

## Penndel Borough Council Workshop Minutes

March 20, 2023

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

### Present at the Meeting

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

### Also present at the meeting

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

### Council or Borough Announcements

Joe Adams said they are still working on the official policy for public comment rules. Every resident gets three minutes when they open up the opportunity for public comment. Council should write down any questions that the resident has and then when the resident is done with their three minutes, they will answer the questions. This is the people's meeting, but the meeting does not belong to one particular individual or person. If an individual starts going off on a tirade or starts to make threatening comments or things like that, he's going to ask council not to respond and to just allow the person to express themselves and move on. He asks that the public refrain from any outbursts until it is time for public comment.

### Public Comment on Agenda Items

**Jay Moser**, asked about the motion for the estimate for the panic bar. He said he thought the front doors are being replaced with the grant. Joe said they failed the fire inspection on the building. The doors won't be getting replaced and the only piece that would be getting replaced is a part of the ADA compliance and that would be the electronic latch not the actual full panic part.

**Dave Cahill**, said so, they failed the fire inspection and that's what the panic bar is for. He asked if the front door is going to be open during borough business hours, so that the public can enter through the front door. Joe said they'll talk about it when they get to that item on the agenda, but the doors will not remain open. It will still be the doorbell or appointment only, but the doors are remaining locked during business hours. He requested the doors be locked and stay locked. Pretty much every municipality he's ever worked at has put it into an appointment system so the doors stay locked during the day. They don't have a way to secure our administrative offices, so until they can get ways to actually provide access for the citizens, he requested the doors remain locked, but they stay current with fire code, so they have to put the panic bar in.

Consent Items

MOTION BY JOHN STRATZ TO APPROVE THE MINUTES OF THE MARCH 6, 2023 COUNCIL MEETING. SECONDED BY BUD MURPHY. All ayes, motion carried.

Engineer's Report

Carol Schuehler read her report which is attached.

Mayor Sodano asked how far south of the intersection of Route 1 and Hulmeville Ave. will be closed. Carol said she thinks up until that first business driveway, but they are going to maintain access to all the businesses.

MOTION BY JOHN STRATZ TO APPROVE QUOTE FROM ASPHALT MAINTENANCE SOLUTIONS LLC DATED MARCH 3, 2023 FOR THE CRACK SEALANT PROJECT IN THE AMOUNT OF \$8,040.00. SECONDED BY BARBARA HEFFELFINGER. Gary Nickerson asked if the ultra-thin asphalt overlay is included in that. Carol said they are just doing the crack sealing. All ayes, motion carried.

MOTION BY JOHN STRATZ TO AUTHORIZE BOROUGH ENGINEER TO PREPARE THE BID PACKAGES FOR RUMPF AVENUE BASE REPAIR AND RUMPF AVENUE SURFACE TREATMENT. SECONDED BY ALAN DASHOFF. Gary asked if they have used this three-quarter inch pavement anywhere in the borough before. Carol said no. She has seen it used in other places. They've seen what they did with the cape seal on Oak and Holly. This is more like a fine paving that has a smoother ride and texture. Not to say that it doesn't have friction for stopping but where she's seen it done, it looks more like the road got repaved. She is impressed with it. Gary said he's not exactly thrilled with the Oak and Holly pavement. He asked if this is going to be on all of Rumpf. Carol said yes. The vote was 5 yes, 1 no (Gary Nickerson), motion carried.

MOTION BY BARBARA HEFFELFINGER TO AUTHORIZE BOROUGH ENGINEER TO PREPARE THE BID PACKAGES FOR CLEANING STORM SEWER AND THE REPLACEMENT AND REPAIR OF STORMWATER INLETS WITHIN THE BOROUGH TO BE PAID WITH AMERICAN RESCUE PLAN ACT FUNDS. SECONDED BY JOHN STRATZ. All ayes, motion carried.

