

**BOROUGH OF DARBY
BOROUGH COUNCIL MEETING
May 20, 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., Mr. Donald Deigh, Mrs. Jennifer Parks, Mrs. Esther Lites, Ms. Darlene Hill, Mr. Patrick McKenna & Ms. Jillian Theorgood. Also present were Mayor Helen Thomas, Borough Manager Mark Possenti, Solicitor Raymond Santarelli, Engineer Eileen Mulvena, Code Officer Tom Gaffney and Chief Robert Smythe were present. Ms. Ruby Robinson Munden was absent.

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

Pledge of Allegiance.

PUBLIC COMMENT:

Timothy Dopson, 16 N. 9th Street: Concerns regarding the Community.

ENGINEERS REPORT:

See Attached.

Motion for the Council President to execute the letter of intent for street light fixtures made by Mrs. Parks; 2nd by Mrs. Lites. Motion carries 8-0.

Motion to accept the Engineer's Report made by Mrs. Lites; 2nd by Mr. Blackson. Motion carries 8-0.

NRO:

S7S Island Cuisine, 506 Main Street: Operate a Eat In/Take Out Restaurant. Motion to approve made by Mr. Deigh; 2nd by Mrs. Parks pending all final inspections. Motion carries 8-0.

MAYOR'S REPORT:

See Attached.

Motion to accept the Mayor's Report made by Mrs. Parks; 2nd by Mrs. Lites. Motion carries 8-0.

APPROVAL OF MINUTES (4/15/15):

Motion made by Mrs. Parks; 2nd by Mrs. Lites. Motion carries 8-0.

COMMUNICATIONS & REPORTS:

- a. Fire Chiefs Report: See attached.
- b. Historical Commission Report: No Report
- c. Tax Collector Report: See attached.
- d. Library Report: Monthly Activities Reported.
- e. Ordinance/Zoning: Monthly Report.
- f. Community Relations: 2016 Calendar and Newsletter.
- g. Municipal Services: Monthly Report.
- h. Public Safety: Motion to advertise an amendment to Ordinance #631 made by Ms. Theorgood; 2nd by Mr. Deigh. Motion tied 4-4 with President Davis, Mrs. Parks, Ms. Hill and Mr. McKenna voting No. Mayor Thomas broke the vote in favor of permission to advertise.
- i. Recreation: RBI League.
- j. Finance: Motion made by Mrs. Parks; 2nd by Mrs. Lites to approve the paid bills for the month of May. Motion carries 8-0.
- k. Solicitors Report: Motion to approve reimbursement to the William Penn School District for appraisal costs in the amount of 27% of total appraisal costs made by Mrs. Parks; 2nd by Mr. McKenna. Motion carries 8-0.

Motion to accept all reports made by Mrs. Park; 2nd by Ms Theorgood. Motion carries 8-0.

Permission to advertise for a Planning Commission meeting made by Ms. Theorgood; 2nd by Mr. McKenna. Motion carries 8-0.

Permission for Council President to execute a letter of support for DVRPC made by Mrs. Parks; 2nd by Ms. Theorgood. Motion carries 8-0.

ADJOURNMENT

Motion made by Mr. Deigh; 2nd by Mrs. Parks. Motion carries 9-0.

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: 13 May 2015
TO: Darby Borough Council
FROM: Eileen W. Mulvena, P.E.
RE: Engineer's Report Thru 13 May 2015

LED Streetlight Program

The Delaware Valley Regional Planning Commission is preparing a bid for a multi-municipal procurement of LED streetlights. The Borough must approve and send a Letter of Intent to participate in order to be included. The DVRPC is looking for the LOI by May 20, if at all possible. Signing the Letter of Intent does not commit the Borough to participating; but, it does ensure that the Borough will be eligible to participate.

LED streetlighting technology has evolved over the past few years to the point that it is now affordable and consistent. Replacement of standard High Pressure Sodium Streetlights with the LEDs will reduce the Borough's streetlighting costs as well as reduce maintenance costs. LEDs last significantly longer than the other technologies.

The LOI is attached to this report. It is recommended that the Borough execute this LOI at the meeting next week.

Storm Sewer Repairs

Council previously authorized the repairs to a number of inlets. We had applied for funding through the CDBG program; but, did not receive an award this year. Therefore, we will be preparing the paperwork for submittal to PennDOT for approval to use Liquid Fuels monies to make the repairs.

842/844 Main St.

Mr. Healy indicated he has met with a contractor. If he does not start next week, I would ask that violation notices start to be issued. This has been going on for about 2 years now.

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

The balance of the bank stabilization work will be starting shortly as the Borough expects receipt of reimbursement funds within the next few weeks.

