

Penndel Borough Council Workshop Minutes

February 21, 2023

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

Present at the Meeting

Council President Gary Nickerson
Council Vice President John Stratz
Councilwoman Barbara Heffelfinger
Councilman Joe Dudash
Councilman Bud Murphy - absent
Councilman Joe Adams
Councilman Alan Dashoff
Mayor Tom Sodano

Also present at the meeting

Ben Hauser, Solicitor, Hill Wallack
Karen Kondrk, Assistant Borough Secretary

Council or Borough Announcements

Joe Dudash read his speech as follows:

To The People of Penndel:

Whether a resident or business owner is rich or poor, young, or old, powerful, or powerless—this council needs to listen to the people of Penndel. The council needs to do their research, ask questions, and above all else, this council needs to show that we care about people and want to make their voices heard.

As the phrase “moral restorer” suggests, free speech gives us the tools to repair, update, and improve our society and its principles.

Listening in this way is, of course, quite difficult. Some people may hear “listen” as compatible with “stop talking.” But listening is not a passive act of staying quiet; it’s an active choice to engage with others, and to be critical and compassionate in equal measure.

But listening society andle is the kind of daily civic work that makes our democracy stronger, improves our society, and maintains our valued and essential rights. Listening gives meaning to speech, gives purpose to voice, and gives dignity to people of Penndel. Otherwise, it’s just talk.

Only when this council begins to listen can we find common ground. Only when we listen can we forge compromise and a common future. And only when we as a council listen can we begin to heal the divides throughout this council and build the bridges that our government of Penndel today so desperately needs.

MOTION BY JOE DUDASH TO AMEND THE AGENDA TO REORGANIZE. SECONDED BY JOE ADAMS.

John Stratz said the motion is being presented by someone who does not truly understand Pennsylvania state law and how this council is run. He was under the impression last meeting that the mayor ran the meeting, which was 100% not true. He gives problems to the president of council who does run the meeting and to acknowledge the authority of the president of council and refuses to understand that state law is much different than federal law. There is no such thing as a filibuster in local government.

Gary Nickerson said he's not really sure this makes sense if this is how they're going to be proceeding anytime there's someone absent from the democratic side and the plan is to just keep going back and forth for the remainder of the year. Mayor Sodano objected that he made this political. He said Mr. Dudash is a democrat. This is not a venue for politics. Gary said this is a political venue. Mayor Sodano said this is a municipal government venue. Gary said everyone elected has a political affiliation. It is unfortunate if they are going to be seesawing back and forth because that won't be very productive.

Alan Dashoff said he thinks some of this is being driven by the fact that public comment gets shut down and that they don't reply to any of the questions. They come back every meeting and can't get answers. The simplest example to him is the whole deal with the police roof. He thinks sometimes it's just the lack of transparency and lack of communication. If it would have been done differently, they may not be at this point, but they are because of the communication issues. Gary said there's a lot of conspiracy regarding the police roof. The previous application was submitted. He thinks a lot of people blew this out of proportion about the second floor. He doesn't think anyone envisioned some sort of grand second floor. He thinks it was going to be a storage area. Alan said it's one of the things that started the loop. Gary said they presented it, and everybody voted on this. It's difficult to combat misinformation. Alan asked if council approved to put in for the grant for the second floor or the A-frame. He never actually understood the answer. Joe Adams said he was there that night. It was the A-frame and then the next week when they found out it wasn't the A-frame, council said directly that was not council's intention and that was from both sides of the aisle. Gary said when they took the vote, nobody requested schematics. He thinks Mr. Sodano signed off on this and he thinks Chief Perry was aware of this. Mayor Sodano said he absolutely did not sign off on it. Gary said this was something that the manager had prepared with the previous council president. This was something that was previously discussed. This was the grant from the Redevelopment Authority from money provided by the casino to improve the police department. It's unfortunate how it ended up but there was no specific intention to deceive council or the public. He asked what purpose that would serve. They worked with architects to come up with a plan and it was submitted. He asked what council would have to gain from having a second floor. Alan asked if they agreed to do the A-frame and how did they wind up putting in the prior grant application. Gary said nobody took a genuine interest in the project until the night of the meeting. Mayor Sodano said not true. Gary said Mr. Sodano and Mr. Dudash could have inquired earlier. Mayor Sodano said he has emails from June 13th and 14th, which long predate the meeting he's discussing. On the 13th, he sent an email to the borough manager that said Geoff, you asked if I'd seen an e-mail, which I hadn't. You said you'd forward it. I did not receive anything. He responded and he'll quote how he responded, "Tom I speaking of the police renovation estimate from Gilmore and Associates." My response, "Geoff, they included storage space effectively the same as the original two-story proposal. I was thinking of a simple pitch to be protection from

the elements, not a second-floor addition." That was sent on 6/14 at 11:57. Now he's discussing in August when this discussion took place. Gary asked if anyone saw the drawing of the submitted application. Mayor Sodano said he saw what it was, and he opposed it. Gary said he didn't really think this was a major issue, but apparently it was for some people. Mayor Sodano said it was a major issue for him and Beverly. Gary said this was a grant application. He thinks there's a lot of things going on in the details. It's a 2nd floor. Some people are saying second floor and some people are saying A-frame with some storage. If they really wanted to see it, he could have requested a copy of the grant and the schematics that accompanied it. Anybody could make their interpretation and say well, there's some storage there or maybe it's a second floor. Anybody right now could still put in a request for that information. Joe Dudash said it was like a secret mission. He asked if it wasn't a problem, then why did the RDA do an investigation and deny it. Gary said he thinks there was some public comment provided from one of his friends. He asked if he was alleging that there was this grand conspiracy. Joe said there's no transparency in this council. He's got contractors running wild here. They have a manager that can't even answer him, and he doesn't know a darn thing what's going on around here. Gary said that's his opinion. Joe said they wanted him out of here. They voiced their opinion at the Monday meeting. Gary and Joe continued to argue about the issue.

