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Upper Darby Township Committee Meeting
September 2, 2020

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Members: Hafiz Tunis Jr., Thomas P. Wagner

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Members: Danyelle Blackwell, Hafiz Tunis Jr.

Event Planning Committee 7
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Members: Hafiz Tunis Jr., Matt Silva

Old Business 7

New Business 7

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COMMITTEE MEETING MINUTES FOR SEPTEMBER 2, 2020

The video of this meeting can be viewed in its entirety on [youtube.com/upperdarbytwp](https://www.youtube.com/upperdarbytwp)

Pledge of Allegiance to the United States of America

Moment of Silence for Donald "Huck" Crawford from Garrettford/Drexel Hill Volunteer Fire House, 1st responders and all who have passed away

Opening of Meeting

Attendance of Council

Robert S. Gwin Jr. (RG), Brian K. Burke (BB), Danyelle Blackwell (DB), Michelle Billups (MB), Sheikh Siddique (SS), Lisa Faraglia (LF), Donald P. Bonnett (DPB), Matt Silva (MS), Thomas P. Wagner (TW), Laura A. Wentz (LW), Hafiz Tunis Jr. (HT)

Present at the Meeting

Barbarann Keffer, Mayor
Vincent A. Rongione Esq., CAO
Sean P. Kilkenny, Esquire
Courtney N. Richardson, Esquire
Alison Dobbins, Director of Special Projects
Alexis Cicchitti, Chief Municipal Clerk

Guests

Tony DeLuca, Associate VP of Facilities & Construction
Patricia Benson, CFP of DCCC
Joy Gates-Black, President of DCCC
Gus Houtman, Site engineer. J.D. Houtman & Son Inc.
Nicholas Caniglia, Attorney, DCCC
Connie King, Associate Architect, Marotta/Main Architects
Donald Main, Principal Architect, Marotta/Main Architects
Nicole Kline, McCann Associates, Graphic Engineer for DCCC
Christopher Peters, Associate Architect, Marotta/Main Architects
Donna Dybus, The Spayed Club
Helping Paws of Upper Darby

Rules of Meeting Decorum

"Upper Darby Township Council and Residents will maintain professional respect for each other. Council encourages free speech, however, civility is required which would prohibit threats, profanity, scandalous, impertinent and redundant comment or any comment the discernible purpose of which is to disrupt or prevent the conduct of the business of the meeting"

DCCC Mission Statement

Joy Gates-Black, President of DCCC, provided the Mission Statement for DCCC and spoke briefly about the land development project.

*Her comments are attached.

DCCC Land Development Presentation:

Design Team: Introduced by Tony De Luca

Gus Houtman presented the subdivision plan pointing out areas of improvement. Mr. Main was in charge of pointing out the areas on the site plan during this presentation.

*His comments are attached

Nicole Kline spoke of traffic improvement plans and that the traffic study analysis was conducted prior to pandemic conditions and traffic volume was normal. During the pandemic, traffic was lower. She shared about accessibility and roadway improvements around this site. Preliminary layout plans were submitted to the Township and PA DOT for Highway Occupancy Permit Review Process.

Ms. Kline shared a power point presentation showing the land development layout.

Donald Main spoke of the layout of the building highlighting the benefits of a new building over renovating an old building. However, there will be repairs on the original facade of the Archbishop Prendergast building. He presented photos of the proposed building and the outdoor eating area.

Council Member Questions:

RG inquired about the funds for the purchase of trees and solar panels. He stated that Tony DeLuca claims there's no opportunity to get solar panels installed for this project.

MS inquired about parking and stormwater management. Tony DeLuca claims there will be a 2 story parking garage.

