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Upper Darby Township Council Meeting

February 17th, 2016

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Delaware County, Pennsylvania, authorizing that part of certain unencumbered
appropriations allocated by the annual Budget for Upper Darby Township for
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to other departments, offices and agencies within the Township. All Ordinances
and parts of Ordinances inconsistent herewith are hereby repealed.

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A regular meeting of Upper Darby Township Council was held on Wednesday evening, February 17th, 2016, 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 Color guard.

Roll Call

Donald P. Bonnett, Thomas P. Wagner, Edward E. Monaghan, Jacob A. Bierling Jr., Sekela Coles, Robert Gwin, Barbarann Keffer, Marc Manfre, Lisa Faraglia, Sheikh M. Siddique, Patrick Spellman

Present at the Meeting

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

Council President Donald P. Bonnett paid tribute to former 4th District Councilman Jack Shingle and asked everyone present to stand for a moment of silence

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.

John Haigis, 1006 Main Street, Darby, PA
Valley House

Alfred Achart Jr., 7228 Radbourne Road
Black Lives Matter
DECLINED TO SPEAK

Their comments are filed on tape.

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

Mr. Bonnett: Ladies and Gentlemen, tonight as we do once every year the Upper Darby Marine Corps League, Detachment #884 appears with us to present a Police Officer of the year award, a Fire Fighter of the year award and a Citizen of the year award. Tonight to conduct the formalities is the recent past Commandant, Steve Quinn as well as the present and current Commandant George Souder. Gentlemen, please come forward.

Marine Corps League Annual Award Presentation

Commandant Steve Quinn: 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 Officer of the Year.

Officer Matthew Lynch was presented with the 2016 Upper Darby Marine Corps League Police Officer of the Year Award.

Audience applause.

Commandant Steve Quinn: Our next award is the Firefighter of the Year Award.

Byron Evans was presented with the 2016 Upper Darby Al Darmiento Fire Fighter of the Year Award.

Audience applause.

Commandant Steve Quinn: Our next presentation is for Citizen of the Year for 2016.

Jean Koroly was presented with the 2016 Upper Darby Citizen of the Year Award.

Audience applause.

Commandant Steve Quinn: I want to acknowledge that the recipient of the 2016 Upper Darby Marine Corps League Marine of the Year Award is Mark Doucette. The award was given at our Marine Corps League ball in November.

Audience applause.

Mayor Micozzie congratulated all of the award recipients.

Commandant Steve Quinn: 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.

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 January 20, 2016.

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. This is the time set aside for our Mayor, the Honorable Thomas N. Micozzie.

Mayor Micozzie**Announcements**

There will be a Beef and Beer fundraiser for the UDCOC held at Casey's Restaurant on Saturday, March 19th, 2016 from 2-6 p.m.

Upper Darby Fire Fighters will hold the "Pour for the Cure" at Casey's Restaurant on Saturday, February 27th, 2016 from 2-5 p.m.

Highland Park Kirklyn Athletic Association will have their annual Beef and Beer at McGillicuddy's Kirklyn on Saturday, February 27th, 2016 from 7-10 p.m.

Mayor Micozzie asked Mr. Judge for an update on the bids received for the Valley House.

Mr. Judge: We received three bids today on the Valley House and we are vetting the vendors right now to make sure that their bonds and references are in order. The low bid was \$21,900, \$29,660 was the second bid and the high bid was \$32,000.

Mr. Bonnett: Is that it, Tom?

Mr. Judge: Mr. President, there is a question on the floor on my statements.

Mr. Gwin: Just for confirmation, that's for the demolition and removal?

Mr. Judge: That is for the demolition and removal of the material from the property.

Mr. Bonnett: Any other questions?

Ms. Keffer: UNABLE TO HEAR BECAUSE VOICE WAS TOO LOW

Mr. Bonnett: That was a result of information that the Township had received from the interested parties in preserving the Valley House but it was only appropriate that I distribute that to every member of Council. You can feel free to review that at your leisure and if you have any comments please get back to me.

Ms. Keffer: Are the other options being considered?

Mr. Bonnett: Right now, the mission is to demolish the building.

Mr. Judge: Council approved the Resolution to go forward with that.

Mr. Bonnett: That is the direction that Council is proceeding in at this point based on the Resolution approved by this Council. At this time we will go into the Committee Reports starting with the Public Safety Committee, Mr. Monaghan, please.

Committee Reports

Public Safety Committee

Edward E. Monaghan, Chairman

Resolution No. 01-16, a Resolution to remove meter # 1162, 1163 and 1164 from Township Line Road located at 5001 Township Line Road

Mr. Monaghan: I would like to ask the Solicitor to give us a brief on Resolution No. 01-16.

