

Penndel Borough Council Meeting Minutes

February 6, 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 Joe Adams
Councilman Bud Murphy
Councilman Alan Dashoff
Mayor Tom Sodano

Also present at the meeting

Geoff Thompson, Borough Manager
Police Chief Sean Perry
Carol Schuehler, Value Engineering
Marie Serota, Secretary/Treasurer
Ben Hauser, Solicitor, Hill Wallack

Public Comment on Agenda Items

Dave Cahill, said there is supposed to be a vote tonight on the PennDOT project. PennDOT was supposed to go out and see the property owners. They were supposed to field mark the proposed right of ways for all the business owners and a certified real estate appraiser was supposed to go out and meet with the property owners to give them the values of the properties that that were going to be taken by PennDOT. None of that happened, so he doesn't see a reason this vote should even happen tonight. Nobody from PennDOT has talked to any of the property owners and nobody knows what's going on. Nobody knows what properties are being taken for the right of way, so he would suggest that they vote this project down and not move forward with it.

Tim Weaver, said he's done research and found some documents that they may not be aware of. On Middletown Township's comprehensive plan, it seems like they're the ones wagging the tail here on this Route 1 project. It ties in with this plan, Downtown Penndel, a Blueprint for the Future. He asked for a show of hands from anyone who has read it. Tim had another document from Middletown. He told everyone they might want to read them and find out what's going on. There is a lot going on behind the scenes and it's coming really rapidly. Obviously, they're not getting the information they need. He also has a TDP, traffic design and planning from five years ago that they're currently going with to do this project. It hasn't been updated. He personally went and counted some cars and all of the traffic counts were wrong. He is going to respectfully ask council to slow down on this and to look at what they have available. It's a five-year-old plan. From his understanding, they have 20% more traffic coming down Business Route 1 right now with everything that's going on with the superhighway. They need to figure out where the cloverleaf is going to be and how much traffic that's going to dump on Bellevue Ave. down into the Route 1 corridor before they keep moving.

Terry McIntyre, said if there is a vote on the PennDOT project, just remember how many people were in this building when it was discussed. He doesn't think there was one person that was for this project including a resident who was also an engineer, and had a lot of good input. He thinks it will be a huge problem. He doesn't think there was a lot of input sought out for this before it took place. If there is a vote tonight, he thinks they should really think hard about it. These are residents that they represent, so keep that in mind. He congratulated and said good luck to Alan Dashoff and Bud Murphy and said they have a tough job.

Dominic Devlin, said a couple of years ago they did the curbs and it cost him a few thousand to fix his curb before the streets got paved. He asked when they were going to fix the storm drains. He could smash his curbs with a sledgehammer and make them match the integrity of the storm drains that they never fixed. The street looks like crap. They made people fix curbs from some contractor who did pretty shoddy work. He thinks he has the nicest curb on Bellevue Ave. He would bet that he spent more money on his curbs than he thinks they spent on these storm drains. Gary said the borough does have plans to fix the storm drains. Joe Dudash made a presentation on them at the last meeting. There will be specific money spent on them.

Gary said everybody likes to turn this into a giant question and answer time but unfortunately, in order to keep the meeting running and to be as efficient as possible, it's public comment. If somebody has a question or they want to talk, feel free to approach a member of council after the meeting. Everyone's time is valuable.

Consent Items

MOTION BY BARBARA HEFFELFINGER TO APPROVE THE MINUTES OF THE JANUARY 17, 2023 WORKSHOP MEETING AND APPROVE THE FOLLOWING BILLS FOR THE MONTH OF JANUARY:

General Fund	\$30,751.96
Fire Tax Fund	\$ 276.01
Refuse Fund	\$ 32.15
Sewer Fund	\$41,959.76
Capital Reserve Fund	\$ 3,019.64
Liquid Fuel Fund	\$ 197.31
Escrow Fund	\$ 5,108.60
Payroll Fund	\$ 2,814.28

Payroll

General Fund	\$26,449.36
Sewer Fund	\$ 3,338.52
Total	\$29,787.88

Escrow Fund Bills

Schoolhouse Court:	
Hill Wallack, LLP	\$5,108.60

SECONDED BY JOHN STRATZ. Joe Adams questioned a flashing timer for \$16.00. Gary said Geoff purchased it for him to use for public comment, so he didn't have to use his phone, but it is extremely tiny. Joe said they spent \$16 on a flashing timer that they're not going to use. Gary said he hasn't had a chance to talk to Geoff yet, but he's all for returning it. Joe asked if it was possible to have that item requesting a return as part of this motion. Gary said no. Joe

