

**BOROUGH OF YEADON
DELAWARE COUNTY, PENNSYLVANIA
BOROUGH COUNCIL
LEGISLATIVE SESSION
AUGUST 15, 2013
7:35 PM**

PLEDGE OF ALLEGIANCE

ROLL CALL

Councilor Dotson	Present
Mayor Jones-Butler	Absent
Councilor Jones-Johnson	Absent
Councilor Kemp	Present
Councilor Robinson-Howell	Present
Councilor Snead	Present
Vice President Wright	Present
President Stinson	Present

ANNOUNCEMENT OF EXECUTIVE SESSION – President Stinson announced that an Executive Session was held to discuss legal and personnel issues.

CITIZEN’S FORUM, AGENDA ITEMS ONLY- None

PRESENTATION by Yeadon Volunteer Fire Company Number 1- Chief Michael DiIenno discussed the replacement of 2 fire trucks. Currently the 1990 fire pumper needs an estimated \$40, 000.00 in repair. The fire Company submitted a packet containing two budget scenarios and three bids.

PRESENTATION to 2013 All Delco Track team members from the Yeadon Recreation Committee: Roy Hunter (Recreation Director)and Ron Frances (Committee Chair) presented trophies to Yeadon residents and Penn Wood High Schools track team members: Caela Williams, Olabode Aieybo, Ricky Merriwether, Achaia Pierre, Cristian Hunter, Mikal Hunter, Siani Wilson, Mikil Honesty, Christina Holmes & Kayla Butts.

MINUTES

MOTION TO APPROVE LEGISLATIVE MINUTES OF JULY 18, 2013

Motioned by: Asher Kemp

Seconded by: Isaac Dotson

Voice vote with one abstention (Councilor Robinson-Howell) Motion carries 5:0.

MAYOR’S REPORT

Police Report- read by Chief Molineux.

A reminder that school will start on September 3, 2013 and signals will be reactivated. He reminded everyone to obey speed limits without school safety zones and be attentive to crossing guards.

Also, residents are being advised to ensure vehicles are locked when parked on streets and in driveways, ensure garages & sheds are locked and to leave no valuables in cars.

Chief Molineux gave an update of complaints about business on 700 Church Lane regarding selling of loose cigarettes and drug paraphernalia.

Action Item

MOTION TO APPROVE THE HIRING OF MARIE CESANEK AS A PART TIME YEADON POLICE OFFICER AT THE \$15.00 PER HOUR PENDING CONTINGENT UPON SATISFYING ALL REQUIREMENTS OF YEADON BOROUGH POLICE DEPARTMENT AND PENNSYLVANIA SCHOOL POLICE OFFICER S TRAINING.

Motioned by: Asher Kemp

Seconded by: Deborah Robinson-Howell

Voice vote with no opposition. Motion carries 6:0

Councilor Kemp asked how many female officers currently employed by Borough. The hiring of this officer brings the complement to two.

PRESIDENT'S REPORT

Announcement of Town Hall meeting dates September 14th & 25th. Vice President Wright asked if vendors and representatives could be invited to participate in the Town Hall Meeting because residents want additional information and clarification surrounding the proposed move. Councilor Dotson asked that representatives from Aqua Home Improvement service speak about line protection plans

ENGINEER'S REPORT

Demolition of the Yeadon Swim Club

The County has executed the Change Order for the asbestos. JMC has provided bonds and submitted demolition permit application to DEP. An NPDES permit application for the demolition project was prepared and submitted to the Delaware County Conservation District.

Evans School Subsidence Repair and Parking Lot Resurfacing

Work began on 8/5 with the removal of the buried construction debris. Asbestos was found in the debris so a certified asbestos abatement company will be used. Wm Penn School District has submitted stormwater management calculations that demonstrate compliance to the Borough's ordinance.

Library Multi-Purpose Room Addition

Borough has \$250,000.00 for bond issue for library improvements. The Library Board would like to go with Casaccio Yu; they were very impressed with the work that the company had done for Upper Darby library and. The Library Board would like to break ground before year's end. In order to expedite and keep to the schedule they are asking for Council's approval of the architect because they still have to appear before Zoning Board Hearing (2 variances are needed) and the pursue the land development process.

