

Penndel Borough Council Meeting Minutes

April 4, 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
Councilman Joe Dudash
Councilman Joe Adams
Councilwoman Barbara Heffelfinger
Councilwoman Laura Germain
Councilman John Stratz
Mayor Tom Sodano

Also present at the meeting

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

Council or Borough Announcements

Beverly Wolfe said throughout the course of everyone's week, keep in your mind the people over in Ukraine. They're having a hard time of it and prayers would be appreciated for them.

Consent Items

MOTION BY JOHN STRATZ TO APPROVE THE MINUTES OF THE MARCH 21, 2022 WORKSHOP MEETING AND APPROVE THE FOLLOWING BILLS FOR THE MONTH OF MARCH 2022:

General Fund	\$23,634.43
Fire Tax Fund	\$ 2,202.97
Refuse Fund	\$ 162.60
Sewer Fund	\$57,598.79
Capital Reserve Fund	\$18,442.28
Liquid Fuel Fund	\$10,183.41
Escrow Fund	\$ 2,554.00
Payroll Fund	\$ 2,298.76

Payroll

General Fund	\$26,029.55
Sewer Fund	\$ 3,151.25

Total **\$29,180.80**

Escrow Fund Bills

Auto Zone

Hill Wallack, LLP \$ 60.00

Schoolhouse Court:

Hill Wallack, LLP \$ 1,920.00

Value Engineering \$ 574.00

SECONDED BY BARBARA HEFFELFINGER. All ayes, motion carried.

Reports

Borough Manager's Report

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

Beverly asked, since Gilmore, who did the preliminaries for the RDA grant, if they're aware of the problem with the gutter systems being in the walls and the downspouts. Geoff said he talked to Kurt, but he isn't sure. Beverly asked him to mention it to Kurt.

Mayor's Report

Mayor Sodano read his report which is attached.

Police Chief's Report

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

Solicitor's Report

Ben Hauser reported that last Thursday night they were here for the Planning Commission meeting which had to be continued with respect to the fence ordinance. There was a question raised about the draft ordinance being circulated to the public before that meeting. He did consult with members of his office and that will be available going forward. However, in light of some of the comments they received from the engineer, that ordinance may get some tinkering up before it goes out and gets formally circulated.

Engineer's Report

Carol Schuehler read her report which is attached.

Joe Dudash reported that a couple of residents have said that at Schoolhouse Court, they put the trees which are for stormwater in the easement and not in the right area. Carol said they told them they're incorrect, so they still need to address that and the street trees on Woodland Ave. They put a tree over the stormwater easement actually last fall she thinks, and the inspector promptly notified them that that was not acceptable, and it needs to be removed. They're waiting for them to come back and address these things. There's a number of things that they will need to address before that development closes. Joe said the erosion control fence is completely down and it's blended into the ground. He asked if Bucks County Conservation been contacted about that because they're the ones that enforce it. Carol said, no, actually we enforce erosion control as well. When they find a silt fence down, they're making them put it back up in areas where the runoff is going across unstabilized areas. They've been after them to keep restoring and repairing that. That's more towards the front of the property lately. They do also check the entire development after each heavy rain. They submit inspection reports, and they prepare a formal inspection report after every heavy rain event documenting what they found around the site. If he's talking about something along the back line where there's no disturbance at this point in time, it can't stay like that. They still have more landscaping to do back there per the approved plans. There are still things to do but they're not going to be chasing after them about it when there's no disturbed area going to that

right now. They're going to have to restore it before they disturb that area. Joe asked if there is anything new on the house that is higher than rest of them. Ben said he heard from his colleagues that are directly involved with it that they've been discussing it with their counsel. It's in their court to get it done right.

MOTION BY JOHN STRATZ TO AWARD THE PAVEMENT REPAIRS PROJECT TO HAINES PAVING & LANDSCAPE, INC. FOR \$56,631.00. SECONDED BY BARBARA HEFFELFINGER. Gary Nickerson asked after awarding this, how quickly will they be directed to proceed. Carol said once they award it, then they've got to send them the contract documents and they send back the contracts and bonds so it's usually a minimum of a month before they're at the point of issuing a notice to proceed. Then it would be a matter of working with the contractor's schedule. She'd like to bring forward that they bid these as unit prices so that they could get relative bids from one contractor to another and then they're going to be managing out in the field how far they go and working within the borough budget and trying to get the best possible bang for the buck out there. She doesn't want anybody to think that \$56,000.00 is the exact number but that was a way to do relative bids from one to the other. Gary said he's curious to see how all that's going to be communicated to the residents. Beverly said they need to find out a start date so they can promptly get letters out to all the residents. They might just issue them one now letting them know it's coming and when they know that date, they will give them the exact date or an estimate. Gary asked about if they're going to be excavating and how much they're allowed to excavate and leave open at the end of the day. Carol said they have to backfill everything at the end of the day. They're not going to leave holes for the residents. The biggest challenge is to make sure that residents can get in and out of their driveways during the day while work is going on and that's actually written into the bid document. She'll reach out to the contractor now and not wait till they get to a pre-construction meeting. She'll reach out to him and find out what his schedule is and what his anticipated dates are early in this process so that they can better inform the residents. All ayes, motion carried.

