

BOROUGH OF DARBY
BOROUGH COUNCIL MEETING
September 20, 2023

The Darby Borough Council met in Borough Council Chambers on the above date with the following members present: President Rudolph Taylor, III, Vice President Tracy Williams (via telephone), Ms. Hill, Ms. Davis, Mr. Robinson, Mr. Thompson, Mrs. Pratt and Mrs. Parks. Also present was Borough Manager Mark Possenti, Police Chief Joseph Gabe. Borough Solicitor Charles Gibbs & Borough Engineer Eileen Mulvena. Mayor Darren Burrell and Mrs. Rozeta Johnston were absent.

President Taylor called the meeting to Order at 7:00 p.m. followed by Roll Call.

Pledge of Allegiance

Motion made by Ms. Davis; 2nd by Mrs. Pratt to promote Joseph O'Donnell, Jr. to the position of Lieutenant in the Darby Borough Police Department and dismissing the one-year probationary period. Motion carries 8-0.

Judge Forbes swore in Joseph O'Donnell, Jr.

PUBLIC COMMENT:

Lynne Deshields, 307 South 7th Street: Thanked everyone for the bookbag giveaway last week. Wants everyone to participate in the inside Halloween party this year. Reminded everyone of OcTrolley Fest.

Leatha Walker, 1317 Edgehill: Complaints regarding her neighbor with trash, parking and respect for the neighborhood.

LaVerne Tolbert, 614 Spruce Street: Wanted to make a complaint regarding all her neighbors and how they act in the neighborhood.

ENGINEERS'S REPORT:

See Attached.

Motion to contract award Eagle Contracting in the amount of \$821,000 for the infrastructure improvements to North 2nd Street pending verification that all paperwork is in order made by Ms. Davis; 2nd by Ms. Hill. Motion carries 8-0.

Motion to accept CSX Agreement CSX985401 for the Borough's storm sewer located within the CSX Right of way at 6th and Main pending review by the Borough Solicitor and agreement of final form by both parties motion made by Mrs. Parks; 2nd by Ms. Hill. Motion carries 8-0.

Motion to authorize payment to CSX in the amount of \$17,742 for the license covered by agreement CSX985401 made by Ms. Hill; 2nd by Ms. Davis. Motion carries 8-0.

Approval of August 16, 2023 – Council Meeting Minutes, Engineers, Library, Ordinance/Zoning, Finance, Municipal Services, Public Safety, Community Relations and the Recreation Center Reports and Minutes:

Motion made by Ms. Hill; 2nd by Mrs. Parks to approve the minutes & report. Motion carries 8-0.

NEW BUSINESS:

- a. **Paid Bills – September 2023:** Motion made by Mrs. Parks; 2nd by Mr. Thompson to pay the bills for the month of September 2023. Motion carries 8-0.
- b. **Approval of a 24 month Electric Contract with Evolution Energy:** Motion made by Mrs. Pratt; 2nd by Ms. Davis. Motion carries 8-0.
- c. Motion made by Mr. Thompson; 2nd by Mrs. Pratt to terminate the NA Contract for use of the Recreation Center. Motion carries 7-1. Ms. Davis voted No.

COMMUNICATIONS & REPORTS:

