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May 4, 2022

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MINUTES
Committee Meeting
May 4, 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, via Zoom
Vincent A. Rongione, CAO
Chief Municipal Clerk, Alexis Cicchitti
Solicitor Sean Kilkenny
Solicitor Courtney Richardson
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.” Public Forum should not exceed thirty (30) minutes.”

Public Forum

Dr. John Taylor, 7121 Guilford Road, questions about landlords/rental property charges
Brian Taylor, 7258 Lamport Road, stated that there are monthly meetings for veterans that cover various topics, get more info from YouTube
Olivia Taylor, 204 Kent Road, questions about Councilman Siddique
Raya Fagg, 7022 Ruskin Lane, remove handicap spot that belonged to a resident who is deceased. Also, a fire hydrant was moved but the X remains and people are being ticketed.
Bonnie Hallam, 4719 Woodland Avenue, wants Ordinance No. 3111 introduced and advertised. Also, thanked Mayor Keffer and various people who helped plant 130 trees in the Township
Nate Goodson, 231 Hampden Road, spoke of the importance of “seeing” people and to be kind. He asked that the ARPA funds get allocated to improve the lives of many people
Celeste Marks, 7018 Ruskin Lane, X on Timberlake & Ruskin needs to be removed. She wants to know what is available for the youth in the Township
Tina Hamilton, 4715 Woodland Avenue, asked about the status of the investigations. On Saturday, May 7, Recovery Without Barriers will be having an event at Arlington Cemetery. She asked if she could get Narcan and Councilwoman Faraglia and Councilwoman Wagner stated that they could provide it.

Tim Tunstra, 610 Foss Avenue, concerned about internal processes that should be in place to prevent mistakes but are not, and this is from the previous Administration. This needs to be corrected.

The Honorable Mayor Barbarann Keffer

Mayor's Message
May 4, 2022

Good Evening.

Happy Firefighter Appreciation Day, I would like to thank all of our firefighters for their work to keep our community safe.

The Township is co-hosting an Expungement Clinic and Second Chance Expo along with State Representatives Zabel and Curry. The event will be held at Watkins Senior Center, tomorrow, Thursday, May 5th from 5:30 to 7:30pm. The clinic does require prior registration, which can be done by calling Rep. Zabel's office at 484.200.1563 or 484.200.8262 or by filling out the digital registration form, which can be found on our Facebook page, Upper Darby Township - Government.

This Saturday, May 7th, Upper Darby is partnering with The Red Cross on a Sound the Alarm event, which will launch from Cardington-Stonehurst Fire Station 36. Any Upper Darby residents may request a free fire alarm and installation by calling the Upper Darby Fire Department, 610-734-7674, or filling out an alarm request form at the link here: <https://www.upperdarby.org/smokealarmrequestform>

We have some great news! The township has received a grant from TASA, the Transportation Alternative Set Aside, for \$1.3 million dollars for the modernization of Garrett Road from Lansdowne Avenue to Naylor's Run Park to make it safer for pedestrians, bicyclists and drivers.

May is Mental Health Awareness month. In recognition of this, on Saturday, May 14th, Upper Darby is hosting a Mental Health & Wellness Fair at the 69th Street Rec Area from 11am-3pm. I will also be reading a proclamation in honor of this month of awareness for those who are struggling with mental illness:

PROCLAMATION

WHEREAS, People from all backgrounds live with mental illness and other mental health challenges, both nationwide and in Upper Darby; and

WHEREAS, According to the United States Centers for Disease Control and Prevention, more than 50% of Americans will experience mental illness in their lifetime; and

WHEREAS, Research has shown that 1 in 5 Americans will be diagnosed with a mental illness in a given year and 1 in 25 Americans lives with a serious mental illness, such as schizophrenia, bipolar disorder, or major depression; and

WHEREAS, Unresolved mental health issues can manifest in a variety of conditions and behaviors including depression, anxiety, substance abuse and addiction, and

WHEREAS, There is no single cause of mental illness but a number of factors can contribute to risk for mental illness, like early adverse life experiences, such as trauma at an early age; and

WHEREAS, Mental and physical health are equally important to a person's quality of life and are inherently tied together.

