

**BOROUGH OF DARBY  
BOROUGH COUNCIL MEETING  
June 15, 2011**

The Darby Borough Council met at Borough Hall on the above date with the following members present: President Janice Davis, Vice President Howard Blackson, Jr., Ms. Ruby Robinson Munden, Mr. Donald Deigh, Mrs. Jennifer Parks, Ms. Darlene Hill, Mr. Patrick McKenna and Ms. Edna Stockley. Also present were Borough Manager Mark Possenti, Assistant Solicitor John Ianelli, Code Official Joseph Nerelli, Police Chief Robert Smythe, Borough Engineer Eileen Mulvena. Mayor Helen Thomas & Mrs. Marie Howells were absent.

President Davis called the meeting to Order at 7:30 p.m. followed by Roll Call.

Pledge of Allegiance.

**PUBLIC COMMENT:**

Paula Brown – 206 Highland Avenue: Ask the status of the Springfield Road Plaza. Questioned why the Police Chief was budgeted at \$88,000 and he made over \$100,000.

**NRO:**

Maria Dais, 850 Main Street: To operate a consignment shop of household goods. Motion to approve made by Mrs. Parks; 2<sup>nd</sup> by Ms. Hill. Motion carries 8-0.

Je Park, 174 S. MacDade Blvd.: To amend his first NRO to add the sale of jewelrey. Motion to approve made by Ms. Hill; 2<sup>nd</sup> by Mr. Deigh. Motion carries 8-0.

**ENGINEERS REPORT:**

See Attached.

Motion to authorize the preparation and advertisement of the bid for 16 Greenway Avenue made by Mr. Deigh; 2<sup>nd</sup> by Mrs. Parks. Motion carries 8-0.

Motion to authorize the Borough Manager to sign the Capacity Determination which indicates that the Borough can handle the proposed flows due to the removal of the equivalent I/I made by Mrs. Parks; 2<sup>nd</sup> by Ms. Hill. Motion carries 8-0.

Motion to approve the O&M agreement pending the approval to form by the Borough Solicitor made by Mr. Deigh; 2<sup>nd</sup> by Mrs. Parks. Motion carries 8-0.

Motion to not send a letter of interest for the Eastern Delaware County COG Storm water Initiative made by Mrs. Parks; 2<sup>nd</sup> by Ms. Munden. Motion carries 8-0.

Motion to accept the Engineer's Report made by Mrs. Parks; 2<sup>nd</sup> by Ms. Hill. Motion carries 8-0.

**MAYORS REPORT:**

No Report.

**APPROVAL OF MINUTES (5/18/11):**

Motion made by Mr. Deigh; 2<sup>nd</sup> by Mrs. Parks. Motion carries 8-0.

**NEW BUSINESS:**

- a. **2010 Audit Agreement:** Motion made by Mr. Deigh; 2<sup>nd</sup> by Mrs. Parks to authorize the Council President to sign an agreement with CBIZ for the 2010 Audit. Motion carries 8-0.
- b. **Permission to Advertise Ordinance #754** Motion made by Ms. Hill; 2<sup>nd</sup> by Mrs. Parks. Motion carries 8-0.
- c. **Resolution 2011-007 (2011 JAG):** Motion made by Mr. Deigh; 2<sup>nd</sup> by Ms. Hill to approve Resolution 2011-007 Motion carries 8-0.

**COMMUNICATIONS & REPORTS:**

- a. Fire Chiefs Report: See Attached.
- b. Historical Commission Report: No Report
- c. Ordinance/Zoning: No Report
- d. Community Relations: No Report
- e. Municipal Services: Street Sweeper, Grass Cutting, Flow meters in sewers, painting crosswalks and sign replacement.
- f. Public Safety: Read a resignation letter from Officer Brian Geider. Motion to hire Officer Paul McGrenera as a Part time Police officer made by Mr. McKenna; 2<sup>nd</sup> by Ms. Hill. Motion carries 8-0. Mr. Blackson read two letters one from the Office of the Budget authorizing the release of \$2,000,000.00 and a letter from Senator Anthony Williams authorizing the release of \$2,000.00
- g. Recreation: Mrs. Parks reported that Darby Youth Day will be held on July 23, 2011 from 12pm to 5pm.
- h. Finance: Motion made by Mrs. Parks; 2<sup>nd</sup> by Mr. Blackson to approve the paid bills for the month of June. Motion carries 7-1. Ms. Stockley voted No.
- i. Grants: Ms. Hill reported that she is still working on the Youth Foundation Grant.
- j. Solicitors Report: No Report

Motion to accept all reports & minutes made by Mrs. Parks; 2<sup>nd</sup> by Mr. Deigh. Motion carries 8-0.

**BOROUGH MANAGER CORRESPONDENCES:**

SEPTA will be holding a Ribbon Cutting Ceremony on June 17, 2011 at 10AM. Announced there will be no Committee Meetings the month of July & August.

**ADJOURNMENT**

Motion made by Mrs. Parks; 2<sup>nd</sup> by Mr. Blackson. Motion carries 8-0.

