

Penndel Borough Council Meeting Minutes

June 3, 2024

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 – via telephone  
Council Vice President Barbara Heffelfinger  
Councilman Mark Moffa - absent  
Councilwoman Robin Valentis  
Councilman Gary Nickerson - absent  
Councilman Bud Murphy  
Councilman Bob Winkler - absent  
Mayor Tom Sodano

Also present at the meeting

Barbara Kirk, Solicitor, Hill Wallack  
Geoff Thompson, Borough Manager  
Carol Schuehler, Value Engineering  
Marie Serota, Secretary/Treasurer

Council or Borough Announcements

Mayor Sodano reported that due to an unforeseen family situation, he excused Chief Perry from tonight's meeting. He will be reading his report along with his own. He wishes to acknowledge the death of Elwood Horner. While human beings can have differences, he feels that as the elected representatives of all Penndel residents, it's incumbent upon them to, at the very least, acknowledge the passing of a neighbor and hopes that moving forward, doing so can become the norm.

Consent Items

MOTION BY JOHN STRATZ TO APPROVE THE MINUTES OF THE MAY 20, 2024 WORKSHOP MEETING AND TO PAY THE FOLLOWING BILLS FOR THE MONTH OF MAY 2024:

|                      |             |
|----------------------|-------------|
| General Fund         | \$21,174.34 |
| Fire Tax Fund        | \$37,973.97 |
| Refuse Fund          | \$ 44.26    |
| Sewer Fund           | \$49,694.73 |
| Debt Service Fund    | \$ 17.46    |
| Capital Reserve Fund | \$ 5,345.66 |
| Sewer Capital Fund   | \$68,764.60 |
| Liquid Fuel Fund     | \$ 1,463.72 |
| Escrow Fund          | \$ 194.00   |
| Payroll Fund         | \$ 1,072.93 |

Payroll

|              |                    |
|--------------|--------------------|
| General Fund | \$47,040.31        |
| Sewer Fund   | \$ 4,434.05        |
| <b>Total</b> | <b>\$51,474.36</b> |

Escrow Fund Bills

Schoolhouse Court:

|                   |          |
|-------------------|----------|
| Hill Wallack      | \$ 80.00 |
| Value Engineering | \$114.00 |

SECONDED BY BUD MURPHY. All ayes, motion carried.

Reports

President's Report

Barbara Heffelfinger read Council President John Stratz's report. He is attending the Pennsylvania State Association of Boroughs conference this week as a voting delegate sent from Pennel. They vote on resolutions to choose which ones the Borough's Association needs to push in Harrisburg. It's also a training vehicle to make them a more valuable leader in local government and allows them to be familiar with issues that face all boroughs throughout the entire state.

Borough Manager's Report

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

Mayor Sodano said that in addition to looking into software, he hopes they're looking into ways that they can add hours for the inspectors, since building and code are here for a very limited number of hours. A lot of things happen in this borough that shouldn't happen because of the lack of personnel, like businesses opening without having U &O's. As for the minor adjustments to the door project, the handicap door is non-compliant. There's a specific time for it to stay open. Geoff said they are aware of it, and it is going to be taken care of.

Mayor's Report

Mayor Sodano read his report which is attached.

Police Chief's Report

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

Solicitor's Report

Barbara Kirk said at the last meeting, she informed council about the hearing that was held before the District Judge regarding 51 Centre St. Despite the property owner not appearing nor his attorney, the judge proceeded with the hearing and after the testimony the judge found the owner guilty of thirteen violations, for which he has been fined \$13,000.00. He has until June 15th to file an appeal in Doylestown if he chooses. If not, then they will enforce the fees and fines. At the last meeting, council requested that she draft a proposal for a permit process to deal with street closures for special events and the mayor asked for something with respect to probably getting more towing operators in the borough. She has a draft that she has to finalize and then she'll have it circulated to council on time for the work session meeting.

Engineer's Report

Carol Schuehler read her report which is attached.

**Mike Smith**, said it wouldn't be good to not make them put in curbs and sidewalks because a lot of them sitting in the audience had to do it when their streets were done. Barbara Kirk said this

was discussed at the April 14th work session meeting and it was addressed that Noeland Avenue, a bulk of it, is the automotive district with one giant entrance and no availability for sidewalks. She knows people don't agree with that, but this has been hashed to death. Mike said she is discussing down by Moldamatic. He's talking about the section between Route 1 and Crescent St., which is residential.

Mayor Sodano said in response to Mr. Smith's point, one of the residences along that section of Noeland Ave. is much newer than most of the other buildings. He thinks it was built in 1989 or 1990 and that property has sidewalks and an apron on the Noeland Ave. side. When they built the property, the borough insisted on it.

