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Upper Darby Township Council Meeting

January 22nd, 2014

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Municipal Services, Licensing & Public Works Committee

James Santora, Chairman

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Public Safety Committee

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A regular meeting of Upper Darby Township Council was held on Wednesday evening, January 22, 2014 at 7:30 p.m. in the Council Meeting Room #202 of the Municipal Building, 100 Garrett Road, Upper Darby, Pennsylvania.

The meeting was called to order by Council President Donald P. Bonnett with the Pledge of Allegiance to the flag of the United States of America led by the Marine Corps League Upper Darby Detachment #884 Colorguard.

Roll Call

Donald P. Bonnett, Thomas P. Wagner, John Rankin, Ed Monaghan, Jacob A. Bierling Jr., James Santora, Sekela Coles, Robert Gwin, Barbarann Keffer

Mary Ann Crawford, excused
Marah Manners, excused

Present at the Meeting

Thomas N. Micozzie, Mayor
Thomas J. Judge Jr., Chief Administrative Officer
Kelly Sullivan, Esq., Solicitor
Richard G. Nolan, Chief Municipal Clerk

Approval of the Minutes

Mr. Bonnett: A motion would be in order for the approval of the minutes for the Regular Meeting of December 4, 2013

Mr. Wagner: So moved.

Mr. Bierling: Seconded.

Mr. Bonnett: It has been moved and seconded. All those in favor signify by saying aye. Opposed? The ayes have it. The next order of business is the approval of the minutes for the Regular Meeting of December 18, 2013.

Mr. Wagner: So moved.

Mr. Rankin: Seconded.

Mr. Bonnett: It has been moved and seconded. All those in favor signify by saying aye. Opposed? The ayes have it.

Public Forum

Mr. Bonnett: This is the time set aside for the public to speak. When you hear your names come forward to the podium, and state your name and address for the records. Comments are limited to five minutes.

Eric Carbonara, 6937 Guilford Road
Trash/Litter

His comments are filed on tape.

Mr. Rankin: That concludes the speakers for this evening.

Mr. Bonnett: Thank you John. This is the time set aside for the Honorable Thomas N. Micozzie, Mayor of Upper Darby Township.

Mayor Thomas N. Micozzie

Mayor Micozzie: Thank you, Mr. Bonnett. I'd like to bring the Marine Corps League up for some presentations.

Marine Corps League Annual Award Presentation

Mayor Micozzie: Each year, we're privileged to have our Marine Corps League come before us to recognize a police officer, a firefighter and a citizen each year. This is a challenging experience for our leaders in the Community because we have a lot of great people. The criteria are very stringent so the people who will be coming up here tonight are the "best of the best." Commandant, will you come up please?

Past Commandant Leanna Dietrich: Thank you Mayor and Township Council for allowing us this privilege to honor our Policeman, Fireman, Citizen and Marine of the Year. Our first award goes to the Police Department.

Officer Amanda Klingensmith was presented with the 2013 Marine Corps League Police Officer of the Year Award.

Audience applause

Past Commandant Leanna Dietrich: Our next award is the Al Darmiento Firefighter of the Year Award.

Captain Pete Huf was presented with the 2013 Al Darmiento Firefighter of the Year Award.

Audience applause.

Past Commandant Leanna Dietrich: Our next presentation is for Citizen of the Year for 2013.

Joe Brinker was presented with the 2013 Citizen of the Year Award.

Audience applause.

Past Commandant Leanna Dietrich: Our final award is the 2013 Upper Darby Marine Corps League Marine of the Year Award.

Carmen Laino was presented with the 2013 Marine of the Year Award.

Audience applause.

Past Commandant Leanna Dietrich: That concludes the Marine Corps League portion of this program. I want to thank the community for all of their support. Also, thank you Mayor Micozzie and Council.

Mayor Micozzie congratulated all of the award recipients.

Audience applause.

Appointments

Appointments to serve on a committee to conduct a study and make recommendations on the redistricting of Councilmatic districts within the Township

Mayor Micozzie: I would like to submit to Council for their approval the appointment of Donald P. Bonnett, Joseph Salvucci, Daniel Lutz, Robert Goldberg and Thomas Wagner to serve on a committee to conduct a study and make recommendations on the redistricting of Councilmatic districts within the Township.

Mr. Bonnett: Is there a motion?

Mr. Bierling: I move for the approval of this appointment.

Mr. Rankin: Seconded.

Mr. Bonnett: Moved and seconded. All those in favor, signify by saying aye.

Mr. Bonnett, Mr. Wagner, Mr. Rankin, Mr. Monaghan and Mr. Bierling all voted yes.

Mr. Bonnett: Opposed?

