would force them to come to a stop and make a real intersection out of it. Barbara said it would also include change of a bus stop. Instead of having the bus stop at Holly Ave., it would bring it down to the "T" intersection. Then there wouldn't be a back up on Bellevue Ave. when everybody is getting on the bus at Holly Ave. Beverly said if it is together completely with our walkability and the marketing campaign with various people. We are a mass transit hub. We have bus routes, trains. Beverly handed the gavel to Barbara Heffelfinger.

MOTION BY BEVERLY WOLFE TO AUTHORIZE THE BOROUGH ENGINEER TO RESEARCH THE PREVIOUS PLANS FROM 2012 OF THE INTERSECTION OF BELLEVUE AND HULMEVILLE TO UPDATE THE COST AND TO SEE IF WE CAN GET IT TOGETHER FOR AN RDA GRANT. SECONDED BY JOE DUDASH. All ayes, motion carried.

Beverly said we have the generators, the police, the building and the intersection.

Steve Lowe, Penndel Fire Co., said the RDA grants applications come out in September and Penndel Fire Co. does want to apply to the RDA through Penndel Borough for projects they are working on. They are putting their list together and prioritizing. They have two or three things and may come to council with one or two. Beverly said the applications are out. Barbara said it's the same application as last year.

Old Business

Beverly Wolfe brought up the unpermitted work at 572 Bellevue Ave. with regard to lack of permit and the resident did the work themselves with the photographs provided. It is probably substandard work. The borough engineer will not sign off on it. Beverly asked Ben Hauser

what action council can take. Ben said you can basically say the work was basically a nullity 1:45:55, that it was not compliant with the borough ordinance. You can tell the property owner to redo the work or the borough can do the work and lien the property, or under section 24 under chapter 350, violation, making it subject to a fine of not more than \$1,000.00 for a term not to exceed 30 days. His suggestion would be to give the gentleman an opportunity to somehow prove the work is compliant. He imagines that might not be something he can do and then at that point the council can inform the gentleman he needs to get the work done otherwise the borough is going to take other options. It would come from their office for Beverly's signature. She would prefer that a letter for this kind of action would come from the solicitor's office.

MOTION BY BEVERLY WOLFE TO AUTHORIZE THE SOLICITOR'S OFFICE TO DRAFT A LETTER FOR THE UNPERMITTED WORK AT 572 BELLEVUE AVENUE FOR COUNCIL TO SEND TO THE HOMEOWNER ALLOWING THEM TIME TO FIX THE PROBLEM.
SECONDED BY MARK MOFFA. All ayes, motion carried.

Beverly Wolfe brought up 204 Bellevue Ave. where the resident has come before council twice with pictures and alleged evidence. The first complaint was that there were sections of his curb that didn't need to be replaced. They went out and revisited it and fixed it. He came to them last meeting complaining that the eight-inch reveal would make his frontage look stupid. He gave them photoshopped photos of what it would look like. They do have the engineer's inspection report dated Friday, July 26th and since Carol is here, she can explain. Carol said in response to the first visit by the resident to council, he had indicated that some of his curb was not less than four inches tall. Her inspector met on site with the property owner on Friday, July 26th. After Mr. Simpson pulled some weeds, the curb height was rechecked and ten feet of the 30 feet that had been marked for replacement, when the weeds were pulled, they could get a four-inch measurement. Ten feet was removed from the 30 feet of curb. The remaining 20 feet was still clearly less than four inches and must be replaced with full height curb. Her inspector also confirmed with the property owner that the new curb needed to have an eight-inch reveal and provided him copies of the borough ordinance. Beverly said they as council have to respond to the resident that came before them. What the engineer described in her report is per code and ordinances and it is up to them to have them comply. If we want to send a letter to them stating that they must comply with our ordinances that would be what action they need to vote on tonight. Ben Hauser said for the record that one of the requirements on there under 350-9-part L, curbs shall have minimum height of 18 inches with an eight-inch reveal above the gutter or the bottom of the curb grate. He had some discussions with Carol today and the gentleman in the past may have voiced concerns over the oddness that his curb may be eight inches tall versus some other curbs being less than eight inches tall. You eventually have to replace your curbs at four inches and some may be at four and a quarter, four and a half so they don't have to get replaced at this time. His curbs as he understands, are not sufficiently high so they don't have to be done now. Beverly said the recommendation would be a similar letter from the solicitor's office drafting a letter saying with the engineers report he needs to do the curbs.

