

Penndel Borough Council Workshop Minutes

January 17, 2023

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

John Stratz asked for a moment of silence for the passing of Laura Germain's mother.

Present at the Meeting

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

Also present at the meeting

Ben Hauser, Solicitor, Hill Wallack
Marie Serota, Secretary/Treasurer
Carol Schuehler, Engineer, Value Engineering

Gary Nickerson asked each person who turned in a letter of interest to come up and introduce themselves. Mike Smith, Dave Cahill, Alan Dashoff and Tim Weaver each spoke.

Council Member Appointment

MOTION BY GARY NICKERSON TO APPOINT ALAN DASHOFF TO BOROUGH COUNCIL TO FILL THE VACANCY LEFT BY THE RESIGNATION OF LAURA GERMAIN. SECONDED BY JOE ADAMS.

Joe Adams spoke about Alan Dashoff and thought with his experience, he would be a good fit.

Dave Cahill said he couldn't agree more. He told Bud not to get too comfortable in that seat because they were discriminated against and they're going to find the right people to have him taken out of that seat. A roll call vote was taken. Joe Dudash, yes, Joe Adams, yes, Bud Murphy, no, Gary Nickerson, yes, Barbara Heffelfinger, no, John Stratz, yes. Motion passes 4-2.

Council or Borough Announcements

Ben Hauser reported that at the end of the last meeting on the 3rd of January, council met in an Executive Session to discuss confidential, privileged and informational matters. At the meeting were the Mayor, Council President Nickerson, Vice President Stratz, Ms. Heffelfinger, Mr. Murphy, Borough Manager Mr. Thompson, Mr. Truelove and himself. It ended at 9:45pm.

John Stratz said to Dave Cahill that during the Executive Session, everyone was asked to leave the premises and everyone else in the room did except for him. He asked him to never bang against the window and scream at them again because if he does, he will have him removed

from the premises. He was not supposed to be here, and he is not supposed to be harassing local government.

Public Comment on Agenda Items

Terry McIntyre asked if some of the motions for sewer can be explained before they are moved. Gary said yes.

Tim Weaver said he spoke to the PA DEP today and he was hoping that everything could be taken care of properly. It was in regards to MPDS permits and NOI and things of that nature, where the outfalls are. And this all has to do with what's going on with the MS-4 program. There's something going on with the Chub Run behind pump station #2. That's a stream that nobody really wants to mess with, unless they expect to get the Delaware Riverkeepers involved. He said to John that at the last meeting he asked what day he started to work on the grant application and he said he would have an answer for him at this meeting. John said December 6th. Tim said he didn't even give the Planning Commission a chance to get in motion to do anything. He just took it upon himself to start this action in motion and start to look at other avenues without consulting the Planning Commission. He said he's just trying to clarify things and doesn't like being left out in the cold. He said sorry to put him in the hot seat but if they are going to continue to not tell them the truth, they're going to be doing a lot of digging here from here on out. John said the Planning Commission meeting did not happen and they had to start the paperwork. All he did was go to other officials for help, which he succeeded in doing.

Dave Cahill said he came to borough hall on Wednesday to drop off some right to know requests and Bud Murphy passed him out in the in the parking and Leo Campbell was here. He believes that they were summoned here by Marie for putting together a Planning Commission meeting to approve the letter that Evan Stone sent with the DCED grant application. Apparently, Evan is really worried and he needs an approval on the letter by their Planning Commission but they have one big problem. The Planning Commission can't meet anymore because they don't have enough members or a quorum to meet to approve the letter. He asked Bud if that was the reason he was here. Bud said no. Dave said he overheard Leo telling Marie that if there's only two people left on the committee, then two is a quorum. There are supposed to be five and three is a quorum. He made Leo aware of that. He's not sure how they're going to approve Evan Stone's letter because he went around the backs of the Planning Commission. Cory Dudash resigned because Evan went behind her back and then Joe Crisafulli resigned because he found out that Mr. Stone went behind his back. He said to Bud that he was going to be different and that he wasn't going to be like the rest of these idiots up here. But he's no better. He voted against Alan. He asked why he voted against him. He said he's dirty and he's here to carry out all of the dirty crap. He's going to make sure that his ass is removed from that seat. He's going to go to the right group of people and they're going to prove they've discriminated against this. And Gary knows exactly what he did, so paybacks are a bitch. It's all coming. John Stratz asked if that was a threat. Dave said take it any way he wants it. John said he has been doing some digging and asked if he realizes that the first amendment does not protect threats against council, and they can have him removed. Joe Adams said if they feel physically threatened to the point where they feel like Mr. Cahill is about to attack, assault or hurt him. Dave said to John that he's dirty.