Reports on Current Projects

Mayor Sodano said the Ordinance Committee has been working on the fence ordinance and pool ordinance, etc., for in excess of two years. He asked if there is a status update on that and will it be presented to council. Gary said he really doesn't know what the Ordinance Committee is right now, so he doesn't have an update for that. Joe said he did see the most recent version of the fence because he believes the holdup is that the ordinance is either with the county or has to go to the Planning Commission, but they don't have an actively staffed planning commission right now or something like that. It's in the draft phase but it can't physically be moved forward. Gary said they have an unsigned comment letter from the Pennel Planning Commission. They had comments. Ben Hauser said there were at least on the order of about 10 to 15 pages. This has gone through the initial rounds of review by the county and the local planning commissions. The memo being signed is a small thing and when the Planning Commission is reinstated, they can ratify that they did indeed review the ordinance. However, ultimately the Ordinance Committee will have to, once the Ordinance Committee is fully

comprised, will need to review and decide which of the recommended changes they are intending to implement or not and go back to the planning commissions. Gary said he would think even before that, the Ordinance Committee moved to construct or to revise the existing ordinance based on the opinion of council. There's somewhere between eight and ten major revisions to the fence ordinance. He doesn't think it makes sense to move forward with any of those at this point until those items are brought back to council. Joe said he agrees with that. They've asked the lawyers to prepare the roles and purposes of PennDel on how they wanted the local government to specifically operate. They have to staff the Ordinance Committee and give them the opportunity to have time to decide just who wants to even be on it and push that forward. Council can make a presentation on how committee business should be operating and how assignments should be delivered to committees, so we have a way to track that. Also, what they would like to do is, in the tech world when they have multiple projects floating around, they have a project board. They talked about a regular plain old whiteboard where we can kind of track the current projects and see the progress. Gary said the draft ordinance was presented to council and it's substantial. Geoff has a copy, and he can forward it to council and if they have questions they can reach out. Mayor Sodano asked if the draft ordinance was presented to council prior to the Planning Commission's review. Gary said yes. Mayor Sodano said then it was not during 2022. He was sworn in in January of 2022 and it was never brought to council during his tenure, which means it's been since 2021 and long before the Planning Commission reviewed it that a draft ordinance came before council. Joe said they can look back at the dates and do some follow up and get answers as to when it was presented before council.

Barbara Heffelfinger said the planters that are in front of Lace'd and Langhorne Carpet need to be moved because of the PennDOT project. She has permission to move them. They are worth about \$2,000.00 and they weigh six hundred pounds. Her proposal is to put them on borough hall property. She is looking into how to move them and where to place them.

Unfinished Business (3/6/23 voted on but no motion and second)

MOTION BY BUD MURPHY TO ADVERTISE FOR CIVIL SERVICE ALTERNATES, BUILDING CODE BOARD OF APPEALS AND PLANNING COMMISSION SEATS. SECONDED BY BARBARA HEFFELFINGER. All ayes, motion carried.

MOTION BY JOE ADAMS TO AUTHORIZE A LETTER TO BE DRAFTED TO SECURE PENNDELPA.GOV. SECONDED BY ALAN DASHOFF. Barbara asked Joe to explain it. Joe said they wouldn't have to pay for their domain name and hosting anymore by going to a .gov website. The government would be paying for all of the hosting, taking care of the security of the ownership of it. In order for it to be transferred, there would actually have to be proof of a motion that's taking place. Not only is it cheaper, but it's harder to steal and the second thing is by being a .gov website, it does allow them to authenticate and verify when down the road, should they decide to use it for their website or emails, it's a lot harder to fake a .gov. So, it adds a level of credibility to their e-mail communication and to their website presence. All ayes, motion carried.

New Business

MOTION BY BARBARA HEFFELFINGER TO APPOINT KORY DUDASH TO THE ENVIRONMENTAL ADVISORY COUNCIL. SECONDED BY ALAN DASHOFF. Gary asked if Kory applied. Joe said she expressed an interest. Gary said he thinks she will be a great addition to the EAC, but he thinks it would be beneficial that it be included with the packets, so everyone knows what's going on. Joe said he agrees. All ayes, motion carried.

