

Penndel Borough Council Workshop Minutes

April 18, 2022

Council President Beverly Wolfe called the meeting to order at 7:30 p.m. with the Pledge of Allegiance. There was a moment of silence for the two State Troopers that were killed in the line of duty.

Present at the meeting

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

Also present at the meeting

Dave Truelove, Solicitor, Hill Wallack
Chief Sean Perry
Marie Serota, Secretary/Treasurer

Council or Borough Announcements

Beverly reported that the egg hunt on Saturday was a nice event.

Laura announced they will be doing the Penndel safari again for the third year. The kids walk around and they try to spot animals in windows and bushes and they really seem to like it. She encourages everyone here and the people in the audience to put up signs and stuffed animals in your windows on Saturday April 30th and Sunday May 1st. You can get the signs from here or print them off the website or Facebook. The kids just walk around looking for them. Beverly said the kids had a blast doing that.

Public Comment on Agenda Items

Mike Smith said he asked about getting a copy of the fence ordinance. He said it seems like they're going to send it up to the county. They haven't even talked about it yet. Dave Truelove said it goes to the county and will come back. Mike asked why wouldn't they get this right before they start spreading it all over. Gary said it's part of the process. Mike said it always went to their Planning Commission first. Gary said they have to go to both.

Consent Item

MOTION BY JOHN STRATZ TO APPROVE THE MINUTES OF THE APRIL 4, 2022 COUNCIL MEETING. SECONDED BY JOE ADAMS. All ayes, motion carried.

Reports:

President's Report

Beverly announced they're finally getting started on the Bellevue, Durham and Lincoln Highway project. They are going to start sending out letters and possibly visits with the property owners involved over the project and they hope to be doing that within the next few days. If they visit with them privately, they might have them come in and a representative from PennDOT and

other people involved in the project like the designers will come in and make a presentation and show them the extent of the project. They will make sure that they've been visited and talked to and send out letters first.

Committee Business:

Technology Committee

Joe Adams reported that the Tech Committee and Laura from Community Committee met to discuss the website and she gave a briefing on it with great detail on how it works and how to update it. There have been some concerns about some of the technology limitations on behalf of the provider and some of the solutions made. The Tech Committee is now researching alternative options to maintain, update and carry out the business of the website as needed. Another consideration is Penndel.pa.gov and it is provided for at no cost by the federal government and is an entity verified domain for use by government entities including local government. There is an option and an alternative to have instead of just using Penndelboro.com, which itself could be used as a community focused website where they drive a lot of the more community activities and remove some of the political aspects of it. Penndel.pa.gov could become a domain and email address used by all entities associated with the borough. He loves that it is free of charge. The only thing they would need, he believes, is a letter signed off by the Council President and Mayor on official letterhead stating that they are Penndel Borough, and they want penndel.pa.gov. It also comes with federal restrictions. If they use the .gov website, they can't politically advertise or campaign on it. They have to maintain neutrality and that's about it. It would be free in perpetuity so they'd never have to pay for it, which would reduce their costs because they wouldn't have a domain fee every year. After that it could be used with the new email solutions they're working on and the new 365 product that's going to be transitioned over to at no extra cost. And if they're going to be reevaluating rather than just updating the website, he wants to talk with the Community Committee later on at some point because he'd like to maybe consider starting to branch off having a community focused website with the vents and uploads and things that are more family friendly fun and a more simplified straight to business and lpa.gov. This would be an easier method to allow the administrative staff to upload minutes and upload records and being more focused on making it as simple as possible for the staff at hand to drop a file with as few clicks as possible. There's a process right now, it's a little click and type heavy. He wants to see if they can reduce that and make it easier for them so there will be all good things from that meeting and there's still stuff in process. He will be shooting an email off to Marie or Geoff sometime this week furthering on the details to see if they can get that ball rolling for getting penndel.pa.gov and a few other things that will make the website upgrades easier. At this point in time there's no change of vendor or anything yet. Beverly asked if he thought that having two separate domain addresses would confuse people. Joe said it's an option. If there are activities that are advertised for things that they might not necessarily want on their government website, it wouldn't be the worst idea. Especially, if there are citizen led organizations or citizen led community groups and having an alternative outlet for them kind of like a Facebook group is good. They don't have to get rid of it or use it, but they also can keep it. Beverly said they have two different domains anyway. They have Penndelboro.com and Boroughofpenndel.org. Joe said they can keep all of that and they can still all point to the same product and then in the future, if they decide to break things up, they can talk about it. Beverly said she would like to see things uniform. He wouldn't advise getting rid of any of them. They keep all of it and use them as they see fit. Laura said when they were doing the presentations for them with different vendors. She did see something like he was mentioning where the main page is more government focused like road work or an ordinance being voted on and then there was a really big link on the homepage for events. So it was still on there but instead of taking her just to a section of the website, she thinks it would

take them to kind of an outside one so you wouldn't have to go to different websites to get to there. Joe said it's like a tree. It would be a child branch rather than the roof. The idea would be if there's a church that wants to advertise something or if some group really wants to push something and they deem it may be not necessary applicable to a government website but they have a community.org website. But that doesn't fall under that type of restrictions. That's a great place and a way to kind of compromise without necessarily being involved, especially if that group was run by a citizen or ad hoc committee or a group of people rather than a governing body.

Public Works Committee

John Stratz reported that the pump stations are having their yearly cleanup and oiling the motors and pumping out any residual junk that could not be jettisoned by the normal pumping action.

For streets, he met with Haines Paving last week and they did a site visit of Holly and Oak, and everyone will notice new white lines painted all over the place. These are the places that they're going to have to mill to repair the pavement underneath. They budgeted \$56,000.00 for that and it came way under so he's preparing Crescent St. next to the carpet factory and also Eastbrook behind Tummy Yummies. It's one of the most dangerous streets and he's going to have to completely close it and put a chain across. Those potholes border on sinkholes. Beverly asked John when that is going to happen. John said he wanted to start after Easter, but it all depends on PennDOT. Everybody may ask what their streets have to do with them, but they are paying for it so he who opens up the purse strings has the final say. When they get approved, Haines is poised to hit the streets.

Mayor Sodano asked if John had any idea what the blue marks on W. Woodland Ave. were. Beverly said blue is water. Tom said he knew that but wanted to know what's going on because they have a parade coming up at the end of May and they don't want those guys to be in the middle of the road working on something. John said he hasn't gotten any word on what's going on. They never notify them. Tom said it's near where he lives. He figured somebody must have a water or gas issue. Beverly said she would check with Bucks County Water and Sewer and see what they're doing and when. Joe Adams asked John how under budget they were. John said he wasn't sure. He and Lou are handling the rest of the minor potholes. Beverly said it looks like about \$5,000.00.

Ordinance Committee

Gary Nickerson reported that he mentioned to Councilman Stratz before, but he would love to change their street opening ordinance to how Falls Township does it. Around Christmas, he sent some emails to the Falls Township manager. He has to follow up with him because he didn't hear back. They require if they cut a giant swath in the street, they have to do like a curb patching. That is something that he'd love to work on this year. In theory, he would love to just copy and paste. He spoke with Ben just to find out about it, and he had some concerns about maybe some potential pushback from utilities. They reached out to the borough manager to see what's going on there and how it's been received. They still have the draft fence ordinance. At the last workshop meeting, he mentioned that they are going to be discussing that now. They received comments from the engineer. He also received some comments from the mayor, and he reviewed both of those and made some adjustments. Carol actually had some very good comments and he thought he and Ben could address those just simply through some emails, but they might have to unfortunately exchange a couple more to figure out the best way to get that resolved. For the motion, he wasn't exactly sure if this was even required so he reached out to Ben and he guesses that Dave suggested this was probably a good idea, so they

currently have already transmitted a copy of the fence ordinance to the Bucks County Planning Commission. Dave said he would send them the latest and greatest copy anytime you have any what's considered substantive changes. They really want to make sure that they don't run afoul so if somebody later challenges it that it wasn't properly enacted. The change is going to be to make these tweaks and hopefully they'll have these done by the end of the week and then they can get those to the Bucks County Planning Commission and then they'll also have them for the Pennel Borough Planning Commission meeting who has a meeting next Wednesday. The thinking is that they can have the comments back from the county and comments back from the borough. Then maybe the borough has to have a couple of different discussions or maybe there's extra deliberation. Ideally, once they get all those comments back, they can insert them in and then bring this document to council and then they can all take a look at it and figure out what they want to do.