Consent Items

MOTION BY BARBARA HEFFELFINGER TO APPROVE THE MINUTES OF THE DECEMBER 19, 2022 WORKSHOP (TABLED FROM 1/3/23) AND THE MINUTES OF THE JANUARY 3, 2023 COUNCIL MEETING. SECONDED BY JOHN STRATZ. All ayes, motion carried.

Engineer's Report

Carol Schuehler made a presentation on the MS4 Report.

She then read her report which is attached.

Carol gave an update on Schoolhouse Court. They performed a site completion inspection this month and will be issuing a detailed punch list in coming days. This is an inspection of the development plan from improvements to identify required improvements to be installed or repaired. That punch list would include such items as missing street trees, cracked sections of sidewalk, those kinds of things. The developer requested a partial release of their remaining construction escrow, which they will evaluate to provide a recommendation for the next council meeting. The developer is working towards completion of the required improvements. They were required at the front end of the job to post financial security. They were going to be asking for a reduction in that based on improvements completed. Mayor Sodano asked if they were to release funds based on what she just discussed, would they still have enough to fall back on for litigation that's likely over the house that has not gotten the U&O. Carol said if everything on the punch list was addressed, which will probably include that driveway in question, but if all of that was resolved and addressed the amount after the release would leave approximately \$60,000.00 still in the financial securities bond to cover trees that don't survive and things that might not be okay during the maintenance period. She said as to whether something goes to litigation, she doesn't know that there's any ability for the borough to use financial security for that. Ben Hauser said if the developer gets through a check list, they are entitled under the MPC to get their escrow refunded as proportional to the amount of the project done through withholding that at that point. If there were to be litigation, they are not going to be able to use that escrow against the developer. The maintenance bond is to make sure the property is properly taken care of and if the borough has to step in and take care of that work. Litigation would be separate aside from that. Joe Dudash said they received an email from Caroline Lavenduski that she was having problems with them planting trees over the utility line. He sees in Carol's and Caroline's emails that it seemed like she was trying to get the developer together on this but then it seemed like it dropped off. He's worried about if they're giving him money back and he's planting stuff wrong all over the place. He asked if it's been resolved. Gary said there is no motion on this tonight and that Carol is still going to evaluate everything. Joe said the money should be held up because he's planting stuff right on the utility lines and that's a safety hazard. Gary said the property owner was giving guidance on how to clarify it. Joe asked what the guidance was. Gary said to work with the developer to try to come to a solution. The developer planted those trees in accordance with the plan that he proposed. If he wanted to modify that plan, he would have to submit a modified plan for review. Joe said it seems like the borough keeps dropping the ball. Gary said the developer planted the trees per the plans. Her complaint was that she was unhappy with the location. She should be working it out with the developer of Schoolhouse Court. Joe said they have all these problems and they want to release all this money to this guy and then they're left holding the bag. Gary said Carol is evaluating the escrow request. Carol said the developer is responsible for planting, she believes, four street trees along Woodland Ave. They are always flexible about exactly where along the street those trees go. The property owner wanted them behind the house instead

which they can't have them because that's storm water management. According to the ordinance, they can make adjustments along the frontages of those properties as to where those trees go to best suit the property owners, but they are required to plant four trees unless something changes, which is out of their control. There was an instance over a decade ago where there was a developer who was supposed to plant street trees and she doesn't remember what the issue was, but the borough council made a motion and decided to accept some trees as a donation instead and plant them elsewhere in the borough. That's the only

other way to work around it that she knows of other than waivers. None of those are in her authority to grant. Right now, she's looking at an approved plan with four street trees on Woodland Ave., so they need to plant those trees on Woodland Ave. to meet the approved plan. Gary said if Ms. Lavenduski wants to work with the developer and the developer wants to present a proposal for them to review, he thinks council would review that proposal.