MOTION BY BARBARA HEFFELFINGER TO APPROVE AN ADDITIONAL \$3,600.00 FOR OVERTIME FOR THE POLICE BUDGET. SECONDED BY JOHN STRATZ. Joe said after seeing the chief in borough hall, one of the concerns was that summer's coming and there's a potential for more incidents to take place, not in a bad way but just the idea that it would be nice to add a buffer should they decide to add in extra shifts, or should they decide that they want more coverage. He'd really like to enable the chief to have a little bit of extra wiggle room and not be afraid that he's going to be eating up too much of his OT budget, should he need to allocate doubles or extra shifts. He wanted to get this out of the way in advance before the summer hits, so that the chief doesn't have to come asking or worry about getting that line item too close. They're not hitting a large amount of money here. This adds a significant amount of shifts to the schedule without really blowing through too much cash.

Mayor Sodano said he is aware of the events that happened in the meeting that he was not present at, at the beginning of the month. He's aware that some of the discussions on this subject were precipitated by such happenings. Putting extra money into the budget for the specific purpose of overtime may possibly be a slippery slope that they would want to think about before they implement. If there's going to be a meeting where contention is expected and that's what the reason is for putting on an extra person, where do you draw the line? What meetings do you say yes or no for extra people? They have zoning meetings. The tax collector is here on Saturdays alone. They don't know who in the borough is coming in. None of them have any idea who any of the people are that live in the apartments who come in. He thinks it needs to be looked at with a little finer focus on what the purpose of the overtime is. They have to be careful. They have extra on for traffic details for instance, and that overtime gets paid for by the county. Some holidays as well. He agrees with everyone who says it's not free money but it is money that they all have paid in county taxes that they can take advantage of that won't necessarily come out of their coffers. As for the committees, when Ms. Wolfe resigned, they were reduced to only one person on the Safety Committee and that one person can't handle everything by herself. These committees should have more people and those people would, as Mrs. Heffelfinger has done many times in the past, look at something like this, get an idea of it, and come back to council with it. He read in the minutes that there was discussion in the last meeting about police batteries. While he appreciates the sentiment, that wasn't scheduled at this particular time. Normally, something like that would have been discussed with the Safety Committee and him and the chief beforehand. There is a priority list that they would have looked at. He believes this needs to be tabled and looked at to make sure that it is something that they want to do in this manner.

Joe said council has no power to dictate shifts or the purpose the money would be for. They cannot assign officers to any specific purpose, and they cannot tell the police how they are to operate day-to-day. Mr. Dashoff was temporarily assigned to the Safety Committee because they did have that vacancy and when they met with the chief, him, Barbara and Mr. Dashoff, that was when they had the discussion about the \$3,600.00 to give extra flexibility. Joe said Mayor Sodano wants to table this item to have further discussion on whether or not they should give them the OT. Mayor Sodano said he doesn't have a problem with adding money to the budget. It specifies that it's for overtime. That's where he has the problem. Increasing the budget is good. Specifying what it is for is his question. He asked if they are putting themselves in a difficult position, if they say it's only for overtime. Joe asked if they can parliamentary strike the word overtime from the motion and remake the motion to exclude the word overtime. Ben said

council has the ability to expand upon that line item but whether the overtime is assigned or not, is not within the purview of council. Joe said they can issue money and say that the chief and the mayor have the ability to do what they need to do with it. They cannot interfere with how that money is appointed. Mayor Sodano asked if the correct verbiage would be to increase the overtime budget by \$3,600.00 rather than the way it's phrased. Ben said he thinks that's more clear. A council member should make a motion to amend the motion.

MOTION BY JOE ADAMS TO AMEND THE PENDING MOTION TO APPROVE AN ADDITIONAL \$3,600.00 FOR THE OVERTIME LINE ITEM FOR THE POLICE BUDGET. SECONDED BY JOHN STRATZ.