MOTION BY GARY NICKERSON TO AUTHORIZE ADDITIONAL CHANGES TO THE DRAFT FENCE ORDINANCE AND SUBMISSION OF REVISED ORDINANCE TO BUCKS COUNTY PLANNING COMMISSION AND THE PENNDEL PLANNING COMMISSION. SECONDED BY JOHN STRATZ. As Mayor Sodano said on page 11, under the new fence dimensions, they're limiting the height of only one type of fence that appears in that section, being chain link. He asked if they could do that. Gary said it's existing and he doesn't think that's actually changed. Tom said it says chain link or other type of wire fences supported by poster frames. It goes on to say they can only be four feet height. Dave said that's existing. It doesn't implicate he doesn't think a constitutional issue but for continuity it would make sense to make sure that it's fairly uniform unless there's some rationale. Gary said the rationale is that the ordinance committee does not like the look of chain link fences, so they think they're unbecoming for the atmosphere, which the borough is trying to maintain. They're looking to promote other more pleasant or attractive style fences. That was the rationale behind some of the other things in there. That is an existing ordinance, and they haven't made any changes to that so that is something that's on the books. Joe Adams said he put a fence in his backyard and its chain link and it's the limit. It's about four feet and they had to do the permit and go through all that stuff. Tom said there's a house on Holly that has a five-foot chain-link fence that was installed in the 50's. They're still there. It was installed before the ordinance was enacted and that would be existing nonconforming use then. He has a chain link fence with wire coating on it. He had a dog and that was the reason for that. Gary said he would say about 90% of the houses already have existing non-compliant. Most of the borough properties already have fences in which a significant number, they're probably in the existing fence ordinance. Tom said he had a six foot across the back, but McManus took it. Gary said the Ordinance Committee has the luxury of looking long term right, so they set the policy. That in theory will shape and you know guide the fences that will be constructed in the borough for the next however many years. So ideally, fences will conform to whatever the ordinance is that they all decide to enact. Joe Dudash said the Planning Commission met but it had to be cancelled because of no notification. It gets sent up to the county and now the Planning Commission meets. Joe asked, if they have a bunch of questions, does that go back up and then changes are made. He asked if the taxpayer again has to pay for taking it back up for changes. Dave said he doesn't know who would be involved. Gary said he talked to Ben about this because this was the first ordinance that he's been involved in presenting. The thinking was just to try to speed this along because it has been dragging on for quite some time. His thinking was to get in front of as many people as possible. He's sure the Bucks County Planning Commission is going to have a lot of comments He's not sure if the Bucks County Planning Commission is going to have significant comments. Dave said they won't have personal things. Joe Dudash asked if they charge them for that because they are for the signs. Dave said they are more heavily involved in that. Beverly said she doesn't believe that they charge them for looking over the ordinances and to give their

comments. That's part of their job. Tom said he questions whether they can regulate a fence based on people's personal preference. Gary said he hears him. He doesn't like chain link fences. Tom said he happens to like them. And they're not allowed to put those colored strips into them and there are hundreds of yards of that between people's back yards all over town. The ones that are six feet tall with the plastic things. He's not saying that that is or isn't something that I would choose to do but regulating someone else's preference and tastes is not good. Gary said there's a lot of subjective things in fences. It says you cannot have an unsightly fence. Beverly asked what the definition is. Dave said that's hard to enforce. Gary said somebody wanted to construct a fence made out of pallets. Pallets are very fashionable, and some might want to construct a pallet fence. Unfortunately, he thinks something like this, he doesn't know how you would eliminate subjectivity completely from it. He thinks they have to give some professional judgment to the code enforcement officer. If they get too descriptive, the fence ordinance is going to be even longer than it is. The intent is to try to make something that conforms. They can always have discussions with the code enforcement officer, like with the color of the fence. He asked if it is a good idea to have a red fence near an intersection or something like that. That might be something where the code enforcement officer has some professional judgment to it to advise. He said that's where they would rely on the professional judgment of the code person. Some may implicate safety. Dave said he thinks everybody is kind of reflecting this as well. They want to have standards, but they don't want to be overly specific or at this point they're going to have pages and pages of an ordinance. Tom said they're not a homeowner's association so they can't regulate too much and as far as color, they're in a world where people can come from a different part of the world and live in the borough and that may be a religious thing to them. Dave said there may be some constitutional issues that are implicated by somebody in certain circumstances. Gary said how this issue would be resolved would be by how council wants to move forward. The County Planning Commission might weigh in on this and the Borough Planning Commission might weigh in on this and then he will bring all these issues to council and the majority gets to decide how they move forward. Joe Adams said they don't have to look at it until the borough planning commission and the Bucks County Planning Commission looks at it and then look at it as close to the final as possible. Gary said as soon as he and Ben are finished taking in this list and the mayor's and engineer's comments, he will email those out to council again so they can have that with the track changes to review. Once they get comments back from the planning commissions, they can be worked into that and then they can have a discussion. Beverly asked if any other municipalities that mention anything about colors of fences like neutral in color. She thinks she read that in another one. Gary said they didn't change this section, it's existing. The majority of the comments that they received from people about the fences were based on what was left unchanged. They probably should have given everybody a copy of it with the track changes. Beverly said they can't use chicken wire.

Joe Dudash said to Gary that Langhorne Manor has that road stuff they passed about patching the streets. Gary said he did see that and was not a fan of their work. He thought it was almost punitive the fees they were charging for street openings but there were some good things. There were some good things that they did in there. The complicating thing for all of these street openings is with changes they make. For example, if they were voting on something like this now, they would have to give people notice, almost like a one-year grace period. Then you would say OK in one year this is when this rule is going to kick in. He thinks Langhorne Manor didn't do that. They just said starting right now you cannot open your streets for certain things unless it's an emergency and they have the clause for emergency. There are some things in there that were about how many times they can make holes in the street and not really looking to target the individual homeowner just the utilities. He thinks the homeowner can make a four-foot cut or something like that. In Falls, they require \$5,000.00 and the Manor is more than that.

All ayes, motion carried.

Beverly Wolfe called for a five-minute recess at 8:05 p.m. because of an unruly resident. The meeting reconvened at 8:10 p.m.

Community Committee

Laura Germain reported that the newsletter is almost done. She sent around the final copy today and she's trying to finalize a date and she got asked to add one more thing. If anyone is able to fold, let her, Karen or Marie know. She knows Tom said he would volunteer. Last time Karen had said there were some issues around the election where mail was really delayed so they're going to try to get this out as soon as possible. This newsletter is kind of a summer issue with what's going on in the borough this summer. With COVID, she hasn't been able to do as many activities as she would like to do. So she decided this year to focus on three really good activities, one for each month this summer. The summer party is June 26th, movie night is July 23rd and then the time capsule dedication, which will be in August and they're finalizing the date. There is also the Memorial Day Parade, Community Day and the Activities Committee Senior Dinner. If she missed any summer activities than anyone else knows of, let her know. Beverly asked the mayor when the car show was. Tom said May 21st at Our Lady of Grace School parking lot starting at 12:00. Laura said if anyone has anything else to let her know. The mayor said it's not actually a borough function for people who don't know that. A club called the Philadelphia Modifiers arranged for the car show to be at Our Lady of Grace school parking lot, but the borough provides them with as much assistance as they can to make sure that there aren't traffic issues or whatnot. The chief always schedules at least one person on a bicycle, and he'll be there to make sure that any barricades that they need are there. It's all volunteer stuff and nothing that the borough pays for. Laura said if anyone has any submissions for the time capsule, to send it to her. They're looking for submissions for any age group, anything representing how they dealt during the worst of the pandemic. People have submitted photographs and poems and drawings. And then by age categories, one will be selected to represent each category and then she's hoping to figure out how they can hang up the rest of them so people can walk around and check out the ones that weren't selected to be in the time capsule. She's working with the schools, specifically the gifted programs are having their kids working on this project, so she expects to have a lot from the younger age group. High school they're struggling a little bit with, but she'd love to have some adults represented as well. She's meeting the web guys on Thursday so hopefully she will have something on the website where people can submit it directly there rather than email it to her. Tom said they have that shredder event coming up. Laura said for him to email her the details so she can have the correct info. Tom said it was in the last newsletter but should be put in this one as well. Laura looked it up and it is May 7th 11:00 – 2:00.