MOTION BY JOHN STRATZ TO AUTHORIZE PROCEEDING WITH SURVEY OF STREAM BEHIND PUMP STATION #2. SECONDED BY BARBARA HEFFELFINGER. All ayes, motion carried.

MOTION BY BARBARA HEFFELFINGER TO APPROVE XYLEM PUMP MAINTENANCE CONTRACT FOR BOTH STATIONS FOR \$1,766.00. SECONDED BY JOHN STRATZ. All ayes, motion carried.

MOTION BY BARBARA HEFFELFINGER TO AUTHORIZE PURCHASE OF GANTRY CRANE FOR LIFTING PUMP STATION #2 PUMPS NOT TO EXCEED \$2,000.00. SECONDED BY JOHN STRATZ. All ayes, motion carried.

MOTION BY JOHN STRATZ TO AUTHORIZE PREPARATION OF CDBG GRANT APPLICATION FOR ADA RAMPS ON EAST CRESCENT STREET AND MONROE AVENUE. SECONDED BY BARBARA HEFFELFINGER. After some discussion, Carol will come back in February with more streets to add to this grant. All ayes, motion carried.

Committee Business:

ARPA Committee

Joe Dudash reported that the committee consists of Patti Dicken, Sarah Lavenduski and Jay Moser. Sarah could not make it tonight. The committee stressed throughout the interim the final rule, the importance of public and professional input, conducting a thorough investigation into community needs and listening to the most pressing issues. Every part of the implementation process included a deliberate and transparent element, various input projects presented to the committee by the community civic organizations, professionals and council members, were as follows: requesting \$50,000.00 for Penndel Fire Department, requesting approximately \$9,000.00 for police officers, Marie, Karen, Michelle and Nick although he is gone, and it would be up to council. The most important one of all is that Carol helped them with is to secure the road and storm drains, which is the damaged inlets. Carol broke it down to them. For the nine worst inlets is \$50,000.00. She said because of today's economic problems, add 20% to it because materials and labor has increased. The alternate one which is 14 inlets, is \$70,000.00 to \$120,000.00 or 23 inlets which is \$70,000.00 to \$190,000.00. This committee's

goal tonight is to provide clear guidance and planning and executing to help the council maximize the project range. Jay Moser said the committee was in total agreement at every meeting. They are proposing that the money should be used to benefit the whole borough not any small group, agency or personnel. It was agreed upon to allocate this money in whole to repair as many stormwater inlets as possible. These repairs should only be done on borough streets, not state roadways or private property. The inlets that require the least amount of work should be done first due to the available monies that would not impact the borough taxpayers, and work their way to the worst. That was decided only because they know the borough has budget money to do stormwater inlets this year and they do every year in conjunction to that. So, they felt that if they work and get the best for their buck and do more, that way they can catch up quicker. This will allow more inlets to be repaired or more allocated from the rescue plan than the inlets in worse conditions funded by the borough. They also felt it should not be used for engineering fees. Those fees should come from the borough itself and in their design to get their side of the work done. The committee was in total agreement. They passed out Carol's report to everyone. Gary asked what the \$50,000.00 for the fire department was. Jay said that was from Ms. Wolfe. There is no reason for that, it was just a flat fee that they wanted to present to the fire department. Joe Dudash said the reason why they selected the inlets was because as they can see from the photos, and he went around with her, the inlets are falling apart. Gary asked why they are not recommending that they fix the one on Route 1. Jay said because it's on Route 1 it's a state highway. These monies were provided for the borough itself and he doesn't think the borough would be responsible for anything on a state highway. Carol said the borough is responsible for the storm sewers on the state highways. Jay said he lives on Hulmeville Ave. and twice he had the storm drain in front of his house repaired by the state by him making a phone call at no cost to the borough. He asked how he got away with that. Carol said they have gotten the state to work with them and to do them some favors, and she'll defer to the solicitor, but by the way the laws are written, the storm sewers in the borough, even in the state streets, PennDOT makes it the borough's responsibility. Jay said he got the ones in front of his house fixed twice over thirty something years that he's lived here. Carol said most of the inlets in the borough are actually on state highways. They have the map in her report. Joe said Carol broke down the inlets from fair to good to worse. Jay said there's also plenty to be done that are on borough streets. The \$225,000.00 or whatever that is allocated from this fund, the Covid relief money, would go more towards the citizens of PennDel and do the streets in front of their houses first and if the borough wants to continue to do state highways that they have to do, then they should use Liquid Fuel funds or whatever they can get grant money to do them. Joe said Gary wanted to see numbers. He said Carol suggests they stretch this out. They can do matching funds and stretch and get everything done. They can do 100%, 75%, 50%, 25% or nothing. Their conclusion of this was the ARPA, which is the treasury, represents transparency and accountability satisfied by accurate and thorough reporting, which Marie has already been doing and a good benchmark for gauging a priority to project is asking what they would do if they didn't have the funds. This will keep the community needs central to planning and implementation. Council needs to remember they have until the end of 2024 to allocate these funds and until 2026 to see the project through. He appreciates the professionalism of the committee members and the borough engineer Carol Schuehler and thanks them for their time and effort on the project. In addition, the input from the community civic organizations, professionals and council members was truly valued. As chartered by the council, this committee has completed the mission assigned and as of this date, 17th of January 2023 is now decommissioned. They are turning it over to them to figure out what they want to do and who they want to give the money to.

