



**Minutes of the Regular Council Meeting  
Of the Borough of Chester Heights  
The Village of Valleybrook – Clubhouse  
265 Bishops Dr., Chester Heights, PA 19017  
February 7, 2022**

**Call to Order** President Baum called the public meeting to order at 7:06 p.m. and led those in attendance in the reciting of the Pledge of Allegiance.

***Ratify Resolution #01-22-B:***

President Baum requested a Motion to Ratify Resolution #01-22-B: A Resolution to fill the Vacancy of Council,  
Now, Therefore, Be It Resolved, by the Council of the Borough of Chester Heights, Delaware County that Robert Sacks is hereby appointed to fill the vacancy which currently exists on Council for a term consistent with Chapter 9, Section 901 of the Borough Code.

***Ratify Motion*** Upon Motion, Council (Lim/Anderson) voted and unanimously approved to Ratify Resolution #01-22-B, A Resolution to fill the Vacancy of Council.

**Oath of Office** **Mayor Ginamarie Ellis administered the Oath of Office to: Robert Sacks – Council Member**

**Members Present** Drew Baum, President  
Laura M. Lim, Vice President  
Natalie M. Anderson, Pro Tem  
Bob Adams, Council Member  
Susan Clarke, Council Member  
Marta Driscoll, Council Member  
Robert Sacks, Council Member  
Ginamarie Ellis, Mayor

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

**Public Comment –** **No Report**

**Approval of the January Meeting Minutes**

**January 3, 2022, Organization Meeting Minutes**

**MOTION** Upon Motion, Council (Anderson/Sacks) voted and unanimously approved the January 3, 2022, Organization Meeting Minutes.



**January 3, 2022, Regular Council Meeting Minutes**

**MOTION** Upon Motion, Council (Lim/Adams) voted and unanimously approved the January 3, 2022, Regular Council Meeting Minutes.

**January 24, 2022, Work Session Meeting Minutes**

**MOTION** Upon Motion, Council (Adams/Clarke) voted and unanimously approved the January 24, 2022, Work Session Meeting Minutes.

**Amend December 27, 2021, Regular Council Meeting Minutes**

Council Member Driscoll requested an amendment to the December 27, 2021, Regular Council Meeting Minutes to include a subject line with her public comment.

**MOTION** Upon Motion, Council (Baum/Adams) voted and unanimously approved to add the subject line to the December 27, 2021, Regular Council Meeting Minutes public comment to include a subject line.

**Additional Period for Public Comment**

Marta Driscoll – 458 A Lenni Road – COVID-19 Procedures

Amended – 02/07/2022

**Approval of the January 2022 Treasurer Report**

<b>Receipts</b>		<b>Source</b>
Real Estate Transfer	\$ 11,208.75	Treasurer of Delaware County
December Remit	\$ 42.46	Treasurer of Delaware County
Local Service Tax	\$ 354.03	Berkheimer
Comcast	\$ 9,054.62	4th Qtr Franchise Fee
U&O Inspection	\$ 90.00	4107 Lydia Hollow Dr
U&O Inspection	\$ 90.00	213 Bishops Dr
U&O Inspection	\$ 90.00	182 Kingswood Ct
U&O Inspection	\$ 90.00	10 Bishops Dr
U&O Inspection	\$ 90.00	458 Arbor Way
HVAC Permit	\$ 155.00	171 Kingswood Ct
Bldg Permit	\$ 850.00	68 W Baltimore Pk
Septic Permit	\$ 100.00	2 Ivy Lane
Bldg/Plmg/Elec Permit	\$ 500.00	2 Ivy Lane
Electrical Permit	\$ 55.00	273 Stanton Ct
Road Opening Permit	\$ 125.00	PECO
Road Opening Permit	\$ 250.00	PECO
Road Opening Permit	\$ 250.00	PECO
HVAC Permit	\$ 155.00	352 Willits Way
Reimburse Eng/Sol Invc	\$ 72.60	Merril Gardens
Fire Hydrant Reimburse	\$ 181.50	Madison



Fire Hydrant Reimburse	\$ 181.50	Brookefield
Fire Hydrant Reimburse	\$ 399.30	Darlington Woods
Fire Hydrant Reimburse	\$ 181.50	Brookefield
<b>TOTAL</b>	<b>\$ 24,566.26</b>	

