

TOWNSHIP OF UPPER CHICHESTER

May 8, 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.

II. SWEARING IN OF PART-TIME OFFICERS

Moved by Mr. Neary; seconded by Mr. Raikowski, that the Board accept the list provided to them from the Civil Service Commission and hire Officer Clapp and Officer Ryan as part-time officers for the Township effective upon completion of their required training. Question? Ms. Whitaker asked if she could make a statement.

Ms. Whitaker said that on behalf of the residents of Upper Chichester Township she wanted to take a minute to thank their distinguished Chief of Police, Tom Bush; Sergeant McNichol; their administrator, Kate Schneider; and all of the detectives and patrolmen who serve Upper Chichester everyday. She also thanked the parents, grandparents, wives, girlfriends and children of the officers who support the officers who serve the Township. She welcomed the newly appointed officers to the Township and said that they would be a great addition to the force.

After comments, the motion was carried without dissent.

Judge Griffin swore in the part-time officers.

Mr. Gaudio welcomed Mr. Ryan and Mr. Clapp as the newest members of the Upper Chichester Police Department. He acknowledged that it has been an honor working with Chief of Police Tom Bush and all of his officers.

III. GENERAL

Mr. Gaudio announced that on May 1, 2014, Boothwyn Fire Company officially became the Township's ambulance service, providing advance and basic life support to the Township. He noted that this was something that Commissioner Raikowski has worked on diligently for the past few years, and out of respect for the work that he did, he would turn the meeting over to him.

Mr. Raikowski said that Boothwyn Fire Company has been in existence since 1921. He said that they have been an all-volunteer Fire

Department for the last 20 years. He said that Boothwyn Fire Company has taken the next step as a BLS unit, which is Basic Life Support at no additional cost to the Township. He said that as has been in the news in the past year, Crozer has gone through some cost-saving measures and downsizing. Boothwyn Fire Company came to the Township with a proposal to provide services to the Township. The Boothwyn Fire Company now has their own medic unit 24/7, 365 days a year. He said that they are still in need of volunteers because they hope to have a 3rd unit up and running by the Fall. Crozer will still be doing 2nd due service to the Township if Boothwyn Fire Company is out on a first due call. He thanked everyone who was part of making this possible and all of the volunteers.

The Boothwyn Fire Company thanked everyone for all of their support. He provided a breakdown of how the units would be functioning moving forward. Michael Lynch, who was hired as the ALS Coordinator, was promoted as the first ever Paramedic Chief of Boothwyn Fire Company.

Mr. Gaudioso asked who the Fire Company would be serving with the services.

The Boothwyn Fire Company explained that at this time, the BLS & ALS services would be for the residents of Upper Chichester, and the Fire Company would continue to serve as has been custom, backing up other areas as needed.

Mr. Gaudioso congratulated the Fire Company and wished them success.

IV. ROLL CALL

Roll was called as follows: Mr. Baiocco, Ms. Devlin, Ms. Whitaker, Mr. Viscuso, P.E., Mr. Catania, Mr. Raikowski, Mr. McMullan, Mr. Neary, Mr. Gaudioso.

Mr. Baiocco announced that he would need to leave the meeting for a prior commitment, but that he came to support the new officers and the Fire Company. He said that Mr. McMullan would be presenting his report.

V. MEETING MINUTES

Mr. Gaudioso noted that the Board had Executive Sessions via conference call on April 22nd and May 8th to discuss various personnel and litigation matters.

Moved by Mr. Neary; seconded by Ms. Whitaker that the Board approve the meeting minutes from April's regular meeting. Question? Motion carried without dissent.

VI. COMMENTS OF CITIZENS

Gary Friday, Beeson Avenue, said that he was following up on last week's meeting.

Ms. Whitaker said that she was unable to locate the maps, but as soon as she located them, her plan is to come around. She said that the date she is scheduled to come around is next Saturday, May 17th between 2pm & 4pm.

Mr. Friday expressed a concern with the pothole in front of Seaside & Chestnut.