Mayor Sodano asked for clarification on the total amount of money. Jay said it was approximately \$225,000.00.

Dave Cahill asked what the \$50,000.00 for the fire company was for. Jay said they are not recommending that. They are recommending 100% of the money for stormwater. Dave asked how many inlets. Jay gave him a map of the inlets. Joe said they looked at all the input that was given to them. They made their selection with the help of Carol. Now it's up to council to make the decision, not them. Under the treasury acts bylaws, they are only an advisory committee. Jay said they are recommending doing the most inlets they can get done with the \$225,000.00.

New Business

MOTION BY BARBARA HEFFELFINGER TO ACCEPT THE RESIGNATION OF JOE CRISAFULLI FROM THE PLANNING COMMISSION. SECONDED BY GARY NICKERSON. All ayes, motion carried.

MOTION BY JOHN STRATZ TO ADOPT RESOLUTION #2023-1 ACCEPTING A MUNICIPAL GRANT PROGRAM CONTRACT AWARDED BY THE RDA FOR \$24,591.00 FOR THE PENNDEL-MIDDLETOWN EMERGENCY SQUAD STAIR CHAIR REPLACEMENT PROJECT AND DESIGNATING A CONTACT PERSON AND SIGNATURE DESIGNEES. SECONDED BY BARBARA HEFFELFINGER. All ayes, motion carried.

MOTION BY JOHN STRATZ TO ADOPT RESOLUTION #2023-2 ACCEPTING A MUNICIPAL GRANT PROGRAM CONTRACT AWARDED BY THE RDA FOR \$139,416.60 FOR PENNDEL BOROUGH HALL RENOVATIONS PROJECT AND DESIGNATING A CONTACT PERSON AND SIGNATURE DESIGNEES. SECONDED BY BARBARA HEFFELFINGER. All ayes, motion carried.

MOTION BY BARBARA HEFFELFINGER TO APPROVE THE FIRE MARSHAL/EMERGENCY MANAGEMENT COORDINATOR CONTRACT WITH JAMES BAMPFIELD. SECONDED BY GARY NICKERSON. All ayes, motion carried.

Public Comment

John Lo Piccolo said they have a proud heritage here, 124 years in June for this borough. They should appreciate this borough for its heritage. They need to work harder and work together because they're kind of all they got and in the grand scheme of things, they get lost because it's just a small borough. The harder they fight together, the better off they will be. They used to be a powerhouse in the county behind just Bristol and Morrisville. Pennel was the envy of a lot of other municipalities, so he hopes they appreciate the history. A couple of things bothered him that Carol said. She said Gilmore had told them that it was impossible for the MS-4 to plant 100 trees and to have streets swept and be capable of getting to their MS-4 totals. And that they would need two hydrodynamic filters, which they approved, one for Walker Ave. and one for Park Ave. It was pretty much impossible for them to get to those MS-4 thresholds. She had said that they approved the plan, but he doesn't remember that. He's glad to see that there are other alternatives. At the time, they didn't even think about Chubb Run. At Crescent St. and Centre St., they have an issue where you come down the ADA ramp and you have a storm drain right at the bottom right in front of the firehouse. A lot of residents that are in wheelchairs have complained to him about that. The newer ones have two sided ramps and

with Crescent St. possibly having to be fixed by Bucks County Water and Sewer, maybe that's an opportunity to add intersections like that. Go big. If they give them money for half of it, at least they have it. He asked about crack sealing. On Woodland Ave. by the church there are already cracks down the center. Gary said he believes that's part of the Capital Improvement

Plan for some street repairs. He said thank you to the committee because the inlets are very important and are desperately needed because the infrastructure sucks.

