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UPPER CHICHESTER TOWNSHIP
BOARD OF COMMISSIONERS
DELAWARE COUNTY, PA

- - -

Monthly Board Meeting

- - -

Thursday, August 10, 2017
Commencing at 7:30 p.m.

- - -

Upper Chichester Township Municipal Building
Furey Road
Boothwyn, PA

- - -

BOARD OF COMMISSIONERS:

MICHAEL GAUDIUSO, President & 5th Ward
JOSEPH NEARY, Vice President & 4th Ward
EDWARD RAIKOWSKI, 1st Ward
NICOLE WHITAKER, 2nd Ward

- - -

COUNSEL APPEARED AS FOLLOWS:

HOWARD J. GALLAGHER, III, ESQUIRE
Township Solicitor

- - -

ALSO PRESENT:

LISA CATANIA
Township Engineer

GEORGE NEEDLES

23

Township Manager

24

BARBARA KELLEY
Assistant Township Manager

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Board Meeting

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P R O C E E D I N G S

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4

THE PRESIDENT: Good evening,

5

everybody. Please stand for the Pledge of Allegiance.

6

(Pledge recited).

7

THE PRESIDENT: Thank you. Mr.

8

Needles, would you take roll call, please?

9

MR. NEEDLES: Sure. Commissioner

10

Whitaker?

11

MS. WHITAKER: Here.

12

MR. NEEDLES: Barbara Kelley?

13

MS. KELLEY: Here.

14

MR. NEEDLES: Lisa Catania?

15

MS. CATANIA: Here.

16

MR. NEEDLES: Commissioner

17

Gaudiuso?

18

THE PRESIDENT: Here.

19

MR. NEEDLES: Howard Gallagher?

20 THE BOARD: Here.
21 MR. NEEDLES: Commissioner
22 Raikowski?
23 MR. RAIKOWSKI: Here.
24 MR. NEEDLES: Commissioner Neary?
25 MR. NEARY: Here.

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1 Board Meeting
2 MR. NEEDLES: And myself, George
3 Needles, present.
4 THE PRESIDENT: Thank you, Mr.
5 Needles. Commissioner Baiocco is on vacation this
6 week, so he will not be present at the meeting
7 tonight.
8 With that said, can I have
9 approval of the minutes of the July 13th, 2017, Board
10 of Commissioners meeting?
11 MR. NEARY: So moved.
12 MR. RAIKOWSKI: Second.
13 THE PRESIDENT: All in favor?
14 MS. WHITAKER: Aye.
15 MR. RAIKOWSKI: Aye.

16 MR. NEARY: Aye.

17 THE PRESIDENT: Aye. Motion
18 carried.

19 Also, we met last week in
20 executive session to discuss various litigation and
21 personnel matters.

22 I would like to move on to our
23 citizen comments. Is there anybody in the audience
24 that would like to come up and speak?

25 MS. DANIELS: Yes.

▲4

1 Board Meeting

2 THE PRESIDENT: Come on up. For
3 the record, state your name and address.

4 MS. DANIELS: Dawn Daniels,
5 President of the library. I just want to say good
6 evening, Commissioners. I hope you are having a great
7 summer. I want to thank you for listening to our
8 impending plans for utilizing the old schoolhouse as
9 the future of our library and community and saving one
10 of the most valuable pieces of historical property in
11 our municipality.

12 As you know, we have a major

13 fundraiser coming up, Beatlemania. It's October 14th.
14 We are expecting a \$10,000 profit on this, our biggest
15 ever. Tickets sales are flourishing, but all year
16 long we have amazing fundraisers that are very
17 prosperous.

18 With all that said, we also have
19 three excellent grant writers and Steve Barrar's
20 office ready to help jump in with grant writing from
21 the PA Historical Society, the RCAP Foundation, the
22 Keystone Grant, the RFK Grant and many others on our
23 long list of grants.

24 We have major profile people in
25 our community enthusiastically willing to support with

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1 Board Meeting
2 stabilizing this property. Frank Sill said he would
3 donate his heart, his time and product to help us get
4 this project moving forward immediately. We have a
5 professional architect, George Matuszewski, who does
6 excellent work and has offered his services free of
7 charge.

8 We have the Chichester Rotary, the

9 Chichester Business Association, who have also pledged
10 to aid and assist us with our needs, not to mention
11 the wonderful citizens of this Township ready and
12 willing to help us.

13 In order to get this agreement to
14 reality, the Realtors, the Township Manager and
15 Assistant Manager have agreed to all give up income
16 and money to make this transaction work. Everyone is
17 giving back to make this future property a success and
18 a reality for everyone involved.

19 We have a very generous donor,
20 Mr. Wayne Lagatta, our guardian angel, willing to come
21 to our rescue and modestly and humbly donate \$200,000
22 to make our dream a reality. How great is that.

23 We would truly be humbled if the
24 Township would absorb any of the legal fees,
25 approximately \$14,500, to complete this agreement and

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1 Board Meeting
2 save a most valuable piece of history in our community
3 with a new, beaming, stunning piece of foundation that
4 will make our Township proud and have people from all
5 over flocking to see this new establishment.

6 We also promise to continue to
7 update and keep the Commissioners in the loop of our
8 progress and our advances. Know that we have the same
9 love you do for this Township, and to quote Max
10 Magee's Pub, "Perseverance: The only way to fail is
11 to stop trying to succeed." I hope you are on board
12 with us. Thank you.

13 THE PRESIDENT: Does anyone have
14 any questions about the possibility of us floating the
15 \$14,000 from the board?

16 MR. NEARY: Do you have any kind
17 of financial plan for what it's going to cost you to
18 maintain the building while it is being rehabbed, the
19 costs, and everything else?

20 MS. DANIELS: Once we get started,
21 once we get the building, Frank Sill and other people
22 are going to help us get the dumpsters and the things
23 we need to get everything out of the building.

24 Next, we are going to get the
25 union people to help donate their time to fix and

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2 paint up the place. The Historical Society is all in
3 this with us. They are all in this to raise money to
4 help us, to get us the money that we need for this.
5 Once we get it up and running, we do plan in the
6 future making it what we want as far as a community
7 for this Township, not just a library.

8 We want to see it educational and
9 a community center as well as a library. So we will
10 be getting grants. We will be getting Steve Barrar
11 who is very willing to help us get grant money. We
12 will still be doing fundraisers, and we have a little
13 bit more homework to do too.

14 MR. NEARY: I am not trying to be
15 negative about it, but I have seen people go into
16 things without a financial plan, without something
17 laid out, because what happens if you don't get it?

18 MS. DANIELS: Well, I have to tell
19 you that the investor has agreed to give us this
20 money, but he does not want this property to stand
21 still. He wants to see it moving and he wants to see
22 progress on it. He does not want his money to be lost
23 in vain, and we are just all there with him on this.

24 MR. NEARY: I think it's wonderful
25 that you have someone that has agreed to donate

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1 Board Meeting

2 \$200,000.

3 MS. DANIELS: Yes.

4 MR. NEARY: I am not concerned
5 about the \$200,000. What I am concerned about is from
6 the sound of things, there is lot of conjecture as to,
7 we are going to get grants. It's wonderful to have
8 people that can write them, and I know there are
9 people that write them very well, but I don't know how
10 much money is going to be available in the future.

11 MS. DANIELS: So with this money,
12 this \$200,000, we can get grants that will double that
13 because there is an investment in this property. So
14 we can get two hundred from these people, two hundred
15 from these people. Quite frankly, we may be able to
16 now become a part of the Delaware County Library
17 Association.

18 MR. NEARY: I would just like to
19 see those numbers laid out.

20 MS. DANIELS: Okay. I would have
21 to find somebody to help me do that. I can't do that.
22 I would have to find somebody to help me do that.

23 MR. NEARY: It doesn't have to be
24 like a P and L, but if somebody came into your office
25 to buy a property and they said, "Well, Dawn, I am

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1 Board Meeting
2 going to have 40,000 for settlement," would you take
3 their word for it?

4 MS. DANIELS: Negative. I
5 understand.

6 MR. NEARY: I think it's a
7 reasonable request just to say, give us some of the
8 numbers to say, you know, okay, this is what it looks
9 like to me. I am not speaking for the entire board.

10 MS. DANIELS: I understand.

11 MR. NEARY: Let me see some of the
12 numbers so we can say, yes, okay, we can go in on
13 this, because I don't want to put \$15,000 into
14 something and everything falls apart, and then who has
15 the liability?

16 MS. DANIELS: The only thing is,
17 Joe, they have another offer on the table and, in
18 fact, if they have another offer on the table, these

19 people, I am told -- they won't tell me who it is --
20 they will tear the building down. I understand what
21 you are saying.

22 MS. WHITAKER: Is there a time
23 frame?

24 MS. DANIELS: I think they said
25 they really want something done very soon.

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1 Board Meeting

2 MS. WHITAKER: No, not for the
3 sale. If it were to be purchased, what is the time
4 frame to rehab? Have you spoken with the community
5 members that are willing to participate?

6 MS. DANIELS: Not yet, but I will
7 be speaking to you, you, you, everybody that is a
8 Commissioner in the area, to bring in people so that
9 we can get the community involved, to get them in
10 there to help out. Frank Sill expects to have at
11 least the basic library, with no additions or anything
12 else, done within a year.

