

Minutes of the Regular Council ZOOM Meeting
Of the Borough of Chester Heights
222 Llewelyn Road
Chester Heights, PA 19014
January 4th, 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
 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 was given by:
 Marta Driscoll – 458A Lenni Road

Approval of Meeting Minutes:
 December 7th, 2020 Regular Council Meeting Minutes

MOTION Upon Motion, Council (Lim.Clarke) voted and unanimously approved the Regular Council Meeting Minutes from December 7th, 2020.

Approval of December 2020 Treasurer Report

		Source
<i>Receipts</i>		
Reimburse GF/Ivy Lane Road Program	\$ 46,601.40	Santander
Real Estate Transfer	\$ 15,635.37	Treasurer of Delaware County
Real Estate Transfer	\$ 5,762.40	Treasurer of Delaware County
October Remit	\$ 21.67	Treasurer of Delaware County
November Collections	\$ 153.80	Maryann D Furlong, TC
LST Tax	\$ 2,771.88	Berkheimer
U&O Inspection	\$ 90.00	261 Stanton Ct
U&O Inspection	\$ 90.00	261 Bishops Dr
U&O Inspection	\$ 90.00	13 Ashley Ct
U&O Inspection	\$ 90.00	377 Radford Ct
Bldg Permit	\$ 125.00	86 Bayberry Ct
Plmg Permit	\$ 105.00	209 Wawa Rd
Bldg/Pool Permit	\$ 130.00	357 Willits Way

Bldg/Solar Permit	\$	845.00	107 Indian Spring Dr
Bldg/Deck Permit	\$	205.00	62 Hunters Ln
Bldg/Deck Permit	\$	250.00	8 Rolling Heights Dr
Plmg Permit	\$	85.00	79 Bayberry Ct
Electrical Permit	\$	85.00	190 Bishops Dr
Reimburse Sol Invoice	\$	72.50	Rose Hill
Reimburse Sol Invoice	\$	14.50	LeNape
Reimburse Sol Invoice	\$	29.00	240 Wawa Rd
Reimburse Eng Invoice	\$	416.26	240 Wawa Rd
Fire Hydrant Reimburse	\$	363.00	Brookefield
Fire Hydrant Reimburse	\$	181.50	Madison
TOTAL	\$	145.20	Darlington Woods
	\$	74,358.48	

Fund Balances,

Certificates of Deposit Balance

CD, 12 Month, @ 1.04% 5/2021	\$	46,002.44	Malvern Bank
EBond	\$	15,000.00	Bryn Mawr Trust
Total Certificates of Deposit	\$	61,002.44	

General Fund Balance

PLGIT GF 12/31/20 @ 0.01%	\$	1,130,846.30	PLGIT GENERAL FUND
PLGIT I-Class 12/31/20@ 0.02%	\$	305,143.66	PLGIT GENERAL FUND
Money Manager 11/30/20 @ 0.10%	\$	9,591.52	Santander #4079
Road Improv Fund 11/30/20 @ 0.10%	\$	62,852.94	Santander #4060
Total Funds	\$	1,508,434.42	

PA Liquid Fuels Fund Balance

Checking Account 12/31/20 @ 0.01%	\$	111,795.67	PLGIT Acct #5116038
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Open Space Fund Balance

PLGIT/ I -Class 12/31/20 @ 0.02%	\$	12,234.53	PLGIT Acct #5116056
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Fire Protection Fund Balance

Fire Protect Fund Check 11/30/20		136.72	BMTC Fire Protect Fund #9579
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Expenditures

December Rent	\$	1,500.00	Chester Heights Fire Company
1st Qrt LST	\$	12,500.00	Chester Heights Fire Company
1st Qtr Contribution	\$	7,500.00	Chester Heights Fire Company
Office Cleaning	\$	160.00	Brenda Martin Cleaning Services
Monthly Storage Fee	\$	240.62	Mini U Storage
Various Bldg Permits	\$	2,780.12	Richard Jensen
Zoning/Car Wash	\$	518.59	Richard Jensen
Zoning/725 Darlington	\$	434.94	Richard Jensen

