

Penndel Borough Council Meeting Minutes

May 1, 2023

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

Present at the Meeting

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

Also present at the meeting

Barbara Kirk, Solicitor, Hill Wallack
Carol Schuehler, Value Engineering
Marie Serota, Secretary/Treasurer
Geoff Thompson, Manager
Police Chief, Sean Perry

Presentation

Scott Henley, Director of Operations, Penndel-Middletown Rescue Squad, made a presentation on who they are, about their station, response statistics, what's been happening, what they're doing at the squad and what their challenges are.

Reorganization of Council

MOTION BY JOE DUDASH TO NOMINATE JOHN STRATZ AS PRESIDENT OF COUNCIL. SECONDED BY JOHN STRATZ. A roll call vote was taken. Alan Dashoff, yes, John Stratz, yes, Gary Nickerson, yes, Joe Dudash, yes, Bud Murphy, yes, Barbara Heffelfinger, yes. All ayes, motion carried.

MOTION BY JOE DUDASH TO NOMINATE BARBARA HEFFELFINGER AS VICE PRESIDENT OF COUNCIL. SECONDED BY BUD MURPHY. A roll call vote was taken. Alan Dashoff, yes, John Stratz, yes, Gary Nickerson, yes, Joe Dudash, yes, Bud Murphy, yes, Barbara Heffelfinger, yes. All ayes, motion carried.

Council or Borough Announcements

Mayor Sodano announced that Chief Perry received a national award during the month of April and was in Arizona to accept it. The Axon Taser Corporation has a national award called the Jack Cover Award Save of the Year. Chief Perry received national recognition for successfully and safely deescalating an incident involving an armed man who was threatening to kill himself. He congratulated Chief Perry and thanked him for a job well done.

Public Comment on Agenda Items

An unknown person spoke from the back of the room. Could not hear comment.

Consent Items

MOTION BY BARBARA HEFFELFINGER TO APPROVE THE MINUTES OF THE APRIL 17, 2023 WORKSHOP MEETING AND APPROVE THE FOLLOWING BILLS FOR THE MONTH OF APRIL 2023:

General Fund	\$25,652.99
Fire Tax Fund	\$ 9,898.98
Refuse Fund	\$ 32.47
Sewer Fund	\$34,933.66
Capital Reserve Fund	\$29,412.55
Sewer Capital	\$ 55.00
Liquid Fuel Fund	\$ 8,305.98
Escrow Fund	\$ 1,593.50
Payroll Fund	\$ 835.71

Payroll

General Fund	\$31,585.35
Sewer Fund	<u>\$ 3,339.78</u>
Total	\$34,925.13

Escrow Fund Bills

Schoolhouse Court:

Hill Wallack, LLP	\$ 420.00
Value Engineering	\$ 27.50

Schoolhouse Court LD:

Hill Wallack, LLP	\$1,120.00
Value Engineering	\$ 26.00

SECONDED BY JOE DUDASH. All ayes, motion carried.

Reports:

President's Report

John Stratz said he will endeavor to do his best to be the mouthpiece for this council.

Borough Manager's Report

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

Joe Dudash asked why the trash cans are missing. Geoff said they moved them by the police station because people are using them to put their dog waste in and it is causing a smell and people have started to park there. Joe suggested they get a small can for the dog waste. Joe asked when they would be fixing the light by the police station that was brought up two months ago. Geoff said he wasn't aware and would have Lou look at it. Joe asked how they are doing with the police station roof. Geoff said he had a discussion with the mayor about how they want to proceed. They have a couple of options such as fix what's there, replace what's there or put up some sort of pitched roof. Council needs to discuss it. Joe asked him to move this along and enlighten them at the next meeting. Geoff said he can go out and get quotes again. Joe