MOTION BY JOHN STRATZ TO ADOPT RESOLUTION #2022-5 REQUESTING GRANT DOLLARS FROM THE DVRPC FOR A TCDI PLANNING GRANT. SECONDED BY LAURA GERMAIN. Barbara Heffelfinger asked if the plans from previous years be incorporated or are they just throwing them out with the trash. Carol said the plans for that intersection, she wouldn't say to throw them out with the trash. One of the concepts, the right angle with the green space, was from that and then as they discussed it further with the Department of Transportation then they started talking about the idea of a mini roundabout there. The idea of the planning grant is to study the options, the volume of traffic, and the best geometry for traffic flow for pedestrian safety. She had a list of criteria there so they would look at the option that has come up in that report, but they'd also look at other options specific to that intersection that would most enhance traffic safety and pedestrian safety. They talked about a gateway to the borough being one of the positives there, but they will have a list of criteria and figure out which one best meets that matrix and it'll be publicly presented too so the public will have a chance to weigh in on what they like. Yes, they'll use a piece of that, but this would be more of an evaluation of what's the best thing for there with some looking at alternatives that might not have really been on people's minds a decade ago. She thinks it could be a real positive to the borough and it could make it a lot safer for pedestrians and for people from those neighborhoods to get to Memorial Park and enjoy the facilities there. It would be nice if it sort of turned into a gateway for the borough. They might be able to do a transit stop there for the bus and maybe they could even be talking about bus shelters as it goes forward. There are some neat things there so hopefully they get a crack at this with that TCDI planning and can start putting all those ideas down in one place and having a chance towards getting them. Barbara said they would have to get the ok from SEPTA. Carol said SEPTA and PennDOT would have

to be involved. This doesn't get them that far. This gets them to a preliminary design, and they can get input from all of those stakeholders, but they won't be getting a permit under that TCDI. They're going to get a preliminary design that they could then take forward. Joe Dudash showed Carol a drawing from his wife who worked in Virginia with the department of roads. He asked if they did the one with the circle, would they do a tree canopy because that appears to be the new method of slowing traffic. That's the new method that they're doing to slow things down in Bethesda with that circle even with the minis. Carol said even with the minis they need a truck apron. Joe said the minis for some reason it is psychological on the drivers, and they feel like it's less of a road. Carol said if they were awarded this grant, a traffic engineer would be involved who specializes in these. It wouldn't just be her. They would get input from somebody like them. The mini roundabouts are a little different from the big roundabouts because they need a big truck apron sometimes, so they need the traffic engineers' input on that. It might be fun if they could do that, but they'll see. Joe said he's hoping they put the circle in because that will slow it down for sure. All ayes, motion carried.

MOTION BY JOHN STRATZ TO APPROVE THE PRICE QUOTATION DATED 3/23/22 FROM SEWER & WATER EVALUATION & REHABILITATION PROCEDURES FOR PIPE TV CREW FOR \$1,050 FOR ½ DAY OF ROBOTIC CAMERA AND TWO OPERATORS FOR THE AMOUNT OF \$1,050.00. SECONDED BY JOE ADAMS. All ayes, motion carried.

Zoning/Code Enforcement Report

Beverly Wolfe said council has it in their packet. It is very detailed so she's not going to read it. Mayor Sodano said after reading the zoning report, he realized it's not to the point of permits but there's a lot of zoning questions that come up this time of year. There's more and more outdoor type of projects like additions, fences, pools, whatever. He would like to have council consider at some point adding language to the codes that anytime there's a permit issued for the outside of the property of any borough properties that they consider notifying at least any property owners that share a party line. It could probably be something that would prevent some of the issues that have come up in the last few years. Just a consideration on this. Beverly said just be clear, if there's a permit issued for anything that would be exterior. Mayor Sodano said obviously if someone is going to remodel a bathroom or something and they have a plumbing or an electrical permit, you're not worried about it inside the house but if there's going to be something that requires exterior work that a neighbor could be upset by or taken aback by when they find out the day ground breaks, they could maybe get out in front of things like that by notifying other neighbors ahead of time. It would be people with party lines, he's not thinking that they have to send notice to the whole borough. For instance, a fence type thing comes up on a regular basis if they're sure that the neighbors all know a fence is going to go in, they might prevent problems. Who knows what may crop up, especially in areas where properties are close together and there are a lot of pools for instance. Joe Adams asked who pays for the notices, the resident or the borough and then if the permits were approved, are the notices a form of appeal or do the residents now have the option to appeal if they wish. He asked if they are giving them a fixed set of time. The only reason he asks this is if he went through the process of filing and getting a permit, following the rules, and putting up his fence or his fixture or whatever it is, is this now an extension of an appeal process to my neighbors. He asked weren't they able to come to whatever the meetings were and where these things got discussed to begin with. It just seems like extra work for someone that's just trying to get something done and they've already followed all the rules. It's just a perspective or food for thought for consideration. Mayor Sodano said the problem is and take the 411 Hulmeville fence that they've all discussed. That permit was issued six months before he broke ground and none of his neighbors knew so by the time they broke ground, they had, by the description of the Pennsylvania laws on such, were already past the appeals process. There's a lot of gray area.

