



Minutes of the Regular Council Meeting
Of the Borough of Chester Heights
The Village of Valleybrook – Clubhouse
265 Bishops Dr., Chester Heights, PA 19017
January 3, 2022

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

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

Public Comment: No Report

Approval of the December Meeting Minutes

December 6, 2021, Regular Council Meeting Minutes

MOTION Upon Motion, Council (Clarke/Lim) voted and unanimously approved the Regular Council Meeting Minutes from December 6, 2021.

December 27, 2021, Work Session Meeting Minutes

MOTION Upon Motion, Council (Anderson/Adams) voted and unanimously approved the Work Session Meeting Minutes from December 27, 2021.

Approval of the December 2021 Treasurer Report

<i>Receipts</i>		<i>Source</i>
Real Estate Transfer	\$ 3,860.86	Treasurer of Delaware County
November Collections	\$ 436.84	Maryann D Furlong, TC
November Remit	\$ 119.18	Treasurer of Delaware County
Local Service Tax	\$ 13,903.60	Berkheimer
Concord Twp Shared TL	\$ 5,334.15	Concord Twp
U&O Inspection	\$ 90.00	4104 Lydia Hollow Dr
U&O Inspection	\$ 90.00	27 Bishops Dr
U&O Inspection	\$ 90.00	26 Ashley Ct
U&O Inspection	\$ 90.00	4204 Lydia Hollow Dr



U&O Inspection	\$ 90.00	4107 Lydia Hollow Dr
Bldg Permit	\$ 350.00	160 Heather Ln
Bldg/Sign Permit	\$ 125.00	Rose Hill
Septic Permit	\$ 400.00	68 W Baltimore Pk
Reimburse Eng/Sol Invc	\$ 14.50	53 W Baltimore Pk
Reimburse Eng/Sol Invc	\$ 927.50	53 W Baltimore Pk
Reimburse Eng/Sol Invc	\$ 33.13	53 W Baltimore Pk
Reimburse Eng/Sol Invc	\$ 2,000.00	Brookefield
Reimburse Eng/Sol Invc	\$ 58.00	LeNape Valley
Fire Hydrant Reimburse	\$ 72.60	Merril Gardens
Fire Hydrant Reimburse	\$ 181.50	Madison
Fire Hydrant Reimburse	\$ 181.50	Brookefield
Fire Hydrant Reimburse	\$ 399.30	Darlington Woods
TOTAL	\$ 28,847.66	

Fund Balances,

Certificates of Deposit Balance

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

General Fund Balance

PLGIT GF/Class 12/30/21 @ 0.01%	\$ 178,606.29	PLGIT General Fund
PLGIT GF/Prime 12/30/21 @ 0.04%	\$ 700,124.34	PLGIT General Fund
CH General Fund 12/30/21 @ 0.10%	\$ 305,345.87	Santander #5032
Money Manager 12/30/21 @ 0.10%	\$ 9,601.51	Santander #4079
Road Improv Fund 12/30/21 @ 0.10%	\$ 62,925.88	Santander #4060
American Rescue Plan 12/30/21 @ 0.10%	\$ 143,556.55	Santander #5024
Total Funds	\$ 1,400,160.44	

PA Liquid Fuels Fund Balance

Checking Account 12/30/21 @ 0.01%	\$ 95,309.47	PLGIT Acct #5116038
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Open Space Fund Balance

PLGIT/I-Class 12/30/21 @ 0.01%	\$ 12,237.21	PLGIT Acct #5116056
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Fire Protection Fund Balance

Fire Protect Fund Check 12/30/21	\$ 6,926.34	BMTC Fire Protect Fund #9579
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Expenditures

