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UPPER CHICHESTER TOWNSHIP  
BOARD OF COMMISSIONERS  
DELAWARE COUNTY, PA

- - -

Monthly Board Meeting

- - -

Thursday, January 12, 2017  
Commencing at 7:30 p.m.

- - -

Upper Chichester Township Municipal Building  
Furey Road  
Boothwyn, PA

- - -

BOARD OF COMMISSIONERS:

MICHAEL GAUDIUSO, President & 5th Ward  
EDWARD RAIKOWSKI, 1st Ward  
JOSEPH BAIOTTO, 3rd Ward

- - -

COUNSEL APPEARED AS FOLLOWS:

HOWARD J. GALLAGHER, III, ESQUIRE  
Township Solicitor

- - -

ALSO PRESENT:

LISA CATANIA  
Township Engineer

GEORGE NEEDLES

011217upperchichesterBOS  
Township Manager

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Board Meeting

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P R O C E E D I N G S

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THE PRESIDENT: Good evening,

5

everybody. Please stand for the Pledge of Allegiance.

6

(Pledge recited).

7

THE PRESIDENT: Thank you. Mr.

8

Needles, would you take the roll call, please?

9

MR. NEEDLES: Sure. Commissioner

10

Baiocco?

11

MR. BAIOTTO: Here.

12

MR. NEEDLES: Lisa Catania?

13

MS. CATANIA: Here.

14

MR. NEEDLES: Commissioner

15

Gaudiuso?

16

THE PRESIDENT: Here.

17

MR. NEEDLES: Howard Gallagher?

18

THE BOARD: Here.

19

MR. NEEDLES: Commissioner

20 Raikowski?

21 MR. RAIKOWSKI: Here.

22 MR. NEEDLES: And myself, George  
23 Needles, present.

24 THE PRESIDENT: Thank you.

25 Tonight we are two commissioners short but we do have

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1 Board Meeting

2 a quorum, so we can proceed with our meeting. I just  
3 wanted to make that public announcement.

4 Can I have approval for the  
5 minutes of the December 8th, 2016, SALDO Zoning  
6 Amendment meeting?

7 MR. RAIKOWSKI: So moved.

8 MR. BAIocco: Second.

9 THE PRESIDENT: And the regular  
10 meeting also?

11 MR. BAIocco: So moved.

12 MR. RAIKOWSKI: Second.

13 THE PRESIDENT: All in favor?

14 MR. BAIocco: Aye.

15 MR. RAIKOWSKI: Aye.

16 THE PRESIDENT: Aye. Motion

17 carried.

18 Also, I would like to make a brief  
19 announcement that we met last week in executive  
20 session to discuss various litigation of personnel  
21 matters.

22 With that said, I would like to  
23 open up our meeting to citizen comments. Is there  
24 anybody on the right side of the room that would like  
25 to come up and speak?

▲4

1 Board Meeting

2 (No response).

3 THE PRESIDENT: Is there anybody  
4 on the left side of the room that would like to come  
5 up and speak?

6 (No response).

7 THE PRESIDENT: Let the record  
8 show that there is no citizen comments for tonight.

9 Commissioner Baiocco is on call  
10 tonight, so what we would like to do is we have  
11 several motions that we would like to pass. So at  
12 this time I would like to turn that portion over to

13 George Needles to mention what motions need to be  
14 voted on for this evening.

15 MR. NEEDLES: I think the best way  
16 to do this would be I will go through each of the  
17 professionals with their motions and get done  
18 everything, and then we will go back to the reports.

19 For the engineer, we have a  
20 received a letter from Intercon for final inspections.  
21 So at this point we would like the Board to authorize  
22 the township engineer to perform the final inspection  
23 for 142A Conchester Highway, Conchester Highway, LP.

24 MR. RAIKOWSKI: So moved.

25 MR. BAIOTTO: Second.

▲5

1 Board Meeting

2 THE PRESIDENT: All in favor?

3 MR. BAIOTTO: Aye.

4 MR. RAIKOWSKI: Aye.

5 THE PRESIDENT: Aye. Motion

6 carried.

7 MR. NEEDLES: From the Solicitor's  
8 section, we received a letter in reference to Clover

9 Development Corporation extending their time period  
10 that the Board of Commissioners has to render the  
11 decision on their Land Development application to May  
12 31st, 2017. I ask for a motion to enter into that  
13 agreement.

14 MR. RAIKOWSKI: So moved.

15 MR. BAIOTTO: Second.

16 THE PRESIDENT: All in favor?

17 MR. BAIOTTO: Aye.

18 MR. RAIKOWSKI: Aye.

19 THE PRESIDENT: Aye. Motion

20 carried.

21 MR. NEEDLES: At the caucus last  
22 week our Solicitor, Howard Gallagher, presented  
23 information to the Board in regards to a Tax  
24 Assessment Appeal Settlement proposal for 2101 Market  
25 Street that was provided by Stephen J. Polaha, and I

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1 Board Meeting

2 would ask at this point that the Board consider a  
3 motion to accept that Tax Assessment Appeal.

4 MR. RAIKOWSKI: So moved.

5 MR. BAIOTTO: Second?

6 THE PRESIDENT: All in favor?

7 MR. BAIocco: Aye.

8 MR. RAIKOWSKI: Aye.

9 THE PRESIDENT: Aye. Motion  
10 carried.

11 MR. NEEDLES: Since the last  
12 public meeting we had one of our police officers has  
13 retired, and that gentleman is Sergeant Kenneth Allen.  
14 He has submitted his resignation to be official as of  
15 Saturday, December 17th, 2016. So I ask for a motion  
16 to accept his resignation.

17 MR. RAIKOWSKI: So moved.

18 MR. BAIocco: Second.

19 THE PRESIDENT: All in favor?

20 MR. RAIKOWSKI: Aye.

21 MR. BAIocco: Aye.

22 THE PRESIDENT: Aye. Motion  
23 carried.

24 MR. NEEDLES: Next up, for the  
25 past year the negotiations team has been working with

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2 the police department, Fraternal Order of Police Lodge  
3 27, and the negotiating team on behalf of Upper  
4 Chichester Township, and they have come to an  
5 agreement on terms for a five-year contract. What we  
6 have is a Memorandum of Understanding with certain  
7 terms that have changed from the previous contract.

