

MEETING MINUTES

FOLCROFT BOROUGH COUNCIL MEETING

JUNE 21, 2022

Location: 1555 Elmwood Avenue, Folcroft PA 19032

PRESIDENT – Joseph Papaleo: Called the Council Meeting to order at 7:00 PM

Mayor DiCicco led the Flag Salute and Invocation.

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

Audience Participation

Darlene Taliaferro of 504 Folcroft Ave said that 540 Folcroft Avenue is vacant and has had tall grass for awhile. Ms. Taliaferro asked if properties like this needed to cut their grass. Code Enforcer Radnall Woods said the property owner is receiving tickets every other day and has been receiving them for two weeks. Mayor Franny DiCicco said that yesterday she saw the property manager or owner cutting some but not all of the grass. Ms. DiCicco said the property owner became irate with her when the matter was brought up and noted that neighbors also attempted to speak to the owner who was combative and disputed the matter. Mr. Papaleo asked if this was a landscape contractors. Ms. DiCicco said it wasn't a landscaping truck. Chief William Bair said that his officers dispatched and described the situation but was unaware of where debris left on the property had been taken. Mr. Papaleo asked the enforcer to continue to monitor the situation.

Ms. Taliaferro said that the new 7/11 property has tires, trash and other matters and that now that a fence is up some items and vehicles have been removed. Mr. Randall Woods said that the vehicles are owned by the transmission place across the street and that they were aware to have all of the tires out of the property by the end of this week. Ms. Catania asked if vehicles are being parked there and said that this is a violation of zoning. Ms. Catania said she would let her brother who is the zoning officer know about the situation. Mayor DiCicco said that she can tell that someone has unlocked the gate as she has seen flatbed trucks. Ms. Catania said that construction has not started here yet as all third party approvals had not been provided yet. Mr. Papaleo directed the enforcer to ensure vehicles are removed and grass was cut. Manager Hayman noted that the enforcer had made the property owner aware of this.

Engineer's Report

Ms. Catania said that 540 and 542 Folcroft Avenue just put the application for a sanitary sewer connection in needed as there is currently no approved connection. Ms. Catania said it would be at least 90 days before an application for construction came in. Ms. Catania said she believed she had not gotten the final escrow release request however the punch list has been satisfied and the final release for escrow and maintenance should be available within the next month. Ms. Catania said that for the Beacon of Folcroft project some ADA compliant information was expect and that she needed to coordinate with PennDOT and that she is not ready to say whether the plan is satisfied or satisfactory. Ms. Catania said she had not heard anything from the County regarding the 2019 CDBG grant but she had not heard back from County Council about whether or not this would be approved. Ms. Catania said there is no progress on the Montgomery Park entrance project. Ms. Catania said she had a preconstruction meeting for the new municipal complex last week and the notice of award and all contracts had been received. Ms. Catania said that Nick Abbonizio and sons has found fill material for the site which will be tested to ensure it is clean. Ms. Catania said that she had given them the DEP form for the Borough's file so that there is a record of chain of custody for that soil. Ms. Catania said that they expect to mobilize and stockpile fill materials in the first week of July. Ms. Catania said she asked Abbonizio to test the fill so there is a record. Ms. Catania said that the road program contracts went to AF Damon so this work should start around the end of August. Ms. Catania confirmed that the contract with Abbonizio for the repaving of the shared driveways is on the agenda tonight and that she and the Borough Solicitor have confirmed the application meet the borough's responsible contractor ordinance. Lastly, Ms. Catania reported general progress.

Ms. Daly asked about the status of the sewer repair on Delmar Drive. Ms. Catania said no bids were received when the project was put on Penn Bid. Ms. Catania said it was worth putting the project out to rebid and seeing if any of the bids come in under the bidding threshold at which point she will solicit some bids from local business. Ms. Catania said that she would send something out to market it instead of just bidding the project as many contractors are very busy. Ms. Catania said that Abbonizio and sons is so busy that they aren't bidding another job this year. Ms. Catania said the subdivision is complete and that she was unaware of whether or not this needed.

Mr. Papaleo noted that there was an executive session after the last council meeting on June 7th regarding a potential land transaction for two sites.

Public Finance & Administration - *Mr. Papaleo*

- A motion to approve the bill list for the month of May, 2022. Ms. Daly made the motion and Ms. Fyffe seconded. The motion passed unanimously.
- A motion to approve the Treasurer's report for the month of May, 2022. Ms. Isaac made the motion and Ms. Fyffe seconded. The motion passed unanimously.
- A motion to approve the May 3rd 2022 workshop meeting minutes. Mr. Ropski made the motion and Ms. Daly seconded. The motion passed unanimously.

