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UPPER CHICHESTER TOWNSHIP

BOARD OF COMMISSIONERS

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Upper Chichester, Pennsylvania

Thursday, February 9, 2017

- - -

Regular meeting of the Board Of
Commissioners held at the Upper Chichester
Township Building, 8500 Furey Road, Upper
Chichester, Pennsylvania, on the above date at
7:30 p.m. recorded stenographically by Maria
Lairdieson O'Neill, Registered Professional
Reporter and Notary Public.

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BEFORE: MICHAEL GAUDIUSO, President
EDWARD RAIKOWSKI, Commissioner
NICOLE WHITAKER, Commissioner
JOSEPH BAIOTTO, Commissioner
JOSEPH NEARY, Commissioner

HOWARD GALLAGHER, ESQUIRE, Solicitor

- - -

MARIA L. O'NEILL, INC.
610.357.2825
rio22rpr@comcast.net

1 **ALSO PRESENT:**

2 Lisa Catania, P.E.

3 George Needles, township manager

4 Chief Bush

5 Thomas Brazill

6 James Putman

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1 MR. GAUDIUSO: Stand for the Pledge.
2 Mr. Needles, can you please take roll
3 call.
4 MR. NEEDLES: Sure thing. Commissioner
5 Baiocco.
6 MR. BAIOTTO: Here.
7 MR. NEEDLES: Commissioner Whitaker.
8 MS. WHITAKER: Here.
9 MR. NEEDLES: Lisa Catania.
10 MS. CATANIA: Here.
11 MR. NEEDLES: Commissioner Gaudio.
12 MR. GAUDIUSO: Here.
13 MR. NEEDLES: Howard Gallagher.
14 MR. GALLAGHER: Here.
15 MR. NEEDLES: Commissioner Raikowski.
16 MR. RAIKOWSKI: Here.
17 MR. NEEDLES: Commissioner Neary.
18 MR. NEARY: Here.
19 MR. NEEDLES: And myself, George
20 Needles, present.
21 MR. GAUDIUSO: We have a brief
22 presentation of a service plaque for Sergeant
23 Allen. Sergeant Allen cannot be here tonight. He
24 retired this past year. So on behalf of Sergeant
25 Allen, if Chief Bush could come up and accept the

1 plaque on his behalf.

2 The plaque reads: In grateful
3 recognition of 39 years of service as a member of
4 Upper Chichester Police Department, we thank you
5 for your dedicated service, hard work, and
6 commitment to the citizens of Upper Chichester
7 Township. Presented by the Upper Chichester Board
8 Of Commissioners February 9, 2017.

9 CHIEF BUSH: Thank you.

10 MR. GAUDIUSO: Thank you, Chief.

11 CHIEF BUSH: On behalf of Sergeant
12 Allen, thank you to the commissioners for 39
13 years.

14 MR. GAUDIUSO: At this time we have our
15 2016 pension presentation performance report, if
16 Tom Brazill could come up and present to the
17 Board.

18 MR. BRAZILL: Well, good evening,
19 everybody, and Happy New Year a month late.

20 Just going right to the front page
21 there, which is just the outline of what has
22 transpired since I last met with you, which was
23 back on November 9th, I do believe. Here it is
24 February 9th.

25 Looking at what we have in the booklet

1 itself, of course, is the year to date, the
2 holdings and the performance. That's as of
3 yesterday, so it's current.

4 Also in the back there is a performance,
5 a quarter to date, which is from my last time here
6 to, again, yesterday; and then the performance for
7 2016. The performance of 2016, you can see, if
8 you go down lower to No. 3 there, the returns
9 individually for the accounts police was up 7.2
10 percent which equated to 718,217. A tongue
11 twister.

12 The nonuniformed defined benefit was up
13 6.1 percent, 140,190. And the nonuniform defined
14 contribution was up 7.87 percent, \$5,456. That
15 was for the year 2016. Gauging against the
16 Standard & Poor's index, which returned 11.95
17 percent for the year.

18 Actually we were pretty much matching
19 it. Where we lost ground was in the first
20 quarter. Again going back a year ago, the market
21 looked like it was ready to collapse into a
22 recession. Standard & Poor's was down to about
23 10, 15 percent. It had a sharp reversal.

24 We were in a more protected position.
25 We didn't move out of that. So Standard & Poor's

1 kind of jumped up. We lost 3 percent that quarter
2 against the average. After that we tracked it all
3 the way through.

4 Year to date, again as of yesterday, the
5 police is up 1.44 percent or 160,000, the defined
6 benefit. Nonunion is up 1.46, 32,000. And the
7 defined contribution is up 1.747 percent at
8 \$1,222.

9 Going back up to number two there, the
10 strategy that we talked about at the last meeting,
11 being a more fundamental strategy in a moderate
12 aggressive position, holding 65 percent at stock
13 funds, 30 percent in bond funds, 5 percent cash,
14 which is where we are right now.

15 The difference in weighting that we do
16 have though is we do have an overweight in
17 domestic funds against the foreign stock funds.
18 There is 10 percent more in the domestic funds, 10
19 percent less in the foreign funds right now. It's
20 not a great concern. It's something that will
21 balance out in the future.

22 The monthly reports come into the
23 township office at the beginning of each month. I
24 do keep in touch with George. We confer about the
25 performance and the allocation on a monthly basis.

1 So the next report will be in April.
2 That will be the end of the quarter, first
3 quarter. And, you know, as I say, I will
4 rebalance the domestic and the foreign funds, get
5 those more in line. But I guess that's not -- I
6 don't think it's really critical at this juncture,
7 but I will certainly take care of it.

8 Are there any questions that anybody has
9 looking at this?

10 MR. NEARY: No. Just Standard & Poor's
11 index is all stocks; correct?

12 MR. BRAZILL: Pardon.

13 MR. NEARY: The Standard & Poor's is all
14 stocks; correct?

15 MR. BRAZILL: It's all?

16 MR. NEARY: Stocks.

17 MR. BRAZILL: All stocks, yes.

18 MR. NEARY: Really their performance, if
19 you -- because we're weighted at 55 percent,
20 although we weren't that way all year, if you took
21 the 11.95 and multiplied it by .65, their return
22 would be 7.76 this year. And your returns are
23 fairly consistent. That's just a rough.

24 MR. BRAZILL: Yeah.

25 MR. NEARY: And that's also true of the

1 2017 year to date. So I think the program that we
2 initiated and are working on is working.

3 MR. BRAZILL: Well, it is, it is. And
4 the tracking is, you know, fairly close. And
5 really the thing was -- it was kind of just a real
6 switch in what was going on last year at this
7 time. The markets were very, very negative, and
8 then they abruptly changed.

9 You know, when you see a change, you
10 don't always think that it's going to hold. And
11 it did hold, you know; just a little slow in
12 getting out of the box and changing things around.

13 So that's where we stand right now.
14 Today was a -- just to give you an absolute
15 current update, today all of the accounts were up
16 a half a percent. So they can tack on .5 to the
17 percentages that are on there.

18 MR. NEARY: Thank you, Tom.

19 MR. GAUDIUSO: Tom, just a minor
20 question or a comment. Under the first page,
21 under Item No. 3, it's A 2016, Point No. 2, I
22 think you said the percentage was 6.1 percent.
23 It's 6.91; correct? That's what you have written
24 here.

25 MR. BRAZILL: I'm sorry. What's that

1 now, Mike?

2 MR. GAUDIUSO: Under performance for
3 2016, Item No. 2. I think you said it was 6.1.
4 But you actually have 6.91.

5 MR. BRAZILL: It's 6.91. I'm sorry.

6 MR. GAUDIUSO: I just want to make sure,
7 that's all.

8 MR. BRAZILL: That is correct, yes,
9 6.91. Yeah. They're all -- all of them are
10 pretty close. It might not be exactly, because
11 one is the difference in the size of the funds and
12 what they hold. Sometimes it's not quite exact.