asked Geoff if he could tell him what the borough debt is and what categories they're in. Geoff said he didn't know offhand. He said he had sent that to them on a spreadsheet. Joe said he didn't send it to him. Geoff said he did, and it has three sheets in the same file. Barbara said they have two major debts. One is \$118,056.69 and the other one is \$8,056.69. Those are two bond issues from maybe early in the 2000's. The one was done a year and a half to two years ago and that was a refinance of what they had. They were able to lower the interest payments down to 1 1/2 percent, which was a big deal because they're paying much less than they paid before. Geoff said he just pulled up the e-mail he sent to Joe. There are three outstanding loans. The first is from 2006 and has an outstanding balance of \$314,000.00 and it's a 20-year loan. The second is from a 2012 loan and has an outstanding balance of \$287,000.00 and it's a 20-year loan. The third was broken into two parts: series A and series B. Series A has an outstanding balance of \$261,000.00 and series B has an outstanding balance of \$197,000.00. That's the debt. Joe asked how they were doing with the outdated batteries for the police radios. Geoff said Joe Adams did not talk to him about them. Joe asked about the sidearms. Geoff said he briefly discussed it with him. That would be more of a budget item for next year. Joe said that Mr. Schramm, from the fire department, sent council a memo about the incident with the trucks about clipping vehicles and parking on the streets. They need to change the ordinance. In chapter 390, vehicles and traffic, article one general regulations, 390-4 is experimental regulations. They can do a 90-day temporary no parking and ticket because it's considered under the experimental determination of feasibility and desirability of permit changes in the ordinance of the borough related to traffic and parking. He thinks they need to work on that. And he doesn't see what the problem is with painting curbs yellow for no parking. Maybe they can get the maintenance guy to start working on that. Geoff said they need to know the final distance they're pushing the parking back. Joe said it's in the ordinance and they can just look at the faded colors. Geoff said but he's talking about moving it back. Joe said they have to get the ordinance changed so the faded ones need to be painted as requested by the fire department. That should be the top priority on his list to get done and he wants them to start using the experimental regulations, which the borough has in an ordinance. Barbara said to give it to the Public Safety Committee.

Chief Perry said their firearms are in good working condition. They are reaching toward the end of their life, so it is something they're starting to look at for the future with maybe a grant from the RDA or other grant funding and replacing those with more modern technology. The same with the batteries. They are starting to reach the end of the quality of life and actually might be past due. He's been working with the county radio repair shop. They gave them some recycled batteries to use for the time being. He's getting some prices on the replacement cost for them. They'll probably incrementally replace them, but they work fine. They're just starting to get less and less of a charge on them.

Police Chief's Report

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

Joe said to Chief Perry that he saw his car was here on Saturday. He asked if something major happened or if a shift needed to be covered. Chief Perry said he covered a shift. Joe asked if he was short of personnel. Chief Perry said just like every other police department who is experiencing a hiring and staffing crisis. Further on the agenda there is a suggestion to potentially hire a full-time officer, which will help drastically with covering hours. Joe said he was in the last negotiation's contract with the PBA. They were very professional, and they cared about the community and the finances of the taxpayer. He thinks the officers have done a good

job and he believes these officers should be getting more money. They should get \$31.00 an hour and have two sergeants/community service officers. They need a pay raise to be compatible with the other boroughs. He appreciates the PBA and how they negotiate because of the finances, the community, and the taxpayer. Chief Perry said that's one thing they really look for in the officers is that they do care about the community, more than just showing up and putting a uniform on. They really take pride in this job, and he'd like to think it comes down to them all working together as a team. He thinks everybody at the department he's either trained, hired, or has worked with for over ten years. He trusts every one of them to have his back and he thinks that they all trust each other to have their backs. They are being paid below what prevailing wage is. They need to be rewarded for the sacrifices that they make by working long hours, by working holidays, nights, weekends, by working their full-time job and then coming in and working a shift here.

Solicitor's Report

Barbara Kirk reported that the Zoning Hearing Board heard the case for the Darnley fence issue at which time, the Zoning Hearing Board upheld the notice of violation, and no further variance relief was granted. They are waiting for the formal written decision from the board at which point, they'll see whether or not the Darnley's intend to appeal.

Engineer's Report

Carol Schuehler read her report which is on file in the secretary's office.

Joe said he heard that Congress is talking about pulling the Covid money if it's not spent. So, he asked Carol if she had gotten started on that project. Carol said that is on her list to revisit the sewer pipes and determine which ones need cleaning. She will get three quotes and proceed with the contract for the actual inlet structures. The borough already has the ARPA money. Joe said Congress is saying if it's sitting with them and the city doesn't spend it before they pass this bill, they're taking the money back. So, we'd like to get the contractor at least so that they can say it's happening.

MOTION BY BARBARA HEFFELFINGER TO APPROVE THE \$13,600.00 QUOTE FROM HAINES PAVING AND LANDSCAPE TO COMPLETE PAVEMENT BASE REPAIRS ON SELECTED AREAS OF RUMPF AVENUE AS RECOMMENDED BY BOROUGH ENGINEER. SECONDED BY GARY NICKERSON. A roll call vote was taken. Alan Dashoff, yes, John Stratz, yes, Gary Nickerson, yes, Joe Dudash, yes, Bud Murphy, yes, Barbara Heffelfinger, yes. All ayes, motion carried.

MOTION BY BARBARA HEFFELFINGER TO AUTHORIZE PUTTING OUT FOR BID SEALING RUMPF AVENUE WITH THE ULTRA-THIN WEARING COURSE AS RECOMMENDED BY BOROUGH ENGINEER. SECONDED BY JOHN STRATZ. Alan Dashoff, yes, John Stratz, yes, Gary Nickerson, no, Joe Dudash, no, Bud Murphy, yes, Barbara Heffelfinger, yes. Motion carried 4-2.

