

Penndel Borough Council Meeting Minutes

March 6, 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
Councilman Gary Nickerson
Councilman Bud Murphy
Councilman John Stratz
Mayor Tom Sodano - absent

Also present at the meeting

Dave Truelove, Solicitor, Hill Wallack
Carol Schuehler, Value Engineering
Marie Serota, Secretary/Treasurer

Consideration of Schoolhouse Court Land Development Waiver

Dave Truelove explained that council will consider granting a waiver of the requirement in the code for the grade of the driveway. Bryce McGuigan from Begley & Carlin spoke on behalf of the applicant, Schoolhouse Court, LLC. He said they are here for former Lot #2 of the subdivision, which is 147 Schoolhouse Court. Approximately a year or two ago after they received the final land development approvals, they went to build the home. The developers were working with the borough engineer, Ms. Schuehler, who identified there was an issue with the location of the foundation of 147 Schoolhouse Court and the borough requested that the foundation be raised a little bit for stormwater management purposes. Even though they had final land development approvals, they agreed and raised the foundation. Unfortunately, they also raised the garage slab level a foot and the driveway got a little steeper and now it is slightly above the 4% grade that is within the SALDO ordinance in Penndel. Technically, they have a 9.93% grade and there's technically nothing wrong with having a slightly higher grade. They are under the 10% figure that most fire departments use to measure what is acceptable to them. Typically speaking, they want a slightly lower grade in case someone has a vehicle that might be a little bit lower to the ground. That's not really at issue here. Also, a lot of times they want the lower grades so that vehicles don't pick up some momentum as they're going towards a street, which could be a danger. They're dealing with a cul-de-sac, not a lot of high-speed vehicles and a lot of traffic coming in and out. Ms. Schuehler's letter dated March 1, 2023, references that as not being of significant concern. The property owner currently has a temporary Use & Occupancy permit, is living there and has no issues with his vehicles. He has his clients here, Brian Brezinski and Al Gillick, members of Schoolhouse Court, LLC and also their engineer Heath Dumak who has been on the project for quite a while. They would be happy to answer any questions. Over the past several years, they've done their best to iron out all the last little details that have been hanging around for this development. They've turned over the financials and everything else to the HOA, so the HOA has control of day-to-day operations. They have legal control of every single bit of common area as well and they're

going through the punch list items. It looks like they only have maybe one or two left. This is one of the final issues that they're dealing with. They're here because they're trying to work with the borough to raise that foundation level for stormwater management purposes. This was just the unfortunate unintended consequence.

MOTION BY ALAN DASHOFF TO APPROVE THE WAIVER OF LAND DEVELOPMENT.
SECONDED BY BUD MURPHY.

Barbara Heffelfinger said she would like to hear what Carol has to say. Carol said she did prepare a report dated March 1, 2023. She noted that the code requires a driveway slope not to exceed a 4% grade for twenty feet beyond the right of way line. The as built indicates a 9.93% grade immediately behind the right of way line, which is not consistent with code, which would require a waiver from borough council. She noted that some of the reasons as were reflected by the applicant's attorney, are minimize a steep slope onto a public road that would give a driver momentum in the lane of traffic but because this is on a private cul-de-sac with a small number of houses, that's not a great concern. Another reason for the criteria is vertical ground clearance, which is the height of the lower most part of a vehicle with respect to the ground and PennDOT guidance recommends that grade changes between the cartway and the driveway and on the driveway be no more than 8%. It does not appear that they meet that criteria with this driveway. It's greater than 8%. Today a lot of people have SUV's or sport utility vehicles and they have more ground clearance but there are still people with sedans or sports cars with the lower clearance and so that was her one concern, that the homeowner for this property should be advised that vehicles with low ground clearance may be prone to damage from that driveway configuration. Those were her comments regarding this matter. She doesn't offer any objection to the waiver request at this time. Dave said to address the issue of any further notices to potential property owners down the road or in the future, after speaking with Ms. Schuehler and Mr. McGuigan, they made the suggestion if there was an approval of this, to attach a condition, which would be that it would be declarations of a condition to be filed with at the recorder of deeds office with the property so in the future they will have record notice of that. The applicant is completely in agreement with that suggestion.

Joe Dudash asked if there were any representatives of the HOA here. Bryce said the HOA was notified and all of the board members, as well as the property owners. The property was sold but as part of the sale, they agreed to foot the bill and move forward with this process to ensure that a clean Use & Occupancy documentary permit would be obtained. Joe said he went to school where they built the houses. When they started tearing that stuff up, they said there were oil tanks in there. They were told no. Then they hit the oil tanks. When they saw them pouring, they all said that was a higher elevation than the rest of the houses. That house now is flooding the house right next door. He knows what's under there and his fear is that where that house is, the old boiler system and everything else was right there and asbestos and everything else. Until they can prove to him that there's nothing under that slab, he's not approving anything. Those poor people bought this house and it's higher than the rest. He thinks it's an environmental disaster. Bryce said when his client bought the property, they did their due diligence regarding some of those issues and while he understands there might be a concern over the height of the house, the reason why they did move it up was not because of anything lurking beneath, but rather to address stormwater concerns raised by the borough engineer. They were here previously to get those final approvals and were back multiple times for that and

a lot of these issues were discussed in more detail and at this point, this is only for that minor change that happened after the last approval which involves the driveway.

Heath Dumack, president and owner of Dumack Engineering said with regards to the environmental cleanup that occurred on the site, he believes the building itself was purchased through the RDA. The RDA ensured the building itself was clean with no asbestos. An oil tank was discovered. The DEP did process through tank closure reports. The entire project stopped while the tank was remediated. RCC Environmental did a thorough investigation when the one tank was discovered. How everything was treated and managed, that aspect of it, he's not an environmental engineer. The whole rationale for raising the house originally had nothing to do with environmental impact or tanks. It was a concern that the borough engineer had brought to their attention that the stormwater system, the ballast pits, basically that were alongside the home, were shallower than the basement. Water flows downhill, so the concern was that the water would penetrate into the house. By raising the basement elevation up to honor the elevation of the ballast pit, now they don't have that downward gradient the way it was originally designed. That's the whole reason for raising the house up and unfortunately, a construction error did occur. The garage floor was raised up. The full elevation change was 12 inches so at the time, it was decided to leave the garage floor at that elevated 12-inch mark and come back for relief on the driveway slope. Joe said there are other issues too but it doesn't have anything to do with him. Heath said with regards to the stormwater design, he hasn't heard a single complaint. Carol knows where to reach him if there were complaints or issues. Joe said council has a letter from the lady that moved and she blasted them about storm water. Heath said he's unaware of it and if Carol wants to send him the information on it, he'll take a peek at it.

