

**BOROUGH OF DARBY
BOROUGH COUNCIL MEETING
July 15, 2015**

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, Mr. Donald Deigh, Mrs. Jennifer Parks, Mrs. Esther Lites, Ms. Darlene Hill, Ms. Jillian Theorgood & Mr. Patrick McKenna. Also present was Borough Manager Mark Possenti, Solicitor Raymond Santarelli, Engineer Eileen Mulvena, Code Officer Tom Gaffney and Chief Robert Smythe were present. Mayor Helen Thomas, Ms. Ruby Robinson Munden, Mr. Donald Deigh and Mrs. Jennifer Parks were absent.

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

Pledge of Allegiance.

PUBLIC COMMENT:

C. Wilson-Hughes, 1008 School Street: Thanked Tom Gaffney and Council for all of their help regarding School Street.

John Metts, 1001 School Street: Was happy with what has been going on Forrester Avenue.

ENGINEERS REPORT:

See Attached.

Motion to accept the Engineer's Report made by Mrs. Lites; 2nd by Mr. Blackson. Motion carries 6-0.

MAYOR'S REPORT:

No Report.

APPROVAL OF MINUTES (6/17/15):

Motion made by Ms. Hill; 2nd by Mr. Blackson. Motion carries 6-0.

NEW BUSINESS:

- a. Motion to pay the bills for the month of July made by Ms. Hill; 2nd Mrs. Lites. Motion carries 6-0.

COMMUNICATIONS & REPORTS:

- a. Fire Chiefs Report: See attached.
- b. Historical Commission Report: Discussed the potential study by University of Penn Students.
- c. Tax Collector Report: See attached.

d. Library Report: Monthly Activities Reported.

Council recessed into Executive Session to discuss Personnel, Real Estate and Legal

e. Solicitors Report: No Report

Motion to authorize Council President to execute the agreement between the Chester County SPCA and the Borough of Darby for animal control services pending solicitors review made by Ms. Hill; 2nd Mr. Blackson. Motion carries 6-0.

Motion to extend the lease for Old Borough Hall for two years made by Ms. Theorgood. No 2nd was made so motion fails.

Motion to accept all reports made by Mr. McKenna; 2nd by Mr. Blackson. Motion carries 6-0.

ADJOURNMENT

Motion made by Mrs. Lites; 2nd by Mr. Blackson. Motion carries 6-0.

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: 108 July 2015
TO: Darby Borough Council
FROM: Eileen W. Mulvena, P.E.
RE: Engineer's Report Thru 8 July 2015

Storm Sewer Repairs

The project application previously authorized the repairs to a number of inlets. We will be submitting the paperwork for the repairs to the inlets this coming week.

842/844 Main St.

Last month, Mr. Healy indicated he had met with a contractor, and that he anticipated starting in a week. I have not been notified of a start date. The Borough was going to start citing Mr. Healy beginning June 26, 2015. Please provide the status of the citations and/or permit issuance.

MS4 Separate Stormsewer Permit

I am leaving the MS4 write-up from last month as a place holder. We will need to get started on gathering the information necessary to develop the plan for pollutant reduction.

Last month, DEP hosted a training program for the upcoming MS 4 permit to be issued in 2018. While we have some time before this permit renewal occurs, additional emphasis will be placed on the quality of the water that is discharged through the Borough's stormsewer system. I had previously informed Council that DEP was going to issue TMDLs (Total Maximum Daily Loading) for the Darby and Cobbs Creeks and that each municipality would be required to meet the limits for pollutants set forth in those TMDLs.

Basically, a TMDL establishes the maximum amount of each pollutant found to be compromising the Creeks and requires permittees to institute practices and ordinances that will reduce the pollutants discharged in stormwater so that the water discharged to the Creek will have less than the allowable amount for each pollutant.

Fortunately, the new permit will NOT have a TMDL included. DEP has instead decided to try the "voluntary" route first. When we apply for the next permit renewal, we have to include a plan for reducing the sedimentation and other pollutants discharged through the Borough's stormsewer system. Council will adopt the plan, just as you adopted the plans for the various

MCMs (Minimum Control Measures) as part of the last permit renewal. We will then need to ensure enforcement of the plan.

DEP indicated that this approach would be taken, and if successful (sufficient evidence of reduction in pollutants being discharged), then TMDLs would not be imposed.

To begin the process, we will need to determine a baseline for the various pollutants and then compare it to the levels desired.

Over the past few years, it has been mentioned time and time again that we need to look at where RWCs (Rainwater Conductors) on businesses and housing are discharged. If we implement a program where this review is made and all RWCs that discharge to a paved surface are modified to discharge to grass or a landscape bed, then we are going to reduce pollutants in an inexpensive manner. There are other changes we can make; but, this is certainly a simple one to do and the evidence of it being accomplished is easily inspected.

If we don't take advantage of the simple and inexpensive modifications, then compliance is going to be very expensive in terms of capital outlay and maintenance with the purchase of inlet inserts that will collect and separate grit, oils, trash, etc. And, if these low-hanging fruit approaches do not reduce the pollutant levels sufficiently, then the more costly approaches will need to be pursued.

