

**MEETING MINUTES**  
**FOLCROFT BOROUGH COUNCIL MEETING**  
**DECEMBER 15, 2020**

PRESIDENT – Joseph Papaleo called the Council Meeting to order at 7:08 PM and apologized due to the start time as a result of technical issues.

Mayor Frey took a moment to think of all those fighting the virus prior to the pledge of allegiance.

**CDBG Meeting**

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) were present.

Council President Papaleo welcomed Councilman McGuigan back to the meeting.

Council President Papaleo noted that he wanted to see the old Giles Cannon outdoor classroom property on the list but had neglected to mention it.

Engineer Lisa Catania said that the County administers this program and that the money is from hud, totaling \$4.4 million dollars for various projects around the County. They have offered to allowed qualifying Boroughs to submit for two projects, one priority and one secondary. The money is calculated based on areas that are below the mean income which in this case is the Delmar Village section of Folcroft. Anything south of Delmar Drive is eligible for the funds. Planning, code updates, master plans and planning for future projects are eligible. Historic preservation and land acquisition are also eligible. She noted that she put together a memo for members that all should have. She said that she put together a list for Council in no specific order.

She said she had discussed the possibility of an outdoor classroom maybe three or four months ago for passive recreation, something that she did previously in Parkside Borough. She said there is an area that teachers can bring students from Parkside Elementary to study nature and have classes. She said there would be an area for gatherings and events could also be held there. She also said that street resurfacing, sanitary sewer projects – noting the flooding on Oak Avenue. She noted a master plan that her firm had crafted a small, master plan for Montgomery Park including restoration of the creek banks and improvements on the entranceway so that it looks like a noticeable park entrance.

Lisa Catania said that last year she put together a Delmar Drive master plan in conjunction with Darby Township to revitalize this area and that this plan would make the area more esthetically pleasing to attract economic development. She suggested that doing a comprehensive plan first would also be ideal, following by land use and then a new zoning ordinance and then a comprehensive plan could supplement it. At this point, she returned the hearing to Council President Papaleo.

Council President Papaleo said he believed that he had considered an out-of-pocket Comprehensive Plan and then use the CDBG funding for a project, itself. Lisa Catania said a plan like this would be from \$50,000 to \$60,000 to do it and that it takes about a year and requires the formation of a committee along with public hearings for input on the general process. Council President Papaleo said that he wanted people to see Folcroft and be wowed by the quality. He asked members what the primary project should be. Councilman Willis said he said his two top plans would be Montgomery Park or the outdoor classroom as he believed these would have the highest impact. Councilwoman Daly said her priority was Montgomery Park. Councilman McGuigan said he was happy to go with the majority. Councilman Waters said he liked the idea of the outdoor classroom, referring to it as a park. Council President Papaleo said he believed there was a majority consensus for the Giles Cannon property. Council President Papaleo promised Councilwoman Daly that he would still get to Montgomery Park. Solicitor Alex Baumler said that there would be a primary and a secondary that would be in the resolution. He said the highest vote getter would be first and lowest, secondary.

A motion to prioritize the Giles Cannon Property for CDBG funds was made by Councilman Willis and seconded by Councilwoman Isaac. The motion passed unanimously.

A motion to made the Montgomery Park Project a secondary project was made by Councilman Willis and seconded by Councilman Waters. The motion passed unanimously.

A motion to adjourn this meeting was made by Councilman Willis and seconded by Councilwoman Daly.

### **Council President Papaleo called the meeting to order at 7:27pm**

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) were present.

### **Audience Participation**

#### **There**

### **Engineer's Report**

Lisa Catania said that she believed that members have a copy of the report. As an update, the Safestor is continuing and footings and stormwater work are in. Popeyes revised plans were received yesterday and a review was sent out, today. The did receive NPDES approval for basin changes and this part of the project should be begin, shortly. The 2021 Road Program specifications have been completed and she would like authorization this evening to advertise the bids so that the project can begin roughly in April. She said she is still waiting on an approval from DEP for the change in scope for the sewer and water funding that was received and once this is received another authorization. She thanked Council and all members a happy holidays and blessings for a new year.

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

Councilman McGuigan said he would be voting present not to dispute the issues but to make clear that he was not present and unaware of the specifics.

