

Lansdowne Borough Council

BUSINESS MEETING

April 6, 2016

APPROVED MINUTES

The Lansdowne Borough Council Business Meeting was held on Wednesday, April 6, 2016, 7:00 p.m. at borough hall. Members present: President Schleigh, Mr. Aubrey, Ms. Byrne, Ms. English and Ms. Williams. Absent: Councilman Radich, Councilwoman James and the Fire Company Representative. Also in attendance: Mayor Campuzano, Borough Manager Totaro, Borough Secretary Henry, Borough Solicitor Scott and Police Chief Donegan.

Mayor Campuzano opened the meeting with the Pledge of Allegiance.

Approval of Agenda: Ms. Byrne moved to approve the agenda. Ms. English seconded. Ms. English will be making Mr. Radich's motions in his absence. Vote: unanimous.

Approval of Minutes: Ms. English moved to approve the minutes of the March 2, 2016 Business meeting. Ms. Byrne seconded. Vote: unanimous.

Mr. Aubrey moved to suspend Roberts Rules of Order to hear public comment. Ms. Byrne seconded. Vote: unanimous.

Public Comment:

1. Mary Ann Surla - resident of Lansdowne. Ms. Surla commented that regarding the upcoming Keep Lansdowne Beautify Day ("KLBD"), the volunteers needed something more than recognition and suggesting giving them a packet of seeds or a live plant. Ms. Surla commented that she could provide these items for \$100. Ms. Byrne noted that the event is being held in conjunction with Comcast Cares Day and that Comcast has been a huge sponsor for prior KLBD events. Comcast offers snacks for the day to volunteers, everyone gets a tee shirt and the non-profits that participate receive grants from Comcast in order to maintain the work that was done that day. Ms. Surla also asked how a school could become involved. Ms. Byrne offered to discuss other ideas with Ms. Surla along these lines. Mr. Aubrey commented that last year there were two KLB days and each year the children and volunteers receive food.

Ms. Surla commented that the '565' funds for the volunteer appreciation event for the Arts Board InsideOut Program should be returned to the books.

Mr. Aubrey moved to resume Roberts Rules of Order. Ms. English seconded. Vote: unanimous.

REPORTS

Treasurer's/Manager's Report: Mr. Totaro consolidated both reports. The borough will receive the majority of annual revenues next week and is in good shape financially to pay the bills. Mr. Totaro commented that the Finance Committee had discussed the RFP recommendation for the two pension plans and is also reviewing the audit from Barbacane Thornton. The audit disclosed one minor item: the borough's vendor list is long and duplicative and it will be consolidated going forward. The Delaware County Neighborhood Revitalization ("DCNR") grant application is proceeding. Also the street lights program and parks openings is progressing. President Schleigh asked when the left turn light at the Baltimore/Lansdowne Avenue intersection would be in place. Mr. Totaro commented it would be in May or June of this year. Mr. Totaro also commented that the Tax Anticipation Note ("TAN") will be paid off early.

Solicitor's Report – Mr. Scott had no formal report.

Chief of Police Report – Chief Donegan reported that the Lansdowne Friends School had sent a letter of thanks for the pedestrian safety sign near the school that has made the site safer. Chief Donegan commented that the County requires a bank account be opened to handle pending forfeiture proceedings money. An initial \$200 deposit will be made at WSFS Bank until such proceedings are resolved. President Schleigh asked if an account is required for each separate proceeding or is one account can handle all of them. Chief Donegan noted that he is working out a system of using case numbers and it would be too complex to have separate accounts. The County letter only mandates setting up an escrow holding account but did not address any interest issues. Solicitor Scott commented that it could become complicated with interest involved because the accused would have to pay that as well as any taxes if the case is overturned. President Schleigh suggested getting some bank proposals and bringing them to the Public Safety Committee for recommendations to Borough Council. Borough Treasurer Lustgarten will oversee the fact gathering.

Chief Donegan reported that the Brandywine Valley SPCA (formerly Chester County SPCA) will terminate its agreement with the Delaware County Animal Control Board in June and now each municipality will be responsible for their own sheltering of stray animals. The Brandywine SPCA still wants to work with each municipality but the contract is very expensive. Chief Donegan mentioned it would be \$8,000 at the start: a \$2,000 annual initiation fee plus a \$500 per month maintenance fee. Also, the Brandywine Valley SPCA will now charge \$150 for cats brought to them, \$250 for dogs plus a \$50 transportation fee for each dog and a \$150 emergency fee for pickup between 5:00 p.m. and 9:00 a.m. Chief Donegan mentioned there might be a possible solution in Delaware County wherein a Glenolden veterinary unit might take in the strays but it was not definite. Mayor Campuzano commented that this is a very serious and upsetting problem and County Council needs to take charge and work with the towns for a solution. The Mayor and Ms. English will be discussing this problem in Public Safety and wants a representative from Animal Control present at the April 27th Public Safety Committee meeting.

