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**December 14, 2022**

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**MINUTES**  
**Council Meeting**  
**December 14, 2022**

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

**Pledge of Allegiance to the flag of the United States of America**

Moment of Silence

Opening of Meeting

**Roll Call**

Andrew Hayman (AH) via Zoom, Danyelle Blackwell (DB), Brian Andruszko (BA), Sheikh M. Siddique, (SS), Lisa Faraglia (LF), Matt Silva (MS) via Zoom, Brian K. Burke (BB), Michelle Billups (MB), Meaghan Wagner (MW), Hafiz Tunis Jr. (HT), Laura Wentz (LW)

**Present at the Meeting**

Barbarann Keffer, Mayor  
Chief Municipal Clerk, Alexis Cicchitti  
Solicitor Sean Kilkenny  
Solicitor Colleen Marsini  
Donna Stilwell, Brinker Simpson  
Mike Galante, Township Engineer  
Treasurer, David Haman  
Sergeant of Arms, Officer Bateman  
Sergeant of Arms, Officer Colella

**Rules for Meeting Decorum**

**“Upper Darby residents have the opportunity to speak for three (3) minutes. Residents are prohibited from making threats, using profanity, or acting in a manner that would impede or prevent the conduct of the business of the meeting.” Public Forum should not exceed thirty (30) minutes.”**

**Public Forum**

Laraamand Nyonton, 8723 West Chester Pike, small business owner of Excellence Staffing Global

\*See attachment

John McDevitt, 440 Hampshire Road, spoke about aerial ladder fire trucks & fire protection services

Kyle McIntyre, 1040 Drexel Avenue, spoke about budget

Joanne Nommavong, 133 N. Pennock Avenue, rats on the 4100 block of Garrett Road, concerns about budget

Sharaii Johnson, 347 Sherbrook Road, still no resolution to the issue that she is having.

Council President Burke confirmed that Mike Galante has been in touch with her regarding this issue.

Mayor Keffer stated that she would reach out to the School District and Mike Galante to get some consensus.

## **The Honorable Mayor Barbarann Keffer**

Good evening,

I have some exciting news to share tonight. Upper Darby has officially been approved for a grant through the Federal ARPA funds and the PCCD process towards police record management systems, unmanned aerial system programs, additional police upgrades, and more in the amount of \$2.2 million. This is a great opportunity for improvements that can enhance our police force. I am very thankful to Senator Kearney for helping us secure this grant.

In addition, on the grant front, we received news that the county has awarded us \$100,000 towards the construction of the Cardington-Newtown Trail and \$250,000 towards the rehabilitation of Observatory Hill Playground on West Chester Pike.

There are also many events going on this week I would like to provide details for:

The Upper Darby Township & Sellers Memorial Free Public Library is hosting an after-hours concert this Friday December 16! The trio of string musicians are all Temple University Graduate Students in Music Performance, and will play a selection of classical favorites. The concert is free and open to all. Please note that the library will be closed to regular service, and doors will open at 5:45 pm for seating in the adult area of the library. Concert begins promptly at 6:00 pm. Please contact Jennifer Stock, Director of Libraries, at 610-789-4440 for more information or questions.

The deadline for the Upper Darby Arts and Education Foundation's Toy Drive for local children is also this Friday, December 16<sup>th</sup>. There is a drop box for any new toys (still in packaging) inside the township building. Residents can drop donations off during our business hours 9-4:30pm tomorrow and Friday.

There will be multiple Santa runs occurring this weekend by our various Upper Darby fire companies. The Garrettford-Drexel Hill Fire Company will be escorting Santa with candy canes through some sections of Drexel Hill on Saturday, December 17<sup>th</sup>. In addition, Co. 74 will be running a Santa detail in the Penn Pines Neighborhood on December 17<sup>th</sup> and the Westbrook Park Neighborhood on December 18<sup>th</sup>.

As an additional reminder, the township building will close early tomorrow, December 15<sup>th</sup> at 3:30pm.