NOW, THEREFORE I, Barbarann Keffer, Mayor, do hereby proclaim May 2022 as Mental Health Awareness Month in Upper Darby Township and urge my fellow residents to recognize and participate in its observance.

Barbarann Keffer
Mayor

Lastly, I would like to wish mothers and guardians a Happy Mother's Day.

Thank you.

President of Council, Brian K. Burke

Council President Burke acknowledged Mother's Day and thanked TreeTenders for planting all of the trees. There was an Executive Session this evening to discuss litigation.

COMMITTEE REPORTS

Finance and Appropriations Committee

Chair: Laura A. Wentz

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

Council Vice-President Wentz gave a report from the Finance and Appropriations Committee regarding Ordinance No. 3111. She stated that the Finance Committee did meet a couple of times and did come up with an amendment for Ordinance No. 3111, but found out during the Executive Session that because they were dealing with union employees in the amendment, the Labor Counsel of the township would like to look into it. Out of respect, the Committee has decided to hold off on the amendment.

LW further stated that the Committee is looking to make some allocations of the ARPA funds in multiple different Ordinances and since the union one is in a holding pattern, they would like to gather information on non-profits that are interested in ARPA funds. She added that they are also looking to do allocations for non-union workers and volunteer firefighters. If any non-profits are interested, please send an email to udfinancecommittee@gmail.com with the name of your non-profit, list of board members, the amount requested, and the plan to spend the funds by May 31, 2022.

HT stated that he would support COVID bonus pay to Township workers, who worked during the pandemic, funding for the Community Center, vehicles for first responders, money for non-profits and gun prevention. He stated that he feels that it is hypocritical to appropriate funds piece by piece and asked that LW state what the needs are in order to allocate the funds.

LW stated that because of the investigation, the Committee has concerns that some funds are missing. Therefore, the Finance Committee feels more comfortable making smaller allocations starting with the union workers who worked during the pandemic. Follow-up Ordinances would allocate funds to non-union workers and volunteer firefighters, doing it by layers. Following the investigation, a larger amount can be allocated after it is known what is remaining. LW further added that when the Community Center was originally being thought of, the funds were coming from the Capital Budget. The Sewer projects were also coming out of Capital funds and those funds remain.

HT asked what the holdup is on releasing the funds.

MW replied that the Finance Committee is "just not there yet." She would like the funds to be released, but has concerns about financial decisions that have been made in the Township and is also concerned about possible mishandling of funds. She added that she is in support of allocating the funds this way. MW feels that the most important thing is to pay the Township workers who worked so hard during COVID.

AH agreed that the funds should be allocated for the Township workers. His preference is to appropriate all of

the funds, but he will agree to at least appropriate some of the funds.

There was continued back and forth discussion amongst Council members regarding the ARPA funds.

Council President Burke and MB called for a point of order. He reiterated that the Finance Committee is not ready to move forward and plans to “go back to the table.”

MS stated that the money has been sitting in the bank since July and issues have not just suddenly appeared. He wants money allocated to people who need it where they need it.

DB asked if a Motion could be made to allocate some funds and Council President Burke stated that would not be done at this meeting.

Solicitor Richardson explained that there were some concerns about the Ordinance and how it would affect the negotiations with the unions and that is why the Finance Committee has decided not to move forward at this time. This is pending a legal review from the Labor Counsel.

