

**Minutes of the Regular Council ZOOM Meeting  
Of the Borough of Chester Heights  
222 Llewellyn Road  
Chester Heights, PA 19017  
June 7, 2021**

**Call to Order** Vice President Ellis 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** Ginamarie Ellis, Vice President  
Laura M. Lim, Pro Tem  
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  
Richard Jensen, Building/Zoning Inspector  
Mike Ciocco, P.E., S.E.O., Alt Engineer  
Mike Ciocco, Fire Marshal

**Public Comment:**

Glenn Mon – 725 Darlington Road  
Walt Basher – 4 Bonnie Lane  
Marta Driscoll – 658 A Lenni Road

**Trooper Tobin May 2021 Report:**

Vehicle Crashes – 4 this year and last year, DUI Arrests - 0 this year and last year, Traffic Stops – 12 this year and 11 last year, Criminal Offence/Burglary – 0 this year and 1 last year, Property Crimes/Criminal Mischief – 1 this year and 0 last year, Theft Retail/Identity/Fraud 0 this year and last year.

Noteworthy incidents: The evening of May 7<sup>th</sup>, EMT, PSP responded to an overdose, NARCAN was administered prior to arrival, person was conscious upon arrival, no further treatment requested. May 11<sup>th</sup>, PSP responded to a criminal mischief report in Chester Heights at a business. Business vehicles were damaged, this incident is being investigated.

May 17<sup>th</sup>, PSP responded to downed cable wires, suspect was not identified. One vehicle damaged due to suspect bringing the wires down on top of the vehicle, suspect never stopped. Currently being investigated. Verizon responded to the call and removed wires and provided assistance with pole restoration. PSP are asking the public for any leads on the hit and run vehicle.

Communications – PA State Police celebrated their 116<sup>th</sup> Anniversary. During this celebration they honored fallen troopers. On May 2, 1905, with Governor Sam Pennypacker, PSP became the first uniformed agency in the United States. Also honored was fallen trooper Donald Bracket.

**Septic Abandonment- Michael J. Ciocco, P.E., S.E.O. –**

Engineer Ciocco reported he is working with borough officials on the verbiage/re-wording for updating the septic abandonment ordinance. Engineer Ciocco will bring a draft to Council for approval. Solicitor Montella will review all suggestions for this update.

**Approval of Meeting Minutes:**

**May 3, 2021, Regular Council Meeting Minutes**

**MOTION** Upon Motion, Council (Lim.Anderson) voted and unanimously approved the May 3, 2021, Regular Council Meeting Minutes.

**Approval of the May 2021 Treasurer Report**

<b><i>Receipts</i></b>		<b><i>Source</i></b>
Real Estate Transfer	\$ 18,266.83	Treasurer of Delaware County
1st Qtr Franchise Fee	\$ 9,026.22	Verizon
LST Tax	\$ 5,987.98	Berkheimer
U&O Inspection	\$ 90.00	120 Bishops Dr
U&O Inspection	\$ 90.00	79 Bayberry Ct
U&O Inspection	\$ 90.00	242 Windsor Ct
U&O Inspection	\$ 90.00	248 Windsor Ct
U&O Inspection	\$ 90.00	725 Darlington Rd
U&O Inspection	\$ 90.00	10 Ashley Ct
U&O Inspection	\$ 90.00	4305 Lydia Hollow Dr
U&O Inspection	\$ 90.00	1 Forge Hill Way
Electrical Permit	\$ 210.00	7 & 8 Miller Way
HVAC Permit	\$ 150.00	275 Stanton Ct
Land Dev Application Fee	\$ 1,000.00	Rose Hill
Zoning Hearing Application Fee	\$ 500.00	303 W Baltimore Pk
Fire Hydrant Reimburse	\$ 72.60	Summit
Fire Hydrant Reimburse	\$ 181.50	Madison
Fire Hydrant Reimburse	\$ 181.50	Brookefield
<b>TOTAL</b>	<b>\$ 36,296.63</b>	

***Fund Balances,***

***Certificates of Deposit Balance***

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

***General Fund Balance***

PLGIT GF 05/30/21 @ 0.01%	\$ 1,011,002.66	PLGIT General Fund
CH General Fund 05/30/21 @ 0.10%	\$ 305,192.84	Santander General Fund #5032

Money Manager 05/30/21 @ 0.10%	\$ 9,596.68	Santander #4079
Road Improv Fund 05/30/21 @ 0.10%	\$ 62,894.35	Santander #4060
Total Funds	\$ 1,388,686.53	

