

## TOWNSHIP OF UPPER CHICHESTER

May 14, 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. Schneider sitting in for Mr. Viscuso, 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 April 16, 2015 meeting. Questions? Motion carried without dissent.*

*Mr. Gaudio noted that the Board held an Executive Session on April 2, 2015 to discuss various legal and personnel issues.*

*Mr. Gaudio noted May 10<sup>th</sup> through May 16<sup>th</sup> is recognized as National Police Week. The purpose of the week is to recognize law enforcement officers that have fallen in the line of duty. Mr. Gaudio recognized Upper Chichester Township Police Officer Jorgen Holland who died as a result of injuries sustained in the line of duty. Mr. Gaudio asked for a moment of silence for Officer Holland and all law enforcement officers that have fallen in the line of duty.*

*The Board of Commissioners recognized the following Township Police Officers with certificates for exemplary performance: Officers: Smoak, Molineaux, Keith, and Rhodes. Mr. Gaudio, on behalf of the board, expressed his sincere appreciation for the entire police department. The board took a five minute recess to take pictures with the officers.*

*The Board of Commissioners also recognized EMS week, May 17<sup>th</sup> thru May 23<sup>rd</sup>, 2015 with resolution 15-16. In addition, the Board of Commissioners recognized the one year anniversary of the medic unit that serves all of Upper Chichester Township. The board took a five minute recess to take pictures with the medics in attendance.*

#### **IV. COMMENTS OF CITIZENS**

Mr. Bob Getz, 13 Tansey Drive. Mr. Getz has several concerns about the underground tanks that will be installed at the recently approved site for the construction of Royal Farms convenience and gas pump station. Mr. Getz provided reports of gas leaks from other Royal Farms locations and wants to know the process for Royal Farms certifying their underground tanks.

Mr. Gaudiuso noted, in attendance was representatives from Royal Farms, which may be able to provide answers. Royal Farms deferred comments until there section of the agenda.

Mr. Frank Keely, 1033 Meetinghouse Road. Mr. Keely is concerned about the storm water run-off from the commercial property behind his home. Mr. Keely noted he has previously contacted the Township. Mr. Schneider said he is aware, however did not visit the site with Mr. Viscuso. Mr. Gaudiuso noted he visited the site with Mr. Viscuso and he thought a letter was sent to the commercial property owner. Ms. Whitaker requested follow up from Mr. McMullan.

Mrs. Maggio, 1706 Mill Road. Mrs. Maggio complained about the sinkhole out front of the vacant home of 1702 Mill Road. Ms. Maggio complained that she was unsatisfied with the communication from the Township.

Mr. Lou Perti, 3665 Market Street. Mr. Perti discussed the large amount of citations that were issued to small business owners for not complying with paying their 2015 business license. Mr. Perti spoke on behalf of Lou's Computers, a 75 year old business owner that was sent a citation and paid the citation. Lou's Computers has never been late before with a payment and now for the first time, is paying the citation fee. Mr. Perti asked the board if there was a change in policy that resulted in the Township issuing 228 citations. After discussion, Ms. Whitaker noted moving forward, improvements will be made in communicating with business owners and there is no intent on the Township's side, to issue citations to complying businesses.

#### **V. ENGINEER'S REPORT**

- 1. Mr. Schneider presented the Engineer's report.*
- 2. Mr. Schneider provided an update on Furey Fields 1 and 2. Mr. Schneider stated the contractor is out on the fields and progressing well. There are two items that require board action for the ballfield contract.*

*Moved by Mr. Neary and seconded by Mr. Raikowski, in the amount of \$14, 820.40, to increase the amount of grading in areas not originally identified and to re-sod those areas. Questions? Moved without dissent.*

*Moved by Mr. Neary and seconded by Mr. Raikowski, in the amount of \$5,434.00 to essentially move the home plate area of field two back toward the backstop to achieve 70ft base paths. Questions? Moved without dissent.*

