

Penndel Borough Council Work Session
Via Zoom Communications

April 19, 2021

Council President Beverly Wolfe called the meeting via Zoom Communications to order at 7:39 p.m. with the Pledge of Allegiance.

Ben Hauser reported that the executive session began at 6:45 pm to discuss two potential matters of litigation and informational matters. The first being a sewer account at 120 Bellevue Ave. The second matter being a current concrete dispute at 151 Bellevue Ave. In attendance were the members of council with the exception of Mr. Nickerson, Mayor Winkler, new Borough Manager Geoff Thompson and himself. It ended at 7:35 pm.

Present at the meeting via Zoom Communications

Mayor Robert Winkler
Borough Manager Geoff Thompson
Council President Beverly Wolfe
Council Vice President Mark Moffa
Councilman Gary Nickerson
Councilman John Stratz
Councilman Joe Dudash
Councilwoman Barbara Heffelfinger
Councilwoman Laura Germain

Also present via Zoom Communications

Ben Hauser, Solicitor, Hill Wallack
Carol Schuehler, Value Engineering
Marie Serota, Secretary/Treasurer

Beverly Wolfe introduced new Borough Manager Geoff Thompson. Geoff said he started on April 7th. He's been a manager for local government for about 25 years in South Carolina, Michigan and has spent the last 17 years in Colledgeville Borough. He's semi-retired and is also a college softball coach. He's hoping this fits into his schedule. The staff has been great. He met Carol the engineer and the attorneys. So far they have a good working relationship and it's a pleasure to be here.

Announcements

Mark Moffa said they should share that one item was tabled at the executive session. One of the parties that the issue concerns is here and that way he will know there's not going to be action on it tonight and he's not waiting two hours to find that out. Beverly said they are not going to have resolution tonight. We will have to table it until the next work session when he can attend again, and they will have final resolution. Tom Wheeler said he wanted to point out that in October, Mr. Moffa said they would discuss this as long as he didn't drag his feet. He received a letter on October 12th and he did everything he could. He gave them the check and invoices. He has heard some rumblings about the invoices. Beverly, Barb, himself and John were at his property. Beverly said she asked him to give her three quotes. Tom said they are exactly on the pieces. Now he understands the pieces go down some, but they are exactly what she asked him to price. He was asked by Mr. Moffa to not drag his feet and now it looks like they're waiting seven months on Penndel. Beverly said she wanted a resolution tonight,

but a couple of questions and issues came up during the executive session, as he is probably very aware happens. It's not fair to anybody especially him, to even proceed with it until those questions are answered. It will be discussed at the next work session on May 17th. Barbara Heffelfinger reported that the parade committee 5K run is Sunday, April 25th with check in at the rec field. Also, this weekend is safari weekend which is April 24th & 25th. They encourage everyone to decorate and send their names in so that they know who's is going to be involved. Please put stuffed animals on your property so that the kids can go out and find them. In the newsletter, there will be information on the Memorial Day Parade and the Penndel Classic Car Show on May 22nd at the OLG parking lot.

MOTION BY BARBARA HEFFELFINGER TO APPROVE THE MINUTES OF THE APRIL 5, 2021 COUNCIL MEETING. SECONDED BY JOHN STRATZ. Joe Dudash asked why minutes for 2021 haven't been posted. Laura Germain said that is one of the issues they are having and are going to talk about tonight. The issue is them being visible because she doesn't know how to move the older ones off the home page and move them to a new place. That's one of the things that the website people have to do. They are there, they're just not easy to find. If council approves the proposal, the website people will do that. She tried moving them around last week when someone said they couldn't find them, but she's not a tech person and is doing the best she can to get them up there. Joe asked what people are supposed to do if they want to see them. It's been four months. Marie Serota said that copies of the minutes are available by email or fax. Beverly said they can approve the motion tonight and they will authorize the professionals to fix the problems on the page that they don't know how to fix. Joe said the public shouldn't have to go through all that paperwork to get them. Marie said they would not have to put in a right to know request. They could just either pick up a copy or we can send it to them email.

Joe asked if the Zoom meetings are videotapes. Beverly said the meetings are required by law to be recorded. Joe said in other towns they are posting them so is this something they can post. Beverly said they never have. Joe said a lot of the big ones are doing it. Mark said they could ask, especially if they enter into this website maintenance contract that's on the agenda later tonight. They can ask the contractor if they have the posting capability for those video files. He does that at his job. But the hour long one is about 400 to 500 megabytes. With the borough meetings going to three hours, those files are probably over one gigabyte in size so they are huge. There may be a little bit of an issue depending on the bandwidth on the borough's site. Beverly said they do have audio only versions which would be a lot smaller in size so that could be an option as well.

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

Engineer's Report

Carol Schuehler read her report which is attached.

Public Comment of Agenda Items

Mike Smith, 127 Dehaven Ave., asked why there is so much litigation in this borough as small as it is. Beverly told Mike this is public comment for agenda items only and that is not on the agenda. Mike said there was a section for the executive session for litigation and he's just asking a simple question. Beverly said it's not an agenda item.

Tom Sodano, 126 W. Woodland Ave., asked Laura for clarification on her comment that the minutes have actually been posted somehow but they are not visible because she can't move the old ones out of the way. Laura said she brought that up with the website people that she was seeing things that other people weren't and they did show her a few tricks and that seemed to fix some of it, but the minutes was one of those that she was getting feedback on from him and other people that they weren't seeing them. They are saying that's the only thing that is supposed to be on the home page under those minutes are the actual current year's and she doesn't know how to move the old ones and it's a whole big project. She doesn't know if it's a bandwidth thing why some of the minutes aren't showing up. When she signs in from a different browser, not signed into her admin one, she does see some of the 2021 minutes but if she signs into the back end where she posts them, she sees all of them. Why that is happening, she doesn't know but that is one of the things that they're going to fix. Tom said he looked at them from two different browsers and he couldn't see them. Beverly said they are going to have the web people fix this. She said they can't because they don't have the skill set.

