

BOROUGH OF YEADON  
REGULAR MEETING  
JULY 19, 2012  
7:30 P.M.

**CALL TO ORDER**

John Holden, Council President, called the meeting to order at 7:45 PM and led the Pledge of Allegiance.

**ROLL CALL**

John Holden, President	Present
Denise Stinson, Vice President	Present
Rosalind Johnson	Present
Asher Kemp, Jr.	Present
Deborah Robinson-Howell	Present
Gracie Snead	Present
Nelva Wright	Present
Dolores Jones-Butler, Mayor	Present

President Holden announced there was an Executive Session held tonight for personnel and legal issues.

**CITIZEN'S FORUM**

No comments

**MINUTES**

President Holden called for a motion to accept the minutes of April 2, 2012 Workshop Meeting.

**MOTION TO ACCEPT THE MINUTES OF APRIL 2, 2012. WITH CORRECTIONS**

Motioned By: Councilor Wright

Seconded By: Councilor Stinson

John Holden, President	Abstain
Denise Stinson, Vice President	Yes
Rosalind Johnson	No
Asher Kemp, Jr.	No
Deborah Robinson-Howell	Abstain
Gracie Snead	No
Nelva Wright	No
Dolores Jones-Butler, Mayor	

Roll call vote. Motion did not pass 4 no, 2 yes, 1 abstention.

**MOTION TO MOVE MINUTES TO NEXT COUNCIL MEETING TO REVIEW FOR ACCURACY.**

Motioned by: Councilor Kemp

Seconded by: Robinson- Howell

Councilor Johnson said this must be a priority to bring the minutes up to date.

John Holden, President	Yes
Denise Stinson, Vice President	Yes
Rosalind Johnson	No
Asher Kemp, Jr.	Yes
Deborah Robinson-Howell	Yes
Gracie Snead	No
Nelva Wright	Yes
Dolores Jones-Butler, Mayor	

Roll call vote. Motion passed 5:2

## **MAYOR'S REPORT**

### **ACTION ITEM**

**MOTION TO HIRE TWO PART TIME OFFICERS (BRIAN J. DOUGLAS AND PHILLIP J. STEPHEN) AT \$ 15 PER HOUR**

Motioned By: Councilor Johnson

Seconded By: Councilor Kemp

Councilor Robinson-Howell asked if Chief is following through on tenure issue with part time officers.

John Holden, President	Yes
Denise Stinson, Vice President	Yes
Rosalind Johnson	Yes
Asher Kemp, Jr.	Yes
Deborah Robinson-Howell	Yes
Gracie Snead	Yes
Nelva Wright	Yes
Dolores Jones-Butler, Mayor	

Roll call vote. Motion approved to 7:0 with mandatory medical examination & background check

Mayor announced E-Waste Recycling Event in conjunction with Lansdowne Borough on Saturday, August 5<sup>th</sup> from 9 AM -1PM

### **POLICE REPORT- Chief Donald Molineux**

Councilor Johnson asked about the bike patrol program and if there was a reduction in gas. Chief responded that mileage has decreased.

## **PRESIDENT'S REPORT**

**PROCLAMATION TO IDA MAE GARNETT-** read by President Holden

**Announcement-** E-Waste Recycling Event on Saturday August 5<sup>th</sup>

### **Handicapped Parking Permits**

Two residents had extenuating circumstance based on their handicap parking permit applications. Mayor Butler said residents need to understand that the handicapped parking space is for anyone that has a handicapped tag the space is not just the resident's. Councilor Johnson said resident are invited to speak at the Code Committee meeting.

#### **MOTION TO GRANT LAURA SIMPKISS A HANDICAPPED SPACE.**

Motioned by: Councilor Johnson

Seconded by: Councilor Wright

Discussion:

President Holden said a policy must be developed for future needs. Councilor Kemp suggested that going forward Council needs to have the information in advance. Councilor Johnson suggested amending the motion to read as long as it fits in Borough guidelines.

#### **MOTION TO GRANT LAURA SIMPKISS A HANDICAPPED SPACE AS LONG AS IT FITS IN BOROUGH GUIDELINES**

Motioned by: Councilor Kemp

Seconded by: Councilor Stinson

John Holden, President	Yes
Denise Stinson, Vice President	Yes
Rosalind Johnson	Yes
Asher Kemp, Jr.	Yes
Deborah Robinson-Howell	Yes
Gracie Snead	Yes
Nelva Wright	Yes
Dolores Jones-Butler, Mayor	

Roll call vote. Amended motion passed 7:0.

