

AGENDA

FOLCROFT BOROUGH WORKSHOP MEETING

February 2, 2021

PRESIDENT – Joseph Papaleo: Called the Council Meeting to order at 7:03 PM

Council President Papaleo noted that there was an executive session directly prior to this meeting.

Mayor Frey took a moment to think of all of the lives lost due to COVID 19. The pledge of allegiance was said.

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

Audience Participation

There was no audience participation.

Engineer's Report

Borough Engineer Lisa Catania said that for the meeting in two weeks, we have a County Aid resolution which is general fund money that can solely be used for resurfacing. The resolution then goes to the County.

Safestor is having trouble with erosion and sedimentation controls. She said that she had warned that she would shut down the project if they did not clean up the mud. They do have the construction entrance however she isn't sure if they're cleaning things as often as they should be. She said they do have a water station in place. Lisa said that they did hire a street sweeper to clean up the mud.

Lisa Catania said there is a small issue with stormwater at the new Popeyes and if they are good to go with agreements, this work could begin in the spring. Solicitor Alex Baumler asked for contact information for Popeyes as they have not yet reached out. Lisa Catania asked if Joe D'Amico Jr. had reached out yet, which Alex confirmed had not happened.

Public Finance & Administration - *Mr. Papaleo*

- Council President Papaleo discussed Borough fees and fines. Council President Papaleo said that this was something considered previously but that he wanted to revisit it. Manager Hayman said that at our last Borough meeting, a resident had submitted a question about Borough fees and timing. He said that it had previously been noted that the timing may not be reasonable due to concerns about the efficiency of the mail. Manager Hayman advised that fines not be increased at this time as regular enforcement seems to be resolving the issue. Manager Hayman proposed a 10 day window for residents a 10 day window to pay fines or contact the Borough. Manager Hayman said reminders should be sent

out at 30 days and any fine received after 30 days should receive a \$10 fine. Letters listing fines for each household could routinely sent out. Manager Hayman said he had not found a current fee schedule. Solicitor Alex Baumler said that fee schedules should be updated at least every 5 or 6 years. Council President Papaleo said that fees needed to be reviewed even if they aren't paid. Engineer Lisa Catania said that in January a fee schedule for permits was found but her office did not find any fees changed in 2019. She said that an ordinance cites previous ordinances or resolutions in determining the fee schedule but that nothing else could be found.

Engineer Lisa Catania said that in the past three or four months requests for lengthy zoning and fine background for properties and the companies are based in Florida. She said that there should be fees set for this type of project as it is expensive. She said the time to research it should be included in a cost for a right to know request. Council President Papaleo said that we should get to work on piecing all of this together. Solicitor Alex Baumler asked if we have records for violations issued in the last few years for code enforcement and zoning as the fee could be back-traced. He said that certain statutes would set a few for certain charges. He said that eventually we should set a 2021 baseline schedule. Manager Hayman said that record-keeping for fines are spotty and only a few violations dating back to 2017 can be found on file. Manager Hayman said he didn't mind not increasing the fine but wanted a \$10 fee added after the 30 day window to pay as it would compensate the Borough for the time and energy put into this task. Manager Hayman speculated that this might keep some cases out of court. He also speculated that Magisterial District Court may not be as concerned about the Borough in these cases. Council President Papaleo said he believed that this was something he though Council had supported in the previous meeting.

Manager Hayman asked if councilmembers would like to ask Alex Baumler to draft an ordinance for the next meeting so that it can be advertised. Manager Hayman said he is starting to get a number of requests for information about liens on properties and he does not know why these aren't just being looked up. Manager Hayman thought that only about one quarter of all liens on record can be found in the office. Manager Hayman said that some liens could be 20 years old. Solicitor Alex Baumler said that it doesn't necessarily matter if Folcroft has a recorded lien on file and that something has been done with it in 20 years. If the home is not sold or foreclosed on within 20 years the lien expires if not renewed. Manager Hayman said he wouldn't be surprised to hear that liens were hidden away in a box, somewhere.

- Council President Papaleo discussed raises and salaries, noted as having already partly discussed this in an executive session. Solicitor Alex Baumler confirmed that this meeting does have voting power. Solicitor Alex Baumler noted that this should be voted on via resolution and that one had not been drafted. Council President Papaleo reiterated that a salary increase for the Police secretary as well as raises for the Crossing Guards was discussed and directed Solicitor Alex Baumler to draft this resolution for the next meeting to be backdated.
- Council President Papaleo discussed a street opening ordinance. Council President Papaleo said that PECO is currently only liable to pay for repaving of one lane and that a new ordinance could direct contractors to repave the entire street from curb to curb. He said that it had been considered a long

time ago but would not have been viable prior to the PECO street openings. He elaborated, explaining that if someone comes in a replace water pipes the whole street must be repaved. Councilman Willis asked what would trigger this repaving. Engineer Lisa Catania said that if you have more than 5 openings within 100 feet that you are required to repave. If there is more than 250 feet of main to be put in but only on one side of the street with multiple openings, if the openings are solely on one side of the street the contractor only has to repave one lane. PennDOT only requires to repave a full lane is if you are effecting both lanes though things like side trenches or working in the middle of the street. She said this is the only criteria that the Borough uses so far, which is what PennDOT utilizes. Engineer Lisa Catania asked at what point would the ordinance come into play and advised that doing an ordinance that also addresses plumbers as they sometimes do not repair the road. She said that in Norwood and Prospect Park plumbers are required to do an escrow of \$1,500 which gives incentive to complete the work, properly.