13 MS. WHITAKER: Okay. So let's
14 talk about the closing costs that you are asking for.
15 What does that include? I want to know exactly where

16 the money is going.

17 MS. DANIELS: There is four
18 thousand dollars going to the Township for transfer
19 fees.

20 MR. NEARY: The Township gets half
21 of that. The School District gets the other half.

22 MS. DANIELS: Okay. That is four
23 thousand dollars for the transfer fee. They had
24 \$12,000 in commissions. They have lowered the
25 commissions to ten for the realtors. There are some

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1 Board Meeting
2 taxes that have to be paid back, \$2,000 in taxes that
3 have to be paid from the buyer to the seller
4 reimbursing them, and there are some conveyancing fees
5 for certifications for sewer, taxes and miscellaneous.

6 MS. WHITAKER: Who are the
7 realtors?

8 MS. DANIELS: I will be the
9 buyer's realtor, and Tim Fulginiti will be the
10 seller's realtor.

11 MS. WHITAKER: Is there a conflict

12 with you being the Realtor and President of the board?

13 MS. DANIELS: I gave up my
14 commission and probably the library will get the rest
15 of it. So it's going to go to them. Whatever my
16 broker doesn't take, they will get the rest. So
17 nothing will go to me.

18 MS. WHITAKER: You don't have a
19 specific amount?

20 MS. DANIELS: It will be something
21 like 55 percent.

22 MS. WHITAKER: And that would go
23 to?

24 MS. DANIELS: Me, and 45 percent
25 to the broker.

▲12

1 Board Meeting

2 MS. WHITAKER: And what are you
3 going to do with your portion?

4 MS. DANIELS: Donate it to the
5 library. I am not sure what department yet, whether
6 it's going to be clean up, whether it's going to be
7 dumpsters, whether it's going to be windows, whatever
8 we need to do. Frank Sill seems to think he has a lot

9 of connections with the window company, with the
10 cabinetmakers that he knows, with the cement and the
11 bricks that are going to be needed. He said he would
12 bring in all that.

13 MS. WHITAKER: So what I was going
14 to say in follow up to the closing costs is your
15 actual operating budget for the library, if we took
16 money from that to pay for the closing costs and split
17 it up over a couple of years, two or three years, your
18 money is going back into it which is good.

19 I think it should go back into the
20 operating costs of the library, and if the board
21 agreed, we should take the money from the operating
22 costs and split it up over a -- well, you know -- if
23 you are there for another year or if you are there for
24 two years, we can say two years.

25 MS. DANIELS: We are down to the

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1 Board Meeting

2 bottom every December.

3 MS. WHITAKER: Right, so the board
4 would help out if you are in a situation where you

5 need money. But for us to, without a time line,
6 without an estimation of costs as Mr. Neary stated,
7 it's very hard to just say, yes, we are going to give
8 you this money; yes, just do what you want. We need
9 to have some sort of security.

10 So pulling it from your budget and
11 then say that you have the money or you make ten
12 thousand dollars from the Beetlemania, so that is
13 going to go back into your budget, whereas the board
14 is here to support you regardless, but we need to have
15 a fallback.

16 So I think pulling it from your
17 budget would be a little bit of a security for the
18 board, so that we can move forward because there is
19 another buyer who, from what I am told, is offering
20 more money for the property.

21 MS. DANIELS: Right, and they are
22 not going to wait very much longer for us.

23 MR. NEARY: Can the Township waive
24 its transfer tax?

25 MR. GALLAGHER: That's a good

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2 question. I imagine they could.

3 MR. NEARY: I wonder if we could
4 ask the School District and the Township to waive the
5 transfer tax, because that would reduce by \$4,000 your
6 upfront money. Then you are only asking for \$10,000
7 or \$11,000.

8 MS. DANIELS: Correct. I don't
9 know. I would have to ask Betsy if, in fact, we
10 can -- we are down to the wire every December, so I
11 would have to check with Betsy to see if in fact we
12 can do something like that and still be okay between
13 now and the end of the year.

14 THE PRESIDENT: I think the board
15 would be willing, if we can do it, to waive our end,
16 and we can reach out to the school board. George can
17 reach out tomorrow and ask them.

18 The one question I want to ask is,
19 was there an inspection done in the building to know
20 exactly what you are getting into?

21 MS. DANIELS: I believe that is
22 going to be part of our due diligence.

23 THE PRESIDENT: Should it be part
24 of the agreement of sale just in case you guys get in
25 there and --

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1 Board Meeting

2 MS. DANIELS: Yes, absolutely. It
3 will be part of the agreement itself.

4 THE PRESIDENT: -- say this is
5 beyond our means and we have to pull out?

6 MS. DANIELS: And actually even an
7 appraisal of some sort, yes.

8 THE PRESIDENT: I would feel
9 comfortable with that because then it's kind of like
10 we are --

11 MS. DANIELS: They are not going
12 to let us do it in advance. They only are going to
13 let us do it once we have something.

14 THE PRESIDENT: I understand. If
15 there is an agreement, and in the agreement you say
16 that we want an inspection to see the condition of the
17 building because, Dawn, if you get in there and they
18 say, "We got to tear it down," that's a whole
19 different story; right?

20 MS. DANIELS: Yes.

21 THE PRESIDENT: So I think for

22 your own peace of mind that you would want to do
23 something like that. I know that I would want to do
24 something like that.

25 MS. DANIELS: And we will. We

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1 Board Meeting

2 have all intentions of doing that, but we can't do any
3 of that until we actually have some sort of commitment
4 in writing.

5 THE PRESIDENT: That's fine, but I
6 am just telling you that if we agree to it, that would
7 be part of my contingency with my agreement to you
8 saying that it has to be insisted upon with an
9 inspection also.

10 If you come back to me and say,
11 Mike, I am not getting an inspection --

12 MS. DANIELS: No, we are.

13 THE PRESIDENT: -- then I would
14 say, Dawn, I am not giving you the money.

15 MS. DANIELS: That's right.

16 That's the way it goes. It has to work both ways.
17 Everybody has to be happy. It has to be a win-win
18 situation for everybody, not one-sided.

19 THE PRESIDENT: Okay.

20 MR. NEARY: So the plan right now
21 is Bud is going to find out if in fact we can waive
22 it. George is going to touch base with the school
23 board. Obviously, it will be harder because we don't
24 know when their next meeting is, to see if they would
25 be willing to waive it. Then we would be talking

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1 Board Meeting

2 about 10- or \$11,000 that you would be looking for;
3 correct?

4 MS. DANIELS: Yes.

5 THE PRESIDENT: Do you have
6 anybody in mind that can inspect it?

7 MS. DANIELS: Lots of inspectors.
8 That's my business.

9 THE PRESIDENT: I would rather
10 Lisa not do it, so that way if everything goes well,
11 she is our reviewer, but she might know somebody.

12 MS. DANIELS: And that's fine too,
13 somebody that might do it for a donation or for a
14 small fee. That is what we are going to be looking

15 for. We are going to be asking everybody to give.
16 This is our community. It's not just for you, for
17 you, for me. It's for the library. It's for the
18 town. This is for our community; this is for our
19 neighbors.

20 THE PRESIDENT: I would like to
21 try and save it, but I will feel very comfortable if
22 you do that inspection because I don't want you guys
23 getting in over your heads.

24 MS. DANIELS: So if we write up an
25 agreement of sale, they are going to want the closing

▲18

1 Board Meeting
2 costs and the legal fees involved as us paying them.
3 That was part of their deal.

4 THE PRESIDENT: Right. When I
5 bought my house, I bought it as is, meaning the
6 inspector inspected it and that was it.

7 MS. DANIELS: You chose to move
8 forward.

9 THE PRESIDENT: Right. What I am
10 saying to you is, are you going to inspect it and say
11 "as is," or are you going to inspect it with the

12 ability to withdraw because --

13 MS. DANIELS: A contingency. An
14 inspection is always a backdoor to get out.

15 THE PRESIDENT: Right.

16 MR. RAIKOWSKI: Yes, but is he
17 going to wait?

18 MS. DANIELS: Well, we have to get
19 some sort of contract written up, but, yes, if we did
20 a contract and it says, "Yes, we will cover your legal
21 fees," then we would get the inspection.

22 Then if the inspection came back
23 poor or something that we really couldn't do or use,
24 then that would be our backout to get out of the
25 contract.

▲19

1 Board Meeting

2 MR. RAIKOWSKI: I would like to
3 make some comments. First of all, this is my opinion
4 as a commissioner not just because it's in my ward,
5 but it is a historical building. I think it's a
6 perfect location for the library, not up here. It's
7 easier access for the people.

8 I was over there Friday with Dawn,
9 with Frank, with Barb, and I guess the other realtors.
10 The place is solid as a rock. This is my opinion. I
11 am looking at the numbers already. I see we piss
12 money away on other things. You have \$14,000 they are
13 asking for for closing costs. In my eyes, we are
14 asking for four to come back already.