Old Business

Beverly said the solicitor needs to revise the two motions that appear on the agenda. Dave Truelove said only just the first one. His recommendation is to ratify and affirm the existence of a police sergeant position as set forth in Pennndel Borough Ordinance #59-4 making it a full-time position. He added the last phrase just to be consistent with what's already in the existing motion. The reason for this, is that he and the mayor were emailing over the weekend. He found that there is an ordinance which includes under #59-4 A, the police sergeant position which describes he has to be a police supervisor responsible for providing necessary directions to the police employees and other assigned official duties and reporting to the chief of police.

One member of the Police Department made by the discretion of borough council to be classified as in service as sergeant and the remaining members of the Police Department shall

be classified in service either full time patrolman or part time patrolman at the discretion of borough council. The reason why he added that last phrase to the motion was because that particular section does not define whether the police sergeant is for part time. It's his understanding the desire of the motion at least right now is for that to be a full-time position option that would be subject to debate by the council. There has been at least on the books, a police sergeant position in Penndel Borough for almost 33 years. In the last maybe 25, he doesn't think they've had this. Chief Perry said 1998 was the last time they had a full timer, but he wasn't sergeant. Dave said they need to modify the motion to reflect that information. It doesn't change the overall intent. It certainly places notice before everybody about that.

MOTION BY BARBARA HEFFELFINGER TO RATIFY AND AFFIRM THE EXISTENCE OF A POLICE SERGEANT POSITION AS SET FORTH IN PENNDEL BOROUGH ORDINANCE #59-4 MAKING IT A FULL TIME POSITION. SECONDED BY JOHN STRATZ.

Mayor Sodano said there were some questions in their last meeting on this issue of whether or not they were discussing creating a position or if they were discussing the fact that a position did exist. But they were powerless to at any time actually either promote or advertise that. That's at the discretion of council whether they were to promote someone or hire someone from outside, etc. The fact of the matter is that the position has existed as the solicitor said and has been filled before but in the current PBA agreement, that's a conflict to the code where they are to promote or hire, whichever may be with no mechanism to pay that person because it's not in the PBA contract. Dave said that's the second motion. Tom said he understands but just wanted to clarify the question that was raised at the last meeting if they were creating a position and the answer is that this is not a situation of creating a position. What they're asking in this motion is to recognize that that position is there although, it could be full or part time. They just want to clarify the verbiage because it states that it could be either or. This is about improvement. He wants everybody to understand that his position on this is very simple. He's not a policeman. He's never been a policeman and he doesn't profess to be one. But he's been involved in business from small business to managing facilities for big box retailers nationally, so he understands doing business. In his opinion, they need to really take a hard look and that's what the chief and he have started to do of how they do business as a Police Department in this borough. When they looked at that, they realized there is no mechanism for them to have a sergeant because of these verbiage issues and conflicts. That's what they're trying to do with the goal in mind, so everybody understands, that they want to improve the police department. That is the chief's area, and it is completely within his expertise and his job description to take care of that. Tom said he himself is in an overseer type of role on administrative policy and obviously, on how they do business. What he would really like to do, ultimately with something like this, is to ensure that all of them that are paying taxes that they're getting the best bang for their buck. He feels that that's what he brings to the party. This is step one to try to improve.

Chief Perry said the question will probably come up if he's doing a presentation or not tonight. There were some discussions that may not be a great idea. There were some problems identified for the current part time model of having all part time officers. It's a problem that he has seen for almost 12 years of working here. He sees the value in having part timers. He sees the value of it saving the borough some money. But all part time officers are not sustainable for the future, especially with how much demand is put on policing today. They have to be the best all the time. They can't make mistakes. They can't be tired coming to work. They have to be perfect all the time and they all know that that's impossible to do but in the public's eye, they have to be flawless. He identified some issues that he thinks can be fixed by hiring a full-time officer and working towards building the Police Department to fit the needs of the modern world. Those were presented in a 16-page paper that he wrote over 10 weeks of being at Northwestern and he created a PowerPoint presentation, which was first presented to

the Public Safety Committee and then to all of council, pointing out these issues. Some are minor and some are hypothetical, but they could happen. There was a lot of research that went into it, and he stands behind every word of it and that's why it was brought to council's attention. He thinks that, with this paper, he has been more transparent with council than previous heads of the department. He doesn't want to throw anybody under the bus, but he thinks that this is something that council needs to be aware of and realize that this could have serious consequences if the department is not built to be ready to experience in the way that the world is moving. The presentation is not going to be done but the presentation was done for council and the people that were elected to represent Pennel and they are aware of it. This is something that was not done behind anybody's back. It is a problem that he presented to council and now he thinks that the ball is in council's court. The obligation is there for council to make a decision to make the department better and build the Police Department to be better. He stands behind every word he wrote in the paper and the presentation that he gave, and he thinks that it would be really good to have another full-time officer and build towards having maybe several full-time officers. There was nobody specifically that was picked out. They do have officers in the department that would make better full-time officers than others just because of their qualifications and the way they fit in with the direction that he wants to take the Police Department. This is council's decision. Council is the one who's going to hire or potentially hire a full-time officer. It's up to council to make that decision. It should be a common goal that they all have to make the borough better and make the Police Department better and have a safer place for the residents. That's something that is near and dear to him is making sure that the residents feel safe and knowing the officers by face and know them by name. That's why they're at the community events. Having officers be hired and leave here for other full-time jobs is like buying a brand-new car that's a base model car and investing in a new motor, putting new brakes on it, painting it your favorite color and then giving it to somebody else for free. That's what they've been doing time and time again by hiring three to four part timers a year. It can be costly to do that. They want to retain officers and keep them here and be able to model them and train them in all aspects of policing, not just for while they're here, but for their entire career here. Training is very valuable but it's becoming other people's value in other departments because police officers are usually highly trained, very smart and good problem solvers and it makes them very marketable to not only other police departments but even private sector jobs. So, they're losing good officers to jobs in other places and he wants to try to stop being the training ground for all of other police departments and have a revolving door with police officers in and out. These are some issues that were brought up to council. It's more extensive than that but he's hoping to move towards that. Between him, the mayor and council, this should be a common goal that they all want to accomplish. Politics aside, this is what's best for the borough and the residents. It may cost a little bit more money, but it is still an important thing because it could cost a lot more in litigation a year down the road if they're not keeping up with current trends and policing and with the way of the world and even the demands that are put on officers. So, he leaves it in council's hands to make that decision and then hopefully they can vote with their heart and do what's best for the borough. Mayor Sodano said later on tonight under new business, they have a motion to accept the resignation of an officer. He asked how many that would be that resigned since the fall. Chief Perry said this will be the third one that has resigned since December. The most they've had at least to the best of his knowledge has been 13 part timers and one full-time chief. This resignation will put them at 10 part timers and one full-time chief. If the full-time officer position is not filled, which can take on some of that burden, he would be suggesting to council to hire three part timers if they're not able to get a full-time officer to fill those shifts. It will get them back to where not missing any shifts or anything like that. He doesn't want to ever get to that point. If they don't have a full-time officer, they would need at least three part timers to get them back up to full staff so they can fill shifts. Tom said what they are forced to look at is in today's world and no matter where

