

## TOWNSHIP OF UPPER CHICHESTER

July 9, 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, 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 June 14, 2015 regular meeting. Questions? Motion carried without dissent.*

*Mr. Gaudio noted the Board held Executive Sessions on July 2, 2015 and July 7, 2015 to discuss various legal and personnel issues.*

### IV. COMMENTS OF CITIZENS

1. Ms. Andrian Maggio, 1706 Mill Road. Ms. Maggio was requesting information from her request for the Township to inspect a sinkhole situation impacting her front sidewalk. Mr. Viscuso noted a video camera was used to view the inside of the pvc pipe extending from 1702 Mill Road to the street, which was initially thought to be causing the sinkholes in front of several properties on Mill Road. However, no issues were detected with the pvc pipe and Mr. Viscuso noted the sidewalks were installed without a stone foundation and with every rain, erosion is taking place under the sidewalk. Mr. Viscuso noted the sidewalk in front of 1702 needs to be replaced with a stone foundation and that will halt the erosion under the sidewalks on Mill Road. Mr. Viscuso did note this is not an issue for the Township and Ms. Maggio would have to replace her own sidewalk.

2. Ms. Michelle Fanelli, 4110 Bethel Road. Ms. Fanelli questioned Mr. Viscuso regarding erosion and sediment controls at the McGinley Property. Mr. Viscuso noted controls should be in place prior to contractor moving earth. Mr. Neary informed Ms. Fanelli he has requested Keith Crowley, Code Enforcement Officer, to inspect Ms. Fanelli's concerns and site landowner if controls are not in place.

V. **ENGINEER'S REPORT**

1. *Mr. Viscuso presented the Engineer's report.*
2. *Moved by Mr. Neary and seconded by Mr Raikowski, the second payment to Land Tech for the ballfields in the amount of \$72,997.44. Questions? Moved without dissent.*
3. *Mr. Viscuso noted the preconstruction meeting for the 2014 CDBG program took place earlier today with the Contractor. The notice to proceed will be issued by the County on August 14<sup>th</sup>. The Contractor will provide a sample copy of the resident notification to the Engineer's office prior to delivering to residents.*
4. *Mr. Viscuso commented a request will be made to the County for additional funds for the 2014 CDBG project.*
5. *Mr. Viscuso noted there is a preconstruction meeting for the 2015 Township Road Program this coming Tuesday. AF Damon will provide a schedule at the preconstruction meeting.*
6. *Mr. Viscuso commented on the escrow review and review of all the highway occupancy permits submitted by Royal Farms. Mr. Viscuso anticipates at least another month before all documents are finalized with Royal Farms.*
7. *Mr. Viscuso noted the Flood Plain Ordinance will need to be adopted by September. Mr. Viscuso anticipates adopting the ordinance the August BOC meeting.*
8. *Mr. Viscuso notified the owners at 4605 Bethel Road, ( 2 lots) near that address, are looking to construct two single family dwellings, they will need to go through planning.*
9. *Mr. Viscuso commented he will prepare a memo for the demolition of the house at 2245 3<sup>rd</sup> Avenue. The Township has sought a court injunction to demo the house. CDBG funds will be used to demo the deteriorating house.*
10. *Mr. Viscuso noted the complaints received about the parking in Norton Road alley. Mr. Viscuso will provide a memo with recommendations to the Township and work with the Police Chief to post no parking signs.*
11. *Moved by Mr. Neary and seconded by Ms. Whitaker, the approval of Resolution 15-22, Moss Estate subdivision. The resolution approves lot line changes to a property on Jefferson Avenue. Questions? Motion*

*carried without dissent.*

12. Moved by Mr. Baiocco and seconded by Mr. Neary, Resolution 15-22, Maple Zone's request for a line of credit escrow release in the amount of \$72,808.35. Questions? Motion carried without dissent.