Zoning/Court Reporter/Car Wash	\$	271.50	Maria O'Neill, Inc.
Park Corner Fence	\$	588.67	YTH Landscape
SEO/725 Darlington	\$	596.26	Catania Engineering Assoc
Reimburse/240 Wawa	\$	416.26	Catania Engineering Assoc
Reimburse/Recorder	\$	63.74	Laura Lim
General Matters/Zoning	\$	838.50	Peter J Rohana, Esq
General Matters	\$	1,624.00	Gerald C Montella, Esq.
Reimburse Rose Hill	\$	72.50	Gerald C Montella, Esq.
Reimburse LeNape	\$	14.50	Gerald C Montella, Esq.
Reimburse 240 Wawa	\$	29.00	Gerald C Montella, Esq.
Road Mst/EMC Compensation	\$	1,032.63	Larry Ward
Fire Marshal Compensation	\$	615.20	Michael Ciocco
Tree Removal	\$	2,245.00	Springfield Tree
Vllybrk/Balt Pk TL	\$	70.00	Charles A Higgins & Sons
Legal Adv	\$	366.13	21st Century
Legal Adv/Zon Hrg	\$	534.46	21st Century
Tax Collection Mailing	\$	500.00	Touch Point
Envelopes	\$	168.00	The Country Press
Election Signs	\$	188.00	The Country Press
Website Annual Fee	\$	504.00	PSAB
Stray Dog	\$	568.74	Brandywine Valley SPCA
Office Expense	\$	137.79	Stables
Qrtly Park Trash	\$	90.00	Opdenaker
Office Expense	\$	20.34	Idrive
Recording Sec Compensation	\$	2,537.88	Darlene Kurten
PECO TL	\$	54.18	PECO
PECO SL	\$	810.36	PECO
Phone/Office/Fire Marshal	\$	115.77	Windstream
Postage	\$	6.50	USPS
Open Records Officer Compens	\$	562.08	Megan Killian
Office Expense	\$	27.54	Walgreens
Office Expense	\$	45.00	Constant Contact
Meter Usage	\$	56.17	Adobe
941 Payroll	\$	35.00	Graffen
PA Taxes	\$	151.32	PA Dept of Rev
4th Qtr	\$	1,508.40	PA Dept of Rev
4th Qtr	\$	29.48	PAUC
941 Payroll	\$	3,886.28	EFTPS
Sec/Treas Compensation	\$	4,113.92	Susan Timmins
Dig Notifications	\$	30.83	PA One Call
Copier/Scanner	\$	161.42	De Lage Landen
3 Hydrants@ \$42.25 per Hydrant	\$	122.53	Aqua Pennsylvania
47 Hydrants@ \$36.30 per Hydrant	\$	1,706.10	Chester Water Authority
Total Expenditures	\$	53,150.25	

PA Liquid Fuels Fund Expenditures

Snow Removal Invc #10516	\$	1,080.00	Mor Outdoor Rejuvenation
Snow Removal Invc #10527	\$	8,460.00	Mor Outdoor Rejuvenation
Total Expenditures	\$	9,540.00	

Fire Protect Fund Expenditures

Open Space Expenditures

MOTION Upon Motion, Council (Firkser.Clarke) voted and unanimously approved the Treasurer Report from December 2020.

Correspondence: No Report

Inspector's Reports

Building Inspector – No Report
Richard Jensen

Fire Marshal - Fire Marshal Ciocco reported on the 2020 year in review themed "Safety in the Kitchen":
Mike Ciocco Fire Statistics are as follows:

1. Forty-Nine percent (49%) of home fires start in the kitchen. The main reason is unattended cooking
2. Fifteen percent (15%) of home fires are attributed to heating. These includes main house heaters, fireplaces, and space heaters
3. Ten percent (10%) of home fires were credited to electrical. These include electrical outlets, small appliances, and lighting fixtures
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 result in candle burning. The bedroom is the area most associated with candle burning

The response of the public's willingness to adopt Fire Safety in their daily lives is always a challenge. There were fifty-five (55) incidents this year. This is down from sixty-three (63) last year. This was an 8.7% decrease in incidents. Analysis of investigations revealed AFA's (automatic fire alarms), storms, workmen and faulty devices. The increase of false alarms included pull station activations, elevator entrapment and faulty sprinkler equipment.

