

TOWNSHIP OF UPPER CHICHESTER

August 13, 2015

I. CALL TO ORDER

The regular meeting of the Board of Commissioners was called to order by Mr. Michael Gaudio, President, in the Meeting Room of the Municipal Building, Furey Road, Delaware County, Pennsylvania. Mr. Gaudio conducted the Pledge of Allegiance.

II. ROLL CALL

Roll was conducted by Mr. John McMullan. Mr. Gaudio, Mr. Raikowski, Ms. Whitaker - absent, Mr. Baiocco, Mr. Neary, Mr. Viscuso and Mr. Catania, all present unless otherwise noted.

III. MEETING MINUTES

Moved by Mr. Neary; seconded by Mr. Raikowski, the Board approved the meeting minutes from the July 9, 2015 regular meeting. Questions? Motion carried without dissent.

Mr. Neary noted a correction on page 3, under the solicitor's report, item #6, correction to motion made without dissent. Mr. Neary noted there was a no vote related to item #6, so vote was moved with dissent. Mr. McMullan to make correction to item #6 on page 3.

Mr. Gaudio noted the Board held Executive Sessions on July 14 and August 6, 2015 to discuss various legal and personnel issues.

IV. COMMENTS OF CITIZENS

Mr. Mark Stein from Land Tech was called to the podium by Mr. Gaudio to provide an overview of the meeting the Commissioners had on the field prior to tonight's Commissioners meeting with Mr. Stein. Mr. Stein noted he provided a current status of the fields and he commented he provided a maintenance plan moving forward to the Township. Mr. Catania asked Mr. Stein to be specific about future use of the fields. Mr. Stein noted no activity should take place on the fields for ninety days, as the grass needs to properly root. Mr. Catania asked Mr. Stein to be more specific about using the fields for Community Day and use of fields for softball. Mr. Stein's recommendation is to use the fields with caution for Community Day and because of the root system, not use the fields for softball until spring of 2016. Mr. Gaudio summarized by saying because Community Day is a one day event, it poses less of a risk than repetitive use at this time. Mr. Stein

concluded. Mr. Gaudio thanked Mr. Stein for attending the meeting and the work completed on the ballfields.

1. Mr. Nick Tortorello, 410 Dogwood Circle. Mr. Tortorello asked Mr. Gaudio about the price to complete the work on the fields. Mr. Gaudio asked Mr. Viscuso to comment to the question. Mr. Viscuso responded the Township received a grant to offset the expenses related to the construction of the ballfields. Mr. Viscuso noted the first contractor submitted unexpected change orders due to weather conditions and did not complete the project to the expectation of the Commissioners. As such, the Township hired another contractor to provide remedial work to the ballfields. At this time, a final expense amount is not available, as cost figures need to be calculated. Mr. Viscuso did note, because of change orders and hiring another contractor, the total expense will exceed the original budgeted amount.

2. Mr. Jim Carney, 112 Woodstream Road. Mr. Carney is concerned about college students renting a house on his street. He noted the students have been a nuisance in the neighborhood. Mr. Carney would like for the Township to review its current housing ordinance, as it relates to unrelated individuals residing in a home. Mr. Catania noted he was asked by Mr. Gaudio to review the issue, as well as look into ordinances used by communities that are within close proximity of colleges/universities. Mr. Catania, noted as a local government, we have more ability regulating conduct rather than who resides in a house. Mr. Catania will work with the Township's housing officer and code enforcement officer.

V. ENGINEER'S REPORT

1. *Mr. Viscuso presented the Engineer's report.*
2. *Moved by Mr. Neary and seconded by Mr. Raikowski, the final payment to Land Tech for the ballfields in the amount of \$32,456.65. Questions? Moved without dissent.*
3. *Moved by Mr. Neary and seconded by Mr. Raikowski, agreement with Lower Chi to share the expense to pave the sections of Laughead Avenue that intersect Lower and Upper Chichester. Payment will be released after completion of work. Motion carried without dissent.*
4. *Mr. Viscuso noted today paving was completed at Maple Zone and striping will be completed tomorrow.*
5. *Moved by Mr. Neary and seconded by Mr. Raikowski, contracting with Fly Weigh Excavating, in the amount of \$96,675.00 for the*

work to stabilize the streambank behind the homes on Jennifer Way. Mr. Neary requested a copy of the complete bid packet. Mr. Gaudio noted the Township was a recipient of a grant in the amount of \$106,000 to assist with stabilizing the streambank. Mr. Viscuso noted Mr. Catania review the easement. Questions? Motion passed without dissent.

