

Penndel Borough Council Meeting Minutes

August 1, 2022

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

Dave Truelove reported that there was an Executive Session held tonight starting at 7:00 p.m. in attendance were Councilman Adams, Councilman Nickerson, Council President Wolfe, Councilman Dudash, Councilman Stratz, Councilwoman Germain along with Mayor Sodano, Mr. Thompson and him. Items related to litigation and informational items were discussed at the Executive Session and it concluded about 7:24 p.m.

Present at the meeting

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

Also present at the meeting

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

Memorial Project

Jerry McHugh said they wanted to honor a few members of Penndel who worked very closely with them on the wall and without these two people, the wall would not be where it is today. It would probably still be in the same condition it was 2 1/2 years ago when they first came to council to work with them to rebuild the wall. They would like to honor former Mayor Bob Winkler. Bob is one of the reasons that he got onto this committee. Also, Pam Otto. Both have been residents of Penndel for quite a few years. Bob has been in the background and came to him and others about four years ago about this and if it wasn't for him, that wall would still be in the same condition. Pam Otto was the one that put the whole package together with all of the mailings and the letters. She worked with them in putting everything together and is a very key person. They are not members of the Post, but they donated their time to help them out because they could see that help was needed. The wall is not done yet. They still have electric planning to go in. They've just sent in their second order of bricks, which will be installed sometime in October for the Veteran's Day ceremony. It will probably be the Sunday before or the Sunday after, depending on the weather conditions. Now they're working on the third set of orders to go in for next Memorial Day.

Special Presentation

Beverly Wolfe said they will be authorizing a resolution honoring their post work, which will go on permanent record in Penndel Borough. She said if someone hasn't seen their work, they should look at it because it is magnificent. Beverly and Mayor Sodano presented certificates to

honor the following members of the American Legion for all of their work that they do all the time, every year, not just for this project: Paul Shanahan, Tom Nicholas, Sr., Matt Pashley, Jack Pashley, Terry Higgins, Jerry McHugh, Tom Nicholas and Bob Nemzek. She said they all know what Bob did for this project and the Legion honored him wonderfully, but Pam not only had to put up with council with the agreement and is as much a part of it as everybody else.

Council or Borough Announcements

Beverly reminded everyone that National Night Out is tomorrow night from 6:00pm – 9:00pm.

Public Comment on Agenda Items

Consent Items

MOTION BY GARY NICKERSON TO PAY THE BILLS FOR THE MONTH OF JULY 2022.
SECONDED BY JOE ADAMS.

Langhorne Postmaster invoice dated 7/1/22 in the amount of \$287.67 for quarterly postage

Penndel Middletown Rescue Squad-\$25,000 reimbursement for heart monitor from RDA

Comcast invoice dated 6/26/22 in the amount of \$235.56 for internet and voice services at 37 W. Woodland Ave.

Comcast invoice dated 6/26/22 in the amount of \$215.25 for internet and voice services at 300 Bellevue Ave.

Comcast Invoice #149843742 in the amount of \$517.73 for Business VoiceEdge service

Deer Park Invoice 12F0431953892 in the amount of \$97.15 for spring water

Gettysburg Benefit Administration invoice dated 6/30/22 in the amount of \$169.59 for dental insurance installment

State Workers' Insurance Fund invoice dated 7/1/22 in the amount of \$1,449.00 for fire department workers' compensation insurance installment

WM Corporate Services, Inc. Invoice #2876-2448-0 in the amount of \$17,431.50 for June waste removal

Penndel Memorial Post #436 payment of \$175.00 for a double brick at the Memorial

Independence Blue Cross Invoice #220708152664 in the amount of \$5,821.18 for medical insurance installment

Selective Insurance Co. of America invoice dated 7/12/22 in the amount of \$3,686.00 for workers' compensation and commercial package installment

PECO invoice dated 7/14/22 in the amount of \$1,687.58 for street light electric

Beverly Wolfe-reimbursement payment of \$148.96 for summer party games

Comcast invoice dated 7/2/22 in the amount of \$189.89 for internet at 790 Neshaminy Street

6 yes, 1 abstention (Barbara Heffelfinger), motion carried.

Reports:

President's Report

Beverly said at the last meeting 50 Hulmeville Ave. was brought up and she said she didn't know anything about it. She found the e-mail about it in her spam folder. She has some limited information on it. There was a meeting about it between the borough manager, the owners and the zoning officer. There were no sketches, no anything, other than a couple of ideas were thrown around and they said they were going to go back and have a look and see what their planners could come up with. And if they came up with a sketch plan or an idea of what they could do, they would come back in and meet with council at that time. Joe Dudash asked if she could enlighten them on what the projects were. Geoff said they discussed potential uses for that property like an assisted living and professional office and the possibility of a catering hall, which he doesn't know if they have the parking for that. That was basically the whole gist of the meeting, about potential uses for the property and the existing buildings.

