

**BOROUGH OF DARBY
BOROUGH COUNCIL MEETING
June 16, 2010**

The Darby Borough Council met at Borough Hall on the above date with the following members present: President Janice Davis, Mr. Donald Deigh, Ms. Darlene Hill, Mr. Patrick McKenna, Mrs. Marie Howells and Ms. Edna Stockley. Also present were Mayor Helen Thomas (arrived at 7:55 p.m.), Borough Manager Mark Possenti, Solicitor Raymond Santarelli, Code Official Joseph Nerelli and Borough Engineer Eileen Mulvena. Vice President Blackson, Ms. Ruby Robinson Munden, Mrs. Jennifer Parks and Chief Robert Smythe were absent.

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

Pledge of Allegiance.

PUBLIC COMMENT:

None.

NRO:

Nadine Kennedy, 208 Moore Street: To operate a Breakfast and Lunch Vending truck. Motion to approve pending finding a suitable parking space for the trailer by her home made by Mrs. Hill; 2nd by Mr. Deigh. Motion carries 6-0.

ENGINEERS REPORT:

See Attached.

Motion to award a contract to A.F. Damon, Upland, PA for Lots 2, 3, 4, 5 and 7 in support of the FY 2010 Streets and Sewer Maintenance Program in the amount of \$59,000 made by Mrs. Hill; 2nd by Mrs. Howells. Motion carries 6-0.

Motion to authorize Borough Engineer to prepare and re-advertise the 2010 Sewer Maintenance bid made by Mrs. Howells; 2nd by Mr. McKenna. Motion carries 6-0.

Motion made by Ms. Hill to authorize execution of the agreement for 439 Main Street as approved to form by the Borough Solicitor between the Borough of Darby, Theodore Alteneder and Earle Dexter; 2nd by Mrs. Howells. Motion carries 6-0.

Motion to accept the Engineer's Report made by Mr. McKenna; 2nd by Mr. Deigh. Motion carries 6-0.

MAYORS REPORT:

See Attached.

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

APPROVAL OF MINUTES (5/19/10):

Motion made by Mr. Deigh; 2nd by Mrs. Howells. Motion carries 6-0.

NEW BUSINESS:

- a. July/August Committee Meetings: Motion made by Mr. Deigh; 2nd by Mr. McKenna to cancel the Committee Meetings. Motion carries 6-0.

COMMUNICATIONS & REPORTS:

- a. Fire Chiefs Report: See Attached. Motion to approve the letter of support for Darby Fire Company #2 made by Mr. McKenna; 2nd by Ms. Stockley. Motion carries 6-0.
- b. Historical Commission Report: Mr. Haigis reported on the University of Pennsylvania study and OcTrolley Fest to be held on October 2nd.
- c. Ordinance/Zoning: No Report.
- d. Community Relations: Mrs. Howells reported on the RBI Baseball League.
- e. Municipal Services: Mr. McKenna reported Highway has been repairing potholes, cleaning trucks and cutting grass and the Street Sweeper has been running.
- f. Public Safety: Motion to authorize the execution of sale pending approval to form of the agreement by the Borough Solicitor made by Mr. McKenna; 2nd by Mr. Deigh. Motion carries 6-0. Mr. Possenti updated Council on the Police Hiring Grant has been completed and submitted.
- g. Recreation: Ms. Stockley reminded everyone about the Flea Market.
- h. Finance: Motion made by Mrs. Howells; 2nd by Mr. McKenna to approve the paid bills for the month of June. Motion carries 5-1. Ms. Stockley voted No.
- i. Grants: No Report
- j. Solicitors Report: No Report

Motion to accept all reports & minutes made by Mrs. Howells; 2nd by Mr. Deigh. Motion carries 6-0.

BOROUGH MANAGER CORRESPONDENCES:

None.

COUNCIL PRESIDENT COMMENTS & ANNOUNCEMENTS:

Discussed the Parents of Murdered Children.

ADJOURNMENT

Motion made by Mr. Deigh; 2nd by Mrs. Howells. Motion carries 6-0.

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: 16 June 2010
TO: Darby Borough Council
FROM: Eileen W. Mulvena, P.E.
RE: Engineer's Report Thru June 16, 2010

439 Main St. Clean-up

The County has indicated that a contract can be awarded to the lowest responsible bidder, Main Line Paving, for the clean-up. Main Line has provided a letter extending their pricing through the end of July. We have a meeting scheduled with the County on June 24, 2010 that Mark and I are to attend. This is the first step in receiving the allocation.

FY 2009 Sanitary Sewer Cleaning & Televising – Consent Order

We have a meeting scheduled with John Kalin on Monday to look at each location in the field to resolve remaining televising questions. We need to schedule the manhole inspections during nighttime hours to document where there is higher flow than is expected. Thirdly, we need to begin portable televising to identify areas of I/I. We met with Councilperson Howells and John Kalin and discussed the need for safety equipment as well as confined space training and vaccinations. Enclosed is some material related to these items. With some more research, I think we can find a resource for the safety equipment that will be less costly. We will request authorization to purchase these items and to have the Public Works employees vaccinated, if they are not already.