any of them work, they know that retention of personnel and the attraction of the personnel is the biggest problem business is facing today. If things continue the way they are the next couple of months, there's no question that there will be one or two more people they will lose to a full-time position someplace because that's what history has told them happens year in and year out. They've got well trained people that apply, and you can't blame anybody for trying to better themselves and their guys usually get picked up. It's a situation where they're going to be hiring three or four people by the time this year is over with the likelihood that most of them will get a full-time job somewhere. In round numbers, so that everybody understands, depending on the training level of someone who comes in here as a part time officer, they spend anywhere between \$8,000.00 and \$13,000.00 to train them. It is required that they be completely trained in Pennel's weaponry including hand weapons and whatever else they may have like the vehicles. Ride along time is required and they have to be range certified. They have to be certified in a lot of things. Even when they're certified in another municipality, they may use a different model of the hand weapon for instance, that Pennel uses. That means they have to get certified with what Pennel has. Training is expensive so they're not talking about trifling money when they talk about the turnover rate here and the only option they have is to train people for part time and that is not necessarily the best cost-effective way in his opinion, looking at the future as a municipality. Chief Perry said in years past, hiring part-time officers may have been better especially if they're hired when they were trained somewhere else. But now with meeting the requirements from MPOETC, which is the governing body for police officers and certifications, the hiring process for a full-time officer and a part time officer is exactly the same. They have to go through the same steps, the same training, the same firearms, lethal and non-lethal training, the same field training and if you skip or don't follow all of those, everything needs to be documented and you end up opening up a whole new can of worms if something bad happens and they don't have the documentation saying they trained this person, this is the training they went through, this is what they learned in field training, these are the weapons they were trained on. Sometimes mistakes happen but if they don't have those trainings and those things documented which they do for all the officers, you're opening yourself up for a world of craziness when it comes to litigation. Everyone's looking for that one smoking gun to find a reason to blame officers for being wrong because they didn't have the training, or the supervisors didn't train them properly. There are a lot of requirements to make sure that these officers are trained and ready to go so in case a mistake does happen, they at least can try to mitigate some of the litigation that may follow. Beverly said at the last meeting there were questions and she asked the borough manager Geoff Thompson to look at her numbers. Her educated guess in training cost was \$13,500.00 per officer. Geoff's number came up to be \$13,219.00. That's a difference of \$281.00, which was close. The other thing including benefits, wages, etc. and so forth, she and Geoff are actually a little under. It's a \$7,000.00 difference, which is still not too shabby. Beverly said they've lost three officers since December. The chief said yes, including tonight's resignation. That's \$40,000.00 in training that they just lost. The other she was asked if this has been looked at before. She didn't even know about that ordinance, which the mayor found. This was presented in a meeting with Public Safety in August of 2021, the possibility of bringing on another full timer and that was when she got a copy, and she gets a copy of all the time sheets. And she found out that the chief, because of Covid, someone tested or may have been exposed to COVID or whatever, that officer had to be out and the chief needed to fill in that shift. Because he couldn't get anybody to work, the chief worked three days in a row, 16-hour days and he had to come back the next morning. She knows he's very capable but that to her is horrifying as far as liability is concerned, someone who's sleep deprived. There are several police studies including one in DC that she cited at the time that looked into officer fatigue problems and she's given her view on that many times. That was presented in August 2021, and it was also presented in a budgetary meeting in 2018 or 2019. They could not at those times, make the numbers work without a burden on the

taxpayers. Now, because of a few things that have come to light, the numbers work and they're not financially unstable at all. They're actually doing quite well compared to budget from the numbers that she's seen so far. They will have a quarterly report for the next council meeting to show where they're at compared to budget. Mayor Sodano said he did not know this until he was elected and involved that the Police Department has come in at or under and in pretty much every case, under budget for four years in a row. Beverly said even before that going back to 2014. Tom said there was an anomaly in there one year. The council sets the budget in the fall where they've got to go. Beverly said they can't exceed it. Tom said they could go at or not much above the exact same budget that we've been working on, year in and year out, but give a much better product. The goal would be to go from being where they are now, a single full timer and 10, 11, 12, 13, whatever they've had at given times of part timers to two full timers and eight or nine part timers and still have the same number of patrol hours covered. They're looking at other things in that to Beverly's point, they want to try to adjust some of the shifts, so they don't have people working an 8-hour shift somewhere else and coming in here and doing eight hours. Maybe they could do some six-hour shifts, or some four hour shifts with people who may have that availability and mix and match those and that will give them fresh feet on the ground on a more regular basis. It also affords them, and it may not sound like much but they're not changing shifts every night at the same time, three, seven and eleven. Then some of the bad actors out there will get a surprise when they come staggering out of a facility and shouldn't be in a car because they can't figure us out. They've already got a reputation that driving in Pennel under the influence is not a good idea. For a borough their size, they do pretty darn good on and with a lot of the other stuff. Crime is a weird word to use but all of the incidents it would prevent happening, that's the important statistic. That's the one to think about. He doesn't care how many stops on violations or speeding violations or how many people they don't lock up. What he cares about is how many people got to go home tonight because our guys were on the job. It didn't happen in every municipality. Turn on your TV when you go home tonight and see what happened in Pittsburgh.

Gary Nickerson said he just wanted to make sure that he understands the problem. They had the presentation, and it doesn't seem like we have that what's prompting this need, a surge in crime or anything like that. It seems like they have a high turnover rate. Chief Perry said that's the root of the problem, which is retention. Gary said he has concerns that just hiring one which he just doesn't necessarily agree with right now, that by hiring an additional full-time officer sergeant wouldn't necessarily reduce the high turnover rate. He asked if they looked at having more part time sergeants if they looked at having things like all of the officers paid the same rate. Chief Perry said probationary officers make a dollar less. Gary said if they had some sort of scale where if people with more seniority would get a certain rate. Councilman Stratz referenced this last week, that people are leaving right away. There are lots of employers where if you leave before completing some sort of time, you do have to pay certain things back. He wasn't sure if any of those things were looked at like having multiple part time sergeants. The pyramid was pretty striking that all of the part-time officers report to Sean and that seems like an incredible burden. He just doesn't know and it almost it seems like just by putting one additional person if that's really going to solve anything. He thinks if they had this sergeant in the fall, he still thinks they would be losing a significant number of officers. He just doesn't necessarily think that by doing this, it solves the problem. He asked if the main reason for people leaving is for opportunity or pay or advancement. The chief said yes. Gary said he's asking questions because he doesn't know if this is the best way to solve this. Chief Perry said hiring one full time officer is not going to solve this problem. Hiring multiple over a couple years' period of time and having a plan to build the Police Department internally by having more full-time officers and retain those full-time officers and limiting the number of part-time officers is the first step in that. The part-time sergeant issue that they have is, he could certainly tell four of

them that they're sergeants and that's all well and good but they're going to need training that's associated with that supervisory role, which then gives them supervisory experience and also gives them supervisory training. Again this makes them more marketable to other private businesses as well as other police departments. They would rather have somebody who has supervisory experience and training over somebody who's fresh out of the academy. That makes them more marketable so having a part time Sergeant doesn't necessarily solve the retention part of it which actually makes it worse. People leave for all different reasons most of them, at least for the last couple, most of them left for full time employment at other places. One of them left because it was an hour drive to here for him and he found a police department that was five minutes away from him that he could work at, especially with the price of gas. That's a big burden when they have to drive an hour each way to and from work so it's a two-hour commute time on top of working an eight-hour shift. It makes for a long day and a lot of gas money. When they work at a job that you know there's no chance for advancement, they're always looking for somewhere else. The people who work here love working here. They love the borough, the residents, the camaraderie in the department. If they have no chance of moving up, the odds of them staying is not good. At Middletown Township, they could be promoted to a detective or sergeant. There's a lot of advancement there that Penn del doesn't have and will probably never have. Being able to build this department is a vision that's for the future. It's not just hiring one full time officer. In Bucks and Montgomery Counties, he thinks they're the only police department expected to cover twenty four hours a day that has one full time and all part time. Most other small boroughs or even small townships, they either cut their overnight shift or they have additional full-time officers. And part time officers have to have full time jobs at other places to have benefits and that makes them not available for night shift a lot of times because most jobs, except for policing and a couple of others, most jobs are Monday to Friday or some variation of that during daylight hours. They can't work night shift and then go to their full-time job during the day. He's done it and it sucks. There are a lot of complications to having a police department and having people come in and cover shifts but giving them the opportunity for advancement as well as having more of a structure and working towards having multiple full-time officers that are dedicated here forty hours a week. They don't just get to say I'm not available for this day and then he's stuck trying to fill that shift because they don't feel like working. He's not saying that happens often but there are times where he has trouble covering Christmas Day shift because everyone is like I don't have to work Christmas. There's no easy answer to this but he thinks this is a step in the right direction.

John Stratz said when Mayor Sodano first started his presentation, two keywords really jumped out and stuck in his brain, businesses and improvements. Improvements to borough safety will definitely be an improvement to the borough. How that will help with businesses is, they specifically hired a manager to go out and vet businesses to come into the borough. These businesses find out that they are actively trying to improve the safety for them it's a big plus for them as well that this will be just one more arrow that the manager will be able to use so he fully is OK with this. Beverly said she looked online and Chalfont Borough has five full-time officers. Dave Truelove said they are part of Central Bucks Regional with New Britain and Doylestown Borough. But they also have issues retaining part timers. Joe Dudash said it's 0.4 square miles. Dave said they have several officers on duty at a time and he thinks the minimum is three at a time, plus part timers. Chief Perry said they're offering their part timers \$40.00 an hour right now because they can't retain them.

