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Upper Darby Township Council Meeting

December 21st, 2016

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

Roll Call

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

Lisa Faraglia, excused

Present at the Meeting

Thomas N. Micozzie, Mayor
Thomas J. Judge Jr., CAO
Kelly C. Hayes, Esquire
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 November 2nd, 2016.

Mr. Wagner: So moved.

Mr. Spellman: 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 Special Meeting of November 9th, 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. The next order of business is the approval of the minutes for the Special Meeting of November 16th, 2016.

Mr. Wagner: So moved.

Ms. Coles: Second.

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 November 16th, 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.

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.

Nicholas Hoyt, 300 Edmonds Avenue
Budget

Kathy Johnson, 7225 Calvin Road
Budget

Their comments are filed on tape.

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

Mr. Bonnett: Thank you, Ed. Members of Council, we have with us this evening, State Representative Jamie Santora who would like to address our Council this evening. Jamie represents the 163rd District State House in Pennsylvania and I would like to introduce him at this time.

State Representative Jamie Santora talked about several issues:

- He spoke of the \$1.5 million funding source to re-do safety elements on Township Line Road from State Road to West Chester Pike
- A grant was secured for Dermond Field enhancements with the Township matching the grant
- A grant was secured for the active Trail System to do construction in some of the areas with the Township matching the grant

- He spoke of the necessity of providing adequate public safety to the residents of Upper Darby Township
- Mayor Micozzie added some details about the Darby Creek Trail between the Dog Park and Ava Electronics Corporation

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

The Honorable Thomas N. Micozzie, Mayor

The Mayor announced that on December 28th, 2016 at 12:30PM, the bridge on Bishop Avenue will be re-named the Nicholas A. Micozzie, State Representative Bridge. The bridge will be dedicated at that time and a presentation will be made.

State Representative added that on January 30, 2017 at 10:00 AM, the portion of Lansdowne Avenue between State Road and School Lane will be re-named after former Upper Darby Police Officer Dennis McNamara who was killed in the line of duty and there will be a ceremony at that time. The new name will be the Dennis McNamara Memorial Highway.

The Mayor announced that the Martin Luther King Jr. Day breakfast will be held at Drexelbrook on January 16, 2017

Mr. Bonnett: Thank you, Mayor. At this time we will move to the Committee Reports beginning with the Planning, Zoning & Building Code Committee, Mr. Bierling please.

Committee Reports

Planning, Zoning & Building Code Committee

Jacob A. Bierling Jr., Chairman

Resolution No. 93-16, a Resolution of Upper Darby Township, Delaware County, Pennsylvania accepting the Certificate of Total Completion from Nolen Properties LLC., for the development of 3.966 acres with renovations of a former school (St. Alice School) into 53 age-restricted dwelling units

Mr. Bierling: Thank you. I will ask the Solicitor to give us a brief on Resolution No. 93-16.

Solicitor: Certainly. Resolution No. 93-16, a Resolution of Upper Darby Township, Delaware County, Pennsylvania accepting the Certificate of Total Completion from Nolen Properties LLC., for the development of 3.966 acres with renovations of a former school (St. Alice School) into 53 age-restricted dwelling units.

Mr. Bierling: Thank you. I move for the adoption of Resolution No. 93-16.

Mr. Spellman: Seconded.

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

Resolution No. 94-16, a Resolution of Upper Darby Township, Delaware County, Pennsylvania accepting the Certificate of Total Completion from St. George Orthodox Church for the land development of 0.17 acres for a church parking lot

Mr. Bierling: Will the Solicitor please give a brief on Resolution No. 94-16?

Solicitor: Yes. Resolution No. 94-16, a Resolution of Upper Darby Township, Delaware County, Pennsylvania accepting the Certificate of Total Completion from St. George Orthodox Church for the land development of 0.17 acres for a church parking lot.

Mr. Bierling: Thank you. I move for the adoption of Resolution No. 94-16.

Mr. Spellman: 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. Bonnett: Thank you, Jack. The next Committee is the Finance & Appropriations Committee, Mr. Wagner please.

Finance & Appropriations Committee
Thomas P. Wagner, Chairman

Mr. Wagner: I am going to ask the Solicitor to give us a brief on Ordinance No. 3031.

Public Hearing for Ordinance No. 3031, an Ordinance of Upper Darby Township, Delaware County, Pennsylvania, amending Ordinance No. 3009 entitled, "An Ordinance relating to sanitation and the promotion of public health and safety; providing for the establishment of a Municipal collection and disposal service for all garbage, rubbish and ashes and for the maintenance of sanitary conditions on private premises within the Township of Upper Darby; providing for the imposition and collection by the Township of fees for collection and disposal of such garbage, rubbish and ashes, and providing penalties for violation of this

Ordinance and such regulations by increasing the fee for collection of rubbish and garbage.

Solicitor: Certainly. Ordinance No. 3031 is an Ordinance of Upper Darby Township, Delaware County, Pennsylvania, amending Ordinance No.3009 entitled, "An Ordinance relating to sanitation and the promotion of public health and safety; providing for the establishment of a Municipal collection and disposal service for all garbage, rubbish and ashes and for the maintenance of sanitary conditions on private premises within the Township of Upper Darby; providing for the imposition and collection by the Township of fees for collection and disposal of such garbage, rubbish and ashes, and providing penalties for violation of this Ordinance and such regulations by increasing the fee for collection of rubbish and garbage.

Mr. Wagner: Thank you Madam Solicitor. I hereby ask the Chairman to conduct a Public Hearing on proposed Ordinance No. 3031

Mr. Bonnett: Thank you, Mr. Wagner. We will now convene a Public Hearing. If you wish to speak on this proposed Ordinance, please come to the podium and state your name and address for the record.

Ms. Keffer: I would like to say something. Reading what is on the Agenda which is published on the website, it is so vague. This is the Ordinance that raises the tax fee but it doesn't say what it is raising it from and what it is raising it to. It is just so vague. How is someone supposed to.....

Mr. Bonnett: Well, why don't you tell us so the Public knows what it is.

Ms. Keffer: The trash fees are going to be raised \$35 for everybody.

Mr. Bonnett: OK.

Ms. Keffer: OK. Well, I don't think that's my job. I just don't understand....

Mr. Bonnett: It's in the Ordinance and the Ordinance is a public record. It's been advertised.

Mr. Wagner: Well, can I ask the Councilwoman do you have an objection to that increase?

Ms. Keffer: Yes -----

Mr. Wagner: Would you mind telling us why and whether you think we should raise the funds to collect garbage in some other way?

Ms. Keffer: Well, even before I was on Council, I would advocate for leaf waste and yard waste collection and we had a meeting in 2015 when I was on the Municipal Services Committee and

my suggestions aren't getting heard and that's fine. This is what leadership wants, to do things the same way and that's fine. But, that doesn't mean that I have to agree with it.

Mayor Micozzie: I disagree with that is what leadership wants. There is a Council here. There are 11 people. We deal all the time with them. There have been changes and there have been improvements to the collection. The problem is that it costs dollars so you have two options. This is a fee that funds the trash.

Ms. Keffer: Trash and recycling.

