



COLWYN BOROUGH COUNCIL LEGISLATIVE MEETING AGENDA

September 17, 2026
6:00 pm

COURTESY AND PRIVILEGE OF THE FLOOR RULES

Please observe the Rules of Council when addressing the body. The Borough website includes all the meetings and material for the agenda, videos of previous meetings, and a link to current meetings that are in progress.

Public Comment Rules:

If you would like to speak, we are asking that you please address the Council President. You are given privilege of the floor to provide public comment. This is a time to present comments; it is not a question-and-answer session. If you are speaking on behalf of yourself, you have three minutes and if you are speaking on behalf of a group that has several members present, you will be given five minutes - the idea being the entire group does not come up and make the same type of statement. Please be sure to state your name and address for the record and fill out the sign-in sheet.

Courtesy of the Floor is meant to provide public comment on items that are not on the agenda; Council will take all comments under advisement and have the appropriate officials get back to you if necessary. If you have materials for Council, please distribute it to the Borough Secretary.

Public comment during consideration of ordinances, resolutions and motions is limited by topic – your comments must be relevant. Public comments are taken before the council votes on items.

Council will not entertain personal insults or attacks, name calling or other behavior that is inconsistent with the purpose of conducting official business. Please address the Council President. Refrain from using offensive language, cursing, and making noises while other people are speaking. Act with decorum. Remove your hat and turn cell phone off.

Please be aware that comments and/or behavior in violation of these rules will result in a forfeiture of all remaining time and you will be asked to return to your seat.

COMMUNICATIONS: *Legislative meetings are held on the third Thursday of each month beginning at 6:00 PM at Colwyn Borough Hall. For copies of the agenda or meeting announcements, please visit our website at www.colwynborough.com.*



**COLWYN BOROUGH
COUNCIL LEGISLATIVE MEETING AGENDA**

**September 17, 2026
6:00 pm**

I. CALL TO ORDER:

II. MOMENT OF SILENCE

III. PLEDGE OF ALLEGIANCE

IV. ROLL CALL

_____ **Mayor: Maurice J. Clark, Sr.**
_____ **Barbara Williams – President**
_____ **Matthew Oberly – Vice President**
_____ **Danielle Council**
_____ **Dawn Goldsmith**
_____ **Tatyana Hawkins**
_____ **Angela Johnson**
_____ **Edward Nibblins**

V. APPROVAL OF MINUTES

- Motion to approve the minutes from the Colwyn Council Business Meeting of August 20, 2026

VI. PUBLIC COMMENT ON AGENDA ITEMS ONLY

VII. RESOLUTIONS

- **Resolution – 2026-50:** Authorize the adoption of 2027 Minimum Municipal Obligation (MMO) for the Police Pension in the amount of \$60,111.
- **Resolution – 2026-51:** Authorize the approval for the hiring of part-time Police Officer, Justin Busam. Rate is \$28 per hour.
- **Resolution – 2026-52:** Authorize the approval of the recommendation made by the Borough Engineer, MG Engineering, that the bid for 2026 Street Resurfacing in the Borough of Colwyn be awarded to the lowest responsible bidder, Moore Brothers Enterprises Ltd for \$134,175. Contract is subject to approval of the Borough Solicitor and availability of grant funding.

- **Resolution – 2026-53:** Authorize the approval of the recommendation made by the Borough Solicitor, Ken Schuster, then censure
- **Resolution – 2026-54:** Authorize approval to decline to ratify the purported lease and authorizing the recovery of Borough possession of Garage #12, 200 Block of Front Street.
- **Resolution – 2026-55:** Authorize approval of the resolution to terminate employee #002.

VIII. COMMITTEE REPORTS

- Parks and Rec: Councilor Dawn Goldsmith, Chair
- Beautification: Councilor Danielle Council, Chair
- Personnel: Councilor Tatyana Hawkins and Councilor Danielle Council, Co-Chairs
- Public Works: Mayor Clark, Chair
- Public Safety: Councilor Angela Johnson, Chair
- Finance: Councilor Tatyana Hawkins and Councilor Danielle Council, Co-Chairs.
- Transparency: Councilor Danielle Council, and Councilor Mathew Oberly, Co-Chairs.

