

**BOROUGH OF DARBY
BOROUGH COUNCIL MEETING
July 20, 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., Mr. Donald Deigh, Mrs. Jennifer Parks, Ms. Darlene Hill, Mr. Patrick McKenna, Mrs. Marie Howells and Ms. Edna Stockley. Also present were Borough Manager Mark Possenti, Solicitor Raymond Santarelli, Code Official Joseph Nerelli, Police Chief Robert Smythe, Borough Engineer Eileen Mulvena. Mayor Helen Thomas & Ms. Ruby Robinson Munden were absent.

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

Pledge of Allegiance.

PUBLIC COMMENT:

Bradley Mitchell, 1344 Wycombe Avenue: Asked the process of repealing an Ordinance.

Aaron Howells, 417 Pine Street: Talked about the community, weeds and trash.

Paula Brown – 206 Highland Avenue: Discussed various items regarding the Borough of Darby.

ENGINEERS REPORT:

See Attached.

Motion to modify the end date of the existing JMC Contract performance period to August 31, 2011 made by Ms. Hill; 2nd by Mr. Blackson. Motion carries 8-0.

Motion to authorize the Borough Engineer to prepare and advertise the ordinary street and sewer maintenance bids made by Mr. Deigh; 2nd by Ms. Hill. Motion carries 8-0.

Motion to accept the Engineer's Report made by Mrs. Parks; 2nd by Mr. Blackson. Motion carries 8-0.

MAYORS REPORT:

No Report.

APPROVAL OF MINUTES (6/15/11):

Motion made by Mr. Deigh; 2nd by Mr. Blackson. Motion carries 8-0.

NEW BUSINESS:

- a. **Ordinance #753 (Act 90-Blighted Properties).** Ms. Davis opened the public hearing, comments made by Ms. Brown and Mr. Burrell asking for a copy of the Ordinance. Public Hearing was closed. Motion to approve Ordinance #753 made by Mrs. Parks; 2nd by Mr. McKenna. Motion carries 8-0.
- b. **Permission to Advertise Ordinance #754 (Feeding of Stray Animals)** Motion made by Mr. Blackson; 2nd by Mrs. Parks. Motion carries 8-0.

- c. **Resolution 2011-008 (Tobacco Free Zones)** Motion made by Ms. Hill; 2nd by Mrs. Parks. Motion carries 8-0.
- d. **Resolution 2011-009 (RE Tax Assessment Appeal – Allanoff)** Motion made by Mrs. Parks; 2nd by Mr. Blackson. Motion carries 8-0.
- e. **Resolution 2011-010 (RE Tax Assessment Appeal – Seitz)** Motion made by Mr. McKenna; 2nd by Ms. Hill. Motion carries 7-0. Ms. Davis abstained – Carl Seitz is her landlord.
- f. **Resolution 2011-011 (RE Tax Assessment Appeal – Parkview)** Motion made by Mr. Blackson; 2nd by Mr. Deigh. Motion carries 8-0.

COMMUNICATIONS & REPORTS:

- a. Fire Chiefs Report: See Attached.
- b. Historical Commission Report: See Attached.
- c. Finance: Motion made by Mrs. Parks; 2nd by Mrs. Howells to approve the paid bills for the month of July. Motion carries 7-1. Ms. Stockley voted No.
- d. Solicitors Report: No Report

Council recessed into Executive Session to discuss Real Estate.

Motion to accept all reports & minutes made by Mrs. Parks; 2nd by Mr. Blackson. Motion carries 8-0.

BOROUGH MANAGER CORRESPONDENCES:

Motion to approve the First Amendment of the SPCA Contract until December 31, 2011 made by Mrs. Parks; 2nd by Mr. Blackson. Motion carries 8-0.

COUNCIL PRESIDENT COMMENTS & ANNOUNCEMENTS:

Announced the Gun Buy Back Program, August 6th Senator Williams event at the Recreational Center and read a Thank You regarding the event held at the Rec Center.

ADJOURNMENT

Motion made by Mrs. Parks; 2nd by Mrs. Howells. Motion carries 8-0.

Respectfully Submitted,



Mark Possenti
Manager/Secretary
Borough of Darby

MEMORANDUM

WALTON, MULVENA & ASSOCIATES

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

Division of NDI ENGINEERING COMPANY



DATE: 20 July 2011
TO: Darby Borough Council
FROM: Eileen W. Mulvena, P.E.
RE: Engineer's Report Thru July 20, 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 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

The bid opening for this project is scheduled for Friday, July 22, at 9:30 am.

DEP Notification on Demolition Projects

The Pennsylvania DEP is requesting assistance from municipal governments in reminding demolition and renovation contractors that they must submit an Asbestos Abatement and Demolition/Renovation form to the Pennsylvania DEP and EPA at least 10 working days before the onset of a demolition project. The only exception to this requirement is when the demolition is one single-family dwelling and is not part of a larger project, such as a road expansion project or another form of commercial development. Attached is a copy of the Asbestos Notification Form with filing instructions. Also attached is a poster which the Borough is asked to hang in a visible area of Borough Hall where contractors will see it when they come in to acquire a zoning or demolition permit.

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

It is our understanding that the developer will be completing the sanitary sewer work required for compliance to the DCJA and Borough conditions for opening the Laundromat.

