

Index

Upper Darby Township Council Meeting

May 21st, 2014

Call of the meeting	140
Roll call	140
Approval of the minutes for April 2014	140
Public Forum	140
Mayor Micozzie	141
Committee Reports	
Finance & Appropriations Committee	
Thomas P. Wagner, Chairman	
Resolution No. 26-14, the tax appeal of 755 Long Lane, Upper Darby Township. Folio No: 16-02-01443-00	141 148, 149
Adoption of Resolution No. 26-14	142
Resolution No. 27-14, the tax appeal of Sahar & Mohammed Samar Youssef, 6948 Clinton Road, Upper Darby Township. Folio No: 16-02-00390-00	142 150, 151
Adoption of Resolution No. 27-14	142
Resolution No. 28-14, the tax appeal of Sahar & Mohammed Samar Youssef, 6950 Clinton Road, Upper Darby Township. Folio No: 16-02-00391-00	142 152, 153
Adoption of Resolution No. 28-14	142
Planning, Zoning & Building Code Committee	
Jacob A. Bierling Jr., Chairman	
Resolution No. 29-14 a Resolution of Upper Darby Township, Delaware County, Pennsylvania approving the application of ARD Baltimore Avenue, LLC., to subdivide 4,484 acres into two (2) lots. The subdivision would create separate lots for the existing Goodwill Store and recently proposed drive-thru McDonald's Restaurant totaling 4,388 square feet; located on the North side of Baltimore Avenue, approximately 200 feet East of Union Avenue and being subject to certain conditions of approval.	142, 143 154, 155
Adoption of Resolution No. 29-14	143
Resolution No. 30-14, a Resolution to apply to the County Council for an allocation of the County Liquid Fuel Tax Funds in the amount \$33,500.00.	143 156, 157

Adoption of Resolution No. 30-14	143
Resolution No. 31-14, a Resolution of Upper Darby Township, Delaware County, Pennsylvania authorizing the Administration to apply to the Delaware Valley Regional Planning Commission for a Transportation Community Development Initiative Grant (TCDI) for the Long Lane Traffic and Beautification Project	144 158, 159
Adoption of Resolution No. 31-14	144
Resolution No. 32-14, a Resolution of Upper Darby Township, Delaware County, Pennsylvania adopting the Delaware County Sewage Facilities Plan Update- Eastern Service Area - Dated June 2013	144 160, 161
Adoption of Resolution No. 32-14	145
Public Safety Committee John B. Rankin, Chairman	
Resolution No. 33-14, to remove the One Hour Parking restriction on the 7200 block of Calvin Road	145, 162
Adoption of Resolution No. 33-14	145
Resolution No. 34-14, to remove the parking restriction from the South side on the 100 block of Richfield Road	145, 163
Adoption of Resolution No. 34-14	145
Resolution No. 35-14, to install fire zones on the 100 block Richfield Road	146, 164
Adoption of Resolution No. 35-14	146
Law and Government & Rules and Procedures Committee Thomas P. Wagner, Chairman	
Motion to post approved Minutes on the Upper Darby Township website	
Adjournment	146

A regular meeting of Upper Darby Township Council was held on Wednesday evening, May 21, 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.

Roll Call

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

John Rankin, excused

Present at the Meeting

Thomas N. Micozzie, Mayor
Thomas J. Judge Jr., Chief Administrative Officer
Kelly Sullivan, Esq., Solicitor
Scott Gottel, 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 Meeting of April 16, 2014.

Mr. Wagner: So moved.

Mrs. Crawford: 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 name come forward to the podium, and state your name and address for the records. Comments are limited to five minutes.

Catanya Rice, 249 Copley Road
No Parking sign

Robert Cassidy, 3854 Garrett Road
Planned Parenthood

John J. Pucino, 4128 Sommers Avenue
Bamboo

Paula Klimiuk, 1217 Ormond Avenue
Bamboo

Alfred Achtert Jr., 7228 Radbourne Road
PA DOMA

Their comments are filed on tape.

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

Mr. Bonnett: Thank you, Ed. This is the time set aside for the Mayor, the Honorable Thomas N. Micozzie.

Mayor Thomas N. Micozzie

Mayor Micozzie: I would like to wish everyone a Happy Memorial Day. We had a conference on the development of 69th Street and we are still continuing with our plans to brighten up 69th Street. Things are really moving along. Throughout the Township, we are seeing a lot of development. I wish you and your families a happy and safe Memorial Day weekend.

