

Minutes of the Regular Council ZOOM Meeting
Of the Borough of Chester Heights
222 Llewelyn Road
Chester Heights, PA 19017
October 5th, 2020

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
Ginamarie Ellis, Vice President
Natalie M. Anderson, Council
Susan Clarke, Council
Dave Firkser, Council
Laura M. Lim, Council
Fred Wood, Mayor

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

Public Comment – was given by: No Report

Approval of Minutes September 14th, 2020 Regular Council Meeting Minutes

MOTION Upon Motion, Council (Lim/Firkser) voted and unanimously approved the Regular Council Meeting Minutes from September 14th, 2020.

September 28th, 2020 Work Session Meeting Minutes

MOTION Upon Motion, Council (Ellis/Firkser) voted and unanimously approved the Work Session Meeting Minutes from September 28th, 2020.

Approval of Treasurer's Report for September 2020

Receipts

Greenways Trails Grant	\$ 100,000.00	Commonwealth of Pennsylvania
State Fire Relief	\$ 20,374.29	Commonwealth of Pennsylvania
August Remit	\$ 1,666.55	Treasurer of Delaware County
September Remit	\$ 707.11	Treasurer of Delaware County
September Collections	\$ 913.25	Maryann D Furlong, TC
Court Fines	\$ 50.00	District Court 32-2-38
LST Tax	\$ 12,261.76	Berkheimer
Darlington Square Esrow Close Out	\$ 3,857.50	PLGIT Applicants Escrow Acct

U&O Inspection	\$	90.00	7 Stonehave Cr
U&O Inspection	\$	90.00	186 Kingswood Ct
U&O Inspection	\$	90.00	65 Bayberry Ct
U&O Inspection	\$	90.00	4109 Lydia Hollow Dr
U&O Inspection	\$	90.00	164 Bishops Dr
U&O Inspection	\$	90.00	2 Ashley Ct
U&O Inspection	\$	90.00	102 Briarcliff Ct
U&O Inspection	\$	90.00	7 Stonehaven Cr
Bldg/Plmg/HVAC/Elec Permit	\$	3,796.00	Lot #6 Miller Way
HVAC Permit	\$	155.00	176 Kingswood Ct
Plmg Permit	\$	80.00	81 Bayberry Ct
Land Dev Application Fee	\$	400.00	Rose Hill
Reimburse Eng Invoice	\$	515.00	240 Wawa Rd
Fire Hydrant Reimburse	\$	72.60	The Summit
Fire Hydrant Reimburse	\$	181.50	Brookefield
Fire Hydrant Reimburse	\$	181.50	Madison
Fire Hydrant Reimburse	\$	399.30	Darlington Woods
TOTAL	\$	146,331.36	

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 09/30/20 @ 0.01%	\$	940,677.60	Source PLGIT GENERAL FUND
PLGIT I-Class 09/30/20 @ 0.10%	\$	305,098.15	PLGIT GENERAL FUND
Money Manager 09/30/20 @ 0.10%	\$	9,588.30	Santander #4079
Road Improv Fund 09/30/20 @ 0.10%	\$	109,417.56	Santander #4060
Total Funds in General Fund	\$	1,364,781.61	

PA Liquid Fuels Fund Balance

Checking Account 08/31/20 @ 0.04%	\$	111,791.42	PLGIT Acct #5116038
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Open Space Fund Balance

PLGIT/ I -Class 09/30/20 @ 0.10%	\$	12,232.96	PLGIT Acct #5116056
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Fire Protection Fund Balance

Fire Protect Fund Check 09/30/20	\$	12,961.03	BMTC Fire Protect Fund #9579
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Expenditures

September Rent	\$	1,500.00	Chester Heights Fire Company
State Fire Relief	\$	20,374.29	Chester Heights Fire Company