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

Review of Fiscal 2021 foresees some additional expenses or 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 2021.

Sewage Enforcement – No Report

Mike Ciocco

EMC – Roadmaster -

Larry Ward

Roadmaster Ward reported: all PA 1 calls were cleared
EMC Ward reported on December 24th, 2020 a wind and rainstorm caused trees to come down on Valleybrook and Wawa Roads, Baltimore Pike was closed for several hours. The Chester Heights Fire Company worked until about 2:00 a.m. to keep roads passable for emergency vehicles. PennDOT and PECO were notified, as necessary. The Fire Company also responded to a house fire in Middletown Township caused by a candle, due to electricity being out from the storm.
Present Baum asked for an update on the first snow event of 2020. Roadmaster Ward reported that this was the first snow event (with accumulation) in the past couple of years. There were a few issues which needed attention. A couple of driveways needed to be marked for future snow events but mostly everything went smoothlyyyy and roads were cleared.

Solicitors Reports:

Solicitor Montella presented the adoption of Resolution 1-21-A:

Resolution 1-21-A

A Resolution of the Borough of Chester Heights, appointing a Zoning Hearing 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 Board Member when a vacancy occurs on the Zoning Hearing Board: and
WHEREAS, Cynthia A. McNicholas, Esq, served with distinction on the Zoning Hearing Board for many years and resigned her position effective December 31st, 2020; and
WHEREAS, Council appoints, after thoughtful consideration, Natalie R. Young, Esq, a registered elector of the Borough holding no other elected or appointed office in the borough and who is not an employee of the borough; and
NOW, Therefore, Be It Resolved, this 4th day of January 2021 that Natalie R. Young, Esq, be and is hereby appointed to serve as a member of the Zoning Hearing Board, to fill the vacancy created by the resignation of Cynthia A. McNicholas, Esq effective December 31st, 2020 and shall serve in such appointed position until the portion of the unexpired term.

MOTION

Upon Motion, Council (Baum.Clarke) voted and unanimously approved the adoption of Resolution 1-21-A. A Resolution appointing Natalie R. Young, Esq., on January 4th, 2021 to fill the vacancy created by the resignation of Cynthia A. McNicholas, Esq effective December 31st, 2020 and shall serve in such appointed position until the portion of the unexpired term.

Solicitor Montella presented the Addendum to Lease Agreement requesting a Motion:

Addendum

This Agreement, is made this 4th day of January 2021, by and between the Borough of Chester Heights, a Municipal Corporation organized and existing under the laws of the Commonwealth of Pennsylvania, (hereinafter called the "Tenant"), and Chester Heights Fire Company No. 7, a Pennsylvania non-profit organization, (hereinafter called the "Landlord").

WHEREAS, the Landlord and Tenant executed a lease agreement wherein the Tenant leased certain office space from Landlord for a term of five (5) years beginning February 1, 2017; and
WHEREAS, the lease agreement was fully executed in 2017; and

WHEREAS, the term of said lease was intended to terminate five years from February 1st, 2017 or at 11:59 pm on February 1st, 2022; and

WHEREAS, the ending lease date in Paragraph 1 is incorrectly identified as February 1st, 2021; and
WHEREAS, both Landlord and Tenant agree the lease ends at 11:59 pm on February 1st, 2022 which is a five (5) year term; and

NOW, therefore, the parties mutually agree:

The lease agreement executed between the parties, attached hereto, ends at 11:59 pm on February 1st, 2022 and Paragraph 1 TERM is hereby amended as described herein.

MOTION

Upon Motion, Council (Baum.Anderson) voted and unanimously approved the Addendum to the Lease Agreement. The term of said lease was intended to terminate five (5) years from February 1st, 2017 or at 11:59 pm on February 1st, 2022.

Solicitor Montella presented the adoption of Resolution 1-21-B:

Resolution 1-21-B

A Resolution approving the Final 2 Lot reverse subdivision/subdivision application (lot line change) of Rose Hill Developers, LP and Carol J. Fager for the property located on the northeast corner of Lenni And Llewelyn Roads, Borough of Chester Heights, subject to conditions.

