

August 1, 2022

The regular meeting of the Marcus Hook Borough Council was held on Monday evening August 1, 2022, 7:00 PM, in Council Chambers.

CALL TO ORDER

Josephine Laird, Council President, called the meeting to order.

ROLL CALL

Present were Councillors Cheryl Evernham, Joseph Flynn, Larry Killinen, Josephine Laird, and Michael Manerchia. Also present were Mayor Gene Taylor and Borough Manager Andrew Weldon.

APPROVAL OF MINUTES

Motion by C. Evernham second by J. Flynn to dispense with the reading of the minutes of the last meeting and that they stand as written. All in favor.

APPROVAL OF RECEIPT VOUCHER

Manager advised that the receipt voucher for the month of July totaled \$279,843.18. Motion by C. Evernham second by M. Manerchia to receive and deposit. All in favor.

COUNCIL APPOINTMENT

Council President J. Laird indicated that a Council seat is currently vacant due to the resignation of Brian Mercadante on July 11, 2022. The floor was opened up for nominations. Councilor M. Manerchia nominated John Johnson to fill the vacant Council seat. A vote was taken by Borough Council. All in favor.

Motion by M. Manerchia second by L. Killinen to adopt Borough Resolution No. R-22-11 appointing John Johnson to Council to fill the seat vacated by the resignation of Brian Mercadante. All in favor.

Mayor Taylor administered the Oath of Office to newly appointed Councilor John Johnson.

Councilor J. Laird appointed John Johnson to the following Council Sub-Committees: Chair – Tax Collection and Library, Vice-Chair – Trash and Recycling.

Council President Josephine Laird appointed John Johnson as a Council representative on the Marcus Hook Community Development Corporation Board of Directors to fill the vacancy on the Board left by the resignation of Brian Mercadante.

SPECIAL PRESENTATION

A special presentation was made to retirees, Aubrey Mulholland, Catherine Pace, and Patricia Imburgia. Aubrey was an employee of the Borough from 2004 – 2021 serving as Municipal Clerk and Borough Manager and is being presented with a rocking chair. Catherine was an employee of the Borough from 2010 – 2022 serving as Police Clerk and is being presented with a rocking chair. Patricia Imburgia was an elected official from 2006 – 2021 serving as Tax Collector and is being presented with a lamp. Not in attendance tonight, is James Burgess who was an employee of the Borough from 2014 – 2022 serving as Highway Foreman and was presented with a lamp. Thank you for your collective service to Marcus Hook, the Borough is better because of each of your contributions!

GENERAL GOVERNMENT

Manager reported that the Borough has renewed its property/casualty, general liability, automotive, public officials liability, law enforcement liability, umbrella, and cyber liability and privacy coverage for the period of August 1, 2022 - July 31, 2023. The combined premium cost is \$87,195, an increase of \$12,255 from the expired program at inception. Motion by M. Manerchia second by L. Killinen to ratify the renewal of the Borough's insurance package for the 2022/2023 coverage period. All in favor.

Manager presented a Facilities Agreement with the Chichester School District for the purpose of providing school buildings, property, personnel, and supplies in the event there is a disaster or emergency declaration in the Borough and Borough facilities are unavailable for use. The Borough will be billed for the cost of school district personnel and usage of supplies, as needed. Motion by J. Flynn second by C. Evernham to approve executing a Facilities Agreement with the Chichester School District for the purpose of providing buildings, property, personnel, and supplies in the event there is a disaster or emergency declaration in the Borough of Marcus Hook and school district resources are needed. All in favor.

Manager presented an updated 2022 Fee Schedule as Resolution No. R-22-12, to include a penalty for not obtaining a building permit prior to commencement of work. The penalty will result in the fee doubling. Motion by J. Flynn second by M. Manerchia to approve Resolution No. R-22-12. All in favor

Manager presented an updated Sexual Misconduct Policy, version 2022 to establish the process for handling any and all sexual misconduct claims against Borough employees, volunteers, or elected officials. Motion by L. Killinen second by C. Evernham to approve and adopt the Sexual Misconduct Policy, version 2022. All in favor.

Manager presented for adoption Borough Resolution No. R-22-13 proclaiming August 31, 2022 as "Overdose Awareness Day" in Marcus Hook, a day meant to provide acknowledgement and awareness to substance use disorders and the long-lasting effects they cause. Motion by M. Manerchia second by J. Flynn to adopt Resolution No. R-22-13, declaring August 31, 2022 as "Overdose Awareness Day" in the Borough of Marcus Hook. All in favor.

Manager presented the Monthly Code Enforcement Report for the month of July, 2022. Motion by L. Killinen second by M. Manerchia to receive and file the Monthly Code Enforcement Report. All in favor.

