

MEETING MINUTES
FOLCROFT BOROUGH COUNCIL MEETING
NOVEMBER 17, 2020

PRESIDENT – Joseph Papaleo: Called the Council Meeting to order at 7:02 pm.

Council President Papaleo took a moment of silence for those who've

Roll Call (Council President Papaleo, Councilman Kyle Willis, Councilwoman Leigh Daly is absent, Councilman Nick Waters, Councilwoman Malinda Isaac, Councilman Jason McGuigan is not present, Councilman Robert Ruskowski, Mayor Bob Frey is absent, Solicitor Alex Baumler, Secretary/Manager Andrew Hayman) were present.

Audience Participation

There was no audience participation

Engineer's Report

Lisa Catania stated that she had contacted DEP and spoke with Stephanie Rittenhouse and that she hasn't yet reviewed the 537 but will have done so by Friday. The environmental survey is completed. She said she has an invoice amount of over \$82,000 for street work which is substantially completed. She said she had the road program information from PECO to do curb to curb but PECO is offering approximately \$400,388 which is estimated at half of the cost to repair the streets. She recommends that the Borough accepts this offer and that the Borough should have these funds within 60 to 90 days. She said that this number was roughly her projected number as well. Council President Papaleo clarified that this is roughly half of what is required to resurface all the roads. She also let PECO know that they need to do a final cleanup of all trenches. She said that she is confident that this work has not been completed as of yet. She says she would like to know everyone is on board so they can let them know, tomorrow. Council President Papaleo reiterated that the trenches and patchwork is still not completed and should be smoothed out.

Lisa Catania said that she would like an authorization to bid out the 2021 Roadwork so that the Borough can be on the list to get the bids out in February and then be first to receive material in April. She said that an actual motion can be made this month or next month so that the work must begin in April.

She said we have the backhoe bid and the specifications are almost completed. She said she expects this to be online by the end of the week and she tweaked some specifications. She said we are required to have a hearing for block grant funding that must be advertised at least 10 days prior to the meeting. Manager Andrew Hayman clarified how this would work and said that he believed it could be done directly prior to the December 2020 committee meeting.

She said that she completed a land development review for the Popeye's lot 2 next to Dollar General and that she wanted to mention that it had been reported previously that we were waiting for DEP approval for changes in the retention basin in the rear of the property and we have since received DEP approval. She said they are looking for a cost estimate from us and there must be an update to the developer's agreement – once she has this from Bohler she will send them to the solicitor. Alex Baumler said that Joe D'Amico had already reached out to him.

Public Finance & Administration - Mr. Papaleo

- Motion to approve the bill list for the month of October, 2020 was made by Councilman Willis and seconded by Councilwoman Isaac. The motion passed unanimously.
- Motion approve the Treasurer's report for the month of October, 2020 was made by Councilman Willis and seconded by Councilman Waters. The motion passed unanimously.
- Discuss engaging with Rocksolid by acquiring a mobile application and CRM platform – Council President prefaced this by explaining that the idea came about to engage more aggressively with residents but that another company has also reached out. Councilman Willis said the purpose of this application was twofold – for a communication portion so that requests can be submitted to the Borough and to act as a portal for information about when trash gets picked up. The request portion will allow a resident to report an issue like a pothole (the example given) which would automatically be reported to the right department and to organize and structure them. This way, requests would not be missed and we could handle a greater volume of requests. Many companies do not provide this program. Another company has provided a similar program at a preferential price point and now he believes it would be best to delay so that Councilmembers can see a demo of the video and learn how the program works prior to voting.

Councilwoman Isaac asked if residents would download the application. Councilman Willis said that the reason that he pushed for this was that the school district has a similar application that is also used and that there are many examples of applications like this being used. He said he had one at a prior employer and he assumes that people will use them and more likely to download it. Chief Bair said that crimewatch has been great for the community and residents have provided many tips on wanted people and missing people and the program hasn't fully been promoted yet. Chief Bair said he thinks we will get more information and it will be more user friendly as residents want to send things in but don't want to talk to anyone. Council President Papaleo said he noticed that residents seem to prefer to go to social media before calling people but that maybe it isn't easy to call in, sometimes.

