

Penndel Borough Council Meeting Minutes

March 7, 2022

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

Present at the meeting

Council President Beverly Wolfe
Council Vice President Gary Nickerson - absent
Councilman Joe Dudash
Councilman Joe Adams
Councilwoman Barbara Heffelfinger
Councilwoman Laura Germain
Councilman John Stratz
Mayor Tom Sodano

Also present at the meeting

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

Mayor Tom Sodano swore in Officer Heather Carnivale.

Jerry McHugh gave an update on the American Legion Memorial Field Project. The dedication will be on the Saturday of Memorial Day weekend. He showed pictures of the American Legion medallion that will be placed in front of the wall. He said the cost was close to \$5,000.00. In the back of the book there are copies of finished brick for Teddy, who everyone knows was a crossing guard. Someone in town has donated that in his memory. They are over halfway of collecting all the money they need but still need more. He asked if anyone remembered Joe Downing. He was the last burgess, first mayor of Penndel. His son was killed during the Second World War on a bombing mission over Germany and he was on one of the first flights over Germany to bomb Germany proper. He and his sister have donated a brick in his memory. The Penndel Police Department donated a brick for one of the officers, Al Sigafoos' brother who is MIA. They are going to take a section of the walkway and donate it for veterans who were killed in action. He would like to put a section aside for other politicians from the borough and the surrounding areas so that we can group them together, plus another area will be aside for the American Legion members and another one for the veterans. Al's brother and Teddy will go up front and some of the other veterans that were killed during the war. They will be up front and then the legion will be around them and everybody else will be down the side. He has forms he can leave at the borough hall. They've already sent in the first order to be printed. He showed a sample of the work the outfit does. It's engraved waterjet and is printed with the epoxy and they have done work at the National Monument for the Second World War down in Washington. The landscaper, Gasper, is looking at mid-March to get started with everything. Beverly said she believes she speaks for council that they would like to do something for their efforts. Jerry said there are different size bricks they can get. And they don't have to be vets. They can be for loved ones like your mother or your father or in honor of someone. His cousins in Langhorne Manor bought two bricks for his mother, his father and his brother and sister-in-law. He will leave the book here for tonight for everyone to look at.

Beverly said they are very grateful to him and his organization for what they are doing. It is going to be something to be proud of. Jerry said he is proud to be chosen as the chairperson for the wall because his father was behind getting this started with others. He will leave applications and envelopes. Beverly said they can put it in the newsletter again that is getting ready to go out.

Council or Borough Announcements

Barbara Heffelfinger announced that the Heritage/Activities Easter Egg Hunt will be held on Saturday, April 16th at noon. Please bring your children. There will be bunnies, candy, Easter eggs and prizes.

Consent Items

MOTION BY BARBARA HEFFELFINGER TO APPROVE THE MINUTES OF THE FEBRUARY 22, 2022 WORKSHOP MEETING AND TO PAY THE FOLLOWING BILLS FOR THE MONTH OF FEBRUARY, 2022:

General Fund	\$32,406.25
Refuse Fund	\$18,495.46
Sewer Fund	\$34,623.84
Capital Reserve Fund	\$46,943.99
Liquid Fuel Fund	\$ 182.18
Escrow Fund	\$ 7,065.90
Payroll Fund	\$ 2,641.34

Payroll

General Fund	\$24,944.99
Sewer Fund	\$ 3,123.30
Total	\$28,068.20

Escrow Fund Bills

Schoolhouse Court:

Hill Wallack, LLP	\$6,218.40
Value Engineering	\$ 847.50

SECONDED BY JOE ADAMS. All ayes, motion carried.

Reports:

Borough Manager's Report

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

Mayor's Report

Mayor Sodano read his report which is attached.

Joe Adams echoed what Mayor Sodano said about Chief Perry donating items to Ukraine at Falls Township and said that was fantastic. He said if there are other ways that they can continue to donate in that effort, they would love to hear about them.

Police Chief's Report

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

Barbara Heffelfinger said that they are lucky to have Sean. He is excellent and has a heart of gold. She's very proud to be on council and say that he's their chief of police.

Engineer's Report

Carol Schuehler read her report which is attached.