Mike Smith, spoke against the grant saying the council, mayor and chief had only wanted an A-frame roof. He said that Gary had made a mockery of this council and it was time for him to go.

Gian Lo Piccolo, said when he was on council, they got everything in their mailboxes, good, bad, or indifferent. Every plan, everything on the agenda. He thinks Geoff should be directing that. That would fix the problem if everyone on council got everything that was going on. There was some confusion on acquiring the building but all of council went through and took a tour. Everyone needs to get all of the information for everything.

Gary said the grant applications are submitted entirely electronic these days, so it's not a paper application. It's a website and you upload multiple attachments, so it's not like it's a thick binder that's sent to the RDA. Everything is given to Marie and uploaded.

Barbara said only one person can use that portal. She used to do the grants, but the RDA changed everything, so everything that is submitted goes through Marie. Gary said he took the word of the professionals, and he wasn't council president at the time and didn't really view it as a major issue.

Tim Weaver, said this all started at Zoom meetings a long time ago when they thought they were going to ram a bunch of crap down their throats. He told Gary he was the greatest architect of political theater back then and he's blaming this on everybody else. Gary said he wasn't council president and didn't set the agenda for the EIT or for TOD or the hiring of the borough manager. Tim said they want transparency because none of them like what they're doing. They told them they would be willing to help.

Barbara appealed to the audience and asked them not to call them names and act in a crude way. How they act here goes all around the county. They've had people say they're not going to do anything for Pennedel because they got a bunch of nuts down there and that's why the people who give out the money and who help them get grants, they are the ones who pull the strings and they say if they can't get their act together, they're not going to give them anything.

They have to present a good image to the people not only in Penndel, but in all of the surrounding areas and in the county. She asked everyone to act in a respectful manner. She would meet with anyone day or night to fill them in on what's going on. She respects everyone for their opinions but not to do it in such a raucous way.

Mike Smith, said when they come here and ask a question, they get ignored and laughed at. It bothers the residents.

Tim Weaver, said in rebuttal to what Barbara said, he could care less about the symbolism of what she's trying to do. He cares about the substance and they're here for transparency. They want to know the truth. They don't care about anything else at this point. They don't care about the grant money. He said they should get their fiscal house in order, and they wouldn't need other people's money.

Bill Pfender, spoke about the train wreck out in Ohio. He had a copy of the hazmat stuff that was on the train. The biggest fear of a chemical spill is when there's various chemicals that mix and nobody knows what the reaction is going to be. CSX comes through this borough. He asked if there was an emergency response contingency plan. They need to look into it and let everybody in the borough know what they should do. The mess in Ohio is going to be like Chernobyl. The water is never going to be drinkable, and the air is never going to be breathable. He was certified hazmat four times and knows what he's talking about. That was some nasty stuff and if that happened here, it would wipe out this whole town. Barbara said she looked into it in conjunction with Langhorne Borough and did a lot of protesting. They wrote letters to the county and the train company. CSX is not easy to deal with. Bill said they need to have a plan otherwise they're going to have over 3,000 dead people in this borough and more around the area. Barbara said she would talk to the emergency management coordinator. Gary said they also have the fire department. Joe Dudash said for their emergency preparedness, when he was chairman, the budget was \$100.00. They had Nick and now they have another fire marshal/EMC. When COVID hit, they started it. He had wanted a discussion of fire marshal/EMC on the agenda for the mission statement and equipment needs and present budget review but was denied. His equipment is appalling. Gary said he actually inquired earlier today about their emergency management coordinator, since they just hired a new one. The previous one did an excellent job. The new one is well qualified. Ben Hauser reminded council that this was public comment on the motion.

A roll call vote was taken. Joe Dudash, yes, Alan Dashoff, yes, Joe Adams, yes, Gary Nickerson, no, Barbara Heffelfinger, no, John Stratz, no. Gary said since there is a tie, the mayor's office breaks the tie. Mayor Sodano said his office is aware that there was no control of the last half hour of this meeting, so the mayor's office votes yes. Motion passes 4-3.

MOTION BY JOE DUDASH TO REORGANIZE. SECONDED BY JOE ADAMS.

John Stratz reminded everyone that some months ago, Mr. Adams decided he wasn't willing to do any work for this council. He resigned from any committee work. He asked how Mr. Adams suddenly has time to be council president if he refuses to even lift a finger to help Penndel. Alan Dashoff said situations change for people. He himself couldn't do any of this until he retired. People's lives change. Gary said council president is a lot of work. He was reluctant to take it on himself. Fridays are stressful and certainly the day of the meeting you're prepping and reaching out and touching bases. A roll call vote was taken. Joe Dudash, yes, Alan

Dashoff, yes, Joe Adams, yes, Gary Nickerson, no, Barbara Heffelfinger, no, John Stratz, no. Gary said since there is a tie, it goes to the mayor. Mayor Sodano said the mayor cites the fact that even this could not be done in an organized fashion, so the mayor is in favor, yes. Motion passes 4-3.