**Dave Cahill**, said the chief should come to the meeting and tell them what he needs the additional overtime for. Joe said he met with the Public Safety Committee. Dave said he should come to the meeting, since they are voting on it at a public meeting. Joe said he told him he didn't have to. Dave asked if they're going to have cops at the meetings from now on. Joe said they will not have police officers in this building. Dave said that's what it sounds like. Joe said that is what has been postulated but that is in no way what they are doing. Dave said it sounds like it and he asked if they are supposed to be happy with that. The public aren't the ones causing the problems, it's the people up here. Joe said to Dave that he literally approached the bench towards Mr. Stratz at the last meeting and made a threatening gesture towards him. Dave said he never got a visit from the police. Joe said there will be no police officer stationed in this building. They don't want to cause any communication issues. Dave said they're going to come after the public because they're all a bunch of dirty mofos. He's not the one that's running the government into the ground. They are. He and Alan and Dudash played them. He's not doing what he promised them. They're supposed to be firing the professionals and they're not doing it.

All ayes, motion carried.

Gary Nickerson asked approximately how many additional overtime hours this would be for. Joe said when they did the public safety calculation, they estimated a particular number and they added a buffer and they don't expect it to actually hit the \$3,600.00. He doesn't remember the numbers off the top of his head, but it was enough to allow for the adding of considerable amount of shifts. Gary said it's difficult to consider something not knowing how many additional hours and what the intention would be for this. Joe said should the chief decide that he wants to add extra staff during holidays, events, overlaps or even if they're just running short, he's got wiggle room.

Alan Dashoff asked where in the budget this is coming from because Joe said capital and isn't sure that's a correct move. Joe said he believes that was the intent, from Capital Reserve. Gary asked if it was from the general capital reserve or if it was a police fund. Joe said general.

Mayor Sodano explained when they discuss overtime in the police budget, often times that means they're adding an extra person for part of a shift. If a regular shift is eight hours but they have an overlap area like the car show, etc., they may bring people in for four hour pieces of that. They don't necessarily get paid an overtime rate at time and a half, but it is overtime on the budget. They're being paid their normal rate but it's overtime when you look at it on how many hours they're budgeted. In round numbers since it's normally at regular rate, they're talking roughly about 140 man hours. Gary said the way the budget typically works, is that they

budget for a certain number of police hours. So, this is just to increase the amount of police hours. Mayor Sodano said the parade is another great example. They have extra guys that do the bicycle detail. They get paid their hourly rate but there's extra people on, so it's extra hours. The easy term to use is overtime but they're not being paid time and half in a situation like that. A roll call vote was taken. John Stratz, yes, Bud Murphy, yes, Alan Dashoff, no, Joe Adams, yes, Barbara Heffelfinger, yes, Gary Nickerson, yes. Motion passes 5-1.

MOTION BY BARBARA HEFFELFINGER TO APPROVE THE ESTIMATE DATED 1/10/23 FROM KEITH'S MOBILE LOCK SHOP TO INSTALL A PANIC BAR IN THE FRONT DOOR OF BOROUGH HALL NOT TO EXCEED \$2,000.00. SECONDED BY JOHN STRATZ. Joe explained that they failed a fire inspection for this building. The two items were the table in front of the door had to get moved, so they moved it that day and then there needs to be a panic bar placed on the front door because it is going to stay locked for the safety of the staff. It doesn't mean people can't come into the building, schedule an appointment, drop off mail, knock on the door. Someone will answer the door and answer their question or get them what they need. They are going to keep those doors locked for the safety of the staff because they don't have the resources at hand currently, to fully secure the facility in a way that would provide a more safe work environment, as it is a public building. He requested that the doors remain locked at this time. They asked the fire marshal if that would be permissible until we are able to put the panic bar in place. The fire marshal issued a 15-day letter, which is the standard process for any business that he's currently working with after a failed inspection. They need more time to remediate and can keep it locked until the panic bar gets put on as long as they can do it by the time and date issued in that letter.