Obviously once they break ground then there is some time that there can be appeals but the attorneys have argued that for a long period of time that the appeals process is going and that could well be the case. For instance, if you wanted to put up a shed and you got your permit in the fall and didn't do it until the spring, your neighbors would not know that you were planning on putting a shed in and that if it's something that could theoretically encroach, then they wouldn't have a way of knowing. Joe Adams said he doesn't care if his neighbors know whether he's putting in a shed. If he got the permit and it's following the rules and he's allowed to put in a shed, he doesn't really want to have a discussion with his neighbors about something the government has already given him permission to do. Tom said the assumption is you're going to follow the rules. Joe said if he's doing something wrong there would be a violation. If they're telling people they have to notify their neighbors every time they get a permit approved, what they'd be saying is, you got permission but now you're letting your neighbors determine whether or not they're comfortable with it outside of the methods they already have for that. It just seems unnecessary. When he got his fence, he just walked over and talked to his neighbors and said they're putting up a fence does anybody care and the neighbors didn't care, and they did the fence. He did that. He didn't need to be legislatively told he needs to mail a letter to everyone within a 30-foot distance and ask permission to put up a fence. Beverly said this is turning into a good discussion and asked if they could continue this at the workshop. That way she would have some time to take a look and see if any other municipality is doing that and how they do it and they can discuss it a little bit more in detail then. She asked if they were all comfortable with that. Gary Nickerson said the ordinance committee briefly looked at this and decided it was similar to the lines of what Councilman Adams talked about. It was an undue hardship. You have to assume that people are going to follow the rules if they get their permit approved. They can't look at everything through the veil of 411 Hulmeville Ave. Fences have been installed in this borough for decades that hasn't resulted in the same situation. He couldn't find anybody that was doing this noticing and to be honest, it just kind of creates a headache for the borough with who's sending these out, who's assuring that they get them, are they certified mail, do they have X number of days to reply to comment, who's keeping track of that. It just seems like a lot of work for a scenario that he doesn't particularly envision happening frequently. Beverly said they would put it on the agenda for the workshop to see if anyone has anything to add.

Committee Business

Community

MOTION BY BARBARA HEFFELFINGER TO WAIVE THE CONTRACTOR'S LICENSE FEE FOR P.A.R.K. O'ROURKE ASSOCIATES, INC. FOR THE MEMORIAL FIELD ADA RESTROOMS PROJECT. SECONDED BY JOHN STRATZ. Beverly asked Carol if she is overseeing this project. Carol said yes and it is currently underway at the Memorial Park. Demolition started today and they were hopeful that council would waive the fees for the contractor who is in fact working for the borough. All ayes, motion carried.

Cares Act

Joe Dudash said he doesn't have anything to report right now but at the work session he will have more information.

Ordinance

Gary Nickerson said the motion that's on the agenda, they previewed at the workshop. They're going to be looking to update the code that deals with signs. The current code didn't really envision LED signs. It just speaks to flashing signs. As Geoff alluded to in his manager's report, he reached out to the Bucks County Planning Commission. They have some loose

ideas but they're looking to contract with them. They're going to be helping them craft this and they're hoping they can kind of expedite the process.

MOTION BY GARY NICKERSON TO APPROVE THE AGREEMENT WITH THE BUCKS COUNTY PLANNING COMMISSION FOR A FEE NOT TO EXCEED \$1,480.00 TO REVISE OUR CODE RELATING TO ELECTRONIC SIGNS. SECONDED BY JOE ADAMS. Beverly asked if they are looking at the sign ordinance as a whole or just the electronic portion of it. Gary said usually when they do this, they usually look at the whole thing, but this is the main reason why they're looking at it. He's not a professional planner so they are going to take a look at it and if they see something he hopes that they would point it out. Beverly said they have been working with them for a long time with the revitalization and they're very thorough. Mike Smith said they didn't go to the borough Planning Commission and they're going to send it up to the county. He asked if that's what's going on with the fence. Gary said this is a motion for them to come down and help them create one. They don't have one. They're going to look at the existing and meet with them and have some discussions. They're going to help create a new ordinance. They don't currently have a draft. They're basically going to be creating the draft. They're going to be redoing the ordinance with the help of the Bucks County Planning Commission. Beverly said that's part of the process. All ayes, motion carried.

Public Safety

Beverly said they had discussed in an executive session creating an additional full-time police officer position and adding the rank of sergeant to the police department. Some questions came up since the last workshop. One of the questions was whether other departments have similar positions available. She did do a quick survey of various boroughs in the county. Dublin borough has two full time officers and two of them are sergeants. Ivyland has a full-time Sergeant. Quakertown Borough has five sergeants and Yardley borough has three full time and one is a Sergeant. New Hope Borough has a corporal, and she believes there's also a Lieutenant. So, there is precedent in other municipalities of having officers with positions other than officer in charge. They had discussed this among council in an executive session and they were presented with all the hard facts and data and a presentation from the chief.