Commerce Street sinkholes

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

Ordinary Street and Sewer Maintenance

It is requested that Council modify the end date of the existing JMC Contractors contract performance period to August 31, 2011. This will provide for a full year contract period which was the intent of the original award. It was thought that the contracts would be in place by July 1, 2010 and expire on June 30, 2011; however, the contracts were not executed until September 1, 2010.

It is also requested that Council authorize the preparation and advertisement of ordinary street and sewer maintenance bids for the upcoming 12 month period. This will provide for uninterrupted contract coverage.

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., 2nd St., and 12th 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 2nd St. which had been requested by DELCORA's metering consultant.

Land Development

Dollar Store, Yeadon, PA

The three party agreement is ready for signature by the Council President. 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 reevaluating their options for providing a sprinkler type system for the children. It is not anticipated that they will be installing a system that will connect to the Borough's storm sewer.

Utility Company Street Restoration Ordinance Revision

Please advise us when Aqua or PECO or any other utility proposes to do work in the Borough so we can ensure that the proper restoration is done.

Eastern Delaware County COG Stormwater Initiative

The Project Manager is preparing the plans that were part of the original scope of work to be done under the grant. We eagerly await these plans as it will bring the Borough into compliance on that aspect of the permit.

I have contacted the Executive Director of the Chester Ridley Crum Watershed Association and she has agreed to provide the same services to the Borough that she provides to other municipalities as related to MCM 1, MCM 2, and MCM 6. She performs these services very cost effectively and does a very good job. She will be preparing a proposal to all the member communities sometime in August. The Borough will need to submit a payment for this service; but, I believe it is less than \$500. If you had continued with the Collaborative, the annual cost is close to \$4,000. The proposed letter of intent is attached.

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 14th 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

We will continue to provide updates for inclusion on the website and to post in the Borough and other public buildings. In addition, we will continue to forward information that can be attached to building permit applications for those contractors who disturb earth and/or create impervious cover.

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. 4th 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.

Notice to Plumbers on Controlling Stormwater Runoff

It is recommended that the Borough notify plumbers of their responsibility to control erosion and sediment pollution as well as stormwater runoff pollution at all job sites. We have attached a brochure to this report that can be used to alert plumbers and other entities engaged in plumbing activities of their responsibilities in this regard. This brochure should be given to anyone who comes in to the Borough to apply for a plumbing permit or to register as a plumbing contractor. It should also be included in any Borough mailings to plumbing contractors.

Stormwater Management "Tip of the Month"

Stormwater pollution results from materials and chemicals that are washed into the storm drains from streets, gutters, neighborhoods, industrial sites, parking lots and construction sites. Anything dumped or dropped on the ground or in the gutter can end up in the nearest body of water. This type of pollution is significant because, unlike the water that goes down a sink or toilet in your home, stormwater is untreated and flows directly to a lake, river, or the ocean.

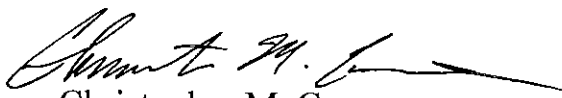
Household cleaners and bleach can pollute the water and harm fish, wildlife, and humans if they enter the stormwater system. If you are using household cleaners or bleach outside, never empty your cleaning bucket onto the pavement or pour its contents down a stormwater inlet. Take it inside the house and empty it down a sink. One ounce of household bleach requires 312,000 ounces of water to be safe for fish. Even biodegradable soaps can pose problems for aquatic life — in order for one ounce of biodegradable detergent to be safe for fish, it needs to be diluted by almost 20,000 ounces of water.

Darby Fire Company #1
Chief's Report
June 2011

36 Calls

Building Fire	10
Automatic Fire Alarms	08
Gas Leaks	03
Wires	03
Investigation	02
Assist Police	02
Motor Vehicle Accident	01
Carbon Monoxide Detector	01
Assist EMS	01
Service Call	01
Brush Fire	01
Assist Medical Examiner	01
Fuel Spill	01
Dumpster Fire	01
<i>Working Fires</i>	<i>00</i>
Darby Borough	25
Yeadon Borough	05
Collingdale Borough	05
Colwyn Borough	01

In Brotherhood:


Christopher M. Caruso
Chief

The Darby Borough Historical Commission met on Tuesday, July 19th at Borough Hall, 841 Summit Street with gratitude to the Borough for making the space available. We did not have a quorum and so could not conduct official business but the members who were there, and guests, had an interesting discussion on a variety of topics. One guest was Mark Anderson of the Friends of Mount Moriah Cemetery who told us about recent clean-up work being done at Mount Moriah. The cemetery covers some 380 acres (and about 130,000 burials) in Philadelphia and Delaware Counties. We are hoping to work with the Friends of Mount Moriah during the seventh annual OcTrolleyFest on Saturday, October 15.

On another topic, as Chair, I am asking Council to appoint Tony Spano to the Historical Commission to replace Randall Carter who recently passed. Like Randall, Tony is a long-time resident of Darby with a love of history who has been very helpful to the Commission at various events.

As previously mentioned, OcTrolleyFest will be October 15 and anyone who would like to participate is cordially invited to take part. OcTrolleyFest began seven years ago with the simple idea to take a new look at, and celebrate, the things that we have in abundance, which is history and community spirit. We invite you all to "get on board."

John Haigis, Chair
Darby Borough Historical Commission
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Darby, PA 19023
(610) 583-0788