



**Minutes of the Regular Council Meeting  
of the Borough of Chester Heights  
The Village of Valleybrook Clubhouse  
265 Bishops Dr., Chester Heights, PA 19017  
December 5, 2022 7:00pm**

**PUBLIC MEETING 7pm**

**To include Public Hearing for Consideration of Adoption of Final 2023 Budgets**

- Call to Order** President Baum called the public meeting to order at 7:01 pm and led those in attendance in the reciting of the Pledge of Allegiance.
- Revised Agenda** Revised agenda to include Executive Session to discuss matters of real estate/Powell Property.
- Members Present** Drew Baum, President  
Laura M. Lim, Vice President  
Natalie Anderson, Pro Tem  
Bob Adams, Councilmember  
Susan Clarke, Councilmember  
Marta Driscoll, Councilmember  
Ginamarie Ellis, Mayor
- Officials Present** Gerald C. Montella, Esq., Solicitor  
Matthew R. Houtmann, P.E., Engineer

**Public Hearing for Consideration of Adoption of Final 2023 Budgets**

Public Hearing opened at 7:03 pm. Published in Delaware County Times, posted on the Borough's website, and was available for public review at the Borough Office November 14, 2022, through November 24, 2022. The Borough received no comments or emails during the period for public viewing. The 2023 Budget was discussed at the October 24, 2022, Work Session Meeting and the November 7, 2022, Regular Council Meeting.

Councilmember Lim presented the 2023 General Fund Budget, 2023 Liquid Fuels Budget, 2023 Fire Protection Budget, and the 2023 American Rescue Plan Budget (ARPA).

- a) 2023 General Fund Draft Budget: The Delaware County assessment decreased \$13,000. Total budgeted expenses are \$772,786.68. Total revenue is \$772,786.68 to include prior year carryover of \$43,763.85.
- b) 2023 Liquid Fuels Draft Budget: Total budgeted expenses \$72,860.00. Total revenue \$74,834.45 to include prior year carryover of \$15,000. Net income \$1,974.45.
- c) 2023 Fire Protection Fund Draft Budget: Total budgeted expenses \$135,742.07. Total revenue \$137,486.36 to include prior year carryover of \$1,000.00. Net income \$1,744.29.
- d) 2023 American Rescue Plan Draft Budget: Total budgeted expenses \$204,000.00. Total revenue \$217,240.00 to include prior year carryover of \$217,120.00. Net income \$13,240.00.

Councilmember comment regarding proposed Business Privilege Tax. Public Hearing for Business Privilege Tax scheduled for December 19, 2022.

No public comments were received related to proposed Budget.

Budget will not be adopted at this Council Meeting in order to fulfill a Councilmember's request to have a comparison of the 2021, 2022, and 2023 budgets. The hearing will be continued until December 19, 2022, after the presentation of 2023 Final Draft Budgets.

**MOTION** Upon Motion, Council (Clarke, Lim) voted and unanimously approved to continue the Public Hearing for Consideration of Adoption of Final 2023 Budgets to December 19, 2022.

The public hearing was continued at 7:16pm until December 19, 2022.

**Public Comment:**

Beth McKinnan - address given - Powell Property update. Appraisal, referendums, donors, grants, and fundraising options will continue to be discussed and negotiated. Ms. McKinnan volunteered to assist with fundraising.

Ron Surkin – address given – unexpected work adjacent to his property related to easement for Old Quarry Knoll/Smithbridge Road. Separate discussion of natural buffer between path and property easement area. Signage for leash law.

Mr. Houtmann reported on PECO and Chester Heights Park land, Old Quarry Knoll Land Development and water access.

Dan Gallagher – address given – location of cutoff for the Small Water Grant and sewage line along Smithbridge Road.

Mr. Houtmann reported planning in place and grant monies applied for Sewer main. Mr. Houtmann reported sewer line is proposed to extend to the mid-point of last property before Concord Township.

Tim Searl – address given – Old Quarry Knoll, Developer's Agreement and recorded easement of 1991

Reported that notice of work in easement could have been communicated with either Borough and/or nearby homeowners.

Pat McFadden – address given – Old Quarry Knoll

Larry Ward – EMC- Santa will travel Chester Heights on December 10, 2022, at 3pm. A Santa tracker is on the Fire Company Facebook page.

