

# Penndel Borough Council Workshop Minutes

February 20, 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 - absent  
 Councilman Mark Moffa - absent  
 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  
 Carol Schuehler, Value Engineering  
 Marie Serota, Secretary/Treasurer

Barbara Kirk reported that from 7:05 pm until 7:40 pm, council met in an Executive session to discuss personnel issues. No decisions were made, as those things need to be done in public.

## Reports

### President's Report

John Stratz said he received a question from Sharon Bowie at the last meeting. He read his answer to her which is attached.

**Sharon Bowie**, asked if besides the Perma Built property, could this happen at other properties in Penndel. She asked if they could rezone or repeal any of the TOD. John said the reason people are so upset about the Perma Built building is that the rumor of low-income housing was circulated and that is the biggest lie Penndel has ever had. Gary asked where she saw or heard this. Sharon said she saw it posted online. Barbara Kirk said she has not seen any sort of application. Something like this has to go through independent reviews like the Bucks County Planning Commission and the borough's Planning Commission and then it has to be in front of council. They would still have to go through the process like storm water management, zoning regulations, approvals from Bucks County Water and Sewer Authority for water access. Sharon said they had said once it's purchased, they can't tell them what to do with it. Barbara said they can't tell them not to make an application to ask for a certain use. If the use falls within the parameters of the zoning ordinance and if the all the dimensions and everything fall within the zoning ordinance, the borough can't stop them. If it's new construction, demoing, significant renovations, anything that's like land development, it has to go through an entire process. Sharon asked how they would find out if anything came in. Barbara said it would be on the agenda, the borough website, there would be notice of publication, if going to the Planning Commission for review, there would be advance notice. If it had to go to the Zoning Hearing Board for issues, notice would be posted.



New Business

MOTION BY GARY NICKERSON TO APPROVE THE RESIGNATION OF PATROLMAN DAN DARNLEY EFFECTIVE 1/29/24. SECONDED BY BUD MURPHY.

**Tim Weaver**, said it's sad that they're losing such a well-trained, on the beat, great eyes and quick response officer and it's partially because of what council has been doing not getting these people ready to get their full-time positions.

**Nadja Printz**, asked if they are looking for replacements. John said it is in the works. There is a shortage all over Pennsylvania and everybody is looking for the next part-time officer. Nadja said they definitely need more than one. Mayor Sodano said they advertised for a full-time Officer. They have accepted multiple dozens of resumes and have already processed those. The next steps are the testing phases that are necessary under Pennsylvania requirements, and they have the first step in the testing process scheduled for early next month.

**Anthony Ricciardi**, asked if they have any applicants because they just stated that everyone in Pennsylvania is looking for police officers. Mayor Sodano said it is a common need for all municipalities. They received multiple dozens of resumes and applications that they accepted and are scheduling for the next phase. There are multiple phases of testing required in Pennsylvania for the officers. Anthony asked how long it would take. Mayor Sodano explained that there's written testing, verbal testing, interviews that are all required. He is hoping they might have someone in 60 days. They don't actually do all the testing in house. Much of it is done by professional organizations such as the Police Chief's Association. They have an entire testing regimen.

All ayes, motion carried.

MOTION BY GARY NICKERSON TO APPROVE LAND STUDIES' GEOMORPHOLOGIST TO DO A SITE VISIT TO ADDRESS BANK EROSION FOR THE WATERWAY THAT IS ON THE FORMER SEWER TREATMENT PLANT PROPERTY AT A COST OF \$500.00 AS RECOMMENDED BY BOROUGH ENGINEER IN HER 2/5/24 MEETING REPORT. SECONDED BY ROBIN VALENTIS.

Following the site visit, the borough will be provided with a cost proposal for a feasibility study and project estimating.

Gary asked Carol if there were any other updates since the previous meeting or if this was the preliminary thing they needed to do. Carol said this is the preliminary thing they need to do. What she wrote is probably parallel to anything that she said last time. They recently looked at addressing bank erosion for the waterway that is on the former sewer treatment plant property as a way to address the MS-4 sediment reduction requirements using the Growing Greener Grant. For further expertise and specialization in the matter, she contacted a firm that specializes in stream restoration design, which is called Land Studies. They suggested they start with a site visit from their geomorphologist. This consultation will allow land studies to provide the borough with a detailed cost proposal for a feasibility study project.

