

Penndel Borough Council Meeting Minutes

November 8, 2021

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

Present at the meeting

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

Also present at the meeting

Dave Truelove, Solicitor, Hill Wallack
Carol Schuehler, Value Engineering
Marie Serota, Secretary/Treasurer

Presentation by Gilmore & Associates on the Borough Hall Entrance Renovations

Kurt Schroeder from Gilmore & Associates made the presentation. The front door that they originally wanted with hardware for ADA compliance came in around \$50,000.00. They put in an alternate bid to see if they could get something closely resembling the contemplated front door, but the cost of lumber has increased, and the grant is for \$66,000.00. The borough might have some out-of-pocket costs if the budget allows and if not, they can look at doing it with another grant. Kurt showed the improvements with the sidewalks and walkways and eliminating the steps and striping out the first spot for handicap. Some of the sidewalk that is there is sufficient for now. Mark Moffa asked if there could be any cost savings realized by eliminating the portion of that sidewalk that curves all the way around and sort of meets that existing entryway. Kurt said he didn't have a cost figure for that because it was budgeted into the base bid contract and included that portion for a reason. The purpose is for basic circulation with people coming from the street and wanting to get to the parking lot or get to the rear of the building access or Police Department versus climbing up the steps. It serves as an additional accessible route that's also accessible from the public sidewalk. They would go on the loop and get into the ramp, so they feel it's an essential need for that purpose. Kurt said he thinks that the building code official would see the need that their designers felt in that it was part of the accessible route from the public right of way. There are requirements from public right of way to entrances of buildings that you maintain an accessible route there and so he thinks they would have a hard time compelling the building code official to allow them to eliminate that. John Stratz asked if they were getting rid of the four trees out front. Beverly said they were not. She said she was very insistent that they stay. Joe Dudash asked about the cost of materials going up and down. He asked if they would be locked in at that price for materials. Kurt said there are no materials in here that would be tied to any kind of an index. In this case it would be a fixed cost for the contracted work. That's probably why the numbers are what they are. These costs are in fact reflective of the risk associated with fluctuation and cost. Joe said as in say windows, where you could get them in a couple of weeks, now it's taking like six months. Kurt said as long as they're not doing the front door entrance, he would say that the materials like

concrete, landscaping materials and stone aggregate, those types of things, there's little to no worry about lead times or delays caused by sourcing that material. The entrance door absolutely. The original entrance door had like a ten-week lead time and there are no guarantees. Manufacturers aren't holding their pricing not even 30 days anymore. Gary Nickerson said they have to award a contract by the end of this calendar year. Gary said Kurt mentioned previously that the code officer said that they would be okay to undertake the base bid without any modification to the door, they wouldn't be required to do anything. Kurt said they're fine with that. The architect and the code official have indicated that their guidance was if you spend more than 20% on accessibility on any given project, then you don't have to continue on with more and more ADA. For this project they're spending 100% towards accessibility. They felt that they would be in compliance with improving the situation. They did suggest that they look at the door closer to try to make sure the force pressure of opening and closing is adjusted to be within the tolerance for accessibility. Using the hardware with a lever type handle that's something else they could do. Replacing the door with a metal door just to put a different closure on and different hardware for \$23,000.00 would be hard to spend in his personal opinion. A nice, beautiful, mahogany door with push, that's the ultimate option and if they can find more funding, they can do that. Gary said the way he's looking at it, if the base bid is \$57,695.00 in the first two alternate bids, that would give them a brand-new concrete lead way. If you add those into the bill, that will bring the bid to \$66,861.00. He's inclined to go with those two bids. However, if possible, they could utilize those funds and the amount of funds in that roughly \$8,000.00 or \$9,000.00 that they could be spending on an alternate bid to possibly give them an ADA compliant door. Instead of spending money on concrete they could spend money on there and could actually achieve what the whole purpose of this is, to have an ADA compliant accessible entrance way. He doesn't know if it would be possible to use the balance of the grant in the following eight weeks but maybe they could get an extension to use that to retrofit the existing door. Mark said maybe they could have a change order that swaps out the concrete walkway for door hardware if it's determined that better meets the scope of the project. Kurt said he would be okay with that as long as the solicitor is ok with that. Maybe focusing on an alternate one which is the portion closest to the staircase extending towards the street from the staircase. Also a further investigation with the architect's consultation into the door hardware and the closer. If that is an option, they could maybe not do alternate two but then you apply that funding towards modifying the existing door. Dave Truelove said if they're still within a couple grand, he thinks they could probably do that. They have to compare apples to apples in what they're talking about here. The term material advantage or disadvantage is always the one they have to be careful about. They have to make sure that nobody is going to get something over somebody else inadvertently or purposely. Joe asked how much of a buffer they have in case they start digging out there and find an oil tank or something. Kurt said that they wouldn't have any buffer. When they talk with the contractor, they will tell them that this is what they have. They have to get this done for this number. If they go to temporarily support the porch and they find as they're trying to jack it up, the jacks keep going, they will know that early in the job. If they peel the old foundation patio porch away from the building and there's something going on there, they will know that pretty early in the job. He would say that maybe they preserve the alternate panels and try to work around leaving them in place in case there's anything that looks weird. They might not like that. They may say they're tearing everything out because the demo guys are there, and they can't keep coming back. The best they can do is at the preconstruction meeting, ask them to be mindful that this is all they have. With that in mind, hopefully they can uncover anything that would potentially expose them to change orders early and then always come back January or February because they have to be done with the job by the end of March. Beverly said they can always go to the RDA if the winter is terrible. Kurt said he's never seen them do an extension beyond that date which he thinks is March 31st. But the RDA Managed Fund comes out of the casino grants and out of all grants. It's one of the most