- Members considered website design bids. Mr. Papaleo said this had been resurrected and that the price was originally thought to be too high. Manager Hayman said he was seeking other quotes and that some had already been received with the hope of having a final quote for services for the next meeting.

Public Works - *Ms. Grayson*

- There was no new business to discuss

Public Safety– *Mr. Waters*

- A motion to approve the Police Chief's Report for the month of May, 2022 was made by Ms. Fyffe and seconded by Ms. Daly. The motion passed unanimously.
- A motion to approve the Fire Chief's Report for the month of May, 2022 was made by Ms. Fyffe and seconded by Ms. Grayson. The motion passed unanimously.
- A motion to approve the Fire Marshall's Report for the month of May, 2022 was made by Ms. Fyffe and seconded by Ms. Isaac. The motion passed unanimously.
- Members discussed a CCBA with FOP lodge 27. Manager Hayman explained that he understood this to simply be a singular document comprising the previously approved memorandums of understanding however this should still be reviewed by labor counsel before approval and that this had not be completed yet. For technicality's sake, manager Hayman suggested this be tabled and voted upon and the next meeting when this review should be complete.

A motion to table a CCBA with FOP Lodge 27 was made by Ms. Fyffe and seconded by Mr. Ropski. The motion passed unanimously.

- Members discussed directing Alex to draft an ordinance prohibiting large tractor trailers from Folcroft Avenue. Mr. Papaleo said it has been determined that these vehicles are already prohibited from traveling along this stretch of road and advised that the highway department should post more signage along this stretch of Folcroft Avenue. Members discussed various scenarios about vehicles driving on the road. Ms. Taliaferro asked if SEPTA busses could go on the road. The solicitor stated that it could. Ms. Daly said this did not pertain to furniture deliveries. Ms. Isaac said there are a lot of trucks on her street as well. Ms. Daly said that they are not supposed to be driving on Ms. Isaac's street as well but that these are delivery trucks. Ms. Daly said that the no parking signs are not being enforced in this area. Ms. Daly said there is ample signage with several signs posted within a few feet. Ms. Daly said that the Police are paying attention to it and that while the signage was switched out this is still a problem. Chief Bair said that generally this is employees of the diner and that at one point the owner of the diner was made aware. Mr. Bair reviewed an incident in which a truck went down King, Llanwellyn and Folcroft Avenues recently however this was a new driver. Mr. Bair said that this is not a common occurrence. Mr. Bair said his officers could enforce this issue more aggressively. Mr. Bair said that his officers were not enforcing the situation aggressively but that they will now. Mr. Bair said that the remainder of the street except that stretch of road has parking. Mr. Papaleo said that due to permits he believed there was

more available parking on the street and that there are reasonable alternatives. Mr. Bair said he believed I was someone from the gym or the diner with some guests of the diner parking for overflow. Mr. Bair said he personally visited the diner and the problem stopped for awhile. Ms. DiCicco said that even with occasional 18 wheelers there must have been a road closed because she had also seen a SEPTA bus. Ms. DiCicco said that the truck was going extremely fast and took down some wires. Ms. DiCicco said she did not know how the truck would make that turn. Mr. Papaleo said that the chief could make a decision were a detour needed. Mr. Bair said that if there was a raymour and flanigan truck this would not be cited as it was a delivery. Mr. Bair said there was a citation written in this general location written for a truck today.

- Members discussed the mess in the parking lot where the new 7-11 is due to be built. Ms. Fyffe said she chose to pass over this discussion as it had generally already been discussed.

Public Health and Literacy - *Ms. Fyffe*

There was no new business to discuss.

Public Parks and Recreation – *Ms. Daly*

- Ms. Daly said Juneteenth had fantastic turnout and read a list of all donors who made the event a success. Ms. Daly said that last year Councilman Waters brought this idea to her however it couldn't happen in the time remaining and that she wished he could have participated to see it, noting many events and activities by thanking donors and councilmembers. Ms. Grayson said she spoke to vendors and that there were many positive comments about Ms. Daly and Ms. Petty for doing a fantastic job.
- Ms. Daly said that 10 vendors had already paid for community day as applications are now being received. Ms. Daly said she believed there were 40 vendors last year and anticipated the event doubling in size. Ms. Daly said that she expected to stretch the event out from Grant Road to School Lane along Delmar Drive and said that while this would be a larger event there was a major surplus and there would be more funds available thanks to the diligent fundraising of Ms. Petty. Ms. Grayson said that one vendor who said she lives in Folcroft and had participated in Norwood's community day had noted that alcohol was allowed at Norwood's community day. Ms. Daly said that she would talk to bar owners and that this had been discussed with Manager Hayman and others. Mr. Papaleo said there was a way in Pennsylvania to piggy back off of someone else's liquor license to sell sales as a fundraiser for the recreation committee. The solicitor advised that he could look into this. Ms. Daly said she had a good relationship with the Red Lantern and could look into it. Ms. Daly said that last year the local bar owner was upset about the event.

