

## Penndel Borough Council Meeting Minutes

August 2, 2021

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

### Present at the meeting

Mayor Robert Winkler  
Borough Manager Geoff Thompson  
Council Vice President Mark Moffa  
Councilwoman Barbara Heffelfinger  
Councilman Joe Dudash  
Councilwoman Laura Germain  
Councilman John Stratz  
Councilman Gary Nickerson  
Council President Beverly Wolfe - absent

### Also present at the meeting

Dave Truelove, Solicitor, Hill Wallack  
Police Chief Sean Perry  
Carol Schuehler, Value Engineering  
Marie Serota, Secretary/Treasurer

### Consent Items

MOTION BY BARBARA HEFFELFINGER TO APPROVE THE MINUTES OF THE JULY 19, 2021 WORK SESSION AND TO APPROVE THE BILLS FOR THE MONTH OF JULY, 2021. SECONDED BY GARY NICKERSON. All ayes, motion carried.

### ***Reports:***

#### Borough Manager's Report

Geoff Thompson reported that his written report was in council's packets and lists the meetings he attended, the projects he's been working on, one of which is the fee schedule revision which is on the agenda for tonight. Barbara Heffelfinger asked if he went through the whole fee schedule or just the ones that are specified. Geoff said he has gone through it but felt the one on the agenda is pressing and needed to be changed right away. He will have the rest probably in a couple of months. Joe Dudash asked if he went through the committee with what he proposed. Geoff said he did not because he thought it was too pressing to wait. Joe said what he doesn't like is that it seems that they're putting more fees on the residents. Geoff said they're not adding fees to the existing schedule. Joe said if he can't see the rest of it how does he know what they're getting. Geoff said it is in his packet. Mark read Geoff's memo to council which states: staff brought to my attention that the current borough building permit fee for building alterations and repairs should be revised. The current adopted fee for residential alterations is 7% of construction costs but no less than \$115.00. The current fee for non-residential alterations is 7% of construction costs but no less than \$360.00. The 7% of construction cost is way out of line with what is needed to cover the review and inspection costs and much more than surrounding municipalities are charging. Mark said the attached spreadsheet has a comparison and proposed new fee for residential and non-residential alterations. He is proposing revisions to the borough fee schedule, and they are kicking those

down from 7% on residential alterations to 1 1/2% and from 7% on non-residential alterations to 2%. Gary Nickerson thanked Geoff for putting it together. He said it is a fantastic change to the fee schedule and is a significant reduction that he thinks will benefit everyone. Mark Moffa said there's been some questions from council so hopefully his report will help to answer what the borough manager has been working on. Joe said he doesn't know what he does. He thought Beverly was supposed to get something for them. Gary said he did a report. Joe said to Gary, don't act dumb. Gary said this is the report dude. Joe said she was supposed to give them something on how he was reporting to the committees. Mark said he's talking about the flow chart that Beverly developed and he tweaked and passed along Geoff. He was going to clean it up because it is a little confusing with arrows going all over the place. They will probably have it for the next meeting. Joe asked about the SOP's for personnel. Mark said most of that is laid out in both the handbook and the job descriptions that they developed last year and didn't pass because they wanted the manager to review them. They are targeting the first meeting in September for passage of them which would answer the vast majority of Joe's questions. Joe asked about Nick's contract and job description which is Fire Marshal and EMC. He said it's been two years and he has proven what he is worth. Mark said there's been some debates about whether it's additional compensation or use of vehicles, but he doesn't know because he wasn't involved in that. Dave Truelove said they spoke, Nick had it and they haven't heard back. Joe said he thinks that would help, mainly with the times that are coming with face masks and stuff and everything else. He needs equipment. They got \$200,000.00 from COVID. Barbara said they get half this year and half next year. Joe said he thinks the Safety Committee should give the poor man some equipment. He's got the list that's over a year old. Mark said Geoff should talk to Nick directly to see what he's asking for.

#### Mayor's Report

Mayor Winkler read his report which is attached.

Joe thanked Bob for POWMIA flag at the rec field and Mr. Smith who donated it.

#### Police Chief's Report

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

Joe and Chief Perry discussed firetruck turning and cars parking on the street issues. Chief Perry said that he and the Mayor put out some no parking here to corner signs. The signs are sufficient but when they get the new maintenance person, he will be able to paint the curbs so that it would help a driver to visualize about the parking. Joe said they hired a safety engineer for the Smith Berlin Wall over there and he was wondering if they should have this same guy come out and he could do a safety check and measure everything and see what they need for these points of problems with the Fire Department. Joe said he's been asking for the inventory of the Police Department for the officers. Chief Perry said he emailed that to Beverly on May 5<sup>th</sup>, 10:52 AM. Joe asked if the safety committee got it as well. The chief said they did. The list has everything they have but he won't release the number of weapons for officer safety. Joe said Penndel used to be a sleepy little town but now it has changed with Route 1 being the gateway to the city and to everything else and the ills of society coming down I-95 and the turnpike through Penndel. The officers need the proper equipment. He checked prices and would like to get two more tasers for them as a backup for each shift. The chief said he has a possible donor who is going to donate a taser. He is working on that and doesn't have a time frame yet, but they were given a preliminary yes that they are going to be donating one. He believes they have additional funds for a second one as well. He is not going to release how many weapons they have but more is always better. Joe said he would like to make a motion tonight to give Sean authorization to purchase at least one tonight. The chief asked if the money was going to come from somewhere else because he doesn't think their budget supports purchasing another one. Joe said he looked into the Taser X26P. The chief said they are

becoming obsolete. The Taser X2's is what they have now and they're training on. They actually have a newer model that's the X7 which are about \$1,700.00.

MOTION BY JOE DUDASH FOR THE POLICE DEPARTMENT TO PURCHASE ONE TASER IN THE AMOUNT OF \$1,700.00, NOT TO EXCEED \$2,000.00. Joe asked if anyone was going to second it. Chief Perry thanked Joe but said he knows that Penndel has very limited funds and he's been working on trying to get those funds acquired somewhere else and get them for free. Joe said he wants them to at least have one ready to rock'n'roll right now because as usual, it takes time to get the grant money. The chief said this would be something that would be purchased directly by the donor and it wouldn't be necessarily through a grant. He's just waiting and hopefully it's going to be soon. Chief Perry said if council thinks that's the right decision to purchase an additional taser then that's great. But he has potentially two new Tasers coming to them free. Again, more is always better, but he does understand the financial restraints that come along with purchasing something at that price tag. Joe said for what they spent on the Berlin Wall here, he could have bought them five tasers.  
SECONDED BY MARK MOFFA.

