

Penndel Borough Council Workshop Minutes

October 16, 2023

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 Joe Dudash
Councilman Bud Murphy
Councilman Alan Dashoff
Councilman Gary Nickerson
Councilman Bob Winkler
Mayor Tom Sodano

Also present at the meeting

Ben Hauser, Solicitor, Hill Wallack
Geoff Thompson, Borough Manager
Marie Serota, Secretary/Treasurer

Council or Borough Announcements

Joe Dudash asked about the seat that Joe Adams resigned from. He said Mr. Winkler is not on the ballot so he asked if this is a special election. Ben Hauser said Mr. Adams was elected to a four-year term in 2021. Mr. Adams resigned at the beginning of this year, which is obviously more than 60 days prior to municipal election so Mr. Winkler, filling that vacancy, would only hold that seat until the first meeting in January. So, the seat would be up for a two-year term. He can't tell him who's on the ballot or not. That would be the Department of Elections. Joe said he's not on the ballot, so he asked if they have to have a special election for the seat. Ben explained it would have been at the primary in May whether there would be names, but the seat is open for election. Joe asked if they could appoint someone. Ben said only if no one was elected to the seat then in January it would be declared vacant. Joe asked if the taxpayers have to go to the Election Board to find out if there is a special election. Ben said the seat is up for a two-year term in the fall. Whether there's anybody listed on the ballot, that's for the Department of Elections. There should be a listing on the ballot for a seat for a two-year term. Whether any names are qualified to be put on that ballot is a function of class based primary and the party selection process. John Stratz said the Board of Elections is very specific about discussing election from this dais. Just like on the door is posted during election, six feet from that door no election materials are allowed in this room. He really doesn't feel it's appropriate to discuss the election during the council meeting. Joe said this has nothing to do with it. It is about the seat. The audience is uneducated, and he is too as a member of this council. Joe again asked if there will be a special election. He said the Board of Elections said there should be a special election. He asked John if he is having one. John said it is just the regular election in November. Joe said Joe Adams' seat is not on the ballot. John said he will call the Board of Elections for him. Joe asked him to answer the person in the audience. John said he can't verify the truth of that man. Joe said it's just as bad as him labeling them terrorists. John told him to stop lying about him specifically. He has never called anyone a terrorist in his life. Joe

asked Bob if he was on the ballot. Bob said he hasn't seen a ballot yet. Someone from the audience said Bob is not on it. Bob said if he's not on it, he's not on it.

Barbara announced the Activities Committee Halloween parade and costume judging. It will be on Sunday October 29th. It starts at noon at the fire house and the kids march over to borough hall for judging and goodies.

Public Comment on Agenda Items

Dave Cahill, asked if the ADA project here at borough hall that is out for bid is for three automatic opening doors and the ramp. Geoff said they are replacing the rear council room door and the front door with ADA compliant doors. The only one that's going to be automatic right now is the rear door. Dave said he would like to know all of the work that's being done for this ADA handicap borough hall project. Geoff said the ramp will be replaced with a compliant ADA ramp. The rear door is going to be replaced with an ADA compliant door that will have an automatic opener since the ramp is back there. The inside door will be replaced with the ADA compliant door plus, they're putting in a service counter right beside the door. The front door they are replacing with an ADA compliant door. For automatic, they'll see what kind of prices they get. Dave asked if video surveillance is involved in this project or an intercom so that the girls can talk to whoever is outside at the door. Geoff said he's not sure. Dave said he has a video of the presentation that was put on by Bev Wolfe in front of the RDA. All the doors are supposed to be automatic and there's not supposed to be a service counter. He can't change it. Geoff said he already talked to the RDA and they're okay with the service counter. Dave said he's going to the RDA. He said they are obligated to use that money by the end of the year. Geoff said they are asking for an extension. Dave asked why it's taking so long to put this project together. Geoff said because they bid out the engineering services. They put out RFP for engineering services to put this project together, which is Gilmore and nobody else responded to the RFP. Dave said he believes that Bev Wolfe presented the three automatic doors and the back ramp and the two benches out front.

Tim Weaver, asked if the same price is coming in from Gilmore of \$25,943.50 or has it increased since then. Geoff said it's the same. Tim said for the refuse and recycle contract, he called a buddy at Waste Management, and it looks like if they go to them, they're dealing with a 25% to 35% increase on their rates over the longevity of this contract. He asked if that is for the three, four or five year or if that is step increases. John said they are suggesting a rebid.