John Stratz said he would just like to point out that anytime they can do an improvement to better the life of the residents, he's all for it. He was appalled at the chief's report tonight. They've got guns in the borough, and they've got a razor slasher. If they can increase the safety in our little town, he's all for it. Joe Adams said this was brought up in an executive session, but he believes now is the first time it's being discussed in public. It'll be explained by the way he votes later and he's fine getting into more discussions of it but he's not fully comfortable having had basically, since the public walked in and read the agenda to now, to give them a time to comment, process or weigh in and make discussions on it. He understands he's an elected representative with the power to represent his people and vote on their behalf to which he respects and appreciates, but at the same time, he does not feel that enough time has been given to the public for them to even be able to collect feedback from the constituents that they regularly talk with, to begin with to see what their feelings are on this issue. He only says that because up until now, this has been something that's only been discussed in an executive session or meetings outside of the public view. He's not super comfortable with where the discussion is heading to and how quickly things are going from an executive session to a vote creating a position and hiring or proceeding to instruct the lawyers to then go ahead and amend the contracts to hire an employee. He's hesitant to move forward with that type of speed without enough time to let the public, who he regularly enjoys oppressing, has the opportunity to speak.

Gary Nickerson thanked Chief Perry for bringing these important issues to council and to thank him and the whole force for all their work. He doesn't really believe that creating a new full-time position is going to solve the turnover issues and he worries that creating the position and having it lead to an appointment and would be something that potentially all qualified officers could apply to, and he thinks it could breed some animosity amongst the force. He has some concerns about budgetary issues. He would like to see the mayor pursue some of the things he mentioned in the executive session such as the mutual aid or reciprocal agreements with adjacent municipalities before they take these steps, not after. The turnover rate is an issue that they need to look at and find a solution for. He just doesn't necessarily think that this is the way to go. Joe Dudash said he agrees with Gary and Joe. He's puzzled because they only had a half hour in the executive session and the voters and the taxpayers haven't heard even anything. The chief did a good presentation, but he's got five pages of questions that still need to be answered. He asked how many of them on this board has been in law enforcement. He asked how he is calculating for the need for a Sergeant. He just doesn't like the way the whole thing was done. They can get into Act 71 and the Pennsylvania Human Relations Act. They could have legality suits with this thing if they just put this through right now. He's been in civil service, and he knows Gary has been and the gentleman out there in the audience was in Middletown. This is just bizarre to him to see this thing the way they're picking one officer to become sergeant and there's no opportunities for anybody else. They can get into a whole legality thing which he has all the case law. He thinks this needs to be held off. They need to be briefed and he's got questions. He imagines his coworkers here have questions. This is just moving too fast.

Mayor Sodano said what's being discussed is to add the language back into the PBA agreement to have the ability to hire. They're not discussing hiring anyone tonight. For whatever reason, there was language in the PBA agreement before, that allowed them to have more than one full time person and there was language that allowed them to have a Sergeant. Whether it be a full time, or a part time Sergeant is an irrelevant point. They can't have a Sergeant full time or part time because that was eliminated from the PBA agreement as was the ability to have more than one full time officer. So, the discussion is whether or not they want to change the PBA agreement and add the language that would allow them to do that. It's not actually to hire anybody this evening. To the point of the civil service thing, and they may have heard him say this before, they're not in a position nor will they be in a position if we add one more full-time person right now to be forced to have a Civil Service Commission. That's not to say they won't within the next five or ten years because what's happening in Pennsylvania as well as other states, they are required by law to provide fire protection. That's the job of every municipality. As the current volunteer firefighters age out by attrition, looking down the road, it won't be too long before every municipality including Penndel will have to contribute if not hire the fire department and that is why the Pennsylvania legislators in large part are not addressing the civil service and not forcing people like Penndel because that landscape will change drastically when this begins to unfold. Right now, he doesn't see the civil service issue as the one that is the make-or-break issue on this. Lastly, to the financial questions that everyone is going to have, the long range financial committee that made recommendations regarding the EIT before was instituted, did not institute the EIT at the current rate but rather half of where they are and in that same recommendation, they supplied math that said they would be able to afford a borough manager and the discounts or rebates however you want to nomenclature them, the homeowners are getting on their trash and refuse as well as the money for that, the amount of money that would be required for doing this. They're not talking about adding another person to the police force. They're talking about changing one of the positions on the police force and when that happens, they're not talking about adding a bunch of man hours. The main difference they're talking about is they would switch one of the 11 names that they

currently have or hire someone and in which case if that happens, they would have to trim the part-time roster because the overall picture in order to fit the man hours in, they either have one full-time and what they currently have which is 10 or 11 part timers or they have two full time and eight or nine part timers. Either way it's the same man hours so the budget reflects that and the main difference obviously would be the pay scale may change for whom they hire or whom they promote or however that would work out and there would also be benefits but keep in mind it also puts them in a position where some portion of those benefits may possibly be covered to a large extent by county monies.

Joe Adams asked if when they do this vote, he would like to have each person's name said with their vote, solely because as he feels he's not had enough time to meet with the people and really discuss this, he wants to make sure that if this does go through and is voted on, in the future he'd like to be able to reference from the record that he actually did vote the way he did. He thinks a roll call on this particular case would be beneficial if it is possible. Beverly said that typically on something that is a really hot topic, she would do a roll call vote.

