

**Minutes of the Regular Council Meeting
Of the Borough of Chester Heights**
222 Llewelyn Road
Chester Heights, PA 19017

May 2, 2016

- MEMBERS PRESENT** Frederick L. Wood, President
Patrick L. Patterson, Vice President
Anne C. Searl, Pro Tem
Mark Carroll, Mayor
Philip Block, Ph.D.
Susan H. Clarke
Jordan E. Goldberg
Joseph McIntosh, Esq. (Arrived at 7:04)
- OFFICIALS PRESENT** Gerald C. Montella, Esq., Solicitor
Michael Ciocco, Fire Marshal
Matt Houtmann, P.E., Borough Engineer
Richard Jensen, Building Inspector, Zoning Officer
- CALL TO ORDER** President Wood called the public meeting to order at 7:00 p.m. and led those in attendance in a moment of silence and the reciting of the Pledge of Allegiance. President Wood turned over the meeting to Solicitor Montella for a public hearing to consider the adoption of Ordinance #206.
- PUBLIC HEARING
ORDINANCE # 206** Solicitor Montella presented council with an ordinance that would amend the Solid Waste Ordinance of July 6, 1987 by extending that agreement for an additional twenty-five (25) years starting January 1, 2017. Solicitor Montella reported that this ordinance was published in the Delaware County Daily Times and that the ordinance was hand delivered to the Delaware County Law Library.
Solicitor Montella asked if anyone from the audience had questions or comments.
There was no public comment concerning the amended ordinance.
Solicitor Montella asked if anyone on council had any questions or comments.
There was no comments or questions from council.
Solicitor asked council to consider the adoption of the amended ordinance.
- MOTION** Upon motion (Goldberg/Searl) council voted six to approve and one abstention (Patterson) the Amendment to Ordinance # 206.
The public meeting closed at 7:07 and Solicitor Montella returned the meeting to President Wood.
- RETURN TO REGULAR** President Wood reopened the Regular Council Meeting at 7:07.

COUNCIL MEETING

APPROVAL OF MINUTES Upon motion (Searl/Block) Council voted to approve the meeting minutes of the April 4, 2016 Regular Council Meeting and April 25, 2016 Work Session.

PUBLIC TO ADDRESS
COUNCIL

No public comments.

BUILDING INSPECTOR Mr. Jensen reported that he is working on inspections for Wawa Annex 5, and the Brookefield Townhouses. Mr. Jensen reported that he is conducting fire safety inspections at Madison Apartments.

FIRE MARSHAL Mr. Ciocco reported that there were two fire incidents in April. The rear axle of a trailer caught fire on Valleybrook Road. A resident on Wawa Road had a kitchen fire due to the stove knob controls were accidentally turned on by placing a box on the stove. Mr. Ciocco stated that the quick response time from the fire company helped to prevent the fire from spreading.

SEO Mrs. Timmins reported that Mr. Ciocco will be attending the May Work Session to provide an update on sewers in the borough.

ZONING OFFICER Mr. Jensen reported that there is a matter for executive session. Mr. Jensen reported that he had emailed a memo to council concerning a residence that has had debris and machinery stored on the property.

SECRETARY/TREASURER Mrs. Timmins reported that the 2015 Annual Audit is scheduled for May 25th and May 26th. There will be a meeting to discuss Animal Control at the Brandywine Veterinary Hospital concerning a Stray Dog Agreement.

TREASURER'S REPORT Upon motion (Patterson/Block) Council voted to approve the fund balances and receipts, as submitted by the Secretary/Treasurer for April 2016.

MOTION Upon motion (Patterson/Goldberg) Council voted to approve payment of the bills as submitted by the Secretary/Treasurer for April 2016.

