

**Minutes of the Work Session ZOOM Meeting
Of the Borough of Chester Heights
222 Llewelyn Road
Chester Heights, PA 19017
November 23rd, 2020**

Call to Order President Baum called the public meeting to order at 7:01 p.m. and led those in attendance in the reciting of the Pledge of Allegiance.

Members Present Drew Baum, President
Ginamarie Ellis Vice President
Laura M. Lim, Pro Tem
Susan Clarke, Council
Fred Wood, Mayor

Officials Present Gerald C. Montella, Esq., Solicitor
Pete Rohana, Esq., Alt Solicitor

Public Comment – was given by: None Given

Zoning Hearing Meeting Update for 725 Darlington Road: Solicitor Pete Rohana, Esq. reported:

The ZHB held a meeting on November 17th, 2020. The applicant wants, to house 13 disabled elderly residents, who require little supervision. The property at 725 Darlington Road includes what is called the “main house” and two cottages to be used for the proposed use which is currently being used as a bed and breakfast. At the meeting there was testimony from Glenn Mon, current owner of the property, one of the applicants Ms. Perry, and expert witness attorney who testified about the federal fair housing amendment act. The applicant’s position is the residents are classified as disabled and the housing of these individuals falls under the federal fair housing amendment act which protect homes purchased and used for these purposes and operate in this manner. The question/conflict with what was proposed is the borough’s ordinance describes what is considered to be a family with 2 unrelated persons, what was proposed was 13 persons. Many questions still need to be answered, with respect to the residents in the area. The next ZHB Meeting will be held on December 15th, 2020. Solicitor Rohana requested Zoning/Building Inspector Richard Jensen to review questions concerning water, sewer and fire access issues in case improvements/updates are needed to move forward. President Baum requested Solicitor Rohana to appear at the next ZHB Meeting for 725 Darlington Road on December 15th, 2020. Solicitor Montella thanked Solicitor Rohana for substituting for him on the day of the hearing.

Snow Removal Bid – Presented by Solicitor Montella:

Bid received from MOR Construction Services, Inc., 139 Schoolhouse Ln, Glen Mills PA 19342.
Price per Ton of salt: \$120.00 Rate per Hour: \$120.00
Company meets Liability Insurance requirements: Light House Commercial Insurance, Inc.
\$1,000,000.00 for each occurrence, with Chester Heights Borough elected officials and employees named as an additional insured properties. All documents were received per bid specifications. All information received was compared to previous year(s) and is comparable to last year.

Solicitor Montella requested a Motion to approve MOR Construction Services, Inc. the 2020/2021 - 1 (one) Year contract starting on December 7th, 2020 through April 30th, 2021, to remove snow and ice in accordance with the snow and ice removal specifications. Price per Ton of Salt: \$120.00, Rate per Hour: \$120.00.

MOTION

Upon Motion, Council (Baum/Clarke) voted and unanimously approved to award MOR Construction Services, Inc. the 2020/2021 Snow removal bid for 1 (one) Year starting on December 7th, 2020 Through April 30th, 2021, to remove snow and ice in accordance with the snow and ice removal specifications. Price per Ton of Salt \$120.00, Rate per Hour: \$120.00.

Solicitor Montella requested a Motion to prepare the contract for the 2020/2021 Snow Removal to MOR Construction Services, Inc., 1 (one) Year contract starting on December 7th, 2020 through April 30th, 2020. A contract to remove snow and ice in accordance with the snow and ice removal specifications. Price per Ton of Salt: \$120.00, Rate per Hour: \$120.00.

MOTION

Upon Motion, Council (Baum/Clarke) voted and unanimously approved to allow Solicitor Montella to prepare and execute the contract for the 2020/2021 Snow Removal to MOR Construction Services, Inc. 1 (one) Year contract starting on December 7th, 2020 through April 30th, 2021, to remove snow and ice in accordance with the snow and ice removal specifications. Price per Ton of Salt: \$120.00, Rate per Hour: \$120.00.