Joe Adams said he's really not super excited about the process in the way this is getting handled. They don't have to rehash because the administrative staff did a great job with the notes from the last meeting, and they covered everything he had to say. And it was basically already said there. The only thing he would like to bring up is that before they go down this

route of a full time officer, and he respects the chief and agrees with him to a certain extent, actually with the chief's opinion that more full time officers may be better for retention purposes than a scattering of part time officers and they will always be incentivized to go somewhere else. He would highly and strongly recommend and he knows it's going to be expensive, but have a Civil Service Commission specifically dedicated to look into this and handle this. If the chief's plan is vetted by them and they've got a test and ratings for all these things in the Civil Service Commission, which has a process for it and they want to do it, it's not council's primary position to start weighing in over the hiring and firing. They will have a dedicated entity of citizens and experts and that's what its job and role would be. He is in greater support of a Civil Service Commission than he was before this proceeding just by nature of the way this is kind of going down in this proceeding. Therefore, he'd like to see a Civil Service Commission and get community involvement on it. He'd like to get experts on and it would have its own solicitor as well. It would be easier to get a yes vote out of him for a Civil Service Commission than they are for this. Chief Perry said the law is changing for civil service and he 100% agrees that they do need a Civil Service Commission. They're going to need one eventually so why not create it now before they have to create one and then they're scrambling. Dave said it's going to take volunteers to do that. They have a hard enough time getting people to serve on Zoning Hearing Board and other things. He's not saying they shouldn't do it, it's just something that people have to think about. Chief Perry said the way the law is interpreted right now, the Civil Service covers part time officers for due process purposes. If they're going to fire somebody, they are entitled to due process and the federal government has kind of made that opinion or had that decision currently under the rules of Civil Service. It doesn't apply until they have three full time officers. Hiring one puts them at two full time so council can make that decision for the first one, giving council enough time to create a Civil Service Commission. For the additional hires that are full time, they will have to go through Civil Service requirements because, at that point they reach the three full timers and they're required by Pennsylvania law to do so again. He completely agrees they need Civil Service. They're definitely moving towards that. Eventually, it's going to get to a point where even part-time officers are covered under Civil Service because due to changes, it's going to happen. It's just a matter of when. They have the ordinance. They just need members to fill them. Joe Adams said that hasn't been fully addressed. He doesn't think they're not doing his due diligence. He thinks they should be looking at Civil Service first before they consider this full-time position, and he appreciates what you're saying. He's not attempting to cut him off in any way but that's kind of where he's sitting at this point and why he might be voting the way he is voting. He appreciates the mayor and the chief and stuff like that, but he really wants to see that taken care of before they start filling positions and determining how they're going to pick people and he'd rather have all that going through civil service, even this particular position that they are debating here tonight. Chief Perry asked Dave what the time frame is for setting up a Civil Service Committee. Dave said they have to advertise and have an ordinance to establish and make sure it's consistent with what the current borough code is. They would have to advertise applications for membership and they'd want to have at least three full time members and two alternatives. He could see it taking at least four to six months. They would have to make sure they retain outside counsel for that. Mayor Sodano said they would have to do that relatively soon because the state of Pennsylvania is currently working on changes to the requirements of Civil Service. Joe Dudash said he doesn't understand why the rush. Chief Perry said the rush is this they need three part timers to fill hours. Joe Dudash said Hulmeville has a sergeant that gets \$0.50 more an officer. Langhorne Manor has a sergeant that's a dollar more. The chief said they have a position for that with no one to fill it. Joe said he'll give him three men and a part time Sergeant position. Chief Perry said if that's council's prerogative, fine. That's what they need to continue. Joe said he agrees. Chief Perry said he doesn't agree with that but to get them back to where they were with covering hours and having part timers. If you want to continue with the current way and

disregard everything in here, then go ahead, give him the three part timers because that'll give him the staffing. Joe Dudash said it's the same rhetoric which is a repeat. They've already heard all of this. He respects that he's trying to make the Police Department increase but as a manager, he has to look at the taxpayer and what the situation is here as far as crime and everything else. Joe Dudash asked if they are talking about the EIT. Beverly said she gave them what the difference would be. Joe said so it's the EIT that they're using, a half a percent which the mayor said they can use. Beverly said \$7,000.00 is the difference. Joe asked where they are getting this \$7,000.00 from. Beverly said it's in the General Fund. They have it. Joe Adams asked what if they could get a 7-0 vote on the three part timers and sergeant. Joe Adams said they could go to the solicitor and have the option created and still do the second motion. And they would have to negotiate, obviously with the PBA so they could authorize this and create a start and they could enforce the sergeant rank under the contract and give him three part time officers. They'll get a 7-0 slam dunk to get his vacancies filled and, in the meantime, they could go Civil Service Commission in four months to kick it off. Civil Service could come back and say they need three full time officers, and the solicitor will have to redo it and they would have to pay him for it. Chief Perry said to hire three part time officers and all of the costs that come along with that, they're looking at around \$40,000.00 for three officers. Joe Dudash asked where he was getting the \$40,000.00 from. The chief said for training. Joe Dudash said each hire has to have continuous training anyway, so he doesn't understand how he's losing money. Chief Perry said because they're being trained and then they go somewhere else. It's not training in a classroom setting, it's field training. Joe Dudash said according to Act 120, they have to be field trained and everything else. Chief Perry said they're not field training officers every year. Field training is when you're stuck with another officer who trains you how to be a police officer in Pennel Borough. You're in the car with them for most of it and being shadowed for part of it. That's where most of the burden comes in because they're paying two people to cover the street at the same time and one of them is being trained and the other one is the trainer. Classroom training and weapons training, that's one part of it. The field training is being in the car with somebody for 32 hours a week so now they have two people on shift for 32 hours a week and now they're talking about three of them. Joe Dudash said if he gave him a full time Police Department tomorrow, he would have to have an FTO training new officers each time they came on. Chief Perry said they're not doing that every year. Joe asked if his vision is to hire full-time officers. The chief said yes, that's his vision. But he doesn't understand how that correlates to what they're discussing because what it correlates to is they need an FTO no matter what and they have several FTOs here. Joe said then he's good compared to some police departments. If he gave him a full time Police Department tomorrow, he's going to need an FTO to train no matter what. Most of these guys in Bensalem all don't just sit there unless they have to. These younger guys are going to the Feds like the chief of police went to the Feds. Chief Perry said he's not touching that one. Joe Dudash said there's no guarantee that they won't leave. Chief Perry said there is no guarantee, correct. Joe said if you are a young man you want to progress, you don't want to be a cop on the street the rest of your life. They either want to be a detective or a special agent job or something like that. Chief Perry said there are millions of officers that have a 30-year career as an officer, they don't want supervision. They just want to be a police officer. Joe said it's 50/50. Chief Perry said right now it's probably more like 90/10. They want to leave for full time positions. Joe said they have an officer now that's applying for a position. That's what this is all about. Chief Perry said and they could lose that officer and several other officers because they're all testing to leave. If they can transition to a full-time department over a period of time, they have to take that first step. Sometimes you have to jump. Laura Germain said she was having a little trouble hearing Sean. She asked Joe Dudash to let him finish answering the question. Joe said instead of spending all his time doing this, he should be getting the boroughs together. Chief Perry said that will never happen. Laura said to the chief she recommends letting Councilman Dudash say all of

his questions and maybe jot down the answers. Laura said to let the chief answer the questions. Joe said he's answering. Laura said she can't hear because he's talking over him. She said she thinks he should ask all his questions and then he can answer. Joe asked the following questions:

What events led to the initiation of a full-time sergeant?

How many times did the Safety Committee meet, in person, Zoom, telephonically for communications pertaining to a full-time sergeant?

Will this be an in-house promotion involving an officer to the rank of sergeant full time?

What is the time frame that he and the Safety Committee are looking at for the council approval? Why the rush to promote an officer?

Is the position to be advertised to the public or within the department?

What is the salary?

Is there a draft of the full-time sergeant description to present and what would his duties consist of?

Would he work weekends and rotating shifts?

Who does the officers performance evaluations and would the sergeant do these duties?

Who does the chief's evaluation and when was the last one?

How does he define an incident in his report?

How does the department define calls for service?

How does disciplinary hurt the department and borough in a long run?

Scheduling officers present problem?

When was the last department strategy planning report completed?

Does the department have community policing and strategic plan and if so when was it established and which citizens are working on the plan?

Does the department have a high visibility enforcement strategy?