13 MR. GAUDIUSO: All right. If there's no
14 other questions, Tom, thank you for coming in.

15 MR. BRAZILL: Sure, my pleasure.

16 MR. GAUDIUSO: We look forward to your
17 next report.

18 MR. NEARY: Glad to see you back, Tom.

19 MR. GAUDIUSO: Can I have the approval
20 of the minutes of the January 9th, 2017, Board Of
21 Commissioners meeting.

22 MR. NEARY: So moved.

23 MR. NEEDLES: Second.

24 MR. GAUDIUSO: All in favor.

25 (Collective aye.)

1 MR. GAUDIUSO: Motion carried.

2 Also as a brief note the Board met last
3 week in executive session to discuss various
4 litigation and personnel matters.

5 We will move on to our citizen comments
6 at this time. Are there any citizen comments in
7 the room? Anybody from the right side? Anybody
8 from the left side? Please note that there are no
9 citizen comments for tonight.

10 We'll move on to our professionals
11 reports. We'll start with our engineer.

12 MS. CATANIA: Thank you, Mr. President.
13 You do have a copy of my written report. Just a
14 few things. We have been forwarded the contracts
15 for Premier Concrete. As soon as the community
16 development reviews those comments, we will be
17 getting a preconstruction meeting together. That
18 project should start at the beginning of the
19 year -- or the beginning of the spring, excuse me.

20 The Royal Farms, we did get the
21 as-built. We've also received a request for the
22 release of escrow for that project, and I am
23 recommending an escrow release in the amount of
24 \$1,458,688.75. That release would be conditioned
25 upon the receipt of \$39,505.06, which is

1 outstanding engineering, legal, and some other
2 fees that have not been paid.

3 MR. NEARY: What's that resolution?

4 MR. NEEDLES: 2017-4.

5 MR. NEARY: So moved.

6 MR. RAIKOWSKI: Seconded.

7 MR. GAUDIUSO: All in favor.

8 (Collective aye.)

9 MR. GAUDIUSO: Motion carried.

10 MS. CATANIA: We have -- last month we
11 had gotten a letter from Jerry Southern of
12 Intercon Trucking requesting a final inspection of
13 all of the improvements on that property. We've
14 done an inspection on that. The letter was sent
15 prior to the 30-day deadline per the MPC.

16 And tonight I'm asking for a motion to
17 approve the results of that final inspection.
18 Because there's such a delay in getting the
19 letter, the punch list was completed. So
20 everything is complete on that project. I would
21 ask for a motion to authorize the manager to send
22 the appropriate correspondence to Intercon.

23 MR. NEARY: So moved.

24 MR. RAIKOWSKI: Second.

25 MR. GAUDIUSO: Any comments?

1 MR. RAIKOWSKI: That's just a punch list
2 for corresponding items; right?

3 MS. CATANIA: Correct.

4 MR. GAUDIUSO: All in favor.

5 (Collective aye.)

6 MR. GAUDIUSO: Motion carried.

7 MS. CATANIA: There was a motion in
8 here, near and dear to my heart and close to
9 Washington's birthday, because there is a
10 resolution proclaiming the week of February 19th
11 to February 25th, 2017, as Engineer's Week.

12 The theme for this year's Engineer's
13 Week is Dream Big. So we're asking all engineers
14 to go out and make sure that students understand
15 they can be anything they want.

16 That is resolution 17 dash?

17 MR. NEEDLES: Dash 5.

18 MS. CATANIA: 05.

19 MR. NEARY: So moved.

20 MR. RAIKOWSKI: Seconded.

21 MR. NEARY: Do you want it read? Okay.

22 MR. GAUDIUSO: Thank you. All in favor.

23 (Collective aye.)

24 MR. GAUDIUSO: Motion carried.

25 MS. CATANIA: Intercon also asked for

1 release of their funds, and we are recommending a
2 release of their paperwork. There are no
3 municipal improvements. And we're asking for the
4 recommendation, release of \$109,926.50.

5 MR. NEARY: So moved.

6 MR. RAIKOWSKI: Second.

7 MR. GAUDIUSO: Are there any comments?

8 MR. GALLAGHER: It's listed as new
9 business, so that's all right.

10 MR. NEARY: That's fine.

11 MR. GAUDIUSO: All in favor?

12 (Collective aye.)

13 MR. GAUDIUSO: Motion carried.

14 MS. CATANIA: Just some other things.

15 In your packet last week you had a list
16 of streets. Today I sent an email out with the
17 proposed 2017 projects for Chester Water
18 Authority. So everyone can take a look at their
19 list that the maintenance group is putting
20 together. We certainly don't want to pave the
21 street and have them tear it up a couple months
22 after that.

23 I have a call in to Brian MacEwen to see
24 if I can get their proposed 2018 streets so we can
25 move on. I don't have that much luck, quite

1 frankly, with getting that same information from
2 PECO, because I seem to have worse luck with their
3 restoration work than anywhere else.

4 What we do is a road program, we send it
5 out to the utilities so that they know these are
6 the proposed streets in Upper Chichester, trying
7 to avoid paving the streets that have been torn
8 up.

9 The Pleasant Avenue Bridge bid opening
10 is next week. I currently have five bidders that
11 have picked up that bid package. I'm hoping that
12 we get some bids.

13 And that's all I have, unless anyone has
14 any questions.

15 MR. NEARY: I have two things. One was
16 on the list of streets could we add tentatively
17 Winding Way, Roberts, the bridge. That's the
18 really, really bad section down there, I think,
19 between Roberts and Bridge Street. Okay. It's
20 not on the list. And I know it's in pretty bad
21 shape. And the other thing, you know the Greenwood
22 Avenue watershed thing.

23 MS. CATANIA: Yes.

24 MR. NEARY: I sent you an email about
25 adding Galey and Whitney to that.

1 MS. CATANIA: To expand it. They're
2 working on it.

3 MR. NEARY: That's all I have.

4 MS. CATANIA: I was hoping I would have
5 it, but she got a little tied up with it.

6 MR. NEARY: That's fine.

7 MS. WHITAKER: I have a question about
8 Premier Construction, Lisa. Have you had any
9 further communication with them regarding Oxford
10 Place? Because I haven't heard anything. And now
11 they're bidding on another project and they have
12 this one has to be repaired.

13 MS. CATANIA: I can't tell you that I've
14 had any conversation with them over that in
15 probably a couple months, when they were going to
16 go out and regrade the one area that there were
17 divots.

18 The one piece of concrete they were
19 going to diamond saw cut, which is appropriate for
20 where that is.

21 The other piece of concrete, the last I
22 heard from them, was that that area was not part
23 of their project. And we're looking for the plans
24 for that particular project so we can verify
25 whether or not that section of concrete was part

1 of their project.

2 MS. WHITAKER: What section is that?

3 MS. CATANIA: That was the 2014 project.
4 I don't have the plans for it, so I don't -- I
5 can't tell you --

6 MS. WHITAKER: No. I mean what section
7 are they saying that they --

8 MS. CATANIA: The piece of sidewalk that
9 your daughter's boots were in, that photograph,
10 when they went out and looked at it, they said
11 that was not part of their project, that it was a
12 developer that did that.

13 MS. WHITAKER: I don't know.

14 MS. CATANIA: I have to verify that
15 because I wasn't part of that project. So as soon
16 as I can verify that yes, it was, or no, it
17 wasn't, I can go back to them.

18 MS. WHITAKER: So you didn't see the
19 actual area. You weren't there when they pointed
20 out -- the reason why I'm saying that is because
21 she took several -- we took several pictures. The
22 one with her foot -- her foot is in several
23 pictures, so I don't know what section.

24 MS. CATANIA: I don't know what address.
25 If I would have known you were going to ask the

1 question, I could have had an answer for you.

2 But when I sent everything out -- gosh,
3 probably June --

4 MS. WHITAKER: Several months.

5 MS. CATANIA: -- July, to them, the
6 answer that came back was we were going to do
7 this, this, and this; however, this piece, this
8 part of the sidewalk, was not part of their
9 project.