Gateway Signage

Ernel Company has suitably restored the areas. If we could have the Public Works crew reseed the three areas where the poles were installed in grass in the fall, that would probably stabilize these areas.

Rehabilitation/Replacement of Storm Inlets (CDBG Project #3412A)

I have sent a change order proposal to DeCo Management Corporation of Fort Washington, PA. and have not received a reply. The County is waiting for the change order to be issued. A resident of 12th & Chestnuts Sts. calls every day to find out the status.

If you recall, the County has committed \$3,250 and the Borough authorized \$4,400.

Ordinary Street Maintenance

Bids for the FY 2010 Ordinary Street and Sewer Maintenance work were received and opened on June 15, 2010. One bid was received and the tabulation is attached. It is recommended that a contract award be made to A.F. Damon for the following scope of work:

Lot 2. Storm Sewer Maintenance and Repairs	\$12,000
Lot 3. Concrete Improvements	\$12,000
Lot 4. Street Maintenance & Repairs	\$10,000
Lot 5. Time & Material	\$10,000
Lot 7. Street Maintenance	\$15,000

Therefore, a motion to award a contract to A.F. Damon, Upland, PA for Lots 2, 3, 4, 5, and 7 in support of the FY 2010 Streets and Sewer Maintenance Program in the amount of \$59,000 would be appropriate if Council desires.:

We did not receive any bids for the sanitary sewer maintenance. It is requested that authorization to rebid the sanitary sewer maintenance work be granted this evening.

With the receipt of monies from the Darby Town Center project for I/I reduction, the Borough will need to have a contract in place to perform this work.

As for remaining work, JJD has attempted to locate what is thought to be a buried manhole. They will need to come back again to keep excavating.

Consent Order and Agreement

We have reviewed the CDs for those areas identified by Video Pipe as being in the worst condition. We have prepared an estimate to repair/replacement the worst sections of the sewer. I would suggest we meet with the Municipal Services Committee, Mark, and John Kalin to come up with a plan to present to Council.

The balance of this topic is addressed above. It is noted that the next progress report is due to DEP on 6/21/10. I will have a draft for Mark to review and sign by Friday. It then needs to be submitted to DEP via email.

1020 Ridge Land Development

The standard size manhole inserts have been installed by the Highway Dept. The larger size manhole inserts have not yet been received. Upon receipt, John will install.

We will then notify DCJA that the work was completed.

Demolition of 16 Greenway Ave.

The application for CDBG funds has been submitted to the County.

Darby Town Center Land Development Application

The applicant has paid half of the I/I reduction fees to date. Once the balance of the fees are paid and the Borough has a sewer contractor in place, manholes can be rehabilitated in the service area so there is no net increase in sewage flow. It is recommended that the Borough require the applicant to provide cash escrow for engineering inspections. These funds would be used to reimburse the Borough for engineering inspection costs. As the fund is drawn down, the Borough should require the applicant to replenish the fund.

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. As the televising continues, these meetings will prove very meaningful as it relates to the sanitary sewer system. It also would be nice to consider a street improvements program to address some of the older paved areas in the Borough.

EDCCOG Stormwater Grant

The EDCCOG received a phase II grant from the William Penn Foundation. As indicated last month, a Stormwater Manager was being selected. Liz Feinberg has been selected. The group will continue to meet monthly. The emphasis of this two-year grant will be to provide consultant services to identify and implement programs to support each community's MS4 permit compliance at a lower cost.

Conservation Works! Grant

Contracts were forwarded to the successful bidder for the traffic signal upgrades and streetlight fixture replacements. During the next few months, the County GIS Department will have an employee in town locating all of the street lights with a portable GIS device. We will then upload the data into a drawing format and provide it to the lighting contractor. We have asked the County to notify each town when the employee will be working.

NPDES MS4 Permit

This year's report was delivered to DEP on June 9, 2010 as required. We will continue to provide stormwater tips monthly as part of the public education facet of the program.

H2O grant

The Borough's current contract with the state has an effective date of January 2009. It is possible to have an earlier effective date so we have asked for it to be changed to August 2008 so we can use the work done by JMC in the vicinity of 14th St. as the Borough match. The grant covers 2/3 of project costs; the Borough match is 1/3. Since the grant amount is \$50,000, the total project cost is \$150,000 and the Borough match is \$25,000. If the contract is modified, the Borough could receive the reimbursement for the work already performed. There will likely be a small amount the Borough will still need to expend in order to meet the full match requirement.