Jay Moser, 525 Hulmeville Ave., said he did a little research today and there are five out of the last seven meetings missing. This shouldn't have to go this long. It takes two minutes to call that web company and say fix it. Beverly said council has to authorize the expenditure.

She sees what he's saying. She sees March and January. If they authorize this tonight, they will have them work on it immediately and get it fixed.

Terry McIntyre, 335 Hulmeville Ave., asked if anybody heard from the state on Hulmeville Ave. with the parade coming. Someone is going to lose an ankle. Beverly said she mentioned it the other day. It's going to be problematic, but they are working on it.

COMMITTEE REPORTS:

Administration/Cable

Mark Moffa reported that they have been getting Geoff up to speed on everything that's in motion and that continues to be focus. Joe Dudash asked how the residents can contact the borough manager. Geoff said they can call or email. Marie said his extension is #116. Beverly said they put his contact info. in the newsletter that's currently going out.

Buildings & Maintenance

Gary Nickerson said at the last council meeting, he mentioned the idea of the future borough maintenance worker possibly doing some lawn care. He and Joe talked about it and they both agree that at some point it would be a wise decision to have a maintenance worker take care of some of our pump stations and potentially the sewer plant. These are small facilities that do not require a lot of time and they are currently paying around \$3,000.00 a year to maintain these areas which can probably be taken care of solely by weed whacker. He spoke briefly with Geoff about this prospect and about potentially having the maintenance worker do this but they both kind of agreed that they need to understand what the responsibilities of the maintenance worker would entail. Geoff forwarded him the previous job description of what they used to advertise for the maintenance worker which he is currently reviewing. It states in there that the person could probably use power tools, but he thinks in order to understand this, they don't want to have the maintenance worker doing something that would monopolize the time that would be better spent on other important things in the borough. Gary said he was unable to answer what sort of things the previous maintenance worker was doing every day. He was hoping that Bob could fill them in on some of his day-to-day activities since they are going to be posting for a new maintenance worker very shortly to try to take care of some of the ongoing maintenance

issues. Barbara told Gary they had a whole list. Bob said he gave Geoff all of the information. Gary said he wanted to know what he would be doing if he was here today or tomorrow. Bob said tomorrow is trash day. He would go to the rec. field and check it for trash. He would do storm sewers. Tomorrow he would be fixing signs or doing storm water inlets. Gary said they're going to be advertising and wanted to know the critical responsibilities that they want this maintenance worker to do. He would encourage other committees to think about some of the things that they want the maintenance worker to do. Gary said he's not in the office all day and wasn't his supervisor so hearing some of these things is helpful. Bob said he was working 12-15 hours a week, sometimes more. Gary asked if there is anything they could include in the job description that Mr. Diaz couldn't do. Bob said he would need a lawn mower. Gary said he won't be cutting the lawn. Bob said there are hand tools down at the shop along with paint equipment. Usually at the beginning of the year they replace the rollers and paint lines, stop bars and curbs. There are signs down there that need to be replaced. Gary said they can weed whack the Taddei Woods entrance which is extremely small, Washington Ave. and on Holly Ave. He's witnessed the current contractor, who does a great job, but he gets out of his car with a weed whacker and he zips through it in a couple of minutes and he would imagine that the Washington Ave. side is even smaller. Barbara said it is bigger. Gary said they need to fill up the 12 hours of work that they're paying them every week. They have pump stations and they also spend a lot of money for the contractor to do work down at the sewer plant. Having a contractor being on the ball and taking care of borough hall is a priority but some of these smaller facilities that are out of the way would be good. Barbara asked if they could have the maintenance person keep the flower bed weeded and mulched because that would be a big help. The Heritage Society takes care of the planting. Beverly said at the last meeting, they talked about having a job description for this new maintenance worker. She said it sounds like they're making progress and asked if Gary needed help with that. Gary said Geoff forwarded him the description today and it includes the ability to use power tools. What Barbara is talking about is pretty standard stuff. He's not sure if they would require the worker to have any sort of specific certifications or training. But keep in mind they're only paying around \$12.00. Geoff suggested they look at the budget and see if they're having trouble recruiting candidates at \$12.00, maybe they can increase that to \$15.00 to see what kind of candidates they get. Beverly said they kept it low because Mr. Diaz couldn't make any more than a certain amount of money a year. Gary said he's not at borough hall all day and he just needed to know what things he was doing. John Stratz said that Mr. Diaz saved the borough a lot of money filling potholes last year. John said he went around and identified them, filled them, and did an equal if not better job because he filled it with black material as opposed to Pothole Killers that fill the potholes with white material on a black street. He would like to see filling occasional potholes in the job description. Bob Winkler said he thinks they can do 20-25 hours a week. Beverly said she would check the budget. It also depends on if they're having difficulty getting candidates. They may have to take that up a little bit.

Community Development

Barbara Heffelfinger said she needs to meet with Carol on what they're looking for and looking at. Beverly asked if that is for the green ways stuff, the trails or any of those things. Barbara said it is. Beverly said they are still waiting on the RDA information from Gilmore. Barbara asked how long it's going to take them. The work has to be completed by the end of the year. September 15th is usually the date for which you have to apply for the next year so that's something they've got to start thinking about now.

