



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

**EXECUTIVE SESSION 6pm
PUBLIC MEETING 7pm**

Call to Order President Baum called the public meeting to order at 7:04 pm and led those in attendance in the reciting of the Pledge of Allegiance.

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

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

Executive Session President Baum announced in accordance with Act 84 - the Sunshine Law, that Council met in Executive Session from 6:00pm-6:56pm to discuss potential litigation related to a Zoning Hearing Application by owner of 19 Smithbridge before the Zoning Hearing Board and matters of Real Estate for 53 W Baltimore Pike Office lease.

No motion was made after executive session.

Public Comment:
No comments

Approval of October Meeting Minutes

October 3, 2022, Regular Council Meeting Minutes

MOTION Upon Motion, Council (Lim, Sacks) voted and unanimously approved the October 3, 2022, Regular Council Meeting Minutes.

October 24, 2022, Work Session Meeting Minutes

MOTION Upon Motion, Council (Sacks, Adams) voted and unanimously approved the October 24, 2022, Work Session Meeting Minutes.

Approval of General Fund, Liquid Fuels, and Fire Protection Fund October 4, 2022 – November 7, 2022

Cash Disbursements

General Fund \$ 109,878.15

MOTION Upon Motion, Council (Baum, Anderson) voted and approved cash disbursements in the amount of \$109,878.15 for the General Fund. Councilmember Driscoll opposed.

Councilmember discussion on Committee expenses.

Liquid Fuels Fund \$1508.34

MOTION Upon Motion, Council (Baum, Adams) voted and unanimously approved cash disbursements in the amount of \$1508.34 for the Liquid Fuels Fund.

Fire Protection Fund \$765.18

MOTION Upon Motion, Council (Baum, Clarke) voted and unanimously approved cash disbursements in the amount of \$765.18 for the Fire Protection Fund.

No ARPA Funds were dispersed.

Correspondence

Mayor Ellis read the September and October PA State Police reports. Reports on file. Voting location is now on the first floor of 53 W Baltimore Pike. Mayor Ellis posted election signage identifying the new location.

Inspector's Reports

Road Master/EMC –

Road Master Ward completed routine matters and PA 1 calls. Working with PennDOT and Verizon on Llewelyn and Valleybrook.

Fire Marshal report on file. A Land Development Plan was submitted for 8 Smithbridge which was not approved by Fire Marshal.

Building Inspector/Zoning

No report

Sewage Enforcement

No report

Solicitor's Report

RATIFY MOTIONS from the October 24, 2022 Work Session

RATIFY MOTION Upon Motion, Council (Baum, Adams) voted and ratified the Motion to adopt Ordinance 215, Amendment to Borough Code Chapter 26 Planning Commission Section 26-2, to remove nine (9) members from text and substitute with seven (7) members.

RATIFY MOTION Upon Motion, Council (Baum, Sacks) voted and ratified the Motion for Approval of the September 19, 2022, Work Session Meeting Minutes with requested revision.

RATIFY MOTION Upon Motion, Council (Lim, Baum) voted and ratified the motion to approve Resolution 10-22-E establishing contribution CBIZ InR Plan by Resolution No. 10-22-B and will match the eligible full-time employee's contributions to the Borough's 401a and 457(b) plan, to a maximum of 3% of base salary.

RATIFY MOTION Upon Motion, Council (Baum, Anderson) voted and ratified the motion to authorize Solicitor to draft an Ordinance to amend the Fire Services Appropriation Tax and advertise as required.

A Public Hearing for the Fire Services Tax is scheduled for November 21, 2022, and advertised as required on November 1, 2022, November 6, 2022, and November 13, 2022. Solicitor provided an attested copy of the proposed Ordinance to the Delaware County Law Library.

