

**MEETING MINUTES**  
**FOLCROFT BOROUGH COUNCIL MEETING**  
**FEBRUARY 15, 2022**

**Location: Folcroft Borough Hall – 1555 Elmwood Avenue, Folcroft PA 19032**

PRESIDENT – Joseph Papaleo: Called the Council Meeting to order at 7:0 PM

Mayor DiCicco led the flag Salute and Invocation.

Roll Call (Council President Papaleo was present, Councilmember Nicholas Waters was absent, Councilmember Leigh Daly was absent, Councilmember Tawana Grayson was present, Councilmember Malinda Isaac was absent, Councilmember Lorna Fyffe was present, Councilmember Stephen Ropski was present, Mayor Franny DiCicco was present, Solicitor Alex Baumler attended via phone, Secretary/Manager Andrew Hayman) was present.

Mr. Papaleo said that there was an executive session directly prior to the meeting to discuss personnel matters.

**Audience Participation:** Mr. Mazhar Kahn – manager of Popeyes and invited by Mayor DiCicco spoke. Mr. Khan introduced himself and said he had brought food for the attendees. Mr. Khan said he was trying to train his employees to enter the workforce and that the Borough has been great without issues for permits, which Mr. Khan says has been hard a problem with other matters. Mr. Khan said he would open another Popeyes as soon as the zoning allowed it. Mr. Papaleo said he noticed that the business has been busy and the parking lot has been spotless. Mr. Khan said that every morning a person cleans the parking lot at all locations. Mr. Papaleo said that he was planning to find a way to bring Folcroft businesses together to work more closely with the municipality and that he would like to be a resource to help make his business as successful as possible. Mr. Papaleo said that the Borough is only as successful as the businesses within it's boundaries. Mr. Khan said that he heard there would be festivals this year and that he would be willing to help and support.

**Engineer's Report**

Ms. Catania said members do have a copy of her report and that there are a few items on the agenda, including a final inspection for Popeyes lot two for the Brahin subdivision. Ms. Catania said that the building is on Pennbid and that over 150 contractors have already looked at the bid package and about 100 have downloaded the bid package so she expects a very competitive bid. Mr. Papaleo said he thought there were only four previously.

Ms. Catania said she would like to get some indication from Council about available grants. One is a transportation planning grant for doing a master plan for the Delmar Drive and Hook Road corridor. Ms. Catania said that she spoke to the Darby Township Board of Commissioners last week and that she

asked them to consider this as well as a joint municipal project. Ms. Catania said that usually there is a 20% match but currently there is not requirement for a match and that the information has already been put together. Ms. Catania said that she would have to put together resumes and information through DVRPC and the grant is due in April. Mr. Papaleo asked what would need to be done. Ms. Catania said that instruction from Council to move forward would be appropriate. Mr. Papaleo advised Ms. Catania to move forward. Ms. Catania said that the second is a DCNR grant and that the Borough should look at overhauling the park. Ms. Catania said that the Borough has received a plan and profile for the Darby Creek tunneling project. Ms. Catania said the tunnel would be from Darby Borough to Chester City. Ms. Catania said construction would begin in 2023. Ms. Catania said there would be concrete liner in the tunnel and all materials from the dig will be stockpiled at the Darby Creek joint authority. Ms. Catania said there would be a shaft at the Norwood Pump Station, the Central Delaware County Authority pump station and then down 291 to the plant. Mr. Papaleo asked what park of the park the pipe would run under. Ms. Catania said she was aware but hadn't memorized it. Ms. Catania said the DCNR grant April 7<sup>th</sup> and the TCDI grant is due April 14<sup>th</sup>. Ms. Catania said that she could ask for a master plan through a DCNR grant for a master plan, which in total would cost about \$40,000. Ms. Catania said with DCNR grant funding and that there is a lot more area in Montgomery park which the planning process could account for. This would also make the Borough more likely to get grant funding for projects in the future. Ms. Catania said that there is a lot of money around for boat launches as well. Ms. Catania said that a master plan would include public input which would show what needs and wants are. Mr. Papaleo said he had been in Montgomery park a lot recently and that he believes the clubhouse doesn't look good and that the Borough could probably easily obtain a reasonable alternative.

Ms. Catania said the only thing on the agenda for her this evening is the county aid resolution.

#### **Public Finance & Administration - Mr. Papaleo**

- Mr. Ropski made a motion to approve the bill list for the month of January, 2022. Ms. Grayson seconded the motion. The motion passed unanimously.
- Ms. Fyffe made a motion to approve the Treasurer's report for the month of January, 2022. Mr. Ropski seconded the motion. The motion passed unanimously.
- Ms. Grayson made a motion to approve the January 3<sup>rd</sup> 2022 reorganizational meeting minutes and the January 18<sup>th</sup> 2022 Council Meeting Minutes. Mr. Ropski seconded the motion. The motion passed unanimously.
- Councilmembers considered the approval of an amended 2022 budget. Mr. Papaleo said the amendment involved the addition of the sewer and liquid fuels funds which were accidentally not included previously. Mr. Ropski made the motion and Ms. Fyffe seconded. The motion passed unanimously.
- Councilmembers considered a TE-160 Application for Traffic Signal Approval. Ms. Grayson made a motion to approve the TE-160 Application for Traffic Signal approval. Mr. Ropski seconded the motion. The motion passed unanimously.