MOTION BY BEVERLY WOLF TO AUTHORIZE THE SOLICITOR'S OFFICE TO DRAFT A LETTER TO 204 BELLEVUE AVENUE STATING, WITH A COPY OF THE ENGINEERS REPORT THAT THE RESIDENT MUST COMPLY WITH THE BOROUGH'S ORDINANCES.
SECONDED BY MARK MOFFA. Mark said it makes sense to him that he would have to conform with what everyone else has to do. Also, the point of part of his curb will be at eight and some will be at four, most of the streets in the borough are like that now. His street looks like that and it doesn't look that bad. If he is that concerned about it, replace the rest.

John Stratz said for the record, council is not trying to be harsh. They are trying very hard to implement a beautification program in our borough for everyone's benefit.

Pat Donahue, 520 Bellevue Ave., said that when they did Cynthia and Dehaven over, you had a borough official come in here and complain that they weren't following the ordinance. To be fair to everybody, they should be made to raise their curbs. That was a borough official who came to a meeting and stated the code wasn't being followed and nothings been done. That's two years now. Ben Hauser asked if he knew what date that was and Pat said it was when they did Dehaven and Cynthia. Beverly said it was 2016 or 2017.

Steve Lowe, 409 Cynthia Ave., said in regards to what Mark said, Cynthia Ave., you drive up and down the street and Bellevue Ave., you see up and down. He said he's not sure he heard this right but if it's a minimum of four inches you don't have to raise it to eight inches? Carol Schuehler said the borough code is detailed in describing what will and won't pass when they do a curb and sidewalk inspection. To her recollection it specifically says that if the curb is less than four inches in height, the curb reveal, then it must be replaced. When it is replaced, it is replaced to curb standards. Steve said if someone comes in at 4.25, 4.5 or 5, they don't need to bring it up to standard code, assuming it's solid with no cracks. Steve said it's a problem so fix the code. Whenever you fix a street, all curbing should be at an eight-inch reveal. That way you don't drive around the borough and see up, down, up, down. Drive down Bellevue. Giuseppe's did the lower end. Personally, he knows you won't like his language but it looks like shit. It's up and down, up and down. Fix the ordinance. It's plain and simple to him. Mark Moffa said he understands Steve's point but there would have to be a minimum. Is it seven? Six? Because you can't say if you measure 7 1/2, you have to bring it up to eight because you can't just add a 1/2 inch to the top. You have to take it apart and rebuild it. Mark asked Carol about other municipalities is this code in line with what you see elsewhere or not. Carol said she would have to do some research on that. Joe Dudash said two or three meetings ago, he was curious, when they did the street over here, why does Penndel have it and not Middletown and the answer was Middletown doesn't require it. Carol said it is more common in boroughs than townships. She doesn't interact with many townships. Beverly said they have a laundry list of ordinances to look at for the next year. You have to prioritize and you have to do it right so that you only do it once. This is one that goes on the priority list to look at. All ayes, motion carried.

New Business

MOTION BY BARBARA HEFFELFINGER TO AWARD THE 2019-2020 FUEL BIDS FOR #2 HEATING OIL @ \$0.2599 PER GALLON AND OFF-ROAD DIESEL FUEL AT \$0.2561 PER GALLON TO MANSFIELD OIL CO. OF GAINESVILLE, INC.; THE RESULT OF THE BUCKS COUNTY CONSORTIUM 2019 FUEL BID. SECONDED BY MARK MOFFA. Ben Hauser asked when the bids were opened. Beverly said the email was sent to council on August 7th. The bid documents look like they are dated June 18, 2019. Ben said he doesn't have dates but in the event this is a mathematical mistake where they would have had to withdraw the bid from a number of days from the consortium opening. Assuming this is some kind of mathematical error, he asked Beverly if she received any information and Beverly said she did not. She has the bid package in front of her and it is signed on behalf of the entire consortium. Mark said it's impossible. Beverly said they all got a copy of it.