Ms. Coles, Mr. Gwin and Ms. Keffer all voted no.

Mr. Bonnett: We will take a roll call vote.

<u>In favor of</u>	<u>Opposed to</u>	<u>Excused</u>	<u>Abstained</u>
Bonnett			
Wagner			
Rankin			
Monaghan			
Bierling			
		Crawford	
		Manners	
Santora			
	Coles		
	Gwin		
	Keffer		
6	3	2	

Mr. Rankin: That gives six in favor, three opposed and two excused.

Mr. Bonnett: As we have six in favor, three opposed and two excused, the motion passes.

Appointment of Frank McGovern to the Zoning Hearing Board

Mayor Micozzie: Next, I would like to submit to Council for their approval the appointment of Frank McGovern to serve on the Upper Darby Township Zoning Hearing Board to fill the unexpired term of Dave Stevenson who resigned. This term will expire on December 31, 2015. Mr. McGovern is currently the alternate member of the Zoning Board.

Mr. Bonnett: Is there a motion?

Mr. Bierling: I move for the approval of this appointment.

Mr. Wagner: Seconded.

Mr. Bonnett: Moved and seconded. All those in favor, signify by saying aye. Opposed? The ayes have it.

Appointment of Jean Koroly to serve as an alternate member of the Upper Darby Township Zoning Hearing Board

Mayor Micozzie: I would like to submit to Council for their approval the appointment of Jean Koroly to serve as an alternate member of the Upper Darby Township Zoning Hearing Board. This term will expire December 31, 2014.

Ms. Keffer: I have a general question if I may, Mr. President.

Mr. Bonnett: You have to have a motion and a second and then you can talk.

Ms. Keffer: OK, great.

Mr. Bonnett: It's just a matter of procedure.

Mr. Bonnett: Is there a motion?

Mr. Wagner: I move for the approval of this appointment.

Mr. Santora: Seconded.

Mr. Bonnett: Moved and seconded. Is there any discussion?

Ms. Keffer: Mr. President, I was just wondering.....do people that are appointed.....I mean, I see my name is on the list too but how do you determine what qualifications somebody has that's getting appointed to whatever?

Mayor Micozzie: The Mayor has the job of researching, looking, seeing who's active in the community, qualifications, who's around. An example, the one you just did, that's the same members who served in 2004 and I believe that some served ten years prior to that. On the redistricting committee, I think they did an excellent job. I did some research on how they do that. It's in the charter. You have a 10% variance. Dan Lutz is the only new addition to that. He is the Township engineer which I believe is a no-brainer on that. He has to provide all the data on the computer systems, all the district maps and everything else. So, I would think the people who did it previously, one of them was Joe Vasturia who was there before he was our Township engineer. He's been replaced. Mr. Salvucci did serve as President of this Council during the whole new charter back when it started. Previous to that, the President and Vice-President are officers of council------. That committee has always had that amount of people on it. I think they are all eminently qualified. I know all of the individuals personally. I think they can do a fair assessment and report to Council. You ultimately have the vote. It's not totally up to them. They have to come back and have a presentation in front of Council. The districts will be shared with all the Council members. All of the data will be there. There is a 10% variance. That's 82,000 people divided by 7. It's not that complicated. What does get complicated is if we have a void in a smaller area and an over area and how to make that fair. I think we've always done our districts fairly across the County since 1976. It's only been the 70's, 80's, 90's and the 2000's. This is the fifth one.

Ms. Coles: How can we find out more information about the committee, such as the time frame in which they are going to report the information back and also more information about the individuals such as Robert Goldberg and Joseph Salvucci? I know you said that they were involved ten years ago but not everybody is aware of who they are.

Mayor Micozzie: I'll get you the data. How it's done is in the Charter.

Ms. Coles: You said that people were selected based on their involvement in their community? Is that the entire Upper Darby Township community?

Mayor Micozzie: Every one of those people live in Upper Darby Township.

Ms. Coles: OK, but based on their community involvement is how they were selected. But perhaps they mainly are concentrated in one area of the community. Are they.....

Mayor Micozzie: Which committee are you talking about?

Ms. Coles: Redistricting committee.

Mayor Micozzie: Joe Salvucci lives right near Drexel Park, Bob Goldberg lives off of State Road, Dan Lutz lives right behind the YMCA, Don Bonnett lives in the 1st District and Tom Wagner lives in the 3rd District.

Mr. Bierling: Aren't we digressing from where we were on the original motion?

Mr. Bonnett: Yes, there is a motion on the floor. We really should confine our discussion to the motion. Any further discussion on the motion to appoint Jean Koroly as an alternate member to the Upper Darby Township Zoning Board? Hearing none, the motion has been moved and seconded. All those in favor, signify by saying aye. Opposed? The ayes have it.