asked if they would return it, would they get something at the next meeting that says it was returned. Gary asked if he was really talking about amending the multiple page thing to return a \$16.00 timer. He can give his word that he'll give it to Mr. Thompson to be returned because it's insufficient for the purposes he thought. Joe Dudash said he agreed with Mr. Adams. It has to be taken off for now. Joe Adams said the report can stand as the actual transaction took place and at the next meeting, they'll follow up on the status of the return. Gary said these are serious issues. Joe Dudash said it's the taxpayer's money. Gary said he doesn't quite understand this whole thing. He thinks the best use of the taxpayer money would be for them to actually prepare before they come to the meeting. Joe Dudash said they're making sure their constituents can hear what they're saying. Gary said that is called political theater. If they had a question, they could have reached out to Mr. Thompson, Mrs. Serota or himself. Joe Dudash said his constituents are sitting here and this is political. Gary said yes, that's what political theater is. He's trying to make them look stupid. It's a \$16.00 timer. Joe Dudash said he doesn't understand the whole-time thing anyway because under the Borough's Association they say that there should be questions and answers. That would reduce their costs for the right to know. Back in October of 2020 or 2021 when this thing was initiated, former Councilman Mr. Moffa even said there should be questions and answers. So, they're kind of even violating that. He doesn't even remember voting on this. Gary said their comments on the minutes and the bills are noted their displeasure with the spending of borough funds on that. Joe Dudash asked what they spent \$61.00 on and \$20.00 for dry cleaning. He could go to Kmart and get a plastic one. Gary said he's not going to all of the different things on this bill. He asked Geoff if he was familiar with this specific purchase. Geoff said yes. Gary said it is for the table up here so they can try to present this as a municipal building. A roll call vote was taken. Joe Dudash, no, Alan Dashoff, no, Joe Adams, no, Gary Nickerson, yes, Bud Murphy, yes, Barbara Heffelfinger, yes, John Stratz, yes. Motion carries 4 yes, 3 no.

Reports:

President's Report

Gary said he emailed everyone on council. They had a meeting with PennDOT that was attended by himself and Mr. Adams. The purpose of the meeting was to find out more about the project and to ask some questions. He reported all of his findings to members of council along with documents that were provided to him that kind of detailed the project over the course of the years and then he followed up with everybody to see if they had any questions.

Borough Manager's Report

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

Joe Dudash asked how they were doing with the planting of trees over utility lines at Schoolhouse Court. Geoff said the resident was emailed that she has to talk to the developer about the trees because they are part of the plan and were approved. Joe asked about the borough hall security upgrades. Geoff explained that they made some adjustments. They have the door locked and they are looking at a panic bar for the front door, per fire code. They're also talking with the guy who does the video to place a video camera in the lobby area. As part of the ADA upgrades, they're talking with Gilmore, the engineering firm, about automatic locks for all the doors like the police station has with fob swipes. Joe asked who on council recommended them to do this or if he did it on his own. Geoff said part of the RDA grant was the automatic locks for the doors for borough hall. Joe asked about the lockdown at borough hall with the back door. Geoff said that came from him. Too many people were walking by our sign saying stop at the table, so he decided to move the table out in the hall and keep that door

locked for the security of the employees. Joe asked if they did a threat assessment. Geoff said the police did. He asked where the report was. Geoff said he could get him a copy. Joe asked who the threat is. Geoff said anyone is a threat. Gary said he was getting away from the agenda. Joe said he's asking the question about security. Gary said he is going on a wild goose chase and he's deviating from the agenda. Joe said under parliamentary rules, he can ask these questions. Gary asked him to wrap it up and said he has no idea what he is talking about. Joe asked Ben to tell him about the parliamentary rules. Ben said he can ask these questions if he was recognized by the chair. He does not know if he was recognized by the chair. Joe said they are spending money on security stuff and they don't have a clue what they're spending it on. Joe asked if there were any active domestic threats. This is a Fire Marshal problem because you can't get out these doors if everything is blocked up. Gary said for him to finish up. If he has questions about this, he can follow up with the manager. Joe asked Gary who he is working for. Gary said he was elected by the same people that Joe was. Joe asked why he isn't letting them get the answer on how they are spending their money. He said Geoff is spending money. Gary said he is researching. Joe asked why he sees \$1,279.00 for Gilmore for security renovations. Gary said that is for the design of the RDA grant. He said Joe has no idea what he's talking about. Joe said they spent \$1,000.00 for the security upgrades and they haven't seen anything. They're spending money and they don't even know what they're spending it on. He said to Geoff that he wants to know who gave him permission to institute this and to block that door out there and who gave him the authorization to spend the money for Gilmore. Geoff said they started the process of looking at that ADA project and to have them in here looking at borough hall. They didn't spend any money on any material things. It was the consultation with Gilmore. Joe asked where the vote was. He asked why they are using Gilmore on the security stuff and not using any other bids. Geoff explained that they are the ones who designed the grant project and that's who they worked with before. He was using them just to come up with a proposal to proceed with the project. They need to get a proposal together to do the engineering and bid documents for the project. Joe said so, they're using the bid documents for the second floor of the police station and here. Geoff said the second floor is not involved in this project. They got money for ADA upgrades for borough hall, which was the \$140,000.00 casino money grant that they received. Joe asked when he went to Gilmore to get the security if he brought it to council with the security assessments, or what they're going to spend it on. Geoff said he talked with Gilmore about how they're going to spend the money because they only got \$140,000.00. The initial estimate that they got like one or two years ago, was \$180,000.00 to do the whole project. He met with them to see what they can get done with this project and give him a proposal to do the architecture and the bid documents. That's how far along this project is. Nothing has been signed or anything. It's just a consultation. Joe said the problem is that he hasn't shown him anything. Apparently, there is only a handful of people that he's giving the information to. Geoff said he advised the Public Works Committee of what he was doing. Joe asked who is on that committee. Geoff said John and Barbara. Joe asked what about the rest of the seven. Geoff said listen to his report. That's what he was doing. Joe said he hadn't seen his report. It's only like two sentences. Geoff asked him what else he wants him to do. Joe said he's a better businessman than that. Geoff said he's doing his job. Joe asked him if this is how he ran Colleeville. This isn't going to work.

