

**A G E N D A**  
July 12, 2021  
Deliberative Meeting

**Resolutions**

1. Authorize approval to install handicap parking zones;
2. Authorize approval to appoint a Program Manager for the 2021 SFSP;
3. Authorize approval the appointment of Fire Cadets;
4. Authorize approval to accept DCED grant;
5. Authorize approval of Police Captain promotional testing;
6. Authorize approval of stormwater projects at various locations within the City;
7. Authorize approval of emergency stormwater project;
8. Authorize approval of 2018 audit by Milligan & Company, LLC;
9. Authorize approval for the sale of various properties to Starboard Industries, LLC;
10. Authorize approval to accept Coronavirus Treasury Fiscal Recovery Funds;
11. Authorize approval of a telephone audit;
12. Authorize approval to enter into MOU with Chester Community Charter School;
13. Authorize approval to enter into agreement Armour & Sons Electric, Inc.
14. Authorize approval to submit application to Delaware County Demolition Program;
15. Authorize approval of Expenditure Lists;

**Ordinances**

1. Final Reading – Bill No. 4; Ordinance No. 4 – CEDA adding to term, purpose, powers and scope of projects;
2. Final Reading – Bill No. 5; Ordinance No. 5 – Amending Article 303, entitled “Earned Income Tax”;

**Presentation**

- Michael Fuller, Keystone Lighting Solutions, Inc.- Street Lighting Procurement Program

**RESOLUTION**

**NO. 88-2021**

**WHEREAS**, the following individuals have requested handicapped parking zones:

1. Willie Sam Wilburn, 1023 Butler Street, Chester, PA 19013;
2. Theresa Nbili, 909 East 21<sup>st</sup> Street, Chester, PA 19013;
3. Quinton L Brown, 45 East 24<sup>th</sup> Street, Chester, PA 19013; and
4. Shatisha Miller, 224 West 22<sup>nd</sup> Street, Chester PA 19013

**WHEREAS**, after a thorough investigation by the Department of Streets and Public Improvements, it has been determined the aforementioned individuals have met all of the required criteria and have a need for said handicapped parking zone.

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF CHESTER DOES RESOLVE:**

That it does hereby authorize the proper City officials to install a handicapped parking zone in the 1000 Block of Butler Street; 900 Block of East 21<sup>st</sup> Street; Unit Block of East 24<sup>th</sup> Street; and 200 Block of West 22<sup>nd</sup> Street, in the City of Chester.

**WE HEREBY CERTIFY** that this Resolution passed Council this 14<sup>th</sup> day of July, A.D. 2021.

\_\_\_\_\_  
MAYOR

Attest: \_\_\_\_\_  
CITY CLERK

**R E S O L U T I O N**

**NO. 89-2021**

**THE COUNCIL OF THE CITY OF CHESTER DOES RESOLVE:**

That it does hereby ratify the appointment of Elease Elam, to the position of Program Manager for the Summer Food Service Program, effective June 24, 2021, at the hourly rate of \$16.00 per hour, not to exceed 37.5 hours per week.

**FURTHER**, said employment shall end two (2) weeks after the conclusion of the 2021 Summer Food Service Program.

**WE HEREBY CERTIFY** that this Resolution passed Council this 14<sup>th</sup> of July, A.D. 2021.

\_\_\_\_\_  
MAYOR

Attest: \_\_\_\_\_  
CITY CLERK

**RESOLUTION**

**NO. 90-2021**

**THE COUNCIL OF THE CITY OF CHESTER DOES RESOLVE:**

That it does hereby ratify the appointment of the following individuals to the position of Fire Cadet, Chester Bureau of Fire, Department of Public Safety, effective June 23, 2021, at an hourly rate of \$14.52 per hour, on a per diem basis, not to exceed 40 hours a week, with no benefits.

Nicholas Vaders  
Owen Macfawn

**FURTHER**, that the employment of said individuals as Fire Cadets for the City is contingent upon satisfactory completion of all training, evaluations and testing required to graduate the fire academy courses that apply to skills required by the Chester Fire Department.

