

COUNCIL MEETING

October 7, 2019

Council President Beverly Wolfe called the meeting of the Penndel Borough Council to order at 7:30 p.m. with the Pledge of Allegiance.

Present at the meeting

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

Also present

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

Mayor Winkler swore in Patrolman David Sosnoskie II.

Presentations

PennDOT – Lincoln Hwy. & Hulmeville Ave. Intersection Improvements.
The borough is having an issue with the southwest corner which keeps getting hit by large vehicles and destroying the inlet and mast arm which causes delays on Lincoln Hwy. Penndel requested that PennDOT create a project for this intersection. Upon further investigation, they noticed this intersection had higher than expected crashes. They submitted this project as a safety project. They were approved for design and construction money with federal funding. They are proposing to widen the intersection, put in left turn lanes on Lincoln Hwy. and increase the turn radii along the corners of Lincoln Hwy. and Hulmeville Ave. They are expecting this to land in spring of 2021. There will be some right-of-way impacts. They will be meeting with property owners in the near future. Amanda Mieluch asked about the metal plates on Rt. 1 and they will be replacing and adjusting them. Mark Moffa asked how long construction would take. It will start in spring of 2021 and mostly likely would be done in the spring of 2022. Mark asked what the impact would be on traffic flow and road closures during that period. It would get started about the time that the bridge is done in the spring of 2021. Mark asked if they would wait until the bridge is complete and could they stop the project until the bridge is complete. They could have a delay and would have to coordinate with the bridge unit. They don't want to inconvenience the people of Penndel too much. Beverly Wolfe asked about them reaching out to the property owners and how that would be. She was told they have been in contact with property owners already. They do need 5-7 feet of right-of-way. Beverly said that PennDOT has been very accommodating and helpful to the borough and she is more than excited to see this project happen. Having it fixed, and the way it should be, is very welcome and she is very appreciative. Barbara Heffelfinger asked if they have coordinated anything with the Neshaminy School District because there are a lot of buses going up and down that route and they will need to coordinate any kind of closures with them. They have not yet but when they have the final

design, they will have to coordinate with them. There will only be temporary nighttime closures. The rest of the time they will be retaining one lane of traffic. They will coordinate with any emergency vehicles, emergency services, school district and postal service. Barbara said it's not just the buses, but the bus stops as well where children get on in that area. They will make them aware and coordinate with them. They did some no cost safety improvements, striping and signing which hopefully helped with safety on that corridor and the variable speed sign. They make sure as with any PennDel project that they keep the buses and traffic flowing. If they have to make construction stops, they would be temporary stops.

Andrew Foley, Chief of Operations for the PennDel-Middletown Emergency Squad thanked council for applying for the RDA grant for them this year for the cardiac monitor. Cardiac monitors end life is 10 years of service. Manufacturers make it difficult to repair or get parts. Like anywhere else, the organization is struggling to keep the doors open and stay in operation. They started out as a volunteer organization and went to a career staff organization. They are still partially volunteer. He, the chief, their administration and board is all volunteer. They have 37 career staff members that keep operations going 24/7/365 with two trucks during the night and three trucks during the day. They are a busy squad with about 5,600 calls for service a year along with the public relations events that they attend and participate in. He just stopped in so he could thank council again for their time in putting in the application for the grant. Bob Winkler would like him to come out one night and talk about CPR and the use of the AED. Bob reached out to him last year to get the AED in borough hall. AEDs and CPR saves lives. The earlier you do the CPR and get the AED applied, the greater chance of surviving. About four weeks ago there was an incident at the Giant Food Store on New Falls Rd. and Veteran's Hwy. The store has an AED. The staff applied it to a customer who was in cardiac arrest and that patient lived. He woke up in the back of the ambulance on the way to the hospital. This shows you how important AEDs are for the investment. Beverly thanked Andrew and all emergency responders. If it wasn't for them, she would not have a spouse right now. Her CPR training kept him alive until they got there. She really appreciates it and all of council was happy to support their application.