Discussion/Introduction of 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

Motion to TABLE Ordinance No. 3111: MB/LW

Moved and seconded. 7 in favor (BA, LF, MS, BB, MB, MW, LW), 4 opposed (AH, DB, SS, HT). Ordinance No. 3111 is TABLED

Resolution No. 19-22, a Resolution to authorize the Mayor to sign the contract with the Transport Workers Union (TWU) Local 234 and Upper Darby Township

Solicitor Richardson gave a brief on Resolution No. 19-22

Motion to approve: LW/AH All in favor. Resolution No. 19-22 is approved

Resolution No. 20-22, a Resolution to authorize the Mayor to sign the contract with the (International Association of Firefighters IAFF)

Solicitor Richardson gave a brief on Resolution No. 20-22

Motion to approve: LW/AH All in favor. Resolution No. 20-22 is approved

Public Safety Committee

Chair: Lisa Faraglia

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

Public Hearing for Ordinance No. 3118, an Ordinance of Upper Darby Township, Delaware County, Pennsylvania to amend Section 7, “Fire Safety Inspections” of Ordinance No. 3103; repealing all Ordinances and parts of Ordinances inconsistent herewith; providing a severability clause and providing an effective date

Council President Burke convened a Public Hearing.

There was confusion regarding when the introduction and advertising for Ordinance No. 3118 was on the Agenda. Solicitor Richardson asked Chief Municipal Clerk, Alexis Cicchitti, to clarify the date of the Motion to advertise. It was clarified that it was at the April 20, 2022 Council Meeting.

There were no speakers. Therefore, the Public Hearing was closed

Motion to adopt: HT/DB

Moved and seconded. A roll call vote was taken. 11 in favor. Ordinance No. 3118 was adopted.

Chair Faraglia stated that there was a Public Safety meeting on Monday night. She shared some of the topics that were discussed.

1. Briarcliff Fire Department is no longer in service, so Station 74 (Secane) will be covering parts of Darby Township. She added that she is happy that the contact with IAFF is settled.
2. LF stated that UDPD offered an entry level Police examination and hope to hire 5 new police officers. She stated that she is hopeful that an agreement can be reached for their contract.
3. There was discussion about the truck Ordinance and the Committee has decided to lower the weight limit and make some other amendments.

HT asked that his Committee be included regarding discussion/votes for the Mayor's parking permit program. He added that the residents of 2nd Street in Fernwood request "No Parking of Trucks or Commercial Vehicles" on their street.

A survey has been completed and this will be added to the Agenda for the next meeting.

LW stated that there is a request to install cameras around the Lansdowne Avenue and Garrett Road intersection. BB and the CAO agreed that there would be a conversation about this issue. She also added that school zone signs needed to be installed on Lansdowne Avenue after crossing over Garrett Road toward UDHS. She added that this should probably go to the school district as well. This is most likely a PennDOT issue.

DB stated that cameras and lights are needed on Delaware Avenue and S. Kirklyn where the school buses are. MB asked about lights at the 2nd Ward Playground.

SS requested lights/cameras at Patterson and Wiltshire.

LF again asked the CAO to do whatever is necessary to get the Police contract done.

Planning, Zoning and Building Code Committee

Chair: Laura A. Wentz,

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

LF asked about the grant extension for St. Eugene. Mike Galante stated he believes it was extended, but he will confirm that.

BB stated that the medical building in the Drexline Shopping Plaza has been demolished. There have been some complaints about the dumpsters coming down Woodland Avenue at 4 a.m. Supt. Bernhardt and the Administration have spoken to the builders.

MW referenced a training session for UDFD at the site during nighttime hours.

Nothing for the May 25, 2022 Council Meeting

Municipal Services, Licensing and Public Works Committee

Chair: Hafiz Tunis Jr.

Members: Michelle Billups, Andrew Hayman, Brian Andruszko

MW stated that she receives continued phone calls about the recycling grant and she requested a date on that.

Nothing for the May 25, 2022 Council Meeting

Parks and Recreation Committee

Chair: Matt Silva

Members: Lisa Faraglia, Danyelle Blackwell, Michelle Billups

SS asked that the parks in his district are visited, especially Cardington Field.

BB wanted to confirm that Cardington Field should be maintained by UDSD. The CAO stated that UDSD owns it but the Township operates it as a park. He will check to see whose maintenance schedule it is on and get back to Council.

LF stated that the islands in Westbrook Park need to be cut and the signs need to be painted.

Nothing for the May 25, 2022 Council Meeting

Law and Government & Rules and Procedures Committee

Chair: Matt Silva

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

HT requested that the Committee put something together regarding the Township Council social media use. He believes that a system is needed.