Borough Manager's Report

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

Joe Dudash asked Geoff about the backhoe and if they got the two batteries for it and had an operating engineer technician look at it. Geoff said they aren't going to do anything with it because he thinks it's too far gone. They will have to get somebody to take it for scrap. Joe asked if it's still running. Geoff said apparently, it hasn't run for 10 years or so. Joe asked Geoff why the minutes from the last meeting were not done. Geoff said Karen just didn't get them done. She was pretty backed up because she was on vacation and just didn't have time to finish. Joe asked if there is any way they can get into the 21st century like Middletown and the rest and just have it on TV and record them. Beverly said they would still have to have written minutes. Geoff said it is required by law to have minutes taken for meetings. Any meeting could be videoed and shown over Zoom or whatever. It's probably a good idea. Joe asked what the procedure is for that. Geoff said they would have to get the equipment to do it. They briefly discussed it with Mr. Adams. Joe Adams said he would shoot Geoff an e-mail this week and set-up a time they can get together on behalf of the Tech Committee and have that discussion. Maybe they'll look at options and cost of equipment and stuff like that and see if it can be done reasonably cheap, or without any cost at all. Joe Dudash asked Geoff what's going on at 411 Hulmeville Ave. with the sidewalk curb matter. Beverly said she sent an e-mail to the vice president of their code and zoning company, and he has yet to respond to her. Joe asked if Geoff could put the heat on him. Joe asked if it is Charlie or Sally. Beverly said she emailed the vice president Paul, the person who can actually make the decisions. Joe asked why he would be holding it up. Beverly said he's not, he hasn't responded to her yet. She sent a follow up e-mail today and he knows why she wants to talk to him. Joe said he finds it a little interesting that BIU goes out and puts a violation notice on 358 Dehaven, which is in Sally's or Charlie's report on sidewalks and curbs. Yet, they're not following up on the Berlin Wall, which is 411 Hulmeville Ave. It seems, to the people of Penndel, that they're running two systems here. Beverly said the Berlin Wall has nothing to do with the curbs. Joe said he's just using that as the address, 411 Hulmeville Ave. Beverly said the curb issue is being addressed. Joe said what doesn't look good out there in public, is that they sent a violation notice to the poor older gentleman Mr. Waldo. He asked if they shouldn't get the same thing that they extend this for six months like they've been doing. He's just confused why one person gets nailed with a violation and not the other one, it just keeps going and going and going. Beverly said she can't answer for the violation notice. That's what the code enforcement officer did. She's trying to take the appropriate actions to get the problem mitigated and it's just not done yet. Perhaps, he's on vacation. She doesn't know but she is following up as much as she can with this man, and she

will continue to badger him. Joe asked if she could see the optics. Beverly said she sees the optics but she's telling the public that she is working on it and that nobody is getting favoritism. She is working on a solution to that particular problem, one that's not going to be a problem for the borough residents. She's doing the best that she can to try to get this resolved with that one particular issue on that property. Joe said but at the same time, they're hitting another individual with a violation, 358 Dehaven Ave. Joe said he kind of laughed at Charlie's report. He sees there's a complaint for 9 oak Ave., mulched leaves placed in the storm drain. He asked what Charlie did with that because the guy was just dumping it in this weekend. Geoff said Charlie told him about it and said he went out and talked to the property owner. Joe said this talking isn't working. Patty's got photographs of it and he has photographs, but he was just doing it today, this weekend. It rained and it's like paste out there. He asked if he could tell Charlie to do something. Geoff said he has additional evidence and is probably in a position where he can issue a notice of violation, which is a step you have to take.

Barbara Heffelfinger said from her phone that she would just like to reiterate what Karen has said a number of times about people talking into the microphone. Since she's hearing this meeting on a device, people do fade in and out and she's not saying she hasn't done it but to make matters better, everyone please speak into the mic, so that she can hear what they're saying.

Joe Adams asked Geoff's perspective and he knows that the mayor will be giving a perspective as well, but about the CSX call and project, he asked if he could maybe expand a little bit on what took place. He uses the Langhorne station to commute if he's going downtown that's how he's doing it. I was wondering if you or what or if you're going downtown. He asked if the mayor wanted to answer, and Mayor Sodano said it's in his report.

Mayor's Report

Mayor Sodano read his report which is attached.

Mayor Sodano said the track repairs have been postponed indefinitely and no new date has been announced. He told Joe that they may run out of time. They have freight windows and may run out of time before the bad weather sets in and they don't want to do it during bad weather. It's likely that it could get delayed as long as Spring. Joe asked if they have an idea when it does go down, if that's going to be affecting the commuter trains and how long they would be unable to use that rail. Mayor Sodano said one of the three tracks is actually designated as CSX, and that's the only track they're working on. Joe Dudash said he was talking to Steve Lowe and asked Mayor Sodano if there is a problem with the trucks getting over Hulmeville Ave. bridge. Mayor Sodano said the problem arose because the designated detour would have been Flowers Mill Rd. and the CSX engineers were not aware that the ladder trucks do not go under the CSX line on Flowers Mill Rd. When they realized that the timeline to go all the way up to Woodbourne Rd. and back around should there be an issue in Langhorne Manor, was outside of the parameters that they wanted for response time. That's why they delayed it. Joe asked if they could go over it. Mayor Sodano said when it's done, they can. Joe asked what about for emergencies, can they right now. Mayor Sodano said he was actually on both sides of the bridge today. In theory, possibly. They have not inspected and approved what's done yet, so the answer is tentatively, no. They're not allowing anything until the engineers get there and do all of their inspections, etc., but they promised it will be open on the 19th.