MOTION BY JOE DUDASH TO APPOINT JOE ADAMS AS COUNCIL PRESIDENT.
SECONDED BY ALAN DASHOFF.

John Stratz said Joe Adams has not come to council and said he now has some extra time and would like to now start doing his job that he was elected to help the residents of Penndel, and that he will now rejoin his committees. He certainly wants to be the one that has the gavel but is not willing to work. He finds that appalling.

Barbara Heffelfinger said when you get on council, you're supposed to do your job not just sit up here and pontificate on how important you are and how much you know. Do what you are asked to do. Committees are assigned. When she first got on council, she had never written a grant and she was told that she's writing the grants. She learned how to do that. It was not she doesn't have the time. All he does is come to meetings and not do a darn thing. All he does is give his opinions and if he cannot come up here and do his job, he's not entitled to be anything except sit there and fill the seat and keep his mouth shut. She will not vote for him.

Gary said they created a Technology Committee per Mr. Adams' request. He was on that with him and was disappointed that he resigned from that. He thinks he was also put on the Finance Committee, and he thinks there might have been another one. It's a lot of work and the council president is effectively a member of all committees and can participate in those. Joe Dudash said Joe, just like Bud and Alan, come on to this council and it's like being a cop, having these grandeur ideas that they're going to change the world and you give it your all. Part of the problem was there was no transparency and there was blockage on everything and then he gets discouraged over it. He sees a senior councilman that did his job and kept things going during COVID, but then this councilman found some shenanigans going on in the council. They then stripped him of everything. He burned his rear when he was on every committee, and they screwed him because he found shenanigans going on. Gary said it was a conspiracy. Joe said it was a true investigation. Gary said he accepted the responsibility that was given. It seemed like it was a reasonable explanation. He didn't accept that and threatened the chief of police, and it got pretty rough. Joe asked if he wanted him to go to the public like he told the chief. He asked Gary if he wanted to dance with him on that chief thing. He'll tell everybody what happened. Gary said he can do whatever he wants. Joe said there was fraud and abuse going on. Gary and Joe continued to argue.

Mike Sodano, said around 16-17 years ago, there was an election that turned over council and there were members seated on council previously who refused to participate in committees and that kind of stuff, and they were still giving their opinion at every meeting, and they voiced it and that's just how it goes. Some of those people later served in the seat that he's sitting in, so he shouldn't condescend and say the guy showed disgust and that kind of stuff. There were people that maybe he did what they perceive him having done not out of disgust, but out of spite and later rose to his chair, so that his disgust or whatever or however he perceives it, is inconsequential at this point. Barbara said to Mike that she has worked for over 20 years putting in hours and hours and hours every day of the week and is upset that he would put her in that category. Mike said he didn't put her in that category. The category he put her in was that she was among the handful of people who were here at that time that are in this room right

now and there's only a handful of them and they all know who was involved. Barbara said if you're going to be on council, you do the job. Mike said he's not disagreeing with her. He's pointing out the historical fact that this is not unprecedented but to say that someone on the present council is doing it out of spite. Barbara said she didn't say it was out of spite, but it was said by this council tonight that it was done out of disgust. Mike said he would rather have someone lose their impetus out of disgust than through spite because spite was even worse and if they're going to act on spite, then maybe there should have been resignations back then, but there wasn't. He said if they want to talk about past actions, they should acknowledge all of their past actions. They should just move forward. Barbara said everyone up there has made a mistake at some time or another. These actions are not unprecedented. Barbara said he has 3 1/2 years left on council not doing a darned thing nothing except expounding on what his great ideas are. That's not why you're on council. You're on council to do the job. Mike said nor are you on council to undermine all of the other members on council but there are reasons that people choose to do things, and in his opinion, disgust is not as bad as spite.

Tim Weaver, said in defense of Mr. Adams, he reached out to him last week and wanted some pointers. He already asked Gary to get the Environmental Action Committee up and rolling and he was denied. He was boots on the ground and was recruiting people. He thinks he's got his committee put together. He asked Barbara, since she's always bashing everybody, why doesn't she pay her landscaping bill to Mr. Schaefer that she's skating on just like she probably does with everything else.

Terry McIntyre, said he spent from 2005 to 2010 here. In those four years, he experienced a lifetime of politics here and really got a bad taste. A few meetings back, Mr. Adams had said he doesn't really agree with the republicans, and he doesn't really agree with the democrats a lot of times. It doesn't really matter about party when they're sitting up there, and the election is over. He is a taxpaying resident. He pays thousands of dollars to this borough every year especially with this earned income tax and he'd like to see where it's going because he looks out his front door and doesn't see any of it. So, democrat or republican, understand how this shuffling of the deck works. He got shuffled a few times and that's just how it goes. He put his big boy pants on and do your job the best you could because you're doing it for everybody out here and you're doing it for yourself because you live here and have a stake in it. Your property values are tied to it, so you want to do the best you can do here.