Mayor Micozzie: Yes, and recycling. You keep advocating doing more and we're trying to maintain what we have. So, the question is, do you want to lay people off because you either get salaries or you get equipment. They are the two items that you have. You have salaries and you have equipment and you have trucks. So, do we reduce trucks and lay off people? Do we reduce and not pick up the trash? There are X amount of tons of trash that get delivered every day and there is X amount of recycling delivered every day. You say increased recycling will increase the cost.....

Ms. Keffer: No, not recycling. It's the yard waste and the leaf waste collection. I think if we pulled some of that out of -----we're able to do in the summer when we do hire more people but isn't....

Mr. Bonnett: But, isn't there a cost to do that as well? Let me suggest this. The next time this subject comes up, why don't you suggest that we increase it even more so we can afford to do those things because that is in effect what we would have to do.

Ms. Keffer: Other Townships and Boroughs have more comprehensive programs for leaf waste and yard waste collections that I think that we are capable of doing and again.....

Mayor Micozzie: What are they? I guess the question comes in, it still has to go somewhere. So, we're not going to be scooping it up and just putting it in a corner. It has to go out to Chichester or we've had success in some other locations that have it but you still have a whole trash department and a whole highway department out doing leaf pickup. We pick up leaves probably more than anybody. It's every day for 3 months. Out west it's odd because oak trees fall later ----- So, I guess we're looking at other methods. I think what you have to understand is that we not only pick up leaves, those trucks are also used in snow which other municipalities don't do. Some do but probably 90% of them don't do that. They park the trucks when it snows and the highway department goes out. But, there are municipalities where you walk your recycling to the front door of the Municipal Building because there is no pick-up. That's what it says on the website. With ours, you put the trash out, the trash truck comes whether the recycling is sitting on the corner or not that trash truck still has a route that has to be fulfilled. So, we have X amount of dollars to salary, X amount of dollars to benefits and X amount for equipment. There is only one way that I know in a budget to reduce things. You either cut or you increase. You still have 8 hours a day for a trash worker times 41 trucks times 3

guys in a truck and you still have to pay them. That's the majority of it and those trucks, the 41 of them, have wheels, oil, grease so that being said, if we're doing that now and you want to add services to it, you either have to add people or you have to cut something over here to get that. By adding services it really isn't going to put anything towards that. The recycling is now costing us what a tipping fee is costing us in trash. I don't control that. So, either the tipping fee goes down or if goes up again, we're really in trouble.

Mr. Wagner: It might be useful in my mind if Mr. Judge would remind us all of how our experience with recycling has changed in the years since we began that program.

Mr. Judge: Sure, in the beginning the recycling market did bring money in to the Township. We were getting on average \$12 per ton. We did get as high as \$32 per ton during 2010. Right now, we are paying for every ton. Earlier this year, there were 2 months in July and August we were paying \$39 per ton for recycling to be taken away. Right now we're paying close to \$28 per ton for the recycling to be taken away. We are paying \$33 per ton for trash. So, the break-even point on those 2 is very close and it fluctuates up and down back and forth. So, trash and recycling are pretty much equal right now in what they cost us moving forward. The market forecast is to continue to see us paying a very high number for the recycling.

Mr. Wagner: So, is it fair to say, would it not, that when we started recycling that it was actually making money for the Township? But now it is costing the Township money.

Mr. Judge: Yes.

Mr. Wagner: We're all in agreement that we want to continue recycling and that it is the right thing to do.

Mr. Judge: We're required to.

Mr. Wagner: But, the money has to come.

Mr. Bonnett: Councilman Bierling had a comment to make.

Mr. Bierling: We sit here and we throw stuff out. If we're going to do that let's be specific. Tell me what Boroughs and what Townships are doing something different that they're making money on. The other thing I want to bring up is that you said we have extra help in the summer time. Well, most of the yard waste doesn't occur until the October session when we don't have extra help.

Mr. Judge: The majority of the summer help leaves at the end of September. We do have a few on until October.

Mr. Bierling: So, the yard waste is still put on the workers and trucks that we have. It's not that we have an abundance of workers to do this.

Mr. Bonnett: We're still in the Public Hearing segment of this Ordinance. Does anyone else wish to speak? Please come forward and come forward and state your name and address. This is for the Ordinance, correct?

Ms. Goldman: My name is Geraldine Goldman and I live at 102 Hampden Road. I understand that everything costs money. It's the same route every day and I do understand that. However, you're talking about rubbish. I couldn't tell you the last time I've had leaves picked up on my street. If I'm going to pay the \$35 increase, I think I would like to take advantage of those services and if I'm not getting it, what do I do to make sure that they are coming down my street to clean up the leaves?

Mr. Bonnett: Do they sweep your street?

Ms. Goldman: I have not seen one in years.

Mr. Bonnett: Is that right?

Ms. Goldman: No, I have not. Now, I know we have "No Parking" signs that have been there that are obsolete because they are not adhered to on the day that they are supposed to be cleaned so there are always cars there. Now, what annoys me is that I have to get out there every morning to clean up my leaves and I'm also picking up McDonald's cups, coffee cups, food wrappers, food bags. We have people who drive into the neighborhood to park there to take public transportation but they drop their waste and we as taxpayers have to sit there and clean this up on a regular basis as well. But, at least give me a sanitation truck to come down and sweep it at least once a week or once or twice a month. I'd be happy with that.

Mr. Judge: They are scheduled every other week but the problem is that cars are parked there and the street sweeper probably goes down the middle of the street because he can't get close. Now, we've had this conversation over and over again. If Council wants us to start issuing tickets and towing those cars away, that is certainly an option and then the street sweeper can then go curb to curb. But, Council has to make that decision because that would be everybody.

Ms. Goldman: So, I can just talk to my Councilperson about getting that done? We as taxpayers are cleaning but I get tired of cleaning up trash.

Mr. Judge: I think on Hampden we had a 2 hour limitation on that street so they wouldn't do it but then the residents wanted to take the 2 hour parking away. That was 1 of the things that was designed to stop commuters to stop parking there and walk to the 69th Street Terminal. I think, and I may be wrong, that the residents wanted to take that away. So, that is one of the things that you can do.

Ms. Goldman: I have always been an advocate to have that enforced. The signs are so old and so worn and I believe if they were replaced maybe people would pay more attention to them.

Mr. Judge: OK. That's a fair statement.

Ms. Goldman: I wouldn't even mind if a neighbor parked in my driveway for those 2 hours if I go to work and even if I'm home I'm OK with it if it is a neighbor. But, not someone coming there to take transportation.

Mr. Judge: That is a fair statement and we will look at those signs.

Ms. Goldman: Who do I follow up with?

Mr. Judge: Your Councilperson, the Council office or myself.

Ms. Goldman: I would like to see the street cleaned up on a regular basis.

Ms. Coles: Just to be clear Mr. Judge, you did say that Council would have to vote if we wanted to ticket the vehicles?

Mr. Judge: Council as a whole.....

Ms. Coles: It wouldn't require an individual Council person so the majority of people would have to be in favor of ticketing vehicles that aren't moved on the day that the street sweeper comes through. So, that would probably result in a lot of people getting ticketed and towed and a lot of other complaints from neighbors or commuters that don't move their vehicles even though the calendar is sent out every December to every resident in the Township.

