

BOROUGH OF DARBY
BOROUGH COUNCIL MEETING
April 17, 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, 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 Solicitor Charles Gibbs. Mrs. Tracy Williams, Mr. Omar Thompson & Borough Engineer Eileen Mulvena were absent.

President Pratt called the meeting to Order at 7:07 p.m. followed by Roll Call.

Pledge of Allegiance

Mayor Burrell, Council President Pratt and Vice President Darlene Hill presented an award to Cameron Payne for his heroic actions in the Community.

Mayor Burrell and Council President Pratt presented an award to Beverly Rogers for her heroic actions during an incident in Darby Borough.

PUBLIC COMMENT:

Paula Richards, 206 Highland Avenue, Asked for Council to reconsider applying for the COVID 19 grant application until next month. Hope that the Public Comment Rules do not include changing the Committee Meetings. She stated she never saw the Ethics Ordinance. Asked that Council please take 1000 Main Street of the for sale block.

Ethel Keys, 318 South 5th Street, Complained about raccoons on South 7th Street and Moore Street.

Lynn DeShields, 308 South 7th Street, Thanked Council for honoring the two residents tonight and the new street lights on her block. Reminded everyone to get out and vote.

John Haigis, 1006 Main Street, Asked Council where does Darby want to be 5 years, 10 years and 20 years from now?

Buck Clark, 14 Concord Road, Asked if speed bumps can be placed on Concord Road. Discussed the potholes in the rear alleyway. Can town watch be discussed again and when is recycling.

NRO's:

Juanita Cooper, 528 Main Street, to operate a Café. 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 Ms. Stockley. Motion carries 7-0.

Keith Scutching, 22 Mill Street, Existing Business – Changing hours of operation. Motion to approve 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 Mr. Robinson. Motion carries 7-0.

Salamatu Kamara, 873 Main Street, to operate a convenience store. Motion to table made by Ms. Davis; 2nd by Mrs. Butts. Motion carries 7-0.

ENGINEERS'S REPORT:

See Attached.

Motion made Ms. Davis; 2nd by Mrs. Parks to authorize the Borough Engineer to prepare and submit an application through the COVID 19 ARPA Capital Projects Fund Multipurpose Community Facilities Program for renovations and upgrades to the Darby Borough Recreation Center. Motion carries 7-0.

Motion made by Mrs. Parks; 2nd by Mr. Robinson to authorize the Borough Engineer for the preparation of a County Blight Remediation grant to provide the supplemental funds needed to demolish 225 N. 10th Street and to stabilize the structures on either side. Motion carries 7-0.

MAYOR'S REPORT:

Mayor reminded everyone of the Annual clean up day being held on Saturday, April 20 at 10AM.

Approval of March 20, 2024 – Council Meeting Minutes, Engineer's, Mayors, Ordinance/Zoning, Community Relations, Finance, Public Safety, Municipal Service, Library, Recreation Center Reports and Minutes made by Ms. Hill; 2nd by Ms. Davis. Motion carries 7-0.

NEW BUSINESS:

- a. **Paid Bills – April 2024:** Motion made by Ms. Davis; 2nd by Mrs. Parks to pay the bills for the month of April 2024 removing the payment for the African American Mayors Association payment of \$1,000. Motion carries 7-0.
- b. **Approval of Copier Machine Upgrades:** Motion to copier machine upgrades made by Mr. Robinson; 2nd by Mrs. Parks. Motion carries 7-0.
- c. **Motion to hire Gianni Mickens as a Crossing Guards:** Motion made by Mrs. Butts; 2nd by Ms. Hill. Motion carries 7-0.
- d. **Motion to approve Resolution 2024-07 (Public Comment & Decorum at Meetings):** Motion made by Ms. Davis; 2nd by Mrs. Parks. Motion carries 7-0.
- e. **Approval of new Non-Residential Occupancy Application:** Motion made by Mrs. Parks; 2nd by Ms. Davis. Motion carries 7-0.
- f. **Approval of \$2000 donation to the Senior Community Services:** Motion made by Ms. Hill; 2nd by Mrs. Parks. Motion carries 7-0.
- g. **Approval of Revised – 2024 Minimum Municipal Obligation-Police:** Motion to approve by Ms. Hill; 2nd by Mrs. Butts. Motion carries 7-0.
- h. **Motion to approve Resolution 2024-08 (Sale of 1000 Main Street):** Motion to approve the Resolution to sell 1000 Main Street made by Ms. Davis; 2nd by Mrs. Butts. Motion carries 6-1. Ms. Stockley voted No.
- i. **Motion to approve Ordinance #812 (Ethics Code):** Motion to table the Ordinance made by Ms. Stockley. No 2nd motion failed. Motion to approve made by Mrs. Butts; 2nd by Mrs. Parks. Motion carries 6-1. Motion carries 6-1.