10 MS. WHITAKER: This is the first I'm
11 hearing that wasn't part of their project.

12 So, George, can you get the plans?

13 MR. NEEDLES: Yeah, I can pull up the
14 plans.

15 MS. WHITAKER: So we can get some
16 resolution on this.

17 MR. GAUDIUSO: For Chelsea Parkway we're
18 just considering paving along the police building
19 area?

20 MS. CATANIA: I didn't have anything to
21 do with this list, so I can't tell you that.

22 George and I talked about doing at least
23 a block or what would be considered a block, get
24 that finished, move on through Chelsea Parkway.

25 MR. GAUDIUSO: That was really bad. So

1 I know you said that's a special situation that we
2 need to look at, so...

3 MR. NEARY: The underlayment -- correct
4 me if I'm wrong. This is the problem where it's a
5 big project.

6 MS. CATANIA: This is a big project.
7 Many years ago I spoke to Eileen Nelson, who was
8 one of the engineers that worked under Joe Viscuso
9 when Vollmer was here. And supposedly there
10 was -- there was to be an under drain under that
11 roadway that Rouse Chamberlin never did. I don't
12 know that to be true other than for what she's
13 told me about it.

14 But it certainly indicates that the
15 alligating that's there, the deterioration of
16 the streets, certainly indicates that there is a
17 water problem there.

18 MR. GAUDIUSO: I don't know it's going
19 to last another year.

20 MS. CATANIA: Again, I had nothing to do
21 with this list. So the only thing I can do is go
22 and take a look at the areas and determine where
23 we need to go. It's really your decision --

24 MR. GAUDIUSO: How much it's going to
25 cost.

1 MS. CATANIA: -- where we are. I
2 thought I did that last year. Didn't I?

3 MR. NEEDLES: Start with the maintenance
4 crew, going out, identifying over the next month,
5 and we'll caucus and collaborate and come up with
6 the list and we can start discussing it.

7 MS. CATANIA: Yes.

8 MR. GAUDIUSO: Okay. I might have some
9 extra streets, but I'll let you know.

10 MS. CATANIA: That's fine.

11 MR. RAIKOWSKI: I got a couple.

12 MS. WHITAKER: When's the street list
13 due by?

14 MR. NEEDLES: I would like to discuss at
15 caucus, next caucus, what's on there, discuss the
16 streets at that.

17 MR. RAIKOWSKI: Lisa, can we get
18 anything with Graham Avenue, do some of that
19 shoulder work?

20 MS. CATANIA: I'm sorry. Where?

21 MR. RAIKOWSKI: Graham Avenue.

22 MS. CATANIA: Graham.

23 MR. RAIKOWSKI: That we talked about.
24 We really didn't say too much about it with the
25 Board, if we're going to approve the survey or

1 not. I would like to try to get Graham Avenue
2 surveyed, just to see if we could get some
3 off-street parking in the right of way. If I
4 could do that part of the road program this year,
5 or at least half of it, that would be good.

6 MR. BAIOTTO: Lisa, do you think we
7 ought to get just whoever's going to do the
8 project to maybe look at Garfield, get an idea
9 what that would cost?

10 MS. CATANIA: George and I talked about
11 that. We're going to try to set up a meeting with
12 the project manager, 322 project, see if we can't
13 get it moving.

14 MR. BAIOTTO: All right. I don't know
15 if that would be a good time.

16 Bud, you're the only one that didn't
17 fire at her yet. Your turn.

18 MR. GAUDIUSO: I don't believe there's
19 any more questions, so we'll move on to the
20 solicitor's report.

21 MR. GALLAGHER: Thank you, Mr. Chairman.

22 For informational purposes I called Matt
23 Houtmann, who was the engineer for the township on
24 this clover subdivision over there. And he has
25 not as yet received a new plan or a revised plan.

1 So I'm going to follow -- again for informational
2 purposes that's the status. And I'm going to
3 follow up with him. And he was told that he would
4 receive it soon after the new year, so they're a
5 little bit late in getting that. Again I'll
6 follow up with him.

7 Also, as I think the Board knows, CSX
8 has submitted to the Township a reverse
9 subdivision plan. Now, along with that there was
10 not an accompanying land development plan, revised
11 land development plan.

12 And I called their solicitor, and he
13 says that that is definitely forthcoming in the
14 very near future. I spoke with Lisa about that,
15 and apparently they have a separate engineer.

16 Kevin Metcalf? Is that the individual?

17 MS. CATANIA: Environmental consultant,
18 yes.

19 MR. GALLAGHER: He's doing some sound
20 barrier work. And hopefully accompanying that
21 revised plan will be a sheet or a separate plan
22 with the sound barrier information.

23 Is that accurate, Lisa?

24 MS. CATANIA: That's true. What I think
25 we have to determine, there was a separate

1 application, from what I understand, with
2 subdivision land development, which would start
3 that 90-day process, unless we can get that
4 incorporated.

5 MR. GALLAGHER: Again I called the
6 solicitor and I said look, I'm concerned that this
7 land development didn't accompany the reverse
8 subdivision, we don't want to be going down two
9 separate tracks. And he agreed with that.

10 And technically since the land
11 development hasn't been submitted, the indefinite
12 extension that we granted them is not rescinded
13 until they submit that request in writing that it
14 be rescinded.

15 But nonetheless I guess we still have 90
16 days following the first planning commission
17 meeting, following our meeting tonight, for us to
18 review the reverse subdivision.

19 But I'm certain -- or not certain, but I
20 am very hopeful that this land development plan
21 will be submitted in the near future. And again
22 we can go down one track.

23 MR. NEEDLES: This reverse subdivision
24 did not include an application for the township.
25 It included an application to go in front of the

1 county.

2 MS. CATANIA: Right. Because otherwise
3 it can't get recorded. That was my concern.

4 MR. NEEDLES: For us it included a
5 one-page document stating that it was in addition
6 to the land development.

7 MS. CATANIA: We just need to get it to
8 the county.

9 MR. NEEDLES: They got it today and took
10 it over there.

11 MR. RAIKOWSKI: So the reverse
12 subdivision, is that coming in front of our
13 planning board in March or not?

14 MR. NEEDLES: They got it in for
15 February. Right. Yes, it would be March.

16 MR. RAIKOWSKI: We're trying to get
17 everything into one, if possible.

18 MR. GALLAGHER: Correct.

19 MR. RAIKOWSKI: All right.

20 MR. GALLAGHER: Commissioner Raikowski
21 asked me to look into the requirement for the
22 Municipalities Planning Code as regards use of
23 moneys that we receive as payments in lieu of the
24 dedication of open space.

25 Basically the language in the MPC

1 mirrors our subdivision land development ordinance
2 in that it requires that these monies be used for
3 facilities reasonably accessible to the
4 development from which the funds have come.

5 The money has to be paid for park and
6 recreation facilities by future inhabitants of the
7 development or subdivision, et cetera, et cetera.
8 It has to be placed in a separate, interest
9 bearing account.

10 My advice to the township would be just
11 to take each expenditure, each fee, and the
12 payment of those monies on a case-by-case basis to
13 determine whether or not it comports with both our
14 subdivision ordinance and the MPC.

15 MR. RAIKOWSKI: So it's not possible to
16 use it not just for the recreation but any kind of
17 capital improvement for the Township on a case-by-
18 case basis?

19 MR. GALLAGHER: It's unlikely, I mean
20 unless the capital improvement was somehow related
21 to the development itself. Again I would make the
22 determination on a case-by-case basis.

23 The last thing is Act 133 of 2016. And
24 I've reviewed that at our caucus meeting.
25 Subsequently I received some literature from

1 George, from Upper Darby Township. And it's my
2 intent to get together with George in the near
3 future to prepare the appropriate use certificate
4 and the temporary access certificate so that when
5 the situations arise, when there's a violation or
6 substantial violation as defined by this act, that
7 we would have the appropriate documentation to
8 give to the president.

9 Basically that's all I have.

10 MR. GAUDIUSO: Any questions for our
11 solicitor? If not, we will move on to the
12 manager's report.

13 MR. NEEDLES: Good evening, everybody.

14 I have a couple of motions and
15 resolutions here. So first off is last week you
16 were provided with a quote from Signal Service to
17 construct a -- I'm losing the train of thought
18 what it is. To do some work at the intersection
19 of Mill and Chichester Avenue for the preemption
20 system for Reliance Firehouse.

