

**BOROUGH OF DARBY
BOROUGH COUNCIL MEETING
September 16, 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, Assistant Solicitor John Innelli, Engineer Eileen Mulvena, Code Officer Tom Gaffney and Chief Robert Smythe were present. Mayor Helen Thomas was absent.

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

Pledge of Allegiance.

PUBLIC COMMENT:

Myrtle Gessner, 8410 Gibbs Place Phila., PA: Requested an increase in salaries for Crossing Guards.

Jay Joyner, 745 Fern Street: Issues regarding three properties on his block.

Loretta Guy, 336 N. 10th Street: Complaints regarding her block.

C. Wilson-Hughes, 1008 School Street: Concerns regarding the sinkhole on her street.

Odessa Garner, 106 Summit Street: Complaints regarding properties on her block.

Patrick Threats, 1136 Wycombe Avenue: Increase in Crossing Guards Salaries.

Marietta Scriven, 39 S. 7th Street: Increase in Crossing Guards Salaries.

Al Robinson, 137 N. 10th Street: Comments regarding signs.

Tristian Smith, 1007 Mulberry Street: Comments regarding Dogs & motorcycle parking.

Jermaine Evans, 1001 Mulberry Street: Comments regarding Pit Bulls.

Karla Hunter, 331 N. 10th Street: Comments regarding Dogs & Codes.

ENGINEERS REPORT:

See Attached.

Motion to authorize an additional \$50,000 for Street Repairs made by Mrs. Parks; 2nd by Mr. Blackson. Motion Carries 9-0.

Motion to accept the Engineer's Report made by Mrs. Lites; 2nd by Mr. Blackson. Motion carries 9-0.

MAYOR'S REPORT:

No Report.

APPROVAL OF MINUTES (8/19/15):

Motion made by Mr. Blackson; 2nd by Mrs. Lites. Motion carries 9-0.

NEW BUSINESS:

- a. 2016 MMO- Motion made by Mrs. Parks; 2nd by Mr. Blackson to approve the 2016 MMO for the Police Pension in the amount of \$557,005.00. Motion carries 9-0. Motion made by Mr. Blackson; 2nd by Ms. Hill to approve the 2016 MMO for the Non-Uniform Pension in the amount of \$41,163.00. Motion carries 9-0.
- b. ACA Tracking Agreement – Motion made by Ms. Hill; 2nd by Mr. Blackson to approve the agreement and for the Borough Manager to execute the document. Motion carries 6-0. President Davis, Ms. Munden and Mrs. Parks abstained.
- c. Motion for permission to advertise Ordinance #775 made by Mrs. Parks; 2nd by Ms. Hill. Motion carries 9-0.
- d. Motion for permission to advertise Ordinance #776 made by Mr. Blackson; 2nd by Mr. McKenna. Motion carries 9-0.
- e. Motion for permission to advertise Ordinance #777 made by Ms. Hill; 2nd by Mrs. Parks. Motion carries 9-0.

COMMUNICATIONS & REPORTS:

- a. Fire Chiefs Report: See attached.
- b. Historical Commission Report: Discussed OcTrolley Fest.
- c. Tax Collector Report: See attached.
- d. Library Report: Monthly Activities Reported.
- e. Ordinance/Zoning: Monthly Report.
- f. Community Relations: Christmas Bazaar and Flea Market.
- g. Municipal Services: Monthly Report.
- h. Public Safety: Preparation for the Pope's visit in September.
- i. Recreation: Halloween Events.
- j. Finance: Motion made by Ms. Munden; 2nd by Mrs. Parks to approve the paid bills for the month of September. Motion carries 9-0.

Council recessed into Executive Session to discuss Legal

- k. Solicitors Report: Mr. Innelli is working on an easement agreement with the Darby Meeting House.

Motion to accept all reports made by Mrs. Park; 2nd by Ms. Munden. Motion carries 9-0.

ADJOURNMENT

Motion made by Mrs. Parks; 2nd by Ms. Munden. 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 **ndi**

DATE: 11 September 2015
TO: Darby Borough Council
FROM: Eileen W. Mulvena, P.E.
RE: Engineer's Report Thru 11 September 2015

Storm Sewer Repairs

The title company has provided information related to the ownership of the alleyways between Chestnut and Pine and 5th St. I would like to discuss this with the Solicitor and if he agrees that the Borough can affirm that they have maintenance responsibility, we can complete the project application for the stormsewer improvements that Council previously authorized and get this work done before winter.

FIRM

Mark and I met with representatives of FEMA to review the Borough's program for monitoring development in the floodplain. NDI has developed a preliminary listing of all properties located within the floodplain and this list will be reviewed by the Code Department prior to issuance of any building permits to ensure that the Borough's floodplain ordinance is enforced

842/844 Main St.

I have heard nothing from the Borough or Mr. Healy regarding the court date or whether work is going to be done to stabilize the site where the demolition occurred. This has been 2 ½ years now and after last night's rain, I can only imagine the water that went into the dry cleaners.

The Borough began citing Mr. Healy beginning June 26, 2015 according to Tom Gaffney. Mr. Healy has not responded to any of these citations?

MS4 Separate Stormsewer Permit

We will begin the work necessary for the application for the follow-up permit in 2016. In addition, inspections of outfalls will begin shortly so we satisfy the Plans the Borough adopted.

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.

Monthly Stormwater Tip

At the end of the summer season, there may be bare spots on your lawn. Please vegetate these areas so the bare soil cannot run-off in the rain to the streets. This sediment is one of the primary pollutants reaching the Darby Creek.

And, a reminder, that if you fertilize your lawn, September to mid-October is the best time to do so.

DARBY FIRE PATROL, NO. 2

"TIS THE DANGER OF OUR CITIZENS PROMPTS US TO DUTY"
CHESTNUT & MOORE STS.
DARBY, PA 19023

September 3, 2015

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

Fire Chief's Report for August 2015

Fire Alarms	15	Rescues	0	Service Calls	0
Assist EMS/ P.D.	2	Investigations	2	Good Intent	1
MVA w/ Injury	3	Gas Leak In	2	Brush	2
Buildings	6	Gas Leak Out	0		
Cooking Fires	0	Fuel Spill	1		
Vehicle Fires	0	CO Alarms	2		
Trash Fires	3	Weather	0		
Wires	0	Fire Police	0	Total Calls	39

Two building fires occurred this past month on the following dates and times:

8/16/2015 1100 Chestnut St. @ 1:20 am

8/17/2015 624 Greenway Ave @ 10:35 am

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

Both Darby Fire Company #1 and Darby Fire Patrol #2 are actively making plans to serve and protect the citizens of Darby during the Papal Visit in September.

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

Code Office Report – September 2015

- Violation Notices sent – 212
- Snow Violations - 0
- Resale Inspections – 5
- Rental Inspections – 45
- Commercial Inspections – 2
- Building Permits – 5
- Electrical Permits – 3
- Plumbing Permits – 4
- Mechanical Permits – 0
- Miscellaneous Complaints – 252
- Zoning hearings – 0
- Health inspections - 0
- Citations Issued – 10
- Court Hearings – 8

Construction:

Currently NO major construction projects

Miscellaneous:

3 new ordinances will be presented to the committee tonight

Cease and Desist issued

- 309 Main Street
- 40 Summit Street
- 100 South 4th Street
- 117 Spring Valley
- 121 Spring Valley

Unfit for Human Habitation

- 117 Spring Valley
- 45 Concord Road
- 211 North 9th Street
- 99 Chester Pike