- 6. Mr. Viscuso commented he has discussed the stormwater agreement with Royal Farms' in house engineer. Mr. Viscuso expects the agreement to be submitted in the near future. This will include a perpetual maintenance escrow for maintenance/repairs related to stormwater inlets.*
- 7. Moved by Mr. Neary and seconded by Mr. Raikowski, resolution 15-29, HOP application submission by Royal Farms for traffic improvements at the intersection of Meetinghouse Road and Market Street. Questions? Moved without dissent.*
- 8. Moved by Mr. Neary and seconded by Mr. Raikowski, resolution 15-28, escrow return in the amount of \$3,978.50 to the Moss Estate. Mr. Viscuso noted this amount is subject to future fees submitted to the Township. Questions? Moved without dissent.*
- 9. Mr. Viscuso provided an estimate to Mr. Gaudio's question about installing a LED streetlight on the utility pole near 917 Flora Lane. Mr. Viscuso noted this price amount is included in the Township's agreement for streetlight repair/maintenance with Lenni Electrical.*

VI. SOLICITOR'S REPORT

- 1. Mr. Catania presented the Solicitor's Report.*
- 2. Mr. Catania noted he was present tonight at 7:00pm to preside over the publicly advertised public hearing for ordinance No. 701, Stormwater Ordinance. This ordinance has been recommended by the Township Engineer and is required by DEP and amends the current floodplain overlay district as noted in Township's current zoning ordinance. The ordinance is part of a federal and state effort to more closely regulate stormwater discharge. The Township has complied with advertising the ordinance, however Mr. Catania noted no public appeared for the public hearing at 7:00pm. Mr. Catania noted the ordinance was properly advertised and asked the Commissioners to take action on the ordinance. Moved by Mr. Neary and seconded by Mr. Raikowski, ordinance 701, Stormwater ordinance. Questions. Motion carried without dissent.*

3. *Mr. Catania noted he sent both the financial agreement and developer's agreement to Royal Farms and he commented Royal Farms will post both with a bond. He is waiting to hear back from them.*
4. *Mr. Catania noted he will email the Commissioners a list of questions for a codification meeting.*
5. *Mr. Catania commented that he and Mr. Neary appeared before the Delco County Election Bureau earlier this morning. Mr. Catania noted the board approved the Township's reapportionment plan, but the Bureau articulated they cannot pass or approve the census block lines. Mr. Catania noted there will be a meeting next Friday with the County Solicitor, to discuss the role of the School Board and moving to the next step. Mr. Catania noted the next level is for the Court of Common Pleas to take action on approving the plan. If not approved at that level, the next level is the State.*

VII. MANAGER'S REPORT

1. *Mr. McMullan discussed the agreement he circulated to contract with ACA, a vendor to assist the Township with complying to the new affordable healthcare act. Mr. McMullan noted he will work with the Solicitor on this agreement. Mr. Catania suggested to the Board, voting on the agreement tonight contingent on the review of the Township Solicitor. Moved by Mr. Neary, and seconded by Mr. Raikowski, moving forward with an agreement with ACA. Questions? Moved without dissent.*
2. *Mr. McMullan commented on Read Boyd Farm and noted the an environmental impact created by Sunoco Logistics. A accidental vapor cloud was created by a subcontractor of of Sunoco Logistics from incorrectly adding to much chemical to a pit at the location. The vapor impacted residents in Lower Chichester. The Township, along with members from Lower Chichester and Sunoco Logistics met to discuss the incident, as well as grading work to be completed at the site. Mr. McMullan will forward information about future work at the site to Mr. Viscuso.*
3. *Mr. McMullan noted Mike Bayesa from Johnson Controls was in attendance at tonight's meeting to discuss the agreement between the Township and Johnson Controls. If the Township agrees to move forward with Johnson Controls to replace existing streetlights with LED streetlights, Johnson Controls would like a commitment in writing from the Township. Mr. Catani to review the agreement.*