3rd Qtr Contribution	\$	7,500.00	Chester Heights Fire Company
3rd Qtr LST	\$	12,500.00	Chester Heights Fire Company
St. Thomas Flashers	\$	70.00	Charles A Higgins & Sons
Backup Battery TL/Vallybrk/Balt Pk	\$	5,131.32	Charles A Higgins & Sons
Office Cleaning	\$	160.00	Brenda Martin Cleaning Services
Monthly Storage Fee	\$	240.62	Mini U Storage
Various Bldg Permits	\$	2,900.69	Richard Jensen
3rd Qtr Stipend	\$	165.06	Richard Jensen
Aeration/Over Seeding	\$	1,145.00	Scott's Lawn Service
Clearing/Over Seeding Wood Line	\$	1,325.00	Scott's Lawn Service
Property Maintenance Invcs #35-40	\$	1,098.00	Scott's Lawn Service
Darlington Square Esrow Close Out	\$	3,857.50	PLGIT Applicants Escrow Acct
Redbellied Cooter habitat Assessment	\$	702.00	GHD Services Inc
Reimburse/240 Wawa	\$	515.00	Catania Engineering Assoc
General Services	\$	430.63	Catania Engineering Assoc
Sewer Mapping/Partial	\$	31.31	Catania Engineering Assoc
Zoning Hearing Solicitor	\$	1,276.00	Christopher G Furlong
Zoning Hearing Board Compensation	\$	25.00	H Fred Hamel
Zoning Hearing Board Compensation	\$	25.00	Glenn Mon
Zoning Hearing Board Compensation	\$	25.00	Cynthia Mc Nicholas, Esq.
Zoning Hearing Board Compensation	\$	25.00	Justin Buccilli
U&O Cert Forms	\$	208.00	The Country Press
Qtrly Trash Pickup	\$	87.00	Opdenaker Inc
General Matters	\$	986.00	Gerald C Montella, Esq.
Road Mst/EMC Compensation	\$	789.25	Larry Ward
Fire Marshal Compensation	\$	538.76	Michael Ciocco
3rd Qtr Stipend	\$	165.06	Michael Ciocco
Annual Membership	\$	175.00	NFPA
Office Supplies	\$	48.29	Office Basics
Recycling Day Paper Shredding	\$	330.00	J&K Trash
Recycling Day T Shirts	\$	588.24	Delightful Detail
Animal Control	\$	996.69	Brandywine Valley SPCA
Cloud Storage Annual Fee	\$	241.12	Idrive
Annual Contribution	\$	12,655.00	Rachael Kohl Library
Recording Sec	\$	2,645.80	Darlene Kurten
PECO TL	\$	35.77	PECO
PECO SL	\$	305.62	PECO
Phone/Office/Fire Marshal	\$	116.75	Windstream
Open Records Officer Compens	\$	508.54	Megan Killian
Monthly Fee	\$	45.00	Constant Contact
Office Expense	\$	56.17	Adobe
Meter Usage	\$	51.26	Graffen
Meter Usage	\$	34.38	Graffen
3rd Qtr Payroll	\$	26.96	PAUC

3rd Qtr Payroll	\$	1,379.76	PA Dept of Rev
941 Payroll	\$	3,617.74	EFTPS
Sec/Treas Compensation	\$	3,995.04	Susan Timmins
Copier/Scanner	\$	161.42	De Lage Landen
3 Hydrants@ \$42.25 per Hydrant	\$	81.82	Aqua Pennsylvania
47 Hydrants@ \$36.30 per Hydrant	\$	1,706.10	Chester Water Authority
Total Expenditures	\$	93,598.96	

PA Liquid Fuels Fund Expenditures

Total Expenditures

Fire Protect Fund Expenditures

Open Space Expenditures

MOTION

Upon Motion, Council (Lim/Ellis) voted and unanimously approved the Treasurer’s Report from September 2020.

Correspondence:

Vice President Ellis reported multiple correspondence through email was received and handled appropriately.

