

Penndel Borough Council Meeting Minutes

December 4, 2023

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 Alan Dashoff
Councilman Joe Dudash
Councilman Gary Nickerson - absent
Councilman Bud Murphy
Councilman Bob Winkler
Mayor Tom Sodano

Also present at the meeting

Barbara Kirk, Solicitor, Hill Wallack
Geoff Thompson, Borough Manager
Marie Serota, Secretary/Treasurer

Council or Borough Announcements

John Stratz said the budget is the number one duty of councils all over Pennsylvania. A budget must be done because it allocates funding for departments, affects fees and tax rates and authorizes expenses. A borough cannot function without a budget. One of their motions will be to approve the budget for 2024. There is a rumor Penndel is broke. He hopes the citizen who is spreading this will seek out correct information and not rely on lies and innuendo. The budget has been viewable online and in borough hall for the last 10 days and contains no tax increases. For 50 Hulmeville Ave., the borough has not received a variance request at this time. The term low-income housing has not been used in any proposal. The only thing that developer has suggested and that comes to him from the meeting notes of the engineer, is that they wish to build a 300-unit senior housing in a proposed five story building. The ground floors would contain cafeterias, physical therapy, a salon and other businesses and public restrooms. The engineer advised that sewer capacity is likely a challenge because 300 EDUs are not in the borough's power to grant, so this might not even be feasible. Senior housing does not carry any worries of school absorbance of children, nor playgrounds, nor the need for 300 parking spaces. No written proposals have ever been submitted to the borough therefore, no variances of any kind have been asked of them. Next year, they will be revamping the way they present the written minutes of the meetings. They should not be a word for word transcript. The minutes are a factual record of borough business and should not have opinions or judgments of the proceedings and criticism of members good or bad, should not be included unless it takes the form of an official motion. Summaries of discussions can be included.

Barbara Heffelfinger said they held the tree lighting on Saturday night. She thanked everyone that came. She thinks the kids all enjoyed it.

Joe Dudash congratulated Alan Dashoff on becoming the new Penndel auditor. He said they talk about there's no debt. 1.2 million in debt is debt. The fire departments are going to combine. They were warned and told that it could go up 68 mills in their taxes. They just paid

off a debt of \$97,000.00 just a couple of weeks ago. As far as 50 Hulmeville Ave., they have to watch out for a man named Bob White who is in charge of this thing. They built low-income housing over in Bristol. They have IRS problems and they got caught with some government funding switcheroo. Joe said after months of deliberation and long conversations with his family, he made one of the toughest decisions of his life. He decided that he was not running for re-election to Borough Council. He believes that he accomplished what he set out to do for the people of Pennel. He became their voice, fighting the political dogma of this council. He thanked the people who put their trust in him and fought side by side to make the borough better and it has been an honor to serve them.

Consent Items

MOTION BY BARBARA HEFFELFINGER TO APPROVE THE MINUTES OF THE NOVEMBER 6, 2023 COUNCIL MEETING. SECONDED BY BUD MURPHY. Joe Dudash said the November 6th minutes are still incorrect. It's not in there that the chief departed the premises during questioning and that Barb Heffelfinger departed. It seems like they leave certain things out so the public doesn't see it and then other things they put in. John said there is a difference between meeting minutes and transcript word for word. Robert's Rules declares the minutes are a factual record of business. They should not include opinions or judgments and should leave out statements like a well-done report or a heated discussion, criticism or accolades, criticism of members good or bad, unless it takes the form of an official motion. Joe said all he wanted was that Barbara Heffelfinger and the chief left and that the police came in towards the end of the meeting and stood in the back and then he called a recess.

Dave Cahill, said the council is playing games with the minutes because there's no questions on agenda items only and it's been like that for a couple of years that they were allowed to comment on agenda items only, but now it's gone. They don't want the public to know what's actually going on at these meetings. John said agenda item commentary was redundancy. They're allowing questions after every single motion. Not everybody grabs the agenda off the table when they sit down, so they have no idea what is on the agenda. This way with the motion, they can think about it a little bit and then come up and speak. That's all they've changed.

Motion failed. 3 yes, (John Stratz, Barbara Heffelfinger, Bob Winkler) 3 no, (Joe Dudash, Alan Dashoff, Bud Murphy).

