

**BOROUGH OF DARBY  
BOROUGH COUNCIL MEETING  
December 21, 2016**

The Darby Borough Council met at Borough Hall on the above date with the following members present: President Janice Davis, Mrs. Esther Lites, Mr. Donald Deigh, Ms. Darlene Hill, Ms. Jillian Theogood, Mr. Patrick McKenna & Mr. Howard Blackson. Also present was Mayor Helen Thomas, Borough Manager Mark Possenti, Code Officer Thomas Gaffney, Solicitor Charles Gibbs & Engineer Eileen Mulvena were present. Vice President Jennifer Parks, Ms. Ruby Munden, & Police 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:**

Joseph Morley, 901 Pine Street: Opposed the business at 237 Mill Street.

Andrea Doyle, 210 Hamilton Avenue: Opposed the business at 237 Mill Street.

Margaret Myers, 914 Pine Street: Opposed the business at 237 Mill Street.

Richard Spain, 1013 Ridge Avenue: Asked for an itemized bills list, wants the Borough Manager to live in town, wants Council to own their home and opposed the business at 237 Mill Street.

**NRO's:**

Dallas Andrews, 29 Mill Street: D&A Auto Repair – Dealership with Inspection only. Motion made to continue the original use until approval from Harrisburg made by Mr. McKenna; 2<sup>nd</sup> by Mr. Blackson. Motion carries 7-0.

Riyad Almaswaki, 301 Main Street: Main Street Food Market – Add Hot Food. Motion made by Mr. Deigh; 2<sup>nd</sup> by Mr. Blackson. Motion carries 7-0.

Daniel McIlhenney, 237 Mill Street: Big Head Auto Salvage – Salvage Yard, Auto Parts, Recycling and Auto Sales. Motion to approve made by Mr. Blackson; 2<sup>nd</sup> by Mr. McKenna. Motion fails 5-2. Mrs. Lites, Mr. Deigh, Ms. Davis, Ms. Hill and Mr. Blackson voted No.

**ENGINEERS REPORT:**

See Attached.

Motion to accept the Engineer's Report made by Mrs. Lites; 2<sup>nd</sup> by Mr. Deigh. Motion carries 7-0.

**Council recessed into Executive Session for Legal.**

**MAYOR'S REPORT:**

See Attached.

Motion to accept the Mayor's Report made by Mr. McKenna; 2<sup>nd</sup> by Mr. Deigh. Motion carries 7-0.

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

Motion made by Mr. Deigh; 2<sup>nd</sup> by Ms. Hill. Motion carries 7-0.

**NEW BUSINESS:**

- a. **2017 Final Budget:** Motion made by Mr. Deigh; 2<sup>nd</sup> by Ms. Hill. Motion carries 7-0.
- b. **Ordinance #783 (2017 Tax Levy):** Public Hearing was open, No Comment, Public Hearing was closed. Motion made by Mr. McKenna; 2<sup>nd</sup> by Mr. Blackson. Motion carries 7-0.
- c. **Resolution #2016-008 (2017 Tax Anticipation Note):** Motion made by Mr. Deigh; 2<sup>nd</sup> by Mr. McKenna. Motion carries 7-0.
- d. **Police Agreement 2017-2020:** Motion to approve made by Ms. Hill; 2<sup>nd</sup> by Mr. Deigh. Motion carries 6-1. Mr. McKenna voted no.
- e. **Permission to Advertise to 2017 Public Meeting Schedule:** Motion made by Mr. McKenna; 2<sup>nd</sup> by Mr. Blackson. Motion carries 7-0.

**COMMUNICATIONS & REPORTS:**

- a. Fire Chiefs Report: See attached.
- b. Historical Commission Report: 1904 Pony Truss Bridge.
- c. Tax Collector Report: See attached.
- d. Library Report: No Report.
- e. William Penn School District Report: Winter concerts.
- f. Ordinance/Zoning: No Report.
- g. Community Relations: No Report.
- h. Municipal Services: No Report.
- i. Public Safety: No Report.
- j. Recreation: No Report.
- k. Finance: Motion made by Mrs. Lites; 2<sup>nd</sup> by Mr. McKenna to approve the paid bills for the month of December. Motion carries 7-0.
- l. Public Relations: No Report.
- m. Solicitors Report: Motion to give authorization to the Borough Solicitor to execute property tax assessment for 1351 Edgehill, 1245 Edgehill and 107 North 6<sup>th</sup> Street made by Mr. Deigh; 2<sup>nd</sup> by Ms. Theorgood. Motion carries 7-0. Motion to settle Bayliss v. Darby made by Mr. McKenna; 2<sup>nd</sup> by Mr. Blackson. Motion carries 7-0.

Motion to accept all reports made by Mr. Deigh; 2<sup>nd</sup> by Mrs. Lites. Motion carries 7-0.

**ADJOURNMENT**

Motion made by Mrs. Lites; 2<sup>nd</sup> by Mr. Blackson. Motion carries 7-0.