3. *Mr. Schneider reported on the 2014 CDBG projects. Pennoni has received bids for the project, and received approval for the bids from the County. Mr. Schneider is asking the board to take action on approving the lowest bidder.*

*Moved by Ms. Whitaker and seconded by Mr. Neary, the 2014 CDBG contract award to Premiere Concrete in the amount of \$229,435. Questions? Moved without dissent.*

4. *Mr. Schneider reported on the 2015 Road program. Mr. Schneider is asking the board to take action on awarding the contract for the road program.*

*Moved by Mr. Neary and seconded by Mr. Raikowski, awarding the 2015 Road Program to A.F. Damon in the amount of \$387,335.90. Questions? Moved without dissent.*

5. *Mr. Schneider noted the storm water pipe at 3105 Rodney Ave has been televised with a camera. Mr. Schneider to submit a memo with the results to Mr. McMullan.*
6. *Mr. Schneider reported on the status of updating the Township's Floodplain ordinance. Some more work is needed before the Ordinance will be presented to the Commissioners.*
7. *Mr. Schneider noted Pennoni submitted a proposal to Penn Dot to widen the sidewalk on Mill Road near Lutheran Knolls. Once reviewed and if approved, Pennoni will discuss funding options.*
8. *Moved by Mr. Neary; seconded by Mr. Raikowski approval of Resolution, 15-14, Royal Farms final land development Questions? Motion passed without dissent.*

*Ms. Whitaker asked the representatives from Royal Farms to address the concerns of resident, Mr. Getz. Royal Farms' Engineer, Mr. Russella addressed Mr. Getz's concerns*

*about the underground gas storage tanks. Mr. Russella explained the underground tanks are installed in double walls with monitors and alarms that trigger when there is a leak. Mr. Russella also stated that employees are trained to respond to emergencies. Mr. Russella provided handouts for Mr. Getz. Ms. Whitaker asked Mr. Russella to also provide information to Mr. McMullan.*

9. *Moved by Ms. Whitaker and seconded by Mr. Neary, resolution 15-15, updating Act 537 Sewer Plan. The Township is required to take action on Act 537 and the sewer authority is responsible for funding and implementing actions in Act 537. Questions? Due to an employment conflict to of interest, Mr. Baiocco abstained from the vote. Moved without dissent.*

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

1. *Mr. Catania presented the Solicitor's Report.*
2. *Mr. Catania noted the Recycling Agreement has not been returned to the Township. At this point, the Mr. Catania suggested Mr. McMullan sign the agreement and ratify at next meeting.*
3. *Mr. Catania discussed 4605 Bethel Road and the concerns about the builder submitting a grading application before submitting a land development application. Mr. Catania suggested the Township communicate that to the builder.*
4. *Mr. Catania noted he sent the easement agreement for the work to be completed at 3105 Rodney Ave to the owner requesting the owner to sign and have the agreement notarized.*
5. *Mr. Catania discussed the agreement prepared for Springton Circle HOA and the Township. The agreement defines the role of the Township and the HOA making corrections to the storm water basin in the future.*

*Moved by Mr. Baiocco and seconded by Mr. Neary, for the Township to accept the agreement as prepared by the Township Solicitor and the Township's obligation to paying the fee shall not exceed half the cost of the estimate obtained by the HOA (contingent on the approval of the Township Engineer) and that the Township shall no longer be responsible for maintenance or repairs to the basin. Questions? Moved without dissent.*

6. *Mr. Catania provided an update on new legislation that impacts volunteers that come into contact with children. The new legislation impacts Township volunteers and volunteers at fire companies.*

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

1. *Mr. McMullan provided update on recently approved agreements including: ET&T and ADP. ET&T phone system should be active by the end of June and implementation of paperless paystubs has started with ADP.*
2. *Mr. McMullan discussed refinancing the 2010 Bond. The Township is eligible for refinancing in September 2015. Mr. McMullan has been working with Mike Wolf from Scattergood.*
3. *Mr. McMullan discussed the 2015 PSATC conference and reminded Commissioners about the registration date.*