- Motion to approve the bill list for the month of November, 2020 was made by Councilman Willis and seconded by Councilwoman Isaac. All members voted aye, Councilman McGuigan voted present.
- Motion approve the Treasurer's report for the month of November, 2020 was made by Councilman Willis and seconded by Councilwoman Daly. All members voted eye, Councilman McGuigan voted present.
- Motion to approve the November 10th, 2020 Committee Meeting minutes and November 17th, 2020 Council Meeting minutes was made by Councilman Willis and seconded by Councilwoman Daly. All members voted aye, Councilman McGuigan voted present.
- Motion to approve and advertise the 2021 Folcroft Borough Council Meeting Schedule was considered. Councilman Willis suggested a slight change, changing the first meeting from committee to workshop. He said he has an issue with the terminology. Secondly, he wanted to make it available as a voting meeting so long as the solicitor considered it appropriate. Council President Papaleo reiterated that it made more sense to do this as well. Solicitor Alex Baumler said technically whenever a quorum is present that members technically can vote and that some municipalities have three voting meetings per month. Council President Papaleo confirmed whether these could be advertised as non-voting meetings and confirmed with the Borough Manager how these were advertised. Manager Hayman explained that the advertisement noted which meets were and were not regular meetings. Councilwoman Isaac agreed and thought it would expedite things. Councilwoman Daly said that residents might be upset because members didn't have time to discuss and think about issues. Councilwoman Daly suggested that having the ability to vote and making special exceptions only when needed might be preferential. Solicitor Alex Baumler noted that this might also be preferential.

A motion to approve the 2021 Folcroft Meeting Schedule was made by Councilman Willis and seconded by Councilwoman Daly. The motion passed unanimously.

- A discussion of engaging with "Go Gov" to provide customized mobile application and a CRM package for the Borough. Council President Papaleo said that he had discussed a mobile application for people's smart phones would work and that when moving into the Parking Permit phase this would be helpful as well. He said there would be a link to allow the purchasing of guest passes as well. He said this link has a code enforcement section – a code enforcer could be trained to use this as well. He said it opens up more engagement with local government and residents. Councilman Willis added that members should have received an email with two quotes and that there is a wide range of pricing so a slightly longer process was needed to confirm the overall pricing. He said that the Go Gov application is slightly more expensive but the application is slightly better designed and there is a difference in execution. He said he also had concerns with the second company where the website did not work and he was not confident in their ability to provide the service. He said the other application related to code enforcement is a separate package that could be purchased at a later date. Council President Papaleo reiterated that he preferred Go Gov as well. Councilman Willis said that the quote was monthly but they

are listed differently. He said the total for the application portion is an annual expense of \$5,040 which is the bundled price. Council President Papaleo asked confirmed that the application could be branded with logos.

A motion to engage with Go Gov was made by Councilman Willis and seconded by Councilwoman Daly. The motion passed unanimously.

Council President Papaleo asked Mike Hill to explain where we are at with millage. Councilman McGuigan said he understood from private correspondence that we would not be voting until the 31<sup>st</sup>. Councilman Willis said this was just to advertise. Mike Hill said that to remain budget neutral for 2021 they had to calculate the millage to remain revenue neutral, which would bring the Borough in at 5.01 “mils” would be the set millage rate for 2021.

Councilman McGuigan asked if this is \$1,906,000. Councilman McGuigan asked what this meant as the total number in 2020 was over \$1,700,000. Council President Papaleo said this would be a tax increase and asked solicitor Alex Baumler if two ordinances would be needed to set the revenue at neutral and then increase the tax rate. Solicitor Alex Baumler said this would be encompassed in a single ordinance and a second ordinance would adopt the 2021 budget. He said he believed we were set at over 7 points but that with the reassessment changed things. Councilman McGuigan said the 5 percent millage rate represents the 1.9 million dollars. He said he was confused because it would set the rate at revenue neutral. Mike Hill said it would be revenue neutral based on the reassessment from the County. Councilman McGuigan asked the nature of the increase. Council President Papaleo said that we are doing this because of the expenses incurred as a result of the new building and other increases needed. He said he understood the resistance to a tax increase but that we could either complain about the issues with Folcroft and the effort to improve the town costs money. He said the push came from him and he is asking for Council’s support in this effort. He said he wanted everyone to understand that this would represent a slight increase in property taxes. Councilman McGuigan said he was going to reserve comment for the 2021 budget to December 31<sup>st</sup> and he just wanted to clarify that the advertisement represented an increase in taxes. Solicitor Alex Baumler said he could not debate whether a tax increase was warranted but that Mike Hill would provide him with the language and that he would craft the ordinance. It was clarified that Councilman McGuigan was noting the semantics and that taxes would be increased but the budget would not include a deficit.