Mark said they're not really supposed to ask questions until a motion is seconded so he'll second it. He said the chief offered to read the email from May. He would like a little more information about what they have because he doesn't believe he was privy to that. Chief Perry read the email. Joe told the chief, that in the future if they need equipment, to make sure all of them get it because it seems like it doesn't filter down to all of them. Mark said while he was reading the email, he did find it in his email, and it was originally sent to the Public Safety Committee and then Beverly instructed Marie to send it to council and this was sent to every member of council on May 17<sup>th</sup>. Chief Perry said it's a very good likelihood they are going to be able to purchase two of them in the next month or so. They do have a satisfactory number of tasers currently. Mark asked the Public Safety Committee for their thoughts. Barbara said she concurs with the chief. She thinks the police have done an admirable job and having one less over the next month or so is not going to change matters. The chief always makes sure that everything is calibrated and that officers are never sent out with faulty equipment if there is any. They are talking about \$3,400.00 minimum and they're close on that in the budget and if they can get it for nothing, that's the way to go. Chief Perry said if there is a discharge of the taser in the meantime, they have plenty of replacement cartridges and batteries if it runs out of battery. Mark asked Mayor Winkler for his thoughts. Bob said he also concurs with the chief. If he feels that he has a sufficient amount, that's fine. He knows it's in the process of being approved as a donation for them. Laura Germain said just so she is clear, he's saying that it would be nice to have more but there's not an urgent need at the moment. Chief Perry said he doesn't want to state how many weapons they have at a public meeting, but they have a sufficient number currently, but more is always better, but he thinks free is obviously a better option for the borough. He doesn't want to waste taxpayer money on something that's not an immediate need. Laura said maybe they should set an end date so if he doesn't hear back by a certain time then they can circle back and look at this motion again and that would satisfy hopefully everyone. Chief Perry said with budget time coming up, if he doesn't have an answer in the near future, that is definitely something that he would want to ask for the next year's budget or even if council is able to by the end of the year maybe purchase one, but he should know by the time budgets are due to be submitted. Joe said he can't believe this council is playing with the lives of their officers. He wants to see you three down there put on a vest and get in a car, kiss your kids and a wife goodbye and stop on Route 1 and say they don't have enough equipment which he knows they don't have enough and that officer gets killed because they were too cheap to buy a taser but they're willing to spend thousands of dollars on the Berlin Wall over here for lawyer bills and everything else but when it comes to an officer who you guys always

praise and say they want to protect the officers. You want to protect them, you put that shield on and put that vest on, you go out on that street then you could tell him what an officer needs. You guys are just crazy playing with the officers. All these people out there love the cops and you're crying about a lousy \$1,700.00. He asked how much a funeral bill is. How many officers do we have that have kids? Mark Moffa told him he made his point. Joe said he didn't make his point. Mark said he did. Joe asked him if he really wanted to get into this because he's not screwing with him when it comes to the police officers. John Stratz said he recalls budget meetings last year and perhaps if Mr. Dudash had come to more of them, he would understand the complexity of their budgets and they can't just go to the new trees out there and start picking bills off of them. It doesn't work that way. Joe said they're paying lawyer bills. He asked John how they will find the paper for the lawyer bills with their budget. He bets they're over the budget. Mark said the discussion is over.

MOTION BY MARK MOFFA TO TABLE MR. DUDASH'S MOTION. SECONDED BY JOHN STRATZ. Mark said there is no discussion on a motion to table. A roll call vote was taken. Joe said yes. Mark said the motion is to table his motion. Joe said you're going to table it and you're running for mayor? Mark said yes or no on the motion. Joe asked if he was out of his mind. Joe did not answer so Mark said he was taking that as a no. Gary Nickerson, no, John Stratz, yes, Laura Germain, yes, Barbara Heffelfinger, yes, Mark Moffa, yes. Motion carried, 4 yes, 2 no (Joe Dudash and Gary Nickerson).

#### Solicitor's Report

Dave Truelove said just a reminder that the new Sunshine Act all provisions go into effect on August 29<sup>th</sup>. Regarding the Alfaro Airbnb issue, he wanted to explain how that evolved and how that became continued. He apologized to council for not explaining that in an email, so they had that information before this meeting. Dave explained that the borough doesn't have an ordinance which directly addresses Airbnbs which means being open, it may be subject to different interpretations. The appellant indicated she was unavailable to attend the meeting. Further discussions with the attorney indicated that he thought a continuance would be acceptable with the condition that she would withdraw her appeal. They do have three bookings through mid-September. The solicitor for the Zoning Hearing Board is not available in August at all due to personal health issues so had they had the hearing on the 26<sup>th</sup>, the decision would have been rendered within 45 days. After those 45 days, there's 30 days for the appellant to appeal so they're talking 75 days, into October for that individual to have the right to have that property being used during that entire time before appeals are filed and that matter goes to court. He's hoping to receive the agreement fairly soon making sure that it's followed through and that there are no more bookings after a certain date in September and that the appeal will be withdrawn which means there will not be any more Airbnb rentals after that certain date. It would be wise for this borough to consider some type of Airbnb ordinance regulation like they've had in other municipalities. They can't prohibit them generally, but they can regulate where they can be issued and also operated. There is a case law that would help them to craft an appropriate Airbnb ordinance. He wanted to explain the process as to how they got where they are. It was the best way to protect the borough because they're not going to be able to prohibit that activity during any type of appeal, so they've now got at least an end date for any type of usage of that property for that purpose. Joe said the solicitor for zoning was as confused as the rest of them on why they were in negotiations. She said the MPC had passed 30 days already and should have been over with. Dave said that's not what she indicated to him. Joe said if you go on his website, people have complained that there's water, plumbing and fire problems and he doesn't even get a mercantile tax out of it because it's illegal. But they're negotiating because he's got a couple things rented. Dave said they would not be able to prohibit it immediately even if the Zoning Hearing Board issued their decision that night. They had 45

