

Board of Supervisors Regular Meeting Held Tuesday August 1, 2006

The Board of Supervisors conducted a regular meeting held on Tuesday August 1, 2006 commencing at 7:00 p.m. Chairman Hensel called the meeting to order. Present were Supervisors Ms. Silvernail, and Mr. Doratt, Mr. Thompson substitute Township Solicitor, Mr. MacCombie Township Engineer and members of the community.

A 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 Mr. Doratt, 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 for the month of July 5,691 miles were patrolled and 374 incidents were handled for: 6 criminal mischief, 5 thefts, 11 suspicious persons, 53 stationary patrols, 1 911 hang up, 78 business checks, 36 alarms, 17 assist to other departments, 4 animal, 9 domestics, 8 accidents, 3 harassment, 11 disturbances. The Chief stated that 58 citations were issued for: 1 DUI, 1 public drunkenness, 1 harassment, 4 DC, 1 gag. Assault, 3 warrant, 2 possession of drugs, 1 motor vehicle theft, 1 furnishing tobacco to minors, 1 fraud and forgery. Chief Groce stated that Officer Imhoff has completed the Uniform Crime Reporting Class and Justice Network Criminal History Certification.

Township Engineer report. Mr. Herbert MacCombie reported on the pre-emption problem that the emergency personnel is having; once they turn onto Lincoln Highway there isn't enough time once they top the hill, the light is not changing green fast enough to keep the emergency vehicles moving along. Mr. MacCombie made suggestions as to calling signal service to get a price on moving the ommitter location or it could be as simple as a maintenance issue to trim the trees back. Chief Groce stated that he had gotten a price quote approximately a year ago and stated it was under \$5,000.00 to move the ommitter. The Board directed Mr. MacCombie contact signal service to get another quote. Chief Groce added that the last power outage made the traffic signal at Old Wilmington Road and Lincoln Highway go into flash mode, Chief Groce stated upon contacting Signal Service regarding this issue they told him it was a malfunction in the traffic signal and the flashing is not a normal condition. Mr. MacCombie stated that the report is in from Valley Forge Laboratories, Inc. regarding Washington Lane and the conclusion and recommendations are: based on the required minimum thicknesses specified by Penn Dot publication 242, pavement policy manual (2003) the existing roadway does not conform to the minimum Penn Dot specifications for pavement design to accommodate future growth rates and anticipated truck traffic. The existing pavement section is 10.5 inches thick including the stone subbase. A minimum thickness of 12 inches is required including the stone subbase. The existing roadway does not conform to Penn Dot's specification for geometric design. In order to meet these specifications, the existing road would require a full depth widening including the construction of

shoulders. The worn and cracked pavement in the outside lane would require replacement prior to any recommended overlay. Once the cracking is repaired and widened, the existing wearing course would require milling and replacement with additional bituminous concrete binder course and wearing course to conform to Penn Dot specifications. Mr. Hensel asked about placing a weight restriction on Washington Lane now. Mr. MacCombie stated that this report is based on future growth. Mr. MacCombie reported that the sanitary sewer project is near completion for Meeting House Lane the contractors will begin the placement of laterals. Mr. MacCombie stated that the 60 days notice to connect went out to Spring View Manor residents and the clock date is almost up and he has a problem with the residents not tapping in. Mr. MacCombie stated that while placement of the sewer construction 10 residents had to temporarily be hooked into the system and have not paid the tapping fees or received any flow charges and the remaining residents are in failure. Mr. MacCombie stated that Spring View Manor was in violation with the health department for a failing sewer system and the residents came to the Township to plea their case, the Township took the fast track and placed the sewer lines in the development and the residents are not paying their fees. The Board directed Mr. Thompson to review the Sewer Ordinance and enforce it. The Board directed Mr. MacCombie to contact the health department regarding Spring View Manor Sewer. Mr. MacCombie stated that Maple Avenue sanitary sewer construction has not been completed. Mr. MacCombie stated the Bonsall School Road is the next location for placement of sewer. Mr. MacCombie reported that he has prepared construction releases for the Boards approval for: Sadsbury Village in the amount of \$32,533.93, a construction release for Cosmos in the amount of \$29,252.22 and \$11,846.94, a release for Octorara Glenn in the amount of \$3,822.50, a construction release for Sadsburyville Hotel in the amount of \$37,158.40, a construction release for Lionville System in the amount of \$35,952.55 and \$58,622.97, a letter of credit reduction for Tractor Supply in the amount of: \$84,430.34.

Mr. Doratt made a motion, seconded by Mr. Hensel, to approve the letter of credit reduction for Tractor Supply in the amount of \$84,430.34. 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 the construction release for Lionville Systems in the amount of \$35,952.55 and \$58,622.97. 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 the construction release for Sadsburyville Hotel in the amount of \$37,158.40. 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 the construction release for Cosmos properties in the amount of \$29,252.22 and \$11,846.94 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 the construction release for Octorara Glenn in the amount of \$3,822.50 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 the construction release for Sadsbury Village in the amount of \$32,533.93 per Mr. MacCombies recommendation. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Township Solicitor report. Mr. Thompson reported that he has reviewed the (5) year contract of BFI and Sadsbury Township and finds the agreement to be standard and acceptable. Mr. Thompson stated he is still waiting for BFI to comply with a (5) year bond requirement.