Police Chief's Report

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

Joe Adams said to Chief Perry that he's got box units on his house and probably will indefinitely. He asked if he had any recommendations and or resources for how to secure those units or

keep them safe, if you've got a house that's got a ground level box. Chief Perry said framing the unit in with wood and 4-inch drywall screws will probably stop them from getting in, but it also makes a lot of noise to attract attention, if they are that determined.

Engineer's Report

Carol Schuehler read her report which is attached.

Mayor Sodano said regarding the 217 Rumpf Ave. pipe, recently the neighbor worked in his yard. Whatever he did, there was some excavation, etc. He asked if she was aware of that. Carol said yes. Mayor Sodano said it was observed and reported because it was easily seen. He asked if it would be reasonable to assume that if the homeowner or someone worked on it, that it would have been easily observable to get a 42-inch pipe in there without someone seeing it happen. Carol said she wouldn't see it happen because she doesn't live in the neighborhood but as to whether or not somebody living in the neighborhood would observe it, seems reasonable. Mayor Sodano said so, it's a reasonable assumption that at whatever point in time that happened, it was observed. Carol said she doesn't know when it happened, who did it, how they did it, whether they did it at midnight, 3:00 AM or noon on a weekday or weekend. Mayor Sodano said she's the engineer, so he asked if it is reasonable to assume that if somebody is going to carry a 42-inch pipe across their yard that they would need equipment to do so. Carol said that's correct.

Joe Adams said to Carol that she had said there's a water leak on Lincoln Hwy. or BCWSA was saying that there is a leak and they've been addressing it. He asked if the construction on Lincoln Hwy. by the bowling alley by that little street there, where they kind of have the road blocked off and it looks like they're working on the side, is that related to that. Carol said she would assume that's what that is.

MOTION BY JOHN STRATZ TO APPROVE RECOMMENDATION FOR PAYMENT #3 FOR THE AMOUNT OF \$22,353.50 TO P.A.R.K./O'ROURKE ASSOCIATES FOR WORK COMPLETED TO DATE ON THE MEMORIAL PARK RESTROOM ADA IMPROVEMENTS PROJECT. SECONDED BY JOE ADAMS. All eyes, motion carried.

Beverly said the next item on the agenda is a review of the Spring Street notice letter regarding drainage improvement. Carol said she doesn't think there's necessarily anything to review. The goal was to make sure council was aware this kind of a letter was being issued and had no objection to it. Beverly said the letter was very successful when they did it back in 2019 and they also had a signature page for the property owners and Mr. Stratz was able to get all of them by hand delivering. Carol said she hopes he can do that again for them.

Zoning/Code Enforcement Report

Beverly said she was assuming everybody received the code enforcement and zoning reports. Marie said she received Russ's report today, so she emailed them to council. Mayor Sodano said that generally, these go through Geoff because he is the point person. Russell has done a much better job since Geoff last talked to him about his reports but there is one more thing that would make them a little easier to understand. He has two sections where he talks about permits but in the section above it he goes over, and he'll just pick the one day, 7/28. He has his time in the office, permit released, demo inspection but then later on that same day, it's a completely different address and it has to do with the chimney. So, he's not telling what permits he is or isn't reviewing, finalizing, issuing, etc. On 7/14 and 7/26, it says office permit review but then it doesn't say exactly what that was in relation to. He asked if he could let them know which permits if what he's saying is on that day he was talking about the permit for a heater and he would just reference that, it would make it a little less confusing to try to read his report.

Joe Dudash said on Sally's report she has something about Schoolhouse Court, and she says she received a text from Karen asking about a zoning fee for someone that needs a variance from a grading percentage for a driveway at Schoolhouse Court. It says Carol the engineer advised them they needed to go to zoning. Carol told Karen she told the resident they needed a waiver from the borough council, not zoning relief. He asked if this is the house in question that they've been talking about where the code officer will not give him a permit to occupy. Dave Truelove said yes, it is. Joe said so, the builder is coming to them asking for a waiver of the driveway when he knew there was a problem. Dave said the process would be according to Carol, if they want to get the U&O issued, they're going to have to come before this council to ask for relief in the form of a waiver from the SALDO ordinance in terms of the requirements for the grading on that. Joe said the other issue was why was the building higher than the rest of them. Dave said the builder either didn't realize it or thought it wasn't going to be that way. Now they're asking for relief for what they did, which council doesn't have to grant. Joe said he's been talking about this from day one that they've been building this thing and now they have a sale sign up and it's got all these problems. Dave said it's not going to go anywhere until they get either the relief, or they correct it. They did not have the authority to do anything before that. They're not in a position to do anything. Fortunately, code enforcement looked at that to see what their problems were and then Carol weighed in with respect to the fact that it's not a zoning issue, it's a SALDO issue, which requires the waiver versus the variance. And actually, he thinks everybody here would probably prefer that because, not disparaging the Zoning Hearing Board, but it comes before council on a waiver, not the Zoning Hearing Board for a variance. The builder or the developer would have to come here to do that with either their professionals or themselves to speak as to why they didn't enter the MPC. A waiver is not something by any means, that is automatically granted. Joe Adams asked if this is the developer that they've been trying to get in touch with and waiting to hear from and now they have to come before them. Dave said yes. They will have the opportunity to weigh in on that now. They haven't formally requested that, but that house is not going to be doing anything in terms of being occupied until they come before them and discuss it. They have to request that to be placed on the agenda. They have to actually have a formal request for the waiver and have a certain type of language consistent with the MPC. And also, as it relates to the particular defects, so to speak. Joe Dudash asked about the legality stuff. He asked what if they say no. He asked if there is a process where they can file the appeal with the court. Dave said yes. Joe said they're back to square one. Dave said they will have to make sure that the record here at the meeting is clear. He will consult with some of his colleagues, but it may be appropriate that night, whenever that is, for a court reporter to be here to take down information. Nothing has been submitted yet. They're speaking hypothetically but at some point, assuming he wanted to move on that house, they're going to have to either get relief, which comes before council or if they don't, they're going to have to correct it.