John Stratz asked if the ok's they got from the residents back in 2018 are retroactive. Carol said she thinks they need to look at that and maybe look at that in conjunction with the solicitor to make sure they'll be in good shape. Joe Dudash said he knows they'll get one of the residents' approvals right away. He doesn't think they're going to have any problems getting them to sign over. Joe said with 26 Holly Ave., he asked what does the storm water infiltration testing report from W VW Consultants, LLC say. Carol said what they found is when they dug down below a certain depth, they had infiltration. There was actually a perch table there they had redoxic features. She thinks it was up to about 60 inches down but then below that they had infiltration. As long as they go deep enough with that infiltration bed, they do have good infiltration results there and they can direct the stormwater there and infiltrated into the ground. Joe said regarding question three on her letter, he asked her to explain why borough code 345.15A2 states if a developed site contains impervious surface, 20% of the impervious surface area shall be considered a meadow in the model for existing conditions. He asked what would prove this service to be considered a meadow. Carol said this is a directive on the Stormwater Management ordinance. She said to step away from that project and let's say let's go somewhere else. She said let's say 40 Bellevue Ave. wanted to build a land development there, like maybe a Wawa wants to come in. The whole thing today is impervious. There's no grass on it. What that code does is it keeps the prospective developer from saying it's all impervious anyway, so he doesn't have to do any stormwater management. What the developer of that property would have to do is say it's 100% paved today but he has to assume that 20% of that lets water soak in like a meadow does when she does her calculations or pre versus post. It's in the ordinance code so that you can't just match existing conditions when existing conditions are all entirely paved. Joe asked what redoximorphic soil is and what does it tell them with regard to this project. Carol said redoximorphic soil is when it's deprived of oxygen because it's wet. Wetlands is a redoximorphic soil or redox soil as they say. What that tells them is that that soil gets saturated constantly, but they have a layer of that soil and then once you break through that layer, and they've seen this in other places, Penndel and is kind of unique to Penndel, if you go down deep enough and you get below that perched layer as they call it, then you get infiltration. Joe said in the ordinance it says the water department requires the bottom of a stormwater facility to be 24 inches above the seasonal high-water table. This facility appears to be 7 to 16 inches above the seasonal high-water table. The ordinance requires that you try to achieve 24 inches above a limiting zone and a limiting zone could be bedrock or it could be a water table. They went down in their testing again, she thinks it was about 102 inches, and they found neither. If they're placing the bottom of their bed at 66 or 68 inches, they are well above limiting zone. Joe asked who will be inspecting the facility. Carol said for the installation of the facility, her inspector actually is qualified with expertise in soils, soil compaction and other soil qualities so she will be an excellent inspector. Joe asked if the owner agreed to an easement. Carol said she doesn't know yet. She just sent that letter back. Joe asked if it involves the solicitor. Carol said it's common when you install stormwater management facilities and it's in the ordinance, that an easement be provided around it that allows a representative from the borough to go in announced. They don't walk randomly onto people's property, they would let them know first, but it would allow a borough representative to go in and verify that it's working if they wanted to do that. Joe asked If the property is sold, would the new owners be responsible for the maintenance. Carol said yes. There's going to be an operation and maintenance agreement and that gets recorded with them. Joe asked if borough ordinances require maintenance reports to be submitted on a quarterly or yearly basis. Carol said that'll be based on the agreement that's set up with that property owner on how that's managed. That would vary from project to project, and they will be working with the solicitor on