**FURTHER**, upon graduation said employment with the City as an Apprentice Firefighter shall be based upon availability.

**FURTHER**, if employed as a Firefighter for the City of Chester said individuals are required to reside in the City of Chester for the first 5 years of employment. Any Firefighter not residing in the City of Chester must do so within ninety (90) days of their date of hire as a permanent employee, and must submit proof of residency to the Human Resource Department.

**WE HEREBY CERTIFY** that this Resolution passed Council this 14<sup>th</sup> day of July, A.D. 2021.

\_\_\_\_\_  
MAYOR

Attest: \_\_\_\_\_  
CITY CLERK

**R E S O L U T I O N**

**NO. 91. 2021**

**THE COUNCIL OF THE CITY OF CHESTER DOES RESOLVE:**

That it does hereby authorize the proper City official to accept a grant from the Commonwealth of Pennsylvania, Department of Community and Economic Development, under the provisions of the Municipalities Financial Recovery Act (ACT 47), in the amount of Two Hundred Twenty Thousand Dollars (\$220,000), which shall be used for completing a Municipal Comprehensive Plan and other conditions as specified in the contract.

**FURTHER**, said grant is contingent upon final approval of the City Solicitor.

**WE HEREBY CERTIFY** that this Resolution passed Council this 14<sup>th</sup> day of July, A.D. 2021.

\_\_\_\_\_  
MAYOR

Attest: \_\_\_\_\_  
CITY CLERK

**R E S O L U T I O N**

**92-2021**

**THE COUNCIL OF THE CITY OF CHESTER DOES RESOLVE:**

That it does hereby authorize promotional testing for the position of Captain to be given by the Civil Service Board to all eligible candidates of the Chester Police Department, Department of Public Affairs.

**WE HEREBY CERTIFY** that this Resolution passed Council this 14<sup>th</sup> day of July, A.D. 2021.

\_\_\_\_\_  
MAYOR

Attest: \_\_\_\_\_  
CITY CLERK

## **R E S O L U T I O N**

**NO. 93-2021**

### **THE COUNCIL OF THE CITY OF CHESTER DOES RESOLVE:**

The Stormwater Authority of the City of Chester is proposing to construct the following stormwater infrastructures within the City of Chester:

1. Stormwater Management Piping; and
2. Stormwater Inlets and Manhole

The locations of improvements are as follows:

- W. 6<sup>th</sup> Street from Edmont Avenue to Chester Creek

**FURTHER**, the Stormwater Authority of the City of Chester shall comply with all of the following conditions outlined by the City Engineer and said conditions must be completed in a manner that is satisfactory to City Council.

1. Applicant must reconstructs the ADA ramps at the following locations and provide full engineered design plans.
  - All corners at Sproul Street and W. 6<sup>th</sup> Street; and
  - Northeast and Southwest Corners of Edgmt Avenue and W. 6<sup>th</sup> Street.
2. If the applicant disturbs a corner during construction, the corner shall be upgraded.
3. The Stormwater Authority takes full responsibility for the maintenance and repair of all proposed improvements.
4. Applicant provides traffic control for continuous operation of the roadways and coordinates installation with the Public Works Supervisor and the City Engineer.
5. Applicant provides a Soil Erosion and Sediment Control Plan.
6. Applicant provides a copy of the NPDES Permit.
7. Applicant obtains and provides verification that all easements have been obtained from private property owners for the construction of proposed improvements.
8. Applicant obtains any and all required NJDEP Permits.

**FURTHER**, the Stormwater Authority of the City of Chester shall obtain all necessary road opening, sidewalk and curb permits from the City of Chester Streets Department.