- a. Fire Chiefs Report: See attached.
- b. Tax Collectors Report: See attached. Motion to transfer \$58,919.86 from the Tax Fund to the Sewer Fund made by Mr. Thompson; 2nd by Mrs. Pratt. Motion carries 8-0.
- c. Solicitors Report: Motion made by Mr. Thompson; 2nd by Mrs. Pratt to open the Ordinance Public Hearing. Motion carries 8-0. Motion made by Ms. Hill; 2nd by Mrs. Pratt to adopt Ordinance #804. Motion carries 8-0. Motion made by Mr. Thompson; 2nd by Mrs. Pratt to adopt Ordinance #805. Motion carries 8-0.
- d. Police Chiefs Report: Chief Gabe gave the monthly crime stats report.
- e. Managers Report: Motion made by Mrs. Pratt; 2nd by Mr. Thompson to hire Simone Neal & Christopher Flood as Crossing Guards. Motion carries 8-0. Motion made by Mr. Thompson; 2nd by Mrs. Pratt to reject the bid for 1000 Main Street. Motion carries 8-0. Motion made by Mrs. Pratt; 2nd by Mr. Robinson to readvertise the bid for 1000 Main Street. Motion carries 8-0. Motion made by Mr. Thompson; 2nd by Mrs. Pratt to sale Borough items on Municibid. Motion carries 8-0. Motion to accept the bid for 868 Main Street made by Ms. Davis; 2nd by Mrs. Parks. Motion fails 5-3. Ms. Hill, Mrs. Williams, Mr. Thompson, Mrs. Pratt and Mrs. Parks voted No. Motion made by Mr. Thompson; 2nd by Mrs. Pratt to readvertise the bid for 868 Main Street. Motion carries 7-1. Ms. Davis voted No.

Motion to accept the Fire Chief, Tax Collector, Police Chief and Managers Reports made by Mr. Robinson; 2nd by Mrs. Pratt. Motion carries 8-0.

ADJOURNMENT

Motion to adjourn made by Ms. Hill; 2nd by Mr. Robinson. Motion carries 8-0.

Respectfully Submitted,

Mark Possenti
Manager/Secretary
Borough of Darby

MEMORANDUM

CIVIL COLLABORATIVE CONCEPTS, LLC

2205 Parkview Drive
Haverford, PA 19041
(610) 496-0042

DATE: 8 September 2023
TO: Darby Borough Council
FROM: Eileen W. Mulvena, P.E.
RE: Engineer's Report Thru September 8, 2023

Current Month Activity:
Ordinary Street and Sewer Maintenance

Gargiule has completed the sanitary sewer system repairs at 6th/Cedar and 6th/Walnut. They will do final restoration after a 60-90 settlement period.

Liquid Fuels

An ordinance must be passed by Borough Council that has the Borough adopt Londonderry Lane, Coventry Avenue, Shetland Road, and Glen Cove Road. If the Borough adopts these streets, then they can receive additional liquid fuels funds for the mileage of these streets.

Grants

PennDOT Pedestrian Improvements on Main St. at 5th and 6th: There have been intermittent meetings with all parties to discuss this project and to resolve ownership and maintenance issues related to this project. The final issue to be resolved is the Borough's license with CSX for the existing stormsewers that cross the CSX Right-of-Way. There are 3 stormsewer lines and the Borough's position is that two are ours and the third one is CSX's. CSX conducted a title search and no definitive ownership for the third line was identified. Fortunately, CSX has agreed to remove the third line from the licensing agreement, which reduces the fee to be paid to CSX. Additionally, the Borough has offered to clean the third line annually. At the meeting on September 7, the CSX representative indicated he will request the licensing fee be waived in recognition of the Borough's offer to clean the third line annually. The next meeting is scheduled for 9/20/23 so an update should be available at the Council meeting.

Delco Greenways Grant Round 1: A meeting was held with the County to discuss next steps. We are working to review the requirements for this grant to determine the Borough's next actions. This is for the acquisition of multiple properties abutting Cobbs Creek.

Delco Greenways Grant Round 3: The Borough is able to proceed with the acquisition of the properties known as 28/30 S. 5th St.

Delco Greenways Grant Round 4: Grant applications are being accepted through September 29, 2023. I met with Jamie Anderson of the EDCSC, and she is going to propose to the group that

the group works with us to prepare the application for the design and construction of a stormwater management facility and passive recreational area at MacDade Blvd/Ridge Ave.

A construction application is being prepared for the development of the tot lot at 28/30 S. 5th St.

2023 Community Project Fund Grant: A grant application was submitted on March 20 to US Representative Mary Gay Scanlon's office and it covered the replacement of the sanitary sewer main and street laterals on Fern St. between 4th Street and Damon's Lane.

