

**Minutes of the Regular Council ZOOM Meeting
Of the Borough of Chester Heights
222 Llewelyn Road
Chester Heights, PA 19017
August 3, 2020**

Call to Order President Baum called the public meeting to order at 7:00 p.m. and led those in attendance in the reciting the Pledge of Allegiance.

Members Present Drew Baum, President
Ginamarie Ellis, Pro Tem
Natalie M. Anderson, Council
Susan Clarke, Council
Dave Firkser, Council
Laura M. Lim, Council
Fred Wood, Mayor

Officials Present Gerald C. Montella, Esq., Solicitor
Matthew R. Houtmann, P.E., Engineer
Richard Jensen, Building Inspector
Mike Ciocco Jr., P.E., S.E.O.

President Baum announced the DELCORA Act 537 Plan update referred to Mike Ciocco for presentation:

PUBLIC NOTICE is hereby given that the Delaware County Regional Water Quality Control Authority (DELCORA) is preparing an Act 537 Plan update for the entire service area in the county. This plan is for the sole purpose of addressing the PA DEP Act 537 requirements for the public-to-private wastewater disposal system transfer of the DELCORA system to Aqua Pennsylvania Wastewater, Inc.

Alternative 1 – No Action Alternative

Alternative 2 – Sale of the DELCORA system to Aqua

The selected alternative for this plan is alternative 2. Upon publication of this notice, a 30-day review and comment period is-in effect. Anyone wishing to review and/or comment may do so during this 30-day period. The Plan update will be made available on the DELCORA Website www.delcora.org. Anyone requesting a hard copy of the plan should request it through the “Contact Us” tab of the DELCORA.org or contact DELCORA at 610-876-5523 X272.

Comments will be accepted in writing by mail at the DELCORA Administration Bldg., 100 East Fifth Street, Chester PA 19013 Attention: Charles N. Hurst, PE, Director of Engineering or through the Contact Us tab of the DELCORA.org website <https://www.delcora.org/contact/contact-us/>.

Mr. Ciocco presented additional information/possibilities of what could or might occur and requested Council to review and respond with any questions or unanswered issues that need attention. He also requested the Planning Commission review the plan update for feedback and, also any questions they might have.

Public Comments 30 Days, Municipalities 60 days.

Councilwoman Lim requested any comments can be made at info@chesterheights.org so, they can be reviewed at the Planning Commission Meeting on 08/27/2020.

President Baum announced 104-106 Baltimore Pike, possible land development. Presenting possible land development: Darin Kapanjie, principle of DJ Carwash 1, LLC, and John Jaros, Esq. Mr. Jaros announced his client would like to purchase the property at 104-106 Baltimore Pike (old Ennis property) which is 4.2 acres and located in the B – Business District. His client would like to build a state of the art environmentally friendly extreme express carwash known as the Wave Carwash. Mr. Kapanjie will be the prime owner and operate the facility. Mr. Kapanjie proceeded with a computerized presentation for this ZOOM meeting and discussed the following:

- Quick/Express
- 3 Pay Lanes
- Monthly Memberships available
- 3 Wash Options
- 3D Car Scanning
- Drive-On Conveyor
- Free 2 hose vacuum, compressed air guns, microfiber towels
- 97% wash water recycling

President Baum presented Trooper Jessica Tobin who reported:

- 78 Incidents in July 2020, most domestic security checks
- Lenni Road, speeding complaints have been addressed and decreased
- Commercial truck traffic – can be addressed PennDOT will need to be notified
- Tropical storm watch – call 911 or 484-840-1000 for any down trees or wires, PECO is on stand-by with emergency management
- Due to the George Floyd occurrence – law enforcement is dealing with difficult times. The State Police chiefs and captains are meeting to strategize on procedure duties and unity in the area.

Trooper Tobin has been approved to provide educational service to residents/civilians including internet safety, distracting driving, fire - arms safety, active shooter, home safety. If the Borough or anyone else is interested in learning what the State Police do, she may be contacted.

A civilian police academy is being planned, more details to come later.