Laura Germain asked if they include this in the PBA agreement are they then required to hire someone. Ben said no but you need to have something in the PBA agreement because as the mayor noted, the PBA agreement has gone through a number of changes. It is basically more or less a part timer agreement. To go any further than that really needs some adjustment. He believes the PBA agreement expires in 2023. If this is the direction council wants to go, they need to reach some sort of understanding with the bargaining unit for the Police Department and that's all he's going to say here because obviously there are sensitive labor issues involved. Laura said so the vote today if it passes is not committed to any particular direction, it just gives them an option. She agrees that it would be good for the public to have more time, but she feels like voting on just the potential would not be a problem. She asked if the public would be able to see the report that the chief made and the supplemental financial information that she gave them at the executive session. Beverly said they can give an overview, but she doesn't think she can release the actual numbers. Ben said he would agree with that at this time. Laura said she doesn't think it's necessary at this point but if they get to the hiring stage maybe she could briefly kind of summarize the report that she gave to them. Beverly said absolutely. She asked Ben if the chiefs report can be released like Councilwoman Germain suggested. Ben said he will give a qualified yes but wants to run that by his colleagues who are a little bit more tuned to some of the right to know style concepts. There may be little elements in there that cannot be released for one reason or another, whether they're sensitive information which is unlikely. But they have to keep in mind that they are dealing with the union, and they do not want to be engaging in unfair labor practice by putting certain things out there so that may need to be reviewed before that fully goes out. Laura said perhaps the chief could do a summary to the public or write up a summary to the public that would be appropriate for them to read. Chief Perry said he stands behind every word that he wrote in the 16 pages that he presented to council. He could summarize that for the public or even perhaps show the PowerPoint that he showed to council as well because he wholeheartedly believes that this is what best for the borough. Beverly said to Chief Perry the PowerPoint that he did was really good and asked him if he would be willing to share that. Chief Perry said he has no problem sharing it. He stands behind every word of it. Beverly said she knows he does. They can arrange it and announce when he's going to do that so the public can comment and have a look at it. He has a better projector at his house he can bring into so it would be a bigger and everyone would be able to see it. Beverly said he should check his schedule and they'll have to figure out when they can do this. Chief Perry said to let him know and he'll be there. Beverly asked council and the mayor about doing it at the upcoming workshop. Joe Dudash said that the council itself as representatives who represent the people need time to question the chief and the mayor on

their concerns and give them true statistical information that they need so he thinks they're going to have to have two sessions. Beverly said for some of the questions they may have to have an executive session. Joe said these are common police 101 questions as far as supervision and calculations. He's the one who did the PBA contract. Beverly said she did too. Joe said yes, she helped him. He said to Laura, do you know who took out the sergeants and the full time. It was the PBA. He asked if she knew why. Joe said he respects the PBA because they knew this borough at the time was trying to revitalize and they knew the borough was in trouble financially and it still is. They said to him that they understand. They don't want to lose the department as far as financial difficulties because as they know, in 2016 they were trying to go to Middletown. They worked with him because he said he can't do anything until they get cash flow in here. They're projecting about \$400,000.00 from the EIT but everybody is looking like wow this is a gold mine. But they have to remember that inflation is 8%, interest rates went up to a quarter, Easter candy is going up. He doesn't know about them, but he hasn't eaten a steak in a long time. Used cars are up 41%, gas 40%, rental cars 29%, peanut butter 16%. The issue here is that the PBA understood them as a community and that's why they settled what it is now. So, what they're trying to do is put the cart before the horse and get that back into the PBA which they shouldn't be doing because these people haven't given them the ok and he presented everything to the citizens when he did it. That's the difference between them and some other people here. Even Gary with the fence. He took a hell of a beating, but he spent time to research it and then bring it to the people. Sure, they're going to get beat up but they're the taxpayer this is what he doesn't understand. There are different calculations that Beverly is doing. All he can testify as a supervisor that he was in law enforcement that you have to look at the patrol units and what they're doing and everything else and there's a calculation you could do to see if there's truly the need for additional officers. If they want to make a part time officer a Sergeant, that's fine but that's not what they're doing here. They have one officer in here that they already have in mind to hire him as the Sergeant, and you can't do that. The solicitor can testify that we enacted the civil service. It's on the books. They just have to put it in motion. There needs to be equality. Talk about morale problems. They can't have one officer over in that department that's been there for 20 some years and some guy comes in brand new and he gets it, he'd be pissed. They should advertise within and without to see what the job is and that's what they're not doing here. They're trying to ram this thing through as usual and it's all political. He asked Gary and Joe Adams if they are on the personnel and policy committee and if they talked to them before the briefing. He said this is a policy issue for personnel and they should be involved. As Mr. Winkler did, in his opinion, with all these meetings he's been hearing about which they weren't involved in. It's another 2016 when Mayor Winkler had to file a Sunshine Act event. There's too much stuff going on behind the scenes here on this and the people haven't seen it. If you read Mr. Winkler's complaint from 2016, it's the same thing that's happening here. It just goes on and on and on here and this is serious business. Barbara Heffelfinger said she would like to comment if he was done with his tirade. She is so darn mad and if you can't see that she's about ready to bust, they better get their glasses changed. All they're talking about is putting a highly qualified man on as a Sergeant. He's already been hired and served they've already discussed the person she's talking about. Beverly said all they were supposed to be doing tonight was creating the position and authorizing the solicitor's office to add it to the current PBA contract. Barbara said she'd like to know when in the past they've ever made such a public display about hiring a police officer. They always had an executive meeting. She's so aggravated that you think that they've got to go through all the rules and this act and that act. Beverly said they do. Barbara said they have to comply, but they don't have to make a big stink about it like Mr. Dudash has to. And she doesn't care what any of them have to say including Mr. Patton. Lloyd said he's not here to discuss the police. Barbara said that's fine, she's just a little bit aggravated. Joe Adams said he understands that what's on the paper is to create these positions but his main objection to this