Solicitor: Certainly. Resolution No. 01-16 is a Resolution to remove meter # 1162, 1163 and 1164 from Township Line Road located at 5001 Township Line Road

Mr. Monaghan: Thank you. At this time, I move for the adoption of Resolution No. 01-16.

Mrs. Faraglia: Seconded.

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

Resolution No. 02-16, a Resolution to establish a one-way flow of traffic on the 4500 Block of Cedar Lane from Burmont Road to Wilde Avenue going north

Mr. Monaghan: I would like to ask the Solicitor to give us a brief on Resolution No. 02-16.

Solicitor: Certainly. Resolution No. 02-16 is a Resolution to establish a one-way flow of traffic on the 4500 block of Cedar Lane from Burmont Road to Wilde Avenue going north

Mr. Monaghan: Thank you. At this time, I move for the adoption of Resolution No. 02-16.

Mr. Wagner: Seconded.

Mr. Bonnett: It has been moved and seconded. Any comments?

Mr. Wagner: I have a comment if I may. This particular block of Cedar Lane is in my district and we did have a meeting with the residents of that block. I organized and attended that meeting and President of Council Bonnett also attended. I believe we had members of the Administration there as well. It was a well-attended meeting on the part of the public. It was very clear that the consensus of that meeting as suggested by Mr. Bonnett was that the best solution to a public safety problem that the residents of that block had identified was to make it a one-way street and this Resolution is the result of that. I just think it's a good example of members of our community coming together, focusing on a problem and then deciding how to fix it and getting our help with doing that. So, I appreciate the fact that this is being done and I'm asking all Council members to support it.

Mr. Bonnett: Any other comments? It has been moved and seconded. All those in favor signify by saying aye. Opposed? The ayes have it. The next Committee is Municipal Services, Licensing & Public Works Committee, Mr. Bierling, please.

Resolution No. 03-16, a Resolution of Upper Darby Township, Delaware County, Pennsylvania consenting to and supporting the city of Philadelphia Water Department's Cobbs Creek Stream Restoration Project

Mr. Bierling: I would like to ask the Solicitor to give us a brief on Resolution No. 03-16.

Solicitor: Certainly. Resolution No. 03-16 is a Resolution of Upper Darby Township, Delaware County, Pennsylvania consenting to and supporting the city of Philadelphia Water Department's Cobbs Creek Stream Restoration Project

Mr. Bierling: Thank you. At this time, I move for the adoption of Resolution No. 03-16.

Mr. Wagner: Seconded.

Mr. Bonnett: It has been moved and seconded. All those in favor signify by saying aye. Opposed? The ayes have it. The next Committee is the Finance and Appropriations Committee, Mr. Wagner, please.

Introduction of Ordinance No. 3028, an Ordinance of Upper Darby Township, Delaware County, Pennsylvania, authorizing that part of certain unencumbered appropriations allocated by the Capital Budget Series 2008 E be transferred from various departments and agencies to other departments and agencies within the Township and repealing all Ordinances and Resolutions inconsistent herewith

Mr. Wagner: I would like to ask the Solicitor to give us a brief on proposed Ordinance No. 3028.

Solicitor: Certainly. Ordinance No. 3028 is an Ordinance of Upper Darby Township, Delaware County, Pennsylvania, authorizing that part of certain unencumbered appropriations allocated by the Capital Budget Series 2008 E be transferred from various departments and agencies to other departments and agencies within the Township and repealing all Ordinances and Resolutions inconsistent herewith

Mr. Wagner: Thank you Madam Solicitor. I hereby move that the proposed Ordinance No. 3028 be duly advertised and placed on the agenda for the March 16, 2016 regular Council Meeting.

Mr. Spellman: Second.

Mr. Bonnett: It's been moved and seconded for the introduction of Ordinance No. 3028. Any comment?

Ms. Keffer: I was just looking at the Police Department budget. Their budget is \$1 million in overtime and it looks like a good portion of this was transferred to the Police Department. Was that for overtime too?

Mr. Judge: I think what the Councilwoman is asking is that the \$1 million is in the General Fund budget for overtime. This budget is Capital budget and we're moving money from other departments to the Police department. Capital budget we do not charge overtime to. We do

charge physical purchases. This money for the most part is for building repairs, for the maintenance of the Public Safety building and to the purchase of police cars. We do a rotation on police cars twice a year. Does that answer your question?

Ms. Keffer: What is the allocation to Public Works for?

Mr. Judge: The allocation for Public Works will be for equipment also. We bought sanitation vehicles and we're looking at purchasing other vehicles for the Public Works department.

Ms. Keffer: Thank you.