Fire Company Representative Report – No formal report was given.

Mayor's Report – Mayor Campuzano reported the new fire trucks have arrived. The Mayor recently met with Judge Williams, the new District Judge who has taken retired Judge Perfetti's place. Judge Williams is very open to Lansdowne issues and will be meeting the Mayor, Codes Department and Solicitor Scott this coming Friday.

May 11th - Mayor Town Meeting scheduled.

The Mayor recently sent a letter to Wawa Corporation asking them to step up the trash cleanup process at the newly renovated Wawa on Lansdowne Avenue. The Mayor asked that the borough's efforts continue in maintaining the business district in light of the InsideOut Program. President Schleigh asked if more trash cans could also be put along the perimeter of the property. The Mayor asked if there was an update on the trestle repairs. Mr. Totaro commented it would be completed around Thanksgiving.

The Mayor commented that he would delay awarding the Sycamore Award until May.

The spotlighted business for the next general meeting will be Travers Food Market, doing business in Lansdowne for 30 years.

President's Report – President Schleigh reported that the search will soon start for a new Junior Council member. Ms. Byrne commented she had heard from one potential candidate.

OLD BUSINESS:

1. Borough Committees - President Schleigh commented that the current Committee setup will remain the same.

Environment -	Mr. Aubrey, chair; Ms. English and Mr. Radich, members.
Infrastructure -	Ms. Williams, chair; Ms. Byrne and Ms. James, members.
Finance -	Mr. Radich, chair; Ms. English and Mr. Aubrey, members.
Economic Dev. -	Ms. James, chair; Ms. Williams and Mr. Radich, members.
Public Safety -	Ms. English, chair; Ms. Byrne and Mr. Aubrey, members.
Community Rel. -	Ms. Byrne, chair; Ms. James and Ms. Williams, members.

NEW BUSINESS:

1. Gateway Slope - Mr. Totaro reported this is an action item for tonight to adopt a Resolution to apply for a grant for this site. The Borough would match any funding granted. The project includes the terminus at Baltimore and Scottdale, up the grassy slope into a wooded area coming out at Eldon Avenue. Mr. Aubrey objected to this, commenting that it would be a hardship on taxpayers to pick up 50% of the funding and felt that a 20% match would be more appropriate. Mr. Aubrey also asked if the prior Borough Engineer had any input in the matter regarding the integrity of the trail and whether or not it was imperative to have immediate repair work. Mr. Totaro indicated that the borough acquired the property in 2006 in order to do the Gateway Park project and the sidewalk was also an issue that needed attention. The cost was prohibitive for repairs so the Borough looked into obtaining beautification funding. Ms. English added that the Borough has to make the repairs because the trail is not handicapped accessible; pedestrians are forced to walk on Baltimore Avenue when snow is plowed onto the sidewalk and the trail's condition is rapidly deteriorating. Mr. Totaro noted that the application does not commit the borough to match the funds, but rather gives it the opportunity to receive the grant and, if desired, how to match the funds. Ms. Byrne asked if fundraising could be used to offset costs to which Mr. Totaro replied it could. Mr. Totaro also mentioned that the current Borough

Engineer has been asked if other funding is available, that the Resolution is not binding and it does not allow for volunteer or borough personnel repair work on the trail.

Mr. Aubrey made a motion to adopt Resolution 2016-03 regarding CP2/DCNR grant application for Gateway Slope with the caveat that the matching funds come 80% from outside sources other than Borough funds. There was no second and the motion failed. The Mayor commented that there had been a lengthy discussion in prior years about moving the sidewalk higher and repairing the wall and a grant had been applied for in 2011.

2. Lansdowne Boys/Girls Club ("LBGC") sign (through May) - Ms. Byrne commented that this is a conflict because the InsideOut Program banner will be hung in the same space at the same time the LBGC wants their banner out. Ms. Williams noted there would be artwork installation in the borough green and the LBGC banner would create a line of sight issue. The Mayor suggested an alternative wherein the banner could be put down on Scottdale Road at Gateway Park. Mr. Totaro will relay this to the LBGC.

3. LBGC shed roof - Mr. Aubrey indicated that the Parks and Recreation Board has recommended the Borough pay for the LBGC shed roof repairs for an estimated \$1,500. Mayor Campuzano commented that the Borough does not own this building even though they allow the use of it in Hoffman Park. The Borough will take no action in this regard. However, the Mayor offered to help the LBGC with possible alternative means for help, such as using volunteers.

4. LEDC liquor - Debbie Brodeur, Executive Director for the Lansdowne Economic Development Corporation ("LEDC") was present to request a one day liquor license to sell beer at the upcoming Lansdowne Arts Street Festival. Ms. Brodeur explained that many residents had expressed interest in having a beer garden at the festival. The LEDC has spoken with Victory Brewery about the concept as well as the Pennsylvania Liquor Control Board ("PCLB"). A resolution is needed to apply for a one day sale of liquor permit since Lansdowne is a dry town. Victory Brewing Co. would sell the beer and assume any liability but the LEDC would be the applicant. The LEDC has liability insurance for this event. Ms. Brodeur gave the Solicitor the PCLB's copy of their application format and the Borough consented to the LEDC's request for application.