Mike Smith, said he and they don't see eye to eye on a lot of things. He is completely pissed off at them a lot of times for some of the things they do and that's how it should be. It should be give and take and they don't get that here. He said to Joe Adams that he wants a sincere, honest answer. He asked Joe if he is going to be able to do the job as president of this council and do all the work that needs to be done. Joe Adams said yes.

Gian Lo Piccolo, said the worst part of sitting up there and dealing with the infighting, is that the town suffers in the end when they don't do what they're supposed to do. He tried to do everything by thinking about his kids and family. He said it's like how he can make his house worth more and how can he make all of their houses worth more. How can he make the town better. It's almost like they're a microcosm of the country. There's so much fighting. Whoever is in charge, they have to get to work and fight for everyone. It's been happening for decades. He read all these articles about the 40's and the 30's like when this town kicked ass. It was like the little borough that could. Now it's frustrating to sit here and to listen to this stuff. They're all

a team from now on. They have to make it work. The Rich Flanagan's will rise to the top, and you'll see them as frauds. He's a guy that came here and it was like dude, do your time, get your homework, and do your homework. If you don't show up, you're going to get exposed. And what happened. The guy knew everything and got exposed and you can't defend someone like that no matter what, no matter where. They say they're a republican, you're supposed to help me out. No, you're not helping yourself out. You're here to do a job and get the job done. Gian said it's hard because he tried to work with other municipalities, and they would say what's going on with you guys down there. You take power and there's people that are upset about that and they meddle in the background. The meddling on either side has to stop. Just do the job and think of everyone and think of our kids and our houses and businesses. They need to work together because meanwhile, the world around them and the rest of the county, they're doing things and they're constantly getting things and they're always behind. Figure this out and start working together.

A roll call vote was taken. Joe Dudash, yes, Alan Dashoff, yes, Joe Adams, yes, Gary Nickerson, no, Barbara Heffelfinger, no, John Stratz, no. Mayor Sodano said before he says anything, he has three comments. The first one is, from the day he ran for this position, he was adamant that it should be nonpartisan, and he tries to be that way about everything. Second point, Mr. Weaver pointed out something that while Joe Adams had at some point stepped down from a lot of things, at the last meeting he made a complete reversal on that and when the subject of an Environmental Action Committee was discussed, he was the first person to volunteer. That would indicate that there's been some change of heart. The third thing is to the point again of nonpartisanship, at the opposite end of this dais from him, he heard a democrat, a republican and a libertarian vote the same and that's the first time he can remember in at least 30 years that he's heard three different ideologies agree on something. So, for that reason and predominantly for that reason, the mayor votes yes. Motion passes 4-3.

MOTION BY JOE ADAMS TO NOMINATE ALAN DASHOFF FOR VICE PRESIDENT.
SECONDED BY JOE DUDASH. Joe Dudash said he's voting for Alan because they need new people with new ideas, and he has a lot of experience. He wishes in this next election they all get thrown out except for Alan, Bud, and Joe because it's time for new blood because it's so stale here, they're not moving anything. His family was at the Thai restaurant and his wife said look at the lovely view. They were in Quakertown recently and they revitalized the whole town. Everyone is moving ahead. That's why they need new blood.

Gary said wouldn't it be an incredible thing if PennDOT came to them and said they're going to put \$2.5 million into your borough to make it walkable. They're going to fix up the storm drains and put in countdown timers and they're going to fix sidewalks and council then says no, they don't want to do that. Joe Dudash said there's no transparency. Beverly was doing meetings that they didn't even know about. Gary said he did his best to get everybody up to speed and forwarded all the information. Joe said they keep forgetting about the taxpayer and the businessmen of Penndel. Gary said and that's why they don't want anybody walking around in the borough. That's crazy. Why would they want people to be able to safely cross the street. Joe said talk to the businessmen down there. They've been getting screwed. Gary said they are going to have a lot of fun revitalizing the town when you can't walk across the street. Joe said maybe when they get rid of the manager and all the deadwood they've kept, they'll move on. Gary said oh yeah, that'll definitely facilitate heavy projects when they don't have anybody to help marshal or move projects through. It will be fun doing all the work without the manager.

Barbara said absolutely not. She will not vote for him.

John Stratz said one thing that was always appalling to him was in presidential elections, a mayor having the gall to say he thinks he can run the country because he's a mayor. Same thing here. They've had Alan for one session, and they want to make him vice president. Good luck. Joe Adams said that when they nominated him for president at the beginning of the year, you said you didn't want it. Alan is willing to do it.

Mayor Sodano said he wanted to clarify something to the comment that was made about PennDOT wanting to make PennDel walkable. PennDOT made no provisions for walkability on the Hulmeville Ave. bridge and in their plan for Route 1, they were content to have people walk in the northbound Route 1 lanes if they wanted to walk up and down Route 1. Please do not insult their intelligence by saying that to PennDOT, that was about walkability. Gary said it was. Mayor Sodano said it was not. Gary said the main targets were Durham and Hulmeville. Mayor Sodano said if that's what they sold him, and that's what he wants to believe, then he is sillier than he thought he was. Gary asked why they would shoot down the whole project just because it didn't give them every single aspect everybody wanted. Mayor Sodano said the project is not dead yet.