Mr. Bonnett: Thank you, Mayor. We will now proceed to the Committee Reports. We'll start with the Finance and Appropriations Committee, Mr. Wagner please.

Mr. Wagner: Thank you, Mr. President. Tonight we have three Resolutions on the agenda to resolve tax appeals. Will the Solicitor please give a brief on these Resolutions and then we will vote on them all together?

Committee Reports

Finance and Appropriations Committee
Thomas P. Wagner, Chairman

Resolution No. 26-14, the tax appeal of 755 Long Lane, Upper Darby Township.
Tax Folio No: 16-02-01443-00

Mr. Gattel: Thank you, Mr. Wagner. Resolution No. 26-14 is the tax assessment appeal of 755 Long Lane, Upper Darby Township. Tax Folio No: 16-02-01443-00. This is for a proposed new assessment of \$18,500.00.

Resolution No. 27-14, the tax appeal of Sahar & Mohammed Samar Youssef, 6948 Clinton Road, Upper Darby Township. Tax Folio No: 16-02-00390-00

Mr. Gattel. Resolution No. 27-14 is the tax assessment appeal of Sahar & Mohammed Samar Youssef, 6948 Clinton Road, Upper Darby Township. Tax Folio No: 16-02-00390-00. This is for a proposed new assessment of \$22,200.00.

Resolution No. 28-14, the tax appeal of Sahar & Mohammed Samar Youssef, 6950 Clinton Road, Upper Darby Township. Tax Folio No: 16-02-00391-00

Mr. Gattel: Resolution No. 28-14 is the tax assessment appeal of Sahar & Mohammed Samar Youssef, 6950 Clinton Road, Upper Darby Township. Tax Folio No: 16-02-00391-00. This is for a proposed new assessment of \$22,200.00.

Each of these Resolutions has been approved by the Upper Darby School District and each is recommended by the Solicitor's office.

Mr. Wagner: Thank you very much Mr. Solicitor. The Finance Committee has also reviewed this and we recommend it as well. With that, I hereby move for the adoption of Resolution No. 26-14, 27-14 and 28-14.

Mr. Bierling: Seconded

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

Mr. Wagner: That completes our report, Mr. President.

Mr. Bonnett: Thank you Tom. Planning, Zoning and Building Code Committee, Councilman Bierling.

Planning, Zoning & Building Code Committee
Jacob A. Bierling, Jr., Chairman

Resolution No. 29-14, Resolution No. 29-14 a Resolution of Upper Darby Township, Delaware County, Pennsylvania approving the application of ARD Baltimore

Avenue, LLC., to subdivide 4,484 acres into two (2) lots. The subdivision would create separate lots for the existing Goodwill Store and recently proposed drive-thru McDonald's Restaurant totaling 4,388 square feet; located on the North side of Baltimore Avenue, approximately 200 feet East of Union Avenue and being subject to certain conditions of approval.

Mr. Bierling: Thank you Mr. Bonnett. Would the Solicitor give us a brief on Resolution No.29-14?

Ms. Sullivan: Certainly. Resolution No. 29-14 is a Resolution of Upper Darby Township, Delaware County, Pennsylvania approving the application of ARD Baltimore Avenue, LLC., to subdivide 4,484 acres into two (2) lots. The subdivision would create separate lots for the existing Goodwill Store and recently proposed drive-thru McDonald's Restaurant totaling 4,388 square feet; located on the North side of Baltimore Avenue, approximately 200 feet East of Union Avenue and being subject to certain conditions of approval.

Mr. Bierling: Thank you. I move for the adoption of Resolution No. 29-14.

Mrs. Crawford: Seconded.

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

Mr. Bierling: That concludes our report, Mr. President.

Mr. Bonnett: Thank you, Jack. We'll go to the Municipal Services, Licensing & Public Works Committee, Mr. Santora please.

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

Resolution No. 30-14, a Resolution to apply to the County Council for an allocation of the County Liquid Fuel Tax Funds in the amount of \$33,500.00

Mr. Santora: Thank you Mr. Bonnett. Would the Solicitor give us a brief on Resolution No.30-14?

Ms. Sullivan: Yes. Resolution No. 30-14 is a Resolution to apply to the County Council for an allocation of the County Liquid Fuel Tax Funds in the amount of \$33,500.00.

Mr. Santora: Thank you. I move for the adoption of Resolution No. 30-14.

Mr. Gwin: Seconded.