MOTION BY JOE DUDASH TO AMEND THE MINUTES OF THE NOVEMBER 6, 2023 COUNCIL MEETING TO INCLUDE CHIEF PERRY AND COUNCIL WOMAN BARBARA HEFFELFINGER LEAVING THE MEETING AND THE POLICE ARRIVING AT THE MEETING. SECONDED BY ALAN DASHOFF. Alan said it is worth noting because it lets you keep track of who is wandering in and out. He felt it wasn't professional for the chief to walk out of the meeting as well as a council person leaving. John said subjecting the chief of police to name calling and innuendo and allegations is giving him the right to sue Pennel. It is a hostile work environment. Personnel issues should be dealt with in an Executive Session. Alan said there are two issues. The first one is the right or the duty to take the discussion of his behaviors into an Executive Session. He'll agree with him on that one. It shouldn't be thrown out up here. But he's also an employee of the borough and that does not give him the right to walk out. John said he has a breaking point. Alan said they should have had an Executive Session months ago and put this to bed one way or the other. They can't push it away and say well we can't because he might sue them. There's been allegations made and they should have been

addressed in an Executive Session but that's different than walking out of the meeting as an employee or a council member where you have a duty to be here. Mayor Sodano said the chief's contract, which was ratified and approved by this board, does not say that he has to sit through an entire meeting. If they want it to be different, then they need to either amend his contract or in the next contract, change it but you can't expect somebody on a regular basis to go way over and above his contract, if you've never specified that.

Mike Smith, said they should make a point of saying let the record show that Mrs. Heffelfinger left the room and then when she comes back, make it known that Barbara is back in the room. Going forward it should be part of the minutes.

Dave Cahill, said he doesn't know about Fred Dunkley because he was too little, but Steve Burke and Joe Sciscio always stayed for the entire meeting. John said neither one of which ever was put through what their chief now is put through.

Chris Kross, asked if anybody outside the borough is investigating the accusations. John said no because there were no accusations made. Chris asked where they came from. John said for an accusation to be investigated, it must be a written accusation, not hearsay. Chris asked, with everything that's going on with all the arguing back and forth, if there is any legality to it. John said absolutely nothing was submitted.

Motion carried 5-1 (1 abstention, John Stratz).

MOTION BY BARBARA HEFFELFINGER TO APPROVE THE MINUTES OF THE NOVEMBER 20, 2023 WORKSHOP MEETING. SECONDED BY BUD MURPHY. All ayes, motion carried.

MOTION BY BARBARA HEFFELFINGER TO PAY THE FOLLOWING BILLS FOR THE MONTH OF NOVEMBER 2023:

General Fund	\$17,791.84
Refuse Fund	\$ 2,063.00
Sewer Fund	\$36,804.05
Capital Reserve Fund	\$12,785.75
Liquid Fuel Fund	\$ 1,181.35
Escrow Fund	\$ 890.00
Payroll Fund	\$ 1,133.79

Payroll

General Fund	\$35,153.83
Sewer Fund	<u>\$ 3,156.12</u>
Total	\$38,309.95

Escrow Fund Bills

Schoolhouse Court:	
Value Engineering	\$330.00
Cattani Subdivision:	
Hill Wallack	\$560.00

SECONDED BY BUD MURPHY. All ayes, motion carried.

Reports:

President's Report

John Stratz reported that he attended the Bucks County Borough's Association meeting. The speaker was the Pennsylvania State Fire Commissioner Thomas Cook. He reports that the situation is not unique to just Penndel or even Bucks County but is a problem across the state. None of the young people are stepping up as volunteers. The Fire Commissioner is doing a study, and it incorporates all of Pennsylvania. On Saturday, he attended the fill the cruisers event with the police force. Two entire cruisers were filled, one with toys the other with food. He thanked everyone who donated. On Saturday night, he attended the tree lighting where they all feasted on cookies and hot chocolate. He thanked Santa and Redeemer Lutheran Church for sending carolers.

Borough Manager's Report

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

Mayor Sodano asked Geoff if he was talking about the northbound lane for what would be no right turn onto Bellevue for trucks. Geoff said he is talking to PennDOT about it.

Joe Dudash asked if the street sweeper was only doing selective streets because Oak wasn't done because the guy who they got for dumping his leaves in the street, they are still piled up. He heard they didn't go down a couple of streets. Geoff said he believes they got Bellevue and Hulmeville because he specifically told them he wanted them done. He asked if they knew of any other streets that did not get done, to let him know.

Mayor's Report

Mayor Sodano read his report which is attached.