**Approval of November Meeting Minutes**

November 7, 2022, Regular Council Meeting Minutes

**MOTION** Upon Motion, Council (Lim, Adams) voted and unanimously approved the November 7, 2022, Regular Council Meeting Minutes.

November 21, 2022, Work Session Meeting Minutes

**MOTION** Upon Motion, Council (Lim, Anderson) voted and unanimously approved the November 21, 2022, Work Session Meeting Minutes.

**Approval of General Fund, Liquid Fuels, and Fire Protection Fund November 8, 2022 – December 5, 2022**

Cash Disbursements

**General Fund \$ 49,492.90**

**MOTION** Upon Motion, Council (Baum, Adams) voted and unanimously approved cash disbursements in the amount of \$49,492.90 for the General Fund.

**Liquid Fuels Fund \$468.89**

**MOTION** Upon Motion, Council (Baum, Lim) voted and unanimously approved cash disbursements in the amount of \$468.89 for the Liquid Fuels Fund.

**Fire Protection Fund \$6,500.00**

**MOTION** Upon Motion, Council (Lim, Baum) voted and unanimously approved cash disbursements in the amount of \$6,500.00 for the Fire Protection Fund.

No ARPA Funds were dispersed.

**Correspondence**

No State Police Report.

Resident correspondence on low wires on Lenni Road. Verizon rehung the wires but still lower than the 14-foot minimum over a driveway. Roadmaster Ward recommended the developer be notified. Mr. Houtmann will contact developer.

**Inspector's Reports**

Fire Marshal report on file. Fire at Madison extinguished by homeowner. Wawa Corporate Fire Safety Evacuation event occurred this month.

Fire Company report on file. Key events: Candy Cane distribution with Santa on December 10, 2022, water rescue event occurred, snow markers have been placed in the Borough, car seat install event successful.

Building Inspector/Zoning

No report

Sewage Enforcement

Resolution 12-22-A: To apply for a Pennsylvania Small Water and Sewer Program Grant (COVID-19 ARPA funds) to involve the construction, improvement, and expansion of an existing low pressure sanitary sewer system in the borough. Application requests \$425,000 of the maximum \$500,000 total project amount from the Commonwealth Financing Authority to be used for the eligible costs associated with the construction, improvement and expansion of a low-pressure sanitary sewer system in the borough which will enhance the public sewer service available to borough residents.

**MOTION** Upon Motion, Council (Lim, Baum) voted and unanimously adopted Resolution 12-22-A to apply for the Pennsylvania Small Water and Sewer Program Grant.

Roadmaster/EMC

Weather has caused an increase in PA One Calls; calls cleared.

**Solicitor's Report**

RATIFY MOTIONS from the November 21, 2022, Work Session

**RATIFY MOTION** Upon Motion, Council (Baum, Anderson) voted and ratified the Motion to adopt Ordinance 216 amendment to Section 97-35(B) to state the rate of the fire services appropriations tax shall be 0.28 mils on each dollar of assessed valuation or the sum of \$0.28 on each \$1,000 of assessed value.

**RATIFY MOTION** Upon Motion, Council (Baum, Lim/Adams) voted and ratified the Motion to award the winter service contract to MOR Construction Services and approve the Winter Services agreement at the

rate of \$170/hr. and \$170/per ton of salt.

**RATIFY MOTION** Upon Motion, Council (Baum, Lim) voted and ratified the Motion to approve the Rose Hill 5th escrow release in the amount of \$41,172.70. Escrow amount of \$377,496.25 remains.

**MOTION** Upon Motion, Council (Baum, Clarke) voted and unanimously approved the Animal Services Agreement with Allen Strickler from January 1, 2023, through December 31, 2023. No fee changes from the 2022 contract.

Budget Public Hearing will be continued to December 19, 2023. The Resolution for the 2023 Real Estate Tax Levy will be considered at the December 19, 2023, meeting.

### **Engineer's Report**

Mr. Houtmann gave an update on Valleybrook Road culvert. PennDOT will not supply the materials after multiple emails and correspondence. The detour will be Llewelyn and Bodley Road.

**MOTION** Upon Motion, Council (Lim, Adams) voted and unanimously approved Mr. Houtmann to order/purchase the materials not to exceed \$25,000 should PennDOT fail to provide materials.

Mr. Houtmann discussed Old Quarry Knoll during public comment.

Ongoing projects:

- brief Brookefield repairs update
- Rose Hill entrance work update
- Current Land Review ongoing for 8 Smithbridge Rd.

