City of Chester
Deliberative Meeting Agenda

One 4th Street
Chester, PA 19013

Monday, July 21, 2025 **2:00 PM** **Council Chambers**

ORDINANCE (To be voted on): NONE

RESOLUTIONS FOR FINAL PASSAGE (To be Voted On):

R – 84
Authorize the establishment of an eligibility civil service list for the position of Patrol Officer in the Chester Police Department.

Submitted By: Tom Moore, Chief of Staff
Attachments: Resolution

R – 85
Authorize award of bids for the construction of the Public Works Facility ARPA Project # 27.

Submitted By: Tom Moore, Chief of Staff
Attachments: Resolution

R – 86
Authorize extension of the Service Contract and its amendment with SCM Management, LLC, to provide safety advocates for the 2025-2026 academic year.

Submitted By: Tom Moore, Chief of Staff
Attachments: Resolution

R – 87
Authorize the engagement of EJM Advisory Firm, LLC, to provide ongoing analysis of the Chester Police Department Operations and Ad hoc Advisory Services for a 12-month period.

Submitted By: Vijay Kapoor, Receiver for the City of Chester
Attachments: Resolution

R – 88
Authorize establishing procedures and adopting policies to address the receipt, retention, requests, responses, and dissemination of information containing confidential security information received by the City of Chester from a public utility.

Submitted By: Vijay Kapoor, Receiver for the City of Chester
Attachments: Resolution

ADJOURN

Deliberative meetings are held on the second and fourth Monday of each month beginning at 2:00 PM in Council Chambers. For copies of the agenda or meeting announcements, please visit our website at www.Chestercity.com or contact the City Clerk at CNewsome@chestercity.com to receive an email notice of the meetings.

R E S O L U T I O N

NO. 84 - 2025

THE COUNCIL OF THE CITY OF CHESTER DOES RESOLVE:

That it does hereby authorize testing to be given by the Civil Service Board to all eligible candidates for the position of Patrol Officer in the Chester Police Department.

FURTHER, that it does hereby authorize the proper City official to advertise for testing to establish a civil service list for the position.

WE HEREBY CERTIFY that this Resolution passed Council this 23rd day of July, A.D. 2025.

_____
MAYOR

Attest:_____
CITY CLERK

R E S O L U T I O N
NO. 85 - 2025

WHEREAS, pursuant to an advertisement for bids for the construction of a new Public Works Facility ARPA Project #27, for which bids were received on June 26, 2025 at 11:00 a.m., via the PennBid portal.

Contract	Bidder		Amount of Bid
General Trades	Davis Construction	Base Bid + Allowance	$4,434,999.00
	751 Arbor Way, Suite 130	Alt. 1, 2, & 9	390,354.00
	Blue Bell, PA 19422	**Total**	**$4,825,353.00**
	(Lowest Responsible Bidder)		
Electrical	Hobbs and Company, Inc.	Base Bid + Allowance	$920,000.00
	1012 Meetinghouse Road	Alt. 1, 2, 6 & 8	61,300.00
	Boothwyn, PA 19061	**Total**	**$981,300.00**
	(Lowest Responsible Bidder)		
Mechanical	Vision Mechanical, Inc.	Base Bid + Allowance	$891,138.00
	135 Juniata Street	Alt. 6	11,588.00
	West Reading, PA 19611	**Total**	**$902,726.00**
	(Lowest Responsible Bidder)		
Plumbing and	AKC Mechanical, LLC	Base Bid + Allowance	$553,525.00
Fire Suppression	50 Stream Whistle Drive	Alt. 1 & 6	(1,250.00)
	Warminster, PA 18974	**Total**	**$552,275.00**
	(Lowest Responsible Bidder)		

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

That it does hereby authorize the Mayor and City Clerk to enter into a contract with the aforementioned bidders, in the stated amounts for the Public Works Facility ARPA Project #27.

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

FURTHER, that the designated official shall prepare contracts and the successful bidders shall furnish a Performance Bond in the full amount of their respective contracts in accordance with the specifications and to the satisfaction of City Council and contracts are contingent upon final review and approval of the City Solicitor.

WE HEREBY CERTIFY that this Resolution passed Council this 23rd day of July, A.D. 2025.

_____
MAYOR

Attest:_____
CITY CLERK

R E S O L U T I O N

NO. 86 - 2025

WHEREAS, pursuant to 11 Pa.C.S.A. Section 12010, entitled School crossing guards, the City is required to appoint school crossing guards to control and direct traffic at or near schools; and

WHEREAS, the City of Chester entered into a one (1) year Service Contract with SCM Management, LLC, to provide Safety Advocate Management Services for the 2024-2025 academic calendar year; and

WHEREAS, on January 22, 2025, Chester City Council approved Resolution 21-2025, to amend the Service Contract with SCM Management, LLC to increase the number of safety advocates by four (4); to add four (4) additional locations that have been identified as necessary; and to increase the hours for safety advocates at specified locations for the remaining 84 school days of the 2024-2025 academic calendar year, effective February 1, 2025; and

WHEREAS, the Parties desire to extend the term of the original Service Contract and its amendment to cover the 2025-2026 academic year.