IX. MAYORS REPORT, Maurice J. Clark, Sr.,

X. PROFESSIONAL REPORTS

Solicitor's Report: Kenneth R. Schuster & Associates
Public Safety Report: Chief J. Laspina
Treasurer's Report & Tax Report: NJN & Associates, LLC
Engineer's Report: M.G. Engineering Associates LLC
Code Enforcement: Tony Tartaglia, Commonwealth Code Enforcement
Tax Collectors Report: Tanea Cunningham
Manager's Report: NJN & Associates, LLC

XI. FINANCIAL BUSINESS:

Bills List: Discussion / Additions / Subtractions
(Motion to Approve as Presented or Submitted)

XII. NEW BUSINESS

XIII. PUBLIC COMMENT ON NON-AGENDA ITEMS

XIV. ADJOURNMENT

NEXT COUNCIL WORKSHOP MEETING: THURSDAY, October 8, 2026, 6:00 pm

BOROUGH OF COLWYN
DELAWARE COUNTY, PENNSYLVANIA
RESOLUTION NO. 2026 – 50

**ADOPTION OF THE 2027 MINIMUM MUNICIPAL OBLIGATION (MMO) FOR THE
POLICE PENSION IN THE AMOUNT OF \$60,111.**

WHEREAS, the legislature of the Commonwealth of Pennsylvania in December 1984 adopted the Municipal Pension Plan Funding Standards and Recovery Act (205 of 1984), which was amended in part by Act 189 of 1990, Act 82 of 1988 and Act 44 of 2009; and

WHEREAS, the Budget Calendar indicates that Council should certify the minimum municipal obligation (MMO) for pensions by the second meeting in September.

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Colwyn, Delaware County, Pennsylvania hereby authorizes the approval of the Police Pension Minimum Municipal Obligation (MMO) for 2027 in the amount of \$60,111.00 and that the Borough will include these costs as part of the budget for 2027.

WE HEREBY CERTIFY that this Resolution was adopted by the Council of Borough of Colwyn this 17th day of September, A.D. 2026.

COLWYN BOROUGH

By:_____

President of Council

ATTEST:_____

Borough Secretary

BOROUGH OF COLWYN
DELAWARE COUNTY, PENNSYLVANIA
RESOLUTION NO. 2026 – 51

APPROVE THE HIRING OF
PART-TIME POLICE OFFICER, JUSTIN BUSAM

Be it RESOLVED by the Council of the Borough of Colwyn, Delaware County, Pennsylvania, that it does hereby appoint Justin Busam to the position of part-time Police Officer, Colwyn Borough Police Department, effective immediately, at the rate of \$28.00 per hour; with a 90-day probationary period.

FURTHER, said employment is contingent upon the successful completion of all pre-employment screenings and qualification requirements within 30 days of the date of hire.

WE HEREBY CERTIFY that this Resolution was adopted by the Council of Borough of Colwyn this 17th day of September, A.D. 2026.

COLWYN BOROUGH

By:_____

President of Council

ATTEST:_____

Borough Secretary

BOROUGH OF COLWYN
DELAWARE COUNTY, PENNSYLVANIA

RESOLUTION NO. 2026 – 52

**AUTHORIZE AWARD OF BID FOR 2026 STREET RESURFACING
IN THE BOROUGH OF COLWYN**

WHEREAS, the bid for the Fiscal Year 2026 Street Resurfacing in the Borough of Colwyn was advertised in the paper and with responses due on August 21, 2026, at 4:00 PM; and

WHEREAS, sealed bids were opened at said time and available to all bidders, and the bids were as such:

Bidders:	Amount:
1. Moore Brothers Enterprises Ltd	\$134,175.00
2. A F Damon Company, Inc.	\$142,800.00
3. Premier Concrete, Inc.	\$157,700.00

WHEREAS, bids were tabulated with no discrepancies found in the bids submitted and by recommendation of the Borough Engineer and Borough Solicitor that the bid be awarded to the lowest responsible bidder.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Colwyn, Delaware County, Pennsylvania, meeting in public session the 17th day of September, 2026 that the bid for the F.Y. 2026 Street Resurfacing in the Borough of Colwyn be awarded to Moore Brothers Enterprises, Ltd, in the amount of \$134,175.00, award is contingent upon availability of funding necessary to complete the project.

