

COUNCIL MEETING

December 2, 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
Councilman John Stratz
Councilman Joe Dudash - absent
Councilwoman Laura Germain - absent
Councilman Rich Flanagan - absent

Also present

Ben Hauser, Solicitor, Hill Wallack
Chief Sean Perry
Carol Schuehler, Value Engineering
Marie Serota, Borough Secretary/Treasurer

Mayor Robert Winkler read a Proclamation for Sam Simon, Sr. which is attached. Sam Simon, III thanked everyone for the proclamation. He said his grandfather raised them as members of the community and to always give back. His grandfather, his father and himself are all past chiefs of the Penndel Fire Co. It's in their blood and it started because of his grandfather.

Announcements

Beverly Wolfe reported that Hugh Cooperman, one of the Penndel-Middletown EMTs who is also an honorary member of the Penndel Fire Co. and has played Santa Claus for many years for the borough's tree lighting, lost his house to a fire. She said he is a man who gave to all of us and now he needs help. They are collecting gift cards through Maple Point Middle School and there was a Go Fund Me page set up for the Cooperman family on Facebook. She asked people to help them out by donating.

Beverly reported that trash this week will be picked up on Thursday because of the storm.

Beverly reported that the borough tree lighting is this Saturday beginning at 6:30 p.m.

Bob Winkler reported that on December 21st, there will be breakfast with Santa, the Mayor and Police for the kids at Penndel Pizza from 10:00 a.m. – 12:00 p.m.

Beverly Wolfe reported that they are going to do something different with the motion items. They are not going to read all of the items. They are going to pass it and pay the bills and anyone who would like a copy of that, it is public record so you can have a copy of it to see what they are paying. Once it is signed by herself and Marie, you are welcome to have a copy.

MOTION BY BARBARA HEFFELFINGER TO APPROVE THE MINUTES OF THE NOVEMBER 18TH WORK SESSION. SECONDED BY JOHN STRATZ. All ayes, motion carried.

MOTION BY MARK MOFFA TO APPROVE THE BILLS FOR THE MONTH OF NOVEMBER AS OUTLINED IN THE DECEMBER 2, 2019 VOUCHER SUMMARY. SECONDED BY JOHN STRATZ. All ayes, motion carried. Copy of voucher attached.

Beverly signed the voucher and handed it to Marie Serota and said that after the meeting anyone who wants a copy can have it.

Mayor's Report

Mayor Winkler read his report which is attached.

Chief's Report

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

Solicitor's Report

Ben Hauser reported he received an electronic correspondence from the attorney for a group of applicants who sought to have a subdivision plan approved with respect to the properties at 524-526 Bellevue Ave. The email is dated November 11, 2019 and reads as follows: Dave, I was just advised that the owners have decided to withdraw their application. Please advise, if there is anything more required by the borough, they told them they did not and he is reading this into the record now, that the application has been withdrawn. Beyond that, this office has been addressing a number of right-to-knows which seem to be increasing more and more. They have been working on resolutions and they are presently in the stages of doing additional final revisions to the TOD ordinance which will be given to Mr. Moffa.

Engineer's Report

Carol Schuehler read her report which is attached.

Beverly Wolfe thanked Carol for being in front of the pump station project. When we had the catastrophic failures, things just fell into place and Carol managed to get the new pumps in. It could have been disastrous. Carol said she appreciated the gratitude but said a lot of it goes to our operators at PUE and to Derstine who did a wonderful job.

Zoning/Code Enforcement Report

Beverly Wolfe read Mike Italia's report which is on file in the secretary's office.

Finance & Administration

Barbara Heffelfinger had no report. Beverly Wolfe stated that the preliminary budget has passed and can be on public display. Anyone can come in and look at it at any time. They will ratify it on December 18th.

Insurance & Pensions

Mark Moffa reported that he is still waiting for final numbers for 2020. They have numbers in the budget which they anticipate with a percentage increase but he's just waiting for the final numbers.

