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UPPER DARBY TOWNSHIP COUNCIL

RE-ORGANIZATION MEETING

JANUARY 4, 2016

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This is a reorganization meeting of Upper Darby Township Council scheduled to be held on Monday, January 4, 2016 at 7:30 p.m. local time at the Performing Arts Center of Upper Darby High School, 601 N. Lansdowne Avenue, Drexel Hill, PA.

The meeting was called to order by the Council President Don Bonnett with the pledge of allegiance to the flag of The United States of America.

Mr. Bonnett: At this time I would like to call upon the Reverend Christopher J. Papa, Pastor, Saint Bernadette of Lourdes Roman Catholic Church, Drexel Hill, PA

Invocation – Reverend Christopher J. Papa, Pastor, Saint Bernadette of Lourdes Roman Catholic Church, Drexel Hill, PA

Present at the Meeting

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

Distinguished Guests

Mario Civera, Chairman of Delaware County Council
The Honorable Kelly Micozzie-Aguirre, Delaware County Magisterial District Judge
The Honorable Margaret Amoroso, Judge, Delaware County Court of Common Pleas
The Honorable James P. Bradley, Judge, Delaware County Court of Common Pleas
The Honorable Harry J. Karapalides, Delaware County Magisterial District Judge
Thomas J. McGarrigle, United States Senator
James Santora, Member of Pennsylvania House of Representatives
Patrick Meehan, United States Congressman
Nicholas Micozzie, Former Member of State House of Representatives
Ted Erickson, Former Member of State Legislature
Judith Gentile, President of the Upper Darby School Board
Ken Rucci, Vice President of the Upper Darby School Board
Maureen Carey, Member of the Upper Darby School Board
Lee Jordan, Member of the Upper Darby School Board

Call of the Meeting

Mr. Bonnett read the call of the meeting.

Upper Darby Township Council announces there will be a reorganization meeting on Monday evening, January 4, 2016 at 7:30 p.m. local time at the Performing Arts Center of Upper Darby High School, 601 N. Lansdowne Avenue, Drexel Hill, PA.
Roll Call

Donald P. Bonnett, Thomas Wagner, Edward Monaghan, Jack Bierling, Robert S. Gwin Jr., Sekela Coles, Barbarann Keffer

Mr. Bonnett: Also present this evening is Mayor Thomas N. Miccozzie, newly elected Mayor of Upper Darby, Thomas J. Judge Jr., CAO, Richard G. Nolan, Chief Municipal Clerk, Kelly Sullivan, Esq., Township Solicitor

Elected Officials: Marc Manfre, Lisa Faraglia, Patrick J. Spellman, Sheikh M. Siddique, Mayor Thomas N. Miccozzie

Mr. Bonnett: This is a special year in Upper Darby Township. It marks forty years since the implementation of the Upper Darby Township Home Rule Charter which in 1976 changed the form of Government in Upper Darby Township from the former elected Board of Commissioners to an elected Council and Mayor form of government. I am particularly proud to introduce a special presenter this evening to provide a short summary on the history of the Home Rule Charter. He served as the first President of Upper Darby Township Council under the Home Rule Charter after having previously served as an elected Commissioner since 1967. He has continued to serve in a volunteer capacity as the Chairman of the Re-districting Committee which meets every ten years under the directive of the Home Rule Charter to re-apportion the electorate among the various precincts of the Township. Member of Council, Mayor Miccozzie, Invited Dignitaries and Special Guests, I introduce to you Mr. Joseph Salvucci.

Audience applause.

Mr. Salvucci: Thank you. It’s a pleasure to be here this evening. When the Mayor asked me to do this I thought it was going to be an easy gig. I didn’t realize I had a fact checker in the audience. Linda Reilly, the reporter to my left was actually here through all of the leadings up to the Home Rule Charter. So, I think I have everything right but I’m sure you’ll tell me if I didn’t

Upper Darby was once the largest First Class Township in the Commonwealth of Pennsylvania. Today we are a Home Rule Community with this month marking the 40th anniversary of the Home Rule charter in our municipality.