Council President Papaleo asked if there are any municipalities that have an ordinance used as precedent that could be drawn from. Solicitor Alex Baumler said that his colleague had done one in Upper Darby last year and that we could model one off of theirs. Councilman Willis said that as long as the criteria are clear and the additional protections for smaller projects it might be worth going with what other groups are doing. Councilwoman Daly said this would cost companies more money but noted that Engineer Lisa Catania said it is typical to do this. Council President Papaleo asked if he could direct the solicitor to draw up an ordinance. Solicitor Alex Baumler agreed and said that there should be a minimum of two weeks to draft and a minimum of a 7 day advertisement period before voting.

Public Works Committee - *Mr. Willis*

- Councilman Willis discussed the purchasing of an F350 truck to replace the usage of the truck. Councilman Willis said he met with Shawn Payne to discuss financing option which were sent out with the agenda items. He said there was some discussion of waiting on getting the vehicle until winter time but that this has been corrected as there are three trucks: a dump truck for bulk materials, a different F350 dump truck and a smaller, red truck. He said that the trucks are for daily use and this F350 would replace the smaller truck. He said this is not something only used for the winter. He also wanted to note that the other truck should not be eliminated but retained as a backup.

Councilman Willis said there are a few financing options but it would be best not to wait to purchase this vehicle. He said that all financing options add about \$2,000 to the cost of the vehicle over their period. He advised not to finance the vehicle but to purchase it immediately. Councilman Willis said that we have the money to purchase this vehicle this year and asked what other items might be needed immediately. He said he believes this vehicle falls within the budget that the Borough has. Purchasing the vehicle up front would save the Borough \$2,000. Manager Andrew Hayman said that there are transmission issues with the 2018 dump truck that Dan Falcone mentioned had happened previously – he mentioned that Shawn Payne would like this to be discussed in the meeting. Councilwoman Isaac said it would be best just to purchase the vehicle outright. Mike Hill said that the Borough is in the position to purchase this vehicle. Council President Papaleo said that this would be the final item for the Highway Department this year. Councilman Willis said that the Borough did not have the capacity to

purchase a wood chipper and other items and that some of these items might be purchased via grant funding.

Councilman Willis made a motion to purchase an F350 at a price of \$38,400 was seconded by Councilman Ruskowski. The motion passed unanimously.

Mayor Frey said that the new dump truck has been in the shop a number of times and that it was build to PennDOT specifications.

Public Safety Committee - *Mr. Ruskowski*

- Councilman Ruskowski had no new business to report.

Public Health and Literacy - *Ms. Isaac*

- Councilwoman Isaac said that the Library is still staying safe and doing curbside pickup. She said she was going to get in touch with the Health Department and that it is hard to get through. Council President Papaleo said that he has had several seniors reach out to him who do not have access to a computer and do not know about the COVID shot and how to get up to date vaccine information and how to register with

Manager Hayman said he got an email from the County today recognizing that the Borough had requested vaccines and that they were still vaccinating people categorized as 1A and that he had no new information about when 1B would be. Manager Hayman said that a robocall could work however things change routinely. Council President Papaleo said many residents do not use computers and said that due to their age, these residents are generally at the most risk and that the Borough should attempt to contact them regarding vaccination. Councilwoman Isaac said that some residents may not even drive and that if someone was able to provide transportation for residents and that she could personally drive residents on an evening or Saturday. Councilwoman Isaac and Council President Papaleo said that there are delays across the County and Nation. Council President Papaleo directed Councilwoman Isaac to investigate how the Borough could assist. Councilmembers discussed personal matters relating to COVID 19.

Municipal Planning and Zoning – *Mr. Waters*

- Councilman Waters said an application from Beacon of Folcroft for a new 7/1 on Delmar Drive was approved by the Zoning Hearing Board. Councilman Waters also noted that two members of the Planning Commission have resigned years ago and were not replaced. Councilman Waters suggested replacing them at the next meeting.

Manager Hayman said that he was not even aware that the Borough had a planning commission. Only two members could be contacted and those members had resigned. It was thought that the last known planning meeting was in May 2019. Council President Papaleo said he did not know when any of the terms expired. Manager Hayman said he was not confident that these were voted on at a Council Meeting and probably all members terms' have expired. He said that if all members terms are up

already they can be on rolling terms – 1 member to a 3 year term, 1 member to a 2 year term and 1 member to a 1 year term. He believed that this may have been done solely by conversation. Council President Papaleo asked about the pension board. Councilman Ruskowski said that Lisa Dunn was appointed to the board and that he had also been appointed to it when Councilman Schramm resident along with Lisa McGuigan. Councilman Ruskowski said that he was not aware of the duration of the terms. Councilman Ruskowski said that he believed they were all current. Council President Papaleo asked Manager Hayman to collect resumes via social media for vacant positions.