Gary called a five-minute recess at 8:57 p.m.

Mayor's Report

Mayor Sodano read his report which is attached.

Police Chief's Report

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

Mayor Sodano asked to comment on the chief's report. He said for the benefit of some of the people in the audience who choose to disparage the police department in this venue, as well as other places, he'd like to mention three things that happened. First off, the members of the police department generally don't ask for accolades and it's often discussed whether or not there are reasons, statistics, if you will, to prove that there are some crimes going on. The job of the police department is twofold. First off, to protect and they do that by not only arriving and dealing with crimes if they happen, but also to actively prevent them and to serve. They're here for the constituents. They're here for you people. They are here to be a community police force. Three incidents happened this month and you won't hear the police department patting themselves on the back. The first was another Narcan incident in this borough in January. A life was saved. The person who was responsible to do that while in their uniform, is not asking for accolades. Somebody's family member came home again that night because the police department was there. Second, they had a senior citizen in the borough who was a victim of identity theft. One of the things that the credit card company will tell you is to contact your local police department. They did and as it turns out, the police department was able to locate the person responsible, even though they live in another state, and charges were pressed, and this person is being arrested. That's something they did for a person, and you want to know what they're doing to help crime and to prevent crime and to react to crime. They're there. The third item he wants to tell them about, the chief never pats himself on the back for things. They never hear him in his reports tell you what he did. He tells you what his department did. During the month of November, there was an incident. There was a male armed with a knife and he was threatening to kill himself. When the police arrived, there was obviously chaos. The man held a razor to his own throat and he threatened to kill himself and then he begged the police to shoot him. He said he wanted to die of a police incursion, suicide by the police. One of the police officers on site not only got him to relinquish the knife, but managed during that to taser him, which calmed him enough that they were able to cuff him and the man was taken into custody for mental evaluation. That officer was issued the Jack Cover Medal of Heroism. It's not a trifling award. That officer was Chief Perry. Mayor Sodano said from the bottom of his heart, he thanks him.

Solicitor's Report

Ben Hauser reported that they are working on an amendment to the borough stormwater management ordinance. Joe Dudash asked what the police administration bill for \$3,000.00 was. Ben said he's probably had a discussion with him before that he doesn't handle the billing. He would do better directing those comments to Mr. Truelove. Also, with respect to billing in a public meeting, those often carry with them attorney-client privilege type matters, so it's probably not the best to do it here. He would be more than happy to have that discussion.

Engineer's Report

Carol Schuehler read her report which is attached.

Gary said they should jump ahead on the agenda and deal with the new business regarding the motion to amend the CDGB grant application, as Carol just brought this issue up. The way this motion is laid out, the engineer made a suggestion of possibly 10 new ramps, possibly 11. Ben said the agenda that was placed out for tonight made a correction to a typo in the agenda that was available online. What he's looking at on his laptop on bullet #2 it says 3 parentheses Arabic #3 ramps at Woodland at Fairview. It originally read three ramps at Woodland and Fairview and two ramps at Dehaven and Fairview. He thinks that's the version he has in front of

him. To make sure that the record is complete, he suggests, even though it doesn't really change the value of the motion, that they amend the agenda just to be clear that that second two ramps, that Dehaven and Fairview is struck. It's simply a duplicate of the one below. Gary said there's no motion. Ben said they address it by saying it's only going to be half of that, if that's the choice that ultimately is made. He just wanted to make sure that it was clear. Gary said he had a question about why wouldn't they go for all ten of these particular ramps and as she said earlier, it's unlikely to get approved for all ten of these. So, he believes Carol said they should recommend six or so. Carol said they have six in the motion that was passed at the previous meeting for her to prepare the application. Her suggestion would be adding another five to six to that list, so that they get the maximum award. Gary said on Noeland and Crescent. Carol said right now she was suggesting two on the east side of Woodland and Fairview that most directly serve the church and school and Dehaven and Centre because there is none at all. There were other locations evaluated within the engineer's report that she delivered to council but those would be her suggestions for priorities.

MOTION BY BARBARA HEFFELFINGER TO AMEND THE CDBG GRANT APPLICATION FOR ACCESS RAMPS TO INCREASE THE PROPOSED PROJECT TO INCLUDE TWO RAMPS AT THE INTERSECTION OF NOELAND AVENUE WITH CRESCENT AVE., THREE RAMPS AT WOODLAND AND FAIRVIEW AND THEN ONE RAMP AT DEHAVEN AND CENTRE. SECONDED BY JOHN STRATZ. All ayes, motion carried.