Consent Item

MOTION BY BARBARA HEFFELFINGER TO APPROVE THE MINUTES OF THE OCTOBER 2, 2023 COUNCIL MEETING. SECONDED BY JOHN STRATZ. Joe Dudash said to John in the minutes when he questioned Carol, he asked who the participants were in the meetings that were taking place on 50 Hulmeville Ave. She added John, who was on telephone, and she added the mayor. Later on, down there that is missing in the minutes, and then with Carol and John, that John responded that he attended many meetings with the mayor regarding this issue and it's not in the minutes. John said to Joe it was all by direction of council, especially with him screaming bloody murder. Joe said that was the environmental meetings. He said this was about the three hundred units. John said the environmental one was all that they were at. Joe said that's not what Carol said. The question was, was Bob White involved with the three hundred units and then he told John he elaborated on it that he and the mayor and others had several meetings and that half the council didn't know it. Joe said they need to review the tape again. 5 yes, 2 no (Joe Dudash, Alan Dashoff), motion carried.

President's Report

John said he was not present in person at the last meeting due to COVID and this has just proven why debate and questions do not get answered immediately. It is why they are always given at the next meeting. He purchased a clock to replace the broken one.

New Business

MOTION BY GARY NICKERSON TO AUTHORIZE ADVERTISEMENT FOR BIDS FOR THE BOROUGH HALL ADA RENOVATIONS PROJECT. SECONDED BY BARBARA HEFFELFINGER.

Dave Cahill, asked if this is an ADA job. He said according to Mr. Thompson, they're not doing all the doors and if the front door isn't done, he asked if it is an ADA compliant project. John said the front door is still ADA compliant because the size of this door has always been ADA compliant. They finished the rest of the ADA work for the front entrance last year and they weren't going to make those doors mahogany. Dave said he didn't understand where the project changed after Bev did her presentation. He asked if these doors aren't automatic and if they do become automatic, and they're locked and the handicapped people push the button and the door doesn't open, is it still compliant with the RDA grant. Bev Wolfe said during her presentation in front of the RDA, that once all the automatic doors are installed, the handicapped people can walk up the ramps, hit the button and the doors will open up and let them right in. He has the video of her doing the presentation at the RDA and Barb knows it because she was at that meeting last year. He wants to know why they're not doing what Bev presented. When he goes to the RDA with his video and lets them listen to what Bev presented, he doesn't think they are going to go with this idea.

All ayes, motion carried.

Discussion on the refuse and recycling contract

John asked if they should approve the bid of Waste Management for three, four or five years or do they rebid the refuse and recycling contract. Gary said he saw that they reviewed the bid, and he guesses there was an issue that changed the collection day from Wednesday to Thursday. The solicitor's recommendation is to rebid it and remove the Wednesday pick up requirement. It doesn't matter to him what day it is picked up if they can save money. He was very surprised to see how reasonable the bid came back compared to Bristol Borough who just recently went out with their trash contract, and it was 100% increase or something staggering. Thursday pick up is really not a deal breaker. John said the problem with Leck is they didn't provide the required E-Verify certification. Gary said he doesn't know if that was an oversight or if they explicitly did that. John said they need to talk to them. Joe said that wasn't in the last contract he did, so he was puzzled where that came from. He agreed they should readvertise. He was shocked by the price that came in and he would also go for the five-year contract like they did the last time.

MOTION BY GARY NICKERSON TO REBID AND READVERTISE THE REFUSE AND RECYCLING CONTRACT. SECONDED BY JOE DUDASH. All ayes, motion carried.

Public Comment

Steve Lowe, said the fire department sent out a letter today for everybody's review. The ADA ramp that was installed on the southwest corner of the Pennel Fire Company corner now has a good five-to-six-inch drop from the parking lot to that ADA ramp. Mayor Sodano said the reveal

measures nine inches. Steve said on Tuesday night, they had their fire prevention open house and they had quite a few people come to them and ask if they knew that there is a significant drop off there and that somebody could get hurt. Steve said they are asking that Pennel Borough Council, contractor, solicitor, and engineer look at that and see if they can come up with some kind of a solution because somebody is going to get hurt. There are a lot of residents that walk through the parking lot and cut corners and they could fall down onto the ADA ramp. He asked that they keep the line of communication open for them and let them know if they're willing to come up with something.