15 MR. NEARY: Half of it is the
16 school board.

17 MR. RAIKOWSKI: What I am saying
18 is if the school agrees it would be four. That is
19 what I am saying. And even if it's twelve, you are
20 preserving a piece of history in this town that
21 tomorrow, if we don't agree, the donor is putting up
22 99 percent of the money, and we are arguing about
23 fourteen that may be down to ten or twelve if the
24 school doesn't decide to give us the two thousand.

25 I know this gentleman. We have

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1 Board Meeting
2 dealt with him with the monument. I have dealt with
3 him. They are not going to sit around. There is a
4 number on the table for the other guy.

5 MS. DANIELS: Do you know who it
6 is? Is it somebody we are going to be happy with
7 there or is it going to be somebody that we are
8 unhappy with there?

9 MR. RAIKOWSKI: There is already
10 an agreement and this makes it easier for us. We have
11 to look at it this way too. I am putting it out on
12 the record.

13 I would rather see all that
14 traffic go from Meetinghouse to Chi Avenue and not
15 McKay Avenue. There are too many residents over
16 there. If the library loses a chance to do this with
17 everybody willing to give in and get dirty and do
18 their work, and if you do, you do; if you don't, you
19 don't, it doesn't matter because you are going to have
20 the same people doing it. The bottom line is you are
21 going to keep the traffic off of McKay Avenue.

22 There is a deal from Mr. Gamboys.
23 They signed. So if Mr. Gamboys signs, and this guy
24 signs, they are going to come in here. They have to
25 come to us anyway to tear it down because it is our

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Board Meeting

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Ordinance, but we have a chance, and we are sitting up here arguing, and I agree that we need to cover our bases.

I have questions about if we fail, does it come back to us? I will talk to George on this. I would like the township to have first dibs on this and, trust me, the number is probably a lot higher than the two hundred that you got on the table here from my understanding. I know what the number was the last time, and because of one little thing it fell through. He is asking what? 350, the original cost. I just feel --

MS. DANIELS: It's pennies.

MR. RAIKOWSKI: It's pennies. I think we need to move so they have something because I am telling you Mr. Batog is not going to stop. He is going to take whatever is the highest. We have the opportunity. We've got 99 percent of the money. Why are we arguing over \$12,000?

THE PRESIDENT: We are not arguing over twelve thousand dollars.

MR. RAIKOWSKI: They need a commitment tonight.

MR. NEARY: We have no numbers to

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Board Meeting

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support going forward and that is what I am asking.

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We purchased a radio system that was supposed to cost

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\$80,000, and what did it end up costing us? Like a

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hundred ten. So all I am asking is that we have an

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idea of what we are spending. I think Dawn will tell

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you that I support the library regularly.

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MS. DANIELS: Regularly.

9

MR. NEARY: I think it's part of

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my duty to ask questions like this.

11

MR. RAIKOWSKI: I respect what you

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said, but what I am saying is I am looking at numbers

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where you have 14,000 and we have got the possibility

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of four coming right back. So we are arguing over

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twelve grand when we spent a million on the field back

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here and I don't know how many thousands for speed

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bumps and everything else. That is my opinion.

18

I feel that between the two

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managers, the state rep, that there are grants that

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these people are going to be able to get.

21

MS. DANIELS: Do you think that

22 the 322 project will be helping us or can help us? Is
23 there an avenue where we can get in there? You know
24 how the builders make a playground or pave roads, can
25 we get something from them?

↑23

1 Board Meeting

2 MR. NEEDLES: If you are thinking
3 grants, personally, you are going to have an issue if
4 it is not contracted work.

5 MS. DANIELS: We would still need
6 some contracting work.

7 MR. NEEDLES: Right, but if you
8 are going to get grants for that building, my
9 assumption is that you are going to have to go through
10 the full process of like environmental testing. It
11 would have to go through design and I would assume you
12 would have to bid out.

13 So if you were going to go for a
14 large grant for the construction to be able to cover
15 those costs, I think you would be in a situation where
16 you wouldn't be able to use that community help. So I
17 guess it's kind of like the angle that you trying to

18 play. Like Mr. Neary was saying, What is your end
19 goal and how do you get there?

20 MS. DANIELS: Well, I know that
21 the Rotary did say at one time that they would work
22 the entire year on fundraisers to help us do this.
23 The Historical Society is all in. They would help us.

24 I am sure that the Chichester
25 Business Association and the Historical Society of

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1 Board Meeting

2 Pennsylvania would help us. I know Mr. Barrar. I
3 don't know exactly what they would give us or what
4 they would offer us.

5 Didn't Frank Sill say within the
6 first year it might cost us \$200,000?

7 MS. BARNES: He estimated about
8 five or six hundred thousand.

9 MS. DANIELS: So five or six
10 hundred thousand for the whole project just to get the
11 place open for a library, no additions, maybe even
12 just only the first floor getting it done. Maybe it's
13 just the first floor. I really don't know.

14 I don't know who I would go to,

15 quite frankly, for that. I would have to do some more
16 homework, but I know that if we don't move quickly,
17 these guys are going to take it away from us and they
18 are going to level that building. That is why we came
19 here tonight, so we can be on the same page.

20 MR. NEARY: Do you think you can
21 generate any of those numbers? We could always
22 continue the meeting tonight until next week if we
23 wanted to give ourselves some time to give it to them
24 within a time frame.

25 MS. DANIELS: Do you know anybody

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1 Board Meeting

2 that can do something like that?

3 MS. CATANIA: I have worked with
4 several grants. One of the things that you want to
5 make sure of, the RCAP in particular, you have to have
6 an environmental study done. So you are going have to
7 look, is there asbestos, lead paint, prior to starting
8 and all those things, and I caution you not to do any
9 kind of demolition until such time as you have that.

10 There is a lot of grants out there

11 that require that, as George said, that you get
12 contracts so you are bidding. You have to send those
13 bids in order that the work will be completed per
14 their specifications.

15 There is a Steel Act that has to
16 be followed. So there is a lot of things in those
17 grants. As you go through those grants, just make
18 sure that you understand the underlying conditions
19 that are involved with those, as well as there are
20 grants out there that give you the opportunity, if you
21 have people that are willing to volunteer, those man
22 hours are considered match. They are few and far
23 between but they are out there.

24 So I think in looking at all of
25 this, you are going to spend about \$15,000 to do the

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1 Board Meeting
2 environmental study, and that is based on what I just
3 did in another municipality. The building is not as
4 big as the building we just went through, but it's at
5 least a good number for you to sit back and really
6 work out. What are the soft costs that you are going
7 to be involved with?

8 MS. WHITAKER: Does a grant
9 prohibit people from volunteering their time with the
10 contract or how does that work? They are saying we
11 have all of these volunteers.

12 MS. CATANIA: That's what I am
13 saying. We were talking about leveraging grants
14 outside. So if you are going to leverage, say, an
15 RCAP grant to a DCNR grant or DCED grant, each one has
16 their own little quirks to it. You have to be very
17 careful because some won't accept the volunteer time.

18 Some will require that you get the
19 contractual work and it's public bid. It's required
20 to be public bid. So as you are going through those,
21 somebody has to really look at it.

22 RCAP, and I don't know how much
23 they have gone through this with you, an RCAP is at
24 the Governor's discretion. So if you put in the
25 application, I can tell you that I think there is only

↑27

1 Board Meeting
2 one RCAP in the two years of Governor Wolf. He is
3 just starting to do RCAP releases. The previous

4 Governor didn't do any for a couple years, I believe.

5 MS. DANIELS: There are a couple
6 of libraries that got an RCAP.

7 MS. CATANIA: And we did for a
8 firehouse. It's very intensive. They require a lot
9 of paperwork, so you have to make sure that you are
10 following their requirements which are that you use
11 the Steel Act. So any metal you put in has to be
12 American made and you have to have the certifications
13 for it. There is a lot of those types of conditions
14 in each grant.

15 MS. DANIELS: This investor does
16 work for a steel company and he said we can have all
17 the steel we want.

18 MS. CATANIA: As long as it is
19 American made.

20 MS. DANIELS: It's definitely a
21 learning experience too.

22 MS. CATANIA: Yes, it is, and as
23 you are going through these grants it's amazing. You
24 think you've got a set together and then there is one,
25 little quirk.

1 Board Meeting

2 MS. DANIELS: Well, we have
3 persevered all these years. We keep doing and we keep
4 learning which we will.

5 THE PRESIDENT: Have you made any
6 agreements with him yet?

7 MS. DANIELS: With?

8 THE PRESIDENT: With the seller.
9 Have you made an official agreement with him yet? No;
10 right?

11 MS. DANIELS: It's not really
12 official until it's in writing. You can't do a
13 verbal. We spoke to them and they want more money.
14 They want more than the \$200,000, but we are just
15 going to give them an ultimatum, so to speak, and they
16 do want it to be a library. They do want to give it
17 to us and make it a library versus sell it somebody
18 that is going to tear it down because their mother --
19 this particular person, their mother was a teacher in
20 that school. So they want to uphold it and keep it.

21 THE PRESIDENT: Well, if there is
22 an agreement made, then you put down a deposit; right?
23 I am going back to that inspection, and make sure you
24 are going to be okay with it.

