

Penndel Borough Council Meeting  
Via Zoom Communications

September 8, 2020

Council President Barbara Heffelfinger called the meeting via Zoom Communications to order at 7:30 p.m. with the Pledge of Allegiance.

Present at the meeting via Zoom Communications

Mayor Robert Winkler  
Council President Barbara Heffelfinger  
Vice President Beverly Wolfe  
Councilman Gary Nickerson  
Councilman Mark Moffa  
Councilman John Stratz  
Councilman Joe Dudash  
Councilwoman Laura Germain - absent

Also present via Zoom Communications

Dave Truelove, Solicitor, Hill Wallack  
Chief Sean Perry  
Carol Schuehler, Value Engineering  
Nick Foufas, Fire Marshal/EMC  
Marie Serota, Secretary/Treasurer

Presentations

Beverly Wolfe, Vice President

Beverly Wolfe said when the Covid-19 crisis started, it kind of put everyone into a new era of Emergency Management and how we handle things and within days of being notified that this was going to be a problem. The officials, employees and other personnel with this borough immediately sprung into action. They had an action plan within three days of it being declared a problem. While she was still President of Council, she had every intention of recognizing these folks personally, but it didn't work out that way. Council President Heffelfinger was kind enough to allow her to do that at this time for the people who kept this borough running while all other municipalities were floundering and the people who kept us supplied with supplies and any information that we needed.

Beverly read one resolution. All other resolutions were generally the same. The resolutions are attached. She thanked the following people with resolutions and certificates:

Resolution #2020-21 – Nick Foufas for his actions and vigilance in keeping Penndel Borough officials informed keeping the borough operational with no disruptions and dedication and hard work during this unprecedented pandemic

Resolution #2020-22 – Anthony Diaz for stepping up when needed for anything asked of him

Resolution #2020-23 – Councilman Joe Dudash for being a part of the Covid response team from day one and when tasked with something, kept going until he got what he wanted

Resolution #2020-24 – Councilwoman Laura Germain for posting Covid information on the website immediately for the residents

Resolution #2020-25 – Mayor Robert Winkler for coordinating efforts for the borough as well as the police department and keeping the police and the employees of the borough safe

Resolution #2020-26 – Councilman John Stratz for helping to keep the borough running and well informed

Resolution #2020-27 – Marie Serota for keeping things up to date, for getting supplies ordered and for keeping Penndel running and for help in making a difference to everyone

Resolution #2020-28 – Chief Sean Perry for his invaluable assistance in keeping the police department going and safe as well as council and office staff

Resolution #2020-29 – Michelle Nigra for going above and beyond to keep the building sanitized and everyone coming in the building safe

Resolution #2020-30 – Councilman Gary Nickerson for thinking outside the box and going to distilleries for hand sanitizer

Resolution #2020-31 – Karen Kondrk for being invaluable in doing procedures, coordinating and keeping everything going and contributions to the response were the highest standards of conduct to ensure safety

Resolution #2020-32 – Council President Barbara Heffelfinger for being pivotal in getting out the mailings to the residents quickly, being involved with everything on the response team and with invaluable assistance rendered

Resolution #2020-33 – Councilman Mark Moffa for rendering assistance to getting hand sanitizer when there wasn't any and for rendering any assistance when asked

Beverly said with all sincerity, they all were a team. No one person could have done it and she thanked everyone.

Barbara Heffelfinger thanked Beverly and said none of them could have done it without her leadership.

Steve Lowe, Penndel Fire Co., said it's the month for the Redevelopment Authority applications. The fire company is asking Penndel Borough Council for their support in sponsoring them for the RDA grant. He said he wasn't sure if Barbara had some preliminary paperwork in her possession. He said that some paperwork went out earlier and he believes it has some wrong dollar figures on it. The fire department is applying for an \$85,000 grant through the RDA for roof repairs along with a \$15,000 match from the fire department to make a total of \$100,000 available for the roof repair. Again, they are asking for Penndel Borough's support. He has the official 2 blue copies in his possession at the fire house along with five black and whites which will be dropped off at the Borough Hall tomorrow sometime. He said he's hoping they will support them and hopefully at the next work session meeting they could possibly make the resolution to support them. If anyone has questions, he'd be happy to answer them. Barbara said she would be very surprised if they did not all support the fire company. She said they've done a fantastic job and they are a critical part of the community. They did a nice job of putting the grant together and made sure we have all the proper information, number of copies, etc. She asked if she had everyone's agreement that they can go ahead at the next meeting to pass a resolution for the fire company. She asked Dave Truelove if they need a vote on that. Dave said they will be doing the voting on the resolution at the next meeting. He said he thinks she should just get the board consensus that they're willing to move forward on it. No formal votes required. They will be able to look at the documents that Mr. Lowe supplies which he's sure is very consistent with all the other documents like in the past. Given the ability of many of you to work on grants in the borough and gain some funding for the borough accordingly so he thinks just a consensus is fine and then have it on the agenda for the work session so that they can approve a resolution moving forward on the grant application process. Steve thanked Council for their continued support.

Annual Pension Meeting

Marie Serota was representing the non-uniform pension and Chief Sean Perry was representing the police pension. The 2021 MMO obligation for the non-uniform pension is \$17,037.00. The 2021 MMO obligation for the police pension is \$7,064.00.

Council or Borough Announcements

Gary Nickerson said due to the Labor Day holiday, trash pickup will be on Thursday.

Correspondence

Letter received from Vicky Doran at Fiori Real Estate requesting cancellation of sewer service at 25 Bellevue Ave. That is the basement where they had the Taekwondo. They wanted to discontinue service because of all the flooding they've had down there. The problem is that they did not take their fixtures out. The sink and toilet are still there. Her concern is that they did not cap the lines. Rick Halbom inspected and sent a letter of his findings to Vicky Doran. Barbara read Rick's response which is attached.

MOTION BY BEVERLY WOLFE TO DENY THE REQUEST BY FIORI REAL ESTATE TO CANCEL SEWER SERVICE AT 25 BELLEVUE AVENUE FOR THE REASONS SET FORTH IN THE AUGUST 31<sup>ST</sup> LETTER FROM BARRY ISSETT & ASSOCIATES. SECONDED BY MARK MOFFA. Gary Nickerson said he did not know anything about this and since he's not on the Sewer Committee, he asked if the Committee was alright with this and is that what they're supposed to do is capping the lines for sewer projects when someone is requesting to be disconnected. John Stratz said yes. Carol Schuehler said she would concur with Rick's letter that if they want to disconnect, they have to completely remove their fixtures and cap the line. It's very appropriate to alert them that if they are removed from the system that they would have to pay for the EDU reconnect fee in the future which is substantial. Beverly Wolfe said they haven't done a very good job of that past practice of putting it in writing like this and pointing out about the EDU being removed so she's really happy to see that. A roll call vote was taken. Beverly Wolfe, yes, Mark Moffa, yes, Gary Nickerson, yes, Joe Dudash, yes, John Stratz, yes, Barbara Heffelfinger, yes. All ayes, motion carried. Barbara said they would be officially notified that if they want to get that cancelled, they will have to cap the line and remove the fixtures.

Consent Items

Barbara asked Dave Truelove if they have decided on whether or not they can do the consent items without reading each one. Beverly said she just got information today from Anastasia from Bee Bergvill and she will confer with Mr. Hauser so they can finally get this done probably for the next meeting.

MOTION BY JOHN STRATZ TO APPROVE THE MINUTES OF THE AUGUST 17, 2020 WORK SESSION. SECONDED BY BEVERLY WOLFE. A roll call vote was taken. Beverly Wolfe, yes, Mark Moffa, yes, Gary Nickerson, yes, Joe Dudash, yes, John Stratz, yes, Barbara Heffelfinger, yes. All ayes, motion carried.