COMMUNICATIONS & REPORTS:

- a. Fire Chiefs Report: See attached.
- b. Tax Collectors Report: See attached. Motion to transfer \$1,107,148.32 from the Tax Fund to the Sewer Fund made by Ms. Davis; 2nd by Mrs. Parks. Motion carries 7-0.
- c. Solicitors Report: See attached.
 - 1. Motion made by Mrs. Parks; 2nd by Ms. Davis to authorize the Borough Solicitor to draft and advertise an Ordinance regulating tow trucks within the Borough of Darby. Motion carries 7-0.
- d. Police Chiefs Report: See attached.
 - 1. Motion to approve the purchase of mobile radios not to exceed \$67,000 made by Ms. Davis; 2nd by Mrs. Parks. Motion carries 7-0.
- e. Managers Report: See attached.

Motion to accept the Fire Chief, Tax Collector, Police Chief and Managers Reports made by Mrs. Parks; 2nd by Mr. Robinson. Motion carries 7-0.

ADJOURNMENT

Motion to adjourn made by Ms. Davis; 2nd by Mrs. Parks. Motion carries 7-0.

Respectfully Submitted,

Mark Possenti
Manager/Secretary
Borough of Darby

MEMORANDUM

CIVIL COLLABORATIVE CONCEPTS, LLC

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

DATE: 10 April 2024
TO: Darby Borough Council
FROM: Eileen W. Mulvena, P.E.
RE: Engineer's Report Thru April 10, 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

COVID 19 ARPA Capital Projects Fund Multipurpose Community Facilities Program

Motion: Authorization to prepare and submit an application through the COVID 19 ARPA Capital Projects Fund Multipurpose Community Facilities Program for renovations and upgrades to the Darby Borough Recreation Center.

Delaware County Blight Remediation – Motion to prepare a grant application for the demolition and stabilization of 225 N. Tenth St. and the structures on either side.

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 the executed contract under this grant in the amount of \$498,116 which enables sanitary sewer work to be done on 14th St and 12th St.

It also funds a portion of N. 2nd St. We will ask to divert the funds to another location as we have completed the work there under the CFA 2022 Local Share Grant.

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. We received notice of a \$2,000 grant award. I will work with Mark to use the grant proceeds and the \$2,000 Borough match most effectively.

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: The Borough received this grant for a value up to \$250,000 for the construction of a playground for children 5-12 years of age on the lots known as 28/30 S. 5th St.

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 had requested the remaining funds be permitted for the remediation of 129/131/133 Whitely Terrace and this was approved. However, we could not obtain sufficient funds needed to complete the effort.

We are now requesting authorization to use the remaining funds and to extend the period of performance for the grant for another year to demolish 225 N. 10th St. and stabilize the structures on either side.

Motion: authorize the preparation of a County Blight Remediation grant to provide the supplemental funds needed to demolish 225 N. 10th St. and to stabilize the structures on either side.

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

Stormwater Tip: Spring is a good time to tend to gardens and to plant trees. Residents are encouraged plan trees wherever practical. Benefits of trees include:

- Trees conserve water and reduce soil erosion.
- Trees save energy.
- Trees modify local climate.
- Lower air temperature through shade. ...
- Trees increase economic stability. ...
- Trees reduce noise pollution.
- Trees create wildlife and plant diversity.
- Trees increase property values.

March Chief's Report

Dear Mr. Mayor and Borough Council members,

During the month of March, the company responded to 64 calls for service. There is no other reportable information at this time.

We remind everyone as the weather is getting nicer for the Spring and upcoming Summer to remain fire smart! This means no barbecuing on your covered porches and or within 6 feet of your homes!