25 MS. DANIELS: That would be a

↑29

1 Board Meeting

2 contingency.

3 THE PRESIDENT: Right. How much
4 would you need to put a down payment on it?

5 MS. DANIELS: 1,000, 2,000.
6 That's normal for a \$200,000 home.

7 THE PRESIDENT: I am good with you
8 guys doing an inspection, so that way you know exactly
9 what you are getting into, because you might get in
10 there and say this is not it.

11 MS. DANIELS: We were in there.

12 THE PRESIDENT: I understand, but
13 was there an inspector there to look at it?

14 MS. DANIELS: The investor that is
15 giving us the money is a type of inspector as well,
16 because he was actually going to buy that property
17 back in a day himself.

18 THE PRESIDENT: I am saying this
19 in case they come back and say you have to tear
20 everything down. You wouldn't want to do that, would

21 you?

22 MS. DANIELS: No, we don't.

23 MS. BARNES: I am Betsy Barnes, a
24 Librarian. Frank Sill looked at the inside, and the
25 architect, and they were very positive about it.

↑30

1 Board Meeting

2 MS. DANIELS: It has strong
3 support. The cement is so thick. Even the rooms with
4 the wooden floors, there is no bounce in them at all.
5 There are cement steps. It's really pretty solid.
6 Yes, the windows are all going to
7 have to be redone and there is certainly a lot of
8 items that need to be done on it, but we don't have
9 any other place to go. This place isn't good for us
10 here. The state park isn't good for us.

11 We need a bigger place. How many
12 people did we have yesterday? Thirty-two kids we had
13 yesterday on Wednesday with the beekeeper who came,
14 and four or five adults came to this, not just the
15 kids.

16 We can't do it. It's probably a
17 fire hazard, quite frankly, to have that many people,

18 but we were thinking of having it up here but kids
19 take out books. They use the library. They use the
20 computer. It is just too small for us.

21 So we either stay as a tiny
22 library that doesn't really help too many people, or
23 we grow. Every township has a wonderful library.
24 Every township. Let's not be the last one to have
25 one.

↑31

1 Board Meeting

2 THE PRESIDENT: If you put the
3 contingency in there I would be okay. Going to Mr.
4 Neary's point, I think you need to bring us some
5 numbers also.

6 MS. DANIELS: Can we do that?

7 MS. BARNES: Yes.

8 MS. DANIELS: Maybe we need a
9 general contractor of some sort.

10 MS. WHITAKER: For what?

11 MS. DANIELS: To figure out the
12 numbers that we need.

13 MR. NEARY: I don't think you need

14 the numbers for the reconstruction. I think you have
15 an estimate from Frank, and I am fairly certain that
16 Frank is pretty competent with that aspect of it
17 without ripping walls out and everything; however,
18 what I am looking at is I understand you have a
19 donation of \$200,000 to buy the building.

20 What I want to see -- which is
21 Nicole's point and mine -- I want to see a time line
22 as to how quickly it can be done, and I want to see
23 where the money is coming from or the volunteer
24 support is coming from to support that time line.

25 I will tell you we had an 800

↑32

1 Board Meeting
2 square foot addition put on the house, all volunteer.
3 It was supposed to take a month and a half. It was
4 four months, and all it was was three, little rooms.
5 So I am aware of how long it can get stretched out
6 when it's volunteers.

7 MS. DANIELS: And I am sure if we
8 say it's going to take a year, it might take a year
9 and a half or three-quarters.

10 MR. NEARY: But at least when we

11 built the addition, I had a time line and they would
12 tell me when it was going to vary.

13 MS. DANIELS: I will try to see
14 what I can get. I understand your question. I will
15 see what I can get. I just hope we can hold these
16 people off.

17 MS. WHITAKER: We don't need the
18 time line now. We need to decide on if the Board is
19 in agreement with moving forward first, and then we
20 can work on the time line.

21 MS. DANIELS: Fair enough.

22 MR. RAIKOWSKI: Dawn, how much is
23 it to rent for a month over there now?

24 MS. DANIELS: Eleven hundred.

25 MR. RAIKOWSKI: Total?

↑33

1 Board Meeting

2 MS. DANIELS: That is just for
3 rent. That is not any of the utilities.

4 MR. RAIKOWSKI: All right.

5 MS. DANIELS: And then we just had
6 some work done in the bathroom because we had issues

7 with the bathroom too. We always have work where we
8 have to put money out. I don't know what the Township
9 actually gives us.

10 MS. BARNES: And we have staff
11 salaries.

12 MS. DANIELS: Yes, salaries and
13 things like that.

14 THE PRESIDENT: Do we need to
15 write up some type of legal document regarding the
16 contingency, because we would want to see the
17 inspections report just to make sure; correct?

18 MR. GALLAGHER: Yes. You could
19 get the agreement of sale.

20 THE PRESIDENT: No, I mean between
21 us and the library.

22 MS. DANIELS: I can certainly get
23 another realtor involved. It doesn't matter.

24 THE PRESIDENT: I am not worried
25 about you, Dawn.

↑34

1 Board Meeting

2 MS. DANIELS: I was just going to
3 donate the money anyway.

4 THE PRESIDENT: I am not worried
5 about that at all.

6 MS. DANIELS: Okay.

7 THE PRESIDENT: That's not what I
8 am worried about. I am okay with moving forward but
9 contingent on the inspection of the building. That is
10 an agreement between you and the Board.

11 MS. DANIELS: Got it.

12 THE PRESIDENT: So if it comes
13 back and he says, "Walk away," I want to know that.

14 MS. DANIELS: Okay.

15 THE PRESIDENT: But that has to be
16 an agreement. I trust you; you trust me, but business
17 is business and I would rather have it in writing.

18 MS. DANIELS: I understand that
19 and it will be. If you want to see the agreement
20 before we actually put it together, we can maybe get
21 it and then the Solicitor can take a look at it and
22 see if you want to add or subtract from it.

23 MR. GALLAGHER: Okay. I don't
24 think you need a separate agreement between the board
25 and the library. You just want to review their

1 Board Meeting

2 agreement of sale to make sure there is an inspection
3 required.

4 MS. DANIELS: Unless you want
5 somebody from the library to sign it, I am not sure
6 how you want to do it.

7 THE PRESIDENT: Sign what?

8 MS. DANIELS: The agreement of
9 sale.

10 MS. WHITAKER: I am on their
11 board.

12 THE PRESIDENT: But you are a
13 Commissioner, so it's a fine line, Nicole.

14 MS. WHITAKER: We will have to
15 talk about it. Somebody from the library will have to
16 figure that out.

17 MR. PERICH: May I say something?

18 THE PRESIDENT: State your name
19 for the record.

20 MR. PERICH: John Perich,
21 P-e-r-i-c-h. I just have a question. If you apply
22 for a grant, wouldn't the township still have to have
23 possession of the building as opposed to the library?

24 THE PRESIDENT: Well, if the
25 library buys it, it's not a township building.

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1 Board Meeting

2 MR. PERICH: Okay, it's not a
3 township building, but when you apply for grants, does
4 it have to go through the Township as a grant?

5 MS. CATANIA: An RCAP does not as
6 long as they are non-profits.

7 MR. PERICH: Another question. If
8 you don't go along with the \$10,000, do you understand
9 that whoever may buy it may decide to demolish it?

10 THE PRESIDENT: Yes, we understand
11 that completely. It happened to me at my parents'
12 next-door house. I grew up next to a house that was
13 built in the seventeen hundreds. The guy tore it
14 down. So I understand the consequences of it.

15 MR. NEARY: Excuse me. He tore it
16 down without approval.

17 THE PRESIDENT: Yes, I know. I
18 understand the consequences of losing a historical
19 structure.

20 MR. NEARY: I do as well, so do we

21 want to allow them to tear it down? That has to go
22 into the decision-making process. I am fine with it.
23 If the building is not functional then, fine, and I
24 was a history major. I am very conversive with
25 historical structures.

▲37

1 Board Meeting

2 THE PRESIDENT: So just to cut to
3 the chase because it's almost ten after eight, is the
4 board okay with the contingency plan that if they get
5 the inspection that we would move forward with the
6 money to donate it to them if everything comes back
7 good?

8 MS. WHITAKER: Yes.

9 THE PRESIDENT: I am okay with
10 that.

11 MR. RAIKOWSKI: I'm good.

12 MR. NEARY: I would still prefer
13 to see the numbers first, but you have three so that's
14 fine.

15 MS. WHITAKER: Let's do a vote. I
16 move that we accept the closing costs for the library

17 with the contingency plan in place, and after seeing
18 the contingency plan showing that the appraisal came
19 back in positive to move forward with the purchase of
20 the building.

21 MR. RAIKOWSKI: Second.

22 THE PRESIDENT: My only comment is
23 it's more than an appraisal. It's an inspection of
24 the building, a structural inspection. That is my
25 contingency.

▲38

1 Board Meeting

2 MS. DANIELS: I understand loud
3 and clear.

4 MR. NEARY: Are you going to cap
5 the closing costs? They asked for fifteen thousand in
6 closing costs or slightly more than that. The closing
7 costs are 16 thousand 99, plus the reimbursement --

8 THE PRESIDENT: Fourteen, five, is
9 what I heard in the very beginning.

10 MS. DANIELS: It was. When they
11 really did it, was it up to 18?

12 MS. BARNES: No.

13 MS. DANIELS: It was fourteen,

14 five?