Dave Cahill, asked if this was the only lot that had a stormwater problem that had to be raised a foot higher. He asked if there was a council vote to send Carol over there to look at this to give her opinion and say that it was okay to raise that a foot. Carol said on Lot #3, the basement elevation was raised so it would be higher relative to the stormwater management facility. They had a shallower basement, and the first floor was not the standard height. It was made shallower than normal for Lot #3. For Lot #2, a plot plan was provided, which she believes she attached to her report, her review of that plot plan wherein she said that it was raised in response to her concern that it be not lower than the infiltration bed even though the builder was waterproofing the basements. She didn't want that to be a natural migration pattern for that water, so that floor was also raised. In her review, she commented that they have a problem with the driveway slope and there's going to need to be further adjustment. For whatever reason, that did not happen, and foundation construction started. These basement elevations were raised at her request, so that they not be lower than the infiltration beds, causing a water problem for those homeowners.

Tim Weaver, said there's a system out there, it's a GPS satellite, depth step grade positioning, that will tell the height that the ballast pit should have been. He asked why it was put in above grade of the basement foundations. If it's 12 inches above grade, that thing was done wrong from the get go and it's going to cause more problems especially in a catastrophic 25, 50 or 100 year storm event. The house at the corner of Woodland and Hulmeville, he was there when they were doing all the French drains, which are routed into the basement of that house. The sump system cannot handle it currently with the amount of water that is coming into that house and that is why the homeowners are having some issues with the mold. The basement does not seem to dry out with the French drain system coming in through the rear wall into the sump pit. The ballast pit is a major engineering flaw that started from the beginning. This house

should have been raised if somebody was watching what they were doing. This is a dereliction of duty across the board and now it's coming to light.

Lloyd Patton, said when the fire hit his house, it had to be torn down. They wanted 9 foot ceilings in the basement, first floor and the second floor. The builder came back and said they're restricted to 32 feet and that's the borough ordinance. He has 8-foot ceilings. If he had to do this on a new house, he wants to know why they don't have to adhere to it. He said a couple meetings ago, Carol said that she only deals with the roads, the sidewalks and the drainages and stuff and the building inspector handles the home. She gave authorization to these gentlemen and gave a temporary permit. Carol said she doesn't issue any permits. She reviews the plot plan for grading and sends those comments to both the applicant's engineer who submitted the plan, the borough, and the building code official that issues the permits. This is only the grading. The building code official is the one that looks at the entire house.

Terry McIntyre, said he knows there was quite a punch list and items that weren't completed and some of the homeowners were upset that they couldn't get the trash picked up and nobody knows who's plowing the street. He asked if the borough received a copy of the HOA. Dave said they did get a copy that was approved a while ago. Terry said it's important because it takes the liability off of the borough as far as who's going to clean out the storm drains and the street has to be plowed and the trash has to be picked up. Make sure the borough is covered liability wise, so the taxpayers are not liable for anything. If they give a waiver and somebody moves in and has problems with the structure of the house or water drainage, that it doesn't fall in the borough's lap. Dave said the borough will not incur any liability from the approval of the development issue with this particular thing. The waiver request is for the grading of the driveway and Mr. McGuigan has agreed that there will be a filed record with this particular parcel, a declaration of condition which puts everybody on notice who would be a future purchaser of the condition, of the driveway. That would be part of their recommended approval.

Dave Cahill, asked what year Carol Schuehler reviewed the plot plan. He asked if she reviewed the plot plans for the whole job when it first got started or did she review a plot plan for each individual basement as they got dug over the course of the years that this job's been underway. He said there were two oil tanks. He asked if the old boiler was recovered. Carol said that answer is actually in front of council. They've got a copy of her letter from March 2021 noting the steep driveway. She requested the plan be resubmitted for review but she did not receive resubmission.

Joe Adams asked Heath about the ballast pit and water runoff construction. Heath said a ballast system or ballast pit is similar to a French drain. An excavation is lined with geotextile fabric and then they install a large caliber stone and some perforated piping. The intent is with a large caliber stone, it doesn't connect together neatly like Belgium block or concrete block, so you get voids and those voids add up to roughly 40%, which is the industry standard. As a storm event occurs, the pipe fills up with water, the holes and the pipe feed the water into the stone and then the whole bottom surface of the pit acts as infiltration. It allows the water to get absorbed into the ground. It's considered a best management practice or BMP with the DEP. The concern is and Ms. Schuehler was right in bringing it up back in 2021, they did have one or two instances where the basement was within a foot or two of the pit. The water infiltrates into the ground and potentially can take the path of least resistance instead of continuing down into the earth. The groundwater would then shift and potentially go into the basement. Joe asked

who constructed these ballasts. Heath said they designed them. Ms. Schuehler reviewed them and Mr. Brzenski, one of the partners of Schoolhouse Court LLC built them.

Dave Truelove said if the waiver request is approved, it will be subject to the following conditions:

1. The Applicant is required to comply in all respects with each and every requirement of the Pennndel Borough Subdivision and Land Development Ordinance, the Pennndel Borough Zoning Ordinance, prior approval letters dated December 8, 2005 and February 18, 2014, respectively and all other municipal ordinances, regulations and with the laws and regulations of every level of government having jurisdiction over every aspect of the Applicant's property subject to a grant of the waiver referenced herein.
2. Applicant shall comply in all respects with the above-mentioned codes, ordinances, review letters, etc. Further, you must comply with all conditions set forth in the Value Engineering review letter dated March 25, 2021.

The waiver request is hereby granted subject to the additional condition as follows:

1. Applicant agrees to the preparation of a "Declaration of Conditions" noting the non-compliant driveway grade, subject to the approval of the Borough solicitor, which shall be filed with the Recorder of Deeds office, for the purpose of providing record notice to all subsequent property owners of the subject parcel and property.