Police Chief's Report

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

Joe asked if there was anything new on replacing the radio batteries. Mayor Sodano said they are in the budget for next year. Joe said they're dying out. Mayor Sodano said he's gotten only about four complaints the entire year of a battery not making a complete shift, and, in both cases, it was about six hours, so they're hanging in. They will be replacing half of the batteries with new ones. Joe asked if he knew they had a breach in the borough hall and Langhorne PD came down to assist. Mayor Sodano said he understands that there was somebody who was in the building when the cleaning woman came in. There was no evidence that there was a breach, and the assumption was that the person hid out in the building somehow when the staff left. There wasn't a break in. Joe said there's no sense in Geoff buying all this equipment with cameras and everything else if they're going to leave the back door open and people come in. Mayor Sodano said the door was locked and the person apparently came in at some time during the day and from what he understands, when the cleaning person came in, this person had locked themselves in the restroom. There were no lights or fans on. When staff left, it wasn't like the lights were on and the fan was running. That would be a clue that someone had gone in there and locked themselves in. Joe asked if they have SOPs for internal security that the employees are supposed to follow. Mayor Sodano said prior to this incident, they weren't

required to go around and check all of the restroom doors. That's the public restroom, it's not the one that they normally use and oftentimes the door is closed.

Joe asked when they will be hiring a full-time officer now that the PBA contract is done. Mayor Sodano said he understands they are going to be advertising for one in the very near future. Joe asked how much money they had saved from the missed shifts. Since the people have paid for the police, he said they should be giving that money back to them either in the taxes or trash. Mayor Sodano said about the budget, this is the sixth year in a row the Penndel Police Department has come in year-end under budget and on average, up until this year, it's been approximately 8% average under budget regularly. This year they will be more than that under budget and part of the reason is, earlier in the year, council approved extra money for overtime, which wasn't necessary because they never used it so that skews the numbers.

Solicitor's Report

Barbara Kirk said at the meeting of November 20th, an issue was brought up that conflict council needed to be appointed to represent the borough involving responding to two right to know requests that had been issued, one by council person Dudash and one by Chief Perry. Council approved appointment of Curtain Heefner but they denied representation due to lack of appropriate staff in their office. They then contacted William Oetinger, who is a municipal attorney from Grim, Biehn & Thatcher and he agreed. She is asking if council would approve of Mr. Oetinger to serve as conflict counsel for these two right to know requests. Time is of the essence as there is a deadline under the right to know law.

MOTION BY ALAN DASHOFF TO RATIFY THE SECOND OPTION FOR THE CONFLICT COUNSEL FOR THE RIGHT TO KNOW REQUESTS SUBMITTED BY MR. DUDASH AND CHIEF PERRY. SECONDED BY BARBARA HEFFELFINGER. Joe asked how much the retainer is. Barbara said she is waiting for the final fee agreement letter to be submitted, but she understands it would be consistent with what the fees would be if her office was serving as the legal counsel for the right to know request. She said to Joe that this is not picking an attorney against him, this is selecting an attorney to represent the borough in answering these two requests. It has nothing to do with the underlying basis of the request. It's just trying to answer the requests in accordance with the right to know law and they are not able to do it because they deal with him as a council person, and they deal with Chief Perry in his capacity as well as representing the borough. There's a conflict there and that's why conflict counsel needs to be appointed. Joe said he didn't like that they picked the lawyer to represent him. Barbara said she didn't pick a lawyer. She went through the Bar Association directory for municipal attorneys who handle right to know requests. She didn't think council would have been too keen on picking Begley Carlin and Mandio, who apparently represent 95% of the municipalities in the state. They went to Curtain Heefner, who are well versed in municipal law and right to know requests and they declined. The next best one she could find was William Ottinger at Grim Bean. It has nothing to do with your counsel. He can choose whoever he wants. The civil service attorney that he wanted, that would be a conflict because they represent the borough. Joe said he's leaving here and doesn't want to be spending any of the taxpayer's money. As of October, the borough's attorney bills with her company are \$92,283.42. He wants a third option. He said let's call this a Mexican standoff. He goes away in the dust, and they call it even Steven. Barbara told him he needs to formally withdraw his right to know request. Joe said get the chief to withdraw his and he will withdraw his and they'll call it even. John said they should go with option two and if option three comes up, there will not be a dime

spent. They will be protecting the borough in case he changes his mind and goes forward. Alan suggested that someone on council sit down and get Joe and the chief to make a decision that they will both pull it, or they are both going to keep it before they sign the actual contract with the attorney. Barbara said even if Mr. Dudash decides not to pursue this, there's no way to force Chief Perry to withdraw it. Alan said nobody can force either one of them to make a decision but at least this way they can move on and try and get this handled internally but they've created the pathway to keep it moving because of the legal timelines.