MOTION BY BEVERLY WOLFE TO PAY THE FOLLOWING BILLS FOR THE MONTH OF AUGUST:

<b>General Fund</b>	<b>\$44,729.94</b>
<b>Fire Tax Fund</b>	<b>\$ 2,024.49</b>
<b>Refuse Fund</b>	<b>\$16,744.20</b>
<b>Sewer Fund</b>	<b>\$32,546.72</b>

<b>Capital Reserve Fund</b>	<b>\$12,694.65</b>
<b>Liquid Fuel Fund</b>	<b>\$ 1,570.90</b>
<b>Escrow Fund</b>	<b>\$ 7,150.00</b>
<b>Payroll Fund</b>	<b>\$ 582.75</b>

**Payroll**

General Fund	\$20,573.10
Sewer Fund	\$ 3,593.24
Refuse Fund	<u>\$ 598.87</u>
<b>Total</b>	<b>\$24,765.21</b>

**Escrow Fund Bills**

Auto Zone:

Hill Wallack	\$ 955.75
Value Engineering	\$4,884.00

Schoolhouse Court:

Value Engineering	\$1,310.25
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SECONDED BY JOHN STRATZ. A roll call vote was taken. Beverly Wolfe, yes, Mark Moffa, yes, Gary Nickerson, yes, Joe Dudash, yes, John Stratz, yes, Barbara Heffelfinger, yes. All ayes, motion carried.

***Reports:***

**President's Report**

Barbara Heffelfinger reported that they received a letter from the lady at 148 W. Woodland Ave. complaining about the cosmetics at Schoolhouse Court. She wanted to assure everyone that they have done everything legally possible to keep that project going and in compliance. She will be sending her a letter informing her of that.

**Mayor's Report**

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

**Chief's Report**

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

He had a couple of things he wanted to address. There have been a lot of phone scams again and they have been increasing. A couple of residents actually fell for these scams. If you don't think this person is legit, you can always call the police and they can kind of give you the simple questions to let you know what types of techniques that they're using to try to scam people. If you're unsure about it, he suggests that you hang up, go to the regular business website and call their number directly and then ask them about it. If it's PECO or AT&T or any of those big companies that normally would be calling you that you have accounts with, you should call the number directly yourself instead of somebody calling you and you're giving them your personal information. Also, they've had an increase in theft from vehicles again. These are all unlocked vehicles so please keep your cars locked and keep any valuables out of sight or bring it in for the night. They've also been having an increase in drug paraphernalia being found throughout the borough that includes baggies of drugs, syringes, etc. If you find anything like that, call them and they will come out and they will take care of it because if it's a Fentanyl bag that actually has just a tiny little bit on it, even just brushing on your skin you can actually go into an overdose so call them because they have the equipment to take care of it and will dispose of it properly. Someone asked if there was a drug overdose this weekend. Chief Perry said there

was, but he really can't speak too much on it because it is still an open investigation. Joe asked if they are starting to see drug houses in Pennel. Chief Perry said nothing specifically. They have a couple of houses on their radar. They are doing everything they can to take care of and address those issues. A lot of their drug arrests tend to be people passing through the town, but they do of course have problem locations as well. Joe said anything with drug houses if he needs support to let him know. He asked if the county has a drug task force and Chief Perry said yes and they work very closely with them.

#### Fire Marshal/EMA Report

Nick Foufas thanked Beverly for the resolution. He said everything has been going pretty well in the borough and everything is starting to get back on track. He thanked Carol Schuehler from Value Engineering for working with the Fire Company through the concrete project that they have going on.

#### Engineer's Report

Carol Schuehler read her report which is attached.

Joe Dudash asked Carol what was going on with Schoolhouse Court. Carol said they are under construction at this point. They are working on the basements for the two rear lots which are four and five. She did have some emails from a neighbor with some concerns about the sump pump discharge. She's been in communication with the builder to work on that. Joe said he thought that was going to be connected to the underground stormwater system the other homes on that parcel are connected to. Carol said the others are connected to the underground storm system but lots four and five never were in the design plans so that's why she's having conversations with the builder about it to see if they can find a Plan B for that because if they are prolific then she thinks they have a concern. Joe asked what their reasoning was for not having it connected. Carol said in the borough code that was in place at the time of submission, sump pumps weren't actually addressed so they don't really have an ordinance to hang their hat on. But as she said, she's having conversations with the builder and working on a solution to that. She doesn't have that answer for him today, but she has had multiple conversations and they are ongoing. Joe said his concern is over there as a kid in school, and Beverly can testify, it was always wet so if you start adding more storm water over there, you're going to have a ponding in those houses. Carol said the stormwater that goes in that direction will be significantly less but it's the sump pumps that she thinks there is some reason to be concerned about. She doesn't have an answer at the moment, but he is working with her on it. Joe said the water that comes off of those roofs during a rainfall, as a kid it was a swamp over there so he's hoping he doesn't come up with some ideas to just put more dirt in there because that isn't going to work. Carol said he's got a grading plot plan that he needs to conform to. Joe asked about the award of the Borough Hall parking lot. He asked why the traffic control prices are so different. He said from \$50.00 to \$600.00 to \$675.00 to have some guy hold a sign out there. Carol said each contractor bids things their own way and these up their costs in a different way so unfortunately, she doesn't have a simple answer for that. The reality is the contractor is trying to figure out how to spread out his various costs among those line items and that's why they come out differently sometimes. Joe asked if they could go back to them and say hey, the average is \$350.00. Why are we \$600.00? His next concern is over by the shed where Nick's house is. There's a constant flow of water. How are they going to fix that? Carol said that the parking lot is designed to drain to that low point to that drain where it is today. They didn't do any drainage improvements. That was outside the scope of this project. Joe asked if they are going to put the drain in there when they tear it up. Carol said it is just off to the side of the pavement and is going to be preserved as it is. They will make sure that they have positive grading so they can eliminate that puddle at the bottom of the ramp. Dave Truelove said the issue is whether the work would aggravate the condition and if it does, they will have to look at

possible remedial measures. But they are not there yet. Carol said as for going back and trying to negotiate specific line items on a publicly bid project, she doesn't know that they really have any basis for doing that.

MOTION BY JOHN STRATZ TO AWARD THE PARKING LOT RESURFACING PROJECT TO HAINES PAVING, INC., OF RUSHLAND, PA AT THE BID PRICE OF \$50,280.50 AS RECOMMENDED BY BOROUGH ENGINEER. SECONDED BY BEVERLY WOLFE. Gary Nickerson asked what the RDA grant amount was that they received. Barbara said they were way under the grant amount. The amount \$67,648.00 was the grant amount. The generators were \$13,039.00 which leaves a balance of \$54,608.00. There will be about \$4,000.00 left to help remediate any problems. A roll call vote was taken. Beverly Wolfe, yes, Mark Moffa, yes, Gary Nickerson, yes, Joe Dudash, yes, John Stratz, yes, Barbara Heffelfinger, yes. All ayes, motion carried.

MOTION BY JOHN STRATZ TO APPROVE COMPLETION OF NECESSARY WORK BY ISIDORE CONSTRUCTION FOR PAVEMENT REPAIR AT 446 WALKER AVENUE (EMERGENCY REPAIR) FOR \$1,901.00; WITH THE INSTALLATION OF HYDRAULIC CEMENT UNDER THE PIPE IN THE STORM MANHOLE FOR \$2,201.00. SECONDED BY JOE DUDASH. A roll call vote was taken. Beverly Wolfe, yes, Mark Moffa, yes, Gary Nickerson, yes, Joe Dudash, yes, John Stratz, yes, Barbara Heffelfinger, yes. All ayes, motion carried. Barbara commended Carol and Isidore Construction for getting out there right away and to Mayor Bob Winkler for marking it. It was an emergency and had to be done right away. Carol said she can only do these things because she has the support of Council when she comes and tells you it's an emergency so having the Borough Council behind her to go ahead and get it done makes it possible.