December Rent	\$ 1,500.00	Chester Heights Fire Company
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1st Qtr Contribution	\$ 7,500.00	Chester Heights Fire Company
1st Qtr LST	\$ 12,000.00	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
Reimburse/53 Baltimore Pk #73587	\$ 927.50	Catania Engineering Assoc, Inc.
Fire Safety Inspections	\$ 1,731.23	Richard Jensen
Various Bldg Permits	\$ 918.96	Richard Jensen
Heather Lane Storm Drain #11763	\$ 2,664.50	G D Houtman & Son, Inc
MS-4 PRP Parsing Map #11765	\$ 3,378.50	G D Houtman & Son, Inc
CH Park Survey #11766	\$ 2,166.25	G D Houtman & Son, Inc
Reimburse Rose Hill #11764	\$ 2,248.50	G D Houtman & Son, Inc
Mattson Rd Curb Work	\$ 1,375.00	A F Damon, Inc
Clean Storm Drains Invc #100	\$ 800.00	Scott's Lawn Service
PSAB Training	\$ 45.00	PSAB
Annual Website Renewal	\$ 504.00	PSAB
Holiday Postcard	\$ 810.60	The Country Press
Road Mst/EMC Compensation	\$ 930.80	Larry Ward
Fire Marshal Compensation	\$ 594.00	Michael Ciocco
Wildlife Incident	\$ 75.00	A Strickler Animal Control
Legal Adv	\$ 83.54	21st Century Media
Legal Adv	\$ 319.69	21st Century Media
Postage	\$ 69.60	USPS
Reimburse Park Address	\$ 15.78	Laura Lim
Lunch w Santa	\$ 625.00	The Country Press
Reimburse Lunch w Santa	143.48	Megan Killian
Reimburse Lunch w Santa	\$ 19.08	Gina Ellis
Lunch w Santa	\$ 148.39	Primo Hoagies
Lunch w Santa	\$ 33.25	Pretzel Boy's
Lunch w Santa	\$ 114.57	Manbrosos
Reimburse/Office Supplies	\$ 16.99	Darlene Kurten
Recording Sec Compensation	\$ 3,273.62	Darlene Kurten
PECO TL	\$ 47.69	PECO
PECO SL	\$ 313.76	PECO
Phone/Office	\$ 213.35	Verizon
Phone/Fire Marshal	\$ 62.08	Verizon
Open Records Officer Compensation	\$ 468.40	Megan Killian
Office Expense	\$ 45.00	Constant Contact
Office Expense	\$ 56.17	Adobe
PA Dept of Rev Payroll	\$ 586.95	Commonwealth of PA
Office Expense	\$ 54.93	Office Basics
941 Payroll	\$ 4,431.79	EFTPS



Sec/Treas Compensation	\$ 4,213.99	Susan Timmins
Meter Usage	\$ 84.33	Graffen
Stoney Bank TL/St. Thomas Flasher	\$ 210.00	Charles A Higgins
Dig Notification	\$ 17.92	PA One Call
Copier/Scanner	\$ 153.73	De Lage Landen
3 Hydrants	\$ 123.14	Aqua Pennsylvania
47 Hydrants	\$ 1,579.26	Chester Water Authority
Total Expenditures	\$ 58,618.02	

PA Liquid Fuels Fund Expenditures

Mattson Road Program	\$ 48,205.00	A F Damon, Inc
	\$ 48,205.00	

Fire Protect Fund Expenditures

American Rescue Plan Expenditures

MOTION

Upon Motion, Council (Lim/Anderson) voted and unanimously approved the December 2021 Treasurer Report.

President Baum announced Committee Reports are suspended for tonight's meeting due to reorganization.

Correspondence:

Mayor Ellis reported letter received from the County, congratulations on receiving the Green Way's Grant.

INSPECTOR'S REPORTS

Building Inspector – No Report
Richard Jensen

Fire Marshal -
Mike Ciocco

Year in review report – 2021 – Michael Ciocco, Fire Marshal:

In accordance with Chester Heights Fire Code #153, section 106.1 the Fire Marshal shall render a report to Borough Council on or before the February meeting of each year. This report contains a record of all proceedings under the Fire Code during the preceding year.