Community Relations

Laura Germain said if anyone wants to put up a little display to let her know. She doesn't give addresses; she just says there's been a confirmed sighting on Holly Ave. They are going to put

the mural up on Friday night and leave it up until Sunday night. Several council members, the police chief and the church will be participating. You can still enter even if you don't put up a display. She's had people enter for the Wawa gift card for just taking a picture of a display they found or listing some animals they saw. Because of Covid, this is still a very safe activity where nobody's actually meeting in one area and that's why it's a whole weekend. Barbara said she is still in the process of putting the newsletter together. She had kind of a hard time putting it together this time because some pages were in color and some pages were not and she didn't really have a working area to actually lay things out. You may find a blank page or pages that are not coordinated because they had trouble putting it together.

Insurance/Pensions

Gary Nickerson said he got something from Marie today. It looks like they got an amended commercial package policy, but he hasn't had a chance to look at it. Beverly said it looks like there was some change in PA State law and they had to amend it. Gary said It doesn't look like anything major.

Open space

John Stratz reported that the Bucks County Board of Health completed the mosquito treatment in Taddei Woods and have also treated the inlets. That coupled with the really cold nights they've been having should push the mosquito problem back into the true heat of the summer.

Ordinance

Mark Moffa said last meeting they talked about the request for the handicapped parking space and the need to revise our ordinances which was researched and outlined by a Hill Wallack memo. He and Gary submitted a report on March 11th to Hill Wallack detailing what needs to happen to revise the fence ordinances. He was inquiring with Ben as to the status of those and then they really neglected as council to authorize his office to prepare those ordinances. They should probably take votes tonight to authorize Hill Wallack to prepare the ordinance revisions both for the handicapped parking, special parking space portion of the code and also for the fences. The third issue they've been working on is on sidewalks but they're not ready to authorize that yet. He asked Ben Hauser if a motion to authorize his office to prepare the necessary documentation for the two ordinance provisions in question be appropriate at this time. Ben said it would. Public comment since it's not an agenda item would be in order. Mark said they discussed the parking situation at the last meeting. The fence situation they've been discussing in detail throughout the course of several meetings. He thinks at this time they probably need to just get these proposed ordinances in front of council so people can actually see what they're going to do unless council members have any more detailed questions before they give Hill Wallack the go ahead with the draft. They would come to council and they could mark it up before introducing or they could just introduce it and then it goes through the whole process of advertising. Ben said for the fence ordinance, and he knows there may be a related component into that, that would have to go before the borough's Planning Commission as well as the County Planning Commission because it is contained within the borough's zoning code. Joe Dudash asked why they don't give out what they have right now to council and let them take a look because they might want changes right away and before they start sending it to attorneys. It is taxpayer's money. They have been spending a lot of money on lawyers right now. Mark said he amenable to doing that. There is a reason they have committees and he and Gary are the ordinance committee. Mark said they can share the five-page report on fences that they put together. What happens in essence is that all seven members of council become the ordinance committee. It's a little unwieldy that way. The way he understands things should work is that the committee keeps council apprised on what they're working on and if there's a general consensus that they should move forward then they should probably draft an

ordinance to show everyone and then at that point if people don't like it then they can make changes. Joe asked how much money they've spent on the attorneys. Mark said this is how laws are written. Joe said in DC it comes in front of the full committee. They as the council would be the representation of the people. He's spending money like a drunken sailor here. His mom only got 2.2% of cost of living in Social Security and half of these people are unemployed right now. You're shaking your head. You've got to come down to reality here. You're running for election. He asked if he really cares about the people of Pennel or not. Joe said he disagrees with Mark. He doesn't want to be spending the money. Let's get realistic here. He can imagine what they must have spent on the fence issue with Mr. Smith's project. You can shake your head all you want but he thinks it should be presented and then go from there. He doesn't think they should be spending anymore in attorney fees. When he did the contract with the trash committee, they handled it and then presented it to the council before he even sent it to the attorneys. Barbara said she agrees with Joe. Beverly said they're talking about a contract versus an ordinance. Mark said Joe's main complaint is how slow government works. If he wants to see slow government, he'll send all council members all of the notes from the ordinance committee and then they'll never have new fence codes around here. Joe said let's hear what the public has to say with spending money with the attorneys. Mark said you have to spend money with attorneys to write new laws. He doesn't understand how government works. He knows more about local government than Joe does. Joe said oh you know more than him? Mark said he does about local government. Joe said you were down at the White House and the Capital and you understand how laws are written. Mark said yes. Joe said you're over yourself. Mark said he doesn't know how local government works yet. Joe said he isn't happy with how the taxpayer is spending money in Pennel. Mark said why don't you just fire the attorneys because you hate them so much. Then they will have no attorneys and they'll just write the laws themselves. Joe said he doesn't hate the attorneys. Mark said that's why the code books are as screwed up as they are. It's because everyone just wrote their own laws and they didn't do things the right way. They're trying to do things the right way. Joe said the councils of elitists has let this go haywire and not kept the contractors under a direct line of supervision. They run around here like they own the place and there's no thought of the people of Pennel and the tax dollars. The only thought that's been really done around here is the manager and that's it. The rest of it is like drunken sailors spending money so if you want to go that route, then how much money have they spent on the attorneys so far this year just on the fence situation. Mark said this is an ordinance committee report. He doesn't know how much money has been spent trying to resolve the fence litigation. It's an ongoing issue and he hasn't seen the hours that have been billed yet. Barbara asked if he has a rough draft and then he can ask for suggestions. Mark said he'll just send them the notes. He's explained this multiple times. The 2012 revision is what they want to be the law so if you're familiar enough with the codebook and you look at what the council did in 2012, that's what they want to be the fence code. Part of the problem is that this has dragged out too long and that it conflicts with other parts of the code that were not repealed with the 2012 revisions. Barbara said they need just the basic ideas not the wording. Not how they put the ordinance together nothing like that. Not having the one foot between properties. If you have the suggestions that you have to change, that's all she's asking for is to get comments from council and see if they are feasible to be included. If they're not, that's a whole other ball game but rather before you send it to the attorneys, she thinks council deserves suggestions and recommendations. Mark said he discussed this at a previous meeting and he's sorry if they weren't paying attention, but he will send it to all of council, the five-page documentation with photos and everything that he and Gary prepared, and they can make all of council be the ordinance committee. Barbara said he's looking at it the wrong way. Mark asked if they can authorize the solicitors to do anything or are they just not going to take any action. Joe said he would like to hear what the people have to say. Mark said there is no ordinance in front of the people yet. Joe said he's not getting what