days for the written decision to be issued and 30 days to appeal. In that whole time frame, they had nothing, no enforcement mechanism available to the borough at that time to say they can't operate as an Airbnb. There's no specific prohibition against it, which is why he suggested they consider having some type of ordinance for that purpose. It can be regulated and be in certain types of zoning districts. That's one of the things they have to look at because obviously there's concerns about having something like that plopped in the middle of a residential area. And since the zoning solicitor will be out for the month of August for health reasons, she said she would not be able to issue a decision anytime during the month of August. It would have been closer to the end of the 45 days. Joe asked why they can't get them for health and fire marshal issues. Dave said he was not aware that there were any of those specifically. Joe said all they have to do is read it and listen to these people out there. Dave said that he was not personally aware of that it was never brought to his attention and had no information from code enforcement or anybody else that the issues rose to the level of something that would be a violation. Joe said according to the zoning attorney, she said BIU shut them down. Dave said he's not aware of that. Joe said it's documented because she had it in there. Dave said he would like to see the zoning code information. Joe said let's jump to this then. He asked Dave who authorized for him to negotiate. Dave said if you look in the borough code, as the solicitor they have a certain authority to handle the legal matters and that's one of the things they would do given the pendency of the situation. It was his opinion, especially getting the concession that they would rather than appeal, was best to do it under those circumstances and get something that would be a permanent benefit to the borough as opposed to something that could have dragged on for several months and not benefited the borough. Had he had the information about it from BIU, there might be something different. Joe said this house has been like this for years. The residents have been screaming about it. Dave said in all his years coming to council meetings, he's never heard anybody make any comments about that particular address at a public meeting. Joe said he's confused because he said, as a solicitor, you can do what you did. He asked how he can spend the taxpayers' money without them. Mark said they voted Hill Wallack to represent them. Joe said he was under the assumption it was something else. If you look at the last minutes, they point blank said in there this was an easy dunk case. Dave said that's correct. Contrary to what Mr. Dudash is saying, they actually limited their bills. Had they gone to the hearing and had to deal with an appeal, it would cost this borough a lot more money. He thought it best for the borough to have a situation where the appeal will be withdrawn and they would then agree to a shutdown of those operations by a certain date, within a month, month and a half from today and then, in that interim they would have the opportunity hopefully to visit the borough code and have some regulations that would be helpful to everybody so this wouldn't be repeated. Joe said what he's missing is the neighbors that have to live there and see this going on. Dave said as he explained before, there is no mechanism available right now. If BIU comes to him and says we have this information about the health safety issue and there's immediate concerns, then they might be able to take action. Nobody brought that to his attention from any angle whether it was the council or him who has some fairly frequent contact with residents. Until 10 minutes ago, he knew nothing about it. Joe said the people of Pennel are tired of negotiating. They're not showing that if you want to come in here, you want to put a dump in here, it's not going to work. Dave said if they had the information to go to court with, they would have been happy to do that and that would have cost them some legal bills.

Laura Germain asked for a clarification about the change with the agenda for the website. She thought she heard him say something about a change to how they post the minutes. Dave said no, the change is for the agenda which has to be posted at least 24 hours before the meeting and cannot be changed after meeting except for very limited circumstances. This is actually under the Sunshine Act, and they discussed that at the last meeting.

**George Krushauskas, 510 Dehaven Ave.**, said he was approached by one of the neighbors and started talking to him about the house next door and they told him what was going on in there. He was shocked and had no clue. Then another neighbor got involved and he told them he didn't think there was anything in the code that prohibits an Airbnb, just like they can't prohibit halfway houses. You have to find an area for them. He said he would look to see if they could twist something to fit and could get him to stop. The issues about the green water in the pool and the mosquitoes, anybody could call the Board of Health and they'll be down here tomorrow to address it. It's also a danger to the community for a kid drowning in it so that's another way that can be addressed. All these other ancillary issues can be addressed through the code. Like Dave said, their hands are tied. The people he's talked to had no clue that they could come to the council and say they have a problem. Dave said if there are problems with the pool that can be reported to BIU, they can cite them for that and if there are problems with vegetation that can be reported to BIU. It's a health issue and somebody could drown in the pool. It's the first time he's hearing about that. George said that's not a zoning issue. These are all separate issues and everybody shows up at zoning hearings for all these other issues. Dave said they can go to District Judge Baranoski for some of these or they might have to go to Doylestown for some. You have to go through a process.

**Michelle Nigra, 367 Dehaven Ave.**, said years ago the owner of 358 Dehaven Ave. sectioned off the inside of his home and was renting rooms out to different people and the neighbors finally turned him in and he was told to stop. Then he started renting out to just single families again. Her backyard backs right up to his. They never know who's going to be in there. She found out recently that there was some type of AA meeting or something in the backyard. The fence between her house and his house is thin and you can hop over it. And his backyard is a jungle. Even if you tell him he can't do this anymore, he's still going to do it and try to get around it no matter what because he never stops. His backyard is a disgrace and she reported this in June, and nothing has been done about it. There are a ton of frogs back there and she hears them every night. That's what started her going back there. But there are people there that they have no idea who they are. In the meeting last week, they heard there was a cease-and-desist order. She asked if that is the case why is he still booked for August and September at \$190.00 a night. Dave said they have an agreement for them to stop as of a certain date and they had the right to appeal. That is a zoning issue and the other issues can be addressed by BIU and the Board of Health. They will need to follow through. He has two former assistant district attorneys in his office that are very good about going to court and he can send him to Judge Baranoski's court. Michelle asked Dave with what information they are getting tonight, is he saying that they still can't stop this man from doing what he wants. Dave said they have to move forward with the type of code enforcement actions that have to be done whether it's BIU or the Board of Health, it has to be coordinated he guesses. This is the first he has heard this and he can ask one of the attorneys who works with them to contact BIU and then coordinate with the borough maybe even coordinate with the Board of Health in Doylestown and see if they can make a full court press on this stuff. Michelle said something needs to be done because those of them that are attached to him, she doesn't feel comfortable. She's sure he's not doing background checks on these people that he's bringing into the house. He's making money in a residential area and he's doing a commercial business. You can tell him all you want and he's still going to do what he wants. Dave said then they will have to have somebody wearing a robe to tell him not to.

#### Engineer's Report

Carol Schuehler read her report which is attached.

Joe asked Carol, because they're going to fix these corners up, at the pizza place corner with the storm water drain, trucks are always running it over, so it already looks like it's going to cave in, just like at the rug manufacturer. He asked if they could put bollards up. Carol said they've been dealing with that problem at the corner of Hulmeville Ave. and Lincoln Hwy. for years. That was actually the initial impetus that she and Mayor Winkler started talking to PennDOT about six or so years ago, saying help, we've got safety problems here with the inlets. This project will resolve that problem with that intersection at Hulmeville in which the radius will be wider as well as the road to accommodate a left turn lane. Her inspector has been pulling that back from time to time when it's out in the road so that's going to be the solution to Hulmeville Ave. and Lincoln Hwy. PennDOT is making the improvements with Federal Highway money. At Bellevue Ave., that's another PennDOT project with a similar program with federal money that's a little further off in the future. They will be improving Lincoln Hwy and Bellevue Ave. and Lincoln Hwy. and Durham Rd., even going down towards Legrande Ave. The borough made a commitment in recent years to try and help with the right of way acquisition from that from some grant money that they have so all that is starting to come together which is exciting for the borough. It's really going to improve safety and turning radiuses and traffic in general.