**Fund Balances,**

**Certificates of Deposit Balance**

Business Money Market 0.55%	\$ 50,021.33	Malvern Bank
EBond	\$ 15,000.00	Bryn Mawr Trust
<b>Total Certificates of Deposit</b>	<b>\$ 65,021.33</b>	

**General Fund Balance**

PLGIT GF/Class 1/31/22 @ 0.01%	\$ 145,730.25	PLGIT General Fund
PLGIT GF/Prime 1/31/22 @ 0.04%	\$ 700,172.69	PLGIT General Fund
CH General Fund 1/31/22 @ 0.10%	\$ 305,397.74	Santander #5032
Money Manager 1/31/22 @ 0.10%	\$ 9,603.15	Santander #4079
Road Improv Fund 1/31/22 @ 0.10%	\$ 62,936.56	Santander #4060
American Rescue Plan 1/31/22 @ 0.10%	\$ 109,078.85	Santander #5024
<b>Total Funds</b>	<b>\$ 1,332,919.24</b>	

**PA Liquid Fuels Fund Balance**

Checking Account 1/31/22 @ 0.01%	\$ 46,711.35	PLGIT Acct #5116038
----------------------------------	--------------	---------------------

**Open Space Fund Balance**

PLGIT/ I-Class 1/31/22 @ 0.01%	\$ 12,237.21	PLGIT Acct #5116056
--------------------------------	--------------	---------------------

**Fire Protection Fund Balance**

Fire Protect Fund Check 1/31/22	\$ 6,926.34	BMTC Fire Protect Fund #9579
---------------------------------	-------------	------------------------------

**Expenditures**

February Rent	\$ 1,500.00	Chester Heights Fire Company
Fire Safety Inspections	\$ 512.00	Chester Heights Fire Company
Office Cleaning	\$ 160.00	Brenda Martin Cleaning Services
Meeting Room Rental/3 Mtgs	\$ 450.00	Village of Valleybrook
Monthly Storage Fee	\$ 312.70	Mini U Storage
Fire Safety Inspections	\$ 1,731.23	Richard Jensen
Various Bldg Permits	1,195.54	Richard Jensen
U&O Inspections	\$ 361.35	Richard Jensen
Dec/Jan General Matters	\$ 2,421.50	Gerald C Montella, Esq.
Zoning Matters	\$ 1,363.00	Gerald C Montella, Esq.
Reimburse/LeNape Valley	\$ 14.50	Gerald C Montella, Esq.
Tax Consultant	\$ 52.95	Coyle, Lynch & Co



Sewer Mapping Date	\$ 24.00	Catania Engineering Assoc, Inc.
Financial Consulting	\$ 630.68	Barbara A Biedekapp
Tax Collection Software	\$ 850.00	Municipal Tax System LLC
Road Mst/EMC Compensation	\$ 830.79	Larry Ward
Fire Marshal Compensation	\$ 594.01	Michael Ciocco
Fire Marshal Reimburse	\$ 105.99	Michael Ciocco
P O Box/Fire Marshal	\$ 156.00	USPS
Legal Adv	\$ 364.34	21st Century Media
Legal Adv	\$ 118.15	21st Century Media
Legal Adv	\$ 106.01	21st Century Media
Legal Adv	\$ 109.22	21st Century Media
Postage	\$ 37.32	USPS
Trash Removal	\$ 98.50	Opdenaker Inc
Website Updates	\$ 19.80	PSAB
Webinar Training	\$ 45.00	PSAB
PSAB PLUS Membership	\$ 450.00	PSAB
Annual Membership	\$ 378.00	PSAB
Annual Membership	\$ 60.00	Assoc of Mayors
Office Expense	\$ 49.41	Office Basics
Office Expense	\$ 32.68	Amazon
Office Expense	\$ 124.97	Amazon
Archive Newspaper Renewal	\$ 79.45	Chester Times
Recording Sec Compensation	\$ 3,368.63	Darlene Kurten
Council Name Plates	\$ 39.95	NameTag Country
Office Expense	\$ 14.78	Darlene Kurten
Phone/Office	\$ 106.72	Verizon
Phone/Fire Marshal	\$ 62.09	Verizon
Open Records Officer Compensation	\$ 521.93	Megan Killian
Office Expense	\$ 45.00	Constant Contact
Office Expense	\$ 56.17	Adobe
Qrtly Payroll UC	\$ 30.27	PAUC
PA Dept of Rev Payroll	\$ 606.24	Commonwealth of PA
941 Payroll	\$ 4,880.34	EFTPS
Sec/Treas Compensation	\$ 4,201.99	Susan Timmins
Meter Usage	192.87	Graffen
Dig Notification	\$ 20.96	PA One Call
Copier/Scanner	\$ 153.73	De Lage Landen
3 Hydrants	\$ 226.68	Aqua Pennsylvania
3 Hydrants	\$ 114.45	Aqua Pennsylvania
47 Hydrants	\$ 1,838.94	Chester Water Authority
<b>Total Expenditures</b>	<b>\$ 31,820.83</b>	