flexible. Kurt said they're going to look at the door and try to consider off setting some of that alternate two pricing towards modifying the existing door. Mark said his thought is that if they found a better use for that \$9,000.00 and came back to council with the change order, and he might not be on council at that time, but his thought is that the council would entertain that change order.

MOTION BY MARK MOFFA TO AWARD THE BASE BID OF \$57,695.54 TO PREMIER BUILDERS INC, YARDLEY PA FOR THE BOROUGH HALL EXTERIOR RENOVATION PROJECT PLUS NOT TO EXCEED ALTERNATE NUMBER ONE LINE ITEM 13 SIDEWALK, \$5,290.00 LAST ALTERNATE BID NUMBER TWO LINE ITEM 14, \$3,876.00 NOT TO EXCEED \$66,861.54. SECONDED BY JOHN STRATZ.

Dave Cahill, 462 Cynthia Ave., asked if Mark Moffa said he might not be on council, or he won't be on council. Beverly asked why that matters with the motion at hand. Dave said he didn't get elected mayor and he wasn't elected to council, so he won't be on council.

All ayes, motion carried.

Consent Items

MOTION BY JOHN STRATZ TO APPROVE THE MINUTES OF THE OCTOBER 18, 2021 WORK SESSION AND APPROVAL OF THE BILLS PER THE VOUCHER.

General Fund	\$31,558.10
Fire Tax Fund	\$ 57.95
Refuse Fund	\$ 47.30
Sewer Fund	\$38,537.06
Capital Reserve Fund	\$10,441.75
Liquid Fuels Fund	\$12,662.40
Escrow Fund	\$13,983.57
Payroll Fund	\$ 3,228.91

Payroll

General Fund	\$29,249.23
Sewer Fund	\$ 5,721.80
Refuse Fund	\$ 953.54
Total	\$35,924.57

Escrow Fund Bills

Auto Zone:

Hill Wallack LLP	\$ 80.00
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Mill Creek Village:

Penndel Apartments Associates, LP	\$10,089.37 (Escrow Release)
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118-120 Bellevue Avenue:

SBS Real Estate LLC	\$ 600.00 (Escrow Release)
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Schoolhouse Court:

Hill Wallack, LLP	\$ 1,602.20
Value Engineering	\$ 1,612.00

SECONDED BY BARBARA HEFFELFINGER. All ayes, motion carried.

Reports:

President's Report

Beverly Wolfe told Dave Cahill that she owes him answers on a couple of things. She doesn't have them yet, but she has not forgotten. Dave said he has some information. Beverly told him to talk to her after the meeting.

Borough Manager's Report

Geoff Thompson read his report which is on file in the secretary's office.

Joe Dudash asked Geoff how he was coming along with the personnel SOPs. He sees they were charged for them by Hill Wallack. Geoff said where the handbook stands right now is that he's been discussing it with a different attorney at Hill Wallack about a couple different things. It's basically still in draft form and hopefully he will get it soon. Joe said it's been over a year that they've been working on this. He asked about the Fire Marshal and EMC contract. Geoff said it's on his desk right now and he owes them a response. Joe asked when they would be having the Fire Marshal sign it. Geoff said they're still working on the contract. Joe asked if they could make it a priority with all the work Nick has done with Covid. Geoff said he hopes to get it done by the end of the year. Joe said he doesn't want to hear hope. He wants it done. Geoff said he's been working on the budget. He said they have a mighty detailed budget and that's been on the top of his list. Joe asked when Nick's SOP is going to be done because he doesn't have any job descriptions. Beverly said the handbook will be ready to go by no later than January of next year. There are a few things that need to be looked at one more time to make sure that they're in line with every law that there is. Joe asked Geoff how he was doing with the EIT rebates to the residents. They're supposed to be giving money back to the voters. Mark said Joe is probably talking about the additional property tax reduction. Gary told Joe to get his words right. Joe told Gary not to get excited. Gary told Joe not to make stuff up. Joe asked didn't they promise the voters to give them money back from the EIT. Gary said it's a tax reduction. Joe said he's using schematics. Gary said there is a difference. With a rebate you get a check. Joe asked when the voters are getting money back. Gary said Geoff was working on the budget which is going to detail what the rate of their numbers are going to be. Joe said but he was paid off the \$65,000.00 in March. Gary asked him what he was talking about. Joe said according to Mark in the minutes, he was paid \$65,000.00. Geoff said he does a timesheet every week. Joe asked what percent it is. He asked if they are telling him now that's not how he was getting paid. Mark said they knew they were getting revenue from the EIT to be able to afford a manager. He gets paid as he works. Joe asked what percentage he gets comes out of the EIT. Mark said they had to figure if he worked X number of hours at X dollars per hour, what to put in a budget and he doesn't remember off the top of his head what that was. Beverly said \$75,000.00. Joe said so out of that \$75,000.00, they were supposed to, per the agreement, give back to the taxpayer in the rebate on their property. Mark said that is right. They gave 10% last year and they need to give another 10% this year. Joe said the draft he did currently doesn't have that. Gary said it's a shame he doesn't have a relationship with the manager that he can email or talk to him instead of grandstanding. Joe said he tried to email him and if he wants to see the last negative email he got about the computer system he'll show him.