Any business related COVID-19 complaints can be made to the Chester County Public Health Department at 610-344-6225.

Fundraising event for this year is at Bala Gold Club, October 19, 2020 if anyone is interested in sponsoring or helping.

President Baum presented 103 Valleybrook Road, possible land development:

Nicholas Kheny discussed his initial plan for 103 Valleybrook Road.

Mr. Kheny is the managing partner for Kheny Development, LLC and wanted to propose a plan for either 8 single homes or 32 townhomes on land that was bought a few years earlier. Mr. Kheny is seeking advice to determine if the plan is feasible.

Solicitor Montella advised the previous plan related to a bridge over the existing Chester Heights Creek and flood area.

Mr. Jensen gave some suggestions. Mr. Houtmann pointed out the thousand of acres drains to that location. Additionally, the Borough need to amend the zoning ordinance.

President Baum suggested Mr. Kheny work with our Solicitor, Zoning Officer and Engineer proposed issues. To have some sketch plans made and to work on the second access to the proposed land development and return to Council with more information on the issues.

Public Comment – was given by:

Debi Kern – 258 Llewelyn Road
 Mary Kay Beirne
 Pat McFadden

Approval of Minutes

July 6th, 2020 Regular Council Meeting Minutes

MOTION Upon Motion, Council (Lim/Ellis) voted and approved the meeting minutes from July 6th, 2020 Regular Council Meeting.

Approval of Treasurer’s Report for July 2020

Receipts

Real Estate Transfer Tax	\$ 222,680.45	Treasurer of Delaware County
June Collections	\$ 2,953.48	Maryann D Furlong, TC
Court Fines	\$ 144.61	District Court 32-2-38
June Remit	\$ 892.95	Treasurer of Delaware County
July Interim	\$ 8,267.47	Maryann D Furlong, TC
LST Tax	\$ 414.64	Berkheimer
U&O Inspection	\$ 90.00	16 Ashley Ct
U&O Inspection	\$ 90.00	102 Briarcliff Ct
U&O Inspection	\$ 90.00	89 Bayberry Ct
U&O Inspection	\$ 90.00	245 Windsor Ct
Fence Permit	\$ 125.00	299 Valleybrook Road
Electrical Permit	\$ 155.00	Darlington Woods
Bldg Permit	\$ 605.00	397 Valleybrook Rd
Demo Permit	\$ 125.00	303 W Baltimore Pk
Plmg Permit	\$ 80.00	10 Hunters Ln
Plmg Permit	\$ 80.00	259 Stanton Ct
Bldg/Roof Permit	\$ 130.00	252 Bishops Dr
Reimburse Eng Invoice	\$ 1,254.50	Brookefield
Reimburse Eng Invoice	\$ 963.50	LeNape Valley
Bldg/Plmg/Elec/HVAC Permit	\$ 11,538.40	31-34 Brookefield
Fire Hydrant Reimburse	\$ 72.60	The Summit
Fire Hydrant Reimburse	\$ 181.50	Brookefield
Fire Hydrant Reimburse	\$ 181.50	Madison
Fire Hydrant Reimburse	\$ 798.60	Darlington Woods
TOTAL	\$ 244,036.12	

Fund Balances,

Certificates of Deposit Balance

CD, 12 Month, @ 1.04% 5/2021	\$ 46,002.44	Malvern Bank
EBond	\$ 15,000.00	Bryn Mawr Trust

Total Certificates of Deposit \$ 61,002.44

General Fund Balance

		Source
PLGIT GF 07/30/20 @ 0.07%	\$ 835,433.16	PLGIT GENERAL FUND
PLGIT I-Class 07/30/20 @ 0.21%	\$ 304,985.34	PLGIT GENERAL FUND
Money Manager 07/30/20 @ 0.10%	\$ 9,588.30	Santander #4079
Road Improv Fund 07/30/20 @ 0.10%	\$ 109,417.56	Santander #4060
Total Funds in General Fund	\$ 1,259,424.36	