Township Road report. Mr. Doratt reported that all the Township roads are in good shape. The road crew did grading work along Old Mill Road to improve the drainage. All Township equipment fluids, belts and hoses are checked on a daily basis. Total vehicle miles are 514 and equipment hours are 29. General maintenance has been completed at all Township parks.

Planning Commission report. No report given.

Pomeroy Fire Company report. Mr. Taylor reported that for the month of July a total of 16 alarms were answered for 1 auto accident, 5 automatic alarm, 1 automobile, 1 gas leak, 2 house fires, 1 mobile home, 1 stand by, 4 down wires. Time in service was 10 hours and 27 minutes.

Sadsburyville Fire Company report. Mr. Doratt reported that for the month of July a total of alarms answered were 19 for: 6 automatic alarm, 1 pubic service, 1 trees and wires, assists to other departments: 2 building, 1 standby, 1 assist police dept, 1 auto accident, 1 wires, 1 smoke, 3 buildings. Time in service was 16 hours and 24 minutes.

Emergency Services Coordinator Update. Mr. Taylor stated nothing to report.

C-2 Task Force Meeting Update. Ms. Silvernail reported that the committee reviewed and amended a draft ordinance. A main street design is to be a by right use and other types of shopping centers would be by conditional use. Ms. Silvernail stated that forestry and agriculture uses were deleted. A final review of the Ordinance will be done at the next scheduled meeting, and will discuss growth management boundaries.

Park Committee report. Mr. Doratt reported that Community Day is scheduled for August 26, 2006. Mr. Doratt stated that a new baseball backstop has been shipped to the Township and will be in place shortly. The park is in need of volunteers to help.

Mr. Hensel made a motion, seconded by Mr. Doratt, to pay the July invoices in the amount of \$68,377.73. 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 July payroll in the amount of \$35,983.80. 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 July sanitary sewer invoices in the amount of \$14,003.34. 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 July invoice to N. Abbonizio in the amount of \$108,638.20. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Tabled Business:

Drew Steiner a homeowner in Sadsbury Village Townhomes and a member of the homeowners association presented the Board with concerns of homeowners meetings within the village and the residents not being informed, the play ground and basketball courts being moved off Broadmeadow and over to Greenhill Road in or around the current walking trail. Mr. Steiner stated that the proposed site on Greenhill Road was deemed open space. Mr. Steiner and a group from Sadsbury Village expressed concerns that when they purchased their homes they were told that nothing could ever be built behind them because it was open space. Mr. Hensel stated that before any decision can be made to move the playground from one proposed location to another it must come before the Board of Supervisors for approval. Mr. MacCombie stated that he received a plan for the proposed playground and has not reviewed it yet. Jennifer Crandall a resident of Sadsbury Village is against moving the proposed playground to Greenhill Road, she stated she purchased her home because of the open space. Mr. Doratt suggested tabling the issues and letting Mr. MacCombie review the plans.

Mr. Williams representing Lionville Systems requested a waiver from the land development to build a picnic area. Mr. Williams stated that Lionville has changed their plans from a 20x24 building to a 16 x 24 building therefore they no longer need a waiver from the land development because they are now in compliance. Mr. Williams stated that he is aware that he needs grading plans showing the pad and proper location and a building permit is also required. Mr. MacCombie suggested that the revised plans be re-submitted.

Mr. Hensel made a motion, seconded by Mr. Doratt, to approve the waiver request from the land development portion of Lionville Systems to build a picnic area should they submit the plans as they are for a 20x24 building. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

New Business:

The Board announced that they will accept the resignation of Matthew Arnoldy as Chairman of the Planning Commission and thanked Matt for his years of dedicated

service to the Township Planning Commission. A certificate of appreciation will be mailed to Matt.

The Board discussed appointing a new member to the Planning Commission. Mr. Hensel stated that there are (3) candidates interested in the position they are Vicki Horan, Alan Eagles and Susan Franco. Ms. Silvernail stated that in her opinion she thinks Vicki Horan is a qualified candidate, she currently serves on the C-2 committee and Ms. Silvernail stated she would be a good addition to the Planning Commission. Mr. Hensel stated that Susan Franco would be a good candidate because she is involved in the homeowners association and attends most of the Township meeting and seems to be involved within the community. Mr. Doratt stated that he agreed with Mr. Hensel.

Mr. Hensel made a motion, seconded by Mr. Doratt, to appoint Ms. Franco to the Planning Commission to fill the vacant seat left by Mr. Arnoldy to complete his term. With there being no questions from the public, Mr. Hensel voting "aye", Mr. Doratt voting "aye", Ms. Silvernail with no vote, the motion passed.