Mr. Papaleo said that in his experience with an outdoor event the best thing is to specialize in a particular item with multiple bars having their own item. Mayor DiCicco said that a bar cannot have someone piggy back off their license however they can get permission to extend their license outside, however the borough could have an outdoor event approved by the PLCB with alcohol sponsors. Ms. DiCicco said with too much of something there is a chance that there will be leftover alcohol. Ms. Daly said that the Borough should not spend money on a case of alcohol that it would not use. Ms. DiCicco

said that this is where bars donate. Ms. Grayson said this was done at the flower show with adult pouches being especially popular. Ms. Daly said that even if this wasn't the nearby bar it could be another bar and that they could be allowed to set up a beer garden. Ms. DiCicco said that an actual outdoor garden could be set up and advised asking for a donation. Ms. DiCicco said right now she is organizing beer on a pier in Philadelphia in October as a fundraiser. Ms. DiCicco said that a bar with an extension outside would be the easiest. Ms. Daly said that if she does not have to her hands into it. Mr. Isaac suggested selling cups with the first drink being free where the cups only cost 3-4 dollars. Ms. DiCicco said that there would have to be wrist bands. Ms. Daly said this could be a souvenir cup. Ms. DiCicco said that one year for pride she got beer mugs with one free refill. Ms. Isaac asked if there would be bracelets like with children getting on rides. Ms. Daly said that the children's rides were managed by Betties Bounces this year unlike the previous year so that this company takes on the liability. Mr. Papaleo asked Chief Bair if the Police can handle it. Mr. Bair said that they could and that he had no objection. Ms. Isaac reiterated her call that people over 21 could come but would need bracelets. Mr. Bair said that there could be a slippery slope of residents who believe they can bring their own bottles of beer and coolers and that a designated, controlled area should be allowed. Ms. Daly said that when she was in college there was a designated beer garden where alcohol had to be retained. Mr. Bair said that there should not be glass but that it must be in a cup. Ms. DiCicco said that the vendors have to be made aware not to sell alcohol and all bartenders must be certified to know whether someone had too much to drink or is underage. Ms. Grayson said that this event goes from 11am until after 9:00pm. Ms. DiCicco said that fights begin around 6pm so this is the time to monitor. Ms. Daly said that community dasy is 11am to 5pm and that alcohol should not be served after this. Ms. Grayson asked if food vendors would move down. Ms. Daly said that there would be hotdogs, popcorn and glow sticks. Ms. Daly said she believed it would be harder to control people after a certain hour and that the right side of Montgomery Park will be completely off limits including the playground. Mr. Papaleo asked what roads would be closed for this. Ms. Daly said that most residents in the village would probably stay home.

Mr. Ropski asked if gym bags would be checked for people coming to observe the fireworks. Ms. Daly said that the only part that is fenced in is the baseball area. Ms. DiCicco said signage saying alcohol not permitted should be allowed. Chief Bair said he would not be searching people and that while there should be a presence it should be a nice event and people out of control should be removed from the event entirely. Mr. Papaleo said to expect that there are always going to be troublemakers.

Municipal Ordinances and Code Enforcement – Mr. Ropski

- Mr. Ropski made a motion authorizing the solicitor to draft an ordinance amendment updating borough code and setting an administrative fee of \$75 for individuals that contest a violation which was seconded by Ms. Isaac.

Ms. Grayson said that this could make sense but asked for clarification about how the numbers were determined. Manager Hayman explained that this was simply a reasonable reimbursement for the time utilized doing the work as per advice from the solicitor and that currently no fee exists.

The solicitor explained that this does include the imposition of attorney's fees and that without this information in the ordinance the fee cannot be asked for however it can be excluded at the request of the Borough. Mr. Papaleo clarified that the fee is collected in court and then sent over to Folcroft Borough. The solicitor explained that this would be in the event of a ruling against the defendant and would allow the Borough to seek attorney's fees and without this amendment it would not allow the Borough to seek these penalties. Mr. Papaleo asked if this is tacked on to the total of fines owed after being found guilty and is not part of the collateral. Mr. Papaleo said he supported. Manager Hayman explained that there are some bad actors where there are dozens or hundreds of case, especially rental properties. Ms. Grayson asked why the fee was not larger. Manager Hayman said that this is because the Borough cannot get a tax. Mr. Hayman explained what it typically takes to adjudicate these cases. Ms. Isaac suggested \$75 per hour. The solicitor explained that this could not be done.

Mr. Ropski made a motion to authorize the solicitor to complete this ordinance and Ms. Isaac seconded. The motion passed unanimously.