Committee Business

Community

Laura Germain reported that on July 30th they had their movie night. There was an excessive heat wave so they really considered may be pushing it. But looking at their schedule and everything, they got the date to legally show the movie and she didn't know what would be involved to move it, so they went ahead and showed it that night. They had a pretty good turnout. They estimated about 60 people there, so it was great. She thanked John for coming and helping and it was his idea to do a Halloween in Summer thing which the kids really liked. She thanked Andrew Hart, who's the president of the Wildcats for helping her with the codes and figuring out how to operate everything. She thanked Marie and Karen for always giving her

keys and printouts. She thanked her husband Matt Germain for setting everything up. His company Still City Displays lent them all the equipment, the projector, the screen and everything. Laura said a shoutout to the residents. Any time she runs events, people are always so grateful and so kind. They had an announcement at the end to please clean up their sections and people really did. They even went back to where they had the crafts, and they were cleaning up, even though it was dark. It was really heartening to see that and there's a lot of interest in keeping it as an annual event, which she thinks she will be able to do as long as the budget allows. Her last event for the Summer is the time capsule event. She'll give final details at the next meeting. It will be on 8/20 at noon here at borough hall. She should get the physical time capsule on Wednesday, so she can see exactly what they can fit. They have creative projects from different Pennel residents. They're going to put a local newspaper in it, their newsletter, council meeting minutes and a recording, gloves and masks. Submissions are still open. She has several submissions from kids from two to teenage but none from adults yet. She said if anyone has anything creative, they did over the quarantine period, let her know because she'd love to include it. She also wanted to remind council that everyone is invited to include a letter. As long as it's in an envelope size, it should be fine, especially the mayor and council president if they wouldn't mind writing some sort of a letter. It would be more like their personal what they did during Covid. Some people include pictures or whatever they want, as long as it fits in an envelope. Anyone else on council is more than welcome to put something in as well. She thinks they might have some media coverage. She's been in contact with people who have helped who have covered some activities in the past. She's hoping to meet with her committee this coming week to kind of finalize everything, like where it's going to be buried. She hasn't bought the actual stone yet to put on top of it. If anyone has any ideas, she's always happy to hear them.

Information & Technology

Joe Adams said on the agenda is a motion to approve a request for a quote process for web services. A request for quote has nothing to do with actually purchasing. The only thing a request for quote does is it gives them a formal process to reach out to vendors out in the field and say here are some things they would like to do and then vendors are able to submit informal quotes for what these things would cost. This is to get a rough idea of things they want to do when they looked at the fiscal year 2023 budget. Then they can get a rough idea and understanding of what some of these items are that they're interested in and how much they're going to cost. Then it will give them time to work with Geoff so that he doesn't just say to Geoff, find him money. As they prepare next year's budget, they can work together on that. One of these web services they're talking about, and the efforts for the website so far have been very good, but he thinks there are ways that they can continue to improve that, not just aesthetically. There are companies out there that will improve their online records management, meaning not just posting minutes online but making them searchable, easily accessible, making more of the public records that they have quicker and easier to get access to. Maybe cut down Marie's emails and cut down requests that have come in. Other boroughs across the nation pay tax and sewer bills. You open your phone and you go to the borough website, you click a button, and they accept the payment processing. You pick which one you want, whether it's a checking account or debit or credit card, you pay, you move on. These wouldn't exclude the ability to physically show up with a check. These wouldn't exclude the ability to do it the way they do it now, but what he'd like to see are what the costs would be to give the option, so that some of these services can be done digitally. So, not just aesthetics of the website but maybe records management options, taxpayer services, things that they can do to essentially, shorten the request time. You have a sewer bill you have to pay; you pull out your phone, you go to the website, you pay the bill and it's done. He'd like to see what the costs of that look like right now in the current market before committing, asking for it for budget, asking council for money,