Appointments to a steering committee charged with the review and update of the Upper Darby Township Comprehensive Plan

Mayor Micozzie: And, finally, I would like to submit to Council for their approval the following appointments to a steering committee charged with the review and update of the Upper Darby Township Comprehensive Plan. The Township's current Comprehensive plan was adopted by Council in 2004 and it is required after ten years that it be updated for the future of the community; James Santora (Chairman), Dan Lutz, Jacob A. Bierling Jr., Sue Elder, John McMullan, Francis L. Zarrilli, Antoinette Testa, Portia Kamara, Richard Dunlap, Barbarann Keffer, Mike Chitwood, Joseph McGettigan, Verna Aggie, Jeff Gentile and Maureen Lucas. The steering committee will need to develop a request for proposal (RFP) to choose a consultant that will facilitate the committee's focus on the current plan and identify what needs to be done to guide future growth and development in our community.

Mr. Bonnett: Is there a motion?

Mr. Wagner: I move for the approval of this appointment.

Ms. Coles: Seconded.

Mr. Bonnett: Moved and seconded. All those in favor, signify by saying aye. Opposed? The ayes have it.

Mr. Bonnett: Thank you Mayor. Just another note on that, this will be a very community interactive process as it was last time. To remind everyone, the last time it was done nine meetings were held around the Township. We went to the various communities around town to the advertised meetings to solicit input from members of our community. I will venture to say that Jamie as the Chairperson will encourage that same process to have a very interactive program.

Mr. Santora: Absolutely.

Mayor Micozzie: Tom is the full Comprehensive Plan online or is it just partial?

Mr. Judge: It's partial. All of the committee members will get a full document.

Mr. Bonnett: Is that it, Mayor?

Mayor Micozzie: That's all I have.

Mr. Bonnett: Thank you, Mayor. We will proceed with the Committee Reports, Municipal Services, Licensing & Public Works Committee, Mr. Santora, please.

Committee Reports

Municipal Services, Licensing & Public Works Committee
James Santora, Chairman

Resolution No. 02-14, a Resolution to apply to the County Council for an allocation of the County Liquid Fuel Tax funds in the amount of \$89,500.00 to be used to resurface various streets throughout the Township.

Mr. Santora: Thank you, Mr. Bonnett. Will the Solicitor please give us a brief on Resolution No. 02-14?

Ms. Sullivan: Certainly. Resolution No. 02-14 is a Resolution to apply to the County Council for an allocation of the County Liquid Fuel Tax funds in the amount of \$89,500.00 to be used to resurface various streets throughout the Township.

Mr. Santora: Thank you, Ms. Sullivan. Mr. President, I move for the adoption of Resolution No. 02-14.

Mr. Bierling: Seconded.

Mr. Bonnett: Moved and seconded. All those in favor.....

Ms. Keffer: Mr. President, I wanted to.....Oh, do I have to wait until after the vote? I'll get it right at some point.

Mr. Bonnett: That's OK. A motion has been made and seconded. Now you can speak.

Ms. Keffer: So, this money that we will most likely be getting from the County is for repaving roads and streets in our Township. Is there already a plan in place for what streets will be done?

Mr. Judge: No, that's not in place. Our Township engineer has made a survey of the roads and he will give a recommendation to the District Council people within the next couple of weeks with his recommendation as to what roads should be paved. This is a partial of what will be used. This is not the full amount. We will use some CBDG money and also some capital money

for paving. Those streets will be given to the individual District Council people for their review and their comment and discussion as to whether they approve them or don't approve them or want to negotiate or do whatever we need to do to get the right numbers there. Council at Large will get a full copy of all districts and will have the same comment understanding that the District Councilperson is the key of the focus so the At-Large will have to discuss it with the District Council people to go forward. Then, we will come back and put it out for bid in the Spring. Does that make sense?

Ms. Keffer: OK, thank you.

Mayor Micozzie: By and large, everyone pretty much gets the same amount give or take a couple of feet.

Mr. Judge: We try and do it on a linear foot basis and each district pretty much gets the same amount of linear feet based on what the going rate for paving a linear foot is and we try and divide the money that's available on that basis. Sometimes, it depends because you can't cut a street in the middle of a block so one District might get a little bit more because you have to finish the block and somebody else might get a little short.

Mayor Micozzie: We've had a lot less. Follow the oil prices. When the oil is up, less blacktop because it's made from oil so we haven't seen as many linear feet based on the dollars that we have been getting.

