

MEETING MINUTES
FOLCROFT BOROUGH COUNCIL MEETING
AUGUST 18, 2020

PRESIDENT – Joseph Papaleo: Call the Council Meeting to order at 7:05 PM

Council President Papaleo noted that we had an executive session directly prior to the public meeting which lead to the meeting starting several minutes late.

Mayor Frey was not present. Council President Papaleo filled in for the flag salute.

Roll Call (Council President Papaleo, Councilman Kyle Willis, Councilwoman Leigh Daly, Councilman Nick Waters, Councilwoman Malinda Isaac, Councilman Jason McGuigan, Councilman Robert Ruskowski, Mayor Bob Frey was absent, Solicitor Alex Baumler, Secretary/Manager Andrew Hayman)

Audience Participation

Borough Manager Andrew Hayman read the following comment into the record, verbatim:

“Please make parking permit ordinance across the board in Folcroft. We also have issues with parking in old Folcroft. Also 441 Crotzer finally mowed their meadow so you can take that property off the list. Also, I told Joe about an above ground pool that is at least 4 feet deep at 1700 Warwick placed on the side yard without any fencing. Joe said they were fined. That was two weeks ago and the pool is still there. This a drowning hazard for any children wandering by.

Sincerely
Dawn Andonian
537 Crotzer Ave.
Folcroft, Pa.”

Engineer’s Report

AF Damon came in as a low bid but all bids were rather bunched together and in a close together. A bid for the village at a price of \$309,744 for next year a total of \$350,000 should be budgeted for the other portion of the other lane that would need to be done as part of PECO restoration. Lisa Catania had not heard anything about other properties. Safestor was waiting on FEMA and was supposed to have a package to be sent over to us but we never received it. Lisa hopes that it isn’t somewhere we haven’t seen it as of yet. Typically an electronic copy is sent and we will need to act on it next month unless we get an extension. Right now, we could accept the proposal unless we hear otherwise (different permitting was discussed.)

We do have a resolution as part of the new building complex for the new connections to the sanitary sewer system. Council President Papaleo asked if we needed a specific resolution – Alex

Baumler confirmed that this needed to be done and in a vote and it is on the agenda. Lisa Catania also noted that we did receive NPDES_approval.

Public Finance & Administration - *Mr. Papaleo*

- Motion to approve e-Collect's contract for BPT collection in Folcroft Borough was made by Councilman Willis and seconded by Councilwoman Isaac. Councilmembers Papaleo, Isaac, Willis, Daly, Waters and Ruskowski voted in favor, Councilman McGuigan voted again.
- Motion to appoint Borough Manager Andrew Hayman as the Borough's Right to Know officer was made by Councilman Willis and seconded by Councilman Waters. The motion passed unanimously.
- Motion to approve the renewal of Signal Service's contract was made by Councilman Willis and seconded by Councilman Waters. The motion passed unanimously.
- Motion to approve an attendance policy for Borough employees was made by Councilman Willis and seconded by Councilwoman Isaac. The motion passed unanimously.
- Motion to approve a social media policy for Borough employees was made by Councilman Willis and seconded by Councilwoman Isaac. The motion passed unanimously.
- Motion to approve the minutes for the July 7th committee and July 21st council meetings was made by Councilman Willis and seconded by Councilman Waters. The motion passed unanimously.
- Motion to approve a tentative expense of \$500 to create and print informational flyers to distribute to residents was made by Councilman Willis and seconded by Councilman Waters. Andrew Hayman explained the process, noting that Councilman Willis had asked to create this brochure in a limited printing to contact residents and increase contact with those who have not currently been participating in Borough events. Councilman McGuigan asked how we are going to identify these residents. Councilman Willis said he would use his time and go "door to door" speaking to residents. Councilman Willis said he would not be averse to mailing out the new brochure. Andrew Hayman said it cost approximately \$2,500 for the last mailer but that it was meant for a more personal connection. Councilwoman Isaac said that mailing currently might be a good idea. Councilwoman Daly said that it should not be mailed until there are changes and until people stop calling to complain about items that were on the previous mailer. She suggested waiting and doing one later on, perhaps in the spring. Councilman McGuigan made a motion to table and Councilwoman Isaac seconded. The motion passed unanimously.
- Discuss Borough Code enforcement updates online payment was made by Council President Papaleo. Council President Papaleo noted that we have repurposed an old police vehicle and increased code enforcement aggressively but fairly. Council President Papaleo asked how this would work. Andrew Hayman explained that Councilwoman Daly had brought this to his attention and that it was an idea of posting non-specific updates about code enforcement on our site (number of tickets, etc.) Councilwoman Daly said she has been engaging with people on social media about this matter and she would like to be able to report how many tickets are written on some timely basis. Perhaps an annual or monthly tally

was suggested so that residents can see that we are writing tickets. Council President Papaleo asked to find a way to publicize this information. He noted that with Courts being closed anything that might previously have been litigated isn't being done. He explained that this should preserve anonymity. Councilwoman Daly said that it should be clear when we are writing tickets and when we aren't being as aggressive but also to examine whether patterns are being created. Solicitor Alex Baumler said there is nothing illegal about this and that most municipalities report these things during meeting and cautioned to use anonymity instead of mentioning specific residents otherwise it will handcuff the Borough in such situations.