MOTION BY BEVERLY WOLFE TO PAY ISIDORE CONSTRUCTION INVOICE #202018 IN THE AMOUNT OF \$7,992.00 FOR THE EMERGENCY SINK HOLE REPAIR ON WALKER AVENUE. SECONDED BY JOHN STRATZ.

Beverly said this can be paid out of the liquid fuels fund. Gary said he thought they voted on this already. Barbara said she did the other one first. This one is the original. She told Carol since it was an emergency to go ahead and do it. Carol said this was done on August 31st to excavate the problem and investigate it, seal the pipe, back fill it and put the temporary pavement on top. The \$2,201.00 one that was approved is for them to return and finish paving on the top so that's still to happen and while they're out there, use the hydraulic cement to patch a hole in the bottom of the downstream storm manhole. A roll call vote was taken. Beverly Wolfe, yes, Mark Moffa, yes, Gary Nickerson, yes, Joe Dudash, yes, John Stratz, yes, Barbara Heffelfinger, yes. All ayes, motion carried.

#### Zoning/Code Enforcement Report

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

#### **COMMITTEE REPORTS:**

##### Community Development

Beverly Wolfe said she would share her screen with everyone. They already have been working on tip program projects with PennDOT. The first one they were awarded was the old Lincoln Highway and Hulmeville Ave. project to widen the intersection and change the radius of the storm sewer inlet so that it will stop getting destroyed. That project will be underway probably in the spring of next year with planned completion by the time the bridge is back open again. She thinks the amount on that was somewhere in the neighborhood of \$400,000.00 or

something like that. She does have some good news though on that front. Beverly said during a conversation recently with the head of this district for PennDOT which they've been working with for a long time to try to get some other work done that they just can't afford. She found out that they were awarded with the Tip Program which again is a grant and is at no cost to the residents of Pennel Borough, work that she read from PennDOT as follows:

The proposed scope of this project includes:

Lincoln Highway from Lincoln Ave. to Durham Road - the intersections of Durham and Lincoln Highway and Bellevue and Lincoln Highway, a complete redo of the intersections including turning lanes, new signaling at Lincoln Highway from Lincoln Ave to Durham Rd. The addition of exclusive left turn lanes at the Lincoln Highway and Lincoln Ave., Lincoln Highway and Bellevue Ave. and Lincoln Highway and Durham Rd. intersections. Prohibit eastbound Lincoln Highway left turn movements at Durham Rd. Increase southbound Durham Rd., left lane storage at Lincoln Highway. Intersection control modification at Bellevue Ave. and Durham Road. Modification of left turn signal phasing at Lincoln Highway/Bellevue Ave. and Lincoln Highway/Durham Rd. with signalized intersections. That means they're going to tie into the PennDOT link corridor lights. Upgrade pavement markings and delineation within the project limits. Install high visibility crosswalk markings at intersections within project limits. Modernize signals along the corridor including interconnect with fiber optic and connection for accessibility from the PennDOT Regional Traffic Management Center. This project is supposed to be completed in fiscal year 2024 with expected construction somewhere in fall of 2023. The award was \$765,000.00 in design and concept \$1.65 million in construction. That will go with our \$500,000.00 multimodal to help with some possible improvements. We may not want the standard PennDOT mast arms and stuff and we might want to sponsor putting in a bus shelter or two. We may want to do some other things but importantly, also, since they're going to redo their intersection, we might complete the storm water management portion of the LeGrande/Park Ave. Project. If anybody remembers that LeGrande Ave. used to flood up past the curbing and a part of that beautification project was to control storm water. We did have a second phase of that which was to fix it on Bellevue Ave., and we didn't have the money in and that never did happen. With this project we have the opportunity to not only, because they're going to do new radius's, they're going to put in new storm water inlets and we might have a chance to upgrade some of our existing infrastructure. Again, all of this is with no taxpayer money from Pennel Borough being used. We were approved for the RACP project number 10634. We got on the list and we didn't get as much money as she wanted. We were preliminarily approved for \$1.5 million to do some improvements to Borough Hall and to make it a community center. For \$1.5 million we're not going to be able to make it the Taj Mahal that she wanted but they're going to at least be able to do something within the scope of it to make it more handicap accessible and to fix some of the very old interior and exterior and expand it. She would love to see a second floor on it but it's just going to depend on how much \$1.5 million gets us so she has to submit the project scope into the RACP program. They do have the support of Senator Tomlinson on this project. He was the one who got us on the list, so we do have to support to hopefully received this money. With regard to the RDA grant that Carol mentioned earlier, she's going to share her screen so everyone can see the map of the what she calls the intersection from hell where people and Joe can attest to this, people like her when she was a kid, was never allowed to cross over Bellevue Ave. at this, the triangle of death, because her parents wouldn't let her because you were going to get smushed. There was a concept years ago to make that into a full stop instead of this being able to go at 90 miles an hour on it. It's a full stop and should have a real left turn to get onto Hulmeville Ave. With that will come more crosswalks for walkability and also a pocket park. A pocket park was also part of the design elements and within that pocket park a bus shelter and possibly a nice little bench but not all of the trees here that would be blocking the view. They are looking at the original design that was done. What Carol showed you was more realistic. You can't have trees lining

there because you can't see but they would have other shrubbery and flowers and all that neat stuff. The bump out would be like a pocket park with a little storm water management going on. Nice connecting sidewalks and down to the memorial field which will also have crosswalks. Again, they are trying to get with the walkability for this area. She's not sure if they're going to have enough funding to do that. But she definitely wants the little bit of greenery and small park by the gas station and a nice Welcome to PennDel sign. They could really do some storm water management and make it really a nice little place to just sit on the bench when you wait to catch the bus and also sit and chill waiting for your kid to come from the park or whatever. This project just resurrected, and this is a problem intersection and they do have a letter from the Chief in support of this project simply because this is a relatively dangerous situation. It also ties in with everything that's going on with Bellevue Ave. and Lincoln Highway and all the other stuff. It ties in very nicely in her humble opinion. The estimate from Carol that she did for is an estimate of probable construction costs for the project and as you can see there's the grand total. And since we are having a renewed nice relationship with PennDOT, if council approves this project, we might be able to go to them and ask for some assistance with our highway occupancy permits and such and have their cooperation on the project. This was something she came up with when they announced that they were awarding RDA grants again. She immediately thought of this project and how it ties in with the revitalization task force walkability. And it's from the other side of town walkability to get those people to come into the park or give them a safe way to crossover to go down Hulmeville Ave. to Our Lady Grace School or to Redeemer to walk to church. This is a big project. She didn't want to go after a parking lot or something like that. She would love to know what council's opinion is of this. It's very bold. Other towns get very large grants for construction projects so why not PennDel.

Barbara Heffelfinger said she has wanted this for a long time. They worked on this years ago. It's a modified version but it's a great start getting this intersection fixed and make it a T intersection.

