

**BOROUGH OF DARBY
BOROUGH COUNCIL MEETING
March 20, 2024**

The Darby Borough Council met in Borough Council Chambers on the above date with the following members present: President Lucille Pratt, Vice President Darlene Hill, Tracy Williams, Cheryl Butts, Alfred Robinson, Janice Davis, Edna Stockley and Jennifer Parks. Also present was Mayor Darren Burrell, Borough Manager Mark Possenti, Police Chief Joseph Gabe & Borough Engineer Eileen Mulvena. Mr. Omar Thompson & Borough Solicitor Charles Gibbs were absent.

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

Pledge of Allegiance

There was a special presentation from Park Lane Elementary School regarding street soccer USA program which supports the youth development.

Mayor Burrell, Council President Pratt and Vice President Darlene Hill presented an award to Former Mayor Helen R. Thomas for her service to the Community.

Mayor Burrell and Council President Pratt presented an awards to Vice President Darlene Hill, Council Members Jennifer Parks & Janice Davis for their service to the Community.

Mayor Burrell, Council President Pratt and Vice President Darlene Hill presented the Merit Award to Officers Murphy and Linvill for their heroic efforts.

PUBLIC COMMENT:

Paula Richards, 206 Highland Avenue, Asked for Council to consider to bring the PAL Program back to the Borough. Asked for Council to rescind their vote on 1000 Main Street and take back the property.

Wanda Starling, 925 Forrester Avenue, Just wanted to thank Council for given her the opportunity to present her business in the community.

Lynn DeShields, 308 South 7th Street, Told Council that the Library Birthday party and Borough Easter Egg Hunt were great events. She wants everyone to get out and vote.

NRO's:

Kareem Cox, 896 Main Street, to operate a food business with dine in operations. Motion to approve pending final inspection, all proper paperwork is filed in the Code Office, if any work needs to be done all proper permits are applied for in a timely matter and if business operates outside of their NRO a Cease and Desist will be issued immediately and will not be able to operate until a hearing is held in front of the Ordinance Committee made by Ms. Hill; 2nd by Mrs. Parks. Motion carries 8-0.

Theophilus Kabangai, 875 Main Street, to operate a community, non-profit free clinic. Motion to approve pending final inspection, all proper paperwork is filed in the Code Office, if any work needs to be done all proper permits are applied for in a timely matter and if business operates

outside of their NRO a Cease and Desist will be issued immediately and will not be able to operate until a hearing is held in front of the Ordinance Committee made by Mrs. Parks; 2nd by Ms. Hill. Motion carries 8-0.

LaToya Blankson, 892 Main Street, to operate a hair braiding shop with clothing and jewelries. Motion to approve pending final inspection, all proper paperwork is filed in the Code Office, if any work needs to be done all proper permits are applied for in a timely matter and if business operates outside of their NRO a Cease and Desist will be issued immediately and will not be able to operate until a hearing is held in front of the Ordinance Committee made by Ms. Davis; 2nd by Mrs. Stockley. Motion carries 8-0.

Juanita Cooper, 528 Main Street, to operate a Café. Motion to table made by Mrs. Parks; 2nd by Ms. Davis. Motion carries 8-0.

ENGINEERS'S REPORT:

See Attached.

MAYOR'S REPORT:

No Report.

Approval of February 28, 2024 – Council Meeting Minutes, Engineer's, Ordinance/Zoning, Community Relations, Finance, Public Safety, Municipal Service, Library, Recreation Center Reports and Minutes made by Ms. Davis; 2nd by Mrs. Parks. Motion carries 8-0.

NEW BUSINESS:

- a. **Paid Bills – March 2024:** Motion made by Ms. Davis; 2nd by Mr. Robinson to pay the bills for the month of March 2024. Motion carries 8-0.
- b. **Motion to adopt Ordinance #810 (DROP):** Motion to adopt Ordinance #810 made by Mrs. Parks; 2nd by Ms. Hill. Motion carries 8-0.
- c. **Motion to adopt Ordinance #811 (Pension Benefits):** Motion to adopt Ordinance #811 made by Ms. Davis; 2nd by Ms. Hill. Motion carries 8-0.
- d. **Conditional hire Jimmy Rodriguez as a Part Time Police Officer:** Motion made by Mrs. Parks; 2nd by Mr. Robinson. Motion carries 8-0.
- e. **Conditional hire Andrew Carroll as a Part Time Police Officer:** Motion made by Ms. Hill; 2nd by Mrs. Parks. Motion carries 8-0.
- f. **Conditional hire Patrick Gaffney as a Part Time Police Officer:** Motion made by Ms. Davis; 2nd by Mrs. Parks. Motion carries 8-0.