The letter informing the owner of the Darby Town Center property that the eroded condition must be corrected was sent last month. This work will have to be done at the time of the Tyler Ave. work so that additional erosion does not occur. The paved area along the rear property will deteriorate if the bank is not stabilized. This is being kept as a placeholder so that we can remember to follow up with the owner for the DTC so that stabilization of the bank on their side of the creek can be completed.

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

Make Yourself a Rain Barrel

During the most common rain event, where 1 inch of rain falls, the roof of a house may drain over 600 gallons of water across the shingles, into the gutters and down through the downspouts. This stormwater is often discharged onto an impervious material, i.e., concrete, asphalt, or a stone bed. An alternate and

preferred method would be to discharge the water from the downspouts to a **rain barrel**.

Rain barrels help reduce the volume of runoff that reaches an impervious surface by storing it for later watering purposes or for release during times when the ground is not saturated. By capturing this water and releasing it when it is not raining, the amount of water directly entering local streams through runoff can be greatly reduced. It also provides for the first flush cleaning of the pollutants that are within the first inch of rainfall falling from a roof.

You can learn to make a rain barrel by attending a free workshop on Sunday, May 17 from 2-4 pm at Media Borough Hall. Register online at www.crcwatersheds.org.

_____, 2015

Ms. Pamela Hague
Program Manager
Foundation for Renewable Energy
and the Environment
PO Box 4139
Wilmington, DE 19807

Re: Pennsylvania Sustainable Energy Finance Program

Dear Ms. Hague:

I am writing on behalf of [organization/governmental unit] (the **Participant**) to express interest in participating in the Pennsylvania Sustainable Energy Finance Program (**PennSEF Program**). The Participant has reviewed the attached description of the PennSEF Program and is interested participating in the program's request for proposals for an ESCO to perform a pre-contract audit. Participant understands that there is no obligation to proceed further if it is not satisfied with the results of the pre-contract audit. Participant understands that it will be eligible to request assistance as described in the attached program description and that the PennSEF Program will inform the prequalified ESCOs of its interest.

Sincerely,

[Printed Name]

[Title]

For [Participant]

Copy: Liz Compitello, DVRPC

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

May 18, 2015

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

Fire Chief's Report for April 2015

Fire Alarms	5	Rescues	0	Service Calls	0
Assist EMS/ P.D.	3	Investigations	0	Good Intent	11
MVA w/ Injury	0	Gas Leak In	5		
Buildings	4	Gas Leak Out	0		
Cooking Fires	2	Fuel Spill	2		
Vehicle Fires	0	CO Alarms	0		
Trash Fires	1	Weather	0		
Wires	0	Fire Police	0	Total Calls	33

The building fires occurred on the following dates and times:

4/2/15 at 2307pm 234 Weymouth Road
 4/3/15 at 0825am 109 Whitely Terrace
 4/13/15 at 1828pm 127 Verlenden Ave
 4/14/15 at 1043am 215 S. 6th Street

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

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 III

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

University of Delaware presentation May 21

From : john Haigis <johnghd@yahoo.com>

Wed, May 20, 2015 01:56 PM

Subject : University of Delaware presentation May 21 1 attachment**To :** markpossenti@comcast.net**Reply To :** john Haigis <johnghd@yahoo.com>

Mark: I am again working downtown tonight and will be unable to report to the Council meeting tonight in person. Would you please announce that the grad students from the University of Delaware Center for Historic Architecture and Design (CHAD) will make a public presentation of their findings from the work they started in Darby last summer. The presentation will be tomorrow night (Thurs., May 21) at the Delaware County Historical Society building in Chester from 7:00-9:00 PM.

As a added bonus, one of the students cataloged the collection donated by Lindy Wardell to the Delaware County Historical Society as a side project and we may hear about that as well.

The presentation is called

**From Meeting Houses to Mill Workers:
Exploring Darby's Heritage**

I think it will be an interesting presentation.

We are also hoping that a presentation can be made to Borough Council in the near future.

Thank you!

John Haigis

 **Capstone Pres Flyer.pdf**
1 MB

Code Office Report – April 2015

- Violation Notices sent – 57
- Snow Violations - 0
- Resale Inspections – 5
- Rental Inspections – 46
- Commercial Inspections – 2
- Building Permits – 8
- Electrical Permits – 2
- Plumbing Permits – 5
- Mechanical Permits – 4
- Miscellaneous Complaints – 86
- Zoning hearings – 0
- Health inspections - 25
- Citations Issued – 27
- Court Hearings – 0

Construction:

Mercy Fitz is currently under construction

Miscellaneous:

Nothing

Cease and Desist issued

- None

Unfit for Human Habitation

- 215 South 5th Street – Unlivable Conditions
- 121 N. Front Street – Unlivable Conditions
- 123 N. Front Street – Unlivable Conditions