Mike Smith, 127 Dehaven Ave., said as part of the motion, make sure it's not 25 cents above the rack price. He knows what they are saying but he's telling you, wholesale price right now is \$1.85 a gallon from Duck Island. He said it can't be right. Beverly said Mansfield Oil Co., the bid bond was executed and has all been signed off on June 18th at \$0.2599 and this is 5,999 or

less gallons base. Mansfield is the one the consortium accepted. Beverly asked Ben, since he looked over the documents, does it seem like a legitimate bid document? Ben said it was the first opportunity he had to look at it. He wants to see about the rack price. He said they should take a quick break.

MOTION BY BEVERLY WOLFE TO RECESS FOR FIVE MINUTES. Seconded by Barbara Heffelfinger. All ayes, motion carried.

Beverly Wolfe announced that they were back in session and she thinks they have it figured out. They have to reword the motion.

MOTION BY JOHN STRATZ TO AWARD THE 2019-2020 FUEL BIDS FOR #2 HEATING OIL FOR WHATEVER THE PREVAILING PRICE IS THAT DAY PLUS \$0.2599 PER GALLON DELIVERY CHARGE AND OFF-ROAD DIESEL FUEL AT WHATEVER THE PREVAILING PRICE IS THAT DAY PLUS \$0.2561 PER GALLON DELIVERY CHARGE TO MANSFIELD OIL CO. OF GAINESVILLE, INC.; THE RESULT OF THE BUCKS COUNTY CONSORTIUM 2019 FUEL BID. SECONDED BY MARK MOFFA. Mike Smith asked what the numbers were and Beverly said whatever the prevailing price is that day plus \$.2599 per gallon delivery fee for #2 heating oil and for off road diesel it would be whatever the prevailing price is that day plus \$.2561 per gallon delivery charge. Mike said he suggests before you do this is to get some prices from local companies. He told Mark go on Levittownnow.com right now it's \$2.319 delivered. You're going to pay a lot more. Beverly asked if they would have the off-road diesel as well and Mike said she would have to call them. He knows the one company we used to use here will provide off road diesel. That's his suggestion. He thinks your spending money needlessly. Beverly said if the prevailing price is \$2.09 plus \$0.2599, that's \$2.3499 a gallon for #2. Beverly asked council if they would like to table it. Mark said he would find it hard to believe that a consortium that involves all the municipalities and county, would not yield a better price than an individual homeowner can get on the open market.

MOTION BY BARBARA HEFFELFINGER TO TABLE THE MOTION. SECONDED BY JOE DUDASH. Mark Moffa asked if they knew when they had to accept this price if they want it. Beverly said no. Mark said before the make a motion to table, maybe they should figure that out. Beverly said this has already been accepted by the consortium. Barbara asked if they were obligated to the consortium. Mike Smith said you have two weeks before the next meeting. John Stratz asked what off road diesel was. Steve Lowe said it is diesel fuel that is not taxed. John asked if they could ask liquid fuels to reimburse them for this. John said they have to go with the consortium, they can't just go up to the corner and try to solicit a price themselves. They will get screwed by liquid fuels and they are already trying to do that to him with the snowplowing. Mark said that the consortium estimated that Penndel 747 gallons of #2 heating oil in the winter and 107 gallons of off-road diesel. That was put into their bid specs. They are getting a price countywide of 71,271 gallons of #2 heating oil. Mike Smith asked what they use the diesel fuel for and Beverly said the dump truck. Steve Lowe said it better not be. Mike said the dump truck is not registered. Joe Dudash asked if it was for the pump stations. Mike said no. Joe asked what it was used for. Steve Lowe asked if we have backhoe or skid steerer. Mike said they don't use it. Carol said it is used in the generators. Beverly asked Mark how many gallons we use. Mark said 747. Steve Lowe said he finds that hard to believe. Mark said that's what the county put in for us. Steve Lowe asked if it was gas or oil. Beverly said this is gas now. Mike Smith they only use the oil to heat the pumps. Beverly asked Carol to figure out 747 times \$2.50. Carol said \$1,867.50. Mike Smith said the money you save you can cut more trees down in Taddei Woods. All ayes, motion carried. Beverly asked Ben Hauser to translate the documents for her.

