

## TOWNSHIP OF UPPER CHICHESTER

November 13, 2014

### I. CALL TO ORDER

*The regular meeting of the Board of Commissioners was called to order by Michael Gaudio, President, in the Meeting Room of the Municipal Building, Furey Road, Delaware County, Pennsylvania. Mr. Gaudio conducted the Pledge of Allegiance. Mr. Gaudio made an announcement at the start of the meeting that due to the Commissioners waiting on a report from PennDot regarding the proposed Royal Farms development, the Commissioners will not be taking action at this meeting, instead will take action at the December 4<sup>th</sup>, 2014 Caucus meeting.*

### II. ROLL CALL

*Roll was conducted by Township Manager Mr. McMullan. Mr. Gaudio, Mr. Raikowski, Ms. Whitaker, Mr. Baiocco, Mr. Neary, absent-excused, Mr. Michael Schneider (sitting in for Mr. Viscuso) and Mr. Catania. All present unless otherwise noted.*

### III. MEETING MINUTES

*Moved by Mr. Baiocco; seconded by Mr. Raikowski that the Board approve the meeting minutes from October's meeting. Questions? Motion carried without dissent.*

*Mr. Gaudio noted that the Board held an Executive Session on November 6<sup>th</sup>, 2014 and prior to this Regular meeting to discuss various legal and personnel issues.*

### IV. COMMENTS OF CITIZENS

Mr. Richard Johnson, 218 Willers Road. Mr. Johnson is the President of the Twin Oaks Civic Association. Mr. Johnson is interested in placing temporary speed humps and a temporary barricade on Story Road. Mr. Johnson would like to start with temporary road closure barricade on Story Road, similar to the barricade currently used on Flora Road. Mr. Johnson and a neighbor petitioned the neighborhood seeking input about placing barricades and speed humps on Story Road. Mr. Baiocco suggested to Mr. Johnson, he attend the next Civic Association to discuss with the residents. Mr. Johnson agreed.

*Ms. Lavinia Crosby, 337 Jackson Avenue. Resident is concerned about proposed location of Royal Farms. Ms. Crosby wanted confirmation of location and received confirmation from Mr. Gaudio.*

*Mr. Lou Perti, 3665 Market Street. Resident had a question for Mr. Baiocco regarding Dutton Street. He wants to know if Story Road is closed, will the Township close Dutton Street. Mr. Baiocco explained the Township has made Dutton a one way street.*

*Mr. David Thompson, 2110 Ferncroft Circle. Resident is concerned about ordinance impacting parking trailers on residential properties. Mr. Gaudio explained the purpose of the ordinance and said as long as a trailer or boat are in good general repair and parked on a suitable parking space, the resident/owner will not receive a citation. Resident also questioned reassessing taxes on new construction as soon as the homes are built, rather than after the home is sold. Mr. Catania explained the Township looked into this concern last year and explained there is a defined amount of time after a property, including new construction will be reassessed.*

*Mr. Joe DiMarco, 2246, Naamans Creek Road. Resident questioned the parking of his boat and the location of where to park his boat at his property. Mr. McMullan answered, per the adopted property maintenance ordinance, the boat has to be parked behind the building line on the property and parked on a suitable parking space. Mr. Gaudio reiterated, if the boat is in good general repair and parked on a suitable parking space, the resident/owner will not receive a citation. Mr. DiMarco had a question for the solicitor about the FAA. Resident is concerned about drones and the allowable airspace the drones can occupy in the Township. Mr. DiMarco suggested the Township look at Philadelphia's ordinance regarding drones.*

*Ms. Jayne Lumley, 947 Meetinghouse Road. Resident is concerned about the potential increase in traffic caused by Royal Farms. Ms. Lumley is also concerned about adding another gas station to the area.*

*Mr. James Cassidy, 1721 Mill Road. Resident is concerned that drivers are not abiding by speed limits signs on Mill Road and exceeding the speed limit. Mr. Cassidy is requesting speed bumps on Mill Road. Mr. Gaudio noted speed bumps damage Township plows and vehicles used for removing snow. Mr. Gaudio will talk to the Chief of Police about the concerns.*

*Mr. Lewis Bezold, 206 Meetinghouse Road. Concerned about declining property value if Royal Farms is built. He is also concerned about the potential increase in traffic.*

Mr. Bill Dean, 2004 Broomall Street. Mr. Dean is a 42 year resident of Upper Chichester Township. Mr. Dean likes the progress in the Township, however, is concerned about the increase of vehicles on the road and the impact the increase may have on the safety of the community. Mr. Dean is particularly concerned about the pass through traffic on Furey Road from Rt 322. His concern are vehicles turning onto Chichester Avenue from Furey Road. He would also like to see an illuminated Township sign at the corner of Furey Road and Chichester Ave. Mr. Baiocco addressed the concerns about the signage and traffic concerns.