**PA Liquid Fuels Fund Expenditures**

Snow Removal Invc #11171	\$ 9,975.00	Moore Outdoor Rejuvenation
Snow Removal Invc #11188	\$ 3,150.00	Moore Outdoor Rejuvenation
Snow Removal Invc #11200	\$ 2,400.00	Moore Outdoor Rejuvenation
Snow Removal Invc #11211	\$ 11,475.00	Moore Outdoor Rejuvenation
No U Turn Stoney Bank TL	\$ 419.19	Charles A Higgins, Inc
Traffic Lights	\$ 47.36	PECO
Street Lights	\$ 569.07	PECO
	\$ 28,035.62	

**Fire Protect Fund Expenditures**

---

**American Rescue Plan Expenditures**

---

**MOTION** Upon Motion, Council (Lim/Anderson) voted and unanimously approved the January 2022 Treasurer Report.

**Annual Audit Engagement Letter for 2021 – General Fund and Tax Collection:**

President Baum requested a Motion to accept the engagement letters from Leitzell & Economidis, PC for the 2021 annual audits of the General Fund for \$7,800.00 and Tax Collection for \$2,950.00.

**MOTION** Upon Motion, Council (Lim/Anderson) voted and unanimously approved the annual audit engagement letters from Leitzell & Economidis, PC for 2021, for audits of General for \$7,800.00 and Tax Collection for \$2,950.00.  
 Councilwoman Driscoll inquired if the borough has ever prepared annual audited financial statements in addition to the DCED report.  
 Secretary/Treasurer Timmins replied to no.

**Correspondence:** Mayor Ellis reported correspondence related to Garnet Valley School District and the Brookefield Development bus stop inquiries. Also, the police report included for January – 8 crashes, 1 DUI, 6 traffic stops, 0 burglaries, 2 criminal mischiefs and 1 theft all in the Borough of Chester Heights. 1 note-worthy event on February 4, 2022, a resident of Darlington Woods experienced a checking fraud situation.  
**Chester Heights Fire Company No. 1 – Activity Report for the Month of January**  
 9- Building responses, 8-Automatic Fire Alarms, 3-Auto Accidents, 2- Medicals, 1-Elevator Rescue -wires, 13- Calls in 71, 8-Calls in 59, 2 Calls in 17, 1 Call in 66.  
 2/3 – Company meeting / work night  
 2/10 – Fire Dynamics – fundamentals  
 2/17 – Elevator Emergencies  
 2/24 – Fire Dynamics – Strategy and Tactics  
 18 Members went through annual hazardous materials operations recertification (6 hours)

President Baum announced there will be an Executive Session in accordance with Section 708 of the Sunshine Act for Real Estate/Lease and personnel matters at the end of the Regular Council Meeting.



**Inspector's Reports:**

**EMC – Roadmaster  
Larry Ward**

President Baum thanked Larry Ward for the Fire Company's quick response to an emergency from the previous night's storm. Roadmaster Ward reported once he received a phone call from President Baum, he immediately went out to investigate the situation of downed trees on Valleybrook Road. The State Police had setup flares. Once it was determined that power lines were not affected or included with the tree damage, Roadmaster Ward notified the Chester Heights Fire Company to clear the road, even though this is a PennDOT road, Roadmaster Ward deemed it an emergency and unsafe to wait for a response. There was a report of an oil spill on Lenni Road but upon investigation could not be located. There have been numerous PA 1 calls, including Ivy Lane and Mildred Lane, PECO has been installing gas services. Roadmaster Ward also informed Council of an unknown contractor digging at the Fire Company property and no known PA 1 call has been supplied. Investigation on going with a cease and desist notification. Roadmaster Ward informed Council MOR's invoices have been reviewed and deemed acceptable. Biggest concern has been the snow melt and refreeze of ice on roadways. President Baum inquired if the contractor digging needed to supply a Certificate of Insurance for working on the property and they do indeed need to supply insurance information.