Council President Papaleo asked Councilman Willis to discuss the difference in pricing. Councilman Willis said that the cost for Rock Solid is about \$11,000 per year and the other company is coming in at \$5,000 with no major changes that would affect the way we use the program. One benefit would be that in the future we could use another module for tracking code enforcement that does case management. This is a separate module which could be purchased if we wanted. Council President Papaleo asked what we need to do next to Solicitor Alex Baumler. Alex Baumler said that his understanding, looking at the documents, was that a three year contract with Rock Solid is way over the public bidding threshold and

that we would have to put out a public bid, allow them to submit that offer and then take other offers as well. The \$5,000 bid would not have to be bid out as it is only a yearly contract, though he advised that out of an abundance of caution it might be preferential to seek out other offers and confirm this pricing. Council President Papaleo confirmed whether or not this was a multi-year contract. Councilman Willis said this is a contract which can be cancelled at any time but goes on a year to year basis. This company is also doing a promotion for us as we would be the first municipality in this area. The language that was used is that this is a “break in” as the company could now lobby for other municipalities in the area as well. Solicitor Alex Baumler suggested to find a third provider since the difference in price between applications is staggering. A different provider could come in on a public bid and then offer a contract at \$5,000 per year, however we would still go through the bidding process. Solicitor Alex Baumler said that he is concerned the applicant is undercutting the market and that this still should go through the bidding process. Councilman Willis agreed to investigate this and said that there are lots of companies that do this but the integrated service that we are looking for don’t exist in exactly the way we were looking for. Solicitor Alex Baumler said that if only two responses were received through public bidding the Borough could still take the lower bid, however the dollar threshold in the contract still trips the bidding amount. Councilman Willis said he would still look for a third company. Solicitor Alex Baumler said the threshold is adjust annually but this year is at \$11,300 per year and then explained how the bidding process must work. He said that the actual contract is for \$33,000 since it is for three years.

- Motion to approve the October 6th, 2020 Committee Meeting minutes and October 20th, 2020 Council Meeting minutes was made by Councilman Willis and seconded by Councilwoman Isaac. The motion passed unanimously.

Public Works Committee - *Mr. Willis*

- A motion to hire Dan Falcone as a per diem Highway Department employee was made by Councilman Willis and seconded by Councilwoman Isaac. The motion passed unanimously. Council President Papaleo congratulated Mr. Falcone on his reemployment.

Councilman Willis asked if there is anything that must be done to accept the fee in lieu. Engineer Lisa Catania said that once paperwork is provided by PECO, which is a more formal project, this will be a check prior to the work. She said this was preferential as sometimes it can take a year to get a reimbursement and hopefully this process will be faster. Solicitor Alex Baumler said that whatever is submitted to Council can be resolved to be accepted at the last meeting.

Public Safety Committee - *Mr. Ruskowski*

- A motion to approve the Police Chief’s Report for the month of October, 2020 was made by Councilman Ruskowski and seconded by Councilman Willis. The motion passed unanimously.
- A motion to approve the Fire Chief’s Report for the month of October, 2020 was made by Councilman Ruskowski and seconded by Councilman Willis. The motion passed unanimously.

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

Public Health and Literacy - *Ms. Isaac*

- Councilwoman Isaac said she spoke with Jen and she will be providing a calendar of Library events. She said she has been doing a lot of what she needs to be doing so she can have numbers for the state. She said they also talked about having Councilwoman Isaac included in meetings. She said that they are talking about doing virtual meetings, instead. Council President Papleo said this would be best so as not to inadvertently duplicate events and services and reiterated that doing zoom meetings would be best. Councilwoman Isaac said this was a good idea. Steve Giancristoforo agreed to facilitate. Councilwoman Isaac said she would get back in touch with Jen to get this ready. She said there would be a meeting in December and that she would be in touch with Steve.

Municipal Planning and Zoning – *Mr. Waters*

- Councilman Waters had no new business to report.

Public Parks and Recreation – *Ms. Daly*

- Councilwoman Daly was absent. Council President Papaleo said he is aware that her recreation committee is already on the move getting holiday preparations in order. He said that the solution for the pandemic is coming and at some point it would be good to host a celebration in town once the vaccine is in effect. He said he is sick of the pandemic. Councilmembers generally agreed with this plan.

Councilman Willis went over the event list for the holidays. He said that starting tomorrow there will be craft bags in the hallway. On the 28th the tree will be lit. He said that ornaments can be made from the craft bags and hung on the tree. There are also currently letters for Santa that kids can put in envelopes and send them to Santa to be dropped off at Borough Hall. There is another house decorating contest with a submission date of the 13th of December. Lastly, on the 19th of December a winner will be announced for the house contest.

Municipal Legislation – *Mr. Waters*

- Consideration of a resolution to authorize the Borough Council President, Council Vice President and Borough Manager to act as authorized signers on all Borough financial accounts was discussed. He explained that we are motioning for this resolution. Solicitor Alex Baumler clarified that there is an error in the description – we are offering the offices of Council President and Vice President is to act as signatories and signers to serve on the account and the Borough Manager would fill the role of signer. Council President Papaleo asked if the Borough Manager could serve as deputy Treasurer, which Solicitor Alex Baumler confirmed. He suggested that once a permanent Treasurer is appointed the Borough Manager would not have signatory power. He said it is the same resolution but appointing an assistant treasurer

Consideration of a resolution to authorize the Borough Council President, Council Vice President and Borough Manager to act as authorized signers on all Borough financial accounts as well as to establish the office of assistant Treasurer was made by Councilman Willis and seconded by Councilwoman Isaac. The motion passed unanimously.