RATIFY MOTION Upon Motion, Council (Baum, Lim) voted and ratified the motion to authorize Solicitor to advertise the Fire Service Appropriations Tax millage and to advertise a Public Hearing. Ordinance 216 will state 0.28 mils on each dollar of assessed valuation or the sum of \$0.28 on each \$1,000 of assessed value.

Solicitor Montella reported a request to amend the Rose Hill Storm Water agreement because Lot A (348 Lenni Road) lot is not part of HOA. Homeowner informed of and is responsible for long term permanent maintenance. The property is tied-in to sewer.

MOTION Upon Motion, Council (Baum, Adams) voted and unanimously approved to amend the Storm Water Management Agreement for Rose Hill, Lot A whereas the homeowner is not part of an HOA and homeowner is responsible for long-term permanent maintenance.

Chester Heights Business Privilege Tax is drafted. Ordinance states every person engaging in a business, trade, occupation, or profession in the Borough who maintains a place of business therein with over \$12,000 of gross receipts shall pay an annual business privilege tax for the tax year beginning January 1, 2023, and each year thereafter, the sum of Two Hundred Dollars (\$200.00).

Councilmember Clarke stated this would be the 6th Ordinance of the year for the Borough.

MOTION Upon Motion, Council (Baum, Lim) voted and gave approval for Solicitor to publish notice and schedule a Public Hearing on December 19, 2022, for the Business Privilege Tax. Councilmember Driscoll opposed.

Introduce the Resolution for Act 57: A Resolution and application form which allows a tax collector to waive additional charges for real estate taxes upon application by a taxpayer. Act 57 of 2022, amending the Local Tax Collection Law ("Act 57"), was signed by the Governor Wolf on July 11, 2022.

MOTION Upon Motion, Council (Lim, Baum) voted to approve Resolution 11-22-A for Act 57 of 2022 amending the Local Tax Collection Law.

MOTION Upon Motion, Council (Sacks, Adams) voted to approve Resolution 11-22-B to approve a lease agreement between the Borough of Chester Heights and National America, LLC to lease office space for the Borough for a five-year term beginning on or about January 1, 2023.

Solicitor Montella opened and read the winter service bid. MOR Construction was the sole bid. Their rate is \$170/ton of salt and \$170/hour. MOR was the provider one year ago.

MOTION Upon Motion, Council (Adams, Lim) voted for the approval for expenditures of \$1957.76 for change in polling location signage and notifications mailed.

Engineer's Report

- Valleybrook Road culvert update, delivery of storm sewer pipe materials is set for this month. Detour details will be coordinated with the Borough.
- Brookefield repair on storm drain manifold was completed. The developer is progressing on list of outstanding items. President Baum inquired about the 18-month developer's agreement.
- Charles A Higgins & Sons, Inc was notified to install the No U Turn Sign on Route 1 and Walnut Hill Boulevard. Mr. Houtmann requested other signage as well.
- Stormwater is being held off until Valleybrook Road is done so there aren't two detours
- 8 Smithbridge Land Development in review

- Anticipate a formal application from Westlake Plastics Land Development

Mayor's Report

Mayor Ellis presented a notice to Council that she will be performing marriage ceremonies in her duties as Mayor.

Committee Reports

School District/Education/Training/Library

Chair Marta Driscoll, Members Clarke, Miller, Chestnut

Ms. Miller gave the Kohl library report. The library is analyzing a survey that was distributed to surrounding townships. State Aid received and an audit was done. Application was submitted for Keystone Grant of \$250,000 for an expansion to the library for a new proposed children's area in the area that was a municipal office. A sale of children's books is scheduled for November 19th from 10am-3pm.

Ms. Schiller gave a school district update on bus cameras. 124 citations submitted in September out of 156 possible violations. 15 citations in October currently. School District sent out a calendar survey for input for the 2024-2025 school year. There will be no school November 8th, 2022, for Election Day. November 9th GVSD is offering a Realities of Parenting workshop.

Council discussion of bus safety and signage for intersections that all traffic must stop for active bus stop.