**EVEN FURTHER**, the City does authorize a waiver of the half mill and overlay requirement for this project.

**WE HEREBY CERTIFY** that this Resolution passed Council this 14<sup>th</sup> day of July, A.D. 2021.

\_\_\_\_\_  
MAYOR

Attest: \_\_\_\_\_  
CITY CLERK



**R E S O L U T I O N**

**NO. 94-2021**

**THE COUNCIL OF THE CITY OF CHESTER DOES RESOLVE:**

The Stormwater Authority of the City of Chester has completed the following work under an emergency status and prior to final restoration within the City of Chester:

Stormwater Management Piping

The locations of improvements are as follows:

- Hancock Street from Ridley Avenue to Sun Drive

**FURTHER**, the City does authorize a waiver of the half mill and overlay requirement for this project.

**WE HEREBY CERTIFY** that this Resolution passed Council this 14<sup>th</sup> day of July, A.D. 2021.

\_\_\_\_\_  
MAYOR

Attest: \_\_\_\_\_  
CITY CLERK

**R E S O L U T I O N**

**95-2021**

**THE COUNCIL OF THE CITY OF CHESTER DOES RESOLVE:**

That it does hereby approve the Financial Statements and Independent Auditor's Report as provided by Milligan & Company, LLC, providing an analysis of the City's governmental and business activities, each major fund, and the aggregate remaining fund information of the City of Chester as of and for the year ended December 31, 2018, and related notes to the financial statements, which collectively comprise the City's basic financial statements.

**WE HEREBY CERTIFY** that this Resolution passed Council this 14<sup>th</sup> day of July, A.D. 2021.

\_\_\_\_\_  
MAYOR

Attest: \_\_\_\_\_  
CITY CLERK

**R E S O L U T I O N**

**NO. 96-2021**

**WHEREAS**, the City of Chester, by Resolution dated September 11, 2019, approved the sale of property by the Redevelopment Authority of the City of Chester to Agri-Kind Hemp LLC; and

**WHEREAS**, subsequent to such approval, the Redevelopment Authority of the City of Chester approved a request to amend the entity that would purchase such property from Agri-Kind Hemp LLC to Starboard Industries, LLC; and

**WHEREAS**, the Redevelopment Authority of the City of Chester has requested that the City of Chester consent to the sale of such property to Starboard Industries, LLC.

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF CHESTER DOES RESOLVE:**

That it does hereby authorize and consent to the sale of the following real properties as listed on Exhibit “A” from the Redevelopment Authority of the City of Chester to Starboard Industries, LLC:

**FURTHER**, that the appropriate designated officers are hereby authorized to execute and deliver such agreements, deeds, transfer tax affidavits or other documents as may be necessary or appropriate to consummate the sale of the properties on the terms and conditions as set by Chester City Council.

**WE HEREBY CERTIFY** that this Resolution passed Council this 14<sup>th</sup> day of July, A.D. 2021.

\_\_\_\_\_  
MAYOR

Attest: \_\_\_\_\_  
CITY CLERK

## Exhibit “A”

1. 100 Lamokin Street
2. 106 Lamokin Street
3. 108 Lamokin Street
4. 110 Lamokin Street
5. 112-114 Lamokin Street
6. 116 Lamokin Street
7. 118 Lamokin Street
8. 120 Lamokin Street
9. 122 Lamokin Street
10. 124 Lamokin Street
11. 126 Lamokin street
12. 101 Montgomery Street
13. 103 Montgomery Street
14. 109 Montgomery Street
15. 113 Montgomery Street
16. 125 Montgomery Street
17. 127 Montgomery Street

**RESOLUTION**

**NO. 97-2021**

**THE COUNCIL OF THE CITY OF CHESTER DOES RESOLVE:**

That it does hereby accept the U.S. Department of the Treasury State Fiscal Recovery Fund and the Coronavirus Local Fiscal Recovery Fund Award, the funds disbursed under this award may only be used in compliance with section 603(c) of the Social Security Act, Treasury's regulations implementing that section, and guidance issued by Treasury regarding the foregoing.

**FURTHER**, the period of performance for this award begins on the date hereof and ends December 31, 2026, as set forth in the Treasury's implementing regulations, in addition, the City may use award funds to cover eligible costs incurred during the period that begins on March 3, 2021, and ends December 31, 2024.

**FURTHER**, the City will determine prior to engaging in any project using this assistance that it has the institutional, managerial, and financial capability to ensure proper planning, management, and completion of such project.