Terry McIntyre, asked if in the reorganization if they were doing the professionals and the engineers and the solicitor or just council. Joe Adams said that's a little bit different because when it comes to engineers and professionals and things like that, the only reason they're going to be organizing officers is, realistically, at the next meeting, it's going to go back, so firing the professionals and then rehiring the professionals is just going to cut services.

Tim Weaver, said they're getting to see the root cause of the problem. He's seen a couple of them bashing the other side to death as you're sitting there saying don't do that to them. They said it is political, it's political. He's not even sure what's happening right now but it's fun to watch. They are bashing the other side to death and they're claiming that they're the ones that don't do this. They're so spiteful, mean, and hateful.

John Stratz said regarding the Hulmeville Ave. bridge, they were told this two years ago they could not extend a sidewalk on our side when they had nothing from Langhorne Manor to connect it to. Why are they complaining that PennDOT didn't put in sidewalks on the bridge when the reason was because they had nothing to connect to. Gary said he wasn't on council, but he believes that project started like over 10 years ago and the council at the time didn't prioritize that and by the time construction started, it was too late to change the bid.

A roll call vote was taken. Joe Dudash, yes, Alan Dashoff, yes, Joe Adams, yes, Gary Nickerson, no, Barbara Heffelfinger, no, John Stratz, no, Mayor Sodano, yes. Motion carries 4-3.

Public Comment on Agenda Items

No comments.

Consent Items

MOTION BY ALAN DASHOFF TO APPROVE THE MINUTES OF THE FEBRUARY 6, 2022 WORKSHOP. SECONDED BY JOE DUDASH. Joe Dudash said he would like to have the minutes tabled and redone because they're incomplete and inaccurate. Joe Adams asked what

he was referencing this, specifically. Joe Dudash said they're lacking the borough manager's comments, for instance, "girly girl" and the residents are domestic terrorists and they're missing that the residents chimed in that they wanted the borough manager fired. Gary said he had recessed the meeting and you can't put that in there once the meeting was recessed. Whatever happens during the recess is not part of the meeting. Joe Dudash said this was before the recess. He's got the witnesses out here. He said to Karen if they have problems, he can get two of them to review the voice message and write it out. Karen said she does it as she hears it, and Gary recessed the meeting and then that's when they went at it. Gary said Joe wasn't really listening because he recessed in the middle of them having his temper tantrum. Joe Dudash said so, the residents had a temper tantrum. Gary said they were kind of feeding into his temper tantrum. Joe Adams called a five-minute recess.

MOTION BY JOE ADAMS TO TABLE THE MINUTES. SECONDED BY ALAN DASHOFF. Joe Adams said the reason why he's doing this, is they will pull the audio together in person. He doesn't want Karen to be held on the spot right now and he would rather just take this administratively and look at it during the week rather than do this up here. Gary asked if he was saying that he doesn't believe that the meeting minutes were done accurately. Joe Adams said he doesn't want to address the challenge like this publicly. Gary said he doesn't know why they wouldn't approve the meeting minutes. He believes Mr. Dashoff requested something to be revised and Karen went back and listened to it and said there was an error, and she made the revision. Joe Adams said they will listen to it, and it can easily be voted on at the next meeting. 3 ayes, 3 nay, Mayor Sodano, yes. Motion carried 4-3.

Committee Business

Update on the Civil Service Commission

Alan Dashoff said the Civil Service Commission had some delays getting going because they lost a member prior to starting and had to wait for a new council appointment. Currently, the members are Bob Winkler as chairman, Guy Serota is vice and himself as secretary. The last meeting held was February 1st, 2023 at which time the commission voted to approve contracting with Ryan Cassidy from Eckert & Seamans. The price was good and he was offering a separate rate for him versus an associate and he had experience with municipalities of size and larger. They're setting up a meeting to meet with him in an Executive Session because that was his request to discuss moving forward possibly using a similar municipality already working with them as a template.

New Business

MOTION BY JOHN STRATZ TO APPROVE ELECTRICAL CONTRACTOR FOR THE LED SIGN INSTALLATION AT BOROUGH HALL. SECONDED BY ALAN DASHOFF. Discussion on the sign by council and to amend the motion.

MOTION BY JOE ADAMS TO AMEND THE MOTION IN ORDER TO APPROVE THE PROPOSAL FROM JS ELECTRICAL CONTRACTORS IN THE AMOUNT OF \$3,452.00 FOR WIRING REQUIRED FOR THE BOROUGH LED SIGN. SECONDED BY ALAN DASHOFF.

Mayor Sodano asked if the electric was going to be run from the sub panel that is under the tree or from the building. He believes it is a safety concern because during the Christmas holidays, they had to hit the GFI's numerous times during rain because some sections of lights would go out. He said the electric should be run from the main panel in the building.

Alan Dashoff said he doesn't know a lot about electrical but if they're going to do something with the electrician, maybe they should get that panel fixed too.

John Stratz said on the proposal from City Wide Electric, it mentions circuit breakers for just a little more at \$3,500.00. He guesses that would mean inside the building.

Joe Dudash said on the proposal from Armour & Sons, it looks like they're going down to the basement.

Gary Nickerson said he's sure Geoff talked to the electricians and told them what he needed. Gary said he's not an electrician and if he needed a job done, like hook his sign up, you usually don't tell the contractor how to do the job. That's why you got the contractor.

