

MEETING MINUTES

FOLCROFT BOROUGH COUNCIL MEETING

MAY 25, 2021

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

Mayor Frey took a moment to think about those who've died as a result of COVID 19. Mayor Frey then led the pledge of allegiance.

Council President Papaleo mentioned that an executive session was held prior to the meeting.

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

Audience Participation

There was no audience participation. Council President Papaleo asked if there were any audience members present on the call.

Consideration of the Application for Grant of Conditional Use by Vision Charter Academy

Solicitor Alex Baumler said that firstly a public hearing would be held to discuss Vision Charter Academy. Manager Hayman confirmed that court reporter Bridget Owen is present. Solicitor Alex Baumler explained the process and discussed how to open the meeting.

Councilman Willis made a motion to open Folcroft Borough Council Public Hearing 2021-01 for Vision Academy Charter School of Excellence for Conditional Use of the Property located at 1800 Delmar Drive. Councilwoman Isaac seconded the motion.

Solicitor Alex Baumler said that this is a public hearing and that an application set forth by vision academy was provided. Mr. Baumler said that the property is listed as a retail service district and that certain businesses are listed as use by right, meaning Council does not have to approve these uses, noting retail stores, banking, restaurants and others. Mr. Baumler said that Vision Charter Academy is proposing a charter educational facility within the district and that is not a use by right. Mr. Baumler said this qualifies as a use by conditional use, noting that other items like parking garages, arcades and others also fall into this category. Mr. Baumler said this would be a public meeting on the record to receive testimony and that a formal decision will not be made tonight and only evidence and testimony will be provided. Afterwards, a transcript will be provided by a court reporter and then councilmembers will have to issue a written opinion approving or denying that use within 45 days of the hearing.

Solicitor Alex Baumler said that firstly the Borough will enter several exhibits into the record virtually and then the items will be retained by Manager Hayman and listed as exhibits in his office. Mr. Baumler said exhibit "F1" is a copy of the advertisement and notice which Manager Hayman confirmed was run twice. A letter from Mr. Lienhauser was listed as "F2" and another letter withdrawing the applicants intent to accept special use from the zoning hearing board as "F3" a copy of the May 20th 2021 Meeting Minutes. These items will be marked as F1, F2, F3 and F4 etcetera.

Councilman Ruskowski joined the meeting.

Solicitor Alex Baumler explained that members of the public may seek party status, which would allow residents to ask questions of witnesses and participate as a full party to the court of common pleas. Mr. Baumler explained that to obtain party status one would have to notify the board of your intent and then live within the "zone of interest" defined as within 500 feet or with another specific interest and that this can be done at any time, though Mr. Baumler suggested this be done immediately. Mr. Baumler sought to find out if any members of the public were seeking party status – there were no responses. Solicitor Alex Baumler reiterated that this could be done until the evidence is completed. Solicitor Alex Baumler asked members and guests to speak clearly so as not to overwhelm the court reporter.

Mr. Brian Lienhauser, an attorney representing vision academy, said he proposed a charter school operate out of the facility previously used as a furniture store. Mr. Lienhauser said this is a conditional use and that he went before the Planning Commission last week and that there was no objection to the use from the commission. Mr. Lienhauser said the proposed use was a kindergartner through eighth grade public charter school. Mr. Lienhauser said that charter schools are public schools under the control of an independent board of trustees. Mr. Lienhauser said the school would be operated under normal school hours and there would not be lots of late evenings to disturb the community. He said there were concerns and considerations within the Borough's own ordinance already and that the upper portion of the shopping center has retail establishments in it but clarified that he was seeking the use of the lower portion of that establishment. He said this was also adjacent to some residential areas of the community so the school would not be interrupted by adjacent areas or the shopping center. Mr. Lienhauser then introduced "Ben" who would share his screen and show some images that had been developed and that he would then clarify some issues that might arise.

Ben Nicholson, an architect with JB Nicholson architecture in Yeadon said he had developed conceptual images for how a charter school could work at the site. Mr. Nicholson shared images of an incorporated, linear garage which separates the lower parking lot from the upper parking lot. Mr. Nicholson said that presently this location is used for warehousing of furniture for a store and said that the paved area would be used for parking and traffic for the school. Mr. Nicholson then showed images of the loading dock, roll-up doors and a door from the garage. Mr. Nicholson proposed opening the garage doors with new window system and introduce colors into it as well. Mr. Nicholson showed a bus queuing area and an area for a mural along the wall. Mr. Nicholson said a deck with trellis structures would bring plants to the site. Then, Mr. Nicholson said that the parking and traffic concerns would fit with the paved area and that a plan to have a classroom count was used to calculate how many parking

spots were needed. Mr. Nicholson then said that this was more than the minimum space needed and that two minimum handicapped spaces were required but that there would be four handicapped spaces for a total of 75 overall spaces. Mr. Nicholson said that the site plan provided shows all of this.