5. LEDC use of projector and screen. The LEDC would like the use of these items for their annual meeting to be held April 27th at Avianna's Restaurant, 6-9 p.m.

MOTION: Ms. Williams moved to permit the LEDC use of screen and projector subject to the indemnification agreement written by the Borough Solicitor. Ms. Byrne seconded. Vote: unanimous.

6. HLTC chairs - this request amends the prior agreement wherein the Borough approved the Theater borrowing 30 chairs for their April 16th event in coordination with the InsideOut activities. This new request is now for the use and transport of an additional 70 chairs for the same event.

7. **LBPA bulletin board** - Ms. Byrne explained that the Lansdowne Business and Professional Association ("LBPA") had control and ownership of the bulletin board in the central business district and now wants the Borough to maintain it as well as all community posts and notices. The Solicitor commented that accepting this responsibility does not imply that the LBPA can dictate how the board is used and where it is set up and will draft a written letter to that effect. Ms. Byrne commented that the Borough just wants to use it as a forum to promote town events and will approve the content.

MOTION: Ms. Byrne moved to accept the possession and ownership of the billboard located in the Lansdowne Avenue parking lot subject to acceptance letter drafted by the Borough Solicitor. Ms. English seconded. Vote: unanimous.

8. **Truck vendors/health inspection.** Ms. Williams indicated that this was discussed several weeks ago wherein requirements for the truck vendors would be to present their Philadelphia license and the Borough would have an inspection by the Fire Marshall of the trucks the morning of the Arts Festival event with no fees involved. This information was conveyed to the vendors by Ms. Williams. Upon requesting the Fire Marshall Inspection, Ms. Williams was informed that now there were additional requirements for the vendors that also included a health inspection fee of \$60. Ms. Williams is concerned that now some vendors may choose not to participate because of the fee and she does not understand why the requirement was not identified sooner. Mr. Totaro commented that there may have been a crossover in discussions between codes and public safety and when it involved staff, the question arose regarding the health inspection. The Fire Marshall does not need an inspection and if there was a fee involved it would be a pass through fee with the health inspector. Mr. Scott commented it was a state wide health code and felt that presenting a Philadelphia license was adequate proof of compliance. President Schleigh asked if it would make sense for future Borough short lived events to have the Borough amend its health inspection ordinance to accept another jurisdiction's health certifications. The Mayor commented that while the Borough never stated it was their policy to accept another jurisdiction's ordinance for permits, it was important to have a certified truck approved by the Board of Health.

Mr. Totaro added that the insurance will extend to the cocktail event on April 15th. The details have been reviewed by Ms. Byrne and no additional expense will be incurred for this insurance.

MOTION: Ms. English moved to accept a valid and current health license from another jurisdiction as evidence of compliance with the health regulations. Ms. Williams seconded. Vote: unanimous. **Discussion:** The Solicitor made it clear that the Borough was not waiving other health code requirements but rather a license from another place was evidence of a valid inspection for this one event. President Schleigh suggested that the Public Safety Committee check into setting up a policy that addresses this issue in the future.

Action Items:

1. Ms. English moved to authorize payment of bills for period. Ms. Williams seconded. Vote: unanimous.

2. Ms. Byrne moved to ratify indemnification agreement with Historic Lansdowne Theater Corporation re: chairs to include an additional 70 chairs and the borough staff will move them. Ms. English seconded. Vote: unanimous.
3. Ms. Williams moved to advertise Ordinance 1302 regarding the Delaware County Solid Waste Authority. Ms. English seconded. Vote: unanimous.
4. Ms. English moved to adopt Resolution 2016-03 regarding CP2/DCNR grant application for Gateway Slope. Ms. Byrne seconded. Mr. Aubrey asked for a roll call vote. The motion carried 4-1. Those voting aye: Ms. Byrne, Ms. English, President Schleigh and Ms. Williams Those voting nay: Mr. Aubrey.
5. Ms. English moved to advertise request for proposals for the management of police/non-uniform pension funds. Ms. Byrne seconded. Vote: unanimous.
6. Ms. Williams moved to adopt Resolution 2016-04 regarding the Regional Streetlight Procurement Program. Ms. English seconded. Vote: unanimous.

Executive Session - Ms. Byrne moved to adjourn to executive session to discuss personnel and real estate issues. Ms. English seconded. Vote: unanimous. The meeting adjourned to executive session at 8:45 p.m.

Public Session – No motions were made upon reconvening to public session.

Adjourn – Ms. Byrne moved to adjourn the meeting. Ms. English seconded. Vote: unanimous. The meeting adjourned at 9:22 p.m.

Respectfully submitted,

Barbara Ann Henry
Borough Secretary