In response to the pamphlet that he gave out, on page 2 it said residents expect a high level of service and community commitment every call.

What statistical data when the decline of service commenced or how are you statistically projecting this assumption in future decline of service?

Chief Perry said he is going to start by saying he's only going to answer the questions that are related to the topic tonight. He's not answering all his questions because some of them are a fishing expedition to try to get certain information that he can't release. He can answer most of them but there are some questions in there he's not answering. He's just letting him know upfront.

Joe said he brought up fatigue and all so, since 1997 you said on page 2 our police department is operating with the lowest number of officers, currently twelve part time officers. How many officers have left the department each year from 1997 to present? Then you use the FBI UCR

for your statistics on crime but why aren't you using the Pennsylvania PA UCR which would regulate and show us the crime of Penndel, Hulmeville and Langhorne. Are you using the states too or not for your statistics which would prove population density into composition of population including number of youth? Those are the statistics they need and then you said in the page for the department's proactive approach enforcing law in Penndel to decreasing primarily with the borough. You're telling him there's been no increase in the crime rate. Chief Perry said the decrease in crime doesn't mean that the crime is not there. It could very well mean the productivity is going down. Joe said so you're telling me nothing has increased. Chief Perry said the crime stats don't tell you every crime that occurred. Joe said but he's giving him FBI statistics, which is national. Chief Perry said the FBI statistics are the rate of population to full-time police employees. That's what that statistic was based on. That article was a lot longer. It has other statistics in it but the fact that he pulled from there was the rate per capita or per population, which suggests that we have eight full-time police employees, which is unrealistic to think that they need eight in his opinion, but that's what the FBI statistic is and that's a broad statistic for the entire world. They're saying that per resident population you should have 3.5 per 1,000 residents and that would mean that they would need eight. He's not saying that we need eight. He's just saying that that's what the FBI suggests nationwide.

Council recessed at 9:17pm. Reconvened at 9:20 p.m. Joe Adams left briefly at 9:25 p.m. and returned at 9:26 p.m.

Joe asked for officer safety and wellness with fatigue, what countermeasures and strategies are being employed to combat fatigue and how is the department cultivating a culture of fitness. Chief Perry said he's not answering because it doesn't pertain to this topic. Joe said according to the FBI, most of the guys are dying of heart attacks, 80%. Chief Perry said heart attacks are like the number one cause of death nationwide. Joe said but fat cops are also. Chief Perry said he's not going to sit here and body shame any of his police officers. Joe said he's not asking that. He is asking what his plan is with the department. Chief Perry said they have a fitness policy. Joe said he's using the IACP formula for his calculations. Chief Perry asked him if he wants him to answer the questions already asked or if he's going to continue to give him questions and not give him a chance to answer. They are like twenty five questions in. Beverly said twenty seven. Joe said join what a real police chief has to do. Chief Perry said if you only knew.

Chief Perry answered Joe Dudash's questions.

Regionalization: That's never going to happen and it's not his decision to make.

What events led to the initiation of a full time sergeant. He's looking for a full-time employee that potentially could be a sergeant. This is something that he foresees as a problem. He had an opportunity through Northwestern University to do a staff study on this. He put a lot of time and research into it and realized that hiring a full time police officer with the potential of them being a sergeant would be multifaceted and give them a first line supervisor to help ease the burden of day to day tasks as well as some supervision stuff. Also it'll help with their retention rate, which has been a problem since 1998 when the last full time officer left.

How many times did the Public Safety Committee meet: He doesn't recall specific numbers, but it was maybe a few times? Beverly said three times including leading up to the conference call.

Is this an inhouse promotion or outside: That's entirely up to council to tell him how they want to proceed. If they want him to have a list and hire through a list process, fine, but every hiring that they've done in this department has been from the recommendation from the chief or him

picking an officer within the department would not be any different than any other hiring that they've done before. Council can say yay or nay but that would be his recommendation.

Time frame for hiring: He told them what he needed, and he would like to hire somebody full time tomorrow if he could but as soon as possible. He doesn't think hiring three part timers to extend this retention issue any longer is an option. They really do need to move forward for the full-time officer and as for the rush, again, he thinks that's kind of the same question again. There is a rush to hire a full-time officer because of these sixteen pages that he presented to council as well as the PowerPoint that kind of covered it.

Salary is something that council will dictate and that's something that the PBA would negotiate. He has nothing to do with salary.

Working weekends in rotating shifts is something, again, it's going to be a new thing and they can figure out a schedule for them but they're going to cover forty hours a week and they can rotate in three to eleven shifts and night shifts, and they would still be covering nights and weekends and holidays as well.

Job description: With the solicitor and the Public Safety Committee he was tasked with writing the job description. He has one started. It's pretty much done but there were a couple of things on there that he wants to revise. He already started writing a job description for a sergeant because it is in the borough code. He did use the borough code verbiage for some of it as well as several other area departments that have these positions and is modelling what they've used just to make sure that they were consistent with what other departments are doing. So they don't miss something that could be important but is specific to Pennel Borough.

Performance evaluations: He reviews every incident report that the officers write so their performance evaluations are done based off of every incident that they handle. As far as a separate performance evaluation, there are several thought processes behind them. You're writing a performance evaluation for somebody and you want productivity from the officers and the officers tend to not focus on the positive things in the performance evaluation. They focus more on the negative so it actually could be counterproductive to productivity if you say hey, you showed up to work one minute before your shift or something where you're critiquing and then you say you know hey, you went above and beyond for this other job. They know they did a good job on that, but they focus on that bad thing if you point out something and it could actually be counterproductive, so we don't do written performance evaluations. They're also very time consuming because you have to be very thorough with them sometimes and he thinks that he covers evaluating their performance based off every incident that they handle because he's approving all of those reports or sometimes he will delegate the approval of reports as well.

Incident definition: He doesn't know how to answer. Joe asked if that was somebody calling about a cat in a tree or an open door. Chief Perry said they create incidents for a lot of different things. Sometimes they are at the discretion of the officer. If somebody calls in a pig running down the roadway wearing a jacket and he's not making that up. He had that call one time and he checked the area and it was noted on the patrol log but they didn't write a report for it. It was noted on the patrol log. So the officers are documenting what they're doing during their shifts. Some of those things, like a car stop, that there wouldn't be a report written for that but it would be on their patrol log and their citations issued would go in a database.

He thinks that covers the call for service question as well.

The disciplinary question he's not going to answer because he thinks that there's some sensitive information in there that could be covered in an executive session.

Present problems scheduling officers: Officers have full time jobs other places and their availability is limited. They give him the availability that they have and he's forced to follow whatever their availability is. It's in the borough code that they can't be forced to come to work if it interferes with their livelihood or their full time job. If you're working your full time job and they have a major incident, he can't force them to come to work. All of our part time officers have full time jobs in other places, who is he calling in when a major incident happens? He would hope that the officers would be available. Some of them do have some flexibility with coming in. For some of the officers this is their only job but again, if they're looking or seeking a job that has benefits, they're going to be working primarily daylight hours and if they have a major incident at 4:00 o'clock in the morning, that list is going to be a lot shorter than it is if it happened at 5:30 PM when people are getting off of their full time jobs. Joe asked if he comes in. Chief Perry said he does come in for major incidents. Joe asked if he comes in when they are short for a shift. Chief Perry said he does but he's only one person and can only do so much.

He works over his shifts, he comes in on weekends, for events, holidays sometimes, major incidents. Some things he can manage from home. He can't tell you how many times he's in the middle of dinner and he has to spend 1/2 hour on the phone and his wife is sitting there, but he has to answer questions. That's time he doesn't put in for although some of that maybe he could. It would be comp. time but a lot of times he doesn't nitpick that because he'd rather they call him and maybe he answers something quickly over the phone than make a mistake and have to fix it the next day or discipline somebody because they did something they didn't know. He encourages them to call him when they have questions because he would rather them call him to get clarification on how to address something that they may have not dealt with before or maybe there could be case law where the law dictates that they have to do certain things in a certain way. They got a search warrant for a car today so he had to help the officer walk through making sure that they cover all the bases and that they did everything according to what the letter of the law reads to make sure that when that case goes to court that there's going to be conviction and they don't have to worry about somebody finding a loophole. He's been to many suppression hearings himself and he's thankfully been very successful at all of those. One of them actually was in federal court and they prevailed but again case law was created and sometimes people make mistakes.