Mr. Judge: That's a dilemma.

Ms. Goldman: I don't have a problem letting my neighbors know that we need to keep our neighborhood clean and this is what we have to do to keep it clean so we all have to work together.

Mr. Gwin: I have a question. You say that there are signs there now. You can still call the police and ask them to....

Ms. Goldman: I understand that. I understand that the police have better things to tend to most of the time as well.

Mr. Judge: That's not true. That's part of their job. If you want the signs enforced we will do it right away. But, that's to every house on that block. It doesn't matter if you live there or if you don't live there.

Ms. Goldman: I understand that.

Mr. Gwin: Tom, my position is that if there are signs up there and it is legal then it's not up to the Council to tell them to enforce it.

Mr. Judge: The Council has already voted on that.

Ms. Goldman: Thank you.

Mr. Bonnett: Does anyone else wish to comment on Ordinance No. 3031? Seeing no one else this Public Hearing is closed. I will turn this back to you Councilman Wagner for action.

Mr. Wagner: Thank you Sir. It would now be appropriate to take a roll call vote on Ordinance No. 3031.

Mr. Bonnett: Is there a motion to do so?

Mr. Wagner: Yes.

Mr. Bonnett: Is there a second?

Mr. Monaghan: Seconded.

Mr. Bonnett: Moved and seconded. All those in favor signify by saying aye. Opposed? The ayes have it. Mr. Secretary, please take a roll call vote.

<u>In favor of Ord No. 3031</u>	<u>Opposed to Ord No. 3031</u>	<u>Excused</u>	<u>Abstained</u>
Bonnett			
Wagner			
Monaghan			
Bierling			
Coles			
Gwin			
	Keffer		
Manfre			
		Faraglia	
Siddique			
Spellman			
9	1	1	0

Mr. Monaghan: That gives us 9 in favor, 1 opposed and 1 excused.

Mr. Bonnett: Ordinance No. 3031 is adopted.

Public Hearing for Ordinance No. 3032, an Ordinance of Upper Darby Township, County of Delaware, and the Commonwealth of Pennsylvania, fixing the tax rate for the year 2017 and appropriating specific sums estimated to be required for the specific purpose of the Municipal Government

Mr. Wagner: Madam Solicitor, may we have a brief on Ordinance No. 3032?

Solicitor: Yes. Ordinance No. 3032 is an Ordinance of Upper Darby Township, County of Delaware, and the Commonwealth of Pennsylvania, fixing the tax rate for the year 2017 and appropriating specific sums estimated to be required for the specific purpose of the Municipal Government.

Mr. Wagner: Thank you Madam Solicitor. I will ask the Chair to conduct a Public Hearing on Ordinance No. 3032.

Mr. Bonnett: Thank you, Mr. Wagner. We will now convene a Public Hearing on Ordinance No. 3032 . If you wish to speak on this proposed Ordinance, please come to the podium and state your name and address for the record.

Ms. Keffer: Again I would like to say something. How is someone supposed to know what the new tax rate is going to be? A regular person.

Mr. Judge: It's on the website on the Preliminary Budget on page 3. It states right there what the millage is.

Ms. Keffer: And it states the old one so people know it's going up?

Mr. Judge: Yes it says the old one. On the left hand side it's the new one and on the right hand side it's the previous year's Budget and it shows how much is done for the Operating Budget and how much is done for Debt Service in the Budget. It's on the website.

Mr. Wagner: I thought it was also discussed at the 2 Public Hearings.

Mr. Judge: It was discussed at the 2 Public Hearings and, in fact, it was discussed even at a general meeting which wasn't a Public Hearing at one of the Council meetings, so it's there. And, the Preliminary Budget went up within 24 hours after this Council accepted the Mayor's Preliminary Budget not the approval but after the Mayor delivered it to Council. So, within 24 hours it was on the website.

Mr. Bonnett: Does anyone else wish to speak on Ordinance No. 3032?

Ms. Johnson: I do. Kathy Johnson, 7225 Calvin Road. I just want to say that there are still a lot of people who do not have Internet or computers. Is there any way that you can get it out there for the people and the public to know?

Mr. Judge: It is also available at the libraries. The Public Notice is advertised in the newspaper. It is not the entire Preliminary Budget but it is a summary. There is enough information on the summary point that if someone is interested in finding it out then they can look at the summaries and then follow it up with the proper questions.

Ms. Johnson: OK. That's what I needed to know, if it was out there so if someone asked me information I can tell them where to go to look for that because some people don't have computers. I'm fortunate enough to have one but other people don't and I know they are going to ask me the question "how much?"

Mr. Judge: And anyone can go to their individual Council person who is their elected representative and get the same information.

Ms. Johnson: We can go to our Council person?

Mr. Judge: Of course.

Ms. Johnson: Half the people in here say they don't even know who their Council person is.

Mr. Judge: I can't address that right now but you asked a question. Every Council person is given the information and they can explain it. The Township building is open every day and if someone has an interest in finding this information out they can come into the building and ask questions and we will find the right person for them to help get that answer. It happens every day. I bet we handle at least 10 of those questions.

Ms. Johnson: Should I just have them come to the Information Desk?

Mr. Judge: They can come there or to the Mayor's office and ask their question. We will try very hard to get them the proper answer.

Mr. Bonnett: Ms. Johnson, anybody who wishes to know who their Council person is can call (610) 734-7600. That is a direct line to the Council office and that information will be made available.

Mr. Manfre: The State Representative can also tell them who their Council person is.

Ms. Johnson: I know who my Council person is and I do tell people but I'm just saying that some neighbors don't know.

Mr. Manfre: I'm just saying that there is another resource to find out who their Council person is.

Ms. Johnson: Thank you.

Mr. Bonnett: Does anyone else wish to speak on Ordinance No. 3032? Representative Santora?

Mr. Santora: James Santora, 5228 Apache Lane. You may not have the answer to this question but how many tax appeals did you hear last year that you settled?

Mr. Wagner: There were a great many.

Mr. Judge: I believe it was over 75.

Mr. Wagner: I was going to guess 100.

Mr. Santora: All reduced several hundred to several thousand dollars?

Mr. Wagner: Absolutely.

Mr. Santora: Did your costs go down?

Mr. Wagner: No, they did not.

Mr. Santora: So, you've got to make up those costs?

Mr. Wagner: Absolutely.

Mr. Santora: Thank you.

Mr. Bonnett: Thank you, State Representative. Does anyone else wish to speak on Ordinance No. 3032?

Ms. Keffer: I would. In addition to what was in the paper today a concern of mine about the Budget and the process has to do with something that we received in our Wednesday folder from S&P Global last month. It says some very positive things about our Township and where we're going but it also says that we have a large Pension and other post-employment benefit obligations and a lack of a plan to sufficiently address the obligation so isn't that something we should be addressing?

Mr. Bonnett: Well, I take exception to the fact that we lack in our plan. We do have a plan.

Mr. Judge: On the phone call with them we had a very lengthy question to that from the investors on the S&P. It's not that we have a lack of a plan. It's that we have not yet started to put additional funds from the tax rate into the Budget so that we build that up. I'm puzzled because that would say that we would have to start to increase the Budget and increase the tax rate to put that in there.

Ms. Keffer: I am concerned about what it might mean.

