

Penndel Borough Council Workshop Minutes

May 20, 2024

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

Present at the Meeting

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

Also present at the meeting

Barbara Kirk, Solicitor, Hill Wallack
Marie Serota, Secretary/Treasurer

Council or Borough Announcements

Mayor Sodano said the federal and state government passed some initiatives to hang a POW/ MIA flag along with the American flag on federal and state buildings. The Police Chief's Association is not only backing that, they are beginning a movement now where they would like to encourage all local municipalities in the state to do the same. He hopes council will consider putting it on the June meeting agenda.

Consent Item

MOTION BY BUD MURPHY TO APPROVE THE MINUTES OF THE MAY 6, 2024 COUNCIL MEETING. SECONDED BY BOB WINKLER.

Mike Smith, said that they ask if they have any questions every meeting about the minutes but if the minutes are not provided to them, they can't question anything on them if they don't know what's in them. Things have been missed in the past, so they don't know what is being approved. John said they do not get posted until they are approved. Gary said they should just be comments from the audience. John said he should ask if there are any comments from the audience, as opposed to questions.

All ayes, motion carried.

Reports:

President's Report

John Stratz reported that he participated in the May 9th final inspection of the sewer repairs. G&B Construction did an excellent job. This coming Saturday is the Penndel/Hulmeville Memorial Day Parade. Everyone should come out and watch and also attend the ceremony at the end of the parade. This is also Penndel Borough's 125th anniversary.

Solicitor's Report

Barbara Kirk reported that last Thursday, she and the borough's code enforcement officer attended a property violation hearing before Judge Baranoski for 51 Centre St. The borough's code enforcement officer issued a notice of violation citing the relevant portions of the International Property Maintenance Code and demanding that the property be demolished, all of which went unanswered. Because the violations were not remedied, the code enforcement officer filed thirteen citations with the District Court. Despite the property owner attempting once again to have the hearing continued, which she opposed, the judge denied it. The hearing was held at which time she presented the testimony along with the code enforcement officer, with photographs of the property condition. The judge found the property owner guilty of all 13 violations, each of which carries a fine of \$1,000.00 per violation. At this point, the property owner has 30 days to file an appeal to Doylestown. They will have to wait and see if that happens. In the meantime, since the condition of the property starts anew as of Friday, she directed the code enforcement officer to continue to issue violation notices until such time as the property is either brought into compliance, sold, or the property owner works with the borough in having the property demolished.

Unfinished Business

Mayor Sodano said last month there was a lot of lively discussion regarding the recreation field and parking. In the agreement they signed, under Section 1 Article B, it addresses parking, and it says it is specifically agreed between the parties that there shall be no parking within the facilities including on the paved area adjacent to the concession buildings. There will be official notice to this organization that he intends to enforce that. They're going to stop parking there so that children will not be endangered. The sign reads authorized vehicles only and that means emergency and police. There is also a trailer in there. He doesn't know whose trailer it is, but it doesn't belong in there and he doesn't see where any permission was ever granted for it to be there. If it doesn't get moved, it's going to get towed. There was a question of what the name of the organization is. It is the Neshaminy Wildcats Athletic Association as incorporated and all of their bonds and insurances are listed that way. That's baseball. The football organization is a completely different organization.

New Business

MOTION BY ROBIN VALENTIS TO APPROVE PAYMENT TO G&B CONSTRUCTION IN THE AMOUNT OF \$51,975.00 FOR THE EMERGENCY STORM PIPE REPAIR ON BELLEVUE AVENUE. SECONDED BY BOB WINKLER. All ayes, motion carried.

MOTION BY GARY NICKERSON TO APPROVE THE PARTIAL ROAD CLOSING OF HOLLY AVENUE BETWEEN 50 HOLLY AVENUE AND THE INTERSECTION WITH MANOR AVENUE ON 5/25/24 FROM NOON UNTIL 8:00 P.M. AS REQUESTED BY JOE DISALVO (62 HOLLY AVENUE) FOR A BLOCK PARTY. SECONDED BY BUD MURPHY.