he and Barbara are trying to tell him. It's the tax dollars of the people. Beverly said to move on. Mark said they can't even act on the parking spaces. This borough can't get anything done. Beverly said they have to find out the legality of what they're doing before they even attempt to do it. Somebody could say they want to outlaw fences being this way. They're not experts and don't know what they can and cannot do according to the law. The worst thing that they could possibly do is get the borough into a lawsuit over something. Mark said this is why they send it to the attorneys. Beverly said if that's what everybody wants, they will send everything out to everybody. The handicap parking spot and the fence can wait it's that simple. She's done arguing about it. It's going to take 10 times longer to do stuff and they had a bunch of amateurs writing ordinances that they were never repealing parts that they were trying to fix. Now you've got ordinances that are caught in a timeless loop. Joe said she's not understanding what they're saying. They're not trying to rewrite what Mark and Gary have done. The object is to review it and maybe they have something to add to it rather than go to the lawyer, make him look it over and pay for it and then it comes back and then they do changes again and send it back. He understands the system but it's just a point for them just to look at it and maybe add their comments and have questions and then it's all packaged up and sent to the lawyer. He asked Ben what the estimate of costs is if they just send it over to him now. Beverly said that's not fair to ask him how many hours it's going to cost when he doesn't know. Joe said he's asking him for a rough estimate. Beverly said they're just going to have to send out everything to council and get their input before they can address it. Joe said he thought Mark said he already had a draft. Mark said there are instructions to the attorneys for the fences and for the parking spaces there's a memo from them. Beverly had already sent that one to the attorneys. Joe said then they should vote on the parking. Mark said they've written a memo explaining the issue and now they need to authorize them to change the code book. Joe asked what was in the memo. Beverly said they will send it to them.

Public Safety

Joe Dudash asked with regards to the RDA money, what they are putting in for. He asked if they are putting in for weapons or equipment. Barbara said they are not talking about this year. That's already been decided. Joe asked what they are putting in for the police for next year. Barbara said when they decide, they will give it to them for their comments. Joe said he would like them to consider getting a joint utility truck that the fire marshal and the police department can share. Nick showed them how important the fire marshal and emergency preparedness is with Covid that's been going on so he would suggest that they should put in for something like that like Langhorne Manor did and which they received. Barbara said they are probably not going to get that kind of money. Joe asked about the \$213,000.00 in Covid money that they're getting. Beverly said they will get half this year and half next year. Joe said he's thinking of the fire marshal/emergency preparedness which in the past had a budget of \$100.00. This department has proven to the citizens of Penn del and council how important it is. He still needs equipment and he's thinking that maybe some of that money can go to equipment and truck or whatever and a cross reference utility vessel with police and fire marshal. Barbara said she would send his request to the chief and Nick. Bob Winkler said he made a note of that. Joe said he would like a brief inventory of the equipment of the police officers. With the changing times of what's going on in Minneapolis and all, he thinks it's important for the council and for the people of Penn del. He knows council will be the only ones to be told of the inventory because of safety and security reasons but he would like to see what type of equipment the officers have on the street. He would also like a brief vehicle information log on the three new police vehicles. He would like to see how they're doing with the warranties. On new vehicles you need to keep up with the warranties. He would like to know for instance like was there any equipment failure, water leak damage to the roofs or anything like that and did they correct the situation. It doesn't have to be the vehicle logs; he just wants a brief summary of what they

