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Upper Darby Township Council Meeting

August 19th, 2015

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The Fresh Anointing Christian Center located at 141 Garrett Road will host a prayer breakfast meet and greet for police officers, fire fighters and civilian workers of Upper Darby Township on Friday, August 21st, 2015 at 9:00 AM.

The Press Release for the trash and recycling schedule during the week of the Labor Day Holiday was read.

Mayor Micozzie discussed the plan for the upcoming visit of the Pope.

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A regular meeting of Upper Darby Township Council was held on Wednesday evening, August 19th, 2015 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.

Mr. Bonnett: Ladies and gentlemen, before we begin our meeting tonight, I would like to acknowledge the presence of our State Representative, Mr. Jamie Santora. Thank you for attending this evening, Jamie. I understand that you have a proclamation to present.

Roll Call

Donald P. Bonnett, John Rankin, Ed Monaghan, Jacob A. Bierling Jr., Mary Ann Crawford, Sekela Coles, Robert Gwin, Barbarann Keffer, Kate Sweeney Smith

Thomas P. Wagner, excused
Marah Manners, absent (arrived late)

Present at the Meeting

Thomas N. Micozzie, Mayor
Thomas J. Judge Jr., CAO
Scott C. Gottel, Esq., Solicitor
Kelly Sullivan, Esq., Solicitor
Richard G. Nolan, Chief Municipal Clerk

Mr. Bonnett: Ladies and gentlemen, we are going to modify the order of the agenda this evening. The Mayor and State Representative Santora have a Proclamation to present and we are going to do that at this time.

Representative Santora and Mayor Micozzie presented Emily Simkovich with a Proclamation.

PROCLAMATION

Practice makes perfect and Emily Simkovich practiced three hours a day before and one and a half hours a day throughout the whole year to become The

National 2015 Girls Marbles Champion which was held in Wildwood, New Jersey from June 20th to the 23rd.

Emily achieved victory in the competition to win over 25 girls. She is quoted saying, "It takes a lot of practice but when you get good it is fun to win"! She will receive a monetary scholarship towards college and be the marbles ambassador for the year 2015. Along with being crowned Queen, she was also named Stick Champion.

Emily was able to rest and mentally prepare for the winning moment. The Upper Darby Township resident truly defines the word victor!

Therefore I, Thomas N. Micozzie, Mayor of Upper Darby Township, along with the Township Council proclaim today Wednesday, August 19, 2015 as

EMILY SIMKOVICH DAY

in Upper Darby Township. We extend sincere congratulations in honoring a talented and gifted athlete for her outstanding accomplishment and wish Emily success in a future endeavors.

Thomas N. Micozzie
Thomas N. Micozzie
Upper Darby Township
Delaware County, Pennsylvania

Audience applause.

Approval of the Minutes

Mr. Bonnett: A motion would be in order for the approval of the minutes for the Regular Meeting of July 15th, 2015.

Mr. Bierling: 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. Let the record show that Councilwoman Manners has arrived for the meeting.

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.

Shannon Thomas, 8014 Arlington Avenue
Parking

Karen E. O'Brien, 8010 Arlington Avenue
Parking, UDPD

Robert Cassidy, 3854 Garrett Road
Removal of Planned Parenthood

Tyrone & Carol Easley, 213 Sherbrook Blvd.
Real estate taxes

John Furth, 43 Roselawn Avenue
Valley House

Paul Kane, 8003 Arlington Avenue
Flood Scrap Yard

Margaret Kane, 8003 Arlington Avenue
Flood Scrap Yard

Their comments are filed on tape.

Mr. Rankin: That concludes the speakers for this evening

Mr. Bonnett: This is time of the meeting set aside for our Mayor, the Honorable Thomas N. Micozzie.

Mayor Micozzie

Mayor Micozzie made the following announcements:

The Upper Darby Football Bowl between UDHS and Monsignor Bonner-Archbishop Prendergast HS will take place on Friday, September 4th, 2015 at the UDHS Football field at 7:00 PM.