BB expressed his support for the project

MB asked about parking and if DCMH was consulted about students using their garage

DPB expressed his support for the project and asked Mr. Main if they need to go back to Zoning regarding the change of height

Nicholas Caniglia, Attorney for DCCC stated that they are hoping the Board could modify the order without going back before the Zone Board. DPB asked about the statutory requirement for the agreed-to-extension

DPB asked about the plan for the Zoning Committee to meet and LW stated that much of this information was just obtained today and the Committee hasn't had an opportunity to set a meeting

Mike Galante added that the Zoning Solicitor will have to make the determination as the application was submitted to the Zoning Solicitor

SS expressed his support about the project and asked about employment opportunities and when the project could possibly be completed. He was told potentially in 2023

RG asked for Council to get updated drawings to review He was informed he could get electronic copies. A copy of the presentation can be given to Council

LW asked if a community garden was included. Mr. DeLuca said it was not included, for they need the space for parking. She asked about replacing trees.

Mr. Houtman stated they are planting over 100 trees.

LW asked about rain gardens to be installed. Mr. Houtman said the only area to utilize would be the campus

green area. However, they wanted to use this area for the students. He further explained the proposed landscaping and the benefit of keeping “green area” for the needs of the students.

CAO commended the team from DCCC and their efforts of focusing on the Mayor’s priorities and making this campus a more beautiful and greener place than originally planned.

Mayor Keffer stated that the project does look different than it did from the beginning of the year and the Administration is making every effort to give Council information pertaining to the land developments earlier. She also stated this land development will make a tremendous positive impact to the community.

*****The video of this presentation can be viewed in its entirety on [youtube.com/upperdarbytwp](https://www.youtube.com/upperdarbytwp)*****

PRESENTATION

Donna Dybus, The Spayed Club

LOW COST-NON PROFIT Veterinary in Sharon Hill dedicated to helping remain healthy and in their homes so they do not get surrendered to shelters. Spaying and neutering is encouraged and low cost is offered. They also encourage the use of TNR (Trap, Neuter and Return)

Laura Mengano, Helping Paws of Upper Darby

The process is to gather the strays by trapping, and housing them temporarily until they get vaccinated, then spayed at the Spayed Club Clinic while continuing to feed and shelter them until they could be released.

LW is assisting with TNR and has also adopted some of these strays.

Public Forum

Bart Everts of 7543 Parkview Road

Faith Zerby

Mayor Keffer responded of the “Goat Watch” at Gillespie Park and how it was beneficial for clearing the area of invasive foliage at hard to reach areas.

Peter Kane, 8003 Arlington Avenue

COA responded there are no training requirements removed from the fire department. The sanitation department was quarantined for 2 weeks.

The Honorable Mayor Barbarann Keffer

Mayor Keffer thanked the design team from DCCC for their presentation. The Administration has been working with them for the past several months to make the plan as great as it is.

Mayor’s Message:

We have a few events coming up this month:

1. The Township Shred Event will be held on Saturday, September 19, from 9 am till 12 noon at the UDHS; it is also an Identity Protection Event where residents can get their computers, laptops and cell phones disposed of in a safe manner.
2. Working with Keep Pennsylvania Beautiful and their “Pick-Up Pennsylvania” program, we will be holding community clean-up events. The first is at Naylor’s Run Park, Saturday September 12 from 9am until noon; State Representative Mike Zabel is hosting a clean-up on Saturday, September 19 from 9 am

to 11 am at Gillespie Park; and there will be a clean-up at historic Sellers Hall at Hampden and Walnut on Saturday, October 3 from 9 am - 12 noon. "Pick-Up Pennsylvania" runs through November 30 and we will keep residents posted as new sites are added.

The Police Substation at the Drexline Shopping Center has been moved to Pilgrim Gardens, next to the Leisure Services Department. The HVAC system at the Drexline office is broken beyond repair and needs to be replaced completely. In anticipation of the re-development at Drexline, we thought it was best to relocate the substation to a place we already rent in roughly the same area.

I would like to thank our residents for their patience and understanding as we work through mitigating the pandemic and the natural disaster which hit us last month. 2020 has been tough for most of us to varying degrees and for different reasons. Our township was undergoing a huge, difficult transition even before the emergence of COVID-19. There is a lot of uncertainty as to what the future holds for us, our families, our community and our country and I would like you to know that the township leadership and workforce are working very hard to organize clean, sustainable and accountable systems and programs to deliver services to our residents and business owners and to create a community with a high quality of life for everyone. Change doesn't have a set timeline, some things are changing quickly and others are changing at a snail's pace and we will move forward, together.