Mayor Sodano said to Carol that last month there was some discussion regarding what they were going to do on the grant for the Act 34 stuff. There's been some questions raised tonight regarding their storm drain situation. He understands that there are credits that they're looking to get and they get credit for the storm mitigation by not putting debris, etcetera, into the Neshaminy Creek, etcetera. He asked if they could use that same money rather than on something like she proposed for Chubb Run, fixing and cleaning some of the storm drain issues that they have and would give them the same bang for their buck. Three instances, the one on Bellevue that has been brought up, the long grate at the corner of Woodland and Hulmeville that's coming apart at one end badly and is full of debris, or the one on Lincoln and Park which the end of that is also damaged and it's nearly full to the top with debris. He asked if the monies, rather than diverting them to a stream, can be used for projects like that, which obviously are going to also cut down how much they're putting into storm drains. Carol said she applauds him for being practical. She wants to be practical too but they're kind of looking at apples and oranges. They're looking at potential funding from the ARPA money that could be used for storm drain repairs. That's what the committee looked at and that's a very good use of that money and those are some good things to focus on. For a pollutant reduction plan and a TMDL plan, they have to use DEP's efficiency tables and they're talking about removing many tons of sediment based on the calculations and how they use DEP's tables. They can't achieve that by cleaning some storm drains. She sat down at a table with staff from DEP and tried to look through other things that they could do to meet those target goals. Under the PRP and TMDL plans, they looked at porous paving and how many credits they get from that, but there's not a lot to look at because they don't have a lot of public ground in Pennel. As they went through this BMP effectiveness list, the only thing that would work on that list was the stream restoration. If it interests council, she could come up with sort of a presentation on how they went through that and how they arrived at that number at an upcoming meeting. While she agrees with the mayor, the reality of the MS-4 program doesn't always align with the way they

think about doing practical things. Mayor Sodano said he couldn't help noticing the opposite bank, which is in Middletown. They didn't restore the bank. They put those gabions in, which one would think they're less expensive and they could do considerably more linear feet of their side of that same stream with those and accomplish a lot more than fixing one small section of the bank. Carol said she's running into problems because DEP won't credit those. She's in an insane maze of DEP regulations but DEP won't credit them for gabion baskets for stabilization under that program. She's in communication back and forth with them right now about any armoring that they could do that would fit within their criteria for credits for stabilization. Mayor Sodano said that seems typical for an organization like that. They'd rather they fill the stream with sediment while they're working than simply place something that would do the same job and wouldn't upset the ecology. Carol said she's old-fashioned. She wants armor things, and she wants to make sure that when she does a project, that it's done and in her lifetime, they aren't revisiting it. Joe Dudash said they had a committee for the COVID money and they proposed what they wanted and Carol gave them the information on the inlets, so now it's up to council to make the decision to proceed. They can't take too long because the prices are going up. He's hoping this can be done at the next meeting for approval. Joe Adams said they spoke about that there might be some value to doing an environmental action committee or a group of residents that would at least be able to have discussions about the MS4. He thought they would be having the environmental action committee on the agenda tonight. At the last meeting, Carol thought there may be value in having an environmental action committee. Carol said they did have an EAC before and they were very helpful in coming up with some of the answers to that program. An EAC can be helpful. She did the presentation on the MS4, and one of the six minimum control measures is public education and getting information out to the public. That's sort of fallen on council members and her team to try and get something in the newsletter. Council members can put up tables at public events. That's the kind of thing an EAC could probably do very effectively and might be helpful to the permit criteria. Joe Adams said he proposed putting this on the agenda for the next meeting. Gary said they can look into that. It might just be a matter of reactivating it. He doesn't recall how many members are on it, but they'd have to advertise it and then they'd have to accept nominations for more people. He asked if Joe Adams would be the chair and he said he would.

Committee Business - None

New Business

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

PECO invoice dated 12/13/22 in the amount of \$1,492.56 for streetlights' electric

Langhorne Postmaster invoice dated 1/4/23 in the amount of \$291.24 for sewer/refuse billing postage

Comcast invoice dated 12/26/22 in the amount of \$235.93 for internet and voice service at 37 W. Woodland Avenue and 300 Bellevue Ave.

Deer Park Invoice #12L0431953892 dated 1/2/23 in the amount of \$36.00 for spring water

GBA invoice dated 12/30/22 in the amount of \$169.59 for dental insurance installment

Office of Labor and Industry invoice dated 12/30/22 in the amount of \$1,449.00 fire dept. workers' compensation insurance installment

The Hartford Invoice #357523350294 dated 1/31/23 in the amount of \$738.95 for life insurance installment

WM Corporate Services Invoice #0004259-2448-7 dated 1/3/23 in the amount of \$17,431.50 for Decembers' service

Amazon Invoice #1x4J-MLPT-PG1T dated 1/9/23 in the amount of \$61.22 for hall table skirt

Comcast invoice dated 1/2/23 in the amount of \$194.89 for internet at 790 Neshaminy St.

Comcast Invoice #162888708 dated 1/1/23 in the amount of \$564.55 for voice edge service

Gatehouse Media Invoice #5172276 dated 1/20/23 in the amount of \$593.34 for legal ads

Independence Blue Cross Invoice #230106353973 dated 1/6/23 in the amount of \$5,958.90 for medical insurance installment

Selective Insurance Co. of America invoice dated 1/1/23 in the amount of \$9,199.00 for workers' compensation and commercial package insurance installment

Verizon Wireless Invoice #9924278282 dated 1/1/2023 in the amount of \$25.02 for streetlight unit M2M account

PennDel Borough Liquid Fuel Fund reimbursement from the sewer fund dated 1/20/23 in the amount of \$3,996.37 for Fairview Ave. manhole repair

PECO invoice dated 1/17/23 in the amount of \$1,726.65 streetlights' electric

SECONDED BY GARY NICKERSON. All ayes, motion carried.