15 MS. BARNES: Yes.

16 THE PRESIDENT: I am good at
17 fourteen, five.

18 MS. DANIELS: Okay.

19 MS. WHITAKER: Now, the closing
20 costs are fourteen and the title insurance costs
21 brings it to 16,099. So is the title insurance
22 separate? You are not asking for that?

23 MR. NEARY: That is part of the
24 16,099. So my only question is whether you want to
25 cap it at some amount because, theoretically, closing

↑39

1 Board Meeting

2 costs are eighteen thousand, four hundred and
3 twenty-one dollars.

4 THE PRESIDENT: You said fourteen,
5 five, in the beginning, so that what I am going to
6 agree to.

7 MS. DANIELS: That's fine.

8 MR. NEARY: Nicole has to amend
9 the motion to that and he has to agree to it.

10 MS. WHITAKER: You are going to
11 cover the rest?

12 MS. DANIELS: The rest of the
13 commission on my side will cover that as well as I
14 will talk my broker into donating his as well. So my
15 side of the commission which is \$5,000, we may be able
16 to get -- I can't speak for my broker, but I will
17 donate my \$2,500 or 3,000, whatever it comes out to,
18 for the closing costs.

19 MS. WHITAKER: Okay. So we are
20 going to amend the motion to include the maximum
21 amount as 14,500 dollars.

22 MR. RAIKOWSKI: Second.

23 THE PRESIDENT: All in favor?

24 MS. WHITAKER: Aye.

25 MR. RAIKOWSKI: Aye.

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1 Board Meeting

2 THE PRESIDENT: Aye.

3 MR. NEARY: I abstain.

4 THE PRESIDENT: So we have three
5 yesses and one abstention.

6 MS. DANIELS: Thank you. I

7 appreciate it.

8 THE PRESIDENT: All right. We
9 will move on to our Engineer's report.

10 MS. CATANIA: Thank you, Mr.
11 President. You do have a copy of my report. It's
12 available for inspection. On the agenda is the Road
13 Program update for 2017. They have milled several of
14 the streets. I believe six streets have been milled
15 so far, and they will continue milling probably until
16 Wednesday of next week. Again, that is all weather
17 permitting.

18 Pleasant Avenue Bridge has been
19 completed and I did a punch list. Actually, I did an
20 inspection and there are no punch list items for that
21 project. I have not received an invoice that I am
22 expecting, and a maintenance bond, I am expecting that
23 next month.

24 I would like the Board to consider
25 a Resolution approving the Escrow Release for the

▲41

1 Board Meeting
2 Chester Water Authority in the amount of \$3,910.47.

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3 MR. NEARY: It's actually
4 \$3,802.87.

5 MS. CATANIA: Let me amend the
6 Resolution. I am requesting the release of escrow in
7 the amount of \$3,802.87, for the street opening for
8 the water main at Columbia Avenue.

9 MR. NEARY: So moved.

10 MR. RAIKOWSKI: Second.

11 THE PRESIDENT: All in favor?

12 MR. NEARY: Aye.

13 MS. WHITAKER: Aye.

14 MR. RAIKOWSKI: Aye.

15 THE PRESIDENT: Aye. Motion
16 carried.

17 MR. NEEDLES: That was Resolution
18 Number 2017-22.

19 MS. CATANIA: I am also asking the
20 Board to consider a motion for Resolution 2017-23 to
21 release escrows for the property at 210 Willard to 546
22 Rosemary LLC. This is not the full amount of the
23 escrow. We are holding monies due to some paperwork
24 as well as the as-built and some restoration work that
25 needs to be completed. That amount is \$9,999.07.

1 Board Meeting

2 MR. NEARY: So moved.

3 MR. RAIKOWSKI: Second.

4 THE PRESIDENT: All in favor?

5 MS. WHITAKER: Aye.

6 MR. NEARY: Aye.

7 MR. RAIKOWSKI: Aye.

8 THE PRESIDENT: Aye. Motion

9 carried.

10 MS. CATANIA: That is all I have
11 for this evening unless anyone has any questions.

12 MR. RAIKOWSKI: What bridge did
13 you say was completed?

14 MS. CATANIA: Pleasant Avenue.

15 MR. RAIKOWSKI: Thank you.

16 THE PRESIDENT: If there are no
17 other questions for our Engineer, we will move on to
18 our Solicitor's report.

19 MR. GALLAGHER: The first item on
20 my agenda concerns the property at 652 Meetinghouse
21 Road. There is a problem with bamboo on that property
22 which is encroaching on the adjacent property. I sent
23 a letter to the mortgage company, which I believe is

24 the new owner of this property, demanding that they
25 remediate or remove the bamboo. I am also following

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1 Board Meeting

2 up with a property management organization. I
3 reviewed an email to Keith dated July 26th where this
4 property management organization has indicated that
5 there are bids pending the bank's approval to begin
6 work removing this bamboo. So I am hopeful that the
7 bank will approve one of the bids and the work will
8 soon begin, but I will keep you posted.

9 The second item is I would ask for
10 approval of Ordinance 711 which is an Ordinance
11 amending our Zoning Code to allow a Medical Marijuana
12 Dispensary as a conditional use in the C-1
13 Neighborhood Commercial District and C-2 Highway
14 Commercial District, and also to allow for a Medical
15 Marijuana Grower/Processor as a conditional use in the
16 I-C Industrial Commercial District.

17 MR. NEARY: So moved.

18 MR. RAIKOWSKI: Second.

19 THE PRESIDENT: If there are no

20 comments, all in favor?

21 MR. NEARY: Aye.

22 MS. WHITAKER: Aye.

23 MR. RAIKOWSKI: Aye.

24 THE PRESIDENT: Aye. Motion

25 carried.

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1 Board Meeting

2 MR. GALLAGHER: I reviewed with
3 the Board at Caucus some work I have done as regards
4 to an Ordinance amending the Code of Ordinances to
5 include the requirement of proof of occupancy upon the
6 sale/resale of a building of any new residential
7 structure and I would like authorization.

8 I have prepared a final Ordinance
9 and I would like to request approval to advertise that
10 so we can adopt that at our September public meeting.

11 MR. RAIKOWSKI: So moved.

12 MS. WHITAKER: Second.

13 THE PRESIDENT: All in favor?

14 MR. NEARY: Do you want comments
15 on this? We were given this three weeks ago.

16 MR. RAIKOWSKI: George, I believe

17 you had some questions on it.

18 MR. NEEDLES: I guess my question
19 at this point would be, what would be the date that
20 you would be advertising and sending it out and is
21 there time between now and that date to amend?

22 MR. GALLAGHER: Yes, this doesn't
23 require a public hearing. My understanding is that it
24 is either a maximum of 30 or 60 days, no less than 7
25 days. So I could advertise it a week before the

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1 Board Meeting
2 meeting or eight days before the meeting and satisfy
3 the advertising requirements.

4 MR. NEEDLES: So in the next
5 couple weeks we could still take comments?

6 MR. GALLAGHER: Yes, absolutely.

7 MR. NEARY: Okay, fine.

8 MR. GALLAGHER: I will mark my
9 calendar and I will do it at the last possible date.

10 MR. NEARY: Yes, I think we meet
11 on the 14th.

12 THE PRESIDENT: All right. Item

13 Number 3, all in favor?

14 MS. WHITAKER: Aye.

15 MR. RAIKOWSKI: Aye.

16 MR. NEARY: Aye.

17 THE PRESIDENT: Aye. Motion

18 carried.

19 MR. GALLAGHER: The next item
20 would be a similar procedure. This is an Ordinance
21 prohibiting the parking of trucks, buses, et cetera,
22 that are other than passenger car, pickup truck or van
23 on a residential street in a residential area. I have
24 that as a lot shorter of an Ordinance so it wouldn't
25 be too difficult to review and get comments but,

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1 Board Meeting

2 again, that doesn't amend the zoning and it doesn't
3 require a hearing. It doesn't require notice on two
4 consecutive weeks, so I can advertise that along with
5 the Certificate of Occupancy Ordinance, so I would ask
6 for a motion to allow me to do that.

7 MR. NEARY: So moved.

8 MR. RAIKOWSKI: Second.

9 THE PRESIDENT: All in favor?

10 MR. RAIKOWSKI: Aye.

11 MS. WHITAKER: Aye.

12 MR. NEARY: Aye.

13 THE PRESIDENT: Aye. Motion

14 carried.

15 MR. GALLAGHER: I spoke to the
16 Board at Caucus about my conversations with the
17 representative from Monroe Energy. Just for the
18 public's information, they are proposing approximately
19 \$15,000 in improvements to their property near Bernard
20 Avenue. The work would include the removal of a
21 hundred feet of existing wooden fence with 200 feet of
22 slats into a new fence. As was explained to me, these
23 slats are green plastic that is woven into the
24 chain-link fence creating a visual barrier.

