

Board of Supervisors Regular Meeting Tuesday April 4, 2006

The Board of Supervisors conducted a regular meeting held on Tuesday April 4, 2006 commencing at 7:00 p.m. Chairman Hensel called the meeting to order. Present were Supervisors Ms. Silvernail, and Mr. Doratt, Mr. Pompo Township Solicitor, Mr. Lowry Township Zoning Officer/Building Inspector, Mr. MacCombie Township Engineer and members of the community.

The moment of silence and pledge of allegiance were observed.

Mr. Hensel made a motion, seconded by Mr. Doratt, to waive the reading of the previous meetings minutes. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Mr. Hensel made a motion, seconded by Ms. Silvernail, to adopt the minutes of the previous meetings. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Township Police report. Chief Groce reported that during the month of March 5,928 miles were patrolled and 389 incidents were handled, they were for: 6 criminal mischief, 1 theft, 3 suspicious persons, 114 stationary patrols, 2 911 hang ups, 114 business checks, 12 alarms, 25 assist to other departments, 3 animal, 1 domestic, 5 accidents, 4 harassment, 1 burglary, 6 disturbances. The Chief reported that 67 traffic citations were issued for the month and 10 criminal arrests were made for 3 warrants, 1 DUI, 1 false report, 2 public drunkenness, 2 fleeing and eluding, 1 furnishing tobacco to a minor.

Township Engineers report. Mr. MacCombie reported that he has reviewed several grading permit applications for lot 39 of Octorara Glen Subdivision, a swimming pool for Erik Brecht, Somewhere Saloon, all three applications are compliant. Mr. MacCombie stated that a meeting has been scheduled for April 25th regarding the Sadsburyville Village Enhancement Plan to discuss the scope of the project and the plan to proceed. Mr. MacCombie stated that he would meet with Chris William representing McMahon Associates on Thursday April 6, 2006 at 2:30 to discuss the Pomeroy Heights traffic issues. Mr. MacCombie stated that last year the Board of Supervisors motioned to spend \$10,000.00 to bring the sanitary sewer laterals in closer to the homeowners along Old Wilmington Road, this would allow the residents along that stretch to tap into the sanitary sewer. Mr. MacCombie stated that (6) residents are effected and Temporary Sewer Construction Easements were mailed out to the residents with only (2) returning them. Mr. Hensel suggested that the project move forward with an expiration date, meaning those who do not get on board will have the expense of moving the line closer.

Mr. Hensel made a motion seconded by Mr. Doratt, to give (90) days to the Old Wilmington Road residents to reply to the easement requests to move the line within 150’ away from their homes. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Mr. MacCombie stated that he has prepared construction completion releases for the Boards approval they are for: Total Systems Designs in the amount of \$48,057.80, Ethermore & Associates in the amount of \$15,146.74, Octorara Glen in the amount of \$12,716.18, Lionville Systems in the amount of \$72,401.06, Keystone Ranger in the amount of \$1,130.00.

Mr. Doratt made a motion, seconded by Mr. Hensel to approve construction completion release to Total Systems Designs in the amount of \$48,057.80 per Mr. MacCombies recommendation. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Mr. Doratt made a motion, seconded by Ms. Silvernail to approve construction completion release to Ethermore & Associates in the amount of \$15,156.74 per Mr. MacCombies recommendation. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Mr. Doratt made a motion, seconded by Mr. Hensel to approve construction completion release to Octorara Glen in the amount of \$12,716.18 per Mr. MacCombies recommendation. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Mr. Doratt made a motion, seconded by Ms. Silvernail to approve construction completion release to Lionville Systems in the amount of \$72,401.06 per Mr. MacCombies recommendation. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Mr. Doratt made a motion, seconded by Mr. Hensel to approve construction completion release to Keystone Ranger in the amount of \$1,130.00 per Mr. MacCombies recommendation. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Mr. MacCombie reported that he has received proposals for the core testing on Washington Lane. The proposals are as follows: Ambric Technology in the amount of \$4,225.00, Earth Engineering in the amount of \$2,405.00, Valley Forge Labs in the amount of \$2,160.00 and Geotech Consultants in the amount of \$3,700.00. Mr. Hensel asked Mr. MacCombie is one is more qualified than the other? Mr. MacCombie replied that they are all good. Mr. Hensel stated that he would like to have Hoffman Avenue done at the same time.