There was brief discussion regarding a previous proposed Ordinance for social use policy for Township employees that never moved forward.

In response to some questions/statements, LW stated that she posts any and all events across the 7 districts in the Township if Council members submit them. If events were not posted, it is because she never received the information.

Nothing for the May 25, 2022 Council Meeting

Public Health and Environmental Affairs Committee

Chair: Danyelle Blackwell

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

DB spoke of a positive event that took place on April 22, 2022, which members from the Governor's office and SEPTA attended. She will give the details to LW for posting. She added that there would be a cleanup on May 28, 2022 at Parkview at 10 a.m. She further stated that DCCC has been chosen to participate in the national initiative for training incarcerated individuals through a Federal Pell Grant Program.

SS spoke of an area behind St. Demetrius Church with trees and bushes that are completely overgrown. He stated that the area has never been cleaned.

Mayor Keffer stated that the Township is in the process of determining and contacting the owner of that property. She met with the leadership of St. Demetrius Church last week. They do not own the property. It may possibly be owned by PECO. When the property owner is identified, the Township will abate it, or the owners will have to take care of it.

Nothing for the May 25, 2022 Council Meeting

Community Engagement Committee

Chair: Hafiz Tunis Jr.

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

HT stated that May is Jewish American Heritage Month. He asked Council members if there are any people in their districts that they would like to acknowledge. If so, he asked that the Council members submit the resident's bio. HT thanked Mayor Keffer for bringing Habitat for Humanity to Upper Darby.

MB spoke of the Mental Health Awareness Fair that will take place on May 14, 2022 from 11-3.

Nothing for the May 25, 2022 Council Meeting

Cultural Competency Committee

Chair: Michelle Billups

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

Nothing for the May 25, 2022 Council Meeting

Community Development Committee

Chair: Sheikh M. Siddique

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

SS stated that he is happy to see the community developing strongly and is happy to see the Drexeline project developing.

Nothing for the May 25, 2022 Council Meeting

Solicitor

No report

Old Business

MW stated that she is aware that the Township has received a letter of engagement for the accountant in the investigation from the attorney representing the Council. She stated that her understanding is that this has not been paid and she would like to know when it would be paid.

Solicitor Richardson replied that Council must specifically engage them so it should be done by a Motion of Council at a regularly scheduled Council meeting.

CAO Rongione added that this was all clarified by the Solicitor with the presentation of the letter to the Administration.

Solicitor Richardson stated that Council could make a Motion to add it to the next Agenda to be voted on. It could not be voted on at this meeting due to the changes made in the Sunshine Laws.

LW stated that was incorrect and that a Motion could be voted on without being on the Agenda, unlike a Resolution or Ordinance.

Solicitor Richardson clarified that any business that comes before Council must be on the Agenda. That is not a Home Rule Charter issue. That is a Commonwealth of Pennsylvania law. That change took effect last year. She reiterated that MW could put a Motion on the floor to add it to the next Agenda but it could not be voted on at this meeting because that would be in violation of the Commonwealth of Pennsylvania law.

MW stated that she still believes that the Kilkenny Law Firm should not be advising on anything regarding the investigation, as it is known that they have a conflict.

MW made a Motion that Fran Egan be appointed as the accountant for the investigation to the next Agenda. She clarified that she would like it on the next Agenda as a Motion. LW seconded the Motion.

AH asked for a copy of the engagement letter and would like to call an Executive Session prior to the next Council meeting prior to voting on the Motion, if Fran Egan is available.

HT stated that he does not know how a Motion can be made without seeing a letter of engagement.

BB clarified that the Motion is to put it on the next meeting's Agenda.

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) The Motion to place the appointment of Fran Egan on the next Agenda is approved.

CAO Rongione spoke but his microphone was not turned on and he could not be heard at all.

New Business

MB stated that there is youth training in conjunction with DCCC that is called Pathstone. It is a job readiness program for returning residents who were formerly incarcerated individuals for skills training within high growth industries. There is also job placement and educational opportunities. It is in Delco and in New Castle, DE. MB stated that she would forward an email.