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

Resolution No. 31-14, a Resolution of Upper Darby Township, Delaware County, Pennsylvania authorizing the Administration to apply to the Delaware County Regional Planning Commission for a Transportation Community Development Initiative Grant (TCDI) for the Long Lane Traffic and Beautification Project

Mr. Santora: Thank you Mr. Bonnett. Would the Solicitor give us a brief on Resolution No.31-14?

Ms. Sullivan: Yes. Resolution No.31-14 is a Resolution of Upper Darby Township Delaware County, Pennsylvania authorizing the Administration to apply to the Delaware County Regional Planning Commission for a Transportation Community Development Initiative Grant (TCDI) for the Long Lane Traffic and Beautification Project

Mr. Santora: Thank you. I move for the adoption of Resolution No. 31-14.

Mrs. Crawford: Seconded.

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

Resolution No. 32-14, a Resolution of Upper Darby Township, Delaware County, Pennsylvania adopting the Delaware County Sewage Facilities Plan Update- Eastern Service Area - Dated June 2013

Mr. Santora: Thank you Mr. Bonnett. Would the Solicitor give us a brief on Resolution No.32-14?

Ms. Sullivan: Yes. Resolution No. 32-14, a Resolution of Upper Darby Township, Delaware County, Pennsylvania adopting the Delaware County Sewage Facilities Plan Update- Eastern Service Area - Dated June 2013

Mr. Santora: Thank you. I move for the adoption of Resolution No. 32-14.

Mrs. Crawford: Seconded.

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

Mr. Santora: Thank you, Mr. Bonnett. That concludes our report.

Mr. Bonnett: Thank you, Jamie. The next committee is the Public Safety Committee. In the absence of Councilman Rankin, I will ask Councilman Wagner to take this Committee.

Public Safety Committee
John B. Rankin, Chairman

Resolution No. 33-14, a Resolution to remove the One Hour Parking restriction on the 7200 block of Calvin Road

Mr. Wagner: Thank you, Mr. President. At this time, I would like to ask the Solicitor to give a brief on Resolution No. 33-14.

Ms. Sullivan: Resolution No. 33-14 is a Resolution to remove the One Hour Parking restriction on the 7200 block of Calvin Road

Mr. Wagner: Thank you. I move for the adoption of Resolution No. 33-14.

Ms. Coles: Seconded.

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

Resolution No. 34-14, a Resolution to remove the parking restriction from the South side on the 100 block of Richfield Road

Mr. Wagner: Thank you, Mr. President. At this time, I would like to ask the Solicitor to give a brief on Resolution No. 34-14.

Ms. Sullivan: Resolution No. 34-14 is a Resolution to remove the parking restriction from the South side on the 100 block of Richfield Road

Mr. Wagner: Thank you. I move for the adoption of Resolution No. 34-14.

Mrs. Crawford: Seconded.

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

Resolution No. 35-14, a Resolution to install fire zones on the 100 block of Richfield Road

Mr. Wagner: Thank you, Mr. President. At this time, I would like to ask the Solicitor to give a brief on Resolution No. 35-14.

Ms. Sullivan: Resolution No. 35-14 is a Resolution to install fire zones on the 100 block of Richfield Road.

Mr. Wagner: Thank you. I move for the adoption of Resolution No. 35-14.

Mrs. Crawford: Seconded.

Mr. Bonnett: Moved and seconded. All those in favor, signify by saying aye. Opposed? The ayes have it. Law and Government & Rules and Procedures Committee, Mr. Wagner, please.

Law and Government & Rules and Procedures Committee
Thomas P. Wagner, Chairman

Mr. Wagner: Thank you, Mr. President. I hereby move to post the approved Minutes of this body on the Upper Darby Township website.

Mr. Bierling: Seconded.

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

Mr. Wagner: That concludes the report from the Law and Government Committee.

Mr. Bonnett: Madam Solicitor, any further business this evening?

Solicitor: No further business.

Adjournment

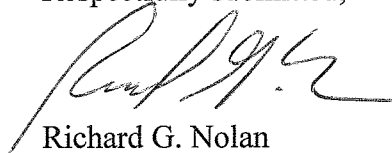
Mr. Bonnett: A motion would be in order for adjournment.

Mr. Wagner: So moved.

Mrs. Crawford: 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,

A handwritten signature in black ink, appearing to read "Richard G. Nolan", written in a cursive style.