COMMUNICATIONS & REPORTS:

- a. Fire Chiefs Report: See attached.
- b. Tax Collectors Report: See attached. Motion to transfer \$136,129.52 from the Tax Fund to the Sewer Fund made by Ms. Davis; 2nd by Mrs. Parks. Motion carries 8-0.
- c. Solicitors Report: See attached.
- d. Police Chiefs Report: See attached.
- e. Managers Report: See attached.
 1. Motion made by Ms. Davis; 2nd by Ms. Hill to approve Resolution 2024-06. Motion carries 8-0.

2. Motion to approve a letter of support to the Delaware Planning Commission made by Ms. Davis; 2nd by Mrs. Parks. Motion carries 8-0.
3. Motion to approve listing various items on Municibid made by MS. Davis; 2nd by Mrs. Parks. Motion carries 8-0.
4. Motion to approve the proof of notification from the Library to apply for a grant made Ms. Davis; 2nd by Mrs. Parks. Motion carries 8-0.
5. Motion to approve various waivers for the Darby Library made by Ms. Stockley; 2nd by Mrs. Williams. Motion carries 8-0.
6. Motion to approve camera system upgrades at Darby Borough Hall not to exceed \$15,000 with additional cameras in the Recreation Center gym and Community Room made by Ms. Hill; 2nd by Mrs. Butts. ROLL CALL. Motion carries 7-1. Ms. Davis voted No.

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

ADJOURNMENT

Motion to adjourn made by Ms. Davis; 2nd by Mrs. Parks. 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: 14 March 2024
TO: Darby Borough Council
FROM: Eileen W. Mulvena, P.E.
RE: Engineer's Report Thru March 14, 2024

Current Month Activity:

Ordinary Street and Sewer Maintenance

A PennDOT permit is in process to replace the inlet at 9th St and Main St.

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

2024 CDBG: Two applications were submitted on 1/5/24 with the priority application addressing the reconstruction and resurfacing of N. 2nd St. following the sewer replacement project and the alternate project addressing the development of the lot at Ridge and MacDade as a passive and light recreation area.

CFA 2022 Local Share Grant (Statewide): Eagle Contracting continues working on N. 2nd St. to replace the sanitary sewer main and street laterals. It is noted the street condition is very poor at the lower end at the terminus of the roadway. It is likely the subgrade has been affected by the many years of groundwater saturation due from rain events. This roadway will require some reconstruction following this improvement project.

2022 PA Small Water and Sewer Grant – The Borough received notice of a grant award under this program. This funding will require the supplemental funds to permit the 14th St. sewer renewal project to be completed which was partially funded by CDBG funds.

PECO Open Space grant: a grant application was submitted on November 10, 2023 for passive recreation furniture in the open space area on the north side of 7th St.

2023 Local Shares Statewide Grant: An application was submitted on November 30, 2023 grant funding to accomplish sanitary sewer improvements on N. 3rd St. up to the maximum grant funding amount of \$1,000,000.

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 handling the acquisition of the properties known as 28/30 S. 5th St.

Delco Greenways Grant Round 4: A grant application for the construction of a playground for children 5-12 years of age on the lots known as 28/30 S. 5th St. was submitted to the County on September 29, 2023.

2023 Community Project Fund Grant: US Representative Mary Gay Scanlon's office has a press release \$657,026 for the replacement of the sanitary sewer main and street laterals on Fern St. between 4th Street and Damon's Lane.

2021 CDBG/2018 PA Small Water and Sewer Grant: The contractor work on 13th St. has been completed. Once a copy of canceled checks is submitted to the state, the projects will 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.

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: **What can you do to reduce the runoff from your property?**

- Disconnect/Redirect Downspouts
- Use a rain barrel to capture rain from your roof
- Plant a rain garden
- Plant trees
- Reduce impervious surfaces; install permeable pavement

February Chief's Report

Dear Mr. Mayor and Borough Council members,

During the month of February, the company responded to 58 calls for service. There is no other reportable information at this time.

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

No future events scheduled at this time.

Be Safe and Stay Healthy!