AH circulated a Resolution just as a statement regarding the Supreme Court overturning the Roe V Wade decision. Council President Burke would like the 5 Councilwomen to form a brand new Committee and bring your Resolution to that Committee.

HT stated that the 69th Street Wildcats would be having a family movie night to raise funds for their upcoming season. Their home games this year will be at Observatory Park.

In addition, Drexel Hill Little League is also doing fundraisers. Information can be found on Facebook.

MW stated there would be “A League of Their Own Night” on May 14, 2022 at Dermond Field. She will get more information.

SS stated that he is proud and happy to work with 5 Councilmen, Council Secretary, Alexis Cicchitti and Solicitor Courtney Richardson. He also wished all mothers a HAPPY MOTHER’S DAY.

LW stated that she and DB, in collaboration with Highland Park Home and School Association would be having a movie night on Friday, May 13, 2022. They will be showing the movie “Encanto.”

Adjournment

Motion to adjourn: HT/AH The meeting was adjourned at 9:37 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. 19-22

**A RESOLUTION OF UPPER DARBY TOWNSHIP, DELAWARE COUNTY,
PENNSYLVANIA APPROVING THE MEMORANDUM OF AGREEMENT TO THE
COLLECTIVE BARGAINING AGREEMENT BETWEEN THE TRANSPORT
WORKERS UNION, LOCAL 234 AND THE TOWNSHIP EXTENDING THE
AGREEMENT TO DECEMBER 31, 2024**

WHEREAS, Upper Darby Township (“Township”) is a Home Rule Municipality organized operating in accordance with the Upper Darby Home Rule Charter (“Charter”) as permitted by the Home Rule Charter and Optional Plans Law, 53 Pa. C.S. 2901 *et seq.*; and

WHEREAS, the Township is served by the diligent and professional employees comprising the Transport Workers Union, Local 234 (“TWU”); and

WHEREAS, the Township has benefitted from years of dedicated service from the Union and has successfully concluded negotiations of a Memorandum of Agreement to the Collective Bargaining Agreement (“CBA”) extending the CBA by one year to December 31, 2024; and

WHEREAS, Upper Darby Township Council (“Council”) is required to approve all Collective Bargaining Agreements;

WHEREAS, Council finds that it is in the Township’s best interests to approve the CBA;

NOW, THEREFORE, BE IT RESOLVED by the Upper Darby Township Council that

SECTION 1. Upper Darby Township Council approves the Collective Bargaining Agreement with Transport Workers Union, Local 234 per Section 7-9(D) of the Administrative Code.

SECTION 2. The Mayor is hereby authorized to execute the Collective Bargaining Agreement with Transport Workers Union, Local 234.

SECTION 3. All Resolutions and parts thereof inconsistent with the provisions of this Resolution are hereby repealed to the extent of the inconsistency.

SECTION 4. The terms, conditions, and provisions of this resolution are hereby declared to be severable, and should any portion, part, or provision of this resolution be found by a court of competent jurisdiction to be invalid, unenforceable, or unconstitutional, Upper Darby Township Council hereby declares its intent that the resolution shall have been enacted without regard to the invalid, unenforceable or unconstitutional portion, part or provision of this resolution.

SECTION 5. This resolution shall become effective immediately.

ADOPTED and RESOLVED this 4th day of May, 2022

BY: 
BRIAN K. BURKE
President of Council

ATTEST: 
MICHELLE BILLUPS
Secretary of Council

Resolution No. 19-22 is hereby approved this 4th day of May, 2022

BY: 
BARBARANN KEFFER
Mayor

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

**UPPER DARBY TOWNSHIP
DELAWARE COUNTY, PENNSYLVANIA**

RESOLUTION NO. 20-22

A RESOLUTION OF UPPER DARBY TOWNSHIP, DELAWARE COUNTY, PENNSYLVANIA APPROVING THE MEMORANDUM OF AGREEMENT TO THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, LOCAL 2493 AND THE TOWNSHIP EXTENDING THE AGREEMENT BEGINNING FROM JANUARY 1, 2021 THROUGH DECEMBER 31, 2025.