Barbara Heffelfinger said Armour is very expensive and they're talking about trenching. Joe said the others referenced trenching also.

Gary said there is \$48.00 between the J & S Electrical and City Wide Electric and City Wide sounds like it is from the circuit breaker.

Mayor Sodano said the law requires them to take the lowest responsible bidder and if it does, that means they have to table it. By law, they don't get to make a differentiation. The law says if it's a responsible contractor, you have to take the lowest bid. So, in order not to do that and he agrees for \$48.00, they should go with somebody who's going to run it as John said.

Joe Adams said if council wishes to table the motion, they can revisit this with Mr. Thompson and get clarification.

Mike Sodano, asked if specification was given to the contractors. Joe said he doesn't believe they have that information available. Mike said if they had that information and did it specify where it was to be derived from the source, then they could easily consider the Armour quote the responsible bid and just dispense with knocking it off.

Gian Lo Piccolo, asked if they had any input on the electric. If not, that's where it's broken. He knows they have a borough manager but whatever committee is responsible for that, everyone should get informed. He asked if any of the borough electricians were notified. John said Rich Keller was, but he no longer has commercial insurance. Gian asked if Mr. Kulchinsky was notified and Barbara said she didn't think so. Gian said they used to sit at these Work Sessions and talk about stuff like this and throw ideas around. Feedback is important because now they're sitting here, and they and the manager have to do the work twice. They should talk about these things even though they have a manager.

Tim Weaver, asked to see the proposals. Joe said they couldn't because they hadn't been voted on yet. Tim said he is adamantly opposed to the sign. Especially for this building. An LED sign is not going to keep the Victorian image. They were talking about 20-amp circuits. They should be dedicated into the main box. No branch circuits, nothing interfering with the ground fault interrupts, nothing with the tree. If they have to spend a little bit more money right now for the sign, he recommends they do that because they could put out another sub box off of that sign, if the electric is run properly. It should come right into the building and hit the box and

have circuit interrupters and in case of an emergency, the generator will kick in and let everybody know that the power is out. It's irresponsible that they're doing this without looking into it.

Elwood Horner, everybody has a good idea at different times to upgrade and do things, but they can't just do that and not know whether they're certified or not. They can't just let somebody say they think that's how it's supposed to be. If Timmy didn't speak up, nobody knows there's a panel in the tree. They don't want to plug wires in there for the sign. They should fix that at the same time they run the electric. The infrastructure sucks. When everybody gets together, they should take the time and see where they're putting things. Go down to the park. There are needles everywhere. Nobody wants their kids going down there. Timmy cleaned it all up. And now over on Monroe they have the place that the homeless can shower, charge their phones, eat. He sees creepier people walking around there at night and stuff. He asked if they got to vote on that. It's not overnight and there's homeless people walking around. There was no zoning meeting for that. Barbara said that was years ago. Elwood said when the property becomes nonprofit, the taxes are free. Then the gentleman that owns the property comes in and buys computers for here.

MOTION BY JOE ADAMS TO AMEND THE AGENDA TO INCLUDE JS ELECTRIC IN THE MOTION FOR THE LED SIGN INSTALLATION AT BOROUGH HALL. SECONDED BY JOE DUDASH. All ayes, motion carried.

MOTION BY JOE ADAMS TO TABLE THE LED SIGN ELECTRIC MOTION FOR FURTHER REVIEW. SECONDED BY JOE DUDASH. John said they really didn't need to table it. They amended it from J & S. City Wide says trench roughly 80 feet and add circuit breakers. 80 feet would be into the building. They could change the motion to accept City Wide. Joe Adams said he would like to discuss it with the manger. All ayes, motion carried.

MOTION BY BARBARA HEFFELFINGER TO ADOPT RESOLUTION #2023-3 AUTHORIZING DISPOSITION OF PUBLIC RECORDS. SECONDED BY JOHN STRATZ. Ben Hauser said for the disposition of records, the schedule is set by The Historic Museum Commission. Joe Adams said this is a government oversight body. It is a state thing. This is not council's attempt to hide anything, this is purely records exist at a certain age then they get voted on because they can't just simply burn records in a trash barrel. They have to vote before they do that. Joe Dudash said he would like to hold out the Weaver box. Joe Adams asked why. Joe said it was denied. Joe Adams said to clarify, Mr. Weaver did a right to know request for his father's records and they were denied. So, he would like to make a motion that would amend this to exclude the records of Mr. Weaver so they can be examined as to why they were denied rather than being deleted.

Gary asked why they are doing this. Joe Adams said Mr. Weaver sent in a right to know act request for records from his dad because he wanted to see his signatures and stuff on paper. The motion was denied. When they asked counsel why the motion was denied, counsel was unaware that the motion was denied. He would like to figure out why that motion was denied because it was brought in when these were made public. He wants to see why they were denied before they delete them to see what they were and get a better understanding of why they were denied and to see if they can release them or not by giving time for council to come up with an appropriate answer. Gary said his guess is because it's a personnel file.

Joe said all they're asking to do is strike that name off the record and dispose of the rest of them.

MOTION BY JOE DUDASH TO AMEND RESOLUTION #2023-3 TO EXCLUDE THE RECORDS FOR MR. THOMAS WEAVER JR., 1985-1986 SEWER FROM PAGE 3. SECONDED BY JOE ADAMS.