Tim Weaver said it looks like there's an issue in the parking lot. It looks like the vent pipe for the sewer system for borough hall is crooked and all the rain water is flowing into it every time it rains. That's just his observation, but he could be wrong. He thanked Carol for her presentation on the MS4. He said he is probably the most educated person in this room about Chubb Run. He knows more about the fluvial geomorphology of that little run than anyone in this room. It is an exceptional value watershed that has very good potential and it's also considered a potable water source. He said to Carol that he is going to reach out to the Delaware Riverkeepers tomorrow morning and see if the project she's currently proposing is feasible because most of the time in urban areas, this stream back revitalization does not work especially when they have a 50 or 100 year flood. It gets wiped out immediately and as she said in her presentation, she's only doing this to get the credits. The federal government does not give a crap about PennDel. This is an accredited system that has no bearing on anything. They have a better chance of expanding the riparian zone by doing some BMPs, putting some drain basins in some dry wells and figuring out how to get this storm water out of there. She's talking about monkeying with the woods down at the ball field there and taking out trees so they could do some stabilization down there. That's also not going to work. They need to look at some different alternatives. There's more BMPs available than just tearing into a stream bed, especially along a heavily traveled Route 1 corridor and especially since nobody knew about linking one project to another. The superhighway starts getting revitalized and rebuilt. They're already working on stormwater management up there. He asked Carol if she contacted them or met with their team to discuss how the thermal loading, the turbidity or any velocity and volume is going to increase on our downstream side. He's going to take that as a no, but he would suggest that she reach out to them and link this project with another project. All these projects are being done piecemeal. Nothing is being done together. Nobody is looking at the big picture.

Dave Cahill said the \$139,000.00 grant for the improvements for borough hall is \$40,000.00 short. He said to Joe and Joe that he's going to talk to them about this because the rest don't really give a shit. \$40,000.00 short on the improvements on that grant for the ADA for the front doors and the ramp and all that Geoff wants to do, so they'll have to figure something out.

He said to Ben that the Civil Service Commission did not meet within the 10 days when they were appointed on the 5th of December. He said that Ben had made it very clear that they had to meet in a relatively fast amount of time and they didn't meet until the 23rd. The ten days were up and gone. So, he's assuming the Commission does not exist because they didn't meet in the right amount of time and if he wants him to check into that, he will. He said to the mayor that he would like to hear a comment about him not getting the A-frame roof on the police station because Bev lied at the RDA during her presentation and the democrats lied on the grant application that went out because they put in for the second floor. He knew that they weren't going to get that grant from the very beginning and they didn't get any money for that A-frame roof that they need because the police station roof has been leaking for the last two years. He asked the mayor if he was aware that there was a meeting with the chief that was attended