Mayor's Report

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

Police Chief's Report

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

Mayor Winkler reported that he was at the PA State Association of Boroughs conference out in Erie PA, and he has two plaques here plus one at home he'd like to present. One was for Marie for more than 10 years of dedicated service to the borough. The other plaque was first place recognition for the borough's Municipal Website contest. He received a plaque for over 30 years of service to Pennel Borough. Barbara Heffelfinger received one for 20 years of service which was mailed to her.

Solicitor's Report

Joe asked Dave Truelove how they were coming along with the HOA at Schoolhouse Court. Dave said they are having ongoing conversations with their counsel. Beverly asked him to drive by tonight and there were no vehicles parked in the streets except for one tonight. They were apparently parked there over the weekend possibly due to moving in but they're not sure. They did confirm with the counsel for the HOA, who are going to be revising their documents. They already agreed to put No Parking signs there as they should. Joanna Dombrowski from his office just communicated with Mr. Koopman today about some follow up so they are certainly monitoring that very closely. Joe asked about the high grass complaints. Dave said Mr. Sodano brought that to their attention today. It may be time for another specific meeting with their principles, their attorney and maybe some folks from here like President Wolfe and maybe some others so they can finalize some of these issues. Joe asked if there were any new developments on the Airbnb. Dave said he has not heard of anything. Joe asked about the Smith's fence. Dave said in order to finalize this, they need to have a diagram from the engineer that will finalize what is the proposed resolution in terms of the placement. They did not want to have to incur costs to do a full-blown survey just to accomplish what those numbers would be. He reached out to the attorney for Mr. Darnley who indicated that he had a surveyor who had done a certificate that said no encroachments so they assumed by that that he had some underlying calculations and some other information that he could supply through the engineer. Unfortunately, the gentleman had a death in the family last week and was unable to follow up with the attorney with that information. They're going to be following up this week. Hopefully, once he gets that information, they can get that to the engineer who is going to get the diagram done and there will be a resolution. Joe asked about the illegal fence issue on Hulmeville Ave. Dave said they are not directly involved in that. Joe asked if the is ordinance. Dave said they have not been given any information to follow up on for that. Beverly said she and the borough manager have been working on that and will report on that later. Joe asked how they are doing with the Joe Marut property at 51 Centre St. Dave said he was under the impression it was a violation issued by code enforcement. Joe said he sees that on 10/21 he was contacted for 40 Bellevue Ave. Dave said he believes there is an enforcement notice going out on that and a zoning violation too.

Engineer's Report

Carol Schuehler read her report which is attached.

Joe asked Carol about that grant application they've been talking about and asked if she is going to go out to the owners because there are a couple of them in here now. Carol said there's a shared property boundary between Taddei Woods and a property in Middletown that really requires a reach out and communication. Joe asked about the issue over there on Spring St. Carol said that grant applied to the residents there so that they alleviate the water on Oak Ave. The Spring St. swale, just the Spring Street part from Bellevue Ave. up to where that pipe is, was part of the PECO Green Region grant that just went in so that would be cleaning and regrading that swale in those pipes, and it covers 50% of it. They were also hoping to work on