Mark Moffa said it looks great. One of the things they weren't able to see was the price tag. Beverly said \$618,000.00. Mark asked if that amount would be what they would apply for. Beverly said absolutely. Mark said it certainly addresses a dangerous intersection. He thinks the plan looks reasonable and it doesn't look like some pie in the sky ridiculousness. He likes the adding of bike lanes and he thinks that's great with the crosswalks which are obviously necessary and the way it's rounded off looks like common sense. He knows she's excited about pocket parks. He thinks they're excellent and those types of things create a sense of community which he thinks is excellent and it is absolutely a good location for such a thing, near where we have the rec fields and other recreational activity. The naysayers would tend to say things about that like you know we don't have a public works department so who maintains it. Right now it tends to be a volunteer effort. Like the memorial, you have the mayor and other City Council members and volunteers pitch in to do that so he guesses that's one question he might have and would it be a volunteer effort as well. He would just want to make sure we had a plan in place to maintain the beautification on a regular basis. He thinks sometimes, like with the planters along Business Route 1, they look like they needed some help or haven't been tended to in a while. It's difficult sometimes. People have great ideas and mean well to maintain them but sometimes when it falls on the volunteers, it can slip through a little bit otherwise he thinks it's great. His only other thought is that the Business Route 1 beautification would, in his opinion, be a higher priority. However, I think it makes sense to do this now because of what we're trying to do with revitalization along there. They hope to land a major project and sort of start to coordinate efforts with that so it would seem to him that this is makes perfect sense to do the RDA grant application down here plus she just mentioned all of the things they just landed with PennDOT along the Business Route 1 corridor so he guesses they



want to get all those improvements in place and she references the ability to work with PennDOT on some beautification. Beverly said she checked with Jeff Darwak, the Executive Director of the RDA, who helped them with the multimodal project and he did state that acquiring those easements and right of ways which PennDOT has asked for their help with which they will give them that help. Beverly said the one reason she picked this is when you're pitching to the RDA, you have to tie it in directly to the casino which was an easy thing to do with the police. Not so easy with Borough Hall but we managed to pull that one off. This one is a no brainer. Bellevue Ave. straight to Parx. Mark thanked Beverly for putting all this time and effort into it. He thanked Carol as well.

John Stratz said safe walkability is the first phase of revitalization. This whole project is totally awesome. For him as he's been going around on a bike monitoring streetlights, that intersection was always kind of dicey for him on a bike. Fabulous.

Joe Dudash said good job. He thinks it'll help with the rec to clean it up. As far as the casino, that's one of the pathways to it. Beverly said they can have a bus shelter there and maybe it might say Parx Casino on it and they can sponsor it. One thing about the bus shelters too is they will not cost the borough anything plus they will get a stipend monthly. It's inviting and invites people who are using mass transit to use this space. And Mark has a point. They don't have full-time maintenance, but they have a part time worker that will have to be added to his job assignments.

Beverly said we need this and Mark is right. We have to figure out a way to maintain it, but they will find a way. It's something to think about. She certainly could get blinded by shiny objects really easy and this to her is a shiny object and Mark is right. It's a perfect thing for a part time maintenance person to be tasked with keeping up with it and even putting in mulch and putting in a couple seasonal mums or something and that doesn't take much time. They can do this. This is the other gateway into our town so let's make it look nice and make it safe.

Gary Nickerson said this is very exciting and a big undertaking for the TIPS project and the working with multiple partners for the RACP project and there's a lot of stuff you mentioned in the TIPS project that is very exciting with Bellevue Ave. and Durham Rd. It's very exciting to see what that could look like. Lincoln Highway and Durham Rd. and Bellevue Ave. That whole triangle is horrible looking and trying to improve things and give us some turning lanes that's only going to increase the walkability in that area and that's a pretty fast time frame. That was the goal to try to tie all this in with the new TOD with everything and it just so happened they followed up on it. Normally with grants or free things, if you don't hear from them, you didn't get it. So she and Carol both followed up with Vince Cerbone and he did pick up the phone when she called him and that was what came out of the conversation. Then she found it online and so she could share these documents with everyone. They are available online and its part of the fiscal year 2021 to 2024. Gary said with Hulmeville and Bellevue, he lives on Holly and he's just south of this, so he and Joe know this intersection with the kids going over the rec field, it's dangerous. This is definitely going to have a traffic calming effect. Gary said this pocket area he guesses would become borough acquired easements. Beverly said yes. Barbara said they would be changing the bus stop because according to the plan, the bus stop is moved. Beverly said they are going to address that. She said with Council's approval, if they are behind the project, let her know and then she will make sure that the proper documents are filled out so they can vote for it at the next Council meeting. Barbara said they will need a resolution.

Michelle Nigra, 367 W. Woodland Ave. said trying to make a left turn onto Hulmeville Ave. off of Business Route 1 is deadly. She asked if they were doing anything with that intersection.

Beverly said yes, that is the current project being done under the TIP program where turning lanes will be added and the radius will be reconstructed. That was awarded last year she believes, and it's anticipated to be completed around the same time the bridge opens up.

Jay Moser, 525 Hulmeville Ave., said everyone keeps talking about safety. He said it's going to be the biggest hurdle to get speed reduced because Hulmeville Ave. is a state highway and to make it safe it cannot be 35 miles an hour. It is a racetrack and when you put more public on that area, that needs to be reduced. Beverly said it is and she also believes the same thing for Bellevue Ave. Jay said that will be impossible but if you start adding more foot traffic which is wonderful, and it is definitely a mess for the kids to get down there, but if you don't slow traffic down, someone's going to get hurt. Everyone should keep that in mind when this project does happen.

Tom Sodano, 126 W. Woodland Ave., said early on they discussed that the area between Bellevue Ave. and Durham Rd. on Lincoln Highway saying that they want to eliminate left turns for eastbound traffic on Lincoln Highway. Beverly reread that scope of work which said they would prohibit eastbound Lincoln Highway left turn movements at Durham Rd., State Route 413. Tom said coming from Bellevue Ave. towards Durham Rd. they'll be heading East on Lincoln Highway. That means the buses will no longer be allowed to turn at that intersection. Beverly said according to the scope of work on the TIP project which she can give him a copy of, it says prohibit eastbound Lincoln Highway left turn movements at Durham Rd. Tom said the main culprit there is the SEPTA buses. He asked how that will affect the little piece of property that Tummy Yummy sits on when they redo the radius. That will be a lot of property taken from him. Beverly said it was just announced on August 13th and she did not find out about it until last week so they have not sat down and had any pre design or any meetings with PennDOT although, Vince assured her that they will be talking to them. It's only in the sketch design phase right now. They haven't even done the preliminary.

Mike Smith, 127 Dehaven Ave., asked how this little park down at Bellevue and Hulmeville Aves. affect those people's driveways down there where it goes right through the bike lane in the park to get out of Ted's driveway. Beverly said this is a concept drawing from back in 2013. It will affect him as it did at that time, and he appeared at council meetings, but they would have to acquire the easement and it probably won't be as large and as pronounced as this is. She thinks Carol's sketch was not as wide as it was on this. It is a big bump out but all of the people, especially Ted, their driveway was to be taken out onto Hulmeville and restored to their satisfaction. That was the plan originally back when those designs were done. Mike said he just thinks it's going to be a little safety problem here with him pulling out of his driveway and people making a left turn. Beverly said she thinks it's more of a threat to him now with people doing 55 miles an hour just screeching off Bellevue onto Hulmeville. Mike said she's probably right but he's just thinking now if they put shrubbery in there, they won't be able to see. Beverly said that is paramount to her and that will negate this entire project if line of sight is not very well thought of. They will make sure that there's no danger to him.

Terry McIntyre, 335 Hulmeville Ave., said that Bellevue Ave. being state road, they are going to have to get the blessing obviously from the state to even venture into this project. He said Borough Hall right there at Woodland and Bellevue Aves., that angle is messed up there as well. There's been a lot of accidents there as well, so I don't know if you guys had any feedback at all on that pop-up park from the state. Beverly said this is a concept only that's presented to Council tonight. She is sure that PennDOT will have something to say about making sure line of sight is considered. These plans were originally done and reviewed by PennDOT back in 2013. They are going to need PennDOT on this. Terry asked what their feedback was back then.

Beverly said she was brand new on Council. This ties in with all their other projects in the area and also ties in with some of the other ideas that they're going to eventually have to do. Hulmeville Ave. will have to be repaved. They are definitely going to have to be very cautious about line of sight. And they absolutely want their help with the highway occupancy permits too which are rather pricey.