by Mr. Winkler and Mrs. Heffelfinger that was held in Karen Kondrk's office. He would like a comment on that because he believes the mayor is supposed to be notified about all meetings. He asked if it was true, and it was confirmed that they had problems with Schoolhouse Court getting a fire truck to drop a A5 inch supply line during a fire on the corner of Hulmeville and Crescent because there were cars parked on both sides of the street. He understands that officer Darnley was at the fire and he believes he was aware of that problem. He heard that officer Darnley on another night, was rapping on doors on Schoolhouse Court telling people to move their cars off the street because there was no parking. He asked if that was true. Mayor Sodano said to Dave as for the police station roof, people who have attended the meetings regularly know he was vocally opposed on many occasions to the grant as it went in. He has no control because he's not a voting member. As far as the meeting, there wasn't any sort of formal meeting. The people were in the building and they happened to talk like normal human beings do all the time. There's nothing illegal about that. There was no quorum or anything and he doesn't see the issue. As for Schoolhouse Court, he heard much discussion here tonight about what's still going on in Schoolhouse Court which means by definition, Schoolhouse Court is still a construction area and they cannot enforce the parking ordinance yet. The only part of the parking that they can enforce has to do with blocking the fire hydrant. And to answer his question, Officer Darnley is the person who knocked on that resident's door and informed them that his truck was in front of the fire hydrant once. But if it's a construction site, it's a construction site and they cannot enforce parking. Dave said the parking signs are up. Mayor Sodano said it's not dedicated yet. They can put up all the signs they want. He said he and Dave have had this conversation many times. He told Dave to come to him with the facts and find out what he's talking about, and he'd be happy to discuss it. It's not a dedicated place at this point. It is a development. Once it's dedicated, it will be different. Dave asked what he would have said if somebody died in that house fire because they couldn't get to that hydrant. Mayor Sodano said he was there. He asked Dave if he was there. Dave said no. Mayor Sodano said he was there and spoke to other firemen who said the same thing to him that Mr. Moser said earlier. The truck could have gotten past those cars but that wasn't the issue. Dave said he's lucky nobody died. Mayor Sodano said he is not lucky. All of them in humanity are lucky no one died. He spoke to the fire personnel who were in charge, not someone who is rank and file on some fire company truck. He told Dave he is the source of all the bad rumors. Dave said he got the information. He didn't spread the rumor. Mayor Sodano asked if he got the information from someone who was the in-charge person on that site. Dave said he didn't know where he was in the chain. Mayor Sodano said there were people in every fire company that were there and there were about seven of them he believes, and there was someone who was the in charge person on every vehicle and from every company. He asked Dave if that was who he was speaking to. Dave said he didn't know where the information originally came from. Mayor Sodano said it had to come from somebody, so it's hearsay. The information was right. Dave said it isn't right.

Jay Moser said his name is being thrown all over the room, so he wanted to clarify and told Dave he didn't listen to him tonight. Dave said he did listen. In reference to talk about this fire in Penndel, he was a driver of an assist company. They were not first in. Penndel Fire Department did an excellent job in establishing a water supply to start fire suppression. He checked with the operator of that engine and asked him about his water supply because he was the secondary water supply engine, and it was not needed at the time. He did continue to seek a second source and there are two, one is on Schoolhouse Court and also right on the corner of Hulmeville and Woodland. And he had witnesses because his boss was walking up the street to

watch the fire. He asked what he was doing and he said he's checking for a second water source, which was not needed at the time. Previous fires on that street, Hulmeville has been called and he had his truck down that street with the dumpster on one side and cars on the opposite side. Is it technically a safe situation, not necessarily? It's possible. Does he like it, no. He reports to Tom every day with photos of the cars parked in front of the fire hydrant going passed the alley in a situation with a possibly bigger truck. Theirs gets through but the biggest thing is if we can't get to the hydrant, it can't get used. Parking is the biggest issue at the hydrant.

Terry McIntyre said this Schoolhouse Court thing, the tail's wagging the dog here and it's been for a long time and has become a huge liability and it's going to be a huge liability for them if they don't get a handle on it. Years ago, this developer agreed to a lot of conditions and said he was allowed to do everything he wanted to do as long as he met those conditions, such as parking, trash, street lights, plowing. If this HOA is not put together, and it is their job to make sure that they have it in force, and there's a snow event and there's an emergency and they can't get an ambulance back there, the borough is going to be liable or held partially liable. They really need to get on this HOA and what's going on with Schoolhouse Court. As a taxpayer, it's going to end up costing them a lot of money down the road if they don't get a handle on it and they do not have a handle on it from what it looks like. He said to Carol it's been a long time since he's seen the sewer system. He knows that Station 1 had an overflow tank and station two still has no overflow tank and it flows into Chubb Creek. Carol said that is not correct. There is no overflow into Chubb Creek at this point. Terry asked if there is a containment tank for the overflow. Carol said that happened once that she's aware of and it was actually fairly recent. Originally, there was an overflow pipe in both of those pump stations. Those were sealed years ago. Terry said when he was on council they weren't. Carol said the DEP required those to be sealed and they have been sealed. Terry said so, it does hit max capacity. Carol said it does and that actually happened with hurricane Ida and the wet well filled and then spilled into the drywell, which also started to fill and then the sump pumps in the drywell eventually pumped the water back into the wet well as the water receded and took it down the Creek. There was no sewage overflow or sewage spill. The guys had a good bit of clean up to do in the pump station. Terry said he doesn't think there's room to put a containment tank in there. Carol said there's no apparent need for that. Ida was really a superstorm as far as sanitary sewer.