Ms. Whitaker explained that the Engineer has been in touch with the Chester Water Authority because they had completed some work there.

Mr. Viscuso said that a memo went out to Chester Water Authority, and it has been saw cut, so it looks like they are going to start working on it.

Mr. Friday asked who covers the bridge over in that area.

Mr. Viscuso said that is Pleasantview Ave. and that PENNDOT would be out to complete an inspection in June.

Joe DeMarco, Naamans Creek Road, noted that the flag over at the Community Building on 452 looks like it is in need of replacement. He noted that there is a snapped pole at the end of the road with about 8 feet still sticking out of the ground. He also noted that two years ago, he placed 36 plants outside of his house and replaced bushes that were 50 years old. He said that this spring, all of the plants front side, facing the road, were dead. He said that something has changed with how they prep the streets. He said that he doesn't think it is from rock salt but something else that they used to treat the road. He said that his plants are green in the back of his house but dead in the front. He is not sure what he can do to bring this to the attention of PENNDOT. He said that he would email pictures to Mr. McMullan tomorrow.

Mr. Viscuso said that the only thing different that would have been done this past year is the brine that they sprayed prior to storms'

arrivals. He said that PENNDOT's Maintenance Program is pretty responsive.

Mr. DeMarco expressed concerns with Sunoco Logistics and their cooperation with surrounding communities with regards to the transportation of the liquid natural gas. He said that he has two pipelines within 300-400 feet of his house, and he has concerns with their transport. He asked if the Commissioners could look into the issue.

Mr. Gaudio said that Mr. Viscuso could look into his inquiry and that Mr. Catania would be discussing the Board's position on the proposed pipeline later in the meeting.

Glenn Holt informed Mr. DeMarco that PECO has been notified about the pole that he was referencing and told the Township that they would be sending crews out to address it.

VII. ENGINEER'S REPORT

1. Mr. Viscuso presented the Engineer's report.

2. Moved by Mr. Raikowski; seconded by Mr. Neary to approve payment certificate #3 to Maxis in the amount of \$67,688.82. Question?

Mr. Neary asked if this is what they had discussed last week.

Mr. Viscuso said yes and that they still have \$268,000 and additional grant money coming in.

Motion was carried 3-0. Ms. Whitaker abstained.

3. Moved by Mr. Neary; seconded by Mr. Raikowski to approve payment certificate #1 to Lenni Electric in the amount of \$4,960.80. Question? Motion carried without dissent.

4. Moved by Mr. Neary; seconded by Ms. Whitaker to approve change order #1 by Lenni Electric in the amount of \$16,516.38 to provide the power to the scoreboard with a panel at the lower level that will not require a generator. Question? Motion carried without dissent.

Mr. Gaudio asked if Ms. Whitaker wanted to explain why she was abstaining on the payment certificate for Maxis.

Ms. Whitaker said that she didn't feel as if Maxis was following through on their contract with the Township and that they have

gotten minimal work from them. She said that she didn't feel like they have done enough work to qualify to be paid yet.

Mr. Gaudioso noted the winter storms and rain that have affected the project. He said that he wished the project were further along, but a lot of the weather was out of their control.

5. *Mr. Viscuso said that he provided a list of the roads for the 2014 Road Program. He said that they are still over budget. He said that he would like to advertise the project and see where the bids come in. He said that they can always be adjusted after they receive the actual bids. He said that his goal is to get it advertised and take bids prior to the June meeting of the Board and award at the June meeting. Any of the roads can be eliminated from the list prior to awarding the bids in June.*

Ms. Whitaker asked what qualified a street for Liquid Fuels.

Mr. Viscuso said that it has to be on PENNDOT's list and meet certain criteria for length and width.

Mr. Viscuso noted that Aston had an anticipated/estimated Road Program of about \$300,000, so they would hopefully be receiving good bids based on the size of the projects.

Mr. Raikowski asked about Furey Road and Chelsea Parkway. He said that he thinks that those are roads that they need to look at because they are overlooked because there are no residents on the roads.