Inspector’s Reports

Building Inspector –No Report

Richard Jensen

Fire Marshal –

Mike Ciocco, Fire Marshal, Sam Iannucci President

Vice President Ellis presented the Fire Marshals report for Mike Ciocco –

- Any questions concerning the Smithbridge Road property were handled
- Wawa Corp. had an electronic key inventory performed, 1 key fob was missing and deactivated
- Wawa Campus had two fire alarms in the month of September due to outdate fire alarms, Fire Code states “replace smoke alarms 10 years or older”.
- National Fire Prevention Week always falls in the Month of October. The week of October 9th, 1871 marks the “Great Chicago Fire”. Afterwards President Calvin Coolidge proclaimed the first National Fire Prevention Week which has been observed every year October 9th falls within.
- This year’s theme is “Serve Up Fire Safety in the Kitchen”. Kitchen fires account for 44% of all home fires. Remember to “Cook with Care”.
- The Chester Heights Camp Meeting’s main fire access road has begun. The loop road is being widened to accommodate the fire trucks.

❖ **Due to technical interference/cyber hacking the audio for the meeting has been altered.** During Vice President Ellis’s presentation cyber hacking occurred at the 6 minute 20 second mark and lasted until 7 minute 57 second mark, and then also, at the 8 minute 55 second mark and lasted until the 9 minute 30 second mark. Due to the nature of the content it was removed from the audio recording taken on October 5th, 2020 Regular Council Meeting.

Sam Iannucci, President of the Fire Company presented the September 2020 report as follows: 16 alarms, 6 fire alarms, 3 medical, 2 auto accidents, 1 elevator rescue, and 1 CO alarm
Training for the month of September: included - 7 firemen took pump 1 & 2 training which took 32 hours of weekend time which shows the devotion of our volunteers. 2 firemen participated in water rescue training which was a 16-hour course. President Iannucci wanted to show some recognition and appreciation for the fire fighters acknowledging the various issues they address such as overdose, shootings, house fires and car accidents. President Iannucci is proud of the organization. The Fire Company did apply for the FEMA Water Rescue Grant but was not approved. They also applied for a mini FEMA Grant last year that the Fire Company was awarded. The grant is an \$18,000.00 washer and dryer grant, with a 5% match this greatly helps the Fire Company. When equipment (uniforms) get contaminated, it costs \$60.00 for each set to be thoroughly cleaned. Sunoco Energy Grant was awarded in the amount of \$20,500.00 for 3 gas detection meters, Nomex hoods and new air packs. Budget information will be forwarded to Councilman Firkser as soon as possible, and also schedule a meeting with the borough finance committee to discuss the fire tax and new mileage assessment. The borough's office lease expires in February 2021, Council should consider what they would like to do moving forward with a new lease or other options. Fire Company President Iannucci announced the arrival of the new fire truck, around October 17th, and invited Council to come out and see it. Sunoco will be presenting the Fire Company Grant on October 8th, 2020 at 7:00 PM held outside if anyone would like to come out.

Sewage Enforcement – No Report

EMC/Roadmaster –

Larry Ward

Roadmaster Ward reported the PA 1 calls were cleared and routine matters handled appropriately.

Zoning – No Report

Solicitor's Reports

Solicitor Montella requested a Motion to ratify the letter of support to the West Chester Borough Committee to re-establish rail service to West Chester and to participate in the Vision Partnership Program Grant to fund an economic impact study proposed by Econsult Solutions Inc.

MOTION

Upon Motion, Council (Baum/Firkser) voted and unanimously approved to ratify the Motion on September 28th, 2020 for the letter of support to the West Chester Borough Committee to re-establish rail service to West Chester to participate in the Vision Partnership Program Grant to fund an economic impact study proposed by Econsult Solutions Inc.

Solicitor Montella requested a Motion to ratify the authorization of, Specialist Solicitor Pete Rohana, Esq., and Engineer Matthew Houtmann, P.E. to attend the Zoning Hearing Board Meeting, on behalf of the Borough, which is scheduled on September 29th, 2020.

MOTION

Upon Motion, Council (Baum/Clarke) voted and unanimously approved to ratify the Motion in September 28th, 2020 to authorize Specialist Solicitor Pete Rohana, Esq., and Engineer Matthew Houtmann, P.E. to attend the Zoning Hearing Board Meeting on September 29th, 2020.