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

That it does hereby approve extending the current Service Contract and its amendment, with SCM Management, LLC, for the 2025-2026 academic year, in an amount not to exceed $_____, with the Chester Upland School District, as required by law, to pay 50% of the all cost of the aforementioned Contract, which sum shall be paid at the time or times as agreed upon between the City and the School District.

FURTHER, it does hereby authorize the Mayor to execute the extension to the Service Contract for and on behalf of the City of Chester.

WE HEREBY CERTIFY that this Resolution passed Council this 23rd day of July, A.D. 2025.

_____
MAYOR

Attest:_____
CITY CLERK

R E S O L U T I O N

NO. 87 - 2025

THE COUNCIL OF THE CITY OF CHESTER DOES RESOLVE:

That it does hereby engage the services of EJM Advisory Firm, LLC, to provide ongoing analysis of the Chester Police Department Operations & Ad hoc Advisory Services, for a 12-month period, for an annual amount of $12,000.

FURTHER, that it does hereby authorize the proper City official to execute any documents necessary for the engagement of services for and on behalf of the City.

WE HEREBY CERTIFY that this Resolution passed Council this 23rd day of July, A.D. 2025.

_____
MAYOR

Attest: _____
CITY CLERK

R E S O L U T I O N
NO. 88 – 2025

A RESOLUTION OF THE CITY OF CHESTER, DELAWARE COUNTY, COMMONWEALTH OF PENNSYLVANIA, ESTABLISHING PROCEDURES AND ADOPTING POLICIES TO ADDRESS THE RECEIPT, RETENTION, REQUESTS, RESPONSES, AND DISSEMINATION OF INFORMATION CONTAINING CONFIDENTIAL SECURITY INFORMATION RECEIVED BY THE CITY OF CHESTER FROM A PUBLIC UTILITY.

WHEREAS, it is necessary and prudent for the City of Chester to establish procedures for public utilities to follow when filing records with the City of Chester containing confidential security information;

WHEREAS, it is necessary and prudent for the City of Chester to establish procedures to address challenges by members of the public to a public utility's designation of confidential security information or requests to examine records containing confidential security information in both adversarial and non-adversarial proceedings pending before the City of Chester or a court of competent jurisdiction;

WHEREAS, it is necessary and prudent for the City of Chester to establish procedures for dissemination of public utility records that are public in nature and subject to the Right-to-Know Law; and

WHEREAS, it is necessary and prudent for the City of Chester to establish procedures for the retention and maintenance of public utility records that are to be treated as containing confidential security information and not subject to the Right-to-Know Law.

NOW, THEREFORE, BE IT RESOLVED, by the City of Chester Council, the following Resolution is hereby adopted.

WE HEREBY CERTIFY that this Resolution passed Council this 23rd day of July, A.D. 2025.

_____
MAYOR

Attest:_____
CITY CLERK

CONFIDENTIAL SECURITY INFORMATION

SECTIONS:

1. Purpose.
2. Definitions.
3. Filing procedures.
4. Challenge procedures to confidentiality designation.

Authority

The provisions of this Resolution are issued under the Public Utility Confidential Security Information Disclosure Protection Act (35 P. S. §§ 2141.1—2141.6, unless otherwise noted.

Source

The provisions of this Resolution were adopted July 23, 2025, effective July 23, 2025 unless otherwise noted.

§ 1. Purpose.

This chapter establishes procedures for public utilities to follow when filing records with the City of Chester containing confidential security information under Act 156 (Act 156), and procedures to address challenges by members of the public to a public utility's designation of confidential security information or requests to examine records containing confidential security information in both adversarial and non-adversarial proceedings pending before the City of Chester or a court of competent jurisdiction.

§ 2. Definitions.

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

Act 156—The Public Utility Confidential Security Information Disclosure Protection Act (35 P. S. §§ 2141.1—2141.6).

City of Chester – The City of Chester, Delaware County, Pennsylvania.

Challenger—A member of the public that challenges a public utility record as constituting confidential security information.

Confidential security information—The term as defined in section 2 of Act 156 (35 P. S. § 2141.2).

Facilities—The term as defined in section 2 of Act 156.

Mass destruction—The term as defined in section 2 of Act 156.

Member of the public—The term includes a legal resident of the United States, a public utility, the City of Chester, the Office of

Consumer Advocate, the Office of Small Business Advocate or authorized City of Chester employees.

