

**BOROUGH OF DARBY
BOROUGH COUNCIL MEETING
January 19, 2022**

The Darby Borough Council met via Zoom on the above date with the following members present: President Jennifer Parks, Vice President Darlene Hill, Mrs. Holmes-Williams, Ms. Davis, Mr. Taylor, Mr. Robinson, Mr. Thompson and Mrs. Pratt. Also present was Mayor Burrell, Borough Manager Mark Possenti, Police Chief Joseph Gabe, Borough Engineer Eileen Mulvena & Borough Solicitor Charles Gibbs.

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

PUBLIC COMMENT:

Paula Brown, 206 Highland Ave: Comments regarding who wrote the Tax Collector description and why weren't the bills for the Engineer and Solicitor on the bills list.

NRO:

Sheldon McEwan, 820 Main Street: Operate a barber shop. Tabled until Code Enforcement completes a full inspection.

Shanice Porter, 140 Powell Ave: Studio space for beauty professionals with salon services. Tabled.

NEW BUSINESS:

- a. **Paid Bills – January 2022:** Motion made by Ms. Davis; 2nd by Mr. Thompson to pay the bills for the month of January 2022. Motion carries 8-0.
- b. **Approval of December 15, 2021 – Council Meeting Minutes:** Motion made by Ms. Hill; 2nd by Mr. Taylor. Motion carries 8-0.
- c. **Approval of January 3, 2022 – Re-org Meeting Minutes:** Motion made by Mr. Taylor; 2nd by Mr. Thompson. Motion carries 8-0.
- d. **Approval of Resolution 2022-002 (Bank Signors):** Motion to approve Resolution 2022-002 made by Mrs. Pratt; 2nd by Mr. Thompson. Motion carries 8-0.
- e. **Salt Contract:** Motion to allow the Borough Manager to fill out the proper documents for the 2022/2023 salt contract made by Mr. Taylor; 2nd by Mrs. Pratt. Motion carries 8-0.
- f. **Handicap Application:** Motion made by Mrs. Pratt; 2nd by Mr. Thompson to approve 333 S. 6th Street, 207 N. 10th Street & 1143 Glen Avon. Motion carries 8-0.

COMMUNICATIONS & REPORTS:

- a. Tax Collectors Report: See attached. Motion to approve the Tax Collectors Report made by Mr. Taylor; 2nd by Mr. Robinson. Motion carries 8-0.
- b. Mayors Report: Mayor Burrell read the resignations of Part Time Officers Kevin Bottomley and Joseph Yocum.
- c. Engineers Report: Motion to authorize a contract award to Ernel Co. for the demo of 621 Main Street in the amount of \$78,380 made by Ms. Hill; 2nd by Mr. Taylor. Motion carries 8-0. Motion to authorize a contract award to Ernel Co. for the demo of 304

Marks Avenue in the amount of \$172,280 made by Ms. Davis; 2nd by Mr. Taylor. Motion carries 8-0. Authorize the advertisement of Street improvements to 13th Street upon receipt of approval from Delaware Count OHCD made by Ms. Davis; 2nd by Mr. Taylor. Motion carries 8-0.

Council recessed into Executive Session for personnel and potential litigation.

- d. Solicitors Report: Motion made by Ms. Davis; 2nd by Mr. Taylor to approve Resolution 2022-003 to declare the office of 1st ward council seat vacant. Motion carries 8-0. Motion made by Mr. Taylor; 2nd by Ms. Davis to approve Resolution 2022-004 to declare the office of Tax Collector vacant. Motion carries 8-0. Motion made by Ms. Davis; 2nd by Mr. Thompson to table Resolutions 2022-005 & 006. Motion carries 8-0. Police Chiefs Report: Chief Gabe gave the monthly crime stats report.
- e. Managers Report: Motion made by Ms. Davis; 2nd by Mr. Taylor to approve the Vision Benefits agreement rate hold agreement beginning April 2022 to March 2024 at the renewal rate of \$8.95 per employee. Motion carries 8-0. Motion to approve Resolution 2022-007 regarding the ACT 537 Plan Update made by Ms. Davis; 2nd by Mr. Taylor. Motion carries 8-0.

Motion to approve all Communications and Reports made by Mr. Robinson; 2nd by Mr. Thompson. Motion carries 8-0.

ADJOURNMENT

Motion made by Mr. Taylor; 2nd by Mrs. Holmes-Williams. Motion carries 8-0.

Respectfully Submitted,

Mark Possenti
Manager/Secretary
Borough of Darby

**Tax Collector's Monthly Report to Taxing Districts
For the Month of December, 2021
Darby Borough Taxing District**

0.00

A: COLLECTIONS		REAL ESTATE	FIRE	LIBRARY	TRASH	SEWER	
1:	Balance Collectable- Beginning of Month	616,115.14	17,554.34	8,796.68	242,475.00	327,520.67	
2A:	Additions: During the Month *						
2B:	Deductions: Credits, Homestead						
3:	Total Collectable	616,115.14	17,554.34	8,796.68	242,475.00	327,520.67	
4:	Less Face Collections for the Month	94,879.09	2,721.22	1,363.66	40,260.00	53,342.40	
5:	Less Deletions from the List *						
6:	Less: Exonerations *	-32,980.00					
7:	Less: Liens/Non-Lienable Installments *						
8:	Balance Collectable - End of Month	521,651.60	14,833.12	7,433.02	202,215.00	274,178.27	
B: RECONCILIATION OF CASH COLLECTED							
9:	Face Amount of Collections - must agree with line 4	94,879.09	2,721.22	1,363.66	40,260.00	53,342.40	
10:	Plus: Penalties	9,488.01	272.21	136.44	4,026.00	5,334.29	
11:	Less: Discounts						
	+/- Over/Under Payments	3,656.44					
12:	Total Cash Collected per Column	108,023.54	2,993.43	1,500.10	44,286.00	58,676.69	
13:	Total Cash Collected - (12A+12B+12C+12D)						215,479.76

