



BOROUGH OF YEADON
DELAWARE COUNTY, PENNSYLVANIA
BOROUGH COUNCIL LEGISLATIVE MEETING MINUTES
October 15, 2020

Meeting began at 7:00 p.m.

The Solicitor stated the following: This is a regular scheduled meeting of the Yeadon Borough Council. Pursuant to the Governor's Emergency Declaration, this meeting is being conducted via Zoom. As such, the meeting is being recorded electronically. By participating in the meeting and staying in this meeting, you consent to being recorded. There is no reasonable expectation of privacy during this Council meeting.

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL

Rohan K. Hepkins, Mayor	Present
LaToya Monroe, President	Present
Ronald Francis, Vice President	Present
Clara Johnson	Present
Rafi Cave	Present
Dolores McCabe	Present
Tomeka (Taliah) Jones-Waters	Present
Liana Roadcloud	Present
Charles Gibbs, Solicitor	Present
Julianne James, Tax Collector	Present
Eileen Mulvena, Engineer	Present
Nafis Nichols, Finance Director/Acting Secretary	Present

III. CITIZENS FORUM (comments limited to 3 minutes)

1. None.

IV. APPROVAL OF MINUTES

1. Motion to approve September 17, 2020 Legislative Meeting Minutes
Moved By: Vice President Francis
Seconded By: Councilor Johnson
Unanimous
2. Motion to approve October 8, 2020 Caucus Meeting Minutes
Moved By: Vice President Francis
Seconded By: Councilor Johnson
Unanimous

V. MAYOR'S REPORT

The Mayor asked that his report be submitted as written and proceeded to give highlights:

1. The Annual Mayor's Veteran Luncheon scheduled for Saturday; November 7th is canceled due to COVID-19. Instead, the Mayor and Vice President Francis discussed possibly sending out boxed lunches or have a food giveaway which will be delivered at each veterans' home. Currently, there are 27 veterans listed in the Borough.
2. The Mayor met with the Tax Collector yesterday and discussed her temporary move to the Mayor's office. Ms. James will provide more information during her report.
3. Today, the Mayor stopped by the Library and spoke with the Library Director, Clay Payne and Library Assistant Director, Darlene Walker regarding the installed ballot box. He was informed that the box was locked, and the County would like to unlock all 32 ballot boxes at the same time. The ballot box is scheduled to be unlocked sometime next week and will be emptied by the County every day.

Mayor Hepkins is working with Chief Paparo regarding the security before, during, and after election day.

Council and Mr. Nichols discussed notifying members of the community about the ballot box being locked by adding information to the website. Mr. Nichols stated that Management is receiving all updates from the County regarding ballot boxes.

VI. PRESIDENT'S REPORT

1. President Monroe asked that her report be submitted as presented at Caucus.
2. She encouraged everyone to vote and complete the CENSUS Survey.

VII. MANAGER'S REPORT

1. Requested that the Manager's Report which was read and submitted at Caucus be accepted.

VIII. SOLICITOR'S REPORT

1. The Solicitor reported 10/15 is last day for the CENSUS self-response and field data collection operations per the United States Supreme Court. CENSUS Surveys that are postmarked for today can be submitted. The President of the United States and his administration pushed to end the CENSUS count and the Supreme Court granted their request. Also, the Solicitor discussed the importance of voting.
2. At the Caucus meeting there were discussions about our abandoned cars ordinance with vehicles parked on private property. The Solicitor has conducted research and will have a draft ordinance to present to make some modifications to allow for enforcement at the next Caucus meeting.

Motion to authorize the Solicitor to draft and advertise an ordinance for next month's Council meeting.

Moved By: Vice President Francis

Seconded By: Councilor McCabe

Unanimous

*Please note this motion is regarding abandoned cars on public and private property.

3. Motion to authorize the Solicitor to draft and advertise an ordinance making certain amendments to the Borough's parking ordinance.

Moved By: Vice President Francis

Seconded By: Councilor Johnson

Unanimous

*Please note this motion is regarding agenda item under Police Department; consideration to install resident parking signs and provide parking permits at no cost for residents on the 800 block of Arbor Avenue.

President Monroe requested that the Solicitor explain the types of issues this may address.

The Solicitor stated the Borough will need to address the permit parking ordinance and the ordinance related to when and how the Borough Council can suspend parking regulations. Currently, this must be done by ordinance and the Solicitor would like to change it to being done by regulation. The Solicitor will provide a more detailed report at the Caucus meeting with a PowerPoint on the Borough goals.

4. The Solicitor reviewed the agenda under Public Safety related to small amount of marijuana violations and doing an ordinance that allows for the Police to issue non-traffic citations. The Solicitor asked Chief Paparo for further explanation.

Motion to authorize the Solicitor to draft and advertise an ordinance for small amounts of marijuana violations which will result in non-traffic violations.