- A motion to authorize for the advertisement of an Ordinance setting the 2021 Tax Millage Rate was made by Councilman Willis and seconded by Councilwoman Isaac.

Roll call vote – mcguigan nay

- A motion to approve a Borough Reimbursement Expense Policy as sent to all members of council was discussed. Council President Papaleo said that this listed what is and is not reimbursable was listed. He said he ideally would like to send people to conferences and such once the pandemic is over and wanted to set guidelines for what is reimbursable.

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

- Council President Papaleo discussed allocating \$25/employee for gift cards. He said it has been an awful, dark and gloomy year and that it was appropriate to do this to thank our employees for all that they have done. He said this was a small gesture but fair. Councilwoman Isaac said she supported and wished she could do more.

A motion was purchase \$25 gift cards for all Borough employees, volunteer firefighters and consultants was made by Councilman Willis and seconded by Councilwoman Isaac. The motion passed unanimously.

- Council President Papaleo discussed CDBG resolution and priorities and asked what more to discuss. Engineer Lisa Catania said we would have to adopt a resolution setting the priority project and the Montgomery Park entranceway gateway project as a secondary project. Solicitor Alex Baumler said we already have a resolution in the agenda packet and that it is ready to go.

A motion to pass a resolution prioritizing the Giles Cannon outdoor classroom and arboretum and the Montgomery Park Gateway as a secondary focus was made by Councilman Willis and seconded by Councilwoman Isaac. The motion passed unanimously.

#### **Public Works Committee** - *Mr. Willis*

- Discuss Backhoe bid options were opened today. We have received one bid with is a price above what we were hoping to pay. He said the backhoe exceeded the standards we were hoping for and had fewer hours. He said we are entering the winter season and that it would be preferential to purchase one so that they don't have to be rented and then be at the whims of rental services. Council President Papaleo asked if we had \$35,000 budgeted for these funds. Council President Papaleo said that he would like the vehicle to not only have to be used on roads if possible and wanted the option for other work. Lisa Catania said that it could be up to 25% of the total amount but it could also be less if there were other uses for the vehicle. Councilman McGuigan agreed to look into how much money is given to the Borough annually for Liquid fuels. Councilman Willis and Council President Papaleo said that a portion could be paid for with Liquid Fuels and a portion could be paid later towards the principle.

Mike Hill said that based on Lisa Catania's insight the Borough could put down 25% and that it would be held up. He said that even without liquid fuels funds the Borough is in a good position to finance. Councilman McGuigan said that the Borough receives about \$155,000 per year for liquid fuels funds. Councilwoman Daly asked if the Borough has budgeted \$35,000. Councilman Willis said the capital expense was \$40,000 for the year. Councilwoman Daly said that it could be paid for immediately and without interest. Councilman Willis asked Alex Baumler about options to accept the bid. Alex said you can accept the bid, reject the bid or accept it contingent upon going into a financial agreement with the dealer. He said the Borough could pay it off in a lump sum at a later date if it enters into a financial agreement for a few days and then receives the funds. Councilman McGuigan asked if the Borough could just approve the expense based on the solicitor and treasurer's approval so the option not to finance is available, which solicitor Alex Baumler confirmed. Councilman Willis and also noted that a

mechanic's approval must be considered. Solicitor Alex Baumler said that we do not need a condition to inspect as this is already part of the bid specifications. It could be entered into the agreement that the Borough might not accept the deal.

A motion to accept the bid from United Rentals conditioned upon them providing a financing option was made by Councilman Willis and seconded by Councilman Waters. The motion passed unanimously.

- Councilman Willis discussed engaging with Proaction Restoration for cleaning services. He said that around the last public meeting we had lost our cleaning provider and that it had been decided to hire the person who did the cleaning. That person has just decided not to do the cleaning. Councilman Willis said that the Borough is back into a position where we do not have a regular cleaning service for Borough Hall. Manager Hayman confirmed that the company that provided regular cleanings (Proaction Restoration) had provided an offer to do the cleaning and would provide the cleaning supplies. He explained that he had received notice of the resignation at 9:00pm the night before. He said that the contract is listed at \$700 per month for two cleanings per week which is \$50 per week less than what the Borough was paying previously and also saved the Borough the cost of cleaning supplies. Manger Hayman said that the bidding threshold is \$11,300 per year and that this is under that cost. Council President Papaleo said that the prior individual didn't tell the Borough that they did not want the job and did not report this until after they were asked why they hadn't come to work. Council President Papaleo expressed discontent about this. Councilman McGuigan noted that their total work might cross the threshold. Councilman Willis noted that right now Proaction is doing covid cleaning and that the Police call them for assistance sometimes as well. Manager Hayman was not aware of the total dollar value of this work.