Public utility—The term as defined in section 2 of Act 156.

Office of Open Records— The City of Chester Office of Open Records.

Requester—A member of the public that requests to examine a public utility's confidential security information but who is not challenging the designation.

Right-to-Know Law—65 P. S. §§ 67.101—67.3104.

Terrorist act—The term as defined in section 2 of Act 156.

§ 3. Filing procedures.

(a) *Maintenance of records onsite*. Unless required by order or other directive from the City of Chester or its staff that records containing confidential security information shall be filed with the City of Chester, public utilities shall do the following:

(1) Maintain any record containing confidential security information onsite.

(2) Certify that the record is present and up-to-date consistent with Chapter 101 of Act 156 (relating to public utility preparedness through self-certification).

(3) Make the record containing confidential security information available for review upon request by authorized City of Chester employees.

(b) *Filing requirements*. When a public utility is required to submit a record that contains confidential security information to the City of Chester, the public utility shall do the following:

(1) Clearly state in its transmittal letter to the City of Chester that the record contains confidential security information and explain why the information should be treated as confidential. The transmittal letter will be treated as a public record and may not contain any confidential security information.

(2) Separate the information being filed into at least two categories:

(i) Records that are public in nature and subject to the Right-to-Know Law.

(ii) Records that are to be treated as containing confidential security information and not subject to the Right-to-Know Law.

(3) Stamp or label each page of the record containing confidential security information with the words "Confidential Security Information" and place all pages labeled as containing confidential security information in a separate envelope marked "Confidential Security Information."

(4) Redact the portion of the record that contains confidential

security information for purposes of including the redacted version of the record in the public file.

(c) *Public utility's responsibility*. The public utility has the responsibility to identify records as containing confidential security information. When the public utility fails to designate a record as containing confidential security information, it does not obtain the protections offered in this Resolution and in Act 156. Any record that is not identified, stamped and separated as set forth in subsection (b), may be made available to the public under the Right-to-Know Law.

(d) *City of Chester's responsibility with marked records.* When a public utility files a record containing confidential security information, the unopened envelope will be given to the City of Chester employee authorized to review the filing. The authorized person will make a preliminary determination whether the information has been properly designated in accordance with the definition of confidential security information under Act 156. If the marked information is deemed to have been improperly designated, the authorized person will give the submitter an opportunity to resubmit the record without the improper designation. If the submitter disagrees with this preliminary determination and advises the authorized person, the authorized person may submit the dispute to the City of Chester Solicitor's Office for determination as a challenge in accordance with §4 below (relating to challenge procedures to confidentiality designation).

(e) *Status of previously filed unmarked records*. Records containing what would otherwise be deemed confidential security information already on file at the City of Chester prior to May 29, 2007, the effective date of Act 156, are not covered by the protections offered in this Resolution and in Act 156. To obtain the protections, the public utility shall resubmit and replace the existing records by following the filing procedures provided for in this section. When a public utility's filing is intended to replace pre-Act 156 filed records, the City of Chester will waive any otherwise applicable filing fee. Within 30 days of refiling the records containing confidential security information, the City of Chester will destroy the original pre-Act 156 filed records, with a certification of destruction provided to the public utility or will return the records to the public utility by a secure method.

(f) *City of Chester's responsibility with unmarked records*. When a request is made by a member of the public for an existing record that is not marked "Confidential Security Information" and City of Chester staff has reason to believe that it contains confidential security information, staff will refer the requested record to the City of Chester Solicitor's Office for review. If the Solicitor's Office determines the record may contain confidential security information, the Solicitor's Office will provide the affected public utility with written notice of its determination and give it an opportunity to resubmit and replace the record with a copy that is marked "Confidential Security Information" pursuant to subsection (e).

Failure by the public utility to respond to the written notice within 15 days from the date of the notice shall be deemed a negative response as to whether the record contains confidential security information.

(g) *Electronic submissions*. The City of Chester does not authorize the use of e-mail or any other electronic mail system to transmit records containing confidential security information.

§4. Challenge procedures to confidentiality designation.

(a) *General rule for challenges or requests to review*. When a member of the public challenges the public utility's designation of confidential security information or requests in writing to examine confidential security information, the City Right to Know Officer will issue a Notification Letter within 5 days to the public utility notifying the public utility of the challenge to its designation or the request to examine records containing confidential security information.

(1) The matter will be referred to the City of Chester Solicitor's Office for recommended disposition by the City of Chester.

(2) The City of Chester will have up to 60 days from the date the challenge or written request to review is filed with the City Right to Know Officer to render a final decision. During the 60-day review period, the following process shall be used:

(i) For identification purposes, the challenger or requester, if not a statutory advocate or City of Chester employee, shall provide his full name, address, telephone number and a valid photo identification if an individual, and/or its certification number, address and telephone number if it is a Pennsylvania utility.