Mr. Hensel made a motion, seconded by Mr. Doratt, to accept the proposal of Valley Forge Labs complete the core testing for Washington Lane and Hoffman Avenue. With there being no questions from the public the Board voting “aye”, the motion passed unanimously.

Mr. MacCombie stated that the communitor has failed at the sanitary sewer pump station, he stated that the communitor which acts as a chewer or grinder has had one major repair

in the past 4 to 5 years its been in service. Mr. MacCombie stated that the chewer's job is chew and grind items before they reach the (2) pumps and currently the communitor is out of service. Mr. MacCombie stated that the last repair to the communitor was turned into the insurance company for payment, but this is not an insurance claim. Mr. Hensel stated that this should be considered a line item for the next yearly budget. Mr. MacCombie received a quote from Municipal Maintenance Company and to repair the cutter assembly will cost \$22,500.00, to replace the cutter assembly will cost \$21,250.00. Mr. Doratt asked if we could purchase a maintenance program, Mr. MacCombie stated the Township has one in place for a generator and one for maintenance, no agreement on cutter assembly.

Mr. Hensel made a motion, seconded by Mr. Doratt, to hire Municipal Maintenance Company to replace the cutter assembly to cost \$21,500.00. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Township Solicitor report. Mr. Pompo stated that the Board met in executive session before the regular meeting to discuss the Barkman Landfill matter. Mr. Pompo suggested that the Board enter into an agreement, which would cost \$16,895.00 split (4) ways, which would equal \$4,284.00 each.

Mr. Hensel made a motion, seconded by Ms. Silvernail, to enter into the Barkman Landfill matter agreement with Roux Environmental Consultants to study to cost \$4,284.00. With there being no questions from the public the Board voting "aye", the motion passed unanimously.

Mr. Pompo announced that the Board of Supervisors met in executive session with the Chester County Airport Authority on Tuesday March 28, 2006 at 9:00 a.m.

Township Road report. Mr. Doratt reported that the potholes on Compass Road, North Street, Skyles Road and Leike Road have been repaired. A culvert was uncovered on Skyles Road; extensions were put on the end of both culverts to make them a safe distance from the road. Millings were placed on the edge of Skyles Road to build up low spots and widen narrow spots. Work has begun to replace the drain on Old Mill Road. The fluids, belts and hoses are checked daily in all Township equipment. The parking brake was repaired on the John Deere tractor, which is under warranty. Nothing to report in the Parks. Total vehicle miles are 712 and total hours are 56.9.

Township Planning Commission report.

Township Zoning report. Mr. Lowry reported that 46 inspections have been performed, 101 inquires have been answered. 13 permits were issued in March for 4 signs, 1 spray booth, 1 storage building, 1 shed, 1 alteration, 1 pool, 1 spray booth, 1 zoning permit for diesel shanty & bunk feeder, 1 zoning permit for a shed and 1 for a foundation/office warehouse. Mr. Lowry stated that the Zoning Hearing Board heard 3 applications on March 20, 2006 for Castle for a proposed winery which was approved, Tractor Supply for a larger sign, application was denied, Shoemaker to expand a non conforming use and

structure, the Board will render a decision on April 11, 2006. Mr. Lowry stated that the Uniform Construction Code requires that Township's set up an appeals board. Mr. Lowry stated that the candidates should have a construction background. Mr. Lowry suggested the Board consider appointing Dave Reynolds and Mark Wagner to the appeals board. Mr. Lowry stated that if its possible for advertisement be placed in the Township newsletter get the third member.