that Coastal Zone grant to supplement that cost and go further up along the boundary of Taddei Woods but she ran into a glitch because the grant application is very specific about property ownership and control so they've really got to work that out before they can keep pursuing any grant applications. Joe asked if they need to sign off on it or open a line of communication. Carol said there is some sort of an easement there on the plan with Middletown. They've got to find out who has control of that easement and what the circumstances are and how cooperative that property owner is. She hasn't talked to anybody and doesn't want them to get too ahead of themselves. Joe said the residents on Oak Avenue would give her signatures tomorrow. The one gully that leads into Spring St. is the original from when he was a kid. If they would dig that out which he knows the one resident said he'll give permission to put the pipe through there and connected into Spring St. Carol said he's going outside of the roads and right of ways that they have today and it's a little more complicated. Joe said they would sign off on that right of way and that would alleviate half of the Oak Ave. water issue. Joe said that was the original pipe there when they were growing up. He's taking that it would be part of the Taddei Woods because it all leads into Taddei Woods. Carol said the PECO Green Region grant was specifically for Spring St. They need to show that they already have some right of way and some access permissions to these areas. Dave said she's talking about the easement from the Middletown part of it and that is one of the challenges with that. Carol said that would be the Coastal Zone grant. They need to start a line of communication with those folks about that to deal with that along the side of Taddei Woods. The PECO Green Region grant would only give you up to \$10,000.00 and that's 50% of the cost and that was specifically for grading the Spring St. swale parallel to the driveway of Spring St. For the full length of that, there is another next step that ideally, they get a tithe from Oak Avenue to drain to Spring Street better. They are working incrementally here and right now the work they've done is to apply for a PECO Green Region grant specifically for Spring St. Joe asked if they need the residents over there to sign off on it. Dave said it depends on whether it's private property whether it's on some kind of right of way from Middletown. He thinks that's something only a survey or something like that would reveal. Joe asked if the survey map, we have from Taddei Woods would. We're talking about is the property just outside of Taddei Woods in Middletown their original plan has an easement parallel to the property line for stormwater so we need to have a conversation with those folks and or Middletown Township on who has rights to those easements and how we can make a positive grading situation along that easement which runs between Washington Ave. and Spring St. She doesn't have the power to do all that on her own. She needs to involve at the very least the borough manager and council has to tell her they want her to do these things and they may need the involvement of the solicitor as it moves forward. There are some steps that they should initiate soon so that the next time there's a grant cycle coming around, hopefully by next year, that they are in place to do something.

Beverly asked if Carol had a cost for her to open up the section towards Washington Ave. that they already have the easements on in case they don't get the PECO Green Region grant. Carol said she did a cost sheet, and it came to just shy of \$20,000.00 so they asked for half of that. Beverly asked if that would open that up sufficiently to start draining again because of all the garbage and trees growing in there. They've always had problems with people throwing leaves in it and branches and therein lies the problem. Carol said it was cleaned out once a few years ago and they can go back in and clean it out again. There's a tree that should come down that's kind of in the middle of that swale. That's going to help improve drainage. To regrade that we could improve the drainage situation there with positive flow but they're going to go back to the problem that they had a few years ago. They're going to need some consistent maintenance of that area to keep it from getting clogged up again with vegetation and debris. Beverly said to do what she just said to get the tree out of there and regrade. That's going to cost more than the \$20,000.00 on this grant. Carol said yes, they estimated that it would cost

\$20,000.00 and the grant application lets you ask for up to \$10,000.00 and fund up to 50% of the project. Beverly asked if it includes the tree removal. Carol said it does. Beverly said if they don't get the grant, it's something they have to look at doing anyway. Joe asked if the storm water intake KM Auto on Bellevue Ave. in which the bricks are starting to disintegrate, if that was included in this or is that totally separate. Carol said it was included in the grant application that went into the Redevelopment Authority. For that grant application they listed the inlets that have structural concerns and that is certainly one of them that require at the very least, some love by a mason. They counted that and they also talked about cleaning the storm sewers to improve capacity and that was in the RDA grant application that also went in last month.

Karen Snyder, 28 Oak Ave., said that her backyard goes right to Spring St. PECO came out this summer and cut out about seven trees along the wires. So, if there's debris, that probably would be from PECO because they left logs that were right in the whole area there that weren't picked up for like a week later. They were disappointed about all the trees that were cut down because they couldn't see Bellevue Ave. and now, they do. She asked if the apartments drain into that area. Carol said there is a swale along the back and a pipe that crosses under that driveway and intersects to a swale that comes from Washington Ave. And then she thinks there is also a swale along the backside of the apartments. Karen said she wasn't sure if there were other things that were leading into that. Carol said they did put in an application to try and improve that. They have to wait and see if they get some grant money for that and if not, it sounds like council is looking at things. Carol told Karen she owes her some information and asked if she was available after the meeting to go over some of the elevations that she took out there back in late 2019. Some ideas that she has that might be a little helpful at the edge of her property. Karen said kids were trick or treating on their street and they were jumping over puddles of water in front of her neighbor's house which was just sitting water and it was sitting there for a while. It's not really sanitary that you have these divots in the road that water is just sitting there for a long time. Now the winter is coming, and they all know what happens when water know freezes and expands. It's just going to get bigger. That's where we wanted the sewage drain. There wasn't a curb there before and then years ago when they went around and solicited curb, they put a curb there which kind of stops some of the water there. The only place that has to go is either in front of their neighbor's yard or their driveway and it goes all the way back and just floods all of our yards. Karen said she would like to meet with her.