WHEREAS, Upper Darby Township (“Township”) is a Home Rule Municipality organized operating in accordance with the Upper Darby Home Rule Charter (“Charter”) as permitted by the Home Rule Charter and Optional Plans Law, 53 Pa. C.S. 2901 *et seq.*; and

WHEREAS, the Township is served by the diligent and professional employees comprising the International Association of Firefighter, Local 2493 (“IAFF”); and

WHEREAS, the Township has benefitted from years of dedicated service from the IAFF and has successfully concluded negotiations of a Memorandum of Agreement to the Collective Bargaining Agreement (“CBA”) beginning from January 1, 2021 through December 31, 2025; and

WHEREAS, Upper Darby Township Council (“Council”) is required to approve all Collective Bargaining Agreements;

WHEREAS, Council finds that it is in the Township’s best interests to approve the CBA;

NOW, THEREFORE, BE IT RESOLVED by the Upper Darby Township Council that

SECTION 1. Upper Darby Township Council approves the Collective Bargaining Agreement with International Association of Firefighter, Local 2493 per Section 7-9(D) of the Administrative Code.

SECTION 2. The Mayor is hereby authorized to execute the Collective Bargaining Agreement with International Association of Firefighter, Local 2493.

SECTION 3. All Resolutions and parts thereof inconsistent with the provisions of this Resolution are hereby repealed to the extent of the inconsistency.

SECTION 4. The terms, conditions, and provisions of this resolution are hereby declared to be severable, and should any portion, part, or provision of this resolution be found by a court of competent jurisdiction to be invalid, unenforceable, or unconstitutional, Upper Darby Township Council hereby declares its intent that the resolution shall have been enacted without regard to the invalid, unenforceable or unconstitutional portion, part or provision of this resolution.

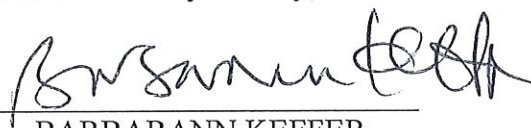
SECTION 5. This resolution shall become effective immediately.

ADOPTED and RESOLVED this 4th day of May, 2022

ATTEST: 
MICHELLE BILLUPS
Secretary of Council

BY: 
BRIAN K. BURKE
President of Council

Resolution No. 20-22 is hereby approved this 4th day of May, 2022

BY: 
BARBARANN KEFFER
Mayor

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

**UPPER DARBY TOWNSHIP
DELAWARE COUNTY, PENNSYLVANIA**

ORDINANCE NO. 3118

AN ORDINANCE OF UPPER DARBY TOWNSHIP, DELAWARE COUNTY, PENNSYLVANIA TO AMEND SECTION 7, "FIRE SAFETY INSPECTIONS" OF ORDINANCE 3103; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES INCONSISTENT HERewith; PROVIDING A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Section 7-18 (A) of the Administrative Code provides that the Department of Licenses and Inspection shall be responsible "for the protection of persons and property within the Township through the general administration and enforcement of zoning, subdivision, building and related structural and land use codes";

WHEREAS, to facilitate the protection of persons and property through the general administration and enforcement of zoning, subdivision, building and related structural and land use codes such supervision and administration it is necessary that the operators of and/ or participants in these activities obtain certain licenses and permits or be charged certain fees from Upper Darby Township; and

WHEREAS, it is recognized that a certain increased expenditure of time and money by the Township is necessitated in carrying out the above duties; and

WHEREAS, Township Council ("Council") desires to recover such costs by charging license and permit fees to applicants and to be more in line with our neighbors; and

WHEREAS, the purpose of such fees shall be to recover administrative expenses only, and not to raise revenue;

NOW THEREFORE, IT IS HEREBY ORDAINED AND ENACTED by the Upper Darby Township Council as follows:

SECTION I. Section 7, "Fire Safety Inspections," of Ordinance 3103 is hereby amended as follows:

These fees are for Fire Safety Inspections in accordance with Chapter 7 of the Upper Darby Township Property Maintenance Code:

A. The fee for inspection of a Commercial Property less than 1,000 square feet shall be 150.00.

B. The fee for inspection of a Commercial Property of 1, 000 square feet or more, but less than 2,001 square feet shall be \$250.00.

