

## **Lansdowne Borough Council**

### **BUSINESS MEETING**

**January 6, 2021**

### **APPROVED MINUTES**

The Lansdowne Borough Council Business Meeting was held virtually on Wednesday, January 6, 2021 at 7:00 p.m. Present: President Hover, Ms. Byrne, Ms. English, Mr. Holt, Ms. James and Mr. Schleigh. Excused: Ms. Naji-Taylor. Also present: Mayor Campuzano, Borough Solicitor Scott, Borough Manager Totaro, Borough Engineer Matson, Borough Secretary Henry and Acting Police Chief Rutherford.

President Hover opened the meeting, led by Mayor Campuzano with the Pledge of Allegiance. The Mayor asked for a moment of silence in memory of the U.S. citizens who died from or were affected by Covid-19 in 2020 and those who will also be affected in 2021.

**Approval of agenda:** Ms. Byrne moved to approve the agenda. Mr. Schleigh seconded with two changes: (1) introduce a resolution calling upon Congressman Scanlon and our Federal representatives to support the Articles of Impeachment of the President of the United States in relation to the actions that occurred at the Capitol today, and (2) consider adopting a resolution calling upon the Vice President and appropriate Federal officials to consider utilizing the 25<sup>th</sup> Amendment of the Constitution to remove the President. Both items will be discussed under New Business. Vote: unanimous.

**Approval of Minutes:** Ms. English moved to approve the minutes of the December 2, 2020 Business meeting. Ms. Byrne seconded. Vote: unanimous.

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

**Borough Manager's Report** – Mr. Totaro provided updates as follows;

1. The Hoffman Park trail restoration work began in earnest yesterday. President Hover asked when the fencing would be installed at Reservoir Park. Mr. Totaro indicated there was a delay in sourcing material and it would take another few weeks.
2. Community Development Block Grant (CDBG) applications were submitted yesterday and are due today.
3. Six Transportation and Community Development Initiative (TCDI) proposals were received and are currently being evaluated.
4. Sewer work has begun at several locations beginning at Pennock Terrace, then moving to Union Avenue, Bryn Mawr Avenue and the back side of Marlyn Park. This work will occur over the next two months.
5. Mr. Matson can provide updates on what additional activity will be done on the crosswalk situation.

**Police Chief's Report** – Acting Chief Rutherford reported as follows:

**December 2020 Police Report:**

48 traffic citations issued  
576 calls for service with police response  
43 false hold up or burglar alarms  
44 motor vehicle accidents  
13 adults arrested  
1 juvenile arrested

**2020 Yearly Total:**

8,215 calls for police service  
395 false hold up or burglar alarms  
417 motor vehicle accidents  
209 adults arrested  
30 juveniles arrested

1. Implemented the online process for purchasing parking permits that started January 4, 2021. Permits sold to date: 56. There will be more advertising on this and the process is working well.
2. Implemented the ability to purchase accident reports online and are still working on ability to get police reports as well.
3. Handled five major investigations over the past month. Arrests were made on most of them.

**Borough Engineer's Report** – Mr. Matson reported the following updates:

1. A number of capital projects have started. A preconstruction meeting was held in December for the sewer repair project. Mr. Matson worked with the contractor to familiarize him with all areas of the borough. Contractor expects to complete the work on all manholes and piping in the next four to six weeks. Work will start at Pennock Terrace, moving to Union, Bryn Mawr, Stratford and Marlyn Park. Completion expected in four to six weeks, excluding paving.
2. The Gateway Slope contractor has requested a pre-bid meeting in February, 2021.
3. Lansdowne Crossing – there are a number of technical submittals that have been reviewed for proper content. They have been awarded a Notice to Proceed.

**Fire Company Report** – In Ms. Naji-Taylor's absence, no report was given.

**Mayor's Report** – The Mayor reported as follows:

1. Jingle Judge winners are listed on the borough web site. There were 128 homes and businesses listed for five categories. The Mayor thanked residents and businesses for "making Lansdowne brighter" during a difficult year and he will hand deliver the certificates.
2. Will be completing second set of interviews for new Police Chief. The Mayor thanked Ms. Naji-Taylor and Chief Rutherford for all their work.
3. The Mayor is looking forward to working on getting businesses back on track and feels 2021 will be a better year. The Mayor reminded residents to remain vigilant with Covid-19 precautions and wear masks and avoid large crowds.