**Mike Smith**, said \$2,000.00 sounds awfully high. Joe said it's around \$1,400.00 but \$2,000.00 in case there's labor. The panic bar was requested to be updatable to be compliant should they go to key fobs or a new electric switch. They're making sure that it's a future proof thing because they intend to keep the doors. This is in case there are any type of issues, he's got wiggle room.

**Dave Cahill**, said to name one incident that involved the girls.

All ayes, motion carried.

MOTION BY GARY NICKERSON TO AUTHORIZE BOROUGH ATTORNEYS TO PREPARE BID DOCUMENTS FOR THE 2024 TRASH CONTRACT. SECONDED BY JOHN STRATZ. Ben Hauser said his firm has served as counsel to Waste Management. The borough would need to seek other council to put out the work with those bid documents. Gary said he believes Mr. Dudash worked primarily with the existing five-year trash contract and they used an outside solicitor, and he believes he was happy with the work that they did. Ben said his recommendation would be to table this motion and reach out to Mr. Thompson and have him start thinking about this. Joe said he already started. Joe asked if there was any objection by council to tabling this motion. Motion tabled.

MOTION BY JOE ADAMS TO APPROVE A TERM FOR A FIXED ENERGY RATE PROVIDED BY STEVE ESPOSITO WITH NEW AMERICA POWER. SECONDED BY BARBARA HEFFELFINGER.

Barbara explained that they gave them a number of quotes and it would be for time periods, for one year or longer. The longer they have the contract, the cheaper it is. When she looked at it,

her vote was for 20 months, which was the lowest quote as of today. It's \$0.06430 and that's the cheapest quote in there and it would lock them in for 20 months.

**Mike Smith**, said that six cents is a good number. But what they have to remember is even though it's only six cents, they still get charged from PECO, service charges. The bill is unreal when you start looking at it. He has solar power, and he still gets charged all that and it's ridiculous. Just remember it's not just the six cents.

Gary asked if Geoff reviewed it. He asked if there were any other proposals received for power. Alan asked if it is through the consortium. Marie said no. John said the consortium is for fuel, not for electric. Gary said he was hoping Geoff reviewed it and had some comparisons. It does seem like a good rate. It's three cents cheaper. It's like .09727. It's significantly lower but he doesn't know what the going municipal rate is. Barbara said they need to approve it or disapprove it tonight otherwise, they will pay a substantial amount more. Gary asked what happens if they don't pay this. He asked if they then just go to PECO. He said the way you shop for power generation in Pennsylvania, if your contract is up, you might go to a renewable rate or a different fixed rate or you might go back to PECO. Joe said the motion doesn't have a term in it, so they need to amend it.

MOTION BY BARBARA HEFFELFINGER TO AMEND THE MOTION TO APPROVE A 20 MONTH TERM FOR A FIXED ENERGY RATE PROVIDED BY STEVE ESPOSITO WITH NEW AMERICA POWER. SECONDED BY ALAN DASHOFF.

**Mike Smith**, asked what the projected savings are. Barbara said she's not sure, but it is about one and a half cents cheaper than the current rate. Gary asked if this was for streetlights. Barbara said it's for the municipal buildings. If they do not approve this tonight, their rate will be market, whatever the prevailing rate is for that particular day. Gary said he thought this was the municipal rate for all of their electric including the traffic lights. If this is just for the electricity in the buildings, this is a very good deal. Alan said there's a list of accounts. He asked what those accounts are. Barbara said the municipal building, police building, two pump stations, the old sewer plant and rec field. Mike said it sounds like they are inflating to push somebody into doing something that you may not really need to do. Gary said he shops for electricity as well because he has electric heat. You have to watch once your contract is up, it will go to a variable market rate and that can be very dangerous. This seems like this is a decent rate for municipal buildings.

Joe asked if there were any objections to the amendment. Seeing none, so amended. All ayes, motion carried.

#### Discussion

Joe asked if anyone from council attended the fire department briefing. He was told it was cancelled and rescheduled.