25 They are also going to plant

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1 Board Meeting
2 twenty 3-foot arborvitaes and 19 Forsythia, and these
3 would be planted in a staggered manner. Hopefully the
4 work would begin in the Fall. What they need from us
5 is a written agreement that they can remove the fence

6 and also enter township property to do this work.

7 So I ask for a motion to authorize
8 me to enter into an agreement with Monroe Energy to
9 allow these improvements.

10 MR. RAIKOWSKI: So moved.

11 MR. NEARY: Second.

12 MR. RAIKOWSKI: I do have a
13 question. Are all of these trees going to be on their
14 side of the fence so we don't have to worry about it?

15 MR. NEEDLES: This will be on the
16 portion that is all township property.

17 MR. RAIKOWSKI: I just didn't want
18 all of these trees up and then ten years from now
19 someone is going to decide to cut them down because
20 they don't like them any more. I know Joe had that
21 issue before.

22 MR. GALLAGHER: I skipped Item
23 Number 5.

24 THE PRESIDENT: We first have to
25 vote. Was there a motion and a second?

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1 Board Meeting

2 MR. NEARY: Yes.

3 MR. GALLAGHER: All in favor?

4 MR. RAIKOWSKI: Aye.

5 MS. WHITAKER: Aye.

6 MR. NEARY: Aye.

7 THE PRESIDENT: Aye. Motion

8 carried.

9 MR. GALLAGHER: I haven't begun
10 working on this yet but, hopefully, I will be able to
11 do it by September, and that would be to prepare an
12 Ordinance setting Traffic Signs and Signal Design
13 Standards in the Township and I need approval to
14 advertise that.

15 MR. NEARY: So moved.

16 MR. RAIKOWSKI: Second.

17 MR. GALLAGHER: So you need
18 comments on that as well. So we need all of these
19 comments probably by the 31st of the month.

20 MR. RAIKOWSKI: Is this going to
21 complete the whole thing?

22 MR. NEEDLES: We are still waiting
23 on one item that is a technical item from Bill Dunn as
24 to what piece of equipment we use.

25 THE PRESIDENT: There is a motion

1 Board Meeting

2 and a second. All in favor?

3 MR. RAIKOWSKI: Aye.

4 MS. WHITAKER: Aye.

5 MR. NEARY: Aye.

6 THE PRESIDENT: Aye. Motion

7 carried.

8 MR. GALLAGHER: That is all I have

9 tonight. Thank you.

10 THE PRESIDENT: If there are no

11 questions for our Solicitor, we will move on to our

12 Manager's report.

13 MR. NEEDLES: Good evening,

14 everyone. The first item I have is I would ask the

15 Board to consider a motion to accept a proposal from

16 Matt Outdoor for the erection of a billboard on

17 Township-owned land, Parcel Folio Number

18 09-00-01036-02.

19 MR. NEARY: So moved.

20 MR. RAIKOWSKI: Second.

21 THE PRESIDENT: All in favor?

22 MR. RAIKOWSKI: Aye.

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23

MS. WHITAKER: Aye.

24

MR. NEARY: Aye.

25

THE PRESIDENT: Aye. Motion

▲50

1

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2

carried.

3

MR. NEEDLES: The second item is

4

to consider a motion to authorize the waiver of

5

\$54.06, the penalty amount on the 2017 Township Real

6

Estate Tax Bill for 2349 3rd Avenue, Folio Number

7

09-00-03282-00.

8

MR. RAIKOWSKI: So moved.

9

MR. NEARY: Second.

10

THE PRESIDENT: All in favor?

11

MR. RAIKOWSKI: Aye.

12

MS. WHITAKER: Aye.

13

MR. NEARY: Aye.

14

THE PRESIDENT: Aye. Motion

15

carried.

16

MR. NEEDLES: Consider a motion to

17

authorize the waiver of \$50.19, the penalty amount on

18

the 2017 Township Real Estate Tax bill for 234

19

Broadway Avenue, Folio Number 09-00-0500-00.

20 MR. NEARY: So moved.
21 MS. WHITAKER: Second.
22 THE PRESIDENT: All in favor?
23 MS. WHITAKER: Aye.
24 MR. RAIKOWSKI: Aye.
25 MR. NEARY: Aye.

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1 Board Meeting
2 THE PRESIDENT: Aye. Motion
3 carried.
4 MR. NEEDLES: Consider a motion to
5 authorize the waiver of \$104.31, the penalty amount on
6 the 2017 Township Real Estate Tax Bill for 204
7 Waterford Way, Folio Number 09-00-03501-54.
8 MR. NEARY: So moved.
9 MS. WHITAKER: Second.
10 THE PRESIDENT: All in favor?
11 MR. RAIKOWSKI: Aye.
12 MS. WHITAKER: Aye.
13 MR. NEARY: Aye.
14 THE PRESIDENT: Aye. Motion
15 carried.

16 MR. NEARY: So the public will
17 know, all three of those were questions about these
18 property owners who regularly pay on time who did not
19 get their tax bills. So we are just waiving the
20 penalties, not any of the trash fees or the taxes
21 themselves.

22 MR. NEEDLES: The next item I have
23 is a motion -- and this is from 2012. In 2012, PECO
24 paid their tax bill as well as the tenant for this
25 property, so we received two payments that year and

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1 Board Meeting
2 they have requested the funds back. So Number 5 is to
3 authorize the refund of \$12,434.30 to PECO Energy for
4 duplicate payment of the 2012 Township Real Estate Tax
5 for 2520 Market Street, Folio Number 09-00-01919-00.

6 MR. NEARY: So moved.

7 MR. RAIKOWSKI: Second.

8 THE PRESIDENT: All in favor?

9 MR. RAIKOWSKI: Aye.

10 MS. WHITAKER: Aye.

11 MR. NEARY: Aye.

12 THE PRESIDENT: Aye. Motion

13 carried.

14 MR. NEEDLES: The next item is our
15 annual HVAC contract. We had a contract from Johnson
16 Controls last year after our LED Street project, and
17 we have had a lot of success with the air conditioning
18 and heating units. So it would be to consider a
19 motion to accept the proposal from Johnson Controls
20 for the annual HVAC maintenance contract at the Furey
21 Road Field House and Administrative Offices in the
22 amount of \$7,803.00.

23 MR. RAIKOWSKI: Is that one year
24 or three years?

25 MR. NEEDLES: One year.

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1 Board Meeting

2 MR. NEARY: So moved.

3 MR. RAIKOWSKI: Second.

4 THE PRESIDENT: All in favor?

5 MR. RAIKOWSKI: Aye.

6 MS. WHITAKER: Aye.

7 MR. NEARY: Aye.

8 THE PRESIDENT: Aye. Motion

9 carried.

10 MR. NEEDLES: As I mentioned last
11 week, our digital mailing system from Pitney Bowes has
12 been discontinued. It will no longer be serviced. As
13 a result, they are asking us to enter into an new
14 lease for a system that is more modern. So I would
15 ask the Board to consider a motion to accept the
16 proposal from Pitney Bowes for the lease of a digital
17 mailing system in a total amount not to exceed
18 \$4,592.64.

19 MR. NEARY: So moved.

20 MR. RAIKOWSKI: Second.

21 THE PRESIDENT: All in favor?

22 MR. RAIKOWSKI: Aye.

23 MS. WHITAKER: Aye.

24 MR. NEARY: Aye.

25 THE PRESIDENT: Aye. Motion

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1 Board Meeting

2 carried.

3 MR. NEEDLES: Thank you. I

4 appreciate that.

5 The next item up I have is to ask

6 the Board to consider a motion to authorize myself,
7 the Township Manager, to apply to the APMM for the
8 Charlie Sterner Internship Program funding. That is
9 funding that the APMM provides to municipalities to
10 take on interns who are either in their senior year of
11 college or in a MPA program who have an interest in
12 Public Administration.

13 MS. WHITAKER: So moved.

14 MR. NEARY: Second.

15 THE PRESIDENT: All in favor?

16 MR. RAIKOWSKI: Aye.

17 MS. WHITAKER: Aye.

18 MR. NEARY: Aye.

19 THE PRESIDENT: Aye. Motion

20 carried.

21 MR. NEEDLES: The next item up, I
22 would ask the Board to consider a motion to set and
23 state a policy for crafting and presenting Ordinances
24 considered for adoption by the Board of Commissioners.

25 I have that in your folder this

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2 week and it was presented last week as well.

3 MR. NEARY: We will have a chance
4 to review the final one; correct?

5 MR. NEEDLES: Yes.

6 MR. NEARY: So moved.

7 MR. RAIKOWSKI: Second.

8 THE PRESIDENT: All in favor?

9 MR. RAIKOWSKI: Aye.

10 MS. WHITAKER: Aye.

11 MR. NEARY: Aye.

12 THE PRESIDENT: Aye. Motion
13 carried.

14 MR. NEEDLES: The next item up has
15 some documentation in your packets tonight. This is
16 for 418 Kristine Court. 418 Kristine Court has
17 submitted a letter to the Board of Commissioners
18 asking to waive all subsequent fees and interest
19 pertaining to their delinquent trash fees.

20 You have the resident's letter,
21 and then behind that you have a list of years where
22 they have the delinquent trash fee, their legal filing
23 and interest fees and the total fee.