Dave asked Bryce McGuigan if they agree with those conditions. Bryce said the applicant does agree with those conditions. Dave said the motion will include those recommendations. Joe Adams asked what happens if they don't approve this. Dave said he won't speak for Mr. McGuigan, but he expects he and his clients will consider an appeal to the Court of Common Pleas, which he thinks they have 30 days to do from the date of the decision. Under the municipalities planning code section 512.1, if there's a request for what they call a modification of a waiver of the requirements of one or more provisions of the literal enforcement that will exact undue hardship because of peculiar conditions pertaining to the land in question providing that such modification will not be contrary to the public interest in it the purpose and the end of the ordinance is observed. That's the standard. In his opinion, if they appeal that, it's very possible that the borough might lose on that argument based upon the standard. Bryce said the waiver is for the driveway. This issue was not something that they initially requested when they came to council to request their initial land use approvals, which is typically the final step in council's obligations related to a project like this. They heard concerns from the borough engineer and they revised a final approved land development in order to satisfy those concerns, even though they have to be back here before them. They made these changes and despite the tortured history of this project, nearly 20 years after the fact, but recently to try to be good neighbors to the HOA and to the homeowners who now have purchased these properties. They are here to request this waiver. The HOA documents, when they filed the homeowner association declaration and after they provided the borough with a copy, Mr. Truelove's office reviewed it and requested additional indemnification liability language, so they made those changes and rerecorded an amended declaration that would protect the borough. They did that to work with the borough. Despite the fact that all the parcels are sold, and the property now belongs to the homeowners association, they still worked through to resolve some of the other

issues that the association was dealing with, including trash pickup. They didn't have technical legal authority or liability for that but they tried to get that association trash service, which surprisingly is a lot tougher than you think for a essentially 12 unit subdivision. They did all this to try to make it right to dot the I's and cross the T's. The waiver is for the slope of a driveway that for a house that's already being lived in and for a house that has a driveway very similar to his driveway and very similar to a lot of driveways around here.

A roll call vote was taken. Joe Dudash, no, Alan Dashoff, yes, Joe Adams, yes, Gary Nickerson, yes, Barbara Heffelfinger, yes, Bud Murphy, yes, John Stratz, yes. Motion carries 6-1.

Fire Department Presentation

Joe Dudash said the fire company would like the new members and members who have not been to the fire department to go through a briefing. He will send them Mr. Schramm's number. Middletown just hired a Fire Chief at \$110,000.00 full-time. The fire company will educate them on the new equipment. They have to wash the clothes and they have special washing machines and special equipment. They will also brief them on the future of the volunteer fire department and what's going on with Middletown. John Stratz said council is in no way giving permission over Mr. Schramm to let the public come take this tour. Joe Dudash said Mr. Schramm and Mr. Lowe have been very cooperative with the community and with this council. Joe Adams said he thinks the original intent was council can contact the fire department for the newbies. They are not opening a public invitation to meet the fire department. There was a request made for the fire department to be able to make a public presentation, so at some point in time when they can schedule with the fire chief, they will do that.

Public Comment on Agenda Items

Dave Cahill, asked if they have police chief's report for this meeting and for February. Joe said they have it but are not up to that section yet. Dave said he doesn't understand why an attempted robbery at the Express Fuel gas station that involved four individuals, is not on Crimewatch and neither is the robbery at the 7-Eleven in January that involved a Pennsylvania skills machine that apparently was broken into. He asked why the chief is not educating the public on serious crimes that are happening in the borough and why he's keeping secrets.

Terry McIntyre, said it's hard to comment on an agenda item because they haven't discussed it yet and they're really all in the dark, although he thinks some people like it that way, he doesn't. As for the LED sign which he is for, he's asking no politics on the LED sign. Maybe have a three person panel oversee what goes on it. On the motion to authorize Hill Wallack to prepare a public comment policy, he hopes it includes basically following the Robert's Rules where everyone can come up and make a comment when they're about to vote on something because at the end of the meeting, the votes are already done, so it's useless to come to a meeting. It's not going to lengthen the meetings all that much when people have an opportunity to speak and get their point across and they can vote whatever way they want, especially when someone can tell them something that might change their minds. Joe Adams said the intent with the public comment policy is that he actually does agree with that. They want to discuss the opportunity for members of the public to give public comment before they vote and to also have a structured order to it, not just for the public but for council as well. He doesn't want to see a member of the public come up and start talking and then council starts jumping in and they start going back and forth and then they play the your three minutes are up. He wants to have a formal working document policy for public comment and have the lawyers look through it because there's First

Amendment rights. He doesn't want to deprive people of that but wants to build a system of order.

Lloyd Patton, mentioned Mr. Nickerson, Robert's Rules and the three minute rule. He was not at the microphone, so it was inaudible. Lloyd said his problem is with the borough manager. He said he understands at the last meeting, that he referred to the taxpayers and voters for this community as domestic terrorists. He finds that comment offensive and repugnant. Lloyd said he is a veteran, loves the flag, country, constitution and amendments, and served Middletown Township for 27 years. He is not a domestic terrorist. He is asking council to approach Mr. Thompson and get his resignation immediately because if they don't, he will be back here again with Channels 3, 6 and 10.

Dave Cahill, said Gary is on record calling him a stalker and he doesn't appreciate that. He said to John Stratz that he was at the Hulmeville Inn on the 22nd of February, and he heard him tell Joe Dudash that he wasn't a democrat. Dave said he also heard him call Joe an insurrectionist. He asked if he has proof that he was at Trump's rally on January 6, 2021. John said he has never in his life used the term insurrectionist. Dave said he was sitting right there and he heard him. He was recording it in his mind. He asked why he would call a taxpayer an insurrectionist. He wants John's resignation. Joe Adams called for a five-minute recess at 8:23 p.m.

Meeting reconvened at 8:28 p.m.

Joe Adams called the meeting back into session. He said they will continue with public comment. The First Amendment speech protects being able to say what you like. Approaching and heading towards the dais in a threatening manner is not covered under the First Amendment. Council will not tolerate that under any circumstances. The police building is right next door. It is not a violation of their First Amendment right to speak. To be told not to speak would be a violation. To prevent you from physically approaching someone in a threatening manner is not a violation of your First Amendment rights.

Tim Weaver, said there was a meeting on 6/28/22 with Geoff Thompson and Manny regarding the proposal for 50 Hulmeville Ave. They met with Bob White and Bannie and they said they will submit a sketch plan and their proposal along with a request to go before borough council and give a presentation. This was in Sally Bellaspica's report on June 20, 2022. He asked if there was any headway with that. Barbara said she spoke to Geoff and he said he hasn't heard a thing from those people. Tim said he was bringing it to her attention because it is historical. He asked if Sally's report is inaccurate. He doesn't want to insinuate anything, but he thinks he may be lying to her because it's in this report that he had that meeting. Barbara said Geoff said he hasn't heard anything about that property. They have to come to them first before they can do anything or plan anything. John said there was recently a sketch regarding 50 Hulmeville Ave. and it was a complete fraud. That sketch has never been discussed or presented to any member of Pennel Borough staff or professionals. Lloyd Patton said that building used to be Century Tool. It used to be a machine shop and the floors were all soaked in oil from the machines. If they go to tear that thing down, there's probably a DEP issue.

