

**BOROUGH OF DARBY  
BOROUGH COUNCIL MEETING  
March 16, 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, Mrs. Jennifer Parks, Ms. Darlene Hill, Mr. Patrick McKenna, Mrs. Marie Howells (arrived at 8PM) and Ms. Edna Stockley. Also present were Mayor Helen Thomas, Borough Manager Mark Possenti, Finance Director Joseph P. Possenti, Jr., Assistant Solicitor John Ianelli, Code Official Joseph Nerelli, Police Chief Robert Smythe and Borough Engineer Eileen Mulvena. Mr. Donald Deigh was absent.

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

Pledge of Allegiance.

**PUBLIC COMMENT:**

None.

Council recessed into Executive Session for Personnel.

Motion to terminate the followings Police Officers:

Timothy Hannigan motion made by Mr. Blackson; 2<sup>nd</sup> by Mr. McKenna. Motion carries 7-0.

Neil Barbour motion made by Mr. Blackson; 2<sup>nd</sup> by Mr. McKenna. Motion carries 7-0.

David Cuddhy motion made by Mr. Blackson; 2<sup>nd</sup> by Mr. McKenna. Motion carries 7-0.

**NRO:**

Je Park, 174 S. MacDade Blvd: To operate a Afro Centric Beauty Supply. Motion to approve with a Temporary CO for 120 days pending all final inspections made by Ms. Hill; 2<sup>nd</sup> by Ms. Munden. Motion carries 7-0.

Marvin Brown, 2 Chester Pike: To operate a Barbershop. Motion to approve made by Ms. Hill; 2<sup>nd</sup> by Mrs. Parks. Motion carries 7-0.

**ENGINEERS REPORT:**

See Attached.

Motion to approve maintenance agreement between Colwyn Borough, Darby Borough and 416 South 4<sup>th</sup> Street made by Mr. Blackson; 2<sup>nd</sup> by Mrs. Parks. Motion carries 7-0.

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

**MAYORS REPORT:**

See attached.

Motion to accept the Mayor's Report made by Ms. Parks; 2<sup>nd</sup> by Mr. Blackson. Motion carries 8-0.

**APPROVAL OF MINUTES (2/16/11):**

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

**NEW BUSINESS:**

- a. Motion made by Mr. McKenna; 2<sup>nd</sup> by Mr. Blackson to authorize the Borough Manager to sign the letter of interest for the Municipal Energy Efficiency Grant Program. Motion carries 8-0.

**COMMUNICATIONS & REPORTS:**

- a. Fire Chiefs Report: No Report.
- b. Historical Commission Report: No Report.
- c. Ordinance/Zoning: No Report
- d. Community Relations: Mrs. Howells reported on the RBI Baseball League.
- e. Municipal Services: Mr. McKenna reported Highway had begun the confined space work throughout the Borough. Checking sewers and replacing signs.
- f. Public Safety: No Report
- g. Recreation: Reported on the Easter Egg Hunt for 4/23 2-3pm.
- h. Finance: Motion made by Mrs. Howells; 2<sup>nd</sup> by Mr. Blackson to approve the paid bills for the month of March. Motion carries 7-1. Ms. Stockley voted No.
- i. Grants: No Report.
- j. Solicitors Report: No Report.

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

**BOROUGH MANAGER CORRESPONDENCES:**

Mr. Possenti reported on the DCAB Annual Banquet. Motion made by Mrs. Parks; 2<sup>nd</sup> by Mrs. Howells to accept the resignation of Jason Zebley from the DCJA Board. Motion carries 8-0. Motion made by Mrs. Parks; 2<sup>nd</sup> by Mrs. Howells to re-appoint Mrs. Louella Richardson to the Civil Service Commission. Motion carries 8-0.

**COUNCIL PRESIDENT COMMENTS & ANNOUNCEMENTS:**

Ms. Davis reported on the group Pathways.

**ADJOURNMENT**

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

Respectfully Submitted,

Mark Possenti  
Manager/Secretary  
Borough of Darby

Within the last few weeks the Darby Borough Police Department have conducted several investigations and made numerous arrests. Here are a few of the incidents that have taken place recently.

Police have had two carjackings of delivery drivers. Both incidents took place on 6<sup>th</sup> St and in both incidents there were several actors and there was a firearm used in each incident. Both incidents are under investigation.

Police observed a wanted subject known as Louis Harris AKA June driving a vehicle along with two other individuals. A traffic stop was performed and Harris was taken into custody. The other occupants were identified as a Jamal Thornton and Tiffany Banton. There were narcotics and other evidence throughout the vehicle. A total of 20 bags of crack cocaine were located along with 8 unknown type pills, 8 bags of marijuana, over a 100 new crack cocaine baggies, 3 crack pipes, US Currency and a number of cell phones. All three individuals were arrested and charged. They are currently awaiting trial.

Police were dispatched to 20 N 6<sup>th</sup> St for a possible burglary in progress. Upon police arrival police observed a broken front window. Officers entered the property and located a James Smith inside. Smith was taken into custody and charged with burglary.

Upper Darby Police were attempting to locate a male who was wanted for murder. This subject was last seen inside of the Giant Supermarket located on Baltimore Pk. Darby Police assisted Upper Darby and the subject was located hiding outside the store at the trash compactor and was taken into custody by our Officers.

Regarding the murder of Ollie Cloyd, investigators are continuing to work with the District Attorney's Office and are developing new evidence and are continuing to talk to possible witnesses and attempting to locate a possible 4<sup>th</sup> actor.

# 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:** 16 March 2011  
**TO:** Darby Borough Council  
**FROM:** Eileen W. Mulvena, P.E.  
**RE:** Engineer's Report Thru March 16, 2011

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

The contractor will be given a Notice to Proceed following a kick-off meeting. We are trying to schedule it for tomorrow or early next week if everyone is not available tomorrow.