#### Refuse Committee Appointments

Joe said that Mr. Dudash expressed an interest in going back to the Refuse Committee and renegotiate the trash contract. He asked if there was anyone else on council that would like to be a part of that particular committee. Gary said they don't currently have a refuse committee. Once they got the borough manager, they said he can do the refuse. He doesn't think it really warrants a committee. He and Joe can sit down and just relay what they've learned to the

manager, but he would look at their contract. He doesn't think they need a full-time committee for refuse. Joe said he would think of this committee as more of an ad hoc rather than necessarily physically meeting and having meetings type thing. Joe asked Gary if he would be okay working with Joe on this and then talking to Geoff about it. Gary said he and Joe talked about it a while ago. They learned a lot dealing with the issues with the current contract and the way it was and the constraints of it. They will pass that information along to Geoff.

#### Public Safety Committee-ad hoc meeting with Fire Marshal

Joe said they are currently looking for some dates where they'd like the Public Safety Committee, mayor and the fire marshal to sit down and just have a bit of a pow wow on what the current emergency plans are in place, based around train station and stuff like that. He's just going to present some of those plans to make sure public safety knows what's going on.

#### Public Comment

**Jay Moser**, said he saw in the paper about the skimmers. He asked if council knows that Express Fuel is open 24 hours. They can pump gas 24 hours a day with no emergency shut off, no lighting and he did not notice any cameras. He thinks it's a public concern. He's not saying that how the skimmers got put in but it's dark. Joe said they can send the inspector out. Jay said everyone mentions Facebook. He doesn't have time for Facebook. He thinks things should be put on the borough website as a public announcement section. As for the locked building, he disagrees with Joe. Being a contractor in Lower Bucks, some of his employees are in public buildings picking up permits and it's an inconvenience when they can't get in. The ladies should stagger their lunch so people can get in at lunchtime. In reference to safety in the building, he asked if there is an alarm system. They should have panic buttons at each desk. He asked if Donna Caracappa is here at night. He asked if she buzzes someone in when they come. He thinks it's worse at night than it is during the day. Joe said she's here on Saturdays but is by herself. Jay told Barbara if she has problems with the planters, if she can't get them moved, he may be able to help out with a truck pallet and they can move them to where she wants. He just needs to get permission to use a truck. Joe said as for Express Gas, they need to send the inspector on that one. The Tech Committee right now has an entire project focused on the website. Alan said if they post it on the website, there's no notification. They're looking at something that would be a sign up almost like they would send an e-mail. Unknown person said they have the emergency response now and it doesn't work. Alan said they must be talking about the Everbridge system, Ready Bucks. He thought that was originally just for emergencies not just public announcements. Joe said the door is part of the project they're actually expanding on as part of the ADA grant to make the doors accessible. They want to convert the glass panel to an access panel because they don't lock the outer door, so they get to come in through the outer door by the restroom. When that door opens, there is a doorbell, and the staff knows to go look. They would like to add an access window so that as soon as the doorbell rings, staff can walk up and interact.

**Mike Smith**, said to Barbara he can bring his forklift over and pick the planters up and put them on the trailer and move them for her. Mike said he is in no way attacking anybody here on council. He said to Ben that his boss has made a total mess out of this fence issue. If he would have done his job 2 1/2 years ago, they wouldn't have been sitting here the other night. With the next meeting coming up, there should have been an Executive Session to discuss what council would have been open to provide to both sides of this issue. They were all sitting in a room looking at each other. He's wondering why the council had no opinion on it. It's not the council's fault. The only thing that's going on here is they now have a \$100,000.00 debt.

\$60,000.00 of it went to Hill Wallack. If this goes wrong come April 19<sup>th</sup>, it's going to go higher. There was no reason for any of this to happen. He said it in the beginning, the middle and he's still saying it, Mr. Truelove screwed up. It was not his battle to fight. He brought the situation to council and that's why he's saying it's not their fault. This council has the right to push this issue and he's begging them to end this and keep the safety of the residents because right now, they're in a situation where somebody's going to be in deep crap.