As part of my message, I would like to invite our acting finance director, Donna Stilwell, to address a series of questions that were sent in an email late last night sent by Councilor Wentz representing the finance committee. For the past week, my administration has worked hard to address requests made by the finance committee to make over \$1 million in cuts to the 2023 budget - requests which were made less than 24 hours before the prior meeting. It seems now that the goal post has been moved again with more demands, so I would like to give Donna an opportunity to address those questions for Council before the public. Additionally, I asked the township labor attorney, John McLaughlin, to meet with council tonight prior to this meeting to answer questions councilors may have about arbitration related to the police contract.

That concludes my message. Thank you.

**Donna Stilwell, Brinker Simpson read the below email and her replies.**

*Last evening at 11:35 pm, an email was sent from Vice President Wentz. I would like to address her concerns and those who authorized her to speak on their behalf.*

The Finance Committee met this evening to discuss the 2023 Budget. We know that we have a large unknown factor that will greatly affect the 2023 Budget, which is the Police Contract. *We agree, but we can estimate based on predicted outcomes. Any differences can be reconciled during budget reconciliation in 2023. The police contract was a factor for the 2022 budget as well.*

We do not believe we have enough funds budgeted to cover the Retro Checks for 2020, 2021 & 2022 years salaries plus the salary for 2023 if the Salary rate that is agreed upon in the contract is more than 3%, plus Healthcare, Pension, and other variables within the Contract. *The 2022 budget should have included retro pay for the police contract for 2020, 2021 and the increase for 2022. It appears there will only be \$500K favorable variance in police salary line for 2022. Indicating, the 2022 police salary budget was not correct for 2022. The mayor and her administration had agreed to \$1.1M in cuts which should offset any retroactive payments and we will increase the police budget by that amount. There will be no change to the 2023 budget for pension as the MMO has already been provided by the actuary and included. Healthcare should not change. Future pension obligations may increase; however, the actuary will have to provide future pension obligations once the police contract is finalized.*

We are greatly concerned that the FOP Contract will be a large, probably millions of dollars of Expense that most of which will need to be added to the existing 2023 Budget. *This was addressed in my previous comments.*

We need to have a Signed Contract with the FOP prior to Council Approving the 2023 Budget. Which means if you are unable to Settle & Sign the Contract by tomorrow night, Wednesday, Dec. 14, 2022, then we will need a Signed Contract by Dec. 19. Then the Dec 21<sup>st</sup> Council Meeting will need to move to Dec. 20<sup>th</sup> to approve the Budget & Introduce the Tax Levy Ordinance; then we can have a meeting on Dec 30<sup>th</sup> to approve the Tax Levy. *The police contract is working through arbitration process.*

We are also concerned that in the 2023 Budget, you have the Fund Balance listed at \$1.2M. Which is the lowest it has ever been. How much do we have in the Fund Balance as of Dec 1, 2022? *I am not sure how you arrived at this number. The fund balance is an "equity" account and would not be listed in the budget. It would be on the Statement of Net Position, which is the balance sheet. Based on our projections, the fund balance at 12/1/22 is approximately \$7M. We arrived at this amount by using the audited 2020 fund balance and adding activity for 2021 and 2022.*

We are also concerned with the use of ARPA Funds to lower taxes, which is one of the top things the Federal Treasury Dept. had said you could not use ARPA Funds for. *We are not using the ARPA funds to lower taxes. We are using it to fund the revenue shortfall in the 2020 budget as was intended by the Treasury Dept. In 2020, the revenue shortfall actual vs budget was \$8,857,254. In 2020, the budgeted revenue was \$82,737,919 and the actual (excluding the TAN and sewer funds that were not transferred) was \$73,880,665. We have allocated \$6M of Revenue Replacement in 2022.*