We are not alone.

In the state of Pennsylvania there are 78 municipalities including 7 counties that have embraced home rule. Within Delaware County; 6 other municipalities as well as the County itself have adopted Home Rule. The voters of Concord Township, a Second Class Township have elected a Government Study Commission that is now working on a recommendation for the municipality.
A little history; In 1681 William Penn was granted a Charter for the Commonwealth. Among other items the Charter provided for a Representative Government, Separation of Church and State, Elimination of Nobility and Rank, Peaceful and harmoniously co-existence among Ethnic and Religious communities and Self-Rule.

So Home Rule in Pennsylvania is really an old idea.

However, for the next 200 years or so this vision of local autonomy was slowly and inexorably eroded resulting in what is commonly known today as Dillon’s Rule of 1877. Unfortunately, this provided among other things that local municipalities were really dependents or “children” and/or wards of the State who reserved the right to specify both form and function for the local municipality.

For Upper Darby this State authority was codified in the First Class Township Code. In my opinion, a Township is a form of local government that best fits a rural rather than an urban community.

There are also similar codes for other communities such as Boroughs, Cities and Second Class Townships.

The key point is that local municipalities could only do what the State says they can do and that a municipal organization structure was to be patterned after the State model. This leads to the key argument for Home Rule: A municipality can do anything that the local governing body believes is in the best interest of the community that is not reserved by the state or federal government. i.e. You do not need specific permission.

By the middle 1900s this “one size fits all” First Class Township Code was clearly not serving the needs of our municipality. In 1970, Upper Darby was organized around 15 wards each about half the size of districts today with the legislative and executive function combined in each of the Township Commissioners. Not very efficient or effective. I know personally as for some time I was the President of the Commissioners.

This all changed with Act 62 of 1972, the “Home Rule Charter and Optional plans Act.” This act provided that a governing body could propose the approval of the creation of a Government Study Commission by referendum who would meet and propose either no change, or adoption of one of three optional forms of government or a Home Rule Charter for the municipality. This recommendation was also to be approved by referendum.

The Township Board of Commissioners considered this issue very carefully before deciding to proceed. The members of the Township Board of Commissioners were Eleanor O’ Conner, Margaret Murdoch, (later a Mayor), Tom Loftus, Jim Ward (also a future Mayor), Marty Kerns (Later Superintendent of Police), Chris Tsiouris, Enril D’Alesio, William Vetters, John Welsh, Jack Robbins, John Clark, Nicholas Micozzie(later State Representative), myself, Peter Earle and George Hill. Our solicitors were Alvin Ackerman and Joseph Mylotte. When the Charter was eventually approved there were two other members who I saw here this evening who were members of the Board of Commissioners at that time. They are Judge Jim Bradley to my left and Mario Civera who is currently Chairman of Delaware County Council.

So, in May of 1973 the referendum to create a Government Study Commission was approved by the electorate of Upper Darby. Elected to the Government Study Commission
were Richard Croft, Annette Donovan, Ermand Gentile, (later 1st District Councilperson), Eugene “Sonny” Kane (later first mayor of Upper Darby), George Koudellis (later a Councilperson and a County Judge), Harry Patterson (President of the Government Commission) Raymond Shay (later the first CAO and after that a Mayor of Upper Darby) and finally Fred Zimmerman.

The Government Study Commission was given a budget of $25,000 for clerical and consultant activities. In about 9 months they finished their work and recommended to the Township and electorate of Upper Darby a proposed Home Rule Charter. Incidentally, they also returned $8,000 to the Township. This is a model for our Federal Government on how to get work done. In May of 1974 their recommendation was approved with the new government organizing in January of 1976, Forty years ago. And the rest is as they say, History. For myself, I was very privileged to be a part of this process. Thank you for inviting me here this evening.