Caroline Lavenduski, 148 W. Woodland Ave., asked if the residents behind her house were made aware of the fact that they cannot park on that street before they bought those houses. Dave Truelove said he didn't know. They talked to their attorneys about that today and he mentioned earlier they have confirmed that they will put No Parking signs there. Caroline said a couple of people just moved in behind her and they're parking on the street. She doesn't think they have any idea. Dave said they may not and that's something else they're following up on. Caroline said being a realtor, she knows that should have been in their bylaws. Dave said they are redoing their HOA documents because they've had that discussion because he supplied the original approval letter to their attorney and said here's the conditions and they were reflected in there so the representatives are aware that that's not going to go away. Caroline said if she just bought a house there and all of a sudden, they said you can't park in there, she'd be pretty upset. She doesn't know where else they're going to park unless they do along Hulmeville Ave. Dave said there are a couple of the newer residents but the ones that are more established, should know there is no parking on the street. Some of the parking may have occurred because they were moving in. He said to keep an eye on that and they're still monitoring that as well. They did get an email today that they are confirming they will put No Parking signs up. Dave asked her to let them know if they do or don't either way because they want to know.

Caroline said they might end up spilling out onto Hulmeville Ave. and her road. Dave said there's nothing they can do about that if it's public parking. The approval was done in 2005 or 2006. Those were some conditions that were set forth back in the original approval letter which is modified slightly but not to that extent. There have been some modifications, but the no parking has always been there. Dave said he isn't going to say there weren't flaws in the original approval. Some of that stuff apparently wasn't anticipated and now they'll have to deal with it as best they can.

Joe Dudash asked Carol if the pipe coming from the apartments to the gully is illegal. Carol said there's nothing illegal there. It just happens to be some sort of end wall type opening where under the driveway, which is sort of Spring St., at the top of it, and appears to bring the water across towards the swale. It's not anything illegal, it's just what is there when you walk out there.

Zoning/Code Enforcement Report

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

Gary Nickerson asked about the new inspector. Geoff reported that Charlie retired, and Russ Mclaughlin is now doing it. Joe Dudash asked when Charlie left, and Geoff said a few weeks ago.

Committee Reports:

Public Works

John Stratz said he wanted to expand on Carol's report and how incredibly pleased he is with Haines Paving. Rumpf Ave. as an example, they basically contacted them to cut a big rectangle. They chose the bottom of the hill in front of the stop sign because evidently there is an underground stream right there and the street is alligating. Even after it dries from the previous rain, that area stays wet. With winter coming they had to have that cut for safety. Just up the street from there were potholes that they were getting complaints about. Haines filled them at no charge, and they put hot asphalt stuff in them and ran them over with the steamroller. He is pleased with them and hopes to get them back to do other problems on the streets.

Open Space

John Stratz reported that the office received a call from Dan Emmons who said that the Taddei Woods trail is getting overgrown, and he would like to clean it up. When he has a volunteer, he never turns them down. When he confirms with Dan about his schedule availability, he will put a call out for volunteers for a Taddei Woods cleanup Saturday.

Joe asked John if they were supposed to put sealant on the patches. John said they are coming back to do that.

New Business

MOTION BY JOHN STRATZ TO RATIFY APPROVAL OF THE FOLLWING MID-CYCLE INVOICES:

Langhorne Postmaster invoice in the amount of \$272.46 for quarterly billing postage

Quill Invoice #19278389 in the amount of \$136.76 for toner and hand sanitizer

Gettysburg Benefit Administration invoice in the amount of \$169.59 for

dental insurance installment

Office of Labor & Industry in the amount of \$1,631.00 for Fire Department Workers' Compensation insurance installment

Comcast invoice dated 10/2/21 in the amount of \$189.50 for internet service at 790 Neshaminy Street

Deer Park invoice dated 10/2/21 in the amount of \$137.82 for spring water

Langhorne Postmaster invoice in the amount of \$229.98 for newsletter postage

Comcast invoice dated 10/1/21 in the amount of \$231.10 for internet & voice services at 37 W. Woodland Ave.

Comcast invoice dated 10/1/21 in the amount of \$518.18 for Business Voice Edge Service

Independence Blue Cross invoice dated 10/8/21 in the amount of \$5,484.44 for medical insurance installment

Copier Technologies Invoice #124856 in the amount of \$144.51 copies over contract amount

GameTime Invoice #PJI-0169361 in the amount of \$188.17 for the adaptive swing safety belt for the recreation field

Louis Carcel invoice dated 10/13/21 in the amount of \$100 reimbursement for a floor scrubber

Office of UC Tax Services invoice dated 10/13/21 in the amount of \$68.24 for 3rd quarter unemployment compensation remittance

PECO invoice dated 10/6/21 in the amount of \$36.89 for 790 Neshaminy Street outdoor lighting electric

Selective Insurance Co. of America invoice 10/12/21 in the amount of \$17.00 for endorsement to the commercial insurance for the two speed signs

Waste Management Invoice #1084-2448-2 in the amount of \$17,156.89 for October trash removal

Comcast invoice dated 10/15/21 in the amount of \$200.96 for internet & voice services at 300 Bellevue Ave.

