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September 1st, 2021

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**Minutes
Committee Meeting
September 1, 2021**

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

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

Present at the Meeting

Mayor Barbarann Keffer
CAO Vincent A Rongione, Esq.
Deputy CAO Alison Dobbins
Alexis Cicchitti, Chief Municipal Clerk
Solicitor Sean Kilkenny
Solicitor Courtney Richardson

Representatives from Upper Darby School District:

Andrew Stoll, Attorney for UDSD
Marvin Lee, Controller of Operations for UDSD

Rules for 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”

Approval of the July Minutes

Approval of the Committee Meeting Minutes of July 7, 2021:
Moved and seconded. All in favor. The July 7, 2021 Minutes were approved.

Approval of the Council Meeting Minutes of July 21, 2021
Moved and seconded. 10 in favor, 1 abstained (DPB). The July 21, 2021 Minutes were approved.

Public Forum

There were no speakers.

The Honorable Mayor Barbarann Keffer

Mayor's Message September 1, 2021

Good evening everyone, I have a couple of updates... The remnants of Hurricane Ida have moved into Delaware County this afternoon, calling for severe thunderstorms, a high wind advisory, isolated tornadoes, and concerns for power outages and flash flooding in our area. Out of an abundance of caution, today I issued a declaration of disaster emergency due to Hurricane Ida. The full declaration is available on our website, www.upperdarby.org, and our social media channels. Please stay off the roads if you are able and do not drive or walk through floodwaters. Twice a week trash pick-up ends on this Friday, September 3rd. Please note that Monday, September 6th is a Township Holiday. Our offices will be closed and there will be no trash or recycling collection that day. This information is also available online at www.upperdarby.org/trash, or you can call the Mayor's Request Line at 610-734-7625. There is currently one opening on the Upper Darby Historic Commission, as well as a few on the Library Board. If you are interested in serving on one of these entities, please send an email with a cover letter and a copy of your resume to mayor@upperdarby.org. We are seeking sponsors, vendors, and performers for the 2021 Upper Darby International Festival on Saturday, October 2nd, from 1 to 5 pm. Please email festival@upperdarby.org for more information, and be sure to follow the Festival's Facebook page for future updates. As the number of COVID-19 cases continue to rise in our area, being vaccinated is of critical importance. We must remain cautious and vigilant as we navigate the virus. To find a vaccine location, please call 484-276-2100 or visit www.delcopa.gov/vax. For resources about vaccine hesitancy, please visit www.factsoverfiction.info. On Saturday, September 18th, we will be hosting a pop-up skate park from 11 am to 2 pm at Observatory Playground on West Chester Pike. This event is a partnership between Upper Darby and the Delco Skate Coalition. Many thanks to the Recreation Committee for their work on this project.

Lastly, I would like to read a Proclamation in honor of the 20th Anniversary of September 11th, 2001:

Proclamation

Mayor Keffer read a Proclamation for the observance of the 20th year of September 11, 2001.

*See attached

Appointment

Resolution No. 39-21, a Resolution of Upper Darby Township, Delaware County, Pennsylvania, appointing Alex Brown to the Upper Darby Township and Sellers Memorial Free Library Board; repealing all inconsistent Resolutions or parts thereof; providing a severability clause; and providing an effective date

Motion to adopt: RG/DB Moved and seconded. All in favor. Resolution No. 39-21 is adopted.

President of Council, Laura A. Wentz

LW thanked everyone who came out for State Representative Zabel and Councilman Tunis' backpack giveaways.

She also thanked everyone who came out to Har Jehuda Cemetery for the clean up.

COMMITTEE REPORTS

Planning, Zoning and Building Code Committee

Co-Chairs: Robert S. Gwin Jr., & Michelle Billups

Members: Donald P. Bonnett, Hafiz Tunis Jr.

Ordinance No. 3104, an Ordinance of Upper Darby Township vacating Ecole Avenue for ownership and use by the Upper Darby School District

Solicitor Kilkenny gave a brief on Ordinance No. 3104

Robert Kravitz, Counsel for UDSD, explained the purpose for vacating Ecole Avenue and asked Council to approve the advertising for Ordinance No. 3104.

Marvin Lee, Controller of Operation for UDSD, discussed the field and track project at BHMS. The flashing lights on Garrett Road are part of the project and they are working with engineers and PennDOT. A permit will be submitted and after approval, it will take approximately 7-8 months for the installation.

Motion to introduce and advertise Ordinance No. 3104: RG/DB

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

Motion to introduce and advertise Ordinance No. 3104 is approved.

The Public Hearing will be held at the September 22, 2021 Council Meeting

The Public Forum was re-opened. Spero Pappas, 2423 Cedar Lane asked if the Zero Waste Resolution meant that trash would no longer be picked up.

Council President Wentz explained that this Resolution was passed at the last meeting and further explained the purpose of the Zero Waste Resolution.