Councilor Kemp stated that Council is puzzled and suggested meeting with Library Board at next Council Workshop Meeting. Sharon Council, Chair of the Library Board gave a brief history of the bond fund and the vision for the expansion. They originally considered moving the library to another site, but were not cost effective. The library is experiencing overcrowding due to becoming a de facto after school care facility with many children; some exhibiting anti-social behaviors and causing problems. An expansion was deemed the most cost effective. The Library Board met with Councilors during the 2013 budget process

MOTION TO AWARD CASACCIO YU ARCHITECTS (HAVERTOWN, PA) CONTRACT FOR PROFESSIONAL SERVICES NOT TO EXCEED \$55 K CONTINGENT UPON WRITTEN AGREEMENT RECEIVED BY CLOSE OF BUSINESS AUGUST 23, 2013. IN THE EVENT A WRITTEN AGREEMENT IS NOT RECEIVED THE CONTRACT WOULD BE AWARDED TO LINN ARCHITECTS (MEDIA, PA) FOR PROFESSIONAL SERVICES AT A PRICE NOT TO EXCEED \$45K.

Motioned by: Councilor Snead

Seconded by: Vice President Wright

Voice vote with 1 abstention (Councilor Dotson). Motion carries 6:0

Library Roof Replacement

Martin Burke Inc. submitted his final invoice for the release of retainage

Borough Hall Water Infiltration Issues

The contractor has scheduled the limited roof repairs for next week. The façade report done by Datum restoration is complete; the wall most needing maintenance is the east wall, facing Church Lane.

Property Maintenance Issues

In a proceeding last week in District Court involving a dispute over responsibility for driveway maintenance, the District Justice ruled that structures and roadways in the right-of-way must be maintained by the adjacent property owner. His ruling was based on the Borough having adopted the ICC Property Maintenance Code. The property owner at 804 Yeadon Avenue has been given until 8/27/13 to repair/replace the driveway portion actually described on her deed in accordance with Borough Codes. The adjacent property owner at 801 Serrill Ave. had offered to replace the driveway area in the public ROW that the owner of 804 Yeadon is responsible for, and the District Justice ruled that he could do that also, by 8/27/13.

PECO/Aqua Main Renewals

We have prepared a memo to each utility advising them of the requirement to reimburse for engineering charges related to these projects. We have requested a copy of the Ordinance concerning permit fees for street openings and also a copy of the fee schedule. Hopefully, by the meeting, we will know whether the utilities need to be invoiced for inspection fees or if the Borough collects them at the time of permit issuance.

DELCORA Act 537 Plan Revision for the Eastern Service Area

All eastern service area communities must adopt the Act 537 Plan Revision or else do individual planning to provide for sewage treatment for its community outside of the current treatment arrangement. Therefore, unless the Borough would want to construct a treatment facility, the Act 537 Plan Revision must be adopted. Engineer will meet with the Planning Commission to review the plan. Plan Revision must be approved by Planning Commission and their recommendation sent to Borough Council for the adoption of the resolution at the September 19th meeting.

Ordinary Street and Sewer Maintenance – 2013 Issues

The Public Works Committee and the Finance Chair met with Councilor Johnson to review the streets listing for the resurfacing portion of the Borough's streets maintenance program for this year. Dan Wright prioritized the listing. Once a streets list has been selected, we will submit the paperwork to PennDOT for approval of use of County Aid and Liquid Fuels monies.

Stormwater Tip of the Month

Consider removing some of that lawn area and replacing it with some native plants? Native plants are drought resistant and therefore do not require extra water. Nor do they require fertilization and use of chemicals. Lawn fertilizing chemicals can pollute our waters.

Question to Engineer from Clifford Brock regarding minority participation. Federal funding requires that the language of mandatory minority hiring be included in the bid documents. Contractors are required to report their minority employee composition. If they are hiring workers they are required to hire from within the community they are working.

