

**Minutes of the Work Session ZOOM Meeting
Of the Borough of Chester Heights
222 Llewelyn Road
Chester Heights, PA 19017
April 26, 2021**

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

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

Officials Present Gerald C. Montella, Esq., Solicitor
Matthew R. Houtmann, P.E., Engineer

Public Comment:
Marta Driscoll – 458 A Lenni Road

Engineer's Reports: Engineer Houtmann reported:

- **County Aid – Resolution** – The Borough annually files for County Aid (Liquid Fuel). This year's amount is \$743.00.
Engineer Houtmann will present the resolution at the Regular Council Meeting on May 3rd.
- **Brookefield Pump Station Capacity** – The properties listed in the EDU Summary: Brookefield, Camp Meeting, Fire House, and Smithbridge Road the pump equates to 101 EDU's, 80 gallons/minute. That's an extra 21 gallons/minute equated to 27 EDU's is a equivalent dwelling unit or the flow you expect from a typical residential dwelling. The additional 27 EDU's can approximately account for: Properties from high point of Llewellyn to MH at Fire House, Heather Knoll Lots, and Valleybrook Road properties from Llewellyn Road toward St. Thomas that is the approximate 27 EDU's the pump station was designed for use. They used a generic pump curve for the pump station with possibly more EDU's, available. Also, if the 10-horsepower motor was replaced with a 15-horsepower motor you would have a significant increase available at that pump station. This pump station was designed to handle the gravity flow towards the pump station. Councilwoman Clarke asked Engineer Houtmann if this included St. Thomas. Engineer Houtmann said the original 27 does not include St. Thomas but with the additional 45 it could. Pro Tem Lim asked Engineer Houtmann to explain some of the relationships and understanding what exactly this means for Borough residents who could tap-in to the public sewer. The homeowner pays the tap in fee to Southwest not the land developer.

- **Septic System Abandonment** – Ordinance 149.1 through 149.8:
149.1 – Covering or fencing required, 149.2 – Covering specifications, 149.3 – Covering required during temporary cessation of work, 149.4 – covering required upon abandonment or termination of use, 149.5 – Nonconforming openings, 149.6 – Declaration, notice and abatement of nuisances, 149.7 – Recovery costs, 149.8 – Violations and penalties.
Engineer Houtmann and Solicitor Montella have discussed abandonment with S.E.O. Mike Ciocco who informed that the current policy for abandonment: concrete septic tanks and/or cesspools, is to have the system pumped clean, break bottom of tank up, crush/brake sides of tank and back fill with stone. Alt Engineer Ciocco related that our code could be updated but as it stands now it meets all requirements. Also, there is a permit policy which needs to be followed. President Baum will request Alt Engineer Ciocco attend next meeting, for any updates suggested.
- **Mattson Road Paving** – Engineer Houtmann performed a site inspection with an associate to determine what improvements needed to be made. At the low point of Mattson Road, as you pass over the bridge and head towards Concord the road narrows which allows traffic to run off the paved road and create ruts on the side of the road and breaks up the pavement and causes issues. Including resurfacing, Engineer Houtmann suggested some widening of Mattson Road at the low area of about 200ft of roadway. A completed bidding document was prepared and with Council's approval Engineer Houtmann would like to advertise bid specifications, so they are ready for May 24th Work Session Meeting.
Public Comment: Philip Block- 357 Willits Way
Engineer Houtmann suggested the road be widen up to 24 foot widen, as it is now it is only 18 foot wide. President Baum suggested adding stone along edges to help with erosion, with the approval of Rockford HOA and homeowner, which Mr. Block will contact. Engineer Houtman will proceed with estimates for the possible additional upgrades.
- **Heather Lane** – Engineer Houtmann reported the storm sewer at the cul de sac on Heather Lane, had a pipe separation which caused considerable erosion. This has caused a homeowner to be concerned about the trees falling onto the residence. Last year the Borough hired a contractor to remove the trees in question before any damage occurred. Late Fall of 2020, informal bid requests were sent out to extend the storm sewer and backfill the ravine at the site. Estimates were submitted but were priced higher than the formal bid process allowed. As soon as the bids for Mattson Road are sent out, Engineer Houtmann will resubmit the informal bid process for Heather Lane storm sewer extension and backfill service to the ravine.
- **Rolling Heights Storm Basin** – Engineer Houtmann is finishing up with DEP, on the required sediment load reduction for the Borough. This process has been on-going for a couple years. Based on our storm sewer sheds, the amount of land that drains toward our borough roads, storm sewer collection systems or borough property, based on drainage area the calculation of storm sewer sediment load and pollutant reduction area is supposed to reduce the load by 10%. DEP has agreed to a number of where our sediment load is, the next step is a plan on reducing the load by 10%. Engineer Houtmann, over the next couple months, will develop options, which have to be for several water sheds, Chester Creek Water Shed and West Branch Water Shed, and Rolling Heights Basin is readily available which would make that 10% reduction. Engineer Houtmann will bring this to Borough Council for approval and then present to DEP and the next step would be the informal bid process.
- **Wawa Road Bridge Deterioration** – Engineer Houtmann reported resident complaints of the deterioration of the Wawa Road bridge. Emails have been sent to PennDOT currently waiting for a reply due to a change in administration. Currently PennDOT is trying to hold Boroughs,