Richard G. Nolan
Chief Municipal Clerk

RGN/akc

**UPPER DARBY TOWNSHIP
RESOLUTION NO. 26 -14**

In Re: Appeal Of: 755 Long Lane Trust by its Trustee
Gary D. Ford

Owner: 755 Long Lane Trust by its Trustee
Gary D. Ford

Property Address: 755 Long Lane
Upper Darby Township, PA 19082
Tax Folio No.: 16-02-01443-00

WHEREAS, this matter has been in litigation with an Appeal filed awaiting decision in the Court of Common Pleas of Delaware County under Docket No.13-11472;

WHEREAS, a proposed settlement agreement has been reached in this matter fixing the following tax assessment upon the above-named property;

<u>YEAR</u>	<u>ASSESSMENT</u>
2014	\$18,500.00

WHEREAS, the Board of School Directors of the Upper Darby School District has approved the settlement of the above-listed tax assessment, and;

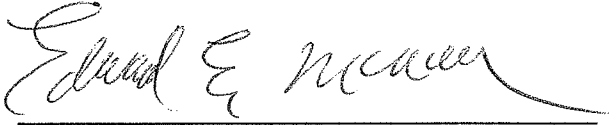
WHEREAS, the Solicitor recommends this settlement.

NOW THEREFORE, be it resolved that the above tax assessment be approved and the Solicitor is hereby authorized and directed to executed a Stipulation in the Court of Common Pleas of Delaware County agreeing to such assessed value for the property.

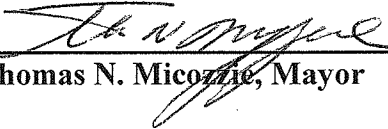
RESOLVED, this 21st day of May, 2014.

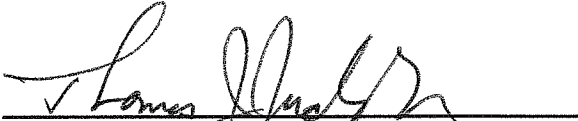
UPPER DARBY TOWNSHIP

BY: 
Donald P. Bonnett, President of Council

ATTEST: 
Edward E. Monaghan
Acting Secretary of Council

Resolution No. 26-14 above is hereby approved this 21st day of May, 2014..

BY: 
Thomas N. Micozzie, Mayor

ATTEST: 
Thomas J. Judge, Jr.,
Chief Administrative Officer

**UPPER DARBY TOWNSHIP
RESOLUTION NO. 27 -14**

In Re: Appeal Of: Sahar & Mohammed Samar Youssef

Owner: Sahar & Mohammed Samar Youssef

**Property Address: 6948 Clinton Road
Upper Darby Township, PA 19082
Tax Folio No.: 16-02-00390-00**

WHEREAS, this matter has been in litigation with an Appeal filed awaiting decision in the Court of Common Pleas of Delaware County under Docket No.13-11942;

WHEREAS, a proposed settlement agreement has been reached in this matter fixing the following tax assessment upon the above-named property;

<u>YEAR</u>	<u>ASSESSMENT</u>
2014	\$22,200.00

WHEREAS, the Board of School Directors of the Upper Darby School District has approved the settlement of the above-listed tax assessment, and;


WHEREAS, the Solicitor recommends this settlement.

NOW THEREFORE, be it resolved that the above tax assessment be approved and the Solicitor is hereby authorized and directed to executed a Stipulation in the Court of Common Pleas of Delaware County agreeing to such assessed value for the property.

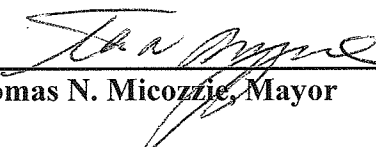
RESOLVED, this 21st day of May, 2014.

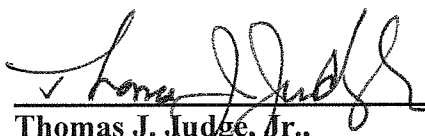
UPPER DARBY TOWNSHIP

BY: 
Donald P. Bonnett, President of Council

ATTEST: 
Edward E. Monaghan
Acting Secretary of Council

Resolution No. 27-14 above is hereby approved this 21st day of May, 2014..

BY: 
Thomas N. Micozzie, Mayor

ATTEST: 
Thomas J. Judge, Jr.,
Chief Administrative Officer

**UPPER DARBY TOWNSHIP
RESOLUTION NO. 28 -14**

In Re: Appeal Of: Sahar & Mohammed Samar Youssef

Owner: Sahar & Mohammed Samar Youssef

**Property Address: 6950 Clinton Road
Upper Darby Township, PA 19082
Tax Folio No.: 16-02-00391-00**

WHEREAS, this matter has been in litigation with an Appeal filed awaiting decision in the Court of Common Pleas of Delaware County under Docket No.13-11941;

WHEREAS, a proposed settlement agreement has been reached in this matter fixing the following tax assessment upon the above-named property;

<u>YEAR</u>	<u>ASSESSMENT</u>
2014	\$22,200.00

WHEREAS, the Board of School Directors of the Upper Darby School District has approved the settlement of the above-listed tax assessment, and;

WHEREAS, the Solicitor recommends this settlement.