Mayor's Report

Mayor Sodano read his report which is attached.

Committee Business:

Information Technology

Course Vector Estimate:

10-15 hours -my estimate 15-20 hours leaving room for problems and changes.

Option A. Use the 5.5 hours we currently have prior to July; use the 10 hours we get in July with reserve of \$375.00 based on 20 hours.

Option B. Use the 5.5 hours we currently have and contribute \$1,100.00 to the project.

Option C. Do nothing.

Alan Dashoff explained the issues with the website. He personally would go with option B which is to use the 5.5 hours they currently have and contribute \$1,100.00 to the project. Barbara said she is not a techie and doesn't understand half of what he's talking about. Since she is on the Culture and Recreation Committee, which includes the newsletter and the website, she would like to have a committee meeting so that everything is explained before she votes on it.

MOTION BY ALAN DASHOFF TO CHOOSE OPTION B FOR WEBSITE MAINTENANCE THROUGH COURSE VECTOR. SECONDED BY JOHN STRATZ. Gary said he understood Barbara's hesitation because it is confusing. He poked around on the website a while ago and it is a little confusing and it seems like it was made by a different developer. Alan is looking to streamline everything and make it so they can actually do what they want to do. It's difficult to post things and find certain things. He thinks what they're proposing to do makes a lot of sense. Barbara said she resigns from culture and recreation. She will not vote on something that she does not know anything about. Alan showed Barbara what he is talking about on the website. Barbara asked if he could give her a half hour one day to explain everything. Joe asked if they could table this and have Alan sit with her and explain it. A roll call vote was taken. Bud Murphy, yes, Gary Nickerson, yes, John Stratz, no, Alan Dashoff, yes, Barbara Heffelfinger, no, Joe Dudash, no. Mayor Sodano broke the tie with a no vote. Motion failed.

MOTION BY JOHN STRATZ TO TABLE THE WEBSITE MAINTENANCE MOTION UNTIL THE NEXT MEETING. SECONDED BY JOE DUDASH. A roll call vote was taken. Bud Murphy, yes, Gary Nickerson, yes, John Stratz, yes, Alan Dashoff, no, Barbara Heffelfinger, yes. Motion carried 5-1.

Civil Service Commission

Alan Dashoff explained that they took the civil service regulations and integrated the rules because there wasn't any in the one that was done before like what the hiring requirements are and what the test scores will be, things like that. They will send it to council to read and discuss and then vote on it or if they want revisions, they will send it back to the lawyers to revise. Gary asked if this was the ordinance and Alan said yes.

Unfinished Business

Tabled from 4/17/23 workshop meeting:

MOTION BY JOHN STRATZ TO PREPARE REQUEST FOR PROPOSALS FOR THE BOROUGH HALL ADA RENOVATIONS PROJECT. SECONDED BY GARY NICKERSON. Geoff explained that he went back to Gilmore to see if they would lower their price and they refused. He created an RFP to get in another architectural firm to complete the project. The borough received \$139,000.00 from the RDA to make the rear door, the inner door, and the front door ADA compliant. Also, to make the rear ramp ADA compliant. Along with this, they are going to be putting in automatic locks, which is like the fob system the police department has.

They also want to put in a service counter. This motion is to allow him to put out the RFP for another architectural firm. They need to move on this because the RDA requires it be done by the end of the year. John asked if there was a possibility that the present architect wouldn't do it if it was rebid. Geoff said that is a possibility. Alan said they can either vote yes to move forward and try to get quotes from other firms or vote no and try to get Gilmore. The roll call vote was taken. Bud Murphy, no, Joe Dudash, yes, Gary Nickerson, yes, John Stratz, yes, Alan Dashoff y, Barbara Heffelfinger, yes. Motion carried 5-1.

MOTION BY BARBARA HEFFELFINGER TO HIRE THE LAW FIRM OF RUDOLPH & CLARKE LLC AS SPECIAL COUNSEL FOR THE 2024 TRASH CONTRACT AT \$185.00 PER HOUR AFTER COMMITTEE REVIEW AND COMPLETION. SECONDED BY BUD MURPHY. Gary said at the last meeting, they talked about that the refuse committee needs to sit down and just update Geoff on some of the problems that they've discovered with the existing contract. They haven't done that yet, but he thinks it's prudent to move forward and get the solicitor because there's a lot, they can do to get the ball rolling. Joe said they can use Hill Wallack because they represent Waste Management. Joe said there are some things that need to be changed but it's all laid out already, so all they need to do is add these new changes, but they need them to do it. All ayes, motion carried.

New Business:

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

Langhorne Postmaster invoice dated 4/4/23 in the amount of \$374.31 for quarterly sewer/refuse billing postage.

