

## TOWNSHIP OF UPPER CHICHESTER

April 9, 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, absent, Mr. DiMarco, Mrs. Cotter, Mr. Gallagher, Mr. Stewart, Ms. Catania, Mr. McGlade, Mr. Minner, Mrs. Lizza. All present unless otherwise noted.

### **III. APPROVAL OF MINUTES**

1. Moved by Mr. Minner, seconded by Mrs. Cotter, that the Board approve the minutes of the Regular meeting held on March 12, 2009. Question? Motion carried without dissent.

### **IV. COMMENTS OF CITIZENS**

1. James Renner, Trophy Drive, reported Township making wonderful strides in the beautification efforts and shade tree, but was devastated by what occurred on the property at Chichester Avenue and I-95, where the new fireworks building is being placed, trees were cut down in a very poor manner.
2. Nick Tortorello, Dogwood Circle, reported the state is ready to pass an additional earned income, asked if it would affect the Township residents in any way, and asked that Route 322, the Conchester Highway be cleaned up of trash and debris.
3. Nicole Whitaker, Oxford Place, asked the status on misc projects and asked if the fireworks company has filed an appeal with respect to the signs.

### **V. ENGINEER'S REPORT** – 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 Mr. McGlade, seconded by Mr. DiMarco, that the Board adopt Resolution No. 09-09, preliminary/final subdivision and land development plan approval for Naaman's Creek Lot #3-Homewood Suites Hotel & Restaurant. Question? Motion carried without dissent.
3. Moved by Mr. Minner, seconded by Mr. McGlade, that the Board adopt Resolution No. 09-10, minor subdivision and land development plan approval for the Tenaro property located on the eastern side of Chichester Avenue. Question? Motion carried without dissent.

4. Moved by Mr. McGlade, seconded by Mrs. Cotter, that the Board adopt Resolution No. 09-11, escrow release request for Harvin Properties, Pleasantview Avenue, in the amount of \$8,404.00. Question? Motion carried without dissent.
5. Moved by Mr. Minner, seconded by Mrs. Cotter, that the Board deny the site escrow release request of Ryan Homes. Question? Motion carried without dissent.
6. Moved by Mr. Minner, seconded by Mr. DiMarco, that the Board adopt Resolution No. 09-13, Application for County Aid for the Road Program, in the amount of \$12,960.00. Question? Motion carried without dissent.
7. Moved by Mr. Minner, seconded by Mrs. Cotter, that the Board authorize the Engineer to work on the following: Road Program, DCNR Grant and the erosion problem in the 1800 block of Cherry Street. 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. DiMarco, that the Board adopt Ordinance No. 652, amending the Zoning Ordinance, to rezone a 12,772 SF parcel of land, more or less, fronting on Chichester Avenue, to change the zoning of said parcel from C-1, Neighborhood Commercial District and I-Industrial to R-2, Medium Density Residential District, and to rezone an 86.00 SF parcel of land, more or less, fronting on Chichester Avenue, from I-Industrial District to C-1, Neighborhood Commercial District. Question?

It was noted that a public hearing was held earlier tonight in reference to this.

Motion carried without dissent.

3. Moved by Mr. Minner, seconded by Mr. McGlade, that the Board accept the service connected disability for Police Officer, Kenneth Erb, with stipulations, effective April 1, 2009. Question? Motion carried without dissent.
4. Moved by Mr. McGlade, seconded by Mr. Minner, that the Board authorize the submittal of a new plan for the Farmstead Development Company, Mulberry Crossing. 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. 09-02, as submitted. Question? Motion carried without dissent.
3. Moved by Mr. Minner, seconded by Mr. DiMarco, that the Board accept the Refund List, No. 09-02, as submitted. Question? Motion carried without dissent.

**IX. 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 \$498,188.85, 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 reimbursement to the Cash Escrow Account from the Township Bulk Account, in the amount of \$100,000.00. Question? Motion carried without dissent.
3. Moved by Mr. McGlade, seconded by Mr. Minner, that the Board authorize the budgeted transfer of \$44,305.00, from the Township Bulk Account to the Highway PLGIT Account. Question? Motion carried without dissent.
4. Moved by Mr. McGlade, seconded by Mr. Minner, that the Board authorize the reimbursement to the Township Bulk Account from the Recreation PLGIT Account, for the CBL Improvements, in the amount of \$29,401.75. Question? Motion carried without dissent.
5. Moved by Mr. McGlade, seconded by Mr. Minner, that the Board authorize the reimbursement to the Township Bulk Account from the Highway PLGIT Account, for repairs to the backhoe, in the amount of \$7,670.15. Question? Motion carried without dissent.
6. 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.
2. Mr. DiMarco announced the annual free bulk trash pick up will be held the week of April 27<sup>th</sup> through May 1<sup>st</sup>.

**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. Mr. Minner announced that the Police Department has been awarded a DARE Grant, in the amount of \$5,419.00.
3. Moved by Mr. Minner, seconded by Mr. McGlade, that the Board adopt Resolution No. 09-14, allowing for the acceptance and distribution of JAG grant, to be used for the purchase of a crime scene imager and the remainder to be put against Police Department salaries. 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.
  
2. Moved by Mr. Minner, seconded by Mr. DiMarco, that the Board authorize tentative approval of the FOP contract with our Police Department. Question? Motion carried without dissent.

**X. ADJOURNMENT**

Moved by Mr. Minner, seconded by Mr. DiMarco, that the Board adjourn at 8:30M. Question? Motion carried without dissent

Respectfully submitted,



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Dora A. Coleman, Township Secretary