As Fire Marshal, dealing with the Covid-19 virus and its variants this past year was extremely difficult. Our network of communication with the residents and businesses of Chester Heights has lost the personal touch. It has become extremely difficult to meet face to face. Phone calls and emails go unanswered or lost in the digital world. I continue to work with Homeowners organizations at Darlington Woods, Village of Valleybrook, Rolling Heights Estates, Madison Apartments, Merrill Gardens Elder Care and living quarters and the Hollow at Fox Valley. I have worked with the Fire Chief coordinating drills to familiarize the fire company with new buildings and locations. For 2022, I will continue to author articles for our newsletter with fire safety tips for in and around the home. This year's Fire Prevention campaign, "Learn



the Sounds of Fire Safety!" works to educate everyone about the different sounds the smoke and carbon monoxide alarms make. Knowing what to do when an alarm sound will keep you and your family safe.

When an alarm makes noises – a beeping sound or a chirping sound – you must act.

In a fire, mere seconds can mean the difference between a safe escape and a tragedy. Fire safety education isn't just for school children. Teenagers, adults and the elderly are also at risk in fires, making it important for every member of the community to take some time to make sure they understand how to stay safe in case of a fire.

The response of the public's willingness to adopt Fire Safety in their daily lives is always a challenge. There were sixty-four (64) incidents this year. This is up from fifty-five (55) last year. This was an 8.5% increase in incidents. Analysis of investigations revealed AFA's (automatic fire alarms), storms, workmen and faulty devices. Pathways was one location with an increase in false alarms. These AFA activations were attributed to smoking in bathrooms.

Budgetary guidelines were met this year. The main expenditures were dues to the National Fire Protection Association (NFPA) and reference books.

Review of Fiscal 2022 foresees some additional expenses of disbursements for the Fire Marshal's office.

These expenses are earmarked for Fire Safety Public Awareness, office supplies, dues, and subscriptions. A total of \$1,000.00 is requested for FY 2022.

The latest Fire Statistics are as follows:

1. Forty-nine percent (49%) of home fires start in the kitchen. The main reason is unattended cooking. Thanksgiving was the peak day for home cooking fires, followed by Christmas Eve, and Christmas Day. Do not leave the stovetop unattended.
2. Fifteen percent (15%) of home fires are attributed to heating. This includes main house heaters, fireplaces, and space heaters. Never use your gas-powered range or oven to heat your home.
3. Ten percent (10%) of home fires were credited to electrical. These include electrical outlets, small appliances, and lighting fixtures. Plugs should fit the electrical outlet snugly, if loose have outlet renewed.
4. Five percent (5%) of home fires are charged to smoking. These include cigarettes, cigars, and inhaling devices.
5. Two percent (2%) of home fires resulted from candle burning. The bedroom is the area most associated with candle burning. If you are burning candles, keep them in sight. Extinguish all candles before bed, leaving the room or house. Residents should consider using battery operated candles to avoid a potential fire.

Throughout the year, I have worked closely with the Chester Heights Fire Company. A close relationship with the Fire Chief provides quick and concise communication. I have arranged and coordinated all pre inspections of new commercial buildings. Familiarization of properties becomes incalculable when incidents arise.

Chester Heights has become a safer community under the tutelage of our Emergency Manager, Fire Chief, building inspector, and Fire Marshal.

Mission Statement

The Chester Heights Fire Marshal's Office is committed to protecting the safety of Chester Heights residents and their property, through fire prevention, education, codes enforcement, regulations, and law enforcement.

EMC – Roadmaster – Larry Ward – Roadmaster Ward reported the month of December was a mild month. MOR Construction – pre salted roadways – for the impending weather. PA 1 Calls monitored and cleared.



SOLICITOR REPORTS

Ratify Motion – Rose Hill Development Escrow Release #4:

Solicitor Montella requested Council to Ratify Motion for the Rose Hill Development Escrow Release #4 in the amount of \$44,124.20.

Ratify Motion

Upon Motion, Council (Adams/Lim) voted and unanimously approved to Ratify the Motion for the Rose Hill Development Escrow Release #4 in the amount of \$44,124.20.

Ratify Motion – LeNape Valley – 446 Lenni Developers, LP Escrow Release #4:

Solicitor Montella requested Council to Ratify Motion for the LeNape Valley – 446 Lenni Developers, LP Escrow Release #4 in the amount of \$48,710.20.