Mr. Lienhauser said that he wanted to address a few more matters before questioning. He said that the parking requirements for an elementary school, according to the Borough Ordinance, would be less than for a retail space and that the traffic flow would be less with a school – focused on the morning and evening depending on how many students stay for after-school care. Mr. Lienhauser estimated 30 to 40 employees as the elevate to full use. Mr. Lienhauser said the business hours in the shopping center were not contrary to the shopping center hours. Mr. Lienhauser said the conceptual drawing show there is plenty of room for buses to pick up and drop off students and said the parking area beings segregated from the rest of the center, it should not impede with that area. Mr. Lienhauser said the planning commission did as about entry and exit at the base of the shopping center and that he was asking for permission to develop the site as a school and that this problem would be addressed with the planning commission with final drawings of the site. He said you could anticipate that all meetings are still virtual and that there would eventually be some parent-teacher meetings at the school. Mr. Lienhauser said that he did not believe that this would bring criminal activity into the area and that the buffer of trees and creek would block sound. Mr. Lienhauser said this school is modeled on a successful school out of the William Penn school district. Lastly, Mr. Lienhauser said this would serve anywhere from 400 to 500 students on average but that this space is well suited to accommodate that many children and then asked for questions.

Council President Papaleo asked if this facility is a two story facility as he was not certain. Mr. Lienhauser confirmed that this was a one story facility and said he remember the old facility on this location. Council President Papaleo confirmed that this facility is a k through eight facility. Mr. Lienhauser said it would be but would not start as one, noting that students aged 6 to 14 would be on the facility. Mr. Lienhauser said there would be an inside facility for recess on the site and that he would want to improve the back or side of the building that could be used for recreational space. Council President Papaleo asked if this is adjacent to the creek, which Mr. Lienhauser confirmed it would be. Mr. Lienhauser said that a similar facility would have similar outlines. Council President Papaleo mentioned the idea of roof spaces noting he saw a football field on the roof of another building. Mr. Lienhauser said that the additional space could be considered.

Councilman Waters asked what type of security would be on the site. Mr. Lienhauser said that exterior cameras on the facility is commonplace and that there are programs through the federal government and the State which would provide security for inside and outside the building. Mr. Lienhauser said that he had utilized an “e rate” program to monitor the facility and said that the safety of the students would be paramount. He said that most clients he works with do not use metal detectors and mentioned an anecdotal situation that they are not effective.

Mayor Frey asked if there were any plans to keep students from walking into the shopping center. Mr. Lienhauser said this would be multifaceted – pickup and dropoff would be from the front door, students would have to be picked up by parents would not be allowed to walk except in some instances but that

teachers would have to facilitate exiting the property at the end of the day. Mr. Lienhauser said about 60 percent of the students participate in the aftercare program as many parents have to work. Mr. Lienhauser said that in these cases parents pick the students up.

Councilman Willis asked if there were multiple entrances and exits. Mr. Lienhauser said that he would have to comply with zoning and ordinances and said that the drawing was just an idea but that it was preliminary and not yet developed. Councilman Willis then asked how many students would be served by this school at full capacity. Mr. Lienhauser said that he anticipated two classes per grade for nine grades, each having 20 to 25 students not including extra services for special education students and estimated 350 to 450 students, partly based on school requirements for the amount of space needed per child. Mr. Lienhauser said that school hours would be for preschool care from 7:15am and that aftercare ends at 5:15pm. Mr. Lienhauser said there would be 25 evenings per year for parent-teacher nights. Mr. Adam then identified himself as Adam Kenz, one of the board members for the proposed charter school.

Council President Papaleo said he was concerned that the vehicle egress in and out of the facility is one of the major arterials in and out of town and that the other arterial has Delcroft Elementary School. Council President Papaleo said that most residents understand not to use School Lane during these hours and that this property is along Grant Road, which is where the property actually is. Council President Papaleo said he was not initially aware of where this school was actually proposed to be. Council President Papaleo said he was concerned about a bus lane to caravan children in and out of the school but that he still foresaw a pileup of cars in the mornings and evenings but that afternoons should be ok. Mr. Lienhauser said that if he were granted the use, one of the requirements would have to be a full traffic study of the impact on the facility. Mr. Lienhauser said that because most students are transported by bus, there isn't a lot of parent dropoff but said he understood the concern and wanted to do whatever he could to alleviate these concerns. Mr. Lienhauser said that he would redesign the property as needed to address any concerns and noted other examples where he had done this, previously. Mr. Lienhauser reiterated his commitment to alleviate the traffic problems for the community but could not promise there would not be any traffic problems whatsoever. Council President Papaleo said he did not want to see parents backed up onto Grant Road like is seen on School Lane.