PECO Payment Processing invoice dated 3/14/23 in the amount of \$114.97 for traffic lights' electric.

Comcast invoice dated 3/26/23 in the amount of \$217.19 for internet and voice services at 300 Bellevue Avenue

Comcast invoice dated 3/26/23 in the amount of \$236.68 for internet and voice services at 37 W. Woodland Avenue

The Hartford Invoice #357523978334 in the amount of \$732.93 for life insurance premium

Gettysburg Premium Account invoice dated 3/31/223 in the amount of \$169.59 for dental insurance premium.

WM Corporate Services, Inc. Invoice #0004997-2448-2 in the amount of \$17,976.25 for March service

Comcast invoice dated 4/2/23 in the amount of \$209.91 for internet at 790 Neshaminy St.

Comcast Invoice #169631807 in the amount of \$564.09 for business voice edge service

Verizon Wireless Invoice #9931464991 in the amount of \$25.02 for M2M Account Share 1GB

Independence Blue Cross Invoice #230407264523 in the amount of \$5,958.90 for health insurance installment

Selective Insurance Co. of America invoice dated 4/11/23 in the amount of \$5,868.00 for workers' compensation and commercial package insurance installment.

PECO Payment Processing invoice dated 4/13/23 in the amount of \$1,712.29 for streetlights' electric.

SECONDED BY BUD MURPHY. All ayes, motion carried.

MOTION BY GARY NICKERSON TO AUTHORIZE CONRAD SIEGEL TO COMPLETE THE ACTUARIAL STUDY IN THE AMOUNT OF \$1,000.00 TO BE PAID OUT OF THE POLICE PENSION PLAN. SECONDED BY ALAN DASHOFF. Gary asked Geoff to explain what this motion was. Geoff said the police pension plan was audited by the state auditor's office a few months ago, which they're required to do every three years. They informed him and the chief that it has a very unusual provision which is called the Social Security offset. The plan document says a police officer can retire when 55 years old and with 25 years of service. So, at that point, he can take his monthly pension payment but when he starts taking his Social Security, that monthly payment is reduced by 75% of what Social Security gives him. He basically said he's never seen this provision and when he talked to the people who oversee their pension, which is Conrad Siegel, they said Pennel is the last police pension plan that has that provision in. Basically, they were all taken out 30 to 40 years ago. It's basically antiquated. When you change a pension plan document, you need to have an actuarial study completed and Conrad Siegel can do that for them and oversee the plan for \$1,000.00, which is paid for from the plan. The study will let them know if they take out that Social Security offset if they will need to have a greater employer contribution into the plan or will it have no effect at all. The motion tonight is to authorize the actuarial study from Conrad Siegel. It's not changing the plan at this point. Mayor Sodano said to clarify, the plan itself pays for this particular item so council is not voting to spend the money but rather to authorize the action to happen. Geoff said yes. Barbara asked if it is a flat fee. Geoff said it is. All ayes, motion carried.

MOTION BY BUD MURPHY TO PURCHASE A DEFIBRILLATOR FROM AXON ENTERPRISE, INC. FOR BOROUGH HALL IN THE AMOUNT OF \$1,995.00. SECONDED BY GARY NICKERSON. Mayor Sodano explained that the one that was in borough, one or both of the paddles were no good and is a unit that is no longer serviced. They would have to find a used unit with paddles that still work. Alan explained that this is the standard unit that emergency services, police cars, and everyone is using paddles, parts, etc., that interchange. The one they had was outdated. Fixing it is not going to be cost effective and will cost them more than buying a new one would. Chief Perry said it was at least 12 years old and is not really being used much anymore. They're not serviceable and the pads were expired on it and none of the vendors that they typically use had those pads even available. They want to buy a new one that is in conformance with what they have in all the police cars, and it is compatible with what Pennel-Middletown ambulances use. It is the same make and model that their officers are trained on as well as the two secretaries who were certified on this for CPR AED with the instructor who did the officers. That way if there is some type of medical event here, it can be pulled out of that box and applied quickly in a very time sensitive manner. All ayes, motion carried.

MOTION BY BARBARA HEFFELFINGER TO AUTHORIZE ADVERTISEMENT FOR A FULL-TIME POLICE OFFICER. SECONDED BY JOHN STRATZ. Joe Dudash said he was opposed because he doesn't know what they're voting on. They have to get the documents from Bob Winkler. They don't know what the salary or benefits are and how they should advertise it. They have to link up with the Police Chief's Association. They don't know if a veteran applies, or diversity and are they going to work rotating shifts. They need to take care of their part time officers first. They and the chief will need yearly evaluations. They will need a citizen's police oversight commission, an independent police auditor, they will need to be accredited. Alan said they don't need the civil service to hire the first one. Until they have two full-time employees,

they can do this outside of the civil service being ready. Joe said they need to finish negotiating with the PBA first. Also, the fire department will be becoming regionalized.

