

TOWNSHIP OF UPPER CHICHESTER

August 13, 2009

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, Mr. DiMarco, Mrs. Cotter, Mr. Gallagher, Mr. Stewart, Ms. Catania, Mr. McGlade, Mr. Minner, Mrs. Lizza, Nate Cline, P.E. All present unless otherwise noted.

III. APPROVAL OF MINUTES

1. Moved by Mr. Minner, seconded by Mr. DiMarco, that the Board approve the minutes of the Public Hearing held on July 2, 2009, a tentative PRD Hearing-Mulberry Crossing/Concord Valley. Question? Motion carried without dissent.
2. Moved by Mr. Minner, seconded by Mrs. Cotter, that the Board approve the minutes of the Public Hearing held on July 9, 2009, proposed amendment to the Zoning Ordinance to rescind Ordinance No. 07-364, Part 12, Planned Residential District II (PRD II), adopted March 8, 2007. Question? Motion carried without dissent.
3. Moved by Mr. Minner, seconded by Mr. DiMarco, that the Board approve the minutes of the Regular meeting held on July 9, 2009. Question? Motion carried without dissent.
4. Moved by Mr. Minner, seconded by Mr. McGlade, that the Board approve the minutes of the Conditional Use Hearing, held on July 30, 2009, on the proposed Continuing Care Retirement Community (CCRC) development located on Township Line Road and I-95. Question? Motion carried without dissent.

IV. COMMENTS OF CITIZENS

1. Reverend Brooks, Belvue Terrace, asked the status of when the curb, sidewalks and street repaving would begin for his street and asked the PECO return to complete their work on a broken pole that was recently repaired.
2. Ms. Constantini, Board of Directors at Creekside Village, asked if they could remove the "for sale" signs at the front entrance of their development, asked if they could ask the developer to take our the walking trail by the club house, asked if they could meet to discuss the open items.

3. Ms. Bail, Chatham Circle, asked the status of the proposed cell tower on Market Street and asked if in the future if be a requirement that the president of the HOA for a residential district in the area be notified of any major development.
4. Mrs. Gaudiuso, Chichester Avenue, reported on the poor treatment that her family has received since the PRD II application next to their property.
5. Mr. Thompson, Ferncroft Avenue, reported that the rubbish from the recent house fire in his area is still on site and it is not fenced off to keep the children out; reported neighbors question putting more homes on Walnut Street, area always floods out; reported storm drains put in through Penn Vest years ago and have not returned, and a home on Ferncroft Avenue has not installed the curb and sidewalk as required.

V. ENGINEER'S REPORT

Pennoni Engineering, Nate Cline, P.E.

1. Moved by Mr. McGlade, seconded by Mrs. Cotter, that the Board adopt Resolution 09-24, final Planned Residential District II (PRD II) approval for Harvin Properties, LLC plan, located at 480 Bethel Avenue, subject to conditions noted and agreed to by the Applicant. Question? Motion carried without dissent.

Catania Engineering, Lisa Catania, P.E.

1. Ms. Catania presented her monthly report. A copy of this report is on file in the office.
2. Moved by Mrs. Cotter, seconded by Mr. Minner, that the Board adopt Resolution No. 09-21, preliminary/final subdivision and land development approval for Liberty Roofing Company, located at 404 Bethel Avenue, subject to conditions listed and agreed to by the Applicant. Question? Motion carried without dissent.
3. Moved by Mr. Minner, seconded by Mr. DiMarco, that the Board adopt Resolution No. 09-22, release of escrow funds, for Deer Crossing, in the amount of \$1,807.50. Question? Motion carried without dissent.
4. Moved by Mr. Minner, seconded by Mr. McGlade, that the Board authorize the release of the balance of the escrow for Miller, Thomas Avenue. Question? Motion carried without dissent.
5. Moved by Mrs. Cotter, seconded by Mr. Minner, the Board authorize the Engineer to work on the first phase of the following: PaDOT Liquid Fuels List/Audit. Question? Motion carried without dissent.