John said he considers it the restaurant district and there is a telephone pole directly in the path of where a sidewalk would go. They cannot move the telephone pole for this sidewalk, and they cannot put a sidewalk around the telephone pole because it creates safety violations. Mayor Sodano said they force a physically disabled person in a wheelchair to have to drive in the street. He thinks that is an important consideration and he would definitely think that the ADA will not agree with John's assessment. Mike said by Rich Keller's garage, there was a 250-year-old tree that could not be moved, and they made the owners put the sidewalk in going around the tree so that has happened in numerous spots all over this borough.

**Dave Cahill**, said to not forget about Chuck Jasper's sidewalk that was raised and constructed over the tree roots that are like almost two feet off of the street level. He asked what businesses are back there by the automotive district. He thought that was all of Moldamatic's property. He thinks they are going to find that some residents are going to take them to court and they're going to want their money back for what they pushed on them all these years. John said the automotive district is not going to be paved curb to curb. They are going to dig out the potholes and improve and repair that street as best they can without going curb to curb, which would not institute a sidewalk policy.

Barbara Heffelfinger asked Carol if they would have time to discuss this at the next workshop meeting. Carol said if they're going to change course on this, you would probably want to do that before it is awarded.

#### New Business

#### MOTION BY ROBIN VALENTIS TO RATIFY APPROVAL OF THE FOLLOWING MID-CYCLE INVOICES:

Comcast invoice dated 4/26/24 in the amount of \$196.50 for internet and voice service for 300 Bellevue Avenue

Comcast invoice dated 4/26/24 in the amount of \$218.51 for internet and voice service for 37 W. Woodland Avenue

Gettysburg Benefits Administrators invoice dated 4/30/24 in the amount of \$169.59 for dental insurance installment.

Office of Labor & Industry invoice dated 5/2/24 in the amount of \$6,510.00 for fire department workers' compensation insurance installment

Comcast invoice dated 5/2/24 in the amount of \$297.89 for internet at 790 Neshaminy Street

Comcast Invoice #201130837 in the amount of \$380.08 for business voice edge service

Independence Blue Cross Invoice #240508131329 in the amount of \$4,569.94 for medical insurance installment

Ready Refresh Invoice #14DO431953892 in the amount of \$46.98 for water cooler rent  
Verizon Wireless invoice #9963045347 in the amount of \$25.02 for M2M Account Share 1GB  
Selective Insurance invoice dated 5/12/24 in the amount of \$4,784.00 for workers' compensation and commercial package insurance installment  
BCW&SA invoice dated 5/28/24 in the amount of \$2,750.00 for sewer tapping fee for 158 Holly Avenue

SECONDED BY BUD MURPHY. All ayes, motion carried.

MOTION BY JOHN STRATZ TO APPROVE PAYMENT IN THE AMOUNT OF \$119,090.00 TO G&B CONSTRUCTION GROUP FOR WORK COMPLETED TO REPAIR STORM INLETS THROUGHOUT PENNDEL. SECONDED BY ROBIN VALENTIS.

**Dave Cahill**, asked if they repaired a stormwater grate on Bellevue Ave. near the railroad tracks that are in Middletown Township in front of the old car salon. Carol said she doesn't believe they did. Mayor Sodano said the property line runs at the curb line so if that grate is in the street, it's Pennedel's. If it's on the other side of the curb, it's Middletown's.

All ayes, motion carried.

MOTION BY JOHN STRATZ TO AUTHORIZE THE BOROUGH ENGINEER TO PREPARE AND SUBMIT AN ARLE GRANT APPLICATION FOR REPLACEMENT OF THE TRAFFIC SIGNAL AT THE INTERSECTION OF DURHAM ROAD AND LINCOLN HIGHWAY. SECONDED BY BUD MURPHY. Bud asked if it would include a red-light camera or a speed thing. Carol said it wasn't in the estimate and her understanding is only a municipality of a certain size can implement those.

All ayes, motion carried.

MOTION BY BUD MURPHY TO ADOPT ORDINANCE #2024-01 AMENDING THE BOROUGH OF PENNDEL POLICE PENSION PLAN, ESTABLISHING AN EFFECTIVE DATE THEREBY AND SUCH OTHER RELEVANT PROVISIONS. SECONDED BY ROBIN VALENTIS. Geoff explained that the section in the police pension plan where the retired officer's benefit was reduced by 75% whenever they started receiving Social Security benefits. This ordinance will change the police pension plan to get rid of the Social Security offset, which is currently in the police budget plan. Bud asked if this is a better deal for the police. Geoff said yes, it would be for any retired officer.

**John Kross**, asked where the funding will come from for that retirement pension benefit to cover that other 75%. Geoff said an actuarial study was done and it would cost the borough an extra \$1,500.00 a year out of the general fund. It is an estimate based on the actuarial study and they can't give an exact number because it's based upon how the plan does.