21 Basically what's happening now is they
22 come out and are unable to trip the light, so they
23 end up getting to the red light and sitting at the
24 red light waiting for it to turn. The quote for
25 Signal Service is \$4,503 even.

1 MR. NEARY: So moved.

2 MR. RAIKOWSKI: Second, but I have a
3 question. Did we go back out there to meet with
4 them and see what this is all about first?

5 MR. PUTMAN: He said he would, yeah.

6 MR. RAIKOWSKI: But we have it. Because
7 that seems kind of high, to move this from one
8 pole another.

9 MR. PUTMAN: He's going to come out and
10 explain the price, look at it again.

11 MR. RAIKOWSKI: I'd rather have it
12 tabled for another month on this. The only reason
13 is it took him a while just to get the fire
14 department to meet up with him to see what the
15 problem is. My problem is, when I looked at the
16 bid, it seemed kind of high, going from one pole
17 to the next, without knowing exactly the details,
18 just being on paper. I mean that's my opinion.

19 We were supposed to meet, we haven't met
20 out there, just to give me a better understanding
21 why it's \$4,000 going from one pole to two poles.

22 MR. NEARY: I'll second.

23 MR. RAIKOWSKI: I'd like to table it.

24 MR. NEARY: You don't have to table it.
25 Because I seconded it, it's automatically tabled.

1 MR. RAIKOWSKI: I would rather hold it
2 up for another month just to make sure. I thought
3 it was a lot.

4 MR. GAUDIUSO: Can we approve the
5 spending of an certain amount?

6 MR. NEEDLES: We have no idea what that
7 is.

8 MR. RAIKOWSKI: We don't know. If it's
9 a better explanation on it and why, we're using
10 some of the same light, same whatever. I'm just
11 trying to get a better feeling of the price. I
12 mean not that it has to get done.

13 And George is correct. Once it gets --
14 what happens is once they get at the intersection,
15 it signals it, but they're already through it
16 before it changes. That's the problem. They got
17 to activate it as soon as they come out of the
18 door so it turns green. Thank you.

19 MR. NEEDLES: Next is Resolution 2017-7.
20 I'd ask the Board to consider a resolution
21 allowing for destruction of certain township
22 records.

23 So by virtue of Resolution 2012-29,
24 adopted June 14, 2012, the Board declared its
25 intent to follow the schedules and procedures in

1 the disposition of records set forth in the
2 municipal records manual. So this resolution
3 would give us the ability to destroy open records
4 requests prior to January 1st, 2015.

5 MR. NEARY: So moved.

6 MR. RAIKOWSKI: Seconded.

7 MR. NEARY: And I'd like to point out I
8 think in the record he said 17-17. It's 17-7.

9 MR. NEEDLES: Oh, I'm sorry.

10 MS. WHITAKER: So I have a question.

11 MR. NEEDLES: Yes.

12 MS. WHITAKER: You said open records
13 requests received prior to 2015.

14 MR. NEEDLES: Correct.

15 MS. WHITAKER: Can be destroyed.

16 MR. NEEDLES: Yes. So it's -- two years
17 is the window that you must retain requests per
18 the record.

19 MS. WHITAKER: Okay.

20 MR. GAUDIUSO: All in favor.

21 (Collective aye.)

22 MR. GAUDIUSO: Motion carried.

23 MR. NEEDLES: Next up, I'd ask the Board
24 to consider a resolution to release the fire
25 escrow proceeds for 2304 Blueball Avenue pending

1 the issuance of a Certificate Of Occupancy and
2 signing of a general release document.

3 MR. RAIKOWSKI: So moved.

4 MR. NEARY: Second. That's resolution
5 17-8?

6 MR. NEEDLES: Correct.

7 MR. GAUDIUSO: All in favor.

8 (Collective aye.)

9 MR. GAUDIUSO: Motion carried.

10 MR. NEEDLES: Next up I'd ask the Board
11 to consider a resolution to make application to
12 Delaware County for the 2017 County Liquid Fuels
13 funds, 2017-9.

14 MR. NEARY: So moved.

15 MR. RAIKOWSKI: Seconded.

16 MR. GAUDIUSO: All in favor.

17 (Collective aye.)

18 MR. GAUDIUSO: Motion carried.

19 MR. NEEDLES: Next is an item we went
20 over last week, the information is in your packet.
21 I'd ask the Board to consider a resolution setting
22 a bulk account cash reserve policy, where we would
23 keep in the cash reserve three months' worth of
24 expenditures each year for the next budget year.

25 MR. NEARY: That's Resolution 17-10. So

1 moved.

2 MR. RAIKOWSKI: Seconded.

3 MR. GAUDIUSO: All in favor.

4 (Collective aye.)

5 MR. GAUDIUSO: Motion carried.

6 MR. NEEDLES: Next up I would ask the
7 Board to consider the resolution approving the
8 opening of a 90-day CD at TD Bank for the
9 unassigned reserve funds as a result of the cash
10 reserve policy, 2017-11.

11 MR. NEARY: So moved.

12 MR. RAIKOWSKI: Seconded.

13 MR. GAUDIUSO: All in favor.

14 (Collective aye.)

15 MR. GAUDIUSO: Motion carried.

16 MR. NEEDLES: Next up is I'd ask the
17 Board to consider a resolution approving the
18 various recreation projects completed using the
19 previously collected fee-in-lieu-of funds. This
20 is a budgeted item. What I did was poll the Board
21 for what projects they were interested in having
22 completed.

23 And listed there first was netting along
24 Furey Road, which is Project 6.

25 The second was the backstops along Furey

1 Road field, which is Project 4.

2 The third is the continuing of the trail
3 and walkway from the fields up to the main parking
4 area. And that was No. 8.

5 And then fourth was the pavilion area,
6 which was No. 2.

7 MR. NEARY: So moved.

8 MR. RAIKOWSKI: I mean I got questions.

9 MS. WHITAKER: Second.

10 MR. GAUDIUSO: Okay. Go ahead.

11 MR. RAIKOWSKI: I mean I know
12 everybody -- I don't know if everybody is sending
13 -- I gave George mine last night. I know that
14 Furey Road Park down here is used constantly by a
15 lot of the parents. The younger kids don't have
16 it. And I know that was on the list. I
17 personally would like to see that put back on
18 before the backstops on Furey Road, because we
19 spent that much money already on these fields.

20 MR. BAIOTTO: Well. Go ahead. I just
21 want to respond to that.

22 MR. RAIKOWSKI: I understand what you're
23 saying about the balls and stuff. But maybe clean
24 that area up back there, maybe they could find
25 them at the same time.

1 MR. BAIOTTO: The backstop is a part of
2 the netting. The netting was going to be down at
3 the end. They stopped it going into Furey Road.

4 MR. RAIKOWSKI: Furey Road.

5 MR. BAIOTTO: And down along the back of
6 the backstops. I asked to get a price to see if
7 it was cheaper to put backstops, extend the
8 backstops, as opposed to the other netting, if it
9 was cheaper.

10 We're still waiting for some final
11 prices, on that, right, Bud?

12 MR. PUTMAN: Yes.

13 MR. BAIOTTO: To put netting on there,
14 that section of netting would be like -- what was
15 it 30, 40 grand, some astronomical number?

16 MR. PUTMAN: Yeah.

17 MR. RAIKOWSKI: At the backstops.

18 MR. BAIOTTO: At the backstops we would
19 replace that netting hopefully at a cheaper price.

20 MR. GAUDIUSO: I think the idea of the
21 backstops is better than the netting.

22 MR. BAIOTTO: Me too.

23 MR. GAUDIUSO: Going along the woods.

24 MR. BAIOTTO: So that's really part of
25 the netting project. I would like to see the

1 playground done too. So I mean if we can do all
2 five for the same amount of money...

3 MS. WHITAKER: So 1 and 2, the same
4 thing, but just different variations?

5 MR. NEEDLES: Well, they would have to
6 be -- like we would get separate quotes. What
7 would be netting, what would be backstops,
8 classified as two different projects.