**President's Report** – President Hover reported as follows:

1. Welcomed all to a New Year. 2021 promises to have some solutions to 2020 problems. Delaware County is working to distribute Covid-19 vaccines to all individuals in Phase I. Phase II distribution will begin in February.
2. Last week he and Mr. Totaro met with LEDC to enter into negotiations for 2021 fiscal year new contract. Will meet again next week and hopefully a vote will be held in February.
3. The Mayor and Borough Council will be completing the process for hiring a new Chief with an offer of hire in the next few weeks. President Hover thanked Ms. Naji-Taylor for her work in this regard.
4. Looking forward to purchasing body cams and supporting policies for their usage, to be completed by end of January.
5. Several projects under construction will begin in the next few months: Gateway Slope, sewer and sanitary upgrades.
6. President Hover forwarded an idea through research arising from best practices in Jenkintown Borough re: paving plan. They have outlaid what they will be doing with paving and working toward improving walk ways. The plan engages strategic paving and pro-active code enforcement for the sidewalks. He requested that the Infrastructure Committee discuss the issue for ideas this year. The Economic Development Committee will also consider revisions to the sidewalk ordinance to support this plan.
7. Will be meeting with Mr. Totaro and the Human Resources consultant to upgrade the borough's human resources evaluation tools.
8. Propose crafting a public statement for approval by Borough Council that denounces the violent actions perpetrated on the Capitol today. President Hover then read the proposed resolution in its entirety. The Mayor and all present Borough Council members supported the proposal.

**Communications:**

1. Several communications were received about the bike facilities. President Hover addressed them individually:
  - A. Received an e-mail about a lack of transparency and an assertion of a no bid contract. This is not accurate and President Hover recommended reading the minutes from last year about everything discussed in this regard from Borough Council and borough committees.
  - B. What was the total cost of implementing and evaluating an approved proposal and exact sources of revenue for each dollar that will be spent beyond the original approximate \$70,000? President Hover commented this was the engineering costs of approximately \$73,500.
  - C. Where have the needed revenues been budgeted and what are the specific taxed services? President Hover commented the total cost will be provided in the final design by Pennoni & Associates in February. The preliminary plan and process was discussed by Pennoni in a September 30, 2020 meeting that included the costs for a final plan. Borough Council will then review the plan for a vote, thereby allowing Mr. Totaro to start the fundraising process for these costs. The next step will involve obtaining federal, state and county grants from the Department of Community and Economic Development (DCED), Department of Conservation and Natural Resources (DCNR) and Penn Dot. Mr. Totaro is looking into whether existing Liquid Fuels Fund money can be used as well. President Hover reiterated that the objective in implementing the bike facilities plan is to not have any dedicated budgetary money taken from any other borough services.

D. What is the timeline for approving the initiative? Once reviewed with the final plan in February, there are separate parts of the plan to be reviewed. The first is Penn Dot paving Lansdowne Avenue that should begin in the spring. The Scottdale Road changes will extend to 2022. The rest of plan is dependent on fundraising but the anticipated dates are to work through to 2023 depending on received funding.

E. What criteria is used to determine the degree of success and benefits of having bike lanes and how will this criteria be measured and by whom? President Hover: The bike facilities act as an economic driver and added amenity for Lansdowne resulting in increased property values, based on research and other municipalities that have implemented such a plan. It will also provide the ability to survey its usage by the bikers and pedestrians

2. Request from residents of Scottdale Road to have a specific meeting to address concerns. President Hover suggested they attend the Borough Council, Public Safety and Infrastructure Committee meetings to address any concerns with road changes. President Hover commented Borough Council is open to all public comments but recognize that some decisions will impact some residents in different ways depending on the location.

The Mayor thanked President Hover for his responses on the bike facilities, adding that he also received similar emails and would only respond to them if he disagreed with anything said by President Hover. However, he concurs with all of President Hover's comments.

#### Old Business:

1. **Act 537/Delcora resolution** – Mr. Schleigh commented that the resolution had been discussed at last week's Infrastructure Committee meeting. In that discussion Mr. Schleigh, the Borough Engineer and members present agreed that the borough's concerns and questions had not been addressed about the benefit to Lansdowne from the sale of Delcora to Aqua PA. Mr. Scott commented the County is appealing the decision but the PUC still needs to approve the acquisition, although not a certainty. Mr. Scott added that the resolution is not required but Delcora has taken the position in their letter that either Lansdowne sign the resolution or find another place to treat the sewage. They do not have the ability to shut off flow to residents and are "strong arming" the borough so they can claim in court that all municipalities agreed with the sale. Mr. Matson also agreed with the strong arm tactic, indicating a specific process has to be followed. He also felt it was not prudent to sign the letter tonight in its current form. Lansdowne is one of several communities not complying with the request. After further discussion, it was agreed there would be no motion for a vote.
2. **Council Committee Standard Operating Procedures/Protocol** – President Hover indicated there were some changes to the document but essentially it defines that all work first goes through the Committee before bringing recommendations to Borough Council. It will also show that minority opinions will also be brought forth to Council for further discussion. President Hover requested that all Council members have a standing item on their agendas for committees to be aware of any expiring terms.

Ms. Byrne asked if the Board liaisons fell under Committees as they were not listed in the document. President Hover concurred the liaisons were for outside entities.