- Members considered a contribution of \$125 to the DCVA for the 38<sup>th</sup> annual watershed-wide cleanup and for NPDES credit. Ms. Catania said that under the MS4 program the municipality is required to reduce solid suspension by 10% over 5 years in stormwater. Ms. Catania said that this depends on how much open space there is. Ms. Catania said the Borough also gets some credits through this program from other items. Mr. Papaleo clarified that the rain garden is also part of this. Ms. Catania said that grease and suspended solids are filtered through systems and makes the water quality better. Manager Hayman explained that this was done previously.

A motion to approve \$125 to the DCVA for the 28<sup>th</sup> annual watershed cleanup was made by Ms. Grayson and seconded by Ms. Fyffe. The motion passed unanimously.

- Ms. Catania explained that the County has the opportunity to allow some of the funds to be used by municipalities within their areas. Ms. Catania said that every year the Borough does a county aid resolution which goes to PennDOT and after the project and completion report are received a check from the county for the amount of money, saying that the funds are from our General Fund.

A motion authorizing the 2022 County Aid resolution for municipal roadways was made by Mr. Ropski and seconded by Ms. Fyffe. The motion passed unanimously.

#### **Public Works** - Ms. Grayson

- Members considered a motion to authorize the Engineer to complete the final inspection of the Brahin property Lot 2 per the Developer's Agreement'. Ms. Fyffe made a motion to approve this action and Mr. Ropski seconded. The motion passed unanimously.
- Ms. Grayson made a motion to approve a resolution for signatory authorization for the Traffic Signal Maintenance Agreement. Mr. Ropski seconded the motion. The motion passed unanimously.
- Members considered a motion to approve PADOT Traffic Signal Maintenance Agreement, resolution number 2022-07 Ms. Grayson made the motion and Mr. Ropski seconded. The motion passed unanimously.
- Consider a resolution appointing Shawn Payne as the Borough's representative to the Muckinipattis Creek Authority for a term ending 12/31/23. ENTER MANAGER COMMENT. Mr. Papaleo asked Mr. Baumler if the Borough had a solid legal backing. Mr. Baumler had been disconnected and was called again. Mr. Papaleo reiterated the discussion. Mr. Baumler said that this came about because a member of the Muckinipattis cited the correct portion of the authority that deals with appointments but omitted a portion of the provision which allows for the Borough's method of appointing Mr. Payne as he is a resident and taxpayer in an area that the board operates, thus the justification for Mr. Payne's appointment in the first place. Mr. Baumler said that their office will speak with the members of the board if there are any issues. Mr. Papaleo said Mr. Payne is the Borough's highway foreman and supervises the maintenance of our storm sewer drains and of the public works assets that flow into the muckinipattis. Mr. Papaleo said it was helpful because he oversees the day to day operation of these things and that it makes sense to appoint him.

Ms. Grayson made the motion and Mr. Ropski seconded. The motion passed unanimously.

- Consider a resolution appointing Shawn Payne as the Borough's representative to the Darby Creek Joint Authority for a term ending 12/31/23. Ms. Grayson made the motion and Mr. Ropski seconded. The motion passed unanimously.

**Public Safety**– *Mr. Waters*

- Mr. Ropski made a motion to approve the Police Chief's Report for the month of January, 2022 and Ms. Fyffe seconded. The motion passed unanimously.
- Ms. Grayson made a motion to approve the Fire Chief's Report for the month of January, 2022 and Mr. Ropski seconded. The motion passed unanimously.
- Ms. Grayson made a motion to approve the Fire Marshall's Report for the month of January, 2022 and Mr. Ropski seconded. The motion passed unanimously.
- Councilmembers considered hiring Christopher Dougherty as a part-time Police officer. Councilmember Grayson motioned to table this item and Mr. Ropski seconded. Mr. Papaleo called for a roll-call vote, which was as follows:

Papaleo – No.

Grayson – Yes

Ropski – Yes

Fyffe – Yes

The motion to table carried. This matter will be on the agenda for the March meeting.

**Public Health and Literacy** - *Ms. Fyffe*

- Ms Fyffe said that the Library Board had it's first meeting with 7 members. MS. Fyffe said she had a list of concerns and that some matters could not be done immediately including flooring. Manager Hayman listed the matters being worked on. Ms. Fyffe said that there are three new members on board and they don't know what their responsibilities are so she is getting copies of the handbook on how to do this.

**Public Parks and Recreation** – *Ms. Daly*

- Ms. Daly was not present.