We will develop a proposed enforcement plan and schedule and review it with Mark and the Code Enforcement Department to ensure it can be readily implemented. This will also require an educational aspect for the public to explain the importance of complying with the DEP standards for pollutant reduction and the long-term impact non-compliance will have on taxes.

MUTCD Sign Assessment Program

The Borough is required to develop a plan for replacement of signage that does not meet current MUTCD regulations. Mark had asked us to do this and we will be starting this work when the weather is suitable. We will do the field inspections initially and will follow-up with the measurement of retroreflectivity at a later date. We are proposing to rent a unit for one month to measure the values in each of the towns we work for, and to split the cost of the rental evenly. We want to limit the rental period to one month, so we are doing the field work in all the towns first, and then following up with the measuring so that we minimize the rental period.

W-Weir Located in Darby Creek

Please advise as to when the 2013 audit is submitted or when an extension is granted as the balance of the work cannot be completed until the contractor is paid for the first phase. The funds for the first phase cannot be released by DCED without the audit submission or an extension for the date of submittal is granted.

The owner of the Darby Town Center will need to address the erosive condition of the embankment abutting the parking lot.

Sewer Policy

Residents are still responsible for lateral repairs in the Borough. I would like Council to consider taking responsibility for replacement and repair of laterals in the street. Lateral repairs/replacements generally cost between \$2,500-\$12,000. This is likely far more costly than the average residents can afford. If the Borough assesses an increase in the maintenance fee, the money could be earmarked for lateral replacements. A \$15 increase may generate \$50,000 enabling the replacement of approximately 5-10 laterals per year. The Borough's contractor would do the work, which ensures the pipe work and street restoration will be done in accordance with Borough standards.

Revisions to the Act 167 Stormwater Management Ordinance

The Borough's Act 167 Stormwater Management Ordinance addresses requirements for reducing run-off during projects involving earth disturbance and/or land development. It is critical that the Building Code Official be aware of the passage of this ordinance as he is the first person to have contact with applicants for permits. Please ensure that the Building Code Official is aware that stormwater reviews are required for all building permits and earth disturbances regardless of SF of cover or disturbance. Please note that enforcement of the Borough's stormwater ordinance is also a requirement of the Borough's MS4 stormwater permit.

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.

Monthly Stormwater Tip

Consider creating a container garden (a collection of one or many plants in containers) and placing them on your sidewalk, parking areas, back yards, rooftops and other impervious areas.

Why Create a Container Garden?

- Container gardens are an attractive addition to any deck or patio, developing a green outdoor oasis.
- Container gardens offer a pervious space to capture rainfall that would otherwise end up in our storm sewers and local waterways.

How to Create a Container Garden

- Purchase or build planters (containers).
- Drill holes in the bottom of the containers if they are not already there. (Planters must contain holes in their base or an overflow mechanism so the plants do not drown during rain storms.)
- Choose native drought and saturation-tolerant plants and trees for low maintenance and minimal watering.
- Fill the planter with soil to 2 inches below the top of the planter.
- Use a mix of soil appropriate to the plant. Ornamental and native plants will thrive in potting soil or topsoil, whereas vegetable plants and herbs require a mix of potting soil and compost/organic matter.
- If you re-plant annually, turn or till the soil once a year to improve infiltration.
- Place container plants along the perimeter of a home or building to catch stormwater runoff from the roof and reduce watering needs

DARBY FIRE PATROL, NO. 2
 "TIS THE DANGER OF OUR CITIZENS PROMPTS US TO DUTY"
 CHESTNUT & MOORE STS.
 DARBY, PA 19023

July 15, 2015

Darby Borough
 Attn: Mayor Helen Thomas
 1020 Ridge Ave
 Darby, PA 19023

Fire Chief's Report for June 2015

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|------------------|---|----------------|---|---------------|----|
| Fire Alarms | 7 | Rescues | 0 | Service Calls | 5 |
| Assist EMS/ P.D. | 1 | Investigations | 0 | Good Intent | 0 |
| MVA w/ Injury | 8 | Gas Leak In | 5 | Brush | 2 |
| Buildings | 7 | Gas Leak Out | 0 | | |
| Cooking Fires | 0 | Fuel Spill | 2 | | |
| Vehicle Fires | 1 | CO Alarms | 3 | | |
| Trash Fires | 1 | Weather | 0 | | |
| Wires | 0 | Fire Police | 1 | Total Calls | 43 |

The building fires occurred on the following dates and times:

6/1/15 at 0148 am 18 N. Front St.

There were no injuries and the fires were kept to the building of origin.

Darby Fire Patrol #2 is pleased to announce that we have been awarded a 2014 Assistance to Firefighters Grant (AFG) from the Federal Emergency Management Agency (FEMA) in the amount of \$39,387.00. We intend to use these funds to purchase an Air Compressor Fill Station. This will assist us in returning our Emergency Air Breathing packs back in service quicker after we return from a building fire.

If you want to reach me with any additional questions or comments, I can always be reached via my personal cell phone or email at edwardgannon@comcast.net.

Very truly yours

Edward J. Gannon 999

Edward J. Gannon III.
 Fire Chief - Darby Fire Patrol #2
 Cell 484-682-4186