8 I would ask for a motion to  
9 approve that agreement.

10 MR. RAIKOWSKI: So moved.

11 MR. BAIocco: Second.

12 THE PRESIDENT: All in favor?

13 MR. RAIKOWSKI: Aye.

14 MR. BAIocco: Aye.

15 THE PRESIDENT: Aye. Motion  
16 carried.

17 MR. NEEDLES: 2403 Naamans Creek  
18 Road, the individual had an issue where they had paid  
19 their taxes during the discount period, and the check  
20 was written for an incorrect amount. That check was  
21 then returned to them and left their taxes,  
22 quote-unquote, delinquent.

23 They have made good and paid that  
24 and they are asking that the Board waive the fees  
25 since there is documentation that they attempted to



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1 Board Meeting

2 pay those taxes.

3 MR. RAIKOWSKI: So moved.

4 MR. BAIocco: Second.

5 THE PRESIDENT: All in favor?

6 MR. RAIKOWSKI: Aye.

7 MR. BAIocco: Aye.

8 THE PRESIDENT: Aye. Motion

9 carried.

10 MR. NEEDLES: 4130 Bethel Road  
11 asked the Board to approve a waiver of charges for  
12 their real estate tax. Again, this is an issue where  
13 the taxpayer attempted to pay their taxes during the  
14 discount period at TD Bank. The check went missing  
15 with the bank. They did pay the discount amount later  
16 on and the bank has owned up that there was an issue.

17 I would ask that the Board  
18 consider waiving those charges for the residence, 4130  
19 Bethel Road.

20 MR. RAIKOWSKI: So moved.

21 MR. BAIocco: Second.

22 THE PRESIDENT: All in favor?

23 MR. RAIKOWSKI: Aye.  
24 MR. BAIocco: Aye.  
25 THE PRESIDENT: Aye. Motion

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1 Board Meeting

2 carried.

3 MR. NEEDLES: Next we will have  
4 our first Resolution of the evening. It is Resolution  
5 2017-1. 142A Conchester Highway, Conchester Highway,  
6 LP, would like to offer up a Fee-in-Lieu of  
7 Landscaping/Streetscaping improvements on their  
8 property.

9 Essentially, what is happening is  
10 that PennDOT is coming through and moving where their  
11 entrance is which would put their entrance over a  
12 section of this. There is also another section that  
13 is not affected by the PennDOT item, PennDOT change,  
14 that they would like to remove some of the plantings  
15 from.

16 We have a letter from our Zoning  
17 Officer stating that what the change is, he believes  
18 it does not put them out of compliance with the Zoning

19 Code. They are offering up \$10,000 to the Township,  
20 and the Board has expressed that they would like to  
21 use that money and dedicate it towards road  
22 improvements which could include streetscape and  
23 landscaping equipment.

24 MR. RAIKOWSKI: So moved.

25 MR. BAIOTTO: Second.

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1 Board Meeting

2 THE PRESIDENT: If there are no  
3 comments, all in favor?

4 MR. RAIKOWSKI: Aye.

5 MR. BAIOTTO: Aye.

6 THE PRESIDENT: Aye. Motion  
7 carried.

8 MR. NEEDLES: That is 2017-1.

9 Next up is to consider a  
10 Resolution to amending the Township Fee Schedule.  
11 What is presented to you today is the fee schedule in  
12 your packet with a couple of changes.

13 One of the changes is on page 4.  
14 On page 4 it's to better define the senior citizen,  
15 active/retired military and Upper Chichester Township

16 Volunteer Fire Department discount.

17                   Basically, it's putting in two  
18 sections, one that speaks to jobs under the five  
19 thousand dollar threshold, and one above the five  
20 thousand dollar threshold. I believe, Mr. Gaudioso,  
21 you had mentioned that you believe this should be  
22 consolidated into one paragraph?

23                   THE PRESIDENT: Yes, please. I  
24 would like to consolidate Paragraphs B and C so that  
25 way we recognize senior citizens and all the

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1                   Board Meeting  
2 volunteers within one paragraph.

3                   MR. NEEDLES: Thank you. I will  
4 make sure that happens.

5                   On page 6, Plumbing Permits, I  
6 would like to strike the each fixture over fifteen,  
7 five-dollar charge, from the Residential Plumbing  
8 Permit Section and no longer collect that fee for the  
9 Township.

10                   And then the final change from the  
11 previously issued version would be page 27, which was

12 an item that has been in previous fee schedules but  
13 was omitted in '14 and '15. It's the Stormwater  
14 Cleanup and Spill Prevention fee that was provided by  
15 the Fire Marshal.

16 So I would ask that the Board  
17 consider a motion to approve the fee schedule as  
18 presented tonight.

19 MR. RAIKOWSKI: I have a question  
20 for you. On the Stormwater Cleanup, I know we have  
21 had some in my ward already with the oil spill. Does  
22 this cover our manpower when -- excuse me, not the  
23 manpower but the materials?

24 Does it reflect our guys doing the  
25 work and making sure it's covered here?

▲12

1 Board Meeting

2 MR. NEEDLES: Yes. The top  
3 section covers each man and then the vehicles is per  
4 the Public Work Schedule on page 25, and then this was  
5 the list of equipment that he believed he would need  
6 to use specifically for this. But if equipment  
7 outside of this is used, it would be based off another  
8 item in the fee schedule.

9 MR. RAIKOWSKI: I move to accept  
10 the document with the fee schedule with the  
11 alterations of B and C, and move the fixtures and the  
12 policy for the Spill Cleanup is added.

13 MR. BAIOTTO: Second.

14 THE PRESIDENT: I do have one  
15 additional comment. The policy document for Emergency  
16 Repair Permits, I would like to get a paragraph within  
17 the Fee Schedule also. If we had it under the  
18 Building Permit Fee information explaining the process  
19 of the emergency permits, I think that would be a good  
20 idea.

21 MR. NEEDLES: I think that's a  
22 good idea myself. Thank you.

23 THE PRESIDENT: All favor?

24 MR. RAIKOWSKI: Aye.

25 MR. BAIOTTO: Aye.

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1 Board Meeting

2 THE PRESIDENT: Aye. Motion  
3 carried.

4 MR. NEEDLES: And that is

5 Resolution 2017-2.

6 The next is the Resolution setting  
7 the wages for Non-Uniformed Employees for 2017. Each  
8 year in January we adopt the Resolution which lays out  
9 the benefits and the wages provided to employees.