Mr. Bonnett: Any other comments? It's been moved and seconded. All those in favor signify by saying aye. Opposed? The ayes have it.

Introduction of Ordinance No. 3029, an Ordinance of Upper Darby Township, Delaware County, Pennsylvania, authorizing that part of certain unencumbered appropriations allocated by the annual Budget for Upper Darby Township for the Year 2016 be transferred from various departments, offices and agencies to other departments, offices and agencies within the Township. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

Mr. Wagner: I would like to ask the Solicitor to give us a brief on proposed Ordinance No. 3029.

Solicitor: Certainly. Ordinance No. 3029, an Ordinance of Upper Darby Township, Delaware County, Pennsylvania, authorizing that part of certain unencumbered appropriations allocated by the annual Budget for Upper Darby Township for the Year 2016 be transferred from various departments, offices and agencies to other departments, offices and agencies within the Township. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

Mr. Wagner: Thank you Madam Solicitor. I hereby move that the proposed Ordinance No. 3029 be duly advertised and placed on the agenda for the March 16, 2016 regular Council Meeting.

Mr. Bierling: Second.

Mr. Bonnett: It's been moved and seconded for the introduction of Ordinance No. 3029. Any comments?

Ms. Keffer: What is the \$300,000 for?

Mr. Judge: I think at Committee I explained this to Council that this \$300,000 is basically to cover the additional expense for the snowstorm that we just experienced. We do have money in the budget for a series of snowstorms but we do not have money in the budget to cover the

magnitude of the snowstorm that we had at that time. I'll be glad to go through what I explained to Committee to anyone who wants to know those details but this is to cover that expense for the overtime for the contractors that we had to bring in to remove the snow during that snowstorm in late January.

Mr. Wagner: I think we also discussed at Committee that we expected reimbursement from the State level if an emergency had been

Mr. Judge: Can we use the word hope instead of expect because from the Committee meeting until now, the word is more hope than expect. I don't think we're going to get anything from the State.

Mayor Micozzie: The biggest deficiency from our experience and correct me if I'm wrong Tom I said at Committee is when the Governor declares an emergency, everyone in the area thought it was a declared emergency then we got the Resolution that said that he waived the purchasing requirements which I can do as a Mayor.

Mr. Judge: But, he did not.....

Mayor Micozzie: He did not implement it and basically the reason is he does have money in his budget to give the money so he didn't declare it. Every other Governor since I've been involved since 1989 in a major storm over 10-12 inches has declared an emergency in the State. In 1996, we got reimbursed. I think 2003 was the last one.

Mr. Judge: Right. You have to meet certain criteria in the State to meet that and Delaware County who is the first entity that you look at did not meet the volume of snow criteria to get to the Governor.

Mr. Bonnett: Any other comments? It's been moved and seconded for the introduction of Ordinance No. 3029. All those in favor signify by saying aye. Opposed? The ayes have it.

Mr. Wagner: That completes the report of the Finance and Appropriations Committee.

Mr. Bonnett: Thank you Tom. Madame Solicitor, do you have anything for the body?

Solicitor: No sir, I do not.

Mr. Bonnett: Any other member of Council?

Mr. Manfre: Mr. Bonnett, I would like to echo your comments in the beginning of this meeting. Jack Shingle was a predecessor of mine, a great competitor on the athletic field and a wonderful Councilman. He will surely be missed. On behalf of the 4th district constituents, I want to send my regrets to his family.

Mr. Bonnett: Thank you Marc. And as a reminder to Council, you should have received an email that for those who are interested in paying their respects tomorrow, we will be convening in the back of St. Laurence Church at 9:00 a.m. tomorrow morning.

Ms. Coles: And I just want a reminder for any Council members that volunteered their time for March 2nd at 7:00 p.m., a half hour before our Committee meeting, we are going to go through and review the poems from the 5th graders who submitted poems for the Black History Month Poetry Contest.

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

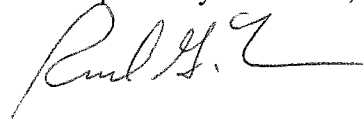
Adjournment

Mr. Wagner: So moved.

Mr. Manfre: Seconded.

Mr. Bonnett: This meeting stands adjourned.