before spending a dollar of taxpayer's funds. This request he is asking for is giving them permission to solicit those quotes without taking any official action or buying any of them at this time. Beverly said she thinks this is a great procedure. Joe said Laura brought up last time how do they know that it's going to be safe. Joe said he's a cyber security manager for digital content protection team and an instructor at the Bucks County Academy in regard to cybersecurity. He's sat on several of the panels there to actually determine Buck's information security degree programs. He guarantees that everything he has in his professional expertise would be put behind making these recommendations. Not only that, all of these companies are held to international standards for their level of security. They can request detailed and highly accurate audit reports from any payment services provider to know exactly where they are working in the banking industry as well, whatever the back end is, if the government has flagged them at all. There's an office called the Office of the Currency Comptroller that if they do have any issues that are known, there's a public report you can pull on all of them to see exactly what those details are. The financial tech industry is extremely transparent for who's doing a good job versus who's doing a bad job. They have time for the public to weigh in on that before they make any decisions like that. They're just asking for how much this is going to cost. They're going to be asking how secure their products are and wanting to see that up front before they even consider entertaining any one particular vendor. Laura said he has the knowledge where they were asking questions and she honestly didn't know but he'll be able to articulate it. She thinks what he mentioned before about having the option for some people not to do it online, that was another big fear when they brought it up last time. Joe said they will not be eliminating any of the current physical means to show up, bring a check or mail a check. What they're trying to do is reduce the workload of the administrative staff and make it so that they have to do that less frequently and those that find they have the ability to use the technical solution, have a quicker vehicle to do so.

MOTION BY JOE ADAMS TO AUTHORIZE THE TECH COMMITTEE TO PUT OUT AN RFQ ON THE TOWN'S BEHALF. SECONDED BY GARY NICKERSON. John Stratz asked, considering they are a just a small borough, what true guarantees do they have since banks have been hit by hackers, Wawa has been hit by hackers and the Navy has been hit by hackers to his complete detriment for the last 10 years. These incredibly big institutions evidently didn't have when they got hacked. Joe said the idea would be that they remove all of Pennel Borough's processing from actually collecting that money. For example, when you go to eBay and you buy something, you actually pay through a service called PayPal, which is huge and gigantic and secured and has several dozen \$300,000.00 a year engineers working just on their cyber security. Kind of to what the president's comment offhand was yes, there's no guarantee that information wouldn't be hacked but what they'd be doing is, one, making sure their cyber liability insurance and any of their insurance policies that would govern these types of transactions are up to snuff. Two, to make sure the provider has a guarantee of liability, so that should they get hacked, they make sure they can financially compensate for it and three, in the scenario that they do get hacked themselves, so much of what they're dealing with already revolves on the paper process that they're not going to ever be eliminating. When they do drills in the tech industry, one of the first things they'll do is assume the technical systems are down. They'll make sure that Marie, Karen and the rest of the administrative staff, should there be a cyber incident and they have to shut things down, will follow a standard incident response playbook. They're going to collect things via paper, they're going to do minutes via paper, they're going to make sure government can function. It's a small digital footprint that even if they did get hacked and have to run through cyber liability insurance, run through the incident response and call Chief Perry. He would probably have to elevate to the county and get some type of digital team involved. He really can't see the function of government itself being impacted in such a way that anyone in the town would lose access to services. Bills would still

get paid, work would still get done, complaints would still get filed, people will still yell at each other. They just wouldn't be able to do it over the computer. All ayes, motion carried.

New Business

MOTION BY GARY NICKERSON TO RATIFY APPROVAL OF THE FOLLOWING MID-CYCLE INVOICES. SECONDED BY JOHN STRATZ.

General Fund	\$32,630.17
Fire Tax Fund	\$ 3,079.68
Refuse Fund	\$ 336.92
Sewer Fund	\$31,383.57
Capital Reserve Fund	\$11,139.79
Sewer Capital Fund	\$10,873.45
Liquid Fuel Fund	\$ 45.37
Escrow Fund	\$ 1,507.50
Payroll Fund	\$ 2,990.30

Payroll

General Fund	\$30,773.40
Sewer Fund	\$ 3,923.95
Total	\$34,697.35

Escrow Fund Bills

Schoolhouse Court:

Hill Wallack, LLP	\$1,260.00
Value Engineering	\$ 247.50

All ayes, motion carried.

Joe Adams said he forgot to mention this earlier. He and his wife have been happy and blessed, and they're excited for, with the recent string of air conditioner pop outs, that they were able to purchase a couple of security cameras for the inside and outside of their house. He knows that there are certain legal requirements and certain forensics requirements for what type of video is admissible in court and things like that. He asked Chief Perry if he thought there is added value in getting security cameras for the property or does he have a recommendation for what type of security cameras Penndel may think benefits its residents. Chief Perry said he would absolutely encourage people to have video cameras. His suggestion would be at least a terabyte of memory, so that it gives them about a week to two-week window of time. Occasionally, people will have something go missing and they have cameras, but they only have a couple of gigabytes, and it only covers three days' worth of video. They may not notice it for a week or two weeks, depending on how often they use stuff. But make sure it's not pointing in anybody's specific windows. Make sure it's covering their own property. He would research the Wiretap Act as far as if his cameras do have the capability of recording audio, because there may be some legalities there. But video if it's in a place where there's no expectation of privacy, you can point your camera. Joe said he brought up a really interesting term of the idea of reasonable expectation of privacy. He said if it's inside of his house, one could assume that there is no reasonable expectation of privacy for an individual inside his home. He asked when someone comes in his house, is he allowed to record audio, video etc. Chief Perry said he's no legal expert, but he will say that having cameras in general areas where people have an idea that they are being video recorded or audio recorded, would be one thing. If he had them in the