Mr. Judge: What it means is are you funded for your liability that will happen in 2025 right now? We are not. We do not have the funds in our Pension Plan. If everyone who was going to retire in 2025 went out on disability right now we would not have enough money to do that. The probability of that happening is very small. Are we adequate for those who are going to retire in the next 6 years? Without any other money going into there, we are adequate in our Pension Plans but as people put money in we will be adequate for another 5 years. So, to this point, we are funding as we go forward so we have enough money in the Pension Plans that we will be able to meet the demands of anybody who is going to retire in the next 8 years without a problem. Do we have enough money in the Budget plan to meet the demands of everybody who is going to retire in the year 2025? No, we don't.

Ms. Keffer: Well, you understand why I would ask that question?

Mr. Judge: I am just trying to explain to you. I want to make sure you understand.

Mr. Wagner: Mr. Judge, didn't we have a public presentation on this very subject which included a comparison of Upper Darby to other municipalities in the state?

Mr. Judge: Yes we did.

Mr. Wagner: Would you remind us of the gist of that?

Mr. Judge: Well, the State has a plan where they say "are you mildly distressed, adequately distressed or fully distressed?" We are mildly distressed in that we are 87% funded when you compare all 3 of our plans which the state requires you to do. Our Police is a little bit less at 79%, our Fire is at 85% and our Municipal is probably at 92% funded. The Municipal was at 100% in 2013 but we had some.....

Mr. Bonnett: I think the point that Councilman Wagner is making is that in comparison statewide, we are better off than many communities, are we not?

Mr. Judge: We are.

Mr. Wagner: I believe the point of that was that we're better off than MOST in the State including the State!

Mr. Judge: I would say you are correct there.

Mr. Wagner: And, if we want to bring ourselves to 100% level, which to my knowledge, virtually no municipality is in the State, the only way we could do that would be to raise taxes.

Mr. Judge: That is correct.

Mr. Wagner: The money doesn't just fall out of the sky. It has to come from somewhere. That is a brutal fact but it's the truth.

Mr. Judge: But, the plan that they were talking of is that we do not have plan to keep putting money out of our Operating Budget into these Pension Plans. We're going forward as, and it's not quite a "pay as you go", it's a little bit better than a "pay as you go" but that's exactly what we're doing.

Mr. Wagner: Didn't the Mayor also recently advise us of a new rating by Standard & Poors?

Mayor Micozzie: Based on the strategy that we've had since I've been here on fiscal conservatives, eliminated positions, zero tax increase and the things we've done fiscally which we haven't mentioned today is all the new stores in 69th Street, re-development, the Wawas. All those rateables are going up even though we're losing ----- . The thing we're not mentioning is that there are a ton of people in this town who haven't paid their taxes that we're going to get very aggressive with this year because we can't have people paying taxes and people not paying taxes. So, that's a big burden. But, in addition to that, I'm very proud that after all that discussion, I know what they are saying when Tom had the conversation with Jim Smith, our Finance guy that at the end of that day if they thought there was a problem we wouldn't have maintained an A+ rating.

Mr. Judge: Mr. Mayor, the interesting part that is not in any of the reports but the investors made a comment when we told them what our tax millage rate was going to be for next year, they were extremely disappointed because people who rate how well you stand like to see you tax, tax, tax!! But, when we told them that we were going to be at .45 mil, they said "why aren't you going to be at something higher than that?" Well, that's not something our residents can take. They were actually disappointed in that and I actually thought we were going to get a bad rating because the last 2 years we had not increased our taxes. But, fortunately we did not.

Mr. Bonnett: I think the point has to be made too that we do not see the need to fund our Pension Plan any further than the way it's being funded currently because we do have a survival rate of about 8 years. Is that right Tom?

Mr. Judge: Going forward.

Mayor Micozzie: We're in communication with the State. Four years ago they -----it Tom?

Mr. Judge: Yes.

Mayor Micozzie: So they are aware of the municipalities that are having a problem. We're not going to go under but we watch it every day. We just don't have powers to retire somebody or get them out on disability. There is a discussion process that goes with that.

Mr. Judge: And we watch the investments of the Pension Plans. We have 3 Pension Boards and we watch how they invest their money and how much the risk is and is the risk aggressive for the right growth? We watch that on a quarterly basis also.

Mr. Bonnett: OK, so we're still in the Public Hearing stage of Ordinance No. 3032. One final call for any comments.

Ms. Coles: Councilman Bonnett, I remember back in September when we first entered the Budget process and I think it was the same meeting that we had maybe over 20 tax assessment appeals and I asked about the probability of maybe a countywide reassessment being done and I was told by the other Kelly, our Solicitor, that at that time it was in the Courts at the County Courthouse. Is there an update about the process or the outcome or the next date that we can get more information?

Mr. Judge: I don't believe that the Judge has brought that onto his Docket yet. I believe he is still sitting on it.

Ms. Coles: We derive most of our revenue from the property tax so we really take a hit when people get these assessments approved by the School District which then kind of forces us into that recommendation to accept the approval as well because it's cheaper for us to accept it than attempt to legally go after the property owner.

Mr. Judge: Really what we do is negotiate with the School District and the Township, their business manager and myself, we would negotiate through our lawyers to come to a reasonable settlement. We get an appraiser to look at what the assessment is. We don't just roll over and just say "go." We then look at what our assessment is and what their demand is and come to a reasonable settlement based upon what our appraiser suggests what that market is really worth. So, there is logic that goes into that process.

Ms. Coles: But, we do take a financial hit. Some of the houses are assessing really low at \$30,000 or \$40,000, maybe even less than that. And, a lot of them, unfortunately, are landlords that are purchasing or getting multiple properties re-assessed so we take a serious financial hit from all of that with that being our main source of revenue. So, I think that all of the Council members would be really interested in the progress of that particular case that's at the County.

Mr. Judge: I will ask if we can find out what that exact status of that is but I do not think that the Judge who has that on his desk has taken that off and brought it back to the docket.

Solicitor: If I may, there was Hearing on the matter in front of the Judge and it's still waiting for his opinion.

Ms. Coles: OK.

Mayor Micozzie: I forget the percentage but we collect \$54,260,000.00. That number does not change. The rating changes but we don't go up. It has to be a balance within a percent or something. Isn't there a total -----on the reassessment, on the values?

Mr. Judge: Probably.

Mayor Micozzie: I always thought, like the last time we were all excited like when Home Depot was built that it would go up------. It does help us on the tax appeals but in the beginning of that last one it caused a couple of tax appeals because people felt that they were.....

Mr. Judge: Well, ten years ago, if you were assessed at 100 they take the market value as to how that has gone down and it is probably at 74% of the standard ration now. It's not 74, it's less than that.

Mr. Bonnett: All right, again, does anyone else wish to speak on Ordinance No. 3032? Seeing no one else, Councilman Wagner I will turn this back over to you for action.

Mr. Wagner: I move for the adoption of Ordinance No. 3032.

Mr. Bonnett: Is there a second?

Mr. Monaghan: Seconded.