## **VIII. REPORTS OF COMMISSIONERS**

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

1. *Motion by Mr. Baiocco and seconded by Mr. Raikowski to hire up to four summer employees for the highway/sanitation department. Questions? Motion passed without consent.*
2. *Mr. Baiocco discussed the highway department purchasing a new piece of equipment. Discussion took place about the purchase and highway to submit a proposal to Mr. Baiocco.*
3. *Mr. Baiocco requested approval from the Board to authorize the Township Engineer to inspect the storm sewer behind the houses on Cella Drive. Board approved.*

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

1. *Ms. Whitaker noted all reports are on file in the admin office.*
2. *Ms. Whitaker requested no parking signs installed on the 2100 Block of Seaside Ave. Mr. Catania noted this request will require an ordinance.*

*Motion by Mr. Raikowski and seconded by Mr. Neary authorizing the Township Solicitor to prepare a no parking ordinance for the 2100 Block of Seaside Ave. Questions? Motion passed without dissent.*

3. Ms. Whitaker commented the Township has a health inspector that inspects all facilities in the Township that prepares and or sells food, including Royal Farms.

**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 on recognizing the one year anniversary of the medic unit.

3. Mr. Raikowski noted passing a resolution recognizing EMS week.

4. Mr. Raikowski discussed interviewing and hiring, on a volunteer basis, an individual to serve as an apprentice to the current Township Fire Marshall. Ms. Whitaker commented on the importance of having a back-up to the current Fire Marshall.

5. Mr. Raikowski asked Mr. McMullan if communication was sent to CWA about partnering on a project on Okiola Ave. Mr. McMullan sent an email request to CWA.

**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 \$495,150.44 Questions? Motion carried without dissent.

3. Moved by Mr. Neary, seconded by Mr. Raikowski, trash refunds to eleven qualifying residents.

4. Mr. Neary commented on work he is doing to find out information about the Census Bureau.

5. Mr. Neary provided an update about the meeting with Creekside Development. Mr. Neary noted Travelers has not been to forthcoming, but has provided some information. Mr. Neary noted the next scheduled meeting with Travelers is May 29, 2015.

6. Mr. Neary welcomed Ms. Kate Kauranen, the recently hire part time accountant to the Township.

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

1. Mr. Gaudio noted that all reports were on file in the office.
2. Mr. Gaudio noted the police department has started bike patrol.
3. Mr. Gaudio noted the historical structures at the former Boyd Farm are now located near the rear parking lot at Maple Zone.
4. Mr. Gaudio asked Mr. McMullan to schedule an Economic Development Committee meeting, either at night or on the weekends to accommodate Commissioners. Mr. McMullan is coordinating with the committee.
5. Mr. Gaudio commented on Rodney Ave and the easement agreement.
6. Mr. Gaudio commented on the issue at 1702 Mill Road and is requesting an inspection be completed by Pennoni. Mr. Gaudio requested approval from the board for the Township Engineer to inspect the issue at 1702 Mill Road. Approved by the Board.
7. Mr. Gaudio asked Mr. Catania to provide an update on the codification process. Mr. Catania noted all information has been turned over to the codification company. Mr. Catania did mention updating the fines in older ordinances and recommended a meeting with Township Department Directors. Also, Mr. Catania wanted to confirm the color maroon for the books.
8. Mr. Gaudio welcomed Ms. Kate Kauranen to the Township.

**New Business**

Mr. Baiocco noted Maple Zone would host Chichester Thunder Softball games if the Township provides a temporary certificate of occupancy. Discussion about the temporary certificate of occupancy. Maple Zone needs to contact inspections to schedule an inspection.

**OLD BUSINESS**

Ms. Whitaker asked for clarification on Maple Zone's request to make a donation to the Township in lieu of paving the entire parking lot in the rear of the complex. Mr. Baiocco said Maple Zone is waiting on a decision from the Board. More discussion to follow.

**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



