

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

**Resolutions**

1. Authorize approval for handicap parking zones;
2. Authorize approval for the appointment of position in Department of Public Works;
3. Authorize approval to ratify appointment of in Department of Public Works;
4. Authorize approval to enter into agreement with Delaware County;
5. Authorize approval to ratify entering into agreement with Delaware County;
6. Authorize approval of Stormwater Authority projects in the area of 8<sup>th</sup> & Sproul Streets;
7. Authorize approval of Redevelopment Agreement with Velar Properties;
8. Authorize approval for the transfer of properties to the CRA;
9. Authorize approval for application submission to Commonwealth Financing Authority;
10. Authorize approval for the installation of modular units at 1200 Highland Ave.;
11. Authorize approval of Cooperation Agreement for RACP project;
12. Authorize approval of promotional testing for the Bureau of Fire;
13. Authorize approval to enter into an agreement for a police substation;
14. Authorize approval for the award of the 2021 Chester City Demo Contract #2;
15. Authorize approval for the advertisement of bid for 2021/2022 equipment rental;
16. Authorize approval to enter into an Asset Purchase Agreement;
17. Authorize approval of Expenditure Lists;

**RESOLUTION**

**NO. 151-2021**

**WHEREAS**, the following individuals have requested a handicapped parking zone:

1. Yvonne Goldsborough, 110 W. 22<sup>nd</sup> Street, Chester, PA 19013;
2. Betty Harris, 517 Reaney Street, Chester, PA 19013;
3. Quinton Brown, 45 E. 24<sup>th</sup> Street, Chester, PA 19013; and

**WHEREAS**, after a thorough investigation by the Department of Public Works, 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 100 Block of W. 22<sup>nd</sup> Street; in the 500 Block of Reaney Street; and in the Unit Block of E. 24<sup>th</sup> Street in the City of Chester.

**WE HEREBY CERTIFY** that this Resolution passed Council this 13<sup>th</sup> day of October, A.D. 2021.

\_\_\_\_\_  
MAYOR

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

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

**NO. 152 - 2021**

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

That it does hereby appoint Anntrene Wilson to the position of Recycling, Trash, & Streets Coordinator, Department of Public Works, for 37.5 hours per week, no benefits, effective October 12, 2021, with a sixty (60) day probationary period, at the salary range as provided in the Annual Appropriation Ordinance.

**WE HEREBY CERTIFY** that this Resolution passed Council this 13<sup>th</sup> day of October, A.D. 2021.

\_\_\_\_\_  
MAYOR

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

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

**NO. 153-2021**

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

That it does hereby ratify the appointment of John Parker to the position of Laborer, Department of Public Works, for 40 hours per week, no benefits, effective October 4, 2021, with a sixty (60) day probationary period, at the salary as provided in the Annual Appropriation Ordinance.

**WE HEREBY CERTIFY** that this Resolution passed Council this 13<sup>th</sup> day of October, A.D. 2021.

\_\_\_\_\_  
MAYOR

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

**RESOLUTION**

**NO. 154-2021**

**WHEREAS**, the property located at West 7<sup>th</sup> and Grace Streets, also known as the former Pulaski Middle School is a blighted structure; and

**WHEREAS**, Delaware County established a Demolition Fund pursuant to an Act of November 4, 2016, to provide resources for the demolition of blighted properties located within Delaware County; and

**WHEREAS**, the City has determined there is a need for the demolition and abatement of the aforementioned property.

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

That it does hereby ratify the submission of an application by the proper City official to the Delaware County Demolition Program, Blighted Property Demolition Fund to obtain funds for the demolition of the former Pulaski Middle School, located at West 7<sup>th</sup> and Grace Streets.

**FURTHER**, it does hereby authorize the proper City official to enter into Demolition Fund Agreement, DF-21-60D with Delaware County Council, Office of Housing and Community Development for the demolition of the blighted structure located at West 7<sup>th</sup> and Grace Streets, also known as the former Pulaski Middle School located within the City of Chester.

