

MEETING MINUTES
FOLCROFT BOROUGH COUNCIL MEETING
AUGUST 4, 2020

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

Mayor Frey took a moment to think of the people who are getting sick due to the virus. The pledge of allegiance was said.

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, Solicitor Alex Baumler, Secretary/Manager Andrew Hayman)

There was no audience Participation

Engineer's Report

Engineer Lisa Catania mentioned that in her report, there was a DEP completeness review for the basin changes that need to be made (behind dollar general). She said that it is probably going to be another 30 days before there are any comments returned. There is progress for safestor revisions. Safestor requested to be added to the agenda in two weeks for their final approval. They received a review from FEMA (30 plus comments that needed to be addressed.) They are hoping to have answers for FEMA when this is completed. They expect to have something done in the next two weeks. Formcraft sent something over for the municipal security agreement.

The road program did receive bids (6 bidders). The base bid, all priority work which excludes PECO work, including Ravenwood, Summit and work in the village. The low bid was \$93,341. At the next meeting, we will ask for an award of that base bid. The alternate was to determine what must be budgeted for next year. Lisa said she has a meeting with Michele Garrity about where PECO stands when they meet with them. The final payment for AF Damon in the amount of over \$2,000 has been requested. A resolution for the Borough project with sewer program has been completed.

Lisa would like to talk about the Primos avenue walkway. She said the Borough was involved with a lawsuit and there were some issues with the concrete that goes down to the Amtrak station. She got a price to do that work, which is under the \$4,000 threshold. She said depending on budget we should get that work completed in case someone else falls in that area sooner than later. Lisa and Council President Papaleo asked Andrew Hayman to add this issue to the agenda so that it can be acted on in two weeks.

Lisa Catania said that there was a list, approximately 8 pages long, of things that need to be repaired. This included traffic signals and other issues. She suggested that the signals could be included in a singular package and have these repair at once, especially if grant funding becomes available for this. She said there was a "green light go" grant which would be enough to get the Borough new pedestrian signals, which makes the pedestrian signs be more interactive. We would get a phone call from Tom

Schaffer or Cory Brown letting us know this is available. The Delmar Drive area would be ideal for a project like this. She said a trail could also be part of this, as per Council President Papaleo's request. She said there is also a specific DCNR grant for trails. She said there is also a DCED grant. One is 25% match and one is 50% match. She said a \$100 fee to apply for these may be required. She said this would need to be done sooner or later, preferably by the end of August. She offered to put something together if a Council Member had a specific suggestion. Council President Papaleo said that this might be something to take advantage of if the funding is available. Lisa explained the process for applying for this grant by giving Delmar Drive as an example of this work. She explained that this is something for what you see coming down the road for our municipality. Council President Papaleo suggested that interested members of Council should email him if they would like to participate.

Council President Papaleo said that there is a concrete triangle on Delmar Drive that is unseemly. Lisa said that this section of roadway is a PennDOT roadway. Lisa said that we must request this from PennDOT and that the Borough would be required to maintain this location. She said that this is being done in another municipality that she represents. She said it would be nice to put a landscaping bed there with a "welcome to Folcroft" sign. Council President Papaleo said it was essential that we put this in place.

Public Finance & Administration - Mr. Papaleo

- Council President Papaleo discussed Borough employee policies related to attendance and social media, noting that we have neither a formal attendance or social media police. He said that we are in a situation where resources are finite. He said that there should be procedures or acceptable practices in place for PTO or time off usage. He noted that members were sent a policy put together previously. Solicitor Alex Baumler said this could be discussed in the meeting. Councilwoman Isaac asked if we have had employees abusing time as of late. Manager Andrew Hayman said while this may not necessarily have been a problem as of late, it would be good to stave off any concerns regarding these issues. Borough Manager Andrew Hayman explained what this process would be, noting that employees would be noted as late if they clocked in more than 5 minutes after report time. Council President Papaleo said this was probably something that should have been done a long time ago and it should be on the agenda for the next meeting. Solicitor Alex Baumler confirmed that a motion or resolution could be added to the next agenda. Councilwoman Isaac said that she has a process for seeking approval for PTO at her full-time job and that a manager must agree to it. Council President Papaleo said that he believed the Borough Manager should be in the position of approving PTO and that multiple occurrences should result in disciplinary action. He said this is how it works with most employers. He suggested working with our HR consultant to put this together.