*Mr. Baiocco had a question about the review of stormwater complaint at 13 Bernard Street. Mr. Viscuso noted he obtained video of rainwater and will prepare a memo for the Township.*

## **VI. SOLICITOR'S REPORT**

1. *Mr. Catania presented the Solicitor's Report.*
2. *Mr. Catania noted the floodplain ordinance will be available at the August meeting. The ordinance will be advertised and ready for consideration of the Commissioners at the August meeting.*
3. *Moved by Mr. Neary and seconded by Mr. Raikowski, tax assessment appeal resolution 15-25 for 12 Winding Way, which is a settlement proposal from the School District. Questions? Motion carried without dissent.*
4. *Moved by Mr. Neary and seconded by Mr. Raikowski, tax assessment appeal resolution 15-26, for 4301 Trophy Drive, which is a settlement proposal from the School District. Questions? Motion carried without dissent.*
5. *Moved by Mr. Neary and seconded by Ms. Whitaker, resolution 15-24, creating smoke free zones at Township owned facilities, including recreational facilities. Questions? Motion carried without dissent.*

*Mr. Gaudiuso noted working to create designated smoking areas at Township facilities.*

6. *Mr. Catania noted creating, by resolutions assistant Right To Know Officer, assistant Township Secretary and assistant Treasurer. Ms. Whitaker requested separating the resolutions by position.*

*Moved by Mr. Neary and seconded by Mr. Raikowski, Resolution 15-23A, appointing Ms. Diane Walls assistant Township secretary. Mr. Gaudiuso requested Mr. McMullan Take a roll call vote. Mr. Baiocco – Yes, Ms. Whitaker – No, Mr. Gaudiuso – Yes, Mr. Raikowski – Yes, and Mr. Neary – Yes. Questions? Motion carried.*

Moved by Mr. Neary and seconded by Mr. Baiocco, Resolution 15-23B, appointing Ms. Kate Kauranen assistant Township Treasurer. Mr. Gaudioso requested Mr. McMullan take a roll call vote. Mr. Baiocco – Yes, Ms. Whitaker – Yes, Mr. Gaudioso – Yes, Mr. Raikowski – Yes and Mr. Neary – Yes. Questions. Motion carried without dissent.

Moved by Mr. Neary and seconded by Mr. Raikowski, Resolution 15-23C, appointing Ms. Deborah Brooks Assistant Township Right to Know Officer. Mr. Gaudioso requested Mr. McMullan take a roll call vote. Mr. Baiocco – Yes, Ms. Whitaker – Yes, Mr. Gaudioso – Yes, Mr. Raikowski – Yes and Mr. Neary – Yes. Questions? Motion Carried without dissent.

Mr. Raikowski commented that he appreciates these employees agreeing to the additional responsibilities without additional compensation. Mr. Neary noted these appointments are part of the transition period until the Commissioner's hire a new manager.

7. Moved by Mr. Neary and seconded by Mr. Baiocco, sending final Payment as recommended by the arbitrator to Maxis in the amount of \$92,128.49. Questions? Motion carried without dissent.
8. Moved by Mr. Baiocco and seconded by Mr. Raikowski, issuing a temporary certificate of occupancy via an indemnification agreement to Maple Zone for use of the sports complex for the dates of July 17, 18, and 19<sup>th</sup>. The agreement includes use of the police for traffic control, liability insurance in the amount of \$2,000,000 and field use limited to games played during noted dates. Questions? Ms. Whitaker abstained from the vote. Motion carried.
9. Mr. Catania commented on the election bureau's August 13<sup>th</sup>, 2015 meeting and suggested the Manager send a letter to the Delco Bureau of Election to add discussion of Ordinance 697 to their agenda.

Mr. Gaudioso wanted to clarify with Mr. Catania that the election board had the petitions collected by Mr. Gaudioso regarding the precinct configurations in the 5<sup>th</sup> Ward. Mr. Catania commented he would have to confirm that with the Bureau of Election. Mr. Catania commented he will check the transcripts from the first meeting.