Audience applause.

Mr. Bonnett: Thank you Joe. We do appreciate your taking the time to be with us this evening to share the history of the creation of the Home Rule Charter that we operate under. Members of Council, at this time we will move toward the election of the temporary Officers.

**Election of Temporary Officers**

Mr. Bonnett: At this time I would like to ask for a motion for the election of temporary officers. I would like to ask for a motion for the election of a temporary secretary.

Mr. Wagner: I would like to nominate Richard Nolan to be temporary secretary.

Mr. Monaghan: I second the motion.

Mr. Bonnett: A motion has been made and duly seconded. All those in favor signify by saying aye. Opposed? Every vote this evening will be a roll call vote. Éc, will you please take the roll?

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Mr. Monaghan: That gives six in favor.

Mr. Bonnett: It is unanimous that Mr. Nolan be appointed temporary Secretary. I would like to ask for a motion for the nomination of a temporary president.

Mr. Wagner: I move that Mr. Bonnett be nominated temporary president.

Mr. Monaghan: I second the motion.

Mr. Bonnett: Are there any other nominations? Seeing none, a motion would be in order to close the nominations.

Mr. Wagner: I move that the nominations be closed.

Mr. Monaghan: Seconded.

Mr. Bonnett: It has been moved and seconded. All those in favor signify by saying aye. Opposed? The ayes have it. I would ask for a roll call vote, please.

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Mr. Monaghan: That gives six in favor.

Mr. Bonnett: Thank you. Therefore, it is unanimous that Donald Bonnett shall serve as temporary President of the Upper Darby Township Council. Ladies and gentlemen and members of Council, at this time we will move toward the swearing-in of our newly elected Township officials.

**Presentation of the Election Certificates**

Mr. Bonnett: Mr. Nolan (Secretary) do you have the election certificates for the candidates?

Mr. Nolan: Yes, Mr. Bonnett I do have them in my possession.
Mr. Bonnett: Thank you, Mr. Nolan.

**Administration of the Oath of Office**

Mr. Bonnett: At this time, I would ask the Judges to administer the oaths of office to the newly elected and re-elected Council members. We will begin with Councilman-elect Jacob A. Bierling Jr. Will Ms. Lynn Bierling come forward to present the election certificate for her father Councilman-elect Jack Bierling?

**Ms. Lynn Bierling made some comments about her father, Jack Bierling.**

Mr. Bonnett: Would the Honorable Margaret Amoroso and Councilman-elect Jack Bierling come forward along with any other friends and family who wish to participate in the administration of the oath of office?

**The Honorable Margaret Amoroso administered the oath of office to Jacob Bierling, Councilman-at-Large elect.**

Councilman Bierling thanked everyone and made some brief comments.

Audience applause.

Mr. Bonnett: Will Trish Spellman come forward to present the election certificate for her husband, Patrick Spellman?

**Trish Spellman made some comments about her husband, Patrick Spellman.**

Mr. Bonnett: Would the Honorable Margaret Amoroso and Council-elect Patrick Spellman come forward along with any other friends and family who wish to participate in the administration of the oath of office?

**The Honorable Margaret Amoroso administered the oath of office to Patrick Spellman, Councilman-at-Large elect.**

Councilman Spellman thanked everyone and made some brief comments.

Audience applause.

Mr. Bonnett: Will Linda Bove come forward to present the election certificate for her sister, Lisa Faraglia?

**Linda Bove made some comments about her sister, Lisa Faraglia.**

Mr. Bonnett: Would the Honorable Kelly A. Micozzie-Aguirre and Councilwoman-elect Lisa Faraglia come forward along with any other friends and family who wish to participate in the administration of the oath of office?
The Honorable Kelly A. Micozzie-Aguirre administered the oath of office to Lisa Faraglia, Councilwoman-elect

Councilwoman Lisa Faraglia thanked everyone and made some brief comments.