### **Mayor's Report**

First wedding ceremony performed by Mayor Ellis.

### **Committee Reports**

#### **School District/Education/Training/Library**

Chair Marta Driscoll, Members Clarke, Miller, Chestnut

Ms. Miller announced the annual appeal is live, donations accepted online. Book sale extended, and hours have changed due to winter season. Library will be closed on December 24, 25, and 31, and January 1, 2023.

School board meeting tonight December 5, 2022, and policy meeting December 13, 2022. Councilmember Driscoll addressed school policy on distribution of required items such as scientific calculators and as it pertains to local need when collecting school supplies.

#### **Finance/Insurance**

Chair Laura M. Lim, Members Anderson, Timmins

Chair Drew Baum, Member Lim

No report, Budget Public Hearing covered this committee.

#### **Nominating Vacancy**

Chair Bob Adams, Member Baum

Councilmember Adams reported one applicant submitted by the extended deadline of November 18, 2022, and one applicant submitted after the deadline.

**MOTION** Upon Motion, Council (Adams, Driscoll) voted and unanimously approved to appoint Tim Hudak to fill the vacancy of Alternate Member of Zoning Hearing Board.

### **Communications/Public Relations**

Chair Ginamarie Ellis, Members Lim, Sacks

A postcard may be sent to residents closer to New Year's to announce the new office; will incur a fee from Country Press.

State police report activity was reported on due to a local homicide attempt.

### **Mayor's Event Committee**

Chair Ginamarie Ellis, Members Anderson, Sacks

No report

### **Historical Committee**

Chair Susan Timmins, Members Anderson, Ieradi, Searl

No report.

### **Planning/Zoning**

Chair Susan Clarke, Members Adams, Baum

Planning Commission met November 17, 2022, with main topic being Land Development plan for 8 Smithbridge. No vote was made. Comprehensive Planning Committee met in November and next meeting will be December 12, 2022, will continue to meet monthly. May hire a resource for developing an RFP.

### **Engineering/Construction/Inspections**

Chair Susan Clarke, Members Adams, Baum

New fee schedule documents in progress. Inspector recommends continuing the Fire Safety U&O Inspection program.

### **Ordinance/Code Review**

Chair Susan Clarke, Members Baum, Driscoll, Ellis

Proposed Ordinance/Code Review Committee meeting tentatively scheduled for January 18, 2023, at 6pm to discuss yearly Ordinance agenda as well as the pending draft Accessory Building Ordinance.

### **Public Safety/Environmental**

Chair Bob Adams, Members Baum, Sacks

No report

### **Borough Property/Parks/Open Space**

Chair Drew Baum, Members Lim, Sacks

No report

### **Highways/Transportation**

Chair Robert Sacks, Member Ward

Mayor Ellis reported that SEPTA is suspending bus stops along Route 1 including Chester Heights in 2023. Councilmember Driscoll reported on the Delaware County Planning Department correspondence requesting feedback on SEPTA bus stops.

### **Public Utilities/Trash/Recycling**

Chair Laura M. Lim, Members Anderson, Driscoll, Ellis

No report

### **Old Business**

No report

### **New Business**

Councilmember Driscoll requested Middletown Township be contacted to determine procedure for quiet zones as residents adjust to sound and light due to new SEPTA Wawa Station train. Federal Railroad Administration mandates the SEPTA train horn. Recording Secretary Langa reported SEPTA prepared public

information on Slippery Rail Season and is posted on Middletown Township's website, where rails are treated at night by a diesel train that could also be contributing to additional noise/horns.

Land disturbance letter was issued for work on 479 Valleybrook Road.

**Additional period for Public Comment**

Pat McFadden – address provided – historical preservation

**Executive Session** President Baum announced in accordance with Act 84 - the Sunshine Law, that Council will meet in Executive Session regarding matters of real estate of the Powell Property.

Council met in Executive Session from 8:36pm until 9:07pm  
No motions were made during or after Executive Session.

Next Work Session – December 19, 2022  
Next Regular Council Meeting – January 3, 2023

**ADJOURNMENT:** Upon Motion, Council (Lim) voted and unanimously approved to adjourn the meeting at 9:08pm.

Land Development Plan for 8 Smithbridge, Plans submitted - October 3, 2022, Planning Commission Review - October 27, 2022, Need extension after January 25, 2023

Respectfully submitted,  
Amy Langa  
Recording Secretary