**FURTHER**, the City does hereby authorize the Chief Financial Officer to execute all documents for and on behalf of the City of Chester.

**EVEN FURTHER**, said award is contingent upon final approval of the City Solicitor.

**WE HEREBY CERTIFY** that this Resolution passed Council this 14<sup>th</sup> day of July, A.D. 2021.

\_\_\_\_\_  
MAYOR

Attest: \_\_\_\_\_

CITY CLERK

**R E S O L U T I O N**

**NO. 98-2021**

**THE COUNCIL OF THE CITY OF CHESTER DOES RESOLVE:**

That it does authorize the proper City official to enter into an agreement with Spyglass, to conduct a telephone line audit for the City of Chester's current telephone system.

**FURTHER**, there is no "up-front" charge for this service. Any potential costs will be commissioned based on a percentage of the overall savings achieved by the City.

**WE HEREBY CERTIFY** that this Resolution passed Council this 14<sup>th</sup> day of July, A.D. 2021.

\_\_\_\_\_  
MAYOR

Attest: \_\_\_\_\_  
CITY CLERK

**R E S O L U T I O N**

**NO. 99-2021**

**THE COUNCIL OF THE CITY OF CHESTER DOES RESOLVE:**

That it does hereby authorize entering into the Memorandum of Understanding (MOU) between the City of Chester Police Department and the Chester Community Charter School, as a requirement of Pennsylvania Safe Schools Act 24, P.S. §§ 13-1301-A, to establish procedures to be followed when certain incidents may occur on school property, at any school sponsored activity or on a conveyance providing transportation to or from a school or school sponsored activity; including but not limited to a school bus, as described in the MOU.

**FURTHER**, that it does hereby ratify the execution of the MOU by the Chester Police Commissioner for and on behalf of the City of Chester.

**FURTHER**, the MOU is contingent upon the final approval of the City Solicitor.

**WE HEREBY CERTIFY** that this Resolution passed Council this 14<sup>th</sup> day of July, A.D. 2021.

\_\_\_\_\_  
MAYOR

Attest: \_\_\_\_\_  
CITY CLERK

## RESOLUTION

### NO. 100-2021

**WHEREAS**, the City of Chester is located in Delaware County, Pennsylvania (the “City”); and

**WHEREAS**, the City qualifies as a “local public procurement unit” as defined under Chapter 19 of the Commonwealth Procurement Code, 62 Pa C.S. §1901 et seq. (the “Code”); and

**WHEREAS**, the Delaware Valley Regional Planning Commission (“DVRPC”) qualifies as a “public procurement unit” under the Code, and has established a Regional Streetlight Procurement Program (the “Program”) for the purpose of entering into “cooperative purchasing” agreements with regional municipalities; and

**WHEREAS**, the City, in its capacity as a local public procurement unit, agreed to participate in the Program, as reflected by the adoption of a letter of intent in connection with the Program’s Phase 1, and by the adoption of a resolution authorizing the participation in the Program’s Phase 2; and

**WHEREAS**, full participation in the Program’s additional Phase 3 (Project Management) and Phase 4 (Post Construction Operations and Maintenance Services) will allow the City to implement the project (the “Project”) and improve the performance of municipal street lighting; and

**WHEREAS**, DVRPC entered into a contract with Keystone Lighting Solutions (“KLS”) to provide design services as part of Phase 2 of the Program and at the option of participating municipalities to extend services provided in Phases 3 and 4; and

**WHEREAS**, pursuant to its authority under the Code, the City entered into contract with KLS for Project Development Phase 2 for professional design services to evaluate, recommend, audit, design and manage the Project with the option to proceed with Phases 3 and 4; and

**WHEREAS**, KLS has completed the services required in connection with Project Development Phase 2; and

**WHEREAS**, as part of Project Development Phase 2, KLS presented a Final Project Specification and Proposal (the “Proposal”), and in this Proposal KLS estimated the costs to the City associated with KLS’ services for Phases 3 and 4; and