bathroom, there's probably more of an expectation of privacy in a bathroom or a changing area or something along those lines. Joe said maybe on behalf of the Tech Committee, he could give a short presentation at some point about the kind of common off the shelf solutions, doorbell cameras, video cameras, things like that that they could use. Not recommending a specific vendor, but maybe provide that information to members of the public or for those that find it technology challenging and do a little Q&A and answer some questions. Beverly said that would be something good to put in a newsletter as well. Dave said they have two former members of the DA's office as part of their staff. He would be happy to have them look at that. To bootstrap off with what the chief said, reasonable expectation of privacy, first of all you have to determine what the status is of the person who's in your house. If it's a guest that was invited in, that's different in terms of private areas as opposed to some intruder. An intruder would have probably no expectation of privacy, so there are all kinds of different elements you have to look at for that. Joe said he would like to do a summary report/ presentation at an upcoming meeting or add that information to the newsletter to discuss ways that citizens can, at little cost, use technology to better improve the security of their homes. Chief Perry said there are other ways they can improve the security of their homes. Any window that's low to the ground that may have an air conditioner in, put a really spiky Bush in front of it because it's going to make it very uncomfortable for them to get the air conditioner out and they'll potentially leave evidence there, if they get stuck with it. Most entries into a residence for burglaries are probably the back door or areas that are less seen from the public. His suggestion would be to fortify those doors because they're kicking them right where the latch is. If you replace those half inch screws that they give you with the lock and just replace that with a two inch or three-inch drywall screw or a heavier duty of screw, it will go into the jam deeper, and it'll make it harder for them to kick and break that piece. Deadbolts are obviously a good suggestion. Doors that don't have windows in them that they can smash and reach in and grab obviously are a more secure way of fortifying your house especially, in a time where the price of everything is up and a lot of people are still out of work. There are going to be property crimes that happen, and you have to fend for yourself a little bit and get the police there to hopefully try to catch some of these people that are out there stealing.

Beverly read the following motion: MOTION TO APPOINT ROBERT PELLEGRINO, CHAIRMAN OF THE BUCKS COUNTY TAX COLLECTION COMMITTEE, A VOTING DELEGATE FOR PENNDEL BOROUGH IN ADDITION TO THE THREE APPOINTED BY RESOLUTION #2022-7 ON MAY 2, 2022. She explained the motion that they have to have a delegation to go to an upcoming meeting at which happens to be when Marie is on vacation. Mr. Pellegrino has offered to represent us at that Tax Collectors Meeting as a voting delegate. Joe Adams asked what the nature of the meeting is and what is the purpose of the voting and what actions are being taken. Beverly said they formed this a few months ago when they had been asked to form a Tax Collection Committee. Beverly asked Geoff to explain it. Geoff said it's a meeting of tax collectors and is regarding the EIT. They're required by state law to be part of the county wide Tax Collection Committee since they have an earned income tax. Right now, the EIT is collected by one collector within all the counties in Pennsylvania. Bucks County has Keystone. They are required to have quarterly meetings and they have to go to them. He attended them at his previous position. They are really boring. The company runs it and the management team, the elected people, recommend if they have to do anything. Normally, they don't have to do anything. They're required to have these meetings. In Montgomery County they're allowed to give proxy, which made sense because he would show up and honestly, he didn't really know what was going on. It was just to make sure that the committee just oversees what Keystone does and they do everything correctly. There's not a lot to talk about so it's not that big of a deal. Any time they actually discuss things is during their annual audit. Joe Adams asked why they were sending Bob and not Geoff. Geoff said he's not available on that date

either. Joe said they appointed John Stratz. Beverly said they have to have so many people go on their behalf. Geoff said he doesn't know if they are required to. Beverly said they are required to have a quorum. She can speak to Mr. Pellegrino's qualifications and that he would well represent them in any decision and would give them a report on what, if anything happens. Joe said he wasn't questioning Mr. Pellegrino. Whenever he hears EIT, he immediately perks up. So, they have a committee that they voted on and appointed people, but they can't make it. So, they've got this gentleman and they'll be getting a report from him. Beverly said Mr. Pellegrino will provide them with any information they ask for. Barbara Heffelfinger asked Beverly to remind her who was appointed to the Tax Committee. Beverly said it was Marie, Geoff and John Stratz. Last time they did this, they only had one person go to that meeting and that was Gene Johnson. So, unless they've changed their rules, she would say one person is sufficient. Beverly said they can find out, but it seems to her like they want more than one person coming. John Stratz said he would be able to attend. Beverly said they are not moving forward with the motion.

Beverly said the next motion is for the front door project. They all got the paperwork this week. Her ballpark guesses are on the bottom. She has no idea, so she put in a 20% safety overrun just in case. The benches she knows what they're going to cost but the keyless entry system she doesn't know about, so she put in a safety buffer to finish the project.