NOW THEREFORE, be it resolved that the above tax assessment be approved and the Solicitor is hereby authorized and directed to executed a Stipulation in the Court of Common Pleas of Delaware County agreeing to such assessed value for the property.

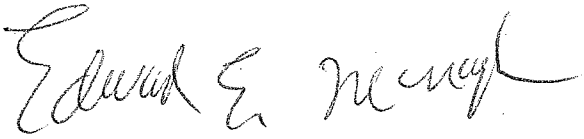
RESOLVED, this 21st day of May, 2014.

UPPER DARBY TOWNSHIP

BY:

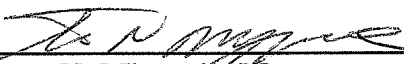


Donald P. Bonnett, President of Council

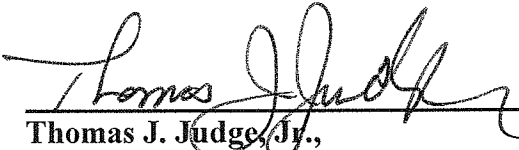
ATTEST: 

Edward E. Monaghan
Acting Secretary of Council

Resolution No. 28-14 above is hereby approved this 21st day of May, 2014..

BY: 

Thomas N. Micozzie, Mayor

ATTEST: 

Thomas J. Judge, Jr.,
Chief Administrative Officer

UPPER DARBY TOWNSHIP

Resolution No. 29-14

**A RESOLUTION OF UPPER DARBY TOWNSHIP,
DELAWARE COUNTY, PENNSYLVANIA
APPROVING THE APPLICATION OF ARD
BALTIMORE AVE LLD TO SUBDIVIDE 4.484 ACRES
INTO TWO (2) LOTS. THE SUBDIVISION WILL
CREATE SEPARATE LOTS FOR THE EXISTING
GOODWILL STORE AND RECENTLY PROPOSED
DRIVE-THRU MCDONALD'S RESTAURANT
TOTALING 4,388 SQUARE FEET LOCATED ON THE
NORTH SIDE OF BALTIMORE AVENUE,
APPROXIMATELY 200 FEET EAST OF UNION
AVENUE AND BEING SUBJECT TO CERTAIN
CONDITIONS OF APPROVAL.**

WHEREAS, ARD Baltimore Avenue, LLC ("Applicant") has submitted for approval its Final Subdivision Plan to subdivide 4.484 acres into two (2) lots. The subdivision will create separate lots for the existing Goodwill Store and recently proposed drive-thru McDonald's Restaurant totaling 4,388 square feet, prepared by LANDCORE Engineering Consultants, P.C., said plans were previously approved by Upper Darby Township Council on March 19, 2014. Plans have been subsequently amended due to comments from the Pennsylvania Department of Transportation and submitted to the Township dated April 7, 2014 (collectively "Final Plans"; and

NOW THEREFORE, BE IT RESOLVED, that the above-cited Final Plans are hereby approved subject to certain Conditions of Approval including the following:

1. Applicant has obtained approval by Pennsylvania Department of Transportation of all necessary permits, including but not limited to any required highway occupancy permit.
2. Approval by the Township Solicitor and execution by ARD Baltimore Avenue, LLC and, where applicable, Applicant's lender, of all necessary and appropriate documentation including Developer's Agreement and Improvement Security Agreement, and such other

documentation as acceptable to the Solicitor, including but not limited to documentation concerning the ongoing maintenance, operation and repair of the common site improvements, if any, which are not to be dedicated to the Township;

3. Applicant has obtained approval by Delaware County Conservation District of all required submittals.

4. Applicant has entered into a Sanitary Sewer Agreement for public sewer service as shown on the Development Plan

5. Formal recording of the Minor Subdivision Plan (the "Record Plans") following Township execution of the Record Plans;

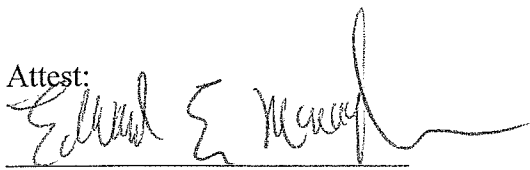
6. Applicant shall comply with all conditions and approvals applicable to zoning variances granted by the Upper Darby Township Zoning Hearing Board.