that going forward. Joe asked what she would prefer. Carol said if they can make it a situation where every year or every third year the property owner submits a report to the borough, so it's not an expense to the taxpayer, that's always her preference. But again, they need to work that out as a legal agreement, and she doesn't have direct authority over that. Joe asked if that is back with her letter. Carol said that would be on the O&M agreement that's done between the borough and the landowner so the solicitor would be assisting with that. Dave Truelove said they have standard agreements that have certain elements spelled out already so it's not going to be reinventing the wheel for that. Joe asked if there are any concerns that facility will silt in. Carol said not if it's constructed properly and that's why if he looks in the letter, he'll see her talking erosion control during construction and leaf filters and ways to be able to clean the water before it gets to that facility. Joe asked where this facility will overflow if it fills up because he doesn't see anything on the diagram. Carol said it's going to be designed to capture the first two inches of runoff and that's what it's going to capture and hold. That's what it's required to capture and hold by ordinance. After two inches it could bubble up through the inlet. Joe asked does she know with that property with the two sides and the one on Oak in the back, that one house is really the retention pond for that whole area. Carol said the goal in that plan is to take the first two inches of rain and she wanted to get everything from that new garage, the first two inches and direct it into this infiltration bed. That's what she can make them do by ordinance. Joe said they know it's a flood area over there since this has been up. He asked if there is a backup plan. Carol said they're capturing the first two inches of runoff and that's a good portion of the storms. It's not a hurricane and she's not telling him they're going to solve a hurricane here, but she believes they're going to mitigate and reduce some of the problems by capturing that first two inches of runoff from that roof and redirecting it into this infiltration bed. Joe said she was concerned over the climate change and all that and then with the flooding there, they have no backup plan. Then he, her and council are getting phone calls again about the flooding over there. They're in trouble if it goes more than one or two inches. Carol said if there's a five-inch event, it's not going to capture all of that. The code requires the capture of that first two inches. On a bigger development like AutoZone that went in or the Advance Auto that went in, these bigger developments have to do peak rate control. That's the next level but for this amount of impervious which is less than 5,000 square feet total impervious, this is the threshold they have to meet. They have to capture that first two inches. Actually, they have to remove the first inch and capture the first two inches, so this is meeting both requirements. Joe asked if the solicitor presents this to the residents around this where all these water problems are. Carol said they're trying to work with this applicant to get him to address the stormwater management requirements in the ordinance that would not normally involve the surrounding owners unless they were directing new stormwater at one of the owners which obviously, they're not. Joe said because they've gotten a complaint over there. He asked if they are taking action to prevent it. Carol said she believes this is the appropriate way to help mitigate some of the trouble that has been reported. Joe asked if there was anything else in the report that she thinks the solicitor should add into negotiations. Carol said they're the ones that brought it to this point where they've got a plan and a study. Dave and his staff have been doing a great job bringing this to this point and hopefully they get it through this point so that they get a facility installed and start to mitigate some of the problems out there. She thinks it's very positive. Joe said from her expertise tonight, it looks like they have a stormwater ordinance problem. Carol said, again, the ordinance for a bigger site is going to also start getting into peak rate runoff and mitigation but this area is in the range of less than 1,000 square feet of impervious surface that is added. They don't necessarily have to do anything. They're probably exempt. If it's 1,000 to 5,000 square feet that is added, they have to deal with it. They have to find a way to mitigate it and that's where this falls. For the first flush or the first two inches of rain, if it's 5,000 or more, they have to start dealing with the peak rate control and if they go over an acre, then you've got an NPDES permit. Then they're getting into the DEP's and the Clean Water Act permit. There are

different steps in the ordinance based on the size of and the volume of what is being done. For this proposal they put forth, it is a step towards meeting that 1,000 to 5,000 range. Joe asked if they need a license or permit. Carol said no, it is regulated by the Stormwater Management ordinance. Because the borough has this significant Stormwater Management ordinance in place which is reflective of the watershed plans for the Neshaminy and for the Delaware, they have the ability to ask them to do this. Joe asked if they have something like this for the borough like a manual. Carol said no, the BMP manual for the state of Pennsylvania is what's referenced in the current ordinance.

Zoning/Code Enforcement Report

Beverly said the report is in their packets and if a resident wants to see it, they can obtain a copy from the office.

Committee Business:

Community

MOTION BY BARBARA HEFFELFINGER TO AWARD THE MEMORIAL PARK RESTROOM PROJECT TO PARKO'ROURKE ASSOCIATES, INC. WITH A TOTAL BID OF \$128,840.00 AS RECOMMENDED BY BOROUGH ENGINEER. SECONDED BY JOHN STRATZ. Joe Adams said he's new and is still trying to figure a lot of this stuff out. He asked where they are getting the \$128,000.00 to be able to pay for this is. Beverly said it is the CDBG grant. Joe said so this isn't burdening the taxpayers. Beverly said no. All ayes, motion carried.

MOTION BY BARBARA HEFFELFINGER TO APPROVE AND SIGN ESTIMATE #O1106 FROM RIVER VALLEY LANDSCAPES IN THE AMOUNT OF \$4,860.00 FOR RECREATION FIELD MULCH AND INSTALLATION. SECONDED BY LAURA GERMAIN. Beverly said they budgeted \$4,000.00 for the mulch and they didn't do it last year because of some issues so technically speaking it's \$4,800.00 for two years' worth of mulch which is why it's before council. It is a budgeted item but they're \$860.00 over. All ayes, motion carried. Barbara said the borough manager worked hard on this and Mr. Carcel did a great job.