**WHEREAS**, also in the Proposal KLS provided a “Total Project Cost” found in the Project Cashflow, which establishes the total price to the City associated with this Project; and

**WHEREAS**, the City wishes to exercise its option to proceed with Phases 3 and 4 under its existing contract with KLS and to secure its professional assistance in connection with the procurement and installation of these improvements; and



**WHEREAS**, DVRPC has entered into a contract with Armour & Sons Electric, Inc. (“Armour”) to provide construction installation services and assigned to Armour DVRPC’s contracts for manufacture and distribution of equipment; and

**WHEREAS**, participating municipalities, including the City, are able to “piggyback off of” the contract entered into by DVRPC for installation, in accordance with the Code; and

**WHEREAS**, continued participation in the Program will allow the City to implement its project and improve the performance of municipal street lighting, and specifically to manage and administer the procurement, installation, and financing of the transition to light-emitting-diode (LED) street lighting and other street light improvements, and the maintenance of those improvements; and

**WHEREAS**, the City has determined that its interests warrant piggybacking off of DVRPC’s contract with Armour, thereby forming a separate and new contract between the City and Armour in the form attached hereto as Exhibit A; and

**WHEREAS**, the County has agreed to provide a loan to the City (the “Loan”) from funds borrowed by the County from the Delaware Valley Regional Finance Authority (“DelVal”) and to any other municipality that desires to participate in cooperative procurement organized by the Regional Streetlight Procurement Program; and

**WHEREAS**, the City desires to receive the Loan from the County and issue a Promissory Note, Series 2021 (the “2021 Note”) to the County to evidence its obligations under the Loan for a project (the “2021 Project”) which will: (i) improve the performance of municipal street lighting, and specifically to manage and administer the procurement, installation, and financing of the transition to light-emitting-diode (LED) street lighting and other street light improvements, and the maintenance of those improvements in the City; and (ii) pay of costs of issuance incurred by the City in connection with the Loan and the issuance of the 2021 Note ; and

**WHEREAS**, the payments due on the 2021 Note in each year will be subject to annual appropriation by the City, as a current obligation payable solely payable from funds appropriated and lawfully available for such use during the then current fiscal year of the City; and

**WHEREAS**, the 2021 Project will benefit the health and welfare of the residents of the City; and

**WHEREAS**, the 2021 Project shall be for the benefit and use of the general public, and no private party shall have any special legal entitlement to the beneficial use of the 2021 Project, through a lease, management contract, or any other arrangement that would result in a private business use under the *Internal Revenue Code of 1986*, as amended; and

**NOW, THEREFORE, BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF CHESTER DOES RESOLVE:**

That the City of Chester does hereby exercise its option under the existing cooperative purchasing contract with KLS and to proceed to Phase 3 and Phase 4 of the Program for Project Management and Post Construction Operation and Maintenance Services; and

**FURTHER**, that the Council of the City of Chester does hereby authorize the City to enter into cooperative purchasing in the form of a contract with Armour & Sons Electric, Inc. for installation of equipment; and

**FURTHER**, that the Council of the City of Chester does hereby authorize and directs its officials, employees, agents and representatives to take all such further actions and to execute and deliver all such instruments and other documents as may be necessary or appropriate to enable the City to carry out the intent and purposes of the foregoing resolutions and the transactions contemplated hereby; and

**FURTHER**, that the Council of the City of Chester does hereby authorize and approves the Loan from the County in the maximum principal amount of \$1,500,000.00 as evidenced by the issuance of the 2021 Note. The City shall be responsible for paying certain costs of origination of the Loan in an amount not to exceed \$10,000.00, as directed by the County upon the issuance of the 2021 Note, which shall be paid from the proceeds of the 2021 Note. The 2021 Note shall be purchased by the County on or about \_\_\_\_\_ July 26\_\_\_\_\_, 2021; and

