

## TOWNSHIP OF UPPER CHICHESTER

September 11, 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. In observance of September 11, 2001, Mr. Gaudio asked for a moment of silence.*

### II. ROLL CALL

*Roll was conducted by Township Manager Mr. 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 that the Board approve the meeting minutes from August's regular meeting. Question? Motion carried without dissent.*

*Mr. Gaudio noted that the Board had an Executive Session on September 11, 2014 at 6:30pm prior to the Regular meeting to discuss various legal and personnel issues.*

### IV. COMMENTS OF CITIZENS

*Mr. Greg Vavroch, 217 Meetinghouse Rd. Mr. Vavroch had several concerns about Meetinghouse Rd including: speeding vehicles, paving and adding a left turn signal onto Market Street. Mr. Gaudio noted Meetinghouse is a State Highway and the responsibility of PennDot and informed Mr. Vavroch the Township Engineer would look into his concerns.*

*Ms. Elizabeth Bush, 7 Tansey Dr. Ms. Bush complimented the Planning Commission and Mr. Renner for listening and investigating the concerns of Tansey Road residents about Royal Farms. Ms. Bush is also concerned about the increase of traffic that will be caused by Royal Farms.*

*Ms. AnneMarie Biringham, 9 Tansey Rd. Ms. Biringham is concerned about the increase in traffic that she feels will be created by Royal Farms. She is also concerned about the impact to the wild animals living within and behind the existing properties which Royal Farms has an agreement sale.*

*Mr. Louis Bezdell, 206 Meetinghouse Rd. Mr. Bezdell is concerned about the trash and odors that he feels will be created by Royal Farms.*

*Mr. Joe Clarkhill, 2 E. Tansey Dr. Mr. Clarkhill is concerned about what he feels will be an increase in traffic on 452 and Meetinghouse Rd. Mr. Clarkhill is concerned traffic will exit Royal Farms and turn right onto Meetinghouse Rd and use Tansey Dr to turn around and make a left turn back onto Meetinghouse Rd.*

*Ms. Trindy Grundy, 393 Monticello Rd. Ms. Grundy positively commented on the Township hiring Mr. McMullan as Township Manager. Ms. Grundy commented about the lack of traffic stopping at the stop signs at Bethel and Bethany. In addition, Ms. Grundy noted traffic is not stopping at Dutton and Wolverson Ave.*

*Ms. Betsy Barnes, Director of Upper Chichester Library. Ms. Barnes expressed her appreciation to the Township for their support of the library and to the Highway Crew for moving and transporting furniture for the library. Ms. Barnes made an announcement about the library book sale scheduled for September 19<sup>th</sup> and 20<sup>th</sup>.*

*Mr. Frank Sill, 4308 Trophy Road. Mr. Sill commented on the realignment of election districts in Upper Chichester Township. Mr. Sill asked the board their plan in moving forward with the realignment. Mr. Sill is concerned about the realignment impacting dedicated workers on the election boards. Mr. Sill is concerned that realignment will be disruptive to the existing polling places. Mr. Sill is concerned about crossing Census Tract lines. Mr. Neary commented the board will be asking the election bureau to carefully evaluate the three areas where the Township will have to cross Census Tracts.*

*Ms. Jean Miller, 4406 Garnet Mine Road. Ms. Jean is a 59 year resident of Upper Chichester. Ms. Jean is concerned about the high grass that is growing behind her house in the open space area. The Township owns the property, however, the underground pipelines are responsible for cutting the grass. Highway Superintendent noted there is no access to the location.*

*Mr. Frank Keely, 1033 Meetinghouse Rd. Mr. Keely has complaints about rainwater running onto his property from a business on Chichester Ave. Township engineer is familiar with this situation and offered a recommendation to the prior Director of Licenses and Inspection. Engineer to send recommendation to Township Manager for follow up.*

*Mr. Paul Umbriak, 747 Springton Circle. Mr. Umbriak spoke about the retention basin in Springton Circle. Mr. Umbriak found out the retention basin is seventeen years old. Mr. Catania stated the basin meets the statute of repose and is not responsible for the retention basin.*

*Mr. Baiocco informed Mr. Umbriak he will keep in contact with him.*

*Mr. Rodney Wilson, 10 Story Rd. Mr. Wilson wants signs updated on Dutton St. Highway Supt instructed to update and post new signs. Mr. Wilson wants a no left turn sign posted on Dutton, noting no left turn from 7am – 10am and 3pm – 7pm. He is also wants a no left turn sign at Dutton and Story Rd.*