MOTION BY BARBARA HEFFELFINGER TO RATIFY THE CONTRIBUTION OF \$500.00 TO HULMEVILLE BOROUGH FOR THEIR 150TH ANNIVERSARY. SECONDED BY JOE DUDASH. Joe Adams asked where they are getting the \$500.00 from for this. Beverly said it is coming out of the General Fund as a contribution from the borough to their neighbor for their book. Joe said they're giving taxpayer money to another government agency. Beverly said in the spirit of cooperation and in spirit of they are their neighbors, yes. Barbara said when Penndel had their centennial, Hulmeville did exactly the same thing for them, and she thinks it's proper that they reciprocate. The Heritage Society also has given money for that. They cooperate with them all the time on different historical things and actually part of this borough and Hulmeville Borough were all one at one time, so she thinks it's very proper. Joe Adams said he expects he may be one of the only people voting in the opposite direction. He knows it's only \$500.00 but again it's \$500.00 of taxpayer money for Penndel. He appreciates there's probably some type of heritage associated and a traditional aspect to it, but it doesn't seem the most necessary thing outside of a gesture and that being said, he's just explaining why. Beverly said she appreciates his candor. She thinks part of them being a tiny little one square mile borough with other tiny one square mile boroughs surrounding them, they have to help each other, and they have to have mutual cooperative support. She would also support Langhorne Borough and Langhorne Manor in the same way but that's just her opinion. Joe Dudash said he's new, so he doesn't know they helped the police chief get the police station and they are

also taking care of the Penndel fire truck hook and ladder that they're selling. They're keeping it over at their station because Penndel has nowhere to put it so that it doesn't get ruined or anything like that. There is this reciprocal agreement kind of thing. All ayes, motion carried.

Laura Germain said they have someone who actually knows how to do website stuff so they're going to put the newsletter electronically on the website and will hopefully have the option to send it to people through the website. There is a way to do it and the web guy showed her, but it didn't work for her. There will be an option to view the old newsletters on the website which she can do and is working on that now. If people would prefer to receive it electronically, they can sign up and have it sent electronically. She'll give more details with that hopefully in the next week or two or next meeting or two. She is going to send out some dates for events coming up, especially this summer to council and the mayor. If council and the mayor can come, it would be great. It was great last year to have the government officials there.

Cares Act

Joe Dudash reported what he's been doing is trying to recruit and has been reading over all the information and guidelines and mission statement. Beverly said they will do a resolution authorizing it once he figures out what it is going to be comprised of and then the mission statement.

Barbara Heffelfinger said she doesn't know if this is going to get the reception, she hopes it gets but reading what can be done with that Cares money, she really thinks that some kind of bonus should be given to the police and the two girls for all the work that they did on getting information out, setting up the borough for people to come in and doing business. Mostly every other borough or township has done this. Over two years, they're going to get a lot of money and she thinks not only the girls, but the police really deserve that money, and it wouldn't be that much. She'd like to make a motion for that too if she could. Beverly said they're not even voting on it. Joe is forming a committee to look into the suggestions on how to spend the money. Barbara said she would like to push for that and will make sure Mr. Dudash hears her opinion. Joe Adams said if they're looking for members, he'd like to volunteer his services. They can discuss that for the Cares Act money. He just wants to be cautious of handing out bonuses to government employees related to COVID when they also were the same borough that passed a 1% tax on wage during a pandemic as well. He's worried that the optics of that are they collected more money from the people. And they gave bonuses to the employees. He's not saying that that's the reality of it. His primary concern there is again that he fears perception and discussions outside of town hall and he fears the inevitable conversations that will be had in the upcoming days or weeks that are going to be discussing and bringing that up. As honorable as the intention is and he does agree the employees that they have are of exceptional value, he just wishes to register that comment. Barbara said her perspective is they deserve it. And it is on the list of things that you can use that money for. It's right there along the bottom so think about it. Beverly said she didn't recall reading that. Mayor Sodano said that Councilperson Heffelfinger is correct. Langhorne Borough, Langhorne Manor and Hulmeville have all actually given bonuses to all of their first responders, police and fire under the Cares Act. Additionally, there was money in Middletown and in Bensalem that they didn't do it on an individual basis. They did use some of their Cares money as some sort of a bonus or an addition to the funding for their first responders so given that it came from the same place, one would have to surmise that it's certainly within the parameters that they could do the same. He echoes what Joe said that should they not do it with the Cares Act, they certainly have more than enough funds floating around in the EIT that they could do something for those same people one way or another and he thinks they'd get a lot less pushback from your residents who are paying the EIT if they felt that it was going for something that was a thank you to the first