9 MS. WHITAKER: Right. So again are
10 there netting going in one area and backstop going
11 in another area?

12 MR. BAIOTTO: Yes. I think the
13 backstops will be less than the netting on the one
14 section.

15 MS. WHITAKER: On the one section.

16 MR. BAIOTTO: That's why. Yes.

17 MR. NEARY: Just to be clear, these four
18 cost \$100,000, so we're hoping that there's some
19 cost savings in the first three, that we can do
20 the fourth. So that would be the projected order
21 that would be doing it.

22 MS. WHITAKER: That is from the fee in
23 lieu of. Right. So for the playground there's
24 still money in the budget for any playground
25 addition.

1 MR. BAIOTTO: Right.

2 MR. RAIKOWSKI: What was that? 15?

3 MR. NEEDLES: Correct. We're not
4 touching any of the budgeting funds outside of the
5 fee in lieu. So if we get to this, then we see
6 that.

7 MR. BAIOTTO: And all of those projects
8 were a combination of the bid.

9 MR. NEEDLES: Correct.

10 MR. BAIOTTO: So that playground may be
11 getting done from somewhere else. Okay?

12 MR. RAIKOWSKI: Well, this is the first
13 time I was hearing that we were looking at netting
14 and the backstop over that other area.

15 MR. BAIOTTO: So the backstop is going
16 to replace some of the netting hopefully. It's
17 cheaper.

18 MS. WHITAKER: The other items will
19 still stay on the list.

20 MR. RAIKOWSKI: Right. I understand. I
21 thought maybe that could be put on the back
22 burner, and work on that at the same time. But
23 if, like Joe was saying, if we're coming under
24 with the other ones, maybe we can still afford it.

25 MS. WHITAKER: So make that one the next

1 one on the list, George, the playground.

2 MR. NEEDLES: We've discussed an
3 opportunity to take care of that outside of this.

4 MS. WHITAKER: Okay.

5 MR. GAUDIUSO: All right. So we have a
6 second to the motion. I mean a motion and a
7 second. All in favor?

8 MR. RAIKOWSKI: I was just -- I'm saying
9 on this list can we put alternative playground.

10 MR. NEARY: The four exceed the 90,000
11 that we have budgeted. Okay. I don't suspect
12 that adding a fifth is going to help you, because
13 I don't believe you're going to get that far under
14 that you'll be under the 90,000.

15 MS. WHITAKER: So you're saying that
16 there's another funder?

17 MR. NEARY: Another avenue.

18 MS. WHITAKER: Another means.

19 MR. NEEDLES: We have other funds to do
20 improvements to parks and areas.

21 MS. WHITAKER: Right.

22 MR. NEEDLES: This was to get specific
23 projects from the rec board and estimates and
24 costs to complete those projects.

25 MS. WHITAKER: Right.

1 MR. GAUDIUSO: All in favor.

2 (Collective aye.)

3 MR. GAUDIUSO: Motion carried.

4 MR. NEEDLES: I don't know if I said the
5 resolution number. That was 2017-12.

6 MR. GAUDIUSO: Correct.

7 MR. NEEDLES: Next up I have consider a
8 motion to authorize the township manager to
9 advertise for the position of assistant township
10 manager.

11 MR. NEARY: So moved.

12 MS. WHITAKER: Second.

13 MR. GAUDIUSO: All in favor.

14 (Collective aye.)

15 MR. GAUDIUSO: Motion carried.

16 MR. NEEDLES: Then I don't have this
17 under my list, it's under Mike's list, but I'm
18 just going to get it out of the way. I'd ask the
19 Board to consider a motion to elevate Matthew
20 McCusker to position of full-time patrolman
21 effective February 13th, 2017.

22 MR. NEARY: So moved.

23 MR. RAIKOWSKI: Second.

24 MR. GAUDIUSO: All in favor.

25 (Collective aye.)

1 MR. GAUDIUSO: Motion carried. That was
2 17-14, that resolution?

3 MR. NEEDLES: It's not a resolution.

4 MR. GAUDIUSO: Okay.

5 MR. NEEDLES: My report is on file at
6 the office. Basically it's two pages about
7 medical marijuana. I will be discussing that with
8 Bud for the next month and then discussing it in
9 caucus next month.

10 Monday Joe and I will be heading to the
11 capitol for the day to attend training, and next
12 Friday I leave for vacation for a week.

13 MS. WHITAKER: Okay. Good, because I
14 have a bunch of things I need you to do before you
15 go on vacation.

16 MR. NEEDLES: All right.

17 MS. WHITAKER: So one thing, one
18 question that I have to ask now, what is the
19 followup for resident complaints? I know we have
20 the list, the spreadsheet that is massive. But as
21 far as your part or someone in the office, is
22 there a formal letter sent out or some kind of
23 communication that we're tracking?

24 MR. NEEDLES: So would it be like a
25 maintenance complaint?

1 MS. WHITAKER: So, for example, Mr.
2 Higgins. We'll take Mr. Higgins for example. I
3 know that there is, you know, back and forth, you
4 know, phone calls.

5 MR. NEEDLES: Yes.

6 MS. WHITAKER: What written
7 documentation other than his letters do we have
8 saying that we have been following through on his
9 complaints?

10 MR. NEEDLES: Well, we would -- we keep
11 documentation. He registers a complaint. So when
12 he registers a complaint, we have an active
13 complaint in the system. So there should be --
14 any time he comes in or he calls or writes a
15 letter, there should be a complaint opened up and
16 then followup from an inspector or someone and a
17 note in that system, it was valid, was there
18 something there, it was closed.

19 So most recently he came in about a
20 month ago, sat down and spoke with me about some
21 issues that he had. I understand his complaints.
22 I get it. His garage sits right next to the
23 property. But the complaints that he had that day
24 were nothing that we could see. We went out
25 there, took a look at them, saw that his

1 complaints weren't valid, looked to see if there
2 was anything else. We couldn't come up with
3 anything that day, closed it.

4 During that meeting we indicated that
5 every complaint that he gave us that he said,
6 outside of what we thought might be legal
7 jurisdiction, were police issues. So he was
8 instructed to call the police and have the 911 log
9 for that.

10 MS. WHITAKER: What was his response
11 when he said he had called the police?

12 MR. NEEDLES: He said he was getting --
13 the neighbor threatened him and then he -- I said
14 if you're being threatened, you should call the
15 police.

16 MS. WHITAKER: Right. And what did he
17 say happened when he called the police?

18 MR. NEEDLES: Just that they -- one time
19 that he got a call, the person came out with a
20 truck and moved, where they asked the individual
21 to move the truck and they moved the truck.

22 MS. WHITAKER: Okay. So will the permit
23 manager generate a letter?

24 MR. NEEDLES: They would generate a
25 letter for the person with the violation if there

1 is a violation.

2 MS. WHITAKER: It doesn't generate a
3 letter to say, you know -- to Mr. Higgins saying
4 anything like that.

5 MR. NEEDLES: Correct.

6 MS. WHITAKER: That's one thing we might
7 need to consider.

8 MR. NEEDLES: I would ask Bud to review
9 if that's a possibility. Would that put us in any
10 type of position if someone, say, comes in
11 repeatedly lodging complaints against someone and
12 we are unable to find the complaint that we can
13 enforce, could we be in any type of position for,
14 you know, going after that person on a regular
15 basis indicating there were complaints. Could
16 that be perceived as us like putting pressure on
17 them or anything like that?

18 MR. GALLAGHER: Well, if there's no
19 underlying ordinance that would allow enforcement
20 of that, I don't see the need to go out there on a
21 continuing basis.

22 MR. NEEDLES: So from time to time we
23 get --

24 MR. GALLAGHER: If you made an initial
25 determination that there's no -- nothing the

1 Township can get involved in. Correct?

2 MR. NEEDLES: Correct.

3 MR. GALLAGHER: Or should get involved
4 in.

5 MR. NEEDLES: Every once in a while
6 something pops up, and we do go out and it's
7 handled. This is an ongoing situation between
8 neighbors that we're being pulled into, and the
9 majority of the stuff that's communicated to us
10 would be police issues.