Finance/Insurance

Chair Laura M. Lim, Members Anderson, Timmins

Chair Drew Baum, Member Lim

Preliminary Budgets

2023 General Fund Preliminary Budget

The assessment from the County is due to be available mid-November or December. This budget is based off last year's assessment of \$500,896,570 of which \$105,069 is Real Estate Property Taxes. The millage remains 0.20058. No increase is projected. A Business Privilege Tax will be proposed in December. Proposed Grants were discussed. The budget will be posted on November 14-24, 2023, for public review. Permit fees will be adjusted for 2023.

2023 Fire Protection Fund Preliminary Budget

A proposed new millage rate of 0.28 was discussed.

2023 Liquid Fuels Preliminary Budget

Preliminary Annual Allotment is 59,834.45 plus \$15,000 prior year carryover.

2023 ARPA Preliminary Budget

ARPA funds allocated by 2024, funds spent by 2026. ARPA balance is \$217,240.00.

2023 budget timelines:

11/14/22-11/24/22: Preliminary Budget available for Public to view

12/5/22 Regular Council: Budget Hearing for Consideration of Adoption of Final Budgets and Adoption of 2023 Tax Levy.

MOTION Upon Motion, Council (Baum, Sacks) voted to adopt the preliminary budgets with the edits discussed.

Councilmember Driscoll opposed.

MOTION Upon Motion, Council (Baum, Anderson) voted and unanimously approved the advertising of the 4

preliminary budgets November 14-24, 2022.

MOTION Upon Motion, Council (Baum, Sacks) voted and unanimously approved the Budget public hearing to occur on December 5, 2022.

Nominating Vacancy

Chair Bob Adams, Member Baum

No letters of interest received for zoning hearing board alternate vacancy.

Communications/Public Relations

Chair Ginamarie Ellis, Members Lim, Sacks

No report

Mayor's Event Committee

Chair Ginamarie Ellis, Members Anderson, Sacks

No report

Historical Committee

Chair Susan Timmins, Members Anderson, Ieradi, Searl

Sue Timmins updated a 2023 budget line for Hometown Heroes signage.

Planning/Zoning

Chair Susan Clarke, Members Adams, Baum

Planning Commission meeting October 27, 2022, discussed 8 Smithbridge Land Development review and Westlake Plastics. Council discussion on requesting Planning Commission Agendas before meetings.

Comprehensive Planning Committee meets November 14, 2022 at 6:30pm.

Engineering/Construction/Inspections

Chair Susan Clarke, Members Adams, Baum

No report

Ordinance/Code Review

Chair Susan Clarke, Members Baum, Driscoll, Ellis

An Ordinance Committee meeting will be scheduled in future with Engineer, Solicitor, and Building Inspector, to review proposed Accessory Structure 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

Continued progress with No U Turn sign. Update to Smithbridge/Verizon manhole and Route 1 manhole.

Public Utilities/Trash/Recycling

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

Councilmember Lim updated that sewage grants are being initiated with Mike Ciocco, SEO.

Old Business

MOTION Upon Motion, Council (Driscoll, Sacks) voted and unanimously approved the Council Meeting Dates for 2023.

MOTION Upon Motion, Council (Clarke, Adams) voted and unanimously approved the advertising of the Council Meeting Dates for 2023.

President Baum will sign the CBiz documents which initiates the 401a/457 Plan.

New Business

MOTION Upon Motion, Council (Baum, Sacks) voted and approved the Solicitor to present 90-day early termination notice to the fire company related to present lease. Councilmember Driscoll opposed.

Additional period for Public Comment

Larry Ward – Roadmaster – Light at Stoneybank and Route 1 has been modified with turning lane signals.

Next Work Session – November 21, 2022

Next Regular Council Meeting – December 5, 2022

ADJOURNMENT: Upon Motion, Council (Lim, Sacks) voted and unanimously approved to adjourn the meeting at 8:22pm.

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