**PA Liquid Fuels Fund Balance**

Checking Account 05/30/21 @ 0.01%	\$ 109,075.29	PLGIT Acct #5116038
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**Open Space Fund Balance**

PLGIT/ I -Class 05/30/21 @ 0.02%	\$ 12,235.86	PLGIT Acct #5116056
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**Fire Protection Fund Balance**

Fire Protect Fund Check 05/30/21	\$ 81,777.92	BMTC Fire Protect Fund #9579
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**Expenditures**

June Rent	\$ 1,500.00	Chester Heights Fire Company
U&O Inspections	\$ 225.00	Chester Heights Fire Company
Office Cleaning	\$ 160.00	Brenda Martin Cleaning Services
Monthly Storage Fee	\$ 240.62	Mini U Storage
Various Bldg Permits	\$ 2,589.67	Richard Jensen
U&O Inspections	\$ 200.75	Richard Jensen
2nd Qtr Stipend	\$ 165.06	Richard Jensen
Council Compensation	\$ 223.04	Drew Baum
Council Compensation	\$ 223.04	Bob Adams
Council Compensation	\$ 223.04	Ginamarie Ellis
Council Compensation	\$ 223.04	Natalie Anderson
Council Compensation	\$ 223.04	Dave Firsker
Council Compensation	\$ 223.04	Susan Clarke
Council Compensation	\$ 223.04	Laura Lim
Mayor Compensation	\$ 223.04	Fred Wood
Zoning Officer Compensation	\$ 223.05	Richard Jensen
Tax Collector Compensation	\$ 6,962.53	Maryann D Furlong, TC
Movie Night Deposit	\$ 100.00	DJ Sound & Lighting
Consulting/Powell Property	\$ 1,814.85	Natural Lands Trust
Ivy Lane Sign Replacement	\$ 44.21	Garden State Highway Products
Property Maintenance Inv #57-64	\$ 1,636.00	Scott's Lawn Service
Spring Cleanup	\$ 230.00	Eva Manko
General Matters	\$ 234.00	Peter J Rohana, Jr
General Matters	\$ 117.00	Peter J Rohana, Jr
Post Office Recycling	\$ 50.00	Opdenaker
General Matters	\$ 1,131.00	Gerald C Montella, Esq.
Reimburse Rose Hill	29.00	Gerald C Montella, Esq.
Road Mst/EMC Compensation	\$ 843.68	Larry Ward
Fire Marshal Compensation	\$ 615.19	Michael Ciocco
1st Qtr Stipend	\$ 165.06	Michael Ciocco

Replace Damaged Signage Stoney Bank	\$	1,025.30	Charles A Higgins & Sons
Traffic Light Stoney Bank	\$	3,768.00	Charles A Higgins & Sons
Tax Collector Insurance			Arthur J Gallagher
Annual Rental Fee Box 658	\$	118.00	Chester Heights Post Office
Postage	\$	77.00	Chester Heights Post Office
Office Expense	\$	37.14	Office Basics
Recording Sec Compensation	\$	2,537.88	Darlene Kurten
Annual Membership	\$	100.00	CRC Watershed Assoc
PECO TL	\$	45.65	PECO
PECO SL	\$	554.52	PECO
Phone/Office/Fire Marshal	\$	116.81	Windstream
Open Records Officer Compensation	\$	508.89	Megan Killian
Office Expense	\$	45.00	Constant Contact
Office Expense	\$	56.17	Adobe
Meter Usage	\$	82.17	Graffen
Service Fee	\$	3.95	Official Payments
Webinar	\$	25.00	PSAB
PA Payroll	\$	486.95	PA Dept of Rev
941 Payroll	\$	3,867.42	EFTPS
Sec/Treas Compensation	\$	3,990.68	Susan Timmins
Dig Notification	\$	40.31	PA One Call
Copier/Scanner	\$	148.89	De Lage Landen
3 Hydrants@ \$42.25 per Hydrant	\$	110.37	Aqua Pennsylvania
47 Hydrants@ \$36.30 per Hydrant	\$	1,706.10	Chester Water Authority
Total Expenditures	\$	40,513.19	

***PA Liquid Fuels Fund Expenditures***

***Fire Protect Fund Expenditures***

Tax Payment	\$	81,000.00	Tax Collections
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***MOTION***

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

**Correspondence:**

Vice President Ellis reported multiple pieces of correspondence – Chief Sam Iannucci, regarding possible fire hazards, a letter from Richard Jensen Building/Code Enforcement regarding a noise complaint, a resident from Reserve/Highland reported an excessive noise complaint. The Fire Company is hosting a pop-up Covid-19 vaccine clinic along with Delaware County, at the fire house. There are some questions about drainpipes at Valleybrook Rd & RT 1, which the Borough Engineer will report on. A letter was received about the Beard Tract, that was approved a few years ago, for townhome development. There was a decision from the PUC related to Walnut Hill/developer. There is a report at the office from Chester Water Authority, should anyone like to review it.