PA Liquid Fuels Fund Balance

Checking Account 07/30/20 @ 0.07% \$ 111,776.95 PLGIT Acct #5116038

Open Space Fund Balance

PLGIT/ I -Class 07/30/20 @ 0.21% \$ 12,219.59 PLGIT Acct #5116056

Fire Protection Fund Balance

Fire Protect Fund Check 07/30/20 \$ 2,175.07

Expenditures

August Rent	\$ 1,500.00	Chester Heights Fire Company
U&O Inspections	\$ 540.00	Chester Heights Fire Company
Emergency Tree Work	\$ 1,553.00	Springfield Tree
Office Cleaning	\$ 160.00	Brenda Martin Cleaning Services
Monthly Storage Fee	\$ 240.62	Mini U Storage
U&O Inspections	\$ 481.78	Richard Jensen
240 Wawa Road	\$ 2,854.70	Richard Jensen
Property Maintenance Invcs #23-30	\$ 2,176.00	Scott's Lawn Service
Reimburse/Brookefield	\$ 1,254.50	G D Houtman & Son
Reimburse/LeNape	\$ 963.50	G D Houtman & Son
Reimburse/Quarry Knoll	\$ 3,692.00	G D Houtman & Son
Traffic Signal Upgrades	\$ 3,607.50	G D Houtman & Son
General Matters	\$ 754.00	Gerald C Montella, Esq.
Road Mst/EMC Compensation	\$ 789.25	Larry Ward
Fire Marshal Compensation	\$ 538.76	Michael Ciocco
Boot Camp Training	\$ 75.00	PSAB
Office Supplies	\$ 60.79	Office Basics
Recording Sec	\$ 2,580.96	Darlene Kurten
PECO TL	\$ 43.69	PECO
PECO SL	\$ 786.77	PECO
Phone/Office/Fire Marshal	\$ 117.48	Windstream
Open Records Officer Compens	\$ 214.13	Megan Killian
MS 4 General Permit	\$ 500.00	PA DEP
TL Maintenance Vlybrk/Balt Pk	\$ 182.50	Charles A Higgins & Sons
Chester Times Fee	\$ 79.45	Newspaperarchive

Monthly Maintenance Fee	\$	433.95	Brandywine SPCA
Monthly Fee	\$	45.00	Constant Contact
Office Expense	\$	56.17	Adobe
Meter Usage	\$	51.01	Graffen
PA UC	\$	539.05	PA UC
Payroll Service Fee	\$	3.95	Offical Payments
941 Payroll	\$	3,784.08	EFTPS
Sec/Treas Compensation	\$	4,064.63	Susan Timmins
Dig Notifications	\$	65.11	PA One Call
Dig Notifications	\$	43.41	PA One Call
Copier/Scanner	\$	161.42	De Lage Landen
3 Hydrants@ \$42.25 per Hydrant	\$	97.06	Aqua Pennsylvania
47 Hydrants@ \$36.30 per Hydrant	\$	1,706.10	Chester Water Authority
Total Expenditures	\$	36,797.32	

PA Liquid Fuels Fund Expenditures

Total Expenditures

Fire Protect Fund Expenditures

Open Space Expenditures

MOTION Upon Motion, Council (Anderson/Lim) voted and approved the Treasurer’s Report for July 2020.

- Correspondence:** Pro Tem Ellis reported:
- All COVID-19 information was shared via Facebook & Constant Contact
 - A request for all 75 year of Minutes to be posted on Chester Heights website
 - Fire Company will not be able to host any future elections
 - Board of Elections, at this time is suggesting Garnet Valley Middle School

Inspector’s Reports:

- Building Inspector –** Richard Jensen reported:
- The last 4 new housing permits for Brookefield are completed
 - Issued a roof, demo, and 2 plumbing permits for an old barn
 - Monthly reports are sent in for each meeting

Fire Marshal – Fire Marshal Ciocco reported 5 Incidents this past month: 2 pull stations at The Summit were activated setting off the fire alarms and the Fire Company was dispatched. The head of maintenance was contacted and the Fire Marshal suggested they install shields on all pull down stations that after a number of false alarms there will be fines distributed. Fire Marshal Ciocco also reported that a property on Smithbridge Road looked like it was being used as a dump site for cars, retaining walls, railroad ties, etc. On July

9th, 2020 there was a large fire at this site. The Fire Company handled the fire issue, but the site is a fire hazard. Engineer Houtmann suggested certified letters be submitted to the property owners on a priority basis.