Chris Kross, asked if this was the November 6th issue. Barbara said it was an issue she brought up November 20th because right before that is when the request came in.

Motion carried 5-1 (Joe Dudash, no).

New Business

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

Comcast invoice dated 10/26/23 in the amount of \$193.23 for internet and voice service at 300 Bellevue Avenue

Comcast invoice dated 10/26/23 in the amount of \$214.71 for internet and voice service at 37 W. Woodland Avenue

Gettysburg Benefit Administrators invoice dated 10/1/23 in the amount of \$169.59 for dental insurance installment

Office of Labor & Industry State Worker's Insurance Fund invoice in the amount of \$1,555.00 for dental insurance installment

Ready Refresh Invoice #13J0431953892 in the amount of \$264.91 for professional cleaning and spring water

Waste Management Invoice #6074-2448-8 in the amount of \$17,976.25 for October service

Comcast invoice dated 11/2/23 in the amount of \$244.89 internet at 790 Neshaminy St.

Comcast Invoice #186404123 in the amount of \$379.10 for Business VoiceEdge Service

Amazon Capital Services Invoice #1Q7V-NHPH-PGCG in the amount of \$529.94 for EOTECH Holographic Weapon Sight

PECO invoice dated 11/9/23 in the amount of \$1,408.57 for streetlights' electric

Independence Blue Cross Invoice #231107364894 in the amount of \$5,958.90 for medical insurance installment

Verizon Wireless Invoice #9948215421 in the amount of \$25.02 for M2M Account Share 1GB

Bucks County Borough's Association invoice dated 11/30/23 in the amount of \$35.00 for the 11/30/23 dinner meeting

SECONDED BY. All ayes, motion carried.

MOTION BY BARBARA HEFFELFINGER TO APPROVE THE FINAL 2024 BUDGET.

SECONDED BY BUD MURPHY. Joe Dudash asked Geoff Thompson why most of the salaries are coming out of the sewer at 60% versus 40%. Geoff explained that it's perfectly acceptable to take money out of the sewer fund and also the General Fund. That's the way Penndel has historically done their budget. He thinks two or three years prior, they also used some of the refuse fund money to divide salary allocation. Joe asked if the General Fund is low and that's why they're taking it out of sewer. Geoff said basically, yes. Joe asked if the full-time officer is going to be 60% out of sewer. Geoff said the police budget is in the General Fund. Joe said that's what's making them low in cash with this 2024 budget. Geoff explained that's historically how the budget is planned out. They can use utility money, which is the sewer fund, to

supplement the General Fund and is how they allocate where they pay whatever they're paying for projects and personnel. Joe said it looks like they're doing 60% for insurance for the employees versus 40%. Medical insurance, dental, salaries, payroll charges, communications. Geoff said that was correct.

Alan asked about the unpaid sewer bills, which don't show up anywhere. They should be making some effort to collect it and not just ignore the fact that people aren't paying. They've had internal discussions and should be bringing it to council probably next month or the month after on how they can review the current policy on getting people to pay up. Alan said it should probably be an asset as accounts receivable on the budget. He would carry it as an asset on the monthly reports for the balance sheet. Geoff said it's his understanding that the policy was changed over five years ago that the borough could no longer post the property that they owed money, so they have to rely on certified letters to get people to pay. When they posted the actual property, that would get people to come in and pay. They're going to talk to other municipalities to see how they handle it. Alan asked if the sewer and refuse go as millage instead of a separate line item or is it required by law to be separated. Geoff said he believes it can go by millage. That would solve the problem completely. They calculate what the cost per person is going to roughly be if everybody paid, and they adjust the millage accordingly. It takes all the collection on this off the borough because it would go through the tax system instead because if someone chose not to pay, the county and the school district wouldn't let it happen. It would be the borough tax, the school tax, and the county tax all bundled because that's the way it works when you make your payment to your mortgage company or to Donna Caracappa. It would take it off the borough. Mayor Sodano said Middletown uses that system. It's included in their taxes. Alan said there's pros and cons to both.