Solicitor Montella requested a Motion to ratify the rental agreement between Valleybrook HOA and the

Borough of Chester Heights to rent the Club House on September 29th, 2020 for the Zoning Hearing Board Meeting in the amount of \$1.00.

MOTION

Upon Motion, Council (Baum/Clarke) voted and unanimously approved to ratify the rental agreement between Valleybrook HOA and the Borough of Chester Heights to rent the Club House in September 29th, 2020 for the Zoning Hearing Board Meeting in the amount of \$1.00.

Solicitor Montella requested a Motion for a rental agreement between Valleybrook HOA and the Borough of Chester Heights to rent the Club House on October 14th, 2020 for the continued Zoning Hearing Board Meeting.

MOTION

Upon Motion, Council (Baum/Ellis) voted and unanimously approved the rental agreement between Valleybrook HOA and the Borough of Chester Heights to rent the Club House on October 14th, 2020 for the continued Zoning Hearing Board Meeting in the amount of \$1.00.

Solicitor Montella requested a Motion to ratify the adjustments made to the June and July 2020 Treasurer's Report made on September 28th, 2020 Work Session Meeting.

MOTION

Upon Motion, Council (Baum/Ellis) voted and unanimously approved to ratify the Motion made on September 28th, 2020 to adjust the June and July 2020 Treasurer's Report.

Solicitor Montella mentioned the parties for the Powell Estate may make another presentation to Council at the Work Session Meeting on October 26th, 2020.

Specialist Solicitor Rohana reported an update on land development – S.B. Conrad – 31 Smithbridge Rd. After submitting an application for land development Engineer Houtmann supplied a list of 46 improvements that need to be corrected. After multiple land development extensions and sewer issues S.B. Conrad submitted a withdraw letter to Specialist Solicitor Rohana requesting him to present to Council. Specialist Solicitor Rohana requested a Motion from Council allowing S.B. Conrad to withdraw the land development application submitted in 2018.

MOTION

Upon Motion, Council (Clarke/Ellis) voted and unanimously approved to withdraw the land application from S.B. Conrad – 31 Smithbridge Rd.

Specialist Solicitor Rohana reported on the Zoning Hearing Board car wash presentation: Main concerns expressed: Vacuum noise control, bright lighting, water run-off, and most importantly traffic volume safety by far seems to be the biggest concern at the high traffic area on Valleybrook Road. Applicants traffic study engineer's conclusion was the car wash would not produce an increase in traffic or cause major problems. It was reported to the ZHB that on an average day the car wash volume would be 400 customers and on a busy day 700 customers. Specialist Solicitor Rohana explained safety and traffic were the biggest concerns and Council could hire their own traffic study engineer to review the applicant's traffic study report.

Upon discussion with Engineer Houtmann, a suggestion was made to use Al Frederico. Mr. Frederico was contacted, who offered services at \$150.00 per hour plus any expenses incurred. The applicant has a contingent agreement of sale based on receiving a zoning approval.

President Baum requested a Motion from Council to retain a traffic study engineer to study report submitted by car wash applicant, and to also allow attendance at the next ZHB Meeting on October 14th, 2020, expenditure not to exceed the amount of \$1600.00.

MOTION

Upon Motion, Council (Ellis/Lim) voted and unanimously approved to retain a traffic study engineer to Study report submitted by car wash applicant, and to also attend the next ZHB Meeting on October 14th, 2020, expenditure not to exceed the amount of \$1600.00.