Description		Source
Receipts		
Real Estate Transfer Tax	\$ 8,919.80	Treasurer of Delaware County
March_2015	\$ 77,758.44	Maryann Furlong, Tax Col
Court Fines	\$ 34.40	District Court 32-2-38
1st Qtr Franchise Fee	\$ 9,403.01	Comcast
LST Collections 1st Qtr	\$ 1,759.97	Berkheimer
LST Collections 1st Qtr	\$ 628.53	Berkheimer
LST Collections 1st Qtr	\$ 598.75	Berkheimer

U&O Inspection	\$ 90.00	205 Nottingham Ct
U&O Inspection	\$ 90.00	16 Wilson Cr
U&O Inspection	\$ 90.00	24 Highland Dr
U&O Inspection	\$ 90.00	251 Windsor Ct
U&O Inspection	\$ 90.00	229 Bishop Dr
U&O Inspection	\$ 90.00	112 Briarcliff Ct
U&O Inspection	\$ 90.00	215 Nottingham Ct
SEO Permit	\$ 550.00	24 Highland Dr
Bldg/Roofing Permit	\$ 130.00	Brookefield
Monthly Easement Fee	\$ 579.64	T-Mobile
Fire Hydrant Reimbursement	\$ 218.10	Highland Reserve
Fire Hydrant Reimbursement	\$ 726.00	Madison Apartments
Fire Hydrant Reimbursement	\$ 181.50	Madison Apartments
Fire Hydrant Reimbursement	\$ 399.30	Darlington Woods
TOTAL	\$ 102,517.44	

Fund Balances,

Certificates of Deposit Balance

CD, 12 Month, @ 0.90% Matures 12/29/16	\$ 43,467.68	Iron Workers Bank
CD, 12 Month, @.0.50% Matures 12/03/16	\$ 214,384.07	Wawa Credit Union
EBond	\$ 15,000.00	Bryn Mawr Trust
Total Certificates of Deposit	\$ 272,851.75	

General Fund Balance

Checking Acc 4/30/16 @ 0.02%	\$ 437,611.21	Source PLGIT GENERAL FUND
Checking Acc 4/30/16 @ 0.02%	\$ 7.54	PLGIT GENERAL FUND
Money Manager 3/30/16 @ 0.15%	\$ 10,973.95	Bryn Mawr Trust
Borough Road Improvement Fund	\$ 72,000.00	Bryn Mawr Trust
Total Funds in General Fund	\$ 520,592.70	

PA Liquid Fuels Fund Balance

Checking Account 4/30/16 @ 0.02%	\$ 53,715.30	PLGIT Acct # 5116038
----------------------------------	--------------	----------------------

Land Dev Escrow Fund Balance

Savings 4/30/16 @ 0.02%	\$ 3,862.69	PLGIT Acct # 5116041
-------------------------	-------------	----------------------

Expenditures

Chester Heights Monthly	\$ 4,000.00	Chester Heights Fire Company
Fire Safety Inspections	\$ 499.44	Chester Heights Fire Company
Storage Rental	\$ 159.00	Chester Heights Self Storage
Phone/Fax/Code Office	\$ 144.92	Windstream
Wawa Annex 5/Invc #45397	\$ 112.75	Catania Engineering Assoc
SEO 476 Valleybrook Rd	\$ 225.50	Catania Engineering Assoc
General Matters	\$ 394.63	Catania Engineering Assoc
Bldg Permits	\$ 727.50	Richard Jensen
Fire Safety Inspections	\$ 1,997.76	Richard Jensen
Wawa Annex 5	\$ 3,000.00	Richard Jensen
1st Qrt UCC Fee	\$ 96.00	DCED
Annual Membership Fee	\$ 450.00	Brandywine Conservancy

Workshop	\$ 10.00	Brandywine Conservancy
Newsletter Postage	\$ 487.32	Hot Frog
301 Llewelyn Road	\$ 1,102.90	Peter J. Rohana, Jr.
Tax Collector Bonding	\$ 49.93	Arthur J. Gallagher & Co
Office Supplies	\$ 21.66	Wegmans
Office Supplies	\$ 13.15	Lowe's
Office Supplies	\$ 38.55	Office Basics
Office Supplies	\$ 3.99	Trader Joe's
Committee Mtgs	\$ 125.16	21st Media
Committee Mtgs	\$ 55.43	21st Media
Committee Mtgs	\$ 58.29	21st Media
Park Trash	\$ 48.14	Waste Management
Assistance	\$ 256.63	Anne Marie Mazzalla
Assistance	\$ 470.50	Valerie Hocker
Wawa Road Sign	\$ 113.00	Charles A. Higgins & Sons, Inc.
Fire Marshal Monthly Compensation	\$ 500.00	Michael Ciocco
Reimbursement	\$ 20.07	Michael Ciocco
Le Nape Valley/446	\$ 70.00	Michael Ciocco
PECO SL	\$ 581.53	PECO
PECO TL	\$ 31.91	PECO
Office Supplies	\$ 52.99	Adobe
941 Payroll	\$ 1,107.78	EFTPS
Sec/Treas Compensation	\$ 3,231.77	Susan Timmins
Dig Notifications	\$ 25.42	PA 1 Call
Copier/Fax/Scanner	\$ 140.13	Ricoh USA
Meter Usage	\$ 16.77	Ricoh USA
Employee Insurance	\$ 450.00	Keystone Health Plan
3 Hydrants @ \$42.25 per Hydrant	\$ 107.30	Aqua Pennsylvania
35 Hydrants @ \$36.30 per Hydrant	\$ 1,306.80	Chester Water Authority
Total Expenditures	\$ 22,304.62	

