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February 2, 2022

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MINUTES
Committee Meeting
February 2, 2022

The video of this meeting can be viewed in its entirety on 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), Danyelle Blackwell (DB), Brian Andruszko (BA), Sheikh M. Siddique, (SS), Lisa Faraglia (LF), Matt Silva (MS), Brian K. Burke (BB), Michelle Billups, (MB), Meaghan Wagner (MW), Hafiz Tunis Jr. (HT), Laura Wentz (LW)

Present at the Meeting

Barbarann Keffer, Mayor
Vincent A. Rongione, CAO
Alison Dobbins, Deputy CAO
Chief Municipal Clerk, Alexis Cicchitti
Solicitor Sean Kilkenny
Solicitor Courtney Richardson
Mike Galante, Township Engineer
Treasurer David Haman (via Zoom)
Sergeant of Arms, Officer Anthony Bateman

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”

Solicitor Kilkenny stated that his firm has been asked to look into a case in the Federal Courts relating to the Pennsbury School District in Bucks County where there were challenges as to how Public Comment was handled. The office looked into the matter and has narrowed the scope of how to define and limit the time during Public Comment. After meeting with Council President Burke, the Mayor and the CAO, it was decided to put forth interim changes. Solicitor Richardson forwarded everything to the Law and Government Committee to discuss a permanent solution. The Solicitor’s office believes these interim changes to be appropriate guidance at this time.

Community Engagement’s Black History Month Community Service Awards

Mayor Keffer, Councilman Tunis, Councilwoman Billups, Councilwoman Blackwell and Vice President Wentz presented awards to the following individuals:

Myron McNeeley
Portia Kamara

DaVeda Graham
Cyrus Barlee
Pastor Nathaniel Goodson
Arnetta Minto
Chief Derrick Sawyer

Public Forum

Colleen Kennedy, 8723 West Chester Pike, ARP funds, gun violence prevention
Rachel Feigenbutz, 18 Hemlock Road, supports ARP Plan in regard to open space
Steven Sarti, 331 Blanchard Rd, ARP funding about open space and parks improvements
Bill Kaplan, 241 Highland Ave, excited about how ARP funds will be allocated with infrastructure, parks and violence prevention
Steve Lockard, 427 Spruce Ave, in support of funding for stream bank restoration & stormwater management
Bonnie Hallam, 4719 Woodland Ave, in support of funding for flood mitigation, sewer upgrades and parks
Norman James, 327 ?, applauds Mayor on the allocation of the ARP funds especially stormwater mitigation
Olivia Taylor, 204 Kent Road, asked why OT budget wasn't used for snow removal & fixing 69th Street
David Bantoe, 520 Millbank Road, thanked the Mayor for giving the residents an opportunity to comment on the ARP funds.
Mike Atwell, 314 Wayne Ave, in support of Ordinance No. 3111
Pastor Nathaniel Goodson, 231 Hampden Rd, in support of the Community Center

The Honorable Mayor Barbarann Keffer

Mayor's Message February 2nd, 2022

Good evening. Here's a few updates for our Upper Darby community:
As part of a new partnership between the Upper Darby Arts and Education Foundation and Upper Darby Township, scholarships to the Upper Darby Summer Stage program will be granted by the township to residents between the ages of 10 and 18 for up to 500 Children. Harry Dietzler and I are finalizing the application forms for Summer Stage 2022 scholarships and those forms will be posted to the township site as well as the official Summer Stage site, summerstage.udfoundation.org. The walk-up COVID-19 testing site opened last week in Municipal Lot #1, right across the street from here. Appointments are encouraged but not mandatory and are available between 9am and 5pm Monday, Wednesday and Friday, as well as Tuesday and Thursday until 6:30pm. They can be scheduled by visiting testpa.online. The site is part of our continuous efforts to mitigate the impact of the COVID-19 pandemic and also highlights our ongoing commitment to equity and access by creating a convenient walk-up option for Upper Darby residents..
Tonight, the architecture firm JMT will give a presentation on the UD Community Center as part of a land development resolution that is on tonight's agenda. As plans for the center begin to move forward, I would like to emphasize how much of an impact this space would have for Upper Darby residents. Our kids need a safe place to play and learn after school and we need real programming for residents of all ages. This will be UD's first full-fledged community center and it represents real reinvestment. It will send the signal that Upper Darby is a forward-looking destination community for families and businesses alike.
Another item on tonight's agenda is the American Rescue Plan budget. The proposed budget is currently in line with the federal government's guidelines for funding usage and addresses many quality-of-life issues of Upper Darby residents. This proposal offers support to non-profits dealing with the growing mental health and homelessness crisis, vaccine incentives for employees, massive repairs and upgrades to stormwater and sewer infrastructure, and millions of dollars to replace lost revenue as a result of the pandemic. Also, it allocates