took it back to the dealer for under the warranty and are they keeping up with it. His main concern is the inventory of the police officers and their equipment that they're actually carrying and the possibility of updating stuff because the situation out in the street, in his years in law enforcement, it's getting worse and he wants the officers to have the latest equipment. He thinks there might be some shortages of equipment, so he wants to go through it with the mayor and Beverly. Beverly said it's reasonable to get an inventory of the equipment. She thinks they have budgeted for replacing vests every couple of years and replacing service weapons as a capital budget item. It's a reasonable request, especially with the tasers and stuff like that that has a specific life span. Joe said they need to know if every officer has one in case they have a situation where the officer took one home and they only have one. Joe asked if they had police coverage on Sunday, April 18th for the 7:00-300 shift. Bob said no. Joe said the police chief has a police car to take home so he's a little disappointed that they didn't have enough coverage. The supervisor is making \$70,000.00 plus \$10,000.00 with the car and he didn't come in to cover the shift. The citizens of Penndel from 7:00 – 3:00 had to depend on the state police which you know there's only two on I95 as he experienced up at Cairn University. You would be sitting up there on your own. Joe asked why the chief didn't come in to cover that shift. Bob said he didn't know. The officer that was going to be on duty got called into his full-time job and nobody else answered the call. Joe said as a supervisor in law enforcement, it's up to the supervisor to take the responsibility of their coverage, especially if he's getting paid by the citizens of Penndel. He asked how many times did they not have coverage from January to now. Bob said he thinks this was the first time. Joe asked if there was any last year. Bob said he didn't think so. Joe said Bob needs to talk to the police chief that he's expecting if that situation should arise like that again, he should be in here with \$85,000.00 a year with a part time Police Department. He respects the police officers and the PBA. They are fantastic and he doesn't put this responsibility on them. He's sure they contacted the supervisor and told him that they couldn't come in for whatever reasons, but he thinks it's the responsibility of the supervisor and again this is where I'm having differences with the police chief. It's an administrative nightmare. Joe said he would let Bob handle it because he's the chief law enforcement officer. Bob said he would meet with the Public Safety Committee and chief go over it and look at his contract. Joe said it better be in his contract if he's taking a police car home which is \$10,000.00 more a year with his \$70,000.00, he better be coming in here if there's no coverage. Bob said he will check it out with the Public Safety Committee and give a report to the council president. Joe said there are some administrative hiccups here that need to be straightened out and maybe the manager can get involved being he's dealt with police departments himself.

Public Works

John Stratz reported that on Thursday he accompanied Carol for the inspection down at the shore club. The contractor did a wonderful job. The property was put back in exemplary condition and they walked the entire length of the new pipe being put in. All the manholes were pressure tested and everything looks fabulous. He doesn't feel that they will ever have a problem there again. Everything was put back in better shape than it was when they started.

Refuse

Gary Nickerson said that as he already had reported, Advanced Disposal was purchased by Waste Management. They are starting to see their trucks more and more. His trash was picked up a little bit later than usual. He's not sure if it was the same guys that were doing it but if anybody has any issues with trash, please call borough hall and report this and Karen will get that taken care of right away.

Revitalization Task Force

Mark Moffa reported that they are going to sit down with Geoff after he digests his first meeting cycle. They're thinking the first week of May and have like a pre revitalization task force meeting where they just kind of prime him on the things that they're looking to start working on with the group again. A lot of that will be marketing the things that they have opportunities on. Then they'd like to have a meeting of the group in early June. They will try to get with Geoff in a couple of weeks and give him about a month to work on some of the ideas that will come up with at that meeting.

Gary asked about the planters or large pots on Route 1. He asked if they are borough property. Barbara Heffelfinger said they were purchased with a grant and yes, the borough owns them, but the Heritage Society maintains them. She knows they look like the devil right now but there's nothing you can put in there right now. When the weather breaks, she will do them. They've lost maybe six of them because of drunks picking them up and throwing them at 600 pounds or people running into them because they were in a parking lot. There are about six left and there is one she refuses to do. It is the one by Lace'd and there is junk in that planter that nobody on God's green earth should have to put their hands into. That's the one she refuses to do but the other ones she will be taking care of.

Mark Moffa said one other thing they were wondering about as they start to think about making things look nice down there and can get done quickly is the banners. He asked if they are the Heritage Society's as well. Barbara said they are. Mark said they look like crap. Barbara said thank you very much but the problem with them is that they have to pay somebody to put them up, double check the hardware, etc. and it means following them around to get them put up or changed. They do have them for Christmas. Bob did get many of them sponsored by local businesses. If anyone has any suggestions on how they should be handled or who's going to climb up that pole or whatever, they would appreciate it because they need help. Mark said it could be something the Revitalization Task Force talks about. Those types of beautification issues like a banner matters if it doesn't look nice. Barbara said they haven't met because of Covid. She'll get Ward to check on the inventory and if they can spend some money and buy new ones. Barbara said the problem also is PECO. They will tell you that can't put it on this pole because there's a box there and if you do and they have to work on that pole, they're going to take it down and dispose of it so there's a lot of angles to that.

Old Business

Tabled from the 4/5/21 meeting:

Gary Nickerson said he was looking at the one from the fall and they're very similar. He's down at the rec. field all the time and he knows they put the responsibility to maintain the rec. field on the Wildcats. He still thinks the contract could be better. His issue is that the contract requires us to provide trash cans and they do but the trash cans are mobile. They have six giant trash cans that can be wheeled around. The wildcats take the trash cans and they put them where they are actively playing but there's no trash cans at the playground, pavilion or basketball courts. There's trash all over the playground and to him it's really embarrassing and is a disgrace. Here is an opportunity to look at this contract. He thinks they have to hold the Wildcats to their part of the bargain, but they also have to hold themselves to our part of the bargain. They made a big stink about the trash being down at the rec. field and they had Mr. Diaz going down there and doing things and he was emailing with Karen about a couple of issues about trash cans and even this issue about having the trash cans being moved around and whatnot. He's not sure how they feel about having permanent trash cans at least at the playground or by the basketball courts and the pavilion. This contract doesn't say anything