Vincent Lanni

Fire Chief

Darby Fire Co. #1

Tax Collector's Monthly Report to Taxing Districts

For the month of February 2024

Darby Borough

A: COLLECTIONS	REAL ESTATE	INTERIM OTHER	PER CAPITA OTHER	OTHER
1. Balance Collectable - Beginning of Month				
2A: Additions: During the Month *	3,948,690.89	202,848.10	81,139.16	
2B: Deductions: Credits During the Month (Line 17)	1,233.12			
3: Total Collectable	3,947,457.77	202,848.10	81,139.16	
4: Less Face Collections for the Month	275,060.11	14,129.94	5,651.93	
5: Less Deletions from the List *				
6: Less: Exonerations *				
7: Less: Liens/ Non-Lienable Installments *				
8: Balance Collectable - End of Month	3,672,397.66	188,718.16	75,487.23	
B: RECONCILIATION OF CASH COLLECTED				
9: Face Amount of Collections - must agree with line 4	275,060.11	14,129.94	5,651.93	
10: Plus: Penalties				
11: Less: Discounts	5,501.17	282.52	112.92	
12: Total Cash Collected per Column	269,558.94	13,847.42	5,539.01	
13: Total Cash Collected - (12A+12B+12C+12D)				288,945.37

* Attach any supporting Documentation Required by your Taxing District

C: PAYMENT OF TAXES

14: Amount Remitted During the Month *				TOTAL OF ALL TAXES
Date	Transaction #	Amount		
2/23/2024	M240213120	257,270.69		
2/29/2024	M240223182	242,127.40		
			Total	499,398.09
15: Amount Paid with this Report Applicable to this Reporting Month				Transaction #
16: Total Remitted This Month				
17: List, Other Adjustments *				
Parcel #	Name	Amount		
14000105500	PRICE JOHN JR &	-1,233.12		
			Total	-1,233.12

18: Interest Earnings (if applicable) \$ _____

Taxing District Use (Optional)

Carryover from Previous Month \$ _____

Amount Collected this Month \$ _____

Less Amount Paid this Month \$ _____

Ending Balance \$ _____

Tax Collector _____ Date _____

I verify this is a complete and accurate reporting of the balance collectable. Taxes Collected and Remitted for the month

Received by: _____ Title _____ Date _____

I acknowledge receipt of this report

Tax Collector's Monthly Report to Taxing Districts

For the month of

February 2024

Darby Borough

A: COLLECTIONS	REAL ESTATE		INTERIM		PER CAPITA		OTHER	
				OTHER		OTHER		
1. Balance Collectable- Beginning of Month								
2A: Additions: During the Month *			2,781,845.88				1,388,425.00	
2B: Deductions: Credits During the Month (Line 17)								
3: Total Collectable			2,781,845.88				1,388,425.00	
4: Less Face Collections for the Month			138,907.56				75,840.00	
5: Less Deletions from the List *								
6: Less: Exonerations *								
7: Less: Liens/ Non-Lienable Installments *								
8: Balance Collectable - End of Month			2,642,938.32				1,312,585.00	
B: RECONCILIATION OF CASH COLLECTED								
9: Face Amount of Collections - must agree with line 4			138,907.56				75,840.00	
10: Plus: Penalties								
11: Less: Discounts			2,778.04				1,516.80	
12: Total Cash Collected per Column			136,129.52				74,323.20	
13: Total Cash Collected - (12A+12B+12C+12D)							210,452.72	

* Attach any supporting Documentation Required by your Taxing District

MEMORANDUM

TO: The Mayor and Council of the Borough of Darby
FROM: Charles M. Gibbs, Esquire, Borough Solicitor
DATE: March 14, 2024
RE: March 2024 Solicitor's Report

1. Real Estate

1000 Main Street. Prepared proposed Agreement of Sale and Property Transfer Documentation in preparation of the April 3, 2024 Special Meeting. Prepared a draft resolution regarding the proposed sale.

28/30 S 5th Street. Prepared Agreement of Sale pursuant to the Borough Council's Resolution No. 2024-05. Conducted title search, deed, and recordation documentation pending the return of the signed Agreement of Sale for 30 South 5th Street. Prepared Complaint and conducted legal research regarding the eminent domain process for 28 S 5th Street.