*Mr. Baiocco asked Mr. Wilson to write down his requests and submit them.*

*Ms. Desiree Walker, 213 Story Rd. Ms. Walker has a complaint about a pit bull on her street that is able to release itself from a chain connected to a tree and chase children. Mr. Gaudiuso instructed Ms. Walker to contact to emergency 911.*

*Mr. Fred Neeson, 15 Tansey Lane. Mr. Neeson is concerned about traffic on 452 between the hours of 12pm to 2:15 pm. Mr. Neeson is concerned the volume of traffic will increase if Royal Farms open a store at the corner of 452 and Meetinghouse Rd.*

*Speaker did not provide name and noted she is not a resident. Speaker is representing the Delaware Valley Region Green Council. Speaker discussed grant services offered by her agency.*

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

- 1. Mr. Viscuso presented the Engineer's report.*
- 2. Update on the ball fields.*
- 3. Requiring action from the Board for the final payment in the amount of \$5,700.82 for Lenni Electrical, payment request #6. A motion was made by Mr. Neary and seconded by Mr. Raikowski. Motion carried without dissent. Questions?*

*Mr. Viscuso suggested holding payment until Lenni repairs light in center field of Furey Field 2.*

- 4. The second item requiring action from the board is payment to Maxis in the amount of \$92,606.73. Mr. Viscuso suggested*

*withholding money and releasing payment in the amount of \$74,709.33, leaving retainage \$65,414.82. A motion was made by Mr. Neary and seconded by Mr. Raikowski. Mr. Gaudio asked for a roll call vote resulting in Mr. Baiocco – No, Ms. Whitaker – abstained from voting until an opportunity to meet with Maxis, Mr. Raikowski – Yes, Mr. Neary – Yes and Mr. Gaudio – Yes. Motion carried.*

5. *Mr. Viscuso reminder Mr. Raikowski and Ms. Whitaker about scheduling the CDBG project meetings for their Wards. Mr. McMullan will facilitate the process and confirm with the Commissioners and Engineer.*

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

1. *Mr. Catania presented the Solicitor's Report.*
  2. *Mr. Catania discussed his recommendation for the board to make a motion to withdraw the appeal filed against Shivery Holdings. After discussion from Mr. Raikowski, Mr. Raikowski made a motion to withdraw the appeal, seconded by Mr. Neary. Questions. Motion carried without dissent.*
  3. *Moved by Mr. Neary, seconded by Mr. Raikowski to approve resolution 14-42, for the tax assessment appeal of 142 Conchester Road. Motion passed without dissent. Questions.*
  4. *Moved by Mr. Raikowski; seconded by Mr. Neary to approve Resolution 14-43 tax assessment appeal for Lot 3, Bethel Rd. Motion passed without dissent. Questions?*
  5. *Moved by Mr. Neary seconded by Mr. Raikowski, to approve Resolution 14-44 tax assessment appeal for Lot 4, Bethel Rd. Mr. Raikowski, changed vote to no. Motion passed. Questions?*
  6. *Moved by Mr. Raikowski and seconded by Mr. Neary to approve Rescission of Confirmation of Special Fire Police Officer, John Blythe. Motion passed without dissent. Questions?*
  7. *Moved by Mr. Gaudio and seconded by Mr. Raikowski to accept and approve Resolution 14-46, Deed of Dedication for Concord Valley Roadways. Motion passed without dissent. Questions?*
- Mr. Gaudio asked upon review if Mr. Catania's review found something that was not in the best interest of the*

*Township would that prevent the Township from officially accepting dedication. Mr. Catania confirmed the dedication is contingent following reviews by himself and the Township Engineer.*

- 8. Moved by Mr. Neary and seconded by Mr. Raikowski, Resolution 14-47, approving and accepting Deed of Dedication for Creekside Open Space. Motion passed without dissent. Questions.*
- 9. Discussion of proposed ordinance 693 to Amend IPMC (Ord 692) boats and cars.*
- 10. Discussion about proposed revisions to the current Street Opening Ordinance. Mr. Catania will discuss these items with the UCT Planning Commission.*
- 11. Mr. Catania discussed the stormwater easement agreements for Riders Lane and made adjustments as noted by attorney representing residents on Riders Lane. Agreements are ready for signatures by Mr. Gaudiuso.*
- 12. Mr. Catania discussed the timeline and the duty of the Board of Commissioners taking action on the realignment of election Wards. Several dates were discussed, nothing confirmed. The Board will decide on a date and post a public notice about the meeting.*

