

Index

Upper Darby Township Council Meeting

February 15th, 2017

Call of the meeting	17
Roll call	17
Approval of the Minutes from the meeting of January 18, 2017	17
Public Forum	17
<i>Superintendent Chitwood was awarded a Certificate of Appreciation from the Race for Peace Committee</i>	18
Presentation about Darby Creek Stream Valley Trail	18
Mayor Micozzie	
<i>RE-APPOINTMENTS FOR VARIOUS BOARDS</i>	18-19
<i>THE APPOINTMENT OF FRANCIS J. CAREY, FRANCIS J. CATANIA AND JOHN A. DOWD, SR. TO SERVE ON THE UPPER DARBY TOWNSHIP CIVIL SERVICE COMMISSION FOR A SIX-YEAR TERM EXPIRING 12/31/22;</i>	18
<i>THE APPOINTMENT OF JEAN KOROLY, BRIAN C. HAYES AND FRANK MCGOVERN TO SERVE ON THE UPPER DARBY TOWNSHIP ZONING HEARING BOARD FOR A THREE-YEAR TERM EXPIRING 12/31/19;</i>	19
<i>THE APPOINTMENT OF PORTIA KAMARA, JUDITH GENTILE, ABBY LAND TO SERVE ON THE UPPER DARBY TOWNSHIP LIBRARY BOARD FOR A THREE-YEAR TERM EXPIRING 12/31/19;</i>	19
<i>THE APPOINTMENT OF FRANK J. MCGOVERN, JOHN M. BERGIN AND DR. ELEANOR K. SMITH TO SERVE ON THE UPPER DARBY TOWNSHIP HISTORIC COMMISSION FOR A THREE-YEAR TERM EXPIRING 12/31/19;</i>	19
<i>THE APPOINTMENT OF JOHN A DOWD, SR. TO SERVE ON THE UPPER DARBY TOWNSHIP INDUSTRIAL DEVELOPMENT AUTHORITY FOR A FIVE-YEAR TERM EXPIRING 1/1/20 AND THE APPOINTMENT OF MIKE JORDON TO SERVE ON THE UPPER DARBY TOWNSHIP INDUSTRIAL DEVELOPMENT AUTHORITY FOR A FIVE-YEAR TERM EXPIRING 1/1/21;</i>	19

<i>THE APPOINTMENT OF MARC MANFRE, JOHN MCMULLAN AND MIKE PECKO TO SERVE ON THE UPPER DARBY TOWNSHIP PAL BOARD FOR A TWO-YEAR TERM EXPIRING 12/31/18;</i>	19
<i>THE APPOINTMENT OF MARIANNE GRACE, JEFF ROKEN AND MAGGIE FULLMER TO SERVE ON THE UPPER DARBY TOWNSHIP ENVIRONMENTAL ADVISORY COMMISSION FOR A THREE-YEAR TERM EXPIRING 12/31/19; AND</i>	19
<i>THE APPOINTMENT OF TAMARA CRUMP, ROLAND SHARPE (HASAN), GERWAYNE MCELANE AND PARKINDER SINGH TO SERVE ON THE BOARD OF THE UPPER DARBY TOWNSHIP MULTICULTURAL DIVERSITY COMMISSION FOR A THREE-YEAR TERM EXPIRING 12/31/19.</i>	19
APPROVAL OF APPOINTMENTS	19
Committee Reports	
Municipal Services, Licensing and Public Works Committee Jacob A. Bierling Jr., Chairman	
Resolution No. 06-17 , a Resolution to apply to the County Council for an allocation of the County Liquid Fuel Tax Funds in the amount \$89,168.00.	20 28-29
Adoption of Resolution No. 06-17	20
Introduction of Ordinance No. 3035 , an Ordinance of Upper Darby Township, Delaware County, Pennsylvania authorizing the Township Administration to execute an easement agreement with 4000 Bridge Street Associates and the County of Delaware and further authorizing the Township to accept the dedication of a parcel of property located on Bridge Street and further identified as Delaware County Tax Folio Number 16-13-00913-00 (the "Property");	20
Motion approved to introduce Ordinance No. 3035	20
Planning, Zoning & Building Code Committee Jacob A. Bierling Jr., Chairman	
Resolution No. 07-17 , a Resolution of Upper Darby Township, Delaware County, Pennsylvania approving the application of 3-D Collision Center for land development to develop .468 acres with the removal of a free standing structure and replacing it with a 290 square foot one-story office building addition attached to the existing auto body shop on the south side of State Road, approximately 79 feet east of Arlington Avenue and being subject to certain conditions of approval	21 30-31