### **ENGINEER'S REPORT**

#### **MOTION TO APPROVE HILLVIEW ESCROW, CLOSEOUT ESCROW ACCOUNT FOR APPROXIMATELY \$ 47,500 WITH MALVERN FEDERAL SAVINGS BANK**

Motioned By: Councilor Johnson

Seconded By: Councilor Kemp

John Holden, President	Yes
Denise Stinson, Vice President	Yes
Rosalind Johnson	Yes
Asher Kemp, Jr.	Yes
Deborah Robinson-Howell	Yes
Gracie Snead	Yes

Nelva Wright	Yes
Dolores Jones-Butler, Mayor	

Roll call vote. Motion approved 7: 0.

**MOTION TO AUTHORIZE BOROUGH ENGINEER TO PREPARE MS-4 REPORTING APPLICATION IN THE EVENT EDCCOG MANAGER JAMIE ANDERSON UNABLE TO DO IT.**

Motioned by Councilor Johnson  
 Seconded by: Councilor Kemp

John Holden, President	Yes
Denise Stinson, Vice President	Yes
Rosalind Johnson	Yes
Asher Kemp, Jr.	Yes
Deborah Robinson-Howell	Yes
Gracie Snead	Yes
Nelva Wright	Yes
Dolores Jones-Butler, Mayor	

Motion approved 7:0 via roll call.

**MOTION TO APPROVE SANITARY SEWER REPAIRS AT 1035 DUNCAN & 545 CHURCH LANE UTILIZING NEW SEWER CONTRACT AND USING BOND ISSUE. TELEWISE, DYE AND REPAIR.**

Motioned by Councilor Johnson  
 Seconded by: Councilor Wright

John Holden, President	Yes
Denise Stinson, Vice President	Yes
Rosalind Johnson	Yes
Asher Kemp, Jr.	Yes
Deborah Robinson-Howell	Yes
Gracie Snead	Yes
Nelva Wright	Yes
Dolores Jones-Butler, Mayor	

Roll call vote. Motion approved 7 to 0

**STORMWATER TIP**

To prevent chemicals from leeching into our storm drains and polluting our local bodies of water: Select less toxic commonly used household cleaners/chemicals. Buy only as much as needed and use as directed. Take hazardous waste to one Delaware County collection sites.

**MANAGER'S REPORT**

Reimbursement from Hurricane Irene – \$5, 754. Thanks to Rufus Stokes, Emergency Management Director for filing the necessary paperwork

Borough was audited by State Attorney General's office for Police pension Plans

Completed Police Station DCED grant. Borough Manager thanked Police Chief and Mayor for working together to meet the June 30<sup>th</sup> deadline.

Tax Collection Committee meeting of Delaware County –Any municipality or school district that has an earned income tax has an automatic membership on the committee. Yeadon does not have membership. Borough Manager would like Yeadon to have presence on the committee.

**MOTION TO APPOINT THE BOROUGH MANAGER AS PRIMARY REPRESENTATIVE, FINANCE DIRECTOR AS ALTERNATE REPRESENTATIVE ON THE DELAWARE COUNTY TAX COLLECTION COMMITTEE.**

Discussion and explanation of Act 32 provided by Borough Manager

Motioned by: Councilor Johnson

Seconded by: Councilor Kemp

John Holden, President	Yes
Denise Stinson, Vice President	Yes
Rosalind Johnson	Yes
Asher Kemp, Jr.	Yes
Deborah Robinson-Howell	Yes
Gracie Snead	Yes
Nelva Wright	Yes
Dolores Jones-Butler, Mayor	

Motion passed 7:0 via roll call vote.

**TAX COLLECTOR'S REPORT- Laverne Johnson**

The William Penn School District real estate taxes are not being accepted by the Tax Collector. It must be sent to the address included in the tax bill. A letter explaining procedures was included in the tax bill.

**TREASURER'S REPORT- Councilor Wright**

Councilor Wright said moving forward the Finance Committee will work on a narrative report. The Treasurer's report is available in the lobby. Cash flow analysis is included in this report.