Mr. Viscuso said that he would add those and they could always decide not to proceed with them.

Moved by Mr. Neary; seconded by Ms. Whitaker to authorize the Engineer to advertise the Road Program for bid. Question? Motion carried without dissent.

6. *Moved by Mr. Neary; seconded by Mr. Raikowski to award the Helms Manor Oil Spill bid to Brickhouse Environmental in the amount of \$23,600 as a lean of property after the work is completed. Question? Motion carried without dissent.*

Mr. Raikowski asked if they would be able to blight 3rd Avenue for this.

Mr. Catania said that they would have to ask the Planning Department for this.

Mr. Raikowski asked if they could look into it so that they could possibly see if they could get the money out of the grant first, instead of the budget.

- 7. Mr. Viscuso said that they would need to adopt a revised stormwater ordinance for the June meeting.*
- 8. Moved by Mr. Neary; seconded by Ms. Whitaker that the Board adopt Resolution 14-22 to approve an escrow release for the Dunkin Donuts project in the amount of \$17,890 to DIPU Enterprises and \$2,755 to Upper Chichester Township for Engineering fees. The Township would still be holding \$2,230 for some outstanding cleaning items. Question? Motion carried without dissent.*
- 9. Moved by Mr. Raikowski; seconded by Mr. Neary that the Board adopt Resolution 14-23 to approve escrow release #4 for Maple Zone in the amount of \$176,515. Question? Motion carried without dissent.*

VIII. SOLICITOR'S REPORT

- 1. Mr. Catania presented the Solicitor's Report.*
- 2. Moved by Mr. Neary; seconded by Mr. Raikowski to approve Resolution 14-24, the tax assessment appeal settlement for 25 Creek Circle. Question? Motion carried without dissent.*
- 3. Moved by Mr. Neary; seconded by Mr. Raikowski to approve Resolution 14-25, which appoints John McMullan as Township Secretary and Township Open Records Officer, with Kate Schneider as the deputy Open Records Officer. Question? Motion carried without dissent.*

Mr. Neary thanked Mrs. Morrison for her service.

- 4. Mr. Catania said that they discussed rezoning from R2 to R3 in a certain area of the 1st ward. He said that he provided Mr. McMullan with a copy of the Township's Planning Code that requires that all of the residents within the rezoning area be notified of its consideration at our June meeting.*
- 5. Mr. Catania said that the Commissioners have asked that he and Mr. McMullan draft a letter to the Secretary of Pennsylvania Public*

Utility Commission. He explained that Sunoco submitted an application to the Public Utility Commission to be considered a PUC. He said that they are requesting that because if they are recognized as such, the Township of Upper Chichester would no longer be able to apply its local zoning, subdivision and land development regulations to the pipelines. They would be subject to the governance of the PUC. He read the letter, in which the Township requests that Sunoco not be granted the requested exemption and recognized as a PUC.

6. *Moved by Mr. Neary; seconded by Ms. Whitaker to submit the letter on behalf of the Commissioners to the Pennsylvania Public Utility Commission asking them to deny the application of Sunoco. Question? Motion carried without dissent.*
7. *Mr. Raikowski discussed the items that they needed to clarify in order to update the International Property Maintenance Code ordinance*

IX. TREASUER'S REPORT

1. *Ms. Devlin had nothing to report.*

X. MANAGER'S REPORT

1. *Mr. McMullan said that he worked with the Solicitor and Engineer on the various items that they presented in their reports.*
2. *Mr. McMullan said that he met with Johnson Controls last week to kick off the energy audit process.*

XI. REPORTS OF COMMISSIONERS

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

1. *Mr. McMullan presented the report on behalf of Commissioner Baiocco.*
2. *Any highway problems can be reported to Mr. Baiocco.*
3. *He noted that the Highway Superintendent has applied for and received 2 grants; one in the amount of \$18,500 to replace signs and a grant in the amount of \$162,000 for a recycling truck and 9 recycling dumpsters.*
4. *Moved by Mr. Raikowski; seconded by Mr. Neary to approve the hiring of up to 5 summer helpers in a part-time/staggered position. Question? Motion carried without dissent.*

5. Mr. Raikowski noted that they were hiring 5 summer helpers because they would be recycling weekly from Memorial Day to Labor Day.