Audience applause.

Mr. Bonnett: Ladies and gentlemen, before we move forward I would like to acknowledge that Margo Davidson, member of the House of Representatives in Pennsylvania has arrived to participate in the events of this evening as well as School Board member Rachel Mitchell. Will the Honorable Mario Civera come forward to present the election certificate for his friend, Marc Manfre?

The Honorable Mario Civera made some comments about Marc Manfre.

Mr. Bonnett: Would the Honorable James P. Bradley and Councilman-elect Marc Manfre come forward along with any other friends and family who wish to participate in the administration of the oath of office?

The Honorable James P. Bradley administered the oath of office to Marc Manfre, Councilman-elect of the Fourth District

Councilman Manfre thanked everyone and made some brief comments.

Audience applause.

Mr. Bonnett: Ladies and gentlemen, I would like to acknowledge the presence of School Board member Earle Toole who is with us this evening. Will Abu Amin Rahman come forward to present the election certificate for his friend, Sheikh Siddique?

Abu Amin Rahman made some comments about his friend, Sheikh Siddique.

Mr. Bonnett: Would the Honorable Harry Karapalides and Council-elect Sheikh Siddique come forward along with any other friends and family who wish to participate in the administration of the oath of office?

The Honorable Harry Karapalides administered the oath of office to Sheikh Siddique, Councilman-elect of the Sixth District.

Councilman Siddique thanked everyone and made some brief comments.

Audience applause.
Mr. Bonnett: Would Miss Nina Tyre, daughter of Mayor-elect Thomas N. Micozzie come forward to present the election certificate for Mayor Micozzie?

**Nina Tyre made some comments about her father, Tom Micozzie.**

Mr. Bonnett: Would the Honorable Kelly Aguirre-Micozzie and Mayor-elect Thomas N. Micozzie come forward along with any other friends and family who wish to participate in the administration of the oath of office?

**The Honorable Kelly Aguirre-Micozzie administered the oath of office to Mayor-elect Thomas N. Micozzie.**

Audience applause.

**Mayor Micozzie thanked his family and friends for their love and support.**

Mayor Micozzie: Like Joe Salvucci said, in 1976 Upper Darby Township began the Home Rule Charter form of government, with Eugene “Sonny” Kane as our first Mayor. In his acceptance speech, he spoke of working together to better our community and to continue the tradition of Upper Darby being a safe and prosperous place to live, work, and raise a family.

If I were to read through each Mayor’s acceptance speech on the night of their swearing in, most have shared the same hopes for our Township.

In looking back over the years all our Mayors have lived up to that challenge. Each has individually contributed to the success of our community; and for that we should be thankful.

I entered government in 1989 to fill the unexpired term of Nicholas Micozzie, the Second District Councilman. I was elected five terms as a Councilman and served as Council Secretary and Chair of the Public Safety Committee.

In 2009 I was appointed to fill the unexpired term of Mayor F. Raymond Shay. Mr. Shay was a mayor I worked very closely with and a man who taught me so much about the workings of the Home Rule Charter and Administrative Code.

On February 9, 2009, I took the responsibility of leading this great Township. I have enjoyed attending many community events and official ceremonies while leading the Township’s 400 plus workforce, who provide excellent service day in and day out.

During my tenure as Mayor, I have been fortunate to have Thomas J. Judge, Jr., as my C.A.O. who, along with my Department Heads, provides a wealth of knowledge and experience to tackle any issue.
Upper Darby, as I have said many times, is a melting pot of ethnicities and cultures rarely seen in any other American town of its size. Many of our residents have left oppression, violence, war or poverty to be free in our community, walk our streets, attend our schools and be respected.

As a Mayor in such a diverse community, I am often asked what makes Upper Darby so unique. The answer is we have been a culturally diverse for a century beginning with the Irish, Italians, Greeks and the list now expands to 82 countries with 67 spoken languages. This diversity makes us who we are.