Council President, Laura Wentz

Executive Session took place prior to this meeting to discuss real estate and litigation issues

LW acknowledged an issue with email requests from constituents. Reinforced residents must send a request to council@upperdarby.org and Alexis will send a correspondence to the constituent since the website is down.

COMMITTEE REPORTS

Public Health and Environmental Affairs Committee

Co-Chairs Matt Silva & Hafiz Tunis Jr.

Members: Michelle Billups, Sheikh M. Siddique

SS & MS support the TNR Ordinance that will be discussed in the future

Public Safety Committee

Co-Chairs: Brian K. Burke & Danyelle Blackwell

Members: Matt Silva, Hafiz Tunis Jr.

Resolution No. 38-20, a Resolution of Upper Darby Township, Delaware County, Pennsylvania amending the Upper Darby Township Civil Service Code as previously amended; repealing all inconsistent Resolutions or parts thereof; providing a severability clause; and providing an effective date

Solicitor Kilkenny gave a brief.

Supt. Bernhardt stated they are lifting the requirement at this time as the pandemic interferes with the attendance of the Police Academy

DPB asked if the ACT 120 provision is temporary and that there should include a sunset provision on the ACT 120 requirement as it actually limits participation in applying for UDPD. He also asked about the residency requirement that is stated in the Resolution

CAO Rongione stated that DPB was correct that the residency requirement was not entirely removed but just altered some years back. Arbitration would override what's in the Civil Service Code.

Mayor Keffer asked DPB if he is advising that the Resolutions needs to be changed.

DPB stated that he felt that without a sunset clause, it would limit the pool of applicants. He further stated that in the past, the application fee was waived to encourage a wider pool of applicants.

There was brief discussion on the residency requirements currently in the contract. Solicitor Kilkenny stated that he put together a Resolution due to the timing of needing to hire police officers and suggests that the Administration bring the Code to the Civil Service Commission to clean up different areas. However, the immediate concern of having police officers on the street needs to be addressed.

BB questioned the wording in the Resolution regarding residency and the CAO stated that tonight's goal is to move forward with the hiring process and that the Code needs to be looked at. BB agreed that we need officers on the street as soon as possible.

The Solicitor suggested amending the Resolution for tonight's vote and to also add a sunset provision for the requirement of the Act 120 requirement until May 31, 2021.

Moved and seconded: MB/RG, 11 in favor. Resolution No. 38-20 is approved.

DB stated that the Committee discussed the volunteer fire department, their hiring process and if there would be a budget for them.

The CAO stated that Joe Martin and Mike Galante have been working with PennDOT trying to get an answer to installing a school zone flashing signal at BHMS but seem to be at an impasse.

SS asked about the progress on the issues at Powell and Market. The CAO stated that he agreed with the handicap curb cut and it is part of the plan. He further added that there will be ADA curb cuts in the 2021 paving plans for the Township.

LW encouraged SS to put all of his requests in writing so that they can be properly addressed.

MB spoke about people speeding down alleyways in her district and LW stated that the issue will be addressed.

Law and Government & Rules and Procedures Committee

Co-Chairs: Michelle Billups & Matt Silva

Members: Danyelle Blackwell, Sheikh M. Siddique

Solicitor Richardson gave a brief on Resolution No. 35-20.

Resolution No. 35-20, a Resolution to support the United States Postal Service

LW stated the she brought this Resolution forward considering other municipalities have already done so.

Council members were in support of this Resolution.

***This item will be placed on September 16, 2020 Council Meeting Agenda**

MS stated the committee would meet in about a week to discuss a communication policy and is looking for input.

Finance and Appropriations Committee

Co-Chairs: Robert S. Gwin Jr. & Matt Silva

Members: Danyelle Blackwell, Brian K. Burke

SS asked about funding for those affected by disasters. RG told him that perhaps Grants will cover some costs.