Joe said they need a referendum or do a survey to see what the taxpayers and the residents want. The part-time officers need to be taken care of. Chief Perry said he agrees that the part time officers need to be taken care of, but they also need to not be overworked and by hiring full time, it'll alleviate some of their burden. They hire four-part timers a year. If they hire more full timers, it will keep those people here. It's like buying a brand-new car. Paint it your favorite color. Put in a brand-new motor. Put a turbo in it with new rims. Then give it away to somebody else for free, which is what they've been doing since 1997 when the second full timer left, and that position has never been filled. They had five full timers in this department back in the 80's and they never missed a shift. Now they have a staffing crisis nationwide and part-time policing does not work anymore. He presented a 14-page packet to council with a PowerPoint as to why part time policing is not working. The part time officers are doing a great job, but they're overworked and underpaid. They leave here for other full-time jobs because they don't have benefits or a pension. Give them the opportunity to stay and grow with this department and they can invest time and training and have them grow with the community. He thinks they have lost thirty part-time officers. Chief Perry said that Joe had said there is a recession coming. If that happens, crime rates go up and you need police officers. They're looking at a dollar figure and they're sacrificing public safety for money. They need to protect the residents by doing what's right and investing in the police department. Part time officers are leaving, and it is extremely hard to fill those positions. He put out a social media blast that they are hiring part time officers and they had one person apply and then a second person a week later applied. One of those already withdrew from the process because they got hired full time somewhere else. Joe said so, what he's recommending a full-time police department. Chief Perry said he would like to have five full timers eventually, which is a 10-year plan, but they need one now. Joe said there's no way one officer is going to bail them out right now. He asked if they would do rotating shifts. Chief Perry said they would. Joe said he's not going to get anybody to come here. The IRS is hiring thousands of agents at \$60,000.00 to start out. US Capitol police start at \$70,000.00. He asked if he really thought some young guy is going to stick around here. Chief Perry said yes. He stuck around and they have officers who've been here for 20 years. The officers work in this borough because they love this borough. They don't necessarily always love council and the decisions certain council people make. They have to support the officers by easing the burden on them. Joe said they would be the only police department in the boroughs to be full time officers. Chief Perry said he's comparing apples to oranges. They have way less statistics than Pennel does. Joe said the tax burden will be on the residents. Chief Perry said they will have a tax burden by increasing the budget for the police department by hiring full time or they're going to have an increase in crime rates and they're going to be affected either way. It is their responsibility as elected officials to make the right decision. They're going to do their best to protect this community. He presented council with a problem and for the last five years, he's made it clear to council why they need a full-timer and for five years his suggestions and recommendations have gone unanswered. Now is the time to make the right decision for themselves, their families, their children and for the residents of this borough. They need to invest in the police department by hiring a full-time officer, if not multiple. But they have to get that first one. Joe said he'll give him that vote if he gives him a department strategy plan and they become accredited. Chief Perry said he would love to be accredited but he's stuck doing his day-to-day work. How do you look five years down the road when you're too busy worrying about what you're doing tomorrow? He has nobody to help him. Gary said he has concerns about hiring a full-time officer. He would like to understand what the