Consent Items

MOTION BY BARBARA HEFFELFINGER TO APPROVE THE MINUTES OF THE FEBRUARY

6, 2023 COUNCIL MEETING AND THE FEBRUARY 21, 2023 WORKSHOP MEETING.
SECONDED BY ALAN DASHOFF. All ayes, motion carried.

MOTION BY JOE DUDASH TO APPROVE THE FOLLOWING BILLS FOR THE MONTH OF
FEBRUARY 2023:

General Fund	\$24,914.31
Refuse Fund	\$ 470.75
Sewer Fund	\$16,708.75
Capital Reserve Fund	\$62,418.50
Liquid Fuel Fund	\$ 119.93
Escrow Fund	\$ 4,871.00
Payroll Fund	\$ 2,832.21

Payroll

General Fund	\$26,470.99
Sewer Fund	\$ 3,286.26
Total	\$29,757.25

Escrow Fund Bills

Schoolhouse Court:

Hill Wallack, LLP	\$2,620.00
Value Engineering	\$2,251.00

SECONDED BY BARBARA HEFFELFINGER. All ayes, motion carried.

Reports

President's Report

Joe Adams said he met with Geoff, the lawyers, administrative staff, council members, the chief and mayor. He met with the Emergency Management Coordinator. There was a resident who commented on the Ohio situation and how that was going to affect them. He spoke with Jim, and he is on the ball with exercises and plans that they've been conducting with Middletown. They're already running multiple threat assessments, figuring out water access points, how many trains run through there per day, what their quarantine zones are, where their command centers are. Jim has been extremely kind and forthcoming in that area and he's glad that they have him on board and that they were taking these things seriously before public or council was even addressing the questions. He's very interested in learning more. Jim has been great to work with and very transparent and they will be meeting soon to go over things. Jim and the chief were able to remediate an issue where there were signs blocking fire hydrants and impeding the ability for those fire hydrants to be safely accessed.

Borough Manager's Report

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

Police Chief's Report

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

Joe Dudash said he wanted to commend Officers Winter and Gaffney. About two weeks ago, there was a medical incident on Oak Ave. Officer Winter arrived first on the scene with Officer Gaffney, who was working with Hulmeville PD at the time. Later on, the chief responded to the same thing. They did an excellent job. Better than the rescue squad who came 10 minutes later. He just wanted to put that out because that's not in this report.

Engineer's Report

Carol Schuehler read her report which is attached.

Joe Adams asked Carol if she was aware of any other projects that will be coming up that may also reduce down to a single lane on Route 1. He knows they are doing sidewalks and stuff like that, but does she know of anything in the future after August after the finalization of this project. Carol said she is not currently aware of anything else that would have PennDOT reduce traffic down to one lane on Route 1. The only caveat to that is when the borough decides to move forward with some storm inlet repairs, that could have an impact but that would be daytime and wouldn't usually be long term. Joe said they will be able to communicate how that's going to go and make sure the residents know and that there's signage. He asked Carol if she remembered the night when they paved those lanes that kind of reduced it down and no signage was posted and no warning was given. Carol said after Chief Perry called her and she looked at their traffic control plans. There were flashing lights on their plans but they weren't implemented. She called the project manager who happened to be on vacation in Florida, and he called his foreman and made him get those lights out there right away. They also did reach out to PennDOT and advised that the borough had submitted a complaint and made PennDOT aware of that issue as well. They have been responsive when they have called them with issues. The foreman made an error and didn't follow their approved plan and that got corrected as soon as the chief called her and she called him. Joe thanked Carol and Chief Perry for their quick response.

Gary asked Carol if liquid fuel money can be used for crack sealing. Carol said yes.

Unfinished Business

Joe Adams said council wanted to clarify the quotes to make sure everyone got a fair shot at running the wiring from the building to the sign. Geoff contacted each of the people that submitted quotes. After follow up from all of the vendors, the lowest responsible bidder is City Wide Electric at \$3,500.00.

MOTION BY JOHN STRATZ TO APPROVE THE PROPOSAL FROM CITY WIDE ELECTRIC IN THE AMOUNT OF \$3,500.00 FOR THE WIRING REQUIRED FOR BOROUGH HALL SIGN. SECONDED BY BARBARA HEFFELFINGER. Alan asked if while they are here, could Geoff have them give them a number to fix the panel for the Christmas tree lights. Joe said he would discuss that with Geoff. It will be separate from this motion. Joe Dudash asked if City Wide will be connecting into the panel downstairs. Joe Adams said it will be connected in the building, not through the Christmas tree lights.

All ayes, motion carried.

New Business

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

Comcast invoice dated 1/26/23 in the amount of \$207.19 for internet & voice services at 300 Bellevue Avenue

Comcast invoice dated 1/26/23 in the amount of \$236.68 for internet & voice services at 37 W. Woodland Ave.

Gettysburg Benefits Administrators invoice dated 1/31/23 in the amount of \$169.59 for dental insurance installment

Office of Labor & Industry invoice dated 2/1/23 in the amount of \$1,449.00 for fire department workers' compensation insurance installment

Waste Management Invoice #0004435-2448-3 in the amount of \$17,976.25 for January service

Independence Blue Cross Invoice #230203162463 in the amount of \$5,958.90 for medical insurance installment

Verizon Wireless Invoice #9926652433 in the amount of \$25.02 for the M2M account for the street lights

Randy Serrano reimbursement invoice dated 2/10/23 in the amount of \$240.30 for duplicate sewer/refuse payment

Brown & Brown Invoice #10880723 in the amount of \$5,370.00 for employment practices liability policy renewal

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

Comcast Invoice #165123270 in the amount of \$564.55 for business voice edge service

Selective Insurance Co. of America invoice dated 2/9/23 in the amount of \$3,796.00 for workers' compensation and commercial package insurance installment

PECO invoice dated 2/14/23 in the amount of \$2,151.44 for street lights' electric

Penndel Borough Sewer Fund reimbursement dated 2/28/23 from Liquid Fuels' Fund in the amount of \$16,795.62 for Bellevue Court sewer bill deposited into LF Fund in error

SECONDED BY BUD MURPHY. All ayes, motion carried.