Joe asked Carol if she went over to Oak Ave. with the water situation because it's been going on over a year. Carol said Geoff reached out to her about it and she will be going out there. Joe said there originally was a gully there where the stormwater filtered into. It's still there but it's covered up. If you look at the old satellite photograph you can actually see the gully. The property owner put in a four-inch drain. Carol said it's a challenge because it's essentially a private property issue and they don't have an easement through there.

**Karen Snyder, 28 Oak Ave.**, said she used to live at 13 Oak Ave. and the person there put in her own drainage because they had so much water there. They moved down to the end of the cul-de-sac and they put their own drain there. They've been there for six years and prior they moved into 13 Oak Ave. in 1998 so there's been water issues since they've lived on Oak Ave. The residents have been trying to solve their own problems because the street is horrible it hasn't been repaired. She told Carol if she's going to look, she should wait until it rains because otherwise, she won't know what she's looking at. They can't repair their driveway until the water issue is fixed. Her next-door neighbor Pat owns the one where there used to be a gully and she is willing to have proper piping underneath that goes right to Spring Street. PennDel needs to be willing to help them. It's not even just at the end. Some of the buildings have created more problems some of the sheds that look like houses. There's drainage from the old mayor's house that goes into their street, but they have no sewage that takes care of that. They have a nice birdbath in the middle of the street but that's about it, so it definitely needs to get fixed. Carol said it was at least a year ago that she was out there. She took some elevations before the Spring Street swale got cleaned up. She doesn't know the status if that's still clean and conveying water or not. They have some challenges because the borough can't go onto private property to do things, but she will stop out when she's in the area and share some of the elevation information she gathered and some of the ideas they had that may be of assistance. The borough can't go in and do these things because it's a private property issue.

**Cliff Snyder, 28 Oak Ave.**, said he thinks one of the main problems is the apartment complex behind them because he thinks they're draining system goes into that gully which goes back towards Oak Ave. It all connects. If you watch a big rainstorm and you drive down Spring Street, it's literally like a river there which cuts through KM Auto and you could see all the water that comes from the apartment complex go into this gully and goes down towards KM and down under the street. He made that little 4-inch drainage system which is like a spit in the bucket, which is really not working at all. He has a video of his driveway and it's literally like a river

going out my driveway. He has potholes in his driveway where he puts three quarter inch modified stone just so when he drives in his car home at night, he doesn't get a flat tire from the potholes in his own driveway. Anything they can do to help would be great. The mayor a couple of years ago tried to clean out that gully. He had a company come in and dig it out but there's just so much water rushing through each end that there is not enough space. The biggest thing would be to put a drainage system in at the end of their block because there is one in the beginning of the block. They're not seeing that problem as much as at the end of the block.

#### Zoning/Code Enforcement Report

Mark Moffa read the report which is on file in the secretary's office.

#### Public Comment on Agenda Items

**Tom Sodano, 126 W. Woodland Ave.**, commented about a consideration of a motion to adopt Resolution 2021-9. He understands it was authored by the borough manager. Tom wanted to know, what if any committees reviewed it and what rewriting was done by those committees. Geoff said it wasn't taken to the committee. Tom reminded council that Mr. Thompson is an employee whereas they are elected by the voters to write and to institute laws. It's not Mr. Thompson's job to write laws and if he does, he wonders if that's legal. He wanted to know how they know exactly what is in there if it didn't go to committee. He understands it was mentioned that there would be a percentage decrease. He asked if that was across the board or just on some things. Some of the residents or at least the elected representatives should have input on what those should be. There should be some questioning and some answering. For instance, they're currently not charging for roofing to residents. You can reroof your house and there is no permit but at one time there was. If they're going to lower the schedules, then maybe they could go back to charging for roofing but there's no explanation anywhere on that. On the other hand, you certainly wouldn't want to do something like put in a fee for the homeowner having to go get these same licenses. Mr. Nickerson comes home from work and his wife says light switch in the living room not working. Can you pick one up at Lowe's and change it. Any homeowner here probably has the skills to do something like that. But he's got to go tell his wife oh no, I have to go to the borough tomorrow and pay my \$35.00 schedule fee to be allowed to work in his own home. How can they vote on a motion not authored and then vetted by them? Barbara said she doesn't like the fee schedule at all and did not vote for it when it was passed last time. She thinks it's totally out of whack for this blue-collar community. It holds back people from doing upgrades to their house because they can't afford the permit fees. They want to revitalize the town. She is very happy that Mr. Thompson did this one section. She'd like to see the whole thing redone and have the committees go over it. Her husband is a union electrician. She's not coming over here to get a permit because they're going to put in a new outlet.

**Karen Snyder, 28 Oak Ave.**, said Barbara mentioned revitalize Penndel. She said she wanted to know how they can do that when they look like a truck stop. She was going to ask Sean. We look ridiculous. I mean we are residents here. I was going to ask Sean if there was an inflation of arrests or the type of clientele that they're arresting and if there's been an increase since you have the recovery houses and the Russian like truck stop. She has kids who love walking to Penndel Pizza and now she has to worry about them walking there. She used to work at the group home that was right there by Penndel Pizza, but it was different because they had probation officers who were downstairs who were like law enforcement. Now they're trying to make one there, but she thinks that's one is on hold. So, she picked up on that word revitalize and Penndel could be a cute little town, but you have all these rundown stores and you have people who are stealing tip jars from Penndel Pizza who are like going through the old Phil's Place. She thinks that when they look like trash, they're going to attract trash. They're going to

get people from Trenton. If you have the recovery houses, you're going to get all types of people including pedophiles. That's not what they want to be known for. They moved here because it's a cute town and since 1998, it's changed a lot and it's a shame. There are all these little spots that people are just storing their trucks and recovery homes. Barbara said the trucking company was a private sale that they knew nothing about it until the day of settlement when it comes through the office. Karen asked if they should know about the sales. Dave said unless it's a something that would be a use that's not approved, but even then, they wouldn't know beforehand. Sales like that go through all the time. Once the Wawa developer pulled out then all the property owners who had been limited by their agreement to sell no longer were. That one in particular wanted to get out as quickly as she could and she had a buyer. This council worked very hard a couple of years ago for the overlay ordinance and for all that kind of stuff. It's a step in the right direction, but then you have to have developers come in and then COVID came along which kind of stymied a lot of stuff. There's been some hiccups along the way. Council has worked hard but there's still a long way. Karen said there needs to be other ordinances besides the Airbnb like recovery homes. They don't want people drifting through. They want people to come here and stay and see what they see in Penndel. Mark said there are certain things governments can do to try to encourage the type of development they want to see and they've been working to do a lot of those and get that groundwork laid in the last year.