Mr. Hensel made a motion, seconded by Mr. Doratt, to appoint Dave Reynolds and Mark Wagner to the UCC Appeals Board. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Lowry stated that he has been in contact with Alan Jarvis who represents David Carr and the grading issues at Old Mill Road and the Demarest property. Mr. Hensel asked what kind of legal action could be taken to get this matter settled. Mr. Pompo stated that normally that's the reason for the escrow account, but since the checks were not deposited action can be taken to enforce the terms of the permit.

Mr. Hensel made a motion, seconded by Mr. Doratt, to take legal action against Mr. David Carr regarding the grading issues at the Demarest property on Old Mill Road. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Pomeroy Fire Company report. Mr. Taylor reported 15 alarms were answered for the month of March for 1 auto accident, 2 auto alarm, 1 brush, 1 electrical fire, 1 forcible entry, 4 house, 1 smoke investigation, 2 standby, 1 vehicle, 1 woods. Total hours in service were 12 hours and 8 minutes.

Sadsburyville Fire Company report. Mr. Doratt reported 15 alarms were answered for the month of March for: 3 auto accidents, 1 ambulance assist, 2 automatic alarm, 2 fields, 1 trees, 5 assists to other departments. Total hours in service were 11 hours 1 minute.

Emergency Services Coordinator Update: Mr. Taylor reported that he has gotten several Knox box authorization request forms. Mr. Taylor reported that Cumberland Insurance Company is hesitant on using a Knox box, stating they are asking questions like is the Township fire company bonded? Mr. Taylor stated that he knows that Pomeroy Fire Company has a bond but isn't sure about Sadsburyville. Mr. Hensel requested the Township secretary to draft a letter to Sadsbury and request a copy of their bond. Mr. Taylor stated Cumberland is also hesitant because they do not want to cut or drill a hole into their brick.

C-2 Task Force Meeting Update: Ms. Silvernail reported that the C-2 Committee met on March 15, 2006, issues discussed were parking, landscaping and buffering, loading areas, community character, scale of buildings, building heights, dining, parking, decks, public element, police sub station to be considered in the Ordinance. The next meeting will outline ideas from the committee. O'Neil properties will conduct a power point presentation at the next meeting scheduled for April 5, 2006 at 6 p.m.

Park Commission report. Mr. Doratt stated that the first park board meeting was held and 2 new members have joined the commission. Mr. Doratt stated that Community Day is scheduled for August 26, 2006, and volunteers are needed to help work the refreshment stand during ball games through the spring and summer months. Mr. Doratt stated that during the park meeting Mr. Pluck volunteered to replace the 12' chain link fence for the backstop. Mr. Doratt stated after inspection of the back stop the fence seems to be fine the posts are rotted out, therefore Mr. Doratt got 3 proposals for replacement of the back stop. Mr. Doratt stated the backstop measures 19' x 6' x 44' and the cost is \$3,900.00. Mr. Doratt recommended that the Township pick up the costs and have the road crew install the backstop. After discussion the purchase request was tabled due to freight costs being up to \$400.00 making the total cost \$4,300.00. Mr. Doratt stated the park committee is requesting purchasing new playground equipment and would like to Township to match the funds dollar for dollar spent by the park committee. Mr. Hensel stated that the Township is eligible to re-apply for the park improvements grant. If the Township gets awarded this grant money it would apply for next year. The Board tabled the matching funds grant from the Township.

Mr. Hensel made a motion, seconded by Mr. Doratt, to pay the March invoices in the amount of \$57,066.87. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Hensel made a motion, seconded by Ms. Silvernail, to pay the March payroll in the amount of \$36,938.64. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Hensel made a motion, seconded by Mr. Doratt, to pay the March sanitary sewer invoices in the amount of \$26,309.85. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Hensel made a motion, seconded by Ms. Silvernail, to pay N. Abbonizio Contractors in the amount of \$283,422.67. With there being no questions from the public the Board voting "aye", the motion passed unanimously.

Tabled Business:

The Board discussed the job description appendix that will be added to the personnel policy handbook. Mr. Pompo stated that he has reviewed and made a few corrections to the job descriptions and they are in order.