Robin asked how the street gets notified. Gary said Joe handed flyers out and everyone could RSVP if they were going. They have a lot of new people on the street with many kids running up and down the street and some of the people that moved into the neighborhood are from the Philly area and block parties was the thing to do. He threw this together at the last minute and he thinks they were just trying to get everybody together for the kickoff of summer and to get to know the neighbors. Robin asked if he needed approval from everyone on the street. He should have provided them with the addresses on that street. If she wanted to close her street,

there might be someone who could be upset that she did that. Robin asked if the borough provides the barriers. John said he thought they would join two cars closing it off. Gary said he's not closing the whole street. Mayor Sodano said he's requesting from Manor Ave. to 50 Holly Ave. Mayor Sodano read his letter to council which follows:

I am absolutely against shutting down streets for such events.

Last fall, the 300 block of Woodland Avenue approached me regarding the same, and in Fall 2022, the 100 block of Woodland Avenue did also. In both instances, I advised the residents if they wished to have a "block party" type event, they were welcome to do so on their own or collective properties, but at all times the street had to remain passable. Both times, those "block parties" happened with no incidents or street closures. Shutting a street down, as is done for large events such as the OLG October event or the Pennel Community Day, requires logistics, assurances, and insurances. It poses safety hazards, parking issues, accessibility issues for residents, restricts emergency access and most always requires additional police personnel on duty, which OLG pays for. At minimum, such should require: 1. A permit, 2. Proof of insurance, 3. A signed contract with the borough that indemnifies the Borough and names who is responsible for any damage to borough or neighboring properties, and who will be responsible for any cleanup costs. I do not see how Pennel Borough can grant a street closure without someone proving fiscal and legal responsibility at all, let alone at such short notice. Even renting the rec. field pavilion requires signed documentation!

Mayor Sodano said the street has to have twelve feet of clearance for fire trucks at all times. John said they never turned anyone down for a block party and some were on a way more major street than Holly Ave. Mayor Sodano said the one on Cynthia, the borough got lucky because somebody got hurt and there was a lawsuit and cash settlement on that lawsuit. Fortunately, the person who put up the bounce house got their homeowners insurance to cover it, despite the fact that that bounce house was on a borough street. The borough is lucky they didn't get sued. Gary said the borough doesn't get involved with crashes on a borough street. Mayor Sodano said that's different than putting something in the street. The borough has no formal permit process for this. Barbara Kirk said council might want to consider implementing something in the future just to be safe. If council approves shutting down the street, she asked who would be responsible for putting up signs noting the street is closed, detour signs and things of that nature and to have insurance. Robin thinks they set a precedence because other streets were closed for block parties. Mayor Sodano said when a municipality closes a street, they have insurance. Barbara Kirk said times have changed. There is more traffic and more people populating the borough. This would be at council's discretion as to whether or not it would be appropriate under these circumstances to close Holly Ave. She doesn't think council is stuck with a precedent based on a prior decision involving a different street for a different event. Mayor Sodano said someone could pull onto Holly Ave. and realize they can't get through and then have to back out onto Bellevue Ave. They're talking about six houses, why can't they have it on their front lawn. Robin said they don't have enough details on what they are going to do. Bud Murphy said there is no agenda, and he doesn't know either what they plan to do. Gary said he went on the Philly website because they do block parties all the time and they have an application form and fee, and they require 75% of residents to be in support of it. Mayor Sodano said this is the same day as the Memorial Day parade. Their street is right around the corner from where the parade ends and there will be a lot of people still around. He attended two other block parties, and they were great. There was always an adult watching. The roads were not closed.

A roll call vote was taken. Barbara Heffelfinger, no, Robin Valentis, no, Gary Nickerson, yes, John Stratz, no, Bud Murphy, no, Bob Winkler, no. Motion failed, 1 yes, 5 no votes.

Barbara Kirk asked if council would like her to look into requirements of a permit process for the future. Council said yes.

Public Comment

Estella Kristiniak, said they need to have a policy to cover the borough for somebody else who wants to close Bellevue Ave. or Hulmeville Ave. She has all of the fire trucks and rescue squads parked in front of her house from the parade and they don't leave until after 1:00.

Mike Smith, said there was discussion earlier about the name of the Wildcats. Mayor Sodano said they have an insurance policy made out to the Neshaminy Wildcats Athletic Association Little League. Mike said he doesn't think the person who is the liaison should be because he is a bit of a problem and he's going to look out for them and not the borough.