*In addition, the 2022 budget ordinance that passed had a general fund deficit of \$1.6M (see attached ordinance). If the 2022 General Fund budgeted were balanced, a tax increase or reduction in expenses would be needed. In addition, the increase in the police contract was not budgeted in 2022. If the retro adjustment for 2020 and 2021 and the 2022 increase were in the 2022 budget, we would have a surplus in the police compensation line items to bring forward to 2023.*

*Using the expired contract as a basis, we estimate the cost to be approximately \$1,125,000. This amount should be added to the 2023 budget. The increase in the police salaries will be offset by the \$1.1M in expenses the mayor and the administration agreed to over the last week.*

We believe the highest we are allowed to raise the taxes is 0.66 of Millage for this year as per the HRC. Thusly, we will need to continue to cut expenses in order to uphold our union contracted obligations. *I disagree. I sent the finance committee the supporting documents for the RE Tax, Sewer and Trash as requested by Councilman Andruszko. I am happy to review with council and/or the finance committee.*

We are willing to continue to negotiate on the 2023 Budget, however, we will not until you remove the Police Contract from Arbitration, Settle and Sign it. *I understand the importance of finalizing the police contract. This is the first time this ultimatum was communicated, and we have been working together on the budget since the end of September. As mentioned previously, the police contract is in the arbitration process. The FOP and the township mutually agreed to go to arbitration and it should be allowed to continue.*

Ms. Stilwell stated that she is happy to continue to work with everyone to get the Budget finalized and as accurate as possible going into 2023. She stated that everyone is working very hard trying to get to the finish line, even coming in on Sunday night to work on this.

AH expressed much concern regarding the Budget not being passed and believes it to be inappropriate. LW expressed her concerns about the 2023 Budget, feels that the conversation needs to continue, and clarity on the numbers is needed. She also has concerns that the Police contract has not yet been settled and that there is confusion with multiple Budgets.

Mayor Keffer referred to the email that Vice President Wentz sent indicating that a Budget will not be passed without a signed contractual agreement for the Police but now she is changing that again. The Mayor stated that this process has been ongoing and thanked Deputy CAO Dobbins, Councilors Andruszko and Haman, Donna Stilwell and Diane Scutti for coming in on Sunday evening to work on this.

HT stated that Meaghan Wagner and Brian Andruszko, members of the Finance Committee have shown that they are able to compromise and cautioned his colleagues about endorsing the email from Council Vice-President Wentz.

Mayor Keffer added that a Budget could be passed as long as it is within the range of 20% different and the same with the millage rate.

Solicitor Kilkenny stated that a higher millage rate can always be advertised and then it can go lower.

Council President Burke was concerned about new hires in the last few months and leading into 2023 that would increase the cost of medical coverage.

Mayor Keffer stated that those jobs were created within the existing payroll budget and that the Administration works very hard to possibly underspend, although things can happen such as a sewer main break.

### **President of Council, Brian K. Burke**

Council President Burke thanked everyone who came in on Sunday and everyone who has worked on the Budget.

### **Motion for Council to approve the advertisement for the 2023 schedule of Council and Committee meeting dates**

**LW/HT**

HT requested making an amendment to have one meeting in July and one meeting in August. This is not possible as it is a requirement to have at least two meetings per month.

LW wanted to request that if the Primary Election falls on May 16, 2023, she would like Council to be able to move the Council Meeting on May 17 to May 24, 2023. The date is not yet set for the Primary Election.

HT requested that the July 5, 2023 meeting be changed to July 12, 2023.