Adoption of Resolution No. 07-17	21
Resolution No. 08-17 , a Resolution of Upper Darby Township, Delaware County, Pennsylvania approving the application of Accurate Recycling Corporation for land development to develop 1.1978 acres with 1,678 square feet of additional building space to the existing office building on the south side of Baltimore Avenue, approximately 138 feet west of 5 th Street and being subject to certain conditions of approval	21-22 32-33
Adoption of Resolution No. 08-17	22
Resolution No. 09-17 , a Resolution of Upper Darby Township, Delaware County, Pennsylvania approving the application of St. Sai Realty, Inc. for land development to convert an existing apartment building into a 100 room hotel including the addition of approximately 1045 square feet of additional building coverage on the south side of Garrett Road, approximately 82 feet southwest of Chestnut Street and being subject to certain conditions of approval	22 34-36
Adoption of Resolution No. 09-17	22
Resolution No. 10-17 , a Resolution of Upper Darby Township, Delaware County, Pennsylvania approving the application of Primos PA Self Storage Propco, LLC,, for land development to develop 5.6 acres with the development of an indoor self-storage use with the construction of two buildings totaling 21,550 square feet on the west side of Mildred Avenue and being subject to certain conditions of approval	22-23 37-38
Adoption of Resolution No.10-17	23
Introduction of Ordinance No. 3036 , an Ordinance of Upper Darby Township, Delaware County, Pennsylvania, providing for the regulation and licensing of dumpsters, open-top containers, <u>portable storage containers</u> and compaction containers maintained and located on a public street within Upper Darby Township for the collection and/or storage of trash, debris or other solid waste materials and providing penalties for the violation of this Ordinance.	23
Motion approved to introduce Ordinance No. 3036	23

Motion for Council to appoint the firm of Leitzell & Economidis P.C. as Township Auditors for the years 2017, 2018 and 2019	24
Motion approved	25
Motion for Council to authorize the Mayor to sign the contract with the Transport Workers Union (TWU) Local 234 and Upper Darby Township	25
Motion approved	26
Solicitor	26
Adjournment	27

A regular meeting of Upper Darby Township Council was held on Wednesday evening, February 15th, 2017 at 7:00 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, Jacob A. Bierling Jr., Sekela Coles, Robert Gwin, Barbarann Keffer, Marc Manfre, Lisa Faraglia, Sheikh M. Siddique, Patrick Spellman

Ed Monaghan, excused

Present at the Meeting

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

Approval of the Minutes

Mr. Bonnett: A motion would be in order for the approval of the minutes for the Regular Meeting of January 18th, 2017.

Mr. Wagner: So moved.

Ms. Coles: 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.

Andrew Howell
Race for Peace

His comments are filed on tape.

Superintendent Chitwood was awarded a Certificate of Appreciation from the Race for Peace Committee.

Audience applause.

Mr. Bierling: That concludes our speakers for this evening.

Mr. Bonnett: Thank you Jack. Members of Council, ladies and gentlemen, I am pleased to announce that we have a special presentation this evening about the Darby Creek Stream Valley Trail that is being proposed by the County of Delaware. The trail which has been in planning for a number of years is about to come to fruition at the beginning of this summer. It is a trail that will extend from Kent Park down by the dog park up to the Swedish Cabin along Darby Creek. I would like to introduce the presenters this evening beginning with the County Chairperson Mario Civera along with Marianne Grace, County Executive Director and we have Dennis Carey, the County Engineer with us this evening. I will turn the floor over to Mr. Civera.

Chairman Mario Civera spoke about the Darby Creek Trail

Details were provided by PJ Close of Kelly & Close Consulting Engineers & Surveyors

Additional comments were made by 4th District Councilman Marc Manfre, Director of Leisure Services, John McMullan, Council President, Donald P. Bonnett

CAO Thomas J. Judge Jr. stated for the record that this presentation was done in conjunction with the introduction of Ordinance No. 3035 which is the easement which is for the AVI Electronic property.

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

Mayor Micozzie

Re-appointments for Various Boards

I WOULD LIKE TO SUBMIT TO COUNCIL FOR THEIR APPROVAL,

THE APPOINTMENT OF FRANCIS J. CAREY, FRANCIS J. CATANIA AND JOHN A. DOWD, SR. TO SERVE ON THE UPPER DARBY TOWNSHIP CIVIL SERVICE COMMISSION FOR A SIX-YEAR TERM EXPIRING 12/31/22;

**THE APPOINTMENT OF JEAN KOROLY, BRIAN C. HAYES AND FRANK MCGOVERN TO SERVE ON THE UPPER DARBY TOWNSHIP ZONING HEARING BOARD FOR A THREE-YEAR TERM EXPIRING 12/31/19;
THE APPOINTMENT OF PORTIA KAMARA, JUDITH GENTILE, ABBY LAND TO SERVE ON THE UPPER DARBY TOWNSHIP LIBRARY BOARD FOR A THREE-YEAR TERM EXPIRING 12/31/19;**

THE APPOINTMENT OF FRANK J. MCGOVERN, JOHN M. BERGIN AND DR. ELEANOR K. SMITH TO SERVE ON THE UPPER DARBY TOWNSHIP HISTORIC COMMISSION FOR A THREE-YEAR TERM EXPIRING 12/31/19;

THE APPOINTMENT OF JOHN A DOWD, SR. TO SERVE ON THE UPPER DARBY TOWNSHIP INDUSTRIAL DEVELOPMENT AUTHORITY FOR A FIVE-YEAR TERM EXPIRING 1/1/20 AND THE APPOINTMENT OF MIKE JORDON TO SERVE ON THE UPPER DARBY TOWNSHIP INDUSTRIAL DEVELOPMENT AUTHORITY FOR A FIVE-YEAR TERM EXPIRING 1/1/21;