**EVEN 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 13<sup>th</sup> day of October, A.D. 2021.

\_\_\_\_\_  
MAYOR

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

**RESOLUTION**

**NO. 155-2021**

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

That it does hereby ratify entering into Demolition Fund Agreement, DF-21-60C with Delaware County Council, Office of Housing and Community Development for the demolition of the following blighted structures located within the City of Chester:

<u>Property Address</u>	<u>Folio Number</u>
313 E. 10 <sup>th</sup> Street	49-04-00361-00
315 E. 10 <sup>th</sup> Street	49-04-00362-00
517 E. 10 <sup>th</sup> Street	49-05-00388-00
518 E. 10 <sup>th</sup> Street	49-05-00366-00
520 E. 10 <sup>th</sup> Street	49-05-00367-00
522 E. 10 <sup>th</sup> Street	49-05-00368-00

**FURTHER**, that it does hereby authorize the proper City official to execute all documents necessary for the completion of this project for and on behalf of the City.

**WE HEREBY CERTIFY** that this Resolution passed Council this 13<sup>th</sup> day of October, A.D. 2021.

\_\_\_\_\_  
MAYOR

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

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

### **NO. 156-2021**

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

The Stormwater Authority of the City of Chester is proposing to construct Management Piping, Inlets and Manholes within the City of Chester at the following locations:

- Sproul Street from Chester Creek to E. 8<sup>th</sup> Street
- E. 8<sup>th</sup> Street from Sproul Street to Wood Street
- Water Street from W. 5<sup>th</sup> Street 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 must be completed in a manner that is satisfactory to City Council.

1. Applicant reconstructs the ADA Ramps at the following locations and provides full engineered design plans for:
  - Southeast and Southwest corners of Water Street;
  - All corners on E. 8<sup>th</sup> Street and Sproul Street; and
  - If the applicant disturbs a corner during construction, the corner shall be upgraded.
2. The Stormwater Authority shall take full responsibility for the maintenance and repair of all proposed improvements.
3. Applicant provides traffic control for continuous operation of the roadways and coordinates installation with the Public Works Supervisor and the Engineer.
4. Applicant provides a Soil Erosion and Sediment Control Plan.
5. Applicant provides a copy of the NPDES Permit.
6. Applicant obtains and provides verification that all easements have been obtained from private property owners for the construction of proposed improvements.
7. Applicant obtains any and all required PADEP Permits.
8. There is work completed on Private Property. The applicant will need to provide evidence of written approval to conduct work on private property.

**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 13<sup>th</sup> day of October, A.D. 2021.

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MAYOR

Attest:

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CITY CLERK



**RESOLUTION**

**NO. 157-2021**

**WHEREAS**, Eugene Pinder, II, an adult individual and Sole Proprietor, doing business as Velar Properties wishes to purchase and redevelop certain real property owned by the Redevelopment Authority of the City of Chester as set forth in the list attached hereto as Exhibit A, in the City of Chester, Delaware County, Pennsylvania. The Buyer intends to use the property for the development of twenty-six (26) residential townhome units for sale in the area between E. 6<sup>th</sup> Street and E. 7<sup>th</sup> Street from Potter Street to North Street; and

**WHEREAS**, the Board of the Redevelopment Authority of the City of Chester approved the Redevelopment Authority entering into a Redevelopment Agreement conditioned upon approval of the Agreement by Chester City Council; and

**WHEREAS**, the subject properties listed on Exhibit A are located in a redevelopment area in the City of Chester and as such, the sale, lease or transfer of such property is subject to approval by Chester City Council under the Urban Redevelopment Law, at 35 P.S. Section 1709(k).

