

April 4, 2022

The regular meeting of the Marcus Hook Borough Council was held on Monday evening April 4, 2022, 7:00 PM, in Council Chambers.

CALL TO ORDER

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

ROLL CALL

Present were Councillors William Cox, Cheryl Evernham, Joseph Flynn, Josephine Laird, Michael Manerchia, and Brian Mercadante. Also present were Mayor Gene Taylor and Borough Manager Andrew Weldon.

APPROVAL OF MINUTES

Motion by M. Manerchia second by W. Cox 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 March totaled \$2,355,453.72. Motion by W. Cox second by C. Evernham 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 Paula Ewing on March 7, 2022. The floor was opened up for nominations. Councilor C. Evernham nominated John Johnson to fill the vacant Council seat. A vote was taken by Borough Council. YES – M. Manerchia, J. Laird, C. Evernham; NO – J. Flynn, W. Cox, B. Mercadante, G. Taylor (Mayor cast tie-breaking vote). Nomination failed 4-3.

Councilor B. Mercadante nominated Larry Killinen to fill the vacant Council seat. A vote was taken by Borough Council. YES – J. Flynn, W. Cox, J. Laird, B. Mercadante; NO – C. Evernham, M. Manerchia. Nomination carried 4-2.

Motion by J. Flynn second by W. Cox to adopt Borough Resolution No. R-22-7 appointing Larry Killinen to Council to fill the seat vacated by the resignation of Paula Ewing. All in favor.

Mayor Taylor administered the Oath of Office to newly appointed Councilor Larry Killinen.

Councilor J. Laird appointed Larry Killinen to the following Council Sub-Committees: Chair – Municipal Building and Fire and Water, Sub-Chair – General Government and Economic and Community Development.

GENERAL GOVERNMENT

Manager reported that the Borough's Annual Audit and Financial Report for the year ending December 31, 2021 has been completed and received. The Condensed Audit and Financial Report will be published in the Daily Times on April 5, 2022, and the audit is available for public inspection at the Borough's administrative office. Motion by B. Mercadante second by W. Cox to receive and file. All in favor.

Manager presented for ratification a renewal to the Recycling Services Agreement between ECOvanta, LLC and Marcus Hook Borough. This renewal is for the term 1/1/2022 – 12/31/2022 and will cover the cost of recycling the televisions and providing the materials needed to package the televisions in a consolidated manner, at no cost to Borough of Marcus Hook residents. Motion by W. Cox second by J. Flynn to ratify the renewal to the Recycling Services Agreement for the period 1/1/2022 – 12/31/2022 between ECOvanta, LLC and Marcus Hook Borough. All in favor.

Manager presented for ratification a revised Resolution No. R-22-6, a resolution supporting the Borough of Marcus Hook's request for grant funding in the amount of \$1,000,000 from the Commonwealth Financing Authority to be used to support the Marcus Hook Trainer Fire Department's request for a replacement ladder truck and a rescue pumper truck. The scope of the revision changed the grant applicant from the Marcus Hook Trainer Fire Department to the Borough of Marcus Hook. Motion by W. Cox second by M. Manerchia to ratify a revised Resolution No. R-22-6. All in favor.

Manager presented Borough Resolution No. R-22-8 authorizing the execution of a cable franchise agreement between the Borough of Marcus Hook and Verizon Pennsylvania LLC. The term of the agreement is for a period of five (5) years. Motion by W. Cox second by J. Flynn to adopt Resolution No. R-22-8. YES – J. Flynn, C. Evernham, W. Cox, J. Laird, B. Mercadante; NO – M. Manerchia. Motion carried 5-1.