Council President Papaleo said that the Financial Directors that we had were directed to change over the signatories on all Borough accounts and it was found that there were several accounts where the former Council President and a former Councilmember was still a signer. He said that over the course of the next few months accounts will be streamlined. Borough Manager Andrew Hayman clarified that this is not a suggestion of impropriety but some checks are missing and may have been deposited into these accounts and this resolution allows the Borough to have access to these accounts. Council President Papaleo expressed his displeasure with the previous Financial Director and said he wanted to be clear about this. Mike Hill said that he spoke to Keystone collection group and an EIT payment from pre lockdown was entered to day and it was higher than expected. He said he will put all the numbers together when the remaining information comes in.

New Construction Committee – Mr. Willis

- Councilman Willis said that many of the updates were covered regarding the DEP. He said that DCED has approved the Borough loan which moved faster than expected. He said the final, external approval is the DEP approval to begin construction and that this is our only hindrance. Closing of the loan is currently being scheduled. This is being expedited to beat the cold to get the work started this year. Council President Papaleo asked if we have a timeframe. Councilman Willis said that it depends on the DEP, which is reviewing on Friday. He said that if this is approved quickly it would be great news and that there would be much less between us and getting started and that we could come back a week from now with bad news if things don't go well. He said we are seeing progress.

Police Chief's Report

Chief Bair said that everything is working smoothly related to COVID. He said a few officers had COVID but not enough to have trouble covering shifts. He said the anti-crime unit is doing well. He said parking tickets went up this month, as was reflected in the report. He said they will begin working on Delmar Drive soon and expected that residents would be happy about this. He also said that shots were fired on Elmwood Avenue which seemed to be shots fired up in the air and that the same thing happened in Prospect Park but there was some hope at finding the culprit.

Solicitor's Report

Solicitor Alex Baumler didn't have much to report since last week. He said the big item was the DCED application approval and then the loan will be approved quickly and there shouldn't be any hurdles left to prevent the loan being closed quickly. He said he felt that the bank seemed willing to close quickly. He posted an update that there was news about the intermunicipal liquor license transfer. He said it follows essentially the same process and land development and then there will be a public hearing with a court reporter. He said this doesn't happen frequently, however Council will have to pass an resolution and an

ordinance and we will put our minds together to come up with a solid number for this work. He projected that there will be a January or February meeting on the matter. He said the liquor license type is a standard restaurant type and could be used in many different ways. Council President Papaleo asked if Council had the ability to approve or deny the application. Solicitor Alex Baumler said that even if the PLCB approves the transfer the Borough could still decide not to accept it and then it would not come into the Borough. He said there would be dozens of pages of material.

Finance Director's Report

Mike Hill, interim finance director, stated that he has a number of items that the Borough is working on with regard to accessing the bank accounts. He now notes that his firm does not have access to the quickbooks files which are on a laptop and that using 2014 quickbooks files are not a good way to start doing business in the New Year. Manager Hayman confirmed that the previous director had been asked to provide this information and was told that it was on the server, however this turned out not to be correct. Mike Hill confirmed that he

Borough Manager's Report

Manager Hayman said that he sent out a Borough Manager's report for the month as some topics of discussion might not be appropriate for a public meeting. He said that Diane, who does cleaning services for Borough Hall, is no longer going to be in business and the offices must still be cleaned. He discussed at least temporarily bringing in Diane as an independent contractor and that it might save a small amount of money going forward. He advised that she comes to the Borough about 8 times per month and to offer \$600 per month for her time. A motion could be made under new business.

Manager Hayman discussed a possible shutdown. He said a statewide shutdown like in March is unlikely but that a shutdown of restaurants and bars may occur at some point as rates are skyrocketing. He said it would be best to have a contingency plan in the office to prepare for this, again.

