

MINUTES OF THE 276TH COUNCIL MEETING OF THE BOROUGH OF CHESTER HEIGHTS  
HELD IN THE BOROUGH FIREHOUSE, MONDAY, JANUARY 5, 1970

---

Mayor Leiser administered the Oath of Office to Tax Collector Joseph L. Frank and Councilmen Lohr E. Kerns Jr., John Moyman, Raymond Shisler and Thomas Salusto.

The meeting was then called to order by Vice President Gardner with all members present except Mr. Smitheman.

The minutes of December's meeting were read and approved with the following corrections noted:

1. \$3,706.23 check was received from the Treasurer of Delaware County rather than Liquid Fuels Tax Fund.
2. On the motion made, seconded and approved re adoption of 1/2 of 1% Real Estate Tax by Council, the effective date should read, "January 1, 1970" rather than April 14, 1969; An amendment was then introduced declaring the tax retroactive to April 14, 1969; however, in the event that such a levy of a tax in a retroactive manner would or should be for any reason unlawful, then said tax would be from January 1, 1970.
3. On motion made, seconded and approved, the following resolution was amended to read:  
\$1,000.00 rather than \$5,000.00 be withdrawn from the general fund and deposited with Philadelphia Savings Fund Society for investment purposes. Additional monies will be withdrawn from the general fund and deposited in this account when there is a surplus in the general fund.

The following receipts were reported:

Year Ending 1969: Ed C. Leiby - Fines - \$150.00; Theo. O. Buckley - Fines - \$10.00  
Year Ending 1970: Jos. L. Frank - 1969 Taxes - \$18.90

The following bills were approved and ordered paid:

Year Ending 1969: Frank A. Tighe- Xing. Guard- \$52.50; Del. Cty. Daily Times -  
Advertisement of Budget - \$4.35

Year Ending 1970: Chester Heights Fire Company - Donation - \$3,500.00  
Pennsylvania Savings Fund Society - Investment - \$1,000.00

The treasurer's report was read by Mrs. Tucker and approved.

Vice President Gardner then relinquished the chair to Mayor Leiser who called for nominations for the office of President and Vice-President of Council. Mr. C. Nelson Smitheman Jr. was nominated and elected to serve as President ... Mr. Stephen Gardner was nominated and elected to serve as Vice President.

Vice President Gardner read a letter received from Theo. O. Buckley, dated 2 January 1970. Mr. Buckley stated that he had to decline the office of Mayor of the Borough of Chester Heights due to the Commonwealth of Pennsylvania's law which precludes Mr. Buckley from holding the office of Postmaster and Mayor at the same time.

Borough Solicitor John Brooks informed Council that under Section 901 of The Borough Code that Council shall fill the vacancy of Mayor by appointing a registered elector of the Borough, to hold such office for the unexpired term of the office within 30 days.

Council asked Dr. Frederick C. Leiser if he would continue to serve as Mayor until another Mayor could be appointed and Dr. Leiser agreed to this.

A meeting was then scheduled for Monday, 12 January 1970.

January 5, 1970 meeting (Continued) - 2 -

Mayor's Report: Frank A. Tighe, School Crossing Guard, had to return to his home in California; consequently the position of School Crossing Guard is once again vacant. The Secretary was asked to contact St. Thomas School to see if they know of anyone else who might be interested in the position.

Also reported was that the Constable's insurance bond should be canceled as the Constable no longer has a Borough magistrate to serve.

Building Committee Report: Mr. John Moyman reported that Mr. & Mrs. Finley have moved their business from the Borough building and though it is still leased to them, it appears they will be completely moved by the end of January.

Old Business: Mr. Fred Davis has now submitted a formal request for his property to be rezoned. Council members Lohr Kerns, Raymond Shisler, Tom Salusto and John Moyman will meet with Mr. Davis before Monday night.

The meeting was then recessed until Monday, 12 January 1970.

Monday, 12 January 1970

A motion was made and seconded by unanimous consent to declare the office of Mayor vacant in accordance with Section 901 of "The Borough Code."

Council Vice President Gardner asked for nominations for Mayor and Dr. Frederick C. Leiser was nominated and seconded for the office of Mayor of the Borough of Chester Heights.

There being no other names submitted, nominations were closed and the following resolution was adopted:

RESOLVED: That Frederick C. Leiser be appointed to hold the unexpired term of the office of Mayor of Chester Heights Borough.

Borough Council set a public meeting to be held Monday, February 2, 1970 at 8:30 PM to consider Mr. Davis' request to have his property at Baltimore Pike and Stony Bank Roads rezoned from present R3 to business.

The meeting then adjourned.

J. J. Minker Jr.  
Secretary