Manager advised that the Borough has submitted a loan application to the Delaware Valley Regional Finance Authority for a \$1,032,000 loan (General Obligation Note – Series 2022) to fund certain capital projects of the Capital Improvement Program (CIP) consisting of: (i) construction and renovation of 1015 Green Street, and (ii) the payment of the costs of issuance of the Notes, that will benefit the health and welfare of the residents of the Borough. Introduced for first reading was Borough Ordinance O-22-4 to incur non-electoral debt in the amount of \$1,032,000, approves the CIP Projects, and states the estimated useful life of the CIP Projects; States the determination that a private sale by negotiation is in the best interest of the Borough; accepts the Loan Commitment submitted by the DelVal to purchase the Notes for \$1,032,000; agrees to pay DelVal's origination costs in the amount not to exceed \$5,160; and sets the dates to purchase the Notes; approves the substantial forms of the Loan Documents and authorizes the execution and delivery of all necessary documents; sets forth the principal amortization schedule and the maximum annual debt service payments at the maximum interest rate of 15%; authorized and awards a Qualified Interest Rate Management Agreement related to the Notes; pledges the full faith, credit, and taxing power of the Borough to guarantee the timely payment of all amounts due and payable under the Notes and Loan Agreement; pledges the full faith, credit, and taxing power of the Borough for the timely payment of all scheduled, periodic payments due under the Qualified Interest Rate Management Agreement and covenants to budget and appropriate funds for the payment of any Termination Charges; establishes a Sinking fund and appoints Computershare Corporate Trust, as the Sinking Fund Depository; authorized and directs filing the application for the approval of the issuance of the Notes to the Department of Community and Economic Development; authorizes and directs the advertisement of the enactment of the Ordinance; repeals any conflicting prior ordinances; and authorizes advertisement of enactment. Motion by J. Flynn second by B. Mercadante to authorize advertisement of Ordinance O-22-4. All in favor.

Manager presented the Monthly Code Enforcement Report for the month of March, 2022. Motion by M. Manerchia second by C. Evernham 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 March, 2022. Motion by C. Evernham second by W. Cox to receive and file the Mayor's Public Safety Report. All in favor.

Mayor Taylor noted the need for an additional crossing guard and requested the appointment of Allison White. Motion by B. Mercadante second by J. Flynn to appoint Allison White, 28 Maple Street, as a crossing guard. All in favor.

Chief Ireland requested authorization to submit two grant applications for funding to purchase bulletproof vests for two officers. Both applications will be submitted to Vest-A-Cop, which is a foundation started to assist in providing resources to local first responders in order to procure lifesaving equipment. This grant will fund up to 90% of the purchase of two bulletproof vests. The remaining costs to purchase two bulletproof vests, not covered by these two grants, will be paid from the police uniform operating budget. Motion by M. Manerchia second by L. Killinen to approve the filing of two grant applications to Vest-A-Cop for the purchase of two bulletproof vests. All in favor.

Manager noted the need to temporarily relocate the Marcus Hook Police Department to the Marcus Hook Community Center, while the renovations to 1015 Green Street are ongoing. During this time the Community Center will be closed for any and all activities outside of Marcus Hook Police Department activities. This temporary move is expected to last between 9-12 months at which point the Community Center will return to its former use. Manager requested Council's authorization to budget an additional \$20,000 of General Funds for the upfitting of the Community Center for the Marcus Hook Police Department's needs, which include electrical, security, and office upfitting. Motion by W. Cox second by C. Everngham to approve the temporary relocation of the Marcus Hook Police Department to the Marcus Hook Community Center, as well as authorize an allocation up to \$20,000 of General Funds for the upfitting of the Community Center. All in favor.

Council Vice-President W. Cox presided over the remainder of the meeting.

PUBLIC WORKS AND HIGHWAYS

Manager reported Council's Highway Committee has recommended the following locations for the 2022 Street Improvement Project pending the receipt of bid proposals: milling and paving of certain sections of Foltz Lane, Williams Lane, Marshall Avenue, W. 6th Street and E. 8th Street. Motion by L. Killinen second by J. Flynn to authorize Catania Engineering to prepare the plans and specifications and advertisement for bids for the 2022 Street Improvement Project. All in favor.

Manager mentioned that Marcus Hook Borough has scheduled a Bulk Trash/e-Waste/shredding event at the Marcus Hook Highway Garage, located at 1111 Market Street: Saturday, April 23rd. The event will take place rain or shine from 10:00 AM to 12:00 PM. Free for Borough residents is one free bulk trash item, two free television disposals, and unlimited paper/document shredding, per Borough of Marcus Hook household. Motion by M. Manerchia second by C. Everngham to record and file. All in favor.