PUBLIC SAFETY

Mayor Taylor presented the Police Report and related statistics for the month of July, 2022. Motion by C. Evernham second by M. Manerchia to receive and file the Mayor's Public Safety Report. All in favor.

The Marcus Hook Civil Service Commission presented to the Mayor and Borough Council a recertified list of the top three candidates for the position of full-time Police Officer on June 8, 2022, based on the results of the Civil Service Examination. The three candidates from high to low score on the eligibility list are Jordan Culbreath, Ginger Dunbar, and Chris Reynolds (Veteran's Preference). Motion by J. Flynn second by L. Killinen to appoint Chris Reynolds as a full-time police officer with the Borough of Marcus Hook effective August 1, 2022. All in favor.

Manager presented for adoption Borough Resolution No. R-22-14 proclaiming August 2nd, 2022 as "National Night Out" in Marcus Hook, a unique nationwide program in which the Borough would join forces with communities across the country in promoting cooperative, police-community crime prevention efforts. Motion by L. Killinen second by C. Evernham to adopt Resolution No. R-22-14, declaring August 2nd, 2022 as "National Night Out" in the Borough of Marcus Hook. All in favor.

PARKS, RECREATION AND SHADE TREES

Manager noted that on Tuesday, July 12th there was a groundbreaking ceremony held at the future site of the Billy "White Shoes" Johnson statue on the grounds of the Marcus Hook Community Center. Included in the groundbreaking ceremony were Billy's family and friends, representatives from the statue fundraising committee, staff and local officials, and representatives from the heavy equipment and electrical unions who will be donating time, material, and equipment to this project. Motion by J. Johnson second by M. Manerchia to record and file. All in favor.

Manager reported that two proposals were received for the Marcus Hook Mini-Parks, Recreation and Open Space Plan: Thomas Comitta Associates - \$42,000, and Engineering & Land Planning Associates - \$37,320. A Delaware County Greenways grant in the amount of \$42,750 has been approved for this project with no local match requirement. Staff recommendation is to award this contract to Thomas Comitta Associates for a number of reasons including a well-written and organized proposal, experience and track record with preparing park-recreation-open space plans, and most importantly Thomas Comitta's knowledge of the town gained from many assignments over the years for Marcus Hook Borough. Motion by L. Killinen second by J. Flynn to award the Marcus Hook Mini-Parks, Recreation and Open Space Plan to Thomas Comitta Associates in the amount of \$42,000 pending concurrence and approval from the Delaware County Planning Department. J. Flynn, C. Everngham, J. Laird, L. Killinen, J. Johnson – YES; M. Manerchia – NO. Motion carried 5-1.

Manager reported that one proposal was received for the Market Square Memorial Park Delaware River Pier Removal and Reconstruction Master Plan: Urban Engineers - \$82,400. The next step is to review the proposal to insure it complies with the Scope of Services and to submit the proposal to the grant funding agencies, state and county, with a letter of rationale for consultant selection. Motion by M. Manerchia second by L. Killinen to approve the proposal of Urban Engineers conditioned on compliance with the scope of services and concurrence and approval from the state and county. All in favor.

ECONOMIC AND COMMUNITY DEVELOPMENT

Manager noted that the following agreements have been received by the Borough from Duke Realty relating to their proposed redevelopment of the property located at 203 E. 10th Street: Developer Agreement, Financial Security Agreement Performance Bond, Stormwater Controls and Best Management Practices Operations and Maintenance Agreement, Traffic Signal Maintenance Agreement, and Traffic Signal Easement Agreement. Motion by M. Manerchia second by L. Killinen to authorize Manager Andrew Weldon to execute the Developer Agreement, Financial Security Agreement Performance Bond, Stormwater Controls and Best Management Practices Operations and Maintenance Agreement, Traffic Signal Maintenance Agreement, and Traffic Signal Easement Agreement upon concurrence from the Borough Solicitor, Mark Much. All in favor.

Manager presented a Local Economic Revitalization Tax Assistance (LERTA) application for the property located at 203 E. 10th Street. This LERTA application was submitted by Duke Realty Limited Partnership on July 29, 2022, in conjunction with a building permit application, and is seeking exemption from all real estate property taxes that portion of the additional assessment attributable to the actual costs of new construction or improvements to any eligible property for a ten (10) year period as shown on the Exemption Schedule in Borough Ordinance O-22-3. Motion by C. Everngham second by M. Manerchia to conditionally approve the Local Economic Revitalization Tax Assistance application for the property located at 203 E. 10th Street and grant an exemption from all real estate property taxes that portion of the additional assessment attributable to the actual costs of new construction or improvements to any eligible property for a ten (10) year period as shown on the Exemption Schedule in Borough Ordinance O-22-3. This action is conditioned upon the recording of a Land Development Plan with the County Planning Department and issuance of an approved building permit. All in favor.