Councilman Willis asked Solicitor Alex Baumler if this would cross the threshold. Alex said he wasn't aware if this would cross the formal bidding threshold but advised to go out and seek a few telephonic quotations as it could cross the threshold. Councilman Willis asked if it was advisable to make a motion directing Manager Hayman to seek these bids. Solicitor Alex Baumler said that this could be done and said that while the Borough has a specifically designated budget meeting on December 31<sup>st</sup> that the discussion need not be limited to the budget and that this cleaning contract could be discussed. Manager Hayman asked if there was a difference as Proaction current sprays Thyme oil into the air to kill COVID 19. He also asked if this could be done on a weekly basis temporarily until a new company comes in and then bid out. Solicitor Alex Baumler said that if we continue with COVID cleanings that these could be under emergency powers so it wouldn't be under the same contract. Council President Papaleo asked what the deep cleanings cost. Manger Hayman was unaware and said that it depending on what cleaning was done. Council President Papaleo said that this was done outside the contract and incurred by an emergency need. He asked why this must be connected and why this triggers a threshold limitation. Solicitor Alex Baumler asked if there is an actual contract with this company for COVID cleanings. Council President Papaleo confirmed that this is just as needed. Solicitor Alex Baumler said that this would not trip the threshold but you cannot separate out a contract to avoid the threshold.

A motion to accept an offer for a total of \$8,400 a year for cleaning services from Proaction was made by Councilman Ruskowski and seconded by Councilman Willis. The motion passed unanimously.

Solicitor Alex Baumler said that if this continues to next year the work should be bid.

**Public Safety Committee** - *Mr. Ruskowski*

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

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

- Councilwoman Isaac had no new business.

**Municipal Planning and Zoning** – *Mr. Waters*

- Councilman Waters said that the 7/11 zoning meeting originally scheduled for December has been delayed to January 11<sup>th</sup> at 7:00pm

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

- Councilwoman Daly said there was a very successful tree lighting on Sunday and thanked the Volunteer Firemen who brought Santa down. She said her committee is going on vacation until Easter.

**Municipal Legislation** – *Mr. Waters*

- Consideration of a 2021 Holiday Schedule Resolution was noted by Councilman Waters. Council President Papaleo asked if these were paid days off for employees. Councilman McGuigan asked why December 25<sup>th</sup> was not listed. Council President Papaleo noted that Christmas falls on a weekend. Manager Hayman said that Christmas Eve was already listed as a day off. Councilman McGuigan said that he wanted to have Christmas listed as a holiday but advised Council to do what it wanted. Councilwoman Isaac said that she understood that if Christmas falls on a Saturday employees are off on a Friday if it falls on Sunday the employees are off Monday. Council President Papaleo said that employees should have December 24<sup>th</sup> off and paid. Councilman Willis said that the issue was calling it Christmas eve. Council President Papaleo said that he will probably send employees home early. Mayor Frey said most employees have this day off. Councilman McGuigan said that the County let employees have off for Christmas Eve. Manager Hayman listed the dates that were listed as being off currently. Council President Papaleo said that January 1<sup>st</sup> is a Friday in 2021. Manager Hayman reiterated the dates listed as being off. Manager Hayman noted that Juneteenth is listed as being off as well on the final draft. Council President Papaleo asked if we were getting rid of another holiday in exchange for Juneteenth. Councilwoman Daly suggested removing Columbus Day. Council President Papaleo agreed and said he was fine with this and asked members. Councilman McGuigan said he would vote no but advised Council to do what it wants. Council President Papaleo said he has Italian heritage but that

Columbus was a traitor. Councilman Willis advised that if Councilman McGuigan would like to keep the date listed it could be changed to Indigenous Person's Day. Councilman McGuigan disagreed with this. Council President Papaleo suggested just giving the extra date. Councilman Willis suggested changing the date to Indigenous People's Day to which Councilman McGuigan stated that he would vote no. Councilman Willis said that honoring the legacy of someone like Christopher Columbus was not good. It was decided to add Juneteenth and keep Columbus Day.

A motion to pass the 2021 Holiday Schedule Resolution was made by Councilman Waters and seconded by Councilwoman Isaac. The motion passed unanimously.