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

That it does hereby approve the Redevelopment Agreement with Eugene Pinder, II, Sole Proprietor, doing business as Velar Properties for the development of twenty-six (26) for sale residential townhome units in the area between E. 6<sup>th</sup> Street and E. 7<sup>th</sup> Street from Potter Street to North Street, as listed on the attached marked as Exhibit "A".

**WE HEREBY CERTIFY** that this Resolution passed Council this 13<sup>th</sup> day of October, A.D. 2021.

\_\_\_\_\_  
MAYOR

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

CITY CLERK

## **EXHIBIT A – LIST OF PROPERTIES**

1. 601 North Street
2. 603 North Street
3. 615 North Street
4. 617 North Street
5. 619 North Street
6. 621 North Street
7. 623 North Street
8. 629 North Street
9. 631 North Street
10. 608 Potter Street
11. 614 Potter Street
12. 620 Potter Street
13. 622 Potter Street
14. 624 Potter Street
15. 630 Potter Street
16. 632 Potter Street
17. 634 Potter Street
18. 636 Potter Street
19. 638 Potter Street
20. 640 Potter Street
21. 642 Potter Street
22. 418 E. 6<sup>th</sup> Street
23. 420 E. 6<sup>th</sup> Street

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

**NO. 158-2021**

**WHEREAS**, by Resolution dated June 22, 1995, the City Council of the City of Chester authorized the dissolution of the Chester Redevelopment Authority; and

**WHEREAS**, upon the dissolution of the Chester Redevelopment Authority, control of all real property titled to Chester Redevelopment Authority passed to the City of Chester; and

**WHEREAS**, the City of Chester desires to return the properties to productive use:

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

That it does hereby authorize the transfer of the following parcels to the new Redevelopment Authority of the City of Chester for redevelopment purposes:

1217 Edwards Street

1220 Edwards Street

(11<sup>th</sup> St. & Central Ave.)

**WE HEREBY CERTIFY** that this Resolution passed Council this 13<sup>th</sup> day of October, A.D. 2021.

\_\_\_\_\_

MAYOR

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

CITY CLERK

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

**NO. 159-2021**

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

That the City of Chester, Delaware County, desires to submit a Keystone Communities Program Grant Application for \$200,000.00 from the Commonwealth Financing Authority to be used for Chester City Camera Initiative – Phase 2.

**FURTHER**, that the applicant does hereby designate Mayor Thaddeus Kirkland and Councilman William Morgan, Director of Finance as the officials to execute all documents and agreements between the City of Chester and the Commonwealth Financing Authority to facilitate and assist in obtaining the requested grant.

I, Candice Newsom, duly qualified City Clerk of the City of Chester, Delaware County, PA, hereby certify that the forgoing is a true and correct copy of a Resolution duly adopted by a majority vote at the City of Chester at a regular meeting held October 13, 2021 and said Resolution has been recorded in the Minutes of the City of Chester and remains in effect as of this date.

**WE HEREBY CERTIFY** that this Resolution passed Council this 13<sup>th</sup> day of October, A.D. 2021.

\_\_\_\_\_  
MAYOR

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

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

**NO. 160-2021**

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

That it does hereby authorize to the proper City official to execute an agreement between the City of Chester and CCSA Foundation, for the temporary installation of modular units at 1200 Highland Avenue for a period of time not to exceed three (3) years.

**FURTHER**, said agreement is contingent upon final review and approval of the City Solicitor.

**WE HEREBY CERTIFY** that this Resolution passed Council this 13<sup>th</sup> day of October, A.D. 2021.

\_\_\_\_\_  
MAYOR

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

**RESOLUTION  
NO. 161-2021**

**WHEREAS**, the Chester Redevelopment Authority (CRA) has approved the submission of an application to the Commonwealth of Pennsylvania for a Redevelopment Assistance Capital Program (RACP) grant in the amount of \$1,500,000.00 for the Union Square Area Improvement Project, Chester, PA; and