Dave Cahill, asked when council voted on advertising the budget. John said a while ago. Dave said he means November 6th. They didn't advertise in the Courier Times like they normally do. They advertised the preliminary budget even though they didn't have the trash, or the police contracts done. They cannot approve this budget tonight because they did not advertise the whole budget to the public. Nobody's going to that Facebook site, that Penndel information and going and reading the budget. They have to post it in the Courier Times where they've been posting all their advertisements. They have to vote to advertise and then you have to do it for ten days and then have to meet for the next Work Session and that's when they get to vote on the budget. It's all smoke and mirrors with the sewer fund because the democrats on council are illegally hiding money in the sewer fund that they're paying employees with. This money was taken out of the budget back around 2015, \$100,000.00 and they put the money back in there again. The small businesspeople on Route 1 who pay a sewer rate, they're paying for maintenance and other services that they shouldn't be paying for.

Motion carried 5-1 (Joe Dudash, no).

MOTION BY BARBARA HEFFELFINGER TO ADOPT RESOLUTION #2023-14 FIXING AND RETAINING CERTAIN REAL PROPERTY TAXES FOR FISCAL YEAR 2024 IN THE AMOUNTS OF 19.3 MILLS FOR GENERAL BOROUGH PURPOSES, 3.0 MILLS FOR FIRE PROTECTION SERVICES, AND 2.5 MILLS FOR DEBT SERVICE, AS PROVIDED UNDER THE PA BOROUGH CODE. SECONDED BY BUD MURPHY.

Chris Kross, asked if this was an increase. John said it's not. Barbara Kirk explained when they pass the budget, if there's no increase in millage and no adjustments, then it has to be approved by resolution that they're just carrying over what was done the prior year. Chris

asked about 50 Hulmeville Ave. and how they are going to be charged for those units if the project goes through. Barbara said they have to submit to Bucks County Water and Sewer for EDUs for the units, which they may not be able to get. If they can't get the EDUs, they can't build the units. If they do get them, then they go through the process for land development, so they'll be in front of council and all the other planning and other advisory committees as to the proposed development. Mayor Sodano said the current hookup fee is just south of \$8,000.00 per EDU. So, in theory, if they were going to do 300 units, it would be 300 times \$8,000.00 for their initial hookup fee and then they will be charged monthly for each EDU. Chris asked how they assess that monthly charge. Mayor Sodano said he couldn't answer because it would likely be 300 times the residential rate, which is different than a commercial rate. Joe Dudash said for low income they can get federal money. They're hearing that they're going to connect into the pipeline of Middletown. Chris asked if they would still have to pay the same bills as every homeowner in the borough. Joe said it would be federal money, so it's easier and the feds make it move faster. John Stratz said again that Pennel has received no variance requests at this time and never once has the word low-income housing ever been used by this developer.

All ayes, motion carried.

MOTION BY BARBARA HEFFELFINGER TO AUTHORIZE ADVERTISEMENT OF ORDINANCE #2023-3 AMENDING CHAPTER 322 – “SEWERS” ARTICLE II – “SEWER RENTS” OF THE PENNDEL BOROUGH CODE OF ORDINANCES; AMENDING SEWER RENT RATES, REPEALING PRIOR INCONSISTENT ORDINANCES; CONTAINING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE. SECONDED BY BUD MURPHY. Barbara Kirk explained that there are certain rates being charged by the sewer authority and if those rates are increased, they have to be done by an ordinance and it is required to be advertised in advance before council can consider it. This is to approve the advertisement of this ordinance, which would be then on file at the borough showing the increase in the sewer rates for residential and commercial dwellings and has to be available for public inspection before they can make the vote. Geoff explained that the sewer rates are being increased by 8%. In last year's budget, it was raised 8%, which was passed on to them from Bucks County Water and Sewer at a 16% rate increase. They did an 8% increase in last year's budget and will do an 8% increase in the 2024 budget.

Ashley Fouch, asked what they are getting out of raising the sewer and trash. She asked if they get large bins. Barbara Kirk said the sewer rate is being increased because Bucks County Water and Sewer that actually has the treatment plant that treats it, has increased their rates so it's being passed down from them. The refuse is under the contract. Ashley said she didn't understand why they're short with money. They talked about \$92,000.00 worth of legal bills that just seems crazy. She asked why they are so high. Barbara said she has no idea what Joe was referring to because some things are charged on a regular flat monthly rate that they do for the borough. Some of the money is also legal fees charged to accounts that are development where the developer is putting up the money and the monies come out of the escrow account to cover legal fees for their review. They have flat rates that they charge every month that they perform unlimited services for that month. Joe Dudash said Mike Smith's fence deal has been going on for four years with them. Alan asked if that was just their firm or was it all the law firms combined. Joe said that's what Geoff gave him. Ashley asked if it was detailed in the budget. Barbara said she can come in and look at the budget and the trash contract because it is on file here. Joe said it's in code. You see one section like for the lawyers for sewer and then you have to look down for garbage and more and then you have to add it up.