Stray Dog Agreement – Presented by Solicitor Montella:

Solicitor Montella presented a new agreement with Allen R. Strickler for Stray Dog(s) for the Chester Heights Borough and requested a Motion to approve terms of the 1 (one) Year Agreement. Start date January 1st, 2021 through December 31st, 2021. The contract would begin as the BVSPCA expires.

Fees:

Weekday Fees: Monday through Friday, 8am to 4pm, \$75.00 per animal. The fee includes stray dogs, sick or injured wildlife, livestock and any exotic animal(s). Also included will be any court time, animal complaints and animal bites.

Off Hours and/or Weekend and Holiday Fees: Monday through Friday, 4:01pm to 7:59am, \$125.00 per animal. The fee includes stray dogs, sick or injured wildlife, livestock and any exotic animals. Also included will be any court time, animal complaints and animal bites.

Weekday Trapping Fees: Monday through Friday, 8am through 4pm \$75.00 per animal. The fee includes stray dogs, sick or injured wildlife, livestock and any exotic animals. Also included will be any court time, animal complaints and animal bites. Includes pick-up and removal of animal based upon notification of animal in trap.

Off Hours and Weekend and Holiday Trapping Fees: Monday through Friday, 4:01pm through 7:59am, \$125.00 per animal. The fee includes stray dogs, sick or injured wildlife, livestock and any exotic animals. Also included will be any court time, animal complaints and animal bites. Includes pick-up and removal of animal based upon notification of animal in trap.

MOTION

Upon Motion, Council (Baum/Lim) voted and unanimously approved the 1 (one) Year Contract for Allen R. Strickler starting January 1st, 2021 through December 31st, 2021 for Animal Control.

President Baum requested a Motion to authorize Solicitor Montella to cancel the current Animal Control contract with Brandywine Valley SPCA, on December 31st, 2020, with a cancellation fee not to exceed \$6,000.00.

MOTION

Upon Motion, Council (Clarke/Ellis/Lim) voted and unanimously approved the cancellation of contract for Animal Control with Brandywine Valley SPCA, on December 31st, 2020, with a cancellation fee not to exceed \$6,000.00.

Zoning Hearing Board – Letter of Resignation – Presented by President Baum:

Fred Hamel, Chair of Zoning Hearing Board received a letter of resignation from Cynthia A. McNicholas. President Baum requested a Motion to accept the resignation letter from Cynthia A. McNicholas: President Baum thanked Cynthia McNicholas for her years of dedicated servive on the Zoning Hearing Board.

Also announced was the vacancy on the Zoning Hearing Board. All interested residents are encouraged To forward letters of interest, including resume to the Borough office. Allowing a two week period prior to the Regular Council Meeting on December 7th, 2020.

MOTION

Upon Motion, Council (Ellis/Clarke) voted and unanimously accepted the resignation letter from Cynthia A. McNicholas, Zoning Hearing Board.

Spotted Lantern Fly Update – Presented by Councilwoman Clarke:

Councilwoman Clarke hosted a visit from USDA on November 20th, 2020 from 9am through 12 noon. Two representatives from USDA attended, Nancy Artist and Peter. The goal of this meeting was to identify the “Trees of Heaven” which are the trees that host the Spotted Lantern Fly. By doing the research for the Borough area, this could help residents learn and treat these trees if they so choose to do so, but to also supply much needed information to residents to help inform them what their options can be. Councilwoman Clarke informed Council there are estimated 22 “Trees of Heaven” in the Borough and she had learned the best time to cut the tree down is in the summer because that is when they are at their weakest. Notification to residents will be determined after some property research is provided. The Community Park does not have any “Trees of Heaven”, Mayor Wood has a large property and is working with USDA and Natural Lands to clear trees of questionable health. Councilwoman Clarke contacted Jordan Goldberg, HOA President of Darlington Woods, they have 1 tree infected. Councilwoman Clarke and Councilman Firkser plan on notifying other residents where trees were found.