The Township also works hard to make new residents feel welcomed and recognized for who they are and what they offer.

In 2011, I created the Ethnic Diversity Committee to embrace, celebrate and understand the Township’s ethnicities and cultures. We now have a Mother Language Day where all residents can celebrate and share their experiences.

I am proud of the tremendous strides we have made since 2009 in economic development. Our community is thriving in many ways as a result of the hard work by my Administration through an ongoing commitment to helping businesses grow. We have the highest non-residential occupancy rates in decades. The establishment of numerous brand name stores in our community is indicative of our growth.

I am also proud that we have held the line on taxes this year without reducing services. This was accomplished, in part, by hearing from residents through over thirty-five Town Hall meetings in our neighborhoods. Input from residents helped to prioritize the needs of the township and establish long range planning.

Based on the Township’s improving financial position, the Township’s bond rating has also improved, which provides another example of stability and growth in our community. As experienced by many communities over the last several years, slow sales and a dwindling home values have hurt Upper Darby. We are starting to see a rebound in values and foreclosures are down in numbers.

We have been praised and rated as a great place to live recently and I take that as a sign that we are being recognized as an up and coming place to be. People are finding out about the great things happening in Upper Darby.

When it comes to crime and safety, we are above average on preventing crime from occurring and as well as above average in solving serious crimes. We hear daily about communities across the county, state and nation combating their murder rate. In 2015 Upper Darby had one justifiable homicide by robbery. This is a credit to good policing and the provision of appropriate funding along with the support of an entire Council and community. Some of our Police are here in attendance and we should recognize them for their commitment to our safety and their service to us each and every day.
Our Fire Department is recognized with the Gold Standard Award in training by the Pennsylvania State Fire Commissioner. This recognition has been bestowed on only five departments in the state. In addition, the fire department is largest combined (volunteer and career staff) in the State of Pennsylvania.

In a recent potential conflagration to our business district during the summer the department held the fire to the original point of origin and saved our biggest current assets on the 69th street corridor. Many of our chiefs, officers and firefighters are also here in attendance and we should also recognize their efforts in our Community as well.

Before I close, it is the Mayor’s duty to submit to Council the Department Heads for the coming year. I received a letter of retirement from long standing Fire Chief Ed Cubler. I think it’s bestowing that after 32 years with the department…. Eddie and I go way back in the fire years. He was our first official when we organized the fire department. He was made a Department Head and the first Fire Chief. Ed, I thank you for your service. Enjoy your retirement.

We have come so far as a Township in so many ways. My administration will continue to be innovative in areas of technology, open space and development. We must continue to provide new tools and embrace all of our community to continue to be the best we can and offer solutions to neighborhood problems.

In closing thank you for your support and confidence in me and I will strive to continue our success.

Audience applause.

The Election of Council Officers

Mr. Bonnett: Ladies and gentlemen, the table to my right seats the Mayor’s Cabinet, the members of the Administration that direct the various departments of the Township under the direct supervision of Mayor Micozzie and Chief Administrative Officer, Thomas Judge. I’d like to ask you to give them a round of applause as well.

Audience applause.

Mr. Bonnett: Members of Council, Mayor Micozzie, this is the part of the meeting where we will proceed to elect the officers of our Township Council for the next term of Council. At this time a motion would be in order for nominations and election of a person for President of Township Council.

Mr. Wagner: I so move for the nomination and election of our current President Don Bonnett for President of Township Council.
Mr. Monaghan: I second the motion.

Mr. Bonnett: Are there any other nominations? Hearing none, a motion would be in order to close the nominations.

Mr. Wagner: I move that the nomination for President of Council be closed.

Mr. Monaghan: I second the motion.

Mr. Bonnett: It has been moved and seconded. All those in favor signify by saying aye. Opposed? The ayes have it. Would the secretary take a roll call vote?