CFA Local Share Grant (Statewide): Bids will be ready for Council to consider an award at the September Council meeting. The scope of work includes replacement of the sanitary sewer main and street laterals on North 2nd St.

2021 CDBG/2018 PA Small Water and Sewer Grant: The contractor work on 13th St. has been completed. Requests for payment to the County and the State to pay the contractor's invoices will be prepared and submitted. These projects will then be closed.

2022 CDBG: The Borough attended the project kickoff meeting hosted by the County on July 20, 2022. Note that the funding received leaves approximately a 50% shortfall; the Borough has applied for a PA Small Water & Sewer grant to cover the balance of funds needed.

2023 CDBG: The Borough has received notice that both applications for the 2023 CDBG program were approved for funding by County Council. The Priority project was Sanitary Sewer Improvements to 12th St; the alternate project was storm sewer improvements on New Walnut St.

2022 PA Small Water and Sewer Grant – This application was submitted on 12/21/22. This application requested the additional funds needed for 14th St, funding for N. 2nd St sanitary sewer replacement, and partial funding of 12th Street sanitary sewer improvements.

PECO Open Space grant: a grant application was submitted on October 27, 2022 for the addition of an accessible route and picnic tables for Powell Park. The project cost was \$20,000 with a grant request of \$10,000.

Blight Remediation Grant: The demolition and site restorations have been completed for 304 Marks Ave. and 621 Main St. We have requested the remaining funds be permitted for the remediation of 129/131/133 Whitely Terrace. This request is being considered at the Commonwealth Financing Authority's March Board meeting. Additional funds in the amount of \$100,000 are required in order to complete this effort. Property owners should be asked if they have homeowner's insurance. Otherwise, we need to identify a funding source. If these properties are not remediated, they will cause the remaining homes in this attached dwelling block to begin deteriorating.

MS4 (Municipal Separate Storm Sewer System): The annual report was submitted by 9/30/22.

Stormwater Tip:

Reducing pollutants in the waters of the Commonwealth has been mandated by the Department of Environmental Protection (DEP) under the MS4 program stormwater management permits. For many years, we have been stressing infiltration of the first inch of run-off, as the first inch has the highest quantity of pollutants. While infiltration reduces the amount of sediment that reaches the waters of the Commonwealth, it also provides for volume reduction. Storm events are changing – they are more severe and occur more

frequently. With these changes, volume reduction will become more important. Traditional storm sewers convey runoff directly to the waters of the Commonwealth with no reduction in volume or reduction in pollutants/sediment. It appears DEP will be requiring greater attention to volume reduction during the next 5-year permit period, beginning in 2024. Once the new permit becomes available, we will have an understanding of the commitment required to meet the permit.

August Fire Chief's Report

Dear Council President, Council members and the general public,

During the month of August, Darby Fire Company responded to 70 calls for service. There were no working fires in Darby.

*****FUTURE EVENTS*****

With the fall months coming we'd like to remind everyone to have their heater exhaust vents and chimney flues inspected before turning your heat on!

Also with daylight savings time approaching remember to change the batteries in your smoke detectors!

Be Safe and Stay Healthy!

Vincent Lanni

Fire Chief

Darby Fire Co. #1

September 20, 2023

Tax Collector's Report:

1- Real Estate Tax Collected for the month of August 2023:
\$51,447.15

2- Fire Tax Collected for the month of August 2023:
\$1,312.84

3- Library Tax Collected for the month of August 2023:
\$657.92

Total Collected in Taxes for the Month of August 2023: \$53,417.91

1- Sewer Fees Collected for the month of August 2023:
\$58,919.86

2- Trash Fees Collected for the month of August 2023:
\$15,160.10

Total Collected in Fees for the Month of August 2023: \$74,079.96

MOTION NEEDED:

Motion to transfer \$58,919.86 from the Tax Fund to the Sewer Fund.