THE APPOINTMENT OF MARC MANFRE, JOHN MCMULLAN AND MIKE PECKO TO SERVE ON THE UPPER DARBY TOWNSHIP PAL BOARD FOR A TWO-YEAR TERM EXPIRING 12/31/18;

THE APPOINTMENT OF MARIANNE GRACE, JEFF ROKEN AND MAGGIE FULLMER TO SERVE ON THE UPPER DARBY TOWNSHIP ENVIRONMENTAL ADVISORY COMMISSION FOR A THREE-YEAR TERM EXPIRING 12/31/19; AND

THE APPOINTMENT OF TAMARA CRUMP, ROLAND SHARPE (HASAN), GERWAYNE MCELANE AND PARKINDER SINGH TO SERVE ON THE BOARD OF THE UPPER DARBY TOWNSHIP MULTICULTURAL DIVERSITY COMMISSION FOR A THREE-YEAR TERM EXPIRING 12/31/19.

Thomas N. Micozzie
Mayor

Mr. Bonnett: Members of Council, a Motion would be in order for the approval of those members to the Boards and Commissions as read.

Mr. Wagner: So moved.

Mr. Spellman: Second.

Mr. Bonnett: Moved and seconded. All those in favor signify by saying aye. Opposed? The ayes have it. At this time with we go into the Committee Reports beginning with Municipal Services, Licensing and Public Works Committee, Mr. Bierling please.

Committee Reports

Municipal Services, Licensing and Public Works Committee

Jacob A. Bierling Jr., Chairman

Resolution No. 06-17, a Resolution to apply to the County Council for an allocation of the County Liquid Fuel Tax Funds in the amount \$89,168.00.

Mr. Bierling: Thank you. Will the Solicitor give us a brief on Resolution No. 06-17?

Solicitor: Yes. Resolution No. 06-17 is a Resolution to apply to the County Council for an allocation of the County Liquid Fuel Tax Funds in the amount \$89,168.00.

Mr. Bierling: Thank you. I move for the adoption of Resolution No. 06-17.

Mr. Wagner: Seconded.

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

Introduction of Ordinance No. 3035, an Ordinance of Upper Darby Township, Delaware County, Pennsylvania authorizing the Township Administration to execute an easement agreement with 4000 Bridge Street Associates and the County of Delaware and further authorizing the Township to accept the dedication of a parcel of property located on Bridge Street and further identified as Delaware County Tax Folio Number 16-13-00913-00 (the "Property");

Mr. Bierling: Will the Solicitor please give us a brief on proposed Ordinance No. 3035?

Solicitor: Certainly. Ordinance No. 3035 is an Ordinance of Upper Darby Township, Delaware County, Pennsylvania authorizing the Township Administration to execute an easement agreement with 4000 Bridge Street Associates and the County of Delaware and further authorizing the Township to accept the dedication of a parcel of property located on Bridge Street and further identified as Delaware County Tax Folio Number 16-13-00913-00 (the "Property");

Mr. Bierling: Thank you. I hereby move that the proposed Ordinance No. 3035 be duly advertised and placed on the agenda for the March 15th, 2017 regular Council Meeting.

Mr. Bonnett: Is there a second?

Mr. Spellman: Seconded.

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

Mr. Bierling: Thank you, Mr. Bonnett: That concludes the report from the Municipal Services, Licensing & Public Works Committee.

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

Mr. Bierling: Thank you, Mr. Bonnett: Again, I would like to ask the Solicitor for a brief on Resolution No. 07-17.

Planning, Zoning & Building Code Committee

Jacob A. Bierling Jr., Chairman

Resolution No. 07-17, a Resolution of Upper Darby Township, Delaware County, Pennsylvania approving the application of 3-D Collision Center for land development to develop .468 acres with the removal of a free standing structure and replacing it with a 290 square foot one story office building addition attached to the existing auto body shop on the south side of State Road, approximately 79 feet east of Arlington Avenue and being subject to certain conditions of approval

Mr. Bierling: Thank you. Will the Solicitor give us a brief on Resolution No. 07-17?

Solicitor: Yes. Resolution No. 07-17, a Resolution of Upper Darby Township, Delaware County, Pennsylvania approving the application of 3-D Collision Center for land development to develop .468 acres with the removal of a free standing structure and replacing it with a 290 square foot one story office building addition attached to the existing auto body shop on the south side of State Road, approximately 79 feet east of Arlington Avenue and being subject to certain conditions of approval

Mr. Bierling: Thank you. I move for the adoption of Resolution No. 07-17.

Mr. Spellman: Seconded.

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

Resolution No. 08-17, a Resolution of Upper Darby Township, Delaware County, Pennsylvania approving the application of Accurate Recycling Corporation for land development to develop 1.1978 acres with 1,678 square feet of additional building space to the existing office building on the south side of Baltimore Avenue, approximately 138 feet west of 5th Street and being subject to certain conditions of approval

Mr. Bierling: Thank you. Will the Solicitor give us a brief on Resolution No. 08-17?