Respectfully submitted,



Richard G. Nolan
Chief Municipal Clerk

RGN/akc

RESOLUTION NO. 01-16

WHEREAS, ORDINANCE NO. 482 OF THE TOWNSHIP OF UPPER DARBY, COMMONLY KNOWN AS "THE PARKING METER ORDINANCE" PROVIDES FOR INSTALLATION, OPERATION, MAINTENANCE, REGULATION AND CONTROL OF THE USE OF PARKING METERS AND IMPOSES PENALTIES FOR THE VIOLATION THEREOF:

NOW, THEREFORE, BE IT RESOLVED:


THAT ORDINANCE NO. 482 BE AND THE SAME IS HEREBY AMENDED AND SUPPLEMENTED BY THE FOLLOWING:

TO REMOVE PARKING METERS NO. 1162, 1163 and 1164 THAT ARE SITUATED AT 5001 TOWNSHIP LINE ROAD

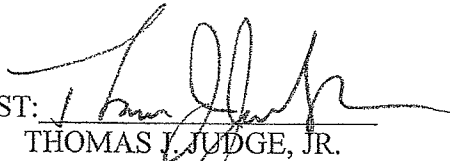
RESOLVED THIS 17TH DAY OF FEBRUARY, A.D., 2016.

UPPER DARBY TOWNSHIP


DONALD P. BONNETT
PRESIDENT OF COUNCIL

ATTEST: 
EDWARD E. MONAGHAN
SECRETARY OF COUNCIL


THOMAS N. MICOLLIE, MAYOR

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

RESOLUTION NO. 02-16

WHEREAS, Ordinance No. 450 of Upper Darby Township designates certain streets as "ONE WAY" streets and imposes penalties for the violation thereof:

NOW, THEREFORE, BE IT RESOLVED:

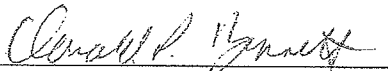
That Ordinance No. 450 be and the same be further amended by adding to Section 1 the following:


ESTABLISH "ONE WAY" STREET AT THE FOLLOWING LOCATION:

THE 4500 BLOCK OF CEDAR LANE FROM BURMONT ROAD TO WILDE AVENUE GOING NORTH


RESOLVED, this 17th day of February, A.D., 2016.

UPPER DARBY TOWNSHIP


DONALD P. BONNETT
PRESIDENT OF COUNCIL

ATTEST: 
EDWARD E. MONAGHAN
SECRETARY OF COUNCIL


THOMAS N. MICOZZIE, MAYOR

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

UPPER DARBY TOWNSHIP

RESOLUTION NO. 03-16

A RESOLUTION OF UPPER DARBY TOWNSHIP, DELAWARE COUNTY, PENNSYLVANIA, CONSENTING TO AND SUPPORTING THE CITY OF PHILADELPHIA WATER DEPARTMENT'S COBBS CREEK STREAM RESTORATION PROJECT.

WHEREAS, Upper Darby Township and Philadelphia Water Department are members of the Darby-Cobbs Watershed Partnership; and

WHEREAS, it is the mission of the Darby-Cobbs Watershed Partnership to preserve and enhance the health of the region's watersheds through effective wastewater and storm water services and the adoption of a comprehensive watershed management approach that achieves a sensible balance between cost and environment benefit and is based on planning and acting in partnership with other regional stakeholders; and

WHEREAS, in 2009, Philadelphia Water Department completed a feasibility study of Cobbs Creek to assess existing conditions in the stream corridor in order to identify impairments; and

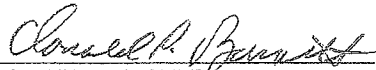
WHEREAS, Philadelphia Water Department is proposing to restore Cobbs Creek stream and its banks from Market Street to Baltimore Avenue and is seeking support from the residents and businesses within Upper Darby Township who will be impacted by the project; and


WHEREAS, such stream restoration improvements would benefit Upper Darby Township by reducing sediment pollution to increase water quality, providing bank stabilization, protecting Township wastewater and storm water infrastructure, facilitating Township's storm water regulations compliance, providing public outreach and education opportunities and improving the overall recreational benefits of the stream corridor; and

WHEREAS, 53 P.S. §2862 provides that any two or more municipalities may jointly construct such improvements but that no such improvements shall be constructed in any municipality not joining in the construction thereof, unless such municipality first consents to such improvements.

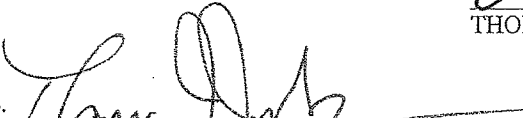
NOW THEREFORE BE IT RESOLVED, this 17th day of February 2016, that the Upper Darby Township Council hereby consents to and supports the Philadelphia Water Department's Cobbs Creek Stream Restoration Project

UPPER DARBY TOWNSHIP


DONALD P. BONNETT
PRESIDENT OF COUNCIL


ATTEST:
EDWARD E. MONAGHAN
SECRETARY OF COUNCIL


THOMAS N. MICOZZIE, MAYOR


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