Councilor Johnson asked about the cash flow analysis. Councilor Wright indicated it should be addresses under agenda item 12.1 during the Committee reports.

**COMMITTEE REPORTS**

**FINANCE- COUNCILOR WRIGHT**

Review cash flow analysis. Identified a surplus in General Fund and Refuse, Capital, Vehicle, Motor License and projected a short fall in Sewer Fund. Finance Committee discussed areas to cut budget and have projected surplus to Sewer Fund. Borough Manager will consult with Solicitor on moving surplus into Sewer Fund any borrowing contingencies.

**MOTION TO APPROVE A/P LIST OF JULY 19, 2012**

Motioned By: Councilor Wright

**MOTION TO TABLE APPROVAL OF A/P LIST TO ALLOW CASH FLOW QUESTIONS TO BE ANSWERED.**

Motioned by: Councilor Kemp

Seconded by: Councilor Snead

John Holden, President	Yes
Denise Stinson, Vice President	Yes
Rosalind Johnson	Yes
Asher Kemp, Jr.	Yes
Deborah Robinson-Howell	Yes
Gracie Snead	Yes
Nelva Wright	Yes
Dolores Jones-Butler, Mayor	

Motion approved 7:0 via roll call vote.

Councilor Johnson inquired about Earned Income Tax and asked for clarification of how much Borough was expected to receive. Councilor Johnson had an additional question about \$450,000 in cash receipt expected in September. Borough Manager offered her guess the state aid coming from the Commonwealth for Fire Relief and Police Pension Relief.

Councilor Johnson asked that we look at Capital Fund transfer to General Fund. Determine if earmarked then to defer to Solicitor.

**MOTION TO TAKE A/P LIST OFF TABLE.**

Motioned by: Councilor Wright

Seconded by: Councilor Robinson-Howell

John Holden, President	Yes
Denise Stinson, Vice President	Yes
Rosalind Johnson	Yes
Asher Kemp, Jr.	Yes
Deborah Robinson-Howell	Yes
Gracie Snead	No
Nelva Wright	Yes
Dolores Jones-Butler, Mayor	

Motion carried 6:1 via roll call vote

**MOTION TO APPROVE A/P LIST OF JULY 19, 2012 WITH REMOVAL OF DEAF HEARING COMMUNICATION INVOICE**

Motioned by: Councilor Wright

Seconded by: Councilor Robinson-Howell

**Discussion:**

Councilor Kemp asked for AK question for clarity regarding tennis program – is that funded from grant? Yes, coming from grant. Parkview made a \$5000 donation:-\$2500 for tennis; \$2500 for the Recreation Department

Councilor Johnson had question about check # 5594 \$ 3360 to North American Benefits – Why paying if Act 51 was repealed in 2009. Collective bargaining agreement with FOP requires that the Borough maintain this payment, Borough can't legally stop payment until it comes out of the bargaining agreement.

Councilor Johnson would like to strike Deaf Hearing Communication invoice. Councilor Johnson will pay and will pay future invoices

John Holden, President	Yes
Denise Stinson, Vice President	Yes
Rosalind Johnson	Yes
Asher Kemp, Jr.	Yes
Deborah Robinson-Howell	Yes
Gracie Snead	No
Nelva Wright	Yes
Dolores Jones-Butler, Mayor	

Motion approved 6:1 via roll call vote

**PUBLIC SAFETY** – No report

**RECREATION** - Councilor Stinson

Council Stinson gave updates on tennis program and Camp Garrett. Councilor Johnson asked about reimbursement to Mr. Morris' for Car Show expenses. Solicitor Ernest Angelus said proper procedure is to discuss in Executive Session. President Holden said the issue will be resolved between Finance Director and Councilor Stinson.

**EDUCATION** – no report

Councilor Kemp passed out flyers for School meeting for residents on July 23<sup>rd</sup> at 7:30 PM. Councilor Johnson asked if any movement had been made on restructuring the Education Committee.

**LIBRARY** - Councilor Robinson-Howell

Councilor Johnson asked about the roof. Councilor Kemp asked for review of work orders for HVAC system at the library. How much of \$200,000 is left from bond issue?

