

Penndel Borough Council Workshop Minutes

April 15, 2024

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

Present at the Meeting

Council President John Stratz
Council Vice President Barbara Heffelfinger – via telephone
Councilman Mark Moffa
Councilman Bud Murphy
Councilwoman Robin Valentis
Councilman Gary Nickerson
Councilman Bob Winkler
Mayor Tom Sodano

Also present at the meeting

Barbara Kirk, Solicitor, Hill Wallack
Marie Serota, Secretary/Treasurer

Council or Borough Announcements

Mayor Sodano said that Charlie Manuel was in town at Penndel Beer, and there was a big turnout. It was a good event, and it generated a lot of business in the borough.

Consent Item

MOTION BY BARBARA HEFFELFINGER TO APPROVE THE MINUTES OF THE APRIL 1, 2024 COUNCIL MEETING. SECONDED BY GARY NICKERSON. All ayes, motion carried.

Reports

President's Report

John Stratz reported that Penndel was selected as one of the six successful grant proposals submitted for 2024 for the Community Development Block Grant (CDBG). He received a call from Commissioner Bob Harvey congratulating Penndel for receiving the grant for over \$175,000.00. This will support the basketball court rehabilitation project at Penndel Memorial Park. Also, there are some trucks working around the borough on storm sewer grates which are to be paid from the ARPA grant/COVID money. Barbara Heffelfinger said when they had the affair down at the rec field when they received all those other CDBG grants, which Carol did one heck of a job on, they were complimented by Doylestown and Laura Onisk. They really like what they are doing at the rec field. They think very highly of them in rehabbing the field and making it very user friendly. They have a great relationship with CDBG.

New Business

MOTION BY BARBARA HEFFELFINGER TO ADOPT RESOLUTION #2024-10 RATIFYING AND CONFIRMING THE BOROUGH COUNCIL'S APPROVAL TO OFFICIALLY RECOGNIZE SEPTEMBER AS OVARIAN CANCER AWARENESS MONTH. SECONDED BY ROBIN VALENTIS. All ayes, motion carried.

MOTION BY GARY NICKERSON TO AUTHORIZE PREPARATION OF PLANS AND BID DOCUMENTS AND AUTHORIZE ADVERTISEMENT FOR THE BALL COURT IMPROVEMENTS PROJECT AT MEMORIAL PARK (CDBG FUNDING). SECONDED BY MARK MOFFA. All ayes, motion carried.

MOTION BY GARY NICKERSON TO APPROVE CHANGE ORDER #1 FOR THE STORM INLET REPAIRS PROJECT ADDRESSING A HAZARDOUS CONDITION IN THE INFRASTRUCTURE UNDER GLEN AVENUE FOR A LUMP SUM AMOUNT OF \$3,450.00. SECONDED BY MARK MOFFA.

John explained that in a sewer outlet on Glen Ave., when they tried to do the repairs, they discovered a pipe doesn't go all the way to the sewer. In years past, the pipe was extended by sheet metal, which has completely rusted out and deteriorated, so they have to extend the pipe to the sewer outlets. There was no way of knowing that was under there until the grate was pulled and that is why they need the change order.

All ayes, motion carried.

MOTION BY BARBARA HEFFELFINGER TO AUTHORIZE BOROUGH ENGINEER TO PREPARE BID DOCUMENTS AND AUTHORIZE ADVERTISEMENT OF THE PAVING OF NOELAND AVENUE. SECONDED BY BUD MURPHY.

John explained that Noland Ave. is irreparable and has had patches on top of patches year after year. It needs to be milled and paved. Bob Winkler asked if it is between Lincoln Highway and Crescent St. John said it is actually both sides of Lincoln Hwy. The restaurant district and the automotive district on the other side of Lincoln Highway. Being that the automotive district is all one giant entrance, there is no availability for sidewalks. In this particular instance, being that it's two blocks in our business district, they are going to waive sidewalks, even though they are milling and paving on both sides. The curb is perfect the entire length in the restaurant district and the grass is right up to the curb.

Dave Cahill, said it's funny that they only pick on the residents when they pave the streets, and they don't make the businesses do this.

All ayes, motion carried.

MOTION BY GARY NICKERSON TO ADOPT A POLICY OF \$5,000.00 PER YEAR OPT-OUT PAYMENT FOR EMPLOYEES WHO OPT-OUT OF BOROUGH PROVIDED HEALTH INSURANCE. PAYMENTS WOULD OCCUR TWICE A YEAR AT \$2,500.00 PER PAYMENT. SECONDED BY BARBARA HEFFELFINGER.