MOTION BY JOHN STRATZ TO MOVE FORWARD WITH THE BOROUGH HALL FRONT DOOR PROJECT AS OUTLINED IN THE MEETING PACKET. SECONDED BY LAURA GERMAIN. Barbara Heffelfinger asked if they decided what they were doing with the benches that are out there, if they're buying new ones. Beverly said a decision has not been made on what to do with them. Barbara said they are not going to trash them. Beverly said that can be decided down the road. Joe Dudash asked if they had gotten grant money for this. Beverly said it was an RDA grant that they got last year. They put in for the entire remodel of the front including the ADA compliant door with the easy access panels that have an electronic system that they open up, but the RDA only gave them enough money to do what was done already in the front. They didn't give them as much as they asked for. This is what the balance is to complete the project. Joe Dudash said the balance from what he's reading is \$78,000.00. Beverly said it's just an estimate. Joe asked if that would be on the taxpayers. Beverly said it would come out of the Capital Reserve Fund and from EIT money. Joe asked if there was any way they could cut that down. He asked if they really need mahogany doors. Beverly said the reason that they're mahogany doors, is those were the doors that would stand up over time and would be able to handle the opening devices that are needed in order to make the entire self-opening system work. The original plans from last year on this, the quote that they got from some of the other people who quoted on the entire project before they knew they didn't get all of it, the price on the two doors was significantly higher than the price that Premier Builders was quoting. Joe asked if they need the benches, since they have some there. Beverly said they're not comfortable and there are two of them. They're going to landscape the entire front so that when people come here, they could sit. They can eliminate the benches but it's only \$3,000.00. Gilmore will do exactly what they did the last time and put it in separate categories, and they get to pick which ones that they want. When they did that with the project out there, they left out some things that they didn't want, like remove the inset ceiling and replace all that stuff up there and replace the light fixture. They took that out because they didn't have the money. Joe Adams said \$78,000.00 is a hard number for him to swallow for a door project but he does like what she's saying about having the itemized selection. He asked if there will be a request for comment period. Beverly said yes. This is just permission to proceed. They have to put this out for bid. Gary said the motion is just a little unclear. Beverly said this is authorizing that we

can move ahead to have this go out for bid and see what kind of bids they get and what exactly it's going to cost. Her estimates here are simply estimates and if they request it the way they did it the last time and itemize it like abcd, like they did, they can cherry pick it and they can decide to just go with replace the doors and get the things in and not do the rest of it. There's nothing saying that they can't submit to the RDA for this also. That's coming up and that was an intention to submit it, but they need to get the bid out. She'd love to get this done before Winter, but who knows. The motion was amended to MOTION TO PROCEED WITH THE BOROUGH FRONT DOOR PROJECT AS OUTLINED IN THE PACKET FORM THE COUNCIL PRESIDENT AND HAVE THE ENGINEERING COMPANY PUT OUT A BID REQUEST. Beverly asked if it was ok with John Stratz and Laura Germain. They were both okay with the amended motion. John asked what an astragal was. They looked it up and it is the wooden piece that hides what controls the door. 6 ayes, 1 abstention (Barbara Heffelfinger). Motion carried.

MOTION BY JOE ADAMS AUTHORIZING THE CREATION OF A RESOLUTION FOR COUNCIL ABOUT THE AMERICAN LEGION PROJECT AT THE MEMORIAL. SECONDED BY GARY NICKERSON. Beverly said this resolution is honoring the American Legion. All ayes, motion carried.

Beverly explained that this is their local appraiser who does everybody's appraisals. It's a request for a quote or proposal only. They're going to send him what they're looking for and they're going to ask him to quote them how much it's going to cost to have him do the surveying necessary and to give them the appraisal. It's simply informational only.

MOTION BY GARY NICKERSON TO AUTHORIZE AN RFP FROM GEORGE SENGPIEL FOR APPRAISALS ON THE RIGHT OF WAYS FOR THE PENNDOT DURHAM & BELLEVUE PROJECT. SECONDED BY LAURA GERMAIN. Mayor Sodano said at the July 13th PennDOT meeting that was held here, the PennDOT rep said they had approximately 90 days until their final decision on what the project would look like. Beverly said he was not a representative of PennDOT. He was the traffic engineer. Tom said he still said that there was approximately 90 days till PennDOT's decision. He asked if they have taken any steps to have a public meeting so that people can weigh in on this. Beverly said this is the first step. Tom said he understands what it is, but they've already lost over 20 days of that 90. Beverly asked Carol if anybody from PennDOT has given her this time frame because they sure haven't given it to her. Carol said she was nearby in that conversation and her understanding was they still have to do final design documents and that still had to be final authorized to the consultant and once that started that would be at least another 90 days in process. Again, it's informational only. They're not committing to anything; they're just asking for how much it would cost to have the appraisals. All ayes, motion carried.