### **COMMITTEE REPORTS:**

#### Buildings & Maintenance

Joe Dudash said as a follow up to what he and Gary spoke about at the last meeting was to dissolve the committee and let the manager handle things. Mark said he was going to talk about this under old business. As for advertising the committee meetings, the plan going forward is going to be to advertise the ones that they feel are necessary and appropriate to most definitely meet on a regular basis such as finance, public safety, ordinance, revitalization task force. He doesn't disagree with Joe and he did speak to Mr. Thompson about this. They will rethink the committee structure at the beginning of next year. If the other committees are going to meet, they need to let them know because Marie will have to advertise. If they are not meeting, they can continue to conduct those as they've been just with updates on the things they're doing like they met with the tree guy on the site and they came to them with the proposal. He does agree that the manager will probably be handling more and more as they go along.

#### Open Space

Joe said at the last meeting they talked about 173 Holly Ave. and Langhorne Gables. They cleaned up the trees that fell over there a year ago. Now they have all that brush growing up and all, so he brought up at the last meeting for them to cut the weeds, take the trash and spray which was \$800.00. He wanted to know if they are going to proceed or if he should just tell the people over there the borough isn't doing it. There's trash in there as well. The people from the Gables are yelling so he went out with Kevin Burcz and they said they can clean it up cut it down and try to remove some of the debris. The problem they had last time with the trees was they got stung. He wants to do something and at least tell them he can spray the vines growing on their fences and sheds. Gary asked which properties on Parkview Ave. he was talking about. Joe said there are three. Gary said that would be 150 feet worth of clearing. Behind one that they already cleared looks fantastic. He has no idea what he's trying to do. He didn't go back that far in. Joe said Mr. Truelove said it's a safety issue. Now that they know, if anything happens to those residents then they get sued. He doesn't want to leave them hanging so he asked if they are going to do something over there or just leave it. Mark asked if this was something that the new part time maintenance guy that they're going to hire later on in

this meeting could go down and that address it and spray. Carol said no chemicals. John Stratz said this is Taddei Woods. You do not want to put chemicals in there. Mark said they will let the new maintenance guy go down and see if he can do any cleanup.

MOTION BY GARY NICKERSON TO APPROVE THE HIRING OF LOUIS CARCEL FOR THE PART-TIME MAINTENANCE POSITION CONDITIONED UPON AN ACCEPTABLE BACKGROUND CHECK. SECONDED BY JOE DUDASH. Mark said Mr. Thompson was involved with interviewing this candidate. Geoff said he's a Pennel resident and has a good background in electronics and also a lot of handyman type experience. Gary said his resume was provided to council. He thanked Geoff for his work in interviewing and sorting through the various candidates that applied. Mark asked what the salary was. Geoff said \$15.00 an hour. A roll call vote was taken. Joe Dudash, yes, Gary Nickerson, yes, John Stratz, yes, Mark Moffa, yes, Barbara Heffelfinger, yes, Laura Germain, yes. All ayes, motion carried.

Gary said he and Joe are going to be putting together as part of the budget process next year some potential equipment that the maintenance worker can use to do some things such as what they talked about early like some minor maintenance stuff. If there's specific purchases or items that they think would be in the borough's interest to have for this worker, let them know. They will also talk to the mayor to see if there is some equipment at the sewer plant. Barbara Heffelfinger requested that the maintenance man works on planting and the planters. There is outside maintenance on the front of the building that needs to be done. She used to do it but has retired from that. Appearances mean everything. John Stratz said on building and maintenance, it's lovely to force this new guy into the jungle that is our front step area. It used to be taken care of by building and maintenance and he can guarantee that because he used to be the one doing that. The weeds in the cracks out there and weeds in the front used to offend him horribly. It's called volunteer. If you don't want to volunteer to help your borough, why are you sitting at this desk. He did it all the time when he was on building and maintenance. He's down there at the rec field volunteering his time to the point of his body aches. He pulled six-foot-tall weeds out of the corner this afternoon when he was over here. They're having national night out. They should be proud of this place not just wait to throw money at somebody do it. Do it for free. Gary asked John if he is suggesting that he should be out there pulling weeds. John said, no, he's suggesting that the chair of building and maintenance should be out there pulling weeds because three years ago as the chair of building and maintenance, he worked out there and pulled the weeds. It was a very attractive area.

***Gian Lo Piccolo, 132 Crescent St.***, said he used to pull weeds when he was on council. They need to act like adults and just work together. Pick a day and somebody goes and grabs some mulch and you weed. You don't grandstand and say I picked weeds. Right now, there's properties like the car dealership and the pizza place with weeds just as high but you can't complain about them because you have to make your own front yard look good. Just pick a day to do it and you get it over with.

#### Community Development

Barbara Heffelfinger reported on the front of the building. The architect is making plans and it has to be completed by the end of this year. For next year, they're not sure because they haven't gotten any notification from the Redevelopment Authority. She's done some talking to contractors etc. but they have to get the parameters first. She and Carol have been talking and are doing that facade grant. We just didn't have time to do that because you have to have the store owners make a commitment. Carol has been working on the DCED grant for the bathrooms at the rec field.

### Community Relations

Laura Germain thanked everyone for their help with the reopening event. So many residents came out and she is thinking of doing this every summer as a start of summer event. It always feels good when you see people from the community come out. They're going to try to start the newsletter. She knows a lot of people have stuff they wanted to be in the last newsletter, but they had such a quick turnaround they didn't have time. They're going to try to get this next one out by the end of this month or beginning of next month. At their meeting next week, they are going to talk about the website wish list. They do minor changes for free as part of the contract but any sort of project-based ones they would have to pay for. The stormwater poster contest is still going on. She just reposted the posting on Facebook. They have two entries so far and that goes to August 30<sup>th</sup>. The winners will get gift certificates to local businesses from Carol's donation. The information for that is on the website and the Facebook page. Barbara said reopening day was fun and the kids were just wonderful. It was nice to see everybody come out with their kids and play together. Laura coordinated it all and she deserves a lot of credit.