**WHEREAS**, CRA submitted a rescope request on behalf of Rivertown Developers, L.P. to the Pennsylvania Office of the Budget to include the Tenant Fit Out of Turbine Hall at the Wharf at Rivertown, 2501 Seaport Drive, Chester, PA, to be used as an event/assembly facility/meeting and conference venue; and

**WHEREAS**, the Office of the Budget has approved such rescope request; and

**WHEREAS**, one of the Special Conditions of the RACP Grant Agreement is the submission of an executed Cooperation Agreement in which the City approves the Project and which obligates the City to reimburse the Commonwealth for any RACP grant reimbursements that may later be determined to have been ineligible expenses for the Project; and

**WHEREAS**, this matter has been reviewed and considered.

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

1. That the Cooperation Agreement by and between the City of Chester and the Sub-Grantee is hereby approved.
2. That the Mayor and/or his designee is hereby authorized to execute the Cooperation Agreement and to take such steps as may be necessary to implement the intent of this Resolution.

**WE HEREBY CERTIFY** that this Resolution passed Council this 13<sup>th</sup> day of October, A.D. 2021.

\_\_\_\_\_  
MAYOR

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

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

**NO. 162-2021**

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

That it does hereby authorize promotional testing to be given by the Civil Service Board to all eligible candidates in the Bureau of Fire, Department of Public Safety, for the following positions:

Battalion Chief

Captain

**WE HEREBY CERTIFY** that this Resolution passed Council this 13<sup>th</sup> day of October, A.D. 2021.

\_\_\_\_\_  
MAYOR

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

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

**NO. 163-2021**

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

That is does hereby approve the Commercial Lease agreement between the City of Chester and Silvercare Real Estate, LLC, for the use of 400 +/- square feet of existing space at 2600 W. 9<sup>th</sup> Street, for the operation of a Police Substation.

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

**WE HEREBY CERTIFY** that this Resolution passed Council this 13<sup>th</sup> day of October, A.D. 2021.

\_\_\_\_\_  
MAYOR

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



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

**NO. 164-2021**

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

That it does hereby award the contract for the 2021 Chester City Demolition Contract #2, for the City of Chester, for which bids were received on September 22, 2021, to A.J Jurich,, Inc., at the lowest responsible bid price of One Hundred Forty-five Thousand Three Hundred Sixty-five Dollars (\$145,365.00).

**FURTHER**, that all other bids for the above be and they are hereby rejected; all checks and/or bid bonds accompanying said bids shall be returned to the unsuccessful bidders.

**FURTHER**, that the Solicitor's Office shall prepare a contract and the successful bidder shall furnish a Performance Bond in the full amount of the contract, in accordance with the specifications, and to the satisfaction of City Council.

**WE HEREBY CERTIFY** that this Resolution passed Council this 13<sup>th</sup> day of October, A.D. 2021.

\_\_\_\_\_  
MAYOR

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

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

**NO. 165-2021**

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

That it does authorize the proper City official to prepare specifications for the advertisement for bids the Equipment Rental Contract for 2021/2022 for the City of Chester.

**FURTHER**, that it does authorize the City Clerk to advertise for the aforementioned bids.

**WE HEREBY CERTIFY** that this Resolution passed Council this 13<sup>th</sup> day of October, A.D. 2021.

\_\_\_\_\_  
MAYOR

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

## **RESOLUTION**

### **NO. 166-2021**

**WHEREAS**, in or about 1939, the City of Chester (the “City”) organized the Chester Municipal Authority under the Municipality Authorities Act (the “MAA”), which entity is now known as the Chester Water Authority (the “Authority”); and

**WHEREAS**, litigation is ongoing regarding to the City’s interest in the water system currently run by the Chester Water Authority (the “System”) and the City has determined that it is in the City’s best interest to sell the System conditioned upon a resolution of the legal dispute over the rights of the City under the Municipality Authorities Act (the “Litigation”); and