**SOLICITOR'S REPORT**- No report

## **NEW BUSINESS**

### **Zoning Hearing Board Application:**

Next G Networks requests variance from Borough Code 12586.03E & 1270.03E for cellular tower at 456 Penn Street to exceed tower height by 5 feet. Councilor Snead asked if there is any danger to residents in community. President Holden said some of these devices already exist in Yeadon. Councilor Wright asked for clarification on height and President Holden asked about saturation. Solicitor suggested that Zoning Hearing Board meeting August 20, 2012 handle it.

### **Towing Services**

Discussion -

President Holden is interested in changing services because residents and employees are complaining about current tower. Councilor Stinson asked what are the. President Holden said there are no fees. Chief Molineux said present towing company has been with Yeadon for 10 years and in his estimation provides excellent service to Borough. Free towing of Borough police cars, fix flat tires, removal of vehicles for utility work with no charge to residents. Rates have not increased- \$95 towing, \$35 storage fees. President Holden reiterated that residents and staff have made complaints against present towing company. Chief Mollineux stated most of the resident complaints stem from people who do not come in promptly to get cars and they are charged for storage fees.

President Holden suggested Suburban Collision Specialist. Council discussed receiving information late Wednesday evening and Council had not had any previous discussion at workshop meetings about complaints against towing company.

Councilor Kemp suggested that said based on late hour of receipt of information Council hold until they have had sufficient time to review. Councilor Johnson suggested that Police Chief be present for discussion at a later meeting.

### **Elm Street Project - Councilor Kemp**

Exploring a farmers market in Community Park. Elm Street would oversee the project. Would like to get feedback from residents, comments can be forwarded to Borough Manager. President Holden expressed concern about competition with local stores in Yeadon, how farmer's market would benefit Yeadon and how does it generate revenue for Borough. Councilor Kemp will investigate answer. Councilor Stinson asked about parking. President Holden asked about trash.

### **Rowing Lessons on the Schuylkill River – Councilor Wright**

Free lessons will be given August 11.

### **New Borough Code effective July 16<sup>th</sup>-Councilor Johnson**

Free webinars will be available on Tuesdays and Thursdays. Council needs to secure copies. Among other things, the new code addresses technology and how it can be used to conduct meetings.

### **Labor Counsel – President Holden**

Decision needs to be made on Labor Law attorney. President Holden introduced Archer Greiner to handle police contract negotiations. Discussion: Mayor Butler feels her position is being undermined. There have been no meetings and Council has not been informed until this

meeting. In the past the Mayor, who is in charge of the Police Department has conducted negotiations with FOP without hiring counsel. President Holden stated that much effort expended to get to the point of interviewing law firms. Discussion ensued about process of as to how information about the Labor Committee meetings was disseminated. President Holden asked for a motion. Solicitor said under the regular public meeting Council members can bring this up under new business and present to Council for discussion. Solicitor further stated that Council Committees can make recommendations to Council. Council can accept recommendation or go in a different direction. Councilor Wright presented argument for using labor lawyer. President Holden asked for a motion.

**MOTION TO REFER THIS TO ANOTHER COMMITTEE FOR REVIEW AND REPORT BACK TO COUNCIL**

Motioned by: Councilor Snead

Seconded by: Councilor Johnson

Councilor Stinson expressed unreadiness, what committee would review? Councilor Johnson also expressed unreadiness based on Mayor's comments and asked why a labor attorney was needed to start negotiations.

John Holden, President	No
Denise Stinson, Vice President	Abstain
Rosalind Johnson	Yes
Asher Kemp, Jr.	No
Deborah Robinson-Howell	No
Gracie Snead	Yes
Nelva Wright	No
Dolores Jones-Butler, Mayor	

Roll call vote. Motion failed to pass 2:5.

President Holden asked for motion to approve Archer Greiner.

Councilor Kemp made recommendation to move this off agenda. President Holden indicted Council needed to move now quickly for change. Councilor Stinson said legal representation is needed. Frenetic discussion developed. President Holden asked for motion to adjourn.

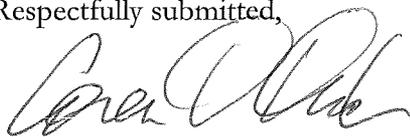
**ADJOURNMENT**

Motioned by: Councilor Wright

Seconded by: Councilor Johnson

Meeting adjourned at 10:14 PM.

Respectfully submitted,



Caren D. Andrews

Borough Manager/Borough Secretary