Townships etc., responsible for sub-surface facilities including drainage facilities. Engineer Houtmann has asked PennDOT to research if a culvert, which takes water from one side of the road to the other is considered PennDOT's responsibility. Councilman Firkser has been in contact with PSAB on the topic of the "new" responsibilities the state is requiring Borough's, Townships, etc. to be for repairs. The PSAB has been receiving a lot of inquiries on this topic. Solicitor Montella also researched this topic and forwarded the information to Engineer Houtmann for his initial review and comment. Once the research is reviewed, it can be forwarded to the committee.

Borough Property – Parks – Open Space:

Pro Tem Lim reported Landscaper Keith Lawless removed a tree from park area in preparation, for the new playground equipment to be installed. The wild honeysuckle that was over-grown has been removed so more grass can grow in that area. The playground equipment has been delivered. Pro Tem Lim is working with contractor to finalize all estimated line items and pricing. Pro Tem Lim has been working with Engineer Houtmann on finalizing installation and as of now installation is expected the end of May. Pro Tem Lim has contacted County Press to purchase an "Under Construction" sign to post at park when construction starts for safety issues the park will also be closed off by chaining the parking lot. Pro Tem Lim thanked President Baum for installing the blue bird houses at the park, birds have been spotted moving in.

Engineer Houtmann updated Council on having lighting installed at the park for early spring or late fall. Lighting will only be on until about 8:00/8:30 p.m. to consider nearby residence. Pro Tem Lim meant and talked with Mr. & Mrs. Surkin, who is the closest resident to review what Council would like to achieve with the park updates and to take the consideration of nearby residents. The ideal proposed by Pro Tem Lim and Engineer Houtmann is to have lights on 24 foot poles facing down on the soccer field and possibly have one near the playground shining down on playground equipment when there are evening events starting at 5:30/6:00 pm and shutting off at 8:00/8:30 p.m. So far this is all being researched/investigated to see how the park and residents can benefit. Engineer Houtmann reported the borough used a Co-Star Contractor which are established by the state – by using a Co-Star Vendor, they are already pre-qualified to work in the borough and their bids are pre-accepted. Pro Tem Lim reported the only additional step using a Co-Star Contractor was to work with the PA Department of Labor to determine prevailing wages because they apply for work being done at the park.

Engineer Houtmann reported to level off the playground area for new equipment the borough park will need a certain amount of landfill. Engineer Houtmann spoke with Ray Iacobucci who has started working at Rose Hill and leveling their lot. Mr. Iacobucci informed Engineer Houtmann that he could donate 4 truck loads of dirt for the park and will drop it off at the earliest convenience. Councilman Adams reported he is working on a few ideas for bringing electric to the park along with water. Pro Tem Lim advised DiSalvo Park still needs water installed for the planting around the borough's sign. Councilman Adams with contact Fire Company Chief to discuss possible water tie-in for the landscaping at the borough's sign.

West Nile Virus:

Pro Tem Lim had a meeting with Chad Kennard – Mosquito Borne Illness – Delaware County Pro Tem Lim and Mr. Kennard met at the community park and also with the President of Village of Valleybrook HOA. Mr. Kennard's advised the borough has not been on the inspection list and they have seen an increase in the West Nile Virus. During the inspection of the park Mr. Kennard did identify some areas of concern for possible harvesting areas in general. Mr. Kennard requested Pro Tem Lim to remind the community to look for areas on your

properties, old tire filled with water, flowerpots with standing water, etc. This is the time to take control, they are seeing the increases in the West Nile Virus along the east coast. Mr. Kennard placed traps at the park and is going to include us on a quarterly basis with updates. Mr. Kennard has already sent an update: Traps used at Village of Valleybrook last year at this time collection was 0-10 mosquitos per trap, this year it was over 100. Mr. Kennard left samples of MosquitoDunks for standing water that cannot be drained. They can also be purchased at the local hardware stores, if any residents need to, they can stop by and pick one up.