Joe Disciullo presented the Board with an idea to develop the land behind the concrete plant adjacent to the amtrack line into a mini storage area with individual units. Ms. Silvernail stated that the land is not zoned for storage and it would not be a permitted use. Mr. Disciullo stated it is not the perfect area to build homes against the railroad tracks either. Mr. Disciullo stated that the concrete plant would remain and the mini storage would be an addition. Mr. MacCombie stated that this would be a zoning hearing board issue. Mr. Disciullo stated that he realized that but wanted to feel the Board out before he started the process of having a feasibility study done. Mr. MacCombie stated he must show access onto the property as well. Mr. Hensel stated that access maybe a problem with heavy trucks traveling through residential neighborhoods. A suggestion was made to Mr. Disciullo to talk to the effected residents and inform them of the plans before moving forward to the Zoning Hearing Board because that would be the next step for him.

Joe Rosella representing Keystone Ranger requested final land development approval of the paint composite building. Mr. Rosella stated he is in receipt of the July 4, 2006 letter from MacCombie engineering and will comply with all comments. There were no comments from Mr. Doratt or Ms. Silvernail.

Mr. Hensel made a motion, seconded by Mr. Doratt, to approve the final land development of the paint composite building contingent upon Mr. MacCombies July 4, 2006 review letter. With there being no questions from the public, Mr. Hensel voting "aye", Ms. Silvernail abstained, Mr. Doratt voting "aye", the motion passed.

After discussion of the Lafayette Square transmittal letter and Mr. Thompson stating these forms are standard. Mr. Hensel made a motion, seconded by Mr. Doratt, to approve the transmittal letter for sewage facilities planning modules for JYF Partners/Lafayette Square. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

The Board discussed Resolution 2006-06 pertaining to a plan revision for new land development for sanitary sewer modules for JYF/Lafayette Square. Mr. Thompson explained to the Board that this is part of a paper process that must be followed and forwarded on to PaDEP.

Mr. Hensel made a motion, seconded by Mr. Doratt, to adopt Resolution 2006-06 pertaining to sanitary sewer planning modules for JYF/Lafayette Square. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

The Board discussed Resolution 2006-07 pertaining to Chester County Landscapes Municipal Grant Program Round 18. Mr. MacCombie explained the Resolution that the Township approves the filing of an application for Chester County Landscapes 21st Century Fund Grant Program Assistance. Mr. MacCombie stated that the grant money would be applied for a refreshment stand with a men’s and ladies room handicap accessible, and handicap accessibility to the picnic areas.

Mr. Hensel made a motion, seconded by Mr. Doratt, to adopt Resolution 2006-07 pertaining to the Chester County Landscapes 21st Century Fund Grant. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Mr. Hensel made a motion to adjourn the Board of Supervisors regular meeting and open a public hearing to discuss (2) proposed Ordinances. One for an Ordinance to adopt a contractor registration. Two an Ordinance pertaining to the collection of garbage by adding new definitions. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Motion to reconvene the regular Board of Supervisors meeting. Seconded by Mr. Doratt, 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 adopt Ordinance 2006-05 to adopt a new chapter 56 to be known as the Sadsbury Township Contractor registration Ordinance. 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 adopt Ordinance 2006-06 amending the code of the Township of Sadsbury Chapter 103 pertaining to the collection of garbage rubbish and refuse within the Township by adding a new definitions by revising fees and by adding new provision for recycling. With there being no questions from the public the Board voting “aye”, the motion passed unanimously.

Mr. Hanaway presented the Board with a status report on the deed of dedication of the roads within Sadsbury Village. Mr. Hanaway stated he is aware of 2 outstanding issues being the as builds for the basins, Mr. MacCombie stated that the information provided did not comply. Mr. MacCombie stated that a conflict with the reverse legal descriptions of the properties. Mr. MacCombie also stated that signs are not up and trees have died

that have not been replaced. Mr. MacCombie suggested that Mr. Hanaway schedule an appointment with the engineer to review these issues.

Ms. Silvernail received a request that the sign Celeste Drive be changed to Celeste Lane. Mr. Hensel stated that if that is what the County shows on the 911 he will have the road crew take care of it.

Public Comment:

Alan Eagles stated that the bus stops have been moved within Quarry Ridge, he stated that he has concerns with speeding buses and gas trucks. Mr. Eagles is requesting (2) additional stop signs be placed at intersections within the development. The Board stated that a traffic study would need to be done.

Susan Franco stated that members of Quarry Ridge Homeowners Association joined the adopt a highway for a portion of Old Wilmington Road.

John Lymberis stated that Cowan Estates received final approval from the Planning Commission for land development and Pennsylvania American Water Company will add this development to the franchise area.

Elmer Pluck asked if speed machine could be placed across from Bert Reel Park.

Bob Florian stated he requested a grading extension and got denied. Mr. MacCombie stated one reason is for the placement of silk fence. The Board stated for Mr. Florian to come into compliance with the laws and an extension will be granted.

With there being no further business the meeting was adjourned.

Respectfully Submitted,

Lisa Myers
Secretary/Treasurer