MOTION BY JOE DUDASH TO APPROVE SECURE STORAGE INSTALLATION IN THE POLICE DEPARTMENT NOT TO EXCEED \$3,000.00. SECONDED BY ALAN DASHOFF. Joe Adams said they had discussions with the chief about what the problems were that led them down the RDA grant discussion to ask for secure storage. There's an active leak going on in the police building above where evidence is currently stored and there's a secondary problem and this one presents a rather interesting safety challenge where the police vehicles enter the bay. There are items which are not currently secured that should a prisoner be able to get access to, they could potentially use said items to go after the officers between exiting the vehicle and approaching the cell. The chief and the mayor walked himself, Alan and Bud

through and demonstrated how they would remove a prisoner and transport them to the cell and all the objects that they would have to walk by. The chief said they could ask Lou to build them

secure storage, so they can save as much money as possible and get these items out of the way of the suspects that are coming into the police building and moving over to the cell. They asked Geoff to bring Lou in and asked him if he could work within a not to exceed \$3,000.00. They thought this is important and wanted to take it before council and request that they give the police department \$3,000.00 to do that storage to keep the officers safe. Bud asked where they would get the money from. Joe said they sat in Geoff's office to figure out where to get the funding from. They thought about waiting for a grant, so they could have this taken care of. They looked at capital reserve and the current amount that was in capital reserve, and for the sake of getting secure storage as fast as possible for the police officers so that they can reduce their risk as quickly as possible. It's less than a percent of capital reserve to pull this money out. They're still investigating this but it appears that on their capital improvement plan for this year, they have a \$250,000.00 budget item for the police building itself. They're still looking into that CIP item on the budget and they're going to clarify where that funding comes from but as of today, there would still be a significant net positive to pull from capital reserve for the safety of the officers. Gary asked if the \$250,000.00 was a grant or something because they're saying there's an income of \$250,000.00. Alan said in the CIP, if you look at the police station, they've got \$250,000.00. He wanted to find out first if it was an error and just the wrong number with an added zero but if not, he's not sure how they're funding it. There are more questions than there are any answers. He's just trying to backtrack how that is being funded and where is the income coming from. He asked if it was planned for with a grant from somewhere and if so, did they get the grant. Joe said he and Alan met with Geoff and Marie when they were going over how they were going to plan out this agenda. Marie provided the necessary budget versus actuals for what their capital reserves are and they are significantly net positive in capital reserve, over he thinks \$360,000.00. He thinks \$3,000.00 out of capital reserve is reasonable to protect the cops. Gary said his guess is that it was a projected expense in the capital improvement plan. That is not revenue, that was potential expenses that was going to be based off the roughly \$190,000.00 that they were going to get for the police that they did not get. Joe Adams said they've already got a capital improvement line item to spend money on the police and have the revenue available. It seems like a no brainer to keep the cops safe. It was in the police report about what that gentleman did with his head into the cell. He doesn't want to think about what a gentleman like that would do with access to any known items. There's a line item for that grant but it doesn't mean there's \$250,000.00 sitting in that account.

Dave Cahill, asked if the \$3,000.00 is for the month, the year or what. Joe said it's for one time for the project. Dave said in the Sally port there is a gate in the back. Joe said that's the evidence. It's not big enough and they cannot store other stuff there. They're talking about what they use for day-to-day operations like mops and office stuff. They think they can do it cheaper, but they want to do a not to exceed because he doesn't want to leave him short changed and have to come back to council. Alan said it's about a 10 foot wall with shelves that are open and they've got stuff just about everywhere. It's not just mops. It's where they keep the supplies for the office, tools, generators, batteries. Dave said there is a shed. Joe said it's for a different purpose.

Mike Smith, said he will give them a check for \$2,500.00 from his business to the police department. That'll end all this discussion. Just get the stuff done for the police and be done with it.

All ayes, motion carried.

MOTION BY JOE DUDASH TO APPROVE HOT ROOF INSTALLATION AT THE POLICE DEPARTMENT NOT TO EXCEED \$16,000.00. SECONDED BY BARBARA HEFFELFINGER. Joe said the chief and the staff have been extremely good at making sure no evidence whatsoever has been damaged. They're in a position where they can't continue to allow it to leak over an evidence locker because if something were to happen to evidence, that would be a problem. Geoff solicited quotes from vendors and asked what they can get and for a hot roof, at the time, was \$11,000.00 with a 10-year warranty on it so if it leaks again, they call the vendor back. This is not \$16,000.00 being awarded to one particular vendor. This is giving Geoff the authority to go out and start looking for quotes and not to exceed up to \$16,000.00 to begin to pursue this. They want to get a roof on that police building. They don't want to wait another grant cycle for the roof to continue to deteriorate or to become a problem. If the chief says he needs it yesterday, he's inclined to believe that the chief needs it yesterday. They should be able to reasonably afford something like this,.

Gary Nickerson said there are no bids for this. He doesn't know what the job is. He asked if it is to just fix the roof. There's lots of grants available for this. It's great that it's a 10-year roof but he doesn't think anybody wants to have a flat roof on that building. He was hoping they could pursue something that was an interim fix and they could pursue another RDA grant. Joe Adams said this would be taking the current roof that's in place and essentially permanently patching it for 10 years. Should there be a problem for 10 years, they've got a vendor they can call and say roof leak, fix it. The goal is to buy them time to do one of two things, continue to pursue those grants and get as much as possible. Should that not happen, the roof doesn't leak and if it does, they have a vendor that will fix it. They can continue to set up capital improvement plans to go forward to save the money to make sure that either way, whether a grant comes through or they save the money themselves, in 10 years they're going to have a grant pay for it or they're paying in cash. They are just trying to keep it so the evidence doesn't become a problem for them. Dave said to amend the motion.

MOTION BY JOE DUDASH TO AUTHORIZE THE BOROUGH MANAGER TO SEEK THREE TELEPHONIC BIDS FOR A HOT ROOF INSTALLATION AT THE POLICE DEPARTMENT IN AN AMOUNT NOT TO EXCEED \$16,000.00. SECONDED BY BARBARA HEFFELFINGER.

Dave Cahill, said they already waited two years for the A-frame roof, and they totally blew it with the RDA. The roof joists are getting wet, which means they're getting soft and if you don't get a flat roof on there soon, they're going to have to replace the roof joists.

Tim Weaver, said it is great to see them working together to get things done without worrying about a grant and figuring out how to use the money that the taxpayers give them properly for a change. Gary asked him if he would prefer for them to spend money and not get free money. Tim said there's no such thing as free money. They shouldn't rely on anyone else's money.

Terry McIntyre, said he is seeing some of his earned income tax being spent somewhere good. He had a very large garage business and the roof started to leak and he was worried about the trusses. He had to have a roof put on and do it as minimal as possible. It was a five- or six-year fix. He put trusses up a few years later. They had a sound roof and a storm came and he got water through that first roof but the second roof caught the water, so it really worked out to be a good thing to have two solid roofs. \$16,000 sounds like that's the max, so it might be less than that. If they're having leaks now, it's money well spent.

All ayes, motion carried.