about who's responsible for taking care of the basketball courts. It does say the playground, the pavilion, and the rec field, but it doesn't say anything about the basketball courts. This contract doesn't say anything about the Wildcats football or the Neshaminy Wildcats baseball. There's three months out of the year where it is the borough's responsibility, so December 1st through February 28th is the responsibility of the borough to maintain the entire sports complex. He doesn't know who's issue the cans for the trash are at the rec field he doesn't know if that's open space. Beverly said it used to be the rec. board and we don't have one right now. Gary said he is in support of this contract. But they need to take care of the trash that the Wildcats are not responsible for. Beverly said not only in areas but at times of year. Gary said the contract states they are responsible for trash at the playground and pavilion but there there's no trash cans there. There are only huge ones. He doesn't think it's a good idea to have loose ones because they get kicked over. He's not sure if installing permanent trash cans down there is the way to go. Bob and Mr. Diaz were taking care of those trash cans so that would be something that the maintenance person should be doing. Barbara said they need to have wheels so that they can get them out to the to the truck because the trucks and allowed to go on the asphalt. Gary said on Tuesday nights they wheel them out to the curb. The coaches and he's one of the assistant coaches and the pickup all the trash there and them to the cans by the two-story building. Their game was over at 3:00 o'clock so he doesn't know if the Wildcats are responsible for going back there at 8:00 o'clock at night. He doesn't know if they can realistically think they're going to do that, but you know these are some of the things he just wanted everybody to be aware of. Joe Dudash asked if there was a gap after baseball and into football because it seems like that's when the weeds and everything else starts growing. Beverly said there is a month gap between baseball softball because they have to redo the field for football. They take the fences down and all that stuff. There's a lot of gaps in general maintenance at the memorial field and it's obviously gotten worse. She thought they had trash cans with chains on them. Gary said there's just large, wheeled ones. He's not saying his way is the right way, he's just saying they can do better. Beverly said they have to come up with something. She can't hold the Wildcats responsible for when they have a game in the afternoon for them to come back at 8-9 o'clock to take care of trash that's happened after that or during the wintertime when they're not playing at all. That's something they need to address. They need to have a nice place for the residents to go and relax and have some fun. They can't count on these organizations to do that work for them.

MOTION BY JOHN STRATZ TO APPROVE THE USE, OPERATION, AND MAINTENANCE AGREEMENT FOR THE NESHAMINY WILDCATS ASSOCIATION. SECONDED BY BARBARA HEFFELFINGER. Laura Germain asked if the one that was sent in March is different than the one that was sent in April. Beverly said a few of the dates were incorrect and have been fixed. Ben Hauser said the other change for the record is in terms of security codes and keys not only is the borough secretary to get them, the office of the borough manager also. A roll call vote was taken. Mark Moffa, yes, Gary Nickerson, yes, John Stratz, yes, Joe Dudash, yes, Barbara Heffelfinger, yes, Laura Germain, yes, Beverly Wolfe, yes. All ayes, motion carried.

New Business

MOTION BY JOHN STRATZ TO APPROVE ISIDORE CONSTRUCTION COMPANY, LLC ESTIMATE #2021P08 IN THE AMOUNT OF \$1,560.00 FOR PAVING OF MANHOLE REPAIR AT BELLEVUE AVENUE AND DURHAM ROAD INTERSECTION. SECONDED BY BARBARA HEFFELFINGER. John said this is coming out of liquid fuels' funds. Beverly said the other was a temporary repair to keep traffic moving. This is the permanent repair. A roll call vote was taken. Mark Moffa, yes, Gary Nickerson, yes, John Stratz, yes, Joe Dudash, yes, Barbara Heffelfinger, yes, Laura Germain, yes, Beverly Wolfe, yes. All ayes, motion carried.

MOTION BY BARBARA HEFFELFINGER TO APPROVE CHANGE ORDER #2 FOR THE SEWER MAIN REPLACEMENT PROJECT CHANGING THE DATE BY WHICH PROJECT COMPLETION IS REQUIRED FROM APRIL 30, 2021 TO MAY 14, 2021. SECONDED BY JOHN STRATZ. A roll call vote was taken. Mark Moffa, yes, Gary Nickerson, yes, John Stratz, yes, Joe Dudash, yes, Barbara Heffelfinger, yes, Laura Germain, yes, Beverly Wolfe, yes. All ayes, motion carried.

MOTION BY LAURA GERMAIN TO APPROVE THE WEBSITE MAINTENANCE PROPOSAL FROM KESOCIAL DATED JANUARY 25, 2021 AT THE HOURLY RATE OF \$75.00 AN HOUR. SECONDED BY MARK MOFFA. Laura explained there have been problems that have come up that she didn't know how to fix. There was a training session and there were some she was able to fix and then also a realization of what she couldn't do. This is going to outlast her as an individual and it has to work for whoever is eventually running the website, whether it's another council member or whether it is Karen or Marie. She does as much as she can so they don't have to ask the website people. Going forward there might be someone who maybe can't do the same things or things change technology wise. She went through a list of problems, many of them brought to her attention by the residents because she doesn't always see them. She appreciated everyone bringing those to her attention. In the contract they agree that it's possible to muddle through making changes and then anytime we've had sort of either a slight change or an urgent change like once they noticed the phone number was incorrect on one of the pages and they changed it right away. But then there's times where they need their support for things that are a huge project like for example if they ever go forward with making the sewer bill available to pay online, that would be a huge project and they would have to get an estimate of how many hours that would take. There's a lot of considerations and this is really talking more about minor things that are above her skill level, but they don't expect, the way they define it, is to take four hours or less and if they bring a problem to them, they would tell them they think it's going to take four hours or no this is a big project. Then they need to deal with that on a project basis. It says here under services to be provided they would provide ongoing support as in the original contract and they have to train whoever from council and they have to provide minor support at no additional cost. This is for those slightly bigger projects. One of the things she and Beverly discussed at the meeting with them is that they want an alert bar at the top of the websites to say there is an issue with trash pickup or there's some sort of an emergency that when the residents come to the website, they get kind of a red box or something right in the middle rather than scrolling down looking at current news which they may not know to do. That is one of the projects that they're discussing and so then that would be something where they would say they think it will take them two hours and then they would say OK, go ahead or no that's too much money and then they would pay them based on the amount of time it took them to do that. The invoices are billed monthly so there are going to be plenty of months probably where there is nothing because they don't ask them to do a lot of stuff but as was pointed out here today and other meetings, there are some things that are rather urgent that need to be fixed right away. They said we will have mechanisms in place to handle all the website support as the needs change and KESocial's web team to support us as needed. Anything larger than four hours they would give a proposal. Beverly said the bigger projects would be billed as a project not by the hour. Laura said if the borough wasn't already using them for the website, they are over \$100.00 an hour so they are getting a discount. She looked at some of the original proposals when she was first looking for the website about two years ago and they were all pretty much \$100.00 and over. Beverly said Laura has done a fantastic job of maintaining this website. They can get the things fixed right away that they need done like the minutes and the agendas. They just don't have the skill set.