MOTION BY JOE ADAMS TO ADOPT RESOLUTION #2023-3 AS AMENDED AUTHORIZING DISPOSITION OF PUBLIC RECORDS. SECONDED BY JOE DUDASH. All ayes, motion carried.

MOTION BY BARBARA HEFFELFINGER TO ADOPT RESOLUTION #2023-4 AUTHORIZING THE SUBMISSION OF A CDBG APPLICATION TO UPGRADE CERTAIN CURB RAMPS THROUGHOUT THE BOROUGH AND AUTHORIZING THE PROPER OFFICERS OF THE BOROUGH TO SIGN SUCH APPLICATIONS. SECONDED BY JOHN STRATZ. Joe asked if they have a copy of the application. Gary said Carol gave him a copy. Joe asked which ramps. Gary said he thinks they originally approved six. Mr. Lo Piccolo had suggested they go all out and at the next meeting Ms. Schuehler came back with an additional number. He thinks the application targets 12 locations for ramp installation. Gary said there are three ramps at Fairview and Woodland, one on DeHaven and Centre, two on Crescent and Noeland, two on Bellevue and Crescent, two on Crescent and Monroe and two at Eastbrook and Durham. These roads were picked because they are going to be repaved in the future. In order to have them repaved, they have to have ADA ramps.

Mike Smith, asked if they said it was one at the intersection of DeHaven and Centre. Gary said there's one. Mike said there are three corners there that don't have anything. John said that was addressed at the last session.

Tim Weaver, said he did some research and he's not sure if everybody is aware of the cost. This is a good thing if they can get the grant and get these things done and not burden the homeowners of the property. It seems a little excessive, even if they break it down to 12 instead of 11. The figure at the last meeting was approximately \$12,000.00 per apron per ramp per corner. That seems a little astronomical in price. He works in the real world every day, so they know that a lot of other contractors are doing these things for about \$5,200.00 a corner, so they could probably get a double bang for their buck, unless somebody's double dipping. Gary asked if it is prevailing wage. Tim said no. Gary said it might be prevailing wage and that's what the difference is. This will have to go out in one bid for \$140,000.00. He's going to assume the union right now will probably be about \$7,200.00 to \$8,000.00 per ramp. Gary said this is just an estimate. He is just pointing out the process. Tim said he knows and now he just said prevailing wages. They would only bring it up 20%. Joe said with this particular application, they are only going for the grant. Tim said he's only trying to tell them what the cost is. All ayes, motion carried.

Public Comment

Mike Sodano, said the municipality he works in established an EIT as of January 1st. The Pennel EIT was a line item on his paycheck. Last week, he noticed that line was zero and that there was a separate line item for the other municipality, and they were getting all the money. The HR department said the higher of the two gets priority and that that township was higher.

He told them, no they are the same and from his experience, the money should go back to his home municipality. He decided to contact the borough and it was lunchtime, so he went on the borough website and there is an e-mail address that isn't working, so they need to look into that. Gary told Mike that Keystone would be the one to help him. Mike said he would like the borough to intercede for him and get him documentation that he can take back to his employer.

Mike Smith, asked where all the pictures from the walls went. Barbara said she is going through them and is going to get them framed. She ordered a skirt to match the one in the hall to go around the tables with the items on them. Preservation rule #1 is people shouldn't touch the things on the table with their acidic fingers and destroy them. They need to go through the cabinet and decide what to frame, then they will go back on the walls.

Mike said he was notified today that there's going to be two hearings for the fence. He asked who is paying for the second meeting. If they pay for one hearing and it's continued, then there's no additional cost but this is automatically being set up as two hearings. Ben said he will look into the second hearing cost. The meeting is March 15th. At that point, the borough will be presenting its case. If there's any interveners, which he imagines there is probably one, they'll have an opportunity to present their case. A request for a continuance was made but the borough wanted to proceed on the 15th. Mike said the 15th has been known for 2 1/2 months, if not longer, and he's made himself available for every single one of these meetings. He asked if the police schedule is set up a month ahead of time or 2 1/2 months ahead of time. Joe Adams said it is unadvised that they answer any questions about the police schedules. They don't give that information out. Mike said the person says he's working that night. They've all known what this date was, and it's been stopped since November because certain people can't make it. It makes no sense. They're over \$40,000.00 in legal fees. He said to make sure Dave knows he still hasn't paid his invoice back to the borough. Ben said the borough did not agree to a continuance of the 15th. The decision for the scheduling comes directly from Zoning Hearing Board. Mike said he wants to know who's paying for the second hearing. He paid for one that should not have happened. They wouldn't be at this point and be down over \$40,000.00 if Mr. Truelove had done his job. He thinks he's smarter than everybody else in this room. They have to find out why they're having a second hearing. Joe Adams said now that he's taken chair, he's going to be meeting with Truelove and his associates as soon as possible to go over everything and get updated and brought up to speed. Mike said it will be three years September 1st.

Council Members to be Heard

Gary Nickerson said council is going to be making a determination on the development waiver for 147 Schoolhouse Court at the March meeting. The Zoning Hearing Board meeting is on the 15th. He wanted to relay information that he got back from PennDOT when we told them they're not moving forward with the project. Gary read part of the email as follows: Please note that obtaining approval from central office for future HSIP funds will be challenging with previously identified projects not moving forward. Most likely any improvements would need to come from different funding source and would be competing against many other projects in the region for funding. Gary said he just wanted to make sure everybody is aware of that.