*****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

March 2024

Darby Borough

A: COLLECTIONS	REAL ESTATE	INTERIM	PER CAPITA	OTHER
	REAL ESTATE	OTHER	OTHER	OTHER
1. Balance Collectable- Beginning of Month	<i>Real Estate</i> 3,672,397.66	<i>Fire</i> 188,718.16	<i>Library</i> 75,487.23	
2A: Additions: During the Month *				
2B: Deductions: Credits During the Month (Line 17)	1,872.45	96.19	38.48	
3: Total Collectable	3,670,525.21	188,621.97	75,448.75	
4: Less Face Collections for the Month	1,860,605.88	95,580.56	38,232.19	
5: Less Deletions from the List *				
6: Less: Exonerations *				
7: Less: Liens/ Non-Lienable Installments *				
8: Balance Collectable - End of Month	1,809,919.33	93,041.41	37,216.56	
B: RECONCILIATION OF CASH COLLECTED				
9: Face Amount of Collections - must agree with line 4	1,860,605.88	95,580.56	38,232.19	
10: Plus: Penalties				
11: Less: Discounts	37,211.87	1,911.27	764.06	
12: Total Cash Collected per Column	1,823,394.01	93,669.29	37,468.13	
13: Total Cash Collected - (12A+12B+12C+12D)				1,954,531.43

* Attach any supporting Documentation Required by your Taxing District

Tax Collector's Monthly Report to Taxing Districts

For the month of

March 2024

Darby Borough

A: COLLECTIONS	REAL ESTATE	INTERIM	PER CAPITA	OTHER
		OTHER	OTHER	
1. Balance Collectable- Beginning of Month	2,642,938.32	1,312,180.10		
2A: Additions: During the Month *				
2B: Deductions: Credits During the Month (Line 17)	32.09			
3: Total Collectable	2,642,906.23	1,312,180.10		
4: Less Face Collections for the Month	1,129,743.00	643,850.00		
5: Less Deletions from the List *				
6: Less: Exonerations *				
7: Less: Liens/ Non-Lienable Installments *				
8: Balance Collectable - End of Month	1,513,163.23	668,330.10		
B: RECONCILIATION OF CASH COLLECTED				
9: Face Amount of Collections - must agree with line 4	1,129,743.00	643,850.00		
10: Plus: Penalties				
11: Less: Discounts	22,594.68	12,877.00		
12: Total Cash Collected per Column	1,107,148.32	630,973.00		
13: Total Cash Collected - (12A+12B+12C+12D)				1,738,121.32

* Attach any supporting Documentation Required by your Taxing District

McMONAGLE PERRI
McHUGH MISCHAK DAVIS
TRIAL LAWYERS

Brian J. McMonagle*
Fortunato N. Perri, Jr.
Walter J. McHugh*
David B. Mischak
William M. Davis*

A Professional Corporation
MPMPC.COM

Charles M. Gibbs*
Raymond C. Driscoll
Steven B. Patton
Jacob W. Segal

Richard J. Kravets**
(Of Counsel)