Solicitor: Yes. Resolution No. 08-17 is a Resolution of Upper Darby Township, Delaware County, Pennsylvania approving the application of Accurate Recycling Corporation for land development to develop 1.1978 acres with 1,678 square feet of additional building space to the existing office building on the south side of Baltimore Avenue, approximately 138 feet west of 5th Street and being subject to certain conditions of approval

Mr. Bierling: Thank you. I move for the adoption of Resolution No. 08-17.

Mr. Wagner: Seconded.

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

Resolution No. 09-17, a Resolution of Upper Darby Township, Delaware County, Pennsylvania approving the application of St. Sai Realty, Inc. for land development to convert an existing apartment building into a 100 room hotel including the addition of approximately 1045 square feet of additional building coverage on the south side of Garrett Road, approximately 82 feet southwest of Chestnut Street and being subject to certain conditions of approval

Mr. Bierling: Thank you. Will the Solicitor give us a brief on Resolution No. 09-17?

Solicitor: Yes. Resolution No. 09-17 is a Resolution of Upper Darby Township, Delaware County, Pennsylvania approving the application of St. Sai Realty, Inc. for land development to convert an existing apartment building into a 100 room hotel including the addition of approximately 1045 square feet of additional building coverage on the south side of Garrett Road, approximately 82 feet southwest of Chestnut Street and being subject to certain conditions of approval.

Mr. Bierling: Thank you. I move for the adoption of Resolution No. 09-17.

Ms. Coles: Seconded.

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

Resolution No. 10-17, a Resolution of Upper Darby Township, Delaware County, Pennsylvania approving the application of Primos PA Self Storage Propco, LLC,, for land development to develop 5.6 acres with the development of an indoor self-storage use with the construction of two buildings totaling 21,550 square feet on the west side of Mildred Avenue and being subject to certain conditions of approval

Mr. Bierling: Thank you. Will the Solicitor give us a brief on Resolution No. 10-17?

Solicitor: Yes. Resolution No. 10-17 is a Resolution of Upper Darby Township, Delaware County, Pennsylvania approving the application of Primos PA Self Storage Propco, LLC,, for land development to develop 5.6 acres with the development of an indoor self-storage use with the construction of two buildings totaling 21,550 square feet on the west side of Mildred Avenue and being subject to certain conditions of approval

Mr. Bierling: Thank you. I move for the adoption of Resolution No. 10-17.

Mr. Spellman: Seconded.

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

Introduction of Ordinance No. 3036, an Ordinance of Upper Darby Township, Delaware County, Pennsylvania, providing for the regulation and licensing of dumpsters, open-top containers, portable storage containers and compaction containers maintained and located ~~on a public street~~ within Upper Darby Township for the collection and/or storage of trash, debris or other solid waste materials and providing penalties for the violation of this Ordinance.

Mr. Bierling: Will the Solicitor please give us a brief on proposed Ordinance No. 3036?

Solicitor: Yes. Ordinance No. 3036 is an Ordinance of Upper Darby Township, Delaware County, Pennsylvania, providing for the regulation and licensing of dumpsters, open-top containers, portable storage containers and compaction containers maintained and located ~~on a public street~~ within Upper Darby Township for the collection and/or storage of trash, debris or other solid waste materials and providing penalties for the violation of this Ordinance.

Mr. Bierling: Thank you. I hereby move that the proposed Ordinance No. 3036 be duly advertised and placed on the agenda for the March 15th, 2017 regular Council Meeting.

Mr. Bonnett: Is there a second?

Ms. Coles: Seconded.

Mr. Bonnett: Moved and seconded. All those in favor signify by saying aye. Opposed? Any comment? Yes Bob?

Mr. Gwin: I just want to make a comment that on the Ordinance we have struck out the words "on a public street" with a line through it.

Mr. Bonnett: OK.

Mr. Spellman: I do, Don. I just want to recognize Councilman Bierling's hard work along with L&I and our board. We worked very hard in the sub-committee meetings on this Ordinance. It is very important to the Township and we look forward to the quality of life impact that it has on the people of Upper Darby.

Mr. Bonnett: Thank you Pat for that recognition.

Ms. Keffer: I have a question. So, "on a public street" is stricken out so that means that any containers anywhere in the Township are going to be regulated.

Solicitor: Yes. That was taken out so that the regulation would apply regardless if it is stored in a yard or street.

Mr. Bonnett: We've had situations where the pods were left on the street for an indefinite period of time not only taking up parking but becoming an eyesore to the community. Any other comments?

Ms. Coles: I just want to also thank the committee for allowing me to participate in the meetings that they had discussing this Ordinance and I am glad to see it being introduced. As you know, I had a situation in my district with a pod that was left in the neighborhood for about 9 months and so I'm glad that this will be helpful if that situation ever comes up again.

Mr. Bonnett: Thank you for those comments. Any other comments before we vote? A motion has been made 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. Finance & Appropriations Committee, Mr. Wagner please.