MOTION BY BARBARA HEFFELFINGER TO APPROVE THE PENNDOT MULTI-MODAL PROJECT RIGHT OF WAY ACQUISITION. SECONDED BY JOHN STRATZ.

Gary said that he and Joe Adams met with PennDOT a couple weeks ago to get additional information on this project. The borough has secured a grant for \$500,000.00 to spend on right-of-way acquisitions so PennDOT could complete the project. This money needs to be spent by June 30th of this year or the grant will expire and it's been communicated to him from PennDOT and Carol, that this grant was already extended once and will likely not be extended again. Back in July, there was an information session held at borough hall with property owners who would be impacted by the right of way. And then on October 3, 2022, council voted to authorize consulting services from a specialty realtor for this process and he understands that the process has not started. In early November, they had a presentation from PennDOT and in the interim, he tried to find out more about this project and he spoke with Carol and Geoff and he communicated a lot of that just to members of council. At the meeting they discussed many issues including some of the public safety issues and the concerns about the project with having PennDOT diverge into two lanes as it splits coming southbound. One would be to the right to funnel traffic onto 413 going north through Langhorne Manor and the other one to keep traffic moving into Penndel in the left lane. They talked to PennDOT about that, and they offered to provide them with simulations to show how traffic will flow. They gave simulations based on a morning rush hour and an evening rush hour. They indicated the traffic lights would be programmatic and can be programmed if they're not working and there is a traffic situation. There's going to be storm drain upgrades and they will be redoing the storm drains on the

intersections. They looked into how the property owners would be impacted. Gary said he is in favor of this project. They have a safety issue in the borough. It's nearly impossible to turn left when you're coming south on Route 1. Turning lanes would make a world of difference and make everything safer. PennDOT is targeting them and they're looking to spend 2 1/2 million dollars to correct the safety issue. It doesn't give them everything that they want, but the borough can pursue other aspects of the project that they want like the lack of sidewalks on the southern side as you're moving from the apartments up to the Wawa. PennDOT said that was outside the scope of the project. Carol and Beverly Wolfe tried to influence this project because of public safety concerns but this was as far as PennDOT was willing to go. He thinks council should pursue or target that project although, it could be a complicated project because of stream crossings and then going into Middletown. But he thinks Penndel should probably think about how they can make that happen by targeting grants. The safety factors alone on this project are so important. Right now, you can't even cross Route 1. They will give them countdown timers and pedestrian crosswalks. This is going to make the trucking site more attractive to prospective buyers in that this project was very similar to the Wawa project and Wawa itself was going to have to pay for the vast majority of these improvements to Route 1 as part of their highway occupancy permit. A business owner looking at that site will probably have to do a similar construction project. Essentially, this project could become more attractive to a prospective buyer if this work is done.

Joe Dudash said he doesn't like this whole thing, as far as how it was handled initially. There were only certain people involved in this and businesspeople were out of it and some on council. This is a bigger operation than they are looking at here tonight because the superhighway is going to be changed by PennDOT and all the traffic is going to be coming down Bellevue to Penndel. With no turn signals, there will be a lot of accidents. They'll be spending more money on police, more accidents and more deaths. Joe asked Ben if the real estate guy goes out there and assesses the properties and tells the businesspeople how much they think it's worth, if they don't want it, what happens. Ben said as he understands, the borough would make an offer at what the real estate appraiser would deem to be fair market value for the property. If the business owner or the property owner disputes that, as some of them are aware, the borough does have eminent domain powers and for that matter, so does PennDOT. Those things are within the constitutional powers of government, whether they like them or not. They would then go to a board of appeals if there was a challenge to that. Joe said he knows this is a different project than at Route 1 and Hulmeville Ave., but the guy that owns the business on the corner, PennDOT offered him more money than what his realtor came in with. And he thinks that it seems like the people at the trucking company, they're always getting screwed somehow. He doesn't like that they had to find out from residents that there was a meeting. In the second meeting with PennDOT, the businessmen and the people expressed their views on safety. He's tired of these companies and PennDOT coming in and telling the taxpayers they have to do this and then he winds up with a half ass operation here and piece meal. He doesn't like the traffic going down because that's Middletown. They've got their own part of PennDOT. If you go online, you can see how that traffic comes down and connects with Penndel and then they have the Langhorne Manor traffic coming down and the other traffic. It seems like they're the dump spot and PennDOT really didn't give them any solutions to it like they'll give them a turning lane. They have a turn lane down there now that you can't get across, so he's opposed to it. It's time for them as a borough to start standing up to them and say this is what the residents and businessmen want and stop the piecemeal stuff.