Mr. Bonnett: And, the Township engineer as well makes the recommendation based on need. Significantly distressed roadways are usually at the top of his list. Unfortunately, we never have enough money to do everything that we would like to do. Any other questions? Hearing none, we will move on to the Public Safety Committee, Mr. Rankin please.

Public Safety Committee

John Rankin, Chairman

Motion to authorize the Mayor to write to Penndot requesting a speed reduction from 35 MPH to 25 MPH on Providence Road from Springfield Road to Hilldale Road and to install a traffic light at the intersection of Providence Road and Hilldale Road.

Mr. Rankin: And finally, I would like to make a Motion to authorize the Administration to write to Penndot requesting a speed reduction from 35 MPH to 25 MPH on Providence Road from Springfield Road to Hilldale Road and to install a traffic light at the intersection of Providence Road and Hilldale Road.

Mr. Bonnett: And, may I ask you to add to that? It will be subject to receiving a grant for that.

Mr. Rankin: Yes.

Mr. Bonnett: The motion has been made. Is there a second?

Mr. Wagner: Seconded.

Mr. Bonnett: Moved and seconded. All those in favor signify by saying aye. Opposed? The ayes have it.

Mr. Rankin: Thank you. That's all from the Public Safety Committee.

Mr. Bonnett: Madame Solicitor, do you have any business for the body?

Ms. Sullivan: No, I do not.

Mr. Bonnett: At this time, I will ask for a motion to adjourn.

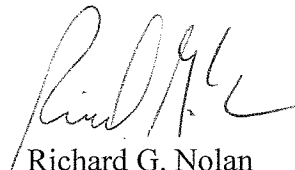
Adjournment

Mr. Wagner: So moved.

Mr. Bierling: Seconded.

Mr. Bonnett: Moved and duly seconded. All those in favor signify by saying aye. Opposed? The ayes have it. This meeting stands adjourned.

Respectfully submitted,



Richard G. Nolan
Chief Municipal Clerk

RGN/akc

RESOLUTION NO. 02-14

WHEREAS, THE UNDERSIGNED MUNICIPALITY DESIRES TO TAKE ADVANTAGE OF THE ACT APPROVED JUNE 1, 1954, P.P. 1242 AND AS PROVIDED IN THE ACT APPROVED MAY 18, 1945, P.P. 803, PERMITTING COUNTIES OF THE COMMONWEALTH OF PENNSYLVANIA TO APPROPRIATE AND EXPEND MONEYS FOR THE IMPROVEMENT AND MAINTENANCE OF STATE HIGHWAYS AND STATE AID HIGHWAYS OR ANY PUBLIC HIGHWAY IN ANY COUNTY OF THE COMMONWEALTH.

THEREFORE, BE IT RESOLVED:

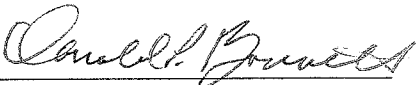
THAT WE, THE OFFICIALS OF UPPER DARBY TOWNSHIP, DELAWARE COUNTY, PENNSYLVANIA IN A REGULAR SESSION ASSEMBLED ON THIS 22ND DAY OF JANUARY 2014, DO HEREBY MAKE APPLICATION TO THE COUNTY COUNCIL OF DELAWARE COUNTY FOR AN ALLOCATION OF COUNTY LIQUID FUEL TAX FUNDS IN THE AMOUNT OF \$89,500.00 TO BE USED IN THE IMPROVEMENT OF:

**RESURFACING VARIOUS STREETS THROUGHOUT
THE TOWNSHIP, ESTIMATED TOTAL COST OF
PROJECT: \$89,500.00**


IT IS CERTIFIED BY THE MUNICIPALITY AND THE OFFICERS WHO EXECUTE THIS APPLICATION THAT ALL MATERIALS USED AND WORK DONE HEREUNDER SHALL CONFORM TO THE CURRENT PENNSYLVANIA DEPARTMENT OF TRANSPORTATION SPECIFICATIONS, OR SPECIFICATIONS APPROVED BY THE DEPARTMENT, AND THAT ALL WORK WILL BE DONE WITHIN THE LEGAL RIGHT OF WAY OR WITH PERMISSION OF THE ABUTTING PROPERTY OWNERS.

RESOLVED, THIS 22nd DAY OF JANUARY A.D., 2014.


UPPER DARBY TOWNSHIP


 DONALD P. BONNETT
 PRESIDENT OF COUNCIL

RESOLUTION NO. 02-14
JANUARY 22nd, 2014
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ATTEST: 
JOHN B. RANKIN JR.
SECRETARY OF COUNCIL


THOMAS N. MICOZZIE
MAYOR

ATTEST: 
THOMAS J. JUDGE, JR.
CHIEF ADMINISTRATIVE OFFICER