

Penndel Borough Council Meeting Minutes

April 7, 2025

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
- Councilman Mark Moffa
- Councilwoman Robin Valentis
- Councilman Gary Nickerson
- Councilman Bud Murphy
- Councilman Bob Winkler
- Mayor Tom Sodano

Also present at the meeting

- Barbara Kirk, Hill Wallack
- Carol Schuehler, Value Engineering
- Geoff Thompson, Manager
- Chief Sean Perry
- Marie Serota, Secretary/Treasurer

Consent Item

MOTION BY MARK MOFFA TO APPROVE THE MINUTES OF THE MARCH 17, 2025 WORKSHOP MEETING AND TO PAY THE FOLLOWING BILLS FOR THE MONTH OF MARCH, 2025:

General Fund	\$46,137.78
Fire Tax Fund	\$ 4,615.12
Refuse Fund	\$ 35.90
Sewer Fund	\$36,607.63
Capital Reserve Fund	\$ 91.50
Liquid Fuel Fund	\$ 2,503.46
Escrow Fund	\$ 400.00
Payroll Fund	\$ 1,339.35

Payroll

General Fund	\$35,307.58
Sewer Fund	\$ 3,631.53
Total	\$38,939.11

Escrow Bills

Schoolhouse Court LD:	
Hill Wallack	\$ 400.00

SECONDED BY BOB WINKLER. Motion carried, 6 yes, 1 abstention (Bud Murphy).

President's Report

John Stratz reported that he and their engineer Carol, walked the rec field perimeter to determine the feasibility of an exercise trail. Carol will explain more in her report. John reminded the audience that due to lack of respect and inappropriate language at previous meetings, council and professionals will not be answering questions. They have three minutes to make comments. There are papers in the podium to write questions down. They will not be cursed at or threatened.

Borough Manager's Report

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

Mayor Sodano said one of the things Geoff had mentioned at a meeting is that SEPTA is considering development along the railroad tracks on the south side, which are adjacent to Park Ave. He would like it on record that he strongly opposes development there for a couple of reasons. While that property is in Middletown, any traffic and resulting municipal maintenance and policing issues are going to fall on Pennel, which will be a cost to the borough, but they will not see any tax benefits coming from that property. They will have more traffic on the streets and the wear and tear on the streets and the policing with everything dumping on Park Ave. There are going to be traffic issues, and he opposes it.

Mayor's Report

Mayor Sodano read his report which is attached.

Police Chief's Report

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

Solicitor's Report

Barbara Kirk reported that council met in an Executive Session from 7:00 to 7:28 to discuss pending litigation and possible settlement options. On April 1st, she received all the final documents from the attorney for the Schoolhouse Court project. All of the required easements have been recorded. The borough has a maintenance bond for the project and all the as built plans have been approved and reviewed by the borough engineer. At this point, all the conditions of land development have been met, and the project is to be closed out so that the developer need not renew the letter of credit, which will expire April 14th.

Engineer's Report

Carol Schuehler read her report which is attached.

Mayor Sodano asked if they were near the design phase of the walkway around Memorial Park. Carol said it's not designed at this point. There is preliminary sketch information but that was just for consideration. They're not actually going in that direction. She has to get into the application requirements. They are pretty much going at grade around everything. Mayor Sodano asked if there is a specified width to these types of walkways because he's seen them paved in many areas and they never seem to be more than about four feet wide. He would like to see it be six feet wide. Carol said she would like it to be six feet wide so that they meet ADA width requirements. If they go narrower than that, they'll have to have wider passing areas but it's not very comfortable for two people to walk side by side at a four-foot width. Mayor Sodano said he agrees. You can't pass going in opposite directions and it limits wheelchairs and strollers.

MOTION BY BUD MURPHY TO AUTHORIZE ADVERTISEMENT OF BID PACKAGE FOR THE NOELAND AVENUE SIDEWALK PROJECT. SECONDED BY MARK MOFFA.

Mark Moffa asked if she made revisions based on the discussion at the last meeting. Carol said if it was about not having the three-foot offset, yes, they fully designed it so that the three-foot offset no longer exists. She has a set of plans here and she created a sort of colorized print that would help people be able to see that. Along the frontage of the Thai restaurant and the adjoining frontage of the Kross Brothers property, it is right along the curb line and then at the end of the Kross Brothers property it comes back to the three-foot offset through the rest of the properties in the residential area.