## **VII. MANAGER'S REPORT**

1. *Mr. McMullan commented on the 2015 CDBG agreement that will be signed by Mr. Gaudiuso and returned to the County.*
2. *Mr. McMullan noted the implementation of the phone system has taken place at the police department and will take place next week at the Township and Highway Department.*
3. *Mr. McMullan reported Maple Zone would like to condo parcels on their property, this process is similar to sub-dividing the parcels. Maple Zone will be submitting a sub-division application to the Township.*

## **VIII. REPORTS OF COMMISSIONERS**

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

1. *Mr. Baiocco reported Highway Department has purchased a recycling truck, converted a former pick-up truck to a utility vehicle and a former trash truck to a dump truck.*
2. *Mr. Baiocco requested the Commissioners give consideration in the near future regarding picking up residential recycling every other week. Mr. Neary noted the service is a convenience, however is not cost efficient. The consensus of the board was to continue every other week pick up of recycling continuing through the year.*
3. *Mr. Baiocco noted cigarettes are being discarded in the return book slot at the library. Mr. Gaudiuso requested the Chief of Police reach out to the library to discuss the situation.*

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

1. *Ms. Whitaker noted all reports are on file in the admin office.*
2. *Ms. Whitaker reported the recreation report and commented on the activities of the Township's summer youth camp program. Ms. Whitaker noted many of the fun activities and an upcoming movie night scheduled for next Thursday.*
3. *Ms. Whitaker noted planning for Community Day continues and the day is scheduled for September 6, 2015. Many fun activities are being scheduled, as well as many food vendors. Raffle tickets for cash prizes are currently being sold. The Day will start at noon with a parade.*

4. Ms. Whitaker noted that Ms. Betsy Brooks from the Sewer Authority will be retiring after 45 years and a celebration will be held for Ms. Brooks on August 4<sup>th</sup>, 2014.

5. Ms. Whitaker commented on a previous meeting when Mr. Lou Perti questioned the amount of citations that were issued to business owners that did not pay their 2015 business license. Mr. Perti was concerned of the Township's notification process to the business owners. Ms. Whitaker noted she was aware of the citations being sent to businesses that did not pay, but was unaware of the original notification process to the business owners. Ms. Whitaker noted the email notification was successful, but that moving forward, the Township will notify businesses beginning in October 2015 about their 2016 business license.

Mr. Gaudio thanked Ms. Whitaker for her comments regarding the business licenses.

**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 expressed thanks to the Highway Department for their exemplary work during the bad storm on June 23<sup>rd</sup>. In addition, Mr. Raikowski also thanked the Fire Companies and the Emergency Management Staff.

3. Mr. Raikowski noted he researched CoStars and found that Fire Companies are eligible to register with CoStars and purchase from the approved list. This is a follow up to a request from Reliance Fire Company requesting assistance from the Township with purchasing a new vehicle for the Fire Company.

4. Mr. Raikowski commented on the child clearance background check presentation scheduled for August 3, 2015 at the Boothwyn Fire Company. Mr. Raikowski is encouraging the attendance of the Township volunteers. Mr. Gaudio requested Mr. Catania to identify Township employees that will be required to conform to the background checks.

**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 \$513,655.51. Questions? Motion carried without dissent.
3. Mr. Neary noted no trash refunds.
4. Mr. Neary commented there has not been much movement on issues with Creekside.
5. Mr. Neary asked Mr. Catania about the code enforcement officer from Clifton Heights assisting the Township with property maintenance issues. Mr. Catania did not receive a response from the Clifton Heights code officer.
6. Mr. Neary noted the cut-off for submissions from Commissioners for the newsletter is July 31, 2015

**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 commented on the retirement of Sgt. Caulfield and that Sgt. Caulfield will be missed by all.
3. Mr. Gaudio commented that he spoke to Mr. Frank Sill, a member of the Historical Society, about renovating the historical structures at the Maple Zone Complex. Mr. Gaudio noted that Mr. Sill is gathering a team to work on the structures.
4. Mr. Gaudio commented he asked Keith Crowley and Jeanmarie Broomall to create a vacancy list form by Ward. Mr. Gaudio provided a breakdown of vacancies by Ward. In addition, Mr. Gaudio noted the list provides information about the amount of vacant homes the Township is currently cutting the grass at and as such, have gone through the abatement process.
5. Mr. Gaudio noted the resolve of 1702 Mill Road as discussed earlier and the resolve of the easement at 3105 Rodney Ave.
6. Mr. Gaudio asked Mr. Catania for an update on the Codification process. Mr. Catania noted he had a discussion with the codification company and will likely need additional information from the Township.

**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