Council or Borough Announcements

Barbara Heffeling reported that the PennDel/Hulmeville Parade Committee and Redeemer Lutheran Church are having a Designer Bag & Spirits Bingo, November 9, 2019 at 7:00 pm at the William Penn Fire Hall. Tickets are \$35.00 which includes, bingo, beer, wine, soda, soft pretzels and door prizes. There will be raffle baskets and a 50/50 drawing. If you bring a non-perishable food item for the food pantry, you will receive one free raffle ticket. If you care to sponsor or donate a basket, we have the email address to get in touch with them. It's Ed Preston and the PennDel/Hulmeville Parade Committee.

The PennDel/Hulmeville Memorial Day Parade Committee is having a dine out at the Irish Rover on Veteran's Day, Monday, November 11th from 4:00 p.m. to close. There are coupons you must present to have 10% of your bill go to the parade committee.

Boscov's is having their Friends Helping Friends event and the Heritage Society is selling the passes for \$5.00 which entitles you 25% off anything that you purchase that day. They will have a table there and they will also be selling them ahead of time. We encourage everyone to patronize these events for the good of the community.

Consent Items

MOTION BY MARK MOFFA TO APPROVE THE MINUTES OF THE SEPTEMBER 16, 2019 WORK SESSION AND APPROVE THE FOLLOWING BILLS:

General Fund	\$45,414.25
Fire Fund	\$ 120.23
Refuse Fund	\$33,180.54
Sewer Fund	\$47,520.55
Capital Reserve Fund	\$ 9,050.87
Sewer Capital Fund	\$49,377.14
Liquid Fuel Fund	\$21,768.25
Escrow Fund	\$ 6,425.25
Payroll Fund	\$ 558.72

Payroll

General Fund	\$20,443.79
Sewer Fund	\$ 3,273.42
Refuse Fund	<u>\$ 545.53</u>

Total **\$24,262.74**

Escrow Bills:

Mill Creek 2:

Hill Wallack	\$3,398.25
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Adams SD:

Hill Wallack	\$ 510.00
Value Engineering	\$ 918.00

Schoolhouse Court:

Hill Wallack	\$1,020.00
Value Engineering:	\$ 197.25

Auto Zone:

Hill Wallack	\$ 60.00
Value Engineering	\$ 321.75

Pre-paid Checks

Check #12826 dated September 16, 2019 made out to Allied Building Products in the amount of \$1,231.06 for materials for the pavilion roof at the recreation field

Check #12833 dated September 23, 2019 made out to Langhorne Postmaster in the amount of \$213.41 for newsletter postage

Check #12835 dated October 2, 2019 made out to Langhorne Postmaster in the amount of \$263.01 for quarterly sewer/refuse billing

Check #895 dated September 19, 2019 made out to PECO in the amount of 39.57 for traffic lighting electric

SECONDED BY JOHN STRATZ. All ayes, motion carried.

President's Report

Beverly Wolfe told Louise Dicken that she answered her questions a few meetings ago but since she was here now, she told her the light on the tower has now been fixed. The FAA was

informed and the company that manages it had already put in for the parts needed to fix the light. Also, the parking lot lights that she mentioned is private property.

Mayor's Report – Mayor Winkler read his report which is on file in the secretary's office. Beverly Wolfe commented on the letter Mayor Winkler read regarding the trees at Taddei Woods from Joe McDevitt of Middletown Township about Joe Dudash and John Stratz. Taddei Woods is our responsibility. It doesn't matter that he is a Middletown resident. John Stratz and Joe Dudash went right over and took care of the problem. That's how it's done. Beverly thanked them. Mark Moffa said that Joe is always talking to him about Taddei Woods. He works tirelessly down there cleaning things up and John helps out a lot as well. He spoke about Mr. McDevitt's property and it was more than just once going over there. Beverly said her and John were there about a year ago wading through six inches of water and mud and looking at the situation in the backyard. Mark said it was a very nice letter.

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

Terry McIntyre, 335 Hulmeville Ave., asked if the officers carry Narcan. Chief Perry said all of his officers are trained in the use of it and carry it in all of the cars. Terry asked if they had it at borough hall and the chief said it is a short run across the parking lot to get it.

Solicitor's Report – No report.

Engineer's Report - Carol Schuehler read her report which is on file in the secretary's office.

John Stratz asked if Auto Zone was aware of what PennDot is proposing to do for the borough. Carol said they are and have been in communication with them.