responders. Joe Dudash said the committee is going to be a committee of residents and they'll look over everything including if they're going to include law enforcement. He would also put on the table the Pennel Fire department because they were full time, but the committee will decide which will be residents of Pennel. Beverly said they will look at everything and make their recommendations and presentation.

Public Safety

Beverly said as they all know, they didn't get the RDA grant and the police department roof cannot be repaired anymore.

MOTION BY BEVERLY WOLFE TO AWARD THE REPLACEMENT OF THE POLICE DEPARTMENT BUILDING ROOF TO DENNIS AND SONS IN THE AMOUNT OF \$12,915.00 FOR A 10 YEAR ROOF WITH MODIFIED TORCH DOWN AND 10 YEAR WITH MAINTENANCE REQUIREMENTS WARRANTY. SECONDED BY BARBARA

HEFFELFINGER. Dave Truelove asked if that is specifically in their proposal. Beverly said it is and it's in the packet along with the actual proposals. Mayor Sodano said he is vehemently opposed to this for the reason that they're throwing good money after bad by patching the roof. He knows she said the proposal says they're replacing the roof, but make no mistake about it, former Mayor Winkler was correct as were comments from all of the people who bid that the roof itself is not necessarily the inherent problem in that building but rather that the rain gutters are inboard of the walls. The only real way to fix it is to follow what was recommended by all three of the bidders before they finalized the bid because they specified how they wanted to repair it. They all suggested that they put a truss system on top of that building with a peaked roof so the water will run away from the internal gutters. The problem they have is if you look at how that building is assembled, that roof is actually below the top edge of the walls, so the rain gutter entrances are inside of a lowered box. When it rains, water collects and it runs down in them and the gutters themselves, which are piping, are as old as anything else in that building and when the water gets in and around them, they leak. He just wanted it for the record that he believes they should have taken the recommendation last year and allowed the contractors to bid for a truss system on top of that building with a peaked roof, so the water goes away from the faulty gutters, and they stop ruining equipment that's inside that building. Beverly asked him what recommendations he was talking about. Tom said prior to the actual bids, all the contractors who went up there made comments that no matter what they put on that roof, patches or a complete new hot roof, they all stated that none of those will solve the inherent problem of the design of the gutters on that building which is that they're inboard of the walls and that's where the drains are. Nothing they do will fix that. That's why you can't get anybody who's really going to give better than a 10-year warranty whereas if they put up a peaked roof, just the shingles themselves come with a 25-year warranty. Beverly said that's why they applied for an RDA grant, to put on a brand-new roof. Tom said he understands that, but again, it's not as if now that they're faced with having to do the roof that they are completely without the funds. Beverly said they don't have RDA funds. Tom said that's correct. They don't have RDA funds but again if she were to ask the people who voted for her what they'd like her to do with the EIT money that they now have hundreds of thousands of dollars with that is not earmarked for anything, he is betting they're not going to tell her they want them to spend it to revitalize business properties. They're going to say they'd rather have it for something like protecting the police and their equipment. Beverly said that is why some of those funds are sitting in capital reserve. Tom said he understands but he just feels that they're spending \$10,000.00 in spite of that warranty. For the warranty, they are going to come back and fix it and he can tell her as sure as they're all sitting here, former Mayor Winkler was right. No matter what warranty they give them, in just a few years they will be back patching leaks because it's a design problem, it's not the material. Beverly said Bob is absolutely correct, but it no longer can be patched. Tom