Tom Sodano, 126 W. Woodland Ave., said during the course of the meeting, he went back and forth in different browsers like Internet Explorer, Edge, Google, and Firefox checking and the information doesn't come up the same on everyone. One of the things to make a note about would be that there may be some sort of a browser filter that they are using which some websites do. Laura said she would ask them. Beverly said they also have to make sure about the mobile app because there is stuff that doesn't show up there at all. They have a checklist of everything they need them to look.

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

MOTION BY JOHN STRATZ TO AUTHORIZE THE REDUCTION OF THE SEWER AND REFUSE BILLING ON ADDRESS 118-120 BELLEVUE AVENUE FROM 3 COMMERCIAL ACCOUNTS DOWN TO ONE COMMERCIAL ACCOUNT AND TO REMOVE THE REFUSE. SECONDED BY MARK MOFFA.

Beverly Wolfe explained that they were contacted by the owner that they were being invoiced for three commercial accounts on the property when they felt that that was unnecessary and also for refuse. They thoroughly investigated the situation and they came to the conclusion that there's only one lateral going into the building and since there's no longer any rental spaces or any fixtures plus they also have a dumpster, that it is prudent and it's correct to take them from the three commercial billings down to one and remove the refuse and they have all the backup documentation.

Terry McIntyre, 335 Hulmeville Ave., asked if it is only one business entity that's operating out of the property. Beverly said yes. Terry said the number of laterals doesn't really matter, it's EDU's. Beverly said it's one business and they made sure that the fixtures were taken out and capped. There's no intention to turn it into apartments that they are aware of. They made the property owner aware of the reconnection cost of an EDU if they can get one.

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

Persons to be Heard

Mike Smith, 127 Dehaven Ave., welcomed new borough manager Geoff Thompson to Penndel. He said he hopes he's still here after six months of dealing with this kind of stuff. Around 6:30 am, somewhere in that neighborhood, the line at Dunkin' Donuts is out on the highway and is backed up in both directions north and southbound and people are cutting in front of each other in that area trying to get into Dunkin' Donuts. He asked if there was any way they could have the police make them line up on Legrande Ave. People come out of the red light and before you know it, they're cutting all over the place. It's not every day, but it's not a good situation. It's going to mean the police are going to have to go there once in a while and kick them off of Route 1 because they stop and they don't move. Mike said he noticed on the sewer bills where they are asking the neighbors or residents to basically turn in their neighbors for having bad sidewalks. He doesn't think that's a good idea. He thinks they should just have the code enforcement officer pick a street once in a while to go down write them down and they can be redone. He just thinks it's bad to rat on your neighbors. Mike said Beverly owes him the answer to the curbs and sidewalks. Beverly said the report has not been finished yet. Mike said that Mark and Joe went at each other over the fence issue. As Barbara knows, when they

wrote that ordinance back in 2012, the committee put their minds together and they went over that trying to get it right. He's hoping that they guys keep the ordinance that they have and get rid of whatever those conflicts are in the ordinance book. He knows they spoke about it several times, but he also thinks adding in that if you want a fence, you must have a survey done. He also thinks like Joe is saying, have the rest of council look at it, throw their ideas in it and then send it over to Ben or Dave and see which ones have teeth. He thinks the other couple of things that they talked about on that fence ordinance with having property owners notified of exactly what is going on, so they don't run into the situation he has again is good. He hasn't seen what is to become the new ordinance and wonders if everyone on council has seen it. Beverly said the thing with the sidewalks was a suggestion from the April 5th meeting that if somebody sees something that might be a tripping hazard, they should say something. They could do it in a different way the next time.