PA Liquid Fuels Fund Expenditures
Total Expenditures

MITCH GREVENITIS
29 HIGHLAND DRIVE

Mitch Grevenitis, informed council that he is speaking for his father Gus Grevenitis who resides at 29 Highland Drive, concerning an issue related to storm water run-off from a neighbor's property. Mr. Houtman reported that he visited the site on two separate occasions and did observe rills across the right rear of the property. Council requested the borough solicitor to send a letter to the neighboring property to consider a cooperative solution to resolve the issue.

MOTION

Upon motion (Patterson/Block) voted to authorize the solicitor to reach out to the neighboring property owner.

CORRESPONDENCE

President Wood reported on a correspondence from PennDOT concerning training for traffic calming and road surface management.

SOLICITOR REPORT

Solicitor Montella reported on the following:

RESOLUTION #05-16-A Solicitor Montella presented council with a resolution approving the final land development plan for Arbour Square at Chester Heights by the Westrum Development Company for a life care development on the property at 52 Baltimore Pike. The Plan proposes the demolition of the existing building and the development of a four-story life care development (assisted living/independent living facility) with below grade parking, surface parking, driveways and other site improvements. The Application and Plan are generally in conformity with the Borough's Subdivision/Land Ordinance and Zoning Code with fifteen outstanding issues that will need to be resolved to the satisfaction of Council and three waivers. Solicitor Montella reported that the Application and Plan has been reviewed by the Borough's Planning Commission, the Borough Engineer and Zoning Officer, the Fire Marshal and the Delaware County Planning Commission. Solicitor Montella requested council to consider approval of the Resolution. Councilmember Block commented that he has not received comment on how this development would impact the school district and the property values. Councilmember Goldberg commented that he is concerned with the traffic impact.

MOTION Upon motion (Patterson/Wood) council voted four to approve (Wood, Patterson, Searl, Clarke), one abstention (McIntosh) and two unapproved (Block, Goldberg) Resolution #05-16-A.

ENGINEER REPORT ROAD BIDS Mr. Houtmann reported on the following: Mr. Houtman reported that the Road Bids were opened at 12:05 pm. at the borough office. There were five road bids were received:

Charlestown	\$ 29,861.40,
Innconn	\$ 46,572.50
Gessler	\$ 37,136.25
A F Damon	\$ 32,446.25
Road Con	\$ 38,808.75

Mr. Houtman reported all bids appear to be in order and recommended Charlestown Paving as the lowest responsible bidder.

MOTION Upon motion (Patterson/Clarke) council voted to approve Charlestown Paving for the 2016 Road Program subject to all conditions set by the engineer.

ESCROW RELEASE #3 BROOKEFIELD Mr. Houtman presented council with a report concerning Escrow Release #3 for Brookefield. Mr. Houtman reported that he has completed the inspections and recommends releasing the escrow funds for \$ 250,236.65 that would leave \$ 529,370.20 in the remaining public

site escrow. Mrs. Timmins reported that there is an outstanding balance in the borough escrow.

MOTION Upon motion (Patterson/Block) to approve Escrow Release # 3 for Brookefield Development but will be held until all outstanding borough escrow funds are paid.

301 LLEWELYN ROAD President Wood requested council to ratify the approval made at the Work Session to have the engineer visit 301 Llewelyn Road.