#### Finance

Mark Moffa said they have the Earned Income Tax amendment coming up later in the agenda. Barbara asked if he heard from Mr. Calhoun. Mark said no and he thinks Marie was waiting for him to eyeball that.

#### Insurance/Pensions

Gary Nickerson said there's an ongoing issue with some of our swift payments that Maria is looking at and they're still investigating that with their insurance broker. He thinks they are going to have to sit down with Marie and our Rep to understand where they are at this point.

#### Open Space

John Stratz said he has an upcoming project due to multiple meetings that he has been having regarding the rec lights. It came to his attention that the bushes around the pavilion are horrible and now that he finally has electricity to plug something into, he intends to take an electric trimmer down to artistically shape those bushes. Barbara said every year they get an application for the Green Region grant from PECO. The maximum amount is \$10,000.00 so she could use some suggestions. She thought of a million things but doesn't know that they would qualify. She said maybe Joe would have something with Taddei Woods. It's \$10,000.00 and it's worth a shot and it's due October 31<sup>st</sup>. John said he could definitely eat up at least \$800.00 of that money to get a Bush hog and have somebody professional to walk behind said Bush hog and clean up that mess behind the pavilion. Barbara said that whole fence area has to be cleaned out. She would appreciate it if people could give her some suggestions.

Gary Nickerson asked her for the specs and conditions of the grant. Beverly said it is Municipal Southeastern Pennsylvania Municipal and Nonprofit efforts to preserve, protect and improve open space. She is downloading the grant guidelines right now and will send it out to Council. Joe Dudash said for open space, the only other thing is an emergency issue which they're looking into is a tree issue over Taddei Woods at the end of Holly Ave. Joe said it is dangerous with the wires plus if it goes, it's going to go in the street and Mr. Chester's driveway. It is completely hollow, and the vines are holding it up. Young's tree service said he can do it for \$700.00. Barbara asked Mark if there is any money left in in that line item. Mark asked which ones. Barbara said Taddei Woods park and rec, culture and recreation. Beverly said in culture and recreation, 457 section, they have enough left in there to do this tree removal. They budgeted \$6,000. They saved all that money on the mulch thanks to the Mayor. They are only at about 30% of budget as of August 4th and she doesn't think they spent anything.

MOTION BY JOE DUDASH TO REMOVE TREE AT TADDEI WOODS AT THE ENTRANCE OF HOLLY AVENUE NOT TO EXCEED \$700.00. SECONDED BY BEVERLY WOLFE. A roll call vote was taken. Beverly Wolfe, yes, Mark Moffa, yes, Gary Nickerson, yes, Joe Dudash, yes, John Stratz, yes, Barbara Heffelfinger, yes. All ayes, motion carried. Barbara said to call Billy and get him moving on that before it falls on somebody.

#### Ordinance

Gary Nickerson reported that the ordinance that was just submitted to council earlier tonight for consideration regarding the \$12,000.00 exemption under the EIT that is for consideration tonight.

## Public Works

John Stratz reported that he had a meeting today at Memorial Park regarding the electric panels upgrade. He said it really looks magnificent on the wall. They removed the three 1950's covered wiring panels that you can't even get upgrade parts for and consolidated everything into this new, modern, magnificent looking panel and they will have full lights for the game this coming Friday night. Barbara said it's a 400-amp service. Beverly said the head of Wildcats football is thrilled that he won't get electrocuted. Barbara said he was down there at the meeting today and was extremely happy. John said now he doesn't need a map to get all the lights on from pushing buttons on three different panels.

## Refuse

Gary Nickerson said as he mentioned earlier, due to the Labor Day holiday there's no trash pickup tomorrow. It will be on Thursday. There is a Bucks County hazardous waste collection coming up that is the last closest one to be held on November 21<sup>st</sup>. You can go to [buckscounty.org/recycling](http://buckscounty.org/recycling) to get information on that. Previously, you had to register but it seems they haven't said whether or not you are going to need to make a reservation, but he would encourage any residents to take a look at that website. Barbara said she will contact Laura to get the link up on the website. Gary said for recycling, you cannot put your items in plastic bags because it causes a mess at the recycling center. The last remaining issue is the ongoing saga of amending the trash contract. They have to make a decision pretty soon how they want to choose to amend the contract. He and Joe had discussions with Advanced Disposal, and they discussed modifying the existing trash contract to periodically revise the trash units and both parties think that's a good idea. They are in a unique situation where they have to go outside of our existing solicitors because there's a conflict of interest. He reached out last night to the attorney who helped craft the original trash contract to see what that would look like for her to review with this 200-word addendum to the contract. They already have this language which was developed by Advanced and it's pretty straightforward. It just talks about how the Borough should periodically review the trash contract and Advanced has the ability to audit that. Hopefully he can find out how much something like that would cost. Jay Moser, 525 Hulmeville Ave., said he knows this has been talked over the last couple months that a resident wants to shy away from paying his trash bill and take it to work or whatever, however, that would be a bad move. Trash has to be paid by each resident and they have to pull their own weight. He is one of those people that may not put trash out but once a month as he doesn't really generate that much being by himself. They're going to open up Pandora's box and it's not a good idea. It's not like you're measuring water on a water bill. There still is a minimum so he wishes that they would definitely consider that and keep that in mind that everyone needs to pull their own weight or it's going to get pushed back on the rest of the residents. You're going to really open up the door for a lot of people to call and say I want it every other week, I want it every third week, etc. You'll get like Bensalem that has all private contractors. Gary said that is not their intention at all. We have situations where we have commercial entities that are participating in the trash that was designed for residential so we need to lower that to reflect those situations and we have no interest in having ordinary citizens opt out of the trash. The only thing he and Joe have loosely talked about would be situations where residents would have to obtain a permit for a long term vacancy so if there's a homeowner who passed away and there's nobody living in there, they were thinking about well maybe if they had some sort of permit to state that the house was vacant, maybe they could opt out of that but that's really the only sort of exclusion that they were possibly considering. Jay asked who would police that. He asked who was going to drive past that vacant house that is maybe being cleaned up by the family for six months before they decide to sell it. He asked who is going to count the bags. He knows Joe's not. Everyone should pay their own way is

basically what he is saying, and it needs to stay that way. It's only fair and you can't make too many rules. It just makes it hard. Joe said the situation right now with the one particular piece of property is it is residential and business. He said if the contract that they settled on is for 500, there's nothing in it that would reduce it or increase it. For instance, if revitalization starts kicking off and they get more units, there's nothing to guide that so that's what they're trying to figure out. Some of these towns have multi contractors. They're all raising the rates so that's why they are looking into this unit thing. As far as increasing and decreasing, they would sit down with Advanced and say this year we have 500 but last year we had 400 so they need to work together with the company because then they can balance it out and save money.

### ***SPECIAL COMMITTEES:***

#### Long Range Finance

Gary Nickerson said they met in early August and they just kind of updated some of the members that were in attendance. They thought they wouldn't really engage school board members because there they have their hands full with COVID-19 and trying to figure out how to keep the school children safe and educate them. Barbara asked if they had minutes. Gary said they have minutes from the June meeting that he believes were approved. They didn't meet in July so the minutes from June were probably approved at the August meeting and he does not recall if he sent those to Marie. If not, he can send those over. Barbara said it's very important for the committees to submit their minutes so that they have a record here in the office.