Finance – Insurance: Santander – Collateral Letter:

Pro Tem Lim updated Council the transferred funds to Santander Bank in the amount of \$305,000.00 is insured by the Pennsylvania Act of 1972, and the borough also received a collateral letter, the boroughs funds are insured up to 102% of face value.

Official Name for Open Space/Strine Property:

Secretary Timmins reported the borough received a letter from Liz Clark, Recreation and Conservation Advisor, Land Conservation and Stewardship Section, Department of Conservation and Natural Resources, DCNR Grant Sign, informing the Chester Heights Borough that by receiving the grant, the borough must have a permanent sign for this Open Space in accordance with Article XVII of the Grant Agreement, acknowledging assistance from Pennsylvania Department of Conservation and Natural resources, Bureau of Recreation and Conservation to include the funding source as listed. Amount received from grant \$186,227.00 for the purchase of the Strine property.

As of now the open space is listed as Hamanassett Creek Park. Pro Tem Lim researched the name of Hamanassett, and it relates to Indians from Rhode Island. A doctor brought it to Chester Heights and named the area, the Hamanassett Indians were not located in the area.

The proposed name “Darlington Creek Park” has more historical significance and easier to locate in the borough.

President Baum requested a motion to rename the park from Hamanassett Creek Park to Darlington Creek Park.

MOTION

Upon Motion, Council (Ellis.Clarke) voted and unanimously approved the new name change from Hamanassett Creek Park to Darlington Creek Park.

Old Business:

Councilwoman Clarke updated Council on the Medical Marijuana Draft Ordinance preparation. Engineer Houtmann researched the business area along Baltimore Pike and did find sites at least 250 feet from a residence. Councilwoman Clarke suggested 250 feet might not sound far enough from a residence, but this also prevents this type of facility from being right next to a home. Engineer Houtmann reported that the research started with limitations to Baltimore Pike and 1000-foot radius from a residence, which there were no properties complying with the limitations, so the footage was reduced to 500 feet, again no available properties, which led to 250 feet radius. At the 250 feet level, Engineer Houtmann found some sites located on the south side of Baltimore Pike and a couple buildings on the north side around 53 West. There is a lot of available property but it does open up some areas to include in the ordinance that is acceptable and creates some distance from a residence. Solicitor Montella will make revisions to the draft dispensary ordinance. Solicitor Montella is also researching information for marijuana growth processing facilities. Article 14 – limited industrial districts, is where, by right would include manufacturing, and processing were the growing facility would be. The building/zoning inspector Richard Jensen needs to

review updating the grower draft ordinance. Once the updates are completed, Solicitor Montella can send both draft ordinances to the Delaware County Planning Commission and the Borough Planning Commission.

President Baum announced in accordance with Act 84, the Sunshine Law the Council will meet in Executive Session to discuss matters regarding Real Estate.

New Business:

Solicitor Montella reported the Borough received a withdraw letter on April 6th, from Darin Kapanji for DJ's Car Wash, withdrawing his land development application and the site may no longer going to be a car wash. Maddison & Co. owns the property. Vice President Ellis inquired if the property can be reviewed for uses, because of the zoning questions that occurred previously at the zoning hearing. Solicitor Montella suggested to research uses for the B-1 zoning district and, what by right and accessory uses are available and discuss the best options. Part of the issue was the uses were not defined.

Additional period for public comment:

Marta Driscoll – 458 A Lenni Road

Executive Session:

President Baum announced in accordance with Act 84, the Sunshine Law that Council will be leaving the Work Session Meeting at 8:11 p.m., to discuss matters regarding Real Estate and litigation. Borough Council will return to public Work Session Meeting at 8:20 p.m.

President Baum requested a Motion to authorize the Alternate Solicitor to sign a stipulation agreeing to the 2020/2021 tax assessment value of Darlington Square to be set at \$3.5 million.

MOTION

Upon Motion, Council (Lim.Ellis) voted and unanimously approved to authorize the Alternate Solicitor to sign a stipulation agreeing to the 2020/2021 tax assessment value for Darlington Square in the amount of \$3.5 million.

ADJOURNMENT:

Upon *Motion*, Council (Firkser.Anderson) unanimously voted to adjourn meeting at 8:22 p.m.

Land Development Dates:

Rose Hill Lot Line, Submitted Plans 09/24/20, Reviewed Planning Commission 10/22/20, Extension 01/20/21.
103-109 Valleybrook Road, Kheny Sketch Plan Submitted – March 12, 2021 Planning Commission Review – April 22, 2021.

Respectfully Submitted,
Darlene Kurten, Recording Secretary