### Finance

Barbara Heffelfinger said everyone's requests for budget have to be into the Finance Committee by September 1<sup>st</sup>. if you come in later, you get what you get because Mr. Thompson is going to work on the budget. They are doing well with the budget and she will not be giving out figures anymore as Miss Mieluch gave us all kinds of information at the work session that those numbers were not correct. So, all she's going to say is they're doing very well and everybody is staying within their budget. She and Mark will be meeting on the 4th Wednesday of every month.

### Insurance/Pensions

Mark Moffa reported that their broker supplied the second quarter performance report. The first half of 2021 both fixed income and equity portfolios outperformed the designated benchmarks. The first quarter was a little bumpy due to interest rate volatility and cautious optimism regarding the opening of the economy. Although slightly choppy, the police plan was up 2.78% for the quarter and up 7.75% year to date as of June 30<sup>th</sup>. The non-uniform plan was up 2.72% for the quarter and 7.64% year to date.

### Open Space

John Stratz reported that at the rec field, besides working on the lights with his esteemed colleagues, he trimmed the pavilion bushes again for safety and aesthetics. He reclaimed a four foot by 60-foot area along the fence line to make some usable space where the grass cutters for whatever reason refuse to cut. The Bucks County Board of Health has informed them that they will be doing a barrier treatment in Taddei Woods in which they will spray the foliage around the woods to create a barrier so the mosquitoes can't come out towards the houses. They will be doing this on Wednesday with a rain date for Thursday. Because of complaints of trash in Taddei Woods, he would like a volunteer cleanup of the woods. They can start small and have a volunteer Saturday to clean up the rec field area around the pavilion because it is once again littered with plastic water bottles that various stuff. There is only so much one person can do. Teamwork makes the dream work as they say. John said they should do a cleanup on Saturday August 14<sup>th</sup> at 11:00 am at the rec field. Laura said she would put it on the website and Facebook.

### Ordinance

Mark Moffa reported that he and Gary met on July 22<sup>nd</sup>. They took a deep dive into the original Hill Wallack draft of changes to the fencing regulations. For the fence ordinance, they went through a punch list of 11 items that he wanted to address including the definition of fence,

which needs to be defined in the code and is inadequate currently which varies wildly from town to town. They're working on some of that and to figure out who's going to do site line drawings for the new ordinance. Figuring out the traffic engineers results are going to play into these new regulations. They addressed fencing materials, required minimum front yard, whether or not to require surveys, how far off the road or sidewalk edge a fence should be allowed, corner setbacks. If there's any way the ordinance could deal with the actions of their code enforcement officers and neighbor notifications. Hill Wallack will give them some revisions and they will look at that again at their next ordinance committee meeting which will be on the 12<sup>th</sup>.

MOTION BY GARY NICKERSON TO AUTHORIZE HILL WALLACK WORK ON HANDICAP PARKING ORDINANCE REVISIONS. SECONDED BY MARK MOFFA. Mark said that Mr. Hauser had pointed out that they hadn't actually authorized their office to do that. They discussed it at their ordinance committee meeting about the handicap parking codes where it's not clear who can request a spot, how it can be requested, the process and procedures and placement for such. It's a fairly simple revision. It's just too ambiguous and vague in the code. Joe asked why it has to go to them to draft. He drafted trash and he didn't have to go to a lawyer first. Gary said they had a special lawyer for trash. Joe said here we go again. He asked why they are going to the lawyer first. He asked why they don't draft it and run it past the committees. Mark said it's their committee. Joe asked if the rest of council has seen it. Gary said they will once they are done. Joe said they're going to spend money for the lawyer to draft it and then it comes back and then they do changes, then send it back. He said it must be the new way of just spending the taxpayer's money. A roll call vote was taken. Joe Dudash, no, Gary Nickerson, yes, John Straz, yes, Mark Moffa, yes, Barbara Heffelfinger, yes, Laura Germain, yes. 5 yes, 1 no (Joe Dudash) motion carried.

#### Public Safety

Barbara Heffelfinger said they set the date for their meetings for the second Wednesday of the month. Joe asked what was going on with the towing rotation. Barbara said they would talk about that at their meeting. Joe said to ask Dave and Barbara said they would talk about it at their meeting first. Joe said so now they are doing the opposite.

#### Public Works

John Stratz reported that he met with the engineer and inspected some areas regarding multiple potholes, one section being the intersection of Fairview and Dehaven. There is a whole slew of potholes on Fairview that pothole killers has put their stuff in countless times like every year they're back. The plan is to just cut a rectangle in that area, cut them all out and have an actual paving contractor come in and just take care of it so that you know every year you know another pothole just doesn't pop up right next to the one that he just had pothole killers do. They're going to be looking at I and I work for quadrant two in sewer.

#### Refuse

Gary Nickerson reported that they are having their E- waste collection event on October 2nd at Our Lady of Grace School. He has to get some brochures and flyers so they can get them on the borough website to get the word out. It is from 9:00 – 12:00. Joe Dudash said he recommends removing the committee.

#### Revitalization Task Force

Mark Moffa reported that they are going to meet Monday August 30<sup>th</sup>. It will be their opportunity to get the group together with the manager Mr. Thompson and also the Planning Commission will be in attendance as well.

### Old Business

MOTION BY LAURA GERMAIN TO PURCHASE THREE TABLES FROM OFFICEFURNITURE.COM AT \$395.00 EACH. SECONDED BY MARK MOFFA. Barbara asked if they buy them, what are they going to do with the other ones. Joe said they are historical tables. Laura said they are for the events they have and are outdoor, durable tables. Mark said they are for in the hall for meetings because it's difficult to sit around the ones they have now. Laura said they need tables or are these different ones. Mark said they are buying the other ones separately. Laura said she got them confused. She said it is very hard to do events without tables. Barbara asked what they are going to do with the tables they have now. Mark said they would get rid of them. A roll call vote was taken. Joe Dudash, no, Gary Nickerson, yes, John Stratz, no, Mark Moffa, yes, Barbara Heffelfinger, no, Laura Germain, no. 2 ayes, 4 no's, motion failed.