Fire Company President – Sam Iannucci reported – apologized for miscommunication due Covid-19 ZOOM meeting delays. The Fire Co. submits monthly and yearly reports that will now be forwarded to Councilman Firkser. In response to inquiries by Council members, Firkser and Lim, Mr. Iannucci reported:

- Call volume is up – The Summit has called an est. of 10 times, multiple fire alarms and people falling and getting hurt
- Upcoming storm – Fire Co. will have firemen on premises ready to go if needed, Chester Heights has had flooding in areas. Reminded the residents that trees and electrical wires fall during severe storms. Please stay away from the falling trees and wires, as wires are still hot/live and become a serious issue when residents try to go around or under them.
- Fire Co. fixed the front window at the Borough office, the right-hand side of property had bamboo removed in the back lot. A barrier and stone was erected. On left side of the building, a small rock retaining wall is being installed for easy maintenance and an appealing affect.
- The Fire Co. received an Energy First Responders Fund Grant in the amount of \$20,503.00, 3 new gas meter detectors, Air Pac Filling Station, Hoods for protection from radical particles that are air borne.
- The Fire Co. applied for a PEMA Grant in the amount of \$25,000.00 to buy a new commercial washer and dryer.

Mr. Iannucci also presented the possibilities of electronic signage and asked the Borough if they would consider sharing the cost. Last estimate was \$8,000.00 and there were concerns of the LED lighting. But they will continue to review possibilities that would work for the Fire House and the Borough.

Sewage Enforcement –

EMC/Roadmaster – Roadmaster Ward reported:

- PA 1 Calls picked up this past month and all were handled and cleared
- Water main at Aqua that has been extended looks to be near completion
- Ivy Lane – tree fell and blocked roadway, no wires were down, Fire Company cleared as much as possible, Springfield Tree came out next day and took care of it.

Zoning –

Richard Jensen reported two possible zoning application jobs:

- 104-106 Baltimore Pike
- 103 Valleybrook Road

Solicitor's Reports: Solicitor Montella presented: ***Resolution 8-20-A for adoption***

Resolution 8-20-A A Resolution of the Borough of Chester Heights, Delaware County, Pennsylvania allowing Council to Schedule the “Chester Heights Recycling Day” on Saturday September 26th, 2020 from 2:00 p.m. to 4:00 p.m. at the Chester Heights Community Park.

Whereas, the Chester Heights Recycling Day will allow *Residents* to drop off electronics, clothing, household items and paper for shredding.

MOTION

Upon Motion, Council (Anderson/Ellis) voted and approved the adoption of Resolution 8-20-A. A Resolution of the Borough of Chester Heights, Delaware County, Pennsylvania allowing Council to schedule the "Chester Heights Recycling Day" on Saturday September 26th, 2020 from 2:00 p.m. to 4:00 p.m. at the Chester Heights Community Park for residents of Chester Heights.

Engineer's Reports: Engineer Houtmann presented:

- Walking Trail at community park, installation placed on hold due to extending the trail. There needs to be a determination on how far and trail direction. Mr. Houtmann walked the park with Councilwoman Lim. Further survey and Markings are needed.
too where the trail could lead so an agreement could be made and the trail
- Councilwoman Lim presented the Park Survey Proposal, having spoken to Engineer Houtmann with suppling an ADA compliance topographic survey of the community park playground so she can move forward in replacing the playground equipment and receiving pricing to present to Council. Engineer Houtmann added that he spoke with Councilwoman Lim and believes estimate of \$2,700.00 to \$3,000.00 is needed to survey the playground and surrounding park area for ADA compliance requirements new playground equipment.