MOTION BY JOE DUDASH TO APPOINT THE FOLLOWING RESIDENTS TO THE ENVIRONMENTAL ADVISORY COUNCIL: TIM WEAVER, HOLLY GANT AND JOE ADAMS. SECONDED BY BARBARA HEFFELFINGER. John Stratz asked for a definition of the duties and responsibilities for this committee. Joe said it's in the code and will email it to him. During one of the meetings, it was brought up and he volunteered to be chair and they had people express an interest. Gary asked if they received applications. Joe said he asked if they needed to and apparently verbal was fine just expressing interest.

Joe Dudash said he thinks this is important after what was observed at Permabilt with cutting trees down and tires and the inlets being filled with tires. Gary said they don't trespass on commercial properties to report something. The EAC is not going to be patrolling the borough looking for environmental issues. They do serve an important function. Joe Adams said they have to have public meetings and the meetings have to be advertised. That's all in borough code.

John asked why they are not vetting those who volunteer like the rec board, which is now defunct. They came in front of them and then they voted. Joe said there will be no action that's able to be taken. It's a committee that meets and makes recommendations to council. John said usually they were introduced and apply. Joe said they can go through an interview for everybody. John said it calls for five and they have three, so they need to advertise to get more people.

Dave Cahill told John he didn't know what he was talking about. The rec board is a totally different entity. They run themselves not by council. There was a code that says what they do.

Tim Weaver, said he's ready for a proper vetting. Gary asked Tim if he believes in the climate change. Tim said the climate has always been changing since the history of this earth. The climate will always keep changing and it will never stop changing. The glaciers were here one time and some of them are not here anymore. If his comment is a political hit job the way he's thinking about it, he does not believe in that. He doesn't believe in the green new scam either. John asked why does he disregard the evidence of climate change. Tim said it's no different than what he said with the fake voting machine with three thousand Trump votes in here. He asked John why he disregarded the election results.

Barbara Heffelfinger said she and Tim had a long talk about a week ago and she told him to go for it with his background. She's happy to have someone volunteer who has expertise in the field.

Tim Weaver, said he's been in the environment his whole life and really cares about it. He makes time every day to be out there to hone his skills to know all the native species, all the flora and fauna, different fish, the migrations, and everything that's going on. He'd like to keep things as pristine as possible. He wants to make a difference and help. Ms. Schuehler has the MS-4 coming up and it's one of her requirements with the little Neshaminy and upper Neshaminy watershed ordinance and that she has some public participation. He'd like to be a part of that team.

Joe Adams asked him if his intent is to work with Ms. Schuehler, him, and the rest of the

members of the committee to try to promote clean air, water, soil and a clean environmental future for Pennel. Tim said absolutely, that's his number one reason for being here. Gary asked Tim if he thinks he has the right temperament for this because he comes to these meetings and attacks people. Tim said he should look in the mirror.

A roll call vote was taken. Joe Dudash, yes, Alan Dashoff, yes, Joe Adams, yes, Gary Nickerson, no, Barbara Heffelfinger, yes, Bud Murphy, yes, John Stratz, yes. Motion carried 6-1.

Joe asked Dave if the ordinance requires that they meet in a certain amount of time and advertise that notice. His understanding is this is an as needed basis and there's no immediate need for them to suddenly formally organize. Dave said he would look into it. Joe said if they decide to meet, they'd have to advertise their meeting and they will be able to meet in this building. He thanked Tim and Holly for volunteering but doesn't want to limit it to just them. If anyone else would like to be on the committee, talk to one of them or drop an application off with Marie.

MOTION BY JOE DUDASH TO ADOPT RESOLUTION #2023-5 DEDICATION OF THE AMERICAN RESCUE PLAN FUNDS \$226,485.34. SECONDED BY BARBARA HEFFELFINGER.

Joe Adams said the intent for this is for it to be dedicated to stormwater inlets, per Carol's recommendation. He thanked Joe Dudash and his committee and Carol for their work. Joe Dudash asked if it was possible if the borough could contribute some money in connection with this to get more inlets done. Joe Adams said it's not on the agenda, so they can't do anything now. They can talk about it at the workshop. He believes there is more money already in the budget allocated to sewer inlets. Joe Dudash asked Carol if the allocation of this money now would be enough to get the ball rolling and if they are able to contribute more, they can extend that process. Carol said she thinks that's a good chunk of money right there to get started. Barbara said they should spend this money first and then go from there. Joe Adams said they are voting today just to award this money. No further money is being added to this at this time. Joe Adams thinks this is a good infrastructure project and a good use of the money. They've got a lot of support from pretty much every side up here and so far, no negative comments from the public.

Tim Weaver, asked if there was any money allocated in this year's budget for any stormwater improvements that can go along with this COVID money to maybe direct towards this and to Carol's direction to bump it up a little bit. Joe said yes, in the tens of thousands allocated in the budget for stormwater. Tim said it's a great idea to actually put this money back into the borough and if there's any other monies allocated to it, he thinks it should all be lumped together and get the project rolling.

All ayes, motion carried.

MOTION BY BARBARA HEFFELFINGER TO AUTHORIZE HILL WALLACK TO PREPARE A PUBLIC COMMENT POLICY. SECONDED BY JOE DUDASH. Joe Adams said they have a lot of interesting people that want to say a lot of interesting things and he cannot do anything to prevent people from saying things. What he can do is take action if he feels like a council member is being threatened to prevent that. At the same time as members up here, there's a

real temptation at times to want to just jump in, which is okay to have that dialogue but sometimes they also need to kind of pull back let that comment go because they can't prohibit that. They will have the solicitors prepare a policy that they can work on together as a council and revisit at any time that will give them guidelines on how they can make sure people can comment and have a discussion about new things that come up. He'd like to build a safe policy where they get to talk and then they get the opportunity to respond and the chair gets the opportunity to kind of facilitate and extend that, should that be necessary. That gives people the opportunity to feel like they're a collaborative part of the process and still maintain the safety of this organization. He does not want anyone sitting up here to feel like they're not safe at any time because the government will not continue to function that way and that's not appropriate.

Dave Truelove said this is something which is being considered in a lot of public entities these days. The First Amendment is the most important one they have and they have several important ones. Public comment has to be consistent with First Amendment requirements. There are several public sector clients doing the same thing right now, so this is a very common exercise for public bodies to be looking at. The times they live in demand it, so they will do their best. They've already drafted some public comment policies for other entities and it's going to be up to this body to pass it. When they pass it, they have to make sure it is consistent with all the things they just talked about.

Dave Cahill, said he doesn't think they need a dirty rotten lawyer making up a policy for them. They don't need a time limit. They just want answers to their questions, and they want transparency. They're tired of the professionals doing what they want and spending whatever they want on whatever they want to do with no vote from council. They want the proper things done at these meetings and if they do things the proper way, they're not going to get the shouting from the audience.