There will be an outdoor movie night at Aronimink School on September 11th, 2015. The movie night that took place on August 18th, 2015 in the Second Ward Playground was a huge success.

The Fresh Anointing Christian Center located at 141 Garrett Road will host a prayer breakfast meet and greet for police officers, fire fighters and civilian workers of Upper Darby Township on Friday, August 21st, 2015 at 9:00 AM.

The Press Release for the trash and recycling schedule during the week of the Labor Day Holiday was read.

Mayor Micozzie discussed the plan for the upcoming visit of the Pope.

Mr. Bonnett: Thank you, Mr. Mayor. At this time we will go into the Committee Reports beginning with the Finance and Appropriations Committee, Mr. Wagner please.

Committee Reports**Finance and Appropriations Committee**

Thomas P. Wagner, Chairman

Resolution No. 25-15, the tax appeal of Morgan Acquisitions, LLC, 204 Bridge Street, Upper Darby Township. Tax Folio No: 16-13-00902-00

Mr. Bierling: Thank you, Mr. President. I would ask the Solicitor to give us a brief on Resolution 25-15.

Solicitor: Certainly. Resolution No. 25-15 is the tax appeal of Morgan Acquisitions, LLC., 204 Bridge Street, Upper Darby Township. Tax Folio No: 16-13-00902-00. The recommended Resolution is for a reduction for an assessment of \$57,630.00. This has been approved by the Upper Darby School District and is being recommended by the Solicitor's office.

Mr. Bierling: Thank you, Mr. Solicitor. With that, I move for the adoption of Resolution No. 25-15.

Mrs. Crawford: Second.

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

Mr. Bierling: That completes our report.

Mr. Bonnett: Thank you, Jack. The next Committee is the Planning, Zoning & Building Code Committee. Mr. Bierling again, please.

Planning, Zoning & Building Code Committee

Jacob A. Bierling Jr., Chairman

Motion for a land development for Sulakhan Singh to further develop .032 acre with 925 sq. ft. of additions to convert a single family detached dwelling to a commercial store. 818 Baltimore Avenue, Fernwood, Pennsylvania. Folio No: 16-02-00155-00

Mr. Bierling: Thank you, Mr. Bonnett. I would like to make a Motion for a land development for Sulakhan Singh to further develop .032 acre with 925 sq. ft. of additions to convert a single family detached dwelling to a commercial store. 818 Baltimore Avenue, Fernwood, Pennsylvania. Folio No: 16-02-00155-00

Mrs. Crawford: Second.

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

Mr. Bierling: That completes our report.

Mr. Bonnett: Thank you, Jack. The next Committee is the Public Safety Committee, Mr. Rankin please.

Public Safety Committee

John B. Rankin Jr., Chairman

Motion to authorize the Administration to write to PennDot to review traffic safety improvements in the vicinity of Long Lane where it intersects with Cleveland and Crosley Avenues

Mr. Rankin: I would like to make a Motion to authorize the Administration to write to PennDot to review traffic safety improvements in the vicinity of Long Lane where it intersects with Cleveland and Crosley Avenues

Mr. Bierling: Second.

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

Mr. Rankin: That completes the report of the Public Safety Committee, Mr. President.

Mr. Bonnett: Thank you, John. Municipal Services, Licensing and Public Works Committee, Mr. Monaghan please.

**Municipal Services, Licensing and Public Works Committee
Edward E. Monaghan, Chairman**

Introduction of Ordinance No. 3024, an Ordinance requiring all persons, partnerships, businesses and corporations to obtain a permit for any construction or development; providing for the issuance of such permits, setting forth certain minimum requirements for new construction and development within areas of Upper Darby Township which are subject to flooding, and establishing penalties for any persons who fail or refuse to comply with the requirements or provisions of this Ordinance

Mr. Monaghan: I would like to ask the Solicitor to give us a brief on proposed Ordinance No. 3024.