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

The first three locations are being metered as of earlier today. From what I've been told, the installations occurred without incident. We will upload the data weekly and relocate the meters once sufficient and diverse data is obtained. We need to meter 15 according to the Consent Order and the flows to be captured are during both wet weather and dry weather periods at each location.

### FY 2011 CDBG

County Council's proposed list for funding will be advertised in the Daily Times on March 30. They will then entertain public comment until the final selection is made in mid-April.

### 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.

### Ordinary Street Maintenance

JMC has rehabilitated 9 manholes that were selected in the service area of the MacDade Shopping Center. A tenth location could not be done as the manhole is buried under a swimming pool apron. We have selected another manhole and will prepare the Highway Occupancy Permit for it as it will require PennDOT approval (manhole is located on Main St.) The manholes to be rehabilitated by the developer also require HOPs for several locations. We have prepared the applications for the permits and they are ready for signature and submittal to PennDOT. Since the Borough owns the utility, and the permits are issued to the Borough, we may be required to do the work with a Borough appointed contractor. I will confirm this. The developer may just be able to provide the funds for the work. The same situation may exist with the grouting of the Borough's lines.

### EDCCOG Stormwater Grant

The EDCCOG has met with the members as well as the Solicitors for each member community. Comments were received by the Program Manager and she will be incorporating the comments into the scope of work. I believe there are a number of concerns being raised and that the final product may differ from what has been proposed to date.

### 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 contractor is actively installing streetlights. Work has been done in Darby Borough and will continue. I have forwarded the current listing of outages for the contractor to address. Please continue to forward these locations so that we can maximize the use of the Borough's allocation.

A change order has been issued to the contractor for the work to install the signal at Main and 14<sup>th</sup> Sts.

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. We have provided Mark with recommendations for items to incorporate into the website and permitting process so you are demonstrating compliance to the MS 4 program requirements. The end of the 8<sup>th</sup> Year of the permit occurred on March 9, 2011. We will begin preparation of the annual report. We attended a meeting sponsored by the CRC (Chester Ridley Crum Creeks Association) as they offer great assistance in complying with MCMs 1, 2, and 6. As we have done in previous years, we will provide the info we gain from there to the Borough.

### 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 14<sup>th</sup> 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 \$75,000 and the Borough match is \$25,000. If the contract is modified, the Borough could receive the reimbursement for the work already performed.

### 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 indicated last month, DEP is looking for a joint agreement to address operation and maintenance of the on-site pump system to be used at the apartment complex. This agreement is to be between Darby, Colwyn and the owner of the apartment complex. DEP provided a sample for the applicant's use and this document has been edited by both the Darby and Colwyn Solicitor's. DEP has approved the final form. The owner and Colwyn Borough have approved the agreement. Tonight, it is hoped that Darby will approve the agreement so that the applicant can move forward with acquiring tenants. Please note that DEP is only approving the use of half of the units at this time. They feel that additional flow will be generated by the facility and therefore, further approvals from the Borough of Colwyn and DCJA are required. In order to obtain these approvals, additional I/I reduction measures will need to be done.

Please note that no permits can be issued until the DEP approves the sewer module.

### Stormwater Management "Tip of the Month"

Using alternative products instead of toxic substances drastically reduces the presence of toxic substances in stormwater and receiving waters. Common toxic substances found in the home are cleaners, automotive products, and pesticides, as well as fertilizers, paints, and fuels.

Here are some examples of commonly used products and safer alternatives:

- *Aerosols.* Use pump-type or non-aerosol products.
- *Art supplies.* Purchase water-based paints or inks. They should not contain lead or other toxic materials.
- *Batteries.* Rechargeable batteries are a cost-effective alternative to disposable batteries.
- *Chemical fertilizers.* Composting yard clippings and food scraps is an option. Manure (in measured amounts) is another alternative to chemical fertilizers.
- *Gasoline.* Not driving at all is the best way to reduce gasoline use. Purchasing a super-efficient hybrid or electric vehicle is the next best alternative. Carpooling, walking, bicycling, and public transportation are other viable options.
- *Motor Oil.* Use re-refined motor oil. Doing so will spur the market for recycled motor oil and decrease reliance on new oil supplies.
- *Pesticides.* Keeping homes and gardens tidy reduces the food supply for insect pests, averting the need for pesticides. Onion, garlic, and marigold plants help keep garden pests at bay.

# Darby Fire Company #1

## Chief's Report

### January 2011

#### *34 Calls*

Building Fires	10
Gas Leaks	07
Automatic Fire Alarms	05
Investigations	04
Vehicle Fires	02
Fuel Spills	01
Trash Fires	01
Carbon Monoxide Detector	01
Helicopter Landings	01
Service Calls	01
Assist EMS	01
<i>Working Fires</i>	<i>02</i>
Darby Borough	24
Yeadon Borough	05
Colwyn Borough	03
Collingdale Borough	02

# Darby Fire Company #1

## Chief's Report

### February 2011

#### *40 Calls*

Automatic Fire Alarms	14
Building Fires	11
Gas Leaks	05
Cover Assignment (Station 08)	02
Assist EMS	02
Wires	02
Carbon Monoxide Detectors	01
Assist Medical Examiner	01
Trash	01
Helicopter Landing	01
Motor Vehicle Accident	01
Working Fires	01
Darby Borough	32
Yeadon Borough	05
Prospect Park Borough	02
Colwyn Borough	01

**As of March 16<sup>th</sup> Darby Company has 96 calls year to date.**



Christopher M. Caruso

Chief

Darby Fire Company #1