Engineer's Reports

President Baum presented the Wawa Inc. Red Roof Annex 5 – Escrow Release #1 Final

- a. Erosion Control \$ 81,695.00
- b. Storm Water Management \$192,163.00
- c. Storm Sewer \$181,769.00
- d. Sanitary Sewer Disposal \$583,215.00
- e. Retaining Walls \$538,700.00
- f. Site Lighting \$143,950.00
- g. Landscaping \$ 70,420.00
- h. Engineering \$ 14,200.00
- Contingency \$180,611.20

Total Amount of Funds Escrowed \$1,986,723.20

Amount of Escrow Release per this Request \$1,986,723.20

On behalf of Mike Ciocco, P.E., S.E.O., President Baum requested a Motion for Wawa Inc. Red Roof Annex 5 – Escrow Release #1 – FINAL in the amount of \$1,986,723.20.

MOTION

Upon Motion, Council (Firkser/Clarke) vote and approved the release of \$1,986.723.20 to Wawa Inc. Red Roof Annex 5 – Escrow Release #1 – FINAL.

Council: Baum Aye, Anderson Aye, Clarke Aye, Firkser Aye Lim Aye.

Council Ellis Abstained

Mayor's Reports

Mayor Wood thanked Councilwoman Lim on a successful Recycling Day event.

Committee Reports

School District/Education/Training/Library –

Chair Susan Clarke, Members Ellis, Firkser

Greg Chestnut reported the Garnet Valley School District is starting to allow special education students along with Kindergarten, First and Second grades come back into school for learning. Over the month of October the school district hopes to bring more kids back into school for class. The school district will continue to monitor health and safety information as they proceed.

Greg Chestnut reported that the Rachel Kohl Library did approve the installation of the ballot drop box on the property and that is has been installed but is not operational yet due to camera/video installation. Also, the library has sent a request for a donation increase for Council to consider. Mr. Chestnut explained that the COVID-19 pandemic has affected the library in many ways including hosting fund raisers, raffles, room rentals etc. Mr. Chestnut will ask Director Susan Sternberg to attend the next meeting to address the donation increase.

Finance/Insurance –

Chair Mayor Wood, Members Lim, Timmins

Mayor Wood presented the 3rd Quarter Budget vs. Actual will be available soon due to bank statements just being received. Full report will be ready by the Work Session Meeting October 26th, 2020.

- **Sub-Committee – Fire Company Finance – No Report**

Chair Dave Firkser, Member Drew Baum

Nominating Vacancy –

Chair Dave Firkser

President Baum announced the vacancy of Pro Tem and asked Council for a nomination to fill vacancy. Vice President Ellis nominated Councilwoman Laura M. Lim
President Baum requested a Motion to fill Council Pro Tem Vacancy with nominated Councilwoman Laura M. Lim.

MOTION

Upon Motion, Council (Ellis Aye, Baum Aye, Anderson Aye, Clarke Aye, Firkser Aye)
Councilwoman Laura M. Lim was voted and unanimously approved to fill Council Pro Tem Vacancy.

Communications/Public Relations –

Chair Ginamarie Ellis, Member Lim

Vice President Ellis reported the Newsletter for 2020 Fall/Winter – Anniversary Issue had its final approval. The Newsletter is expected to be released in mid-October.
Also, Council Ellis and Lim have been researching information on the 2020 PECO Green Grant to Determine if the Borough can apply to use the funds for the walking trail project.

Mayor’s Event Committee –

Chair Mayor Wood, Members Ellis, Anderson

Mayor Wood reported that nothing is on the agenda for events and possibility for future ideals that meet health and safety concerns. One consideration is a drive-in movie night for an upcoming event.
Vice President Ellis also requested Council to add to the Work Session agenda, the possibilities of hosting lunch with Santa, the toy and coat drive, due to health and safety restrictions.

Historical Committee –

Chair Sue Timmins, Member Firkser

Secretary Timmins advised the committee needed to meet to discuss some upcoming projects, more information to come later.

Planning/Zoning –No Report

Chair Susan Clarke, Members Baum, Firkser

Engineering/Construction/Inspections – No Report

Chair Susan Clarke, Member Anderson

Ordinance/Code Review –

Chair Susan Clarke, Members Baum, Firkser

Councilwoman Clarke gave an update on the outdated Code and requested the help of Engineer Houtmann, Solicitor Montella and Building Inspector Richard Jensen with the knowledge that they have for what needs attention so Councilwoman Clarke can make corrections as necessary.