Mark Moffa asked what was going to be done about the residents who did not do the concrete work on Bellevue Ave. Dave Truelove suggested, because of the schedule that Carol talked about, to send one more final notice and if they don't comply, they are subject to whatever the requirements are. They've been very proactive in trying to get this information to everybody. At this point, there is only so much you can do. Give them the courtesy of one more letter. By the end of next week, it may be too late.

Beverly asked Carol when she realistically thought PennDOT was going to be here. Carol said the last communication she had was that they were expecting the contractor to be here in the middle of October to do the milling. Work could still continue on curbs while the milling is going on. The end of October, beginning of November is when they are tentatively scheduled to pave. If there are rainy or cold days, it could be pushed back. Dave Truelove said it is up to council what they want to do. Mark said they would have to line up contractors to do that work. Beverly said they would need time to do that if the residents do not comply. In default of no notice by a certain date, if they are going to be hiring contractors to do the work, the borough will take it upon themselves to contract with the appropriate entities to complete the work in conformance with the borough code and other necessary requirements. Carol said they are not in the position to get that done in the next two weeks. Mark said it is not fair to the people who did the work. Carol said most of the people hired Giuseppe's to do their work. Mark asked how many notices they have received and Marie Serota said three. Mark said there is no time for another notice unless they hand deliver it tomorrow. They need to reach out to Giuseppe's. Mark asked how many need work. Carol said 27 have complied, six are in process, three did sidewalks but not curb repairs, 11 have obtained permits and are on the schedule, all by, she believes, Giuseppe's Restoration, 5 obtained a permit but have not scheduled an inspection and 13 did

not obtain a permit or provide notice of work. Mark said they might have time to reach out to the three who did the sidewalks but not curbs and tell them to do their curbs. They might have time to reach out to the five who have the permits in hand but just don't have anything scheduled yet and tell them to get something scheduled but for the 13 who did not do anything, that is really a concern. Beverly did not agree because she doesn't think they have the time. They have to have a conversation with Giuseppe's now. Spending more money to send out another set of letters still might not accomplish what we want. She'll make the initial contact with them and go from there. Mark said the borough does the work and bills the homeowners or liens the property. Dave Truelove said if the property sells or refinances, it becomes a priority lien and is paid before the bank. Steve Lowe, 409 Cynthia Ave., said it sounds you're putting a lot of emphasis on Giuseppe's. He asked if he has time to do the 13 property owners who didn't do anything and 11 that he is doing currently plus the other three or five. He asked if there was enough time between now and November 1st. Beverly said she was going to ask him that. If not, they will look for another contractor. Steve said he mentioned it in case it went over everybody's head.

Zoning/Code Enforcement – Mike Italia read his report which is on file in the secretary's office.

COUNCIL COMMITTEE REPORTS:

Finance /Administration/Cable

Barbara Heffelfinger reported that they are having two budget meetings this week on the 8th and the 10th. October is a very busy month. They hope to have the budget done by the 1st of November.

Insurance/Pensions

Mark Moffa reported that he is meeting with the insurance broker on October 25th to get started on the numbers for next year. Beverly told Mark to work his magic since he did a great job getting the reductions.

Public Safety

Barbara Heffelfinger said they are super pleased with the job this police force has done. They have been wonderful in every way, shape and form and she highly commends them for all that they do.

Community Development/Open Space

Barbara Heffelfinger reported that they have two grants that were submitted for the borough to the RDA. The first one was for the police. They are requesting keyless entry to the building, speed signs and a generator. The borough is requesting money for a generator and reconstruction of the parking lot. The fire company is asking for some equipment and reconstruction of the apron. Barbara thanked them because they did it all. All she had to do was take it over and she appreciates that. The rescue squad was what Mr. Foley spoke about earlier. There were four categories. We probably won't get everything we ask for, but we'll get something hopefully. Right now, she is working on a grant for PECO Green Region. We had gotten one for \$10,000.00 before. Hopefully they'll feel generous and help us again. It's been a countywide problem with the ash borer and there is no way we can get all of these trees removed without some kind of assistance so every little bit helps. As Carol mentioned before, there is another small water and sewer grant which is Carol's bailiwick, not hers. She will do the grunt work for her, but she is the technician on this one.

