

Penndel Borough Council Meeting Minutes

July 3, 2023

Council Vice President Barbara Heffelfinger called the meeting to order at 7:30 p.m. with the Pledge of Allegiance.

Present at the Meeting

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

Also present at the meeting

Dave Truelove, Solicitor, Hill Wallack
Chief Sean Perry
Marie Serota, Secretary/Treasurer

Council or Borough Announcements

John Stratz asked if council had any announcements. Joe Dudash said he did, and he wanted to go down with the peasants and domestic terrorists, as he calls them, and stepped down from the dais and stood at the podium because he wanted to see everybody's faces. John said he never called anyone domestic terrorists. Joe said it's on record, him, and the manager. John said he doesn't think so. Joe said then he guesses all of the public here is lying. John said he is on record right now saying that and he wants him to stop. Joe said he's only quoting what he said. It's on record. John said he is lying. John said his evidence is in the corner. It records everything. Joe read his speech which is attached. He said he looks at all of them, especially Barb and Bob. He said to Bob when he first worked with him, he was for the part time officers. He praised them and worked hard for them. Barbara is the same way and they're throwing them away like a \$2 bill. He doesn't understand what it is. He said to Bud he's totally amazed with him. He's a human resource officer and he passed a bill for a job description which is no job description or even pay, and they put it in the paper. He's confused. He asked if they really have the taxpayers in mind here or not. He said to council that everything with them is conspiracy theory. Joe said all of them got this email from one of their part time officers. He was a vet and a long-time officer here and he's had a good record. Everyone knows him. It's Officer Gaffney. Joe read the email which is attached.

Joe said the letter said there are issues that are unknown to council members, which half of them don't know except certain ones who are in the clique. For instance, Alan is one of the members of the police administration as far as safety and he was not invited to any interviews last week because of these two and the mayor, so they completely wiped him out of it. Joe said in conclusion, because they've had several whistleblowers, he is recommending and requesting under the Sunshine Act, an executive meeting because there is a lot of information he has on the new applicant and some of the problems with the police department. Mr. Stratz has been stonewalling him on it. He doesn't want this all out of the bag. Either he gets the executive order, or he has to go public to protect their safety and the money that they pay as taxpayers.

When they get behind these doors, he can tell them everything. He asked Dave Truelove if they were going to have an Executive Session. Dave said for personnel reasons, it would be advisable. Joe said make the motion. Dave said it depends on whether they want to have it before or after the motion on the police officers that they're asking for. Joe said he'd rather have it before the police officers. The information that he has from the whistleblowers affects him and the applicants. Dave said they should do it now. He noted that Mr. Dudash wasn't speaking from the dais and not from his seat and council should make record of that. The time for the Executive Session for personnel reasons is 7:44 pm.

The meeting reconvened at 9:06 p.m.

Consent Items

MOTION BY BARBARA HEFFELFINGER TO APPROVE THE MINUTES OF THE JUNE 19, 2023 WORKSHOP MEETING.

MOTION BY TO PAY THE FOLLOWING BILLS FOR THE MONTH OF JUNE, 2023:

General Fund	\$29,618.44
Refuse Fund	\$ 239.58
Sewer Fund	\$39,863.21
Capital Reserve Fund	\$16,417.50
Liquid Fuel Fund	\$ 1,573.50
Police Pension Fund	\$ 125.00 (to be paid out of plan, attached to bill list)
Non-Uniform Pension Fund	\$ 125.00 (to be paid out of plan, attached to bill list)
Escrow Fund	\$ 1,665.00
Payroll Fund	\$ 1,034.03

Payroll

General Fund	\$35,421.49
Sewer Fund	\$ 4,049.51
Total	\$39,471.00

Escrow Fund Bills

Schoolhouse Court:	
Hill Wallack, LLP	\$750.00
Schoolhouse Court LD:	
Hill Wallack, LLP	\$40.00
Cattani Subdivision:	
Hill Wallack, LLP	\$381.00
Value Engineering	\$494.00

SECONDED BY BUD MURPHY. All ayes, motion carried.

Reports:

President's Report

John Stratz said at the last session, the mayor yelled at council for not doing enough for the police. They are considering a motion to hire a full-time police officer and also another part time officer in order to alleviate that problem. It's an ongoing problem throughout the State of

Pennsylvania but they are trying their best so hopefully, it will be for council's pleasure when they get to the motion for the full-time police officer.