MEMORANDUM
ATTORNEY-CLIENT COMMUNICATION
CONFIDENTIAL/NOT FOR DISTRIBUTION

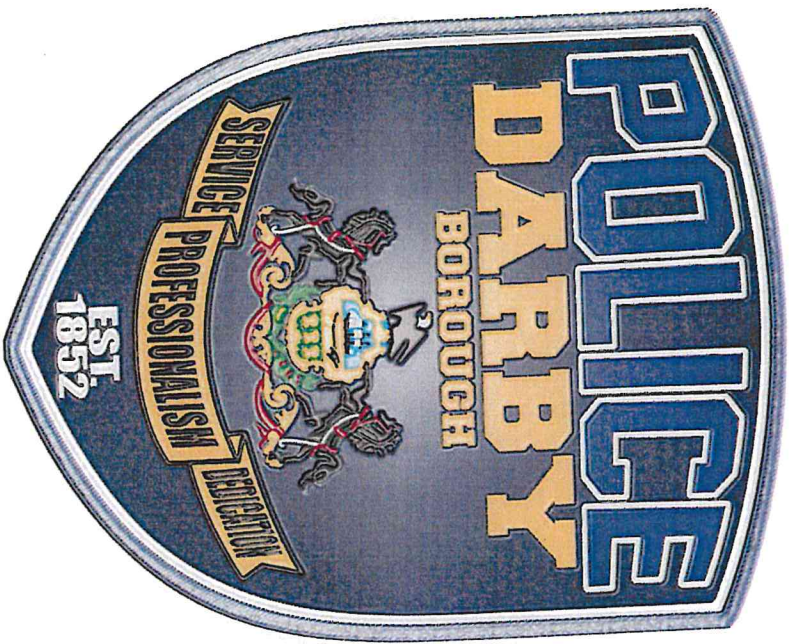
TO: The Council and Mayor of the Borough of Darby
FROM: Charles M. Gibbs, Esquire, Borough Solicitor
CC: Mr. Mark Possenti, Borough Manager
DATE: April 2, 2024
RE: April 2024 Solicitor's Report

LEGISLATIVE ACTIONS

1. Adopting of Resolutions/Ordinance found in the Council Packet;
 - a. 2024-007 (Resolution Adopting Rules Regarding Public Comment)
 - b. 2024-008 (Resolution Authorizing the Sale of 1000 Main Street)
 - c. Ordinance No. 812 (Ordinance adopting the Borough Code of Ethics)

2. Work in Progress: Solicitor will ask for the following Motions:
 - a. Authorizing the Drafting and Advertising of an Ordinance Regulating Tow Trucks within the Borough of Darby





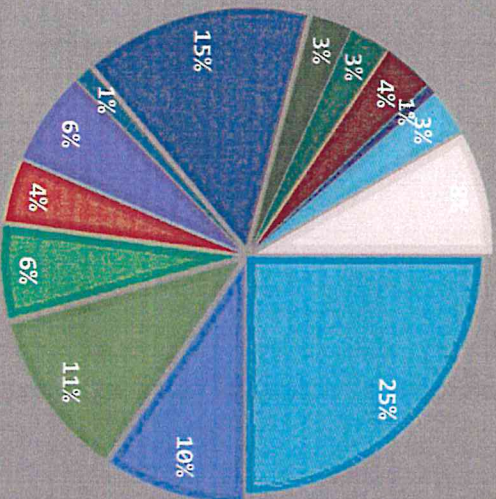
March 2024 Calls for Service

March 2024 & YTD Statistics

- March 2024 calls for service: 1,360
- 2024 total calls for service totals: 3,479

Top calls for service

- Area/Building Check (326)
- Medical Emergency (126)
- Traffic & Parking Problems (148)
- Suspicious Person/circumstance(s) (84)
- Disturbances-Domestic (56)
- Disturbances/Fights/Disputes (81)
- Mental Health (15)



- Area/Building check
- Domestic Disturbance
- Crossing Guard Duties
- Alarms

- Medical Emergency
- Disturbance/Fights
- Abandoned Vehicles
- Other calls

- Traffic & Parking
- Mental Health
- Accidents

- Suspicious Conditions
- Police Information
- 911 Hang Up

- Public Service/Police Information (201)
- Crossing Guard Info/ Duties (36)
- Abandoned Vehicle (36)
- Motor Vehicle Accidents (46)
- 911 Hang up (9)
- Alarms (40)
- All other calls (110)

Top calls for service account for 91.2% of March 2024 calls.

Monthly Manager's Report
April 17, 2024
Darby Borough

The Borough of Darby is currently accepting applications for Hometown Heroes. The Hometown Heroes Banner Program was created for Darby residents to pay tribute & honor family members that are active military service personnel, veterans, or sacrificed their life while serving. Applications can be found at Borough Hall, Borough website, facebook and with Council members. Cost for each banner is \$125.

✓ Proud to announce the Borough has been awarded \$2,000 through the PECO 2023 Green Region Grant for the 7th Street Community Garden.

✓ Darby Borough Annual Clean up day will take place on Saturday, April 20, 2024 beginning at 10AM.

May 14th there will be a free spay and neuter clinic for cats held at the New Walnut Street Parking lot sponsored by the Providence Animal Hospital. More information to follow.

Thank you.