Respectfully Submitted,

Mark Possenti  
Manager/Secretary  
Borough of Darby

# MEMORANDUM

## WALTON, MULVENA & ASSOCIATES

100 Grove Rd. PO Box 518 Thorofare, NJ 08086

Phone: (856) 848-0033 Fax: (856) 848-0277

Division of NDI ENGINEERING COMPANY



**DATE:** 15 June 2011  
**TO:** Darby Borough Council  
**FROM:** Eileen W. Mulvena, P.E.  
**RE:** Engineer's Report Thru June 15, 2011

### Delco Energy Efficiency Grants

Two grant applications – one for new energy-efficient garage doors at the Public Works Garage and another for high efficiency replacement lighting at the Resource Center and at the garage – were submitted to the County on June 13. If either or both grants are awarded, the yearly budget for operating and maintenance costs will be reduced.

### FY 2010 CDBG - 439 Main St. Clean-up

The contractor has completed the project.

### FY 2009 Sanitary Sewer Cleaning & Televising – Consent Order

We have all three portable meters installed and continue to record flow data at the selected locations.

### 16 Greenway Demolition Application

County Council approved the Borough's application for demolition funding. It would be appropriate to authorize the preparation and advertisement of the bid.

### Population Report

We have asked the Code Dept to review businesses in the Borough in which the count of employees is known. The EDUs have been determined using the DEP guidelines which is not employee count; we just want to verify that using an employee count will yield comparable EDU counts.

### Sanitary Sewer Maintenance

#### Darby Town Center

The developer is currently having the I/I abatement done to comply with the DCJA requirements for approval of the project.

#### Commerce Street sinkholes

We inspected the sinkholes that were reported on Commerce St. The laterals at 509 and 511 appear to be

defective. Also, it looks like the rain water conductors are connected to the sanitary sewer which 1) is illegal and 2) adds to the I/I issue that you're paying for now in your bill from DCJA. My father did not go up and down the street to see if all were like that; but, since he was already in front of those houses, he noted that.

We looked at the tape and at 185ft west of 5<sup>th</sup> St., there is a main problem. The sewer problem is closer to 519 Commerce.

And, at 523, there is another lateral problem just off the curblin as someone has covered it for protection.

Are we going to be able to fix? Let's assume 20 feet at the section that is bad on the tape @ \$250/LF = 5000

Fix 3 laterals – assume we only have to do spot repairs and not the whole section between the curb and the main: (2) @ \$5,000 = \$10,000. We think we can get the two at 509 and 511 fixed with one trench and then do 523 as another trench which is how 3 laterals get fixed using (2) locations. The property owners are responsible for this in Darby; but, I don't know if they can afford it and we can't really let this go.

Final restoration of the ditches could be done using the County Aid monies.

While he was there, someone complained that when a street sign of some kind was removed, a piece of the pole was left sticks up a couple of inches. People have tripped over this. They would like to see the stub removed. Is this something the Highway Dept. can address?

#### Mulberry Street

A sinkhole was reported at 311 Mulberry St. John Kalin added dye to the sinkhole and observed the dye in the next downstream manhole. This is indicative of a defective lateral.

#### Manhole Maintenance

The DELCORA metering maintenance contractor has advised us that three of the manholes that have DELCORA meters installed require bench/channel improvements: Pine St., 2<sup>nd</sup> St., and 12<sup>th</sup> St. We can rehabilitate the manholes and make any bench/channel improvements at \$2,500 each. If the Borough wishes to phase these and do one/quarter, we could complete by the end of the calendar year. Please advise how Council wishes to proceed. John Kalin did remove the debris from the bottom of the manhole at 2<sup>nd</sup> St. which had been requested by DELCORA's metering consultant.

#### Land Development

##### Dollar Store, Yeadon, PA

The developer has agreed to the conditions for I/I abatement to allow for connection to the Borough of Darby's sanitary sewer on Cedar Avenue. The Borough will receive \$2,500 from the developer to use for rehabilitating a sewer manhole. In addition, to satisfy the DCJA, three manhole inserts will be purchased by the developer and provided to the Borough for installation. All these I/I abatement efforts will help reduce the quantity of rainwater that is sent through the Borough system for treatment as if it was sewage.

It would be appropriate for Council to authorize the Manager to sign the Capacity Determination which indicates that the Borough can handle the proposed flows due to the removal of the equivalent I/I.

##### Today's Child, Colwyn -- Splash Pad Application

Today's Child is still evaluating their options as to how to handle the water discharged from the sprinklers. They may try to infiltrate the entire amount.

#### Utility Company Street Restoration Ordinance Revision

We provided a copy of the ordinance adopted by other municipalities in the COG. It provides for street resurfacing of half the cartway by any utility who creates a trench in excess of 20 feet long. This provides for some much needed street resurfacing improvements to Borough streets. We recommend that Council proceed to advertise and adopt this ordinance.