**HT made a Motion to amend the schedule to move the July 5, 2023 meeting to July 12, 2023.  
SS seconded.**

**All in favor. The amendment carries.**

**DB made a Motion that the December 6, 2023 meeting be changed to a future date, as it is Open Enrollment for seniors.**

**There was no second.**

**The Motion was denied.**

**Motion to approve the amended Meeting Schedule for 2023: LW/LF**

**All in favor. The 2023 Meeting Schedule is approved, as amended.**

### **COMMITTEE REPORTS**

#### **Finance and Appropriations Committee**

Chair: Laura A. Wentz

Members: Matt Silva, Meaghan R. Wagner, Brian Andruszko

**Resolution No. 51-22**, a Resolution authorizing application to the COVID-19 ARPA PA Small Water and Sewer Grant through the Pennsylvania Department of Community & Economic Development

Solicitor Kilkenny gave a brief on Resolution No. 51-22

**Motion to approve Resolution No. 51-22: LW/MB**

**Moved and seconded. All in favor. Resolution No. 51-22 is approved.**

**Resolution No. 52-22**, a Resolution authorizing application to the COVID-19 ARPA H2O PA Water Supply, Sanitary Sewer and Storm Water Projects Program Grant through the Pennsylvania Department of Community & Economic Development

Solicitor Kilkenny gave a brief on Resolution No. 52-22

**Motion to approve Resolution No. 52-22: LW/DB**

**Moved and seconded. All in favor. Resolution No. 52-22 is approved.**

**Resolution No. 49-22, to approve the 2023 Budget**

Solicitor Kilkenny gave a brief on Resolution No. 49-22

**Motion to approve Resolution No. 49-22 with \$1.1 million of cuts in expenses discussed with the Administration: AH/DB**

MW stated that it is difficult to vote on something that is not in front of Council and feels that they need to be sure that money is available to make up the retro pay. She stressed that she is not a “no” but she is just not there yet. Her suggestion is to table this Resolution at this time.

Mayor Keffer agreed that Council should have the Budget in front of them before voting on it.

**Motion to table Resolution No. 49-22: MW/LF**

Council President Burke stated that the new Budget with the cuts in expenses should be on the website so that everyone can see it.

LW asked the Solicitor that if this Resolution was tabled this evening, could Council make a Motion to introduce and advertise Ordinance No. 3132, the tax levy Ordinance.

Solicitor Kilkenny stated that they could introduce and advertise the Ordinance.

BA thanked everyone for working together to come to an agreement and added that conversations have been productive

**Motion to call the question: DB/MB**

**10 in favor. 1 opposed (AH) Motion to call the question carries.**

**Council President Burke called for the vote on tabling Resolution No. 49-22.**

**Moved and seconded. A roll call vote was taken.**

**6 in favor (BA, LF, MS, BB, MW, LW) 5 opposed (AH, DB, SS, MB, HT)**

**Resolution No. 49-22 is TABLED.**

**Introduction of Ordinance No. 3132**, an Ordinance of the Township of Upper Darby, County of Delaware, and the Commonwealth of Pennsylvania, fixing the tax rate for the year 2023 and appropriating specific sums estimated to be required for the specific purpose of the Municipal Government

There was discussion as to whether or not the millage rate was set high enough at this time and confirmation that the rate could be lowered at a future date.

Solicitor Kilkenny suggested a five-minute break.

It was determined that the Ordinance was correct in its current form.

**Motion to introduce and advertise: HT/MB**

**Moved and seconded. A roll call vote was taken. All in favor.**

**The introduction and advertising of Ordinance No. 3132 is approved.**

**Solicitor**

Nothing to report

**Old Business**

BA thanked the Administration and Donna Stilwell for providing the requested Solicitor's invoices. BA felt that a few of the invoices were questionable in their nature. He stated that throughout the year there has been a conflict between Council and the Administration regarding the office of the CAO. His questions are regarding approximately ten invoices totaling a little over \$50,000 in regards to the declaratory judgment action against the previous CAO Rongione. BA believes the nature of the invoices are in excess; one that was specifically concerning was from the Firm of Michael Malloy in the amount of \$2535. There were no details in the invoice and it was billed to the home address of Vince Rongione. He asked the Solicitors to provide details as to why this invoice was paid out of Township funds. He further stated that in Mr. Rongione's suit, the attorney that was defending him was the firm of Mincey Fitzpatrick Ross and his bills for the Township were roughly anywhere from \$30,000 to \$40,000. He is requesting clarification.