All ayes, motion carried.

MOTION BY BARBARA HEFFELFINGER TO SEND LETTERS TO NOELAND AVENUE PROPERTY OWNERS THAT SIDEWALK DESIGN IS COMPLETE, AND BOROUGH WILL BID OUT SIDEWALKS FOR CONSTRUCTION WITH THEIR OWN CONTRACTOR PRIOR TO AUGUST 1ST. SECONDED BY ROBIN VALENTIS.

Carol said the draft letter says that all work needs to be completed by the end of July 2025 and at that point, any outstanding permits will be closed. They're trying to make it really clear to property owners that if it's not done by the end of July, that's the time these bids are open, they need to find a way to get information out to these property owners directly about what it would cost, if the borough does their properties, so that they can make a comparison. They've had one communication already. They are voting on the second communication tonight. There will be communication in another month when the bids are open. A follow-up communication should probably be planned, as they approach that July deadline. Gary asked if the letter gives them the cost estimate. Carol said they should do that as a courtesy because usually it's less expensive for them to do their own sidewalks.

Gary asked when the cutoff date for permits was. Carol said they will remain valid until July 31st. Gary said if somebody has their sidewalks half done by then, then they're in a sticky situation. Carol said she'd like to think they will work with people if they're half done at that point but if their contractor says they're going to be there next week, it's too late. And they can't have the borough's contractor and their contractor working on top of each other. They need some sort of cut-off date.

Mark Moffa asked if they would know the cost per property when the bids are opened, and the contractor is selected. Carol said they would because, in the specs, they are bidding per linear foot. She can break that out into different properties.

Barbara Kirk said for notice purposes, she would recommend that council consider sending this second letter that has been drafted, subject to any revisions they want, because if there are individual property owners that want to secure their own person, sending this letter out now dated April 10th or whatever, gives them that much more additional time to start looking into it. Mark said they can spend the time now getting their own quotes and then they'll get the borough's quote, and they can make a decision. Gary said if a property owner does not install their own sidewalks, and the borough installs sidewalks for them, then the process for retrieving that is a lien. Barbara Kirk said they'd have to invoice them for the fee and then give them she believes thirty days to pay and if it's not paid, then they would proceed with the filing of the lien.

John Kross, said the homeowners would have roughly sixty days from the time they heard from the borough to get it completed. If they hear in late May, they will have all of June and July to get the permits and to get it done by their own contractor. Carol said whatever contractor the homeowner gets doesn't have to worry about prevailing wages and bonds and all the things that the guys that the borough gets do. It's very common that the prices the homeowner gets from contractors are going to be lower than what the borough gets, and they should get estimates asap.

Pat Donahue, asked who would issue the permits. Carol said they would be issued out of borough hall and they will have access to plan information for anybody who's putting in sidewalks with their contractors. Pat said when they did Bellevue Ave. sidewalks, he had his bid on the first day and his contractor went to the borough many times to get a permit and he was never issued a permit. The day after the pandemic was over, the borough had their guys come down the street and rip out his sidewalk and he had to pay double. He had Bob, who was mayor at that time, check with the office and nobody ever got back.

MOTION BY MARK MOFFA TO AMEND THE MOTION TO INCLUDE LANGUAGE CONCERNING THE BID OPEING DATE AND ADVISING THOSE BIDS WILL INCLUDE A PREVAILING WAGE AND THERE WILL BE ANOTHER NOTIFICATION BY THE BOROUGH ON THE COST. SECONDED BY ROBIN VALENTIS. All ayes, motion carried.

All ayes, motion carried.

MOTION BY GARY NICKERSON TO AUTHORIZE ASSEMBLY OF GRANT APPLICATION FOR WALKING TRAIL AROUND MEMORIAL PARK. SECONDED BY ROBIN VALENTIS.

Gary said he likes the idea, and it is very creative to utilize the dugout for one of the actual walkways. Ninety nine percent of the time that can be a walkway unless there's a game. Mayor Sodano said he does not like the idea.