Council President Papaleo discussed an anti-nepotism ordinance. He said Solicitor Alex Baumler had sent him a draft of an ordinance from a neighboring municipality from Norristown, Montgomery County. Council President Papaleo and Solicitor Alex Baumler discussed Norristown's status as a municipality. Solicitor Alex Baumler said that this ordinance is not a ban or prohibition on hiring the husband, wife or blood relative of Borough employees or electeds. It would strictly be a prohibition on the banning of

hiring of those based on their relation to electeds or employees. No members of Council had any thoughts on this matter. Council President Papaleo said it would be on the agenda at the next meeting.

Public Works Committee - *Mr. Willis*

- Council President Papaleo discussed update with bulk trash pickup quotes. He said many businesses do not have the capacity to help us out for bids on this work. He said that this was something we would be looking into the process for correcting these issues.

Public Safety Committee - *Mr. Ruskowski*

- Councilman Ruskowski had no new business to report.

Public Health and Literacy - *Ms. Isaac*

- Councilwoman Isaac had no new business to report.

Municipal Planning and Zoning – *Mr. Waters*

- Councilman Waters suggested changing the name of Delmar Drive to President Obama drive. Council President Papaleo said he liked the idea and noted that there are several other streets named after Presidents, for example Garfield, Taylor and Grant. Councilmembers were unaware of the historical significance of “Delmar”. Council President Papaleo said that Folcroft is a diverse community and President Obama is our first black President. Councilman McGuigan asked if Council President Papeleo said it would depend on the situation. Councilman McGuigan said he would like Cricket Lane to be renamed Trump Drive. He said that these votes will happen at the same meeting. Councilwoman Isaac said the public should be able to participate in this.

Solicitor Alex Baumler said that the Borough must first give the Borough the authority to rename streets and then we could rename each individual street via ordinance. We would need to pas ordinances to amend this process or we could face legal trouble. Council President said that we have time on this issue and other priorities. Council President Papaleo asked how long an ordinance like this would take. Alex Baumler said that this would authorize Alex to draft and advertise a street ordinance for the August meeting and then it would be ready for the September meeting, at which point Council would pass the renaming of the street at the end of October or November.

Public Parks and Recreation – *Ms. Daly*

- Councilwoman Daly discussed obtaining a movie license for an outdoor movie and associated costs. Councilwoman Daly said that the cost was \$325, putting the overall cost at over \$1,000 for the movie. She suggested reaching out to local businesses like we do for community day and holding the event at the end of September. Council President Papaleo said that it has been oppressively hot and that the event should be moved to mid-late September. Alex Baumler said that you craft a motion for an outer cap on what you are approving with a caveat to acknowledge that this amount could come down. Councilwoman Daly said this would be a good idea in place of a community day. Council President

Papaleo said that we should do this consistently. Councilwoman Daly said that the Borough should purchase it's own screen and equipment if this is going to be a recurring event. Councilwoman Isaac said that we could purchase these items and that it would save the Borough money. Councilmembers discussed this process and getting pricing with IT professional Steve Giancristoforo. Councilwoman Daly believed this could cost less than \$1,000. Council President Papaleo was concerned that the Borough would acquire something that would be cheap and not last. Council President Papaleo noted that the Borough would need to acquire a license. Councilwoman Daly said that we could acquire a rolling license which would allow us to continue to play movies. Councilwoman Daly said this would only take a few days if we were going to do this long term. Councilwoman Daly described the process and said that she would look into getting a big screen and projectors. Councilwoman Daly said that 5 years ago the Swim Club spent \$200 with a warranty on a new screen.

Councilwoman Daly said the arts and crafts program is coming to an end. She said this has been a huge success and that lots of photos are coming in from completed work. She and Jenna Willis are discussing doing this program again in the fall, especially if everyone is going to be stuck home due to the Pandemic, which is anticipated.

Municipal Legislation – *Mr. McGuigan*

- Councilman McGuigan had no new business.

New Construction Committee – Mr. McGuigan

- Council President Papaleo noted that he had received a document from Joe Rodo. Lisa Catania said that this was a resolution regarding the sewer program. Lisa Catania clarified that she was unaware of how this meeting was advertised. Alex Baumler said this was only a workshop. Alex Baumler said that the special ordinances have been drafted and completed on his end and that he is waiting on documents to return from the bank. He said that timing wise this will require seven days to advertise the ordinance. His hope is that next Thursday or Friday we can have our special meeting and if not, on August 18th.