Council President Papaleo said that the School District is governed by people from the community and asked what the governing apparatus would be for the charter school. Council President Papaleo asked if there could be guaranteed representation on the board of governors for the school. Mr. Lienhauser said that the charter school board already has Southeast Delco community residents and said he believed it is important that the board of trustees represent the community but that the school be run by professional. Mr. Lienhauser said that Mr. Kenz is an experienced, charter school professional and that other members of the board who could not make it were members of the community. Mr. Lienhauser said this is not a for-profit entity. Mr. Lienhauser said there would always be members of the community represented on the board even though it is not required. Mr. Lienhauser said he grew up in Sharon Hill but does not live there now. Council President Papaleo asked if this board operates schools in other communities. Mr. Lienhauser said that under the charter school law they could not do this and while

there are charter schools with affiliations this school does not have that, though it is modeled after another school in the William Penn School District. Mr. Lienhauser said that this was a separate board but there were some members in common. Council President Papaleo said he was learning and asked several procedural questions about who these boards work, noting overlaps with the other charter school board. Council President Papaleo asked Mr. Kenz what his title is. Mr. Kenz said that there are two board members living in Folcroft. Mr. Kenz said that members of the board would be elected one at a time. Mr. Lienhauser said that Mr. Kenz is the president of the William Penn School but Dr. Mooring would be the president of this school.

Councilwoman Isaac asked about the charter school application process for students and asked where the students would be from. Mr. Lienhauser said this would be open to any student who applies from the southeast Delco school district and that the only criteria would be interest and that students would automatically be allowed in. Mr. Lienhauser said that if some seats are not filled, which he did not expect to be the case as there was much interest, some students from other districts could be admitted, noting that this would be done via a lottery system and a waiting list. Mr. Lienhauser explained that students who go to this school would not be going to the southeast delco school district and understand that this district has had financial difficulties and explained that charter school funding came from a portion of the money used to pay for students at the public school – that it would be diverted.

Solicitor Alex Baumler asked if any members of the public had any questions. Engineer Lisa Catania said that she had a question – asked about pre hours and after hours care and asked if hot lunches and breakfasts would be provided during these hours. Ms. Catania asked if there was a cafeteria in this facility with a kitchen area as this is important. Mr. Lienhauser said that his proposal or plan would have whatever students qualify for a hot lunch program fed from a kitchen-prep area and the prep area would be for food being delivered and then warmed for students. Mr. Lienhauser said there is a multipurpose space to be used by students during the lunch period. Ms. Catania asked if students would have the ability to leave school during the lunch time. Mr. Lienhauser said this would not be possible and that they would have to leave the facility at the end of the day, confirming that no students could leave the campus during the day at any time. Ms. Catania asked about signage like flashing signals and pedestrian crossings to keep the children safe. Mr. Lienhauser said that he would emplace all improvements needed to make sure the students are safe and also including staff being on site as a top priority. Mr. Lienhauser said that these improvements would also be to the benefit of traffic in the community and noted that this hearing should just be about whether it can be allowed.

Mr. Lienhauser thanked Council for their time and the questions.

Mr. Baumler said that Council had two options – one, to make a motion to close the hearing or to make a motion to continue the hearing but that based on the fact that all testimony and witnesses have been heard he suggested a motion to close the hearing. Mr. Baumler noted again that a decision would be made within 45 days.

Councilman Willis made a motion to close the hearing. Councilwoman Daly seconded the motion. The motion passed unanimously. Bridget Owens said she did not need anything else and left the meeting.

Mayor Frey said he had an appointment and needed to leave the meeting.

Engineer's Report

Engineer Lisa Catania said that she believed Councilman Willis would talk about the new building. Ms. Catania said there were a few hiccups with the roads program, including a sanitary sewer matter. Mr. Catania said there was a sewer break in the village in the vicinity of work and that Delcora. She said a staff member had taken on the responsibility of speaking with contractors to get whatever is necessary completed prior to the milling and paving of this street. Ms. Catania said the schedule would have to be adjusted somewhat so that the schedule doesn't need to be completed. Councilwoman Daly said that the road had been dug up at the beginning of the day.

Ms. Catania said she had found that Delmar Drive was not on the list from Kehoe Construction and that the Borough hadn't received that as well. She said a cost estimate of \$30,982 which would be a change order. She said that either the money could be provided from Kehoe or do the work. She said that as of 5:00pm today she had not heard from PECO about whether or not a contribution in lieu. Ms. Catania said that all of Delmar Drive being completed would cost about \$90,000 and that the creek to Bennington was almost new and should not be done. She said that she recommended doing Bennington to School Lane if needed and that this is what she had advised PECO of. She said this would be a change order to Damon's contract and was unaware whether action should be taken on this work tonight, though AF Damon would not complete the work until the next meeting – that Delmar Drive would be the final street with roadwork, anyway.