Council Members to be Heard

Barbara Heffelfinger said this is the 125th birthday of Pennel. They are having a Heritage meeting on Wednesday May 29th at 7:30 pm at the borough hall to put some ideas together on how they can celebrate it or if they should celebrate it. It would be a good opportunity to highlight the borough's history and get people together. She was thinking of a big banner on the front of the building. Robin said she thought it was a great idea for all the reasons Barbara outlined. Barbara said she would like to do a newsletter in the summer but there was no money put aside in the budget for printing the newsletter. The Heritage Society has some money. She'd like to get the memorabilia back up on the walls. Robin said like having an open house at the borough hall. Barbara said another suggestion was maybe a dinner and inviting people from Doylestown. Robin said it comes down to funds availability and that will guide with what they can do. Barbara said in the next newsletter, they'll have a whole blurb on that and a little bit of history. Mayor Sodano thinks they should shoot for early to mid-September because it's a contested election and they don't want to get lost in the shuffle of elections. Robin asked if anyone could attend the meeting on the 29th. Barbara said she'd like to have the Heritage group go over it first and then after they've decided, she'd be happy to have any of their suggestions. It will be a good occasion to say look at the progress they've made. They're 125 years old. Robin asked if they have examples because they've done it in the past. Barbara said they officially became a borough in 1899 and had a big thing in 1999 for the 100th year.

Robin Valentis asked if there will be any updates at the next meeting about the bollards for the rec field. Mayor Sodano said he is in favor of putting a chain across with a large sign that says emergency vehicles only. He's afraid if they don't lock the bollards down somehow, they might be stolen and if it is locked down, the key might not show up fast enough. Robin asked how they would enforce this. Mayor Sodano said the police patrol the borough. If someone parks there, the officer will go in and tell them to move. If they don't, then they will be towed. Robin asked if they had a contract with a tow company. Mayor Sodano said right now, they only have one, but he would like them to do what other municipalities in Bucks County do. At the beginning of the year, they open up for bids and say what the requirements are and anybody who's interested in being a tow contractor would apply. If there are three of them, then they could be on a rotating basis.

Robin Valentis asked if there is anything more council needs to do in reference to parking at the baseball field. Mayor Sodano said the borough manager is working on acquiring signage. It's

already in the contract they signed, so they just have to put up the correct signage. They're going to have to put something there that stretches across that can easily be removed by an emergency crew. Robin said she's seen a really nice rope that has reflective material on it with a sign on it that says if you park here, you're being towed. Bob Winkler asked why they can't just close the two big gates and put a chain around them and lock them instead and put a Knox Box type of thing on it that any emergency personnel that showed up would be able to open. Mayor Sodano said it's still in the thought process.

Gary Nickerson asked if somebody was almost hit or something because he doesn't know about this issue. Mayor Sodano said there was one recently in Delaware County. He said when his kids played for the Wildcats, they weren't allowed to park there and when he played softball they weren't allowed to park there when he played Little League there, no one was allowed to park there. One of things they discussed, the people that cut the grass, it's wide enough that if the dumpster were there the truck could get to it and it's not really accessible to the field for cars or anything. They could move the dumpster. Robin asked if there was a spot for everyone to unload. Mayor Sodano said it's all stripped out in yellow and says no parking by the gates and that was done so they could unload. Robin asked how they find out who owns that trailer. Mayor Sodano said his suggestion is that the guy who signed the contract should get a letter saying that the trailer is not authorized, and it needs to move. It's over by the restrooms, behind the memorial. It looks like an enclosed motorcycle trailer, and it's been there for so long the weeds around that are a foot high. John said he hopes there's no issue for the parade. Mayor Sodano said he can have it checked out tomorrow and make sure the person is notified and needs to move it. They can put it by the two-story building that they use for their announcements. That's where they always used to store it. Someone named Ryan Komar is who signed it and there's contact information, so when they find out who the owner is, they will both be notified it needs to move.

MOTION BY BARBARA HEFFELFINGER TO ADJOURN THE MEETING AT 8:43 P.M.
SECONDED BY ROBIN VALENTIS. All ayes, motion carried.

Submitted by: Marie Serota
Marie Serota, Secretary/Treasurer