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 reported on the Community Park, the issue with the tree limb that was to be removed by Springfield Tree Service, but was not removed to date. Upon arrival of Springfield Tree Service to remove limb the issue is worse. The tree in question now poses a safety issue due to the large splitting in the tree and it needs to be corrected. Pro Tem Lim requested a Motion to pay Springfield Tree Service \$1,500.00 to remove tree and grind the stump.

MOTION

Upon Motion, Council (Baum/Firkser) voted and unanimously approved the removal of the Community Park tree and grind stump by Springfield Tree Service for the amount of \$1,500.00.

Pro Tem Lim requested a Motion to vacate a previous Motion approving to remove the tree limb at the Community Park. By Springfield Tree Service for \$650.00.

MOTION

Upon Motion, Council (Baum/Anderson) voted and unanimously approved to vacate previous Motion for Springfield Tree Service to remove tree limb at the Community Park for the amount of \$650.00
Pro Tem Lim gave an update post Recycling Day: 226 cars participated, 203 tons of shredding, 7,199 pounds of electronics and Greendrop received 250 bags (largest amount received). Thank you to everyone who volunteered the day was a great success.

Pro Tem Lim had sent out information on the Borough's Animal Control Services for review. Pro Tem Lim advised the Borough may be able to reduce the Borough's cost by terminating the current contract and using another provider. The termination fee from BVSPCA to cancel the contract as of October 31st. 2020 is \$5,064.70. New services through A. Strickler & D&D Animal Control will need to be coordinated through Solicitor Montella to secure a new contract.

Highways/Transportation –

Chair Dave Firkser, Member Larry Ward

Councilman Firkser has received the Fire Company budget requests for review.

Public Utilities/Trash/Recycle –

Chair Laura M. Lim, Members Anderson, Ellis

President Baum gave an update on the recycling bin at the Post Office. Opdenaker will now go into the Post Office to empty recycling bin any reviews or updates are as needed.

Old Business

Councilwoman Clarke inquired about any updates on the sewer map. President Baum addressed Council that he has spoken to Mike Ciocco, P.E., S.E.O. and requested that Council send any issues, concerns or additional information needed be emailed so that all corrections can be made.

New Business

President Baum commented on Larry Ward's additional responsibilities and services with the Borough due to the COVID – 19 restrictions. President Baum and Larry Ward discussed the increase in duties. Mr. Ward agreed on a salary increase of an additional \$200.00 per month starting in March 2020 through December 2020.

Mr. Ward and agreed on a salary increase of an additional \$200.00 per month. President Baum requested a Motion to approve Larry Wards salary increase of \$200.00 per month starting in March 2020 through December 2020.

MOTION

Upon Motion, Council (Lim/Firkser) voted and approved unanimously to increase Larry Wards salary \$200.00 per month starting in March 2020 through December 2020.

Pro Tem Lim presented the PECO Greenway Grant proposal and application being handled with Vice President Ellis. This grant matches up to \$10,000.00 and to complete the application Pro Tem Lim needs to request a Motion for Councils approval. The grant covers open spaces expenses such as planning, labor and consultant fees for constructing walkways and trails, playgrounds, children entertainment areas, environmental assessments among other things.

MOTION

Upon Motion, Council (Baum/Ellis) voted and approved unanimously to match the PECO Greenways Grant for open space in the amount of up \$10,000.00.

Additional period for public comment – given by:

Gary Koerner

Vice President, Camp Meeting Association

ADJOURNMENT

Upon Motion, (Ellis/Firkser) unanimously voted to adjourn meeting at 8:26 p.m.

Land Development Dates: S.B. Conrad – 31 Smithbridge Rd – Submitted Plans 12/18/18, Reviewed Planning Commission 10/25/19, Extension 01/14/20, Extension 04/14/20, Extension 07/13/20, Extension 10/11/20.

Respectfully Submitted,

Darlene Kurten

Recording Secretary