24 THE PRESIDENT: That is in your
25 packet, right, George?

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1 Board Meeting

2 MR. NEEDLES: Yes.

3 MR. NEARY: Can I ask how did they
4 determine the trash fee is 209 dollars? Is it the
5 \$190 plus the 10 percent?

6 MR. NEEDLES: Yes.

7 MR. RAIKOWSKI: What is the total
8 amount?

9 MR. NEEDLES: The total amount is
10 \$4,458.65. You would be waiving close to \$3,000.

11 MS. WHITAKER: Why weren't they
12 remitted?

13 MR. NEARY: For the sake of
14 argument, I will make the motion. You really can't
15 discuss it on the floor without a motion.

16 MR. RAIKOWSKI: I second the
17 motion.

18 MR. NEARY: When people pay their
19 taxes delinquent late after two or three years, the
20 county only collects the real estate tax. They don't
21 collect the trash fee. So that sits there as unpaid.
22 Until we hired the firm to do municipal recovery, the

23 people didn't realize they hadn't paid their trash
24 fee, so this gentleman is asking for a waiver saying
25 he didn't know he hadn't paid his trash fee, and he

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1 Board Meeting

2 wants to pay just the trash fee and have legal fees
3 and interest fees waived.

4 MR. RAIKOWSKI: Before we hired
5 this group, didn't we send anything back from 2008 to
6 2012?

7 MR. NEEDLES: We did not. We were
8 a passive collector which means at the time of a
9 property transfer, they would be caught by the Tax
10 Collector. So last year the Board decided, when they
11 saw there was a very large sum of money out there to
12 be able to recoup, the Board decided to contract with
13 Municipal Resource Recovery Service to help bring some
14 of these revenues back to the Township which has been
15 very successful.

16 MR. NEARY: Would the Township Tax
17 Collector necessarily know that these trash fees were
18 not paid?

19 MR. NEEDLES: There is a report
20 that they passively collect.

21 MR. NEARY: Okay. So a property
22 comes up, they would know that seven years of trash
23 fees hadn't been collected, and that should be
24 collected when they settle?

25 MR. NEEDLES: Correct.

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1 Board Meeting

2 MR. NEARY: But was it being
3 collected?

4 MR. NEEDLES: It was collected
5 when properties were being transferred. So there was
6 no active collection.

7 MR. NEARY: I understand that, but
8 was it in fact being collected and remitted to the
9 Township?

10 MR. NEEDLES: When they were
11 transferred, yes.

12 MR. NEARY: Okay.

13 MS. WHITAKER: So if they never
14 sold, it would just sit there?

15 MR. NEEDLES: Correct, and there

16 is a statute of limitation, so when it was being sold,
17 you were only collecting a couple of years.

18 MR. NEARY: In my opinion, if we
19 do this, it's not a good precedent because you are
20 going to have everybody and their brother ask for
21 those fees back.

22 MR. RAIKOWSKI: Right, because I
23 had a resident who asked me the same thing. I
24 explained the same thing. We got this company to do
25 all this and I am thinking about the \$209. What is

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1 Board Meeting

2 the interest rate?

3 MS. WHITAKER: It includes more
4 than just your taxes. What is the point of hiring
5 this company if we are going to waive fees?

6 MR. NEARY: I'll remove my motion.
7 So there is no motion on the floor.

8 THE PRESIDENT: He is a resident
9 in my ward. George and I will explain the situation
10 to him.

11 MR. RAIKOWSKI: Is there any way

12 of when the taxes do go out either next year or
13 whenever, that we have something in there to let them
14 know if they don't pay, they are still responsible for
15 the amount of the trash fee?

16 THE PRESIDENT: He knows it now.

17 MR. NEARY: If you add that and
18 they try to just pay their trash fee, the tax
19 collector will not accept that payment anyway, and
20 then you are going to rely on them remembering this
21 ten years down the road when they sell their house.

22 THE PRESIDENT: George, correct me
23 if I am wrong. I go down to Delaware County Court
24 House and I pay my local taxes.

25 MR. NEEDLES: The next year.

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1 Board Meeting

2 THE PRESIDENT: Yes, whatever. I
3 am paying my current year.

4 MR. NEEDLES: You can only pay at
5 the courthouse if you are delinquent.

6 MR. NEARY: The County will only
7 collect delinquent taxes.

8 THE PRESIDENT: Okay. So when I

9 go down there and my bill is 1200 dollars, do they
10 collect the full 1200 dollars?

11 MR. NEEDLES: They collect the tax
12 amount and you get a receipt that states that it does
13 not include sewer, trash or other fees.

14 THE PRESIDENT: So the individual
15 who pays it gets a receipt that states that stuff.

16 MR. NEEDLES: The next item up I
17 have is that we have received notification from our
18 Township Fire Marshal that he has been put on leave
19 for other than administrative duties as tolerated. So
20 I would ask that the Board consider a motion to
21 appoint Craig Small as temporary Township Fire Marshal
22 to serve in that capacity until the current Fire
23 Marshal, David Holland, is cleared to return to his
24 duties, or at the expiration of the current term,
25 whichever is to come first.

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1 Board Meeting

2 MR. NEARY: So moved.

3 MR. RAIKOWSKI: Second.

4 THE PRESIDENT: All in favor?

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5 MR. RAIKOWSKI: Aye.

6 MS. WHITAKER: Aye.

7 MR. NEARY: Aye.

8 THE PRESIDENT: Aye. Motion
9 carried. Congratulations, Craig.

10 MR. SMALL: Thank you.

11 MR. NEEDLES: The next item up
12 that I have is that the Township Zoning Officer, we
13 have been notified that he is going out on leave next
14 week having medical leave surgery. So it is prudent
15 for us to appoint a temporary zoning replacement, so I
16 would ask the Board to consider a motion to appoint
17 Barbara Kelley as the temporary Township Zoning
18 Officer to serve in this capacity until the current
19 Zoning Officer, Charles Remaley, is cleared to return
20 to duties, or at the expiration of the current term,
21 whichever is to come first.

22 MR. NEARY: So moved.

23 MS. WHITAKER: Second.

24 THE PRESIDENT: All in favor?

25 MR. RAIKOWSKI: Aye.

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2 MS. WHITAKER: Aye.

3 MR. NEARY: Aye.

4 THE PRESIDENT: Aye. Motion
5 carried.

6 MR. NEEDLES: My report is on file
7 and can be reviewed in the administrative offices
8 during regular business hours.

9 I have some items I would like to
10 over with the Board. I have some documents for Mike
11 to sign. We have received all of our Act 205
12 questionnaire and reporting forms for 2017, as well as
13 our actuarial valuation reports for all three
14 pensions. They need to be signed by the Chief
15 Administrator Officer. We have appointed our
16 President, Michael Gaudiuso. They are available for
17 inspection.

18 Last week I talked about SEPTA
19 looking for recommendations for routes. I have not
20 received anything. My recommendation is that we don't
21 submit anything this year, but we do make this as part
22 of our planning efforts that we include public
23 transportation as one of our elements to look at and
24 how it could affect the Township and create new trips
25 in different areas.

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1 Board Meeting

2 MR. RAIKOWSKI: I thought Nicole
3 talked about moving that one stop on Meetinghouse
4 Road.

5 MS. WHITAKER: Didn't we do that
6 one last year? They were making a left onto
7 Meetinghouse Road and the train would block it a lot,
8 and the bus would get stuck and have to back up. Now
9 it's going up Chichester Avenue instead of 452.

10 MR. NEEDLES: We could ask for an
11 additional route versus 452.

12 MS. WHITAKER: Okay.

13 MR. NEEDLES: Special Event
14 permits. We received two Special Event permits that
15 include food trucks. Food trucks would require
16 inspections. We have received notification from our
17 Health Officer of what the cost would be to inspect
18 them, and what is the route the Board wants to take or
19 how do we approach this, because we only have an
20 annual fee for a food truck.

21 So would this be something that

22 when there is a special event we are eating the costs
23 for those inspections, or is it something that gets
24 passed on to the permittee? Should we pass that along
25 to the businesses participating? I am looking for

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1 Board Meeting

2 guidance on this.

3 MR. NEARY: Per our discussion, I
4 would think, especially for the CBL because it's so
5 imminent, that we eat the costs of the inspections
6 because Michelle was kind enough to lower her rate, so
7 we talking \$900. So I think we should waive that
8 because it's fundraising for the CDL.

9 The IBEW, because it's imminent as
10 well, I would adopt the same policy this year. In the
11 future I would think that we could make it clear to
12 anybody that applies that wants a food truck that we
13 have some type of special Ordinance or exception or
14 special one day permit, because our current thing
15 gives them a year, and I don't want food trucks in
16 here everyday for a year.

17 So I would say let's work on
18 generating a temporary permit for the future, but for

19 the time being for this year, give them a special
20 permit that gives them authority to work for one day.

21 MS. WHITAKER: I have a comment.
22 The food trucks are paying a fee to CBL to
23 participate. They are not giving a portion of their
24 proceeds to CBL from my understanding, so they pay a
25 flat fee. Why should we pay for them to sell food if

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1 Board Meeting

2 they are not giving any proceeds back to CDL.