Mark Moffa said the Veterans' Memorial agreement was discussed at the last meeting and there were some concerns and there have been revisions made to the agreements and that both sides have agreed to the new agreement. Dave Truelove said they included a maintenance bond for a year afterwards just to make sure that things will be taken care of properly in that timeframe. After that it's turned over to the borough and they want to make sure that it's functioning properly and that everything is in order before it happens. This was addressed and he thinks the agreement is ready to proceed so that the project can move forward. Mark said the one section of this where it relates to the bricks and the purchase and installation of the bricks. It was a little vague in the original agreement as to whether the legion would be responsible for the brick project beyond the one-year maintenance. And that has been clarified such that the legion remains responsible for the brick project even beyond the one-year maintenance.

MOTION BY JOHN STRATZ TO APPROVE AND SIGN THE VETERANS' MEMORIAL AGREEMENT REVISION DATED 7/21/2021 WITH THE AMERICAN LEGION. SECONDED BY GARY NICKERSON. Barbara Heffelfinger asked who is going to take over the planting at the memorial. Mark said maintenance of the memorial reverts to the borough after a year. He presumes the maintenance person will do some of the planting. A roll call vote was taken. Joe Dudash, yes, Gary Nickerson, yes, John Stratz, yes, Mark Moffa, yes, Barbara Heffelfinger, yes, Laura Germain, yes. All ayes, motion carried.

MOTION BY MARK MOFFA TO ADVERTISE COMMITTEE MEETINGS, COMMUNITY DEVELOPMENT AND COMMUNITY RELATIONS ON THE SECOND TUESDAY, PUBLIC SAFETY ON THE SECOND WEDNESDAY, FINANCE ON THE 4<sup>TH</sup> WEDNESDAY, ORDINANCE ON THE SECOND THURSDAY AND REVITALIZATION TASK FORCE ON THE LAST MONDAY. SECONDED BY BARBARA HEFFELFINGER. A roll call vote was taken. Joe Dudash, yes, Gary Nickerson, yes, John Stratz, yes, Mark Moffa, yes, Barbara Heffelfinger, yes, Laura Germain, yes. All ayes, motion carried.

### New Business

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

**Langhorne Postmaster** invoice dated 7/2/2021 in the amount of \$483.96 for S/R quarterly billing and summer newsletter postage  
**Comcast** invoices dated 4/2/2021, 5/2/2021, 6/2/2021 and 7/2/2021 (erroneously sent to the sewer plant) in the amount of \$735.93 for internet service at 790 Neshaminy St.

**Comcast** invoice dated 7/1/2021 in the amount of \$231.64 for internet and voice services

**SWIF** invoice dated 7/1/2021 in the amount of \$1,631.00 for fire department workers' compensation insurance installment

**Comcast** invoice dated 7/1/2021 in the amount of \$231.64 for police department internet and voice services

**BCW&SA** invoice dated 7/9/2021 in the amount of \$100.01 for recreation field water

**Comcast** invoice dated 7/1/2021 in the amount of \$521.41 for Business VoiceEdge service

**Deer Park** invoice dated 7/6/2021 in the amount of \$137.81 for spring water

**Independence Blue Cross** invoice dated 7/8/2021 in the amount of \$5,484.44 for medical insurance installment

**Gettysburg Benefit Administration** invoice in the amount of \$169.59 for dental insurance installment

**Selective Insurance** invoice dated 7/12/2021 for workers' compensation and commercial package installment

SECONDED BY LAURA GERMAIN. All ayes, motion carried.

Mark Moffa asked Geoff Thompson to give a little background on how this came to his attention. Geoff said that staff actually brought it to his attention. They received a building permit application and based upon the current fee schedule, for the alteration, the building permit fee was way out of line. He took a look at the fee schedule which he has been doing, and the reason council has it right now is because he wanted to get it corrected before they have this issue again. They actually have one pending application, so he told him just to hold off until council hopefully adopts this resolution. Seven percent of the cost is way out of line with what they need based upon the building inspector's review time and also inspection time. He's looking at the rest of the fee schedule and is comparing it with other municipal fee schedules and will be bringing that back later. There are some fees that he'd like to see simplified and maybe adjusted. They will probably do it may be in line with adopting the borough budget, so they have a better idea going into the next year the estimates for building permit fees. Mark said the whole fee schedule was in the meeting packet, but it is only page two that has the revisions. Geoff said he is changing the 7% fee for residential to 1 1/2 % and for commercial it would be 2%. Gary Nickerson said that 7% seems egregious and punitive and they're trying to encourage people to take care of their homes and for commercial entities to improve their buildings and that was ridiculous. He thanked Geoff for doing this.

MOTION BY MARK MOFFA TO ADOPT RESOLUTION #2021-09 REVISING THE FEE SCHEDULE AS EXPLAINED BY THE BOROUGH MANAGER TONIGHT AT THE MEETING. SECONDED BY JOHN STRATZ. A roll call vote was taken. Joe Dudash, yes, Gary Nickerson, yes, John Straz, yes, Mark Moffa, yes, Barbara Heffelfinger, yes, Laura Germain, yes. All ayes, motion carried.

Mark Moffa asked Carol Schuehler to explain the motion. Since she did not speak into the microphone, it was unintelligible.

MOTION BY JOHN STRATZ TO APPROVE AND EXECUTE THE PENNDOT TRAFFIC SIGNAL MAINTENANCE AGREEMENT AND SIDEWALK MAINTENANCE AGREEMENT FOR THE LINCOLN HWY. AND HULMEVILLE AVE. INTERSECTION PROJECT. SECONDED BY

BARBARA HEFFELFINGER. A roll call vote was taken. Joe Dudash, yes, Gary Nickerson, yes, John Stratz, yes, Mark Moffa, yes, Barbara Heffelfinger, yes, Laura Germain, yes. All ayes, motion carried.

MOTION BY MARK MOFFA TO ADOPT RESOLUTION #22-10 DESIGNATING THE BOROUGH MANAGER TO SIGN THE TRAFFIC SIGNAL MAINTENANCE AGREEMENT, SIDEWALK MAINTENANCE AGREEMENT AND TO SUBMIT FUTURE APPLICATIONS FOR TRAFFIC SIGNAL APPROVAL EITHER IN WRITING OR VIA ELECTRONIC SIGNATURE TO THE DEPARTMENT OF TRANSPORTATION. SECONDED BY GARY NICKERSON. John asked what happens if in 10 years down the line they're between borough managers. Dave said they may have someone else acting in that capacity. John asked why they are not saying council president because there will be plenty of council presidents. Dave said the borough managers is in the building every other day. It is a day-to-day operation and that is something that the borough manager normally would be expected to do. A roll call vote was taken. Joe Dudash, yes, Gary Nickerson, yes, John Stratz, yes, Mark Moffa, yes, Barbara Heffelfinger, yes, Laura Germain, yes. All ayes, motion carried.