**Fire Marshal Report:**

Mayor Ellis reported the January – Fire Marshal report: There were four incidents in the month of January. One involved a child that activated a "pull station" at Pathways. One involved a culinary mishap in Darlington Woods. Two involved an "elevator entrapment" at Merrill Gardens at Glen Mills. The 911 call center needed address identification of the Madison Apartments. They needed clarification of building numbers and apartment numbers. There are 25 buildings. Each building contains a minimum of 8 to 10 apartments. Example: Building number one contains apartment 101 to 110, building two contains apartment 201 to 210. Routine matters.

**Solicitor's Reports:**

53 W Baltimore Pike – Extension  
Solicitor Montella requested Council to approve the land development application extension at 53 W Baltimore Pike requesting an extension through April 4, 2022.

**MOTION**

Upon Motion, Council (Clarke/Lim) voted and unanimously approved the land development application extension at 53 W Baltimore Pike requesting and extension through April 4, 2022.

Solicitor Montella requested a Motion to Ratify the appointment of Fire Chief Sam Iannucci Jr.



***Ratify Motion***

Upon Motion, Council (Baum/Clarke) voted and unanimously approved to Ratify the Motion appointing Sam Iannucci Jr., as Fire Chief for the Borough of Chester Heights Fire Department.

Solicitor Montella updated Council on the proposed Marijuana, Sewer Ordinances, and public notice. The hearing will be scheduled for Monday, March 28, 2022 @ 7:00 pm.

Solicitor Montella updated Council on the ZHB Meeting, which also included Zoning/Code Enforcer Richard Jensen, for the property at 2 Ivy Lane. The next scheduled ZHB Meeting will be February 15, 2022, @ 7:00 pm.

**Engineer's Report:**

Engineer Houtmann updated Council on One Smithbridge Road – Chester Heights Market, PA DEP's review of the Planning Module.

Engineer Houtmann has prepared a draft response letter presented to Council and is requesting Council's approval to forward the reply.

The Borough desires the planning for Smithbridge Road to remain in place. It is the Borough's intent to have the Smithbridge Road area serviced by public sewers in the future once a need presents itself, such as:

- The failure of an existing sewage disposal system wherein a replacement on-lot sewage disposal system cannot be installed
- A substantial Land Development within the corridor requiring access to public sewers
- Reports of multiple on-lot sewage system failures confirmed by evidence of the same

Presently, it is the Borough's position that either a private landowner or developer would be responsible for the installation of the force main. The Borough's preference would be that the entire force main line will be Installed at one time. The Borough will allow for the installation of the force main to occur over two or three phases as the need demands. Since there is no evidence of failing systems, and there are no proposed developments planned along the Smithbridge Road corridor at this time, the general time frame for construction is 'beyond the 10-year sewer service area'.

President Baum requested a Motion to approve PA DEP's response letter prepared by Engineer Houtmann.

***MOTION***

Upon Motion, Council (Sacks/Adams) voted and unanimously approved the response letter prepared by Engineer Houtmann to PA DEP, for the property at One Smithbridge Road – Chester Heights Market.

Engineer Houtmann updated Council on LeNape Valley's progress, upon inspection there are a few items that need attention for Engineer Houtmann's approval. Once items are addressed Engineer Houtmann will ask Council to accept dedication.

Engineer Houtmann informed Council all field work for the Valleybrook Road and Bonnie Lane, storm sewer has been completed and the design process has begun. Preparation for bidding documents are being processed.

Engineer Houtmann updated Council on the Wawa Road – Culvert, after inspecting the bridge and culvert the pipe that runs under ground is deemed in good condition. What seems to be the issue is the stone work around the bridge, which is falling apart, possibly by a car or something running into it. The Borough will need a stone mason to fix the damage to the bridge.