10 MR. RAIKOWSKI: So moved.

11 MR. BAIOTTO: Second.

12 THE PRESIDENT: All in favor?

13 MR. BAIOTTO: Aye.

14 MR. RAIKOWSKI: Aye.

15 THE PRESIDENT: Aye. Motion

16 carried.

17 MR. NEEDLES: And that is 2017-3.

18 Finally, what Mike was just  
19 speaking about is what we would like to adopt as a  
20 policy document in our Licenses and Inspection  
21 Department and then subsequently include this language  
22 into the Fee Schedule. It's in regards to emergency  
23 repair and replacement as stated in the Pennsylvania  
24 Uniform Construction Code.

25 The Uniform Construction Code says

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2 that permit applications must be received within three  
3 business days of a repair or replacement for an  
4 emergency repair. Our typical, standard business  
5 procedure is to require the fee to be paid at that  
6 time.

7 What we are asking is that going  
8 forward that we would accept the Emergency Repair  
9 Replacement application without requiring payment at  
10 the time of application, and then require that any and  
11 all fees paid associated with that permit within ten  
12 business days.

13 Basically, we have gotten some  
14 contractors, a plethora of large businesses and small  
15 businesses who have stated that they run their bills  
16 once or twice a month, which is consistent with what  
17 we do, once a month, and it's a little tough for them  
18 if they have an emergency where they go out and do the  
19 job, to be able to have someone cut the check just for  
20 that instead of the regular run. So we kind of  
21 sympathize with them with how they do business. It's  
22 consistent with how we do business.

23 MR. RAIKOWSKI: So moved.

24 MR. BAIocco: Second.

25 THE PRESIDENT: All in favor?



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1 Board Meeting

2 MR. RAIKOWSKI: Aye.

3 MR. BAIocco: Aye.

4 THE PRESIDENT: Aye. Motion

5 carried.

6 MR. NEEDLES: I have a couple more  
7 here. Commissioner Neary is not present tonight, so  
8 there are a couple of things we typically do under his  
9 report that I would like to do as well.

10 The first would be to move for the  
11 payment of the list of bills in the amount of  
12 \$513,548.77.

13 MR. RAIKOWSKI: So moved.

14 MR. BAIocco: Second.

15 THE PRESIDENT: All in favor?

16 MR. RAIKOWSKI: Aye.

17 MR. BAIocco: Aye.

18 THE PRESIDENT: Aye. Motion

19 carried.

20 MR. NEEDLES: Second would be to  
21 move for the list of bills from the pension plan.

22 That is on the back page. The total amount is  
23 \$12,700.

24 MR. RAIKOWSKI: So moved.

25 MR. NEEDLES: Second.

▲16

1 Board Meeting

2 THE PRESIDENT: All in favor?

3 MR. BAIocco: Aye.

4 MR. RAIKOWSKI: Aye.

5 THE PRESIDENT: Aye. Motion

6 carried.

7 MR. NEEDLES: Then finally is to  
8 move for the escrows to be released from contractors  
9 to the township in the amount of \$2,392.52.

10 MR. RAIKOWSKI: So moved.

11 MR. BAIocco: Second.

12 THE PRESIDENT: All in favor?

13 MR. BAIocco: Aye.

14 MR. RAIKOWSKI: Aye.

15 THE PRESIDENT: Aye. Motion

16 carried.

17 MR. NEEDLES: Thank you very much.

18 MR. RAIKOWSKI: I have one motion

19 to be moved. I move to appoint Gail King in  
20 Commissioner Whitaker's Ward 2 to the Southern  
21 Delaware County Sewer Authority.

22 MR. BAIocco: Second.

23 THE PRESIDENT: All in favor?

24 MR. RAIKOWSKI: Aye.

25 MR. BAIocco: Aye.

▲17

1 Board Meeting

2 THE PRESIDENT: Aye. Motion  
3 carried. Welcome aboard, Gail.

4 MS. KING: Thank you.

5 THE PRESIDENT: Just a note. I  
6 think Gail is going to be a great addition to our  
7 Sewer Authority. She is a cornerstone of the  
8 community in my opinion and a friend. So thank you  
9 for taking on the position.

10 MS. KING: Thank you.

11 THE PRESIDENT: At this time we  
12 will go back to our Engineer's report.

13 MS. CATANIA: Thank you, Mr.  
14 President. You do have a copy of my report. As I

15 mentioned at the office last week, I do have a copy of  
16 the Greenwood Avenue Storm Sewer Study. I sent a PDF  
17 copy so that the manager could send it to those who  
18 aren't in attendance, in particular to Mr. Neary  
19 because he was the one who requested the study.

20 This study was done to not only  
21 determine how to provide positive drainage through  
22 that Greenwood Watershed area, the Peach Street area,  
23 but also to take care of the MS-4 requirements for  
24 water quality. We have done that.

25 That portion of the total

▲18

1 Board Meeting

2 suspended solids that need to be removed as part of  
3 the MS-4 can be phased. So the number that you are  
4 seeing is about 430 to 450 thousand dollars to do this  
5 stormwater project as a whole. It's in the Executive  
6 Summary.

7 If anybody has any questions on  
8 it, we certainly will be able to answer any of those.  
9 If you want to e-mail me or call, we will take care of  
10 it from there.

11 If you look in the back of the

12 report -- and I apologize for not giving these out  
13 earlier (handing) -- if you look at the back of the  
14 report, there is actually a diagram that shows what  
15 the storm sewer system would look like.

16 The Green Region Grant was  
17 submitted to the Natural Lands Trust. That is PECO's  
18 Green Region. That's the trail system down off of the  
19 ball field to the pavilion.

20 We also completed the Community  
21 Development Block Grant applications that were due at  
22 4:30 yesterday with a little bit of sweat. We do have  
23 an issue with some of the drawings or what we thought  
24 we had already completed by the previous engineer.  
25 That is being worked out through OHCD, so we shouldn't

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1 Board Meeting

2 have any issue there.

3 I believe the bid specifications  
4 are ready. So I am going to ask next month for the  
5 Pleasant Avenue bridge repairs to be authorized for  
6 bid. So that could be coming up. We will prepare the  
7 documents as far as a final inspection and a final

8 release for Intercon.

9 I also received the final  
10 documents from Royal Farms, the as-builts and some  
11 other information that we were missing. Ed Russela  
12 from Howell Associates sent those via e-mail  
13 yesterday. So we are moving along, closing out  
14 projects that have been on the books for a little bit  
15 and we will continue to do that.