3 MR. NEARY: I question the wisdom
4 of not charging them more than fifteen times \$200,
5 because they are going to have all this wear and tear
6 on the property for three thousand dollars. However,
7 I don't think that they can go back to the vendor and
8 say, "The inspection is going to be sixty dollars,"
9 because the vendor is going to want the CDL to eat the
10 sixty dollars, in my opinion.

11 MS. WHITAKER: Right.

12 MR. NEARY: I mean, maybe they can
13 go back and say to the vendor, It's going to be sixty
14 dollars, but in talking to George we think they are

15 going to lose the trucks that they have or some of
16 them.

17 MR. RAIKOWSKI: I think it's going
18 to be a great event, I really do, hopefully with the
19 weather. I really think it's going to be a nice one.
20 I would like to come up there to see the different
21 foods, but I think next year let them know. You might
22 want to cover it in your fees or say, hey, we want a
23 percentage of what you take in.

24 They may not have thought about a
25 percentage, 5 percent, 10 percent or whatever of what

▲66

1 Board Meeting

2 they made that day. I don't know, but I am okay with
3 this year, but next year they need to raise the price
4 to cover it.

5 MR. NEARY: We may say that the
6 inspection costs are less next year for a one-day
7 permit, but we will have to work that out with
8 Michelle.

9 MS. WHITAKER: I don't agree with
10 it.

11 THE PRESIDENT: So three of us are

12 okay for this year. Next year we will make sure we
13 don't get caught with our pants down.

14 MR. NEARY: I move that for this
15 year for these two events only that we assume the
16 costs of the inspections, to pay the inspector, the
17 health inspector for the food trucks for these two
18 events.

19 MR. RAIKOWSKI: Second.

20 THE PRESIDENT: All in favor?

21 MR. RAIKOWSKI: Aye.

22 MR. NEARY: Aye.

23 MS. WHITAKER: No.

24 THE PRESIDENT: Aye. Motion
25 carried.

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1 Board Meeting

2 MR. NEEDLES: The last item I have
3 is that I have received word from Sue Cortez that
4 there is a technical assistant's grant that we can get
5 Pennsylvania DEP to further examine weekly recycling,
6 pickup, and the possibility of shortening the amount
7 of days that we take to pick up trash. So I would

8 like to explore that possibility.

9 It does not require a formal Board
10 action. I just wanted to give you a heads up. That
11 is all I have. Thank you.

12 THE PRESIDENT: We will now move
13 on to our Commissioners' reports. First, Commissioner
14 Nicole Whitaker.

15 MS. WHITAKER: The library already
16 came in. We have done that. So the library report
17 should be forwarded to you, George, as well as the
18 Sewer Authority report. I don't have anything else.

19 THE PRESIDENT: Any questions or
20 comments for Commissioner Whitaker?

21 (No response).

22 THE PRESIDENT: If not, we will
23 move on to Commissioner Raikowski.

24 MR. RAIKOWSKI: All reports are on
25 file. We thank you for appointing Craig Small as

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1 Board Meeting

2 temporary Fire Marshal.

3 Barb and I have been meeting a
4 couple of times. She met with the Zoning Board and

5 she met with the Planning Board. Both Boards are
6 excited with the opportunity of trying to get training
7 up here at the Township for both Boards.

8 If we have hearings in the Summer,
9 they have to be here, and then when September comes
10 up, they will meet every month. Barb will meet with
11 them if there are any questions. This is what I have
12 tried to do from Day 1.

13 I want to try to get some of the
14 classes up here, and they are opened up to the
15 Commissioners, too, if they want to stop up. They are
16 classes for the Planning Board and the Zoning Board up
17 here and we are really excited about that.

18 Other than that, I thank Barb.
19 Everything went pretty well. The Planning Board got a
20 little better, not that they were doing a bad job, and
21 the same way with the Zoning Board.

22 Other than that, it's been pretty
23 quiet. Thank you.

24 MS. WHITAKER: The Emergency
25 Management, who is in charge of that with Dave being

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Board Meeting

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out?

MR. RAIKOWSKI: Craig can step in on that part. He has a lot of assistants that are up top, and I am going to make sure that Craig gets the phone calls.

THE PRESIDENT: Thank you. If there are no other questions or comments for Commissioner Raikowski, we will move on to Commissioner Neary's report.

MR. NEARY: Thank you, Mike. The Administration and Financial reports are available at the office. I would like to move payment for the list of bills in amount of \$661,566.51.

MR. RAIKOWSKI: Second it.

THE PRESIDENT: All in favor?

MR. RAIKOWSKI: Aye.

MS. WHITAKER: Aye.

MR. NEARY: Aye.

THE PRESIDENT: Aye. Motion carried.

MR. NEARY: I would like to move payment of the escrow funds in the amount of \$2,375.05.

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MR. RAIKOWSKI: Second it.

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Board Meeting

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THE PRESIDENT: All in favor?

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MR. RAIKOWSKI: Aye.

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MS. WHITAKER: Aye.

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MR. NEARY: Aye.

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THE PRESIDENT: Aye. Motion

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carried.

8

MR. NEARY: I would like to move

9

acceptance of the trash refunds, 17-08, which is the

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one for 190 dollars.

11

MR. RAIKOWSKI: Second.

12

THE PRESIDENT: All in favor?

13

MR. RAIKOWSKI: Aye.

14

MS. WHITAKER: Aye.

15

MR. NEARY: Aye.

16

THE PRESIDENT: Aye. Motion

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carried.

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MR. NEARY: That is all I have.

19

Thank you.

20

THE PRESIDENT: We will move on to

21

my report real quick.

22 Public Safety. As I mentioned
23 earlier, we are working on getting a drug canine for
24 the Police Department. I am hoping that will happen
25 sooner than later.

↑71

1 Board Meeting

2 The Historical Society, we
3 mentioned last week at the Caucus that they received a
4 grant of \$40,000 to repair the floor of the old Quaker
5 Meeting House, so that is an ongoing project.

6 Me and Barb met with the Rotary
7 Club this Wednesday to discuss the new organization
8 which is called Helping Hands. The intent is to help
9 our seniors in the Township who may be less fortunate
10 or not physically able in handling property
11 maintenance issues. The Rotary Club is very excited
12 about the grant and is very eager to help out and see
13 it grow.

14 We have the Rotary Club. The high
15 school has a club called Interactive who has students
16 that would like to participate in it. We also have
17 the Wesleyan Church who would like to participate and

18 the Boy Scouts also.

19 So the intent is if we get a
20 violation into the Township and it's a senior who
21 physically can't do something like cutting grass or
22 repairing a fence or tearing down an old shed that is
23 an eyesore, that we can find the help to go in there
24 and help them. That is an ongoing process that I
25 would to like develop with the Rotary Club. So I

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1 Board Meeting

2 think we are all excited to have that community help
3 within our Township.

4 The Inspections Department is
5 creating a list of new businesses that are coming into
6 the Township, and we are working with the CBA to help
7 them to become part of the Township also. We are
8 meeting with residents on a regular basis who have
9 property maintenance issues to try to work it out with
10 them before sending out a citation.

11 We are also talking to banks who
12 own vacant property to insure that they will maintain
13 their homes. So a lot of that work is coming from
14 Barb's revamp. I know George has been working hard on

15 it also, but it is good to have that second part in
16 there. Again, I think George and Barb are doing a
17 great job and they will be a great team for us.

18 I don't have anything else unless
19 there are questions for me.

20 MR. RAIKOWSKI: Just a reminder, I
21 know the Rotary Club is selling its flags to honor
22 their veterans. I think it's fifty dollars for a
23 donation. So I think it would be in everybody's
24 interest to donate fifty dollars for a flag in memory
25 of somebody, a family member or anybody.

↑73

1 Board Meeting

2 One other thing, and I know we
3 discussed this in the past, to see if new residents
4 and new businesses can receive a welcome package. So
5 is there any way we can create something like that?

6 MR. NEARY: We should try to do it
7 again. I think it's a good idea.

8 THE PRESIDENT: Just one, last
9 thing. On August 19th there is going to be a
10 fundraiser at the Reliance Fire Company. It's \$25 a

11 ticket. It's Italian music, Italian food. Marino
12 from the fire company puts it on. All of the proceeds
13 are going to the Reliance Fire Company. That is on
14 August 19th. So if you are interested, please
15 purchase a ticket or spread the word. I am sure
16 Marino would be appreciative of that.

17 - - -

18 (Discussion off the record.)

19 - - -

20 THE PRESIDENT: Is there a motion
21 to adjourn?

22 MR. NEARY: So moved.

23 MR. RAIKOWSKI: Second it.

24 THE PRESIDENT: All in favor?

25 MR. RAIKOWSKI: Aye.

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1 Board Meeting

2 MS. WHITAKER: Aye.

3 MR. NEARY: Aye.

4 THE PRESIDENT: Aye. Motion

5 carried. We are adjourned.

6 (At 9:00 p.m., proceedings were
7 concluded.)

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I hereby certify that the

proceedings and evidence are contained fully and
accurately in the notes taken by me in the above cause
and that this is a correct transcript of the same.

THOMAS P. CORCORAN,
Court Reporter

- - -