11 MR. GALLAGHER: So what is your
12 question?

13 MR. NEEDLES: Do we have any liability
14 for -- we're taking complaints from people, right.
15 People call in, say I want to lodge a complaint,
16 my neighbor's doing this. We go out, we either
17 find a violation or we don't find a violation. We
18 don't find a violation, we close it out. We get a
19 call the next week, my neighbor is doing this. We
20 go out.

21 MR. GALLAGHER: The same thing or doing
22 something different?

23 MR. NEEDLES: Different or the same. We
24 keep going out, keep going out, keep going out.

25 MR. GALLAGHER: Well -- go ahead. I'm

1 sorry to interrupt you.

2 MR. NEEDLES: Is there any position
3 where we could -- you know, that we can put
4 ourselves in a bad position because we
5 consistently go out and go to these people?

6 MR. GALLAGHER: If the alleged violation
7 is something that you've already determined
8 doesn't involve the Township, there's no need to
9 make a second inspection. But if it's something
10 different and there's a need to inspect the
11 property, then that's what you should do. And I
12 don't think that there's any adverse consequences
13 doing that.

14 MR. NEEDLES: But after I do that, then
15 I'm writing a letter to the individual who
16 complained and saying we went to this property on
17 this date, we found either this or we found
18 nothing, like or --

19 MR. GALLAGHER: That's appropriate.

20 MR. NEEDLES: It is appropriate. Okay.
21 I think that we should find out if we can set up
22 template letters for us to do that. There is the
23 ability to put in the complaint, like the person
24 making the complaint, so we should be able to have
25 it just produce a letter out that we can put in

1 prefilled; like we did find a violation on the
2 property, we are actively investigating it, if you
3 feel that it's not proceeding in a timely fashion
4 or something, feel free to contact us directly.
5 So that we have that backup consistently.

6 MS. WHITAKER: Yeah. The flip side of
7 that is that --

8 MR. GAUDIUSO: I -- Nicole, I made that
9 suggestion that when a resident lodges a
10 complaint, you know, after everything has been saw
11 through, I think we should send a letter to the
12 resident saying on such and such a date --

13 MS. WHITAKER: Right.

14 MR. GAUDIUSO: -- you notified the
15 township of a violation, we went out to the place,
16 we inspected it, you know, and this is the steps
17 that we took and it's now been closed.

18 MS. WHITAKER: Right. Because they're
19 leaving with resolution, so they're not thinking
20 that they're just calling and nothing is being
21 done.

22 But the other part of that, Bud, is that
23 this -- so there's, I guess, a zoning issue as
24 well, because he claims that the neighbor is
25 either selling auto parts or selling cars. So he

1 makes a complaint, and he cleans up. And then
2 somebody from the Township goes by, they don't see
3 anything. So then everything settles for a while.
4 And a lot of the business happens on the weekend
5 when no one is working.

6 I don't think this man is crazy, just
7 coming up here to write these long letters,
8 complaining, because he has nothing to do. Okay.
9 So something is going on that we're missing.
10 Okay. The neighbor has threatened him and the
11 kids are rude to him.

12 So it's also an issue where I've been --
13 he's been complaining at the township for two
14 years, just throwing out a number, then there's an
15 incident between neighbors. Is the township
16 liable in that sense because we didn't do
17 anything, whether it's the township or the police
18 department?

19 MR. GALLAGHER: Well, I mean if he makes
20 a complaint to the police, then that's for the
21 police department to respond. If it's an alleged
22 criminal act, I don't think the township
23 commissioners should get involved; but it should,
24 as George did appropriately, refer it to the
25 police department.

1 If you go out there and you don't see
2 anything, I don't know -- I don't know how you can
3 enforce something that you don't have evidence of
4 a violation, even though you may suspect
5 something. You know, he -- if he alleges
6 something's going on there, maybe it should be
7 incumbent upon him to take photographs or do
8 whatever he has to do to substantiate the
9 violation.

10 MS. WHITAKER: I told him that. His
11 phone doesn't take pictures. I've been really --

12 MR. GAUDIUSO: Get a camera. Tell him
13 get a camera, take pictures, something.

14 MR. NEEDLES: All the zoning stuff is
15 handled off site and we don't have the capability
16 to get on that -- like they -- that individual
17 handles that information. Right. So getting back
18 to the system and lodging that in the computer
19 would be very difficult.

20 MR. GAUDIUSO: Okay. We'll move on to
21 commissioners' reports. Commissioner Baiocco.

22 MR. BAIOTTO: Thank you. Highway and
23 sanitation, another good job today with the sissy
24 storm. It wasn't as bad as we thought. But you
25 guys did a good job, as always.

1 Recreation, we kind of hit all the
2 points I was going to hit earlier.

3 So if anybody has any questions, I'll
4 take them; if not, that's all I have tonight.

5 MS. WHITAKER: Did you go over the list
6 with Joan?

7 MR. BAIOTTO: Yes.

8 MS. WHITAKER: She had no
9 recommendations?

10 MR. BAIOTTO: That's debatable.

11 MS. WHITAKER: Okay.

12 MR. BAIOTTO: No. I think she wants the
13 playground too.

14 MS. WHITAKER: Oh.

15 MR. BAIOTTO: So I'll work on that with
16 her. We'll see what we can do.

17 MS. WHITAKER: Okay.

18 MR. NEARY: Why didn't she just put one
19 thing on the list?

20 MS. WHITAKER: I know.

21 MR. NEARY: And then it becomes number
22 one.

23 MS. WHITAKER: Or put them in list of
24 priority for her.

25 MR. BAIOTTO: Right. I understand.

1 That's what I want to talk about. We didn't know.

2 We'll work it out, I'm sure. I'll let you know.

3 MR. NEARY: Okay.

4 MR. BAIOTTO: Probably by email, because
5 it will be before next month's meeting.

6 MR. NEEDLES: She's pretty sick.

7 MS. WHITAKER: Okay.

8 MR. BAIOTTO: She told me she was going
9 to be out here tonight. And I came early and she
10 wasn't, because she's sick.

11 MR. NEEDLES: Okay.

12 MR. GAUDIUSO: Move on to Commissioner
13 Whitaker's report.

14 MS. WHITAKER: Good evening, everyone.
15 Thank you.

16 The library meeting last month, we had a
17 member of the historical society. What's his
18 name, Tom? George?

19 MR. BRAZILL: George Matashevsky. The
20 architect?

21 MS. WHITAKER: Yes.

22 MR. BRAZILL: Yes.

23 MS. WHITAKER: He came and showed us
24 some slides of a possible library which was really
25 out of this world. So as you know, the library

1 still wants their own location. They're trying to
2 come up here to the township on some property
3 here. So they're still in the planning phases.
4 But it looked really good. At some point they'll
5 bring it to the Township so you guys can see it.

6 They're thankful for the increase in
7 this year's budget as well, so they're doing
8 pretty -- pretty good. The copier is doing well,
9 sales are going up. Their fund for this year
10 has -- I think it's increased by a couple thousand
11 dollars. So they're doing really well, but just
12 need more space.

13 All reports are on file.

14 The 2017 legislative priorities for the
15 Pennsylvania State Association Of Township
16 Commissioners are as follows. So the municipal
17 public safety pension reform, they are basically
18 saying -- a lot of these are mandates. So there
19 are over 6,000 mandates. Most of them are
20 unfunded, and they basically fall on the lap of
21 the municipalities, in which case they are a tax
22 burden to the residents and the businesses in
23 those towns. So these mandates really affect us
24 negatively.

25 So just a few of them. And George has

1 copies of them and he can give them to you guys.
2 The municipal public safety pension reform,
3 binding arbitration reform. Act 111 requires
4 police and firefighting unions in townships to go
5 through binding arbitration if there's a contract
6 dispute, which we know.

7 Legal notice, advertising. This was on
8 our list last year, but we put it back on. This
9 basically -- municipalities are required to
10 publish all legal notices in newspapers in
11 circulation. Some of the counties and townships,
12 I should say, out in the western part of the state
13 only have like newspapers that come out once a
14 week, whereas we have a daily newspaper. So
15 they're looking for other ways of advertising so
16 they're not in violation of advertising.