Lastly, Solicitor Alex Baumler said Council should authorize Manager Hayman to collect resumes for the Zoning Hearing Board. Manager Hayman said that the members were accounted for. Solicitor Alex Baumler said that he would feel more comfortable with potential members as alternates. Council President Papaleo asked Manager Hayman to let the current zoning members know that they are not being run out of town and that the Borough is just looking for more members.

Public Parks and Recreation – *Ms. Daly*

- Councilwoman Daly had no new business. Council President Papaleo said that the light at the end of the tunnel is starting to show and that he does not know if the mutant strains of COVID 19 might change things but he wants to plan a large street party to celebrate. Councilwoman Daly said she was hoping to plan something as early as June but wanted a backup plan just in case depending on what normal looks like.

Municipal Legislation – *Mr. Waters*

- Councilman Waters had no new business.

New Construction Committee – *Mr. Willis*

- Councilman Willis said he had a meeting with contractors not long ago as there were expected and feared price increases due to changes in demand and material costs. He said the price is probably going to increase to about \$1.3 million dollars, closer to what the Borough had expected to spend in the first place. Councilman Willis said that based on the fact that these are costs that were already expected and everyone has to pay them it should still be approved. Councilman Willis said that they would like to also increase the timeline from 270 days to completion out to 365 days to completion. He said they hope to start working in March, 2021 as there are concerned with opening up the ground and actively working. This would mean that the building would be ready for use in March, 2022 and ready to use in that month.

Council President Papaleo asked how this complicates things. Solicitor Alex Baumler said that we need to contact the bank and that finances should be discussed to see what the Borough has and doesn't have and that the current loan should be amended or perhaps the Borough might need to go through the loan process, again. Solicitor Alex Baumler said that the Borough would need to submit to DCED again and ask for expedition for a total time of a month or two, again. He said that the Borough already has \$4.69 million sitting on hand and that the Borough will not need the money immediately. The

Borough could still begin right away. Councilman Willis said he had hoped to have a contract sent out by now and asked Alex Baumler if the Borough needs to vote on it. Solicitor Alex Baumler said that additional amendments to the contract can be approved by the Borough Manager, which would be sent back to Council for approval. Engineer Lisa Catania said this would be done as a change order to clarify what materials or scope are changing. Councilman Willis said a deadline of prior to this meeting was given. Council President Papaleo was upset and said he wanted to see a crane doing work. Council President Papaleo said he believed that there was some sort of intentional interference.

Councilman Willis said that once he had the information needed he would make a decision to move forward and unless there are severe deal-breakers to avoid the rebidding process as it would delay the construction process. Councilman Willis reiterated that the Police Department is operating under suboptimal circumstances.

Parking Permit and Paving Committee – Mr. Willis

- Councilman Willis said he would like to return to an idea from December to bring in an assessor to value the property. Solicitor Alex Baumler said this would be a sample and advised Council to authorize Manager Hayman to engage with an appraiser for a specific street. Councilwoman Isaac asked how permits would work with a snow storm. Councilman Willis said that he was not yet at the point in the plan where he could definitively answer that question. Councilwoman Isaac said that she parks on the street because her job is essential and that she would opt not to buy a permit and instead park her car in the driveway. Councilman Willis asked if there were any preferential streets and suggested Taylor Drive. Council President Papaleo asked if Council was attempting to pick a sample for pricing purposes and suggested using a section of street with a breezeway and without a breezeway as those would be more expensive. Council President Papaleo said the 800 block of Grant Road from Delview to the driveway before Edwards would probably be the best example of all three types of driveway easements. Councilman Willis said 800 Grant to 910 Grant would be a good sampling.

Councilwoman Daly made a motion to authorize Manager Hayman to engage with an appraiser for 800 to 910 Grant Road. Councilwoman Isaac seconded the motion. The motion passed unanimously.

Police Chief's Report:

Chief Bair said that the paving is going to be on Delmar Drive possibly next week and nothing will be done this week because of the weather. He said that there should be issues on Delmar next week for two days for restoration paving.

Solicitor's Report

Solicitor Alex Baumler said that there is nothing separate and he will have more to report next meeting.

Finance Director's Report

Mike Hill said that he would be submitting checks totaled approximately \$251,000 for the month of January and some items might need to be reclassified to highway to make sure they are in line for 2020.

Borough Manager's Report

Manager Hayman said that he sent out the Borough Manager's report was sent out from last week. He said that staff had been working non-stop during the storm. He said that only two complaints from residents had been received and they were easily resolved. Manager Hayman said that the blacktop that was put down seems to be coming down after the storm and said that he had reported this to ULS for street sweeping. Manager Hayman said that Rep. Dave Dellosa would be doing a food giveaway of 200, 20 pound boxes of food to give away across from Borough Hall. Lastly, Manager Hayman said that the Borough was over 100 violations issued in the month of January.

There was no old business

There was no new business.

A motion to adjourn was made by Councilwoman Isaac and seconded by Councilman Ruskowski. The motion passed unanimously. The meeting concluded at 8:20pm.