VI. SOLICITOR'S REPORT - Howard J. Gallagher, Esquire

1. Mr. Gallagher presented his monthly report. A copy of this report is on file in the office.
2. Moved by Mr. Minner, seconded by Mr. McGlade, that the Board agree to the renditions as presented at the hearing, for Mulberry Crossing/Concord Valley. Question? Motion carried without dissent.
3. Moved by Mr. Minner, seconded by Mr. McGlade, that the Board adopt Resolution No. 09-23, granting the amended tentative plan, for Mulberry Crossing/Concord Valley, final approval subject to the conditions as set forth in the amended decision dated August 13, 2009. Question? Motion carried without dissent.

VII. MANAGER'S REPORT - Judy Lizza

1. Mrs. Lizza presented her monthly report.
2. Moved by Mr. Minner, seconded by Mr. DiMarco, that the Board accept the Exoneration List, No. 09-06, as submitted. Question? Motion carried without dissent.
3. Moved by Mr. Minner, seconded by Mr. DiMarco, that the Board accept the Refund List, No. 09-06, as submitted. Question? Motion carried without dissent.

VIII. REPORTS OF COMMISSIONERS**A. Administration, Finance and Licenses & Inspection - Mr. McGlade, Chairman**

1. Moved by Mr. McGlade, seconded by Mr. Minner, that the Board approve the List of Bills for the General Fund, in the amount of \$265,660.99, as appearing on the bill list. Question? Motion carried without dissent.
2. Moved by Mr. McGlade, seconded by Mr. Minner, that the Board authorize the payment of the 2009 Tax Anticipation Loan, Principal-\$750,000.00, Interest-\$13,500.00. Total payment amount \$763,500.00. Question? Motion carried without dissent.
3. Moved by Mr. McGlade, seconded by Mr. Minner, that the Board authorize the reimbursement to the Township Bulk Account from the Capital Reserve Account, the Arbitration Award for the Municipal Complex to Pancoast & Clifford, Inc., in the amount of \$440,215.91. Question? Motion carried without dissent.
4. Mr. McGlade noted that the monthly Inspectors Reports are on file in the office.

B. Highway & Sanitation, Open Space and Shade Tree – Mr. DiMarco, Chairman

1. Mr. DiMarco noted that the monthly Highway & Sanitation Report is on file in the office.

C. Public Safety, Street Lights and Traffic Signals – Mr. Minner, Chairman

1. Mr. Minner noted that the monthly Police Department Report is on file in the office.
2. Moved by Mr. Minner, seconded by Mr. McGlade, that the Board authorize the hiring of Art Sciocchetti as a Crossing Guard. Question? Motion carried without dissent.
3. Moved by Mr. Minner, seconded by Mr. McGlade, that the Board authorize the installation of a 4-Way pre-emption system at the intersection of Chichester Avenue, Bethel Avenue and Larkin Road. Question? Motion carried without dissent.

D. Library, Grants, Zoning and Planning – Mrs. Cotter, Chairwoman

1. Mrs. Cotter noted that the monthly Zoning Hearing Board and Planning Commission minutes are on file in the office.

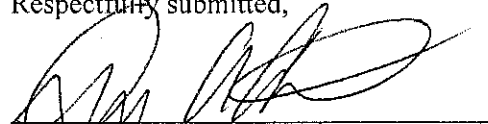
E. Insurance, Recreation, Historical Society, Sewer and Water - Mr. Stewart, Chairman

1. Mr. Stewart highlighted the monthly Recreation Board report and noted that it is on file in the office.

IX. ADJOURNMENT

Moved by Mr. Minner, seconded by Mr. McGlade, that the Board adjourn at 8:59 PM. Question?
Motion carried without dissent

Respectfully submitted,



Dora A. Coleman, Township Secretary