Proposed Budgets Update – Presented by Pro Tem Lim:

Pro Tem Lim informed Council the Budget Hearing Date of December 7th, 2020 is approaching. Due to Re-assessment appeals that are pending, the property tax and fire tax is still being determined. If anyone has any questions or concerns, please contact the Finance Committee.

Audit Proposals – Leitzell & Economidis, PC:

Chester Heights Fire Company 2019-2020 Audit Amount \$9,000.00
Chester Heights General Fund 2020 Audit Amount \$7,600.00
Chester Heights Tax Collector 2020 Audit Amount \$2,900.00

Pro Tem Lim requested a Motion to accept the engagement letters from Leitzell & Economidis for the Chester Heights Fire Company 2019-2020 Audit Amount \$9,000.00, the Chester Heights General Fund 2020 Audit Amount \$7,600.00 and the Chester Heights Tax Collector 2020 Audit Amount \$2,900.00.

MOTION

Upon Motion, Council (Baum/Ellis) voted and unanimously approved the engagement letters from Leitzell & Economidis, PC for the Chester Heights Fire Company 2019-2020 Audit Amount \$9,000.00, The Chester Heights General Fund 2020 Audit Amount \$7,600.00 and the Chester Heights Tax Collector 2020 Audit Amount \$2,900.00.

Powell Property Presentation – President Baum presented Joe Damico:

Mr. Damico represents the Powell Estate which is the owner of 62.54 acres of land with frontage on Valleybrook Road and Smithbridge Road.

For this presentation an exhibits list was emailed out and included:

Exhibit 1 – Tom Comitta Resume

Exhibit 2 – Aerial Photograph of the Property

Exhibit 3 – Sheet 1 of 3 Site Analysis

Exhibit 4 – Sheet 2 of 3 Sketch Plan

Exhibit 5 – Sheet 3 of 3 Sketch Plan and Aerial

Exhibit 6 – By-Rite Sketch Plan for 23 Single Family Dwellings

Exhibit 7 – Original Fiscal Impact Statement (of 52 Carriage Units) on Garnet Valley School District updated to include Appendix A for fiscal impact statement for by-rite plan for 23 single family dwellings

Exhibit 8 – Fiscal Impact Statement for 52 Carriage Units and 23 single family dwellings based on Garnet Valley School District 2019 enrollment study

Exhibit 9 – Photograph of three unit Carriage Houses (Traymore, Rose Valley Borough)

Exhibit 10 – Photograph of three unit Carriage Houses (Traymore, Rose Valley Borough)

Also available for this presentation were Glenn Powell (family), Thomas Comitta (land developer), and Jennifer Reitz (fiscal impact study).

Mr. Damico announced after interest over the Powell property was expressed the past few years the team prepared what is considered a reasonable development of the property but also preserving 70% of the as open space. 52 Carriage Houses to be built on 13.7 acres, 3.83 acres designated community open space, and 48.2 acres designated to the Borough of Chester Heights for open space. All plans and exhibits meet the PRD Ordinance requirements. Following the presentation Council addressed Mr.

Damico, Glenn Powell,

Thomas Comitta and Jennifer Reitz with all questions and concerns. President Baum asked Mr. Damico to return at a future meeting to allow additional questions and answers after Council and residents had an opportunity to review the documents. Mr. Damico was agreeable to the request.

Additional Period for Public Comment: Given By:

Greg Chestnut - 317 Willits Way

Beth McKinnon - 333 Willits Way

Bill Burke -299 Valleybrook Road

Tony Leradi

Old Business – No Report

New Business – No Report

ADJOURNMENT- **Upon Motion, Council (Ellis/Lim) unanimously voted to adjourn meeting at 8:23 p.m.**

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

Respectfully Submitted,
Darlene Kurten
Recording Secretary