Finance & Appropriations Committee

Thomas P. Wagner, Chairman

Motion for Council to appoint the firm of Leitzell & Economidis P.C. as Township Auditors for the years 2017, 2018 and 2019

Mr. Wagner: Thank you, Mr. Bonnett. We have 2 Motions to make tonight. The first one is a Motion that I hereby make for Council to appoint the firm of Leitzell & Economidis P.C. as Township Auditors for the years 2017, 2018 and 2019.

Mr. Manfre: Second.

Mr. Bonnett: Moved and seconded. All those in favor signify by saying aye. Opposed? Any comment?

Ms. Keffer: I will be abstaining because I work with them.

Mr. Bonnett: OK, any other comment? All those in favor signify by saying aye. Opposed? The ayes have it. Please let the record show that there has been one abstention from Councilwoman Barbarann Keffer.

Motion for Council to authorize the Mayor to sign the contract with the Transport Workers Union (TWU) Local 234 and Upper Darby Township

Mr. Wagner: Secondly, I hereby make a Motion for Council to authorize the Mayor to sign the contract with the Transport Workers Union (TWU) Local 234 and Upper Darby Township.

Mr. Spellman: Second.

Mr. Bonnett: Moved and seconded. All those in favor signify by saying aye. Opposed? Any comment?

Mr. Gwin: I have a question.

Mr. Bonnett: Certainly.

Mr. Gwin: I noticed that the Holidays include 2 days for President's Day. I know nationally we consolidated that into 1 date. Is it possible that we can do the same for this and also for.....

Mayor Micozzie: Tommy has been trying that for.....

Mr. Judge: I have been negotiating with the TWU since 2001 and it is 4 times and every time we have tried offering them a combination of different incentives to take only 1 President's Day and to this point they have not accepted that. It was given to them back in 1992 as a Holiday when the nation celebrated both days and it is in their contract and they refuse to give it up and if you don't mind a little sidebar, I will tell you why they refuse. The percentage of snow that falls on both of those days where they would get double time pay is above 65% so they want to keep those 2 days as double time days. That is an editorial comment, not a factual comment.

Mr. Gwin: But if they are off on a Holiday then.....

Mr. Judge: We've tried very hard to get rid of that and we're not taking a day away in our offer. We have offered them other incentives to give us that day back and to this point they don't want to give it back to us.

Mr. Gwin: How about Election Day?

Mr. Judge: We offered to take both Election Days back and one Election Day back and offer them an incentive to take it again but they refused it again this contract and the contract before that. I'll be honest, we offered to take away Election Day and give them a Personal Day in return for that and they did not take it.

Mr. Gwin: Thank you for your explanation.

Mr. Bonnett: Does that answer your question Bob?

Mr. Gwin: Yes.

Mayor Micozzie: I would like to thank you and Kelly Sullivan. I know you did a really hard job working on a fair contract for both sides. They do a tremendous job for us on those snowstorms when they're out there driving trucks. Right after the contract, 2 days later, we had snow.

Mr. Wagner: I think it should be clear that after all of those negotiations the Administration recommends that we adopt this Contract and for good reason.

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

Mr. Wagner: That concludes our report.

Mr. Bonnett: Thank you Tom. Mr. Solicitor, any comments this evening?

Solicitor: No Sir.

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

Ms. Coles: Mr. President, I have 1 quick comment. I just want to give Council an update on last month's Zoning Hearing Board Meeting in January. I had an opportunity to share my concerns about an application for a use variance that was put in to legalize a 3rd unit basement apartment. I do appreciate the fact that the Zoning Board validated the concerns that I had as well as some neighbors that spoke out against this use variance application and they did not authorize for an existing 2 family dwelling to be turned into a triplex. As you all know the impact of single family homes being converted to multiple occupancies creates a lot of issues in our Township of overcrowding, parking, fire safety and also declining property values. The Zoning Board's decision, I believe, is a step in the right direction to address a lot of the concerns that have been voiced by the Township residents. I also want to thank Councilman Jack Bierling for also speaking out against the application and sharing his concerns. Also, Councilman Bob Gwin was

there to support. He did not speak because he represents a different district but it was good to have their support in that issue and I appreciate the Zoning Board validating our concerns.

Mr. Bonnett: Thank you Sekela.

Mr. Judge: Mr. President, I want to mention that International Mother Language Day is going to be held at Beverly Hills Middle School on Sunday, February 26th and the awards ceremony will be at 2pm. The Diversity dinner will be on February 21st at 5:30 and we're having it at Drexelbrook and anyone who wants to be invited to it should let us know and they will then be invited!

Ms. Coles: I want to remind all the Council members who agreed to be judges on the Black History Month Poetry Contest that the last date for submissions is February 28th and we will be meeting a little bit earlier than our 7pm meeting time in the Council conference room to go through the poems and will select the 1st, 2nd and 3rd place winners. So, maybe we can meet at 6pm to go through the poems? The winners will be at the March 15th Council Meeting to read their winning poems. So again, we will meet at our next meeting on March 1st at 6pm to go through the poems.