Engineer Lisa Catania said DELCORA is working on the small sewer and water project and that they have the flow meter in hand. She said she is working under the municipal bidding process that DELCORA has done for these services so the Borough is in compliance with bidding requirements. She said that the contract work should have been completed and invoiced as it must be paid quickly to get the \$30,000 in grant money by the end of June.

Shawn Payne said that he just received a phone call from Charles Frank and that the repair and Heather and Taylor Drive had been completed. Councilman Willis asked if there was anything important needed for the new Borough Hall as Ms. Catania needs to leave the meeting. Ms. Catania said that she was aware that Manager Hayman had been attempting to get the information required for the contract but that the solicitor might have more information. She said that once the information is provided she can issue a notice to proceed. She said she has not received any submittals and that all documents will go through Ms. Catania as Borough record, including of when it came in and went to each entity. Engineer Lisa Catania said she had contacted the girls club as there are materials in the old building that are going to be disposed of. Ms. Catania said she hoped to get a quick answer from FX construction soon so as not to have any issues completing the project. Councilman Willis confirmed that formal written communication was sent to the contractors with a "drop dead" deadline.

Public Finance & Administration - Mr. Papaleo

- A motion to approve the bill list for the month of April, 2021 was made by Councilman Ruskowski and seconded by Councilman Waters. The motion passed unanimously.
- A motion to approve the Treasurer's report for the month of April, 2021 was made by Councilwoman Isaac and seconded by Councilman Waters. The motion passed unanimously.
- A motion to approve the April 6th, 2021 Workshop Meeting Minutes and April 20th, 2021 Council Meeting Minutes was made by Councilman Waters and seconded by Councilwoman Isaac. The motion passed unanimously.

Public Works Committee - *Mr. Willis*

- Councilman Willis said that he had nothing to report in this section but he had an item for new business.

Public Safety Committee - *Mr. Ruskowski*

- Councilman Ruskowski made a motion to approve the Police Chief's Report for the month of April, 2021. Councilwoman Isaac seconded the motion. The motion passed unanimously.
- Councilman Ruskowski made a motion to approve the Fire Chief's Report for the month of April, 2021. Councilwoman Daly seconded the motion. The motion passed unanimously.
- Councilman Ruskowski made a motion to approve the Fire Marshall's Report for the month of April, 2021. Councilwoman Isaac seconded the motion. The motion passed unanimously.
- Councilman Ruskowski made a motion to approve the sale of a used Police vehicle and the purchase of a new Police vehicle.

Councilwoman Daly asked to discuss this. Council President Papaleo said that the Police rented a vehicle to Delaware County for \$12,000 of which \$2,000 went in their sunshine fund and \$10,000 went into the General Fund. Chief Bair said that \$9,000 would be made by the sale of this vehicle for a total of \$19,000. Chief Bair said the new vehicle would cost \$33,000 for the new vehicle not counting lighting for \$14,000 increased money for this vehicle. Chief Bair said this would be for a new vehicle. Councilman Willis asked if the new vehicle would be meant to replace the vehicle being sold and asked what the status of the vehicle being sold was, specifically whether or not it was in dire need of repair. Chief Bair said that the vehicle in question is a K9 vehicle, which was given to the Borough by a car dealership in 2013. Chief Bair said that using the \$9,000 from the sale of the vehicle plus \$10,000 from the other vehicle would be helpful in purchasing a specialty unit. Councilman Willis said he understood that money was moved around from other line items as it was slightly more than the \$35,000 set aside for a new vehicle. Councilman Willis asked if this would be purchasing a new vehicle for the budget for next year and to forego the vehicle for next year. Council President Papaleo said he understood that at 40,000 miles there is still a respectable resale value and that some of the cost of the vehicle was already raised by the Police. Chief Bair confirmed that he saw this as an increase – and separate from next year's

vehicle. Councilman Willis said that in theory some of the additional, increased cost of the vehicle purchased earlier in the year could be covered by the funds raised by renting a Borough vehicle.