Tom Sodano, 126 W. Woodland Ave., welcomed Geoff and said he was looking forward to his monthly reports. He hopes that everybody keeps in mind that his title is manager so that should be job one and while he realizes that they do need revitalization, which he has been a proponent of bringing more business into this borough for at least 30 years, marketing is not the primary function of the job. Tom asked if there has been a final decision on Community Day. Bob Winkler said it's not going to be in June. He is watching the conditions out there and is hoping to have it in the fall. Tom said he waits two hours for them for his three minutes and then they're going to blivate afterwards. He said two or three meetings ago and he's not sure when it was because of the minutes issue, but Barbara Heffelfinger made an excellent point when she spoke to, he believes it was Gary Nickerson and what she said was it's the job of the committee to work on whatever their assignments are and to bring the information back to the body for it to be discussed. He said to Mark that Joe Dudash is correct that that is the actual function of how municipal government should work. The committee works on it, they report back to the body and then if the body is happy with where the report is, then it moves on to the legal process. He's not incorrect so they should keep that in mind. Another thing that Joe brought up is that it sounds like there is no actual vehicle log for the police cars. In any place he's worked, every governmental or business function, every vehicle was signed out by whoever was going to be in it and the time including the miles for the day, etc. They were all recorded and same thing with the equipment. For instance, they have one taser for some reason and it couldn't be located and they had to call in Hulmeville in a situation where a taser was needed, even though the guys are trained, they couldn't find the taser allegedly, every piece of equipment including the vehicle should be signed out so they know who had it. If it comes back with a flat tire or dent on the fender or broken lens or something, they need to know who had that vehicle when that happened. Or if a piece of equipment like a taser is malfunctioning or hasn't been serviced correctly, they need to know immediately not maybe the next time somebody happens to need it. If they don't have a log, it's something that really needs to be addressed. For the minutes, he did find most of them. The one that's not there coincidentally is the work session on the 19th of January which is where the subject that got tabled again for Mr. Wheeler. He said to Beverly that there was something on there that he had asked about regarding the contractor fees that they charge. Since he didn't have minutes, he didn't remember her getting back to him. His question was if they are taking money and issuing a license to a contractor that's good for some period of time or are they charging a fee as a right to work here type of thing or work privilege tax or is it per job. If it's per job, then the fee should have been for each Generac involved and Joe mentioned he had one put in. That means the guy has to pay the fee again and if you read the ordinance the way it's written it's ambiguous on that subject. It doesn't say if that's for a year or a month and it doesn't say that it's a license. Tom said to Gary that the maintenance worker he sounds awfully optimistic about considering the fact that Mr. Diaz was the only guy that applied last time. He doesn't know if they're going to get a whole lot of guys applying for a 25-

hour job that they want them to be able to shovel snow, work on grass, do maintenance and fill potholes. That's an awful lot of stuff for a guy working 25 hours a week, more than likely Mr. Diaz's age and paying \$10.00, \$12.00, \$15.00 an hour part time. Tom said the property at 152 Monroe Ave. changed hands within the last two weeks. He assumes the borough is aware of that. That is the old McHugh Brothers property. The auto repair that's operating on that property is not zoned for auto repair. They've been operating illegally and to his knowledge, there was never a variance requested nor was it approved by this body to put a non-conforming business in there. He wanted to know what the borough will do now that it's changed hands. He asked if they are going to be turning their heads again and allowing this or will they enforce the zoning as it is where that is not a permitted use of that building. Beverly said she would have the zoning officer and code official start looking into that. It's a nonconforming use. She remembers when it came to the Planning Commission. Tom said technically that building doesn't meet the requirements for Pennsylvania State inspection either.

Terry McIntyre, 335 Hulmeville Ave., with the Dunkin' Donuts issue, they've basically turned the Route 1 lanes into part of their drive-thru and it gets hairy there in the morning. Terry welcomed Geoff and told him to weather the storm, he's sure he'll do fine. Terry asked if they had any EIT numbers. He said Mr. Dudash had mentioned vehicle maintenance. It's important to log what type of maintenance these newer cars are getting as far as oil changes and stuff because if you run into an issue with the engine or something like that and you go back to the dealer or the manufacturer and you can't produce the paperwork, the warranty will be void and they won't help out with the engine replacement. He just read an article about how the liquid fuels taxes is really diminished because the people aren't driving as much with Covid and people are finding out that they can work from home. The other interesting thing was the amount of electric vehicles now on the road. They're paying no fuel tax so they're going to have to come up with another way to pay for the roads. In Pennsylvania he thinks they said like 77 cents or 79 cents of every gallon is tax which he didn't realize was that high. They're looking at a system where they would tax you each year per mile that you drive. You would record your mileage when you do your registration or at time of inspection. They might put something on like a small compact car three cents a mile or an SUV five cents a mile so you could be paying anywhere from \$200.00 to \$400.00 a year in tax on your cars. He doesn't know if that would completely replace the fuel tax but that's another way that they're going to try to bring revenue in to pay for the repair of the roads and things of that nature.

Council Members to be Heard

Mark Moffa said he wanted to clarify some questions about the ordinance committee processes and procedures. They are doing it how they've done it over the past few years on any ordinance they've passed since he's been chair of the ordinance committee. They've given oral reports to council as to what they've been working on and asked for feedback, taking any feedback they get, then make the motion to authorize the attorneys to work on the ordinances. Then council reviews the draft ordinance and often there are changes at that time once they actually see what it looks like so they don't waste money on advertising it. The first meeting where the draft comes to council and they make changes then it's advertised and the public has input and sometimes that leads to changes. Nothing had changed from the way they've done it before. He and Gary delivered a detailed report maybe two meetings ago and they talked about requiring surveys and leaving the one-foot gap. They went through line by line their findings or recommendations and asked council if they had any recommendations. Then they would send it to the attorneys to draft the ordinance and then they would get another opportunity to discuss changes. He gave a full report on the handicap parking situation at the last meeting. He thinks people are forgetting because the reports were from four weeks ago. They talked about the person wanted a spot on the street, but the person also has a driveway so that person doesn't

get it. They all have the documentation now in their emails. If the way they've been doing it all this time is not to peoples liking, they can change it.

MOTION BY BARBARA HEFFELFINGER TO ADJOURN AT 9:47 P.M. SECONDED BY MARK MOFFA. A roll call vote was taken. Mark Moffa, yes, Gary Nickerson, yes, John Stratz, yes, Joe Dudash, yes, Barbara Heffelfinger, yes, Laura Germain, yes, Beverly Wolfe, yes. All ayes, motion carried.

Submitted by: _____
Marie Serota, Secretary/Treasurer