**FURTHER**, that the substantial form of the 2021 Note attached hereto as Exhibit B is hereby approved. The Mayor and the City Clerk (collectively, the “Authorized Officers”) are hereby authorized and directed to execute and deliver the 2021 Note, in the substantial form attached hereto, but with such alterations, deletions and additions as the Authorized Officers may approve (such approval to be conclusively established by the execution of the 2021 Note by the Authorized Officers). The Authorized Officers also are hereby authorized and directed (i) to execute and deliver such other certificates, instruments, and agreements (including those required by DelVal or otherwise related to the 2021 Note) and (ii) to take all actions that may be necessary or beneficial to issue the 2021 Note; and it is

**FURTHER**, that the amounts payable in each year under the 2021 Note shall be current expenses subject to annual appropriation by the City and payable solely from funds lawfully available for such use during the then current fiscal year of the City and shall be evidenced by the 2021 Note in the maximum principal amount of One Million Five Hundred Thousand Dollars (\$1,500,000.00). The 2021 Note shall bear interest (the “Loan Interest”) as set forth in the 2021 Note. The 2021 Note shall be subject to optional redemption by the City as set forth in the 2021 Note. The principal payments under the 2021 Note (the “Loan Principal”) shall be amortized as set forth in the 2021 Note; and it is

**FURTHER**, that the payments due on the 2021 Note do not constitute a lien or charge upon the funds of the City beyond the fiscal year for which the City has appropriated money to pay the Loan Interest and Loan Principal (and any other sums due under the 2021 Note) and that the obligations of the City do not constitute a general obligation debt of the City. Neither the full faith and credit nor the taxing power of the City or of any other political subdivision of the

Commonwealth has been or will be pledged to the payment of the Loan Interest and Loan Principal (and any other sums due thereunder); and it is

**FURTHER**, that the City does hereby authorize payments on the 2021 Note to be made by ACH Debit from a demand deposit account to Wells Fargo Bank, N.A., or any other bank designated by DelVal, acting as the appointed collection agent of the County. The Authorized Officers are hereby authorized and directed to execute and deliver the ACH Debit Authorization form attached hereto as Exhibit C, and such other certificates, instruments, and agreements as may be required for purposes of making payments on the 2021 Note.

**WE HEREBY CERTIFY** that this Resolution passed Council this 14<sup>th</sup> day of July, A.D. 2021.

\_\_\_\_\_  
MAYOR

Attest: \_\_\_\_\_  
CITY CLERK

**EXHIBIT A**  
*[Contract]*

**EXHIBIT B**  
*[Substantial form of the 2021 Note]*

**EXHIBIT C**  
*[ACH Authorization]*

**R E S O L U T I O N**

**NO. 101-2021**

**THE COUNCIL OF THE CITY OF CHESTER DOES RESOLVE:**

That it does hereby authorize the proper City official to submit an application to the Delaware County Demolition Program, Blighted Property Demolition Fund to obtain funds for the demolition of the following properties:

<u>Property Address</u>	<u>Folio Number</u>
802 W. 6 <sup>th</sup> Street	49-07-000432-00

**FURTHER**, it does hereby authorize the proper City officials to execute all necessary documents on behalf of the City of Chester.

**WE HEREBY CERTIFY** that this Resolution passed Council this 14<sup>th</sup> day of July, A.D. 2021.

\_\_\_\_\_  
MAYOR

Attest: \_\_\_\_\_  
CITY CLERK

**RESOLUTION**

**NO. 102 - 2021**

**THE COUNCIL OF THE CITY OF CHESTER DOES RESOLVE:**

That it does approve and order payment of a series of bills and refunds as prepared by the Department of Accounts and Finance and as shown on Expenditure Approval List dated July 2, 2021 attached hereto and made a part hereof, subject to approval from the Department of Accounts and Finance.