Robin Valentis said if they're adopting something like this from everything she read, it should go to legal counsel to ensure that the people who opt in are covered by insurance. John explained that once one of their full-time employees reaches sixty-five, the borough insurance kicks them off and they have to take Medicare. Medicare payments are extremely lower than regular insurance by quite a huge amount, so it benefits the borough immensely. Robin said this should go into the handbook for all employees and they should have legal counsel write up what it should say. Barbara Kirk said it's a program that allows the full-time employee to say they don't want the borough's health insurance coverage and if they opt out of accepting the coverage, they will get a reimbursement for what essentially would be equivalent almost to what their contributions would have been. That saves the borough the money of having to pay the premiums for the health insurance coverage. It doesn't prevent the employee though, from

saying they want health insurance coverage if they're a full-time employee. Robin asked if part of the stipulation would be that they have to prove they have other insurance. Barbara Kirk said she doesn't believe they need to. Robin said when you do your taxes, you have to provide proof of insurance. Mark Moffa said in the memorandum from Geoff it does state that in other municipalities where this is in place, the employee does need to provide proof of other health insurance as part of the procedure. Robin said that legal should write that up and put that in the handbook. Bud said there should be an ongoing requirement that they continue to provide proof of insurance on a yearly basis to make sure they haven't dropped their insurance. John said that will be part of the procedure.

All ayes, motion carried.

MOTION BY BUD MURPHY TO TABLE THE MOTION TO APPROVE A 5-YEAR LEASE ON A NEW COPIER AT COSTARS PRICING CONTINGENT UPON LEGAL REVIEW. SECONDED BY BARBARA HEFFELFINGER. John explained that the lease is up on the copier and it's giving them problems. Costars pricing is going to be involved in that to get the best price for leasing a new copier and they haven't fully reviewed it yet.

Public Comment

Dave Cahill, spoke about the ADA project where the front doors were supposed to be the automatic doors, so that the handicapped didn't have to walk all the way around back when they were coming up Bellevue Ave., where the change came in where they eliminated the front door and did everything at the back door, the ramps and the railings, and if Gilmore will be paying for all the mistakes. He just found out recently that they need railings on the front ramp like they have in the back. He asked if Gilmore and Premier Builders did another job without drawings and if Gilmore shortcut the job. He thinks this whole thing is all screwed up and they shouldn't be eating the tab on any of this.

Tim Weaver, said he stated at the last meeting, that he was going to be the constable for the general election but unbeknownst to him, some events transpired since then and he will not be the constable for the general election and there's a good possibility he may never be constable again until there is a regime change. Regarding 50 Hulmeville Ave., they should reach out to them and there's a good possibility of getting some good BPM's in there, so they can qualify for credits for the NPDS permit by working with the landowner. The water is going right under the silt fence and they're losing copious amounts of sediment. Stormwater runs down there and right behind 50 Hulmeville Ave. where all that vegetation was until it was cut previously and it's definitely causing a problem. Nobody is doing anything about this problem, which has been going on for over a year.

Mike Smith, asked if the Wildcats signed the agreement yet. John said they did not. Barbara said to check with Geoff. Both the baseball and the football ones need to be signed because they wouldn't be able to go after them for anything if they are not signed. John said they would take care of that this week. Mike asked if there is a clause in it saying they cannot park in there. Mayor Sodano said there is a clause that says no parking in there. Mike asked why they are parked in there every day they are on the field, including Sundays. Mayor Sodano said he asked that last year and was told by one of the solicitors that it's not a street and they don't have an ordinance that says there's no parking, so they have not ticketed. John asked if he had a big sign and attached it to the fence if they would be allowed to ticket. Mayor Sodano said he asked to have that done last year and the manager said that there was a technicality that they

might not be able to do it and he would look into it, and he has not gotten back to him yet. Barbara said they shouldn't be able to play until they sign that agreement. Mike said they don't know if they have insurance and asked what happens if someone gets hurt. Barbara Kirk said technically, if they don't have the borough's authority to use the fields and they're on the field, they would be trespassing, based on what she's hearing. She will look into the no parking signs because she was not aware of that situation. Mike asked if the Wildcats merged with Middletown baseball or football because they may get a signed contract from the Pennel or Neshaminy Wildcats. Mike asked Mark if he or the group that he works with benefitted in any way from the sale of 50 Hulmeville Ave. He is asking them to change the code and get it out of the metropolitan zoning designation.

Dave Cahill, asked if anyone called Judge Baranoski and complained about Tim Weaver being constable. He doesn't think there's ever been any problems here on Election Day involving Mr. Weaver as constable and doesn't know why someone would smear him just before the election.

Council Members to be Heard

Mayor Sodano said they should get clarification from code enforcement again, but he read the ADA requirements, and he doesn't necessarily agree with what Gilmore has said about the back. They claim that they think it's correct and they met the ADA requirements but from what he read, they didn't. He's not an ADA specialist but the railings are wrong. There's a question by Dave on the front sidewalk and the book says the ramp has to be above grade at a rate of one inch for twelve inches in order for railings to be required and it doesn't say anything about sidewalks that are not perfectly level. They don't require railings if they're at grade on both sides. It's not technically a wheelchair ramp. Driveway aprons are on a pitch, and they don't have railings.

Mike Smith, said the front was not designated as a handicap ramp. It is level with the ground. There is no drop off alongside that access way from the parking lot to the front porch. It was designated as access for someone in a wheelchair or handicap to come from parking lot to the front porch.

MOTION BY GARY NICKERSON TO ADJOURN THE MEETING AT 8:10 P.M. SECONDED BY ROBIN VALENTIS. All ayes, motion carried.

Submitted by: 
Marie Serota, Secretary/Treasurer