The Public Forum was closed as there were no more speakers.

No further business for the Planning, Zoning & Building Code Committee.

Finance and Appropriations Committee

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

Members: Danyelle Blackwell, Brian Burke

Resolution No. 38-21, a Resolution authorizing application to the Delaware County Municipal Grant Program to help fund the Upper Darby Township Parks and Open Space Master Plan

Motion to adopt: DB/HT

Moved and seconded. All in favor. Resolution No. 38-21 is adopted.

BB stated that the Committee had a discussion regarding sewer/trash fees for disabled veterans and they are working with the Solicitor on this matter.

HT Tunis inquired how Council members go through the process to obtain funds for events and asked who makes the determination if they can receive the funds.

Council President Wentz stated that there is an entertainment line item for Council and that where the funds came from for the first hybrid Council meeting.

RG added that there have been movie nights in the past that were covered by the fund. A Councilperson should set up an event through Alexis Cicchitti.

HT again asked who approves this. RG stated that the Councilperson organizes the event and asked the CAO to comment.

CAO Rongione stated that from the Administration's perspective, they certainly executed the mechanics of spending the money in consultation with the Council President.

HT stated that it seems as if there is no structure and would like to talk about it as a Council to have a plan moving forward.

LW reiterated that Council members are to submit documentation to Alexis Cicchitti, who will share it with LW and there will be a conversation on expenses. She added that there is approximately \$10,500 in the funds at this point after using some of the original \$12,000 for the hybrid meeting expenses.

No further business.

Public Health and Environmental Affairs Committee

Co-Chairs: Hafiz Tunis Jr. & Matt Silva

Members: Michelle Billups, Sheikh M. Siddique

MS stated that on Thursday, September 2, 2021, the Committee will meet with the EAC to further discuss strategies relating to Zero Waste.

RG would like to speak to someone in the Administration about COVID related issues regarding employees, specifically first responders, who have not yet been inoculated and what can be done to make it a safe environment for everyone.

MS inquired if there is anything that Council can do regarding people not being vaccinated when these employees may have direct contact with the public.

Solicitor Kilkenny stated that personnel decisions are the purview of the Administration and any decision would come from them. Council would be consulted and hopefully, they would agree with the Administration.

Council President Wentz added that the majority of the employees are in unions so the easiest way to make the adjustment is through the collective bargaining unit.

CAO Rongione stated that the Mayor and her Administration have worked to promote and provide opportunities for employees to be vaccinated and that their sincere hope is that everyone throughout the Township pursues being vaccinated. They are working on policies to achieve that goal.

Council President Wentz thanked Solicitor Richardson for sending the TNR Ordinance and stated that she will review it ASAP. She will then send it to the Public Health and Environmental Affairs Committee.

Nothing for the September 22, 2021 Council Meeting

Municipal Services, Licensing and Public Works Committee

Co-Chairs: Sheikh M. Siddique & Hafiz Tunis Jr.

Members: Thomas P. Wagner, Brian K. Burke

Nothing for the September 22, 2021 Council Meeting

Law and Government & Rules and Procedures Committee

Co-Chairs: Michelle Billups & Matt Silva

Members: Sheikh M. Siddique, Danyelle Blackwell

Nothing for the September 22, 2021 Council Meeting

Public Safety Committee

Co-Chairs: Danyelle Blackwell & Brian K. Burke

Members: Hafiz Tunis Jr., Matt Silva

DB stated that the Committee has received two complaints; one complaint was how police have treated homeless individuals and the second complaint was how police handle community activists. The Committee is discussing how to pursue these complaints.

Council President Wentz stated that Superintendent Bernhardt has spoken to an individual who sent an email. She further stated that they had a good conversation and were able to work many things out by coming to a better understanding of things.

Nothing for the September 22, 2021 Council Meeting

Leisure Services Committee

Co-Chairs: Hafiz Tunis Jr. & Matt Silva

Members: Lisa Faraglia, Danyelle Blackwell

SS stated that 3 parts of District 6, Cardington Park, 69th Street and the 2nd Ward Playground could benefit from a grant for beautification of these parks. He would like to work with the Leisure Service Committee to see about an allotment for upgrades in the playgrounds. He also requests that bathrooms be installed at Cardington Field within the next few years.

DB stated that on September 18, 2021, there would be a pop-up skating event from 11 a.m. to 2 p.m. at the Observatory Park.

MS suggested that the Committee could make a trip to Cardington Field to assess things that need to be addressed. SS would like to join the Committee when they are in his District.

Nothing for the September 22, 2021 Council Meeting

Event Planning Committee

Co-Chairs: Michelle Billups & Danyelle Blackwell

Members: Hafiz Tunis Jr., Matt Silva

MB stated that the Committee is working on the next Job Fair on October 5, 2021 from 3:30 until 5:30 p.m. At Arlington Cemetery.