**Tim Weaver**, asked if they care about the watershed or the accompanying riparian buffer or are they just doing this for the MS4 credits only. There's a lot of erosion problems in the borough and if this is just for the credits, he thinks it is a total waste of time and money. He found

something that's called the Turtle Report that has to do with the red bellied turtle habitat back there. It's a rearing ground for the little hatchlings to come out in this area because they like soft soil and they love to lay their little eggs in there. It's going to be a bigger problem especially, getting equipment on and off site there, destroying mature hardwoods, which are great for carbon capture. There's a whole other system to get these credits from, besides destroying something. First, they want to mess with Chubb Run then they want to mess with this. He's been harping about the environment. They're going to need a fluvial geomorphologist to do the 25, 50, 100-year flood assessment studies on this. He hopes they realize how in-depth this is going to be.

All ayes, motion carried.

MOTION BY BUD MURPHY TO ADOPT RESOLUTION #2024-8 APPROVAL OF THE CDBG GRANT APPLICATION TO REPLACE AND IMPROVE THE MEMORIAL PARK BASKETBALL COURT SURFACE, FENCE, AND BASKETBALL BACKBOARDS AND TO ADD BENCHES. SECONDED BY GARY NICKERSON. All ayes, motion carried.

MOTION BY GARY NICKERSON TO APPROVE PROPOSAL FROM COSTARS VENDOR LRM, INC. FOR REPLACEMENT AND UPGRADING THE FLOW METERS FOR PUMP STATION #1 IN THE AMOUNT OF \$18,404.00 AS RECOMMENDED BY BOROUGH ENGINEER. SECONDED BY BUD MURPHY.

Carol Schuehler explained that they are required to meter the pump station flows and report them in their semi-annual reports to the DEP and Bucks County Water and Sewer Authority. Station 1 has one meter for each pump. In January, one of those ultrasonic flow meters could not be downloaded and they couldn't get the data. These ultrasonic flow meters were first installed in 2014, so it's getting on 10 years old. At the time, it was the least expensive option to address DEP's request to meter flows at the pump station and they were very easy to install, as they wrap onto the outside of the existing pipe. There have been difficulties with the accuracy and reliability of these ultrasonic meters over the years. They replaced them in pump station 2 when they upgraded. In 2018, the data was corrupted and unavailable for preparation of the 2017 report and now, again, they can't get all the data and so there is a bit of a hole in the 2023 report for Chapter 94 reporting. They've got irretrievable data. The reliability and the accuracy of the magnetic meters is much better. When station 2 was retrofitted, those ultrasonic meters were replaced with the magnetic flow meter or mag meter and an echograph data logger that provides much more accurate and reliable data. The borough could do a Band-Aid and replace this one failed ultrasonic meter with another \$5,000.00 ultrasonic meter and continue to use the other aged one until it fails, but she recommends consideration of this one-time expenditure in the amount of \$18,404.00 to replace and upgrade the station 1 meters and data logger. The proposal that was provided was obtained through Costars vendor LRM. That's the same vendor that supplied this mag meter for station 2. Costars is a program that allows them to do that without going out for additional quotes from other companies. John asked if she would characterize Costars as the most inexpensive way for governments to do this. Carol said yes, because they don't have to pay somebody to put out a bid package and they don't have to advertise bids. The state has already negotiated with these vendors for the lowest rates and it's a legitimate shortcut for municipalities to be able to purchase certain items.

All ayes, motion carried.

MOTION BY BUD MURPHY TO APPROVE CHANGE ORDER #1 FOR THE BOROUGH HALL ADA AND SECURITY RENOVATIONS IN THE AMOUNT OF \$2,193.00 FOR ADDITIONAL REQUIRED ADA COMPLIANT HAND RAILING FOR THE ADA RAMP AS RECOMMENDED BY GILMORE & ASSOCIATES. SECONDED BY GARY NICKERSON.

Mayor Sodano said the \$2,193.00 is not covered in the grant money that was paying for this project. They're asking for additional money, and he doesn't understand why. It was bid and the engineers were involved, so the slope had to be figured in the original bids. It hasn't changed. The parking lot didn't move. Somebody made an error and now they have to pay for it. He asked how it was not figured out correctly. It's different if you are putting an addition on your house and they open up a wall and they find out that there's structurally something they weren't expecting. That's a change order because you couldn't see it. He asked how they have a change order on something that should have been part of the original bid.

