

**MILLBOURNE BOROUGH COUNCIL  
MEETING MINUTES  
NOVEMBER 16, 2009**

**PRESENT:**

Thomas Kramer, Council President  
Joseph Artmont, Council Vice President  
Charles Turner, Councilman  
Mohammed Patwary, Councilman  
Gurbaksh Basra, Councilman  
William Donovan Jr., Mayor

**OTHERS PRESENT:**

John McBlain, Borough Solicitor  
Stella Economidis, Finance Officer  
Jim Watson, Borough Engineer  
Dru Ann Staud, Borough Manager

**PUBLIC COMMENT:** No public comment

**BILLS LIST: November 16, 2009**

Councilman Patwary questioned the amount of the BP invoice.

The Borough Manager stated that last month's bill was not for a complete month, hence making this month's bill larger than normal.

Councilman Patwary questioned the price to replace the sinks in the police cells.

The Borough Manager stated that the sinks in the police cells were not functioning, we contacted the plumber who replaced the toilets in the cells. The fixtures in the cells are so old that the cost to replace the items is higher than normal.

Councilman Patwary questioned why the Engineer's bill is so high.

The Borough Manager showed Councilman Patwary the bills for the Engineer for the month of November pointing out that the Engineer attended several meetings on behalf of the borough.

Councilman Patwary asked why we needed four lock out devices for the police department.

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Officer In Charge Brooks stated that Chief McCann wanted to purchase four in case we are unable to locate one device.

A MOTION WAS MADE BY COUNCILMAN PATWARY TO APPROVE THE BILLS LIST OF NOVEMBER 16, 2009; SECONDED BY COUNCILMAN ARTMONT; AND APPROVED UNANIMOUSLY BY A VOTE OF 5-0.

**MEETING MINUTES: OCTOBER 19, 2009**

A MOTION WAS MADE BY COUNCILMAN ARTMONT TO APPROVE THE MEETING MINUTES OF OCTOBER 19, 2009 WITH THE ABOVE NOTED AMENDMENT; SECONDED BY COUNCILMAN PATWARY; AND CARRIED UNANIMOUSLY BY A VOTE OF 5-0.

A MOTION WAS MADE BY COUNCILMAN ARTMONT TO APPROVE THE AMENDED MEETING MINUTES OF SEPTEMBER 21, 2009; SECONDED BY COUNCILMAN PATWARY; AND CARRIED UNANIMOUSLY BY A VOTE OF 5-0.

**POLICE REPORT:** See Attached

A MOTION WAS MADE BY COUNCILMAN PATWARY TO APPROVE THE POLICE REPORT AS PRESENTED; SECONDED BY COUNCILMAN ARTMONT; AND CARRIED UNANIMOUSLY BY A VOTE OF 5-0.

**CODE ENFORCEMENT REPORT/FIRE MARSHALL:** See Attached

A MOTION WAS MADE BY COUNCILMAN PATWARY TO APPROVE AS PRESENTED THE MILLBOURNE BOROUGH CODE ENFORCEMENT/FIRE MARSHALL REPORT; SECONDED BY COUNCILMAN ARTMONT; AND CARRIED UNANIMOUSLY BY A VOTE OF 5-0.

**ENGINEER'S REPORT:** See Attached

A MOTION WAS MADE BY COUNCILMAN PATWARY TO APPROVE THE ENGINEER REPORT AS PRESENTED; SECONDED BY COUNCILMAN BASRA; AND CARRIED UNANIMOUSLY BY A VOTE OF 5-0.

**SOLICITOR'S REPORT:**

The Borough Solicitor presented for approval two Millbourne Borough Resolutions.

The first resolution is related to Ordinance 425 Millbourne Borough Flood Plain Ordinance. Every Municipality is required to adopt a Flood Plain Ordinance to be part of

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the National Flood Insurance program. The deadline for adopting this Ordinance is November 18, 2009. Millbourne Borough did adopt the Flood Plain Ordinance but the State requested that we readopt the ordinance to reflect a change of date from September until November. After speaking with Mr. Watson and representatives from the State we concluded that we can adopt a resolution changing the date instead of readopting the entire ordinance. Ready for your approval is a Resolution changing the date to the November 18, 2009.