Councilman Willis said that he understood theoretically there was still a long lifespan for this vehicle if it is being sold and then asked why this vehicle is being sold right now. Councilman Willis said he wanted to make sure everything had been addressed by purchasing a new vehicle this year. Chief Bair said the vehicle that the Borough is selling is a Dodge Charger and the new vehicle would be a Dodge Ram so it would be easier to use for the K9 officer plus training and said that this would last longer than the Dodge Ram. Chief Bair said he was looking to get out of a vehicle that the Borough didn't need to pay for as it was gifted to the Department. Councilman Willis asked if this is the oldest vehicle. Chief Bair said the oldest vehicle is a 2009 Chevy Tahoe and a Ford Taurus. Chief Bair said the Tahoe is the Detective's vehicle. Chief Bair said he believed it may have previously been an old Chief's vehicle and been handed down.

Donna Stilwell asked when the newest vehicle was purchased and whether or not it was a truck. Chief Bair said it was in January and that it would be the same truck. Donna Stilwell said the total expenditure was \$30,179. Councilman Willis confirmed that the Borough also purchased a \$38,000 truck as well. Council President Papaleo asked if the decal on the side. Chief Bair said that it did not and that the increase is the two storage bins on the truck for items for the K9 officer. Donna Stilwell said that the Borough does have the money for a new purchase and that it would not put the Borough in a "bad way." Donna Stilwell said that if the Borough believed they were getting a better trade-in value the Borough could afford it in the budget, when asked by Council President Papaleo. Ms. Stilwell said there should be enough cash in the forecast to purchase the vehicle, barring some changes like the debt service which was originally not in the budget. Councilman Willis said he believed this was included. Ms. Stilwell said there was a \$69,000 payment. Manager Hayman said he believed there was no draw down on that account so there shouldn't be any expenses associated with it. Manager Hayman asked if this was because there was a presumption that construction would start in September. Council President Papaleo said he would be upset if he found that the Borough was paying interest on a loan for a building that was not built yet. Councilman Willis said he believed that part of the funds in a specific line item were for debt service. Councilman Willis added that after conversations with Steve Giancristoforo and the architect, electronics and networking are not part of this bid so there is an additional expenditure. Councilman Willis said that there are other expenditures associated with the Borough Hall project not included in the budget that will not be factored in until next year but that some of them are predicated on what council would like and new technologies, some of which must be bid out. Council President Papaleo noted that the new building would have to be furnished. Ms. Stilwell said this \$69,000 payment is on a semi-annual basis, so far as she understood. Ms. Stilwell said that there is a significant payment due June 1st and another payment due December 1st. Manager Hayman said that the Borough closed on the loan at the end of December or early January and that this is now six months after the funds were released to the Borough. Council President Papaleo directed Manager Hayman to instruct the contractor that this lag time is hurting the Borough and that the project needs to get started.

Councilman Willis said that regarding the truck, he was hesitant to make the determination about the expense for the vehicle as he was not entirely certain where things would be for the year. Councilman

Willis said that if this was an earlier purchase for next year's vehicle purchase then he said that it would financially make sense. Chief Bair said he understood but that the Police did give the Borough one of their vehicles for code enforcement. Council President Papaleo said the point was taken and he understood this position. Councilwoman Isaac said she was hesitant because the mileage was low and with all of the new expenses with the new building that it could leave the Police without the technology the need for the new building and advised to push the purchase to next year. Council President Papaleo asked Donna Stilwell if this presented a budgetary crunch, to which Ms. Stilwell confirmed that it did not. Council President Papaleo said that he understood these expenses did not come into play until next year. Council President Papaleo solicited a motion for a sale of a used Police vehicle for the purchase of a new Police vehicle with the \$9,000 raised from the sale and the \$10,000 originally brought in by renting a different vehicle to be used to purchase a new vehicle.

Councilman Ruskowski said that there have been a lot of questions about mileage on the vehicle and that this is a K9 vehicle and only the K9 officer drives it. He said that having the vehicle donated from the dealership has a lot of wear and tear and that the \$40,000 miles don't represent the full damage to the vehicle as it needed to be run for longer periods of time to keep the animal cool. Councilman Waters asked if this decision needed to be made today. Chief Bair said that the offer for \$9,000 for the vehicle is time sensitive as this money was approved by another Borough Council. Council President Papaleo asked what more information was needed for Councilman Waters to be satisfied. Councilman Waters said he wanted to make sure that there was extra money to do the work. Council President Papaleo reiterated that this would not blow a hole in this year's budget. Councilman Willis said it would be useful to see if there was a mechanical checkup to see if the vehicle is in good shape and that he understood that 40,000 miles may not be representative of the quality of the vehicle. Councilman Willis said he would be more inclined if this were the vehicle for next year's budget. Councilwoman Daly said that the other issue is that this would mean two cars would need to be replaced in the same year in the future as this would mean the purchase of two new vehicles in the same year. Chief Bair said that his department wants to purchase a better K9 vehicle than what they have right now. A mechanic approved the deal for Lansdowne and for Folcroft as the vehicle is ready to use and it allows the Folcroft Police to get a better vehicle than they use currently. Chief Bair reiterated previous points about the vehicle idling and acknowledged that he wasn't aware whether or not sure whether multiple vehicles are needed as accidents do occur. Councilman Ruskowski said he believed the tag reader vehicle is a 2009 and Corporal White's vehicle is a 2011. Councilman Willis said that he wasn't suggesting that the Borough would not purchase a new vehicle next year, but that this was for budgeting matters. Councilman Willis said that if this is needed than he would be fine with it being the next vehicle used for 7 months from now, the 2022 year. Council President Papaleo asked what would happen with the additional funding needed next year. Councilman Willis said that the budgeting process isn't about pots of money for someone to use – money is issued where needed, but that is a budgeting discussion. Councilman Willis said there have been other matters that have been tabled and that these funds could go to those items.