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

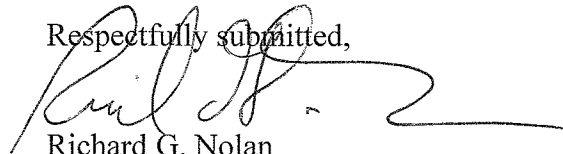
Adjournment

Mr. Wagner: So moved.

Mr. Spellman: Seconded.

Mr. Bonnett: This meeting stands adjourned.

Respectfully submitted,



Richard G. Nolan
Chief Municipal Clerk

RGN/akc

RESOLUTION NO. 06-17

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

THEREFORE, BE IT RESOLVED:


THAT WE, THE OFFICIALS OF UPPER DARBY TOWNSHIP, DELAWARE COUNTY, PENNSYLVANIA IN A REGULAR SESSION ASSEMBLED ON THIS 15th DAY OF FEBRUARY 2017, DO HEREBY MAKE APPLICATION TO THE COUNTY COUNCIL OF DELAWARE COUNTY FOR AN ALLOCATION OF COUNTY LIQUID FUEL TAX FUNDS IN THE AMOUNT OF \$89,168.00 TO BE USED IN THE IMPROVEMENT OF:

**RESURFACING VARIOUS STREETS THROUGHOUT
THE TOWNSHIP, ESTIMATED TOTAL COST OF
PROJECT: \$89,168.00**

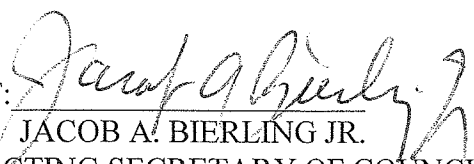
IT IS CERTIFIED BY THE MUNICIPALITY AND THE OFFICERS WHO EXECUTE THIS APPLICATION THAT ALL MATERIALS USED AND WORK DONE HEREUNDER SHALL CONFORM TO THE CURRENT PENNSYLVANIA DEPARTMENT OF TRANSPORTATION SPECIFICATIONS, OR SPECIFICATIONS APPROVED BY THE DEPARTMENT, AND THAT ALL WORK WILL BE DONE WITHIN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

RESOLVED, THIS 15TH DAY OF FEBRUARY A.D., 2017


UPPER DARBY TOWNSHIP


 DONALD P. BONNETT
 PRESIDENT OF COUNCIL

RESOLUTION NO. 06-17
FEBRUARY 15TH, 2017
PAGE 2

ATTEST: 
JACOB A. BIERLING JR.
ACTING SECRETARY OF COUNCIL


THOMAS N. MICOZZIE
MAYOR

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

UPPER DARBY TOWNSHIP

Resolution No. 07-17

**A RESOLUTION OF UPPER DARBY TOWNSHIP,
DELAWARE COUNTY, PENNSYLVANIA
APPROVING THE APPLICATION OF 3-D
COLLISION CENTER FOR LAND DEVELOPMENT
TO DEVELOP .468 ACRES WITH THE REMOVAL
OF A FREE STANDING STRUCTURE AND
REPLACING IT WITH A 290 SQUARE FOOT ONE
STORY OFFICE BUILDING ADDITION ATTACHED
TO THE EXISTING AUTO BODY SHOP ON THE
SOUTH SIDE OF STATE ROAD, APPROXIMATELY
79 FEET EAST OF ARLINGTON AVENUE AND
BEING SUBJECT TO CERTAIN CONDITIONS OF
APPROVAL.**

WHEREAS, 3-D COLLISION CENTER (“Applicant”) has submitted for approval its Final Land Development Plan to develop .468 acres with the removal of a free standing structure and replacing it with a 290 square foot one story office building addition attached to the existing auto body shop, prepared by Gardner/Fox, said plans consisting of one (1) sheet dated September 20, 2016 (collectively “Final Plans”); and

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

1. Applicant has obtained approval by Pennsylvania Department of Transportation of all necessary permits, including but not limited to any required highway occupancy permit, where applicable.
2. Approval by the Township Solicitor and execution by 3-D Collision Center and where applicable, Applicant’s lender, of all necessary and appropriate documentation including Developer’s Agreement and Improvement Security Agreement, and such other documentation as acceptable to the Solicitor, including but not limited to documentation concerning the ongoing

maintenance, operation and repair of the common site improvements, if any, which are not to be dedicated to the Township;

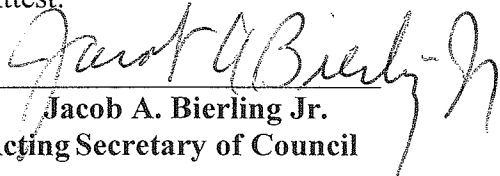
3. Applicant obtaining Sewer Planning Module Act 537 approvals or exemption there from, Storm Water Management approvals and Delaware County Conservation District approvals;

4. Formal recording of the Land Development Plan (the "Record Plans") following Township execution of the Record Plans;

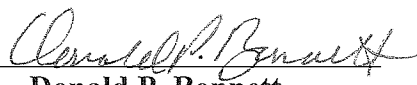
5. Applicant shall comply with all applicable federal, state and local codes or ordinances and shall obtain all required permits.