Are they accredited? No, they are not. Many of their policies are modeled after PLEAC policies which is the Pennsylvania accreditation. It is something that he would like to eventually accomplish here but there are a lot of moving parts to being accredited. One of those he believes is having a cell. They don't have that right now. They do have the secure holding area but doesn't classify as a cell and he believes part of the PLEAC standards are clear standards. He believes they would have to have exactly what they are. There are a lot of things that financially would be tough for them to meet those standards but they do kind of follow those same guidelines and they model their policies to reflect the modern trends in policies and things that are set by PLEAC.

Fatigue countermeasures: He tries his hardest to schedule officers where they're not working an overnight shift and then have to go home and sleep for a few hours and come back in in less than 8 hours for a shift. He does that quite often. He's going to be here till after 10:00 o'clock tonight and has to be back in at 7:00 o'clock tomorrow morning. That's going to happen. You're going to get stuck over for jobs. That's part of this job. Many police officers all over the world will tell you if you like sleep this is the wrong job, you're just not going to survive. He does try to make sure that they're not working excess amount of hours. If they do have fatigue issues or if they're here over an extended period of time, they'll do their best to call other people in to

relieve them or sometimes he's come in early to let people leave early so that so that they can get their rest and go to a job.

Chief Perry said that's all the questions that he's willing to answer at this point.

Joe asked about the last department strategic planning report. The chief said he's not going to address that. Joe asked about the department's high visibility enforcement strategy. The chief said he's not going to address that. Joe asked about community policing and strategic planning. Chief Perry said he's not answering because he doesn't think it's applicable to the topic. Joe asked if they have an agreement for reimbursement if one of these guys leave early. Chief Perry said they do sign paperwork when they're hired that if they leave within one year, they do have to pay the borough back for certain items. For the most part they haven't had to use that because they either stay for just over that one year or they reuse a lot of equipment that they didn't necessarily buy for them like holsters and duty belts and jackets and hats. Different things like that they don't buy for them. They actually have a surplus of them from the at least the last 28 hires that they've had. They have a whole cabinet full of uniforms so sometimes they reuse uniform shirts and pants as long as they are in acceptable condition to be reissued so they do save a lot of money there. But if they hire somebody who is seven feet tall, none of the uniforms they have are going to fit them and they have to buy new stuff. So they have that burden of sometimes buying officers equipment and for the most part they stay but it is what it is.

Joe thanked the chief for answering his questions and he kind of agrees with him that the litigation stuff like he said, there's some stuff that could turn out ugly on them as they have seen in other events around here like the Berlin Wall. He worries about the Act 71 and I also the Pennsylvania Human Relations Act. He thinks the civil Service Commission should be instituted and a taskforce should be developed to start that because they would have a clear bill of health as far as nobody can come to them and say they hired somebody because they liked the guy. Chief Perry said ultimately council, even with the Civil Service Commission, only council can make that decision. The Civil Service Commission is just making a recommendation to council but the Police Department is still involved with the interview process and background investigation. They'd still be vetting all of those candidates to make sure that they're acceptable to work here. Joe said they can't be accused of politics. Chief Perry said he agrees with him. He hates politics and just to be very clear, he is very neutral when he comes to work. He has his political views but when he comes to work, he treats everybody the same. He doesn't care if they're a D or an R. He treats everyone the same, but he agrees with him that a Civil Service Commission would be a great idea for this borough and definitely something that they need to do and are eventually going to have to do so why not do it now before they have to scramble to try and put one together. They don't necessarily need it to hire the first full time officer but will for the second one definitely.

Joe Adams said he is making a plea before council here and he understands his colleague is pretty obnoxious so he appreciates the chief answering the questions. He thinks it's going to be significantly easier on this issue to get 7-0 across the board to get the votes they're looking for if they go the direction of setting up a Civil Service Commission and keeping him off of it which they can do so that he's not in the way as much as he may hate hearing that. The solicitor pointed out in the law they can appoint an accountable council person to Civil Service someone that's less obviously biased in one particular direction. Dave Truelove said he didn't say that. Joe said let the record state he didn't say that he just pointed out the statute, the law. Joe said he thinks the bigger issue is that hiring a full time officer isn't going to fix the retention. They're still going to have at least eight part timers that are going to float. He would rather see this be done and see their energy, effort and time put into a Civil Service Commission that can set

standards, policies and things that will assist in this process that can remove the politics and can have more direct input from the people. If Civil Service comes back and says they need a full time position, he doesn't see how one could vote against it at that point. He feels like that would be a better process even though it's another committee or commission. He genuinely thinks they should be looking at that first and not going through hiring a full time position. He knows that sucks but that's just where he is right now. And this whole conversation has made him sick. Chief Perry said he will agree to disagree on that but he agrees with the Civil Service being a necessity but they don't have to do it now. They can work towards getting a Civil Service Commission but we have a need now to hire a full time officer. or three part timers and a sergeant. Mayor Sodano said they don't have the option to hire a full time person or sergeant. Beverly said they can't do it anyway. Mayor Sodano said to Joe Dudash that he quoted a whole lot of statistics. They have to have statistics that show the need for one so when they're all done, how about you write him a list of all the people that you think it would be OK to make them a statistic before they hire a cop. Joe said this is the same council that voted no for tasers so don't even play that game. Chief Perry said they just purchased three tasers with an RDA grant. Barbara Heffelfinger said that she has been here for 20 years and they never voted against it. Laura Germain said they did because at the time the chief said they didn't actually need them because he had another way of getting it so they did. Laura said she doesn't know about anyone else, with the great points brought up, she feels like she has a good context of taking a vote at this point. She personally really appreciated the questions they gave because she didn't have a strong feeling one way or another. She always try to come to these things with an open mind but she thinks that ultimately it seems that while the option of maybe hiring part timers would make sense it seems like in their particular situation that they we are in right now, the chief's plan seems to make more sense as a stepping stone to something larger that it seems like they're on. She feels comfortable taking a vote at this point.

Joe Adams said he would like to clarify before they vote on this that they do not have a person in mind. He wants to reference from the minutes of the meetings from last week, which were just loaded on the page. 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. He just wants to clarify again they are not talking about someone that was picked already. They haven't picked a name. They don't know who this is about. This wasn't discussed because again, he doesn't think that would be the spirit of the vote. He doesn't want to bring this back to another potential sunshine act issue, but he cannot vote on something if they've already made the decision for who that person is and then say later, they've gone through the review process. He wants to clarify again that should they go ahead; they do not have a specific person in mind. Chief Perry said he thinks what was mistaken was there is one officer in the department who is clearly more qualified than the others. He would definitely make a better supervisor than the others because of his prior training, knowledge and experience but how they accomplish this goal is up to council. They make that decision, not him. He can only make a suggestion. This is something that he has been clear about from the beginning. Not anywhere in his presentation or packet did he bring up a specific person. There is somebody that clearly stands out ahead of the other officers, but they haven't picked somebody specifically and said this is the person. Mayor Sodano said there is a recommendation on the part of the safety committee because it's up to council. Council chooses whether we do hire and whether it's full or part time and they actually have the final say in pay. Joe Adams asked what they can discuss from the executive session and this is legitimate, he's not giving a bullshit question here. He asked what they can discuss from the executive session because he remembers things now that he's hearing different answers to. Joe Dudash said this is true. Dave Truelove

