

**Board of Supervisors Regular Meeting held Tuesday March 16, 2004**

A regular meeting of the Board of Supervisors was held on Tuesday March 16, 2004 commencing at 9:00 a.m. Chairman Mr. Garris called the meeting to order. Present were Supervisors Mr. Doratt and Mr. Hensel, Mr. Pompo Township Solicitor, Mr. Lowry Township Zoning Officer/Building Inspector, Mr. MacCombie Township Engineer, and members of the community.

A moment of silence was observed along with the pledge of allegiance.

Mr. Garris stated that Sergeant Ranck was at an accident and could not be there to give a report. Mr. Garris stated that Chief Groce put in writing a request to purchase software and installation from Informant Technologies Inc. in the amount of \$4,255.00 and a request for a radio modem and software to install a mobile data computer in the police office, this will allow the officers to receive a hard copy of the complaints from the dispatcher so they can be entered into the new records management software. Mr. Garris stated that both items were budgeted in the police capital budget.

Mr. Garris made a motion, seconded by Mr. Doratt, to approve the records management upgrade request to purchase software and installation from Information Technologies, Inc. in the amount of \$4,255.00 and a radio modem to install mobile data in the police office in the amount of \$4,470.00. With there being a question from Robert Silvernail, being answered by the Board, the Board voting “aye”, the motion passed unanimously.

**Township Engineer report.** Mr. MacCombie stated that he has prepared a construction release for Electronics Boutique erosion and sedimentation control measures in the amount of \$114,841.50 for the Boards approval.

Mr. Doratt made a motion, seconded by Mr. Garris, to approve the \$114,841.50 release to Electronics Boutique upon the recommendation of Mr. MacCombie. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Mr. MacCombie gave the Township Secretary a copy of the Pennsylvania American Water Company 2003 Waste-load Management Report Survey for the file. Mr. MacCombie stated that he has reviewed the bids regarding the Greenbelt Drive Bridge and have found that the low bidder being Cassidy & Sons bidding \$79,209.00 have no experience in bridgework. Mr. MacCombie stated that the specs show you must be qualified and show capability of doing that type of work, and they have no expertise to do that. Mr. MacCombie stated the second lowest bidder is J.D. Eckman and they have the experience. The Board recommended that Mr. Pompo review the bids and advise them at the next regular meeting. Mr. MacCombie reported that the comminutor (grinder that protects the pumps) is broken, and is no longer under warranty. Upon inspection they found that the overload should be set at 6 or 7 amps and was turned all the way up, this caused damage to the cutting teeth portion of the unit. Mr. MacCombie suggested contacting the insurance company and advise them of the damage to the pump station. Mr. MacCombie supplied the Board with a quote for repair with several options. Repair

option #1 including labor is to replace both drive gears, reuse all cutters, replace seals and bearings, reassemble unit, install and test for a cost of \$9,575.00. Repair option #2 including labor is to rebuild the entire lower unit with new cutters and drive gears and spacer for a cost of \$20,440.00. Mr. MacCombie stated that this is an emergency repair so the job does not need to go out for bid.

After discussion Mr. Garris made a motion, seconded by Mr. Doratt, to pay Municipal Maintenance Company, Inc. \$9,575.00 to repair the broken comminutor. With there being a question from John Lymberis regarding a warranty on the repair, Mr. MacCombie answered yes. With the Board voting "aye", the motion passed unanimously.

Mr. MacCombie gave the Board a quote from Signal Service regarding the installation of preemption emitter in each emergency vehicle to use on the 10 & 30 traffic signal. Mr. MacCombie stated that Wal-Mart agreed to provide preemption emitters to the Township; Mr. MacCombie believes that 6 were agreed on but Mr. Pompo thought the number was lower. The Board suggested that we talk with West Sadsbury and with the Township Fire Company. No action was taken at this time, Mr. Garris tabled until the next regular meeting. Mr. MacCombie presented the Board with a De-Tour Plan from West Caln Developers requesting to close Old Wilmington Road and run a de-tour during their sanitary sewer construction. The Board agreed to keep Old Wilmington Road open. Mr. MacCombie stated that he attended the habitat training that was held on Saturday March 6, 2004 at the Bert Reel Park, he stated that Jane Heineman was also in attendance. Mr. MacCombie stated that they tested the waters and stated that the Buck Run was in healthy condition.

**Solicitor report.** Mr. Pompo reported that there is a Crip program that offers landowners grants to buy landscaping material to maintain vegetation. Mr. Pompo also stated that he received the measurements of Julie Drive and Culvert Street and liquid fuels will pay approximately \$275.00 maintence of the roads. Mr. Pompo believes that Parkesburg Borough may not want to maintain Julie Drive and North Culvert Street in the winter. The Board instructed Mr. Pompo ask Parkesburg Borough what they want to maintain these roads in the winter.