**WHEREAS**, in furtherance of the City’s desire to sell the System, the City issued a request for proposals on June 12, 2019 to sell the System but, due to the Litigation and out of an abundance of caution, all six proposals received were returned to the offerors without having been opened, other than to identify the person to whom they should be returned; and

**WHEREAS**, the Delaware County Court of Common Pleas on February 3, 2020, entered an order that permitted the City’s issuance of a request for proposals (the “RFP”) and allowed the City to undertake a bid process to sell the System (the “Assets Sale”), provided that, after such process, the consummation of any agreement to sell the System or other transaction, if any, is conditioned upon a resolution of the Litigation that affirms the City’s right to take back the System assets and to sell the System; and

**WHEREAS**, the City issued a second request for proposals on February 12, 2020, to solicit bids from interested companies and entities to purchase the System; and

**WHEREAS**, in response to the February 12, 2020 RFP, the City received three (3) responses and, after the opportunity to review the bids submitted, the City has determined that Aqua Pennsylvania, Inc. (“Aqua”) has submitted a bid that is in the best interest of the City and offers the greatest value to the City, as determined by the Mayor and City Council in consultation with the City’s financial advisor; and

**WHEREAS**, in July, 1995 the City was placed into Act 47 status; and

**WHEREAS**, on April 13, 2020, Governor Wolf declared a fiscal emergency for the City; and

**WHEREAS**, on June 22, 2020, Michael Doweary was named Receiver for the City; and

**WHEREAS**, on August 20, 2020, the Receiver filed an Initial Recovery Plan which was approved by Commonwealth Court on October 19, 2020; and

**WHEREAS**, on April 7, 2021, the Receiver filed an Amended Recovery Plan with the Commonwealth Court (“the Amended Plan”), which was approved by the Commonwealth Court on June 7, 2021; and

**WHEREAS**, in the Amended Plan the Receiver:

- 1) directed the City to continue the Litigation to establish its right to take back the System assets and sell the assets;
- 2) authorized the City to continue with the RFP process (in compliance with any Court Order); and
- 3) authorized the City to continue to consult with its counsel and financial advisor regarding the best approach to monetizing the water system; and

**WHEREAS**, on September 16, 2021 the en banc Commonwealth Court issued an Order and Opinion confirming that the City has the unilateral right to take back the assets of the Authority; and

**WHEREAS**, on September 23, 2021 the Receiver issued a public statement in part specifically declaring that the City “must monetize the water system”; and

**WHEREAS**, because the City has determined that it is in the best interests of the City to sell the System to Aqua on the terms set forth in Aqua’s bid, upon approval by the Receiver the City intends to execute and deliver an Asset Purchase Agreement (the “APA”), the consummation of which is contingent upon the resolution of the Litigation on terms that affirm the City’s rights asserted under the MAA; and

**WHEREAS**, under the APA, the City will transfer to Aqua the assets of the System through the execution and delivery of all necessary and required bills of sale, instruments of assignment, consents to transfer, deeds, and other agreements, documents, and instruments of conveyance; and

**WHEREAS**, the City will pass on all System and billing information, and any rights of the City in connection therewith, to Aqua and cooperate with Aqua as is required for the continued operation of the System.

**NOW, THEREFORE**, the City Council of the City of Chester resolves as follows:

1. It is the intent of the City Council of the City of Chester to promptly enter into an APA with Aqua Pennsylvania, Inc., upon receipt of the Receiver’s approval to do so; and
2. The City Council of the City of Chester requests the Receiver to expeditiously provide his approval for City Council to do so.

**Effective Date**

This Resolution shall take effect and be in force immediately.

**WE HEREBY CERTIFY** that this Resolution passed Council this 13<sup>th</sup> day of October, A.D. 2021.

\_\_\_\_\_  
MAYOR

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

**RESOLUTION**

**NO. 167 - 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 September 24, 2021 and October 8, 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 13<sup>th</sup> day of October, A.D. 2021.

\_\_\_\_\_  
DEPUTY MAYOR

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