MOTION BY BARBARA HEFFELFINGER TO ADOPT RESOLUTION #2019-22, DISPOSITION OF PUBLIC RECORDS. SECONDED BY JOHN STRATZ. Beverly said they all have a complete list of what records are being destroyed. All ayes, motion carried.

MOTION BY JOHN STRATZ TO ADOPT RESOLUTION #2019-23, ADOPTING AND SUBMITTING TO THE DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR ITS APPROVAL OF THE ACT 537 PLAN. SECONDED BY BARBARA HEFFELFINGER. All ayes, motion carried.

MOTION BY BEVERLY WOLFE TO REMOVE ONE BLOCK OF BELLEVUE AVENUE CURB AND SIDEWALK REPAIRS, PURSUANT TO THE RESOLUTION THEY PREVIOUSLY DID. She said that PennDOT is no longer going to repair the roadway in that one block. SECONDED BY JOE DUDASH. All ayes, motion carried. Beverly said they would notify the property owners.

MOTION BY BEVERLY WOLFE TO AUTHORIZE THE ADVERTISEMENT OF THE FOLLOWING 2020 BUDGET MEETINGS: 9/18, 9/23, 10/1, 10/8, 10/10, 10/15, 10/22, 10/28, 11/19 BEGINNING AT 7:00 P.M. AT BOROUGH HALL. SECONDED BY BARBARA HEFFELFINGER. All ayes, motion carried.

MOTION BY BEVERLY WOLFE TO AUTHORIZE THE ENGINEER TO PASS ON THE TPD INFORMATION ON THE EASEMENTS AND/OR RIGHT OF WAYS THAT THE BOROUGH NEEDS TO ACQUIRE FOR THE HSIP PENNDOT GRANT TO THE SOLICITOR'S OFFICE FOR REVIEW AS PREVIOUSLY DESCRIBED IN THE ENGINEER'S REPORT. SECONDED BY JOHN STRATZ. All ayes, motion carried.

MOTION BY BARBARA HEFFELFINGER TO APPROVE THE HUD CDBG GRANT #B-19-UC-42-0004 SUB-RECIPIENT AGREEMENT WITH THE COUNTY OF BUCKS FOR THE MEMORIAL PARK LIGHTING IMPROVEMENTS PROJECT #B-19-16 FOR \$120,000. SECONDED BY JOHN STRATZ. All ayes, motion carried.

MOTION BY BARBARA HEFFELFINGER TO APPROVE AN UPDATED RESOLUTION FOR THE MULTI MODAL PHASE II APPLICATION AS REQUESTED BY JEFF DARWAK. Carol Schuehler said this is the Phase II Multi Modal. Remember last cycle an application was submitted for \$1.4 million. The borough was awarded half a million. This is the remaining costs. This is an application for \$1,292,097.00. You passed a resolution in July authorizing this but it didn't have the specific dollar amount that Jeff Darwak of the RDA was contacted by the grant program and was advised they need a resolution with that specific dollar amount. This would be an amendment to the previous resolution to site that exact dollar amount. SECONDED BY JOE DUDASH. All ayes, motion carried.