funding throughout all our departments for essential workers bonuses, open space purchases, and small business grants. This funding is a once in a lifetime opportunity to reinvest in Upper Darby, so our residents and businesses can flourish in a cleaner, safer community.

Yesterday, February 1st, began Black History Month. I would like to read this proclamation in honor of this:

WHEREAS, During Black History Month, we celebrate the many achievements and contributions made by Black Americans to our economic, cultural, spiritual and political development; and

WHEREAS, We must recognize and pay tribute to the generations of individuals who struggled with adversity, risked their lives for justice, fought a fight that at times seemed impossible to win, and continue to fight for equality and the American Dream; and

WHEREAS, observing Black History Month provides opportunities to gain a deeper understanding of African American history and acknowledge the centuries of struggles for equality and freedom; and

WHEREAS, Black Americans are engaged throughout our society as our friends and neighbors, scholars, teachers, business people, community leaders, and contributors to our Upper Darby quality of life; and

WHEREAS, Upper Darby strives to close the equity and outcome gaps for Black American residents through policies and practices that reflect the experiences of Black American residents, ensure greater access and opportunity and honor history, heritage, and contributions; and

WHEREAS, we are immensely proud of that history and our diversity as well as thankful for the countless contributions of Black Americans in Upper Darby Township and throughout this nation; this month, and throughout the year, we urge our residents to celebrate that heritage and continue to fight for equality and opportunity for all.

NOW, THEREFORE I, Barbarann Keffer, Mayor of Upper Darby Township, do hereby proclaim the month of February of 2022, as

Black History Month

in Upper Darby and urge our community to recognize the vast history and culture of Black Americans.

Barbarann Keffer, Mayor

Upper Darby Township
Delaware County, Pennsylvania

Thank you and have a good evening.

President of Council, Brian K. Burke

Council President Burke thanked the Council members for their hard work this past month on the various Committees. He also thanked the Administration for their hard work. He added that the Township calendars are now arriving in the mail.

Treasurer's Report, David Haman, Treasurer

Treasurer Haman stated that he didn't have the full set of reports from December 2021 and would therefore focus on the change in the bank statements.

Mr. Haman selected accounts from the General Fund for review as that is where some ARPA money could possibly be. After his review, he stated that he is not sure where \$6.3 million is.

His full presentation can be viewed in its entirety on youtube.com/upperdarby.org

Solicitor Kilkenny stated that per the Home Rule Charter, Treasurer Haman could speak during the Public Hearing for the Ordinance if he wished to. However, in the Solicitor's reading of the Home Rule Charter and the Township Code, this report was well beyond the purview of the Township Treasurer.

Council President Burke stated that the Finance and Appropriations Committee would review this.

COMMITTEE REPORTS

Finance and Appropriations Committee

Chair: Laura A. Wentz

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

Public Hearing for Ordinance No. 3111, an Ordinance of Upper Darby Township, Delaware County, providing for supplemental appropriations for the 2022 Budget appropriating the funds provided by the American Rescue Plan Act (ARPA) State and Local Fiscal Recovery Fund; repealing inconsistent Ordinances or parts thereof; providing for a severability clause and providing for an effective date

Solicitor Kilkenny gave a brief on Ordinance No. 3111.

Council President Burke convened a Public Hearing

Speakers:

Bonnie Hallam, 4719 Woodland Avenue, in support of funding for riparian barriers

Colleen Kennedy, 8723 West Chester Pike, needed clarification about the funding for gun violence.

CAO Rongione offer further explanation

David Haman, 727 Stanbridge Road, continued his explanation of the report that he presented earlier

Gil Gorman, 2776 Highland Ave, in favor of the ARP Funding for the township's sewer system

Kyle McIntyre, 1040 Drexel Ave, in support of the distribution of the ARP Funds, clarification of Treasurer's Report

There was brief discussion as to whether or not the Treasurer had the information needed for his report.