17 A couple bills that went through, Act
18 133 will be effective in 60 days. Again this is
19 municipal code and compliance, reducing the number
20 of months a purchaser has to correct code
21 violations found on inspection incident to a sale,
22 from 18 months of purchase to 12 months. This was
23 pushed through by realtors. They were looking
24 for, you know, some leeway, so they can sell their
25 house. But this really is a burden on us. So you

1 can read details of that some more.

2 Act 172 is effective in 60 days. This
3 is health and safety, by adding a chapter
4 authorizing local governments to offer income
5 and/or property tax credit to active volunteer
6 fire and EMS personnel.

7 And Act 160, this is effective
8 immediately, amends the underground utility line
9 protection law, which is One Call. It extends it
10 to December 31st. These are just a few of them.
11 And George has it.

12 One in particular that people are trying
13 push is the radar coalition Senate Bill 251,
14 asking residents or individuals to call. This
15 authorizes radar and lidar speeding devices for
16 use by any police officer in the Commonwealth.

17 I believe currently I think the State Of
18 Pennsylvania is one of the ones that don't allow
19 radar.

20 CHIEF BUSH: The only state that doesn't
21 allow it.

22 MS. WHITAKER: The only state, right,
23 the only state that doesn't allow radar. Do you
24 guys have a position on it?

25 CHIEF BUSH: Yeah. We want radar.

1 MS. WHITAKER: You want radar. Right.
2 That's what I figured. That's why I'm saying take
3 action, call your Senate, Senate members, or a
4 member of the Senate transportation committee to
5 push this through. It did move. It was in the
6 House, so it did move out of the House and it is
7 in front of the Senate, so it has not gone
8 unheard.

9 George, I'm not sure what this cellular
10 attack thing is. We did not -- I did not have
11 this information. If you have more, you can kind
12 of give it if you want.

13 MR. NEEDLES: Yeah. I'll discuss it
14 with Bud first and try to come up with a plan.

15 MS. WHITAKER: Okay.

16 MR. NEEDLES: The two big ones that you
17 spoke about, the ATMS conference and then the real
18 estate tax reform.

19 MS. WHITAKER: Yeah.

20 MR. NEEDLES: So that would be something
21 that I kind of ask to engage the Board, if you're
22 interested in me sending out a letter. I'd like
23 to do that at caucus next month.

24 MS. WHITAKER: Okay. The other thing
25 that I have that's outside of my report is I

1 received a call from residents in Twin Oaks.

2 So a few years ago our director of
3 inspections authorized the church to do an
4 expansion, and that expansion was based on
5 parking, availability of parking. So there were
6 parking agreements made with neighboring
7 businesses. So the church is not utilizing that
8 parking and the streets are overcrowded on Sundays
9 during service.

10 So their question is -- they couldn't be
11 here tonight. Their question is why isn't the
12 Township enforcing this, I guess, agreement,
13 because of the -- why isn't -- why aren't they
14 enforcing the parking that was agreed upon, which
15 was the only reason why the church was given, you
16 know, the okay to expand. And this was before
17 your time.

18 MR. NEEDLES: So I think it would be
19 prudent to send the church a letter.

20 MS. WHITAKER: Yeah.

21 MR. NEEDLES: So they can communicate it
22 to the parishioners.

23 MR. BAIOTTO: Doesn't that have cabled
24 parking, the cars?

25 MS. WHITAKER: No.

1 MR. BAIOTTO: No?

2 MR. GAUDIUSO: Who made the agreement,
3 Nicole? Was it us when we first came on?

4 MS. WHITAKER: I think -- I don't --

5 MR. GAUDIUSO: Do we have something in
6 writing?

7 MS. WHITAKER: We okayed it. I don't
8 know if we agreed. Basically -- well, it was
9 approved, the whole plan was approved. But it was
10 approved based on Glen, who got the letters from
11 them, because you have to have a certain number of
12 parking spaces for the number of whatever.

13 Right, Lisa? Certain number of parking?

14 MS. CATANIA: Per zoning.

15 MS. WHITAKER: Right.

16 MS. CATANIA: Based on square footage.

17 MS. WHITAKER: So they were -- had
18 agreements with the company that are across 452.
19 And they were going to use a shuttle or whatever
20 to transport people back and forth. Well, they're
21 not doing that. And they have never done it.

22 And I have personally -- I mean that's
23 my church. But I've personally spoken to them,
24 because I talked to the chief as well and talked
25 with him about doing no parking on like one side

1 of the street; like, you know, one side, no
2 parking.

3 MR. GALLAGHER: On Sundays.

4 MS. WHITAKER: Right. So the streets
5 aren't overcrowded and the EMS or whoever can get
6 down the street.

7 And the thought was reach out to all the
8 churches, because there's other business --
9 there's another business where another church can
10 park. The church on the corner of Washington and
11 Douglas can park over at the General Fire Company
12 because they're not open on Sundays. So it's just
13 congestion.

14 And then there are some properties that
15 have recently gone up for sale and sold. And
16 they're -- the church is looking to expand,
17 because they were before the Zoning Hearing Board
18 at one point. So they're looking to expand by
19 purchasing properties to expand their parking
20 area. And people aren't happy about that either.

21 So this is just a preview of what's to
22 come. But yes, if you would send a letter to the
23 church and tell them. I don't know what violation
24 they are, they're in, but tell them that they need
25 to utilize the parking agreements that they stated

1 they would, so that I can not get in the middle of
2 it.

3 MR. NEEDLES: We'll send out the letter,
4 see how that goes, see if it stops. If not, I
5 think a reasonable solution is --

6 MR. GALLAGHER: Talk to me before you
7 send the letter out. We'll talk. All right?

8 MR. NEEDLES: I'll talk to you.

9 MR. GAUDIUSO: It's an agreement between
10 the township and the church or the township and
11 the businesses?

12 MS. WHITAKER: It's an the agreement
13 between the church and the businesses. We're not
14 in it at all. We're not in it. We're just saying
15 hey, you have the parking, you can do it.

16 MR. BAIOTTO: They got the okay to build
17 the additions from them agreements; right?

18 MS. WHITAKER: Right.

19 MR. NEARY: Without us voting on it.

20 MS. WHITAKER: Right. We did not vote
21 on it.

22 MR. NEARY: Sound familiar?

23 MR. GAUDIUSO: All right. We'll move on
24 to Commissioner Raikowski's report if there's no
25 questions for Commissioner Whitaker.

1 MS. WHITAKER: Oh, wait. I'm sorry. I
2 got a phone call from Maurice, the man that owns
3 the Sunoco and the BP on Chichester Avenue. So
4 I'm going to call him back and then I'll let the
5 Board -- I'll let George know what he wants.

6 MR. RAIKOWSKI: Okay. Thank you. Under
7 the zoning we have the Zoning Hearing Board Monday
8 the 13th for the Apple Street property.

9 Bud touched base on the CSX plan for the
10 reverse subdivision.

11 Emergency management, I want to talk to
12 David. We need to appoint the medic supervisor
13 for the EMS department, any kind of emergency
14 management situation, so he could be the go-to
15 person to cover the EMS on any site of anything
16 like that, since he's the supervisor in charge of
17 medics.

18 The other quick thing is that the fire
19 marshal August reports are on file.

20 The other thing was I sent out the email
21 last Tuesday, approximately 11 o'clock at night,
22 regarding the fire department wanting to meet on
23 the 15th. And I've only had two responses back on
24 even wanting to show up. So it's up to the Board.

25 I personally am going to get busy next

1 month with CSX. And if they can at least respond
2 back and say we could meet next Wednesday because
3 of our schedule. That's what we tried the 15th at
4 7 o'clock. Nobody's responded back except for
5 two.

6 MR. GAUDIUSO: Which two?

7 MR. RAIKOWSKI: Bill Robertson did at
8 night, and I didn't see it until the next morning.
9 Craig Small just did it probably two days ago.

10 MR. NEARY: You sent that to the fire
11 company, not to us.

12 MR. RAIKOWSKI: No.

13 MR. NEARY: Okay.

14 MR. RAIKOWSKI: I sent it to the fire
15 company, the presidents and the chiefs, as
16 requested for that 15th, and got no response
17 whatsoever from them. So we knew about Bud and
18 his birthday.