DB stated that the International Festival would be on October 2, 2021 from 1-5 p.m.

HT thanked those who helped with the book bag giveaway, including the Police and Fire Department. He also thanked the Recreation Department for all of their hard work.

MB added that the Committee is still looking for vendors for the International Festival.

SS asked all Council members to be part of the Festival as it is a multi-cultural festival. It is an opportunity for Council to interact with the residents and speak to them.

HT added that Council members could reach out to vendors in each district to take part.

CAO Rongione stated that the Mayor's goal is to have this be an inclusive event and that Council members, especially the at-large members, have great resources in their districts who can contribute. He added that the Administration could meet with the Event Planning Committee to make sure that the stage is all-inclusive.

MB stated that the Committee met today and everything is moving along.

RG asked if there were forms for Council people to give to vendors.

CAO Rongione stated that Deputy CAO Dobbins could send the required information for anyone who wished to participate as a vendor, performer or tabling.

Nothing for the September 22, 2021 Council Meeting

Solicitor

Solicitor Kilkenny stated that it was a pleasure to work with Council, the Mayor and the Administration at the last second to get this meeting together. This is an extreme circumstance. The authority for this meeting is both the Pennsylvania Emergency Management Act and the Home Rule Charter, coupled with a Disaster Declaration by the Mayor allowing this meeting under an emergency provision. This should not be a regular occurrence. Meetings during the pandemic were being held by Zoom but the people of Pennsylvania spoke and the General Assembly withdrew the governor's ability to allow for emergency meetings because of the pandemic. There were no Ordinances being voted on and adopted tonight so due to the deteriorating weather conditions, the Mayor declared an Emergency Declaration for safety reasons.

Old Business

None

New Business

DB stated that she is working on four projects

1. The beautification of West Chester Pike
2. Monthly breakfast with constituents in the 4th District
3. Working with the Public Safety Committee on the Block Captain initiative
4. 4th District initiative called "Motivate"

Council President Wentz suggested that DB work with the West Chester Pike Business Association. She also stated that Council should work with UDPD regarding a Block Captain initiative.

Adjournment

Motion to adjourn: RG/LF All in favor.

The meeting was adjourned at 8:28 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. 39-21

**A RESOLUTION OF UPPER DARBY TOWNSHIP, DELAWARE COUNTY,
PENNSYLVANIA, APPOINTING ALEX BROWN TO THE UPPER DARBY TOWNSHIP
AND SELLERS MEMORIAL FREE PUBLIC LIBRARY REPEALING ALL
INCONSISTENT RESOLUTIONS OR PARTS THEREOF; PROVIDING A
SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE**

WHEREAS, Upper Darby Township and Sellers Memorial Free Library (“Library”) was established in 1930; and

WHEREAS, the Library is governed by a nine-member Board of Trustees (“Library Board”);

WHEREAS, Council desires to ensure that all members of the Library Board are officially appointed and that their terms are specified in order to provide clarity and proper record-keeping protocol;

NOW, THEREFORE, be it, and it is hereby **RESOLVED** by the Upper Darby Township Council, and it is hereby **ADOPTED** and **RESOLVED** by authority of same as follows:

Alex Brown


Term expires December 31, 2022

REPEALER. All Resolutions or parts thereof inconsistent with the provisions of this Resolution are hereby repealed to the extent of the inconsistency.

SEVERABILITY. If any provision of this Resolution is declared by a court of competent jurisdiction to be invalid or unconstitutional, such determination shall have no effect on the remaining provisions of this Resolution.

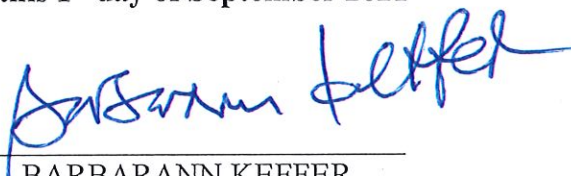
EFFECTIVE IMMEDIATELY. This Resolution shall become effective immediately following its legal enactment and shall remain in effect hereafter until revised, amended, or revoked by action of the Upper Darby Township Council.

ADOPTED and **RESOLVED** this 1st day of Septetmber, 2021.

BY: 
LAURA A. WENTZ
President of Council

ATTEST: 
MICHELLE BILLUPS
Secretary of Council

Resolution No. 39-21 is hereby approved this 1st day of September 2021

BY: 
BARBARANN KEFFER
Mayor

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

**UPPER DARBY TOWNSHIP
DELAWARE COUNTY, PENNSYLVANIA**

RESOLUTION NO. 38-21

A RESOLUTION AUTHORIZING APPLICATION TO THE DELAWARE COUNTY MUNICIPAL GRANT PROGRAM TO HELP FUND THE UPPER DARBY TOWNSHIP PARKS AND OPEN SPACE MASTER PLAN

WHEREAS, Delaware County Council has established an Open Space and Recreation Municipal Grant Program to be utilized by the municipalities of Delaware County; and

WHEREAS, the grants may be used by the municipality for the improvement or acquisition of municipal recreation land or for planning services for such activities; and

WHEREAS, Upper Darby Township desires to participate in the Delaware County Open Space and Greenways Municipal Grant Program in order to help fund Upper Darby Township Parks and Open Space Master Plan.