CAO Rongione added that for the past 2 years, the Administration has shown tremendous good faith and deference to the Treasurer by providing access and information regarding the Township's financials that they are not entitled to by law or under the provisions of the Home Rule Charter. This access has never been provided to the Treasurer since the Charter was changed in regard to the Treasurer's duties.

The CAO stated that it is extremely important that the public is aware of this.

Council President Burke stated that Council needs all information before making any decisions or they are libel. The CAO replied that the Council would not be libel.

BB stated that they are "not there yet." If \$20 million/ \$880,000 is not in a separate account, then they cannot vote on it.

Olivia Taylor, 204 Kent Rd, 69th Street flooding

David Bantoe, in support of upgrades and asks for transparency

David Haman, 727 Stanbridge Road, stated that he was not making a judgment on what he saw but was reflecting back change in the cash balances from information that was given to him. He added that he does not have the information needed to present his regular report.

Vincent Rongione, 337 Shadeland Ave, explained that documents were given to Treasurer Haman regarding ARPA funds and attempted to clear up any confusion regarding the funding

LW asked about the amount of money left and that in the past, the Township has gotten a TRAN.

The CAO stated that a TRAN is a very expensive financial instrument for the Township. He added that the idea that there would be lost revenue from the ARP and not have to spend taxpayer dollars on a TRAN was very fiscally responsible and the hope was that Council would be willing to pass an ARP Budget that included a lost revenue portion that would save the Township hundreds of thousands of dollars. The CAO added that they are prepared with a plan to bridge the gap by evaluating the incoming tax revenue and other potential financial instruments that will help until revenues come in.

Council members added additional comments, which can be heard on youtube.com/upperdarby.org.

Mayor Keffer reminded everyone that a TRAN cannot be obtained until the audit is finished and that it was not available at the end of the year.

BB asked when the audit would be finished. CAO Rongione stated that he spoke with the auditor and the auditor plans to deliver a draft of the 2020 audit on Saturday and he will be on the schedule to deliver his audit report at a Council meeting in March.

MW asked where the hiring of a new Finance Director stands. CAO Rongione stated interviews are ongoing.

In response to Council comments, Deputy CAO Dobbins stated that if this Ordinance is tabled, the revenue replacement funds would not be able to be used as a bridge gap. Therefore, other rather expensive financing sources would be needed to cover costs.

Ms. Dobbins stated that the funds are there and offered a detailed explanation to clear up any confusion.

Vice President Wentz clarified that the packet that she handed out was from a webinar from Monday, January 31, 2022 and that she shared the invite with all members of Council. She agreed that there are a number of allocations that need to happen, but wants to do it correctly and made it clear that she felt that the money should have been separated months ago. She stated that Council still does not have the packets from the close in December and that she is not comfortable voting for something without complete information.

Colleen Kennedy, 8723 West Chester Pike, better transparency and interaction between different branches of the government. She stated that each of the bank statements from the bank accounts should be on the website.

David Bantoe, stated that this situation is not fair to residents and more information is needed

Bonnie Hallam, 4719 Woodland Avenue, the point is to approve the allocation and not incur any more debt

Olivia Taylor, 204 Kent Road, stated that everything in the Ordinance is needed but it should be tabled at this time

Rachel Feigenbutz, 18 Hemlock Road, inquired how no one knew about 45 back accounts, but the money is there and needs to be allocated

Kyle McIntyre, 1040 Drexel Avenue, feels that additional Ordinances are needed for transparency. He further added that Ordinance No. 3111 should be passed tonight, as it is the "framework" for the allocations that everyone agrees on.

Motion to close the Public Hearing: AH/HT All in favor.

Council President Burke closed the Public Hearing

Motion to TABLE Ordinance No. 3111: LW/

Solicitor Kilkenny explained that a MOTION TO TABLE takes precedence over other Motions. Therefore, if there is a second to the Motion, a vote on the Motion is needed.