ENVIRONMENT

Manager presented the first reading of Borough Ordinance No. O-22-5 repealing Chapter 174, entitled Stormwater Management, and replacing with a revised Chapter 174, entitled Stormwater Management. The updated ordinance provides general updates as well as compliance with 2022 MS4 requirements, in addition to establishing permit requirements, site plan requirements, providing for inspection and fees, establishing maintenance responsibilities, prohibiting certain discharges and providing for enforcement and penalties. Subject ordinance is designed to comply with the regulatory requirements of Pennsylvania Department of Environmental Protection's National Pollutant Discharge Elimination System (NPDES) Municipal Separate Stormwater Sewer System (MS4) program. Motion by M. Manerchia second by L. Killinen to authorize the advertisement of Ordinance No. O-22-5. All in favor.

COUNCIL REPORTS

Mayor and Borough Council welcomed John Johnson to Borough Council and expressed their desire and eagerness to work together with John.

Mayor Taylor noted how nice the new play equipment on McClenachan Terrace looks, it was noted that a light needs repair and some tree trimming needs to be done, but overall the play equipment is a major improvement.

PUBLIC COMMENTS

Lorraine Daliessio, 1050 Yates Avenue, noted that there is an Environmental Advisory Council meeting on September 1 at 1111 Market Street and questioned whether refreshments would be permitted. Manager Weldon noted that Council decided not to permit this, Andrew will email the EAC group.

Lorraine also expressed caution and concerns with the recent LERTA approval for the Duke Realty property. Lorraine said the City of Philadelphia has given a lot of tax incentives like this out and the Borough should be careful giving these out.

Lorraine questioned which companies are involved with finding a consultant to evaluate the PECO manhole water problem at the exit of Braskem's parking lot. Lorraine noted this was discussed at the Agenda Meeting but she could not recall who was involved. Manager Weldon noted that the group meeting to bring in a consultant consists of PECO, Braskem, Energy Transfer, and Honeywell.

Cathy Marshall-Toll, 29 Marshal Avenue, noted that she recently had a hip replacement and was walking on 9th Street and nearly tripped over an uneven sidewalk that has been dislodged due to the roots of the tree that is adjacent to the sidewalk. Manager Weldon noted that he would look into this.

Neva Holloway, 25 Cedar Street, questioned whether Amazon was really going to be a tenant in the proposed commercial warehouse Duke Realty is planning on constructing, whether 10th Street would be widened to accommodate additional traffic, and how the Borough would benefit from this property in light of the recent LERTA that was conditionally approved.

Manager Weldon noted that the future tenant(s) of the building are unknown to the Borough and likely Duke Realty. The building is being built to spec with the availability for one tenant or two tenants. Andrew also noted that 10th Street would be widened in the vicinity of 10th and Yates Avenue to accommodate turning lanes into the property, the extra space needed for these lanes was being absorbed by the property being redeveloped and not on the north side, or Yates Avenue side, of 10th Street. Andrew also noted that the Borough would collect real estate taxes on the base value of the land as it sits today with an assessed value of \$4,300,000. Andrew noted once the building is completed and the property is reassessed, the difference would fully exempt initially, and after one year the Borough would collect 10% tax revenue, after a ten year period the entire site would be fully taxable from a property tax standpoint. Andrew further noted that the Borough would fully collect on Earned Income and Local Services Taxes during this period.

Lorraine Daliessio questioned whether Duke Realty could host another informational seminar for residents on the site.

Former Mayor and Resident Curt Weldon wanted to recognize Mayor Taylor and Borough Council for their leadership and ability to get things done in an efficient and effective manner. Curt also wanted to congratulate John Johnson on his appointment to Borough Council. Curt mentioned that John's father Leonard was appointed to Sergeant with the Marcus Hook Police Department 44 years ago, at a time when the town was going through some tough times. Leonard stepped up to protect the town. Curt is proud of John and his family, the community, and the town and wishes John all of the best serving on Borough Council.

APPROVAL OF PAYMENT OF BOROUGH BILLS

Manager advised that the payment voucher for the time period from July 12, 2022 through August 1, 2022 totaled \$357,941.82. Motion by C. Evernham second by M. Manerchia to approve payment of Borough bills. All in favor.

ADJOURNMENT

Motion by M. Manerchia second by L. Killinen to adjourn. All in favor. Meeting was adjourned at 7:45 PM.

Andrew Weldon
Borough Secretary