**WE HEREBY CERTIFY** that this Resolution passed Council this 14<sup>th</sup> day of July, A.D. 2021.

\_\_\_\_\_  
MAYOR

Attest: \_\_\_\_\_  
CITY CLERK

**BILL NO.:** 4  
**1<sup>st</sup> READING:** 6/23/2021  
**PASSED:** 7/14/2021

**NO. 4 2021**

**ORDINANCE**

**AN ORDINANCE OF THE CITY OF CHESTER INCREASING THE TERM OF EXISTENCE OF THE CHESTER ECONOMIC DEVELOPMENT AUTHORITY, ADDING TO THE AUTHORITY'S PURPOSES, POWERS AND SCOPE OF PROJECTS PERMITTED, AUTHORIZING ADVERTISEMENTS AND THE FILING OF SAID AMENDED ARTICLES OF INCORPORATION, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT HEREWITH.**

**WHEREAS**, the Chester Economic Development Authority (the “Authority”) is a municipal authority organized and established under the provisions of the Municipality Authorities Act of 1945, Act No. 45 of the General Assembly of the Commonwealth of Pennsylvania approved May 2, 1945 (P.L 382 ), as amended (the “Act”) and as originally authorized by the City Council of the City of Chester (the “City”) pursuant to Ordinance No. 5 enacted on February 9, 1995; and

**WHEREAS**, an authority created under the Act may amend its articles from time to time to change, add to or diminish its powers or purposes, or to set forth different or additional powers or purposes; and

**WHEREAS**, the Authority desires to authorize amendments to its Articles of Incorporation to increase its term of existence for a period of fifty (50) years from the date of approval of the Amended Articles of Incorporation by the Secretary of the Commonwealth of Pennsylvania and to add to the Authority's powers, purposes and scope of projects permitted; and

**WHEREAS**, the current version of the Act (53 Pa.CSA. §5605 ) provides a procedure for amending the Articles of Incorporation through adoption by the Board of the Authority of a resolution setting forth the proposed amendments and directing that the amendments be submitted to the governing authorities of the City for adoption; and

**WHEREAS**, the Board of the Authority adopted a Resolution dated May 25, 2021 setting forth proposed amendments to the Articles of Incorporation of the Authority and directing that such amendments be submitted to the governing authorities of the City for consideration and adoption.

**NOW, THEREFORE, BE IT ORDAINED**, by the Council of the City of Chester as follows:

**SECTION 1.** In accordance with the Act (53 Pa.CSA. §5605 (a)(2) and (a)(3), the City hereby adopts the following amendments to the Articles of Incorporation of the Chester Economic Development Authority, (the “Authority”) as permitted by the Act:

- (a) The Authority shall continue to transact business and shall exist for a term of fifty (50) years from the date of approval of the Articles of Amendment of the Authority by the Secretary of the Commonwealth of Pennsylvania; and
- (b) The Authority’s current purposes and powers as set forth in the Authority’s Articles of Incorporation are amended to increase the scope of projects permitted to add those projects permitted under 53 Pa.CSA. §5607 (a)(2); namely, Buildings to be devoted wholly or partially for public uses, including public school buildings, and facilities for the conduct of judicial proceedings and for revenue-producing purposes.

**SECTION 2.** The proper officers of the City are hereby authorized and instructed to execute any and all documents and certificates, and to take any and all other actions, necessary and proper to carry out the intent of this Ordinance pursuant to the Act.

**SECTION 3.** All prior ordinances or parts thereof inconsistent herewith are hereby repealed.

**WE HEREBY CERTIFY** that this Ordinance was enacted and approved by Council of the 14<sup>th</sup> day of July, A.D. 2021.