Dave Cahill, said that Geoff lied to them about the sewer rate increase. When they got the increases from Bucks County Water and Sewer, he thinks council voted on Geoff's recommendation that they pay the increases for two years, 2023 and 2024. If they look back at the minutes, the borough was to pick up those increases for 2023 and 2024. They're not supposed to get the sewer increase until 2025. They might want to check the minutes again.

Chris Kross, asked how they know how much sewer they use. Geoff said it is based upon your water usage. John Stratz said there are flow meters at the plants that they read out and then they charge them accordingly and are averaged out amongst the number of households for a flat rate.

All ayes, motion carried.

MOTION BY BARBARA HEFFELFINGER TO ADOPT RESOLUTION #2023-13 ESTABLISHING A FEE FOR COLLECTION OF ASHES, GARBAGE, RUBBISH AND REFUSE PURSUANT TO SECTION CHAPTER 340-"SOLID WASTE;" REPEALING PRIOR INCONSISTENT RESOLUTIONS AND PROVIDING FOR AN EFFECTIVE DATE. SECONDED BY BUD MURPHY. Geoff explained that they set the rates for trash collection based upon the bids received. Their new hauler is going to be Leck. The rates did go up, but not as much as they thought. The quarterly fee is going to be \$103.50, which is an increase of \$12.56 per quarter. It is almost an identical contract to what they had except that the collection day is going to be Thursdays except for when there's a holiday week. They will get the information out to the residents this month.

Ashley Fouch, asked if they can get the big cans. Joe Dudash said with the last contract, they were going to charge \$60.00 a can. He doesn't know what it is with this contract. Ashley said she doesn't understand because they're raising all this money so they should give everyone a \$60.00 can instead of the \$20.00 one from Home Depot that cracks and they ruin it. If Leck has their own, they won't ruin their own trash cans. They're about cleaning up the streets, which would eliminate the problem. Barbara Heffelfinger said if they had the big cans they would pay more. And some of the trucks do not have the equipment to lift those cans up so one way or another, they're going to pay a lot of money. Ashley said she didn't think that they should pay a lot of money. The borough should because it's kind of getting a little out of hand with all of the fees for trash. Her dad lives in Middletown, and he gets two trash days. Barbara said it's in the negotiated contract and Middletown has more money than Penndel does. They try to keep the budget in tow. Mayor Sodano said prior to moving back into the borough, he lived in Langhorne Gables for 20 years. His taxes were twice what they are in Penndel. Trash was picked up twice a week, but he paid twice the taxes that he pays in Penndel. Penndel Borough has a number of logistical problems with the type of trash that she's talking about where they pick up the big cans and dump them. On Oak Ave. which is the older section of town, the poles are close to the street and the wires are low and close so they can't pick them up there. If they had those cans, people on Oak Ave. would have to take them down to the end of the street on trash day and then go back and get them. Ashley asked about getting their own trash company. Mayor Sodano said the people in Schoolhouse Court had to do that last year and they begged the borough to let them in the borough's trash program. Joe Dudash said Upper Bucks did that and they got socked. Alan Dashoff said you lose the economies of scale. Mayor Sodano explained to Ashley that it means the more you have the lesser the cost. He said he wasn't involved in the contract because as the mayor, he doesn't get to participate in it but in his opinion, this council

and Geoff did a pretty good job negotiating this contract. It's roughly about a 9% increase. Geoff said it is for the first year. Mayor Sodano said Bristol Borough's first year of their new contract, which will be in 2024 was an 80% increase over what they paid in 2023 and their contract is going to run the same as Penndel's which is five years.

All ayes, motion carried.

MOTION BY BARBARA HEFFELFINGER TO AUTHORIZE ADVERTISEMENT OF THE 2024 MEETING SCHEDULE. SECONDED BY BUD MURPHY.

Vince Carcel, asked if the zoning board meetings were going to be advertised and not in the paper. Barbara Kirk said they are scheduled the third Wednesday of each month, as needed. If they have applications, they'll be scheduled that Wednesday. If nothing comes in, then there's no meeting. Vince said he doesn't get the newspaper. Alan said it will be on the website. John said it will also be on the electronic sign.