RATIFY Upon motion (Patterson/Clarke) council ratified the authorization to have the engineer perform a site visit to 301 Llewelyn Road.

NEW FIRE HYDRANTS Mr. Houtman and Mr. Ciocco reported that Chester Water Authority will be installing eight new fire hydrants. There will be five hydrants in Brookefield, one hydrant at Heather Lane, one hydrant at Smithbridge Road and one hydrant at the Camp Meeting. Council will follow up with the Camp Meeting concerning the fee associated with the installation.

MOTION Upon motion (Block/Patterson) council voted to approve the Chester Water Authority's Plan for the installation of the new fire hydrants.

MAYOR'S REPORT Mayor Carroll reported that he received correspondence from the Delaware County Veteran's Memorial Association with regards to sending a message of support to the veteran's. Mayor Carroll will send a message from the borough.

COMMITTEE REPORTS

BOROUGH PROPERTY/ Mayor Carroll reported that borough park was aerated and reseeded and is in full use by BYC.

ENGINEER/CONSTRUCT Councilmen McIntosh stated that the items were discussed by the
INSPECTIONS engineer.

FINANCE/INSURANCE No report.

HIGHWAYS/ Vice President Patterson stated that this committee needs to establish
TRANSPORTATION a date for a meeting.

NOMINATING/VACANCY Vice President Patterson read a resignation letter from Jay Townsend, the Chairman of the Zoning Hearing Board. Currently the Zoning Hearing Board has three members and the Zoning Solicitor has retired. Mrs. Timmins will post the vacancy position on the website asking anyone interested to send a letter of interest and a resume.

MOTION Upon motion (Patterson/Clarke) to accept the resignation letter from Jay Townsend.

PUBLIC RELATIONS/ COMMUNICATIONS	Councilwoman Searl reported that the at last meeting a representative from Welcome Neighbor Program presented information about the program. There was discussion concerning items for the logo and a template was created for the Emergency Notification Systems.
ORDINANCE AND CODE REVIEW	Vice President Patterson stated that council will need to start work on an ordinance for septic system abandonment.
PUBLIC UTILITIES/ TRASH/RECYCLING	Councilwoman Clarke reported that the next meeting will be held Wednesday. The Wawa Recycling Day Event will take place on Wednesday, June 23 rd .
PUBLIC SAFETY/ ENVIRONMENT	Councilman Block reported that he and President Wood have met the fire company concerning the future plans for the fire company. The fire company has requested to be placed on the next work session agenda.
SCHOOL DISTRICT/ TRAINING/LIBRARY	Councilman Block reported that the liaison dinner will be held May 24 th and encourages council members to attend.
PLANNING/ZONING	Mayor Carroll reported that the Planning Commission recommended approval for Arbour Square Land Development and reviewed the Beard Townhouse Land Development Plan.
HISTORICAL	No report.
<u>PUBLIC COMMENT</u> MARY KAY BERNIE 13 BISHOP DRIVE	Ms. Bernie, a member of the Garnet Valley School Board, stated that the annual liaison dinner is very informative and encourages council members to attend.
MARTA DRISCOLL 458 LENNI ROAD	Ms. Driscoll stated that she is concerned that construction vehicles may use the private bridge during construction for the fifteen single homes by Le Nape Valley Land Development and what would be the weight restriction. Mr. Houtman stated that no construction vehicles are permitted to use the private bridge.
NEW BUSINESS	No report.
OLD BUSINESS	No report.
EXECUTIVE SESSION	President Wood announced in accordance with Act 84, the Sunshine Law that Council will meet in Executive Session to discuss matters of litigation, personnel and pending real estate acquisition by the Borough of Chester Heights. Council met in Executive Session at 8:57 until 9:25. No actions were taken.

Land Development Dates

1. **STF Crier** – Submitted Plans 4/30/07, Reviewed Planning Commission 5/24/07 - Open Ended Extension

2. **S. B. Conrad/CH Market** - Submitted Plans 2/18/10, Reviewed Planning Commission 3/25/10 - **Extension 1/26/2016**

ADJOURNMENT

Upon motion (Searl) Council voted to adjourn the meeting at. 9:25 p.m.

Respectfully submitted,
Susan M. Timmins
Secretary/Treasurer