Stormwater Management "Tip of the Month"

Improper storage and disposal of motor oil and antifreeze is one of the largest contributors to water pollution in our country. Runoff from small oil spills at home goes right into the sewer system. Just one quart of oil can contaminate 250,000 gallons of water to the point that the water is unfit to drink. Petroleum hydrocarbons and heavy metals found in used motor oil pose a direct threat to fish and other aquatic species.

Ways you can help:

- If you change your own oil and antifreeze, always dispose of them properly. Never pour these materials down the drain, throw them in the trash, or leave them unprotected from the elements. The best thing to do is to take the materials to a nearby gas station where they can be recycled. If you have to store used oil or antifreeze, place them separately in clean plastic containers with very tight lids in a protected location.
- Keep your vehicle well maintained, immediately repairing oil, antifreeze, transmission fluid and brake fluid leaks.

If a spill occurs, do not rinse the area with water. Instead, use kitty litter, sawdust or wood chips to soak up fluid and put it in the trash.

Darby Borough Police Department

June 16, 2010

To: Mayor Thomas

Subject: Monthly report

Cc:

The Department would like to congratulate all Boro. Graduates, and remember to practice safety when celebrating.

The Dept again will remind Boro residents that cars parked on streets and private drives must be properly inspected and registered. If not, they will be sticker for abandonment.

Our two new members of the Dept. are in the midst of training and it looks like they're going to be good officers for the Boro.

Fourth of July is approaching and we would like to remind residents about the dangers of fireworks and to use extreme caution if you're exposed to it. Majority of fireworks are illegal in Penna.

The police dept. will be monitoring trouble areas through out the Boro. and if the areas are deemed to be nuisance spots, zero-tolerance patrol will be imposed.

Since May 1st, 2010 the Darby Borough Anti-Crime Unit has been involved in numerous investigations and arrests. The Anti-Crime Unit also continues to focus on pro-active narcotics work within the borough including the following:

Lt. Gibney received information that known narcotics traffickers were hanging out at an abandoned property on the troublesome unit block of N 3rd Street. A pedestrian stop was performed on the males and police recovered a clear glassine bag containing 10 yellow glassine bags containing a green leafy vegetable matter as well as a clear glassine bag with an apple logo containing 37 new yellow glassine bags. Lt. Gibney also received information about a subject with a firearm on the unit block of N 3rd Street which led to the arrest of a male for drug trafficking. No firearm was recovered.

Anti-Crime Officers conducted surveillance on the Chinese Food Store on the 500 block of Main Street which has become a nuisance location within the borough. Officers subsequently recovered a firearm from a juvenile as well as 16 bags of marijuana and \$235. Another male that was with the juvenile was found to be in possession of 5 bags of marijuana. Additional surveillance on the store led to a juvenile female being arrested for narcotics sales.

Anti-Crime Officers responded to shooting on the 400 block of Darby Terrace. Through the course of the investigation police recovered two firearms, a .22 caliber rifle and a .45 caliber Thompson machine gun better known as a "tommy gun". Three persons were taken into custody including the alleged victim of the shooting who subsequently admitted the gunshot was self inflicted.

The Anti-Crime Unit also continues to maintain relationships with other state and local law enforcement agencies including state parole/probation and the Philadelphia Police Department. State Parole/Probation and the Anti-Crime Unit have met on numerous occasions to share information and thus have already violated one subject for not complying with the State Parole/Probation standards. The Philadelphia Police requested the assistance of the Anti-Crime Unit in a search warrant of a subject that was selling narcotics in Philadelphia but residing and stashing drugs within Darby Borough. One male was arrested and another currently has an active warrant.

The most disturbing investigation the Anti-Crime Unit has been involved in is the recent shooting on the unit block of N 3rd Street. Residents

who decided to protect their home and cooperate with the police regarding a burglary to their home were attacked and one was shot in the back. Through the course of the investigation officers also recovered crack cocaine, narcotics packaging, bullets and two firearms. Since the initial burglary investigation that led to the shooting police arrested three persons for witness intimidation, four persons for narcotics trafficking, one person for attempted homicide, and have an active attempted homicide warrant out for Stefan Fenwick AKA FISH.

The Anti-Crime Unit still devotes a large portion of time to the investigation of three homicides that occurred within Darby Borough in 2009. Most notably Detectives were able to charge and arrest Gregory Graham for conspiracy to murder Isaiah McLendon. GRAHAM was located and arrested in Jacksonville, Florida. The Anti-Crime Unit will continue to investigate and prepare for trials.

ORGANIZED OCTOBER 24, 1910

CHARTERED FEBRUARY 4, 1911

DARBY FIRE PATROL #2

Chiefs Report For May-2010

Call Type Buildings 4 Building AFA ^{SS Pumps} 10 Brush 0 Trash 1
Vehicles 0 Rescues 0 Gas Out 0 Gas In 0
Wires 2 Co Alarms 0 Co Leaks 0 Clean Ups 1
Fire Police 3 Other 4 (pump outs, investigations, misc.)

25 CALLS-