from the beginning has been if they are doing this with a person in mind, they are putting the solution they want before the way government is supposed to be in hiring people. They do not say they want so and so therefore they create a position. They create a position based on a need and then they select the appropriate candidate. Beverly said let the record show that Councilwoman Heffelfinger has left. Joe said if they have already in some way picked someone, he is not able to support that as a council person. From what he has been taught and trained the way ethics works in the government, not to in any way, say and he does not wish to make a slandering statement against council and or the solicitor who he believes are attempting to act in good faith. However, he consciously cannot vote on something when they've already selected a person before they have justified the need for the position before the people and giving them the chance to weigh in. He does not think that's how government hires people and he will refrain from commenting further on the issue.

Chief Perry said the presentation that he gave to council at no point mentioned anybody specifically. That was done on purpose. That's not what he's asking for. He's asking for a full time Sergeant. He's not asking for a specific person. There are specific people within the department that would make great supervisors and would be perfect for that situation. If council wants them to hire in a manner of interviewing and vetting specific people for that position, great, they'll do that. But at no point did he specifically ask for a specific person. There are certainly people in the department that would far exceed the other abilities of the other officers. They have way more experience and they bring a lot more to the table. They've proven themselves in supervisory positions. He simply wrote a 16-page paper and presented a PowerPoint to council pointing out a problem that he sees within the department that he thinks will benefit the residents of this borough. Having to hire three or four part time officers a year is costly, and they can make that money back by not continuing to do that by retaining the people they have. He used this analogy in his presentation as it's like buying a brand-new base model car, investing in a new motor and putting new brakes on it putting the tires on the rims you want and painting it your favorite color and then giving that car to somebody else for free because that's what they're doing here. He understands council has the prerogative to do whatever they want. Today he just asks for them to vote from their heart of what you want this borough to be and he's telling them, having a full-time officer here to provide a guaranteed 40 hours will cut down on holes in the schedule and will cut down on a lot of different things. Having a first line supervisor will and again, he's not going to repeat everything from his paper, but he will certainly present that, but this is something that he's not doing for himself, he's doing this for the borough. He really thinks that this is a problem that has been ongoing since March of 1998 when they lost their last full-time officer, and that vacancy has been sitting there for a long time. In the borough code it actually says in the ordinance that there is a position that council can create dictating a Sergeant of the Police Department. This isn't something new. The majority of police departments nationwide have first line supervisory positions. That's not something that's unheard of. Langhorne Manor has a Sergeant position on the books. It's vacant right now because they hired the Sergeant as their chief. Hulmeville Borough has an active patrol sergeant. It's a first line supervisory position. Joe Dudash said here's the thing. Chief Perry asked if he could finish his thoughts. Joe Dudash asked if he is going to give them the statistics per true police statistical evaluation. Beverly Wolfe called for a five-minute recess. Joe Dudash said no she won't because it will prove that it's wrong. Beverly said five-minute recess at 8:40 p.m.

The meeting reconvened at 8:47 p.m.

Mayor Sodano asked Laura if it would be a good idea about what she had talked about with the numbers, to have the manager look at them because he'll look at them with obviously a less

jaded eye than somebody that's looking at it only from the police side or only from the council side. Laura said definitely because the more people's opinion they can get, the more informed they are. She has no problem with that. Beverly said she prides herself on being able to give factual numbers. Nothing with a twist and nothing made up, so she stands by the numbers she gave. Mayor Sodano said he understands and he's not insinuating that and if it came out that way, he's sorry. Beverly said as a check, it's a good idea. She told Geoff to look at them and she would be happy to share with him what she has, and he can absolutely rip them apart. Barbara Heffelfinger returned at 8:50 p.m. The chief will make a presentation and council needs to talk about it again. Since they didn't even make the motion, they can table this. Barbara asked if she was making the motion for it and Beverly said no because the chief has offered to give his presentation to the public which she thinks is necessary at this point and she also believes that we there's some more things to be discussed. She asked Chief Perry if he can do the presentation at the next workshop. The Chief said he would. Beverly said they will make sure that the public knows. They will make sure that it's properly announced and in between they will take some time to figure out all the other stuff.

Public Works

John Stratz reported that he and Lou took care of potholes this last week. They slung 80-pound bags of stuff and filled Noeland Ave. on both sides of Lincoln. There is only so much they can do. His back was killing him and there was no way they're doing it twice in a week. They will do two streets a week and they will eventually get them. This is really just a stopgap measure because his big hope is to just have them professionally done just like when the big rectangle was cut out on Rumpf Ave. That's a patch that looks magnificent and held up fully over the winter. That is his hope for the rest of the borough. They are starting the projects and they've got Haines going with us and they did a magnificent job, and they will continue to do such a good job for the borough.