7. Subject to the approval of the Township Solicitor and Applicant's recording of appropriate cross-access and utility easements between the two (2) lots created by the Plan.

8. Applicant shall comply with all applicable federal, state and local codes or ordinances and shall obtain all required permits.

TOWNSHIP OF UPPER DARBY

Attest:



**Edward E. Monaghan
Acting Secretary of Council**

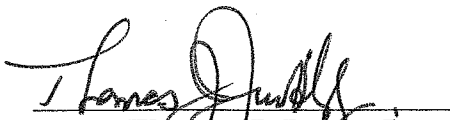
By:



**Donald P. Bonnett
President of Council**

Resolution No. 29-14 above is hereby approved this 21st day of May, A.D., 2014.

Attest:



**Thomas J. Judge, Jr.
Chief Administrative
Officer**

Approved:



**Thomas N. Micozzie
Mayor**

RESOLUTION NO. 30-14

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:

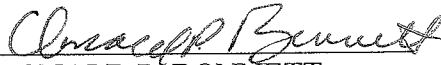
THAT WE, THE OFFICIALS OF UPPER DARBY TOWNSHIP, DELAWARE COUNTY, PENNSYLVANIA IN A REGULAR SESSION ASSEMBLED ON THIS 21ST DAY OF MAY 2014, DO HEREBY MAKE APPLICATION TO THE COUNTY COUNCIL OF DELAWARE COUNTY FOR AN ALLOCATION OF COUNTY LIQUID FUEL TAX FUNDS IN THE AMOUNT OF \$33,500.00 TO BE USED IN THE IMPROVEMENT OF:

**RESURFACING VARIOUS STREETS THROUGHOUT
THE TOWNSHIP, ESTIMATED TOTAL COST OF
PROJECT: \$33,500.00**

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 21ST DAY OF MAY A.D., 2014.

UPPER DARBY TOWNSHIP


DONALD P. BONNETT
PRESIDENT OF COUNCIL

RESOLUTION NO. 30-14

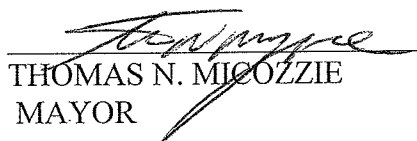
MAY 21ST, 2014

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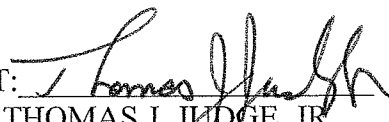


ATTEST:

EDWARD E. MONAGHAN
ACTING SECRETARY OF COUNCIL



THOMAS N. MICOZZIE
MAYOR

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

UPPER DARBY TOWNSHIP**Resolution No. 31-14****A RESOLUTION OF UPPER DARBY TOWNSHIP, DELAWARE VALLEY, PENNSYLVANIA AUTHORIZING THE ADMINISTRATION TO APPLY TO THE DELAWARE VALLEY REGIONAL PLANNING COMMISSION FOR A TRANSPORTATION COMMUNITY DEVELOPMENT INITIATIVE GRANT (TCDI) FOR THE LONG LANE TRAFFIC AND BEAUTIFICATION PROJECT.**

WHEREAS, the Delaware Valley Regional Planning Commission (DVRPC) provides Transportation and Community Development Initiative grant opportunities to support local development and redevelopment efforts in qualifying municipalities of the Delaware Valley; and

WHEREAS, DVRPC's Transportation and Community Development Initiative provides a mechanism for municipalities to undertake locally-directed actions to improve their communities by providing funding to undertake planning, analysis or design initiatives for projects or programs which enhance development or redevelopment and enhance and improve the efficiency of the regional transportation system; and

WHEREAS, Upper Darby Township desires to apply for DVRPC's Transportation and Community Development Initiative grant; and

WHEREAS, Upper Darby Township understands the grant amount requested must provide a twenty percent (20 %) match in local, county, State or private funds or documented in-kind services; and

WHEREAS, Upper Darby Township fully understand the application requirements and contracting process if awarded the Transportation and Community Development Initiative grant funds; and

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:


(1) Upper Darby Township Council hereby authorizes the Township Administration to submit an application to the DVRPC for a Transportation Community Development Initiative Grant (TCDI); and


(2) If Upper Darby Township is selected as a recipient of a Transportation and Community Development Initiative Grant, Upper Darby Township agrees to:

- (a) Engage in contracting procedures including the request for proposals and budget allocation;
- (b) Execute all required Grant documents;
- (c) On a quarterly basis, submit reimbursement invoices and progress reports as well as all necessary supporting documentation; and
- (d) Take all necessary action to complete the identified and approved Grant project within twenty-four (24) months.