Councilman Ruskowski made a motion to sell a used Police vehicle and the purchase of a new vehicle with a total of \$14,000 from the general fund going to the new vehicle and the remaining balance being paid for by the sale of the used vehicle. There was no second to the motion.

Council President Papaleo said he did not believe it was fair that if \$35,000 was not utilized next year it would be unfair not to allow the full amount to be spent. Chief Bair said he had no suggestions and that he was just bringing this to Council. Councilman Ruskowski said he has seen this opportunity arise in the past when it was time sensitive and that he had also addressed this to prior Council Presidents and they went for the plan, but the financial situation then may have been different. Councilman Ruskowski said it would be a shame not to take this opportunity. Councilwoman Daly said she would second a motion to make the sale contingent on not purchasing a vehicle next year. Councilman Willis asked Solicitor Alex Baumler if this could be done to prevent a new line in the budget for 2022 that would exclude funds for a new vehicle. Councilman Ruskowski asked if it made financial sense to take advantage of this situation now and not to dismiss the ordering of a new vehicle, but perhaps later in the year instead of January. Councilman Waters asked if this could be used to take advantage of next year's vehicle. Councilman Willis said he trusted that this discussion could be had later on.

Councilman Ruskowski made a motion to purchase a new vehicle contingent upon the a used police vehicle to Lansdowne Borough with the excess funds used to cover the difference in the cost with the intent to discuss the potential purchase of a new vehicle in the calendar year 2022. Councilman Willis seconded the motion. The motion passed unanimously.

Chief Bair thanked Council for the decision and he understood where Council was coming from, financially, though he thought that the trade in value still works in the favor of the Borough.

Public Health and Literacy - *Ms. Isaac*

- Councilwoman Isaac had no new business to discuss.

Municipal Planning and Zoning – *Mr. Waters*

Councilman Waters said there was a planning commission meeting on Thursday for three applicants. Borough of Folcroft LLC, Vision Charter Academy and a subdivision by DB enterprises at 540 and 542 Folcroft Avenue. Councilman Waters said that members suggested a few changes to the application for the new 7/11 on Hook Road relating to traffic, sidewalks and noise.

Solicitor Alex Baumler said that this came in late and that the Delaware County Planning Commission Review came in today and documents came in from Engineer Lisa Catania on Friday. He said this is the subdivision of two lots at 540 and 542 Folcroft Avenue and that there would be two, twin single-family homes developed on this plot. Solicitor Alex Baumler said this was a use permitted by right for these homes as the property is zoned R1. Solicitor Alex Baumler said that no waivers or zoning matters needed to be discussed. He said a waiver for the property was requested for approval tonight instead of the preliminary approval. There was also a waiver for not needing to put all features within 200 feet of the property required. Engineer Lisa Catania had approved these waivers, according to Solicitor Alex Baumler. Solicitor Alex Baumler said that all provisions would have to allow handicapped parking spaces and be ADA compliant. Also, there solicitor Baumler would come with a deed restriction because of the small acreage on this property and a second restriction would require the applicant to install sidewalk and curbing along the entire length of the property on Folcroft Avenue.

Councilwoman Daly asked if the properties would only be built on some of the property but the landowner would still own the remainder of the property. Solicitor Alex Baumler said that when subdivided, the owner would only own a quarter of an acre. Councilwoman Daly said that something like this had happened on another location previously. Solicitor Alex Baumler said that this would be entirely deeded to the new owner. Council President Papaleo asked if this would be four homes. Solicitor Alex Baumler said it would be two twin homes. Solicitor Alex Baumler elaborated and explained that it would just prevent the new owner from building a new home on the property without getting express permission to develop the site. Councilwoman Daly confirmed that lot 4 would own this property, which Solicitor Alex Baumler confirmed. Solicitor Alex Baumler said that going forward the Borough would ensure that all pieces of the property would be accounted for.