Borough Manager's Report

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

Mayor's Report

Mayor Sodano read his report which is attached.

Police Chief's Report

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

Joe asked the chief if the sheriff's department contacted him on the central booking center that they're creating up at the new women's prison. Chief Perry said they are doing a trial period of that, and they are on board for the trial for the central booking. Joe asked if they, as council would have to sign off on it. He asked how that works. Chief Perry said it's in the really early stages right now so he can't answer that at this time. Joe asked if they would get rid of the constables. Chief Perry said he doesn't think that's the case and he's spoken with the constables about this. He explained about the time constraints and the hours of a prisoner being in custody while waiting for the next arraignment. The sheriff's office said they will come pick the prisoner up with the paperwork, take them, process them, and hold them until they're arraigned, which gets the officer back on the street quicker. Joe said he's afraid with the bills that they have now, he's hearing that the sheriff's office would then come down and pick up the perp and they'll be paying for it. Chief Perry said he thinks that the billing all goes to the defendant in those cases and some of the bill actually gets picked up by the state tax money. Joe said to let them know about it. Chief Perry said they don't do many, maybe 15 a year.

Solicitor's Report

Dave Truelove said there is a motion for consideration to approve the extension request dated 6/28/23 for the lot line application of Cattani Brothers, 315 W Lincoln Highway through August 31, 2023. Under the MPC, the borough has up to 90 days to consider the application. Because they don't have an assembled planning commission, it had to go to the Bucks County Planning Commission, which requires the time to be extended. The applicant has agreed to grant an extension to them of additional time up to the end of August. This will give the Bucks County Planning Commission and engineer and any other reviewers time to do all their reports, reviews, and time so at least over one of the next three meetings, they will be able to consider this matter.

MOTION BY BARBARA HEFFELFINGER TO APPROVE THE EXTENSION REQUEST, DATED 6/28/23 FOR THE LOT LINE APPLICATION OF CATTANI BROTHERS, 315 W. LINCOLN HWY., THROUGH AUGUST 31, 2023. SECONDED BY BUD MURPHY. All ayes, motion carried.

New Business

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

Comcast invoice dated 5/26/23 in the amount of \$187.64 for police dept. internet and voice services

Comcast invoice dated 5/26/23 in the amount of \$162.90 for internet and voice services at 300 Bellevue Ave.

Deer Park Invoice #13EO431953892 in the amount of \$105.03 for spring water
Gettysburg Premium Administrators, Inc. dated 5/31/23 in the amount of \$169.59 for dental insurance premium installment

Verizon Invoice #215GOR8UW0222 in the amount of \$69.67 for flaggers' service for speed sign installation

Waste Management Invoice #0005322-2448-2 in the amount of \$17,976.25 for May service

Comcast invoice dated 6/2/23 in the amount of \$244.89 for Business VoiceEdge service

Independence Blue Cross Invoice #230607372267 in the amount of \$5,958.90 for medical insurance premium installment

Office of Labor & Industry invoice dated 6/1/23 in the amount of \$1,555.00 for FD workers' compensation renewal premium

Verizon Invoice #9936222355 in the amount of \$25.02 for M2M Account Share 1GB

Selective Insurance Co. invoice dated 6/11/23 in the amount of \$4,099.00 for workers' compensation and commercial package insurance premium installment

SECONDED BY BUD MURPHY. All ayes, motion carried.

MOTION BY BARBARA HEFFELFINGER TO APPROVE PAYMENT TO HAINES PAVING AND LANDSCAPE, INC. IN THE AMOUNT OF \$13,600.00 TO BE PAID OUT OF LIQUID FUELS' ACCOUNT FOR RUMPF AVENUE BASE REPAIRS AS RECOMMENDED BY BOROUGH ENGINEER. SECONDED BY BUD MURPHY. All ayes, motion carried.

MOTION BY ALAN DASHOFF TO ACCEPT THE RESIGNATION OF PART-TIME OFFICER RYAN GAFFNEY. SECONDED BY BARBARA HEFFELFINGER. 5 yes, 1 no (Joe Dudash). Motion carried. Joe said he's sorry to see Officer Gaffney resign. He thinks he's got a lot of leadership qualities and he wishes they could have kept him as police chief.

MOTION BY BARBARA HEFFELFINGER TO HIRE SEAN PECK AS A PART-TIME PATROLMAN. SECONDED BY JOHN STRATZ.