WE HEREBY CERTIFY that this Resolution was adopted by the Council of Borough of Colwyn this 17th day of September, A.D. 2026.

COLWYN BOROUGH

By: _____
President of Council

ATTEST: _____
Borough Secretary

BOROUGH OF COLWYN
DELAWARE COUNTY, PENNSYLVANIA
RESOLUTION NO. 2026 – 53

**AUTHORIZE CENSURING UNAUTHORIZED DISCLOSURE OF
INFORMATION PROTECTED BY LAW**

WHEREAS, the Borough Council may hold an executive session only for purposes authorized by the Pennsylvania Sunshine Act, including consultation with counsel concerning litigation or anticipated litigation and discussion of matters that, if conducted publicly, would disclose information protected by a lawful privilege or confidentiality requirement; and

WHEREAS, an executive session does not by itself make every subject discussed confidential; confidentiality arises only when the information is independently protected by law, including the attorney-client privilege, a statutory confidentiality requirement, or another recognized legal protection; and

WHEREAS, Council finds that no authorized personnel in attendance at an executive session shall disclose to anyone, nor during a public forum information from the executive session that may be considered protected by law; and

WHEREAS, Council finds that any disclosure that is unauthorized and contrary to the Borough's interests shall be prohibited; and

WHEREAS, Council shall afford any person who violates this censure notice and a reasonable opportunity to address the proposed resolution; and

WHEREAS, this Resolution is a formal expression of Council's collective judgment and is not intended to remove, suspend, fine, restrict the vote of, or otherwise alter the elected office or statutory authority of any Councilmember.

NOW, THEREFORE, BE IT RESOLVED, and it is hereby resolved by the Borough Council of Colwyn, Delaware County, Pennsylvania, as follows:

1. Findings Adopted. The foregoing recitals are incorporated into and adopted as findings of Borough Council.

2. Formal Censure. Borough Council formally censures any authorized personnel for the unauthorized disclosure of information protected by law, including the attorney-client privilege, a statutory confidentiality requirement, or another recognized legal protection that is discussed in executive session.

3. Scope of Resolution. This Resolution is limited to the disclosure identified above. It does not assert that all information discussed in an executive session is confidential, and it does not disclose, repeat, or waive any information protected by law.

4. No Additional Sanction. This Resolution is solely a public censure. It does not remove or suspend any Councilmember from elected office; restrict the members vote, attendance, or participation in Council meetings; impose a fine; or otherwise impose a sanction not authorized by law.

5. Future Protection of Information. Council directs the Borough Solicitor to provide Council with written guidance, as appropriate, identifying the legal basis for confidentiality of information proposed for executive-session discussions. Councilmembers shall protect information that is subject to attorney-client privilege, statutory confidentiality, or another lawful confidentiality requirement.

6. Effective Date. This Resolution shall take effect immediately upon adoption.

WE HEREBY CERTIFY that this Resolution was adopted by the Council of Borough of Colwyn this 17th day of September, A.D. 2026.

COLWYN BOROUGH

By: _____

President of Council

ATTEST: _____

Borough Secretary

BOROUGH OF COLWYN
DELAWARE COUNTY, PENNSYLVANIA
RESOLUTION NO. 2026 – 54

**AUTHORIZE DECLINE TO RATIFY PURPORTED LEASE AND
AUTHORIZE RECOVERY OF POSSESSION OF GARAGE #12**

WHEREAS, the Borough of Colwyn (the “Borough”) is the owner of a single garage identified as Garage #12 located in the 200 block of Front Street, Colwyn, Pennsylvania (the “Premises”);