ADMINISTRATIVE REPORT

Elevator Repair Timeline

Elevator out of service 7/18/13

Work approved 7/23

Parts ordered 7/24

Demo and prep work 7/29-7/31; removed 37 feet of piston was removed

Ordered parts to be delivered week of 8/26

After parts are received it will take 3-5 days to repair

Mandatory State inspection and certification to be completed after repair is done

Projected date elevator to be online is by end of week 9/2

Refuse and Sewer Town Hall meeting

Dates Saturday, September 14th and Wednesday, September 25th. Application for use of Pennwood HS Cypress Campus completed and submitted to Wm. Penn School District.

TREASURER'S REPORT

Presented by Angelic Jones

Cash Flow Analysis as of July 31, 2013

General Fund \$1,508,826.49

Refuse \$730,178.51

Sewer \$1,049,115.85

TAX COLLECTOR'S REPORT

July Monthly Tax Report was presented by Angelic Jones

Real Estate Taxes collected \$40, 6608.10

Sewer Fees collected \$25, 3759.00

Trash Fees collected \$11, 4075.00

COMMITTEE REPORTS

Finance Committee Report was presented by Vice President Wright

The following items were reviewed at the Finance Committee meeting of 8/13/13: Accounts Payable July 25th – August 8th, review year to date cash flow analysis, reconcile accounts, an update from Finance Director Angelic Jones on streetlight savings, meeting with Delta Development Group to review Bonds and financial issues.

MOTION TO APPROVE A/P LIST OF AUGUST 15, 2013

Motioned by Councilor Kemp

Seconded by: Councilor Dotson

Voice vote with no opposition. Motion carries 6:0.

Personnel Committee

No report, Councilor Johnson, Committee Chair was absent. Full report will be given at September 19, 2013 Council meeting

Code Committee

No report –Councilor Johnson, Committee Chair was absent. Full report will be given at September 19, 2013 Council meeting

Public Works

No report -Councilor Johnson, Committee Chair was absent. Full report will be given at September 19, 2013 Council meeting

Public Safety

MOTION TO APPROVE THE JULY 9, 2013 PUBLIC SAFETY COMMITTEE REPORT

Motioned by Councilor Kemp

No second.

Councilor Dotson expressed reticence on voting on the report because it referenced moving of trash collection beginning August 1st. Solicitor Puppio clarified that approval of the report is not the actual legislative action that would be necessary to enforce the action. The approval is of the report, not the action.

Vice President Wright indicated she was trying to get clarification on the contents of the report because she was not in attendance.

Public Safety Committee report to be added to Old Business at the September 19th Legislative Council meeting.

SOLICITOR'S REPORT

MOTION TO FILE SUIT ON BEHALF OF YEADON BOROUGH AGAINST SHAQUET MALIK OF 255 LUTEN WAY, SOMERSET, NJ, OWNER OF FOXCROFT APARTMENTS TO ABATE NUISANCE AND RAZE UNSAFE STRUCTURE ON PROPERTY.

Motioned by: Councilor Dotson

Seconded by: Vice President Wright

Voice vote with no opposition. Motion carries 6:0.

MOTION TO SETTLE CIVIL ACTION CD 68-2013 FILED IN MAGISTERIAL DISTRICT COURT IN YEADON FOR A JUDGMENT RENDERED IN THE AMOUNT OF \$4000.00.

Motioned by: Councilor Snead

Seconded by: Councilor Kemp

Voice vote with no opposition. Motion carries 6:0.

NEW BUSINESS

MOTION TO AWARD INTERNATIONAL SALT YEADON BOROUGH SALT CONTRACT 2013/2014 FOR 300 TONS AT \$53.48 PER TON DELIVERED.

Motioned by: Councilor Dotson

Seconded by: Councilor Snead

Voice vote with no opposition. Motion carries 6:0

MOTION TO APPROVE PROPOSED AMENDMENT TO BOROUGH OF YEADON ORDINANCE CHAPTER 1024 – EXCAVATIONS SUBSECTION 1024.7

Motioned by: Councilor Snead

Seconded by Vice president Wright

Voice vote with no opposition. Motion carries 6:0.