Joe Dudash said they should table this motion because of the matters they discussed in Executive Session, and he thinks they need to involve the PBA and get their insight on what they feel. The part-timers of the borough have done a lot for them, and it seems like they're abandoning them by hiring this individual, so he thinks they ought to reconsider another person and do more communications with the PBA.

MOTION BY JOE DUDASH TO TABLE THE MOTION. SECONDED BY ALAN DASHOFF. A roll call vote was taken. Bob Winkler, yes, Alan Dashoff, yes, Bud Murphy, yes, John Stratz, no, Barbara Heffelfinger, no, Joe Dudash, yes. Motion carried 4-2.

MOTION BY BUD MURPHY TO HIRE A FULL TIME POLICE OFFICER SUBJECT TO APPLICABLE CIVIL SERVICE COMMISSION REGULATIONS COMPENSATION TO BE DETERMINED THROUGH THE COLLECTIVE BARGAINING PROCESS. SECONDED BY BARBARA HEFFELFINGER. Dave said there's a lot of disputes in the Commonwealth right now where and how much civil service is required. There's that one decision that talks about in

terms of terminations whether that's the limit right now. Unfortunately, they've got no guidance whatsoever from the legislature on this. That's why you use the term applicable. They may not be applicable but then the other part, which he thinks is more important for this particular position, is compensation to be determined through the collective bargaining process. John said he would like this motion to be approved to show good faith in bargaining for the police officers to show that they are going to get them a full-time officer. Alan said he'd rather meet with the PBA, negotiate the contract, and then move forward with it. This is the cart before the horse in his mind. He understands where he's coming from but depending on the negotiations with the PBA, the numbers change, so he would like to table it.

MOTION BY ALAN DASHOFF TO TABLE THE MOTION. SECONDED BY JOE DUDASH. A roll call vote was taken. Bob Winkler, yes, Alan Dashoff, yes, Bud Murphy, yes, John Stratz, no, Barbara Heffelfinger, no, Joe Dudash, yes. Motion carried 4-2.

Dave said again, he would suggest they just keep placing it on the agendas until it is removed from the table. If they're not ready next time, at least it's on the agenda then it could be put on the agenda for the next meeting, which would be in August.

Public Comment

Terry McIntyre, said he's not leaning either way up or down and wishes he were still here in the room. He asked what the impact of the budget was, and to figure out what a full-time officer would cost, to figure that out. He's not looking for numbers up or down, he was just asking if they were able to get through that process of what the impact of the budget would be. John said yes, and those numbers are not allowed to be divulged. Terry said he doesn't want numbers, he just wanted to know if they were able to negotiate. John said yes, there is some progress going forward. Terry said it all comes off the budget and their whole job here is the budget. That's the first step to, and he's not saying he's for or against, he's just saying they need to make sure they don't find out they can't afford them two years later and have to raise taxes. As long as they figure out what the impact that the budget was on benefits and salary. John said they have acceptable numbers.

Tim Weaver, said the June 5th minutes state when he was up here, that he already caught wind that the state police were going to be taking over shifts. They all looked at him and none of them answered him. He considers that a dereliction of their professional duty because he knows they've all heard Sean Perry, who left already, state in the May 1st minutes of the crisis they're having with hiring. Tim said to John if he remembers the defund the police movement during George Floyd, that was mostly democrats and that's putting a hamper on things. He always blames everybody else but it's time to take some credit for his party for what they did back then. This is the reason there is a staffing crisis. There wasn't one until that incident, so they don't have to hear the same old excuse every time. Now that they know that they have the state police in here and the residents haven't been informed about this, he always has the excuse that the criminals are going to find out. Criminals are criminals. They're going to do what criminals always do but not letting the residents know they're not being protected at certain times during the day and night right now, it is unacceptable to be withholding this information from the constituents of this town. Tim said they failed the police department that is what the problem is and he's shifting blame around as fast as he can. It's a disgrace what they have done. They politicized them, stick them against the residents and then they expect them to keep going on but then they'll never take responsibility for what has occurred. They're going to have to figure something out for this town. He asked if they're going to sell out to Middletown.