WHEREAS, a document entitled “Garage Lease Agreement,” dated March 5, 2024, purports to lease the Premises to Tracy Bell for a five-year term beginning in March 2024 and ending in March 2029 at a monthly rental of \$65.00 (the “Purported Lease”);

WHEREAS, the Purported Lease was executed on behalf of the Borough by a former Borough Manager;

WHEREAS, Borough Council has determined, based upon the Borough records presently available, that the Purported Lease was not presented to Borough Council for approval and that Borough Council did not adopt a resolution approving the leasing of the Premises to Tracy Bell;

WHEREAS, 8 Pa.C.S. § 3301.1(d) provides that Council’s approval of the acquisition, disposition and leasing of real or personal property shall be by adoption of a resolution;

WHEREAS, Borough Council does not desire to ratify, adopt or approve the Purported Lease and intends by this Resolution to expressly decline any such ratification;

WHEREAS, in addition and in the alternative, the Purported Lease requires rent of \$65.00 per month and the Borough has been advised that Tracy Bell has failed to pay rent for approximately one year, subject to verification of the Borough’s account records;

WHEREAS, the Purported Lease further provides that the Borough may enter the Premises without notice in the event of fire, perceived emergency or alleged casualty, and upon twenty-four (24) hours’ notice for other reasons, and the Borough has been advised that the occupant has refused to provide access to the Premises;

WHEREAS, Borough Council desires to recover possession of Borough-owned property and to authorize the Borough Solicitor and appropriate Borough officials to take all lawful actions necessary to protect the Borough’s interests.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Colwyn, Delaware County, Pennsylvania, as follows:

1. Borough Council finds that the Purported Lease dated March 5, 2024 was not approved by Borough Council by resolution and was not authorized by Council in accordance with 8 Pa.C.S. § 3301.1(d).

2. Borough Council expressly declines to ratify, adopt, approve or otherwise affirm the Purported Lease and reserves all rights to assert that the Purported Lease is unauthorized, invalid or unenforceable against the Borough.

3. In the alternative, and without waiving the position stated above, to the extent the Purported Lease or any tenancy is determined to be enforceable, Council finds that the tenant is in default for nonpayment of rent and, if established after proper notice, for refusal to provide the Borough access to the Premises as required by the Purported Lease.

4. The Borough hereby demands return of possession of Garage #12 and authorizes the issuance and service of all notices required by law, including a ten-day notice to quit for nonpayment of rent under Section 501 of the Landlord and Tenant Act of 1951, 68 P.S. § 250.501.

5. The Borough Solicitor is authorized and directed, if possession is not timely surrendered, to institute appropriate proceedings before the Magisterial District Judge or other court of competent jurisdiction for possession, unpaid rent, damages, costs and any other relief available at law or in equity.

6. The Borough Manager, Secretary, Code Officials, Police Department and other appropriate Borough personnel are authorized to cooperate with the Borough Solicitor and to take lawful actions reasonably necessary to inspect, secure and recover the Premises, provided that no nonemergency self-help dispossession shall occur contrary to applicable law.

7. Nothing in this Resolution shall constitute an admission that the Purported Lease is valid or enforceable, and all claims, defenses and remedies of the Borough are expressly preserved.

8. This Resolution shall become effective immediately upon adoption.

WE HEREBY CERTIFY that this Resolution was adopted by the Council of Borough of Colwyn this 17th day of September, A.D. 2026.

COLWYN BOROUGH

By: _____
President of Council

ATTEST: _____
Borough Secretary

BOROUGH OF COLWYN
DELAWARE COUNTY, PENNSYLVANIA
RESOLUTION NO. 2026 – 55
AUTHORIZE TERMINATION OF EMPLOYEE #002

Be it RESOLVED, that the Council of the Borough of Colwyn hereby approves the termination of Employee #002, effective immediately.

FURTHER, the Borough Manager shall coordinate the return of all Borough issued property, equipment, communication devices and issue employment separation information to former employee.

WE HEREBY CERTIFY that this Resolution was adopted by the Council of Borough of Colwyn this 17th day of September, A.D. 2026.

COLWYN BOROUGH

By: _____
President of Council

ATTEST: _____
Borough Secretary