All ayes, motion carried.

MOTION BY BUD MURPHY TO AUTHORIZE THE BOROUGH SOLICITOR TO DRAFT THE APPROVAL ORDINANCE AND SCHEDULE A PUBLIC HEARING TO SOLICIT COMMENTS REGARDING THE NEW COMCAST FRANCHISE AGREEMENT. SECONDED BY ROBIN VALENTIS.

Geoff explained the franchise agreement allows Comcast Cable to use the Borough's right of way, that's expiring in November and was a 15-year agreement. It will be essentially the same agreement and would be renewing it for an additional 10 years. The borough received in 2023 from the Comcast franchise agreement about \$19,500.00 which goes in the general fund. They have to renew these agreements, adopt an ordinance, and have a public hearing on the franchise renewal and then develop that order. Council should authorize the solicitor to draft the ordinance and they can schedule the public hearing for August and vote on the new ordinance, which would adopt the new franchise agreement. John Kross asked if there will be an increase to the Comcast agreement like a rental payment that will get increased. Geoff said the money they get is based upon 5% of their gross revenues. It might go down slightly because people are getting rid of cable and are going to a streaming service. From 2022 to 2023, they received about \$2,500.00 less from Comcast and that's probably the reason, so he doesn't expect an increase.

All ayes, motion carried.

#### MOTION TO ADOPT RESOLUTION #2024-12 AUTHORIZING DISPOSITION OF UNNECESSARY PERSONAL PROPERTY.

Geoff explained that according to the borough code, to get rid of unnecessary items or stuff they'd like to get rid of that are valued under \$2,000.00, council has to adopt a set of procedures to do that. This resolution outlines the procedures for himself, the manager, and the police chief to get rid of items under \$2,000.00 in value. They would have to obtain two estimates from two independent vendors for comparable products because the average of two estimates is being considered fair market value, use sources such as Kelley Blue Book or insurance claim information, the personal property that has met useful lifespan or no longer holds competitive market values, such as electronic devices or items that will be disposed of through professional recycling. Council is required to establish these procedures. He and the police chief, with the consent of the council president and mayor, can get rid of or sell these items. Bud asked what kind of things he was talking about. Geoff said at the public works building they have an old pickup truck that's been there about 20 years and is inoperable and missing parts. They want to get rid of it and there are some other things in the garage to get rid of.

**Mike Smith**, asked if there will be a list put out so that they know what's being gotten rid of. Barbara said that's Mr. Thompson's purview.

A vote was taken, all ayes. (No motion or second was made. This needs to be done at the next meeting).

#### Public Comment

**Mike Smith**, said he noticed there are two missing people who are not here again tonight. For one of them, that's two meetings in a row missed. They wanted this job they should be made to be here. If John was busy and couldn't have called in, they wouldn't have had a meeting tonight.

**Tim Weaver**, said he wanted to commend one of our officers that are new to the borough, Officer Peck. He's been watching him do some hands on with all the neighbors and with all the kids, getting out of his car, engaging people, walking around, and asking their problems and

their concerns, things of that nature. He hasn't seen any community policing like this in a long time, so he just wanted to give him kudos. Tim asked Carol about the ARLE grant. He missed it because he was late. He asked if she is sure there's not going to be the red-light enforcement technology involved with those new lights. Carol said no.

**Dave Cahill**, said the letter from the Department of Labor to Gillmore is nothing more than smoke and mirrors. He found a ramp and railings in the borough that are up to code at the bowling alley. The railings are forty-two inches high, and they have a 32-inch-high grab bar on the inside of the handrail, none of what the railings have here on the ramp in the back. He asked about the trash contract and if they are supposed to send three trucks, one for trash, one for recycling and one for yard waste. He has video of them this past Friday putting the yard waste and trash in the same truck. That's not in the contract and it is fraud and they're screwing the residents because they're paying for the three pickups.

**Tim Weaver**, said he followed the trash guys and it's all going to the same hole in the ground. Most of the recycling plants are closing locally. He did some digging. Most of the stuff is not being recycled. One of the main reasons is people don't know how to recycle. They're not cleaning their recyclables and pulling the paper off of the cans of soup and they're not washing them out or their mayonnaise jars. The only way they can properly recycle is clean recycling.

**Dave Cahill**, said the trash contract would have been a whole lot cheaper if it was just one truck coming and picking up all the trash. They're charging for the three trucks, the fuel, the men on the trucks, the manpower. Everything is involved in that contract and the borough is getting screwed.