16 That is all I have unless anyone  
17 has any questions.

18 MR. RAIKOWSKI: I have a couple of  
19 things. The Royal Farms, do they have all of their  
20 municipal escrows and all that?

21 MS. CATANIA: They are working on  
22 their maintenance bond. They want to verify the  
23 maintenance bond number. I received as-built drawings  
24 of the storm sewer. I have to review those to verify  
25 the construction tolerance of what was actually

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1 Board Meeting  
2 approved as part of the project. Once that is done, I  
3 will verify that the rest of the punch list is  
4 complete and we will get it closed out.

5 MR. NEEDLES: There is about  
6 30,000 dollars in fees that they owe us. What can  
7 happen through that is that that can be released to  
8 the township.

9 MS. CATANIA: The escrow amount  
10 that is being held includes engineering fees. So we  
11 will be able to release those. Royal Forms will have  
12 to agree that we release those to the township versus  
13 releasing them to Royal Farms.

14 MR. RAIKOWSKI: And one more thing  
15 for the whole Board. It wasn't brought to my  
16 attention until this morning. Lisa, since she did a  
17 study for Mr. Neary, we have an issue over on McKay  
18 Avenue from 5th Avenue. I was out there today. We  
19 could fix the storm drains, our guys in-house already,  
20 but as a suggestion, it may not even be able to  
21 happen.

22 The backyards on McKay Avenue from  
23 5th to the end of McKay Avenue where we installed a  
24 storm drain probably two or three years ago, we fixed  
25 that issue. The problem is the storm drain on 5th

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Avenue has collapsed. So if our guys are going to repair that storm drain and the piping on the other side of the street, we want to try to enlarge it a little bit because it is a small pipe. But we want to try to take it from Point A down to Point B to the other storm drain on McKay Avenue through the backyards.

I had the addresses. I don't have them on me right now. There is a swale there now. It's a natural swale that goes through the backyard, down the side of a backyard, to hit the storm drain on McKay Avenue to go to the creek. We're just seeing -- and since you have to do this with an MS-4 and everything, a study from Point A in the backyard.

We may not be able to do anything piping it. We are thinking about piping it down to the other end if our guys can do this. You are talking four properties on McKay Avenue, 5th and McKay.

You may not be able to get it down there. The natural swale may have to stay there, but we will fix this stuff, the storm drains on 5th Avenue. So we just want to connect 5th Avenue to



25 McKay.

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1 Board Meeting

2 MS. CATANIA: So that wasn't done  
3 under the Community Development Block Grant that we  
4 got --

5 MR. RAIKOWSKI: No. The last  
6 storm drain we did was actually worthless because we  
7 took it from one side to the other into the creek.

8 MS. CATANIA: Okay.

9 MR. RAIKOWSKI: We can meet out  
10 there. I just want to get the approval of the Board  
11 to go out. If we have to do it, I don't know if that  
12 is part of the study for the MS4 or not. But if it's  
13 not feasible for us to put in a pipe, we will leave  
14 the natural swale there.

15 MS. CATANIA: It would be eligible  
16 under an MS4 or part of the MS4 study if it were more  
17 of a watershed than just one street.

18 Let me take a look at the map and  
19 I will e-mail George, and George can check with the  
20 board on what you want to do. But from what I know of  
21 the watershed area, they are looking at either

22 sub-areas or a full watershed. Because there is a  
23 swale there, if that swale is eroding away, that is  
24 part of the total suspended solids.

25 That is the siltation that they

↑23

1 Board Meeting

2 are talking about that they want removed from the  
3 water quality. So it could very well work, but I want  
4 to make sure that I understand what Kristin wrote from  
5 DEP when she was at the last DEP workshop.

6 MR. RAIKOWSKI: Okay. I will get  
7 you the addresses tomorrow morning at the latest. I  
8 thought I had them tonight, but we will take care of  
9 5th Avenue. I know our guys can do it. It's 5th  
10 Avenue to the end on McKay Avenue.

11 MS. CATANIA: I got it.

12 MR. RAIKOWSKI: I think that's all  
13 I have.

14 THE PRESIDENT: For the record, I  
15 am okay with our engineer doing that.

16 MR. BAIocco: Sure, I'm fine with  
17 it.

18 THE PRESIDENT: So we can proceed  
19 with it. If there are no other questions for our  
20 engineer, we will move on to our Solicitor's Report.  
21 MR. GALLAGHER: Just two items.  
22 1879 Larkin Road, the property of John Mullen. As you  
23 know, I filed a petition asking the Court to find him  
24 in contempt for violating the signed stipulation  
25 approved by Court Order. He filed preliminary

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1 Board Meeting  
2 objections to the petition and I responded to those  
3 this week, and we are just waiting for a hearing date,  
4 and I will keep the Board updated. Personally, I  
5 don't think the preliminary objections have merit, but  
6 we will see.

7 As regards to CSX, I think  
8 George's memo to the board accurately summarizes the  
9 meeting with the attorney for CSX. They are going to  
10 submit a reverse subdivision plan which will  
11 consolidate the two lots and avoid that zoning issue  
12 where Charlie Remaley gave his opinion that the  
13 parking was an accessory use and not allowed as a  
14 principal use. If they consolidate the two lots, I

15 think that will remove that issue.

16                   The other thing they are going to  
17 do is they are going to make sure that Mr. Damon gets  
18 together with Catania Engineering as regards the need  
19 for landscaping, and they will work that out and  
20 hopefully submit with their reverse subdivision a  
21 landscape plan that will be approved by Catania  
22 Engineering.

23                   They are also going to respond  
24 with their new plan through the comments of Catania  
25 Engineering and Alex Rodriguez's review letter back in

↑25

1                   Board Meeting

2 July of last year, and also the comments of the  
3 Delaware County Planning Commission.

4                   It was suggested -- and I don't  
5 know who suggested it, I can't remember -- but they  
6 had their plan reviewed initially by the planning  
7 commission at a public meeting, and I believe,  
8 hopefully, that is acceptable for the board, but I  
9 know that Commissioner Baiocco wanted to defer to  
10 Commissioner Whitaker in that regard. But it would be

11 a public meeting where the residents would be able to  
12 have their input and comments.