C. The fee for the inspection of a Commercial Property of 2,001 square feet or more shall be \$250.00 for the first 2,000 square feet and \$25.00 for each additional 5,000 square feet.

SECTION II. REPEALER. All Ordinances or parts of Ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent said inconsistencies or conflicts cannot be reconciled, are hereby repealed. Further, it is understood and intended that all other sections, parts, provisions, and ordinances that are not otherwise specifically in conflict or inconsistent with this Ordinance, shall remain in full force and effect, the same being reaffirmed hereby.

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

SECTION IV. EFFECTIVE DATE. This Ordinance shall take effect immediately upon its legal enactment.

ENACTED and ORDAINED this 4th day of May, 2022.

BY: 
BRIAN K. BURKE
President of Council

ATTEST: 
MICHELLE BILLUPS
Secretary of Council

APPROVED this 4th day of May, 2022

BY: 
BARBARANN KEFFER
Mayor

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

**ORDINANCE NO. 3111
UPPER DARBY TOWNSHIP
DELAWARE COUNTY, PENNSYLVANIA**

Tabled

**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.**

WHEREAS, Upper Darby Township Council (“Council”) adopted a budget for the calendar year 2022 on December 20, 2021; and

WHEREAS, pursuant to Section 909(A) of the Home Rule Charter of Upper Darby Township, if during the fiscal year the Chief Administrative Officer certified that there are available for appropriation revenues in excess of those estimated in the budget, Council by ordinance may make supplemental appropriations for the year up to the amount of such excess; and

WHEREAS, on March 11, 2021, President Biden signed into law the American Rescue Plan Act, providing \$350 billion in funding for state and local governments; and

WHEREAS, the U.S. Department of Treasury calculated Upper Darby Township’s direct allocation from the Coronavirus State and Local Fiscal Recovery Fund at \$41.7 million to be provided to the Township in two (2) installments; and

WHEREAS, the Mayor submitted to Council the proposed spending structure, as prepared by Township staff in conformity with the Interim Final Rule released by the U.S. Department of Treasury, for the first \$20.8 million; and,

WHEREAS, on February 7, 2022, Council appropriated \$6,000,000 of the ARPA funds to the General Fund leaving \$14,880,969.50 to be allocated under the proposed spending structure;

NOW, THEREFORE BE IT ORDAINED AS FOLLOWS, Upper Darby Township Council makes the following supplemental appropriations for the 2022 budget from the American Rescue Plan Allocation:

SECTION 1. Program Allocation

Flood Mitigation & Sewer Upgrades	\$ 3,500,000.00
Police & Fire	\$ 3,000,000.00
Upper Darby Community Center	\$ 2,500,000.00
COVID Relief & Negative Economic Impacts	\$ 2,500,000.00
Parks & Public Spaces	\$ 3,000,000.00
Administrative Costs	\$ 380,969.50
Total	\$ 14,880,969.50

SECTION 2. All Ordinances and parts thereof inconsistent with the provisions of this Ordinance are hereby repealed.

SECTION 3. The terms, conditions and provisions of this ordinance are hereby declared to be severable, and should any portion, part or provision of this ordinance be found by a court of competent jurisdiction to be invalid, unenforceable or unconstitutional, Upper Darby Township Council hereby declares its intent that the ordinance shall have been enacted without regard to the invalid, unenforceable or unconstitutional portion, part or provision of this ordinance.

SECTION 4. This ordinance shall become effective immediately.

ENACTED and ORDAINED this , 2022.

BY: _____
BRIAN K. BURKE
President of Council

ATTEST: _____
MICHELLE BILLUPS
Secretary of Council

APPROVED this , 2022

BY: _____
BARBARANN KEFFER
Mayor

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