Solicitor: Ordinance No. 3024 is an Ordinance requiring all persons, partnerships, businesses and corporations to obtain a permit for any construction or development; providing for the issuance of such permits, setting forth certain minimum requirements for new construction and development within areas of Upper Darby Township which are subject to flooding, and establishing penalties for any persons who fail or refuse to comply with the requirements or provisions of this Ordinance.

Mr. Monaghan: At this time I would like to make a motion that the proposed Ordinance No. 3024 be duly advertised and placed on the agenda for the September 16th, 2015 regular Council Meeting.

Mrs. Crawford: Seconded.

Mr. Bonnett: It's been moved and seconded for the introduction of Ordinance No. 3024. All those in favor signify by saying aye. Opposed? The ayes have it.

Introduction of Ordinance No. 3025, an Ordinance of Upper Darby Township, Delaware County, Pennsylvania amending Ordinance 2937 to adjust certain fees charged by the Department of Licenses and Inspections and repealing all Ordinances, Resolutions and parts of Ordinances or Resolutions inconsistent herewith

Mr. Monaghan: I would like to ask the Solicitor to give us a brief on proposed Ordinance No. 3025.

Solicitor: Ordinance No. 3025 is an Ordinance of Upper Darby Township, Delaware County, Pennsylvania amending Ordinance 2937 to adjust certain fees charged by the Department of Licenses and Inspections and repealing all Ordinances, Resolutions and parts of Ordinances or Resolutions inconsistent herewith.

Mr. Monaghan: At this time I would like to make a motion that the proposed Ordinance No. 3025 be duly advertised and placed on the agenda for the September 16th, 2015 regular Council Meeting.

Mrs. Crawford: Seconded.

Mr. Bonnett: It's been moved and seconded for the introduction of Ordinance No. 3025. All those in favor signify by saying aye. Opposed? The ayes have it.

Mr. Monaghan: That concludes the business of the Municipal Services, Licensing and Public Works Committee.

Mr. Bonnett: Thank you Ed. Does the Solicitor have any business for the Council this evening?

Solicitor: No, I do not.

Adjournment

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

Mr. Rankin: So moved.

Mr. Bierling: Seconded.

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

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Richard G. Nolan". The signature is fluid and cursive, with a large initial "R" and "N".

Richard G. Nolan
Chief Municipal Clerk

RGN/akc

**UPPER DARBY TOWNSHIP
RESOLUTION NO. 25-15**

In Re: Appeal Of: Morgan Acquisitions, LLC

Owner: Morgan Acquisitions, LLC

**Property Address: 204 Bridge Street
Upper Darby Township, PA 19082
Tax Folio No.:**

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. 14-10772;

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>
2015	\$57,630.00

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.

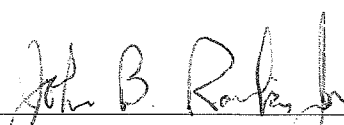
RESOLVED, this 19th day of August, 2015.

UPPER DARBY TOWNSHIP

BY: 

Donald P. Bonnett, President of Council

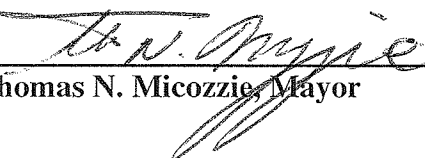
ATTEST:



John B. Rankin, Jr., Secretary of Council

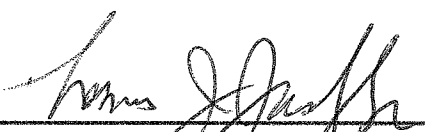
Resolution No. 25-15 above is hereby approved this 19th day of August, 2015.

BY:



Thomas N. Micozzie, Mayor

ATTEST:



Thomas J. Judge, Jr.,
Chief Administrative Officer