(ii) For challenges, the challenger shall provide, at the time it files the challenge, a detailed statement explaining why the confidential security information designation should be denied.

(iii) For requests to review, the requester, if not a statutory advocate or City of Chester employee, shall provide, at the time it files the request, a detailed statement explaining the particular need for and intended use of the information and a statement as to the requester's willingness to adhere to limitations on the use and disclosure of the information requested.

(iv) The public utility shall have 15 days from the date the Notification Letter is received from the City Right to Know Officer to respond to the challenger's or requester's detailed statement in support of its position.

(v) The City of Chester Solicitor's Office will have 15 days from the date the public utility's response is received by the Office of Open Records to issue its recommended disposition to the City of Chester.

(b) *Relevant factors to be considered for requests to review*. The City of Chester will apply a balancing test that weighs the sensitivity of the

designated confidential security information and the potential harm resulting from its disclosure against the requester's need for the information. Applying this balancing test, a written request to review a record containing confidential security information will be granted only upon a determination by the City of Chester that the potential harm to the public utility or to the public of disclosing information relating to the public utility's security is less than the requester's need for the information. If the City of Chester determines that there are reasonable grounds to believe disclosure may result in a safety risk, including the risk of harm to any person, or mass destruction, the City of Chester will deny the request. In determining whether to grant a written request to review a record containing confidential security information, the City of Chester or the Solicitor's Office will consider, along with other relevant factors, the following:

(1) The requester's willingness to sign a nondisclosure agreement prepared by the City Solicitor's Office. The agreement shall be executed prior to any release of confidential security information.

(2) The requester's willingness to consent to a criminal background check.

(3) The conditions, if any, to place on release of the information and the requester's willingness to consent in writing to comply with these conditions.

(c) *Written notification of disposition*. The City of Chester will provide, within the 60-day period, written notification of its decision on confidentiality to the public utility and the member of the public that requested to examine the records containing confidential security information or challenged the designation made by the public utility. Failure by the City of Chester to act within the 60-day period will be deemed a denial of the challenge or the request to review. In the written notification, the City of Chester will affirmatively state whether the disclosure would compromise the public utility's security against sabotage or criminal or terrorist act. When the City of Chester determines that a request for review will be granted, this grant may not invalidate or otherwise affect the record's designation as containing confidential security information for any other purpose, request, or challenge.

(d) *Appeal of City of Chester decision*. The City of Chester's decision on confidentiality under this chapter will be issued by order adopted at a public meeting. The public utility and member of the public shall have up to 30 days following entry of this order to file an appeal in Commonwealth Court.

(e) *Treatment of records during pendency of review*. During the challenge, request to review, or an appeal of the City of Chester's final determination, the City of Chester will continue to honor the confidential security information designation by the public utility.

(f) *Access for statutory advocates*. Authorized individuals, as provided

for in Act 156, employed by the statutory advocates shall be provided with access to confidential security information on file with the City of Chester when they provide the City of Chester with a justification for the need of the information and execute access agreements with the City of Chester that summarize responsibilities and personal liabilities when confidential security information is knowingly or recklessly released, published or otherwise disclosed. The City of Chester will provide written notice to the affected public utility prior to disclosure of the confidential security information to the requesting statutory advocate.

(g) *Access for City of Chester staff, City Solicitor and City counsel*.

(1) Unopened envelopes marked "Confidential Security Information" filed with the City of Chester will be given only to City of Chester employees authorized to review the information as provided for in Act 156. Authorized City of Chester employees will execute access agreements that summarize responsibilities and personal liabilities when confidential security information is knowingly or recklessly released, published, or otherwise disclosed. City of Chester employees may decline designation as authorized individuals. City of Chester employees that agree to the designation will have their names added to the Authorized Access List maintained by the City of Chester's Office of Open Records. The City of Chester will withdraw designations when the employee no longer requires access to confidential security information because of a change in duties or position or when the employee fails to attend required training.

(2) The City Solicitor, any attorney or paralegal employed by the City Solicitor and any attorney engaged by the City may review and access confidential security information. All such individuals shall be identified on the Authorized Access List maintained by the City of Chester's Office of Open Records. The City Solicitor shall ensure that all necessary measures are taken to preserve the confidentiality of confidential security information made available to such individuals.

(h) *Discovery requests in adversarial proceedings*. The challenge and request to review procedures described in this chapter do not apply to exchanges of documents among parties in adversarial proceedings pending before a court of competent jurisdiction. In adversarial proceedings, a party wishing to limit availability of records containing confidential security information must move for an appropriate protective order before the presiding officer in accordance with accepted rules and procedures for issuing protective orders.