said he wasn't there so he can't answer all those questions. Joe Adams asked from a procedural perspective what can they discuss. Beverly said she's guessing what he's talking about. She doesn't think that it's a violation of anything. Joe Adams said he remembers him saying a name that was brought up under certain circumstances. Dave Truelove said where he thinks the answer to what they've heard is that the name, if it's the same person, would be a candidate but is not the candidate. Tonight, they're just establishing but reaffirming a position and there's been no decision to hire anybody at this point. He would suggest at the next meeting they establish what the process is for doing that, it might be advertising in certain publications to attract candidates and ironically, they may find candidates who are part timers in other jurisdictions who may apply here who may be great candidates. That is a reciprocal process. He does civil service work in Yardley Borough, and they also represent the Central Bucks Police Commission which is a combination of three boroughs. They have a lot of part timers and that's one of their challenges too is retaining and so they may find themselves on the receiving end as opposed to the giving end so to speak. Beverly asked If they were to simply vote on the motion to create it, they would be able to go in and fix the civil service ordinance because it clearly needs it because it started in 1974. They copied and pasted from the borough code, and it has been amended. If they hypothetically created the position, can they go back and fix the civil service thing and get the board established and then proceed with the process of hiring this person and can they back track. Dave said he would also suggest they consider the second motion because to attract anybody they need to know how much they're going to make and what the parameters are. Joe Adams asked if they are going to have this motion for a full-time position and then they're going to have a motion to send the lawyers to talk to the PBA and figure out how much that position would make. He asked if they are doing a motion tonight that says they're going to start the process. Beverly said they can't do that tonight because it's not on the agenda anyway. Joe said he thinks they'll get better results if they wait until the next meeting. What he's potentially offering is the idea of taking two weeks and line up their ducks and advertise an agenda and have it all put together. Unless he's hearing anything else from anyone else, where it's all lined up on paper and see the flow of it and then you may get better votes or at least more positive ones. He thinks they've already got 4/3 to begin with but at least then they'll have a more unified decision. Beverly said so he doesn't want to do it tonight because of civil service. She said if she could do the motion to have the solicitor's office fix the civil service ordinance tonight, she would but they can't because of Act 65. Dave said it's not an emergency. Joe said it's going to take time to hire these people and negotiate the contract so they can spare two weeks. That way it's all lined out so they can initiate the civil service and get the lawyers to go to the PBA and do that altogether. Dave said what they're doing is he wants to make a motion to table, which would require a second, then there's no discussion of that. Laura said she is a little confused, for the second motion to have them create an addendum to the PBA contract. They can't do that until they authorize. They wouldn't have that information done for the next meeting unless they authorize that. Joe Adams said what he is saying is he doesn't want to vote on these things until he sees on that piece of paper that they're putting in the Civil Service Commission. He appreciates the word of Beverly and he knows it's trustworthy but he's the type of person that specifically wants to see it all there and lined out in the agenda and be ready to roll as one before he votes.

MOTION BY JOE ADAMS TO TABLE THE MOTION ON THE FLOOR. SECONDED BY JOE DUDASH. A roll call vote was taken. Joe Dudash, aye, Joe Adams, aye, Gary Nickerson, no, Barbara Heffelfinger, no, Laura Germain, no, John Stratz, no, Beverly Wolfe, no. Motion failed 3-4. Beverly said she knows the spirit of what they're trying to do, and she agrees with the spirit of what they're trying to do but the piece of the puzzle that's going to be missing for the next step is here. Dave said the original motion was made by Barbara Heffelfinger and seconded by John Stratz. A roll call vote was taken. Joe Dudash, no, Joe Adams, no, Gary

Nickerson, no, Beverly Wolfe, yes, Barbara Heffelfinger, yes, Laura Germain, yes, John Stratz, yes. Motion carried 4-3.

MOTION BY JOHN STRATZ TO AUTHORIZE THE SOLICITOR TO CREATE AN ADDENDUM TO CURRENT PBA CONTRACT THAT INCLUDES ALL ITEMS IN PREVIOUS MOTION. SECONDED BY BARBARA HEFFELFINGER. A roll call vote was taken. Joe Dudash no, Joe Adams, no, Gary Nickerson, no, Beverly Wolfe, yes, Barbara Heffelfinger, yes, Laura Germain, yes, John Stratz, yes. Motion carried 4-3.

Beverly said for public record, by the next meeting, when they can put it on the agenda, they will have the civil service on the agenda to authorize them to immediately redo that ordinance, the whole thing, and bring it back in front of them when it's been completed.

New Business

MOTION BY JOHN STRATZ TO ACCEPT THE RESIGNATION OF OFFICER DAMIEN MEISNER EFFECTIVE 4/14/22. SECONDED BY LAURA GERMAIN. All ayes, motion carried.

Public Comment:

Dave Cahill, asked if Carol Schuehler is being paid for the review of the fence ordinance. Beverly said she didn't know. Dave asked if she normally charges for everything. Beverly said normally she would expect so. Dave asked if council approved it. Beverly said didn't know. She believes that's part of the process for doing an ordinance. Dave said he thinks they need to vote on that for her to get involved in that and review that. He said he doesn't ever remember a lawyer and an engineer at a Planning Commission meeting. Beverly said then she guesses he wasn't there. Mayor Sodano said he can give him a copy of the 2005 Planning Commission meeting which was the final approval for Schoolhouse Court and it lists everyone who was there. Dave asked the mayor about driving under the influence and the Police Department. He said he would assume that's on Lincoln Highway. Mayor Sodano said they have a reputation. Dave said but most of the watching by the police is on Lincoln Highway. Mayor Sodano said it's in the area of Lincoln Highway, dominantly on the state roads. Dave said he, his mother and his wife were witnessing a lot of activity on Cynthia Ave. involving the drug houses and there's a lot of driving and a lot of people leaving the house and jumping in cars and driving under the influence. The police department is watching Lincoln Highway but they're not watching Cynthia Ave. If they can watch cars on Lincoln Highway and they're going to pull cars over for headlights out and taillights out on Lincoln Highway, they can do the same thing on Cynthia Ave. because he saw a car leave today that had no taillights when the headlights were on when they left. Dave Cahill said mark his words that something is going to happen and by the way, the chief wasn't involved in the investigation at 435. He had nothing to do with that investigation that involved that shooting. He was just invited. His officers and him were nothing but security guards at that scene. The county detectives took care of the investigation. So just like something happened there, there's going to be another incident involving the other house on Cynthia and it's only a matter of time and he's going to be in big shit trouble. He's going to make it clear right now.

Mike Smith, said he understands what they're trying to do with holding the public comment in the beginning, but it's very hard for the public to give their point of view because they don't know what is going to come up. Gary and Joe brought stuff up so it's very hard. It used to be when there was a motion, the public could interject. Beverly said then they have meetings that last up until midnight. Mike said he understands but asked how else do they get their point across. He didn't know half of what Sean was going to bring up tonight. Beverly said he can ask now. Mike said but it's not going to change anything. There may be something out here that is said.

There's a problem with the way the meetings are being run. He gets what she's trying to do. But if they can't interject their thoughts, they, as the residents who are paying their taxes, are not allowed to voice their opinion into what's happening whether you overrule them or not, they're just not able to get it in. Beverly said duly noted. This was a suggestion from several people on how to get their meetings to run a little more efficiently because people drone on for 20 minutes. Mike said he gets it but if they allow the three-minute rule for like something like this that came up with Sean, he understands both sides of this fence. But as an employer, he knows that they're not going to retain even full-time guys because if they are able to get a job with Middletown, they're gone, you're not going to stop them. He appreciates all the work that Sean's done. He appreciates all that Tommy has done. Therein lies his thoughts. Could they use a full-time guy? Yes, but there's no guarantee they're going to stay. You can't use that as one of your crutches that they're going to stay here. They're not. Beverly said it's a higher likelihood, but nothing is guaranteed. Mike said he's going to use a broad range but they're going to pay \$65,000.00 - \$75,000.00, not even. They can get a job at Middletown for \$110,000.00 - \$115,000.00 so they're gone and they're losing that full-time guy anyway. Even the park rangers make more than that. Beverly said it's really hard when you look into a crystal ball.

Jay Moser, said public comment should be first. Other townships do public comment first. Dave Truelove said public comment for agenda items is the way it is set up here. It depends on where they are. He's seen it done both ways. Jay said they also control the meeting. When Dave is in the room, you're never going to stop him. It also gives the public a chance if they just want to come in and make a comment, they don't have to stay.

Pat Dicken, said she knows Mr. obnoxious can be obnoxious. Beverly asked who she meant. Pat said Joey. he can be obnoxious but he's trying to get a point across, and she has to say all of the questions that he presented, and Sean made a really good presentation, that some of them had no clue so she thinks it was enlightening.

Council Members to be Heard

Gary Nickerson thanked Geoff for sending out the letters to everybody on Oak and Holly about the streets.

Joe Adams said it was brought to his attention that a couple members of the public have said something about the fact that he wears a hat and slides to meetings. About the slides, he doesn't care, First Amendment. Sucks if you don't like it. About the hat, he has a medical condition called Nystagmus and in any office building with overhead lights, he has to wear a brim because he will get a migraine in under an hour. He doesn't wear the hat to be disrespectful. He always takes it off when he salutes the flag. It's for medical purposes. However, the slides, if they pay him more, he'll put dress shoes on.

MOTION BY JOE ADAMS TO ADJOURN THE MEETING. SECONDED BY JOE DUDASH. All ayes, motion carried.

Submitted by: _____

Marie Serota, Secretary/Treasurer