Moved By: Councilor McCabe

Seconded By: Vice President Francis

Unanimous

Chief Paparo stated the County will be approving an ordinance that would have a \$50 fine for small amounts of marijuana. All fines would go to the County. The Boroughs and Townships can enact their own ordinance for small amounts of marijuana less than 30 grams. If someone is caught with a small amount of marijuana, they will no longer get a criminal record for a misdemeanor offense, it will be a non-traffic citation (like a traffic ticket). If the Borough enacts its own ordinance, we get to keep any fines related to it. Chief Paparo suggests the fines be set between \$25 - \$30 (the County's fine is set at \$50).

President Monroe inquired about the current consequences when caught with marijuana.

Solicitor answered the only option right now is to make a criminal arrest.

Council, the Solicitor, and Chief Paparo discussed medical marijuana usage, possession, and how it will be regulated. The Solicitor stated his motion tracks the Police Department agenda item relating to the consideration to develop an ordinance for small amounts of marijuana violations which will result in a non-traffic violation.

5. The Solicitor encouraged everyone to vote in this election. Also, if anyone has any election issues that involve the law feel free to contact the Borough Solicitor as a resource. He added that the voter registration deadline is 10/19 for people not registered to vote.

IX. TAX COLLECTOR

1. The Tax Collector met with the Mayor yesterday. Ms. James moved into the Mayor's office today. Residents will be able to enter on the street level.
2. The Tax Collector asked that her report be submitted as written at Caucus.

X. ENGINEER'S REPORT

1. Last week Mrs. Mulvena mentioned the FEMA grant and it's a 75% to 25% match for non-hazard mitigation programs. A letter of intent was submitted today. The letter indicated the Borough is interested in applying for the following:
 - 1) A generator to support the use of the Borough Hall as an emergency shelter and to continue operation during a major flood event;
 - 2) The exterior by the atrium entrance and changing the grading of the concrete outside; and
 - 3) Spot repairs to the Cobbs Creek sewer interceptor.
2. Mr. Wilkinson reported on a sanitary sewer overflow (SSO) that occurred at Cobbs Creek. The amount requested is \$285,500. Also, a grant application would have to be submitted if approved.
3. The Ordinary Street and Sewer Maintenance bids are being advertised tomorrow. The bid is being advertised for three towns at the same time. This will reduce the cost for each town if we bid at the same time. The Borough will share the cost of advertising and pay 1/3 of the invoice. East Lansdowne Borough will receive the invoice and hold the bid opening as well. Each Borough will receive their own contracts.
4. No bids were received for the Borough Hall elevator repairs. Tri-State Elevator Co., Inc. sent a quote in the amount of \$92,500 to replace the damaged panel cards and rewiring. NDI was able to negotiate the price down to \$32,000 with approximately \$27,500 of that amount to be reimbursed by the insurance company.

Mr. Nichols confirmed that the Borough will receive an insurance reimbursement of \$27,500

Motion to award Tristate Elevator Company \$32,000 for Elevator repairs.
Moved By: Councilor McCabe

Seconded By: Vice President Francis
Unanimous

*Note: This motion was stated as an amendment to a previous vote; however, there was no vote.

Council inquired about the reason for such a dramatic decrease in pricing, if the contractor can be trusted to make the repairs, and why the prior elevator modernization was not inspected properly.

Mrs. Mulvena and Mr. Nichols discussed the issues regarding the recent elevator modernization. Mr. Nichols stated part of the negotiations is that they must start the work immediately and be completed within a 10 day period. He stated Tri-State Elevator Co., Inc. took some responsibility when they did the modernization of the elevator. Also, he credited Mrs. Mulvena for her assistance with the negotiations for the last two weeks along with Management and the Solicitor.

Mrs. Mulvena stated NDI had several conversations with the contractor regarding the pricing. She discussed the timeline in which the pricing decreased. Also, she clarified that the contractor does not have all the wires. She notified the contractors that they have ten days to complete the work once they receive the wires. Also, she noted the contractor suggested the rewiring would take three weeks.

Mrs. Mulvena stated the State inspects the elevator improvements and approved the recent installation. She noted the state will only inspect what is written on the permit application. The contractor prepared the permit application and left out wiring. After which, Mrs. Mulvena learned that the State will only inspect what is written on the permit application. She stated NDI will have an underwriter inspect the work and certify that it was installed in accordance with the National Electrical Code.

The Solicitor stated the third party underwriter is the person that normally would be the person to do any type of electrical inspections and that person's license and insurance is liable prior to a certification being made. They do not work for the contractor they are a third party company it is their job to be the underwriter.

Mrs. Mulvena reaffirmed the Solicitor's statement and stated if the underwriter does not put a sticker on it, the inspection fails.

The Solicitor stated the State elevator inspector has primary jurisdiction. The Borough would not use an underwriter because the State does not allow you to do so because the state elevator inspector must be the primary inspector.

Mulvena stated the State will not be inspecting this work. It will be inspected by a local inspector plus a third party underwriter. The State is not involved on this one at this point they inspected what they were going to inspect.

5. Mrs. Mulvena stated Mr. Nichols asked NDI to list of all the projects that were done to date this year. The Borough has paid or committed \$2.395 million dollars in public works and facility improvements. Council can receive this list upon request.