Due to an earlier comment by Vice President Wentz, LF wanted to confirm whether Council could be held liable if there was something wrong. Solicitor Kilkenny stated that they would not be legally liable. He added that there are significant audits by the Federal Government and if Federal money is misappropriated, there are usually vast consequences. However, that would be on the people who are controlling the money.

**There was no second to the Motion
Therefore, LW withdrew her Motion to table Ordinance No. 3111.**

AH and DB expressed their support of the Ordinance.

Motion to adopt: HT/AH

BB polled the Finance Committee how they felt about the Ordinance.
All four members are against moving forward at this time

Motion to TABLE: MW/LW

Motion to table takes precedence over the original Motion to adopt

**Moved and seconded. A roll call vote was taken. 6 in favor, (BA, LF, MS, BB, MW)
5 opposed. (AH, DB, SS, MB, HT)
Ordinance No. 3111 is TABLED.**

Planning, Zoning and Building Code Committee

Chair: Laura A. Wentz

Members: Lisa Faraglia, Meaghan R. Wagner, Andrew Hayman

Resolution No. 03-22, a Resolution of Upper Darby Township granting Preliminary/Final land development plan approval for the Upper Darby Township Community Center at 7000 Walnut Street
Solicitor Richardson gave a brief on Resolution No. 03-22

Presentation for the land development for the Upper Darby Township Community Center at 7000 Walnut Street

Presenter:

Chantel Francis, Architecture Regional Lead for JNT Architecture & project manager for new Community Center

Council members agreed that this project would be very beneficial to the Township

**Motion to approve: LW/HT
Moved and seconded. 11 in favor. Resolution No. 03-22 is approved.**

Her full presentation can be viewed in its entirety on youtube.com/upperdarby.org

Municipal Services, Licensing and Public Works Committee

Chair: Hafiz Tunis Jr.

Members: Michelle Billups, Andrew Hayman, Brian Andruszko

Resolution No. 04-22, a Resolution of Upper Darby Township adopting an Act 537 Plan

Solicitor Richardson gave a brief on Resolution No. 04-22

Charlie Hirst, Director of Engineering for Delcora gave a brief presentation of the Act 537 Plan and its modifications

His full presentation can be viewed in its entirety on youtube.com/upperdarby.org

Motion to approve: LW/MB

Moved and seconded. All in favor. Resolution No. 04-22 is approved.

Public Safety Committee

Chair: Lisa Faraglia

Members: Andrew Hayman, Danyelle Blackwell, Meaghan R. Wagner

LF stated that there are 2 K-9's and 2 more will be coming to UDPD this year

MW requests that the area on Ferne Blvd, across from Station Tap, be evaluated for the installation of signage for "No Parking of Trucks or Commercial Vehicles". CAO Rongione stated that the Administration will evaluate if this is a business district or a residential area

Council President Burke asked Mike Galante to look at the area and provide input

HT asked to meet with the Committee to present some ideas.

LW suggested that the Ordinance for "No Parking of Trucks or Commercial Vehicles" be reviewed and possibly updated

DB asked about implementing parking permits. Solicitor Kilkenny stated that his office has worked on this with Director of Parking Enforcement, Sekela Coles and a Resolution will be forthcoming

In response to Olivia Taylor's statements, LF wanted to clarify that the Superintendent of Police is not sending his police officers for Friend's Cemetery, Rudy's Tavern or the Waterford Room. The police working are on a detail that is not paid by UDPD.

DB asked that LF provide this information when Olivia Taylor is present at the meeting.

Parks and Recreation Committee

Chair: Matt Silva

Members: Lisa Faraglia, Danyelle Blackwell, Michelle Billups

Nothing for the February 16, 2022 Council Meeting

Law and Government & Rules and Procedures Committee

Chair: Matt Silva

Members: Meaghan R. Wagner, Laura A. Wentz, Andrew Hayman

MS stated that there will be changes to the Rules of Decorum and he would like the Committee to review the changes. He also expressed concerns about the re-districting of the magisterial districts and will present a

Resolution at the next meeting on this issue.

Some Council members asked how the Council Committees were chosen and Council President Burke stated that he put forth then Committees.