Ratify Motion

Upon Motion, Council (Adams/Driscoll) voted and unanimously approved to Ratify the Motion for the LeNape Valley – 446 Lenni Developers, LP Escrow Release #4 in the amount of \$48,710.20.

Ratify Motion – Accept Resignation of Council Member Firkser and move the Work Session Meeting from January 31, 2022, to January 24, 2022.

Solicitor Montella requested Council to Ratify Motion to accept the resignation of Council Member David Firkser and move the Work Session Meeting from January 31, 2022, to January 24, 2022.

Council has 30 days to appoint a resident to fill the vacancy for the unexpired term by Resolution.

Council announces resignation and allows residents two weeks to send letters of interest, including resumes, deadline January 14th @ 5:00p.m.

Ratify Motion

Upon Motion, Council (Lim/Marta) voted and unanimously approved to Ratify the Motion to accept the resignation of Council Member David Firkser and reschedule the Work Session Meeting of January 31, 2022, to January 24, 2022 @ 7pm. Accepting letters of interest and resumes for a two-week period, deadline January 14th @ 5:00 p.m.

ENGINEER REPORTS

Mattson Road Program Invoice – Engineer Houtmann

Engineer Houtmann reported the invoice for the 2021 Mattson Road program was received from AF Damon, Inc. The invoice total for the base contract is \$49,580.00 which is slightly higher than the contract amount of \$46,870.00. The additional cost was for the repair of degraded roadway encountered during the road widening which increased the price by \$2,710.00. Engineer Houtmann requested Council to consider the additional cost added to total amount of contract now totaling \$49,580.00

The Damon invoice also included \$4,350.00 for the stabilized shoulder near the bridge. This item was in the contract, but Engineer Houtmann specifically informed Steve Krol of AF Damon at the pre-construction meeting that the stabilized shoulder was stricken from the scope of work and not to perform the work. The stabilized shoulder was installed anyway. Engineer Houtmann requested Council consider the cost of stone supply totaling \$625.00 and to pay for the stone material used to widen the shoulder.

The recommendation payment of \$49,580.00 for the base contract work. At least \$1,375.00 must be paid through the General Funds Account. The remainder may be paid through the Liquid Fuels Account.



President Baum requested a Motion to approve the expenditure of \$49,580.00 for the Mattson Road paving program, to AF Damon.

MOTION

Upon Motion, Council (Adams/Clarke) voted and unanimously approved the expenditure of \$49,580.00 for the Mattson Road paving program to AF Damon.

President Baum requested a Motion to approve the expenditure of \$625.00 for stone supply cost used to widen the shoulder of the Mattson Road paving program, to AF Damon.

MOTION

Upon Motion, Council (Lim/Adams) voted and unanimously approved the expenditure of \$625.00 for the stone supply cost used to widen the shoulder of the Mattson Road paving program, to AF Damon.

PA DEP's review of the Planning Module for the Chester Heights Market – One Smithbridge Road:

Engineer Houtmann updated Council:

DEP is requesting the Borough to either revise the planning module for One Smithbridge Road, to eliminate the extension on Smithbridge Road or maintain the extension of sewer on Smithbridge Road. The Borough must provide documentation of how the plan will be implemented. Specifically, state whether the entire line will be constructed at once or whether the line will be extended gradually based on demand. In addition, Borough is asked to state the entity responsible for constructing the sewer extension and a general time frame for construction to the sewer service area.

Engineer Houtmann prepared the Borough's response letter:

It is the Borough's intent to have this area serviced by public sewer in the future once a need presents itself, such as:

- In the event of a failure in accordance too Chapter 73, Title 25 of the PA Code wherein a conventional, on-lot sewage disposal system cannot be installed.
- In the event of a substantial Land Development – either multi-dwelling, non-residential, or similar.
- Multiple reports of failing on-lot sewage disposal systems confirmed and/or evidence of the same.

Responsibility of the installation of the line:

- It is the Borough's position that either a private landowner or developer would be responsible for the installation of said sewerage extension.