Public Works Committee - *Mr. Willis*

- Motion to empower Catania engineering to complete work for the proposal along Primos avenue at both stairwells heading down to the station was made by Councilman Willis and seconded by Councilman Waters. The motion passed unanimously.
- Motion to accept a quote for temporary bulk trash pickup from H&H. Councilman Willis said that currently we are not fully staffed in the highway department and that instead of the current dumpster system we could contract out on a month to month basis to continue (or not continue) bulk trash pickup from an outside company. This would be revisited routinely. He said that H&H came in as the lowest bid. Borough Manager Andrew Hayman explained that this would be like the old system but done by an outside contractor. Council President Papaleo said that many residents do not have their addresses behind their homes and that a contractor may not be aware of the location of the home. Andrew Hayman said that this is the same contractor we use for trash pickup and they should already know. Council President Papaleo directed Andrew Hayman to have our code enforcer ticket for this issue.

The motion was made by Councilman Willis and seconded by Councilwoman Daly. The motion passed unanimously.

- Motion to approve the hire of Shawn Payne at the rate of \$35 per hour to the highway department was made by Councilman Willis and seconded by Councilman Ruskowski. The motion passed unanimously.

Public Safety Committee - *Mr. Ruskowski*

- Motion to approve the Police Chief's Report for the month of July, 2020 was made by Councilman Ruskowski and seconded by Councilman Willis. The motion passed unanimously.
- Motion to approve the Fire Marshall's Report for the month of July, 2020 was made by Councilman Ruskowski and seconded by Councilman Willis. The motion passed unanimously.
- Motion to approve the Fire Chief's Report for the month of July, 2020 was made by Councilman Ruskowski and seconded by Councilman Willis. The motion passed unanimously.

Public Health and Literacy - *Ms. Isaac*

- Councilwoman Isaac said that the Library Director wanted a to be decided date on the new library sign. She said she had told the library director that this had put on hold due to COVID 19. Council President Papaleo asked Andrew Hayman to look into this.

Municipal Planning and Zoning – *Mr. Waters*

- Councilman Waters had no new business.

Public Parks and Recreation – *Ms. Daly*

- Councilwoman Daly had no new business to discuss.

Municipal Legislation – *Mr. McGuigan*

- Consideration of a motion to approve a resolution for DEP Act 537 Plan revision for new land development was made by Councilman McGuigan and seconded by Councilman Willis. The motion passed unanimously.
- Consideration of a motion accepting a bank loan proposal in the amount of \$4,690,000 for the purpose of the construction of a new Borough Hall, Police Station and Community Center was made by Councilman McGuigan and seconded by Councilman Willis. The motion passed unanimously.
- Consideration of an ordinance authorizing the Borough of Folcroft to borrow loan monies for the construction of a new Borough Hall was made by Councilman McGuigan and seconded by Councilman Willis. The motion passed unanimously. Council President Papaleo asked if we can now break ground. Councilman McGUigan said we must call a public meeting with all Council and then coordinate with other elected officials to plan.
- Consideration of an ordinance regulating the use of fireworks within the Borough of Folcroft was made by Councilman McGuigan. Councilman Willis seconded this motion. The motion passed unanimously.
- Consideration of an ordinance repealing chapter 927 of the Folcroft Borough code of ordinances entitled “disorderly houses” was made by Councilman McGuigan and seconded by Councilwoman Daly. The motion passed unanimously.

New Construction Committee – *Mr. McGuigan*

- Councilman McGuigan noted that this is something that when Council President Papaleo first served on Council was discussed and that this is a 12 year process and he is looking forward to it.

Police Chief’s Report

Chief Bair said that we are currently enforcing parking permits and have issued 4 tickets for possession of Marijuana s per our new ordinance. He noted a fire on the evening of 8/17 and that there was an arsonist currently in a hospital and that he will be charged once he is released. He also thanked Council