Alan Dashoff said regarding the Civil Service Commission, on December 9th they tried to meet but they lost the third member of the group and then they had to readvertise. And by bringing in the other person, that pushed the time out. Ben Hauser asked if he could comment. He believes at the December 5th meeting the commission would have had three members appointed and needed to meet within 10 days. One of those members withdrew or did not accept the appointment. That deprived the commission of a quorum. There's no commission until there's a quorum. Tim Weaver said that Ben had said two people were a quorum. Ben said he made a mistake. It was not properly constituted until after Mr. Winkler was appointed and was sworn in and the commission then had a quorum.

Council Members to be Heard

Joe Dudash said in Schoolhouse Court, under the Pennsylvania statute, they can ticket who is parking in front of the hydrant. There's a black truck there that never moves and it's within the 15 feet area. For the safety of the firemen and police, they need to enforce what they can

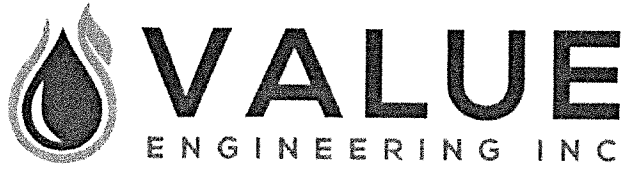
enforce. He agrees with Mr. Moser and everybody else included. He doesn't know how they could get a fire truck through there but that's like what was said, that's private property. But with the fire hydrant, they can give tickets and can even have it towed under this Pennsylvania statute. The officers have been doing a good job. Officer Darnley went over there on his own again. It's a leadership problem. He doesn't know what the problem is. He's a civil servant and he cares about his men, and they need to care about the firemen. He's been yelling about Oak Ave. and the parking. If a truck rolls over, and these guys get killed, they're going to see a different part of him because this is just ridiculous. He understands about the no parking signs like they're saying, but the fire hydrant thing they've got to start enforcing and maybe they will start getting the drift like whoa, they're watching.

Gary Nickerson thanked the ARPA committee for their work and their recommendations and he welcomed Mr. Dashoff to council.

Joe Adams also thanked the ARPA committee for their work and welcomed Mr. Dashoff to council. Joe said he would be interested in the EAC and is interested in having that discussion at the next meeting.

MOTION BY BARBARA HEFFELFINGER TO ADJOURN THE MEETING AT 9:40 P.M.
SECONDED BY JOE DUDASH. All ayes, motion carried.

Submitted by: Marie Serota
Marie Serota, Secretary/Treasurer



January 17, 2023 Engineers Report

Penndel Borough, Bucks County

➤ CDBG Grant Application for accessible ramps

The CDBG is accepting grant applications for 2023. The Borough may wish to pursue grant money to fund accessible ramps on Borough streets that will be candidates for paving in coming years.

When the Borough paves a street, the Borough is **required** to bring the intersection crossings into compliance with current ADA standards. When East Woodland Avenue was resurfaced, the Borough used CDBG grant monies to upgrade the ADA ramps. Perhaps Council will want to use CDBG funds in this way again, so the intersections are upgraded in advance of upcoming paving projects.

If so directed, we will prepare a grant application for construction of accessible ramps on East Crescent Avenue and Monroe Avenue. We anticipate replacement of six ramps, and project a construction cost of \$60,000 to \$80,000 based upon the 2019 project unit costs. If awarded, construction costs would be paid by grant, but the Borough is still responsible for design, PennDOT permitting, and bid administration.

Applications are due March 1st.

Sewer Pump Maintenance Contract

Mechanical equipment requires maintenance, and that includes the sewage pumps at the pump stations. Xylem has provided a proposal to service pumps at both stations for a total cost of \$1,766. Pumps maintenance should occur at least every three years, and I recommend accepting this proposal.