Nothing for the September 15, 2020 Council Meeting Agenda

Planning, Zoning and Building Code Committee

Co-Chairs Robert S. Gwin Jr. Michelle Billups
Members: Donald P. Bonnett, Hafiz Tunis Jr.,

RG referenced Resolution No. 39-20, the land development for DCCC. Solicitor Kilkenny stated that the draft is not ready as it is in very raw form. RG agreed and stated that the Committee should meet.

DPB suggested that the issue of zoning needs to be addressed. He acknowledges that the project needs to get underway but should go back to zoning. Solicitor Kilkenny is addressing that. DPB also believes that public comment is important and that a zoom meeting presentation at the Committee level should take place. RG agreed that it should be set up so questions can be answered.

The CAO stated that there was already at least one public meeting about this project and RG replied that the project is a lot different.

LW stated that she doesn't feel that Council members are the ones who should answer the questions from the public. The developers need to be the ones to answer any questions.

Council members continued the discussion as to how they should proceed. Some members feel that the height variance needs to be addressed.

LW stated that there was just a one-hour presentation of the current plan and much of the documentation will be available on the website for the public. There is opportunity for residents to ask questions.

MS stated that there have been presentations for this development and doesn't feel that it is necessary to make DCCC jump through more hoops than they already have.

HT stated that he doesn't feel that the intent is to silence anyone's voice. Everyone can be heard.

There was discussion as to what fits into the Zoning Ordinance and what needs to go to the Zoning Hearing Board.

MB inquired about the definition of a smoke shop vs. a convenience store.

Nothing for the September 15, 2020 Council Meeting Agenda

Municipal Services, Licensing and Public Works Committee

Co-Chairs Brian K. Burke & Sheikh M. Siddique
Members: Hafiz Tunis Jr., Thomas P. Wagner

Resolution 36-20, a Resolution approving an intermunicipal services agreement entered into between Upper Darby Township and Millbourne Borough providing for fire protection services from the Township for Millbourne Borough; repealing all inconsistent Ordinances or parts thereof; providing a severability clause; and providing an effective date

Solicitor Kilkenny gave a brief on Resolution No. 36-20

BB asked if UD was taking over Millbourne's fire inspections. CAO responded it could possibly be included in

a future agreement

SS asked if UD will be taking over their home inspections

Resolution No. 37-20, a Resolution of the Township of Upper Darby, Delaware County, authorizing applications to the Pennsylvania Department of Transportation for traffic signal improvements for Marshall Road and Hampden Road, Marshall Road and 69th Street, Marshall Road and Powell Lane, Marshall Road and Kent Road/Harrison Avenue, Marshall Road and Long Lane and Marshall Road and Springton Road and Sherbrook Blvd. intersections

***These items shall be placed on the September 16, 2020 Council Meeting**

Leisure Services Committee

Co-Chairs: Lisa Faraglia & Matt Silva

Members: Danyelle Blackwell, Hafiz Tunis Jr.

DB thanked the Administration for cleaning of the Parkview Park

Event Planning Committee

Co-Chairs: Michelle Billups & Danyelle Blackwell

Members: Hafiz Tunis Jr., Matt Silva

Old Business

TW stated that he made a formal motion at the last meeting for an investigation about the trash debacle He made another motion and DPB seconded this motion.

TW stated we have a duty of checks and balances regarding the Administration and the investigation is necessary considering it was a great deal of upset within the Township about the trash issue

HT stated he believes this is a political stunt and does not believe that an investigation will fix the issue. MS agreed with HT and feels that there have been different issues across the country.

TW was adamant about the need for an investigation and brought up the expense of bringing in a herd of goats.

HT reiterated that he is not in agreement with TW and that other Council members are also representing constituents, not just TW.

TW and DPB were in agreement that there needs to be an investigation and want to know why there was not a plan in place prior to the outbreak of COVID-19.

DPB stated that numerous questions have been asked, but not answered.

MB agreed with MS and HT and although she agreed that the trash was not picked up on time, it was ultimately picked up.

MB called the question. All in favor of the Motion, none opposed.

Motion for the investigation called by TW & seconded by DPB: 2 in favor and 7 opposed.

At this time LF and RG left the meeting.

BB stated that Marvine & Turner Avenue was addressed. The issue with puddles should be rectified.