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 December 2016  
**TO:** Darby Borough Council  
**FROM:** Eileen W. Mulvena, P.E.  
**RE:** Engineer's Report Thru 15 December 2016

### CDBG – 2015 Concord Road Sanitary Sewer Replacement and Street Resurfacing

This project is completed.

### CDBG – 2016 Golf Road Infrastructure Improvements

The preconstruction meeting was held on December 15. The contractor intends to begin work during spring 2017.

### CDBG – 2017 Application

Grant applications are due on January 11, 2017. The hearing to receive public input for project selection is being held before the Council meeting on December 21.

### Storm Sewer Repairs

The storm sewer repairs at 2<sup>nd</sup> and Main Streets, 3<sup>rd</sup> and Main Streets, and 13<sup>th</sup> and Main Streets, and 422 Spruce St. have been completed.

During the installation of the concrete work at the 13<sup>th</sup> and Main Street intersection a sanitary sewer issued was discovered. Buck Frank excavated and made two repairs to the sanitary sewer system. Final restoration of this trench will be completed in the spring.

### MS4 Separate Storm Sewer Permit

Stormwater tips are being sent to the schools to be read with the daily announcements over the PA system.

Copies of a Hidden Picture Puzzle, Our Borough Supports Clean Water, were delivered to the Darby Free Library in December. A copy was sent to the schools with their December stormwater tip.

We have found a free Webinar “Soil Compaction and Urban Trees: Strategies for Gaining Ground” that Borough Employees can now watch on YouTube as part of the MS4 training requirement.

Please note that the Darby Town Center and the Darby Fire Co. No. 1 have not submitted inspection and maintenance reports as required by their Land Development approvals. The Borough will be held responsible for the non-compliance. It is suggested the Borough send a letter reminding these owners of their responsibilities. Penalties to the Borough can be as much as \$37,500/day. We would like to prepare a letter for the Borough to send notifying both parties of the requirement and to give a date for when it must be submitted to the Borough.

### LED Streetlight Procurement

Construction is expected to be during 2017.

### DCED (Department of Community & Economic Development) Grant Application

The Borough’s application was not approved for funding under this year’s program. The Borough can resubmit next year. Note that the owner of the Darby Town Center parcel remains responsible for the maintenance of the embankment.

### 2017 PECO Green Region Program/Open Space Grants

<https://natlands.org/services/for-municipalities/peco-green-region-program/> Grants will be for amounts up to \$10,000 and may be used to pay for up to 50% of eligible activities. Applications must be postmarked no later than Dec 31, 2016.

### 842/844 Main St.

May marked 3 years since the fire occurred. Has anything been submitted by Mr. Healy regarding improving the site so the adjacent property owner can resolve their issues? The adjacent property owner has a sump pump connected to the sanitary sewer and this needs to be disconnected. It should be done as part of their building envelope improvement.

### Demolitions

143 N. 9<sup>th</sup> Street – the demolition grant application has been submitted to the County. OHCD indicates funding is limited at this time. The project will be included in the list provided to County Council for consideration during the FY 17 program review.

106 N. 6<sup>th</sup> Street – This is a private demo. On behalf of the Borough, Dan Honig, principal of Structures, Inc has met with and reviewed the revised permit application submitted by the demolition contractor. Please note that the contractor is to maintain contact with the Borough Code Department. Dan Honig will be available if there are any concerns; but, is not participating in active inspections of the activity.

611 Walnut Street – It has been weeks since the Borough Manager indicated the owner of the property (bank) has approved the contractor’s proposal for demolition.

109 N. 9<sup>th</sup> St. – NDI forwarded the Borough’s request to have Dan Honig inspect. Will update as information is obtained.

#### Sanitary Sewer Grant Funds

The PA Small Water and Sewer Grant Application was submitted on October 31, 2016 for the replacement of 462 LF of sanitary sewer main and 52 laterals on Golf Road. The grant applications are being reviewed for completeness and will be forwarded to the Commonwealth Financing Authority Board for review at their March 2017 meeting. NDI received a call from the reviewer and answered 4 questions. The reviewer indicated 600 applications were received.

#### EP Environmental Education Grant –

The grant application for \$3,000 for the purchase and installation of storm drain markers was submitted to DCED on December 15, 2016. All awards will be announced on or around Earth Day, April 22, 2017.

#### TreeVitalize 2017 Grant Application – due in January 2017 for spring planting

The Borough is eligible for the Spring 2017 Bare Root Tree Offer. On behalf of TreeVitalize, Plant One Million Trees and Tree Tenders, PHS will order bare root trees large enough for street and park planting. These trees must be planted as public amenities in such areas as along residential or commercial street curbs, within parks or other public properties, or within 10 feet of the sidewalk or street on private property.

#### Stormwater tip

Something we rarely consider is the effect litter and trash has on wildlife. Many wild animals have been displaced into developed areas due to shrinking habitats, often searching trash for food. As a result, it is becoming more common to have animals experiencing razor-sharp injuries from cans, entanglements in six-pack plastic rings, and stomachs filled with plastic bags.