- Councilman Waters made a motion to approve the preliminary/final land development resolution plan for 540 & 542 Folcroft Ave for DB Enterprises. Councilwoman Isaac seconded the motion. The motion passed unanimously.

Public Parks and Recreation – Ms. Daly

- Councilwoman Daly said that Juneteenth is off the ground and running. An interactive screening of “The Wiz” with some black owned businesses and food trucks would be present. She said the Fords will be present to speak and a guest speaker from the Marian Anderson museum will be on hand to speak as well. Councilwoman Daly said that two donations had been received and more were expected. She said the summer crafts were up and running and that these crafts would be held at Montgomery Park but bagged crafts would be available as well for those who would like to social distance. Lastly, she said community day is being worked on.

Council President Papaleo gave a shoutout to Councilwoman Daly for putting Juneteenth together quickly along with Councilman Waters and that he is in perpetual awe of all the work being completed. Councilwoman Daly said some amazing residents are putting their hearts and souls into the project. She said she is lucky to have a strong committee.

Municipal Legislation – Mr. Waters

- Councilman Waters made a motion to approve Parking Permit ordinance 2021-01. Councilwoman Daly seconded the motion. Councilman Willis said that this was something discussed previously. The motion passed unanimously. Council President Papaleo said this is the first phase of funding driveway restoration in Folcroft and that this was a monumental goal and a step in the right direction.

New Construction Committee – Mr. Willis

- Councilman Willis said that there had been some delays and written notices were sent out regarding them. He said that he sat down with Steve Giancristoforo to start planning for setting up new technology like teleconferences and other networking. He said he discussed this with the architect who confirmed that these expenses were on the Borough and not the contractor, though it was just up to

putting conduits in boxes. He said he would also like to set up new technology for livestreaming meetings to provide access for the community going forward. He said that once he has more information he will come to Council with more information.

Parking Permit and Paving Committee – *Mr. Willis*

- Councilman Willis said that the parking permit portion of this step has been set up and done and will now be put into practice. He said the next big step, as it is more complicated, is the paving portion. Manager Hayman said that he did not receive the appraisal today as intended. Councilman Willis said that this was slightly more complicated than expected with the ranges and addresses, but once this is in hand the committee will move towards planning the paving portion.

Police Chief's Report

Chief Bair said that there was a large drug arrest from anti-crime and that about \$12,000 was brought in but there is a bigger arrest coming in. Chief Bair said that the paving is in effect and that the Police are assisting, which is going well. Chief Bair thanked residents, the Police, Fire Departments and others in helping find the missing juvenile over the weekend and reiterated his thanks for consideration for a new truck. Council President Papaleo reminded Chief Bair that the expense was approved. Chief Bair said he understood this and thanked council.

Solicitor's Report

Mr. Baumler had nothing independent to report.

Finance Director's Report

Ms. Stilwell said that she emailed a list for the audit to Manager Hayman and Council President Papaleo. She said that the budget that the Borough has is a summary budget and that it would be helpful to know if anyone has any of the detail behind the budget. She asked if Councilman Willis had the detail behind the budget. Council President Papaleo said that members estimated that for every \$1,000,000 of the loan there would be approximately \$70,000 annually in debt service. Councilman Willis said that there was a schedule for amortization when the budget was put together but that it may not be entirely detailed as this budget was not put together by professionals. Councilman Willis reiterated that this expense was already in the budget. Ms. Stilwell said the entire amount under capital expenditures was lower than anticipated. Councilman Willis and Council President Papaleo said that they expected that some of the principal would be paid down and that they had anticipated a higher number originally. Ms. Stilwell said that this number has been added into the projection and reiterated that it was very important to get the 2018 and 2019 audits need to be completed. Council President Papaleo asked what he could do to help further the process. Manager Hayman said the majority of everything needed was related to tax collection reports and that Ms. Kelly was actively working on it. Manager Hayman said that he was unaware of how to obtain a PEMA payoff certification. Ms. Stilwell said that a copy of the vehicle title may suffice for this purpose. Manager Hayman said that he understood some of the tax collection information had to be recreated. Ms. Stilwell explained that the firetruck was paid off in 2018

and that proof of this was needed. Council President Papaleo asked if the lender could provide a payoff letter and then directed Manager Hayman to get a payoff letter from the lender from 2018. Ms. Stilwell logged off.

Borough Manager's Report

Manager Hayman said that for the month of April 196 Code Enforcement violation fines were issued, mostly for grass and trash. Manager Hayman said that the number of tickets issued for May so far are low but 60 fines were issued this week alone and asked residents to contact the Borough for tickets.