Solicitor Kilkenny stated that the Mayor had a statement on the Mincey Fitzpatrick Ross issue.

Mayor Keffer stated that engagement letters for Michael Malloy could be shared with Council. He was engaged for subpoenas that were filed against Mayor Keffer, Vincent Rongione and Alison Dobbins.

**Mayor Keffer read a statement.**

"As you know, an issue has come up regarding the payment of specific legal bills. I would like to take the opportunity to address some of the concerns and questions presented by Council. On December 7, Donna Stilwell asked the legal team for advice on legal invoices in which she deemed questionable. It was requested

that she put her concerns in writing, which she did, and it was received on the 8<sup>th</sup> of December. Also on the 8<sup>th</sup> of December, the invoices were presented, and it was clear that they were all related to the declaratory judgment action instituted by Council and the Administration. Again, the rules of professional conduct preclude the Kilkenny Firm from opining or commenting on any issues relating to, or arising from, this specific legal action. The invoices were referred to Bob Scott, Esquire for review. Mr. Scott reviewed the legal invoices submitted by Ms. Stilwell, which were from the Firm of Mincey Fitzpatrick. Mr. Scott also reviewed the engagement letter between the Administration and Mincey Fitzpatrick and determined A: the engagement agreement states that Mincey Fitzpatrick was hired on behalf of Upper Darby Township. B: Since the Township was the defendant, legal bills should be paid. Subsequently, there was a separate legal action captioned "Rongione, CAO vs. Upper Darby Council." The second lawsuit involves violations of the Sunshine Act but also asserts claims that may have been made on behalf of Mr. Rongione individually. Since it was unclear as to which of the claims were made on behalf of the Township and which were on behalf of Mr. Rongione, a request was made to the Mincey Firm for clarification. The Mincey Firm responded that all of the services invoiced and dispersed were on behalf of the Township and not Mr. Rongione. If the Firm were preserving any damages on behalf of Mr. Rongione, they would have refiled after the preliminary objections were granted. However, since the Township prevailed on the Sunshine Act, the point was moot. Mr. Scott determined that with this explanation, the legal invoices are appropriate and should be paid."

Council President Burke asked if this was turned over to the insurance company for the Township for their review before Mr. Rongione hired Mincey Fitzpatrick.

Mayor Keffer stated that she would need to get back to him on that.

BB asked Solicitor Kilkenny if the process would be going through the insurance company first.

Solicitor Kilkenny stated that Alison Dobbins would be the one to submit claims to the insurance company on behalf of the Township and that he does not necessarily get involved in that.

BB stated that he would like to see the submittals for the insurance company for both Solicitors, Mr. Malloy and Mincey Fitzpatrick. He does not believe that they were submitted but if they were, they would probably be denied.

Mayor Keffer asked if Mr. Boggs' or Mark Much's invoice was submitted to the insurance company.

BB confirmed that it was.

MW asked Mayor Keffer to send her statement out to Council in email form so that it can be reviewed.

LW stated that she was looking at the initial lawsuit against the six Council members named, and then it also names all of Council. She said that in the first version, it lists Mr. Rongione as CAO of Upper Darby. But then, later in October when the Judge sent the notification of the court date for March 13, 2023, he is only listed as an individual, Vince Rongione with no reference to him as CAO of Upper Darby Township as part of the claim itself. She asked if the role of him claiming on behalf of Upper Darby Township changed from when it was first filed because the CAO portion was not included in the plaintiff block.

Mayor Keffer stated that she would re-state how the Mincey Firm responded, which is that all of the services invoiced and dispersed were all on behalf of the Township and not Mr. Rongione.

Council President Burke asked Solicitor Kilkenny if he referred the Administration to Mr. Scott and he stated that the Administration went to Mr. Scott. Mayor Keffer stated that they have used Mr. Scott before.