MOTION BY MARK MOFFA TO AUTHORIZE PAYMENT OF ZOOM DRAIN INVOICE FOR \$1,114.20 TO JET THE GREASE OUT OF THE PENNDEL BOROUGH MAIN BY PUMP STATION 1. SECONDED BY JOHN STRATZ. John Stratz asked if they already completed the work. Beverly said the work had to be done because the main was stopped up. John said he was going to see if we could get our own people out there to do it for less money. Carol Schuehler said that is a good price. They pay more than that under prevailing wages. Joe Dudash said before they pay them, he would like to have them do the parking lot project first. Carol said they spoke with Unitech last week and they told us they would be out there this week. Her inspector came down here today just to find them and she didn't so she called the foreman at Unitech and he said they weren't out there because he sent them there. They are trying to

start. She doesn't know what problem they had today. They promised her inspector they would be on site tomorrow. So, they are starting back up on it. Beverly asked if that was for the laterals. Carol said they are going to do the laterals concurrent with the site parking lot work. Beverly asked what it had to do with the grease in the main. Carol said nothing. Beverly said she was confused. Carol said she thought what Councilman Dudash was saying was before we are nice guys and pay for it, he wants to know that they are doing the other work. They are committed to doing it as part of the land development. Joe said but they've been committed for how long. We have nothing. Beverly said that they must do that. It was required as part of the land development. She doesn't want anyone else in that quadrant having problems because of the main being clogged. She asked what else that would affect other than the old dorms and apartments. Carol said it is backing up the whole system. Beverly asked where that system affects. Carol said Legrande, Lincoln Hwy. up to the Thai restaurant, it comes up Bellevue in this direction. Quadrant one is a pretty big area. It's a quarter of the borough going down to pump station 1. Beverly said when that clogs up, the people closest to it will be affected first. Carol said that is correct. Beverly said if it wasn't fixed, then it would be like a domino effect. Carol said if it wasn't fixed it would probably be coming out of the manholes eventually and then we'd have a fine from the DEP. Joe Dudash asked if they needed to do more work on it. Carol said they have to find out where the grease is coming from. Beverly said the grease trap inspections might give them an idea. Beverly said she doesn't want to punish other people in that area for the clog. They know it was in the main. Mill Creek would feel it first and then everybody else down the line would too.

Mike Smith, 127 Dehaven Ave., asked who authorized them to go into our mains. Carol said they were investigating the back up so they were popping manholes to see what was happening. When the manholes were backed up, their next step was to call PUE who operates the pump stations. Mike asked if PUE was the one who gave them permission to do this. Carol said obviously it was an emergency situation and there was a guy on hand who couldn't do it. I'm sure he didn't say to go ahead, the borough would pay for it. The clog needed to be resolved so that the back up didn't continue into the apartments. Mike said just so you know, nothing can happen in the apartments anymore because they put backflow preventers in. It can't go back into the apartments. Carol said that's not actually true. She said what's been happening in some of these events, the backflow preventers would close and the sewage flushing down from within the apartments was why they were having backups in the lower floors of the apartments since they put the backflow preventer valves in. She believes in recent years they have shut and then caused a problem because no one turns off the water right away and all that sewage is flowing down. That is her suspicion. Mike Smith said the cost is not the point. The point is who gave them permission to go into our mains. That's the point. That shouldn't be happening on their own. Someone from this borough, and it should be John because he's in charge of sewers, or Carol, they should contact them. Beverly said PUE runs our pump stations and if it's an emergency situation, such as the problems at manhole 50, they are authorized to take whatever action is necessary to keep us from getting in trouble and getting fined. PUE is authorized because they are our subcontractor. Mike said you didn't authorize Zoom Drain Cleaning to go on their own and just do this. You didn't authorize Mill Creek Apartments to send anybody they want in there. Beverly said the guy from PUE was on site when Zoom was jetting it out. Mike said we just can't have anybody just going into our sewers and doing whatever they want to do. Beverly said that is correct. Mike said if they go in there and do damage, we're responsible. But yet we allow anybody to go in there and do it and it shouldn't happen. So maybe as a slap on the wrist, make them wait awhile for their money. They need to understand they just don't do this stuff without us knowing about it. Beverly asked who submitted the bill to them. Was it Mill Creek or was it Zoom? Carol said the apartments brought it in. Carol said she is glad they found it and resolved it. Beverly said she does agree with Mr. Smith's

statement that without borough supervision they were opening our manholes up without any borough authorization or PUE authorization. Carol said we have manholes in roads and right of ways and parking lots. They're going to get lifted by a surveyor who's taking elevations, get lifted by someone who is doing paving who might have to adjust a rim. It's not uncommon for manholes to get lifted. The point where she thinks observation was extremely relevant was for the actual jet cleaning and her understanding is that PUE was there to provide them access and be present when they did that. She would not have wanted them to wait to do that, to resolve that emergency until they could get ahold of a council member or herself. Beverly said she agrees as long as PUE was there. The vote was 4 ayes, 1 nay (Joe Dudash). Motion carried.