13 MR. BAIocco: I would think that's  
14 what she wanted to do.

15 MR. GALLAGHER: Right. I think  
16 that would satisfy Commissioner Whitaker, but I don't  
17 want to speak for her, obviously.

18 MR. BAIocco: Right.

19 MR. GALLAGHER: I think that is  
20 all I have.

21 MR. NEEDLES: That meeting, would  
22 you recommend that it be at the 452 Building?

23 MR. GALLAGHER: Yes. There might  
24 be a large turnout.

25 THE PRESIDENT: I think that's the

↑26

1 Board Meeting

2 way we are going to go.

3 MR. BAIocco: It seems like they  
4 are cooperating some.

5 MR. GALLAGHER: Yes. Keep your  
6 fingers crossed.

7 THE PRESIDENT: When we spoke

8 about the land development that Lisa was supposed to  
9 review, does that also incorporate sound barriers?

10 MS. CATANIA: Sound attenuation  
11 was one of our comments.

12 MR. GALLAGHER: Yes. I think that  
13 Lisa or somebody from Catania Engineering will get  
14 together with the engineer from CSX and work something  
15 out with regards to what is needed over there.

16 THE PRESIDENT: Okay.

17 MR. RAIKOWSKI: In the residential  
18 areas.

19 MR. GALLAGHER: Obviously. I will  
20 defer to Catania Engineering on that.

21 MR. RAIKOWSKI: Are they going to  
22 put a burden on the -- I know it's going to be a  
23 community meeting generally, but is that going to be a  
24 burden on the planning committee if they have other  
25 cases that night?

↑27

1 Board Meeting

2 MR. BAIocco: Welcome to our  
3 world.

4 MR. GALLAGHER: You can advertise  
5 a special meeting for that to hear that alone.

6 MR. RAIKOWSKI: Are they thinking  
7 this month?

8 MR. BAIocco: I would think they  
9 would want to hear some of these comments.

10 MR. GALLAGHER: I think you have  
11 to wait for the plan to come in, obviously, and I  
12 don't know when that is going to be. They signed an  
13 indefinite extension, and we have 90 days following  
14 the submission of the plan following the first  
15 Commissioners meeting. So we have plenty of time, but  
16 they have to submit the plan first before we can  
17 schedule a meeting.

18 THE PRESIDENT: Joe, do you have  
19 any questions about the Clover Development before we  
20 move on?

21 MR. BAIocco: The what?

22 THE PRESIDENT: The Clover  
23 Development, do you have any questions on that?

24 MR. BAIocco: I haven't heard  
25 anything lately.

1 Board Meeting

2 THE PRESIDENT: We have the  
3 extension until May 31st.

4 MR. BAIocco: Right. I haven't  
5 heard or seen any activity.

6 MR. GALLAGHER: As we discussed at  
7 caucus, they are going to be in contact with Matt  
8 Houtmann hopefully within days to talk about  
9 submitting the revised plan.

10 MR. BAIocco: Right, and we have  
11 heard nothing yet.

12 THE PRESIDENT: If there are no  
13 other questions for our solicitor, we will move on to  
14 our manager's report.

15 MR. NEEDLES: Good evening. First  
16 up under the Township Manager's report, I am proud to  
17 announce that the new Township Website is up. It is  
18 still under construction. It will be under  
19 construction for the next twelve months as we greatly  
20 enhance its features and the ability to communicate  
21 information to the residents.

22 Right now what is on there is the  
23 trash collection calendar. There is some recent news  
24 information that if anybody went to the site yesterday



25 or today, the agenda for this meeting was posted on

↑29

1 Board Meeting  
2 the site, and we are working on just going through it,  
3 updating information and getting everything on there.  
4 We are hoping that this can be a  
5 tool where we are wide open in sharing as much as  
6 possible with the public. So please check it out.  
7 It's upperchichestertownship.org, the same domain name  
8 we used before, and I am open to any suggestions to  
9 anything that you see or you would like to see on it.  
10 So please feel free to contact us with any suggestions  
11 at all.

12 I am happy to announce last month  
13 we finished up the codification project, and the  
14 Township Code is now available at [www.ecode360.com](http://www.ecode360.com).  
15 We have been in the process with the administration  
16 office of posting public documents at that site.

17 Currently we have all Resolutions  
18 passed between 2011 to 2016 on that website, our  
19 annual budgets for the past couple of years, meeting  
20 minutes and meeting agendas and more. So we are

21 really trying to get as much information about what we  
22 do and how the government works out to the public.

23 I love engaged conversations with  
24 residents about what is going on, so I am putting it  
25 out there in hopes that we will get some questions and

↑30

1 Board Meeting

2 people coming in to find out more and get more  
3 involved.

4 Health Insurance. I have been  
5 working with our broker to transition the staff. I  
6 have had a lot of support and help from the Board on  
7 this, and we have started to transition members of the  
8 staff to a much more affordable health insurance  
9 program.

10 Once this plan is fully  
11 implemented across the Township it will save the  
12 Township hundreds of thousands of dollars. So it's  
13 really a good thing and just a thank you to the Board  
14 for assisting me with this and pushing this along.

15 At the end of the month,  
16 January 27th, I will be attending the annual winter  
17 meeting of the Association of Pennsylvania Municipal

18 Managers. The topic is Smart Zoning for Medical  
19 Marijuana Farms and Dispensaries.

20 As you know, medical marijuana was  
21 made legal in the State of Pennsylvania, and there is  
22 lot of regulations that are coming down from the  
23 state, but we have to be smart about our zoning to  
24 ensure we can have some type of involvement with the  
25 regulation.

↑31

1 Board Meeting

2 Aston Township actually has this  
3 on their agenda to pass two new zoning amendments for  
4 this Wednesday's meeting in regards to medical  
5 marijuana dispensaries and farms. So I was going to  
6 head over to that meeting and check it out to find out  
7 more information about that.

8 For my Township Secretary Report,  
9 the minutes are available for inspection in the  
10 township offices during normal business hours. They  
11 will also be posted on the new website and ecode360  
12 tomorrow morning.

13 As Township Open Records officer,

14 we received three requests for open records this  
15 month. It took about thirty minutes to fulfill those  
16 requests.

17 And as the Township Treasurer, for  
18 2016 -- these are unaudited numbers at this point --  
19 the total revenue collected year-to-date,  
20 \$14,227,158.54.