Resolved this 21st day of May 2014.

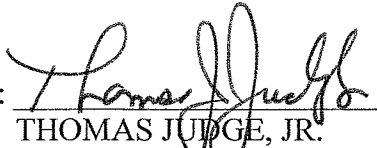
TOWNSHIP OF UPPER DARBY

By: 
 DONALD P. BONNETT
 President of Council

Attest: 
 Edward E. Monaghan
 Acting Secretary of Council

Resolution 31-14 above is hereby approved this 21st day of May, 2014

APPROVED: 
 Thomas N. Micozzie
 Mayor

Attest: 
 THOMAS JUDGE, JR.
 Chief Administrative Officer

UPPER DARBY TOWNSHIP

Resolution No. 32-14

A RESOLUTION OF UPPER DARBY TOWNSHIP, DELAWARE COUNTY, PENNSYLVANIA ADOPTING THE DELAWARE COUNTY SEWAGE FACILITIES PLAN UPDATE – EASTERN SERVICE AREA.

WHEREAS, Section 5 of the Act of January 24, 1966, P.L. 1535, No. 537, known as the “Pennsylvania Sewage Facilities Act”, as amended, and the Rules and Regulations of the Department of Environmental Protection (Department) adopted thereunder, Chapter 71 of Title 25 of the Pennsylvania Code, require Upper Darby Township to adopt an Official Sewage Facilities Plan providing for sewage services adequate to prevent contamination of waters and/or environmental health hazards with sewage wastes, and to revise said plan whenever it is necessary to meet the sewage disposal needs of Upper Darby Township; and

WHEREAS the Delaware County Planning Department, acting upon authorization from the Department of Environmental Protection, did offer assistance to Upper Darby Township in meeting the Act 537 requirements on a sub-County basis; and

WHEREAS, Upper Darby Township did by formal resolution, dated August 17, 2011, authorize the County of Delaware to prepare the sewage facilities plan on its behalf; and

WHEREAS, the Delaware County Act 537 Sewage Facilities Plan Update: Eastern Service Area recommends implementation of the selected alternative to continue to send wastewater to SWWPCP for treatment and continue to pursue I&I removal from the collection systems in the Eastern Service Area. This includes either adopting and implementing a Lateral Inspection and Repair/Replacement Time of Sale ordinance or developing a written municipality-specific I&I reduction plan; and

WHEREAS, Upper Darby Township did by formal resolution, dated adopt Resolution 4-14 which accepted and adopted the Delaware County Act 537 sewage facilities Plan update: Eastern Service Area prepared by the Delaware County planning Department, dated *April 2013* as an amendment to the official plan for sewage facilities in compliance with the Pennsylvania Sewage Facilities act of 1966.; and

WHEREAS, Resolution 4-14 misidentified the Delaware County Act 537 sewage facilities Plan update: Eastern Service Area and Upper Darby Township therefore wishes to repeal Resolution 4-14.

WHEREAS, the appropriate municipal officials, have reviewed the findings and recommendations of the plan identified as the "Delaware County Act 537 Sewage Facilities Plan Updated: Eastern Service Area" prepared by the Delaware County Planning Department, dated June 2013 and find it to conform to applicable zoning, subdivision, and other municipal ordinances and plans, and to a comprehensive program of pollution control and water quality management.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

(1) That Upper Darby Township hereby repeals, revokes and rescinds Resolution 4-14, dated February 19, 2014; and

(2) Upper Darby Township hereby accepts and adopts the "Delaware County Act 537 Sewage Facilities Plan Update: Eastern Service Area" prepared by the Delaware County Planning Department, June 2013, as an amendment to the official plan for sewage facilities in compliance with the Pennsylvania Sewage Facilities Act of 1966. Upper Darby Township hereby assures the Department that it will implement the said plan within the time limits established in the implementation schedule found on page 7-7 of the plan, as required by law. (Section 5, Pennsylvania Sewage Facilities Act, as amended.)

Resolved this 21st day of May 2014.