**Zoning report.** Mr. Lowry stated that a public water survey went to all residents in Pomeroy Heights, 109 surveys went out with 36 positive responses. Mr. Lowry sent Mr. Zydinsky a complaint letter; Mr. Zydinsky has filed a grading permit application. Mr. Lowry stated that Norwood Construction (Electronic Boutique) is requesting an extension of work hours from 7-6 to 6-9 instead. They are also requesting around the clock work hours for the pouring of the concrete floor and have agreed to pay all Township inspection fees. Mr. Doratt asked how long will they need the extended hours, Mr. Wright (representative of Norwood) stated earth work should last until the end of April and the pouring of the slab in late May. Mr. Wright stated the around the clock work should last approximately 1 week to 1 ½ weeks to pour the slab and the truck noise should be confined to inside the building. The Board stated they would take public comment and make a decision at the end of the meeting. Mr. Lowry stated the uniform

construction code becomes law on April 9, 2004 and the Township must decide if they are going to opt in or opt out. Opting in means the Township will enforce the code, if the Township decides to opt out that means the Township will not enforce the code, the stated and labor and industry will take over and residents will be forced to hire a third party agency, this mean the Township loses control. Mr. Lowry suggested to the Board to opt in.

Mr. Garris made a motion, seconded by Mr. Doratt, to opt in for the uniform construction code. With there being a question from Robert Silvernail and John Lymberis being answered by Mr. Lowry, the Board voting “aye”, the motion passed unanimously.

Mr. Hensel stated that he has a request from the road department for gloves, hard hats, safety vests and first aide kits in the amount of \$246.12.

Mr. Garris made a motion, seconded by Mr. Hensel, to approve \$246.12 for the road department to get gloves, hard hats, safety vests, and first aide kits. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Mr. Lowry stated the second bridge on Compass Road has a bump. The Board instructed Mr. MacCombie check it out and report back at the next regular meeting.

Mr. Garris stated the Board desire's to re-open an extension of Old Mill Road to Octorara Road. Mr. Pompo stated that in 1966 an Ordinance was advertised to vacate that part of Old Mill Road but the minutes showed that the Ordinance was never adopted but the Board agreed to close the road but not to vacate the road. Mr. MacCombie stated his concerns with the reopening of Old Mill Road are the rights to public use have been lost. It has been 21 years since the road has not been in service, although the right of way still exists the Board must take action to make the road public again. Mr. Pompo will look into and prepare the documents.

Stephanie Silvernail asked how long will it be before dirt bikes and 4 wheelers use this road? The Board stated that they don't know.

Robert Silvernail asked what part of the park do they want to access. Mr. Hensel stated all the park ground, it will be nice to walk the trail and have that portion of the road open again.

The Board received a letter from Kimberly Schmelzer requesting the reimbursement of \$625.00 which represents  $\frac{1}{2}\%$  transfer tax that she paid when she did a transfer of her home from sister and husband to sister and husband. Mr. Pompo stated that it clearly states in our Township ordinance that transfer taxes are exempt.

Mr. Garris made a motion, seconded by Mr. Doratt, to pay Kimberly Schmelzer \$625.00 of her  $\frac{1}{2}\%$  transfer taxes that she paid during settlement. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Mr. Bob Ferrucci made a request to the Board to seek approvals to run parallel with the AIM subdivision. Mr. Ferrucci stated that an agreement would be signed today between AIM and Keystone Helicopter this will allow Keystone to submit at the same time as AIM. The Board decided to table any decision regarding Keystone submissions until they get more information from the Township engineer. No action was taken the Board tabled this request until the April 6, 2004 regular Board meeting.

Mr. Doratt made an announcement that Saturday April 3, 2004 at 8:00a.m. will be Sadsbury Spring Clean Up day, to meet at the Municipal Building. Clean up will begin on Old Wilmington Road down to Bert Reel Park, with free t-shirts, free lunch. Mr. Doratt will talk to the Township Police to get their support and slow down the traffic, Mr. Hensel will talk with the road department to pick up the trash bags. The Township Secretary to contact Pen Dot to discuss the clean up day and obtain vests and gloves and to contact BFI to pick up the extra trash. Mr. Garris stated that there would probably be a tire day in the spring.

The Board discussed Electronics Boutiques escrow documents being prepared by Mr. MacCombie, and he stated he is near completion of these agreements, and stated that everything is in order to sign the plans if they desired to do so.

Mr. Garris made a motion, seconded by Mr. Doratt, to authorize signatures on the land development agreements of Electronics Boutique contingent Mr. MacCombie approve the escrow and Mr. Pompo approving the final plan agreements. With there being no questions from the public the Board voting “aye”, the motion passed unanimously.

#### Public Comment:

John Newton made a comment that in industrial development stages lot lines change several time throughout the process.

Terry Muto stated that he would have like the Board to approve Keystone to run parrell with AIM.

Robert Silvernail suggested that Electronics Boutique pour concrete during the day and do their finish work in the evening.

Tammy Pawling submitted results of the SOS Land Development Resident Survey to the Supervisors and asked for their opinion? The Board stated at this time they have no opinion.

John Lymberis commented “Hats off“ to Dawn Barkley for organizing a Sadsbury clean up day.

Faye Thompson stated that she has school age children that go to bed at 8:30 and she prefers not working with trucks pulling in Electronics Boutique all nite. The Board asked her if working hours were 6 to 8 with no Sunday’s. Faye stated that would be fine.

Mr. Garris made a motion, seconded by Mr. Doratt, to temporarily allow Electronics Boutique contractors work until 8 p.m. during the night and run concrete trucks in as long as they keep it as quiet as possible. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

With there being no further business the meeting was adjourned.

Respectfully Submitted,

Lisa Myers  
Secretary/Treasurer