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

1. She noted that the Community Center on 452 would be undergoing some upgrades in the next couple of months.

2. Ms. Whitaker presented the Recreation Board report, with the following notable events: Summer Day Camp with registration would be open until June 6th; 2 AAU tournaments in the month of May; the final PECO light bulb giveaway on Monday, May 12th from 6pm until 8pm; May 17th, the Chichester Businessman's Associations SIDS (Sudden Infant Death Syndrome) Race; NBA Development League tryouts in the Fieldhouse; May 18th, fishing tournament; May 30th Seniors' Prom; Delco Senior Games – June 10th.

3. Ms. Whitaker presented the inspections numbers for January to April.

4. Ms. Whitaker noted that all of the reports were on file in the office.

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 that they are still waiting on the numbers from the insurance company for the insurance coverage for volunteers.

3. Mr. Raikowski said that they had an article that would be submitted to the Upper Chichester channel and that they would be cracking down on ATV use this year.

4. Mr. McMullan said that he did discuss the insurance issue with their broker and volunteers are covered for liability but not injury. He said that he was going to put the numbers together and present them to the Commissioners.

5. Mr. Gaudiuso recommended that the Township offer a window of time before enforcement of the updated Property Maintenance Code once it is passed to allow residents time to adjust.

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 \$361,908.64. Question? Motion carried without dissent.
3. Moved by Mr. Neary, seconded by Mr. Raikowski, that the Board approve the 8 items on the refund list. Question? Motion carried without dissent.
4. Mr. Neary requested input from the other Commissioners on raising the income eligibility for the refund eligibility. Mr. Neary said that his recommendation would be to set at a \$20,000 limit. He said that they are currently at an \$18,000 limit.
5. Mr. Neary said that some improvements have commenced at Creekside Village.
6. Mr. Neary said that he submitted the budget calendar and is awaiting response.
7. Moved by Mr. Raikowski; seconded by Mr. Neary to grant the trash refund to the couple who are just over the previously established threshold of \$18,000 for refund eligibility. Question? Motion carried without dissent.

E. Public Safety & Historical Society – Mr. Gaudioso, Chairman

1. Mr. Gaudioso noted that the Township would be saving about \$13,000 in overtime in April and May with the hiring of the new part-time officers. The Police Department has a new website: www.uccpd.org
2. Mr. Gaudioso noted that the Historical Society would need to coordinate with Joe and Maple Zone about putting the marker on the Butler Tract as a historical site. He said that they would also be working on other markers throughout the Township.
3. Mr. Gaudioso noted that they are waiting on a title report and the deed from the builder for the Concord Valley road dedication.

He asked for Frank and Joe to write a letter to the builder to try and attempt to make some progress.

4. Mr. Gaudioso noted that the Economic Development Committee was continuing to make progress on their website.

XII. CLOSING PUBLIC COMMENT

Mr. DeMarco asked where the rezoning would be in the 1st Ward.

Mr. Gaudioso said that it would be in the vicinity of the Delaware County Supply Company.

XIII. NEW BUSINESS

Ms. Whitaker explained that she had raised an issue about the Township's towing company. She prepared a resolution that she would like the Board to discuss and consider allowing for the Towing Company to provide a monthly report to the Township about their interactions with customers.

Moved by Ms. Whitaker; seconded by Mr. Raikowski to adopt Resolution 14-26 allowing for the Township's towing company to provide monthly reports on monies collected and customer complaints and their resolution to the Board of Commissioners.

Mr. Gaudioso said that this would be something that should be brought up at a Caucus meeting for discussion.

Moved by Mr. Neary; seconded by Mr. Gaudioso to table the motion for further discussion. Question? Motion carried without dissent.

XIV. ADJOURNMENT

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

Respectfully submitted,