PARKS, RECREATION and SHADE TREES

Council Recreation Committee Chair C. Everngham announced the entertainment line-up for the Marcus Hook Summer Music Festival - 2022, the thirty-sixth consecutive year, as follows: June 28 – Quaker City String Band, July 5 – Wallstreet, July 12 – Boy in Black, July 19 – Fabulous Greaseband, July 26 – Double Shot - Rock 'n Soul, August 2 – Big Band of the Valley and National Night Out, August 9 – Ferko String Band. All concerts begin at 7:00 PM. Motion by J. Flynn second by C. Everngham to approve the Entertainment Contracts totaling in the amount of \$13,150 for the summer concerts on June 28, July 5, 12, 19, 26, August 2, and August 9 at Market Square Memorial Park. All in favor.

Manager reminded residents that the Annual Memorial Day Parade is scheduled for Saturday, May 28, 2022 starting at 12 Noon. Motion by J. Laird second by L. Killinen to approve the Entertainment Contracts totaling in the amount of \$16,800 for the Memorial Day Parade. All in favor.

In keeping with the Borough's annual Arbor Day observance, the Shade Tree Commission has recommended the passage of a municipal Resolution proclaiming April 29, 2022 as Arbor Day in Marcus Hook. The Arbor Day program is scheduled for April 29, 2022 at 2:30 PM at the Marcus Hook Community Center. Motion by J. Laird second by L. Killinen to adopt Borough Resolution No. R-22-9 proclaiming April 29, 2022 as Arbor Day in Marcus Hook. All in favor.

Manager reported that for the thirty-seventh straight year Marcus Hook has been named a Tree City USA by the National Arbor Day Foundation. The presentation of the Tree City USA flag and other recognition materials will be coordinated with the Borough's Arbor Day ceremony on April 29, 2022. Motion by L. Killinen second by B. Mercadante to receive and file. All in favor.

Positively acknowledged were the members of the Marcus Hook Recreation and Park Board who coordinated the 2022 Easter Egg Hunt on April 2, 2022 at Market Square Memorial Park. Motion by B. Mercadante second by C. Everngham to record and file. All in favor.

A fully executed Grant Agreement (Agreement No. BRC-RCP-27-243) between the Pennsylvania Department of Conservation and Natural Resources and Marcus Hook Borough, providing a matching grant of \$43,800 from the Keystone Recreation, Park and Conservation Fund for the Market Square Memorial Park Delaware River Pier Removal and Reconstruction Master Plan, was received on March 23, 2022. Motion by J. Laird second by J. Flynn to record and file. All in favor.

Application received from Michael Manerchia, 12 E. Delaware Avenue, noting his interest in serving on the Shade Tree Commission. Motion by J. Laird second by J. Flynn to appoint Michael Manerchia to the Shade Tree Commission, term to expire on December 31, 2024.

PLANNING AND ZONING

Borough Council held a public meeting on March 29, 2022 to review a Zoning Application for the change of use of the nonconforming property at 24 Marshall Avenue, Folio No. 24-00-00548-00. The application is requesting permission to modify the nonconforming use status of the property to allow the area previously used as a bar to be converted into two first floor apartments. Motion by M. Manerchia second by J. Laird to approve the issuance of a Zoning Permit to modify the nonconforming use status of the property to allow the area previously used as a bar to be converted into two first floor apartments. All in favor.

ENVIRONMENT

Application received from Patrick Koch, 2 E. 9th Street, noting his interest in moving from an alternate member to a regular member of the Environmental Advisory Council. Motion by J. Laird second by M. Manerchia to appoint Patrick Koch as a regular member on the Environmental Advisory Council, term to expire on December 31, 2024. All in favor.

COUNCIL REPORTS

Councilor J. Flynn welcomed Larry Killinen to Borough Council and noted that he's looking forward to working together. Joe wanted to note that all of the applicants who applied to be appointed to Borough Council were great candidates and this was the toughest appointment process that he has been a part of. Joe also thanked Gail LaVallee and the Marcus Hook Recreation and Park Board for a great job at this past weekend's Easter egg hunt where they had 44 children participating.