#### Council Members to be Heard

John Stratz said he would like to make a statement regarding why there is this sudden interest in security of the building. From the intelligencer February 21<sup>st</sup>, a Doylestown woman was charged Friday with threatening to kill two Langhorne Borough police officers and the borough secretary. She's from Doylestown and she came down here to Langhorne to threaten people and try and go into that building. They're not pointing any fingers at anybody in Penn del, it's just a bad world out there now.

Mayor Sodano said he had a few things to discuss. To John's point, he's said this many times, they don't have the statistics to show that the need for police protection and security for the building. He doesn't want to be a statistic. He believes in being proactive and that is the way he runs this police department. They are proactive and they're going to do whatever they can do to prevent ever being statistics. He'd like to congratulate Chief Perry for reacting as quickly as he did on those card skimmers. As soon as he heard about them, he went out and checked every pump in this borough and that's how he found them all. Mayor Sodano said to Carol, when they came home from the airport, the driving service turned on to Hulmeville Ave. and Route 1 and they hit one of those sinkholes. He knows they can't control it but when she's talking to them, if she could mention that they should try and fill them to the top. He hit the roof and the ABS light came on and they couldn't have been doing more than 20 miles an hour. On the gas station, Rich, the man who lives behind them, contacted him because now that those pumps are on all the time, they were supposed to put up arborvitae shrubs across the back for a buffer and now that those pumps are on all the time, he's literally got headlights coming in his windows all hours of the night as people pull in and out of there and that's not fair. They need to address that and make somebody put the shrubs in that were supposed to be put in years ago. Lastly, he'd like to clarify a couple of things. As the mayor, it is his responsibility to maintain order in this building when there are meetings, elections, etc. If he had been here at that meeting, he would have made that call. It is his responsibility. Whenever he is not able to make a meeting, the president of the council has the authority to pick up the phone and call the duty officer and have anybody removed that they deem is an issue. He has personal opinions about the language. He's not happy with the language thing that goes on. He doesn't think the people who don't like that language should be forced to be subjected to it. When he heard that John got charged literally, physically charged, he would have made that call. That is the type of thing they cannot stand for. So that everybody knows, if he's here, it's his responsibility and that phone call will get made. The council president has that authority automatically if he's not here.

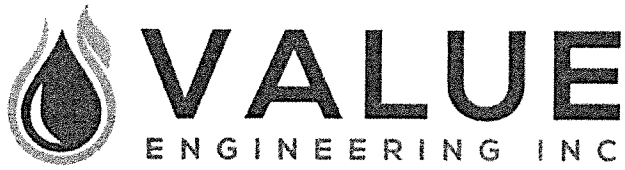
Alan Dashoff asked if it's legal to have unattended pumps like that. Mike Smith said at the Zoning Hearing Board meeting when he came to get approval for the candy store or whatever he was going to put in there, that issue was actually brought up that the pumps were open all night. He was told they had to be shut off and he said okay. Obviously, they're not shut off. The laws need to be upheld. Somebody has to go down there and cite them for it. The same

thing with the trucking company. They're rebuilding cars in there. That wasn't part of the agreement. He's got them inside and outside. All those things have to be stopped. That guy is going to keep on going. Joe asked if he was referencing the cars on Park Ave. by the train station. Mike said they're in his parking lot and around the building. Sometimes during the day, they're all backed up and intertwined going into the bays. The bays that he can't get the tractors in, he's using it for cars. Mayor Sodano said he took pictures of that and forwarded them to the zoning officer. It's his understanding that she issued a letter. He doesn't know if there's been any resolution. It happened the week before he went away, and he hasn't seen Geoff yet to ask him if there was a resolution. He knows they're still there but if the pumps run at night and this is against the law, they need to send someone from zoning and have them take a look at that.