2. General Legal Matters

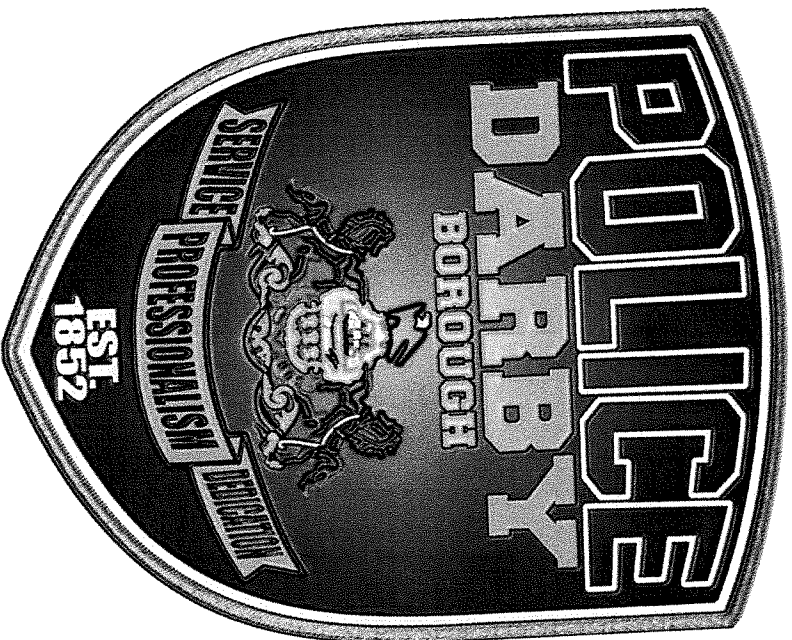
Provided Borough Manager with legal advice regarding the transfer of borough assets through a muni-bid sale, Hall Rental Agreement, and other matters. Conducted a weekly check-in call with borough manager to stay apprised of issues in the Borough.

3. Work in Process

Preparation for Council's consideration a Code of Conduct for Borough Officials and Memorandum with options for the Borough Council to consider regarding the regulation of smoke shops.

4. Litigation

No March 2024 information to report regarding litigation.



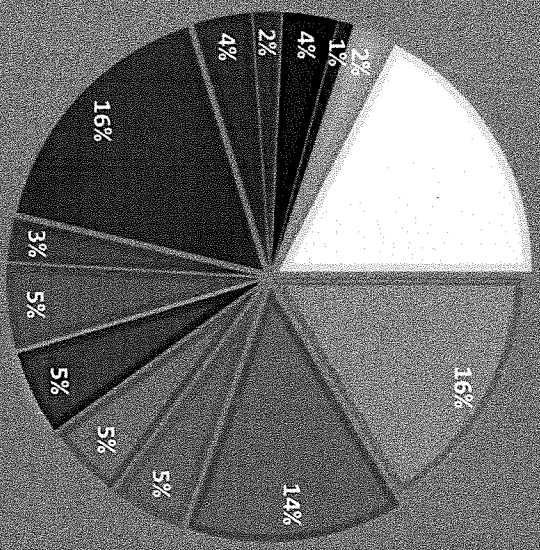
February 2024 Calls for Service

February 2024 & YTD Statistics

- February 2024 calls for service: 1,053
- 2024 total calls for service totals: 2,116

Top calls for service

- Area/Building Check (172)
- Medical Emergency (147)
- Traffic & Parking Problems (50)
- Suspicious Person/Circumstance(s) (53)
- Disturbances-Domestic (57)
- Disturbances/Fights/Disputes (57)
- Mental Health (29)



- Public Service/Police Information (173)
- Crossing Guard Info/ Duties (39)
- Abandoned Vehicle (19)
- Motor Vehicle Accidents (37)
- 911 Hang up (10)
- Alarms (26)
- All other calls (184)

- Area/Building check
- Medical Emergency
- Traffic & Parking
- Suspicious Conditions
- Domestic Disturbance
- Disturbance/Fights
- Mental Health
- Police Information
- Crossing Guard Duties
- Abandoned Vehicles
- Accidents
- 911 Hang Up
- Alarms
- Other calls

Top calls for service account for 82.5% of February 2024 calls.

Monthly Manager's Report
March 20, 2024
Darby Borough

Asking for Council's permission to send a letter of support to the Delaware County Planning Commission for the Lower Darby Creek Trail in Darby Borough as proposed at the February 7th Committee Meetings. (Letter attached). JD, JP & D

We are currently working on a grant in the amount of \$2,000,000.00 to renovate the Recreation Center through the Covid-19 ARPA Capital Projects Fund Multi-purpose Community Facilities Program due April 20, 2024.

Asking Council's permission to list items the following items on Municibid: Misc. Police Vehicle Parts, Light Trailer & Ford Expedition. JD, JP & D

Thank you.