

**BOROUGH OF DARBY
BOROUGH COUNCIL MEETING
August 17, 2011**

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

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

Pledge of Allegiance.

PUBLIC COMMENT:

Aaron Howells, 417 Pine Street: Asked questions regarding the Mayor's Office Space.

Council recessed for ten minutes.

Paula Brown – 206 Highland Avenue: Asked questions regarding the Police Department.

ENGINEERS REPORT:

See Attached.

Motion to make a conditional approval of BRB Contractors of King of Prussia at a not to exceed contract award of \$26,025. The award is conditioned upon Delaware County OHCD approval made by Ms. Hill; 2nd by Mrs. Parks. Motion carries 6-0.

Motion to accept the Engineer's Report made by Mrs. Parks; 2nd by Ms. Hill. Motion carries 6-0.

MAYORS REPORT:

See Attached.

Motion to accept the Mayor's Report made by Mrs. Parks; 2nd by Mr. McKenna. Motion carries 6-0.

APPROVAL OF MINUTES (7/20/11):

Motion made by Mr. McKenna; 2nd by Mrs. Parks. Motion carries 6-0.

NEW BUSINESS:

- a. **Ordinance #754 (Feeding of Stray Animals).** Mr. Blackson opened the public hearing, comments made by Ms. Brown asking for a copy of the Ordinance. Public Hearing was closed. Motion to approve Ordinance #754 made by Mrs. Parks; 2nd by Ms. Munden. Motion carries 6-0.
- b. **2012 Animal Control Agreement.** Motion made by Mrs. Parks; 2nd by Ms. Hill to approve the 2012 Animal Control Agreement. Motion carries 6-0.

- c. **2012 Minimum Municipal Obligation.** Motion made by Mrs. Parks; 2nd by Ms. Hill to authorize the Chief Administrative Officer to sign the required documents. Motion carries 6-0.

COMMUNICATIONS & REPORTS:

- a. Fire Chiefs Report: See Attached.
- b. Historical Commission Report: Mr. Haigis reported on the OcTrolley Fest. Motion to appoint Tony Spano to the Historical Commission to complete the term of Randall Carter made by Mr. McKenna; 2nd by Mrs. Parks. Motion carries 6-0.
- c. Finance: Motion made by Ms. Hill; 2nd by Mr. McKenna to approve the paid bills for the month of August. Motion carries 5-1. Ms. Stockley voted No.
- d. Solicitors Report: No Report

Motion to accept all reports & minutes made by Ms. Hill; 2nd by Mr. McKenna. Motion carries 6-0.

BOROUGH MANAGER CORRESPONDENCES:

None.

COUNCIL PRESIDENT COMMENTS & ANNOUNCEMENTS:

Motion to hire Andrew Ford as a Part Time Police officer made by Mrs. Parks; 2nd by Ms. Munden. Motion carries 6-0. Motion to hire Daniel Falkenstein as a Part time Police officer made by Mr. McKenna; 2nd by Mrs. Parks. Motion carries 6-0.

ADJOURNMENT

Motion made by Mrs. Parks; 2nd by Ms. Munden. Motion carries 6-0.

Respectfully Submitted,

Mark Possenti
Manager/Secretary
Borough of Darby

MEMORANDUM

WALTON, MULVENA & ASSOCIATES

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Division of NDI ENGINEERING COMPANY



DATE: 17 August 2011
TO: Darby Borough Council
FROM: Eileen W. Mulvena, P.E.
RE: Engineer's Report Thru August 17, 2011

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

Bids for this project were opened on July 22, 2011 at 9:30AM. There were 4 bidders. The lowest responsible bidder was BRB Contractors of King of Prussia. It is recommended that Council move to make a conditional award to BRB Contractors of King of Prussia at a not-to-exceed contract award of \$26,025; the award is conditioned upon Delaware County OHCD approval.

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. A flyer and information about this requirement was provided with last month's report. It is recommended that this information be posted in a visible location at Borough Hall where contractors will see it when they come in to apply for permits, etc.

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 want to verify that using an employee count will yield comparable EDU counts. We have also requested that the Code Dept provide us with an up-to-date list of apartment units in the Borough.

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

Bids will be opened on August 22, 2011 at 7PM at Brookhaven Borough. We have included the Borough in the bid documents prepared for Brookhaven Borough and other communities we serve. This results in an advertising and engineering savings for the Borough.

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.

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.

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. We know that there are several lighting locations still requiring action by the contractor. Final payment is due to them by the end of August so these items must be resolved prior to that date.

The pole and mast arm for the flashing signal at 14th and Main St. has been installed.

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 provided a brochure to the borough 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"

Homeowners should periodically check their rainwater conductors or "downspouts" to make sure that they are positioned so as to conduct rainwater onto a grassy or porous area and not onto an asphalt or concrete surface such as a driveway or sidewalk. This will enable the water to be absorbed into the ground, rather than washing down a driveway or street where the water can pick up pollutants on its way to the stormwater drain. Inexpensive flexible downspout extenders are available at home improvement stores that can be easily attached to the end of a downspout to allow the water to reach a grassy area or even a garden that would benefit from additional rainwater. When checking your downspouts, also make sure that they are conducting the water away from your house and garage so as to prevent water from seeping into the basement area.

