



**Borough of Chester Heights
53 W. Baltimore Pike, 2nd Floor
Chester Heights, PA 19017
Work Session Meeting Minutes
November 20, 2023**

Executive Session President Baum announced in accordance with Act 84 - the Sunshine Law, that Council met in Executive Session from 6:45pm – 7:10pm to discuss personnel matters.

No motion was made during executive session.

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

Members Present Drew Baum, President
Natalie Anderson, Pro Tem
Susan Clarke, Councilmember
Marta Driscoll, Councilmember
Robert Sacks, Councilmember
Ginamarie Ellis, Mayor

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

Public Hearing 8 Smithbridge Road – Application for Unified Commercial Development

Solicitor Montella reported the purpose of the Public Hearing is to consider John and Barbara Keosayian's request to propose their preliminary subdivision, located at 8 Smithbridge Road to utilize unified commercial development pursuant to Chapter 185, Article XII, Section 185-74. The applicants submitted their plan to construct a roughly 13,600 square foot building with additional improvements on the property. The property is in the B Business district. On October 3, 2022, Act 247 review application was submitted by Linn Architects. On behalf of the applicants, the Borough Zoning officer advised a special exception for use was needed. On November 14, 2022, the borough's engineer reviewed the plan and prepared written comments. The applicants resubmitted their plan on March 6, 2023, addressing the borough engineer's comments. The borough engineer reviewed the revised plans and issued two subsequent review letters dated March 21, 2023, and August 20, 2023, identifying all the issues either resolved or partially resolved. On November 18, 2022, Delaware County Planning Commission reviewed the plan on November 17, 2022, recommending approval contingent on addressing staff comments which included installing a sidewalk in connection to public sewer. On April 14, 2023, the applicants filed for special exception and a variance before the Zoning Hearing Board. The ZHB granted the special exception authorizing the operation of an Internet business of sales of automobile parts and accessories. The ZHB granted the variance allowing the construction of a building on less than five acres or more.

The Borough's Planning Commission recommended approval, contingent on the applicant addressing all the borough engineer's comments, which has taken place. The applicants filed extension requests to the Borough, which were approved, the most recent one being extended through January 18, 2024. The Borough zoning code requires a public hearing to be held before council when an owner requests to utilize the unified developmental standards in a B business district. The public hearing has been duly advertised pursuant to the MPC in the Delaware County Daily Times. The public hearing was also advertised on the Borough's website. Solicitor Montella has prepared a packet of all the documentation which will be marked as B.1 to be included in the public hearing record.

Mr. Sean Paul, from Linn Architect who is representing Mr. Greg Keosayian for 8 Smithbridge Road. Two issues noted from Engineer Houtmanns letter, the percolation tests are completed the results are very favorable. Results estimated around six (6) inches per hour, the design for about two (2) inches and hour, factory safety of three (3) In response to Council's questions, Mr. Paul is currently working on the HOP documentation with an engineering firm to help the application process with PennDOT for the driveway permit. There are two (2) existing buildings currently on the property, a vacant residential Victorian style house and a garage. The new building is located behind those structures and is approximately 250 feet from Smithbridge Road, there will be a total of three (3) buildings. The public was asked if they wanted to make a statement either in favor of or against and/or if they had any comments for the property owner. There was no public comment.

Adjournment of Public Hearing: Upon Motion, Council (Sacks | Anderson) voted and unanimously adjourned Regular Council Meeting at 7:16 pm.

Public Comment: No Report

2024 Meeting Dates

MOTION Upon Motion, Council (Sacks | Anderson) voted and unanimously approved the 2024 Meeting Dates.

Authorization to advertise 2024 Meeting Dates and the Re-Organization Meeting for January 2, 2024.

MOTION Upon Motion, Council (Driscoll | Sacks) voted and unanimously approved the authorization to advertise the 2024 Meeting Dates and the Re-Organization Meeting for January 2, 2024.

Finance | Insurance

Chair Laura M. Lim, Members Anderson, Timmins

Council reviewed budgeted item for the Feasibility Study for Quiet Zone in the amount of \$12,000.00.

Council discussed prospectives and facts to see if the Feasibility Study was feasible.

Solicitor's Report: Solicitor Montella requested a Motion to approve the owner's application to use the regulations for unified commercial development under section 185.74 for the construction of a building at 8 Smithbridge Road.

MOTION Upon Motion, Council (Baum | Sacks) voted and unanimously approved the application at 8 Smithbridge Road for unified commercial development under section 185.74.

2024 Winter Services Contract:

Solicitor Montella reported that after reviewing three bids, there were two qualified contractors for consideration.

Council to decide to award the contract to the lowest responsible bidder. A contractor located in Springfield identified five vehicles to be assigned to the borough. The vehicles had different hourly rates. Those rates were \$190.00 an hour, \$160.00 an hour, \$150.00 an hour. The vehicles were older models. 2002 Caterpillar, 1995 Ford L 8000, 2011 Chevy 3500. The second contractor, MOR Construction, which Borough contracted with in the past bid a flat rate of \$175.00 an hour, regardless of the type of vehicle MOR listed 40+ vehicles, and 20 of those vehicles were less than five years old. According to Paragraph 14 of the Borough's general specifications.

Council's discretionary judgment is to take into consideration the contractor's reputation, experience, contractor's municipal experience, municipality's past working history with the contractor, quality and quantity of contractors, equipment, location of contractor's equipment, warehouses and offices. After reviewing the bids, Engineer Houtmann and Roadmaster Ward offered their advice to Council that MOR Construction bid would be considered as the lowest responsible bid because of not only the hourly rate but the other factors including location, types of vehicles, lack of complaints from Roadmaster and residents, past performance with the Borough.

Solicitor Montella requested Council consider a Motion to award the 2023-2024 Winter Services Contract for one (1) year from December 1, 2023 through April 30, 2024 to MOR Construction.

MOTION

Upon Motion, Council (Anderson | Baum) voted and unanimously approved to award MOR Construction the 2023-2024 Winter Services Contract for one (1) year from December 1, 2023 through April 30, 2024.

Engineer's Report:

Engineer Houtmann presented Council with Escrow Release #2 – Old Quarry Knoll
Mr. Conrad submitted a request for Escrow release #2 at Old Quarry Knoll. The work listed in the Escrow release request is primarily the work that was completed on the state highway, Smithbridge Road and some landscaping and miscellaneous items. The total of the requested Escrow is \$36,297.54, and if Borough Council decides to approve there will be a remaining \$444,521.00.

President Baum requested a Motion to approve Escrow Release #2 – Old Quarry Knoll in the amount of \$36,297.54, with a remaining balance of \$444,521.00.

MOTION

Upon Motion, Council (Anderson | Sacks) voted and unanimously approved Escrow Release #2 – Old Quarry Knoll in the amount of \$36,297.54, with a remaining balance of \$444,521.00.

Additional Period for Public Comment:

Danny George: Bus Stop Project update. Easement agreement will be drafted by Solicitor who will forward to Mr. George for review by HOA counsel. Legal Description required. The agreement needs to be approved & executed before any work begins. Building Permit has been submitted with plan for review.

Mayor: Santa Event is December 9th.

ADJOURNMENT

Upon Motion, Council (Sacks | Anderson) voted and unanimously adjourned Regular Council Meeting at 7:51 pm.

Land Development Dates:

8 Smithbridge, Plans submitted - October 3, 2022, Planning Commission Review - October 27, 2022, Extended on January 23, 2023, until April 23, 2023, extended until October 20, 2023, **EXTENSION Until January 18, 2024.**

Respectfully Submitted
Darlene Kurten
Recording Secretary