#### Revitalization

Mark Moffa said they met with Evan Stone from the Bucks County Planning Commission. It is a new group and they appointed a couple of new members since the last time the task force met. He thinks the members had a lot to add and he thinks they had a very successful meeting. As far as trying to think about the next phase and the next steps for this task force, four main topics they discussed were how to attract developers to the downtown area and some of the methods and tips and tricks for that. They also discussed LERTA and they will continue to work with the school board. They discussed blighting and condemnation and one property in particular they are concerned about in the borough with regard to that and so that was a topic of discussion. And they discussed how to create a buzz for our town and revitalization and they really think that trying to have an event to do that would be the best way. That's how other towns have done it, namely Northampton and Richboro and they've been very successful with their LERTA and their revitalization efforts. They started to try to put a rough plan together for what a fun event might look like for Penndel to draw attention to us and celebrate the idea of this rebirth and revitalization. That's still in the infancy but obviously that's dependent on what's going on with the pandemic and a variety of other factors but those are some of the things that are going on at the Revitalization Task Force and they will have another meeting next month.

#### New Business

MOTION BY BEVERLY WOLFE TO AUTHORIZE ADVERTISEMENT OF ORDINANCE #2020-4 AMENDING CHAPTER 368 – “TAXATION” ARTICLE VII, “EARNED INCOME AND NET PROFITS TAX” SECONDED BY MARK MOFFA. Mark Moffa explained that they passed the Earned Income Tax at the last meeting and the mayor has signed the ordinance. In discussions with the mayor and also amongst all of them at the last Council meeting, as they were debating this topic, the topic of the \$12,000.00 income exemption came up and it certainly seemed it was the will of the majority of the council members to consider adding this exemption so that folks that make \$12,000.00 or less would not be subject to the earned income tax. And through full transparency, he and Gary on the ordinance committee, they chose to not include this

exemption at the recommendation of Keystone. They had some concerns about the terminology as it is an administrative nightmare and that it is very difficult to keep track. Someone can have five jobs where they make \$10,000.00 at each and kind of skirt the tax. It's a little bit of a debatable topic he thinks but considering that the majority of council and the Mayor expressed interest in this, he thought it was important that they move on it and he is willing to support it and so that's why he asked to be put on the agenda and that they move to advertise this tonight.

Tom Sodano, 126 W. Woodland Ave., said he spoke to someone off the record in a township in western Pennsylvania where one of his brother's lives. What they did with this issue with people and the way Barbara phrased it last time was she was very concerned about someone who had disabilities and really shouldn't have been required to pay the same way those of us who don't have those same disabilities do. What they did in this township, which he thought was creative, at the end of the year, a simple procedure of submitting forms and a copy of his tax return showing what he actually did make solved the problem. They did that because this particular person also did exactly what Mark said. He was disabled and he worked two small part time jobs. Tom said he thinks Keystone is not wanting to do it. When they say it's an administrative nightmare it means that they don't really want to do it. It's more grief than it's worth for a quarter of a percent or whatever they're getting. Just like it's not related to the Chinese. It's Advanced that doesn't want to pay for cleaning the plastic. That's why we wash it and they blame the Chinese. That is the way they handle it and he thought it was creative and the handicapped person was actually very happy even though at first, he didn't want to pay it. But after the first of the year, he got this bonus money back in sort of a savings plan that he didn't have to do himself. Barbara said she thinks that is also in the booklet that she has from Keystone. That's how they would do it. They would pay the tax through the year and then submit a request at the end of the year along with the appropriate paperwork and then they would get their money back. Mark said one of the questions that came up with the Long-Range Finance Committee with regard to this was making sure that resident's privacy was taken into account. They don't want borough officials knowing how much everyone makes. He thinks that would be inappropriate. What they learned a little bit about was that there's residents in some towns that ask how they are going to exempt them. Official will not know because it goes through Keystone and they would submit that paperwork to Keystone and it all goes through them. When all the communications that occur with the borough regarding individual taxpayers occurs, it is via account numbers and ID numbers that are associated with everyone and they don't have the information to link it to them. This is how it was explained by Keystone. Whenever they get the spreadsheets or data and the refunds are going out for those who made \$12,000.00 or less, they don't know who they are. That was the promise from them that they would not know who is making less than \$12,000.00 a year. That was one of his questions for them when he talked to them about drafting this amendment, to make sure he remembered it correctly from last year and they assured him that was the case.

Terry McIntyre, 335 Hulmeville Ave., said he had his hand up back from the trash. He thinks that trash should really be part of your taxes. That way nobody's going to want to opt out. Terry said he wishes somebody would make a motion to amend the 1% earned income tax they just passed to a 1/2%. He still thinks a lot of people in this town are struggling. A lot of people are working multiple jobs. He's talked to a few people in his travels and when they get these Keystone letters they're going to be truly stressed out and he thinks they should walk before they run. He really thinks the 1% is aggressive and egregious and he thinks they should correct it to a half percent.

Mark Moffa said just so everyone realizes what they're voting on, this is a vote to advertise. They will have public hearing dates and in that future meeting they will be voting to amend the

earned income tax to \$12,000.00. Another piece of administrative information is that for this advertisement they would need to know the dollar amount of the revenue they would now not be getting because they're exempting those who make less than \$12,000.00 a year. Some council members might like to know that number before voting but they simply don't have it. It's going to take them a couple of weeks to tell them how much money they might not be getting and the data they're going to have to use is a little dated and still probably pre pandemic. Just like when they had this discussion two weeks ago and they said that the \$400,000.00 number is dated and probably not accurate anymore, the number they are going to give them to put in this advertisement is going to be similarly dated but it will be the best number they can come up with. Just so everyone knows, full disclosure, that it is needed for the advertisement and they just don't have it yet. Barbara asked if he thought they should table it. Mark said whatever they're going to miss out on, they're going to miss out on. Plus, they can have that discussion at the public hearing once they have the numbers as to whether that impacts how someone wants to actually vote on passing the amendment or not. His personal vote would be to still vote to advertise this hearing knowing that they'll have that number by the hearing in case for some reason that number impacts someone's vote although he can't imagine why it would. Barbara asked Dave Truelove how he felt about it and he said they can vote on it. Mark said for some of the votes of this nature, they were going to make a point to ask his Honor the Mayor how he felt. He sort of already mentioned that in his report but he wanted to make sure they didn't skip that step this time. Bob Winkler said he gave them his report. For somebody that doesn't make much money and you have some college kids going to college and making maybe \$10,000.00 to pay their way through college. And there are some seniors he knows that are working to be able to live so agrees with that.

A roll call vote was taken. Beverly Wolfe, yes, Mark Moffa, yes, Gary Nickerson, yes, Joe Dudash, yes, John Stratz, yes, Barbara Heffelfinger, yes. All ayes, motion carried.

Barbara Heffelfinger apologized and explained that at the last meeting, they talked about the following motion, but they didn't adopt it.

**MOTION BY MARK MOFFA TO ADOPT RESOLUTION #2020-20 AUTHORIZING COUNCIL PRESIDENT TO SIGN AND BOROUGH SECRETARY TO ATTEST THE MASTER AGREEMENT; AND TO APPROVE AND SIGN THE MASTER AGREEMENT FOR CASTING ADJUSTMENTS WITH PENNDOT. SECONDED BY JOE DUDASH. A roll call vote was taken. Beverly Wolfe, yes, Mark Moffa, yes, Gary Nickerson, yes, Joe Dudash, yes, John Stratz, yes, Barbara Heffelfinger, yes. All ayes, motion carried.**