**Mike Smith**, said the engineer screwed up. The elevation never changed. Fourteen inches is fourteen feet of ramp. He asked why the railings don't match the front and why they got steel railings instead of aluminum. They are not powder coated and will need to be painted every two or three years. Mike said a few months ago, he offered to put the rails in for free. He said they should vote this down and make them take the rails out. The parking lot hasn't moved, and the building hasn't gone up or down. They should have done field inspections, which would be the time to find out if there is a problem.

All nays, motion failed.

MOTION BY BOB WINKLER TO TABLE THE MOTION. SECONDED BY BUD MURPHY. All ayes, motion carried.

#### Public Comment

**Mike Smith**, brought up emails on the internet by a certain council member who used his personal email to speak with the owners of 50 Hulmeville Ave. It mentioned a LERTA for whoever was going to purchase this property. Gary said a LERTA is a way to incentivize any developer to come in and develop a property. They spoke to the school board because they would need approval from all three taxing authorities. They'd need it for the municipality, school board and the county. The school board was not interested at all in incentivizing any redevelopment of a project that involved a residential development because they had concerns about any more children coming into the schools. That's where the conversation ended. The Bucks County Redevelopment Authority recommended putting a LERTA all along Route 1, to try to spur any sort of redevelopment, but then they realized they might actually incentivize the development they didn't want. They thought maybe if a developer were proposing something they wanted, they would think about doing that. But the school board doesn't want it.

**Tim Weaver**, said for the Neshaminy St. project, it will be ecologically damaging, unless they use shovels and wheelbarrows, to get any kind of equipment into that area. He said hopefully, the geomorphologist is going to do an equilibrium slope analysis, post construction stability criteria and post construction monitoring. This is for MS4 credits and has nothing to do with protecting the watershed or the riparian buffer around it. He has a mountain of paperwork he'd be willing to show them and walk them through it. Mayor Sodano said Tim would walk them down to the place and point it out.

**Mike Smith**, said Mark Moffa's email was posted on the internet. It says, along the lines of incentives, the big carrot yet to come will be a local economic revitalization tax assistance, a LERTA. They have initiated discussions with the Neshaminy School District on this and they would be willing to go to bat for tax relief for a prospective buyer of the property if the proposed use contains their desired elements. It also says that he copied Gary Nickerson on it, since he is leading this.

**Mark Kervick**, said he doesn't go on social media a lot, but he did read those emails, and it has Mark Moffa's email and also names who contributed to his campaign. There are all kinds of speculations about why the TOD was changed. He asked if they knew what the household income median for Pennndel is. Gary said the Bucks County Redevelopment Authority helped them with the TOD and all of that was presented. Mark said they are not going to attract anyone who's going to build high-rise shopping malls in an income area of \$50,000.00 a year for two people income. That's poverty level. Pennndel is a low-income household median. They are not going to attract high-income like in Horsham or Abington, where they have the high-rise condos with the strip malls next to them. Pennndel is going to get assisted living with tax breaks. He is asking that they rescind the motion and bring the TOD back to what it was originally at 45 feet high.

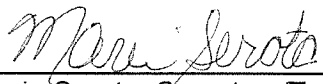
**Nadja Printz**, spoke about how unprofessional the bickering is with the community. She spoke about the lot on Monroe Ave. with the trucks and trash and drug paraphernalia and how bad it is. She spoke about the speeding around the neighborhood, especially by the parents and teachers at Our Lady of Grace School. They cut through to avoid the traffic lights. She suggested they put in speed bumps and suggested the police patrol more. She thinks they speed because of the lack of police presence and that they need more police. She said the house near the funeral home is a mess with junk and it is overgrown and there are multiple people living there. Route 1 needs to be cleaned up and the businesses should do that. The house by the 7-Eleven or it might be 7-Eleven's property, gets overgrown and they have to walk in the street to go around it. She called the borough office one time, and it was taken care of right away. Barbara Kirk explained that property maintenance for residents and actually what has to be done legally to get people to follow through is difficult. If someone sees a property that has overgrown weeds or appears not to be in compliance, they should file a report with the borough and the code enforcement officer will go out and if it's not in compliance, they issue a violation notice and if it's not rectified within so many days of the violation notice, it goes to court. Unfortunately, lots of times when it goes to court, the judge will impose a fine, but it does not necessarily mean it's going to be repaired. It would require the borough to put out money to a contractor to do it and then lien the property and wait until the property is sold in order to recoup the money. Sometimes property owners are fined thousands of dollars and it's still in the same condition. It's an ongoing process and part of the problem is sometimes they have to take it up to Doylestown, which is more cost and expense for the borough. If there's something anyone sees, they should report it so that code enforcement can jump on it because it's not like they see everything all the time. Nadja asked about the speed bump idea. Barbara said that is something that would probably have to be discussed with the police chief. If it's state property, PennDOT would have to approve it and they're not necessarily inclined to do that. Also, they wouldn't be able to plow the streets with a speed bump in the middle of the street. Barbara said maybe the borough manager can look into it further. John said he sees the police going after people they caught speeding past the school. Nadja said she goes back and forth several times a day and she doesn't see them. Mayor Sodano said he made notes of her comments and will address them at the next police meeting.