Fed Ed Invoice #7-537-55714 in the amount of \$38.90 for overnight delivery service for the CDBG Agreement to be sent to the Housing and Community Development office in Doylestown

Pitney Bowes Invoice #3314540779 in the amount of \$121.65 for postage meter lease installment

SECONDED BY BARBARA HEFFELFINGER. All ayes, motion carried.

MOTION BY BARBARA HEFFELFINGER TO RATIFY PURCHASE OF A REPLACEMENT TRANSDUCER IN THE AMOUNT OF \$1,100.00 FOR PUMP STATION #1. SECONDED BY JOHN STRATZ. All ayes, motion carried.

Geoff Thompson reported that council has in their packets, the draft 2022 budget, put together by him, Marie and Beverly. They cranked out some numbers for 2022 and it's just a preliminary draft. What's in there now is if they received any requests from a committee, that item is in the budget. The Real Estate Tax remains unchanged in this draft budget. All the funds are balanced or have a surplus. There are no negative balances. He asked that council review this draft and email or call him with any questions or comments. They would like to schedule a Finance Committee meeting to review this draft. Beverly said it needs to be ASAP because they need specific time periods in which to advertise and then have it on public display. Beverly asked, because they're going to have to discuss items of a personnel nature during

these budget discussions with just the committee before they bring it to council, does that meeting have to be in public. Dave said if personnel issues are part of the discussion they can be in an Executive Session as long as there's no deliberation and they're just discussing the different personnel aspects and there's no final decision. It's appropriate for an executive session. Beverly said that will have to be part of the discussion. This is preliminary and it's going to come back to all of council with another draft that will be open for discussion to everybody and will be in public. Joe asked if this is more of a salary issue. Dave said it may deal with salary, assignments, job descriptions or benefits. Dave Truelove said Section 1307 of the borough code, preparation of budget, says specifically, beginning at least 30 days prior to the adoption of the budget, a proposed budget or annual estimate of revenues and expenditures for the ensuing year shall be prepared in a manner designated by the council. The proposed budget shall be kept on file with the borough secretary and be made available for public inspection by the borough secretary for a period of 10 days. That 10 days is within the 30 days. Beverly said if they have the finance meeting this week and advertise a special meeting for Monday the 15th for the preliminary budget for all of council and the public, 30 days after that puts them at December 15th and they can adopt it and issue the tax ordinance on Monday December 20th at the final Work Session of the year. They will be prepared and ready to go. It has to be on display 30 days before they can make any changes. Then on December 20th, they can adopt it and do the tax ordinance. Beverly said the Finance Committee will meet on Friday at 7:00pm and then have the Monday the 15th be a special meeting of council and the public at 7:30pm for a special budget presentation.

MOTION BY BARBARA HEFFELFINGER TO AUTHORIZE THE ADVERTISEMENT OF THE SPECIAL BUDGET FINANCE COMMITTEE MEETING ON NOVEMBER 12TH AT 7:00 P.M. WHICH WILL IMMEDIATELY GO INTO EXECUTIVE SESSION AND ALSO THE ADVERTISEMENT OF THE NOVEMBER 15TH SPECIAL BUDGET MEETING WITH THE INTENTION OF ADOPTING A PRELIMINARY BUDGET 7:30 AT BOROUGH HALL FOR THAT MEETING. SECONDED BY MARK MOFFA.

Joe asked if the committee goes to Executive Session, how do they come to the rest of council and tell them in front of the public because normally they go into the back room. Dave said to discuss personal issues they have to go into an executive session. He said Joe could attend the committee meeting on Friday but if they all gather, there can be no deliberation. On the 15th if they have some questions that may delve into personnel issues, they, as the full council, can go into Executive Session. Joe said normally he explains it to them in private what the issue is. Dave said he doesn't know what the issue is. There are certain things that would be inappropriate to discuss in public. On the 15th, if he has questions, they can go to Executive Session during that meeting. Beverly said they haven't even discussed any of it yet. Dave said he doesn't give up his right. If it comes up during the discussion in the public and he has questions about certain personnel items that may delve into personal issues, they can recess and go into Executive Session. Beverly said it hasn't even been discussed yet and some of it is salaries and wages.