**MOTION BY BEVERLY WOLFE TO ADVERTISE COUNCIL COMMITTEE MEETINGS AS STATED ON THE LIST DATED 8/25/20. SECONDED BY JOHN STRATZ. Gary Nickerson asked if everybody was going to have their own separate Zoom account. Barbara said she doesn't know if it's legal or not, but she would like the committee meetings to be at Borough Hall with a limit of 20 people including the committee members. They can distance everyone and wear masks, but they can discuss business. That is her proposal. Dave Truelove said it's tough to limit the number although it's his suspicion that they won't have more than that number. Instead of having to worry about a Zoom account, perhaps they can do like they do sometimes for when people aren't able to attend, they actually provide a telephone feed and have somebody be able to call in. That would be his other suggestion. It may not generate any interest, but he doesn't want to be in a position where they violate the Sunshine Act or anything like that. Beverly said she would use her own personal Zoom account for her meetings. Barbara said she is technologically stupid, so she is not going to say she's going to do it. She wants to be at the committee meetings, and they have to have them and they also need minutes**

from the meeting and they have to have the public, so it sounds like a good idea. Gary said he is uncomfortable going into Borough Hall where he doesn't know how many people are going to show up. His kids are in daycare. If you guys want to come and hang out with his kids, when they're in school, but that seems like a like an extremely dangerous decision. They could possibly do this all on Zoom but he thinks the borough should be providing a Zoom account for everybody on council so they could schedule their meetings. He doesn't know who's going to be posting these on the website. Beverly said she agreed with Councilman Nickerson. Barbara said she was just throwing it out there until she learns how to do Zoom. Joe Dudash said with finance, they are going to have a lot of meetings and others might not have any meetings. Barbara said they should. They should have one committee meeting a month and it has to be with public comment. Joe asked who said they have to have these meetings. Dave Truelove said if you have committee meetings, you have to meet some public requirements. If you don't have one, you tell them you cancelled. You schedule them and can always cancel them if you don't hold those meetings. Joe said he will have to have Gary come over and set him up. Dave said as a society, they're all kind of spit balling this right now, trying to figure out what they are going to do, one step at a time. The only thing he can tell him is they have to comply with the Sunshine Act and not violate that and any possible right to know issues. Those are his hallmarks to advise you and after that, we do the best that we can. Barbara said they still have to advertise the dates. Dave said if you advertise the dates and you know enough ahead of time that you're not going to hold the meeting, put out information on the website and Facebook or the borough hall door that the meeting scheduled for that committee is cancelled. Gary thinks they need an SOP on who is scheduling these meetings, are they being recorded, what is supposed to be provided. He is in favor of the idea but needs something. Dave said you have to have minutes. The regular meetings are recorded. Everybody should understand they are recorded and draft the minutes from there. They are trying to figure out how to go forward in this new experience we have that hopefully will end in the next few months so they can go back to how they always did it but we're not there yet. John Stratz said one proposal he has and has done multiple times is parking lot meetings. Tailgating is a wonderful thing. Barbara said they need to advertise this and will keep working on how they are going to do it. Beverly suggested they table it for one more meeting and come up with an SOP as Gary said of how to execute this given the current state of affairs and Zoom. Barbara said she is all for that. Gary asked if they wanted to set a start date for these meetings. Beverly said when they advertise, they will have to advertise a date. They can work on an SOP at the work session and give themselves a deadline and advertise with a start date for these meetings. Barbara said they should have been having some kind of meetings. She knows Covid is a real pain, but by rule, they are supposed to have at least one committee meeting every month.

MOTION BY BEVERLY WOLFE TO TABLE THE MOTION TO ADVERTISE THE COUNCIL COMMITTEE MEETINGS STATED ON THE LIST DATED 8/25/20. SECONDED BY MARK MOFFA. A Roll call vote was taken. Joe Dudash, yes, Mark Moffa, yes, Gary Nickerson, yes, John Stratz, yes, Beverly Wolfe, yes, Barbara Heffelfinger, yes. All ayes, motion carried. Barbara said if they can figure this one out, she would be very appreciative.

MOTION BY JOE DUDASH TO WAIVE THE PERMIT FEE FOR THE CONCRETE WORK ON THE APPARATUS BAY FLOOR AND APRON AT THE FIRE DEPARTMENT AT 220 CENTRE STREET. SECONDED BY MARK MOFFA. A roll call vote was taken. Beverly Wolfe, yes, Mark Moffa, yes, Gary Nickerson, yes, Joe Dudash, yes, John Stratz, yes, Barbara Heffelfinger, yes. All ayes, motion carried. Barbara said that is part of the RDA grant that is for this year and that is currently under construction. A Roll call vote was taken. Joe Dudash, yes, Mark Moffa, yes, Gary Nickerson, yes, John Stratz, yes, Beverly Wolfe, yes, Barbara Heffelfinger, yes. All ayes, motion carried.



**MOTION BY BEVERLY WOLFE TO RATIFY APPROVAL OF THE FOLLOWING MID-CYCLE INVOICES:**

Comcast invoice dated 8/2/2020 in the amount of \$129.46 for 790 Neshaminy St. internet service  
Comcast invoice dated 8/1/2020 in the amount of \$224.12 for 37 W. Woodland Ave. internet and voice services  
Gettysburg Benefit Administrators invoice dated 7/31/2020 in the amount of \$169.59 for dental installment  
Independence Blue Cross invoice dated 8/7/2020 in the amount of \$4,709.11 for medical insurance installment  
Office of Labor & Industry invoice dated 7/31/2020 in the amount of \$2,370.00 for Fire Dept.'s workers compensation installment  
PECO invoice dated 7/29/2020 in the amount of \$2,561.32 for 2 months of streetlight electric service  
Comcast invoice dated 8/15/2020 in the amount of \$188.47 for 300 Bellevue Ave. internet and voice services  
Digital Forensics Consultants in the amount of \$4,170.00 (60% deposit) for the keyless entry installation

**SECONDED BY MARK MOFFA.** A Roll call vote was taken. Joe Dudash, yes, Mark Moffa, yes, Gary Nickerson, yes, John Stratz, yes, Beverly Wolfe, yes, Barbara Heffelfinger, yes. All ayes, motion carried.

Dave Truelove stated there was an executive session starting at 6:35 p.m. this evening, lasting until just before this meeting started. The members of Council who are at this meeting were present at the meeting along with the mayor and himself. Items of litigation were discussed at the Zoom executive session.

John Stratz said he wanted to throw this out there since they are amending the EIT ordinance anyway.

**MOTION BY JOHN STRATZ TO FURTHER AMEND THE EIT ORDINANCE TO LOWER THE 1% TO ½% AS PER RECOMMENDATION BY THE LONG-RANGE FINANCE COMMITTEE.** Joe Dudash said he didn't hear the Finance Committee say that. There was no second on the motion.

Mark Moffa said to Dave Truelove that he has his notes from Ben as to the proper procedure for amending the EIT. One is to authorize the advertisement and he noted there's a separate authorization of a notice of intent to amend the EIT ordinance. He asked if that was a separate vote or if it goes hand in hand with the vote they just took. Dave said it goes hand in hand but if they want to make the record really clear, it's not a bad idea to do that so they have both listed. Mark asked if they are separate advertisements and Dave said yes.

**MOTION BY MARK MOFFA TO AUTHORIZE THE NOTICE OF INTENT TO AMEND THE EIT FOR THE \$12,000.00 EXCEPTION. SECONDED BY BEVERLY WOLFE.** A Roll call vote was taken. Joe Dudash, yes, Mark Moffa, yes, Gary Nickerson, yes, John Stratz, yes, Beverly Wolfe, yes, Barbara Heffelfinger, yes. All ayes, motion carried.