Manager Hayman became aware that there's an issue with the lighting in the Police Department and that there is something wrong with the sockets. The lights turn off but do not turn back on. An estimated cost of \$2,900 to replace the lights in the ceiling was given. He recommended that Council approve this quote. He said he did not want to do this but we had to as it was unfair to the Police. He said not doing so would risk entirely losing lighting in the Police Station at some point. Council President Papaleo asked how many lights were out, to which Manager Hayman replied that he believed it was 13 lights. Shawn Payne said 11 of the lights are in the squad room where reports are repaired. Sometimes they come on and sometimes they don't come on. He said that Mecca Electric said these are outdated, fluorescent lights and swapping out parts would not be doable. He believed the lunch room lights are newer. Other lights including in the Chief's office sometimes doesn't work. He said it would be cheaper to replace with LED lighting. Council President Papaleo said spending \$3,000 on a building that we will be vacating soon irritated him. Engineer Lisa Catania said that any lights we are replacing might be eligible for a PECO Smart Ideas repayment as we would be changing the wattage and fixture. Engineer Lisa Catania said you can submit for reimbursement but you must list all lights you are replacing and their wattage but that she was sure Bill Mecca knows how to do this. She said this may be a few

hundred dollars. She said this was the same idea as the refrigerator rebate. Shawn Payne said he would reach out to Bill Mecca in the morning to see if this can be done. Councilwoman Isaac suggested moving the Police Department to Fire Hall or Sharon Hill Borough for the time being instead of replacing the parts. Council President Papaleo said there would be a tremendous cost in doing this and that it would not be feasible. Solicitor Alex Baumler said that it is hard to authorize an expense that you don't know you're going to expend and asked Manager Hayman what the outer bound that the Borough was willing to authorize was. Manager Hayman said there already is an agreement for this repair work but it should cost \$2,900 to fix the lights and we should not count on the PECO reimbursement. He said the flat price we could give them in \$2,900. Solicitor Alex Baumler suggested authorizing an expenditure.

A motion to authorize an expense of not more than \$2,900 to replace the lighting in the Police Department was made by Councilman Willis and seconded by Councilman Waters. The motion passed unanimously.

Manager Hayman said that we have had several issues with checks that have come in, State Aid for pension funds and such, that was received by the previous finance director and not moved from the general fund in the time that they were employed by the Borough and not put into the pension fund by October 30th and that we were not even aware of this until November. He said the same issue has come up with the Fire Department as there is now an approximately \$32,000 check that is outstanding that we think may have been entered into an account that the Borough cannot access and we have 60 days to transfer. Mike Hill said his firm searched the Republic Bank Account but could not find it as a deposit. Council President Papaleo asked if the prior financial director lost the Borough \$32,000. Mike Hill was unaware and could not yet confirm. Solicitor Alex Baumler said that discussing any and all legal options available to the Borough was a topic of discussion for executive session. Council President Papaleo asked to find out where this check went and asked that it be found.

Lastly, Manager Hayman said that as Council is aware we are bringing Dan Falcone in to do leaf collection. His understanding is that all leaves fell at once due to temperature changes starting literally tomorrow morning. He said that if snow falls on top of wet leaves it could clog our drains and quickly become a problem. Shawn Payne said that he has been doing a load of leaves every day and that he is currently working down in the Delmar Village. He said he will continue this work for at least another week and we are now playing catch up. He said that Dan Falcone will only be able to work no more than 20 hours per week.

Michael Diaz said that he understood that the first item that might be discussed was bringing on a 1099 employee and he wanted Council to bring him any questions if needed. He said that given that the statement of work is almost exactly what was being done previously this should be very low risk. He said that in the future the Borough could possibly contract with another cleaning company next year.

Manager Hayman said that he would like approval for this 1099 employee today. Michael Diaz reiterated to Council President Papaleo that this was a low risk decision and explained how a 1099 employee is identified. He said the risk is that a hypothetical potential 1099 employee could file a claim that they have been inappropriately categorized as such, however this was not likely as this was not a

deliberate misclassification. Manager Hayman said the company is currently receiving \$750 per month for this service but as some of that money must go to Diane Highland, \$600 per month might be more appropriate for an individual.

A motion to hire Diane Highland was a 1099 employee for cleaning services at a rate of \$600 per month in Folcroft Borough was made by Councilman Willis and seconded by Councilman Waters. The motion passed unanimously.

Manager Hayman interjected and noted that the actual employee is Joyce Constrictiani and Diane Highland was who she works for.

A motion to amend the previous motion and hire Joyce Constrictiani as a 1099 employee for cleaning services was made by Councilwoman Isaac and seconded by Councilman Waters. The motion passed unanimously.

Manager Hayman noted that he is working on a Borough policy regarding reimbursement with Mike Diaz that he hopes to have at the next meeting. Council President Papaleo requested that in future meetings, a final agenda go out directly before the meeting that covers these topics instead of them being under new business.

There was no Old Business

There was no new Business

A motion to adjourn was made by Councilman Ruskowski and seconded by Councilwoman Isaac. The motion passed unanimously. The meeting adjourned at 8:24pm.