**Jay Moser**, said things are happening and it's working out well. He made a phone call to the office staff about two tanker trucks being parked behind the Sunoco station. Jim Bampfield from the Fire Marshal's office called him back. That gentleman was planning on running a transport company out of the rear of the Sunoco station. He was going to haul gasoline during the day and park there at night. They have been removed and are no longer in the borough, so his compliments to the office staff for getting them removed. That could have been a major catastrophe and they handled it extremely well. Joe said he thinks the office staff needs to be more regularly called out for the positive that they do, so he'd like to thank him for the public comment interaction, and he'd like to thank Karen, Marie and Geoff for what they do. He'd like to thank Jim. Jim knocks his socks off when it comes to his efficiency to get stuff done. He's been really impressed. When he got written up by him, he didn't hold any punches. He appreciates it. If he's treating him that way, then he feels good about him when he's out there. He thinks we have pretty good people and they're going above and beyond what they expect.

MOTION BY BARBARA HEFFELFINGER TO ADJOURN THE MEETING AT 8:58 P.M.  
SECONDED BY BUD MURPHY. All ayes, motion carried.

Submitted by: Marie Serota  
Marie Serota, Secretary/Treasurer



www.value.engineering  
1578 State Road, Coopersburg PA  
1-888-346-8673

## March 20, 2023 Engineers Report Pennel Borough, Bucks County

### ➤ Crack Seal

The Borough received an updated quote from Asphalt Maintenance Solutions for one day of cleaning and sealing cracks. The quote is for \$8,040 and includes all labor, equipment, and materials. It does not include advance posting of no-parking signs. Police department support would be needed to post the streets.

Councilman Stratz and I surveyed the streets and identified those which are good candidates for crack seal. If the quote is approved, we recommend work begin on and proceed in this order of priority:

1. Park Avenue,
2. DeHaven West of Hulmeville
3. East Woodland (north side only),
4. Center Street north of Joyce.

Although we do not expect to get all the above roads sealed, we need an extended list to give the contractor so they can begin work and continue for a full day without pausing to ponder where to go next. These roads were selected because the surface is in reasonably good condition except for some transverse and longitudinal cracks. Sealing fissures before cracking gets worse extends the pavement life.

### ➤ Rumpf Avenue

Rumpf Avenue was recycled and paved in 2008. We recommend base repair to areas where the pavement surface is failed, then application of a surface treatment such as ultra-thin asphalt overlay to seal, protect and extend pavement life.

Ultra-thin overlay is a pavement preservation treatment approved by PennDOT. The material is  $\frac{3}{4}$ -inch thick, so it does not trigger curb replacement, and pavement preservation does not trigger ADA ramp review by Municipal Services.

Base repair would be performed first. Different contractors specialize in base repair and pavement preservation overlay, so we would likely bid this as two projects for the best participation and price.

### ➤ Storm Sewer capacity restoration and Structural Repairs

The 2021 report prepared in support of the RDA application identified a need for storm sewer cleaning and inlet repairs, and Council voted to fund this work with ARPA funds. I recommend this also be approached as two contracts. One to clean storm sewers that were identified as filled with debris, and the other to repair the inlets. Inlet repairs would be segmented into groups of inlets, with group A being 12 inlets in the worst condition, then another 14 inlets in Group B and the remaining



inlets in Group C, segregated by severity of condition, so council may weigh how many structures to complete in this cycle.

## Memorial Park Phase 2 lighting

Last week underground electric service, a light and two receptacles were installed in the pavilion at Memorial Park under the CDBG Phase 2 lighting contract. We are awaiting word from the contractor on when field light installation will begin.

## Hulmeville & Lincoln PennDOT project

On Wednesday this week, Armour & Sons will be trenching across Lincoln Highway at the Hulmeville Intersection as part of traffic signal installation. Be advised that this work will create additional daytime lane restrictions between 9 am and 3 pm Wednesday.

The project manager advised that beginning in mid-April, Hulmeville Avenue on the south side of Lincoln Highway will be closed for approximately two weeks. Information about the pending closure will be shared in PennDOT press releases and social media. He noted his appreciation for the work done by Borough staff to get lane restriction and road closure information out to Borough residents from the start of this project.