Community Development

Barbara Heffelfinger reported that they received a letter from the RDA stating that everything should be done by the end of this month so that they can file reports. They have to have

documentation of a contract with a vendor and has been duly authorized and approved. They need a copy of the executed contract that will go with that final report and a copy of the proceed order issued for the approved project. Also, they are probably going to have to file for an official extension because of money that we had left from the RDA grant for the building. They had around \$10,000.00 left so they are going to treat themselves to a new sound system. Whether that can get in and operating by the end of the month is another thing. Beverly Wolfe said they know the deadline is the 31st. They preordered the equipment. Barbara asked Steve Lowe if the fire company received their equipment. Steve said they have not received all of the equipment. It has been on order for three months now. It is through Costars. Apparently, the manufacture is inundated. He doesn't want to cross the line yet and say they will have to file an extension but the closer it goes, they will need to do that. Barbara said they need all of the paperwork. They have the paperwork for the police. Beverly said she just got an email from the sound system people. 95% of the parts are in. The equipment rack is getting assembled and tested this week. They are looking at an installation date of sometime next week. Barbara reported that they put in for a DCNR grant which is the Department of Community Recreation Conservation called the Community Conservation Partnerships Program. We did not receive that grant. She is going to call the lady to find out what the problem was. Was it the application or wasn't there enough money so they can proceed from there and try again next year.

Ordinances

Mark Moffa reported that he will take this opportunity to lay out the goals for 2020. Beverly said the final budget book will be available on December 18th. The December 16th work session is cancelled and moved to the 18th because of the budget. Mark said in 2019 they had an ordinance establishing a new zoning use classification regulations regarding sober living facilities and for medical marijuana dispensaries and medical marijuana grower and processor uses. They also passed an ordinance establishing snow emergency routes and allowing enforcement of parking restrictions on those routes. They also had an ordinance updating the borough's building codes and other codes to bring them up to modern day standards. In 2020, first and foremost, they are looking at the Transit Oriented Development District and Zoning Overlay to try to ease restrictions for developers in the borough's commercial corridor. That is the first step in the revitalization plan. Three other things he mentioned as possible goals for 2020 is they want to review the 2018 fee schedule revisions and suggest changes as warranted in an effort to achieve fairness and be in line with other municipalities. This has come up in previous meetings. He's had some discussions with the engineer about the curbing and they had a concrete contractor come in and say our fees are out of whack so they want to make that something they look at in the coming months. They want to look at the code regarding curb replacement and consider making changes to bring the borough in alignment with other municipalities to ease resident confusion and improve aesthetics. Some of the issues being they go from high to low and back up based on our code which our engineer pointed out is a little unlike the codes in other municipalities. Also, something that has been mentioned on and off throughout the last couple of years is our ordinance for fencing and suggesting changes to eliminate conflicting rules on our books.

Streets & Sewer

John Stratz reported that they are ordering the equipment for the upgrades of the street lights within the next couple of weeks. We are fully 100% on our way. MOTION BY JOHN STRATZ TO HAVE PATCH MANAGEMENT COME OUT FOR A PRICE NOT TO EXCEED \$1,800.00. He is going to be doing another pothole run. If anybody has any suggestions on where to find potholes, he will be making a full survey of the borough next week and then they will get Patch Management out before the end of the year so they can use the money in this year's budget.

Beverly said there is usually a waiting list for Patch Management. She asked if he was confident that they would get in here within the next few weeks. John said even if they don't fix them, he will be able to get them to come in and do the survey with him, isolate the potholes and get the order in before the 31st. That does the qualification of getting the bill in for this year's budget. Beverly said they do have that money available out of the Liquid Fuels fund for this project. SECONDED BY MARK MOFFA. All ayes, motion carried.

Building & Maintenance

John Stratz reported that he needs to call the sound system people to order shock mounts which they did not think of to prevent the tapping noise. Beverly said they would handle it.

Community Relations

Barbara Heffelfinger reported that herself and Beverly Wolfe came in and had a session with Mr. Kovitz who showed them how to work on the new website so we can plug things in and keep it more up-to-date. Beverly said she has come upon a few stumbling blocks and thinks she needs another session. She does know how to post things on the site. Mark Moffa said he can help with that also because he knows Wordpress.

Recreation Board

Beverly Wolfe reported that she heard the field conditions are not good so they will have to take a look at that. She asked if anyone knew if the fence came down between Spring Valley Farm and our field. They will have to check that out because she said it was supposed to be done by the end of the year.

Long Range Finance

Mark Moffa reported that there is a meeting scheduled for next week but he's not sure if they are having it. He will get in touch with Amanda Mieluch who is the chair to see if she is intending to call a meeting or not.