All ayes, motion carried.

Unfinished Business

MOTION BY MARK MOFFA TO ACCEPT SECONDED BY.

MOTION BY MARK MOFFA TO ACCEPT PROPOSAL FROM MRS WELDING FOR REPAIR OF STEPS INSIDE BOTH PUMP STATIONS. SECONDED BY ROBIN VALENTIS.

Mark said it is half the price and Carol has indicated that both quotes were sufficient. Mike Smith said they're donating \$1,500.00 worth of material. Mike said he's not against anything that Hendrick's Welding put out. He just bids a little differently than he and his son do. Barbara Heffelfinger said the quality of work by Mr. Smith's company is excellent. He just did some work at her house, and it was very well done. Mayor Sodano told Mike to tell his son that it was very generous of both of them.

All ayes, motion carried.

New Business

MOTION BY BARBARA HEFFELFINGER TO RATIFY APPROVAL OF THE FOLLOWING MID-CYCLE INVOICES:

Guardian Protection Services invoice dated 3/2/25 in the amount of \$388.92 for annual monitoring
Leck Waste Services Invoice #538097 in the amount of \$23,660.56 for March waste removal
Comcast invoice dated 2/26/25 in the amount of \$219.27 for internet and voice services for 37 W. Woodland Ave.
Comcast invoice dated 2/26/25 in the amount of \$208.63 for internet and voice services at 300 Bellevue Avenue
Encova Insurance Invoice #36960279 in the amount of \$3,841.00 for workers' compensation insurance installment
Gettysburg Benefits Administration invoice dated 2/28/25 in the amount of \$201.93 for dental insurance installment
State Workers' Insurance Fund invoice dated 2/28/25 in the amount of \$1,953.00 for fire departments' workers' compensation insurance installment
Comcast invoice dated 3/2/25 in the amount of \$304.89 for internet at 790 Neshaminy Street
Comcast invoice dated 3/1/25 in the amount of \$408.27 for business voice edge service
PECO-Payment Processing invoice dated 3/10/25 for two months' payments for 790 Neshaminy Street outdoor lighting
Langhorne Postmaster invoice dated 3/18/25 in the amount of \$228.38 for spring newsletter postage
Independence Blue Cross Invoice #582516770896 in the amount of \$5,263.48 for medical insurance installment
PECO Payment Processing dated 3/20/25 in the amount of \$1,649.17 for streetlights' electric

SECONDED BY BUD MURPHY. All ayes, motion carried.

MOTION BY GARY NICKERSON TO APPROVE FINAL PAYMENT TO KEYSTONE SPORTS CONSTRUCTION \$15,502.73 FOR THE FENCE AND BACKSTOP INSTALLATION. SECONDED BY ROBIN VALENTIS.

Mark asked Geoff Thompson if all final conditions were met and if they're good to go on with this. Geoff said yes, and they did an outstanding job, and they even redid the grass patch there that was undone by the basketball court. They seeded it and fenced it off.

All ayes, motion carried.

MOTION BY BARBARA HEFFELFINGER TO APPROVE AND SIGN THE USE, OPERATION AND MAINTENANCE AGREEMENT WITH MIDDLETOWN NESHAMINY FOR THE BASEBALL SEASON ENDING 7/31/25. SECONDED BY GARY NICKERSON. All ayes, motion carried.

MOTION BY GARY NICKERSON TO AUTHORIZE THE ORDINANCE COMMITTEE TO WORK WITH THE SOLICITOR TO DEVELOP A SIDEWALK ORDINANCE. SECONDED BY MARK MOFFA.

Mayor Sodano said they discussed this at length at the last meeting and he still feels that meeting with the solicitor is premature at this point. He's sure that there are suggestions that other council members and the public may have. They should be asking council, the public and the Planning Commission to weigh in on ideas before they go to the solicitor so that they don't end up going back multiple times and spending solicitor money. Mark said it was his understanding that the members of the Ordinance Committee would solicit input from the rest of council and any other interested parties who are welcome to contribute ideas and then take

them into consideration. Some portions of the code book are a bit of a mess with conflicting ordinances that happen because well-meaning council members in the past tried to write their own ordinances without the help of legal advice. Gary has already made a public appeal at multiple previous meetings for anyone to contact him with their thoughts on what would make a good sidewalk ordinance.