21 Total expenses year-to-date,  
22 \$13,841,272.66, and one of the items on this report is  
23 we put where we found revenue or we reduced costs for  
24 the month. One area that we found revenue was last  
25 year we appointed a delinquent trash fee collection

↑32

1 Board Meeting  
2 agency, and they are collecting outstanding trash fees  
3 for the Township that haven't been paid.

4 They presented us with a check for  
5 \$23,570 in the month of December for fees that they  
6 collected as far back as 2006. So that is all I have  
7 unless anyone has any questions.

8 THE PRESIDENT: For the website,  
9 we are going to get the codification of the Ordinances  
10 on there also; correct?

11 MR. NEEDLES: Yes. It's available  
12 by link on the front page.

13 THE PRESIDENT: Okay. And then  
14 it's also mobile friendly, so you can type in that web  
15 address and you can actually view it on your cell  
16 phone now, which is a little bit streamlined from what  
17 we had previously.

18 I want to thank George for working  
19 on that, and we also had a young man, Mike Campagnini,  
20 who has done a wonderful, wonderful job with it.

21 MR. NEEDLES: He did an excellent  
22 job.

23 MR. RAIKOWSKI: I have a couple,  
24 little things. Maybe it's me but I am not sure. I  
25 think this Board ought to be proud of it. For the

▲33

1 Board Meeting  
2 last five years -- and I haven't seen it, so I was  
3 wondering why there hasn't been anything in the  
4 newspaper for us. We haven't raised our taxes in five  
5 years.

6 MR. BAIocco: I think it's more

7 than that.

8 MR. RAIKOWSKI: We have been  
9 really working hard. It shows here the  
10 Administration. The Highway Department is doing  
11 inside work. We are not out spending money that we  
12 don't have. I think we ought to be somewhere.

13 If the newspaper is here tonight,  
14 that's great. We are going to have good days and bad  
15 days, and the bottom line is there are some  
16 municipalities that have had to raise it. We haven't.  
17 We need to get it out there for the people to let them  
18 know. That is something this board and our guys ought  
19 to be proud of.

20 We brought in 23,000 dollars on  
21 the trash, and in case some of these people don't  
22 realize it, the trash fee -- because I got a couple of  
23 phone calls. I see people on the street and they are  
24 yelling and screaming, I paid my taxes, and they are  
25 absolutely right. They paid their past taxes. They

↑34

1 Board Meeting  
2 are caught up to date and felt good about it, but the  
3 tax for our trash fee, the county does not collect

4 that.

5                   So this is something that was a  
6 misunderstanding, not on our part or in trying to  
7 communicate, but the county is not going to tell every  
8 person coming in. They are thinking their taxes are  
9 being paid plus the trash but it wasn't.

10                   The trash fee was never collected.  
11 So they are thinking they are up to date but they are  
12 delinquent. And they are doing a good job. We got 23  
13 thousand and I think we just started this.

14                   MR. NEEDLES: Yes. We had a four  
15 thousand dollar check the first month, and 23 thousand  
16 the second month.

17                   MR. RAIKOWSKI: As part of the  
18 board, I think we need to get this stuff out there and  
19 let the people know. Everybody is working. We are  
20 trying to get it right and that is what we want. I  
21 think we have done it.

22                   MR. BAIocco: You ought to check  
23 that. It may be more than five.

24                   MR. RAIKOWSKI: And it could be,  
25 and that's a good thing.

1 Board Meeting

2 THE PRESIDENT: We can think of  
3 ways to try to get the word out.

4 MR. NEEDLES: Actually, I left  
5 messages for individuals over at the Daily Times about  
6 some of the things that we have done recently. I have  
7 sent some press releases in, but we don't have anyone  
8 who is dedicated to this area. So if anybody wants to  
9 know what we are doing, feel free to stop by.

10 AUDIENCE MEMBER: I think you need  
11 to put it in the newsletter.

12 THE PRESIDENT: Well, we do put  
13 that in the newsletter.

14 AUDIENCE MEMBER: But putting it  
15 out puts a little bit more focus on it.

16 MR. NEEDLES: There will be some  
17 enhancements this year.

18 AUDIENCE MEMBER: Okay.

19 THE PRESIDENT: I know as  
20 individual commissioners we always said we haven't  
21 raised taxes this year, that we are trying our best to  
22 be within budget and provide the best service  
23 possible. When the newsletters come out, maybe we can



24 have a little dedicated section for it stating what we  
25 have done over the past several years.

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1 Board Meeting

2 If there is nothing else for our  
3 Manager, we will move on to Commissioner Baiocco's  
4 report.

5 MR. BAIOTTO: Thank you. Highway  
6 and Sanitation, another good job with the snow this  
7 past weekend. They got a couple of new things coming  
8 this year as part of their budget. I think a new skid  
9 steer and trailer have been ordered, and I think we  
10 are going to order another utility body.

11 I am going TO move on to  
12 Recreation. We have some fee-in-lieu money we can  
13 spend, and some of the things we are going to point  
14 toward, as Lisa mentioned earlier, we have a grant, a  
15 Green Grant, for a way to get down to the fields from  
16 this side up here as opposed to down along the parking  
17 lot. We are going to pave that, Lisa?

18 MS. CATANIA: It's going to be  
19 concrete.

20 MR. BAIOTTO: We are going to put

21 some safety netting up around the field to keep the  
22 ball from going out into Furey Road, maybe some more  
23 down at the end to save some of the balls from going  
24 into the woods. I think we are going to spend some  
25 money down on the playground. That playground is set

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1 Board Meeting

2 up for basically older kids like 5 and 6 and above.

3 We are going to put some stuff in for the littler  
4 kids.

5 We are going to do some stuff  
6 around the pavilion and maybe some stuff up around  
7 CBL??? to help them out. We can do some stuff with  
8 that hill that has been an issue up there since Day 1.  
9 It's been a long time coming.

10 That's all I have unless anybody  
11 has any questions.

12 MS. OLIRO: I have a point to  
13 make. Is this the appropriate time to make it?

14 THE PRESIDENT: Right after the  
15 meeting you can speak with Commissioner Baiocco. We  
16 start our meeting at 7:30.

17 MS. OLIRO: Right. I'm sorry. I  
18 walked in at, like, 7:31.

19 THE PRESIDENT: I asked for  
20 citizen comments and there were no public comments, so  
21 we moved on.

22 MR. BAIocco: We pushed things  
23 tonight because we were short commissioners and I am  
24 on call for work and if I had had to leave before we  
25 voted, it would have been a nightmare. So we are in

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1 Board Meeting

2 the clear now.