Gantry Crane

PUE contacted me this month to discuss a concern. There is a steel I-beam in the well above the pumps. When the operator needs to lift a pump for service, repair, or removing blockages, they attach a hoist to the beam. Since the station was re-built, the pumps do not line up perfectly with the beam. The operator is concerned about raising or lowering the pump when not in alignment. The solution is a simple Gantry Crane, at a cost of about \$1,700. I am recommending Council authorize purchase of the needed equipment for a cost not to exceed \$2,000.

MS4 and Growing Greener Grant

This grant must be utilized this year, with work completed by December 31, 2023. I would like to speak with the remaining property owners, then schedule survey of the stream bank and property boundaries to proceed toward this project.



Schoolhouse Court

We performed a project completion inspection of site improvements this month. A detailed punch list will be issued in coming days. This is inspection of development plan improvements, to identify required improvements still to be installed or repaired. The punch list will include items such as missing street trees and cracked sections of sidewalk to be replaced. The developer has also requested a partial release of construction escrow, which we will evaluate to provide recommendation for your net Council meeting.

Presented by Joe Dudash, ARPA Committee, on 1/17/23 to Council

First, I would like to introduce ARPA Committee (i.e.: American Rescue Plan Act) members before you tonight Ms. Patty Dicken's, Ms. Sara Lavenduski, and Mr. Jay Moser.

The committee stressed throughout the “Interim Final Rule”, the importance of public and professional input. Conducting a thorough investigation into community needs, and listing the most pressing issues. Every part of the implementation process included a deliberate and transparent element.

Various input project's presented to the committee by the Community, Civic Organizations, Professionals, and Council Members as follows:

- **Requesting \$50,000 for Penndel Fire Department**
- **Requesting approximately 9,000 for the police, Marie, Karen, Michelle, Nick.
\$500 each.**
- **To secure the road and storm drain infrastructure, the Borough can issue a request for bids to repair the 9 worst inlets, those with ratings of 4 and 5. With substantial masonry work and traffic control, this might be a \$50,000 project. Then provide an alternate bid item to repair inlets with a rating of 6, and another alternate to go further and repair those rated at 7 which are simpler mortar repairs. Once actual bid prices are obtained, Council could decide how much money to spend/work to do on these storm inlets.**

Scope: Estimated Cost Cumulative Cost

Base Bid: 9 inlets \$50,000 \$ 50,000

Alternate 1: 14 inlets \$70,000 \$120,000

Alternate 2: 30 inlets \$70,000 \$190,000 – increase the prices about 20%. Supply chain issues, material costs, labor costs, and contractor availability have all converged to significantly increase project costs.

This committee's goal tonight is to provide clear guidance in planning and executing to help the council maximize the project range.

I now turn the briefing over to Mr. Moser.

Conclusion:

ARPA request's transparency and accountability satisfied by accurate and thorough reporting. A good benchmark for gauging the priority of a project is asking, "What would we do if we didn't have these funds"? This will keep the community needs central to planning and implementation.

Council needs to remember, you have until the end of 2024 to allocate these funds and until 2026 to see the project through!

I appreciate the professionalism of the Committee Members, to include the Borough Engineer Ms. Carol Schuehler, and thank them for all their time and effort into the project. In addition, the input from Community, Civic Organizations, Professionals, and Council Members was truly valued.

As charted by the counsel this committee has completed the mission assigned, and as of this date (17 Jan 2023) is now decommissioned.

Jay Moser Statement

American Rescue Plan Act

Advisory Committee Minutes

Date: 01/17/2023

Location: Pennel Borough Hall

Members Joe Dudash Council

John (Jay) Moser Resident

Patty Dicken Resident

Sara Lavenduski Resident

Re: Final finding for fund usage.

After great discussion on how to spend the funds the final plan was complete.

The committee was in full agreement that this money should be used to benefit the whole Borough and not any small groups, agency, or personnel. It was agreed upon to allocate this money in whole to repair as many storm water inlets that it can. These repairs should only be on Borough streets, not State roadways or private roadways. The inlets that require the least amount of work should be done first working you're up to the worst. This will allow more inlets to be repaired with this money and the worst could be handled by the Borough on its own. As part of these repairs no money should be used for any engineering fees. Such fees should come from the Borough.

Submitted By

ARPA Advisory Committee