**New Business:**

1. **Dukes Root Control mapping project** - Mr. Schleigh commented this is a simple request to modernize the current borough sewer maps currently on paper by digitizing them. This will provide an opportunity for people to use the information in various construction projects as well as make it available to other engineers in their projects. Mr. Matson commented this is consistent with what some other municipalities and sewer authorities are doing. The last evaluation of the sewer system was done in 1997. Mr. Matson added that as additional information comes in, he would like the data retained at the borough. Dukes can also do some additional work if required. Mr. Holt asked if the data would be scanned or native digital and would they be searchable. Mr. Matson commented it would be similar to a web based application (such as Realtor.com) and this is just the first step in modernizing it. Mr. Holt recommended having more information and detail upfront as adding it later can be problematic. Ms. English asked if the storm sewers were included. Mr. Matson indicated that initially only the sanitary sewers would be involved. Mr. Schleigh asked that Duke's recommendations be presented to the Solicitor as well. President Hover confirmed it will first go through Mr. Matson and the Technology Committee.
2. **Articles of Impeachment resolution.** Mr. Schleigh opined that President Trump's words today calling upon a mass of people to interrupt the Constitutional duty of elected officials to carry forth the electorates will can only be seen as "deplorable". Ms. Byrne added that the borough should instead provide a letter of support to Representative Scanlon, as the Articles of Impeachment are already being written by Senator Omar. The Mayor was in agreement as well.
3. **25<sup>th</sup> Amendment** – Mr. Schleigh noted this was enacted to provide a safeguard for the Republic wherein Congress can remove an individual who is abusing executive power. Mr. Schleigh felt the Vice President should exercise his authority under this amendment and remove President Trump with a resolution adopting the same intent. The Mayor agreed. President Hover commented that the peaceful transfer of power is being disrupted, no one is above the law and he supports the aforementioned actions.

**Public Comment:** Ms. Byrne moved to Suspend Roberts Rules of Order. Ms. English seconded.  
Vote: unanimous.

**Visitors:**

1. Imina and Jack Cruise – Scottdale Road. Mrs. Cruise thanked Borough Council for all their time and energy in supporting the borough. Mrs. Cruise expressed concern about the changed direction on Scottdale to one way, commenting that this forces them to now turn left onto Scottdale from Lansdowne where there is no traffic light. It also means that the iciest portion of Scottdale Road past Shrigley Park will cause problems. Mrs. Cruise asked if there was any consideration of having one way to Baltimore Avenue that would allow access to the Farmers Market or train station to avoid having to use Hilldale Road and Baltimore Avenue. She also felt putting in a protected bike and walking path along the creek instead of next to the houses was a better alternative and asked if the current plan could be revised. Mr. Totaro will present public comments to the Infrastructure Committee for suggestions. Mr. Totaro commented that the icing condition will imminently be fixed with a drain pipe within a few weeks. President Hover confirmed that only the left turn lane on Lansdowne at Scottdale is being removed.

2. Stephanie Nadi – Scottdale Road. Ms. Nadi indicated she lives next to Mr. and Mrs. Cruise and will experience the same problem. She wanted the Infrastructure Committee to know how much this change will impact the residents.

Ms. Byrne moved to Reinstate Roberts Rules of Order. Ms. English seconded. Vote: unanimous.

**Action Items:**

1. Ms. James moved to authorize payment of bills for the period. Ms. English seconded. Vote: unanimous.
2. Mr. Hover moved to reappoint Suzanne McElroy as Chair of the Vacancy Board. Ms. Byrne seconded. Vote: unanimous.
3. Mr. Hover moved to adopt Resolution 2021-01 re: acquisition of land for parking. Ms. English seconded. Vote: unanimous.
4. Mr. Hover moved to adopt Resolution 2021-02 re: Borough Committees and SOPs. Ms. Byrne seconded. Vote: unanimous.
5. Ms. James moved to ratify year-end bonuses for 2020. Ms. English seconded. **Discussion:** Mr. Schleigh asked if it was appropriate to express the amounts and to whom given. Mr. Scott said it was public information and suggested amending the motion to include classes of individuals and particular amounts. Ms. James moved to amend the motion to include:

Borough Manager:	\$4,000
Acting Police Chief Rutherford:	\$1,000
Borough Secretary:	\$ 250
All full time employees:	\$ 100

Mr. Schleigh seconded. Vote: unanimous.
6. Mr. Schleigh moved to encourage the borough's U.S. representative to support the filing of charges for impeachment against the President of the United States, Donald J. Trump. Ms. Byrne seconded. Vote: unanimous.
7. Mr. Schleigh moved to adopt resolution to call upon Vice President Pence and other Federal officials to remove the President of the United States under the 25<sup>th</sup> Amendment of the Constitution. Ms. Byrne seconded. **Discussion:** Mr. Scott noted he combined motions 6 and 7 into one resolution for signature. Vote: unanimous.

**Executive Session** - Ms. Byrne moved to adjourn to executive session at 8:13 p.m. to discuss a personnel item. Mr. Schleigh seconded. Vote: unanimous.

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

**Adjourn** – Ms. Byrne moved to adjourn the meeting. Mr. Holt seconded. Vote: unanimous. The meeting adjourned at 8:37 p.m.

Respectfully submitted,

Barbara Ann Henry  
Borough Secretary