Council Members to be Heard

Mayor Sodano said he hasn't seen any reports from code enforcement or zoning in about two months. He thought they were supposed to provide monthly reports. There's a lot of things going on that haven't been inspected or checked and they can't ask questions if they don't get the reports. Barbara said she has Charlie's report in her meeting packet. Barbara said they will get them to him.

MOTION BY JOHN STRATZ TO ADJOURN THE MEETING AT 8:25 P.M. SECONDED BY BUD MURPHY. All ayes, motion carried.

Submitted by: Marie Serota  
Marie Serota, Secretary/Treasurer

## Mayor's Report - May 2024

Attended all Council Council meetings and work sessions.

Attended the Memorial Day parade, Saturday May 25th.

June marks one year since the start of issues that hampered our Police Department for much of the past year. These issues were exacerbated by false information spread by individuals with an agenda not of information or transparency, but rather, driven by hatred.

In this past year, Chief Perry has time and again demonstrated his commitment to Pennel Borough. Chief Perry and I have worked tirelessly to provide Pennel Borough with the most professional, best trained and well equipped Police Department possible. We are committed not only to protect and serve, but also to a core concept of Community Policing. We are nearing the finish line of a diligent and exhaustive search to hire not just another full time patrol officer, but the best full time patrol officer we can find. We lost some good part time people, and added some extremely capable and experienced part time officers. We now have 4 officers qualified and trained for bicycle duty. We have a specialized range trainer, a specialized non-lethal equipment trainer, an emergency and CPR trainer, and a professional non-lethal self defense trainer. All on staff! And while one of the officers I just described was publicly, falsely disparaged by an elected official, he recently displayed some of the qualities that attracted Chief Perry and myself to adding him to our Department. And we have a solid group of individuals who support each other. Morale in our Department has never been higher.

We will be adding a new vehicle to our fleet soon. We have upgraded our computer and communication equipment to keep pace with regional changes. We have a regular program to replace and upgrade equipment. In fact, contrary to what you may have heard, the bulk of our radio batteries, tasers etc. are new or newer. We do not wantonly toss servicable equipment, we do our best to respect the residents hard earned tax dollars. In fact, Chief Perry is well on his way to his 8th straight year of being under budget.

Some June events to remember:

The rescheduled Run For the Fallen will be Sunday, June 30th.

The Pennel Community Day and Borough Yard Sale is on Saturday, June 8th.

June 3, 2024 Engineers Report  
Pennel Borough, Bucks County

➤ Inlet Repairs with ARPA funds

G & B Construction completed the storm inlet repair work under the awarded contract. Tonight, we recommend consideration of one full and final payment of \$119,090 for work completed. The inlet structures throughout the Borough are in much better condition today because of this work. Some before and after structure images have been shared with Council.

➤ ARLE grant application

The Borough received very positive feedback on the scoping application submitted last month, and can proceed to submit the grant application due by the end of this month (June 30<sup>th</sup>). This will be an application for \$330,990 in grant funding toward replacement of the signal at Lincoln Highway and Durham Road. The application is completed online, and the traffic engineer, the Borough staff and I will be involved in preparation of the grant application, with application preparation costs in the vicinity of \$3,000. Note that a resolution from Council regarding the match may be required, and also an update to the signal maintenance agreement. Both items can be addressed at the June 17<sup>th</sup> workshop meeting

In reply to a comment last month, ARLE is an acronym for Automated Red Light Enforcement. Funding for the program is generated from the net revenue of fines collected through Automated Red Light Enforcement Systems and Automated Speed Enforcement Systems. It is not a program to fund automated red light enforcement, and no automated red light enforcement facilities are proposed on the replacement signal.

### DCED grant for Inflow and Infiltration Work

SSSI has completed video inspection, smoke testing, and many repairs in sewer quadrants 3 and 4. They will return again this season with different equipment to complete other repairs, including lateral repairs under the street.

We would like to make the Borough aware of a significant grease build-up identified in the sewer lines on Oak Avenue approaching Bellevue Avenue. There was blockage in that line a few years back from a consolidated grease log. Perhaps we need some educational information in the newsletter about not pouring hot grease down the drain? In the coming weeks we will tabulate the results and repair work completed, and identify issues revealed that require communication with property owners such as missing vent caps.

The other pending task is to request bids for two excavation repairs in quadrant 1, also funded by this grant.

## Noeland Avenue Pavement Repairs

This project is currently out for bid. Bids are due Thursday, June 6<sup>th</sup>. We anticipate bid award at the June 17<sup>th</sup> workshop meeting.

## CDBG for Memorial Park Ball Court Restoration

Bid documents for the Ball Court resurfacing and fence replacement have been drafted and plans prepared. The bid package was submitted to CDBG before the holiday weekend for their review and comment. We anticipate the package will be ready for Council to authorize advertisement and bidding at the June workshop meeting.