TOWNSHIP OF UPPER DARBY

Attest:



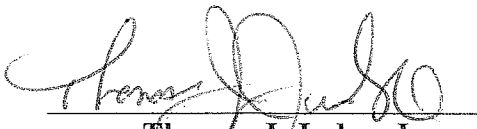
Jacob A. Bierling Jr.
Acting Secretary of Council

By: 

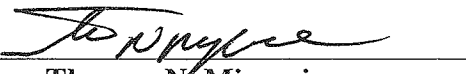
Donald P. Bonnett
President of Council

Resolution No. 07-17 above is hereby approved this 15th day of February, A.D., 2017.

Attest:



Thomas J. Judge, Jr.
Chief Administrative Officer

Approved: 

Thomas N. Micozzie
Mayor

UPPER DARBY TOWNSHIP

Resolution No. 08-17

**A RESOLUTION OF UPPER DARBY TOWNSHIP,
DELAWARE COUNTY, PENNSYLVANIA
APPROVING THE APPLICATION OF ACCURATE
RECYCLING CORPORATION FOR LAND
DEVELOPMENT TO DEVELOP 1.1978 ACRES WITH
1,678 SQUARE FEET OF ADDITIONAL BUILDING
SPACE TO THE EXISTING OFFICE BUILDING ON
THE SOUTH SIDE OF BALTIMORE AVENUE,
APPROXIMATELY 138 FEET WEST OF 5TH STREET
AND BEING SUBJECT TO CERTAIN CONDITIONS
OF APPROVAL.**

WHEREAS, ACCURATE RECYCLING CORPORATION (“Applicant”) has submitted for approval its Final Land Development Plan to develop 1.1978 acres with 1,678 square feet of additional building space to the existing office building, prepared by H. Gilroy Damon Associates, Inc., said plans consisting of one (1) sheet dated December 1, 2016 (collectively “Final Plans”); and

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

1. Applicant has obtained approval by Pennsylvania Department of Transportation of all necessary permits, including but not limited to any required highway occupancy permit, where applicable.
2. Approval by the Township Solicitor and execution by Accurate Recycling Corporation and where applicable, Applicant’s lender, of all necessary and appropriate documentation including Developer’s Agreement and Improvement Security Agreement, and such other documentation as acceptable to the Solicitor, including but not limited to documentation concerning the ongoing maintenance, operation and repair of the common site improvements, if any, which are not to be dedicated to the Township;

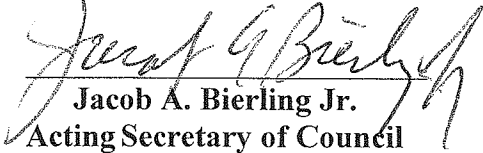
3. Applicant obtaining Sewer Planning Module Act 537 approvals or exemption there from, Storm Water Management approvals and Delaware County Conservation District approvals;

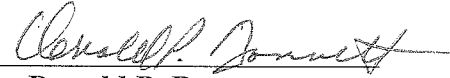
4. Formal recording of the Land Development Plan (the "Record Plans") following Township execution of the Record Plans;

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

TOWNSHIP OF UPPER DARBY


Attest:



Jacob A. Bierling Jr.
Acting Secretary of Council

By: 
Donald P. Bonnett
President of Council

Resolution No. 08-17 above is hereby approved this 15th day of February, A.D., 2017.

Attest:


Thomas J. Judge, Jr.
Chief Administrative
Officer

Approved: 
Thomas N. Micozzie
Mayor

UPPER DARBY TOWNSHIP**Resolution No. 09-17**

**A RESOLUTION OF UPPER DARBY TOWNSHIP,
DELAWARE COUNTY, PENNSYLVANIA
APPROVING THE APPLICATION OF ST. SAI
REALTY, INC FOR LAND DEVELOPMENT TO
CONVERT AN EXISTING APARTMENT BUILDING
INTO A 100 ROOM HOTEL INCLUDING THE
ADDITION OF APPROXIMATELY 1045 SQUARE
FEET OF ADDITIONAL BUILDING COVERAGE ON
THE SOUTH SIDE OF GARRETT ROAD,
APPROXIMATELY 82 FEET SOUTHWEST OF
CHESTNUT STREET AND BEING SUBJECT TO
CERTAIN CONDITIONS OF APPROVAL.**

WHEREAS, ST. SAI REALTY, INC (“Applicant”) has submitted for approval its Final Land Development Plan to convert an existing apartment building into a 100 room hotel including the addition of approximately 1045 square feet of additional building coverage, prepared by Vastardis Consulting Engineers, LLC, said plans consisting of one (1) sheet dated December 15, 2016 (collectively “Final Plans”); and

WHEREAS, Applicant has requested certain waivers/modifications from the provisions of the Delaware County Subdivision and Land Development Ordinance, which has been adopted by Upper Darby Township and Upper Darby Township Council has found that the applicant has met the requisite standards under the Delaware County Subdivision and Land Development Ordinance for granting relief from the enumerated requirements; and

WHEREAS, based upon the granting of the requested waivers/modifications and adherence to the various Conditions of Approval as listed herein, the Final Plans are found to be in conformity with the Delaware County Subdivision and Land Development Ordinance and the Upper Darby Township Zoning Code; and

NOW THEREFORE, BE IT RESOLVED, that the above-cited Final Plans are hereby approved, including granting of waivers/modifications from the following section of the Delaware County Subdivision and Land Development Ordinance (“SALDO”): SALDO Section 817.C, (to not place street trees of at least a 3” caliper at 30’ intervals); subject to certain Conditions of Approval including the following:

1. Applicant has obtained approval by Pennsylvania Department of Transportation of all necessary permits, including but not limited to any required highway occupancy permit, where applicable.