#### Eastern Delaware County COG Stormwater Initiative

The Collaborative is seeking a letter of interest from each member of the COG to assess the interest in moving forward with the program following the expiration of the existing grant period on 12/31/11. Please note that if seven municipalities join, the grantors will provide a \$1,000 reduction to the first year's membership fee. Additional incentives may be offered if additional communities decide to join. While the letter of interest is not binding, it should only be signed if the Borough believes it will likely pursue membership. The current estimated cost is approximately \$3,600 per community per year and you will receive assistance from the Stormwater Coordinator for compliance with MCM 1, MCM 2, and MCM 6. These are the MCMs most typically addressed through brochures, public informational events, and employee training programs for Public Works Departments. You are currently handling these for a nominal expenditure. You will still be responsible for compliance to MCM 3, MCM 4, and MCM 5 as you currently address them. These are more field related items with investigations into illegal discharges into the stormsewer system, construction activity inspections, and post-construction stormwater management of amenities installed during a construction project. The Collaborative will not address these, and it is felt that the Borough is best suited to ensure compliance of its own field activities. With construction activity very nominal in the Borough, these MCMs are not very costly.

The proposed letter of intent is attached.

#### 542 Keystone Ave. ADA Complaints

The Borough's street maintenance contractor has completed the installation of the new sidewalk and apron fronting what would be 510-512 Keystone.

The Code Enforcement Officer could also inspect each property and identify and notify property owners of defective sidewalks/curbing/curb cut corners.

#### Municipal Services Committee Meeting

We would propose that there is benefit in the committee meeting on a monthly basis to review existing conditions and to identify and plan for future improvement and maintenance efforts.

#### Conservation Works! Grant

The lighting contractor is essentially complete with the replacement of fixtures. We have forwarded each lighting outage complaint to the contractor and they are to inspect and report back to us on the problems with each and recommended resolution.

The pole and mast arm are on order for the flashing signal at 14<sup>th</sup> and Main St.

We still need the police reports for incidents occurring during the last three years at Front and Main Sts. If there have been no accidents, please ask the Chief to document this in a letter. We can then prepare the letter to PennDOT asking that the signal permit be voided.

### NPDES MS4 Permit

DEP has granted an extension to the effective date of the new permit. The DEP review letter regarding the Borough's Year 7 NPDES annual report has been received. We are required to provide a response and will prepare one for Mark to submit.

The Borough submitted its yearly NPDES PH II MS4 stormwater management permit report (Year 8) on 6/9/2011.

The recent upgrades that were made to the stormwater section of the website show responsiveness to comments made by DEP in their review letter of the Borough's Year 7 NPDES annual report. We will continue to provide Mark with recommendations for items to include on the Borough website and to incorporate in the permitting process, as well as opportunities to provide additional training to Borough staff on stormwater management issues.

### H2O grant

The Borough's current contract with the state has an effective date of January 2009. The Borough has spent or is close to having spent the required match. Once we have canceled checks indicating payment was made to the contractors, we can file the paperwork for the Borough to receive the \$50,000 grant reimbursement.

### PennDOT curb cut ramp guidance

PennDOT has revised its policy for design approval of curb cut ramps. Applicants are required to complete a design form in advance of receiving a Highway Occupancy Permit for construction. The Code Department should be aware of this new requirement to ensure that applicants are compliant.

### Sewer Module approval for 416 S. 4<sup>th</sup> St.

As a condition for occupancy approval, the applicant needs to pay Colwyn Borough for the rehabilitation of manholes which was a condition of sewer approval. Please ask for confirmation that both DCJA and Colwyn sewer conditions have been met. A copy of the executed maintenance agreement has been recorded and all parties should be receiving a copy.

### Stormwater Management "Tip of the Month"

Recent environmental studies have found that drinking water supplies across the country contain contaminants from a variety of pharmaceuticals. The health impact of these contaminants is not yet known. The common practice of flushing unwanted pharmaceuticals down the drain or toilet is thought to be the main source of this contamination.

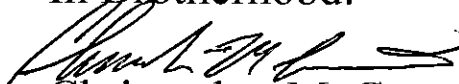
If you have unused or expired medications at home, including common medications like aspirin and cough syrup, don't dispose of them by pouring them down the drain or flushing them down the toilet. Expired or unwanted medications or personal care products should be disposed of responsibly. Ask your pharmacy if it takes back unused prescriptions. Do not throw prescription drugs into the trash without first emptying them from the bottle. Mix medications with coffee grounds or kitty litter and then put the mixture into sealable bags or empty cans and then into the trash. This will help ensure that prescription drugs are not stolen from trash cans.

**Darby Fire Company #1**  
**Chief's Report**  
**May 2011**

*25 Calls*

Building Fires	06
Automatic Fire Alarms	05
Gas Leaks	05
Brush Fires	02
Investigations	01
Trash	01
Assist EMS	01
Residential Rescue	01
Assist Police	01
Assist Fire Marshall	01
Fuel Spills	01
Motor Vehicle Accident	01
Working Fires	01
Darby Borough	23
Yeadon Borough	01
Colwyn Borough	01

In Brotherhood:

  
Christopher M. Caruso