New Business

SS stated that on September 15 there will be hand out of fresh milk and groceries and that he will send a flyer. This distribution will be every Tuesday at the Mosque from 9Am until they run out.

MS stated the 3900 block of Mary Street was paved curb to curb and looks great.

Adjournment at: 11:51 PM

*****The video of this meeting can be viewed in its entirety on [youtube.com/upperdarbytwp](https://www.youtube.com/upperdarbytwp)*****

Respectfully submitted,

Alexis Cicchitti

Alexis Cicchitti
Chief Municipal Clerk

AC/cmg

**UPPER DARBY TOWNSHIP
DELAWARE COUNTY, PENNSYLVANIA**

RESOLUTION 38-20

A RESOLUTION OF UPPER DARBY TOWNSHIP, DELAWARE COUNTY, PENNSYLVANIA AMENDING THE UPPER DARBY TOWNSHIP CIVIL SERVICE CODE AS PREVIOUSLY AMENDED; REPEALING ALL INCONSISTENT RESOLUTIONS OR PARTS THEREOF; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Upper Darby Township Council (“Council”) has adopted rules and regulations known as the Upper Darby Township Civil Service Code (“Civil Service Code”) in accordance with the Civil Service Act, 53 P.S. §§ 55625- 55650, for the hiring and promotion of police officers and firefighters; and

WHEREAS, Council has amended the Civil Service Code on various occasions; and

WHEREAS, both the adoption of the Civil Service Code and its amendments have been approved by the Upper Darby Council, as required by law; and

WHEREAS, Section 206 of the Civil Service Code provides that amendments to the Civil Service Code shall be approved by Resolution of Council;

WHEREAS, Council has determined that the Civil Service Code should be amended to include the requirement of an Act 120 certification for Civil Service applicants for police officer positions;

NOW, THEREFORE, it is hereby **RESOLVED** by the Upper Darby Township Council that Article IV- Applications of the Civil Service Code shall be amended subject to the Upper Darby Civil Service Commission taking action pursuant to Section 206 of the Civil Service Code, and it is hereby **ADOPTED** and **RESOLVED** by authority of same as follows:

Section I: Section 402

C 2. Is stricken.

D. In addition to the qualifications set forth in subsections (a) and (b) of this Section 402, any applicant for the position of police officer shall have completed Act 120 training as of the date of the filing of his or her application. This provision shall sunset on May 31, 2021 at which time Act 120 Training shall not required as of the date of the filing of his or her application.

Section II: Severability

In the event that any section, sentence, clause, or word of this Resolution shall be declared illegal, invalid or unconstitutional by any Court of competent jurisdiction, such declaration shall not prevent, preclude or otherwise foreclose the validity of the remaining portions of this Resolution.

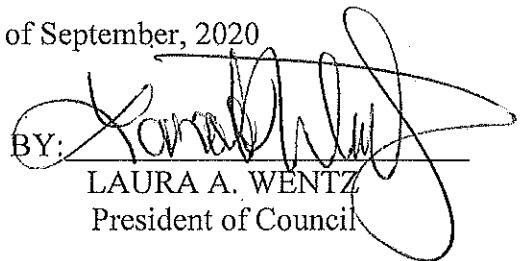
Section III: Repealer

All resolutions or parts thereof inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specially repealed.

Section IV: Effective Date

This Resolution shall become effective immediately following its legal enactment and shall remain in effect hereafter until revised, amended, or revoked by action of the Upper Darby Township Council.

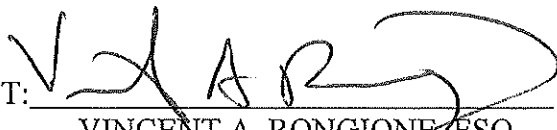
ADOPTED and RESOLVED this 2nd day of September, 2020

BY: 
LAURA A. WENTZ
President of Council

ATTEST: 
MICHELLE BILLUPS
Secretary of Council

Resolution 38-20 is hereby approved this 2nd day of September, 2020

BY: 
BARBARANN KEFFER
Mayor

ATTEST: 
VINCENT A. RONGIONE, ESQ.
Chief Administrative Officer