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

<u>In favor of Ord No. 3032</u>	<u>Opposed to Ord No. 3032</u>	<u>Excused</u>	<u>Abstained</u>
Bonnett			
Wagner			
Monaghan			
Bierling			
Coles			
Gwin			
	Keffer		
Manfre			
		Faraglia	
Siddique			
Spellman			
9	1	1	0

Mr. Monaghan: That gives us 9 in favor, 1 opposed and 1 excused.

Mr. Bonnett: Ordinance No. 3032 is adopted.

Introduction of Ordinance No. 3033, 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 appealed.

Mr. Wagner: Madam Solicitor, may we have a brief on the Introduction to Ordinance No. 3033?

Solicitor: Yes. Ordinance No. 3033 is 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 appealed.

Mr. Wagner: Thank you Madam Solicitor. I will ask the Chair to conduct a Public Hearing on Ordinance No. 3033.

Mr. Bonnett: Thank you, Councilman Wagner. We will now convene a Public Hearing on Ordinance No. 3033. If you wish to speak on this proposed Ordinance, please come to the podium and state your name and address for the record. Seeing no one, I will turn this back to Councilman Wagner for action.

Mr. Wagner: Thank you Sir. I hereby move that for the adoption of Ordinance No. 3033.

Mr. Bonnett: Is there a second?

Mr. Monaghan: Seconded.

Ms. Keffer: I have a question. These are inter-departmental transfers? So, they're taking \$200,000 from one department?

Mr. Bonnett: This does not change the 2016 Budget.

Mr. Judge: If you read in the 3rd paragraph it says "Budget of Upper Darby Township for the year 2016 be transferred from the unencumbered fund balance to other departments, or agencies." Now, if you take it from the Fund Balance and move down to the bottom it says that we're putting \$300,000 in Police and \$200,000 in Fire.

Ms. Keffer: Can I ask what they need more money for?

Mr. Judge: They need more money for overtime. I will tell you that at the last meeting we discussed the fact that there were 2 shootings down off of Marshall Road which turned into

another bad situation. The Police spent over \$95,000 in overtime in working on solving those 2 issues. That's where the money is going there and also the Fire Department has an overtime budget increase.

Ms. Keffer: So there are other departments that have unencumbered.....

Mr. Judge: Our Fund Balance. There are other departments that have money. We cannot pull it away from all of those other departments. What we're asking you to do is our Fund Balance which right now is at \$8,200,000.00 to take this money from our unencumbered Fund Balance.

Mr. Bonnett: Hopefully it's clear to everyone. We are not changing the Budget for 2016. It's all within the Budget. So, a motion has been made and seconded. All those in favor signify by saying aye. Opposed? The ayes have it. Mr. Secretary, please call the roll.

In favor of Ord. No 3033	Opposed to Ord. No 3033	Excused	Abstained
Bonnett			
Wagner			
Monaghan			
Bierling			
Coles			
Gwin			
Keffer			
Manfre			
		Faraglia	
Siddique			
Spellman			
10	0	1	0

Mr. Monaghan: That gives us 10 in favor and 1 excused.

Mr. Bonnett: Ordinance No. 3033 is adopted.

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

Mr. Bonnett: Thank you Tom. You worked very hard this evening. The next Committee is Municipal Services, Licensing & Public Works Committee, Mr. Bierling please.

Municipal Services, Licensing & Public Works Committee
Jacob A. Bierling Jr., Chairman

Public Hearing for Ordinance 3034 "An Ordinance of Upper Darby Township regulating the disposal of Municipal Solid Waste at approved sites providing for licensing of Solid Waste Collections, providing for regulations and entering into a

joint cooperation agreement with the Delaware County Solid Waste Authority and adopting the Delaware County Solid Waste Management Plan.”

Mr. Bierling: Madam Solicitor, please give us a brief on Ordinance No. 3034.

Solicitor: Ordinance 3034 is “An Ordinance of Upper Darby Township regulating the disposal of Municipal Solid Waste at approved sites providing for licensing of Solid Waste Collections, providing for regulations and entering into a joint cooperation agreement with the Delaware County Solid Waste Authority and adopting the Delaware County Solid Waste Management Plan.”

Mr. Bierling: Thank you Madam Solicitor. I will ask the Chair to conduct a Public Hearing on Ordinance No. 3034.

Mr. Bonnett: Thank you, Mr. Bierling. We will now convene a Public Hearing on Ordinance No. 3034. If you wish to speak on this proposed Ordinance, please come to the podium and state your name and address for the record. Seeing no one, I will turn this back to Councilman Bierling for action.

Mr. Bierling: Thank you, Mr. Bonnett. I hereby move for the adoption of Ordinance No. 3034.

Mr. Spellman: Seconded.

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

<u>In favor of Ord. No 3034</u>	<u>Opposed to Ord. No 3034</u>	<u>Excused</u>	<u>Abstained</u>
Bonnett			
Wagner			
Monaghan			
Bierling			
Coles			
Gwin			
Keffer			
Manfre			
Siddique		Faraglia	
Spellman			
10	0	1	0

Mr. Monaghan: That gives us 10 in favor and 1 excused.

Mr. Bonnett: Thank you, Mr. Monaghan. Ordinance No. 3034 is adopted.

Motion for the approval and authorization to advertise the 2017 schedule of Council meetings, Committee meetings and the Telecommunications meetings.

Mr. Bonnett: We have one more item on the Agenda under the President's section of the Agenda, 5.1. A motion would be in order for the approval of the advertising of the 2017 Schedule of Township Meetings.

Mr. Wagner: So moved.

Mr. Bierling: Seconded.

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

Mr. Judge: Please note that the meetings begin at 7:00PM.

Mr. Bonnett: The Re-Organization Meeting in January of 2018 will begin at 7:30PM according to the Home Rule Charter.

Mayor Micozzie: I was out of town but there is also something in that article today that I need to clear up because you can't have it out there that something can be changed that can't be changed. In 1976, this Township went from a Commissioner form of government to a legislative body strong Mayor form of government. In that dialogue which was an elected body of a Home Rule Charter Study Commission, those residents of Upper Darby sat down and figured out how this government would run. If there is nothing in the Home Rule Charter, then we fall back to the Township First Class Code. So, the reference that the Treasurer does not have a function is not accurate. The Treasurer has a viable function. He is on every check along with myself and if I'm not on the check then it is Tom Judge and the Treasurer. That is the way they set it up in 1976. You cannot get rid of the Treasurer due to the Home Rule Charter. It is not in the Administrative Code. It is in the Home Rule Charter of Upper Darby. To change the Home Rule Charter requires a Home Rule Study Commission which is elected by the voters on an April or May ballot, it requires Council to vote to take it to the Charter and then the Charter has to be elected. It's about a 3 year process but even still if we got rid of a Treasurer I believe, correct me if I'm wrong Solicitor, every municipality in a first class Township either has a Treasurer or an Auditor. It's the checks and balances between government, strong Mayor government, my Administration writing checks totaling \$89 million, Council appropriating the money and that there was no conflict between the new bodies. The Treasurer of this town comes in here very frequently. I've had calls on it. Tom, I know you deal with him a lot more because you are Administrative and he goes over that Budget with a fine tooth comb. Where does this go? What allocation came in? The most recent was the Pope's money coming in and how does that get back into the Budget? So, the Treasurer has a viable function. He is not required by anything in the Charter to be at meetings. He is not required, he is an elected official of the 82,000 people of Upper Darby. He reports to them. He doesn't report to Don Bonnett. He doesn't report to

Council and he doesn't report to the Mayor. He is an individual elected official to watch your funds in the Township so I want to clear it up because I can't have it out there like we're just paying somebody or having a position that we don't need. His function is a viable function and he does an excellent job even though he is not visible. He is visible in the Municipal Building but he is not required to be at meetings.