#### Public Comment

**Tom Sodano, 126 W. Woodland Ave.,** said they just discussed the permit fees and when tonight's minutes are posted they'll reflect that Mr. Thompson said he had recommended to someone in the borough that the fee schedule appeared high to him and to hold off. Now they're going to have a lot of people read that who have just paid considerably more, like his neighbor who paid \$1,800.00 in permit fees to put a pool in just recently. He asked what they are going to do when people come back and say why weren't they told to wait a little bit because they were going to lower them. His recollection since he lived most of his life in the borough was that the council president was not normally a committee member on any committees and if the person was, they were not the chair because the borough council president can sit in on any committee at any time. They should probably revisit that and since they are also discussing eliminating and reorganizing committees, historically the borough of Penndel would have more than two people on a committee. There's a picture on the website Growing Up in And Around Penndel that shows in 1959, three people that were on the street committee discussing what was going on with the streets with the borough council president. That's four people that were involved whereas they've been rewriting ordinances with a committee of two and virtually no one, unless you happen to be in the democratic committee in Penndel has been privy to a lot of what has been discussed on until it's back and forth with the attorneys. He asked if they didn't think that all the people in the borough regardless of what party they are in should have been able to discuss such things. He does. And while they're reorganizing and writing ordinances would it not have been prudent considering that this ordinance thing has dragged on and going back and forth to the solicitor so many times to possibly have hired someone like Gilmore in the first place who specializes in writing such ordinances and have them look over the ordinances and make a lot of suggestions first. He asked would it not have been prudent and to save time because there are companies that specialize in that and they're one of them. He understands their resistance but it's something that should have been looked at. They heard about the great report from BIU, but again, nobody from BIU is here to ask questions. And this report they talk about that he does such a great job. He mentioned before that there's limited if any experience in retail management in this group up here. He has extensive experience in retail and wholesale management and he can assure them that the people that show up with detailed reports to the minute of how they spent their time were the guys they got rid of because they weren't really working.

**Gian Lo Piccolo, 132 Crescent St.**, said to John Stratz that the light in front of Dunkin Donuts, pole #214 is still the old-style light and it does share the same pole with one that's over Sparkle Car Wash. John said it's a gray area because nobody knows or can give him a report on who's it is. PECO said the borough is not paying electric on it. Gian said the bulb was replaced before. John said PECO doesn't know either. He wonders if he has jurisdiction to change the bulb but doesn't want to put \$200.00 in it if PECO says the borough is not paying electricity for it. Gian said they should be able to figure out who owns. When he worked with Karen on them, they used the old map to figure them out. The business at 77 W. Lincoln Highway has damage to its sign and the sign overhangs the sidewalk. It's an old sign and he noticed recently that it has a couple of cracks in it and one of the letters is falling off. It's a bit of a safety hazard. If a strong storm comes it could make it worse.

On Park Ave this past weekend he observed that there's a large crack going down the middle between Bellevue and Lincoln. It doesn't seem to go further on Centre, but he knows that they talked about getting it crack sealed. They might want to look into that because potholes will start. And there's tons of weeds along the pavers which were \$25,000.00 out of the grant. There's also weeds growing through the grates. It's really in bad shape right now. He doesn't know if the tractor trailers are allowed to park on it but there were two of them parked on it over the weekend. Barbara said there should be signs on their side of Park Avenue. It was included in the grant application that there would be no parking on that side of the street and it was never done. Gian said he thinks the sign between Lincoln and Centre says no tractor trailer parking, but he knows there was two along that stretch over the weekend. They should have done like a permit parking. Barbara said they can't do anything about putting meters or anything like that because that side is Middletown. There should be no parking signs and it should be strictly enforced. Gian said the ordinance committee should get on that. Chief Perry said he believes the ordinance does prohibit tractor trailer parking over there however there's no signs that say that they're prohibited from parking tractor trailers there. There is a sign that says that there is a small section from the entrance of the train station around the bend that allows for tractor trailer parking but everything else on that road is prohibited but there's no signs posted anywhere. The ordinance does prohibit it but there are no signs up.

**Mike Smith, 127 Dehaven Ave.**, stated tonight will be the last night he talks about this to them about the safety issue. He is going to cost the borough a lot of money. H had to hire an attorney so they're going to fight it and it is going to cost Mr. Truelove time which is ultimately going to cost each and every one of us money. He apologizes to all the residents. He did not want this from the start. They're coming up on the one-year anniversary and here they are. He's done with it and his attorney will speak from this point forward. Mike said to Chief Perry, at the zoning hearing board meeting for the fence on Woodland Ave., there was an officer here for an hour and 22 minutes with no radio on. He asked if the borough was covered and was he given permission to be here. Chief Perry said he was not given explicit permission to be here, but he wasn't told that he wasn't allowed to be here. He never left the borough and he was at the meeting in Pennel Borough. He was on radio, he was logged on, he was in uniform and he had a patrol vehicle in short proximity. His radio may not have gone off, but the officer did have it. Mike said there was no radio. It was on his body, but it was not turned up. Chief Perry said that officer wears an earpiece that goes into his ear so you wouldn't be able to hear it and it wouldn't disturb the meeting. The officer did have the radio on it and he was available. Mike said so it's OK for an officer to spend an hour and 22 minutes at a meeting. He asked if he was reimbursing this borough for the time he spent here. He knows he gets a half hour lunch. He asked what about the other time. Chief Perry said he doesn't see how the officer being here is an issue. If the officer is sitting at Pennel Pizza or in here what's the difference. Chief Perry said it's a public space and the officer is not prohibited from being here. Mike said to council is

that what they allow to happen. Chief Perry said if the officer is sitting at Penndel Pizza for his lunch break or he's sitting in here, he's still in Penndel Borough available for calls with his radio on and with a car in short proximity. Chief said he's not happy about him being here and they've addressed it. He doesn't necessarily see a huge issue with it, but it shouldn't happen again.

MOTION BY BARBARA HEFFELFINGER TO ADJOURN THE MEETING AT 10:18 P.M.  
SECONDED BY MARK MOFFA. All ayes, motion carried.

Submitted by: \_\_\_\_\_  
Marie Serota, Borough Secretary/Treasurer