**Mayor's Event:**

Mayor Ellis announced the annual Easter Egg Hunt, Saturday, April 2, 2022, time to be determined. Up coming date of June 18, 2022, for Movie Night, possibility – to be determined and confirmed shortly. President Baum announced the Committee Assignments:

School District/Education/Training/Library  
**Chair Marta Driscoll, Members Clarke, Miller, Chestnut**  
Finance/Insurance

**Chair Laura M. Lim, Members Anderson, Timmins**  
Fire Company Finance

**Chair Drew Baum, Member Lim**  
Nominating Vacancy

**Chair Bob Adams, Member Baum**  
Communications/Public Relations

**Chair Ginamarie Ellis, Members Lim, Sacks**  
Mayor's Event Committee

**Chair Ginamarie Ellis, Members Anderson, Sacks**  
Historical Committee

**Chair Susan Timmins, Members Anderson, Ieradi, Searl**  
Planning/Zoning

**Chair Susan Clarke, Members Adams, Baum**  
Engineering/Construction/Inspections

**Chair Susan Clark, Members Adams, Baum**  
Ordinance/Code Review

**Chair Susan Clarke, Members Baum, Driscoll, Ellis**  
Public Safety/Environmental

**Chair Bob Adams, Members Baum, Sacks**  
Borough Property/Parks/Open Space

**Chair Drew Baum, Members Lim, Sacks**  
Highways/Transportation

**Chair Robert Sacks, Member Ward**  
Public Utilities/Trash/Recycling

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

President Baum announced according to PSAB Guidelines and the Sunshine Law Act, subject lines under Old Business and New Business must be included on the agenda.

**Public Comment:** No Report

***EXECUTIVE SESSION*** President Baum announced in accordance with the Act 84, the Sunshine Law that Council will meet in Executive Session to discuss matters regarding Real Estate and Personnel. Council met in Executive Session starting at 7:40 pm until 8:03 pm.

President Baum requested a Motion to approve the lease agreement between the Fire Company and Borough, for Borough office space.





**MOTION** Upon Motion, Council (Sacks/Adams) voted and unanimously approved the lease agreement between the Fire Company and Borough regarding the Borough office space.

President Baum requested a Motion to approve the 2<sup>nd</sup> addendum to the lease agreement between the Fire Company and Borough.

**MOTION** Upon Motion, Council (Sacks/Adams) voted and unanimously approved the 2<sup>nd</sup> addendum to the lease agreement between the Fire Company and Borough.

Solicitor Montella requested a Motion by Council to enter into a Fee Agreement with Eckell, Sparks, Levy, Auerbach, Monte, Sloane, Matthews & Auslander, P.C. for purpose of legal representation related to an unemployment compensation matter.

- a) Michael J. Davey, Esq.: \$145.00
- b) Paralegals/Secretaries/Law Clerks: \$75.00

**\*Not to exceed Two Thousand Dollars (\$2,000.00) without the approval of Borough Council.**

**MOTION** Upon Motion, Council (Baum/Clarke) voted and unanimously approved the Fee Agreement with Eckell, Sparks, Levy, Auerbach, Monte, Sloane, Matthews & Auslander, P.C. for purposes of legal representation related to an unemployment compensation matter. a) Michael J. Davey, Esq.: \$145.00 b) Paralegals/Secretaries/Law Clerks: \$75.00.

**\*Not to exceed Two Thousand Dollars (\$2,000.00) without the approval of Borough Council.**

**ADJOURNMENT** Upon Motion, Council (Lim/Sacks) voted and unanimously approved to adjourn meeting at 8:05 pm.

**Land Development Dates:** Rose Hill Lot Line, Submitted Plans 09/24/20, Reviewed Planning Commission 10/22/20, Extension 01/20/21, Reviewed Planning Commission 05/27/21.

**103-109 Valleybrook Road**, Kheny Sketch Plan Submitted 03/12/21, Planning Commission Reviewed 05/27/21.

**53 W Baltimore Pike**, Submitted Plans 06/18/21, Planning Commission Reviewed 08/26/21, Extension 11/24/21, Extension 02/24/22, Extension 04/04/22.

Respectfully Submitted  
Darlene Kurten  
Recording Secretary