2. Approval by the Township Solicitor and execution by St. Sai Realty, Inc and where applicable, Applicant’s lender, of all necessary and appropriate documentation including Developer’s Agreement and Improvement Security Agreement, and such other documentation as acceptable to the Solicitor, including but not limited to documentation concerning the ongoing maintenance, operation and repair of the common site improvements, if any, which are not to be dedicated to the Township;

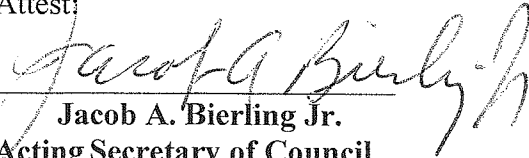
3. Applicant obtaining Sewer Planning Module Act 537 approvals or exemption there from, Storm Water Management approvals and Delaware County Conservation District approvals;

4. Formal recording of the Land Development Plan (the "Record Plans") following Township execution of the Record Plans;

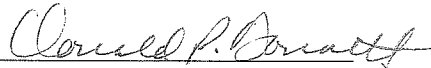
5. Applicant shall comply with all applicable federal, state and local codes or ordinances and shall obtain all required permits.

TOWNSHIP OF UPPER DARBY

Attest:




Jacob A. Bierling Jr.
Acting Secretary of Council

By: 


Donald P. Bonnett
President of Council

Resolution No. 09-17 above is hereby approved this 15th day of February, A.D., 2017.

Attest:



Thomas J. Judge, Jr.
Chief Administrative
Officer

Approved: 

Thomas N. Micozzie
Mayor

UPPER DARBY TOWNSHIP**Resolution No. 10-17**

**A RESOLUTION OF UPPER DARBY TOWNSHIP,
DELAWARE COUNTY, PENNSYLVANIA
APPROVING THE APPLICATION OF PRIMOS PA
SELF STORAGE PROPCO, LLC FOR LAND
DEVELOPMENT TO DEVELOP 5.6 ACRES WITH
THE DEVELOPMENT OF AN INDOOR SELF
STORAGE USE WITH THE CONSTRUCTION OF
TWO BUILDINGS TOTALING 21,550 SQUARE FEET
ON THE WEST SIDE OF MILDRED AVENUE AND
BEING SUBJECT TO CERTAIN CONDITIONS OF
APPROVAL.**

WHEREAS, PRIMOS PA SELF STORAGE PROPCO LLC (“Applicant”) has submitted for approval its Final Land Development Plan to develop 5.6 acres with the construction of two one story buildings totaling 21,550 square feet to be used for indoor self storage, prepared by Holmes Cunningham Engineering, said plans consisting of ten (10) sheets each dated October 25, 2016 (collectively “Final Plans”); and

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

1. Applicant has obtained approval by Pennsylvania Department of Transportation of all necessary permits, including but not limited to any required highway occupancy permit, where applicable.
2. Approval by the Township Solicitor and execution by Primos PA Self Storage Propco LLC, and where applicable, Applicant’s lender, of all necessary and appropriate documentation including Developer’s Agreement and Improvement Security Agreement, and such other documentation as acceptable to the Solicitor, including but not limited to documentation concerning the ongoing maintenance, operation and repair of the common site improvements, if any, which are not to be dedicated to the Township;

3. Applicant obtaining Sewer Planning Module Act 537 approvals or exemption there from, Storm Water Management approvals and Delaware County Conservation District approvals;

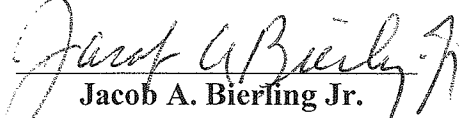
4. Formal recording of the Land Development Plan (the "Record Plans") following Township execution of the Record Plans;

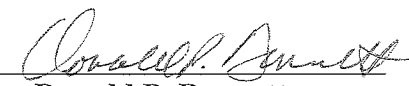
5. Applicant shall comply with all conditions and approvals applicable to zoning variances granted by the Upper Darby Township Zoning Hearing Board by decision dated August 25, 2016, which decision is incorporated herein by reference hereto."

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

TOWNSHIP OF UPPER DARBY


Attest:


Jacob A. Bierling Jr.
Acting Secretary of Council

By: 
Donald P. Bonnett
President of Council

Resolution No. 10-17 above is hereby approved this 15th day of February, A.D., 2017.

Attest:


Thomas J. Judge, Jr.
Chief Administrative
Officer

Approved: 
Thomas N. Micozzie
Mayor