TOWNSHIP OF UPPER DARBY

By: Donald P. Bonnett
DONALD P. BONNETT
President of Council

Attest: Edward E. Monaghan
EDWARD E. MONAGHAN
Acting Secretary of Council

Resolution 32-14 above is hereby approved this 21st day of May, 2014

APPROVED: Thomas N. Micozzie
Thomas N. Micozzie
Mayor

Attest: Thomas Judge, Jr.
THOMAS JUDGE, JR.
Chief Administrative Officer

RESOLUTION NO. 33-14

WHEREAS, ORDINANCE NO. 449 OF UPPER DARBY TOWNSHIP PROHIBITS PARKING OF VEHICLES UPON CERTAIN HIGHWAYS WITHIN THE TOWNSHIP AND REGULATES THE PARKING OF VEHICLES UPON CERTAIN HIGHWAYS WITHIN THE TOWNSHIP AND IMPOSES PENALTIES FOR THE VIOLATION THEREOF:


NOW, THEREFORE, BE IT RESOLVED:


THAT ORDINANCE NO. 1244, SECTION 2, THE SAME IS HEREBY AMENDED

TO REMOVE THE ONE HOUR PARKING RESTRICTION ON THE 7200 BLOCK OF CALVIN ROAD.


RESOLVED, THIS 21ST DAY OF MAY, A.D., 2014.

UPPER DARBY TOWNSHIP


DONALD P. BONNETT
PRESIDENT OF COUNCIL

ATTEST: 
EDWARD E. MONAGHAN
ACTING SECRETARY OF COUNCIL


THOMAS N. MICOZZIE
MAYOR

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

RESOLUTION NO. 34-14

WHEREAS, ORDINANCE NO. 449 OF UPPER DARBY TOWNSHIP PROHIBITS PARKING OF VEHICLES UPON CERTAIN HIGHWAYS WITHIN THE TOWNSHIP AND REGULATES THE PARKING OF VEHICLES UPON CERTAIN HIGHWAYS WITHIN THE TOWNSHIP AND IMPOSES PENALTIES FOR THE VIOLATION THEREOF:

NOW, THEREFORE, BE IT RESOLVED:

THAT ORDINANCE NO. 449 AND THE SAME IS HEREBY AMENDED AND SUPPLEMENTED BY DELETING THE FOLLOWING:

**THE REMOVAL OF THE NO PARKING RESTRICTION ON THE
~~200 BLOCK OF WEMBLY ROAD.~~
100 BLOCK OF RICHFIELD ROAD.**

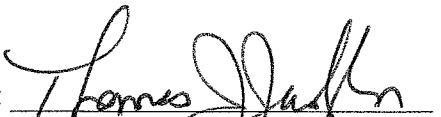
RESOLVED, THIS 21ST DAY OF MAY, A.D., 2014.

UPPER DARBY TOWNSHIP


DONALD P. BONNETT
PRESIDENT OF COUNCIL

ATTEST: 
EDWARD E. MONAGHAN
ACTING SECRETARY OF COUNCIL.


THOMAS N. MICOZZIE, MAYOR

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

RESOLUTION NO. 35-14

WHEREAS, ORDINANCE NO. 2419 OF THE TOWNSHIP OF UPPER DARBY ESTABLISHES FIRE SAFETY ZONES IN THE AREAS OFFICIALLY SET ASIDE AS SUCH WITHIN THE STREETS AND HIGHWAYS OF THE TOWNSHIP AND IMPOSES PENALTIES FOR THE VIOLATION THEREOF:


NOW, THEREFORE, BE IT RESOLVED:

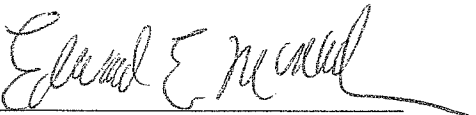
THAT ORDINANCE NO. 2419 BE AND THE SAME IS HEREBY AMENDED AND SUPPLEMENTED BY ADDING TO SECTION 6 THE FOLLOWING:

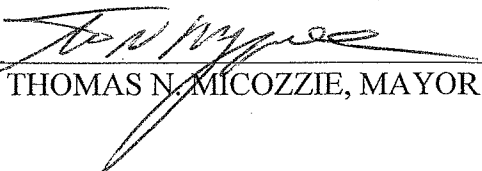
ESTABLISH FIRE SAFETY ZONES ON THE 100 BLOCK OF RICHFIELD ROAD


RESOLVED, THIS 21ST DAY OF MAY, A.D., 2014,

UPPER DARBY TOWNSHIP


DONALD P. BONNETT
PRESIDENT OF COUNCIL

ATTEST: 
EDWARD E. MONAGHAN
ACTING SECRETARY OF COUNCIL


THOMAS N. MICOZZIE, MAYOR

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