3 MR. RAIKOWSKI: The only thing on  
4 Tansey, west and east, or whatever that is, you wanted  
5 to start the street light posts to be painted for the  
6 springtime coming up, because they weren't touched. I  
7 was over that way just because my daughter has some  
8 friends.

9 MR. BAIocco: They were on my  
10 list.

11 THE PRESIDENT: I don't think I  
12 have any in mine.

13 MR. BAIocco: I've got one at the

14 end of Dutton.

15 MR. RAIKOWSKI: I think we did  
16 pretty good the last two years.

17 MR. BAIOTTO: Right. If anybody  
18 else has any, we will make a list and give it to Diane  
19 to submit again.

20 MR. NEEDLES: Joe, just to let you  
21 know, I have asked Okie and Put to start putting a  
22 preliminary list of roads together to present to the  
23 Board and to the engineer.

24 MR. BAIOTTO: For the Road  
25 Program?

▲39

1 Board Meeting

2 MR. NEEDLES: Yes, for just seeing  
3 what's out there and we will try to get that going.

4 THE PRESIDENT: If there are no  
5 other questions for Commissioner Baiotto, we will move  
6 on to Commissioner Whitaker's report. I know she is  
7 not present tonight.

8 We had the appointment for her for  
9 the Sewer Board authority. I don't believe there is

10 anything else on that list unless she communicated  
11 something extra to you, George.

12 MR. NEEDLES: Just that the first  
13 half of the donations to the library is in the list of  
14 bills for today.

15 THE PRESIDENT: Okay. We will  
16 move on to Commissioner Raikowski's report.

17 MR. RAIKOWSKI: Thank you. Not  
18 much going on, thank goodness. Nice and quiet, Fire  
19 and Safety. All reports are on file from the Fire  
20 Marshal. As Bud was saying, the Planning and Zoning,  
21 I didn't put it in my e-mail, but I wanted to thank  
22 the Zoning Board on the process of Hannum  
23 Harley-Davidson coming into Upper Chichester.

24 They had a zoning hearing board  
25 meeting back in December, and we welcome them coming

▲40

1 Board Meeting  
2 in. I do know we have a map for 322, so we can start  
3 looking at the map at 322 and the project plan and any  
4 businesses that it's affecting in Upper Chichester.  
5 We as the commissioners here, and George and I and  
6 anybody else, we are trying to look at the different

7 zoning areas so that we can keep these businesses that  
8 are affected from the 322 project.

9 God knows we have all been hearing  
10 it since 1967 probably, but we want to keep these  
11 businesses in Upper Chi. So we are trying to work  
12 hand-in-hand with any of them and trying to see what  
13 kind of zoning changes we could do that is not going  
14 to effect any residential or anything else and be able  
15 to keep them here in Upper Chi.

16 I think that is a good thing for  
17 everybody. I think everybody on the Board is bending  
18 over backwards. I know Joe has one in his. That's  
19 probably the easiest one. They are moving right  
20 across the street. So that's a good thing.

21 I think the whole Board feels the  
22 same way that if there is a business that we could  
23 help stay in Upper Chi because of this project, we are  
24 going to see what we can do to improve it for not just  
25 us but for the businesses and the community.

▲41

1 Board Meeting

2 Other than that, it's been pretty

3 quiet. I am hoping next month we have the new  
4 Medi-car, the supervisor car. The police department  
5 replaces two pieces of equipment every year, and we as  
6 the Township have a joint venture with the Boothwyn  
7 Fire Company to put in a medic unit. It's our medic  
8 unit for Upper Chichester.

9 It's not to say it doesn't go out  
10 of Upper Chi by mutual agreement, it may do that, but  
11 we implemented one of the police cars as a supervisor  
12 medi-car. It gives us an extra medic on call with the  
13 medic unit to help out in Upper Chichester, and it  
14 gives us a better efficiency for the residents and,  
15 hopefully, in a couple years one of these SUVs that  
16 are starting to be moved around, it would be a bigger  
17 vehicle, but it's a win-win for everybody.

18 I am pretty sure that the  
19 Ambulance Fund Drive should be out in the mail coming  
20 up, so if you get it, please feel free to donate to it  
21 because it does offset some of the costs for that. It  
22 is a paid department, paid EMS Department, not the  
23 fire department. The EMS is paid with the assistance  
24 of the Township 7 days a week, 365 a year. That's all  
25 I have.

1 Board Meeting

2 THE PRESIDENT: Thinking back  
3 while Commissioner Raikowski was mentioning Hannum,  
4 it's the Harley-Davidson Motorcycle shop. I think  
5 it's currently located on Baltimore Pike. They would  
6 like to revamp the old AmQuip Building on 452. So  
7 that will be a nice, huge addition to our township. I  
8 think there might even be some talks about putting a  
9 motorcycle museum within the premises. Hopefully I  
10 quoted that right, but thank you.

11 So that will be a nice addition to  
12 our township. Like Eddie said, I would like to thank  
13 the Zoning Board for working with us and the Hannums  
14 also.

15 Commissioner Neary is not here. I  
16 know we voted on the list of bills. Is there anything  
17 else that he needed to be addressed that you are aware  
18 of, George?

19 MR. NEEDLES: Not that I am aware  
20 of.

21 THE PRESIDENT: Okay. We will  
22 move on to my report.

23 Public Safety. I mentioned last



24 week that the police department received a donation of  
25 6,700 dollars to purchase a patrol and drug dog.

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1 Board Meeting

2 Currently we received a grant to get an arson dog. So  
3 Officer Gilmore will be responsible for our arson dog,  
4 and Officer Brinkman will be responsible for our drug  
5 and patrol dog. So that is two good additions that we  
6 can utilize within our Township.

7 Property Maintenance and  
8 Inspections Department. I don't have anything  
9 pressing to report on that other than we talked about  
10 the maintenance fee schedule tonight. I would like to  
11 thank the Board for passing that.

12 Historical Society. Again, they  
13 are kind of quiet. I have nothing to report.

14 My last thing is the Mill Road  
15 letter. That went out on Monday; correct?

16 MR. NEEDLES: Yes.

17 THE PRESIDENT: So the meeting is  
18 scheduled for February 28th. Myself, Lisa and George  
19 Needles will be present for that meeting. I may ask

20 the Chief to attend to discuss the traffic issues  
21 along Mill Road. I am hoping that we can come up with  
22 a nice, calming traffic solution within that road that  
23 is going to make everybody happy.