Council President Burke stated that he would like to see the request form to the insurance company for both of the Solicitors within a couple of days.

AH apologized for lashing out earlier and asked that everyone keep the conversation going and work to move forward.

BA asked Mayor Keffer to clarify that regarding the suit with Mincey Fitzpatrick as the representative, if there were two streams of billing, one for Township ordeals and one for Vince Rongione personally regarding compensation that he could receive from the lawsuit.

Mayor Keffer stated that she believes that the reply from Mincey Fitzpatrick is that everything that they have done is on behalf of the Township and not Vincent Rongione personally.

BA asked if the billing to the Township has anything to do with the Rongione complaint or if it was all in reference to declaratory judgment.

Mayor Keffer stated that she would get back to him on that.

BA stated that he believes that the Home Rule Charter states that one cannot benefit financially from his/her office except for a salary. He is curious because within the complaint of Vincent Rongione, CAO of Upper Darby Township, 100 Garrett Road VS. Brian Burke, Brian Andruszko, Laura Wentz, Meaghan Wagner, Lisa Faraglia, Matt Silva, and it does name Upper Darby Township Council, he is seeking \$50,000 in damages from each Councilperson.

Solicitor Kilkenny stated that the Township should not fund private legal bills and that is why the insurance company would have denied it. He suggested that those questions should be directed to the Mayor and to reach out to Mr. Scott regarding the questions that LW had for clarification. LW asked if it would be possible to ask the court for the documents to see if there was a change in the plaintiff's title.

MB asked BA what his concerns were.

BA stated that he feels that the amount that has been invoiced for declaratory judgment is a little bit in excess of what is necessary. His main concern is that the Law Firm that Mr. Rongione used for his personal suit is the same firm that the Township was using and that at some point, Township funds may have been used to fund his lawsuit.

Mayor Keffer stated that the lawsuit filed by Mincey Fitzpatrick is like a countersuit to the suit that Council filed against the Township.

HT asked the Solicitor the best way for Council members to handle neighbor disputes when they represent both constituents.

Solicitor Kilkenny stated that Council should not be getting involved in neighbor disputes as the residents could go to a District Judge and file complaints against each other. If the Councilor feels as if they are being too drawn into it, they can contact the Solicitor's office.

### **New Business**

SS stated that the Bangladesh Community is having a flag-raising event on Friday, December 16, 2022 at 3-6pm on the Ben Franklin Parkway in Philadelphia. The raising program will be on 1500 Arch Street with city officials and the Mayor of Philadelphia. He invited everyone to share in the festivities.

MB stated that the committee met for the non-profits and agreed with UHY's assessment. They are waiting for a date when the website will go live and non-profits can start applying for ARPA funds. It should be mid-January.

She also stated that Men of Action/Brothers of Faith would present the 10th Annual Family Holiday Giveaway in front of the Township building on Saturday, December 24, 2022 from 12-2 p.m.

Co-sponsors are Mayor Barbarann Keffer, Councilors Hayman, Tunis, Billups, Blackwell and Siddique.

### **Adjournment**

**Motion to adjourn: LW/MB Moved and seconded. All in favor. The meeting adjourned at 9:29 p.m.**

Respectfully submitted,

*Alexis Cicchitti*

Alexis Cicchitti

Chief Municipal Clerk

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

**UPPER DARBY TOWNSHIP  
DELAWARE COUNTY, PENNSYLVANIA**

**RESOLUTION NO. 51-22**

**A RESOLUTION AUTHORIZING APPLICATION TO THE COVID-19 ARPA PA SMALL  
WATER AND SEWER GRANT THROUGH THE PENNSYLVANIA DEPARTMENT OF  
COMMUNITY & ECONOMIC DEVELOPMENT**

**WHEREAS**, Upper Darby Township desires to apply for the COVID-19 ARPA PA Small Water and Sewer Grant through the Pennsylvania Department of Community & Economic Development \*DCED) to fund improvements to the Cobbs Creek Interceptor; and

