

**ORDINANCE NO. 3137
UPPER DARBY TOWNSHIP
DELAWARE COUNTY, PENNSYLVANIA**

AN ORDINANCE OF UPPER DARBY TOWNSHIP, DELAWARE COUNTY, PROVIDING FOR SUPPLEMENTAL APPROPRIATIONS FOR THE 2023 BUDGET APPROPRIATING THE FUNDS PROVIDED BY THE AMERICAN RESCUE PLAN ACT (ARPA) STATE AND LOCAL FISCAL RECOVERY FUND TO UPGRADE PARKS IN UPPER DARBY TOWNSHIP REPEALING INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Upper Darby Township Council (“Council”) adopted a budget for the calendar year 2023 on December 28, 2022; and

WHEREAS, pursuant to Section 909(A) of the Home Rule Charter of Upper Darby Township, if during the fiscal year the Chief Administrative Officer certified that there are available for appropriation revenues in excess of those estimated in the budget, Council by ordinance may make supplemental appropriations for the year up to the amount of such excess; and,

WHEREAS, on March 11, 2021, President Biden signed into law the American Rescue Plan Act, providing \$350 billion in funding for state and local governments; and,

WHEREAS, the Total funds received from the U.S. Department of Treasury pursuant to the American Rescue Plan Allocation (ARPA Funds) was 41, 761,929.00; and,

WHEREAS, A proposed spending structure has been submitted to Council and prepared by conformity with the Rules as promulgated by the US Department of the Treasury; and,

WHEREAS, On June 21, 2023, The Township Treasurer has certified the availability of ARPA Funds and

WHEREAS, the Council and the Administration recognizes the needs of the Upper Darby Parks for upgrades and Capital Improvements to enable the residents to fully enjoy the open space and to be administered by the Director of Leisure Services. and

WHEREAS, the Administration has engaged a third-party administrator to assist in the administration of the ARPA funds and compliance with the ARPA guidelines established by the U.S. Department of the Treasury; and,

NOW, THEREFORE BE IT ORDAINED AS FOLLOWS, Upper Darby Township Council makes the following supplemental appropriations for the Upper Darby Parks Upgrades from the American Rescue Plan Allocation:

SECTION 1.

ALLOCATION

Upper Darby Parks: 2,260,000.00


- a.) Program Allocation. Upper Darby Township Council makes the supplemental appropriation of 2,260,000.00 for the Upgrades and Capital Improvements to the Upper Darby Parks to be administered by the Director of Leisure Services. from the American Rescue Plan Allocation. The allocations are as follows:
- a. Drexel Gardens- \$75,000
 - b. Dermond Field- \$400,000 (to include flood mitigation and two (2) pickleball courts)
 - c. Scullion Field- \$50,000
 - d. Naylor's Run-\$1,000,000
 - e. James Street- \$25,000
 - f. Penn Pines- \$50,000
 - g. Fernwood, McKinley, Oxford and Chapman- \$100,000
 - h. Clark-\$25,000
 - i. Windermere-\$50,000
 - j. Huey-\$10,000
 - k. Golf Road-\$25,000
 - l. Sellers-\$50,000
 - m. 69th Street- \$400,000
- b.) The 3rd Party Company (herein referred to as the Compliance Officer) will make any needed adjustment to the ARPA allocations among Township departments to ensure compliance with ARPA guidelines established by the U.S. Department of the Treasury;
- c.) The Compliance Officer will bring any such adjustments to these allocations that are made to comply with ARPA guidelines to Mayor Keffer, Chief Administrative Officer and the Upper Darby Township Council, for approval by Council prior to authorizing a Township department to expend newly-allocated ARPA funds; and,
- d.) That the Acting Township Finance Director is authorized to establish the necessary accounts and accounting procedures to carry out the intent of this Ordinance.


SECTION 2. All Ordinances and parts thereof inconsistent with the provisions of this Ordinance are hereby repealed.

SECTION 3. The terms, conditions and provisions of this ordinance are hereby declared to be severable, and should any portion, part or provision of this ordinance be found by a court of competent jurisdiction to be invalid, unenforceable or unconstitutional, Upper Darby Township Council hereby declares its intent that the ordinance shall have been enacted without regard to the invalid, unenforceable or unconstitutional portion, part or provision of this ordinance.

SECTION 4. This ordinance shall become effective immediately.


ENACTED and **ORDAINED** this 2nd day of August 2023.

BY: 
BRIAN K. BURKE
President of Council

ATTEST: 
MICHELLE BILLUPS
Secretary of Council

APPROVED this 2nd day of August 2023.

BY: _____
BARBARANN KEFFER
Mayor

ATTEST: 
ALEXIS CICCHITTI
Chief Municipal Clerk