Terry McIntyre, said they investigate if there is any neighboring borough that has a contract that is going to be up around the same time. If so, maybe they can join in a contract with them to lower the prices. The bigger the numbers the lower the dollar amount. They might be able to get savings for two towns rather than one because there's strength in numbers. He thinks Lower Makefield has their residents pick their own contractor. They might have three different contractors coming down the street. He didn't know if that's cost effective if the homeowner has to get their own trash collector. He said he missed the last few meetings. He heard somebody throwing around something about a 300-unit building. He doesn't know where that would fit in this town.

Tim Weaver, said in Sally's report dated 6/28/22, there's a meeting at 5:00 PM with Geoff Thompson and Manny regarding a proposal for 50 Hulmeville Ave. She met with Bob White and Manny, and they will submit a sketch plan with their proposal along with the request to go before Pennel Borough Council and give a presentation. He inquired about this almost a year to the day later on the July 3rd minutes and everybody told him he was a liar, that these private meetings were not going on. These meetings have been going on this whole time. They're telling the public this is a three hundred unit assisted living. All the paperwork being filed is for the same ghetto that they wanted to put in there before. He asked if anyone could verify Pennel's current active stormwater management ordinance. In this ordinance, there is a riparian buffer requirement for behind that building. That riparian buffer requirement has been breached and nothing has been done to remedy that requirement. That requirement states the riparian buffer easement shall be measured to be greater than the limit of the 100-year floodplain or a minimum of thirty-five feet from the top of the stream bank on each side. Currently, at one spot they have maybe a maximum of thirteen feet before the invasive vegetation has grown since nobody did anything after repeated attempts by him to bring it to their attention. Right now, Pennel is in noncompliance with their own ordinance. He asked if anyone is going to do anything or is it going to be sitting there forever with the two potholes, they just put in Langhorne for their stormwater management, which is going to overflow as soon as they're done with the superhighway project and that's coming right into the bottom of the Chubb Run. Barbara said she was not invited to those meetings and only knew about one when she happened to be here during the day. Tim said the paperwork trail is giant. He has it all. Barbara said there is a grant out there, but she hasn't had a chance to talk to Carol about it but it's for planting trees, which may be one thing they could do to help. Tim said that's not good enough. The gradient has increased 27.5 inches. They wiped out the 100-year floodplain and the wetlands. Nobody did anything about them filling in the wetlands with sediment. They wiped out the swamp dog hobble, the threatened plant that was back there. Nobody has done anything when it comes to this property. It seems like it's being set up to put the ghetto in. Barbara said they need something like 300 EDUs for that project. She said tell her if they can pick them off the tree so that project can go forward. Tim said when the wrong people get involved with the right projects, things move forward very rapidly. Bob White seems to have

more string pullers around than anybody can even imagine. They'll plant shit there and put roses on top and sell it to the public. They may think that this might be assisted living, but they are planning for a 300-unit high-density low-income ghetto. This is the angle that Mark Moffa has started pushing from the beginning. He was here at the Revitalization Meeting that started this. Barbara said she wishes she had an answer for him. Tim said no one wants to talk about this, so they know something's wrong. They've already inquired into dumping into Middletown Township and take the line right to the interceptor. They don't have to use the force main coming up Walker and Glen Ave. anymore. They can dump right in, and they can traverse it because the creek bank has already been breached and that's the reason, they did that first. Barbara said he knows more than she does. They might want to get to the bottom of this because right now, Mr. Stratz will probably be Pennel Borough's last president and the rest of them may be Pennel's last council at the rate they're going.

Dave Cahill, asked if council voted to direct Mr. Thompson to talk to the owners of 50 Hulmeville Ave. about this 300-unit low-income project. Barbara said it's his job. Dave said he's not elected. That's not his job, it's council's job to do all this. He's supposed to manage the borough. Dave asked if there had been sexual misconduct allegations made against the chief of police and if so, why hasn't he been suspended. Dave asked Pat Oriolt Dicken to let Mayor Sodano know what her last name is because he's a little confused.

MOTION BY BARBARA HEFFELFINGER TO ADJOURN THE MEETING AT 8:13 P.M.
SECONDED BY GARY NICKERSON. All ayes, motion carried.

Submitted by: 
Marie Serota, Secretary/Treasurer