**WHEREAS**, Upper Darby Township recognizes that the COVID-19 ARPA PA Small Water and Sewer Grant funding for the relining of the Cobbs Creek Interceptor would be an asset to the Township; and

**WHEREAS**, Upper Darby Township desires to request funding from the Commonwealth Financing Authority to reline the Cobbs Creek Interceptor; and

**NOW, THEREFORE, BE IT RESOLVED THAT:**

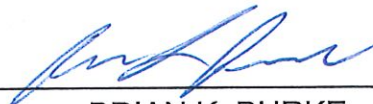
1. The Township shall provide matching funds of at least 15% of the requested Grant amount.
2. Barbarann Keffer, the Mayor of the Township, is authorized to execute all documents and agreements needed to facilitate and assist in obtaining the requested Grant.
3. The Township is authorized to provide such assurances, certificates, application fees, and supplemental data or revised data that may be requested in connection with the application and administration of the COVID-19 ARPA PA Small Water and Sewer Grant.

**ADOPTED AND RESOLVED THIS 14th DAY OF DECEMBER, 2022**

ATTEST:

  
MICHELLE BILLUPS  
SECRETARY OF COUNCIL

BY:

  
BRIAN K. BURKE  
PRESIDENT OF COUNCIL

RESOLUTION NO. 51-22 IS HEREBY APPROVED THIS 14TH DAY OF DECEMBER, 2022

BY:   
BARBARANN KEFFER  
MAYOR

ATTEST:   
ALEXIS CICHITTI  
CHIEF MUNICIPAL CLERK

**Upper Darby Township  
Delaware County, Pennsylvania  
RESOLUTION NO. 52-22**

**A RESOLUTION AUTHORIZING APPLICATION TO THE COVID-19 ARPA H2O PA WATER  
SUPPLY, SANITARY SEWER AND STORM WATER PROJECTS PROGRAM GRANT THROUGH  
THE PENNSYLVANIA DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT**

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**WHEREAS**, Upper Darby Township, desires to apply for the COVID-19 ARPA H2O PA Water Supply, Sanitary Sewer and Storm Water Projects Program grant through the Pennsylvania Department of Community & Economic Development (DCED) to fund flood improvements and stream bank stabilization at Naylors Run; and

**WHEREAS**, Upper Darby Township, recognizes that the COVID-19 ARPA H2O PA Water Supply, Sanitary Sewer and Storm Water Projects Program grant funding for flood improvements and stream bank stabilization at Naylors Run would be an asset to the township; and

**WHEREAS**, Upper Darby Township, desires to request funding from the Commonwealth Financing Authority for flood improvements and stream bank stabilization at Naylors Run; and

**NOW THEREFORE, BE IT RESOLVED THAT:**

1. The Township is hereby authorized to apply for, execute, and submit an application to DCED's COVID-19 ARPA H2O PA Water Supply, Sanitary Sewer and Storm Water Projects Program grant for up to \$2,000,000.
2. The Township shall provide matching funds of at least 50% of the requested grant amount.
3. Barbarann Keffer, the Mayor of the Township, is authorized to execute all documents and agreements needed to facilitate and assist in obtaining the requested grant.
1. The Township is authorized to provide such assurances, certificates, application fees, and supplemental data or revised data that may be requested in connection with the application and administration of the COVID-19 ARPA H2O PA Water Supply, Sanitary Sewer and Storm Water Projects Program grant.

**ADOPTED and RESOLVED this 14<sup>th</sup> day of December, 2022**

BY: \_\_\_\_\_

BRIAN K. BURKE  
President of Council

ATTEST: \_\_\_\_\_

MICHELLE BILLUPS  
Secretary of Council

Resolution No. 52-22 is hereby approved this 14<sup>th</sup> day of December, 2022

ATTEST:

  
ALEXIS CICHITTI  
Chief Municipal Clerk

BY:   
BARBARANN KEFFER  
Mayor