Mayor Sodano said he's not at liberty to share any of the information from the meetings, but he's attended meetings regarding that subject that may or may not have included persons from

PennDOT and the message was not exactly the same as what Gary had. When he is permitted to speak further on it and share actual information, he will do so.

Mayor Sodano said to Dave Cahill that he will indulge him here. He sincerely apologizes to him that he is not erudite enough to know the difference between comment and debate.

Joe Dudash said he was alerted by a citizen of Penndel and went down with them down to the old Permabilt property and there's some stuff going on down there where they've cut all the trees down. The storm water inlet is completely filled with tires and there's no water going into the Chubb Run and he thinks they buried tires in there because they're surfacing through the soil. It's around back where the tracks are. They cut every tree down. They put chips down and there's a tire starting to pop up. They completely destroyed the inlet and there's debris now going into Chubb Run. He thinks they have an environmental issue over there. Mayor Sodano said he was down there, and they broke up a couple of pieces of telephone poles and pushed them into the ravine where the water runs off of the tracks when it rains. There's creosote and whatnot on telephone poles. He thinks they should notify the DEP that this went on. He doesn't want it to come back on the borough. Joe Adams said for the past couple of meetings, they've been discussing an Environmental Action Committee and off table deliberations have determined that he doesn't have provisional power to put in a resolution right now that says they're going to start the Environmental Action Committee. He will put it on the next agenda to put in a resolution to start the Environmental Action Committee, so they can begin to look into and determine what all of the impacts on the air, soil and water are in Penndel Borough. Gary said Chapter 21 of Penndel Borough code already establishes an Environmental Advisory Council and what they can do and how members are appointed. People just have to apply. Joe said they've been talking about it for two meetings, and they could just have applicants immediately. Gary said they just need people to apply, and council can receive those and make motions and if they receive a majority of vote of council, they'll be appointed. Joe said it's open to the public to apply, including tonight. He asked Ben if they needed a period of time for the applications. Ben said council has done it in different ways for different committees. They do not have to advertise the openings. They can just put it up on the borough Facebook page that they are now taking people. There are applications but there's nothing in the borough statute that says they have to submit applications or anything like that. They could simply start appointing. It would be helpful if they were to ask for applications. It's up to them whether they want to have the item on the next agenda to appoint. Joe said if anyone would like to submit an application, please do so. It will be on the next meeting's agenda to discuss any and all applications. They will make sure that they get it out on whatever necessary channels are available. He had already expressed interest to Mr. Nickerson last meeting and when he was asked if he would chair, he said yes, and he feels like that was an application. He asked if he has to amend this agenda to go ahead and apply for himself. Ben said the most prudent option would have it be on the agenda for the March meeting. He will check the ordinance to see if Joe can sit on it and the compatibility of his office. Assuming there is no conflict, there would be a motion to appoint Joseph Adams to the committee and then the committee itself would elect a chair. Joe asked why the need to wait until the next meeting if there's an environmental emergency that would substantiate them forming this committee now. Gary said someone should call the DEP then and alert them. Ben said they can advertise, and he believes it's a five-member commission, they would then have their meetings.

Mayor Sodano asked Ben if an elected official sees something of this nature, is the first call to

report it to the DEP or should they go to the manager or someone like that. Ben said he would recommend reaching out to the borough manager and the zoning officer. Mayor Sodano said the day after he was there, the borough manager was notified.

Dave Cahill, said he called the Department of Conservation and Natural Resources and spoke to Renee. She said that there had to be ongoing construction and he told her there's no ongoing construction there. That's the only time they get involved in anything like that. She wanted to know if stuff was running into Chubb Creek and he told her from what he understands, yes.

Gian Lo Piccolo, said they should reach out to Bruce Stoneback. He was the only remaining member of the EAC when Debbie Gentile resigned because she doesn't live here anymore. If he's not interested, he could give them some feedback on where they left things off or projects that they were looking at. They used to organize cleanups in the spring and fall. When there was work done in Taddei Woods, a neighbor was upset that there was brush cleared and she called the Army Corp of Engineers and PA DEP and possibly the county and all three of them showed up and they weren't happy and wanted answers on what was done.

Joe Dudash asked if anyone knew what the yellow markings are on their sidewalks and at Bradley Funeral Home's sidewalks. Joe asked where the chairs are that used to sit around the table. He asked if they got thrown out. He said they're historical. They're from the firehouse. He asked who gave authorization. The chairs are officially missing. Joe said the American Rescue Plan Act Committee gave council their suggestions and one was the inlets, which Carol gave them the information on. He would like to get movement on that. Joe Adams said it will be on the next agenda.

Tim Weaver, said he's concerned about things after watching what happened in Hulmeville. They're losing all their open space and they're losing the hill and they're getting more suburban sprawl down there. He doesn't want to see that happening here with any more of any building going on without things being done properly. They're in a bind down there and it's divided their town into two.

MOTION BY BARBARA HEFFELFINGER TO ADJOURN. SECONDED BY JOE DUDASH. All ayes, motion carried.

Submitted by: _____
Marie Serota, Secretary/Treasurer