Revitalization Task Force

Mark Moffa reported that they do not yet have another meeting scheduled but he anticipates after the introduction of the TOD which they are hoping will be at the first meeting in January, then they would round up the group for a January meeting. They have quite a few openings in that group. If anyone is interested in the Revitalization Task Force or any of our other boards or commissions, please let us know.

Old Business

Ben Hauser said at the last meeting the borough was presented an election for relief from charges with a solvency fee of \$790.23. They only received it that night and needed a little bit more time to look at it. The payment is due by the 4th of this month. Basically, what this is, is the way that the borough does its unemployment compensation. You are paying a fee that is a function of your gross wages times a certain solvency fee rate to generate the \$790.23 amount. If you do not pay, you lose the ability to elect for relief from charges in a given base year. For example, if you hire an employee and they are well trained and they decide to take a job somewhere else, you've paid them a certain amount of money during the year, they go to that next job and it doesn't work out and then they file for unemployment and the unemployment compensation bureau looks to the borough because the borough has paid money to them in that base year. This gives the borough an option to say they left us voluntarily, that shouldn't be credited out of our account. If you don't pay that fee, you don't get that option to challenge it. That's different than if you have an employee that is terminated and they file for unemployment, we can challenge that. That's a separate matter. This fee kind of protects you from the

employer down the road. This has come up a number of times over the years. It is their recommendation that the borough make that payment.

MOTION BY BARBARA HEFFELFINGER TO PAY THE 2020 SOLVENCY FEE OF \$790.23 FOR RELIEF FROM CHARGES TO THE PA OFFICE OF UNEMPLOYMENT COMPENSATION TAX SERVICES. SECONDED BY MARK MOFFA. All ayes, motion carried.

New Business

MOTION BY MARK MOFFA TO AUTHORIZE ADVERTISEMENT OF THE 2020 MEETING SCHEDULE. SECONDED BY JOHN STRATZ. All ayes, motion carried.

Beverly Wolfe brought up the boards and commission term assignments. She said there is an opening for an alternate for the zoning hearing board. They have one person whose term will be ending. She expects that person will want to keep it but she doesn't know. On the recreation board they have two terms ending. They will reach out to them to see if they want to continue. When the council reorganizes in January, there will be new liaisons. For the planning commission, there will be one opening from Gary Nickerson. They would like on the revitalization task force to also have a representative of the planning commission if anyone is interested. Tom Sodano asked if they could be on both. Beverly said yes because the revitalization task force is by resolution a committee and Gary was on both. Beverly told Tom to consider it because she thinks it would be great. She thinks that having someone from our planning commission on that task force is very important. Gary has been a wonderful help and has some great ideas and great input. Mark said Gary's election to council creates an opening. Beverly said they have an expiring term on long range finance and she gave Mark a list for the revitalization task force. We have a lot of holes in that. Once the TOD is done, things are going to get even more exciting. We need some business representatives and we need a planning commission person on there. She can't stress that enough. And we need resident input on what we are doing. If anyone is interested, please let us know. We need your input and help. We are so close to having the TOD done. That's going to be the magic key that opens the door to the developers to say Penndel is open for business.

Persons to be Heard

Tom Sodano, 126 W. Woodland Ave., said regarding the bills, since they are in prior to the meeting, could they be listed on the agenda so if they had questions, they could ask them in the same meeting and not have to wait until afterwards to get a copy. Beverly said that was a good question and asked Ben if it's not official until its approved and signed? He said that is correct. It is not an uncommon practice to see a school district agenda say payment of bills and motion will be as listed below. You can do it that way. Beverly said that is a great suggestion and they will do it that way. Ben said they will refine that going forward. Beverly said they are also going to do something new with the mid-month bills where we can't get the people to change the due dates. They are all budgeted items. The borough secretary will pay them to be ratified when they do the monthly meeting. They will be on that list instead of doing them on the work session. Mark Moffa said it's not different than having copies of an ordinance out that has yet to pass but it's the ordinance on the agenda tonight. Beverly said it's just a matter of procedure. It's not really valid until it's ratified and signed. But they can certainly do that.

MOTION TO ADJOURN AT 8:13 P.M. BY MARK MOFFA. SECONDED BY BARBARA HEFFELFINGER. All ayes, motion carried.

Submitted by: _____
Marie Serota, Secretary/Treasurer