John said some suggestions might not fly and if they don't run it by legal counsel, and it gets in there, then they're in trouble. They must be part of all ordinances and maybe they have some thoughts as well.

Bud Murphy said he doesn't think what Tom was suggesting precludes getting legal counsel involved at some point in the process. It's just a matter of when legal counsel is involved. They want to solicit ideas from the audience or any other interested party. He doesn't think it needs to be stopped at this point. They could move forward with that over the next couple of weeks or a month or so and then, at that point, formulate changes and run them by legal counsel.

Mark Moffa said a lot of times they don't have to reinvent the wheel. When he was on the Ordinance Committee, they had the solicitor at most, if not every single meeting. He found it to be helpful personally, because they were looking at what other towns have done and it's helpful to have the solicitor there when they're evaluating the ordinances that other towns have in their books and trying to pull together ideas for your own ordinance. They would accept ideas and input from everyone and meet with the solicitor and then come back to this body again with their findings of how it's coming together and what they're working on before they ask the solicitor to prepare the final ordinance.

Barbara Heffelfinger said there's always been so much turmoil every time they had to do sidewalks and curbs. She thinks it would be nice to have an open meeting just for suggestions from the residents. The Ordinance Committee can put everything together and let the public speak if they have ideas.

Robin Valentis said it sounds like there has been more of a concern that they have an ordinance and that at certain times, they didn't live up to that standard. She would love to document the concerns like the one the gentleman here spoke about, so that doesn't happen again. There were some others who had some issues with what mistakes were made and hopefully, they can ensure in this new ordinance that they don't repeat them.

Gary said they don't have an ordinance on the sidewalks but what they have is at any time like they're doing right now, council can decide that a property owner has to install sidewalks, which is what they just voted on today. The goal of this is to deal with sidewalks at properties where there is no sidewalk. When the property is sold as part of the new use and occupancy, a sidewalk must be constructed, if there is no sidewalk. That's the ordinance that he's going to work on. The goal is to have Pennel Borough be a walkable borough and to eliminate the necessity to require sidewalks be separate from the road paving process because sidewalks and curbs have been getting in the way of streets getting paved. They're going to work with the solicitor, and he's already reached out to the Pennsylvania State Association of Boroughs to see if there is such an ordinance. They said there is none, so they'll have to look at other municipalities to try to find if there is and if not, they can craft their own. They would review it with council, who can weigh in, and it goes to the Planning Commission as well as the Bucks County Planning Commission for comments and can come back to council to provide more comments. There are multiple opportunities for comments.

Mayor Sodano said while the idea of when properties change hands to do the sidewalks in itself is a good idea, it may not always work. An example exists on Noeland Ave. 147 Hulmeville Ave. backs up to Noeland, and was built in 1989 and it's still the only property along there that has sidewalks because they had to put them in when it was built. Multiple properties along it have been sold over the years and these things didn't happen. It could take fifty or sixty years until they become a walkable borough. They need to come up with a plan to make it happen more quickly. Recently, he gave a sheet of suggestions about the parking ordinance that will have to be redone to the borough manager. All ideas are based on real time things that he and Chief Perry have dealt with, and the fire company has dealt with. Anytime people talk to council, they should write down their suggestions.

Mike Smith, a lot of money was spent on the fence ordinance. Ben sat for hours here with the Planning Commission, and they tore it apart because it didn't fit the town. By the time the Planning Commission had to go back to the county, all this time they're paying legal fees. It shouldn't go to this solicitor first. Let the committee write a basic ordinance and then after everybody has seen it, and it's been discussed, it can go to the solicitor who will put in the correct words. There was a gentlemen's agreement not to do sidewalks until streets were done unless they were deemed a problem.

Gary said there were numerous problems with the code and the problem was that everybody wasn't working together. The solicitor wasn't looking at it. The engineer wasn't working on it. Good-intention council members tried to do something, and it ended up really messing up things for a decade, where people were constructing all these front yard fences because of good intentions and somebody being pennywise and dollar foolish. He'd rather start off with something that is legal and enforceable.