00, LP
8-0

Tax Collector's Monthly Report to Taxing Districts

For the month of

August 2023

Darby Borough

	REAL ESTATE	INTERIM		PER CAPITA		OTHER
		OTHER		OTHER		
A: COLLECTIONS	<i>Real Estate</i>	<i>Fire</i>		<i>Library</i>		
1. Balance Collectable- Beginning of Month	945,132.57	24,117.85		12,085.64		
2A: Additions: During the Month *						
2B: Deductions: Credits During the Month (Line 17)						
3: Total Collectable	945,132.57	24,117.85		12,085.64		
4: Less Face Collections for the Month	46,881.02	1,196.29		599.51		
5: Less Deletions from the List *						
6: Less: Exonerations *						
7: Less: Liens/ Non-Lienable Installments *						
8: Balance Collectable - End of Month	898,251.55	22,921.56		11,486.13		
B: RECONCILIATION OF CASH COLLECTED						
9: Face Amount of Collections - must agree with line 4	46,881.02	1,196.29		599.51		
10: Plus: Penalties	4,586.41	117.07		58.67		
11: Less: Discounts	20.28	0.52		0.26		
12: Total Cash Collected per Column	51,447.15	1,312.84		657.92		
13: Total Cash Collected - (12A+12B+12C+12D)						53,417.91

* Attach any supporting Documentation Required by your Taxing District

C: PAYMENT OF TAXES			
14: Amount Remitted During the Month *			
Date	Transaction #	Amount	TOTAL OF ALL TAXES
8/29/2023	M080101000	127,497.87	
Total		127,497.87	
15: Amount Paid with this Report Applicable to this Reporting Month			
Transaction #			
16: Total Remitted This Month			
17: List, Other Adjustments *			
Parcel #	Name	Amount	
Total			

Taxing District Use (Optional)	
Carryover from Previous Month	\$ _____
Amount Collected this Month	\$ _____
Less Amount Paid this Month	\$ _____
Ending Balance	\$ _____

Received by: _____ Title _____ Date _____
I acknowledge receipt of this report

Tax Collector's Monthly Report to Taxing Districts

For the month of

August 2023

Darby Borough

	REAL ESTATE	INTERIM		PER CAPITA		OTHER
		OTHER		OTHER		
A: COLLECTIONS	<i>Sewer</i>	<i>Trash</i>				
1. Balance Collectable- Beginning of Month	602,872.46	337,330.00				
2A: Additions: During the Month *						
2B: Deductions: Credits During the Month (Line 17)						
3: Total Collectable	602,872.46	337,330.00				
4: Less Face Collections for the Month	53,587.22	13,825.00				
5: Less Deletions from the List *						
6: Less: Exonerations *						
7: Less: Liens/ Non-Lienable Installments *						
8: Balance Collectable - End of Month	549,285.24	323,505.00				
B: RECONCILIATION OF CASH COLLECTED						
9: Face Amount of Collections - must agree with line 4	53,587.22	13,825.00				
10: Plus: Penalties	5,336.99	1,343.00				
11: Less: Discounts	4.35	7.90				
12: Total Cash Collected per Column	58,919.86	15,160.10				
13: Total Cash Collected - (12A+12B+12C+12D)						74,079.96

* Attach any supporting Documentation Required by your Taxing District

C: PAYMENT OF TAXES			
14: Amount Remitted During the Month *			
Date	Transaction #	Amount	
8/29/2023	M080101000	127,497.87	
		Total	127,497.87
15: Amount Paid with this Report Applicable to this Reporting Month			
		Transaction #	
16: Total Remitted This Month			
17: List, Other Adjustments *			
Parcel #	Name	Amount	
		Total	

Taxing District Use (Optional)

Carryover from Previous Month	\$ _____
Amount Collected this Month	\$ _____
Less Amount Paid this Month	\$ _____
Ending Balance	\$ _____

Received by: _____ Title _____ Date _____
I acknowledge receipt of this report