Beverly said on community development she submitted the preliminary documents for a RACP grant for the possibility of a new municipal complex.

Ordinance

Mark Moffa thank Barbara and Beverly for all of the hard work with the grants.

Streets & Sewers

John Stratz reported that they started last week with a meeting on Monday with Mark Fuller of Keystone Lighting followed by a meeting on Tuesday with Mark Greco with PennDOT and the end of the week with a full committee meeting, him and Laura Germain. All of these meetings tie in together. He is happy to report that our street lights and everything they wanted to happen have come together. The meeting on Monday with Keystone Lighting was the report on final figures. He will have a meeting with them in two weeks to give a power point and to get the vote from council which will be the final vote. We've already discussed this and gave commitments. This is the final time to decide if they don't want to do it and opt out. They have been extremely helpful and have given us an out at every juncture. What started out at \$63,000.00, was whittled down with the power of the consortium to about \$53,000.00. Now the final tally for the street lights is in the low 40's. Much better than what they tried to do eight years ago. That was followed by the PennDOT meeting which was basically what took so long for the street lights. The street light committee had approval back in January. PennDOT liked what they provided and they gave the go ahead. In February, the person taking care of this retired and new people took over. The street light committee had to go in front of them again and get their blessing. That put a delay on things. They wanted to pay for everything with the liquid fuels account. They were denying that for months. The meeting he had Tuesday got the full blessing of PennDOT. It is fully covered by liquid fuels so they are good to go. They are going to try very hard to get this in before the end of the year. Penndel is the first municipality that is going to have street lights for this program. If they can't get it done by the end of November, we will be the first municipality this spring. We are good to go. His initial thought was to buy the street lights with 2019 liquid fuel funds. The PennDOT people told him he didn't have to do that. The full presentation will be in two weeks. Beverly Wolfe thanked John Stratz and Laura Germain for their work. Laura said it was mainly John and he saved them a lot by going out two meetings ago and finding out what lights were not Penndel's responsibility and really negotiating with them. Beverly said he did have a lot of lights taken out of the inventory that didn't belong to the borough. John said he discovered that for many years they have been paying the electricity on a dozen street lights over at the train station. They are being removed from our inventory. It was a gray area. Middletown did their LEDs first so they hoisted the bill for those to us. Steve Lowe, 408 Cynthia Ave., asked if Barbara Heffelfinger got her light at Neshaminy & Crescent. Beverly said it is in the plan. Steve asked what the total number was that he came up with. John said he thinks it's 164. Beverly said, to let everyone know what this means to them, currently it is 102,300-kilowatt hours' worth of electricity being used to power these lights. When they LED lights go in, it will be 48,000 kilowatt hours. We pay \$11.69 per month per light in energy alone. Right now, your bill is \$22,304.52 over the course of a year. Imagine that number in half. There is the expense of trying to find parts to replace the ancient lights around the borough which will be no more. John said the guarantee on the lights is 20 years. With the controls they have chosen, they can put in a higher wattage bulb when they initially put everything in and they can dial that back to half power which will pretty much extend the life of the bulb even more. Beverly said you will see that in the presentation when Keystone comes to present. It is called asset management.

Buildings & Maintenance

Beverly Wolfe said the roof is done and the windows are in. Barbara Heffelfinger said there is money left from that grant and they are looking at a new sound system. They received four bids for that and they have to have it completed by the end of the year. That will use up the entire amount of the grant funds. If we don't use it, we'll lose it and we're not going to lose it. Beverly said besides having money left from the grant, they were given a bonus from the Park Ave. project, a little bit of a refund from the RACP grant and there will be more than enough to do a new sound system. Everyone will have their own microphone.

Community Relations

Laura Germain reported that the little free library is officially standing and open. There is caution tape around it right now until it is completely dry so nobody steps on it. If anyone has donations of books, you are welcome to put them in. We are also on the map for little free library. Any time someone downloads the map from the organization, Penndel will be on it. We get some perks with that. We get some free books and they send some ideas for activities. They had a really fun event in September where they had a bunch of kids come and read and put their favorite book on the tree.

The newsletter just went out and the next one is planned for February.