MOTION BY JOHN STRATZ TO ADOPT RESOLUTION #2022-4 OPPOSING THE SALE OF THE ASSETS OF THE BUCKS COUNTY WATER AND SEWER AUTHORITY. SECONDED BY BARBARA HEFFELFINGER. All ayes, motion carried.

New Business

MOTION BY JOE ADAMS TO ADOPT RESOLUTION #2022-6 THE DISPOSITION OF PUBLIC RECORDS. SECONDED BY JOHN STRATZ. All ayes, motion carried.

MOTION BY JOHN STRATZ TO RATIFY APPROVAL OF THE FOLLOWING MID-CYCLE INVOICES:

WM Corporate Services, Inc. Invoice #0092356-2392-4 dated 3/16/22 in the amount of \$107.26 for sewer plant dumpster disposal

PECO invoice dated 2/9/22 in the amount of \$38.66 for sewer plant outdoor lighting electric

DeLage Landen Financial Services, Inc. Invoice #75416001 dated 2/7/22 and Invoice #75736269 dated 3/10/22 totaling \$553.08 for copier lease payments

Deer Park Invoice #12B0431953892 dated 3/2/22 for spring water delivery

W. B. Mason Invoice #227606023 dated 2/17/22 for one folding table

Comcast Invoice #141535745 dated 3/1/22 in the amount of \$515.84 for Business VoiceEdge Service

Independence Blue Cross Invoice #220308048196 dated 3/8/22 in the amount of \$5,821.18 for medical insurance installment

Langhorne Postmaster invoice dated 3/15/22 in the amount of \$239.02 for newsletter postage

Selective Insurance Co. invoice dated 3/11/22 in the amount of \$3,653.00 for workers' compensation and commercial package insurance installment

Comcast invoice dated 3/2/22 in the amount of \$191.09 internet at 790 Neshaminy St.

PECO invoice dated 3/16/22 in the amount of \$1,516.81 for street light electric

SECONDED BY BARBARA HEFFELFINGER. All ayes, motion carried.

Public Comment

Lloyd Patton, 421 Neshaminy St., said he was here to speak on a couple hazards in town. As a senior citizen himself, the community is not senior citizen friendly. They can put all the little ramps that they want at the corners, but there's sidewalks that are out of alignment and stuff but the main thing he wanted to talk about tonight is the situation at Dehaven and Neshaminy St. He handed a copy to each council member. There's a playground and all sorts of permanent fixtures in the front yard. The speed limits are 25 miles an hour in the borough. If a child's ball runs out in front of a car, even the normal person coming up to that is not going to be able to stop. Then you add in the additional three seconds of reaction or perception time with the normal reaction or perception of two seconds, and you've got five seconds for a senior citizen coming up. He doesn't want to see a tragedy of a little girl or little boy running out and getting run over. He doesn't want to see the tragedy that the driver and the driver's family is going to experience. When he bought his home in 1975, the deed said they weren't allowed to put things in the front. When he had their home rebuilt because of the fire, they told him he can't go beyond the footprint which he said his was fine. He doesn't have anything in his front yard except bushes and normal shrubbery. Something's going to happen and if somebody cuts the corner too loose. Those folks have a full fenced in backyard. He can't understand why they did it. He's never seen that in over 45 years of police experience and consulting on major crashes in the United States and Canada. He just doesn't understand it and it's a hazard and it's in the front yard. He wants the borough to take notice and to send him a letter to move it back. And he will stand back tonight on the police issue. You know his feelings. Middletown is right across the street, and they could have saved a couple \$100,000.00 a year. And having an earmarked candidate is discrimination and it's against the law to do those things. When they hired a chief last time, they bypassed two of the top professionals in Southeastern Pennsylvania with experience up and down their arm. And he had heard that the chief didn't qualify for that position and now you're going to have a Sergeant come up. They have to have a test and a review board which they bypassed when you hired the chief.

Joe Adams said on the pictures Lloyd gave out, he's not taking a particular position on this, but they are his direct neighbors. They do have a full-time parent living at home. He's never seen the child outside without a parent attached directly to them. So, he does know that that particular family at least is doing what they can from a safety perspective. He does know there was discussion with that particular neighbor, and he pointed them to the zoning official because they were requesting some type of an easement for getting a fence for the front or putting some type of bushes to block off the front, but they had difficulty because it's a corner property. Lloyd said he's investigated thousands and thousands of traffic collisions from fender benders to multiple fatalities. Beverly said that is noted. They will take a look at it.