XI. COMMITTEES' REPORTS

A. Finance

1. Motion to approve the Accounts Payable List.
Moved By: Vice President Francis
Seconded By: Councilor McCabe
Unanimous
2. Motion to approve the Cash Balance Report.
Moved By: Councilor Johnson
Seconded By: Vice President Francis
Unanimous

Mr. Nichols stated that Management submitted information for a potential reimbursement for COVID-19 related items to Delaware County. The County Council requested that every municipality submit all COVID-19 related expenditures to date and include a projection between now and 12/31. Mr. Nichols gave kudos to Chief Paparo, Mr. Stokes, and Mr. Wilkinson for their assistance. The Borough submitted \$310,000 worth of eligible expenditures that may be potential reimbursements. The Borough should receive correspondence within the next 30 days.

B. Code Department

Per the request of President Monroe, Mr. Nichols updated Council with some of the highlights of the Code report:

1. Management is working on reshaping the Code Department. The Code Department will perform an enforcement blitz throughout the Borough. Also, there will be an educational article regarding the Code Department in the upcoming newsletter. While patrolling the area the inspectors have business size cards to hand out to residents directing them to the MyCivic App and Delco Alerts. Discussions were held about the department being more proactive than reactive to situations. The number of patrols will also be increased. Mr. Nichols heeded to Council that they may start receiving complaints about the Code Departments new tactics because the department is trying to hold everyone to the same standards for better quality of life for the Borough.

Council had discussions regarding the Code Department. Also, President Monroe received positive feedback from a resident regarding the Code Departments efforts to help her with a plumbing situation in her apartment. The resident thanked them for being very responsive and helpful.

The Solicitor stated the Borough will start utilizing the courts as a resource. For example, if someone has debris on the side of the house the Code Department cannot walk up to the property and remove items. However, the Borough is allowed under the property maintenance code to file an injunction and file for civil complaints and have people who do not comply with the Borough code be responsible for legal fees. The Solicitor and Mr. Nichols are working together with the Code Department problem areas so we can prepare some complaints;

and sometimes sending someone to the courts in Media, PA will have the affect and people realize the Borough is taking this seriously. He concluded that this cannot be done for everyone, but we can do for some types of property violations.

Councilor Roadcloud inquired about the Code Department meetings.

C. Public Works

Mr. Wilkinson asked the written report submitted at the Caucus be accepted with one change.

1. The E-Waste Collection is every last Friday of each month from 8:00 a.m. to 2:00 p.m. The last day in November falls on a holiday and the Borough is closed so the E-Waste Collection is rescheduled to 11/20.
2. Currently, the Public Works Department has both the street sweeper and leaf collection truck out.

D. Public Safety, Mayor Rohan K. Hepkins and Councilor McCabe

1. Public Safety met on Saturday 9/26. The Mayor asked the written report submitted be accepted. There was one action item involving parked cars and the new ordinance. The Solicitor updated everyone during his report.
2. The next Public Safety meeting will be held on 10/31 right before the election we will probably have an expanded public safety meeting on that day so that we can go over everything public safety wise concerning the election.

a. Police Department – Police Chief, Anthony Paparo

1. Motion to authorize to sell the following Police Department vehicles:
1999, 2007, and 2008 Ford Crown Victoria's.
Moved By: Councilor Cave
Seconded By: Vice President Francis
Unanimous
2. Motion to sell the Police Department equipment.
Moved By: Councilor Cave
Seconded By: Councilor Johnson
Unanimous
3. Motion to require any sales of the Borough personal property be done pursuant with the approval of the Borough Manager and the Borough Solicitor.
Moved By: Vice President Francis
Seconded By: Councilor Cave
Unanimous
*This is an amendment for the two motions above to sell the following Police Department vehicles: 1999, 2007, and 2008 Ford Crown Victoria's and motion to sell the police department dog cage equipment.

The Solicitor, Mr. Nichols, and Chief Paparo discussed whether the Police Department can sell Borough property without the bid process and if a sale can be made to a direct buyer.

President Monroe inquired about the agenda item to consider installing resident parking signs and provide parking permits at no cost for residents on the 800 block of Arbor Avenue.

Chief Paparo mentioned the Solicitor covered that motion earlier in his report.

The Solicitor asked if we can hold off on approving a block until we have a new ordinance.

b. Fire Department – Fire Chief, Mike Dianno

1. The Mayor asked that the Fire Report be submitted as written.

E. Recreation

1. Vice President Francis asked that his verbal report be accepted.
2. The Mayor gave an update regarding the Veterans' Program during his report.
3. The Borough will have a tree lighting without the ceremony. The time will be forthcoming.

XII. OLD BUSINESS

1. None.

XIII. NEW BUSINESS

1. None.

XIV. ADJOURNMENT

1. Motion to adjourn.
Moved By: Councilor McCabe
Seconded By: Councilor Cave

Meeting adjourned at 7:59 p.m.

Respectfully submitted by Management.