

## TOWNSHIP OF UPPER CHICHESTER

February 12, 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. RECOGNITION/APPOINTMENT**

Mr. Stewart presented Joseph Okolowski with an award for his 30 years of dedicated service to the Township's Highway & Sanitation Departments.

Moved by Mr. McGlade, seconded by Mrs. Cotter, that the Board appoint Russell B. Minner, Fourth Ward Commissioner as Vice-President of the Board of Commissioners. Question? Motion carried with Mr. DiMarco dissenting.

### **IV. APPROVAL OF MINUTES**

1. Moved by Mr. Minner, seconded by Mr. DiMarco, that the Board approve the minutes of the public hearing held on January 8, 2009, for a proposed amendment to the Zoning Code as heretofore amended, to rezone a 1,056,082.23 SF parcel of land (24.24 acres) more or less fronting on Interstate I-95 (I-95) and Township Road (S.R. 3008) to change the zoning of said parcel from IND-Industrial to CCRC-Continuing Care Retirement Community. Question? Motion carried without dissent.
2. Moved by Mr. Minner, seconded by Mr. DiMarco, that the Board approve the minutes of the public hearing held on January 8, 2009, for a proposed amendment to the Zoning Code as heretofore amended to rescind Section 1800-A.06, Continuing Care Facilities or Ordinance Number 07-635, adopted April 12, 2007. Question? Motion carried without dissent.
3. Moved by Mr. Minner, seconded by Mr. DiMarco, that the Board approve the minutes of the public hearing held on January 8, 2009, for a proposed amendment to the Zoning Code as heretofore amended by creating a Continuing Care Retirement Community District (CCRC), and providing for Definition of Terms; Legislative Intent; Use Regulations; Yard and Area Regulations, including height requirements, year and area density requirements; and special design standard and open space and sign regulations. Question? Motion carried without dissent.

4. Moved by Mr. Minner, seconded by Mr. DiMarco, that the Board approve the minutes of the Regular meeting held on January 8, 2009. Question? Motion carried without dissent.
5. Moved by Mr. Minner, seconded by Mr. DiMarco, that the Board approve the minutes of the Special meeting held on January 29, 2009. Question? Motion carried without dissent.

**V. COMMENTS OF CITIZENS**

1. Rocco Ciccarella, Peach Street, questioned the increase in the fee for a certificate of occupancy.
2. Dave Thompson, Ferncroft Avenue, questioned the size of a buildable lot in his area, the grandfather clause and the zoning variance requirements.
3. Frank Eppler, Dogwood Circle, asked if the Township had started thinking and/or planning for the future energy needs of the community.
4. Lou Perti, Market Street, reported that under the Freedom of Information, he requested a copy of the permits, any contracts and correspondences for the property at 2400 Chichester Avenue; upon his review of what he received he believes an internal review should be done because the permits were handled improperly.

**VI. 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. Minner, seconded by Mr. DiMarco, that the Board authorize the proper officials to send the final MPC punch list items for DeLuca Homes-Creekside to the property owners. Question? Motion carried without dissent.
3. Moved by Mr. DiMarco, seconded by Mr. Minner, that the Board adopt Resolution No 09-05, release of escrow funds for Panarello Land Development, Inc., 5000 Chichester Avenue, in the amount of \$36,740.00. Question? Motion carried without dissent.

**VII. 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. Mr. Gallagher briefly discussed the following items: Edward Karpinski v. Upper Chichester Township; John Mullen; Michael Stanley d/b/a Michael's Paving Contractors; and the Ribierio Land Development.

**VIII. MANAGER'S REPORT - Judy Lizza**

1. Mrs. Lizza presented her monthly report.
2. Moved by Mr. Minner, seconded by Mr. DiMarco, that the Board adopt Resolution No. 09-06, proclaiming February 15 thru 21, 2009, as National Engineers Week. 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 \$314,093.25, as appearing on the bill list. Question? Motion carried without dissent.
2. Moved by Mr. McGlade, seconded by Mr. Minner, that the Board approve the List of Bills for the Police Pension Fund, in the amount of \$3,800.00, as appearing on the bill list. Question? Motion carried without dissent.
3. Moved by Mr. McGlade, seconded by Mr. Minner, that the Board approve the List of Bills for the Non-Uniformed Pension Fund, in the amount of \$3,500.00, as appearing on the bill list. Question? Motion carried without dissent.
4. Moved by Mr. McGlade, seconded by Mr. Minner, that the Board approve the List of Bills for the Non-Uniformed Defined Contribution Pension Fund, in the amount of \$2,500.00, as appearing on the bill list. Question? Motion carried without dissent.
5. 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 appoint George Adams to the Township Fire Police. Question? Motion carried without dissent.
3. Moved by Mr. Minner, seconded by Mr. DiMarco, that the Board accept the resignation of Kenneth Seltzer, a member of the Civil Service Commission.

This item was not on the agenda, so Mr. Stewart asked if there was any public comment from the audience. None was given.

Question? Motion carried without dissent.

4. Moved by Mr. Minner, seconded by Mr. DiMarco, that the Board authorize the transfer of \$10,500.00 from the Drug Enforcement Account to the General Fund, for Police Department computers. 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.

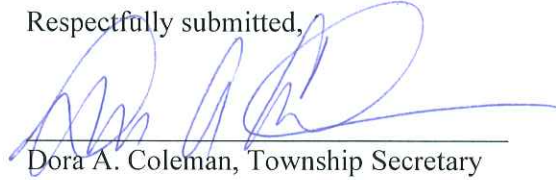
### **E. Insurance, Recreation, Historical Society, Sewer and Water - Mr. Stewart, Chairman**

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

**X. ADJOURNMENT**

Moved by Mr. Minner, seconded by Mr. DiMarco, that the Board adjourn at 8:29 PM. Question?  
Motion carried without dissent

Respectfully submitted,



Dora A. Coleman, Township Secretary