Joe Adams said to add to that, he did not ask a lawyer. He asked Ben to prepare it, so they'll get Ben's feedback later. He'd like that in the record. Marie sits up here but Karen types the minutes. He wants her to know he wants his comment about Ben in the minutes.

All ayes, motion carried.

MOTION TO ADVERTISE FOR CIVIL SERVICE ALTERNATES, BUILDING CODE BOARD OF APPEALS AND PLANNING COMMISSION SEATS.

Joe Adams said he would like to let people know what these committees are about and give them an opportunity to ask questions. They can readvertise these positions and make sure people are aware that vacancies exist. Dave said Civil Service is self-explanatory. They just established the Civil Service Commission in the last few months. The Building Code Board of Appeals is a very important board and unfortunately, it's very difficult to get volunteers to serve. There are some statutory requirements for some membership in certain professions. If someone has a curb that is non-compliant and gets a violation notice, that individual has the right to appeal that but he has to appeal to the Building Code Board of Appeals. They don't have one yet, so right now to enforce some of the ordinances, it's a very dicey situation when you have to issue a violation and somebody appeals, there's nobody to appeal to. They also have to make sure they fill the Planning Commission. Joe said in speaking with Geoff, it should be people in the construction field. Local residents, foremen, local contractors, ladies and gentlemen that have experience in those trades. That's literally the requirements and right now,

they have zero applicants. Barbara said they have two applicants but it's not official yet. Joe said they don't want third party vendors outside the borough. They would like neighbors that work in these trades. They want to make sure they advertise these opportunities, and that people are aware. He has to bring it before Council because there is a cost to advertise.

Gary asked if applicants are going to be submitting applications. Joe said they can contact borough hall. He believes they have applications, and they can attach their resumes as well.

Mike Smith, asked if there is an ordinance for the Board of Appeals. Dave said it is in the general code. It's from the state. Every public entity has to have one. Mike asked if it is binding. Dave said the decision is similar to the Zoning Hearing Board. It's binding unless they decide to appeal. It's similar to the Zoning Hearing Board, except with different code.

All ayes, motion carried.

MOTION BY JOE DUDASH TO APPROVE AN ORIENTATION SESSION FOR BOROUGH COUNCIL MEMBERS. SECONDED BY BARBARA HEFFELFINGER. All ayes, motion carried.

John Stratz explained this is an orientation session for borough council members. It is a Zoom meeting presented by the Pennsylvania State Association of Boroughs, which they are members of. It will explain how local government officials are supposed to act and what they're supposed to do. Alan and Bud have both signed up. He would ask that Mr. Dudash do this session as well. Joe Adams said he attended one. The intention here is to add a supplement on top of that, not to take away, not to prohibit or change. Joe said he made an error this week. He talked to the chief and he didn't go through the Public Safety Committee. He didn't even think to go to them. He didn't know what the purpose was. Barbara called him out on it. He took the state course, and it was very good and very useful for the legal terms. He hasn't actually since being brought on board, had a time to sit down and say how should they be functioning, the seven people that are up here, the committees they have, the roles and duties of the mayor versus council president, the roles and duties of what council people do on certain issues. Do they go to Geoff or the committee. The intent behind this is to have a session where they personally talk about what it is that they do because Joe runs his mouth too much and needs to shut up. He would like that in the minutes. They need to talk about roles, duties, and limits. It would be good for them as a refresher course. John asked if this is a motion just towards the in house. Joe said the intent for this motion is how Penndel specifically is going to operate. John asked if they can encourage Mr. Dudash to take the Zoom meeting. They will hold it right here. Joe said he will be a witness.

Alan said as part of the orientation, it should be not just the committees, but also the budgeting process with the chart of accounts, how money moves between accounts and what the restricted accounts are. They can't just take X money and spend it on Y if it comes from a specific account and put it in a dedicated account. Joe Adams said he could benefit from that as well. Dave said what he would ask of all the council members is to come up with the different things they'd like to have included. It'll be a while before they get it done but they'll take all that information and put it on the proposed agenda, and they could talk about the structure itself.

Barbara said she thinks they need to do this ASAP. They should also assign committees. Joe said he agrees. They should do the orientation first and then after the presentation, they revisit the committees because then they'll have a clear understanding about everything.

Gary asked about including the duties of the mayor. Joe said that will be included.

All ayes, motion carried.

MOTION TO AUTHORIZE A LETTER TO BE DRAFTED TO SECURE PENNDELPA.GOV.

Joe said for the following motion, he has to do this as a motion or some type of resolution. For zero dollars, the government will award them and allow them to register penndelpa.gov. They're not changing the website address or e-mails. This would empower the Tech Committee to draft that letter, have it signed and have a motion and backing so they can set it aside so if in the future they want to have that streamlined government domain, it's free, it's locked in and in perpetuity. They can't delete it without an official action and the letter in a motion. There are no maintenance costs associated with it. The government provides all the fees. John asked what this does for them. John said right now, they've got boroughofpenndel.org, penndelboro.org and other things. By creating penndelpa.gov, they're doing two things. One, they're establishing that this is a .gov website. This reduces the chance for someone else to impersonate Penndel official's websites and emails. Two, it enforces federal law on that website. By law, they can't campaign or advertise. By law, they can't use that for anything of a political nature. It can only be of public service to prevent anyone from hijacking it to do anything political. Also, they pay for those other domains. This is 100% free. John asked if it would help to also register penndelboroughpa.gov. Joe said the guidance from the .gov registrar was to use the smallest part of your municipality and then the state and then .gov for their type of entity. They don't want to see the word borough in there. The police can have one as well for free.

All ayes, motion carried.

MOTION BY BARBARA HEFFELFINGER TO HIRE ECKERT SEAMANS CHERIN & MELLOTT, LLC FOR SOLICITOR OF THE CIVIL SERVICE COMMISSION AS RECOMMENDED BY THE CIVIL SERVICE COMMISSION. SECONDED BY BUD MURPHY.

Alan said they looked at several firms that replied to emails and calls that Geoff made and basically what it came down to, is these guys wrote a lot of the books that the state uses for training, they've got municipalities our size and they're set up similarly and the price was the best. That's why they're recommending them. They don't want to reinvent the wheel and they'll use one of the other municipalities as their template and go from there.

Dave Cahill, asked if the committee is legit because they did not meet within the 10 days to organize. Joe said yes, they are. Dave asked who said so. Joe said the lawyers.