said that's right and he's saying that even though she's saying they are putting a completely new roof on top, it is effectively a patch because it doesn't address the drains. Within a couple of years, they'll fix it because it'll be under warranty. They'll fix it for 10 years. They'll keep coming back but they will still have leaks. They'll have a lot of leaks because it's a bad design and they can't fix the bad design by simply putting another hot roof style roof on top of that building. They didn't make the design; they bought a building with that design. Joe Dudash said when he was still Chairman of the Building Committee, he was working with former Mayor Winkler on this and all of the ones that she is talking to are the ones he talked to, and they said that they're just throwing money away. They should go to an A frame. Beverly said that's why they tried to get a grant but couldn't. She was told that this couldn't wait because of the condition of it and that it is leaking as they speak which is why it was like well if this is what they've got, get the estimates and put something on there to protect the equipment, protect the electronics, protect everything since it can no longer be repaired. In order to take a better look at this project, they're going to have to do a little bit more work and get some more estimates which means that they're still going to have a leaking roof. Maybe they can put some tarps up for now. Joe Dudash said all three of these contractors are the ones that said they could put something temporary up there. They won't be starting from scratch because they know what the problems are. Beverly said to the chief that it is going to take some time to go back and revisit this. She asked if he is OK with that. Chief Perry said if they can get a pitched roof, obviously, that's the best choice. It is leaking even after they've patched it the last time and it has been continuing to leak and they've been moving the bucket from one side of the room to the other repeatedly to try to catch water so it doesn't damage anything back there. But it's only a matter of time until they don't get the bucket there quickly enough and something happens. He completely agrees with the mayor's argument on it but at the same time he sees the other side of it where it needs to get fixed. Beverly said they're going to have to put up some tarps or something. Dave Truelove said to withdraw the motion and the second and then he thinks the better motion after that would be to reject all bids and then rebid with the new design. Beverly said they already sort of have that from the RDA grant application. Beverly said she withdraws her motion. Barbara asked what they are going to do with those gutters. Tom said they'll just leave those gutters inside the building, and they'll no longer be functional. And the roof will draw the water to the outside. Barbara said she withdraws her second on the motion.

MOTION BY BEVERLY WOLFE TO REJECT ALL QUOTES RECEIVED FROM VARIOUS CONTRACTORS ON REPLACING THE FLAT ROOF. SECONDED BY JOE ADAMS. All ayes, motion carried.

MOTION BY BEVERLY WOLFE TO ACCEPT THE RESIGNATION OF CROSSING GUARD ESTELLA KRISTINIAK EFFECTIVE 3/2/22. SECONDED BY BARBARA HEFFELFINGER. All ayes, motion carried.

MOTION BY BEVERLY WOLFE TO ACCEPT THE RESIGNATION OF PATROLMAN KYLE AREIAS EFFECTIVE FEBRUARY 14, 2022. SECONDED BY JOE ADAMS. 5 ayes, 1 no (John Stratz), motion carried. John Stratz said failing to keep him, he wishes him well on his future endeavors.

John Stratz said they discussed the crumbling gutters at the workshop. He, Carol and Jamie investigated every inlet in Penndel and discovered that they're all crumbling. It is just a matter of degrees so he's asking council what they would like to do. He asked if they want to do nine of the worst inlets with a cost of \$50,000.00 or the next alternative which is 14 inlets and that would be adding 70,000 onto that for a total of \$120,000.00. The good news for all this is the Cares Act will cover it completely. Joe Dudash said he and Carol did an excellent job and that's one of things on the list with all the photographs they took. Beverly asked council if they want to

do nine of the worst, 14 or 30. Joe Adams asked what the engineer's recommendation was. Carol said her first recommendation would be before they even get to bidding something is they could clean the storm sewers that have debris in them and restore their capacity. She was estimating that in the range of \$12,000.00 to \$18,000.00 to clean some of the storm sewers out that are choked with debris, silt or gravel. That would be her first recommendation. Then from there, they grade the inlets as they looked at them. Nine of them are really bad and the next 14 are pretty bad and if they really wanted to button up the whole borough, there's another 30. She doesn't know what other allocations you're considering for the Cares money. She would certainly not do less than those nine inlets. She thinks that's important for the stability of the infrastructure and she would strongly recommend that. Going beyond that is really looking towards the future stability of your borough. There's an allocation of money there right now that could be used for this. It would mean that they're not worrying about crumbling inlets 10 years from now and 15 years from now because those have been stabilized. The more they do the better result they get but she would strongly encourage borough council to, at a minimum, consider those first nine. Either way they've got to bid the project for the kind of price they're talking about. A substantial part of the cost of these is actually the traffic control because most of them are on the state highways.