Dave Cahill, 462 Cynthia Ave., said that he is a little embarrassed for Geoff, the borough manager. This budget should have been done long ago and his report was quite embarrassing. He basically said that he worked on the slide and the budget a little bit. He worked roughly 12 days during the month, and he thinks he gets paid \$1,250.00. This should have been done already and they shouldn't be pressed for time. Beverly said they are on the same timetable they always are. Dave said this is not even close. They're way behind. They're admitting they're way behind. It's embarrassing that they're having a meeting on a Friday night. He

thinks they need a little more out of Geoff for the \$65,000.00 that he's making. All ayes, motion carried.

Geoff reported that he requested quotes for snow removal from three companies. Only Grimmer and Seifert responded. The apparent low quote is from KE Seifert. They're charging \$100.00 per hour for a plow truck and a salt spreader which is primarily what they would be using during a snow event. Grimmer charges \$120.00. The other prices are a little different, but they would primarily use a plow truck and salt spreader.

MOTION BY JOHN STRATZ TO AWARD THE CONTRACT FOR SNOWPLOWING FOR THE 2021-2022 SEASON TO KE SEIFERT. SECONDED BY BARBARA HEFFELFINGER.

Pat Donahue, 520 Bellevue Ave., said this is the same outfit that always plows the sidewalk curbs closed. It's hard enough he can't walk over it, but they're supposed be open for handicapped people. Every year the snow is piled high on every corner in Penndel. Beverly said last year they didn't have the contract. Pat said they did in the past. Beverly said they can make sure they understand not to do that. Pat said he complains every year. And they don't have to plow in in front of the kid's concession stand either. All ayes, motion carried.

MOTION BY BARBARA HEFFELFINGER TO PAY SAFE HIGHWAY ENGINEERING LLC INVOICE #1632 IN THE AMOUNT OF \$606.00 AND INVOICE #1638 IN THE AMOUNT OF \$2,355.13 TOTALING \$2,961.13 FOR ENGINEERING SERVICES FOR THE PROPERTY FENCE LOCATED AT 411 HULMEVILLE AVENUE. SECONDED BY JOHN STRATZ.

Joe Dudash asked if this will be the last bill from them. Dave Truelove said probably not. He suspects one for the diagram work, but he doesn't know how much more. That's why they wanted to make sure that they had the underlying information, so they don't have to do this survey to save the borough money. Dave said he knows he's going to ask how much more it's going to be, but he doesn't know. But it'll be a lot less than it would be if they had to do the survey.

All ayes, motion carried.

John Stratz said at the last meeting they put off a vote for Patch Management Pothole Killers so that everybody could be given the information and the print outs. Beverly said it has to be part of the agenda. They can't add it. Dave Truelove said because of the new Sunshine Act amendments that started in late August, he should have that put on the agenda for the work session on the 22nd. They can't add it because of the new laws. They are not the only board to struggle with this. Everybody has done a really good job moving everything forward. Some places have been caught in very awkward situations trying to put something on the agenda. There are exceptions but we don't want to be the test case.

Public Comment

Dave Cahill, 462 Cynthia Ave., reported that there's a fence going up across the street from him at 457 Cynthia Ave. and it's not a foot in on the property line. They're putting the fence right back on the property line again so wouldn't that require a zoning meeting to get a variance? Beverly asked if he reported this. Dave said no, he's reporting it now. He's at the meeting and it's a good time to report. They just started today with the fence. He asked if he missed a letter or something because he thinks there should have been a zoning meeting that he should have been made aware of because he's within the 250 feet to be notified for a zoning hearing. Beverly asked him if he knows for sure that this is not a foot off the property line. Dave said it is

going right back up where the chain link was, and he believes that it's not the property owner's fence. He thinks it's the neighbor's fence that's actually coming out and they're putting up a 6-foot privacy fence. He wants to know since when they started bypassing the Zoning Hearing Board. He asked if that's how they do things now in the borough. People can just bypass the Zoning Hearing Board. He thinks they ought to look into it because the fence is going up quickly. Beverly said they'll file a report with the Code Enforcement Office. Dave asked how many more deaths they need at 435 Cynthia Ave. He said he thinks she knew this was coming. He asked what it's going to take for the police department to solve this problem. He's being told by neighbors that Mr. Moffa was talked to about the drug problem on Cynthia and Mr. Winkler was talked to about the drug problem on Cynthia. He wants to know why Mr. Moffa and Mr. Winkler haven't been defending him at meetings about the drug issue coming from 435 Cynthia. They had two heroin overdoses and one resulted in a death and now they have a suicide by gun. He saw crime scene tape around the freaking house out front and he can't say that he's ever seen that in Pennel Borough. Maybe at a fire you might see it, but this involved the police, and it involved a death. He can't believe that he's been ignored for over a year, not only contacting the Police Department but contacting the county and then we have to keep hearing about this crap at the same house. He asked when it is going to stop. It's a shame that Sean's not here tonight. Beverly said it would be under investigation anyway. Dave asked if he is going to make the next meeting, the work session since he wasn't here tonight or are they going to have to wait until December to ask him questions. Beverly said she doesn't have the answer to that question. Dave said to Gary that he heard a very disturbing rumor. He heard a very disturbing rumor that he is looking for someone to resign to put Mark Moffa back on council next year. He hopes it's not true because he will start a very huge shit storm. He hopes he knows that the voters figured out what Mr. Moffa was up to, and they made sure he's out altogether. He's shocked because he didn't think he was going to lose council, but he got smoked. Dave said to Mr. Winkler that he owes him a big thank you. He saved the best for last.