for the new Police Station. Lastly, he mentioned a BLM protest being planned by a juvenile resident on 8/29 although this date has changed, somewhat. He said this is currently a 3 mile route and that she now wants to return to an even longer route. He told her that he would get back to her tomorrow about this and had conferred with the Glenolden Chief about this matter. Council President Papaleo said he had no issue with this protest and that in Delaware County the protests had been peaceful. Councilman Waters noted what had happened in Ridley Township along with Councilwoman Isaac. She said we have to think about people going to and coming from work and that it is wonderful that a juvenile wants to do this and that a weekend might be better. Councilwoman Isaac suggested that people coming home might be stuck in traffic coming home from work because of the protest blocking traffic or stopping it. She said a weekend might be better for that. Chief Bair noted that the date has been changed to a weekend. Chief Bair mentioned the route of the protest and that he was looking to limit the route if possible. Councilwoman Daly asked if we had been clear that this was not about disrupting traffic but safety issues, noting speeding on the listed route. Councilmembers deliberated over possible alternative routes which might be preferential. It was noted that there have been several people hit by vehicles in the vicinity of this route and that as a mother she is concerned by this. Chief Bair suggested an alternate route which would minimize the route on Chester Pike. Chief Bair reiterated that he believed that a Saturday or Sunday route would be preferential. Councilman McGuigan wanted to note that this was a very mature action by someone who is not legally an adult, to which Councilmembers agreed, specifically noting that this resident is negotiating with the Police. Council directed the Chief to attempt to reduce the exposure on Chester Pike and mentioned several possible options to allow exposure. Chief Bair agreed to Council's various suggestions and noted that he would be in touch with the resident and see what he can come up with. Councilwoman Daly said her only concern is also related to a plan for parking – for example, could she park at the firehall and could she confirm that this is acceptable. Council President Papaleo noted that they could also line up on Ashland Ave. Councilwoman Daly said to reiterate to her about finding parking and the date.

Councilman McGuigan asked Solicitor Alex Baumler what could be done if a situation like what occurred in Ridley happened so we could help this resident in her vesture. He said we have the power to limit the number of attendees or ask residents to respectfully leave but if the protest is held counter-protesters would have a right to speak and attend and only if actions were taken that amounted to a criminal offense. Council President Papaleo asked if we can permit one group and not the other but that unless there is a violation of the terms and condition but could not comply. Councilman McGuigan said he understands it is the law but people should be rewarded for doing things correctly and he does not want anyone showing up, non residents, who have an axe to grind. Alex Baumler said that we have invited an open forum and that it cuts both ways and we cannot deny a permit for an opposition group.

Solicitor's Report

Solicitor Alex Baumler said he had nothing outside his footprints over the ordinances.

Finance Director's Report

Joe Possenti said that we need to pass the MMO 2021 in a forum motion relating to the police pension plan and non-uniform plan. He said this should be done this evening and then it will be for the 2021 budget. Council President Papaleo asked how much of a budgetary increase this is. Joe Possenti said this increased about \$100,000 but that it was ok and the non-uniform was minimal. A motion to approve the 2021 financial requirement would be made under new business.

Borough Manager's Report

Manager Andrew Hayman said that he felt that while the issue was covered, we have radically increased code enforcement to about 20-25 tickets per day. We are getting lots of online tickets and most seem to be paid online. He said that while he appreciates the payment, he would like any listening residents to know that he wants to help resolve issues. Councilman McGuigan asked if Andrew Hayman is receiving weekly reports. Borough Manager Andrew Hayman said that he receives daily reports from code enforcement. Councilman Ruskowski asked if the tickets are being paid. Borough Manager Andrew Hayman said that, relating to our May meeting, Council had approved online payments and that tons of parking permits are being paid that way. Joe Possenti said that this is was a good financial move and that everything is being sent immediately and directly to the right account and that it is getting easier to track.

Old Business

Councilman McGuigan made a motion to make the minimum municipal obligation to the Borough fund in the amount of \$524,782 for year 2021 for our Police and seconded by Councilwoman Daly. The motion passed unanimously.

Councilman McGuigan made a motion for an MMO payment of \$10,031 to be paid in December 2021 was seconded by Councilman Ruskowski. The motion passed unanimously.

New Business

Motion to accept a proposal from Obermayer from labor counsel services was made by Councilman Willis and seconded by Councilwoman Daly. The motion passed unanimously.

A motion to spend up to \$1,100 for an outdoor film was made by Councilman Willis and second by Councilman Waters. Andrew Hayman explained that this is for a movie and a permit fee. The motion passed unanimously.

Councilwoman Isaac asked if there is anything the Borough can do to help the families involved in the fire last night. Chief Bair said that nobody was displaced except for the owner of 721 Windsor Circle who is already renting a hotel. There is an issue with letting residents back into the homes due to excess carbon monoxide smoke. Chief Bair said the residents have already spoken to adjusters and the fire department has blown the smoke out. Council President Papaleo asked Manager Andrew Hayman to reach out to the family involved, two which Manager Hayman noted that he had been present last night and spoken to the family. Councilmembers discussed cleaning up the mess at Windsor Circle and Delmar Drive but discussed after the meeting.

A motion to adjourn was made by Council and passed at 8:17pm.