Mr. Hensel made a motion, seconded by Mr. Doratt, to approve the job description appendix. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

New Business:

Richard Johnson of Advanced Wastewater Engineering, Inc. representing the former Gregg Property presented the Board with a request to prepare a permit for a small flow treatment facility for 317 Old Mill Road. Mr. Johnson stated that there is no current stream discharge within the Township, and that this property's soil could not handle sewer. Mr. Doratt asked if pump and haul was an option? Mr. Johnson stated that there is a long-range cost to pump and haul every 10 days. The Board asked if the current property owner has talked to any neighbors to get an easement grant to place on site sewer at that location? Mr. Johnson states that the adjoining property has a failing system, Mr. Hensel recommended the property across the street. The Board asked how much discharge into the stream was needed? Mr. Johnson stated approximately 500 gallons a day. The Board asked who maintains the quality of the water? Mr. Johnson stated that the homeowner must pump the system once a year and maintain the chemicals. Mr. Johnson also stated that a stream discharge would require an agreement between the owners, Township and DEP. The Board asked Mr. Pompo could the Township legally say no to this request? Mr. Pompo answered that the Township would have to enter into an agreement between Sadsbury and DEP; it doesn't mean the Township has to agree. The Board agreed that all alternatives must be exhausted before they agree to do this. Mr. Johnson is to supply the Board with samples of agreements.

Susan Franco requested changing the monthly Quarry Ridge Homeowner association meetings from Friday to Sunday. Ms. Franco stated that the residents just could not make the Friday evening meetings as well as the Sunday evening meetings.

Mr. Hensel made a motion, seconded by Mr. Doratt, to move the Quarry Ridge Homeowners meetings from Friday evenings to Sunday evenings. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

After discussion, Mr. Hensel made a motion, seconded by Mr. Doratt, to approve the request of the Coatesville Area Fallowfield Fillies to use the softball park known as Sadsbury Park Monday through Friday 6 p.m. to 8:30 p.m. and Saturday's 9:00 a.m. to 4 p.m. With there being no questions from the public the Board voting "aye", the motion passed unanimously.

After discussion, Mr. Hensel made a motion, seconded by Ms. Silvernail to move the Township's Capital Reserve account into Sovereign Bank with an interest rate of 4.94%. With there being no questions from the public the Board voting "aye", the motion passed unanimously.

Public Comment:

Mr. Doratt reminded Elmer Pluck to get a copy of the Certificate of Insurance for the ball team using the Bert Reel Park.

Gloria Gehman –President of the Sadsbury Village Homeowners Association asked the Board how the Arcadia Development is going to affect Sadsbury Village and stated that

interconnecting to them will create traffic issues. The Board suggested that they take their concerns to the Planning Commission.

Irwin Gehman asked what would happen to the Wild Life Preserve behind Sadsbury Village? The Board stated that there is no Wild Life Preserve there that they know of.

Gloria Gehman asked when the roads of Sadsbury Village would be dedicated? Mr. MacCombie stated that he is still waiting for revised plans to review.

Susan Franco asked if the Board would post the town watch poster? The answer is yes. Ms. Franco asked if it was possible to get more patrols through the development? Ms. Franco stated that they are having issues with vandalism. It appears to be (3) teenage boys and (1) girl on foot with BB guns. Mr. Groce suggested that the Township Police Department should be notified when the teenagers are in the development.

Elmer Pluck asked Mr. Pompo when the Park & Recreation Committee was formed? He also asked if there are bylaws that should be followed and how many officers there should be? Mr. Pompo stated that park improvements are tax deductible and the Township should have a form for donations. Mr. Pluck stated that the Park committee oversees all of their expenses and has a separate checking account set up. Mr. Pompo stated that the park committee may not have a separate checking account that all money must go through the Township. Mr. Pluck stated that currently it is set up separate accounts. Mr. Pompo is to look into these issues and report back.

Earl Taylor asked if the EB building was bought yet? He is receiving a lot of questions regarding hazardous discharge. The Board is unaware of any purchase.

With there being no further questions the meeting was adjourned.

Respectfully Submitted,

Lisa Myers
Secretary/Treasurer