Alan Dashoff said this is based on data that's out of date. It doesn't take into account if they even need the TOD the way it's set up because, let's face it, Septa is not a player anymore. Nobody's taking that train into the city. Basically, it's a ride out of the city for nursing home employees. It could have been accomplished simply with turn lights. He doesn't think the data is there to support everything that they want to get done. He doesn't really think the business guys have been treated right. They don't know what they're getting into. This should have been laid out ahead of time. He's not really into this thing.

Joe Adams knows what people were referencing earlier with the special invite only meeting and then the second meeting. The third meeting with PennDOT where Lenny was told no, he's not losing his driveway and then he met with them a couple of weeks ago and he's losing his driveway. Everything is political theater, and this is all a bunch of one side versus the other. The people of PennDel have had zero voice in this. He hasn't met a single resident that's in favor of this or has been informed. To Gary's credit, he wasn't fully informed of this until he got brought on board and did his legwork to get PennDOT on the phone. He doesn't feel like he knows what's going on and to Alan's point, no one takes that stupid train anymore. SEPTA is a dead player. When they think about PennDel's walkable future, look downtown out front of the train station at the falling apart bricks and the trees that still have the guards on them and the sewer grates that are all dirtied over, and you can take a look at what PennDel's future will look like in five years. The problem they're having is that this side of the room doesn't listen to what that side of the room complains about, and this side of the room says well, they're elected so they get to decide what they want. He feels like PennDOT is telling him what he wants. He feels like council is telling him what he wants. He feels like he's got no damn choice as to what's going to happen to the roads down there. He doesn't feel informed enough to even make a valid decision. The data is old from a 2017 study. They're not factoring the other Route 1 project. They're not factoring the cloverleaf that's changing. They're not factoring who's going to get dumped off of that. He's not even close to being in favor.

Gary said it is PennDOT's road. The borough does have the ability to make comments and try to get them to do some stuff. He believes that Ms. Schuehler and Ms. Wolfe tried to do that.

Barbara Heffelfinger said the one thing that's good with this project is that eventually the property owners are going to have to pay for a lot of the repairs that would be needed down there. This way they're getting those repairs done. She thinks also that they want to make this town a walkable town and there's no way to do that with the current situation that they have. Barbara told Dave Cahill that he's the one that screwed it up every time they did anything, so he can keep his big mouth shut.

Bud Murphy said he had some questions that he doesn't think have been satisfactorily answered. He asked when the projected start and completion dates were for the project and how long it would take. He asked what the status is of the rights of way that have been talked about. On the Value Engineering report of May 18th 2022, lists a number of things that borough intends to do. A meeting to inform impacted property owners. Explain the project and the process and minimizing rumor misinformation. Field marking of proposed rights of way to provide a visual reference. The borough will retain a certified real estate appraiser to determine property values and borough officials will meet with individual property owners to discuss the value being offered and reiterate the benefits to them of this project. He would like to know if these things have been done. Gary said he talked to Carol regarding the construction and it's hard to say because it's a PennDOT project. The Courier Times article said this summer, but

Carol didn't seem to think that was optimistic because they are behind with the right of way acquisitions. Bud said if they were to proceed with this project, then it would probably start sometime next year. He asked if it would take a year or year and a half or two years to do. Carol said that's completely out of her control because it's a PennDOT project. She thinks it could be done in one construction season because they're talking about primarily widening on Bellevue Ave. near the intersection with Lincoln Highway. The rest of the work is primarily pavement markings and new traffic signals so it seems to her that it would be viable to do that in one construction season. Gary said regarding the acquisition, that process as far as they know, the gentleman who was designated to do that has not started. So, depending on how the council votes, that guy is not going to do it, or they have to light a fire under him to get him going. The process would have to happen fairly quickly in order for them to make the deadline because that grant money has to be spent on those properties by the end of June. Bud asked if they could reasonably proceed with a vote given that they don't know the status of these rights of way. Gary said they already directed the gentleman to proceed and from what he knows, he has not proceeded, so this would basically get the whole project going. He would imagine Geoff would be calling him and get this thing going as soon as possible. Bud said if they were to proceed with this, he understands that the turning arrows were taken out of the project. He thinks that that would be an important part of keeping traffic flowing, a turn arrow for southbound Route 1 onto Durham as well as Bellevue. That would make a lot of sense and he's not sure how they would get that put back in there. Gary said he believes there is a turning arrow. They modeled it and he doesn't know if in the meeting they said that they were going to look at that but the way they modeled it, it did not need that. Bud said it would be helpful.

John Stratz said there are a lot of considerations to think of right now. A half million-dollar grant to the borough. Everybody out here has been screaming this entire night about spending taxpayer money. Everything that was talked about tonight, they are spending grant money. Everybody's complaining about improvements and how they have not been made. They've been hearing about improvements for years now. Improvements are at their door. All they have to do is accept help from PennDOT. This is the improvement start that they are looking for. Stop complaining about moving ahead. Stop complaining about staying behind. You can't have it both ways. They want to improve PennDel. That is their ultimate goal. They cannot stay the way they are.