**A MOTION WAS MADE BY COUNCILMAN ARTMONT TO APPROVE THE MILLBOURNE BOROUGH FLOOD PLAIN RESOLUTION; SECONDED BY COUNCILMAN PATWARY; AND CARRIED UNANIMOUSLY BY A VOTE OF 5-0.**

The second Resolution deals with the Millbourne Borough Rental Ordinance, the original ordinance was adopted in 2001 but was suspended due to cost. We have been discussing an issue which affects several residents. When a property owner lives in one unit of a duplex, does not rent the other unit or the unit is occupied by a family member(not paying rent) are they obligated to have the property inspected and are they subject to the same fees. As per Council's request I have prepared a Resolution stating that residents who live in one unit and do not rent the other unit are not subject to the rental inspection ordinance. The property should be registered but should not pay a fee and should not be inspected.

Councilman Artmont stated that he did not agree with this resolution because this will create a new problem where other property owners will say that they do not rent their property and that it is a family member living in the property.

Mayor Donovan stated that he knows several residents that this Resolution will affect positively.

The Borough Solicitor stated that he will prepare an Affidavit for residents to sign if they are found in violation they will be cited.

Councilman Patwary stated that all properties should be inspected.

The Borough Solicitor informed Borough Council that this Resolution does not exempt property owners from having their property inspected at the time of a transfer.

**A MOTION WAS MADE BY COUNCILMAN PATWARY TO APPROVE THE RENTAL INSPECTION RESOLUTION AS PRESENTED; SECONDED BY COUNCILMAN ARTMONT; AND CARRIED UNANIMOUSLY BY A VOTE OF 5-0.**

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A MOTION WAS MADE BY COUNCILMAN ARTMONT TO APPROVE THE SOLICITOR'S REPORT AS PRESENTED; SECONDED BY COUNCILMAN PATWARY AND CARRIED UNANIMOUSLY BY A VOTE OF 5-0.

**MANAGER'S REPORT:**

The Borough Manager informed Borough Council that she attended the Act 32 meeting regarding the consolidation of Collection of Earned Income Tax. An executive committee was established. The next meeting is scheduled for December 3<sup>rd</sup>. The committee will be responsible for creating and adopting by-laws. The deadline for the creation of the by-laws is April 15, 2010.

**MAYOR'S REPORT:**

Mayor Donovan stated that he did not have a written report at this time; he will reserve his comments for the preliminary budget.

**TREASURER'S REPORT:** November 16, 2009

The Borough Finance Officer presented for approval the 2010 preliminary Budget. The 2010 preliminary budget shows a 2 mill increase, the budget is conservation particularly on the revenue side. The expenditures show a police and administrative salary increase, health care increase and Insurance increase. The Borough Finance Officer stated that the 2010 preliminary budget shows no increase in the sewer fund.

Mayor Donovan asked why we have a line item for contractor's license considering the State mandates the contractors pay the state directly for their license each year.

The Borough Solicitor stated that law excludes Master Plumbers and Electrical Contractors, so the line item is still necessary.

Mayor Donovan stated that the Borough Manager is getting a 3% raise, which brings her salary to \$50,000.00. She is not worth it; East Lansdowne pays 10,000.00 a year for their borough manager. Seems to me that if we got rid of the Borough Manager and the Borough Clerk we could hire someone for a lot less and they would actually do the work.

The Borough Manager corrected Mayor Donovan stating that the Borough of East Lansdowne has four additional women who work in the offices other than the Borough Manager. Several of those women receive medical benefits.

President Kramer stated that the budget also shows a 3% raise to all part time patrolmen and the financial accounting increase is due to the annual audit.

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Councilman Patwary asked the cost of the annual audit?