* Attach any supporting Documentation Required by your Taxing District

MEMORANDUM

CIVIL COLLABORATIVE CONCEPTS, LLC

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

DATE: 19 January 2022
TO: Darby Borough Council
FROM: Eileen W. Mulvena, P.E.
RE: Engineer's Report Thru January 19, 2022

Current Month Activity:
Ordinary Street and Sewer Maintenance

Commerce Street Sanitary Sewer: Gargiule will be excavating to repair a lateral connection from the rear unit of 7 S. 6th St. It connects directly to a manhole and is broken approximately 10 feet from the connection. They will also rehabilitate the manhole as it is experiencing groundwater infiltration through the brick walls and fill the void in the street that has developed over the years due to the failed lateral.

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, than they can receive additional liquid fuels funds for the mileage of these streets.

Grants

2021 CDBG: The Borough has been awarded grant funds in the amount of \$238,299.00 to make sanitary sewer improvements on 13th Street from Main Street to the Darby Creek. Bid specs have been submitted to OHCD for approval prior to advertising.

2022 CDBG: The Borough's application to do street improvements on 14th St between Main St. and the Darby Creek was submitted on January 7, 2022. The County Council will likely announce awards in April 2022.

2018 PA Small Water and Sewer Grant – this project is also being funded by the 2021 CDBG program; we expect to bid this during February 2022. The Borough has requested an additional extension to this grant performance period through October 31, 2022.

Blight Remediation Grant: The Borough has been awarded grant funding in the amount of \$300,000.00 for the demolition of 621 Main Street and 304 Marks Avenue.

Bids were opened for the Demolition of 621 Main St. on December 10, 2022. A bid tabulation is attached. The Solicitor has opined that an award may be made to the lowest responsible bidder, Ernel, Co. for a contract amount of \$78,380. While the price is slightly higher than that of BRB

Contractors, Inc., it is recommended that it is appropriate to make an award for the following reasons:

- Past experience with BRB resulted in the Borough expending additional engineering, administrative, and police effort that exceeds the difference in price between the two bidders
- Pricing provided by BRB to fill in the front step area is thought to be underestimated by a significant amount.
- BRB did not disclose a contract termination within the past five years as required in the bid documents.

Bids were opened for the Demolition of 304 Marks Ave on January 12, 2022. A bid tabulation is attached. The Solicitor has opined that an award may be made to the lowest responsible bidder, Ernel, Co., for a contract price of \$172,270. As with the demo of 621 Main St., the following comments are made regarding the bid submitted by BRB:

- Past experience with BRB resulted in the Borough expending additional engineering, administrative, and police effort that will be exacerbated if an award is made at the bid price
- Pricing provided by BRB to demolish one-half of a twin and stabilize the remaining half is significantly underestimated and will not result in structural stabilization and exterior finishes of 302 Main St to be performed in accordance with the bid documents.
- BRB did not disclose a contract termination within the past five years as required in the bid documents.

County Demolition Fund: Funding to demolish 901-905 Springfield Road is being pursued. Due to the proximity to the Darby Creek, DEP permits will be required.

Stormwater Tip:

Start shoveling early! The more snow you remove, the less salt and sand you'll need. Below are some do's and don'ts when shoveling or plowing snow:

Do:

- Pile snow in locations with the most opportunity to infiltrate into the ground.
- Pile snow in areas where water does not pond.
- Clear away any snow that may have been thrown onto the storm drains
- Clear your downspouts to allow melting roof snow to flow and not collect at your foundation.
- Pay special attention to places that are eroding during snow melt, and make a plan to improve these areas in spring using plants that can slow and stop erosion, like native grasses and meadow plants or native trees and shrubs.

Don't:

- Do not pile snow on top of storm drains or near water bodies and wetlands.
- Do not pile snow onto rain gardens or bio retention areas.
- Do not over use de-icing chemicals and salts, and avoid spreading around sensitive areas like waterways.

Date: 1/12/2022

Bid Opening: Darby Borough, Demolition and Site Restoration of 304 Marks Ave

Bidder: Ernel, Inc. BRB Contractors

Lot 1. General Demolition of 304 Marks Avenue

1.1 Demolition and restoration of 304 Marks Ave.	\$ 154,770.00	\$ 34,500.00
1.2 Option – Services of Industrial Hygienist	\$ 7,500.00	\$ 7,500.00
1.3 Option – Stucco Crack Reduction System	5/SF	13/SF
1.4 Option – Additional Control Joints	7/LF	2/LF

Lot 2 – Extra Labor and Equipment

Total	\$ 172,270.00	\$ 52,000.00
-------	---------------	--------------

Bid Bond	Yes	Yes
Non-Collusion	Yes	Yes
References		Yes

Date: 12/10/2021

Bid Opening: Darby Borough, Demolition and Site Restoration of 621 Main St

Bidder: Ernel, Co BRB Contractors, Inc.

Lot 1. General Demolition of 621 Main Street

1.1 Demolition and restoration of 621 Main St.	\$ 48,580.00	\$ 50,800.00
1.2 Option – Fill in front wall opening	\$ 11,800.00	\$ 5,000.00
1.3 Option – Trenchless Abandonment of sewer lateral at the main	\$ 500.00	\$ 4,200.00
1.4 Option – Services of Industrial Hygienist	\$ 7,500.00	\$ 7,500.00

Lot 2 – Extra Labor and Equipment

Total	\$ 78,380.00	\$ 77,500.00
-------	--------------	--------------

Bid Bond	Yes	Yes
Non-Collusion	Yes	Yes
References	Yes	Yes