Would the line be installed in part or in its entirety:

- The Borough is unsure at this time if the line would be installed in phases or in its entirety as that would depend upon the location of the need for public sewage. The Borough would prefer the line installed in its entirety once the need for the same arises.

Timing on installation:

- Given the lack of failures or complaints relative to sewage disposal systems service a few small businesses and residential, detached dwellings – the Borough foresees this area of Smithbridge Road as 10+ years for service by public sewage facilities.

Engineer Houtmann would like the Borough to consider the prepared response to move forward in preparing the official letter and send to DEP. Engineer Houtmann will produce a draft response for the Work Session Meeting January 24, 2022.

Mayor's Report – No Report



New Business

President Baum reported on the Vacancy on the Zoning Hearing Board:

Three residents have submitted letters of interest:

Ron Surkin Robert Carminati Paul Weyhmuller

President Baum requested a nomination to fill position:

Vice President Lim nominated Paul Weyhmuller

President Baum requested a Motion to appoint Paul Weyhmuller to fill the vacancy on the Zoning Hearing Board.

MOTION

Upon Motion, Council (Lim/Clarke) voted and unanimously appointed Paul Weyhmuller to fill the vacancy due to Glen Mon's resignation on the Zoning Hearing Board and complete Glen Mon's term expiring 2023.

Resolution #1-22-A

Solicitor Montella presented Resolution #1-22-A:

A Resolution of the Borough of Chester Heights, Delaware County, PA, Appointing A Zoning Board Member

Whereas, the Municipalities Planning Code, 53 PS 10901 et seq, directs that Borough Council shall appoint by resolution, a registered elector of the Borough as a zoning hearing board member for a term of three years or until an unexpired term if a vacancy exists, and

Whereas, Council was notified by Zoning Hearing Board Member Glenn E. Mon, after distinguished service to the Board, resigned from his position effective October 4, 2021, and

Whereas, Council accepted said resignation on October 4, 2021 at a public meeting; and

Whereas, Council, by resolution, shall fill the vacancy only for the expired portion of Glenn Mon's term until December 31, 2023; and

Whereas, Paul Weyhmuller is a registered elector of the Borough, who holds no other elected or appointed office in the municipality, not a member of the planning commission or is the zoning officer and is not an employee of the borough; and

Now, Therefore, Be It Resolved, this 3rd day of January 2022 that Paul Weyhmuller be, and is hereby appointed as zoning hearing board member and shall serve in such appointed office for Mr. Mon's unexpired term which ends December 31, 2023.

MOTION

Upon Motion, Council (Lim/Adams) voted and unanimously approved Resolution #1-22-A, appointing Paul Weyhmuller as a Zoning Hearing Board Member.

Additional Period for Public Comment - No Report

EXECUTIVE SESSION

President Baum announced in accordance with Act 84, the Sunshine Law that Council will meet in Executive Session to discuss matters regarding litigation. Council met in Executive Session starting at 7:41 p.m. to 8:01 p.m.



Old Business

President Baum requested to Ratify the Motion to authorize the Borough Solicitor – Gerald Montella, Esq., and the Borough Building/Code/Zoning Officer Richard Jensen to represent the Borough and attend the Zoning Hearing Board Meeting on January 18, 2022, at the Village of Valleybrook Clubhouse starting at 7:00 p.m. related to the application of 2 Ivy Lane.

Ratify Motion

Upon Motion, Council (Clarke/Adams) voted and unanimously approved to Ratify the Motion to authorize the Borough Solicitor – Gerald Montella, Esq., and the Borough Building/Code/Zoning Officer Richard Jensen to represent the Borough and attend the Zoning Hearing Board Meeting on January 18, 2022, at the Village of Valleybrook Clubhouse starting at 7:00 p.m. related to the application of 2 Ivy Lane.

President Baum congratulated the re-elected and newly elected Council Members.

ADJOURNMENT

Upon Motion, Council (Lim/Driscoll) voted and unanimously approved to adjourn meeting at 8:03 p.m.

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.

**Respectfully Submitted
Darlene Kurten
Recording Secretary**