Nothing for the February 16, 2022 Council Meeting

Public Health and Environmental Affairs Committee

Chair: Danyelle Blackwell

Members: Hafiz Tunis Jr., Sheikh M. Siddique, Matt Silva

DB discussed initiatives that the Committee would like to pursue. She would like to have weekend clean-ups, a blood drive, a "know your numbers" initiative for cholesterol, blood pressure, body mass index and an exercise initiative leading up to the May 22, 2022 Mental Health Awareness Day. The Committee also discuss a Homeless initiative and would like these initiatives to start on Earth Day, April 22, 2022. Input is welcome.

Nothing for the February 16, 2022 Council Meeting

Community Engagement Committee

Chair: Hafiz Tunis Jr.

Members: Danyelle Blackwell, Laura A. Wentz, Michelle Billups

HT stated that he still needs access to the Council Facebook page from Vice President Wentz. MB stated that next month is Women's History Month. HT added that the Committee would also be honoring residents of Irish heritage.

Nothing for the February 16, 2022 Council Meeting

Cultural Competency Committee

Chair: Michelle Billups

Members: Matt Silva, Danyelle Blackwell, Sheikh M. Siddique

MB asked SS to collaborate to recognize members of the Sikh and Bangladeshi community.

Nothing for the February 16, 2022 Council Meeting

Community Development Committee

Chair: Sheikh M. Siddique

Members: Hafiz Tunis Jr., Brian Andruszko, Laura A. Wentz

LW asked for an opportunity for the Committee to meet with the Planning Commission. BB inquired as to whether the Planning Commission had any information about Drexeline. Mike Galante stated that the project was approved prior to the implementation of the Planning Commission and they received their land development/zoning approvals approximately a year ago. They have since been working on their permits. Mr. Galante added that there was an effort to obtain sewer permits so that they are able to start the work and the permits were received 2-3 weeks ago. That is when a fence was erected. They have received all of the other remaining environmental permits. Groundbreaking is expected in early spring. Additionally, they have received the demolition permit from L&I.

Nothing for the February 16, 2022 Council Meeting

Solicitor

Solicitor Kilkenny stated that his office has been very busy with various Ordinances and Resolutions. He added that they received a notice from St. Eugene's that there was a major setback for the St. Eugene's project.

The attorney, John McLean stated that they were starting from square one with the Archdiocese approval levels and he does not know how long this will take. Solicitor Kilkenny stated that they would keep everyone informed as they get more information.

Old Business

AH addressed an action by VP Wentz at the last meeting. He stated that he believes that the manner in which it was presented was severely lacking in transparency and was done with bad faith. He stated that LW created a new Ordinance and had ample opportunity to share it with Council, but chose not to prior to the meeting, but in the middle of the meeting. He added that when some Council members attempted to ask questions about this new Ordinance, LW was evasive and attempted to shut down any public discussion. AH felt that this was an unethical practice attempted by LW to provide a proposed law to be advertised with no notice during a meeting and then forcing a vote instead of a discussion, may not be a literal violation of state Sunshine Laws but is a violation of the spirit of the law that these conversations be held with the opportunity for public comment AH asked that going forward, there would be a reasonable amount of time for members to review documents and to have the opportunity to ask questions prior to forcing actions.

LF requested that moving forward, the meetings should not run as late as it is 11p.m.

New Business

DB stated that there would be a Black History Month Poetry Contest. In addition, in March, there will be poems read for Women's History Month.

MB reminded everyone that there would be a Mental Health Fair on May 22, 2022 and a Job Fair on May 14, 2022.

SS stated that there would be a vaccine clinic at the Mosque on February 4, 2022 from 2-4 p.m.

Adjournment

Motion to adjourn: BB/SS All in favor. The meeting was adjourned at 10:54 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

**UPPER DARBY TOWNSHIP
DELAWARE COUNTY, PENNSYLVANIA**

RESOLUTION NO. 03-22

**A RESOLUTION OF UPPER DARBY TOWNSHIP GRANTING
PRELIMINARY/FINAL LAND DEVELOPMENT PLAN APPROVAL FOR THE
UPPER DARBY TOWNSHIP COMMUNITY CENTER AT 7000 WALNUT STREET**

WHEREAS, Act 247 of 1968, the Pennsylvania Municipalities Planning Code, empowers the governing body of a municipality to regulate subdivisions and land developments within the municipality; and

WHEREAS, Upper Darby Township is desirous of orderly and appropriate land use and development to protect the health, safety and welfare of residents; and