All ayes, motion carried.

MOTION BY BUD MURPHY TO APPOINT BARBARA SODANO TO THE PLANNING COMMISSION. SECONDED BY JOE DUDASH. John thanked Barbara for stepping up and hopes more citizens come out because they have other committees out there that are begging for members. Joe said she will do a good job. He hopes that she doesn't get discouraged by the political dogma that goes on and thinks on her own and not about the political party.

Dave Cahill, asked if they are leaving it a commission and not changing it to a committee, like they were discussing at the last meeting. John said it's staying the same because they have enough members.

Sharon Bowie, asked if they had a meeting at 50 Hulmeville Ave. John said he reported word for word what the engineer said to him in the report. Sharon asked if it was rumor that it is going to be 300 assisted living or 100 assisted living and 200 low income. She asked if it is the same developer that bought the Langhorne Carpet Mill. John said the borough has received no variance requests at this time and never once has the term low-income housing been used in any proposal. The only thing that the developer has suggested comes direct from the meeting notes from the engineer that the property owner wishes to build 300 units of senior housing and a proposed five story building but on the bottom, they propose the ground floor would contain cafeterias, physical therapy, a salon and other businesses and public restrooms. Barbara Kirk said to clarify there was a meeting with the developer at 50 Hulmeville Ave. because there's outstanding violations that were issued by the Department of Environmental Protection. During the course of that meeting, the developer said they're intending to do this. Nothing has formally been filed. Mayor Sodano said it was not the developer, it was Bob White that showed up. Barbara Heffelfinger said it is an historical building. It has been changed and messed up and everything else but architecturally, that is an historic building and was owned by Frederick Rumpf, who owned the house where the tank used to be. Those buildings should be saved. The problem is they don't have the money or get grants. Whatever they are going to do to that building, she doesn't like it or what they think they want to do with the carpet mill. Sharon asked why council voted to change that code for five stories and allow this to happen. Barbara said it was done to develop Route 1 and bring businesses in. Sharon said to make it five stories

in their little borough, so now they opened it up just like they opened it up for the carpet mill and the tractor trailer parking lot. Barbara said they didn't want that. Sharon said that was

supposed to be a Wawa. Barbara said she should see the previous owner because it was a private sale, and they can't intervene in a private sale.

All ayes, motion carried.

Public Comment

Diane Jones, said she knows some of them are landlords and she's not pointing fingers at anybody. She asked how many rentals are allowed in the borough. There's a lot more than they know. She's a realtor and there's quite a few listed. The people coming and renting don't care about Penndel. Barbara Heffelfinger said that's the zoning officer. Diane said he should come in once in a while because she has a lot of questions for him. She doesn't want to do his job, but she knows who's getting fence permits and who's not. Barbara Kirk said unfortunately, there's no way for that officer to completely police everything in the borough, so if there's an issue where it appears that somebody is not getting a permit because there's nothing posted, she recommends a report be made to the borough so that somebody can go out and look at it. Diane said but then you put neighbor against neighbor. They just put in for something for their home and they were denied a permit, but then other neighbors have no problem. It's not her job to do their job and piss off a neighbor.

Jeff Jones, said he reported a lot of things to this borough, and nothing gets done. There was a sidewalk that he said was bad. They finally did do it, but they probably had to go through the court system to get it done. The sidewalk is fixed after years and years of complaining. He turned in additions that were put on and they never went out and the addition got put on and nothing ever got said and there were no permits, and they were never inspected. The inspection company is terrible. And the engineer lied to him. She said she walked around and picked the worst ones. The one on Highland and Crescent, those curbs are like two inches high. At Clarissa and Cynthia, there's a bad one there too. He asked how she did not see them. John said they only had so much money in that grant. Jeff said the ones by the school were the worst ones. There's a couple of streets that don't even have them. John said when the next round of money comes in, they will get to them.

Mark Kervick, asked if there is an escrow account set up for 50 Hulmeville Ave. He asked when it was established. Mayor Sodano said he doesn't know when it was established but he asked that question at last meeting and that's when they found out about it. Mark asked if that all circles around with the TOD being pushed. Joe pushed earlier about federal money.

You get more federal grant money for low-income housing. There's a problem with the fire department right now and they're blending all the fire departments together to be one because they get more federal money for that. They get more police. They better talk to Joe Hogan and Frank Farry. He's had plenty of conversations with them and he knows everybody here knows what's going on because the federal money is going to help everyone. If they get 300 units of low-income housing down there, they're going to get higher crime, more drugs, and more prostitution.