John Kross, said there is a piece of grass and then there's the sidewalk. If they're concerned about the streets, the curbing has to be an issue. As they repave streets, they need the curbs to be in good condition. Whether the sidewalk is done or not, it's not going to damage the street or curb. The sidewalk ordinance is not really related to the streets being repaved. Curbing is a whole different issue.

Mark said it seems like council is relatively split on this. To compromise, maybe the Ordinance Committee can meet without the solicitor, and everyone submits any ideas they have to the Ordinance Committee, along with anyone from the public. The committee wants, without the solicitor, to formulate what ideas sound good and then, after their first meeting, they can loop the solicitor in.

Gary said they should just take a poll, if council wants to require sidewalks to be put in when a house is sold because if they don't have a majority, there's no point in continuing.

Mark said Gary has good ideas and everyone should give him their opinions.

MOTION BY MARK MOFFA TO TABLE THE MOTION UNTIL NEXT MEETING. SECONDED BY ROBIN VALENTIS. All ayes, motion carried.

MOTION BY MARK MOFFA TO ADOPT RESOLUTION #2025-5 RECOGNIZING APRIL 2025 AS "PENNSYLVANIA 811 SAFE DIGGING MONTH" AS REQUESTED BY GREG DANKS, DAMAGE PREVENTION LIAISON AT PENNSYLVANIA ONE CALL SYSTEM, INC. SECONDED BY BARBARA HEFFLEFINGER. All ayes, motion carried.

MOTION BY BARBARA HEFFELFINGER TO PLACE THE 1999 JOHN DEERE BACKHOE ON MUNICIBID FOR PUBLIC SALE. SECONDED BY BUD MURPHY.

Mike Smith, asked how someone gets the opportunity to inspect it because he thinks the last time it was used, it was by him many years ago. John said the batteries were stolen. Geoff Thompson said it cranks but doesn't start. Geoff said it will be on Municibid, and they will put it in so that it can be inspected.

All ayes, motion carried.

Geoff Thompson explained that during the windstorm, a tree came down on the utility lines between two poles on the lane to the public works property. The electricity did not go off, but the tree was lying on top of utility lines. PECO came out and informed them that those line and the poles are Penndel's property. He contacted the borough's rep at PECO, and they sent him a map that shows that they are privately owned. The lines are only about 10-15 feet off the ground. An emergency vehicle could not get back to the plant if needed. It is a very dangerous situation. The poles are in bad shape. There are two quotes, one for supporting the poles and one for replacing. He suggests they go with the second option of replacing them and fixing the wires. New poles would get them at least sixty to maybe even a hundred years. John said since the tree damaged the lines and poles, if there was any possibility of getting insurance involved. Geoff said he can check but he doesn't think they insure their utility poles. Robin asked about it going underground. Geoff said in his experience, it is very expensive. Robin asked if there were other trees of concern on the property and Geoff said yes. Robin said when looking at their budget for the future, they should consider a cost there to keep them trimmed back.

Mayor Sodano asked about the lines that are not power lines that are attached to the poles. He assumes one of them is for the Comcast feed for the alarm system at the plant. Some of the lines go to adjacent properties and he thinks they are some sort of cable type of lines, since they're not electric. Geoff said the power lines are the borough's and they don't feed any other properties. Mayor Sodano asked if anyone gave permission for a communication company to use what turns out is the borough's power poles and if they are paid a rental fee. Bob Winkler said in 1987, a similar thing happened. A tree came down, took power wires down and took the telephone wires. He was pushed by council to get involved with it to determine if they could get the pole replaced and the wires. A prior council did approve as he understands, the telephone line but the electric belongs to Penndel Borough. At some point, they did approve of somebody using our polls to at that time, Bell Telephone. Mayor Sodano said there is TV cable strung there now. Geoff said he finally got ahold of someone at Verizon to figure out the history of the lines down there because there's a big Verizon trunk line that dead ends at the fourth pole. Prior to going to public works, they're trying to figure out why the pole is there and don't know if he'll get anywhere with Verizon. Mayor Sodano said the wires are new because they're orange and they were black before. They started with that color in around 2022.