The Legislative Body part that I'm getting frustrated about is when you talk about these bills, this body runs no different than the Legislator in Harrisburg. It----- . Home Rule Charter means that we have a Legislative body and an Administrative body and a Mayor. Legislatively, you never see language in a Legislation other than what the facts of the Legislation are. To put stuff in there because residents, the resident's arms of this government are sitting at this table. Each one of these ladies and gentlemen represents 12,500 people give or take 500 people. Every at-large person represents 82,000 so there are 4 at-large and 7 Districts. Their job, and I did it for 29 years, is to reach out to the community in their individual Districts and act as a liaison to the Township. When they are here, it's a Legislative body. There's a Committee structure but I have Council people call me all the time. A lot of the questions that are coming up here; different people in this Council, I know you're busy and you're running but during that time, people called our offices all the time. If we have suggestions, and I've done it, one of my main functions as a Councilperson was the Public Safety Chairman. I put forth a lot of initiative to save a lot of dollars and I put some initiatives through that we had to raise money and put better guns on their belts but had to get it through, and this is a suggestion for everyone because it is a process. You go out and study the process, you ask for ideas, you meet with other Councils, you call other communities, you call other States, you put it into a matrix, you put the requirements of the Township, how much are we spending now and how much is it going to cost to do it. We meet with the individual departments get input from them and then present it to the Committee because there is a Committee structure. The Chairman and Committee then listen and he brings it to the President of Council and if it makes it through all that you end up coming to Council and it either becomes an Ordinance or gets put into the Budget. That's the process. There is no one here that was in that Charter. This is a Legislative----- . It doesn't change. I've been here and I've seen people come and I've seen people go. If you want to change it, it is not up to you. It is up to the 82,000 people that run this government. And, I think sometimes we get mixed up on what our roles are. The Legislative body reports out individually what they want to do. We have to act here as a group. So, that's just the way it is. It costs \$31,000 to put out 2 newsletters a year so if we're talking about money and you want better communication there are 3 ways, There is the Internet, library and posting it in the newspaper. The newspaper, by the way, I'm looking at the Chester Times and I think that's a couple thousand dollars, right Tom?

Mr. Judge: Yes, Chester Spirit.

Mayor Micozzie: This Budget probably cost us \$6000 to advertise.

Mr. Judge: A little bit more than that.

Mayor Micozzie: A little bit more. So, I think if we all work together, we have some very intelligent people here and we have people who are connected with the community. I do Facebook every day because I think it is important. However, you can't communicate everything. That's what you're elected to do. They trusted you to run this government and you can't run it on opinions. We have to run it on facts. So have a good Christmas and Happy New Year.

Mr. Bonnett: On behalf of Township Council, our Mayor and Administration we wish everyone a Merry Christmas, a Happy Chanukah and to all our good neighbors throughout Upper Darby, a happy and healthy New Year. So, with that I will entertain a motion for adjournment.

Adjournment

Mr. Wagner: So moved.

Mr. Bierling: Second.

Mr. Bonnett: This meeting stands adjourned.

Respectfully submitted,

Richard G. Nolan

Richard G. Nolan
Chief Municipal Clerk

RGN/akc

UPPER DARBY TOWNSHIP

Resolution No. 93-16

**A RESOLUTION OF UPPER DARBY TOWNSHIP,
DELAWARE COUNTY, PENNSYLVANIA
ACCEPTING THE CERTIFICATE OF TOTAL
COMPLETION FROM NOLAN PROPERTIES, LLC.,
FOR THE DEVELOPMENT OF 3.966 ACRES WITH
RENOVATIONS OF A FORMER SCHOOL (ST.
ALICE SCHOOL) INTO 53 AGE-RESTRICTED
DWELLING UNITS**

WHEREAS, Nolan Properties, LLC, has completed the development of 3.966 Acres with renovations of a former school (St. Alice School) into a five story, 53 unit age restricted multi-family apartment building (Alician Senior Apartments).

NOW THEREFORE, BE IT RESOLVED, that the attached Certificate of Total Completion of the Improvements for the project referenced in the Certificate of Total Completion is hereby accepted by Upper Darby Township and the Escrow Agent is hereby authorized and directed to release any amounts remaining in the Improvement Security Fund to Developer.

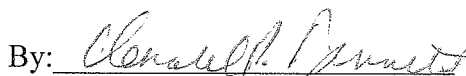
Attest:



Edward E. Monaghan
Secretary of Council

TOWNSHIP OF UPPER DARBY

By:



Donald P. Bonnett
President of Council

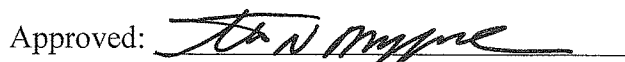
Resolution No. 93-16 above is hereby approved this 21st day of December, A.D., 2016.

Attest:



Thomas J. Judge, Jr.
Chief Administrative Officer

Approved:



Thomas N. Micozzi
Mayor

UPPER DARBY TOWNSHIP

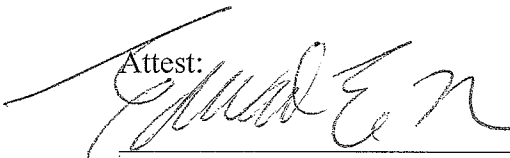
Resolution No. 94-16

**A RESOLUTION OF UPPER DARBY TOWNSHIP,
DELAWARE COUNTY, PENNSYLVANIA
ACCEPTING THE CERTIFICATE OF TOTAL
COMPLETION FROM ST. GEORGE ORTHODOX
CHURCH FOR THE LAND DEVELOPMENT OF 0.17
ACRES FOR A CHURCH PARKING LOT**

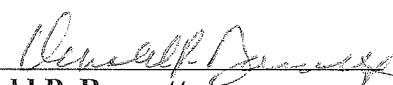
WHEREAS, St. George Orthodox Church has completed the development of 0.17 Acres for the construction of a church parking lot.

NOW THEREFORE, BE IT RESOLVED, that the attached Certificate of Total Completion of the Improvements for the project referenced in the Certificate of Total Completion is hereby accepted by Upper Darby Township and the Escrow Agent is hereby authorized and directed to release any amounts remaining in the Improvement Security Fund to Developer.

Attest:


Edward E. Monaghan
Secretary of Council

TOWNSHIP OF UPPER DARBY


By: 
Donald P. Bonnett
President of Council

Resolution No. 94-16 above is hereby approved this 21st day of December, A.D., 2016.