WHEREAS, the purpose of said Plan is to subdivide off a small parcel of the larger Rose Hill School Tract, and to consolidate the subdivided parcel identified on the Plan as Lot 1 with the property formerly known as the William and Carol Fager Property located along the northeasterly side of the Rose Hill Tract which is shown as Parcel A on the Plan; and

WHEREAS, the Borough Engineer reviewed the revised Final Reverse Subdivision/Subdivision Plan for Rose Hill Developers L.P. and issued a second review letter which is dated November 20th, 2020, which indicated that the comments contained in his previous review letter have been satisfactorily addressed and that the four concrete survey monuments outlining the new perimeter of the "Fager" lot have been set and recommended that Borough Council can take action on the Minor Subdivision/Reverse Subdivision Application conditioned on the plans not being released for recording until 1) the portion of the existing driveway on the conveyance parcel is removed; and 2) the two buffer trees located on the conveyed Parcel are planted; and

WHEREAS, said revised plans were further revised slightly on December 8th, 2020 and found to be satisfactory by the Borough Engineer.

NOW, Therefore, Be It Resolved, the Applicant, Rose Hill Developer's LP's, revised Final Reverse Subdivision/Subdivision Plan dated September 24th, 2020, last revised December 28th, 2020, is hereby APPROVED as a final subdivision and reverse subdivision plan, subject to confirmation by the Borough Engineer that the conditions set forth in his November 20th, 2020 Review Letter have been satisfied, all of which has been agreed to by the Applicant and by Carol Fager.

MOTION

Upon Motion, Council (Lim.Anderson) voted and unanimously adopted Resolution 1-21-B.

A Resolution, the Applicant, Rose Hill Developer's LP's, revised Final Reverse Subdivision/Subdivision Plan last revised December 28th, 2020, is hereby APPROVED as a final subdivision and reverse subdivision plan, subject to confirmation by the Borough Engineer that the conditions set forth in his November 20th, 2020 review Letter have been satisfied, all of which has been agreed to by the Applicant and by Carol Fager.

Engineer Reports: Engineer Houtmann presented 446 Lenni Developers L.P., Escrow Release Request #3:

Replace Topsoil	Qty 900.00	Cost 3.16	Subtotal \$2,844.00
Recharge Beds	Qty 1.00	Cost 5,000.00	Subtotal \$5,000.00
Timer Guide Rail	Qty 198.00	Cost 252.16	Subtotal \$49,927.68
Convert Basin to Perm. Use	Qty 1.00	Cost 12,000.00	Subtotal \$12,000.00
Retainage			Subtotal \$ 7,297.42

Total \$69,771.68
Escrow Amount Remaining \$140,397.43

President Baum requested a Motion for Escrow Release #3, 446 Lenni Developers L.P., in the amount of \$69,771.68.

MOTION

Upon Motion, Council (Clarke.Adams) voted and unanimously approved the Escrow Release #3, 446 Lenni Developers, L.P., for the amount of \$69,771.68.

Engineer Houtmann updated Council on the reimbursement for the repaving on Ivy Lane. Concord Township is requesting proof of payment along with their portion of expense.

Engineer Houtmann reported on the sink hole issue at the Maddison Apt. inlet:
Engineer Houtmann contacted PennDOT office through email to address the issue of the sink hole in front of Maddison Apts. Engineer Houtmann received a letter from PennDOT stating the Borough is responsible for all underground stormwater issues on state roads.
Engineer Houtmann said he knows the information for cities to be true, and will need to research the State code for an answer. This will mean the Borough would be responsible for underground stormwater repairs for all state roads with the Borough boundaries. Solicitor Montella was asked to assist and research the issue.

Mayor's Report: No Report

Committee Reports:

School District – Education – Training – Library –

Chair Susan Clarke, Members Ellis, Firkser

Greg Chestnut reported on the County reassessments: Appeals for the reassessment has been extended for everyone through January 2021.

Mary Kay Beirne reported: Garnet Valley school district students have returned to hybrid learning.

Finance – Insurance –

Chair Mayor Wood, Members Lim, Timmins

Mayor Wood reported: A budget vs actual for 2020 will be submitted at the Work Session Meeting.