Arlene Harms, 408 Cynthia Ave., said that someone asked her about the bleachers at the rec field and said they were bad. They're going to have some kids down there playing and parents are in the bleachers, and they need to be prepared. This happened several years back, and they did replace a lot of boards, but she thinks since council is running it, they need to get down there and look at them because it's not good. They were told several years ago they're lucky to still have them from the insurance company. Beverly said they'll take a look and have Lou go down and take a look as well. Dave Cahill yelled out nothing about the deaths on Cynthia, Arlene. Arlene said it's not her business and it's a police matter. Nobody in this audience needs to know anything. Dave said thanks for looking out for the kids. Arlene said to Beverly, consider the source.

Jeff Jones, 504 Clarissa Ln., said as a follow up with the baseball field, he spoke to Bob before about all the weeds that were down there and that was taken care of but behind the one back stop is an old walk-in box that somebody had dumped, and it's been sitting there for a long time. There are probably six panels from an old walk-in box, and somebody should get rid of it. They have a person that cleans up down there now so they should get rid of it. It's behind the backstop at the last baseball field.

Mike Smith, 127 Dehaven Ave., asked how much longer it is going to be before the engineer answers Mr. Darnley's questions. Dave said it depends on when Darnley's surveyor gets the underlying calculations to the engineer. The holdup is he had a death in the family last week. He was communicating with Darnley's attorney about that on Monday or Tuesday. Mike said Mr. Blackburn did ask about this back in September and they're still waiting on it. Mike asked Mayor Winkler if he has had any discussions with Mr. Darnley about moving the fence since it is

a safety issue. Mayor Winkler said no, it is in the solicitor's hands. Mike asked Dave if there have ever been any complaints about the existing fence ordinance and how it's written. Dave said it is unclear about complaints although, he thinks there have been some different interpretations. He wouldn't be the one to know about all the complaints any way. Mike said he's sure they'll find out at some point in court. For the Rec. Field, he's made numerous complaints about how many people are parking on the blacktop. They should have seen it last Sunday. They need to lock the gate because a kid is going to get run over down there or worse yet, they're going to have to replace all that black top. Beverly said they need to put up "No Parking signs". Mike asked if there was one on the fence. Beverly said it might be faded and they can't read it. Their season is over, but she will call the Wildcats. Mike said at the last meeting there was some statements made and luckily Tom had pictures of what's going on down at the trailer depot. They're parking the trucks in the opposite direction on the wrong side of the street and also, they're dropping their trailers on the landing gear on Park Ave. He asked when they are going to stop this. They are dropping the landing gear on the landing with no tractor underneath to keep the weight off. He asked why they don't ticket them. One truck has been there a whole week. The other trailer had a tractor under one day. The rest of the five days there was no tractor under it. They paid a lot of money for Park Ave. Beverly said they wanted to do a complete audit of everything that's been done with regards to that property and also Park Ave. Geoff said he met with the chief about ordering signs that say, "No Tractor Trailer Parking". The signs have been ordered and they're just waiting for them to come in and they'll get them up. Beverly said they will have to amend the ordinance. Geoff said they don't because there is an ordinance. They just have to get the signs up. Mike said they do have an ordinance already that states no tractor trailer parking anywhere that is not designated in the borough. Beverly said she thinks she saw a "No Tractor Trailer Parking" sign coming up Bellevue. Mike asked what the outcome was of them working outside on the trucks. Dave said Mike Italia issued a permit for them to work on the building and they're allowed to do minor repairs outside the building but there are certain limitations. He doesn't know all the facts and circumstances. He thinks code enforcement issued something and if they haven't issued anything yet, they're in the process of doing that because they are working with their office on it.

Council Members to be Heard

Barbara Heffelfinger said she would personally like to thank officer Mike Matecki who appeared at her house five minutes before the ambulance got there. That is why having a local Police Department is so necessary. He was wonderful. It was exactly the same as when Shirley McMasters had a problem and Ian was there. He is an EMT, and he was there before the ambulance. She wanted to say a special thank you to the police department. They're great guys and they deserve all the praise you can give them.

MOTION BY BARBARA HEFFELFINGER TO ADJOURN THE MEETING AT 9:40 P.M.
SECONDED BY MARK MOFFA. All ayes, motion carried.

Submitted by: _____
Marie Serota, Secretary/Treasurer