salary is, what the benefits are and how this fits into the budget. Chief Perry said if they hire a full timer, negotiations shall happen prior to them being hired. This vote is not to hire a specific person. This vote is to start moving forward on the process for hiring a full-time officer with council's approval. As for the budget end, it's minimal because they're still going to be covering the same 2,080 hours a year that part timers are covering now. They're just going to be getting benefits and a pension which again, will help retain that employee. They're not creating an additional 2080 hours a year salary. They're just moving that same 2080 hours to a full-time officer, which will limit the amount of part time hours. Depending on what the pay rate is, if it's more than what the part timers make, then it would be just the offset of what the part timer rate is versus the full time pay rate. Joe said there are also benefits. Chief Perry said but then they are not hiring four- or five-part timers a year. The cost of hiring a part timer just in training hours alone, and equipment they're looking at \$20,000.00 a person. Joe said then they have to work two to three years and if not, then they have to pay the borough back. Chief Perry said they have a piece of paper that they sign now that if they don't stay for more than a year, any equipment that the borough purchased they would have to reimburse the borough for. Joe said but that's not for the education. Chief Perry said they require them to have the academy because they can't wait six months to have somebody on the street to start. They have continuous training like any law enforcement. That's the cost of doing business. Gary said he has concerns about how the upcoming part time police officer contract is going to affect the borough. It's going to go up a significant amount and he would want to understand what that's going to look like and factor that in with this and then look at their budget responsibilities. At some point, he can see voting for this but at this point, he thinks there's too much unknown. Mayor Sodano said the current police contract was for five years, but the PBA won't go for five years. They are not going to get a five-year contract. If you look at the budget that they came into this year with, money was allotted for a full-time officer on top of what they currently have as the expenditure for personnel. He doesn't have it at the top of his head, but it was in the budget that was approved and passed by council. He doesn't get to vote on the budget, but he read it and it was in there. He told Joe maybe he voted on a budget that he didn't read. Conversations have begun between the safety committee and the PBA. He did not say negotiations. The PBA has requested that they would like dates when they're going to meet with the safety committee, which is who negotiates with the PBA. Bud asked about the part time positions. Chief Perry said three-part timers equates to a full-time position. They have some officers that work 40 hours a week and some officers work eight hours a week. If they had three more, it would fill that full-time position. But retaining those three is probably the most important thing. He has trouble even hiring three, let alone retaining three. Bud asked if he would have to let anybody go. Chief Perry said but if the shifts are covered when those part timers leave, they wouldn't have to fill those positions. They actually have another part timer who may be leaving in the very near future as well and he accounts for a large amount of the hours so now would really be the time to start pushing for this. Bud said that they are not adding anymore payroll hours to the department by hiring a full-time officer. Chief Perry said that is correct and he believes that the budget, since they are five months into the year, would support the salary and wages for a full-time employee without a problem. Alan said the concept is they're offsetting the training, the equipment, the time spent hiring by putting in a full timer as an offset. Chief Perry said correct. Alan said as far as education goes, they pay for all their mandatory training per MOPEC. Chief Perry said they do that for every officer they have. It's just staffing hours. It's a minimal cost for the class. Alan said if they had a full timer instead of three-part timers, that would be an offset. Chief Perry said that is correct. The additional offset

would be the life insurance for each of the officers and false arrest insurance, which is a requirement of the PBA contract. There are some other ones that he can't think of off the top of his head but there would be some other offsets that they would save by not having to hire as many part timers a year and retain the current employees. When you hire someone, you're looking at a minimum of about 32 hours a week for at least three to five months for field training. You're not only paying one person per shift, now they have two people per shift they're paying for. By limiting the number of occurrences that you have to do, that will offset the cost. They try to hire people who have experience but if they don't have any applicants who have prior experience, they have to train them to be an officer here. Alan said there might be a reasonable offset to the costs for the benefits, etc. The question is the intangibles that Joe brought. Chief Perry said the accreditation thing, which is something he would love to have for this department. There are some budgetary restraints for that as well. Most places hire an outside firm that comes in and helps them become accredited. Alan said it's not mandatory. Chief Perry said it is not, but it is something that he thinks most police departments are moving towards and that's definitely something he would love to get. They need to take care of the staffing crisis first before they start taking on extra work. Gary said according to schedule H, there is no line item for a full-time police officer. Mayor Sodano said that is correct. But the budget was increased and was based on what would be the difference in adding the couple of hours because the most they have in part time guys is normally 32 to 38. They added the difference and then they added the necessary insurances, the pension line items, etc., based on the numbers that are in the contract that will be similar to what Chief Perry has. That was added to the budget as a round number under the amount of money that will be allotted for payroll. Gary said there was a \$33,000.00 increase in police services' wages but if that's where those numbers were put in, there's nothing in the line item that says they voted to authorize it.

Rich Keller, said if they are going to advertise for a police officer, they need to know what the benefits, wages, pension, etc. is going to be before you do anything. He said how can you advertise for something if you don't have all the information. If the chief has it, then so be it. Chief Perry said per the PBA contract, they would have to negotiate that with council.

Dave Cahill, asked if they can ignore the Civil Service Commission now that it's been instituted. He doesn't understand how Alan could say they don't need the civil service for the first officer that they hire but he doesn't know the regulations. He asked if they hire a full-time officer if they would lose four part time officers. Dave said to the chief he thinks the reason they're having problems finding officers is because nobody wants to work for him.

Chief Perry said they are not losing four-part timers by hiring a full timer. That's not part of the plan that he showed council. When the officers leave by attrition, they won't have to fill their positions if the hours are being covered. If they have more full-time employees, they can limit over time the number of part-timers that they need to hire and keep supporting the 24-hour coverage that the borough residents expect. They're going to need part timers to offset the cost somehow and having part timers that are here for the right reasons and are able to cover shifts, they want to keep them. They have some officers that don't work much because they don't have the hours to offer. There's no reason to get rid of anybody if they still want to be an employee here and they still want to cover hours but there's no plan to get rid of anybody.