MOTION TO APPROVE SERVICE AGREEMENT CONTRACT WITH CHRIS HANSEN HEATING & COOLING FOR BOROUGH HALL, YEADON PUBLIC LIBRARY AND PUBLIC WORKS.

Motioned by: Councilor Robinson- Howell

Seconded by: Councilor Snead

Voice vote with no opposition. Motion carries 6:0.

APPROVE THE APPOINTMENT OF ISAAC DOTSON TO YEADON PLANNING COMMISSION TO 4 YEAR TERM ENDING DECEMBER 31, 2017

Motioned by: Councilor Kemp

Seconded by: Councilor Robinson-Howell

Voice vote with 1 abstention (Councilor Dotson). Motion carries 5:0

APPROVE THE APPOINTMENT OF FLORENCE McDONALD TO YEADON PLANNING COMMISSION TO 4 YEAR TERM ENDING DECEMBER 31, 2017

Motioned by: Councilor Dotson

Seconded by: Councilor Kemp

Voice vote with no opposition. Motion carries 6:0

APPROVE THE APPOINTMENT OF PAMELA HUMPHREY TO YEADON PLANNING COMMISSION TO 4 YEAR TERM ENDING DECEMBER 31, 2017

Motioned by: Councilor Snead

Seconded by: Councilor Kemp

Voice vote with no opposition. Motion carries 6:0.

APPROVE THE APPOINTMENT OF JACQUELYN PURIFOY BRINKLEY TO YEADON PLANNING COMMISSION TO 4 YEAR TERM ENDING DECEMBER 31, 2017

Motioned by: Councilor Snead

Seconded by: Councilor Robinson-Howell

Voice vote with no opposition. Motion carries 6:0.

APPROVE BLOCK PARTY APPLICATION FOR 800 BLOCK OF WHITBY AVENUE

Motioned by: Councilor Robinson-Howell

Seconded by: Councilor Dotson

Voice vote with no opposition. Motion carries 6:0.

APPROVE USAGE OF ELECTRICAL SOURCE IN GUENTHER AVENUE SUBSTATION FOR CHURCH LANE BUSINESS ASSN. FLEA MARKET 9/7/13

Motioned by: Councilor Kemp

Seconded by: Vice president Wright

Voice vote with no opposition. Motion carries 6:0.

New business introduced by Vice President Wright to establish a search committee to hire Borough Manager and Code Department Director. Vice President Wright consulted Delta Development Group and was advised the process should begin immediately. Vice President Wright stated the Borough lacks checks and balances for its normal day-to-day operation and it is imperative that a professional be hired immediately. The Committee would consist of council members and three members of the community.

MOTION TO ESTABLISH A SEARCH COMMITTEE FOR BOROUGH MANAGER AND CODE DIRECTOR

Motioned by: Councilor Dotson

Seconded by: Councilor Robinson-Howell

Voice vote with 1 opposing vote (Councilor Snead). Motion carries 5:1

OLD BUSINESS

APPROVE BLOCK PARTY PERMIT FOR 500 BLOCK OF LAUREL ROAD

Motioned by: Councilor Dotson

Seconded by: Councilor Robinson-Howell

Voice vote with no opposition. Motion carries 6:0.

CITIZEN'S FORUM

Tony Smiley- *Yeadon Avenue*

Follow up on August request for information on who authorized change in location of polling place

Audrey Harris- *Elder Avenue*

Follow up on August request to use Borough Hall for YEDC meetings free of charge

Deidre Hurst (*not a Borough Resident*)

Refund of contested deposit for event held in borough hall auditorium

Liana Roadcloud- Cypress Street

Request for more public police presence on the 800 block of Cypress Street due to speeding vehicles

MOTION FOR ADJOURNMENT

Motioned by: Councilor Dotson

Seconded by: Councilor Robinson-Howell

Voice vote with no opposition. Motion passes 6:0.

ADJOURNMENT

Meeting adjourned at 9:00PM

Respectfully submitted,



Marcia L. Hinton

Borough Secretary