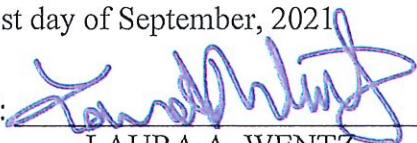
WHEREAS, the Township will have available any and all additional funding to complete this project,

NOW, THEREFORE, BE IT RESOLVED THAT:

1. That Upper Darby Township, Delaware County, Pennsylvania, hereby approves the filing of an application for Delaware County Municipal Grant Program assistance.
2. That Vincent Rongione, Chief Administrative Officer, is hereby authorized and directed to execute and file the appropriate forms with the Delaware County Planning Department.

ADOPTED and RESOLVED this 1st day of September, 2021

BY:


LAURA A. WENTZ
President of Council

ATTEST:


MICHELLE BILLUPS
Secretary of Council

Resolution No. 38-21 is hereby approved this 1st day of September, 2021

BY:


BARBARANN KEFFER
Mayor

ATTEST:


VINCENT A. RONGIONE, ESQ.
Chief Administrative Officer



Upper Darby

A Home Rule Community
Established 1736

Proclamation in Observance of the 20th Anniversary of September 11, 2001

WHEREAS, twenty years ago this month, on the morning of September 11, nearly three thousand men, women, and children's lives were lost in a series of attacks intended to terrorize the United States; and

WHEREAS, we can never undo the pain and injustice borne on American soil that day, nor will we ever forget those who perished; and

WHEREAS, many Upper Darby residents felt the pain of this tragedy personally as we endured the loss of loved ones or friends; and

WHEREAS, we came together as both a community and a country in the days, months, and years that followed, lifting each other up as we began to heal; and

WHEREAS, in remembering and honoring the lives that were lost, we reaffirm our connection to one another. On September 11, 2001, no matter where we came from, who we prayed to, or who we were, we were united as one American nation. May the same be said of us now and always.

Now, Therefore I, Barbarann Keffer, Mayor of Upper Darby Township, along with Township Council, do hereby proclaim Saturday, September 11, 2021 as a Day of Service and Remembrance in Upper Darby, and I encourage all residents to honor the memory of our fellow Americans who were lost on that fateful day 20 years ago.

Barbarann Keffer, Mayor
Upper Darby Township
Delaware County, Pennsylvania

**UPPER DARBY TOWNSHIP
COMMONWEALTH OF PENNSYLVANIA**

DECLARATION OF DISASTER EMERGENCY DUE TO HURRICANE IDA

WHEREAS, on September 1, 2021, remnants of Hurricane Ida may cause injury, damage, and suffering to the persons and property Upper Darby Township and create a significant impact on municipal resources through, among other things, flooding, water damage and wind damage; and

WHEREAS, the event will endanger the health, safety, and welfare of a substantial number of persons residing in the Township and threatens to create problems greater in scope than the municipality may be able to resolve; and

WHEREAS, emergency management measures are required to reduce the severity of this disaster and to protect the health, safety, and welfare of affected residents in the Township;

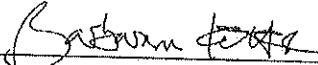
NOW THEREFORE, IT IS HEREBY DECLARED, by the Mayor of the Upper Darby Township, County of Delaware, Pennsylvania, that a disaster emergency is declared for the Township under 35 Pa.C.S.A. § 7501 (b).

FURTHER, Upper Darby Township Emergency Management is directed to coordinate the activities of the emergency response, to take all appropriate action needed to alleviate the effects of this disaster, to aid in the restoration of essential public service, and to take any emergency response actions deemed necessary to respond to this disaster emergency.

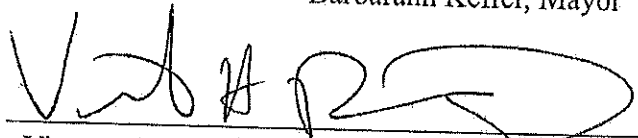
STILL FURTHER, Upper Darby Township officials are authorized to act as necessary to meet the current exigencies of this emergency.

ADOPTED by the Mayor of Upper Darby Township, County of Delaware, Pennsylvania, this 1st day of September, 2021.

BY: UPPER DARBY TOWNSHIP



Barbarann Keffer, Mayor

ATTESTED: 

Vincent A. Rongione, Esq., Chief Administrative Officer