Beverly polled council on what they would like to do. Joe Dudash said he thinks they should do the nine because you can see they're crumbling from her reports. Joe Adams said he would agree with the engineer if that's her recommendation that they do the nine. Beverly said she thinks they should do the nine. Barbara said to do the nine. Laura said to do the nine and a lot of it will depend on what else the Cares Act ends up covering. Obviously, she thinks they definitely need to commit to doing the nine and then if it works out, then they could do more. John said he votes for the nine with the hope that in the future, their finances with spending the Cares Act money will allow them to add the extra \$70,000.00 for the 14 more. Beverly said they'll also keep applying for grants too. Beverly asked Carol if they could use Liquid Fuels. Carol said they might be able to submit that to Liquid Fuels for projects, but she needs to check with Municipal Services to be sure. Dave asked if it is the intent to authorize the engineer to prepare bid documents for the nine inlets. Beverly said no, this is just for consideration for the Cares Act money. Dave said they will still need to have it go through the bid process to pay for it. Beverly said if it is authorized, they will do that.

John said he was on a two hour Zoom meeting Thursday because they did have a streetlight go out. Beverly asked if he is taking measures for that and will discuss that at the workshop. John said yes.

New Business

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

Aeon Tech invoice dated 2/8/22 in the amount of \$1,695.00 for Tango one-year license

Comcast invoice dated 2/1/22 in the amount of \$202.53 for PD internet and voice services

Comcast invoice dated 2/1/22 in the amount of \$516.30 for Business Voice Edge service

Deer Park invoice in the amount of \$24.00 for spring water

Independence Blue Cross invoice dated 2/4/22 in the amount of \$5,821.18 for medical insurance installment

Selective Insurance invoice dated 2/9/22 in the amount of \$3,653.00 for workers' compensation and commercial package insurance installment

Comcast invoice dated 2/2/22 in the amount of \$191.09 for internet at 790 Neshaminy St.

Comcast invoice dated 2/15/22 in the amount of \$270.05 for internet and voice service at borough hall

PECO invoice dated 2/15/22 in the amount of \$1,402.61 for street light electric

SECONDED BY JOHN STRATZ. All ayes, motion carried.

Public Comment

Tom Tosti, Middletown Township, distributed to council a sample resolution and information packet titled "Water Privatization: Facts and Figures." This is regarding the Bucks County Water & Sewer Authority considering privatizing. He said 90% of the time the water rates will go up. He attended a meeting and asked them flat out and received no answer. Afterwards, a vice chair came up to him and told him to do whatever he can to stop it. They provide water to 30 municipalities and he is going to go to every one of them. He is asking them to do the resolution and to send to the county commissioners opposing the privatization of the Bucks County Water and Sewer Authority. In the packet are some facts about privatizing water and sewer system. It usually does far more harm than good for the community. This will cause higher rates and job loss. There will also be loss of public input. They can send the resolution to the county commissioners and the residents can email the commissioners. Let them know that the people in Penndel are opposed to the sale of the water authority. That's the way you stop these things. It's community outreach. It can't be just him standing on the top of the tallest building in the county but he's willing to do that and he's going to do that but if he has people that are standing there with him, it means more than just him standing there. Most residents who are affected by this have no clue that this is going on behind the scenes.

Joe Dudash asked why they want to sell it. Tom Tosti said because they're getting \$1.3 billion for it. He asked who's getting the kick back. Joe Adams said with the Pennsylvania Right to Know Act, if they were to request any of their emails that they used and they gave a specific date range, they could probably get their private emails that way. Beverly said this is important and thanked Tom for bringing this here tonight. They have a workshop in a week and a half, and they'll definitely discuss this. Mayor Sodano said that Tom Tosti touched on the transparency issue. They probably have seen recently in the news about contaminated water, lead, etc. When they privatize, part of the transparency they lose is the right that they have with the public utility of demanding that they show what's in the water at all times. You would be surprised at the change in what's in the water when they privatize. It's even scarier than what they're going to end up paying.

