

TOWNSHIP OF UPPER CHICHESTER

February 10, 2011

I. CALL TO ORDER

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

II. ROLL CALL

Roll was called as follows: Mrs. Devlin, absent, Mr. DiMarco, absent, Mr. Baiocco, Mr. Gallagher, Mr. Stewart, Mr. Rodriguez for Catania Engineering, Ms. Whitaker, Mr. Neary, Mrs. Lizza. All present unless otherwise noted.

III. APPROVAL OF MINUTES

1. Moved by Mr. Neary, seconded by Ms. Whitaker, that the Board approve the minutes of the Regular Meeting held on January 13, 2011. Question? Motion carried without dissent.

IV. COMMENTS OF CITIZENS

1. No comments were presented.

V. ENGINEER'S REPORT – Mr. Rodriguez

- 1. Mr. Rodriguez presented the monthly report. A copy of this report is on file in the office.*
- 2. Moved by Mr. Neary, seconded by Ms. Whitaker, that the Board adopt Resolution No. 11-03, Scott Brady Construction, 2330 Thomas Avenue, Escrow Release #2, in the amount of \$3,162.00. Question? Motion carried without dissent.*
- 3. Moved by Mr. Neary, seconded by Mr. Baiocco, that the Board adopt Resolution No. 11-04, Donald J. Clark, 2357 and 2363 Douglas Avenue, Escrow Release #3, in the amount of \$1,400.00. Question? Motion carried without dissent.*
- 4. Moved by Mr. Neary, seconded by Mr. Baiocco, that the Board adopt Resolution No. 11-05, Naaman's Creek Crossing, Escrow Release #18 and Final, in the amount of \$70,185.80. Question? Motion carried without dissent.*
- 5. Moved by Mr. Neary, seconded by Ms. Whitaker, that the Board adopt Resolution No. 11-06, Anderson & Anderson, TNT Fireworks, Escrow Release #1, in the amount of \$386,719.00. Question? Motion carried without dissent.*
- 6. Moved by Mr. Neary, seconded by Mr. Baiocco, that the Board accept the MPC Punch List, prepared by the Engineer, for American Promotional (TNT). Question? Motion carried without dissent.*

7. *Moved by Mr. Neary, seconded by Mr. Baiocco, that the Board adopt Resolution No. 11-07, 2011 County Aid Application, for resurfacing of various streets. Question? Motion carried without dissent.*
8. *Moved by Mr. Neary, seconded by Mr. Baiocco, that the Board adopt Resolution No. 11-08, accepting and adopting the "Delaware County Act 537 Western Plan of Study; Chester-Ridley Creek Service Area Update" prepared by the Delaware County Planning Department, January, 2011, as an amendment to the official plan for sewage facilities in compliance with the Pennsylvania Sewage Facilities Act of 1966. Question? Motion carried without dissent.*

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

1. *Mr. Gallagher presented his monthly report. A copy of this report is on file in the office.*
2. *Moved by Mr. Neary, seconded by Mr. Baiocco, that the Board authorize the Solicitor to begin the process to change the zoning of the Boothwyn Elementary School, on Meetinghouse, to commercial, for the proposed use of the Community Action Agency of Delaware County. Question? Motion carried without dissent.*
3. *Moved by Mr. Neary, seconded by Mr. Baiocco, that the Board approve the Stormwater Management Agreement between the Township and T-Mobile Northeast, LLC. Question? Motion carried without dissent.*
4. *Moved by Mr. Neary, seconded by Ms. Whitaker, that the Board authorize the Solicitor to begin the process to declare the developer of Creekside, Phases I, II, and III, in default. Question? Motion carried without dissent.*

VII. MANAGER'S REPORT – Ms. Lizza

1. *Moved by Mr. Neary, seconded by Ms. Whitaker, that the Board adopt Resolution No. 11-09, Engineer's Week, February 20 through February 27, 2011. Question? Motion carried without dissent.*
2. *Moved by Mr. Neary, seconded by Ms. Whitaker, that the Board accept the Exoneration/Refund List #11-02, as submitted. Question? Motion carried without dissent.*

VIII. REPORTS OF COMMISSIONERS

A. Public Safety-Ms. Whitaker, Chairwoman

1. *Ms. Whitaker noted that the monthly Police Department Report is on file in the office.*
2. *Moved by Ms. Whitaker, seconded by Mr. Neary, that the Board appoint Thomas W. Adams, of Reliance Fire Company, as a Fire Policeman. Question? Motion carried without dissent.*

B. Sewer, Water, Street Lighting, Traffic Signals & Grants-Mr. DiMarco, Chairman

1. *Mr. DiMarco arrived at the meeting, at 7:58 PM.*

2. *Mr. DiMarco highlighted the meeting that he was at, in reference to the proposed temporary closing for Route 491, Naamans Creek Road.*

C. Highway & Sanitation, Historical Society-Mr. Baiocco, Chairman

1. *Mr. Baiocco noted that the monthly Highway & Sanitation Department Report is on file in the office.*
2. *Moved by Mr. Baiocco, seconded by Mr. Neary, that the Board authorize the transfer of \$9,870.00, from the Highway/Sanitation PLGIT Account, to the General Fund, for the purchase of the commercial containers. Question? Motion carried without dissent.*

D. Administration & Finance, Open Space & Shade Tree – Mr. Neary, Chairman

1. *Moved by Mr. Neary, seconded by Ms. Whitaker, that the Board approve the List of Bills for the General Fund, in the amount of \$447,715.77, as appearing on the Bill List. Question? Motion carried without dissent.*
2. *Moved by Mr. Neary, seconded by Ms. Whitaker, that the Board authorize the transfer of the excess municipal contribution from the Non-Uniformed Defined Contribution Pension Plan, to the General Fund Account, in the amount of \$1,168.27, as recommended by our Municipal Pension Specialist, Thomas J. Anderson. Question? Motion carried without dissent.*
3. *Moved by Mr. Neary, seconded by Ms. Baiocco, that the Board authorize the transfer of \$91,356.00, from the Capital Reserve Fund to the Bulk Account, settlement of litigation-McManus, Inc. Question? Motion carried without dissent.*

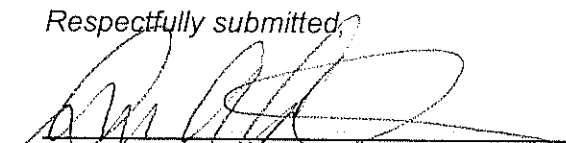
E. Recreation, License & Inspection, Zoning & Planning - Mr. Stewart, Chairman

1. *Mr. Stewart highlighted the monthly Recreation Board report.*
2. *Moved by Mr. Neary, seconded by Ms. Whitaker, that the Board authorize the reimbursement of the expenses to repair the Community Services Building, Market Street, through January, 2011, from the following accounts: Capital Reserve Fund-\$23,471.91 and Recreation PLGIT-\$6,058.75, total to be transferred-\$29,530.66. Question? Motion carried without dissent.*

IX. ADJOURNMENT

Moved by Mr. Neary, seconded by Ms. Whitaker, that the Board adjourn at 8:10 PM. Question? Motion carried without dissent

Respectfully submitted,



Dora A. Coleman, Township Secretary