**Discussion topic: The Reserves at StoneyBank/aka Beard Tract:**

Through discussion only with Solicitor Montella, Mike Ciocco, S.E.O., P.E., and Borough Council, The StoneyBank Development plan was approved by previous Council members some (est. 3) years ago for 33 Townhomes, in Mobile Home zoning district, as long as they provided public water and sewer. Stoney Bank Development was previously denied those tie-ins. However, an agreement has now been reached between Stoney Bank Development, Walnut Hill Utility and PUC. 1) Stoney Bank Development/The Reserves at Stoney Bank becomes a member of Walnut Hill Utilities, becoming a member will allow the new development to tie-in to Walnut Hill Utility 2) New Pump Station 3) New Back-Up Generator 4) Tap-in Fees (used at utility company's discretion.) Fact: The Borough is not involved in this litigation process, only the involved parties. Solicitor Montella will confirm questions and answers needed with Engineer Houtmann and advise Secretary how to proceed with certification letter requested by DEP. Alt Engineer Ciocco included the information needed from the Borough secretary to include all the information provided by PUC and be sent to DEP. Alt Engineer Ciocco will produce draft letter and submit to Borough office and Solicitor Montella for approval.

Vice President Ellis provided information for Council's concern of new development starting, construction can not start until public sewer and water is secured. There is a 5-year time limit for land development after initially being approved.

**Public Comment Inserted:** Walt Basher – 4 Bonnie Lane

Alt Engineer Ciocco provided some information related to the Walnut Hill Utility Facility:

The Walnut Hill Utility was permitted and can handle twice the amount it is currently servicing, by adding the 33 townhomes, the sewer system will have capacity. By adding the additional development capacity flow will be handled more efficiently because the sewer system was designed to handle a larger flow.

**INSPECTOR'S REPORTS**

**Building Inspector -  
Richard Jensen**

Inspector Jensen reported a couple routine electric permits came and also existing routine permits for the month of May.

Noise complaint official letter was sent out, this complaint was reported more than once the property owner has now been notified and will hopefully be resolved.

Inspector Jensen announced the ZHB meeting approaching for property requesting to add an apartment to existing barn.

Inspector Jensen reported on noise complaint – loud music playing over the weekend. Vice President Ellis asked if there was a decibel level rule that needs to be maintained. Inspector Jensen clarified that there is a noise decibel level in the code, but it exists for Light Industrial District and not in the Business District. Also, if the business is working within the ruling of noise and hours of operation, the decibel level rules are hard to enforce. Vice President Ellis offered that the business owners only have two day festivals, during the spring and fall each year, that are advertised well in advance, and all handled within the allowed time daily time frame supplied. Also, Thursday through Sunday they supply live music indoors and music is stopped a full hour prior to the exceeding limit. The ordinance states 10pm and music is stopped at 9pm. The business owners are very cooperative and seem very compassionate to keep neighbors happy.

Inspector Jensen suggested: 1) Reach out to the business owner to bring down the volume decibel level. 2) Add decibel level tolerance within a business district to existing noise ordinance.

**Fire Marshal –  
Mike Ciocco**

9 Incidents in the month of May 2021, most due maintenance issues – dryer fires, heaters. New residents not following some simple rules – hair spray and fire alarms set off, etc.

Storage unit has a sprinkler leak causing false alarms, needs maintenance.  
Wawa – Blossom Hill – new sprinkler system pipe crack, repairs were made.  
DELCO Covid – 19 pop-up vaccine clinic-hosted at the Fire Company, went well.  
During discussion, Councilwoman Clarke requested the discussion to be moved to a committee meeting for any opinions, suggestions, public safety issues and advice on moving forward with HOA maintenance issues, building inspections, and rebuilding a solid plan for recovering from COVID-19 procedures.