Tim Weaver, said in the end they will lose four part time officers. He's not for or against this hiring position for the full-time police. He is totally for the police for whatever they need to do to

cover this coverage. But Gary brought up a very important point that these things are not being done right tonight. He said the chief is not wrong and Joe is not wrong. But the four-part timers are eventually going to be gone if they work themselves out. Chief Perry said that could be ten years down the road. Tim said they're not here to speculate, they're here to see what the facts are. He said let's do this properly and have this done right because the crime rate is going to start going up as this economy starts plummeting. They need to make sure this position is covered but they need to make sure it's done right. Barbara said she will work with the chief and come up with a package that they will be offering maybe not the workshop meeting, but the next meeting.

Terry McIntyre, said council's main job is finance and budget and to spend the money wisely. Every motion has a dollar amount attached or not to exceed or something. He doesn't know how they can vote on something without some type of dollar amount. If they bring a full-time officer in, obviously hours will be cut for part-time. So, some officers will probably move on so they will be losing officers, but it'll probably be based on what hours they need.

Alan suggested they maybe table the motion until the next meeting so they can define the dollars that they're going to be using so that people are a little more comfortable with it. They can use the part timer rate of \$31.00 as the basis for the calculations. Chief Perry said he's been presenting this to council since 2018 and they have revisited it every year since then. He presented it to council again in February or April of last year and now it's a year later. They were told about the Civil Service Commission, and it was put together and they're on board with that. He has been presenting this for the last five years. If it's a predictable situation, it's a preventable situation. They are going to start having shifts go uncovered because they don't have enough staffing. Having a full-time officer that's committed to 40 hours a week here will really help fill those. They have an officer leaving and they will be down to nine and one. There's only so many hours in a day that he can work, or they can work. They're going to have more people leave because they're not happy here because they're being forced to work long hours in addition to working their full-time jobs. They need to vote today. If they delay it for another month, they will come back, and it will be delayed again. This is not to hire an officer today. The PBA is going to have to negotiate with the council and the Public Safety Committee on a salary that can be presented to the residents. They need to take that first step and if they don't take that first step, they're just going to keep delaying and delaying until he eventually stops trying because he's asked for five years. The officers know that police matters are brought up and they read the minutes and they hear or know what gets voted on and what doesn't. They need to make a decision. They need to vote with their heart and for what's best for this community and their families. They are struggling to cover shifts. He didn't create this. The residents can make all the accusations they want but this has been a problem since 1996 or 1997 when the last second full-timer left and wasn't filled. He inherited it and he's trying to fix it but without the help of council and the residents, they will be 20 years down the road either with a disbanded police department or they can end up with one they can be proud of, even more than they are today by having more full-time officers that stay. It's going to cost money but at what point does somebody have to get hurt for them to spend a little money? Alan said if they put out the advertisement and they get a bunch of people in for interviews and they ask what the pay is, they won't have the answer. Chief Perry said they don't have to advertise tomorrow. Joe said they need to take care of part timers first. And the citizens of Pennel realize that money doesn't grow on trees and if they continue to go like this, the whole town will be Middletown. Chief Perry said it's a nationwide crisis. John said he has seen the chief's PowerPoint. It was concise and it told them what they needed. This is just to authorize

advertisement for a full-time police officer. The contract is negotiable. They're not putting a dollar figure in this advertisement right now. They just want to see what they'll get. They will do a second motion later. Joe said they're not following civil service. Unknown person said they don't have to. Joe said he disagrees. They better look at Gettysburg. If they're not going to follow it, then they shouldn't even have it and save \$10,000.00 a year.

A roll call vote was taken. Bud Murphy, yes, Alan Dashoff, yes, John Stratz, yes, Joe Dudash, no, Gary Nickerson, no, Barbara Heffelfinger, yes. Motion passes 4-2.

MOTION BY BARBARA HEFFELFINGER TO APPOINT JOHN STRATZ AS A VOTING DELEGATE AT THE PSAB ANNUAL CONFERENCE FROM 6/4/23 TO 6/6/23 IN HERSHEY, PA FOR THE PURPOSE OF ELECTING THE OFFICERS OF THE ASSOCIATION AND VOTING ON PROPOSED RESOLUTIONS AND POLICIES. SECONDED BY JOHN STRATZ. All ayes, motion carried.

Public Comment

Tim Weaver, said that John and Barbara did a great job tonight. He told Chief Perry he was sorry if he upset him. He is totally for the police department and has their back. Tim said there is an environmental situation on their hands. He asked if anyone had seen behind 50 Hulmeville Ave. They removed all of the trees to the back of Chubb Run and the erosion over the last few days has been catastrophic. He contacted the Fish & Boat Commission for the water pollution. He contacted the Pennsylvania Department of Environmental Protection and the Department of Conservation and Natural Resources. There's also some construction equipment from the Route 1 project there on site. No environmental safeguards have been taken for anything that has been done and the amount of sediment load that has been dumped into Chubb Run over the last three days and they had approximately four inches of rain. Someone needs to address this. He's brought it up at several meetings and no one has done anything. He asked Carol if the Aqua Terra Technologies report was submitted to the PADEP and if there is an environmental covenant made on that property. John said this is public comment not a question-and-answer time. Alan said that questions are allowed. They can choose to answer them or not. It makes no sense because if it's a valid question, what they're doing is not sharing information with the people who want to know something if they have the answer. John said they would get the answer and have it for the next workshop meeting.