Barbara Heffelfinger asked if they have done any work at all on the Spring Valley project. Tom Tosti said no. Barbara asked if it's dead. Tom said as far as the park, yes unless the new board would consider it. When he was on the board, they did some work up there by cleaning out some trees and things like that maybe last year or the year before, but the park idea was when Debbie Lamana was here and when she left, it kind of went away. Joe Dudash said Barbara was right about that easement. They went in with Middletown on it and paid for some of it with grant money. Beverly said they paid a lot, and this is not an agenda item.

Johnathan Bolland, employee at Moldamatic on Noeland Ave., said he's here today to ask for help with either patching, repaving or filling some of the potholes that have developed on that

road. John Stratz said they did a full survey of the entire borough for potholes which they are going to hit. They will be discussing it at the workshop, but Noeland Ave. is 100% on the list.

Mike Smith, said he agrees with Joe with the EIT money and the COVID money. Everyone here and in this borough is going to be hit extremely hard with trying to pay for oil, gas and gas in their cars. They have an opportunity to make things easier and give back at least half of the percent of what was taken in. It gives people a chance at least to stay in their homes and maybe keep their heat or the air conditioning on, whatever it may be at the time. It's something they can do; it would be a great thing to give back. They don't have a lot of high-income people here. It might be a good idea.

Council Members to be Heard

Joe Adams said the only reason he got involved in politics was someone tipped him that there was going to be an EIT put on during a pandemic and he got on a meeting and heard Mr. Moffa speak about the EIT. The one thing he will share at this point right now is that he is worried. They saw gas go up close to \$4.50 and that's going to keep going probably closer to \$6.00. They are going to see prices rise for things. He lost over \$1,000.00 a year thanks to the EIT and COVID and that's a utility bill basically. If there is any way at all possible to reduce the EIT to get that down and shrink that percentage, he has a personal vested interest to attempt to do so, selfishly, personally in every way possible. That is absolutely something that is not only being considered but will be thoroughly looked at.

Beverly Wolfe said she is vehemently opposed to giving her half percent back to Upper Southampton who doesn't need that money. It could be used here and where she lives, not in Upper Southampton.

Joe Dudash said he's been talking for six months about the recession. The people out there are going to be suffering. They're all going to be suffering because he doesn't see it getting any better. He thinks maybe the Planning Commission ought to look into this as far as maybe reduce the borough taxes. Beverly said they already did. Joe said but it was \$20.00. Maybe give half or even more because he thinks the seniors in Penndel and some other people are going to be hurting. The war is going on and everything else that's going on. He said to Beverly that she's in the trucking and business parts and if all of these trucks shut this country down, you think there's a recession now, just wait. Beverly said it was already shut down. It's been that way for the past year since COVID hit. She's not afraid to say that she's now one of those seniors. She's on a reduced income because her company was sold, and she took a pay cut and she's supporting her household which is why she can't retire. But she doesn't want any of her salary going back to Upper Southampton, not that she makes a lot of money. They will discuss it in due course. She's a taxpayer and a council member and she's giving her assessment of it. Joe Adams said he respects that. He said you can't be a politician and not have personal views. You have to see it through your own lens, but they will definitely discuss it.

Pat Dicken, Oak Ave., asked, instead of returning half of that money, could they do a temporary reduction of the EIT for say six months to help people. Beverly said that's actually not such a bad idea. They can look at that and every option. Joe Adams said if they're talking about wanting to give a bonus to the first responders, their police and the municipal employees, people that did things during COVID, but they're also talking about temporary relief for those of them that are losing a significant percentage coming out of our income. He thinks the optics of that looks a little bit better than just maintaining a 1% tax and taking free government money and giving it to the employees if there was temporary relief during a time in which they did that.

Beverly said that needs to be looked at and they would have to pass an ordinance for it so they'd have to talk about how to do something like that and then talk to Keystone about how they would handle that. Mayor Sodano said perhaps they could revisit what the recommendation of the Long-Range Finance Committee, who studied the EIT actually made as opposed to what former Councilman Moffa chose to present to council. Beverly said they will look at everything. Tom said their recommendation was less and their projected numbers actually were nearly identical to what they already have as opposed to Mr. Moffa's.

MOTION BY BARBARA HEFFELINGER TO ADJOURN THE MEETING AT 9:15 P.M.
SECONDED BY JOHN STRATZ. All ayes, motion carried.

Submitted by: _____
Marie Serota, Secretary/Treasurer