Mayor Sodano said the meeting was not with council, it was by invitation. He was conspicuously disinvited by Mr. Nickerson and that was supported by the solicitor Mr. Hauser. He has no idea why. However, he is still familiar with what went on in the meeting. He may or may not have had access to what happened. Mr. DeFlavia did in fact say on November 7th, that they were using the 2017 study. In the January meeting, Vince Cerbone made a statement that if PennDel does not get this project done acquiring the properties by June 30th, this project is effectively dead. At the February 2nd meeting, Mr. Cerbone said that the project could be revisited in four to six years, so it's pretty difficult to believe what the PennDOT people are actually saying. This is actually because the studies that they're dependent on, their part of the studies for Middletown that started at the borough line and went into Middletown. That happened before the Wawa was there. The meeting on the 18th wasn't on Zoom but it was an online meeting. Mr. Parrish had made a statement that the PennDel plans were actually the original Wawa plans. So, the answers to the questions are that's what was stated but it was stated differently to people who are above the level of borough council in another PennDOT meeting. The issue really boils down to there are five months left that the borough could

theoretically make deals with the persons who own the properties that are affected. Given the track record of this administration, he doesn't see it happening. There is another avenue for them. They needed these traffic lights going all the way back to when Wawa was first discussed. The intelligent move with this money would be to put in the traffic lights that they need with the turn signals for the turning lanes even if they are only there for four to six years. He asked what price you put on the lives that could be lost if they don't do that. They're 12 years late. They should do the right thing and not waste people's time on a project that they can't possibly get done and instead use the money and do the traffic lights that would save lives. If that's the best way to make sure that somebody in your family isn't the one that you get the call that they're not coming home tonight, then that's what this council should do. Joe Adams said he would be open to an alternative discussion of proposed traffic lights. He applauds the mayor for that statement. He thinks there would be enough support from the council for that. Gary said the current project is designed by PennDOT to improve safety. He's not a traffic safety engineer like his honor, but he's just going by their calculations and what they show with their simulations. People can disagree about the data. He doesn't know why PennDOT would provide them with data that they feel doesn't represent the actual situation. Mayor Sodano said his point with this picture, this was taken just a few afternoons ago at 4:30 in the afternoon. Their traffic study doesn't look like this. Gary said he's on that road every day. It was explained to him that they can adjust the situation. He doesn't think it's going to be the end of the world as it's projected. He thinks it's going to be a good thing.

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

Public Comment

Mike Young from Bucks County Carpet and Floor said he believes there's other alternatives. He didn't get very much notice for everything. He's out there a lot looking at the traffic and it was just brought to his attention about this meeting on Saturday afternoon and the meeting in November, he was told the same day. He thought maybe they already voted on this stuff three months ago. He thinks turn signals are a great idea. The lanes could stay exactly as they are. The right lane would be for right turns and straight through and the left lane heading south will be for turns with the arrows. Same going north. A lot of cars bear off onto Durham Rd. behind Evo's Pizza. Gary said they had this discussion with PennDOT, and they looked at everything. This was the best they were willing to do for them. Mike asked if they could present other options. Gary said they tried to make all those suggestions and changes and they said they looked at all the data and this is what they were willing to do, and they just told them that they don't want anything done. Nothing's going to change now, so they'll have gridlock backed up to the streets. Mike said he would appreciate it if he could get more notice. Gary said the first meeting was by invite only by the previous administration, even though council advised against that. He doesn't think Mike is impacted. He thinks that the communication was designed for people who are going to be impacted. Mike said if he was leasing his property to another business, and he was in some other country or another state or on vacation, he wouldn't even know about this stuff. He thinks it should be in writing. Gary said they could do better.

Tim Weaver, said this was originally discussed, the three-minute things during the Zoom obviously, because none of them want to do this when they're actually standing in front of them, so he made them a copy. He said Bud brought up about minimizing rumor and misinformation.

Selective information is misinformation and that's what they've basically been getting for a long time. They don't want selective information. They want the whole truth. That is what he's been up here for months telling them. They don't want to be left out in the cold getting half of a story. They really do care about this town. They're not here to destroy it. They're here to help. They may be so ideologically pure in their viewpoint that they don't want to hear anything from their side. He knows at times, they are very vicious. That's because they learned it by watching them. They're going to use their Solinsky tactics against them and they're coming at them like Sun Tzu. That's the bottom line and they're not going to stop whether they like it or not. He doesn't want to bash Carol, but she made him feel like in grade school with the little clip show. They know what's going on with the MS-4. She worked for five years with the clip show to give them a picture of how many years she waited for a hydrodynamic inlet and it kept getting turned down and then there was no backup plan. He asked what kind of engineer does not have a backup plan. This is unrealistic. It is 2023 and there are more people to talk to. He told everybody here he is willing to help when it comes to environmental issues. He has boots on the ground. He is a hunter. He is an angler. He knows almost every native species around here. He knows more about Chub Run. He asked why anybody won't talk to them or are they really just a bunch of peasants and the intellectuals know everything and that is the way they're always going to be treated. They look at them like they're a bunch of total whack a doodle nut jobs. They actually do care what's going on in this town but none of you will talk to them. He said to Barbara that they used to talk all the time until he started coming here. He knows they don't see eye to eye on everything, but at least they had common ground. And Marie knows they've always been friends. He doesn't know why they can't just keep this going and get this back to where it was supposed to be.