\_\_\_\_\_  
MAYOR

**ATTEST:** \_\_\_\_\_  
CITY CLERK



BILL NO. 5

1<sup>st</sup> READING 6/23/2021

PASSED 7/14/2021

NO. 5, 2021

**A N O R D I N A N C E**

**AN ORDINANCE OF THE CITY OF CHESTER, DELAWARE COUNTY, PENNSYLVANIA, PURSUANT TO THE AUTHORITY GRANTED BY THE HOME RULE CHARTER, REENACTING THE EARNED INCOME TAX FOR THE YEAR 2021, AS SET FORTH IN ARTICLE 303 OF THE CODIFIED ORDINANCES OF CHESTER, PENNSYLVANIA, 1978, AS SUPPLEMENTED AND AMENDED, IN ITS ENTIRETY, WITHOUT SUBSTANTIAL CHANGE EXCEPT FOR AN AMENDMENT TO SECTION 303.02 ENTITLED "IMPOSITION OF TAX" TO IMPOSE A TAX OF 2.00% FOR 2021 FOR GENERAL REVENUE PURPOSES ON SALARIES, WAGES, COMMISSIONS, NET PROFITS AND OTHER COMPENSATION EARNED BY NON-RESIDENTS OF THE CITY OF CHESTER FOR WORK DONE OR SERVICES PERFORMED OR RENDERED IN THE CITY OF CHESTER, AND TO ESTABLISH THE EARNED INCOME TAX RATE AT 3.75% FOR 2021 ON SALARIES, WAGES, COMMISSIONS, NET PROFITS AND OTHER COMPENSATION EARNED BY RESIDENTS OF THE CITY OF CHESTER; WITH ONE PERCENT (1.00%) OF THE RESIDENTS AND NON-RESIDENTS EARNED INCOME TAX COLLECTIONS BEING DESIGNATED TO DISTRESSED PENSION PAYMENTS AND PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF THE ORDINANCE; AND IMPOSING PENALTIES FOR VIOLATION THEREOF.**

**THE COUNCIL OF THE CITY OF CHESTER DOES ORDAIN:**

**SECTION 1.** That it does hereby reenact the Earned Income Tax for the year 2021, as set forth in Article 303 of the Codified Ordinances of Chester, Pennsylvania, 1978, as supplemented and amended in, its entirety, which imposes a tax for general revenue purposes on salaries, wages, commissions and other compensation

earned by residents of the City of Chester, Pennsylvania and on salaries, wages, commissions and other compensation earned by non-residents of the City of Chester for work done or services performed or rendered in the City of Chester, and on the net profits earned from businesses, professions or other activities conducted by residents of the City of Chester, and the net profits earned from businesses, professions, or other activities conducted in the City of Chester by nonresidents; requiring the filing by employers and by those subject to the tax; imposing on employers the duty collecting the tax at source; with one percent (1.00%) of the residents and nonresidents collection being designated to distressed pension payments; providing for the administration and enforcement of the ordinances; and imposing penalties for violation thereof, except for the following amendments to Section 303.02 entitled "IMPOSITION OF TAX":

303.02            IMPOSITION OF TAX

A tax for general revenue purposes of three and seventy-five hundredths percent (3.75%) is hereby imposed on the following:

- (a) Salaries, wages, commissions and other compensation earned on and after January 1, 2021, by individual residents of the City of Chester.
- (b) Net profits, earned on and after January 1, 2021, by residents of the City of Chester.

A tax for general revenue purposes of two percent (2.00%) is hereby imposed on the following:

- (a) Salaries, wages, commissions and other compensation earned on and after January 1, 2021, by individual nonresidents of the City of Chester.
- (b) Net profits, earned on and after January 1, 2021, in the City of Chester by nonresidents of the City of Chester.

The tax levied under subsection (a) hereof shall relate to and be imposed upon salaries, wages, commissions and other compensation paid by an employer or on his behalf to a person who is employed by him. The tax levied under subsection (b) hereof shall relate to and be imposed on the

net profits of any business, profession or other activity carried on by any person or persons.

Every corporation which is subject to the Pennsylvania Corporate Net Income Tax or exempt from the Pennsylvania Franchise Tax, shall be on exempt from the tax imposed by this article.

The tax levied by this article shall be applicable to salaries, wages, commissions and other compensation and to net profits earned after January 1, 2021, for non-residents and after January 1, 2021, for residents.

**SECTION 2.** All Ordinances, amendments or parts of Ordinances inconsistent with or contrary to the provisions of this Ordinance, be and they are hereby repealed.

**WE HEREBY CERTIFY** that this Ordinance passed Council this 14<sup>th</sup> day of July, A.D. 2021.

\_\_\_\_\_

MAYOR

Attest: \_\_\_\_\_

CITY CLERK