Mr. Bob Whiteside, 3333 Rogers Avenue. Resident has traffic concerns regarding the intersection at Meetinghouse Road and Market Street, the location of the proposed development of Royal Farms. He is concerned about traffic congestion.

Mr. James Finley, 246 Meetinghouse Road. Resident is concerned about the potential increase and disruption in traffic that may be caused by construction of Royal Farms at the corner of Meetinghouse Rd and Market Street. Resident also mentioned the CSX horn sounding off at 4am in the morning and the CSX train moving through town at a high rate of speed. Ms. Whitaker informed resident she contacted Sn. Pileggi's office about CSX and the requirements when sounding the horn. Ms. Whitaker is also investigating CSX's hours of operation.

Ms. Joan Irwin, 21 Tansey Drive. Resident complimented the Commissioners on all the good work they do for Upper Chichester Township. Ms. Irwin is concerned about traffic leaving the proposed Royal Farms and turning onto Tansey Drive.

Mr. Bob Irwin, 21 Tansey Drive. Resident asked for clarification regarding votes pertaining to Royal Farms. Mr. Catania provided clarification about the two submitted applications submitted by Royal Farms, that require action from the Commissioners. The application requiring action is the Land Development Application and the Conditional Use Application. Resident would like for a reduction in the amount of gas pumps that Royal Farms is proposing to install at the proposed location.

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

1. Mr. Schneider presented the Engineer's report.
2. Provided an update of 3105 Rodney Avenue. The issue is the stormwater pipe extending beyond the rear yard of the property. Pennoni met with representatives from the Delco Conversation

*District to discuss DEP permits. The recommendation from the meeting is to rehab the existing stormwater pipe. This approach would require fewer permits than the other option of extending the pipe, which was an initial consideration. Mr. Schneider will provide a written recommendation to the Township.*

- 3. Moved by Mr. Baiocco and seconded by Mr. Raikowski, Resolution # 14-53, partial escrow release #6 in the amount of \$163,178. Questions? Moved without dissent.*
  
- 4. Moved by Mr. Baiocco and seconded by Mr. Raikowski a motion authorizing the Township serve as co-applicant with Maple Zone on a separate HOP application to PennDot for storm water facilities on Chichester Ave in the State ROW. By signing the application, the Township will be responsible for the maintenance of the storm water facilities. Mr. Catania suggested passing a resolution contingent on the developer setting aside escrow to the Township for maintenance of the stormwater facilities. Questions? Moved without dissent.*
  
- 5. Moved by Mr. Raikowski and seconded by Mr. Baiocco, Resolution # 14-54, for final land development of Lecko Homes for the construction of two single family dwellings on Lot 1&2 on Larkin Road at the intersection of Garnet Mine Road. The Engineer has commented on the plan in a letter submitted to the Township. The applicant has provided public notification to the surrounding neighbors via a certified mailing. Applicant submitted proof into record. Questions? Moved without dissent.*

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

- 1. Mr. Catania presented the Solicitor's Report.*
  
- 2. Mr. Catania noted the Township received correspondence from Maxis regarding final payment. Mr. Catania also noted second opinions about correcting the fields have been provided by an outside contractor and the Township's Engineer. Mr. Catania asked for a motion authorizing him to send a response letter to Maxis. Moved by Mr. Baiocco and seconded by Mr. Raikowski. Questions? Moved without dissent.*
  
- 3. Mr. Catania had previously discussed tax reassessment litigation information regarding CSX.*

4. *Mr. Catania noted the stormwater easements for Riders Lane are being recorded.*
5. *Mr. Catania discussed the street opening ordinance and fees to add to the fee schedule for street opening applications. Mr. Catania noted the new street opening ordinance will better address the specifications required to restore the street after the opening and the ordinance will define the bond amount required for the street opening.*
6. *Moved by Mr. Raikowski and seconded by Ms. Whitaker, Resolution 14-55, authoring UCT to enter into medical insurance agreements with the Delco School Trust with set fees for insurance premiums related to the Township's medical coverage for employees. (Purchase Agreement and Business Associate Agreement with Gallagher Brokerage, reviewed by Solicitor). Questions? Moved without dissent.*

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

1. *Mr. McMullan spoke about the deed of dedication for the streets of Concord Valley. Mr. Gaudioso requested Mr. McMullan to send the sketch of parking signs to the Concord Valley HOA.*