24 I don't have anything else. Does  
25 anybody have any questions for me?

▲44

1 Board Meeting

2 MR. RAIKOWSKI: I just want to say  
3 I've got to meet with George and the Inspection  
4 Department and all of the owners of Drexel Court  
5 Apartments. I really don't want to say on record what  
6 I want to say, but it's getting pretty bad over there  
7 and we have to meet.

8 Drexel Court Apartments is owned  
9 by about six different individuals. It's kind of  
10 tough to get one person to do anything, but we as a  
11 Township have to put our foot down and clean that up a  
12 little bit.

13 Just to put it on record, the  
14 building in the front on Chichester Avenue, hopefully  
15 the windows will be in by the end of next week or the  
16 week after because they were ordered. They have new

17 owners and they are working on that building. They  
18 are bending over backwards for us. We just have to  
19 get the other owners because it's getting pretty bad  
20 over there.

21 MR. NEEDLES: We should have Bud  
22 at that meeting because there are some things where we  
23 will need some legal advice on as well.

24 THE PRESIDENT: Ma'am, I know you  
25 have your hands full, but you are more than welcome to

▲45

1 Board Meeting

2 come and speak now, or I can adjourn the meeting and  
3 we can talk afterwards.

4 MS. OLIRO: I can come forward.

5 THE PRESIDENT: And your name and  
6 address for the record?

7 MS. OLIRO: Tabitha Oliro,  
8 O-l-i-r-o, 405 Hidden Valley Road.

9 THE PRESIDENT: Go ahead, ma'am.

10 MS. OLIRO: In March of 2015 my  
11 home was struck by a car, and the car came all the way  
12 through my home. My older son, two and a half years

13 old now, was only eight months at that time, and he  
14 and my husband were home in the kitchen doing a late  
15 night feeding, and they had to jump out of the way of  
16 the vehicle.

17 MR. RAIKOWSKI: I remember.

18 MS. OLIRO: Just about a week ago  
19 a car hit the street light on the same side of our  
20 house where that vehicle entered our home. If they  
21 hadn't hit that street light, they would have again  
22 come through our property.

23 Prior to us buying the home in  
24 2012, I didn't know of previous incidents, but after  
25 the accident my neighbors came forward, Oh, didn't you

▲46

1 Board Meeting

2 know there were -- actually, I think there were two  
3 other times when vehicles came on to my property.

4 MR. BAIocco: Is this coming down  
5 Burdett?

6 MS. OLIRO: Yes.

7 MR. BAIocco: Every time?

8 MS. OLIRO: I believe so, yes. I  
9 believe these two times that I was present for or that

10 I owned the home for were coming down through Burdett.  
11 So I have a great concern because as you can see I  
12 have two little ones. The first one was almost  
13 struck.

14 So I don't know how many warnings  
15 I get before something tragic happens. I am invested  
16 in my home. I don't want to have to move. I have a  
17 lot of love for my home, love for my area, and in  
18 addition I am financially dedicated to my home as  
19 well. So I have a great concern for my home.

20 MR. BAIOTTO: I want to defer to  
21 Lisa to see if she knows anything we can do, not to  
22 put you on the spot.

23 THE PRESIDENT: How about if we  
24 give Lisa permission to go look at the area and she  
25 can assess it?

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1 Board Meeting

2 MR. BAIOTTO: I will even meet you  
3 there if you want because I am familiar with it.

4 MS. OLIRO: Burdett has a 15 mile  
5 per hour speed limit. I don't think anyone follows

6 it.

7 MR. BAIOTTO: A lot of roads do.

8 MS. OLIRO: No one follows it on  
9 Hidden Valley Road. There is a stop sign, and I think  
10 it's a very common cut for more popular roads, and we  
11 have done what we can. We have tried to put some  
12 boulders on our property.

13 We just moved back into our home  
14 this year. We were out for an entire year. This is  
15 our first Christmas in our home. In addition to just  
16 the headache with the insurance company which has been  
17 a full-time job for me, my greatest concern is the  
18 safety of my children, whether it be in the home or  
19 whether playing out in our yard.

20 This is, like I said, multiple  
21 times that they have come onto our property. Every  
22 other year we are going to be struck by a car, and  
23 that's not very good for me.

24 So I would greatly appreciate it  
25 if something could be done, some speed bumps or

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1 Board Meeting  
2 something to slow down the traffic there.

3 MR. BAIocco: We will let Lisa go  
4 out and see what we can come up with.

5 MS. OLIRO: Will someone be in  
6 contact with me?

7 MR. BAIocco: Yes. If you don't  
8 hear from me -- Lisa, when do you want to go? Within  
9 a week?

10 MS. CATANIA: Yes.

11 MR. BAIocco: If you don't hear  
12 from me within a week, you call me about it.

13 MS. OLIRO: Do you have my contact  
14 information?

15 MR. BAIocco: I sent you an e-mail  
16 back because I got an e-mail. Ed forwarded it to me  
17 again.

18 MS. OLIRO: Maybe it went into my  
19 junk folder because I didn't get it.

20 MR. BAIocco: Right, because I  
21 sent you an e-mail and told you to call me and I left  
22 my number. But I am in that area all the time and if  
23 I have to, I will come knock on the door.

24 MS. OLIRO: Thank you.

25 MR. NEEDLES: Do you want to give

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Board Meeting

us your number? I can put it down so we have it.

MS. OLIRO: Sure. 610-730-2155.

I appreciate it very much.

MR. BAIOTTO: I know exactly what she is talking about there.

THE PRESIDENT: All right. Can I have a motion to adjourn?

MR. RAIKOWSKI: So moved.

MR. BAIOTTO: Second.

THE PRESIDENT: All in favor?

MR. RAIKOWSKI: Aye.

MR. BAIOTTO: Aye.

THE PRESIDENT: Aye. Motion carried.

(At 8:30 p.m., proceedings were concluded.)

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C E R T I F I C A T E

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I hereby certify that the

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proceedings and evidence are contained fully and

6

accurately in the notes taken by me in the above cause

7

and that this is a correct transcript of the same.

8

9

\_\_\_\_\_  
THOMAS P. CORCORAN,  
Court Reporter

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