Diane Jones, 504 Clarissa Ln., said kudos to Chief Perry and his officers. They do a great job. And to Carol, she appreciates her coming prepared every time that she comes to a meeting. It makes a big difference instead of I'll get back to you or I didn't check into that or whatever. It means a lot. To everybody up there who were elected by the residents, they only see you when it's election time. They need to come out to neighborhoods and talk to people and then maybe

they'd get more people at these meetings every month. The officers have no problem, why can't they walk around and door knock. That would really help. The main reason she came up here, which he basically started the conversation, in Penndel Borough, your trash cans can go out at a certain time they have to come in at a certain time. She has no problem with that. If you go down Clarissa Ln., there are 16 homes, not counting the two on Julie Ln. that's across from her. Last week somebody in the borough put up watch children signs at four houses. She asked if it was just on their street and are they going to do all the streets. Her issue with the watch children signs is right now if you drive down her street, they'll see five basketball nets actually on the street. You're not to put trash cans on the street they should be up on the grass. There are five basketball nets that are either on the street or on the grass and there will be a sixth one in a month going up once the house next door to her gets their renovations done. These people have backyards. Why can't these little kids play in the backyards. She has two sons and they're in their mid-30s and married with children. They never had their net in the street. They had theirs sideways in the driveway where it would go on the grass. Driving is getting crazy out there. They all know to watch for children. The signs are ridiculous. Get those basketball nets off the streets and get the children off the streets. She's here 38 years Clarissa Lane. This is only the second time she's come up here. About six, seven or eight years ago it was about swimming pool issues. It's all about the children. Get them off the streets and get those basketball nets off the streets. And they're having issues again with dirt bikes and stuff from other neighbors and the surrounding area. They have to get off the streets too. They do their part, so the other families need to do their part. Those families aren't out there like Joe was saying. That house the parent is out there. These other houses, the parents are not out there with any of these kids. She asked if Lou was going to put up more signs. She doesn't want signs all over the streets but there's four signs out of 16 houses just on her street alone. Beverly asked Geoff if he had any comment on the watch children signs. Geoff did not. Beverly said she would get back to her on that. Beverly said the basketball nets have been a problem for a long time. Diane said like the kids who play hockey. They can't play down at the ballfield. Maybe they could play at Our Lady of Grace parking lot or maybe the attorneys parking lot. Mayor Sodano said about the motorized vehicles that some of these kids are running they have actively been pursuing those lately and they actually caught two of them within the last couple of weeks. They don't try to do anything that is unnecessary. They're not looking to arrest the kids or whatever but when they can catch them, which isn't always easy because they go off the street, but if they do, they try to send them home on foot and make their parents come back and get the unit. So far, they have and they're hoping that if they do that, the parents will get the message but unfortunately, it's not easy to catch them but they're working on it. Chief Perry said just to be clear about the word pursuing. They're not necessarily pursuing them in as in a traffic pursuit, but they are following up and addressing them as they can. Like the mayor was just saying, they did get two of them recently and cited them for violations for the vehicle code. Although it is dangerous for them to be riding them on public streets, it's even more dangerous if they are pursuing them in a traffic pursuit and he doesn't want to see anybody get killed as a result of it. So, they do address them but as far as like an actual traffic pursuit, they don't pursue bikes because it's dangerous.

Terry McIntyre, 335 Hulmeville Ave., said just to go back to what Mr. Sodano and Joe were discussing about the fences, he thinks, and he's had his own experience, when your neighbors are putting up a fence, they're either on the property line or very close to the property line. Not with sheds, this more pertains to fences. He thinks it's a great idea for somebody to notify when they apply for the permit, on the side of the neighbors that are going to be impacted by it. At least let them have the notification of maybe 10 days that a fence is going up. Here's the plan for it, here's your cell phone number and here's the borough number if there's any questions.

They may say they were planning on putting a fence up to. In his case his neighbors were going to put a fence up and didn't realize he was putting a fence up. They would have taken theirs out and then they would not have had to have that hassle, so he thinks it's a great idea to at least notify the neighbors. It's not asking for permission because you're doing everything according to the code, but he thinks it's a great idea. Not everybody talks to their neighbors, not that they're not friendly, but you have some neighbors that you're real friendly with and you have some neighbors you just wave to and some you just really don't but doesn't mean you're unfriendly, but it's a good idea that everybody is on the same page. He thinks when you're right on the property line like that, it's a great thing just to notify them and they may come out with a good idea and say let's split the cost of the fence because they were looking at the same fence. Especially now with the six-foot privacy fence. It's more of a wall than it is a fence. You don't want to come home from work and then have that huge monster and you had no idea it was going to be put up. And the other thing, he's not taking either side for full time police or not for full time police, but they really just need to make sure of the budgetary impacts. It's not like taking two part-time positions. There's a lot more money involved with pensions and benefits and PTO. There's a lot more involved especially when you would try to deactivate that position. They need to make sure they're aware of the full budgetary impacts of bringing on another full-time police officer. He wants to make sure they're budgeting correctly because he would hate to see if Neshaminy takes their half of the EIT and then they will say they're going to have to raise the earning tax another half percent. And for everybody that's paying their own EIT, it's actually due today for the first quarter. So, make sure everybody pays their earned income tax or you will get a penalty. Beverly said they are at their cap for the EIT.

Council Members to be Heard

Gary Nickerson said he was down at the rec. field on Saturday for the Penndel Wildcats opening day and the playground and the condition of the rec. field was really nice. He knows that Lou and Geoff have been trying to get it clean. The playground looked awesome. The mulch was already done the new slide was in and there were kids running around playing and having a good time. There were kids playing basketball and there were trash cans out. He thought it looked really nice and a lot of people were taking advantage of the beautiful weather and using the facilities.

MOTION BY BARBARA HEFFELFINGER TO ADJOURN THE MEETING AT 9:13 P.M.
SECONDED BY JOHN STRATZ. All ayes, motion carried.

Submitted by: _____
Marie Serota, Secretary/Treasurer