WHEREAS, the Upper Darby Township is the owner of a certain 0.349 Acre parcel with a street address of 7000 Walnut Street, Upper Darby Township, located in the Township's Recreation ("REC") Zoning District ("Property"); and

WHEREAS, the Township is proposing to redevelop the Community Center on the Property with a three-story community center with a small plaza ("Project"); and

WHEREAS, the Township has caused to be prepared a certain preliminary/final land development plan for the Project prepared by JMT Architecture, dated November 24, 2021 being Delaware County Planning Department File No. 47-7723-21 ("Plan"); and


WHEREAS, the Delaware County Planning Department has reviewed the Plan and, pursuant to its review letter dated December 17, 2021, recommended that the Plan be approved;

WHEREAS, Council desires to approve the Plan pursuant to Section 508 of the Pennsylvania Municipalities Planning Code;

NOW, THEREFORE, BE IT RESOLVED by the Upper Darby Township Council, that the Plan is hereby granted Preliminary/Final Land Development Plan Approval.

ADOPTED and RESOLVED by the Upper Darby Township Council this 2nd day of February, 2022.

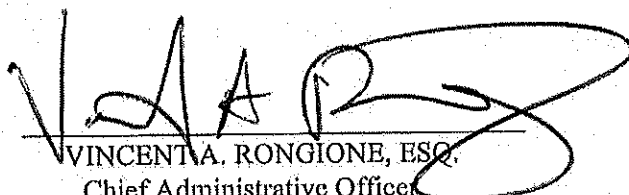
UPPER DARBY TOWNSHIP COUNCIL

BY: 
BRIAN K. BURKE
President of Council

ATTEST: 
MICHELLE BILLUPS
Secretary of Council

Resolution No. 03-22 is hereby approved this 2nd day of February, 2022

BY: 
BARBARANN KEFFER,
Mayor

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

**UPPER DARBY TOWNSHIP
DELAWARE COUNTY, PENNSYLVANIA**

RESOLUTION NO. 04-22

A RESOLUTION OF UPPER DARBY TOWNSHIP ADOPTING AN ACT 537 PLAN

WHEREAS, Section 5 of the Act of January 24, 1966, P.L. 1535, No. 537, known as the "Pennsylvania Sewage Facilities Act", as amended, and the Rules and Regulations of the Department of Environmental Protection (Department) adopted thereunder, Chapter 71 of Title 25 of the Pennsylvania Code, requires the municipality to adopt an Official Sewage Facilities Plan providing for sewage services adequate to prevent contamination of water and/or environmental health hazards with sewage wastes, and to revise said Plan whenever it is necessary to meet the sewage disposal needs of the municipality, and

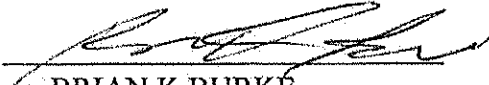
WHEREAS, Gannett Fleming, Inc. has prepared an Act 537 Update for the entire DELCORA Service Area. This plan is for the sole purpose of addressing the PA DEP Act 537 requirements for the Eastern Service Area Plan Update.


WHEREAS, the alternative of choice to be implemented is Alternative 2 – Construction of the Deep Tunnel storage and conveyance facility and Upgrades to the Pumping and Treatment Facilities.

WHEREAS, Upper Darby Township finds that the Act 537 Plan Update described above conforms to applicable zoning and subdivision ordinances and to other municipal ordinances and plans, and to a comprehensive program of pollution control and water quality management.

NOW, THEREFORE, BE IT RESOLVED that Upper Darby Council, Delaware County hereby adopts and submit to the Department of Environmental Protection for its approval as an update of the "Official Plan" of Upper Darby Township, the above referenced Act 537 Plan Update. The Township hereby assures the Department of the complete and timely implementation of the said plan as required by law. (Section 5, Pennsylvania Sewage Facilities Act as amended.)

ADOPTED and RESOLVED by the Upper Darby Township Council this 2nd day of February, 2022.

BY: 
BRIAN K. BURKE
President of Council

ATTEST: 
MICHELLE BILLUPS
Secretary of Council

Resolution No. 04-22 is hereby approved this 2nd day of February, 2022

BY: 
BARBARANN KEFFER
Mayor

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