Persons to be heard

**Mike Smith, 127 Dehaven Ave.**, said he was glad to see his neighbor is on here with him and he wants to make this totally up front to everybody. He is very aware that what comes out of this is going to create major problems between neighbors. He is saddened to see that Rick or Mike is not here because he would really like to know who authorized the permit for the fence that was built next door. The problem he has with the fence is it does not conform to any single ordinance within the Borough. Not a one. He's making everyone aware of this. It's not because he's mad at anyone here. But there is a major problem. The fence is six-foot-high at the end of his driveway. He said Beverly talked about line of sight earlier. He wants to tell everyone there is a safety problem here. At the way this fence is built, and out on the corner of the property, he has to be extremely careful coming out of his driveway. He cannot see towards Hulmeville Ave. If a kid was walking down that sidewalk or on a bicycle, he would run them over. That is not a lie. That is no footage whatsoever, to see anybody coming. The last part of this is, is that the fence is in violation of title 18 of statute 3322. He said Dave can look that up. He is asking council to work with the zoning officer to help these people move this fence back. It was approved and it shouldn't have been. He's asking council to look at this and look at this the right way because right now they have a major problem. If a kid gets run over, he doesn't want to be fighting with his neighbor over who was right and who was wrong when the code official approved the permit. Whoever gave them the information on how to put this fence in was completely wrong. When a permit like this is being applied for, every statute in our ordinances should be given to these people prior to when they start doing this. Because now, as the way he can see it, most of the fence has to come down. And it is going to be an extremely costly thing to them. But in the meantime, they have a safety issue. So, he's looking to Council and he knows they've had their battles, but this could be a kid that gets run over. Barbara Heffelfinger said they would take this into consideration and she will talk to Mr. Italia. Mike Smith said he did file a complaint with him. Joe Dudash asked when he filed it. Mike said he filed it this morning around 10:00 a.m. He did call him and spoke to him directly on he believes Thursday when Karen gave him his phone number.

**Tom Sodano, 126 W. Woodland Ave.**, said to Gary and Mark, that they discussed at the last monthly meeting, the ordinances that they are working on. They have not been adopted yet. They are still working on the original ordinances, like fences, construction, water. Anything like that they are still working on ordinances as they are on the website. He said they haven't redone them yet and Mark said no. He said to Gary and Joe about the trash thing, they went ad nauseum about plastic. He is wasting his hot water cleaning the stuff for Advanced. They want to blame the Chinese and now he is out there watching these clowns who pick up his trash taking the bags where from Lowe's or Home Depot that he spends extra money on, to put his grass clippings and recyclables in the same truck. There are no separate trucks. He's spending extra money. They are throwing everything in the same truck. You advertise when you can put your grass clippings out. You might as well put them out anytime you want and in anything you want because they are throwing them in the trash truck. He said they don't have to answer him because he is going to run out of time. The next thing is the ordinance thing he asked about. In the borough ordinances, 124-29, section F, is specific about in construction, and he will paraphrase to save time, basically when you're doing construction, you can't have more runoff when you're done than there would normally be or preexisted, prior to construction. He said he appreciates Carol working on the sump pump issue, but the elevation change is of a real concern to him in the back there. She had mentioned that the Schoolhouse property was lower than his property which it was considerably. So, if he didn't have a runoff problem before, he had a water infiltration problem. It was percolating. It's two feet higher in the middle. It's going to be a foot higher than his property at the edge where they swaled it. So now he will have runoff and the end result is the construction runoff that didn't exist in a low area. It will be

a problem for him and all the people surrounding this. It's going to be an issue for the Fire Company. It's on their agenda tonight. The back doors on the firehouse hall, will be below the water level of Schoolhouse when they get done. They raised it two feet in the center and you know they did because Carol and her people were involved in the fact that they had to raise the fire hydrant which they wouldn't have had to do if they were still two feet lower.

**Terry McIntyre, 335 Hulmeville Ave.**, said good evening Council and Mayor although he should say his new business partners since he and his wife will now be donating 1% of their wages to the borough to spend. He said spend it wisely. Terry said Mr. Dudash said he thought it would be worthwhile to have the tax increase this size if he could see some revitalization downtown in Penndel. He said he appreciates that. He can see that. But keep in mind that Penndel Borough Council has been working on this revitalization for over two decades. He was on Council for part of that. He doesn't just consider that few blocks that are around the underutilized Langhorne train station as our business district. All of the Route 1 corridor through Penndel is the business district, from 7-Eleven and the Penndel bowling alley and there are probably between 75-100 and all the way to Dunkin Donuts and Sparkle Car Wash. This is our downtown district. These are the people he tries to spend his money with year in and year out to support these businesses. He asked where all those businesses land in their vision for revitalization and how will they be spending this money to help that cause. Mark Moffa said it is a good question and the answer is not going to be a succinct one. The Revitalization Task Force will talk about the ongoing efforts to beautify the area and bring more businesses in and to diversify. He completely agrees with Terry and that's how they identified the TOD ordinance as the entire Business Rt. 1 corridor. That increases the opportunities along the entire length and even coming down Bellevue a little bit. It's a good question and the opportunities if you own right now in that corridor, just the passage of the TOD ordinance alone increases the property value because now you can do so much more than you could before they eased all those restrictions and allowed all these other uses. They become much more marketable in that area than it is now. That's one of the benefits. If they can improve things in that area bit by bit, it helps everyone. It helps the existing businesses and it helps existing residents. Terry said he understands the progress they are trying to make. They had the TOD back in 2006 – 2009. Barbara said they expanded the area and every time they tried to do something, they ended up with financial collapse or Covid-19 or whatever so she thinks people have to have patience that they are trying everything that they possibly can. Terry said he appreciates that. He said he was just asking because they were talking about a pretty significant tax increase. It's a lot of money and everybody knows government never spends your money well so you want to make sure when the money is spent, you don't mind spending money if it is for a good cause and wisely. Barbara said this has been needed for as long as she has been on council. They've got to take some steps to get it started. Beverly said they already did. Barbara said they've got the plans and everything going for them right now, so she thinks they are going to see a lot of progress. At least she hopes so.

Beverly Wolfe said one thing they've had in the past that squished a lot of the revitalization attempts previously is apathy and negativity. Those were, until three years ago, they restarted this and gave it the big Penndel Now kickstart. They had members of the public and business owners in Penndel saying it's never going to work. They never finish what they start. They made a promise at that time that they are going to finish what they start. What they started was the brand-new TOD and it encompasses everything down the Rt. 1 corridor and down part of Bellevue Ave. It was a huge piece of legislation. They are dedicated, and she is speaking for herself, whether she is on Council or not, the Revitalization Project is something she will continue to work for. The announcement she made earlier with the intersections being redone is going to improve the traffic flow. It's going to improve a lot of things in that entire area. And it

might just make some properties a little more valuable because there won't be traffic jams and people in rollover crashes on Bellevue Ave. all the time.

**Dave Cahill, 462 Cynthia Ave.,** said didn't the Rescue Mission lose money in the sale of their property. He wanted to know how businesses are making more money selling their property with the TOD. Beverly said she was talking about intersection improvements and traffic flow improvements. She said it might help. Dave said he thought he just heard Councilman Moffa say that because the changes to the TOD ordinance or passing the TOD ordinance, and they've had the TOD ordinance for quite some time now, maybe about 13 years. Beverly said not the new one. They just passed the new one. Dave asked when it was passed. Beverly said just a couple of months ago. Dave said to correct him if he's wrong, but didn't Bucks County Carpet buy the Rescue Mission which was the old Cooperative Furniture building. Beverly said she believes he is correct. And he believes the Rescue Mission lost money. He thinks they paid \$500,000.00 for the property and he believes it sold for \$390,000.00. He asked if his numbers were correct. Beverly said she had no idea. Dave said that property is in the TOD. Barbara said it wasn't in the new TOD when it was sold. Dave said there was an old TOD ordinance that was in place. Dave asked if Mike Smith's neighbor has to move his fence because of an error made by the inspector, does that mean Councilwoman Laura Germain has to remove her upper floor addition on her garage because of the inspector's error? Dave Truelove said nobody has to answer that question.

MOTION BY BEVERLY WOLFE TO ADJOURN THE MEETING AT 10:37 P.M.  
SECONDED BY MARK MOFFA. All ayes, motion carried.

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