*Discussion regarding removal of trees on Township open space at Creekside Development as noted on recorded plans. Mr. Neary moved for board approval to authorize Mr. McMullan to contact Executive Landscaping, the lowest responsible bidder to remove three HOA identified trees, seconded by Mr. Raikowski. Motion passed without dissent. Questions.*

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

- 1. Mr. McMullan noted the Township's financial commitment pursuant to The Municipal Pension Planning Funding Standard and Recovery Act; and to pay the required 2014 Township's Financial Requirement and Minimum Municipal Obligation. The obligations are as follow: Police Pension Fund - \$891,040, The non-uniformed defined pension plan - \$136,172, and the non-uniform defined contribution plan - \$13,649.*
- 2. Mr. McMullan discussed estimates received to replace/correct storm gutters as damaged by heavy snow loads on Township*

*Building. Lowest bidder is Jim Miller Roofing Inc. Jim Miller Roofing is suggesting to replace 70' of damaged gutters from the snow at the cost of \$1,540 and add a S-5 snow rail system (optional) above gutters at a cost of \$5,880. In addition, Jim Miller is suggesting fixing drain repairs and patching the exterior of the exhaust fans on the roof of the gym at a cost of \$425.00. Mr. Raikowski wants Mr. McMullan to obtain estimates from Jim Miller to replace all the gutter with commercial grade gutters.*

## **VIII. REPORTS OF COMMISSIONERS**

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

- 1. Mr. Baiocco commented the Highway Superintended and Foreman have been working on the 2015 budget.*
- 2. He discussed moving forward on purchasing a laser mower with a bagger to cut grass on the ballfields and various locations around the Township. He will provide estimates at a later date.*

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

- 1. Ms. Whitaker reported reports are on file at the office for review.*
- 2. Ms. Whitaker commented about the winner of the drawing on Community Day. Ms. Whitaker sold the winning ticket to a co-worker.*
- 3. Ms. Whitaker commented on the success of Community Day. Despite scaling back the activities and the wet weather, the events were stilled well attended. Ms. Whitaker noted exciting activities are being planned for the 2015 Community Day.*
- 4. Ms. Whitaker announced a variety of upcoming recreational department events, including the vigil for parent of murdered children.*
- 5. Ms. Whitaker provided the inspections report for August 2014, which is on file in the office for review.*

### **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 noted Royal Farms is scheduled to attend Planning Commission's September meeting.

3. Mr. Raikowski noted his concerns about Community Action Agency occupying the building at the former Boothwyn Elementary School. Due to outstanding building issue, Mr. Raikowski is concerned about the safety at the building. Mr. Raikowski is requesting CAA submit a plan of action letter to the Township. Mr. Catania suggested the board authorize him to write a letter to CAA. Moved by Mr. Raikowski and seconded by Ms. Whitaker the board approve Mr. Catania send a letter to CAA.

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

1. Mr. Neary noted that the financial reports were on file at 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 \$354,226.92. Question? Motion carried without dissent.

Ms. Whitaker had a question about abstaining from voting on the list of bills if the list includes fees from Maxis. Mr. Catania noted that fees for Maxis are not included in the list of bills.

3. Mr. Neary noted no trash refunds for the month.

4. Mr. Neary discussed Riders Lane easements.

5. Mr. Neary questioned reconciling with Travelers regarding out of pocket costs expenses paid by the HOA. Mr. Viscuso noted monies in the bonds to reconcile expenses. Mr. Neary also asked Mr. Viscuso about a start date to complete the work at Creekside.

**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 new finger print equipment is operational at the police department.

3. Mr. Gaudio noted that the Historical Society requested to present locations to the board for placement of historical markers. Township Manager is working with Historical Society on this project. He will invite the society to the October meeting.

4. *Mr. Gaudiuso is planning to invite the Economic Development Committee to the October Caucus meeting to discuss the newly designed website.*

5. *Mr. Gaudiuso mentioned 3105 Rodney Ave and extending the drainage pipe. Mr. Viscuso noted engineers are reviewing the area for disturbance to wetlands.*

4. **ADJOURNMENT**

*Moved by Mr. Baiocco; seconded by Mr. Raikowski that the Board adjourn. Question? Motion carried without dissent.*

Respectfully submitted,

  
John McMullan  
Township Manager/Secretary