

TOWNSHIP OF UPPER CHICHESTER

October 11, 2012

I. CALL TO ORDER

The regular meeting of the Board of Commissioners was called to order by Nicole Whitaker, President, at 7:30 P.M., in the Meeting Room of the Municipal Building, Furey Road, Delaware County, Pennsylvania. Ms. Whitaker conducted the Pledge of Allegiance.

II. ROLL CALL

Roll was called as follows: Mr. Baiocco, Ms. Devlin, Mr. Gaudiuso, Mr. Viscuso, P.E., Ms. Whitaker, Mr. Catania, Esq., Mr. Raikowski, Mr. Neary. All present unless otherwise noted.

III. APPROVAL OF MINUTES

1. Moved by Mr. Neary, seconded by Mr. Raikowski, that the Board approve the minutes of the Regular Meeting held on September 13, 2012. Question? Motion carried without dissent.

IV. COMMENTS OF CITIZENS

1. Mr. Thompson, Ferncroft Avenue, asked to see what things are being changed in the new proposed zoning ordinance, asked for help with the noise along I-95, reported he had some ideas.

2. James Renner, Trophy Drive, agrees, noise along I-95 is bad, encouraged the Board to see if they could do something and reported problems with his earned income tax payment.

3. Nick Tortorello, Dogwood Circle, reported calling new collection company for the earned income tax and having a problem.

V. ENGINEER'S REPORT – Mr. Viscuso, P.E.

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

2. Mr. Viscuso reported that the Annual Road Program is complete; there are only a few minor items left.

VI. SOLICITOR'S REPORT – Mr. Catania, Esq.

1. Mr. Catania presented *the Solicitor's report*.

2. Moved by Mr. Neary, seconded by Mr. Raikowski, that the Board adopt Resolution No. 12-37, tax assessment appeal litigation, 3000 Village Way, Unit 3405. Question? Motion carried without dissent.

3. *Moved by Mr. Neary, seconded by Mr. Raikowski, that the Board adopt Resolution No. 12-38, tax assessment appeal litigation, 3344 Market Street. Question? Motion carried without dissent.*

VII. REPORTS OF COMMISSIONERS

A. Highway & Sanitation, Zoning & Planning – Mr. Raikowski, Chairman

1. Mr. Raikowski noted that the monthly Highway and Sanitation Department Report is on file in the office.

B. Grants, Historical Society, Street Lighting & Traffic Signals – Mr. Baiocco, Chairman

1. Mr. Baiocco presented a report from the Historical Society.

C. Administration & Finance - Mr. Neary, Chairman

1. Moved by Mr. Neary, seconded by Mr. Raikowski, that the Board approve the List of Bills for the General Fund, in the amount of \$692,723.83. Question? Motion carried without dissent.
2. Mr. Neary announced the Finance Committee Meeting, October 23, 2012.

D. Recreation, Library

1. Mr. Gaudiuso highlighted the monthly Recreation Department report.
2. Mr. Gaudiuso reported the first Fire & Safety Day, would be on Sunday.

E. Public Safety, License & Inspection, Sewer & Water - Ms. Whitaker, Chairman

1. Ms. Whitaker presented the monthly Police Department Report.
2. Moved by Mr. Neary, seconded by Mr. Raikowski, that the Board adopt Resolution No. 12-39, authorizing the distribution of the 2013 State Aid Allocation & Minimum Municipal Obligation for the three pension funds. Question? Motion carried without dissent.
3. Moved by Mr. Neary, seconded by Mr. Raikowski, that the Board adopt Resolution No. 12-40, Distribution of Foreign Fire Insurance to the three Volunteer Fire Companies Relief Association. Question? Motion carried without dissent.
4. Moved by Mr. Neary, seconded by Mr. Raikowski, that the Board adopt Resolution No. 12-41, Red Ribbon Week, October 23 – October 31, 2012. Question? Motion carried without dissent.

VIII. New Business-Zoning Appeal of South Delco Investments, LLC

1. Ken Kynett, counsel for South Delco Investments, presented a proposed order to consider for the resolution of the zoning appeal litigation.
2. Board went into Executive Session at 9:10 PM and returned 9:26 PM

3. Moved by Mr. Raikowski, seconded by Mr. Gaudio, that the Board settle the appeal under certain terms and conditions and noted since the Zoning Hearing Board is also a party to the litigation, they will need to be a part of this. Question? Roll Call Vote: Mr. Baiocco, no; Mr. Gaudio, yes; Mr. Raikowski, yes; Mr. Neary, no; Mrs. Whitaker, yes. Motion carried with Mr. Baiocco and Mr. Neary dissenting.

IX. ADJOURNMENT

Moved by Mr. Neary, seconded by Mr. Gaudio, that the Board adjourn at 10:30 PM. Question? Motion carried without dissent.

Respectfully submitted,

Dora A. Coleman, Township Secretary