Sub-Committee – Fire Company Finance –

Chair Dave Firkser, Member Baum

Councilman Firkser presented the 2020 Chester Heights Fire Company No.1 – Year End Report
Prepared by Fire Company Chief Sam Iannucci:

Total Calls 276

71 automatic fire alarms, 56 building responses, 55 medical assists, 39 auto accidents, 14 water rescues, 11 wires, 8 CO alarms, 7 gas leak, 4 cover assignments, 4 vehicle fires – elevator rescues, 2 brush fires – Investigations – service calls

148 calls in 71 – Chester Heights, 81 calls to 59 – Concord Villa, 12 calls to 64 – Thornbury, 13 calls to 46 Middletown, 11 calls to 17 – Aston, 4 calls to 66 – Bethel, 3 calls to 45 – Parkside cover up, 1 call to Upper Chi, 1 call to CC25 – Chester County cover up

Additional Information: 47 weekly training nights, recognition as a “Participating Department” from the State of PA and the NFPA with 95% of membership certified as National Firefighter 1. 75% as National Firefighter 2, 2 members attended Swift Water Rescue Operations, 8 members attended Pump Operations 1, 6 members attended Pump Operations 2, 4 members attended Aerial Operations, 14 water rescues Made, 10 working fires, 8 extractions from vehicles.

Awarded 3 grants:

- PEMA \$14,248 Debit reduction grant
- FEMA \$25,000 Commercial Gear washer and dryer
- ERG \$20,500 Gas meters, hoods and fill station

COVID Vaccine

- 9 active members received first dose, last week of December
- 3 more will be vaccinated when they become available

Nominating Vacancy –

Chair Dave Firkser

Councilman Firkser reported several qualified applicants sent letters of interest to the Borough for the Library vacancy. A decision will be made and announced at the Work Session Meeting on January 25th, 2021.

Communications – Public Relations – No Report

Chair Ginamarie Ellis, Member Lim

Mayor’s Event Committee – No Report

Chair Mayor Wood, Members Anderson, Ellis

Historical Committee – No Report

Chair Sue Timmins, Member Firkser

Planning – Zoning – No Report

Chair Susan Clarke, Members Baum, Firkser

Engineering – Construction – Inspections – No Report

Chair Susan Clarke, Members Baum, Firkser

Ordinance – Code Review –

Chair Susan Clarke, Members Baum, Firkser

Councilwoman Clarke, announced the review of Chapter 61 will be moved to the Work Session Meeting on January 25th, 2021.

Public Safety – Environmental – No Report

Chair Drew Baum, Member Firkser

Public Safety – Borough Police Protection – No Report

Chair Drew Baum, Members John Ryan, Jack Higgins, Rich Wood Jr., Philip Block

Borough Property – Parks Open Space –

Chair Drew Baum, Members Lim, Wood

Pro Tem Lim updated Council on the property markers at the Community Park, they have been installed. The playground equipment was ordered and will be looking forward for the installation.

Highways – Transportation –

Chair Dave Firkser, Member Larry Ward

Councilman Firkser reported potholes were fixed by PennDOT over the last month.

Also, inquiry about the speed signs being installed. Engineer Houtmann will supply a couple of areas of suggestion for installation of speed poles so the project can move forward.

Public Utilities – Trash – Recycling – No Report

Chair Laura M. Lim, Members Anderson, Ellis

Old Business:

Councilwoman Clarke inquired about the updates for the sewer map. President Baum addressed Council that he had been in contact with Alt Engineer Ciocco and had supplied him with more revisions.

Pro Tem Lim addressed the delayed mailed checks from December 8th, 2020 have been reissued and ready for pickup within the next couple of days for anyone that wanted to pick up their check.

The original checks are expected to be delivered by mail, the delay has been a 1 - month delay, please sign return to sender or drop off the original at the Borough office. The office will need all duplicates for auditing purposes.

New Business:

No Report

Additional period for public comment given by:

Sam Iannucci – 222 Llewelyn Road – Fire Company President

Marta Driscoll – 458A Lenni Road

ADJOURNMENT:

Upon Motion, Council (Lim.Adams) unanimously voted to adjourn meeting at 7:47 p.m.

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

Respectfully Submitted,
Darlene Kurten
Recording Secretary