Dave Cahill said he put in a right to know request for Laura Germain's resignation letter and the borough needs a 30 day extension for a legal review before they send it to him. He never heard of such a thing. Also, the borough needs a 30-day extension on a letter that the chief read into the minutes from the DA's office from First Assistant Greg Shore that apparently is a total fabrication. That the letter was not intended for who he said it was intended for. He asked Ben if he is seeing these right to know requests and the answers he's getting Ben. Ben said no. Dave said to the mayor and chief that they were questioned at the October 3rd council meeting about what they knew about the second floor addition for the police station and that they both commented that they only knew about the A-frame roof. He asked if that was right. Mayor Sodano said that is not what the response was. He said his response was that he was totally against the proposal that Beverly had. Dave said they were both questioned by Mr. Dudash on the second-floor addition on the police station and he said he only knew about an A-frame roof and the chief's comment was the same that he only knew about an A-frame roof with storage. Mayor Sodano asked if he has the minutes that say that he only knew about that. Dave said yes. In fact, the minutes are being altered. He said to Ben he's not sure if he realizes this, but Karen Kondrk is altering the minutes and she's leaving important comments out of those minutes. And Marie, the answers that she's giving him in his right to know requests, she's committing fraud because she's giving him things that have absolutely nothing to do with his right to know request. She's not answering the questions of his right to know request. According to this e-mail that I was here, Marie Serota only let a certain group of people know about the RDA grant application in August. It went to the chief, the mayor, Barbara Heffelfinger, Geoff Thompson and Bev but it didn't go to anybody else. It didn't go to John, Joe Dudash, Joe Adams or Laura Germain. There were people that were left out of the loop. Geoff Thompson sent out an e-mail in August saying that he was in favor of the second floor. All of this was already in the plans. He asked if they know a Kennedy from Gilmore. Mayor Sodano asked

Dave if there was an email where he agreed with that. Gary said his three minutes are up. Dave said he has as long as he wants. There is no time limit. Gary said they have a three-minute time limit for public comment. Ben said the gentlemen's time has expired. Dave said to Ben, he's really blowing it. He's going to cost them a horrible amount of money. Dave said he's not doing his job. He's letting all these crimes happen underneath of his guidance. He said they're all fucking pathetic.

Donna Heron, asked if the security thing has to go out to bid. Gary said they haven't spent any money. Donna said it didn't sound like it was going out to bid. Gary explained when the project is formulated, council will be informed of what is discussed. Council can make comments and the project could change and then it eventually would go out for bid. Donna said they owe her \$100.00. She said one of their trees fell on her property, so she paid somebody to get it off and she has to get the bill for it. She paid \$3,000.00 for her two trees and \$100.00 for the Borough's tree. She told Joe Dudash not to start with her. They owe her \$100.00. She wishes everybody would calm down. This is totally ridiculous with both sides.

Terry McIntyre, said he's always in favor of ramps. He thinks the John Candy bridge should have had a pedestrian pathway that should have shifted lanes even at the last minute and put jersey barriers up like they did in Penndel on the Hulmeville bridge over the turnpike. He and his wife like to walk a lot. They took a three mile walk around the borough on Sunday and about halfway through the three miles, they had to give up and go on the streets because they just kept tripping over buckled sidewalks. He really doesn't understand what everybody's worried about. They are putting sidewalks on Route 1 and these ramps, and you really can't even walk on half the sidewalks in this town. Somebody needs to address that. His wife was hurt pretty seriously a couple of years ago tripping on a sidewalk and to this day, it is still not fixed and thinks everybody knows what he's talking about.

Donna Heron, said to Barbara that they have a great big plan for the revitalization of downtown. She asked why they don't use that plan for down on that land that's going to become something underneath the railroad bridge. She said use the revitalization down there. They need a grocery store, a doctor, and a pharmacy. That's what they need to revitalize this town.

Council Members to be Heard

John Stratz said he would like to address the three minute rule, which is pretty much used by all the boroughs in the state of Pennsylvania. He has been to meetings at the Borough's Association, and it is pretty much agreed upon. He said to go on to the County Commissioner's meetings once a month. The three minute rule is fully enforced in the County Commissioner's meetings, so much so that the microphones are shut after three minutes.

Joe Adams said if they're going to do this the way we've been doing this, and they're going to continue to have these impositions where yes, he does understand fully and he absolutely understands that other towns and other boroughs do three minutes. But if they look at what pisses people off in this town and drives them nuts, and if they look at what gets them to fight, they don't give a Q&A and they don't engage. They say three minutes for some people and they'll engage questions for other people. If they're going to do a formal meeting like this where it's three minutes, then they set a forgiveness rule or something at the work sessions where they can actually engage with people and give them a Q&A session.

Alan Dashoff said to piggyback off of what Joe said, basically, these folks are the stakeholders and they're supposed to respect what they want and what they need and what they have to say and they should be included. They also need to do a better job of communication. They have MailChimp or whatever is on the website that doesn't work. He asked if they could look into getting a list server running. Gary told him he can be on the Tech Committee. He can take that project up. Gary said it was him and Mr. Adams. Mr. Adams resigned from all committees. Gary said he can help him along with Mr. Thompson.

MOTION BY BARBARA HEFFELFINGER TO ADJOURN. SECONDED BY JOHN STRATZ.
All ayes, motion carried.

Submitted by: _____
Marie Serota, Secretary/Treasurer