4. *Mr. McMullan commented this was his last meeting and he thanked the Board of Commissioners for the opportunity to serve the residents of Upper Chichester. He thanked both Mr. Catani and Mr. Viscuso for their professional guidance. In addition, Mr. McMullan thanked the entire Township staff and residents of Upper Chichester Township for working with him.*

VIII. REPORTS OF COMMISSIONERS

A. Highway & Sanitation, Library, Street Lighting & Traffic Signals – Mr. Baiocco, Chairman

1. *Mr. Baiocco requested extending two of the summer employers another month (30 days); seconded by Mr. Neary, the approval of extending two summers employees another month.*
2. *Mr. Baiocco noted the library has found a fire proof lockbox which will be donated to the library from Marple Township Library. The library is requesting the Highway staff pick up the lockbox. The Board agreed to make arrangements.*
3. *Mr. Baiocco commented on final items being completed at Maple Zone.*

B. Recreation, Sewer & Water – Ms. Whitaker, Chairman

1. *Mr. McMullan in the absence of Ms. Whitaker, provided a list of activities for the upcoming Community Day scheduled for September 6, 2015.*

C. Fire & Safety, Zoning & Planning – Mr. Raikowski, Chairman

1. *Mr. Raikowski noted that the reports are on file in the office for review.*
2. *Mr. Raikowski commented that a hearing about the house on 3rd Avenue that took place early today. Mr. Raikowski is hopeful the house will be demolished in sixty days.*
3. *Mr. Raikowski noted fire and police drills will take place at the houses that have been purchased by Royal Farms. The drills will take place the week, in the evening, of September 14th.*

D. Administration/Finance, Grants, Open Space/Shade Tree – Mr. Neary, Chairman

1. *Administrative/Financial reports are on file in the office for review.*
2. *Moved by Mr. Neary, seconded by Mr. Raikowski, that the Board approve the List of Bills for the General Fund, in the amount of \$542,883.04. Mr. Neary also noted there are bills in the amount*

of \$8,900 payable to Thomas J. Anderson and escrow returns totaling \$8,183 that are not included in the list of bills. Questions? Motion carried without dissent.

3. *Mr. Neary noted no trash refunds.*
4. *Mr. Neary commented there was some discussion today regarding Creekside and he will discuss with Mr. Sheridan.*
5. *Mr. Neary noted no proposal from code enforcement agency.*
6. *Mr. Neary encouraged Commissioners to respond to his comments regarding employee recognition suggestions.*
7. *Mr. Neary noted most issues have been covered regarding the transition period to a new manager. Mr. Neary thanked Mr. McMullan for all his hard work and dedication to the Township and wished him well in his new position.*

E. Public Safety, License & Inspections & Historical Society – Mr. Gaudio, Chairman

1. *Mr. Gaudio noted that all reports are on file in the office.*
2. *Mr. Gaudio asked for consideration on hiring a new crossing guard, Mr. Fred Marvel. Moved by Mr. Near and seconded by Mr. Baiocco. Questions? Moved without dissent.*
3. *Mr. Gaudio discussed the property at 4605 Bethel Road. The Township zoning officer has notified the owner they will have to go in front of the Planning Commission to discuss building on the lots.*
4. *Mr. Gaudio commented on the employee acknowledgement form that is being drafted by Mr. Catania. The form should be ready by next week.*
5. *Mr. Gaudio noted discussed earlier was the Jennifer Way Grant and sharing a traffic calming plan with residents on Mill Road.*
6. *Mr. Gaudio discussed notarizing the easement agreement for 3105 Rodney Ave. Mr. Okolowski is awaiting his seal to notarize the agreement.*
7. *Mr. Gaudio noted codification was discussed earlier by Mr. Catania.*

8. *Mr. Gaudioso noted the Board will be meeting immediately following this meeting in Executive Session to discuss personnel and legal matters related to the Township. At the conclusion of the meeting, the Board will properly adjourn the meeting.*

New Business

None.

OLD BUSINESS

None.

4. ADJOURNMENT

Moved by Mr. Neary, seconded by Mr. Raikowski that the Board adjourns. Questions? Motion carried without dissent.

Respectfully submitted,

John McMullan
Township Manager/Secretary