Municipal Planning and Borough Beautification – *Ms. Isaac*

- There was no new business

New Building – *Ms. Grayson*

- Ms. Grayson said that the groundbreaking is still set for Saturday July 9th at 1pm. Mr. Papaleo suggested champagne for the event.

Driveways and Parking Permits – *Ms. Daly*

- Members considered bids for repaving of the shared driveways. Ms. Daly said that she had a recommendation letter when prompted by Ms. Catania. Ms. Daly said that Ms. Catania's office had reviewed the bids ranging from \$1.8 million and recommended the low bidder of N. Abbonizio of \$1,815,436 contingent upon review and approval from the Borough solicitor. Manager Hayman said Mr. Baumler had reviewed and approved it.

Ms. Daly made a motion to approve a bid for \$1,815,436 to the low bidder N. Abbonizio inc of Conshohocken. Ms. Grayson seconded the motion. The motion passed unanimously.

Mr. Papaleo thanked everyone who worked together to make this possible including Ms. Catania, the Police, current and former members of Council and Borough staff.

Police Chief's Report

Chief Bair thanked Council and said that staff are looking into body cameras that Corporal White and Mr. Hayman are looking into. Mr. Bair said that the Police are looking into a tag reader at major intersections which would cost \$8,000 per year which narrows down the number of license plates which go past it and then described how it works. Mr. Bair said it would help his officers identify specific vehicles and noted that some other municipalities already have this. Mr. Bair said there was a drug bust

on Taylor Drive that netted cash and drugs and one on I95 where a firearm and a large sum of drugs were in the vehicle. Mr. Bair said that quality of life issues like stop sign tickets and warnings are being issued and noted a citation for a truck he had mentioned previously. Mr. Bair said that he does not know who gets involved in school zones but noted that there is a blinking sign in the school zone. Ms. Catania said that if there are summer classes at delcroft it may be needed. Mr. Bair said he didn't believe it hurt anything as it made vehicles slow down. Mr. Bair said he looked through and didn't see anything

Manager Hayman explained that this had been processed but reiterated that this information was with the Delco Law Library, though he agreed to confirm with them later that the ordinances were on file.

Solicitor's Report

The solicitor said that his firm is creating all temporary construction easements that he is drafting which are about half way done and if any take precedence they should be done immediately. The solicitor said he can send out what he has completed immediately. Ms. Daly said that most of the residents are coming in to buy permits in the next few weeks and this would be a good time to complete it. The solicitor said that a letter could be sent out advising residents to come and get it and the form must be notarized. Ms. Catania said that one thing she has done is to have meetings with a notary who can document the forms on the site. Ms. Isaac clarified what the project was and whether residents would receive notice when the work is complete. Mr. Papaleo said there would not be any enforcement of the permit rule. Ms. Catania said that the contractor is required to put notifications out and that when the repaving was done previously she had held meetings in the village and then described how this was handled previously and things to avoid. Mr. Papaleo asked Ms. Catania to have heavy barriers and not caution tape otherwise a vehicle might run over the repaving. Ms. Isaac said she just wanted to ensure there would not be penalties for parking out front.

Finance Director's Report

Ms. Stilwell said that councilmembers should start thinking about the 2023 budget. Mr. Papaleo said that he wanted to meet in July and told councilmembers should start tightening belts. Mr. Papaleo said

Borough Manager's Report

Manager Hayman explained that it had been found that the Borough would not qualify for the previously applied for LSA grant as the grant review meeting would not take place until well after the construction work began and noted that \$900 million in applications had been received. Manager Hayman said that he was currently in the process of applying for a grant for body cameras which should be submitted in early July.

Mr. Papaleo asked to get the easements done urgently. The solicitor said that he was working on this now and had been working on it for less than a month. Ms. Daly said that the easements expire soon so there was not a rush. Ms. Stilwell said that she could help as she is a notary.

Old Business

Ms. Fyffe asked whether trees cut down at the Library would be replaced. Ms. Daly said that these were cut down by Drew Alexander and that they were rotting and infested with lantern flies. Mr. Papaleo said it sounded like ash borers.

New Business

Ms. Daly proposed only meeting in July and August for the first meeting and leaving the second meeting of the month in case of emergency. Ms. Daly made a motion to only have the first meeting of the July and August months. Ms. Fyffe seconded the motion. The motion passed unanimously.

Ms. Daly said the first meeting would be in case there was an emergency to ensure there was at least one public meeting. Ms. Stilwell said it may be hard to have financial information prepared by then but her firm would try.

Ms. Daly made a motion to only have one meeting a month in July and August with the secondary meeting not being cancelled until the completion of the first meeting. Ms. Isaac seconded the motion. The motion passed unanimously.

A motion to adjourn was made at 8:40pm by Ms. Grayson and seconded by Ms. Fyffe. The motion passed unanimously.

Adjournment