They saw the chief leaving disgusted tonight. He has been asking for five years for help. He asked what they had done for him. Nothing. They just lost four great officers that would have filled these positions, especially Darnley and Gaffney. They didn't even give him the opportunity. They strung them along and now they're gone, and they can't get them back. They were good people and Tom had said Darnley would have been paying the earned income tax because he lives in this town. He asked who would respect this town more than an officer living here. They let them go and now they're suffering and then they just made the motion to keep postponing this and the residents are going to have to pay if something goes wrong. It's a disgrace what has gone on here. He's been here since last October telling them about this problem and they dismissed him every time he brought it up. They're going to have to figure this out as a collective group here and start including people instead of excluding them from the meetings in the committees that they signed up for. He said if they think they're going to sit around and tolerate this, they'll get a damn militia going on if they have to and he'll have it certified. Tim said to John that in the minutes he stated that he would give him an answer at the next workshop meeting if 50 Hulmeville has an environmental covenant. He hasn't gotten that answer yet and he's been waiting for four months. Barbara said she looked it up and there is nothing in the deed that shows covenant. Tim asked even after the Aqua Tower Technologies report was submitted to the DEP. Barbara said she didn't see anything. She is not an expert on it. Tim said he will continue to ask the question until it is answered. Tim said there's some issues in the borough with standing water and they keep hearing about Malaria and West Nile Virus. He asked if anyone is going to address any of these issues or is their ad hoc committee worthless. John said dunks have already been placed for the first go round and they will be placed again sometime in August. Mayor Sodano said to Dave Truelove while driving around the borough, he noticed that there are auto repair facilities that have lots of tires, truck tires, etc. Those are perfect nesting places for mosquitoes. He asked if they have legal recourse. Dave said he would think under code enforcement they would have some recourse, but he doesn't know the exact place in the code. There are certainly public safety issues that he thinks could be addressed with that. Mayor Sodano said perhaps they could have the code inspection officer address this situation as the summer goes on because that will become a problem. Bob Winkler said they can also contact the Board of Health if it's public health. For any problems they come right around. As a matter of fact, they might stop by your house if you have a pond or a bird bath and give you a notice if you don't have a drop in there to kill the larva. Joe asked what the game plan was with 50 Hulmeville Ave. Tim said it seems like they want to put high-density low-income housing there. He has the reports from the original Revitalization Task Force meeting with when this was originally discussed. It seems like this is one of the reasons why they need a full-time police force and a full-time fire company because in order to get high density low income into that lot, there are requirements under what their TOD requires. Barbara said she went online and has a picture of what they are proposing. Tim said that allegedly is an old picture according to the borough manager Geoff Thompson, and he says that is not and there have been no further proposals after the meetings with Bob White and Manny that occurred. They have not been able to get any information since then and they know that these meetings took place because they are documented in Miss Bellaspica's reports. No one will answer questions about those either. Barbara said she knows Bob White from way back. She asked Tim if he would like her to call him. Tim said that would be great because the residents would like to know if they're going to put the ghetto in over there. Barbara said she's against it because the Permabilt building is a historical building, and she will never vote for that. Barbara asked if he had any reports. Tim said he's been taken out of the loop by the borough engineer. She doesn't want to deal with him, and she is not letting him know anything so, she will not have a report until the Borough engineer touches base with him.

Council Members to be Heard

Joe said he just wanted to reiterate what Mr. Dashoff said about this whole thing with the full-time and part-time cops. They really need to sit down with the PBA and join together and get information to resolve these issues and to find out what the real cause of the problem is with the police department and other matters. These guys have given a lot to them to protect this town and he thinks they deserve the same thing. Plus, the taxpayer out here needs to know they've got a lot of issues facing them. The fire departments are all going to be joining up together and Middletown is going to be running it. They're talking about 6-8 mills increase if this happens. They just started with trash and the bad news is Bristol Borough just got hit with a 50% increase. Mr. Schramm stated they better start putting money away for this whole thing with the fire department cause someday Middletown is going to be knocking at the door once they get it moving and saying they need money. Joe said that Mr. Weaver said they are one million in debt for a little borough, and he still doesn't know what the EIT figures are.

MOTION BY BARBARA HEFFELFINGER TO ADJOURN THE MEETING AT 9:45 P.M.
SECONDED BY ALAN DASHOFF. All ayes, motion carried.