They had a lot of residents reach out about game nights. A lot of them didn't know it was happening and wanted to know if they would be doing them again here at borough. In the fall we are very busy with budget meetings but she's looking into replicating that because they are such an easy event. She is reviewing the events they had in the past year to see what worked and what didn't and look towards 2020. The Activities Committee does all the great events for the rest of the year. One thing they are going to try to do in 2020 is do better at getting the word out because what she's heard with the events is that they didn't know it was happening.

Barbara Heffelfinger commended Laura for doing all the writing and the news gathering for the newsletter. Barbara did put them together and mail them out. She wanted to thank the Nigras who came in and helped fold, sticker and everything else and also Marie's daughter Danielle Serota. They did a great job and were a big help.

Recreation Board

Laura Germain said she could not make the meeting because of her daughter's back to school night and that Beverly went to the meeting. Beverly Wolfe reported that she attended so they could ratify the Wildcats agreement for the football season and they did. The roof at the pavilion has finally been fixed and the guy who did it did a great job. Laura said the next meeting is October 17th at 7:30. Beverly said if anyone has any interest in joining the groups or anything they do, please join. Those who are sitting up here are basically volunteers and all these wonderful folks who serve on all of these other committees are also volunteers and could use some extra hands.

Long Range Finance

Mark Moffa reported that at the last work session he gave a little preview of the long range finance about recommendations that were made and that he would have something in writing tonight. The letter Mark read is attached. Beverly said that this committee has done an outstanding job of doing the work and researching these topics and having the long, arduous discussions and trying to decide what course of action is the best one to take. She sincerely appreciates the efforts they made, particularly Amanda who asked a lot of questions, asked more after doing due diligence and doing more research. She knows the amount of effort she

put into it. She also thanked Gary Nickerson for being thoughtful in the decisions he makes. She will also say the same to Mike Sodano when it comes to these important topics. She does not think it was a rash decision of any kind and is sure there were a lot of meetings and going back and forth about it and coming to an agreement. She thanked Mark for coordinating all of it and putting it all together and working with those fine folks. This is the first step in an effort to get more citizen feedback in what they are doing there. And also, guidance. They don't know everything and don't pretend to. Getting guidance from people who are willing to sit there and volunteer and do the work, she commends them all. Mark said he is so happy to work with this group and it really is a group that approaches everything from very different perspectives and it is a bi-partisan group. They didn't go in with any preordained ideas with what we would come out with. Bringing in the tax collector and Keystone and asking the experts questions and they consulted with prior council members as well. They all know that John Lo Piccolo was heavily involved in trying to work on this in the past as well as other prior council members. They have to have a discussion on whether to bring Keystone here for a presentation to borough council and the public as to how it would all work. Beverly said the first meeting should be with council because she doesn't think everyone understands it including herself. Beverly asked if they needed a motion and Dave Truelove said he doesn't think you need to make a motion. You can establish a timetable on what you want to do. He will look into what the steps are. Laura Germain asked if they were going to talk about it at a later date and if tonight was just an overview. Mark said they will be talking about it a lot.

MOTION BY MARK MOFFA TO ACCEPT THE RECOMMENDATIONS OF THE LONG RANGE FINANCE COMMITTEE TO HAVE KEYSTONE COME IN AND MAKE A PRESENTATION TO COUNCIL WITH REGARD TO THE RECOMMENDED EARNED INCOME TAX. SECONDED BY JOHN STRATZ. All ayes, motion carried.