Beverly explained the next motion is on the Spring St. swale which is all of that overgrowth and removal of the debris and taking it away from the site and the entire length of Spring St.

MOTION BY MARK MOFFA TO ACCEPT PROPOSAL FROM BURCZ LANDSCAPING TO REMOVE DEBRIS FROM SPRING STREET SWALE IN THE AMOUNT OF \$1,272.00. SECONDED BY JOHN STRATZ. Beverly said after moving the logs, water started moving through the swale immediately from Taddei Woods. All ayes, motion carried.

Beverly explained the next motion is on Woodland Ave., as described by the borough engineer which is the grate at Woodland and Hulmeville. It is removing 3 – 4 inches of concrete on either side of the trough and replacing it with new concrete and/or other substances and cleaning the inside of the trough and removal of any debris. Three laborers, a jackhammer, tax included. The amount of that is \$1,590.00. She agrees with Carol. Do it before it becomes a problem and it will cost more money.

MOTION BY BARBARA HEFFELFINGER TO ACCEPT PROPOSAL FROM BURCZ LANDSCAPING TO DO WORK AS DESCRIBED IN THE QUOTATION ON THE DRAIN AT WOODLAND AVENUE AT HULMEVILLE AVENUE. SECONDED BY JOE DUDASH. All ayes, motion carried.

Mark Moffa said going back to the tabled item, he did some research and he wasn't able to find the Philadelphia price but the New York price is \$1.78 and if you were to add the \$0.2599, today that would be a price of \$2.03 per gallon. The best thing he found in researching seven different companies in county right now is \$2.33 per gallon, with the one exception of a promo offer for first time delivery only is \$2.09 which is still more than the \$2.03. He knows it's not the Philadelphia price which what this is based off of but it is probably a relatively decent comparison. He would find it hard to believe that the lowest price from the consortium package would not be a good deal for us.

The fuel bid was reopened by Mark Moffa.

MOTION BY MARK MOFFA TO ACCEPT THE FUEL BID. SECONDED BY JOE DUDASH. All ayes, motion carried.

Persons to be heard (3-minute time limit)

Steve Lowe, 409 Cynthia Ave., asked where they stand with the Schoolhouse property. Beverly said in the engineer's report, he was waiting for his highway occupancy permit from PennDOT. Steve said he wanted to remind council that school starts in about nine days. Right before school closed, before summer, he did notice that there were some children that walked that particular side of the walkway on Hulmeville Ave. When you got to the what he would call the construction entrance, there's no pavement per se there. There's nothing but rock. The

school children would walk out into the street to go around that. That might be a little bit of a hazard. He doesn't know what you can do to mitigate anything there. I know you all made a tremendous effort with labeling that and putting the stripes down for the school zone so to have the children just walk out into the street is not good. He also noticed that the two corner properties of that same development, the ones that were already built, the one has the corrugated drainage right out into the street over the walkway so even if the walkway construction entrance was fixed or repaired, they still have to step over the corrugated drain. Carol said that was supposed to be a short-term situation until they got the storm drains connected. Beverly said she would send it in to code enforcement and zoning. Steve said he doesn't know what you can do with the construction entrance because the walkway was removed. He noticed last year the kids were walking out into the street and when it rains it holds water.

MOTION TO ADJOURN BY BARBARA HEFFELFINGER. SECONDED BY BEVERLY WOLFE.
All ayes, motion carried.

Submitted by: _____
Marie Serota, Secretary/Treasurer