In favor of Mr. Bonnett  Opposed to Mr. Bonnett  Excused  Abstained

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Wagner
Monaghan
Bierling
Coles
Gwin
Keffer
Faraglia
Siddique
Manfre
Spellman

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Mr. Monaghan: That gives eleven in favor and none opposed.

Mr. Bonnett: Ladies and gentlemen, I am honored that you have chosen me again and I am particularly grateful for the unanimous vote for my serving as President. Thank you very much. At this time, a motion would be in order for the nomination of names and for the election of Vice President of Council.

Mr. Bierling: I move that the name of Thomas Wagner be placed in nomination for the office of Vice President of Council.

Mr. Monaghan: I second the nomination of Mr. Wagner for the position of Vice President of Council.

Mr. Bonnett: Are there any other nominations? Hearing none, a motion would be in order to close the nominations.

Mr. Bierling: I move that the nomination for Vice President of Council be closed.
Mr. Monaghan: I second the motion.

Mr. Bonnett: It has been moved and seconded. All those in favor signify by saying aye. Opposed? The ayes have it. Would the secretary take a roll call vote?

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Mr. Monaghan: That gives eleven in favor and none opposed.

Mr. Bonnett: The motion is approved to elect Mr. Wagner as Vice President of Council.

Mr. Wagner: Thank you very much. I also greatly appreciate the unanimity of the vote.

Mr. Bonnett: And finally, the final officer to be voted upon this evening is the Secretary of Council. A motion would be in order for the nomination and election of a representative to serve in that capacity.

Mr. Wagner: I move that Edward Monaghan be placed in nomination for the office of Secretary of Council.

Mr. Bierling: I second the motion

Mr. Bonnett: Are there any other nominations?

Mr. Bonnett: Hearing none, I ask for a motion to close the nominations.

Mr. Bierling: I move that the nomination for Secretary of Council be closed.

Mr. Wagner: I second the motion.
Mr. Bonnett: It's been moved and seconded. All those in favor signify by saying aye. Opposed? The ayes have it. Mr. Secretary, please take a roll call.

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Mr. Monaghan: That gives eleven in favor and none opposed.

Mr. Bonnett: Therefore the motion to elect Edward Monaghan as Secretary of Township Council passes. Congratulations, Ed.

Mr. Monaghan: Mr. President and members of Council, I thank you for this nomination.

Audience applause.

**Administration to the Oath of Office to Council Officers**

Mr. Bonnett: At this time I will ask the Honorable James P. Bradley to step up to the podium to swear in all of the newly elected officers of Township Council.

The three officers are sworn in as a group and then return to their seats.

Mr. Bonnett thanked everyone for coming and participating in this meeting.

Mr. Bonnett: We will now have the Benediction by the Reverend Nathariel Goodson, Pastor, Prayer Chapel Church of God in Christ
**Benediction** - Reverend Nathaniel Goodson, Pastor, Prayer Chapel Church of God in Christ

Mr. Bonnett: I would like to recognize that Pastor Goodson is a former member of this Council and I thank you for the Benediction. Also, a few other acknowledgements this evening; Former Councilman Dennis Carey and former Councilwoman Kate Smith are in the audience as well as our Constables-elect, Jack Kelly and Carmen Damiani. Ladies and gentlemen, before we adjourn, on behalf of our Mayor and our Township Council, I would like to express our appreciation for your attendance and participation in our ceremony this evening to re-organize our Council and government for the next two years and I wish everyone on behalf of Council a happy and healthy New Year.

**Adjournment**

Mr. Bonnett: At this time a motion would be in order to adjourn.

Mr. Wagner: I move to adjourn.

Mr. Monaghan: I second the motion.

Mr. Bonnett: It has been moved and seconded. All those in favor signify by saying aye, opposed. The ayes have it. We are adjourned.

Respectfully Submitted,

Richard G. Nolan
Chief Municipal Clerk

RGN/akc