Dave Cahill, said to Geoff that he made a complaint about the basketball nets that are in the street on Cynthia and Clarissa, and it was ignored, and the complaint was made to him, but he doesn't understand why it didn't go to the code enforcement officer. The code enforcement

officer issued a letter there last year and had them remove the basketball nets out of the street on Cynthia and Clarissa and they both have been put back into the street. One of the girls here spoke to my mother and said they gave it to Geoff but he's not code enforcement. For the 300-project coming to 50 Hulmeville Ave., there's more than just an escrow account. Mr. Moffa was working on this back in 2020, when he was still on council. He's the one that's meeting with everybody. Mr. Thompson has been meeting with everybody. Every democrat on this council knows exactly what's going on with 50 Hulmeville Ave. and they're all playing dumb. The low-income project is coming and they're not going to be able to stop it.

Sharon Bowie, asked if they could change the code back from five stories to four stories so this doesn't happen again. to the tractor trailer area or some other area. Alan said it could be done but the odds are slim to none since basically, the council at the time of the vote was Beverly Wolfe, Barb Heffelfinger, Gary Nickerson, Mark Moffa, John Stratz, Joe Dudash, and Laura Germain, which is exactly what you're going to have coming in next year.

Council Members to be Heard

Joe Dudash said it is good to see everyone here tonight, including the businessman. An interesting point was made about real estate. In talking to people, investors are buying houses here to rent out. And the Zoning Appeals Commission is from Middletown, but they'll tell you that you have a say. The PennDOT thing and all, Middletown is behind this. Hulmeville doesn't want low income on their borders and neither does Langhorne Manor. They're going to have the same old regime in here again and he doesn't think that anything will change unless they keep the pressure on them. The fence issue has been going on for years and it was up to \$60,000.00 and over before the bubble was taken out or whatever it was. Money just pours out of here. They're counting on real estate, which has been selling around here like a banshee so they're getting money from it. Then they have the EIT, which they're using. He thought DC was bad. He doesn't understand these people. All of them were born and raised here. He doesn't know why they want this, but he sees the political dogma, which was in DC. They should be taking care of the taxpayers. They need to keep the pressure on them now in January. Don't let them use this clock crap and keep time and changing things because if they see there's nobody out there, they're just going to ram the budgets through.

Mayor Sodano said last year, about this time of year, he did have code go out and notify all the people with those basketball units in the street and the ones that are right on the edge that are hanging over, they are impediments, and they are unsafe. They will be notifying them again because the snow ordinances are the only ones that they can use. He did it last year and he's going to do it again this year once they get into the snow season. It falls under parking ordinances, which have not been updated in at least 12-18 years. This is why he keeps telling council that they need to update the ordinances. They have to get the fence ordinance and the pool ordinance done and then move onto some of these other ordinances that they are way behind on. They should make it that the basketball nets are not allowed in the streets 12 months a year, not just four because they are an impediment and somebody's going to get hurt. He doesn't want to have to be the guy that has to go tell some parents that their kid is not coming home tonight because they didn't have the common sense not to stick that thing in the middle of the street.

Alan said they can go to the borough website and look at the June 15, 2020 minutes to see who was on council and voted for the TOD.

Mike Smith, asked if council can right now or at the next meeting, repeal the added TOD that

was added to the record. Barbara Kirk said they can by ordinance because it was passed by ordinance and that would have to be advertised. If they want to get rid of this question, repeal it. Write the ordinance and vote on it in January although, they need to do it before the end of this year before Moffa gets back because then it won't get passed.

Barbara Heffelfinger wished everyone a very happy holiday season.

MOTION BY BARBARA HEFFELFINGER TO ADJOURN THE MEETING AT 9:42 P.M.
SECONDED BY JOHN STRATZ. All ayes, motion carried.

Submitted by: 
Marie Serota, Secretary/Treasurer

Mayor's Report December 2023

Attended Borough Council meetings and executive sessions.

Attended PBA contract discussions.

Finally, last month, I spoke about as we approach snow plowing season, Penn del Borough needs to act on having the numerous basketball backboards removed from the streets. As was evidenced during the recent street sweeping, snow plowing is not the only issue this type of equipment creates. Most local communities actively strive to prevent these items from impeding on municipal services. It is high time Council not only completes ordinance revisions in progress but also expedites updates to many other Borough codes and ordinances including, but not limited to, parking and traffic.