Councilor M. Manerchia questioned to Chief Ireland if there were laws on how dark of tint you can apply to your vehicle windows. Chief Ireland noted that on the rear windows there was no limit on how dark you could make your windows, however there was a limit on the front windows which is determined by using a tint meter.

Councilor L. Killinen thanked Mayor and Borough Council for allowing him to be a part of Council and he is looking forward to working together for the betterment of Marcus Hook.

Councilor B. Mercadante congratulated Larry Killinen on his appointment to Borough Council and also expressed his gratitude to the Recreation and Park Board for all of their efforts in hosting events for Borough children.

Councilor J. Laird welcomed Larry Killinen to Borough Council.

Councilor W. Cox thanked Gail and the Recreation and Park Board, noting it has been a pleasure working with them. Bill also thanked all of the applicants who put their name in for the vacancy on Borough Council; he hoped the selection hasn't discouraged anyone from helping or volunteering in/on other committees/boards.

Mayor G. Taylor welcomed Larry Killinen to Borough Council, and expressed his gratitude to Gail and the Marcus Hook Recreation and Park Board.

Manager A. Weldon welcomed Larry Killinen to Borough Council.

PUBLIC COMMENTS

Pat Koch, 2 E. 9th Street thanked Borough Council for moving him from an alternate on the Environmental Advisory Council to a regular member.

Malcolm Yates, 1048 Yates Avenue questioned what will happen to the Community Center once the renovations are completed to 1015 Green Street. Manager A. Weldon noted that upon the completion of renovations to 1015 Green Street the police will relocate back and the Community Center will resume its former use as a community building.

Lorraine Daliessio, 1050 Yates Avenue noted that there is an in-person Environmental Advisory Council meeting scheduled for Thursday, April 7th at 5:30 PM at the Trainer Borough Municipal Building. If there is a quorum present then there is the possibility of the EAC reorganizing. Lorraine also commented on the agreement with Trainer Borough for the Marcus Hook Trainer Fire Department issue that was discussed at the prior week's agenda meeting and noted that she doesn't think that we should change the cost sharing agreement from a 50/50 split (which is what it has been for the past 15 years).

Stacy Yates, 1048 Yates Avenue expressed her frustration and utter disdain for the process by which Borough Council selected an individual from the Borough to fill a vacancy. Stacy noted that Borough Council is not reflective of the community it serves when it comes to both the racial makeup and age of the current Council. Stacy noted that the Borough is not represented in the interest of its residents and that she is disappointed in Borough Council. Stacy also noted that she is overqualified to serve on Borough Council.

Tameka Gibson, 1012 Yates Avenue noted that she agreed with Stacy Yates in that the Borough is diverse and Borough Council does not represent these groups. Tameka noted that Marcus Hook has not moved forward and that she is qualified to serve on Council. She noted that she has run in multiple elections and that Borough Council is not reflective of the Borough of Marcus Hook.

Councilor B. Mercadante noted the diversity within his own family and does not consider the color of one's skin when making decisions. Brian noted that he was offended that this was even being discussed as a basis for selecting a replacement Councilor, and that Council represents all of its residents.

Councilor J. Laird emphasized that race was not a factor when selecting an individual to fill the vacant seat and further noted that two of the applicants; Tameka Gibson and Malcolm Yates ran in the most recent general election against current members of Borough Council and did not win any seats, so she questioned why Borough Council would appoint these individuals if they failed to garner the majority of votes from the public to put them into office in the first place.

APPROVAL OF PAYMENT OF BOROUGH BILLS

Manager advised that the payment voucher for the time period from March 8, 2022 through April 4, 2022 totaled \$174,542.49. Motion by J. Laird second by M. Manerchia to approve payment of Borough bills. All in favor.

ADJOURNMENT

Motion by J. Laird second by B. Mercadante to adjourn. All in favor. Meeting was adjourned at 7:55 PM.

Andrew Weldon
Borough Secretary