Public Comment

Mike Smith, at the last meeting there was a lot of talk about republican and democrat stuff going on here. Mike said to Joe to pay attention. He asked if he was ignoring him because he wanted to make sure he hears him. It's not about republican or democrats. It's about right and wrong. It's been exactly 23 months since the fence problem has existed. If Mr. Truelove would have taken the correct path, they would not be at this point. If Mr. Truelove enforced the ordinances, they would again not be at this point. When the Zoning Hearing Board ruled the code official made a mistake, Mr. Truelove again, didn't do the right thing. So far, the only person is that has benefited is Mr. Truelove. At this point, the residents have spent over \$30,000.00 to allow an illegal fence to stand. To be transparent to the residents, he thinks they should know where they stand as of the end of last week. Mr. Truelove has permitted this fence

to violate all but one section of the fence ordinance. The only part of the fence ordinance that the Darnley's are willing to comply with is the sight distance. At this time, there will be nothing left to discuss between him and the borough. Mr. Truelove has left enforcement of the fence ordinance to him, and he is being paid for it. This council talks about safety as though it is something they really care about but when it comes to this fence, it seems as though they don't even know what the word means. Now that they are at an impasse in regard to the settlement and knowing that Mr. Truelove will do nothing, he will be filing a motion which is called a 617. This way the judge should rule in his favor and finally move the fence to its proper location. He's guessing that when he was told the Darnley's were told to put the fence up, they will not make them take it down, was correct. He asked Dave why he never filed a notice of violation against the Darnley's. He asked if it is because he is an employee of the borough. He even got away with not removing and replacing his curbs and sidewalks like 99% of the borough residents have had to do. He asked Dave if he would answer the one question. Dave said he will not.

Dave Cahill, said it seems as though the home invasions are starting to multiply. He asked the chief if they caught the bad guy yet. He asked if they are safe in Penndel Borough. He asked if the chief had any comment. Beverly said it's an ongoing investigation. Chief Perry said he heard him. Dave asked the chief if he is going to play dumb. He asked the chief why he doesn't do his freaking job. Chief Perry asked him if he could do better. Dave asked why he doesn't do his job. He asked if there was a reason why he's not updating and informing them about these things on crime watch. He asked isn't that what it's for. Chief Perry said it's on there. Dave asked if it was it on there after the invasion on July 4th. Chief Perry said it was on after that. He said it wasn't on there on July 4th because he looked and there wasn't anything there. It didn't happen until the attempted break in at Mr. Stratz's house. Dave asked John if there is a reason why it took him over 12 hours to report his attempted break in. John said it happened very early in the morning and that morning he had a meeting with twenty different municipalities plus Aqua and Bucks County Water and Sewer and he needed to be fresh. Dave said John's wife must have been highly upset with him making her worry all that time instead of calling right away at 1:30 in the morning, since he knew somebody was trying to break into his house. John said he was working on behalf of the borough. Dave said even if he had something to do the next day, he thinks he'd call the cops. Dave said to Chief Perry that they're not safe here under his leadership. He thinks he's in over his head and he thinks he knows that too. Dave said to Carol, on the Rumpf Ave. project with these 42-inch concrete pipes, which he's going to assume are about 15 feet long, he asked if they are set with a crane. Carol said as she stated to the mayor, they would need equipment to drop these in. Not necessarily a crane. It could be a large backhoe. Dave asked if a homeowner or a neighbor couldn't ask four of his buddies to come over and throw that pipe on their shoulders and throw it in place right in an 8-foot ditch. Carol said not likely. They would need a piece of equipment.

Council Members to be Heard

Joe Dudash said they've had quite a few interesting meetings here. He would like to say this to council and to the people of Penndel. Whether a resident or business owner is rich or poor, young or old, powerful or powerless, this council needs to listen to the people of Penndel. The council needs to do their research, ask questions, and above all else, this council needs to show that they care about people and want to make their voices heard. As the phrase "moral renovator" suggests, free speech gives them the tools to repair, update, and improve our society and its principles. Listening in this way is, of course, quite difficult. Some people may hear "listen" as synonymous with "stop talking." But listening is not a passive act of staying quiet; it's an active choice to engage with others, and to be critical and compassionate in equal measure. But listening to the people is the kind of daily civic work that makes their democracy stronger,

improves their society, and maintains their valued and essential rights. Listening gives meaning to speech, gives purpose to voice, and gives dignity to the people of Pennel. Otherwise, it's just talk. Only when this council begins to listen can they find common ground. Only when they listen can they forge compromise and a common future. And only when they, as a council listen, can they begin to heal the divides throughout this council, and build the bridges that their Government of Pennel today so desperately needs. There was an interesting thing at service down at the White House. You kind of see the historical things down there with sayings and all. A lot of the first ladies do more work than the president and you don't really see that. But he always admired Eleanor Roosevelt and she had a saying. She said, "Will people ever be wise enough to refuse to follow bad leaders or to take away the freedom of other people." He always admired her, and she did a lot as first lady down there. He just thinks that both sides need a lot of work and a lot of listening. There is a divide and yet, in a way, they can correct this if they all get together on it.

MOTION BY BARBARA HEFFELFINGER TO ADJOURN THE MEETING AT 9:08 p.m.
SECONDED BY JOHN STRATZ. All ayes, motion carried.

Submitted by: _____
Marie Serota, Secretary/Treasurer