The Borough Finance Officer responded by stating the annual audit runs approximately \$12,000.00. The Finance Officer informed Borough Council that the annual audit fees have gone up because of the extensive audit requirements.

A MOTION WAS MADE BY COUNCILMAN PATWARY TO APPROVE THE 2010 PRELIMINARY BUDGET; SECONDED BY COUNCILMAN BASRA; AND CARRIED UNANIMOUSLY BY A VOTE OF 5-0.

A MOTION WAS MADE BY COUNCILMAN ARTMONT TO APPROVE THE NOVEMBER 16, 2009 TREASURE'S REPORT; SECONDED BY COUNCILMAN PATWARY; AND CARRIED UNANIMOUSLY BY A VOTE OF 5-0.

**OLD BUSINESS:** No old business

**NEW BUSINESS:** No new business

**PUBLIC COMMENTS/QUESTIONS AND ANSWERS**

Reverend Laurent from 14 Park Avenue asked Borough Council if it would be possible to have name tags for all Borough Officials. The name tags would help the residents get to know who everyone is and what position they hold. Mr. Laurent also asked if Council could utilize a projector which would enable the residents to see pictures of properties being referred to in the monthly reports of Borough Officials. Finally Mr. Laurent asked that agenda's be made available to residents prior to the monthly meetings.

Mr. Kurian Mathai from 147 Wellington Road, Upper Darby, PA asked Borough Council to address the tree situation on Market Street. The trees were planted by the borough several years ago, now the trees are overgrown and causing the sidewalks to come up. Mr. Mathai also mentioned that several businesses have left the borough, there are ten empty stores on Market Street, and we need to do something to encourage businesses to come back to Millbourne. Mr. Mathai also suggested that the borough work with Mr. Wilner in getting the former Sears property developed.

Khiet Luong from 20 Burd Avenue asked what Act 32 was and how it affected Millbourne Borough.

The Borough Solicitor explained that the State enacted a law requiring that all municipalities which collect earned income form one committee which will hire one firm to be obligated to collect the earned income on behalf of the municipalities. The reasoning behind this Act is that many municipalities are not collecting the earned income sufficiently by working together we are hoping we will be able to collect more funds.

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Khiet Luong from 20 Burd Avenue asked if the Borough had a program in place for collecting delinquent taxes.

The Borough Solicitor stated that the County does go after property owners who do not pay their real estate taxes; this process is slow because we must follow certain steps to ensure that a delinquent property is not sold without the property owner being properly notified. The borough of Millbourne has hired a solicitor who attempts to collect delinquent Municipal service fees.

President Kramer stated that Millbourne has an issue with one property owned who repeatedly declares bankruptcy when we try to recover back taxes.

The Borough Solicitor stated that there is one individual who is as serial bankruptcy filer, some of the taxes are being paid in such a small rate, if that individual paid his taxes we would not have a tax increase.

President Kramer stated if that property owner paid his taxes we could hire someone to maintain trees and clean the streets regularly.

Mr. Yoo from 6449 Market Street stated that he never received notice regarding the rental inspection, now he received a fine from the Courts for not having the property inspected.

Charles Lord from 20 Park Avenue stated that we have heard a lot of complaints this evening but he wanted to take the time to thank Councilman Artmont, Councilman Turner and Mayor Donovan for their many years of generous service.

**ANNOUNCEMENTS:** No announcements

**ADJOURNMENT:**

THERE WILL BE NO FURTHER BUSINESS TO COME BEFORE MILLBOURNE BOROUGH COUNCIL; A MOTION WAS MADE BY COUNCILMAN PATWARY TO ADJOURN THE REGULAR PUBLIC MEETING OF THE MILLBOURNE BOROUGH COUNCIL; SECONDED BY COUNCILMAN BASRA; AND CARRIED UNANIMOUSLY BY A VOTE OF 5-0.

RESPECTFULLY SUBMITTED,  
DRU ANN STAUD  
MILLBOURNE BOROUGH MANAGER