**Sewage Enforcement** – Alt Engineer Ciocco reported on septic system permits, 1) new septic system at the Hamanassett Bed & Breakfast, part of the agreement of sale, inspected and approved. 1) septic system repairs – Wawa Rd and Forge Hill Way that are scheduled.  
**Mike Ciocco**

**EMC-Roadmaster** – Roadmaster Ward reported a busy month of May, high volume of PA 1 of calls. Including engineering work at Ivy Lane for possible sub-division which was reported to Engineer Houtmann and Planning Commission for observation. Sink hole at Valleybrook & RT 1, cones were displayed for public safety. Fire Police were called in for PSP – Trooper Tobin at Bodley and Valleybrook for downed cable wires. Stop signing missing at Bodley & Valleybrook reported to PennDOT & PSP. Roadway breaking off along guard rail on Valleybrook Rd right past Powell driveway, PennDOT was notified. Speed Limit sign was installed by Higgins. The speed limit sign located above 101 Valleybrook will need a battery replacement due to lack of sun light for the solar panel.  
**Larry Ward**

**Solicitor Reports** Solicitor Montella presented the final escrow release for Wawa Annex 5 in the amount of \$3,089.59 and close the account at the request of Wawa. Alt Engineer Ciocco confirmed that no outstanding payments are due.

**MOTION** Upon Motion, Council (Lim/Firsker) voted and approved the final escrow release in the amount of \$3,089.59 for the account close out of Wawa Annex 5. Voting as follows: Council Anderson, Clarke, Firkser, Lim – Aye, Vice President Ellis abstained.

Solicitor Montella presented the Rose Hill Amendment Plan:  
The main change proposed is to have all townhouses widths at 28 ft wide, instead of alternating with 26,28, & 32 ft wide units. Since this changes the lot lines at the townhouse party walls, Developer seeking a minor amendment to the Subdivision Plans. All open space and the outer property lines of grouping of townhouse units have stayed exactly the same. Spacing between each townhouse group has increased – as the overall width of each section of townhouse units had decreased. Perimeter Landscape berms have been added to the plans to provide greater buffering to the outer edges of the development.  
This plan was presented to the (DCPD) Planning Commission on May 27, 2021, the borough received approval from the (DCPD) Planning Commission contingent on the borough engineer updating/documenting the approval.  
Solicitor Montella requested a Motion to consider approval of the minor Amendment to the Rose Hill Plan.

**MOTION** Upon Motion, Council (Anderson/Lim) voted and approved the Amendment to the Rose Hill Plan as stated above. Voting as follows: Council Anderson, Lim, Ellis, Firkser Aye, Councilwomen Clarke Nay.

**Engineers Reports** Engineer Houtmann presented the Mattson Road Bids – 6 packages were sent to 6 contractor's 2 bids were received 1) Gessler 2) AF Damon. AF Damon was the low bidder.  
AF Damon – base work \$46,870.00, stabilization of road added \$4,350.00, Totaling \$51,220.00.  
Gessler total bid \$53,240.00

During discussion Engineer Houtmann suggested the re-paving on Mattson Road be put on hold until the borough receives information on the drainage pipes underneath the state road at Valleybrook and RT1. Solicitor Montella advised further discussion should be held under Executive Session.

Engineer Houtmann presented to Council the need for video footage of the storm water/drainage pipes, along Valleybrook Road & RT 1, of area in discussion.

Vice President Ellis requested a Motion allowing Engineer Houtmann to hire a videographer to inspect storm water/drainage pipes along Valleybrook Road & RT 1, not to exceed \$3,000.00.

***MOTION***

Upon Motion, Council (Firkser/Clarke) voted and unanimously approved to allow Engineer Houtmann to hire videographer to inspect storm/water/drainage pipes along Valleybrook Road & RT 1, not to exceed \$3,000.00.

**Mayor's Reports**

Mayor Wood updated Council – Memorial Day Event was a success, thank you to Sam and Larry from the Fire Company for help in directing traffic, and to those who helped.

**COMMITTEE REPORT'S**

**School District – Education – Training – Library –**

Chair Susan Clarke, Members Ellis, Firkser

Mary Kay Beirne announce Garnet Valley High School will hold graduation ceremony on campus at 10:00 am.

Garnet Valley School District will adopt the budget on June 14<sup>th</sup>, with less than 0.5% increase.