Revitalization Task Force

Mark Moffa reported that they met on September 18th. They approved a draft version of a Transit Oriented Development ordinance which they think is a key step to move forward. Beverly Wolfe said to let the record show that Councilwoman Barbara Heffelfinger left the room at 9:17 p.m. Mark said back in May, the revitalization task force approved sort of a transit-oriented development draft. Presentations were made to our local planning board and also in a public forum here. By June the ordinance was circulating among Hill Wallack, Value Engineering and Barry Isett for further input and review and at that time questions were raised particularly by Carol about EDUs, the sewer capacity and Equivalent Dwelling Units that are available and whether that would be a hinderance to the development possibilities or if it needed to be addressed in any way in the ordinance language. There was some back and forth between the county planning commission and Carol and they ended up having the revitalization task force meeting September 18th where all of this was sort of hashed out and Carol was present. They came to an agreement with the planning commission on how to address the EDU issue going forward. Some other issues were addressed at the meeting regarding possible impervious surface along with parking changes. Other changes considered by the task force included some minimum lot size changes, maximum dwelling unit by acre. They had a pretty thorough meeting and the next step is the planning commission has sent you a revised version that came out that September 18th meeting. They will try to get a revised version together in the coming months. It gets complicated because it involves a zoning map change as well. Dave Truelove said they will take a closer look at it in addition to incorporating suggestions. Beverly Wolfe said to let the record show that Barbara Heffelfinger came back in at 9:20 p.m. Mark said for the record, the proposed changes they feel are significant enough to go back to our local planning commission, the county planning commission even though they were involved in the drafting of it, they have to sign off and give their recommendation again. They are trying

to do a zoning map change and there is advertising and different requirements. They were hoping to have this on the books by the end of the year but it might be into early 2020. There was some disappointment and consternation on the sale of one of the key parcels. That was discussed at their last meeting and they stopped hanging their heads. They have identified other parcels that are very key and very feasible for development. That will all be indicated on the plans as they are developed. Beverly thanked the professionals who are watching out for us every step of the way, Hill Wallack, Mike's group, Carol in particular, if they see a problem, address it now rather than wait five years from now like we do with some of our ordinances and have to go back and have to redo it. Get it right the first time. Mark said that besides the county planning commission, their solicitors and professionals were involved as well. Dave Truelove said they are really trying to make this work. They see this as a worthwhile project and it could be a model project also. Beverly said she believes he is correct because they were front and center at the last supervisors meeting with Evan Stone presenting. The commissioners continue to be 100% behind the plan. The Bucks County Planning Commission is to be given so much credit and to the taxpayers of Pennel Borough, this has not cost them a cent, the work that they've done which speaks to how much they have invested of themselves into this project. They think we're worthwhile and we are.

New Business

MOTION BY MARK MOFFA TO AUTHORIZE ADVERTISEMENT OF THE OCTOBER PLANNING COMMISSION MEETING TENTATIVELY RESCHEDULED FOR OCTOBER 30, 2019 AT 7:30 P.M. SECONDED BY LAURA GERMAIN. All ayes, motion carried.

MOTION BY JOHN STRATZ TO APPROVE AND SIGN FINANCIAL SECURITY ESCROW CERTIFICATE OF RELEASE NO. 1 FOR THE AMOUNT OF \$33,815 FROM THE PHASE 2 CONSTRUCTION ESCROW FOR THE SCHOOLHOUSE COURT PROJECT. SECONDED BY LAURA GERMAIN. All ayes, motion carried.

MOTION BY JOHN STRATZ TO APPROVE CHANGE ORDER #1 FOR THE PUMP STATION #2 RETROFIT PROJECT REDUCING THE CONTRACT VALUE BY \$37,000.00 TO \$179,000.00 AS RECOMMENDED BY BOROUGH ENGINEER. SECONDED BY MARK MOFFA. All ayes, motion carried.

MOTION BY JOHN STRATZ TO PAY MIDDLETOWN TOWNSHIP \$20,017.18 FOR THE COMPLETION OF E. WOODLAND AVENUE PAVING PROJECT. SECONDED BY LAURA GERMAIN. All ayes, motion carried.

Beverly Wolfe welcomed Ted Kristiniak back and said he's looking great and everybody was pulling for him.

MOTION BY BARBARA HEFFELFINGER TO AUTHORIZE THE BOROUGH ENGINEER TO SUBMIT AN APPLICATION FOR THE NEXT ROUND OF THE PA SMALL WATER AND SEWER GRANT TO TRY TO GET THE REST OF THE MONEY WE NEED FOR THE SEWER MAIN. SECONDED BY JOHN STRATZ. All ayes, motion carried.

MOTION BY BARBARA HEFFELFINGER TO ADJOURN THE MEETING AT 9:28 P.M. SECONDED BY MARK MOFFA. All ayes, motion carried.

Submitted by: _____
Marie Serota, Secretary/Treasurer