Attest:


Thomas J. Judge, Jr.
Chief Administrative Officer

Approved:


Thomas N. Micozzie
Mayor

UPPER DARBY TOWNSHIP
ORDINANCE NO. 3031

AN ORDINANCE OF UPPER DARBY TOWNSHIP, DELAWARE COUNTY, PENNSYLVANIA, AMENDING ORDINANCE NO. 3009 ENTITLED, "AN ORDINANCE RELATING TO SANITATION AND THE PROMOTION OF PUBLIC HEALTH AND SAFETY; PROVIDING FOR THE ESTABLISHMENT OF A MUNICIPAL COLLECTION AND DISPOSAL SERVICE FOR ALL GARBAGE, RUBBISH AND ASHES AND FOR THE MAINTENANCE OF SANITARY CONDITIONS ON PRIVATE PREMISES WITHIN THE TOWNSHIP OF UPPER DARBY; PROVIDING FOR THE IMPOSITION AND COLLECTION BY THE TOWNSHIP OF FEES FOR COLLECTION AND DISPOSAL OF SUCH GARBAGE, RUBBISH AND ASHES, AND PROVIDING PENALTIES FOR VIOLATION OF THIS ORDINANCE AND SUCH REGULATIONS" BY INCREASING THE FEE FOR COLLECTION OF RUBBISH AND GARBAGE.

UPPER DARBY TOWNSHIP HEREBY ORDAINS:

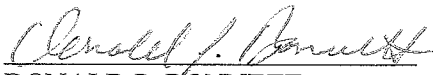
SECTION 1. That Section 4(a) of Ordinance No. 3009 is hereby amended so that the same shall be and read as follows:

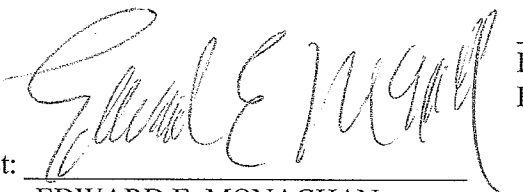
SECTION 4(a) The owner of record of any residence building as herein defined shall be charged the sum of ~~One Hundred and Sixty Five Dollars (\$165.00)~~ One Hundred and Ninety Dollars (\$190.00) per calendar year for each dwelling unit contained in said residence building for the collection of refuse from the residence building by Upper Darby Township.

SECTION 2. That all ordinances or parts of ordinances inconsistent herewith are hereby repealed.


ENACTED and ORDAINED this 21st day of December, A.D., 2016.

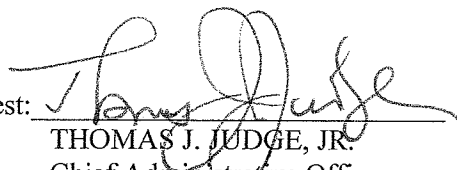
UPPER DARBY TOWNSHIP


 DONALD P. BONNETT
 President of Council

Attest: 
 EDWARD E. MONAGHAN
 Secretary of Council

Ordinance No. 3031 above is hereby approved this 21ST day of December, A.D., 2016.


 THOMAS N. MICOZZIE, Mayor

Attest: 
 THOMAS J. JUDGE, JR.
 Chief Administrative Officer

ANNUAL BUDGET FOR THE TOWNSHIP OF UPPER DARBY FOR THE YEAR 2017TAX LEVY AND APPROPRIATION ORDINANCEORDINANCE NO. 3032

AN ORDINANCE OF THE TOWNSHIP OF UPPER DARBY,
COUNTY OF DELAWARE, AND THE COMMONWEALTH OF
PENNSYLVANIA, FIXING THE TAX RATE FOR THE YEAR 2017
AND APPROPRIATING SPECIFIC SUMS ESTIMATED TO BE
REQUIRED FOR THE SPECIFIC PURPOSE OF THE MUNICIPAL GOVERNMENT.

The Township of Upper Darby hereby ordains:

Section 1. That a tax be and the same is hereby levied on all property and occupations within the said Township subject to taxation for the Township purposes for the fiscal year 2017, as follows:

Tax rate for general fund purpose, the sum of 19.42 Mills on each thousand dollars of assessed valuation.

For debt purposes, .95 Mills on each thousand dollars of assessed valuation.

The same being summarized in tabular form as follows:

	MILLS ON EACH THOUSAND DOLLARS OF ASSESSED VALUATION
Tax rate for General Fund Purposes	19.42
Tax rate for Debt Purposes	<u>.95</u>
TOTAL TAX RATE	20.37

Section 2. That for the expenses for the fiscal year 2017 the following amounts are hereby appropriated from the revenue available for the current year for the specific purposes set forth below, which are more fully itemized in the Budget Form.

GENERAL FUND
SUMMARY OF ESTIMATED RECEIPTS

Fund Balance	\$ 2,024,379.00
Tax Receipts	54,260,000.00
Other Revenue	14,683,943.00
Grants	<u>2,562,000.00</u>
TOTAL ESTIMATED GENERAL FUND RECEIPTS AND FUND BALANCE	\$ 73,530,322.00

SUMMARY OF APPROPRIATIONS
OPERATION AND MAINTENANCE

General Government:

Administration	\$ 1,758,701.00
Treasurer	8,000.00
Administrative Services	<u>1,746,466.00</u>
TOTAL	\$ 3,513,167.00

Protection to Persons and Property:

Police	\$ 28,965,035.00
Fire	11,840,011.00
Licenses and Inspections	<u>903,556.00</u>
TOTAL	\$ 41,708,602.00

Public Works:

Public Works	\$ 1,777,796.00
Sanitation	<u>4,735,945.00</u>
TOTAL	\$ 6,513,741.00

Health Services:

TOTAL	\$ 595,604.00
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GENERAL FUND
SUMMARY OF APPROPRIATIONS (continued)
OPERATIONS & MAINTENANCE

Electrical:

TOTAL \$ 1,218,900.00

Parking Meter:

TOTAL \$ 458,205.00

Leisure Services:

General Recreation \$ 1,380,315.00

Parks 1,568,963.00

TOTAL \$ 2,949,278.00

Library:

TOTAL \$ 1,320,845.00

COSA:

TOTAL \$ 421,600.00

HUD:

TOTAL \$ 1,575,000.00

Miscellaneous:

Home Program \$ 250,000.00

Workers Compensation and Unemployment 2,570,000.00

Social Security 785,000.00

Volunteer Fire Relief Allocation 300,000.00

Insurance (Life, Health, Property, Casualty) 8,036,800.00

Pension 962,580.00

Refunds 101,000.00

Contingency 250,000.00

TOTAL \$ 13,255,380.00

TOTAL APPROPRIATIONS FROM GENERAL FUND \$ 73,530,322.00

SEWER RENTAL
SUMMARY OF ESTIMATED RECEIPTS

Fund Balance	\$ 555,695.00
Sewer Rents	7,500,000.00
Other Revenue Receipts	25,500.00
Reimbursements	<u>1,635,634.00</u>
TOTAL ESTIMATED RECEIPTS	\$ 9,716,829.00

SUMMARY OF APPROPRIATIONS

Operation and Maintenance	\$ 2,028,616.00
Authority Rentals	6,300,000.00
Sinking Fund Payments	488,213.00
Transfer to General Fund	<u>900,000.00</u>
TOTAL APPROPRIATIONS	\$ 9,716,829.00

HIGHWAY AID FUND
SUMMARY OF ESTIMATED RECEIPTS

County Aid	89,168.00
Other Revenue Receipts	500.00
Liquid Fuels Tax	<u>1,889,852.00</u>
TOTAL ESTIMATED RECEIPTS	\$ 1,979,520.00

SUMMARY OF APPROPRIATIONS

TOTAL EXPENDITURES	\$ 1,979,520.00
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SINKING FUND
SUMMARY OF ESTIMATED RECEIPTS

Fund Balance	93,376.00
Real Estate Taxes (.95 Mills)	<u>2,552,594.00</u>
TOTAL ESTIMATED RECEIPTS	\$ 2,645,970.00

SUMMARY OF APPROPRIATIONS

Interest to be Paid	\$ 149,970.00
Principal to be Paid	<u>2,496,000.00</u>
TOTAL ESTIMATED EXPENDITURES	\$ 2,645,970.00

Section 3. An estimate of the specific items making up the amounts appropriated to the respective departments is on file in the office of the Finance Director, Room 212 of the Township of Upper Darby, Pennsylvania.