Library – No Report

**Finance – Insurance –**

Chair Mayor Wood, Members Lim, Timmins

Pro Tem Lim requested to Ratify Motion –To move matured funds from Malvern Bank 12-month CD, Matured on June 1, 2021, to Malvern Bank Money Market account. The matured 12-month CD was in total of \$46,484.72 adding additional sum of \$3,515.28 bringing the amount to \$50,000.00 total.

The total sum of \$50,000.00 was moved into the Malvern Bank Money Market Account earning a .55%.

***MOTION***

Upon Motion, Council (Ellis/Clarke) voted and unanimously approved to move matured 12-month CD Funds in the amount of \$46,484.72 along with extra sum of \$3,515.28, sum totaling \$50,000.00.

The amount of \$50,000.00 was moved into a Malvern Bank Money Market account earning .55%.

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

Chair Dave Firkser, Member Baum

**Nominating Vacancy – No Report**

Chair Dave Firkser

## **Communications – Public Relations –**

Chair Ginamarie Ellis, Member Lim

Vice President Ellis announced the newly designed website, went live Friday. Please log on at [chesterheights.org](http://chesterheights.org) and see the updates.

Multiple Facebook inquires came and were answered efficiently.

Highlight – Mare of Easttown Show, filmed in Delaware County, the former Mayor Stacey Smith's 1-year old twin grandsons played the infant on the show.

## **Mayor's Event Committee –**

Chair Mayor Fred Wood, Members Anderson, Ellis

Vice President Ellis announced -Movie Night – June 18<sup>th</sup> @ St. Thomas playground with parking on the side. Selected movie "Mona" to begin at dusk (7:30ish), Plum Pit Food truck for purchasing food will be open at 6:30. Event committee will supply free water, popcorn, and snacks.

There will be a DJ/MC for music prior to movie to enjoy. Event should end by 10:00pm, Opdenaker will be supplying many trash cans, for trash service and removal.

Possible second Movie Night September 18<sup>th</sup>.

## **Historical Committee –**

Chair Sus Timmins, Member Firkser, Ierati, Searl

Councilwoman Anderson updated Council on the Historical Sign project. She announced she has received 22 interested residents that want to participate. After some collaboration with Pro Tem Lim and refining which sign design and the wording for each resident will be supplied, an update will follow.

## **Planning – Zoning –**

Chair Susan Clarke, Members Baum, Firkser

Councilwoman Clarke announced there was a Planning Commission meeting May 27<sup>th</sup>, three presentations:

1. Powell Property – presentation only
2. 101-103 Valleybrook Road/Kheny – presentation only
3. Rose Hill Amendment Plan – voted

## **Engineering – Construction – Inspections – No Report**

Chair Susan Clarke, Members Baum Firkser

## **Ordinance – Code Review –**

Chair Susan Clarke, Members Baum, Firkser

Councilwoman Clarke requested marijuana ordinance be placed on the next Work Session Agenda.

## **Public Safety – Environmental – No Report**

Chair Drew Baum, Member Firkser

## **Borough Police Protection – Public Safety – 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 announced Eric Toy has started the work on the Community Park playground and the old equipment has now been removed. Rose Hill Development donated soil for the landscaping needed prior to the installation of new playground equipment, working with President Baum to have everything scheduled.



**Highways – Transportation –**

Chair Dave Firkser, Member Larry Ward

Councilman Firkser reported the Speed Notification Signs on Lenni Road seem to have people/drivers realizing how fast they are driving and slowing down. There appears to be a decrease in truck traffic. Llewelyn Road – repaving is scheduled for 2022, it was overlooked in 2020. Contact has been made with PennDOT and Councilman Firkser is trying to make sure Llewelyn Roads conditions are addressed.

**Public Utilities – Trash – Recycling –**

Chair Laura M. Lim, Members Anderson, Ellis

Pro Tem Lim updated Council Recycling Day being held on September 11<sup>th</sup>, 9-12 at the Community Park.

**Old Business:**           **No Report**

**New Business:**       **No Report**

**Additional Period for Public Comment:**

Mary Kay Beirne – 1730 Walnut Hill Blvd.  
Philip Block –  
Marta Driscoll – 658 A Lenni Road  
Sam Iannucci – Fire House President

**ADJOURNMENT:**       **Upon Motion, Council (Anderson.Firkser) unanimously voted to adjourn meeting at 8:56 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 – March 12, 2021, Planning Commission Review – May 27, 2021.

Respectfully Submitted,  
Darlene Kurten, Recording Secretary