## **VIII. REPORTS OF COMMISSIONERS**

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

1. *Mr. Baiocco recommended hiring two full time employees for the Highway Department. Mr. Baiocco requested Supt. of Highway provided recommendations to the Board.*
2. *Mr. Baiocco complimented the Highway Department on a job well done installing the new overhang on the highway department to protect the vehicles and equipment against weather conditions.*
2. *Mr. Baiocco noted issues and challenges with maintaining light poles and traffic signals.*

*Ms. Whitaker noted the library will be celebrating Bob Sanderson's birthday on Wednesday at 3pm.*

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

1. Ms. Whitaker noted all reports are on file in the office.
2. Ms. Whitaker commented on the Recreation Department's Health and Wellness Fair. Ms. Whitaker thanked Walgreens for providing free flu shots and local fire companies for their participation.
3. Ms. Whitaker noted NOPE, a drug prevention program held a vigil in the gym on October 23<sup>rd</sup>.
4. Ms. Whitaker discussed the very successful trunk or treat event held at the Township complex on October 25<sup>th</sup>. Ms. Whitaker noted the event was attended by approximately 1200 community members and thanked all the volunteers, employees and local businesses for their participation.
5. Ms. Whitaker announced several upcoming events in November, including: Quizzo, AAU and Karate Tournaments at the Township gym. Ms. Whitaker also noted lunch with Santa on December 13<sup>th</sup> and that event is open to the community.
6. Ms. Whitaker noted the inspections department issued 134 permits during the month of October, for a total of 1500 for the year. Ms. Whitaker commented on amounts collected YTD by inspections and fees collected for grass cutting. In addition, Ms. Whitaker noted the Health Inspector has completed 78 health inspections.
7. Ms. Whitaker noted the renovations at the 452 Community Service Building has been completed by Township employees and volunteers from the Recreation Board.

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

1. Mr. Raikowski noted that the reports are on file at the office for review.
2. Mr. Raikowski commented on the progress at Community Action Agency of Delco on Meetinghouse Road. Permits have been issued and installation of various items is taking place on the first floor.

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

1. Mr. McMullan provided the Administrative/Finance report in the absence of Mr. Neary. McMullan noted that the financial reports were on file at the office for review.

2. Moved by Mr. Baiocco, seconded by Mr. Raikowski, that the Board approve the List of Bills for the General Fund, in the amount of \$472,010.52. Questions? Motion carried without dissent.

3. Moved by Mr. Baiocco, seconded by Mr. Raikowski, trash refund in the amount of \$186.50. The refund is for Ms. Schott, 1850 Larkin Road. Questions. Motion carried without dissent.

4. Mr. McMullan announced the preliminary budget was adopted at the November 6<sup>th</sup>, Caucus meeting, which was an advertised meeting. Mr. McMullan noted the budget will be available in the office for review. Mr. McMullan noted no increase to property tax, trash and sewer. The final budget will be adopted at the Commissioner's December 11<sup>th</sup> meeting.

5. Mr. McMullan provided an update on the stormwater work to be completed behind the two homes on Riders Lane. Mr. Neary met with representatives from Pennoni Engineering and the Township Highway Department about completing and scheduling the work.

6. Mr. McMullan noted the shredding event held at the Township Building on November 8<sup>th</sup>. The event was well attended and several Commissioners actively participated in the event.

Mr. Raikowski suggested moving the shredding event to the Willowbrook Shopping Center because of its central location. More discussion to follow.

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

1. Mr. Gaudiuso noted that all reports were on file in the office.

2. Mr. Gaudiuso noted Officer Caulfield is currently out of work receiving worker's compensation benefits.

3. Mr. Gaudiuso said he will reach out to the Historical Society about the location for the historical marker.

4. Mr. Gaudiuso noted the Township has been awarded a \$106,000 grant from the State for repair to the eroding streambank behind a section of homes on Jennifer Way.

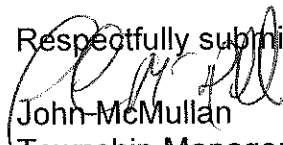
**New Business**

1. Ms. Whitaker announced the meeting date for the Delco Association of First Class Township Commissioners will be held on November 20<sup>th</sup> at the Heritage Ballroom in Ridley Township.

2. Ms. Whitaker noted the Association has taken positions on various State Legislation impacting First Class Townships and encourage the Commissioners to review that information.

**4. ADJOURNMENT**

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

Respectfully submitted,  
  
John McMullan  
Township Manager/Secretary