**Mark Kervick**, said they have speeding and stop signs being blown by Cynthia and Clarissa and he does see the police there as much as they can. They sit on Rumpf Ave. and the side streets to get the offenders. Adding to what Nadja said about Monroe Ave., Reach Out Foundation is a great program, and he donates as much food and clothing to them as he can, but it is increasing in the amount of people showing up there. He sees a lot of New Jersey tags and people hanging outside and sometimes parking in the old McHugh point. If they have no place to go, they park the car there and stay and they're sleeping in their car, hanging in the church parking lot or partying. He thought maybe the police could stop by and tell them they need to move on, especially after they close because they're not open 24/7.

**Dave Cahill**, spoke about Chief Perry in a video doing a stake out in Bellevue Court Apartments parking lot watching a resident on Bellevue Ave. shovel snow and if he can do that, he should do stakeouts on the drug houses around town. He spoke about the extra money for the handicap ramp railing. He was told it was tabled. He said there is a whole lot of money missing.

MOTION BY GARY NICKERSON TO ADJOURN THE MEETING AT 8:53 P.M. SECONDED BY BUD MURPHY. All ayes, motion carried.

Submitted by:

  
Marie Serota, Secretary/Treasurer

## February 20, 2024 Engineers Report

Penndel Borough, Bucks County

## ➤ CDBG Grant Application

An application for CDBG funds to resurface the Basketball Court at Memorial Park, add benches, replace the backboards and replace the aged chain link fence around the court. CDBG grant applications are due March 1<sup>st</sup>. A resolution from Borough Council is required to support this application requesting grant funding in the amount of \$133,815.

## ➤ Remove Vegetation along ball court fence.

During a recent site visit for application estimating, we noted that vegetation against and growing into the fence will interfere with fence replacement work. The Borough has received an estimate for \$2,200 from Young's Tree Service to remove the trees and undergrowth within 5 feet of the fence line in support of this project. The price is good now, before spring growth changes the scope of work. Council may wish to consider expedited authorization of the proposal.

## ➤ Growing Greener Grant / MS4

We recently looked at addressing bank erosion for the waterway that is on the former sewer treatment plant property as a way to address MS4 sediment reduction requirements with the Growing Greener grant.

For further expertise in this matter, I contacted a firm that specializes in stream restoration design, Land Studies. They suggested a site visit from their geomorphologist; a \$500 cost. This consultation will allow Land Studies to provide the Borough with a cost proposal for a feasibility study and project estimating.

A brochure for Land Studies and a resume for Mr. Uhler were included in Council's packet.

## ➤ Station #1 Meter

Penndel is required to meter pump station flows and report them in our semi-annual reports to DEP and BCWSA. Station 1 has one meter for each pump. In January, one of the ultrasonic flow meters could not be downloaded.

These ultrasonic flow meters were first installed in 2014. They were the least expensive option to address DEP's request to meter flows at the pump stations, and very easy to install as they wrap onto the outside of the existing pipe.

There have been difficulties with accuracy and reliability over the years. In 2018, the data was corrupted and was unavailable for preparation of the 2017 reporting. Now in 2024, the data is unretrievable. The Borough has done multiple draw down tests to better calibrate the meters, but the method of flow estimation is not as accurate as that of a magnetic meter.



In our experience, the reliability and accuracy of magnetic meters is **much** better. When station #2 was refitted in 2019, the ultrasonic meters were replaced with a Magnetic Flow Meter (mag meter) and an Ecograph T RSG 35 data logger to provide more accurate and reliable data.

The Borough could replace this one aged and failed ultrasonic meter for roughly \$5,000, and continue to use the other aged ultrasonic meter until failure. However, I recommend consideration of a one-time expenditure of \$18,404 to replace and upgrade station #1 meters and data logger.

The attached proposal was obtained through COSTARS vendor LRM, Inc., the same vendor that supplied the mag meter for station 2.

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