Section 4. That any Ordinance, or part of Ordinance, conflicting this Ordinance be and the same is hereby repealed insofar as the same affects this Ordinance.

ENACTED AND ORDAINED this 21st day of December, A.D., 2016

TOWNSHIP OF UPPER DARBY


ATTEST:


EDWARD E. MONAGHAN
SECRETARY OF COUNCIL


DONALD P. BONNETT
PRESIDENT OF COUNCIL

ORDINANCE NO. 3032 ABOVE IS HEREBY APPROVED THIS
21ST DAY OF DECEMBER, A.D., 2016

APPROVED:


THOMAS N. MICOZZIE
MAYOR

ATTEST:


THOMAS J. JUDGE, JR.
CHIEF ADMINISTRATIVE OFFICER

UPPER DARBY TOWNSHIP
ORDINANCE NO. 3033

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.

WHEREAS, Section 909D of the Upper Darby Township Home Rule Charter provides that Council may by ordinance transfer part or all of any unencumbered appropriation balance from one department, office or agency to another.

WHEREAS, pursuant to Section 909D of the Upper Darby Township Home Rule Charter the Mayor has requested that parts of certain unencumbered appropriations allocated in the Annual Budget of Upper Darby Township for the year 2016 be transferred from the unencumbered fund balance to other departments, offices or agencies within the Township.

NOW THEREFORE, Upper Darby Township hereby ordains:

SECTION 1. Pursuant to the provisions of Section 909D of the Home Rule Charter of Upper Darby Township, Delaware County, Pennsylvania, Five Hundred Thousand (\$500,000) of the unencumbered fund balance of the Annual Budget of Upper Darby Township for the year 2016 should be transferred as follows:

<u>Department</u>	<u>Appropriations Transferred To</u>
Police	\$ 300,000.00
Fire	\$ 200,000.00
Total	\$ 500,000.00

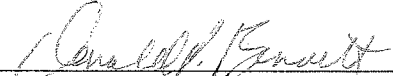
ENACTED and ORDAINED this 21st day of December, A.D. 2016.

Attest:



Edward E. Monaghan
Secretary of Council

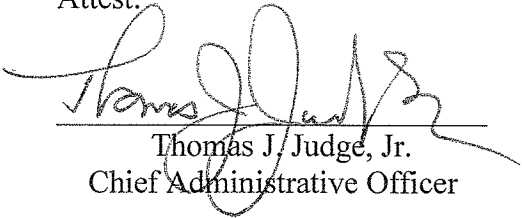
By:



Donald P. Bonnett
President of Council

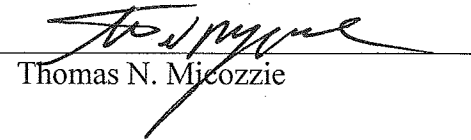
Ordinance No.3033 above is hereby approved this 21st day of December A.D., 2016

Attest:



Thomas J. Judge, Jr.
Chief Administrative Officer

Approved:



Thomas N. Micozzie

Mayor

THE TOWNSHIP OF UPPER DARBY
DELAWARE COUNTY, PENNSYLVANIA

Ordinance No. 3034 Year 2016

AN ORDINANCE OF THE TOWNSHIP OF UPPER DARBY, COUNTY OF DELAWARE, COMMONWEALTH OF PENNSYLVANIA AMENDING THE CODE OF ORDINANCES OF THE TOWNSHIP OF UPPER DARBY BY ADOPTING AN AMENDMENT TO ORDINANCE 2702, ADOPTED SEPTEMBER 2, 1987, WHICH REGULATES THE DISPOSAL OF MUNICIPAL SOLID WASTE FROM THE TOWNSHIP; REQUIRES DISPOSAL AT APPROVED SITES; PROVIDES FOR LICENSING OF SOLID WASTE COLLECTORS; PROVIDING FOR REGULATIONS AND PENALTIES; ENTERING INTO A JOINT COOPERATION AGREEMENT WITH THE COUNTY OF DELAWARE, PENNSYLVANIA AND ADOPTING THE DELAWARE COUNTY SOLID WASTE MANAGEMENT PLAN.

BE IT ENACTED AND ORDAINED by the Council of Upper Darby Township, County of Delaware, Commonwealth of Pennsylvania and it is hereby enacted and ordained by the authority of the same:

SECTION 1. Ordinance 2702 of Upper Darby Township is amended as follows:

Paragraph (11), Section (c), Line 1 of Ordinance 2702 is deleted in its entirety and replaced to read as follows:

The term of this Agreement shall be for a period of twenty-five (25) years and said term shall commence on January 1, 2017.

All other provisions, terms and conditions of Ordinance 2702 not specifically amended hereby shall remain in full force and effect.

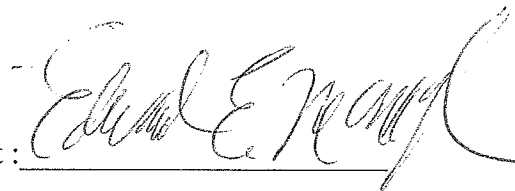
SECTION 2. Repealer. Any ordinance or part of an ordinance to the extent that it is inconsistent herewith is hereby repealed.

SECTION 3. Severability. The provisions of this Ordinance are severable and if any section, sentence, clause, part, or provision hereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of this court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this ordinance. It is hereby declared to be the intent of the Council that this ordinance would have been adopted if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

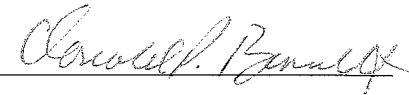
SECTION 4. Effective Date. This Ordinance shall become effective thirty (30) days following final adoption by the Township Council and publication as required by law.

ENACTED and ORDAINED this 21st day of December, A.D. 2016.

Attest:

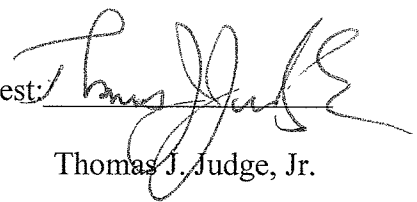

Edward E. Monaghan
Secretary of Council

By:



Donald P. Bonnett
President of Council

Ordinance No. 3034 above is hereby approved this 21st day of December A.D., 2016

Attest:


Thomas J. Judge, Jr.
Chief Administrative Officer

Approved:


Thomas N. Micozzie
Mayor