19 MR. GAUDIUSO: Bud, can you guys make
20 this? That's not an answer.

21 CHIEF BUSH: He'll check his calendar.

22 MR. RAIKOWSKI: We opened the doors.
23 They want it and scream and cry about it. My
24 opinion is I really felt some of them were going
25 to be up here tonight complaining about a couple

1 things, but they didn't show. But we offered, and
2 that's -- we're not being to blame for all this,
3 and everybody keeps saying we are.

4 I can reach out one more time tonight
5 and let everybody know by tomorrow or whatever.

6 MS. WHITAKER: Blamed for what?

7 MR. RAIKOWSKI: Because we're not moving
8 along with their meeting and they think we're not
9 doing our job.

10 MR. GAUDIUSO: I'd send an email and say
11 there's only been two responses and the Board Of
12 Commissioners would like everybody to be there.

13 If everybody is not going to be there, I
14 don't think the Board wants to meet. Do they?

15 MR. RAIKOWSKI: That's what I'm asking.
16 I personally -- if I don't get a response back
17 from them, I would put it out that we will not
18 meet.

19 MR. BAIOTTO: If there's not somebody
20 from all three firehouses, how do you have the
21 meeting?

22 MR. RAIKOWSKI: We don't.

23 MR. BAIOTTO: Okay. I mean...

24 MR. RAIKOWSKI: We postponed it once
25 because of CSX meetings, we were involved with

1 them. We set up the meeting, postponed it because
2 of the holidays. I got an email, I forwarded it
3 to you guys, go in January. So we discussed it
4 last week. Because for some reason he couldn't
5 get ahold of me, he gets ahold of Mike, and we set
6 up something. I emailed that night and got two
7 responses.

8 MS. WHITAKER: Let George send it out.
9 Maybe they don't want to respond to you, Ed.

10 MR. GAUDIUSO: I mean I'll come next
11 week.

12 MR. RAIKOWSKI: We got to do it this
13 next week.

14 MR. GAUDIUSO: I'll come next week and
15 listen to anybody that's here and just report back
16 to the board. If anybody else shows up, just to
17 listen, then I'm okay. It will be unofficial,
18 but...

19 MR. BAIOTTO: If all three fire
20 companies aren't represented, I ain't wasting my
21 time.

22 MS. WHITAKER: I met with them. I'm not
23 doing it anymore.

24 MR. RAIKOWSKI: It's the same thing over
25 and over and over. So it's up to the Board what

1 they want to do.

2 MR. NEARY: Once again I still believe
3 that we should advertise this meeting. Because I
4 know that we're technically only gathering
5 information --

6 MR. RAIKOWSKI: Right.

7 MR. NEARY: -- but you know things are
8 going to get pushed and they're going to ask for
9 our opinion.

10 MR. RAIKOWSKI: Right.

11 MR. NEARY: And the minute we start
12 giving our opinion, it's not an information
13 meeting anymore. If all you're going to do is sit
14 there and listen to them, then they should write a
15 letter and tell us what their concerns are.
16 Because if not, we should advertise the meeting.

17 MR. GALLAGHER: Or not have a quorum.

18 MR. NEARY: Or not have a quorum.

19 MS. WHITAKER: I'm not going.

20 MR. GAUDIUSO: Set the meeting up,
21 Eddie. If they come, they come; if they don't,
22 they don't. That's what I would do.

23 MR. RAIKOWSKI: George, what's the
24 deadline if you had the four of out of the five?

25 MR. NEEDLES: Four out of five is 24

1 hours in advance.

2 MR. RAIKOWSKI: By Monday would be okay?
3 I mean if you had an answer.

4 MR. NEEDLES: I can't guarantee the
5 Daily Times would get it in Tuesday. I would
6 need -- to be safe, I would need to know by the
7 end of business tomorrow.

8 MR. RAIKOWSKI: I could shoot that email
9 out tonight and say we need to know by end of
10 business day tomorrow so we can advertise it, or
11 put it in writing next time. That's all. All
12 right. I'll let you know. That's it.

13 MR. GAUDIUSO: We'll move on to
14 Commissioner Neary's report.

15 MR. NEARY: Good evening, everybody.

16 The financial statements are available
17 at the office. I'd like to move payment of the
18 list of bills in the amount of \$443,902.02.

19 MR. RAIKOWSKI: Second.

20 MR. GAUDIUSO: All in favor?

21 (Collective aye.)

22 MR. GAUDIUSO: Motion carried.

23 MR. NEARY: I'd like to move payment of
24 the exoneration -- acceptance rather of the
25 exoneration refund list, 17-2.

1 MR. RAIKOWSKI: Seconded.

2 MR. GAUDIUSO: All in favor?

3 (Collective aye.)

4 MR. GAUDIUSO: Motion carried.

5 MR. NEARY: Also I'm going to move
6 payment of the escrow direct releases. I'm going
7 to change that amount to \$2,095.54. Our -- if
8 someone could second that.

9 MR. RAIKOWSKI: Seconded.

10 MS. WHITAKER: Second.

11 MR. NEARY: Good. Ours says \$27,495.54.
12 But the first thing, the \$25,400 was released by
13 resolution, and that is not money that's released
14 to us. The other 2,000 is money that's released
15 to us. So I just wanted to clarify that.

16 MR. GAUDIUSO: All in favor?

17 (Collective aye.)

18 MR. GAUDIUSO: Motion carried.

19 MR. NEARY: Boothwyn Highlands we
20 covered. Yorktown, we're still working on that.
21 I just gave that to Jim last week.

22 Creekside handicap signs, I was supposed
23 to get a call back this afternoon about where they
24 wanted them. I will have to work with Jim about
25 that. I talked about adding Winding Way, Roberts

1 to bridge.

2 Newsletter, if you're going to put
3 something in the newsletter, we need to have it
4 back tomorrow.

5 Volunteer night is the 24th. If you're
6 going, please respond to Deborah in the
7 affirmative. And that's all.

8 MR. GAUDIUSO: Any questions or comments
9 for Commissioner Neary? If not we will move on to
10 my report.

11 Public safety, we covered that in the
12 beginning of the evening, Officer McCusker, to
13 elevate him to full time.

14 Inspections report, last week I reported
15 that there were 123 outstanding business licenses.
16 Letters went out last Friday asking for payment
17 for those 123 businesses. I think to date 256
18 have been collected. So I can update more through
19 email later on with some firmer numbers.

20 Mill Road traffic calming, town hall
21 meeting is scheduled for February 28, myself,
22 George Needles, and Lisa Catania. And I asked the
23 chief to be there also to help just answer any
24 questions.

25 I'd just like to bring up something new.

1 I forgot to mention last week at my caucus meeting
2 a resident had requested a stop sign at Bethel and
3 322. So I'd like to talk to the chief about
4 possibly taking a look into that and seeing if it
5 warrants a stop sign.

6 Are there any questions for me? No?

7 MR. BAIOTTO: Bethel and 322?

8 MR. NEARY: Coming probably -- I'm
9 assuming coming from Chichester Avenue, keep
10 going, to the end of the baseball.

11 MR. GAUDIUSO: Yes, correct, coming down
12 the baseball fields.

13 MR. BAIOTTO: Okay. I'm thinking of the
14 other Bethel.

15 MR. GAUDIUSO: There's several Bethel
16 Avenues. My apologies.

17 MR. BAIOTTO: Yeah.

18 MR. GAUDIUSO: Motion to adjourn.

19 MR. NEARY: So moved.

20 MR. RAIKOWSKI: Seconded.

21 MR. GAUDIUSO: All in favor?

22 (Collective aye.)

23 MR. GAUDIUSO: Thank you.

24 (The hearing concluded at 8:41 p.m.)

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I HEREBY CERTIFY that the proceedings and evidence are contained fully and accurately in the stenographic notes taken by me upon the foregoing matter on Thursday, February 9, 2017, and that this is a correct transcript of same.

Maria Lairdieson O'Neill
Registered Professional Reporter
Notary Public

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