Dave Truelove said he's known Mr. Blessman and Mr. Cassidy for quite some time. They were at another firm before that. They did write a lot of the model civil service rules. Dave said he did civil service work in Yardley and he's familiar with their work and they know their stuff. 6 yes, 1 no (Joe Dudash), motion carried.

Joe Dudash said he thinks this is a boondoggle on the taxpayer. It's \$10,000.00 plus they don't need a full-time sergeant. He'd rather give the officers more money for recruiting. This isn't going to help recruit. They're just creating a bureaucracy and then it's going to get politicized.

Items for Discussion:

Capital Improvements Plan - Joe Adams said he spoke with Geoff and asked what the plan is moving forward for this year. He said Geoff said they already have that. It's called capital

improvement plans and it's in the budget. There are three center areas of focus, parks, recreation. Gary said this is the first time this has been in the budget this sort of projection. Joe said he wanted to continue to highlight it because he thinks these are tangible, achievable projects and the goal moving forward is to continue to prioritize these and get stuff done.

Purpose, rules and requirements of committees and workshop meetings - Joe said he and Barb had that discussion, he wants to have that during their orientation, then clarify those committees, then make sure workshops are productive and those committees are moving forward. He put that on the agenda to make sure it was recognized that they talked about that.

Research on technical solutions for the borough - Joe said he is asking Alan and the Tech Committee to start considering and looking at proposals of tech solutions they can use to try to reduce the labor of the staff that we have and make the processes more efficient. They're not cutting jobs, not removing jobs, not cutting employees. They're specifically looking if there are technology solutions to make things like the website efficient and getting the minutes online more efficient and getting whatever business process is done more efficient. Begin to research the option to pay some of the bills digitally, not to cut any of the staff out of the bill paying process but to make sure that these things are more efficient. John asked if this was going to be strictly pay online because with the sewer bill, they have a lot of older residents who will not do that. Joe said it's just a discussion to start looking at stuff. Never are they ever going to make it so that a resident in this borough can't bring a check or be accommodated. That would never be the intent. Alan said they might be able to say if they want the borough newsletter online, it's an option. There are some folks that just don't do the online thing well. Some people like to hold it. Joe said they might be able to cut down on how much they print for that but would never stop printing it. They would always keep that available.

Public Comment

Dave Cahill, said he's been in contact with the DA's office. He said to Dave Truelove that there was a letter that the chief read into the minutes back on December 7th of 2020 that was supposedly intended for Mr. Dudash and now the DA's office is having a very hard time coming up with this letter. After having a conversation with Mr. Dudash, he's been told that he told him that the letter was a fake. He asked if that was true. Dave said he actually talked to the author of the letter at the time, and he has an e-mail from him. Joe Dudash said he doesn't want to discuss it. Dave Cahill said he didn't ask him; he's asking Dave Truelove. Dave Cahill asked why the DA's office is having a hard time coming up with the letter. As soon as he got the right to know request back, and he got the letter that was dated October 8, 2020, he sent it to the DA's office. They say they don't have it on file up there. Dave Cahill asked Dave Truelove if he is telling him right to his face tonight that that letter is not a fake. Dave T. said that letter is legit. Dave C. said if it is a fake, he's going to pay the consequences for lying to him at this meeting. Dave T. said he's not lying. Dave C. said somebody's lying. Dave T. said it's not him. To his knowledge, the letter is not a fake. Dave C. said Greg Shore no longer works for the DA's office. He wants to make sure it's legit because the letter refers to two council members that were interfering in police business and Joe Dudash was the only one that the chief was coming at.

Tim Weaver, thanked them for considering him for the EAC. He will try to do his part to live up to that appointment. He thanked them all for being almost as civil as one committee can be for an evening. He said to Barb it was wonderful to talk to her and get some things straightened. He was sorry if they had some words before, but he'd just like to put that behind them.

Terry McIntyre, said he and his wife pay most of their bills online. Some people still like to send a check or drop something off but it would be quicker for the borough because when they pay online, it's immediate to the day we want it to post. Checks can get lost in the mail. It would be a great option to pay the sewer and trash bill online. He asked about Penndelborough.gov and Penndelboro.com. Joe Adams said the way it works is every domain name has to be purchased, registered, and owned by someone every year. Currently the borough pays for, registers and owns a couple of them. Terry said so another entity couldn't come in and just take penndelboro.gov. Joe said only if they stop paying for it then they could. Terry asked if the motion to hire Seamens has a retainer involved. Alan said it's hourly. Terry said he stumbled across an article in the newspaper about Levittown Lanes and that it was a \$5 million loss, and the insurance company isn't covering it. The defendants in the case are Brown and Brown Insurance, which is who the borough also has. He thinks the Insurance Committee should make sure that all the information is in that policy that they need for anything that they have through Brown and Brown that it's worded and it's all in there because you know you only need insurance when you need it and if things aren't worded correctly, that's what happens.

Council Members to be Heard

Joe Dudash asked that they put replacing batteries for the PD walkie talkies on the agenda. Joe Adams said he and Barbara will talk to the chief and see how much they are and how many he needs. They will report back to council. Joe Dudash said also the sidearms because of the age. Joe said he and Barb will add that to their discussion with the chief. Joe Dudash said the car without the plate reader has a taillight out. Joe Adams said that may just be an administrative level fix that doesn't require a vote. Joe Dudash said something he and Barb worked on when COVID first happened, they had a company they hired that would clean up the bodily fluids and all because of COVID. Michelle was not to clean it up because that is like a hazmat. And also, with the Fentanyl thing. Joe Adams said he's right, bodily fluids are considered hazmat and that's something that he and Barb will look at.

MOTION BY BARBARA HEFFELFINGER TO ADJOURN THE MEETING AT 10:12 P.M.
SECONDED BY JOE DUDASH. All ayes, motion carried.

Submitted by: _____
Marie Serota, Secretary/Treasurer



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

March 6, 2023 Engineers Report

Penndel Borough, Bucks County

➤ Schoolhouse Court

An amended Land Development Plan has been submitted with a request for waiver. We have reviewed this request and provided a report to Council to support consideration of this request.

CDBG Grant Application for accessible ramps

The CDBG Grant application to fund installation of accessible curb ramps was submitted to and acknowledged by the Bucks County Department of Housing and Community Development.

Annual Chapter 94 report for Sewage Collection System

The annual report on the sewage collection system was prepared and uploaded to DEP. Copies were also provided to BCWSA.

Crack Seal

We requested and received an updated quote from Asphalt Maintenance Solutions for one day of crack sealing. 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.

In 2021, Councilman Stratz and I surveyed the streets and identified those which are good candidates for crack seal. Once the quote is approved, we will prioritize that list as direction to the contractor to start cleaning and sealing cracks for a full day of work on Borough Streets.