Councilman McGuigan said that if we advertise we are only going to go four days before our special meeting, anyway. He didn't believe the cost of advertising was worth it for four days which would not change the scope of the project. Councilman

Solicitor's Report

Alex Baumler said we had received an RTK from the university of Penn seeking information about Miranda rights and other policy issues. He said it should be discussed given the events of the summer and the political climate. He said as always we would provide everything able but that we would deny things if they were unreasonable. He also discussed the appeals process for reference but reiterated that it would come up repeatedly. Councilman McGuigan said that there was no timeframe for when these documents must be from. Council President Papaleo suggested that we charge \$1.00 per page and then asked if we could charge more for non residents. Solicitor Alex Baumler said this would be unconstitutional. Alex Baumler suggested that this was going to be a recurring issue and to charge the

maximum if possible. Council President Papaleo asked that we reexamine the cost and then charge. Councilman McGuigan said that we could charge a fee for anything over 10 pages. Alex Baumler noted that it was not advisable to charge a fee for documents that are already stored digitally. Manager Andrew Hayman said that we were not currently charging but that we hadn't actually needed to scan any documents as of yet.

Councilman McGuigan and Willis asked who our RTK officer is. It was noted that we do not have a RTK officer currently. Council President Papaleo asked Borough Manager Andrew Hayman to fill in this position. Alex Baumler explained that this would need to be voted on at the next meeting. Council President Papaleo referred to Manager Andrew Hayman as the acting RTK officer.

Solicitor Alex Baumler went into more detail to discuss the parameter's of Penn Law's RTK request.

Finance Director's Report:

Joe Possenti said that either this month or next month the Borough will have to approve a \$125,000 increase in our MMO. He said he was hoping the state could lower this amount from the State. This is our actuary's number. It must be approved for the budget in 2021 and that we are required by law to do it. Joe said that at 5% interest we would be paying \$220,000 for annual payments for the building. He said \$99,000 was wired in from Keystone. He said we are on a better footing than a lot of municipalities and without the courts open there isn't much that can be done. He was hoping that with permit money coming in from projects we may be alright. Joe Possenti said he would provide numbers in two weeks and that currently we are on point from last year.

He noted that the Democrats want to put in money in the next stimulus to give to states and municipalities but the Republicans didn't want to do that. He mentioned Philadelphia, which is over \$600 million dollars in the hole. He asked if we could use some liquid fuels funds more liberally than previously. Lisa Catania said these funds can be used for various things like traffic signals, signs etc and equipment purchases but it must be used for roadway maintenance. She said that anything road related could be paid for with liquid fuels funds. Joe Possenti said he would work with the engineer to see how this money could be used but that we are "good with cash." He said that we would be aware in two weeks.

Councilman McGuigan said that with regard to state and local funding this money would go to the County but it would not go to the municipality. Councilman McGuigan said the County received \$89 million in federal funds. Some of these funds went to local business but none went to municipalities to their knowledge as per Joe Possenti. Councilman McGuigan noted that they have a multi-hundred million dollar budget. Lisa Catania said the county had just received community development block grant funding for Grant and Delview sanitary sewer improvements. Lisa noted that someone from the Borough, not a consultant, either a member of Council or the Borough Manager must attend the meeting for this grant funding. She explained that these funds for the 2021 program would not be available until September. This is HUD money that is administered to various municipalities.

Borough Manager's Report

Andrew Hayman gave the Borough Manager's report, noting personelll hiring and that 274 applications have been received by the Borough for the open Highway positions.

Old Business

New Business

Council President Papaleo noted that there is a property for sale on Chester Pike near the Wawa and that this could be a hypothetical new location for our Highway department as there is some understanding the property cannot be sold. Council President Papaleo said he was interested in buying it. He also said he spoke to the owner of a property on Folcroft ave that could be the location for the highway department. He said they would need to go somewhere as things will be moving soon. He said Mark Possenti was slated to talk to the owner of the property. Council President Papaleo asked if we were in the financial position to purchase a plot of land. Joe Possenti said it would depend on the price of the land and the development cost. Alex Baumler said you would start looking into the process for us.

Council President Papaleo asked Andrew Hayman to call an executive session for August 18th at 6:00pm.

Andrew Hayman noted that Signal Services contract must be renewed for the year as we did not respond to a request from last year. Alex Baumler concurred noting that as this was a renewal of a contract it did not need to be put out to bid.

The meeting was adjourned at 8:24pm.