**Municipal Ordinances and Code Enforcement** – *Mr. Ropski*

- Mr. Ropski made a motion to offer a full time code enforcement position to Randall Woods. Ms. Grayson seconded. The motion passed unanimously.

Mr. Ropski made a motion to offer a part time code enforcement position to Stephen Wilson. Ms. Grayson seconded. The motion passed unanimously.

- Members discussed an ordinance to set fees for unpaid Code Violation Citations. Mr. Baumler said that the Borough will have to pass an ordinance to establish these fees. Mr. Baumler says that right now the particular set of property maintenance relating to violations for various matters a fine or ticket can be issued and the property owner can pay the Borough to avoid having the fine or citation enforced before the local Judge, however this fee would set a monetary amount into the code of ordinances that would allow the borough to affix an additional fee on top of the original citation which could be removed if the full amount is paid with the justification that the additional time to prosecute the case takes time and money that the Borough has to bear. Mr. Baumler says that a judgement at the court level could still allow the Borough to collect this fee even if the offender does not attend the hearing. Mr. Borough says this compensates the Borough for the additional time for work. Mr. Baumler said the Borough would go back and update each section of the ordinance and that council could authorize him to draft an ordinance.

Mr. Ropski made a motion to authorize the solicitor to draft an ordinance setting fees for unpaid code violations. Ms. Grayson seconded the motion. The motion passed unanimously.

#### **Municipal Planning and Borough Beautification** – Ms. Isaac

- Members considered a proposal for winter street sweeping on a monthly basis from December to April. Mr. Papaleo asked why the Borough vehicle could not be used. Mr. Hayman said that this was because of the salt and cold which could damage the Borough vehicle. Mr. Papaleo said he was unaware of this and that he did not believe that street sweeping could be done effectively if vehicles were not moved, leading to chaos. Mr. Papaleo said he did not believe that this was worth the expense and would cause chaos.
- Councilmembers considered an expense of \$5,000 for appraisals for four Borough owned properties by Ryan Appraisal. Manager Hayman reiterated that this part of a critical attempt for the Borough to become compliant with the Land and Water Conservation Fund as these lands would be acquired for green space. Mr. Papaleo said that he did not believe he had a choice. Ms. Catania explained ways that the Borough could become compliant at Montgomery Park as well by removing squatters from Borough Land.

A motion to approve an expense of \$5,000 to Ryan Appraisal to appraise four borough properties was made by Mr. Ropski and seconded by Ms. Fyffe. The motion passed unanimously.

#### **New Building** – Ms. Grayson

- Ms. Grayson had no new business to report besides what was addressed by Ms. Catania previously.

#### **Driveways and Parking Permits** – Ms. Daly

- Ms. Grayson made a motion to approve the parking permit payment exemption of Clara Lelii. Mr. Ropski seconded. The motion passed unanimously.

#### Police Chief's Report

Chief Bair said that Officer Venit is leaving the Borough as of tonight for a full time position in Glenolden. Mr. Bair said that officer Cannon is in the final stages of hiring for the Wilmington Police and is looking at starting their academy in March with a total of three full-time officers leaving. Mr. Bair said that he believes his officers have rectified some of the traffic issues. Mr. Bair said that in the future it may be advisable to have no parking signs on one side of school lane for the dropoff zone but that the matter currently is under control. Mr. Bair said that in the future next year putting a police car at the top of school lane it may be advisable to facilitate traffic flow to station an officer.

Mr. Bair said that an officer in the anti-crime unit helped issue five search warrants as the result of months of investigative work into drug trafficking in Delaware county. As a result, over 60 pounds of meth, 68,000 fentanyl pills, two pounds of fentanyl, thousands in cash and 11 guns which started with a car stop by our officer who does a fantastic job at what he does. Mr. Bair said that this is the second time in recent memory that this has happened and kicked off a major report. Mr. Bair said he has a letter from the office of the Attorney General commending our officer for their work. Mr. Bair said that our officers are responsible for taking kilos of cocaine and over 100 pounds of meth off of the street along with 19 firearms and various other items in total. Mr. Papaleo said people should be educated about the fake prescription drugs. Chief Bair said that all of this work is reimbursed by the County drug task force.

#### Solicitor's Report

Mr. Bauler said that he had nothing new to add.

#### Finance Director's Report

Ms. Stilwell said that the 2020 audit should be done shortly and then 2021 will be after.

Manager Hayman presented the Borough Manager's report, including information about code enforcement, the highway department and statistics about COVID 19 in Delaware County.

Council President thanked everyone joining us in the room for joining us and being patient along with their hard work, noting that he took office just about 30 days before the outbreak of the pandemic and he is proud to have been a part of the work to overcome the pandemic. Mr. Papaleo said it has been a hard two years but thanked everything they did to get through it.

There was no old business

Under new business, Mayor DiCicco said she is officiating her first wedding on Monday and wanted to make Council aware as she was doing this for free.

Ms. Fyffe made a motion to adjourn at 8:13pm. Mr. Ropski seconded the motion. The motion passed unanimously.