Rich Keller, said he is on the Zoning Hearing Board but is here today as a resident in regard to the fence at 411 Hulmeville Ave. Audience member Dave Cahill interrupted Rich multiple times. An incident occurred; Mr. Dudash left the room at approximately 9:00 p.m. along with individuals involved. Mr. Dudash returned at approximately 9:43 p.m. Rich continued by saying they've had three zoning hearing meetings and he's here as a citizen, he's not representing the zoning board. The fence was installed in 2020. They are now in 2023. The solicitors Ms. Kirk, Mr. Blackburn and the zoning solicitor all did a great job but here they are still back to square one. The Zoning Hearing Board solicitor has 45 days from the meeting to write her legal opinion and then the appellant has 30 days to appeal that and then they're back in that same vicious circle. From what he hears from all parties involved, a \$10,000.00 fence has become a roughly \$100,000.00 fence and there's still no resolve. At the zoning meeting, Ms. Kirk said that the borough has no intention of reimbursing the Darnley's to have the fence moved. Barbara Kirk said that she said that the borough decided to allow the Zoning Hearing Board to render its own decision. That was it. Rich asked if they could appoint somebody to negotiate with the Darnley's to move that fence back. It's a public safety hazard right now. It was wrong in the

beginning; it was wrong in the middle and it's wrong now. The Darnley's chose to take the path to the appeal process, which is absolutely their right. He can see it going to the next level at the Court of Common Pleas if they appeal the decision. Then they're back to square one again. Then council will have to decide whether to pursue it or appeal that decision if in fact it's overturned in Doylestown. John asked once it is sent to the Zoning Hearing Board, doesn't council relinquish any kind of power over this. Rich said the permit was issued by the code enforcement officer who was an employee of the borough, even though he's employed by an outside agency. He said he was wrong. As an employee of the borough, he thinks the borough bears some responsibility there to make things right. There are elementary school kids coming down the sidewalk. If Mr. Smith backs out of his driveway, and there's always cars parked there, the visibility just isn't there and it wouldn't be there unless that fence was moved 15 to 20 feet back from where its present location is. They have a safety committee and that's where they should start. The Darnley's, the Smith's and the borough have spent plenty of money. It's time to stop.

Terry McIntyre, said he is here as a citizen of the borough. They tried to strike a compromise and that's between the lawyers at this point but there was no monetary offer because they don't write checks. They try to make some sense out of it, and it's been going back and forth, and it really makes very little sense. So much money has been spent on a plastic fence. It's a safety issue. If something happens in the meantime, he doesn't know who is actually liable. All three parties might be so, he thinks if cooler heads can prevail and there was some monetary offer, there might be some movement on both sides.

Barbara Kirk said she understands what the Zoning Hearing Board was attempting to do. Unfortunately, in order to reach a negotiation, all sides need to come to an agreement and unfortunately, not all sides agreed to all aspects of what was being discussed. As much as the board wanted to enforce a settlement, unless all parties agree, it's not happening. And at this point, the board rendered its decision under its authority dealing with the zoning and all she can say is the record was pretty extensive. So, more likely than not, if there's an appeal, it's going to go straight through to the commonwealth court.

Council Members to be Heard

Joe Dudash told Rich and Terry that they did an excellent job. They went beyond trying to resolve it. It's a shame because they were two perfectly fine neighbors and now they're at war. Rich said he can't recuse himself every time something comes up with a Penndel resident. He's known the Smiths whose parents had that house and Ashley's grandfather is the president of Penndel Fire company and has been his friend for 60 years. He and Darnley's mother worked together for 15 to 20 years. It's hard to believe the fellow that issued the permit was wrong and it's still hard for him to believe that a man with his credentials could make so many mistakes. This has bothered him for the past two years. Unfortunately, they could take it to the next level and if the decision gets overturned, that fence is going to be here for eternity. It's a shame until somebody gets hit. Mr. Darnley came to the hearing with an estimate just for the movement of the site triangle which was three panels, and it was \$4,000.00. The original cost of the whole fence all around the property was \$10,000.00. If they get to that point, where they're actually going to get estimates to have the fence moved back, please get more than one estimate.

MOTION BY JOHN STRATZ TO ADJOURN THE MEETING AT 10:13 P.M. SECONDED BY GARY NICKERSON. All ayes, motion carried.

Submitted by: _____
Marie Serota, Secretary/Treasurer