Submitted by: Marie Serota
Marie Serota, Secretary/Treasurer

From: Joe Dudash <joedudash.penndel@gmail.com>
Sent: Wednesday, July 5, 2023 9:19 AM
To: Karen Kondrk; Marie Serota
Subject: Help for Karen writing minutes - My speech :)

Follow Up Flag: Follow up
Flag Status: Completed

The People of Penndel:

I proudly retired from 30 plus years of law enforcement and I support good cops. We have good cops and have had good cops who have unfortunately left Penndel police department. The poor leadership of this Council and the poor leadership of the Penndel PD is out of control and has resulted in zero leadership.

We ask our part-time officers to risk their lives to keep the community safe and protected yet leadership has not treated them with respect. Instead they expected our part time department to work full time hours squeezing out of them as much work as possible without compensation and using them as political pawns in an effort to lead to a full time police force.

Instead of a positive reaction to questions by community members, the Borough governing body implemented a perverted illusion of laws. This deflection cast doubt upon the low level issue of community policing, strategic planning, internal and external assessment measures, etc. and resulted in censorship of asking the question of why they were deflecting these issues.

Their agenda is to make the rules and principles of law become more and more uncertain in content and in application because of a political bias in favor of unravelling those rules and principles of law.

Our police and council leadership continues to have an ineffective relationship with the community. Without a strong base of community and political support, our leader's tenures have been; too long, ineffective, and painful. None of our borough department leadership, contractors, and solicitors reside within the borough and therefore they have no collective interest in Penndel Borough other than creating and prolonging issues to line their own pockets.

Due the council and police chief's deceptive and devious use of information to make them sound convincing and the motivation to destabilize and disorient public opinion on the many issues within the police department, our council and chief of police need to resign.

God Bless,

Marie Serota

From: Joe Dudash <joedudash.penndel@gmail.com>
Sent: Wednesday, July 5, 2023 9:13 AM
To: Karen Kondrk; Marie Serota
Subject: Help For Karen writing Minutes - email to council from Officer Gaffney

Follow Up Flag: Follow up
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Comment on Agenda

Inbox



Ryan Gaffney <ryanpgaffney@yahoo.com>

Mon, 3 Jul, 14:03
days a

to JStratz, BHeffelfinger, JDudash, bmurphy, GNickerson, adashoff, bwinkler

Dear Councilmembers,

I would love to attend the council meeting on July 3, but I have prior family commitments that will prevent me from attending.

For the past 3 years I worked tirelessly serving the residents of Penndel Borough through all types of conditions, Covid, holidays, weekends, overnights, bad weather, and civil unrest. I have worked full-time hours at a part time pay rate and no benefits - yet I still served with honor and respect. As you know I recently tendered my resignation for numerous reasons, including gaining full-time employment with appropriate pay and benefits for my family.

When I read the agenda for the meeting, I noticed the Borough is now considering approving a full-time officer - offering full-time salary and benefits. The fact that the Borough has waited until AFTER we are leaving to consider paying for a full-time officer is disrespectful to us and shows that we were simply used to squeeze out as much work as possible from us without compensating us appropriately. It feels as though we were taken advantage of.

The question you have to ask is:

If myself and other officers never resigned, would you be considering hiring a full time officer? The answer is No. You'd likely continue to take us for granted.

Will a full-time officer fix the existing problems with the police department? Likely not. I suggest the Borough implements an "exit interview" program to speak to outgoing employees about potential issues that are unknown to council members.

Like I said in my resignation letter - I have enjoyed serving the residents of Pennel Borough for the past 3 years. The patrol officers of Pennel Police are phenomenal individuals, and it was a pleasure working alongside them. I have met amazing people in the Borough including great business owners and residents alike. I wish you all the best. 199

Officer Ryan Gaffney

I am available via email if any of you have any questions.

Mayors Report, June 2023

In June I attended all Council meetings and executive sessions.
Attended Safety Committee Meetings.

Tuesday August 1st is National Night out.

On June 3rd, Penndel held our 14th annual Community Day. This is an event conceived and run for 12 years by my predecessor, Mayor Bob Winkler. It is not run by Penndel Borough nor is it funded with taxpayer money. It is run by the Mayor and wholly funded by donations he/she secures, predominately from the local business community. As I previously said, while The brunt of the work is by the Mayor, I could not have accomplished this event without the help of of Council person Barbara Hefflefinger and Borough Secretary Karen Kondrick. On their own time. Also, Council President John Stratz was kind enough to offer his talents for musical entertainment.