We think it’s okay to throw apple cores and other compostable food out of our car window, never considering it’s actually drawing animals who might then get hit by a car. Deceased animals on our roadways become pollutants to our storm sewer systems.

The exact number of trash-related fatalities among ocean species is unknown; but we do know that stranded whales, turtles, dolphins, and manatees have been found with plastic bags in their stomachs or dead from entanglement. Cigarette butts contain nicotine and are toxic when ingested by marine animals. Animals end up eating a lot of them because they look like fish eggs when the outer wrapping unravels, and they can fill up the animal’s stomach and remain undigested.

What can we do to help? Please keep trash securely in cans with lids, and on windy days, be especially aware. If you see trash and litter, please pick it up. Don't fly balloons as they often are found miles from their starting point, floating on water bodies where they are ingested by marine life. Use reusable shopping bags to reduce the amount of plastic placed into the trash stream. Washing recyclable containers before putting them out at the curb will help reduce critters' interest.

# DARBY FIRE COMPANY #1

## November Monthly Chiefs Report :

### Calls:

Building/Dwelling : 21

Automatic Fire Alarm : 22

Gas Leak : 3

Motor Vehicle Accident : 1

Vehicle : 3

Residential Rescue : 1

Totalling : 68 Incidents.

CO Alarm : 3

Assist EMS : 6

Brush : 1

Investigations : 2

Landing Zone : 4

Cover Up : 1

### Municipalities:

Darby Borough : 27

Yeadon Borough : 20

Collingdale Borough : 10

Colwyn Borough : 8

Upper Darby Township : 2

Darby Township : 1

### 4 Working Fires :

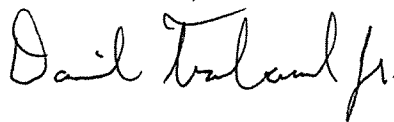
(1) Darby Borough

(1) Colwyn Borough

(1) Collingdale Borough

(1) Upper Darby Township

In Brotherhood,



Daniel Traband Jr.

Chief

Darby Fire Company #1



# Tax Collector's Monthly Report to Taxing Districts

For the month of

November 2016

## Borough of Darby

	REAL ESTATE		INTERIM		PER CAPITA		OTHER	
<b>A: COLLECTIONS</b>								
1: Balance Collectable- Beginning of Month		679691.46	FIRE	22560.42	LIBRARY	11302.55		
2A: Additions: During the Month *								
2B: Deductions: Credits During the Month (Line 17)								
3: Total Collectable		679691.46		22560.42		11302.55		
4: Less Face Collections for the Month		9944.22		330.07		165.36		
5: Less Deletions from the List *								
6: Less: Exonerations *								
7: Less: Liens/ Non-Lienable Installments *								
8: Balance Collectable - End of Month		669747.24		22230.35		11137.19		
<b>B: RECONCILIATION OF CASH COLLECTED</b>								
9: Face Amount of Collections - must agree with line 4		9944.22		330.07		165.36		
10: Plus: Penalties		994.43		33.00		16.52		
11: Less: Discounts								
12: Total Cash Collected per Column		10938.65		363.07		181.88		
13: Total Cash Collected - (12A+12B+12C+12D)								11483.60

\* Attach any supporting Documentation Required by your Taxing District



# Tax Collector's Monthly Report to Taxing Districts

For the month of

November 2016

## Borough of Darby

	REAL ESTATE		INTERIM		PER CAPITA		OTHER	
<b>A: COLLECTIONS</b>								
1: Balance Collectable- Beginning of Month		265230.60		345333.56				
2A: Additions: During the Month *								
2B: Deductions: Credits During the Month (Line 17)								
3: Total Collectable		265230.60		345333.56				
4: Less Face Collections for the Month		4080.00		4236.48				
5: Less Deletions from the List *								
6: Less: Exonerations *								
7: Less: Liens/ Non-Lienable Installments *								
8: Balance Collectable - End of Month		261150.60		341097.08				
<b>B: RECONCILIATION OF CASH COLLECTED</b>								
9: Face Amount of Collections - must agree with line 4		4080.00		4236.48				
10: Plus: Penalties		408.00		423.66				
11: Less: Discounts								
12: Total Cash Collected per Column		4488.00		4660.14				
13: Total Cash Collected - (12A+12B+12C+12D)								9148.14

\* Attach any supporting Documentation Required by your Taxing District



## Code Office Report – November 2016

- Violation Notices sent – 123
- Resale Inspections – 15
- Rental Inspections – 95
- Commercial Inspections – 2
- Building Permits – 11
- Electrical Permits – 2
- Plumbing Permits – 4
- Mechanical Permits – 1
- Miscellaneous Complaints – 362
- Zoning hearings – 0
- Health inspections – 0
- Citations Issued – 325

### Construction:

No major construction

### Miscellaneous:

#### Cease and Desist issued

- 329 North 10<sup>th</sup> Street

#### Unfit for Human Habitation

- 218 Wright Avenue
- 28 N. 10<sup>th</sup> Street
- 30 N. 10<sup>th</sup> Street