John said damaged poles are a liability. If it falls and hits someone, even someone who may be trespassing, the borough is liable.

MOTION BY BARBARA HEFFELFINGER TO ACCEPT THE MILLER BROTHERS' PROPOSAL FOR THE REPAIR OF THE ELECTRIC LINE ON THE PUBLIC WORKS PROPERTY IN THE AMOUNT OF \$19,986.00. SECONDED BY BUD MURPHY. All ayes, motion carried.

Public Comment

Charles Fox, asked what was happening with the daycare and the water pit that they were going to put in. Barbara Kirk said they submitted stormwater management plans last week and they had a revision to it and the plans are being reviewed before a permit can be issued, in order for them to do the installation.

MOTION BY BARBARA HEFFELFINGER TO ADJOURN THE MEETING AT 9:10 P.M.
SECONDED BY ROBIN VALENTIS. All ayes, motion carried.

Submitted by: 
Marie Serota, Secretary/Treasurer

Mayor's Report for March 2025

In March I attended the Borough Council meetings.

During the course of the month there were multiple meetings with The Chief, the Fire Marshall, the Borough Manager and code officials regarding ongoing safety issues in the Borough. Topics included, but were not limited to, concerns brought to me by residents on parking, intersections, as well as speeding and stop sign issues. Input from residents is always appreciated and considered in any planned changes moving forward.

The annual Penndel Classic Car Show is Saturday, May 10th.

Pennsylvania Primary Election Day is Tuesday, May 20th.

The Penndel-Hulmeville Memorial Day parade is Saturday May 24th.

The Penndel Community Day and Borough-wide yard sale will be on Saturday, June 14th.

Father's Day is Sunday June 15th.

As has been well documented in the news and social media, other local municipalities are experiencing increased levels of delivery package theft and stolen vehicles. The Penndel Police Department takes a proactive approach. Patrols on Borough streets both day and night, monitoring any questionable activities, and active tag readers are some of what we are doing. You can help us help you. Door cameras are a deterrence as well as a source of information in the event of an incident. Lock your vehicles and don't leave valuables and items that could lead to ID theft. And *never* leave your vehicle unattended and running!

April 7, 2025 Engineers Report

Pennel Borough, Bucks County

Pavement Repairs

Bid documents for pavement repairs are out for bid with bid opening scheduled for April 11th. This will provide pavement repairs on Crescent and Highland ahead of sealing the streets, in addition to repairing numerous potholes recently marked throughout the Borough.

>> Noeland Avenue Sidewalks - Bid

Noeland Avenue Sidewalk design is complete and bid documents are assembled and ready for advertising. If Authorized by Council, the bid can be advertised in April, with bid Opening on May 9th and consideration of bid award on May 19th. The result of this bid can be used to project costs for each property owner along Noeland Avenue. The contractor awarded the bid will not be permitted to begin work before August 1, 2025. This provides property owners with more than three months to use their own contractor for sidewalk and driveway apron installation rather than the Borough contractor.

>> Noeland Avenue Sidewalks – Notice to Property Owners

It is time to advise property owners on Noeland Avenue South of Lincoln Highway that sidewalk repair and installation are required. A first draft of a letter to the property owners has been prepared for your consideration.

>> DCED Greenways, Trails and Recreation Program Grant

DCED Greenways, Trails and Recreation Program Grant applications are being accepted February 1st through **May 31st, 2025**. This grant could fund installation of a walking path around Memorial Park. The maximum grant under this program is \$250,000. We preliminarily estimate the project construction cost to be between \$75,000 to \$100,000. The grant program can fund **85%** of walking path construction. The project requires a **15% match**. If Council authorizes grant application, we will communicate with Middletown Township regarding any impacts to their property, and assemble the application documents.

>> Pump Station Steps

The Borough has now received two proposals or quotes to replace the severely corroded components of the steps in both pump stations. Both prices are below bid thresholds, and the quoted work in each proposal will substantially improve safety and extend the life of these steps. We recommend Council accept one of these proposals to authorize the work.

Once the repairs are complete, the Borough should plan for scraping and cleaning the stairs followed by application of a corrosion protection paint.