President Baum requested a Motion to approve Houtmann & Son's to perform topographic survey of the community park which for ADA compliance for new playground equipment not to exceed the amount of \$3,000.00.

MOTION

Upon Motion, Council (Lim/Firkser) voted and approved to hire Houtmann & Sons to do a topographic survey of the community park which is ADA Compliance for new playground equipment not to exceed the amount of \$3,000.00.

- Engineer Houtmann presented MS4 update, a few months ago submitted a PRP (Pollutant Reduction Plan) to DEP. The PRP outlines drainage areas to municipal roads. The more area covered on the map raises the cost of the PRP. Mr. Houtmann is trying to minimize cost with effective coverage the PRP plan. The plan is near completion of having the PRP map approved by DEP. The next step is to prepare a specific plan to identify exactly where the Borough is going to reduce sediment and nitrogen loading into the streams. Mr. Houtmann needs to work on specifying on reworking the Borough's stormwater Management basins, stream back stabilization work, etc. to finalize and then present to Council when completed. Councilwoman Clarke inquired about the deadline for work to be done, Engineer Houtmann informed Council the 5 - year deadline is still about 1-1 ½ years away and addressed Presidents Baum budget questions.

Mayor's Reports: Mayor Wood reported:

- He participated in the Summer Food Distribution Program

- Met with the Borough Finance Committee; reviewed 2020 Budget; Year-to-date Budget vs Actual through June 2020; discussed 2021 Budget Schedule and opportunities
- Borough community park – met with Councilwoman Lim and Eric from a playground equipment installer, discussed equipment replacement requirements and specifications. Also discussed with Councilwoman Lim the park trail and park maintenance/improvements, including a discussion with Engineer Houtmann.
- Borough residence inquiries:
 1. Suggestion to replace the Community Park trash can without lid to a trash can with a lid.
 2. Install message board in the Community Park, to post Borough information, Community Events, and a facility for residents to leave messages for people in the community.
 3. A suggestion for an Eagle Scout project to install landscaping around the Borough sign at the corner of Llewelyn & Valleybrook Roads.
 4. Request for list of Borough Historic sites and resources with the possibility of installing signage identifying them.
 5. Request from residents to explain the confusing Delaware County Board of Assessment letter sent out July 1, 2020. One resident was going to contact Representative Chris Quinn's office for further advice.
- No new updates for Community Activities due to the ongoing COVID-19 concerns.

Committee Reports:

School District/Education/Training/Library –

Chair Susan Clarke, Members Ginamarie Ellis, Dave Firsker

Mary Kay Beirne reported Garnet Valley School District held a ZOOM meeting to discuss options for starting the approaching school year. They created a Garnet Valley Health & Safety Plan following the recommendations and guidelines mandated by the PA Department of Education, PA Department of Health, Chester County Department of Health and the Governor's office. Garnet Valley School District is offering students a "Hybrid Plan" for in school-in person learning where students have the option of going to school on a-every other day-in school/person learning-teaching and a virtual learning on Fridays or a virtual synchronous learning also, an E-School Format which is asynchronous. The school district is trying multiple options to keep students and parents safe. Please visit the web site garnetvalleyschools.com for updated information or if you have questions.

Finance/Insurance –

Chair Mayor Wood, Members Laura M. Lim, Sue Timmins

Mayor Wood reviewed highlights of budget vs actual:

January-July 2020 Actual Income \$615,534.83 – Budgeted \$339,780.74, increase due to sale of The Summit and The Chester Heights Storage collected in transfer tax. Income on interest is lower than predicted due to interest rates dropping since the beginning of the year. Expenses Actual \$326,151.15 – Budgeted \$311,591.93 slight increase due to receiving invoicing late from 2019 BVSPCA and, also the Rachel Kohl Community Library donation match from 2019.

- **Sub – Committee – Fire Company –**

Chair Dave Firsker, Member Drew Baum

Councilman Firkser thanked Sam Iannucci for submitting his report and suggestions for Future communication plans.

Nominating/Vacancy – No Report

Chair Dave Firkser

Communications/Public Relations –

Chair Ginamarie Ellis, Member Laura M. Lim

Pro Tem Ellis announced all content for the Fall/Winter 2020 Newsletter is due by August 20th, 2020.