- Consideration of a resolution to amend the Folcroft Borough Schedule of Fees to add an application and administration fee for liquor license transfer applications. Council President Papaleo asked for clarification. Solicitor Alex Baumler said this is an administrative schedule and that this is just a charge for an application to enter a liquor license in the Borough. Solicitor Alex Baumler suggested mirroring the cost of the conditional use, which is \$1,000.

A motion to amend the Folcroft Borough Schedule of fees to add an application and administrative fee for liquor license was made by Councilman Willis and seconded by Councilwoman Daly. The motion passed unanimously.

#### **New Construction Committee** – Mr. Willis

- Councilman Willis said he expected to close on the loan today and that the bank had just sent more paperwork which delayed this, a bit. Solicitor Alex Baumler confirmed that he is now working on the paperwork and that he has done several of these this year and that they have been bizarre. He said the target should be next Monday or Tuesday to finish everything. Councilman Willis said this shouldn't put us too far behind and that when we are signed and sealed the contractor will sign.

#### **Parking Permit and Paving Committee** – Mr. Willis

- Councilman Willis said that the items on the agenda are not items to take action on, today. He said the committee is recommending we make changes to the maintenance and parking ordinance for violations of the driveway maintenance portion of the code. He said this will give teeth to the Borough to restore the driveways as the Borough will need temporary construction easements. This way, if residents do not sign there will be increased and structured fees.
- Councilman Willis discussed engaging with an appraiser and said that this would be a rough estimate of the easement that would be needed in the event that it must be accessed to do improvements. Engineer Lisa Catania said that in the past they have used a right to enter agreement which just a letter explaining the project and letting them know that any damage done would be restored to the existing or better. This would be the end of the letter. Solicitor Alex Baumler said he cannot, from a legal perspective, not get a reasonable estimate of the costs – in the event that a resident pushes back – give this advice. He said he just needs a rough estimate. Councilman Willis noted that there also needs to be a parking ordinance and that his committee has begun structuring pricing.



Councilman McGuigan asked if there had yet been any pushback from residents. Councilman Willis said there would hopefully be a more public meeting in January and that the members of the public who are on this committee have agreed but also have parking permits. Councilman Willis said he has gotten some comment from residents who want parking permits extended to areas that do not have shared driveways. Council President Papaleo said that you do not solve parking problems, you just move them. He asked if it would cause parking permit issues in old Folcroft. Solicitor Alex Baumler said that funds could not be allocated to other areas and that while he did not want to go down the rabbit hole today about this. Councilman Willis said all permits would have to cost the same and only areas that have shared driveways would get parking permits and that permits could not be issued for free. Council President Papaleo said that on Cricket Lane residents were not given off street parking in the deed and asked if this area would be included in the list. Councilman Willis said this was not included. Council President Papaleo asked if old Folcroft parking permit revenues could be allocated to things in old Folcroft, which Councilman Willis agreed. Councilman McGuigan said this made the idea more agreeable. He said he believed the recommendation would be to deal with each issue at a time. He said that he did not suspect many residents of Taylor Drive would not be parking on Ashland Avenue. Councilman McGuigan said a Glenolden resident once parked on his street to avoid permits.

#### Police Chief's Report

Chief Bair said that things are slowing down for the month as we head towards Christmas. He said that the drug task force is getting some things in. He wished everyone a Happy Holidays.

#### Solicitor's Report

Solicitor Alex Baumler said that he did not want to belabor any points for the evening. He wished everyone a Happy Holidays.

#### Finance Director's Report

Mike Hill said that he has now reconciled all bank statements through November. The cash accounts look good and that the Police MMA budget disbursement was made and there should be no fees.

#### Borough Manager's Report

Manager Hayman said that he had sent everyone a report but wanted to focus on the upcoming snow. He said that Shawn Payne is not on but all vehicles are set up and ready to go for snow. Dan Falcone will come in for extra hours to assist. Extra salt has been ordered and he ordered a front end loader for \$1,400 as part of his managerial powers which was confirmed by Solicitor Alex Baumler. Councilman Willis asked to put out a notification that residents can no longer put out leaves as they could cause a hazard. Manager Hayman said he had already done a social media post about this and could do a robocall reminding residents. Lastly, Manger Hayman said he had a wonderful year serving as manager and thanked Council and the community.

There was no old business.

There was no new business.

A motion to adjourn was made by Councilwoman Isaac at 8:59pm and seconded by Councilman Willis.  
The motion passed unanimously.