Manager Hayman said that the grass around the playground was sprayed with chemicals and that it would take 10 days for the grass to die. In two weeks, mulch would be delivered and spread around this area after the vapor barrier is installed. Mr. Hayman said that Jakes Tree Service had done tree work around the entranceway to Montgomery Park which looks nice. Mr. Hayman said that Shawn Payne had retained some stone for making gardens at the "falls" property around the entrance to the Borough. Manager Hayman said that he intended to begin street sweeping in April but due to the highly irregular schedule that repaving would cause it looked like street sweeping would not begin until mid to late June. Once matters that were discussed in the executive session were resolved, this would begin. Council President Papaleo said he had received a comment from a resident in old Folcroft wondering why street sweeping was not ongoing even though their streets were not worked on. Manager Hayman said that there were concerns about how the roadwork would affect the schedule and due to unrelated matters there was also somewhat of a manpower shortage and that street sweeping could be delayed until July, potentially. Manager Hayman said he would like to target bringing bulk trash in-house in the Fall. Manager Hayman said that the food giveaways have concluded and that they were a success. Mr. Hayman also said that the vaccine clinics have been successful and that many residents, including a Councilmember had received a dose of the COVID 19 vaccine. Mr. Hayman said that more events should be held.

According to Mr. Hayman, 627 Borough residents have tested positive for COVID 19 and 6 residents have passed away in total. Prompted by Council President Papaleo, Manager Hayman said that he thought he was seeing a slight decrease in overall positive tests for the Borough and that Folcroft is still slightly behind the state average for COVID 19. Council President Papaleo said that he did not think the virus would disappear but with a vaccine it should not be fatal. Council President Papaleo said he thought that this was here to stay and would not go away. Manager Hayman said that these monthly reports are only a snapshot and it's hard to say if they're representative on what is going on and noted that there was a small spike after the winter spike and that this report may capture some of that. Manager Hayman said that there were something like only 30 positive tests in Delaware County yesterday and that if this trend continues perhaps only a dozen Borough residents would test positive by the following meeting.

There was no old business.

New Business

Councilman Willis made a motion to hire Hunter Frank according to the terms of the collective bargaining agreement. Councilwoman Daly seconded the motion. The motion passed unanimously.

Council President Papaleo congratulated Mr. Frank on joining on as Borough Staff.

Councilman Ruskowski made a motion to ratify the contract with Borough Manager Andrew Hayman for Management services through January, 2022. Councilman Waters seconded the motion. The motion passed unanimously.

Council President Papaleo congratulated Manager Hayman. Manager Hayman thanked Borough Council.

Solicitor Alex Baumler asked if members wanted to discuss the mechanics of returning to in-person meetings. Council President Papaleo asked what members thought. Councilwoman Isaac said she would like to start in July as by then all members will have been vaccinated. Councilman Willis said he would like to second that for a very different reason. Councilman Willis said he believed the expectation has been set that residents can attend virtually and said that it would take time to obtain the equipment to purchase and emplace for residents to use and said that one positive from the pandemic has been the transparency created by recording meetings. Councilman Willis said that waiting until July would give him enough time to get this equipment. Mr. Baumler noted that Governor Wolf extended the emergency declaration into September and that once this expires Council will have to meet in person. He said that kicking the can down the road until July will allow the equipment to be purchased. Council President Papaleo said he thought that Councilwoman Isaac's justification was perfect. Councilwoman Daly asked if mask wearing would be mandated for all those in attendance, including those who aren't vaccinated. Mr. Baumler said that technically all restrictions except mask mandates will be lifted after Memorial Day. Mr. Baumler said that technically this means that unvaccinated people will still have to wear masks but fully vaccinated people will still need to wear masks but that this would just be a policy choice. Mr. Baumler said that without this mandate the Borough cannot force people to wear masks. Councilwoman Daly said she was concerned that some attendee might claim to be vaccinated when they are not actually vaccinated and noted specifically that she had contracted COVID 19 and did not want this again.

Councilman Waters made a motion to return to live, in person meetings in July with a mask mandate in place. Councilwoman Isaac seconded the motion. The motion passed unanimously.

Manager Hayman also wanted to discuss the June 1st Council meeting. Council President Papaleo asked if it was worth cancelling this meeting as Ms. Catania said something important might come up. Council President Papaleo said that by June 15th it would be too late to implement. Solicitor Alex Baumler said his belief was that a meeting in 5 business days might be redundant. Council President Papaleo said he had forgotten that June is 5 days away. Solicitor Baumler said that any important decisions could be done via vote by phone.

Councilwoman Daly made a motion to cancel the June 1st 2021 meeting. Councilman Waters seconded the motion. The motion passed unanimously.

Councilwoman Daly made a motion to adjourn at 9:52PM. Councilwoman Isaac seconded the motion. The motion passed unanimously.