Mayor’s Event Committee – No Report

Chair Mayor Wood, Members Ginamarie Ellis, Natalie M. Anderson

Historical Committee – No Report

Chair Sue Timmins, Member Dave Firkser

Planning/Zoning –

Chair Susan Clarke, Members Drew Baum, Dave Firkser

Councilwoman Clarke reported that there was nothing to report because there was nothing on the agenda to hold a meeting.

Engineering/Construction/Inspections –

Chair Susan Clarke, Member Natalie M. Anderson

Councilwoman Clarke had requested information about the building inspection process at Councils last meeting. She did some research on the website the Borough follows two chapters of order. Chapter 61 1990 Building Code and Chapter 77 Uniform Construction Code. During discussion it was clarified the PA Uniform Construction Code has replaced all previous codes. The Borough has followed The International Code since 2004. It is suggested that the Borough Ordinance needs to be updated. Councilwoman Clarke will speak to Solicitor Montella and Building Inspector Jensen about updates.

Along with updates Councilwoman Clarke noticed some information on the Chester Heights website that need to be updated and submitted information to Secretary Timmins.

Councilwoman Clarke and Building Inspector Jensen discussed duties of a building inspector including salary, hours, and how other townships work, their inspections and payment to inspectors. Councilwoman Clarke concluded after reviewing costs concern shown towards salary was not an issue and that the salary amounts were reasonable beyond question.

Ordinance/Code Review – No Report

Chair Susan Clarke, Members Drew Baum, Dave Firkser

Public Safety/Environmental – No Report

Chair Drew Baum, Member Dave Firkser

Public Safety/Borough Police Protection – No Report

Chair Drew Baum, Members John Ryan, Jack Higgins, Rich Wood Jr., Philip Block

Borough Property/Parks/Open Space –

Chair Drew Baum, Members Laura M. Lim, Fred Wood

Councilwoman Lim presented park equipment information. The community park now has equipment for 5 -12 year-old children and the request is to investigate adding park equipment to include a section for 2 – 5 year-old children. President Baum has

requested that Councilwoman Lim start the process with the playground vendors and installers to obtain estimates to begin the process to explore the possibility of grants and for the finance committee to be allowed to budget for the new expense.

Highways/Transportation –

Chair Dave Firkser, Member Larry Ward

Councilman Firkser presented he has been working with Higgins to have the radar speeding signs installed at Lenni & Llewelyn Roads and, also PennDOT to determine when the repaving of the road should start. The radar speeding signs should be installed in a couple months.

Public Utilities/Trash/Recycle –

Chair Laura M. Lim, Members Natalie M. Anderson, Ginamarie Ellis

Councilwoman Lim announced Recycling Day, September 26th, 2020 2:00 pm to 4 pm. Councilwoman Lim wanted everyone to know that the official request for DEP waste was denied due to Covid-19. Councilwoman Lim came up with a Covid-19 precautionary plan to execute at the Chester Heights Community Park. The plan was submitted, and approval was given to host the event. Councilwoman Lim followed Governor Wolf's Covid-19 Yellow – Green requirements and should we move from the green phase to the yellow phase the requirements limit the Community Park to 25 people at one time, but the event is allowed to proceed.

Old Business:

Councilwoman Clarke inquired about the sewer map/plans and as to when it will be presented. President Baum explained that there were some issues with properties not on the map so some corrections were needed and will be presented for review at the August Work Session meeting.

New Business: No Report

Additional period for Public Comment – given by:

ADJOURNMENT: Upon Motion, Council (Lim/Ellis) unanimously voted to adjourn meeting at 9:25 P.M.

Land Development Dates: S.B. Conrad – 31 Smithbridge – Submitted Plans 12/18/18, Reviewed Planning Commission 10/25/19, Extension 01/14/20, Extension 04/14/20, Extension 07/13/20, Extension 10/11/20.

Respectfully Submitted,
Darlene Kurten
Recording Secretary