

## **Board of Supervisors Regular Meeting August 15, 2006**

The Board of Supervisors conducted a regular meeting held on Tuesday August 15, 2006 commencing at 9:00 a.m. Chairman Hensel called the meeting to order. Present were Supervisors Mr. Hensel, Ms. Silvernail, and Mr. Doratt, Mr. Pompo Township Solicitor, Mr. MacCombie Township Engineer and members of the community.

The moment of silence and pledge of allegiance were observed.

Mr. Hensel announced that the Board of Supervisors met in executive session on Friday August 11, 2006 at 9:30 a.m. to review the fee schedule of Atlantic Inland.

**Township Police report.** Sergeant Ranck stated that he has no report at this time.

**Township Engineer report.** Mr. MacCombie reported that the status of the Valley View mixed up development traffic impact study has been handed to Mahon Inc. and he has not heard of the results. Mr. MacCombie stated that he spoke to Mr. Conrad the general manager of Signal Service Inc. regarding the preemption detector that is needed on Route 30 opposite First Avenue in order to have the traffic signal change before the emergency vehicles get there. Mr. MacCombie stated that this was brought up to the Board in the fall of 2004 and was a problem then. Mr. MacCombie stated that Signal Service would still honor the quote that was given to Chief Groce February 2005 in the amount of \$1,978.64.

The Board discussed the safety issues and agreed that the device is needed.

Mr. Hensel made a motion, seconded by Mr. Doratt, to approve installing an advance preemption detector on the utility pole on Route 30 opposite of First Avenue to cost \$1,978.64. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. MacCombie stated that all documents have been completed and submitted to DEP regarding the MS4 report. Mr. MacCombie stated that he has a certificate of release maintenance agreement for David J. Carr in the amount of \$1,601.36 for the Boards approval.

Mr. Doratt made a motion, seconded by Mr. Hensel, to approve the certificate of release maintenance agreement to David J. Carr in the amount of \$1,601.36 per Mr. MacCombies recommendation. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. MacCombie stated that he has reviewed an application for a grading permit for Linn Hanaway. Mr. MacCombie stated that several issues need to be addressed before approving the permit. 1. Land ownership, 2. Land Use, 3. Grading, 4. Erosion Controls, 5. Construction Entrance, 6. Dust Control. Mr. Hanaway was present and stated that he can prove the property ownership and other issues that are outstanding. Mr. MacCombie

stated that he reviewed a proposed recreational area plans for Sadsbury Village. Mr. MacCombie stated that the information provided shows a revised location for the playground equipment and gazebo. Mr. Pompo asked if the original land development plan showed the playground location? Mr. MacCombie stated yes it was on the plan. Mr. Pompo stated that before the location can be moved an amended plan would need to be done and recorded. Mr. Adam Marcus attorney for the Sadsbury Village homeowners association stated that a fund was provided for playground equipment and the current location is small has a steep slope and retention bed issues and is located to close to the roads. Mr. Marcus stated upon changing the location of the playground an amendment would be submitted and recorded and a grading plan would be submitted. Mr. Hensel stated that a resident from Sadsbury Village attended the last Board meeting and stated that when they purchased their homes they were told that the space behind their homes was considered open space and nothing would ever be built on the land. Mr. Pompo stated that is a homeowner's association issue, Mr. Pompo added that the Township placed a playground area to be placed within the development but left the decision of the facility to be up the homeowners. Mr. Doratt asked if a hearing would need to be done before the playground location could be moved. Mr. Pompo answered "no", it would be considered in an open Board meeting. Mr. Marcus stated that the current playground location is unsuitable, would cost the homeowners considerable amount of expense, and there are safety issues. Mr. Doratt asked how many votes did they get to re-locate the playground? Gloria Gellman stated that 33 homes were represented out of 147 and the vote to move the playground won. Mr. Hensel stated that he would table any further discussion until the next Board meeting. Mr. Marcus requested the Boards approval contingent upon the engineer review of the grading permit and the land development plan amendment. Mr. Hensel stated again that this issue is tabled to please respect the Board decision at this time.

**Township Solicitor report.** Mr. Pompo reported that all the documents are ready for phase I and the financial security for phases II and III contingent upon the letter of credit. Mr. Pompo stated the contract for Atlantic Inland is acceptable however the fee schedule has been given to Mr. Drozd Township CPA to review and comment. The Board tabled any decision regarding the contract and fee schedule of Atlantic Inland. Mr. Pompo discussed the status of the sanitary sewer enforcement of all those not hooked into the system. Mr. Pompo stated that as in the past with those not hooked into the sanitary sewer within the required time frame first final notices went certified mail when no reply was made the Township filed a lawsuit against the homeowner. Mr. Pompo stated that using that system worked so he recommends the same program.

Mr. Hensel made a motion, seconded by Ms. Silvernail, to allow Mr. Pompo to proceed with the collection of tap in fees for the sanitary sewer residents not hooked into the system by the required time frame. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Pompo stated that the Township must adopt a Floodplain Ordinance which would revise section 201 pertaining to definitions and by revising section 1103 pertaining to the floodplain overlay district for compliance with the national flood insurance program and

the Pennsylvania Floodplain management act. Mr. Pompo added that a September 29, 2006 deadline is in effect for all Municipalities to have the said Ordinance hearing.

Mr. Jeff Hammond representing Aerzen USA requested final plan approval. Mr. Hammond stated the Township Planning Commission recommended approval of their plan on August 8, 2006. Mr. MacCombie asked what the overhang on the North side of the building was? Mr. Hammond looked at the plan that was provided and stated it was a set of stairs. Mr. Hammond added that he would comply with all the comments of Mr. MacCombie's review letter dated August 2, 2006.

Mr. Hensel made a motion, seconded by Mr. Doratt, to approve the final plan of Aerzen USA contingent upon Mr. MacCombie's review letter dated August 2, 2006, the decision and order of the Conditional Use application, the completion of the Land Development and Financial Security Agreements. With there being no questions from the public, Mr. Hensel voting "aye", Mr. Doratt voting "aye", Ms. Silvernail abstained the motion passed.

Mr. Brian Kulakowsky representing Gateway Grace Community Church presented the Board with a plan change, which shows an increased buffering along Cowan Road to include 47 evergreen trees and 15 new shrubs. Mr. Kulakowsky stated that he has been in contact with Greg Cary of Peco energy regarding the underground utilities Mr. Pompo stated that a waiver might be needed if the electric lines are not placed underground. Ms. Silvernail asked if parking will be allowed on Cowan Road, Mr. Kulakowsky replied there would be no parking on Cowan road because the road will be widened.

Mr. Doratt made a motion, seconded by Ms. Silvernail, to approve the preliminary plan of Gateway Grace Community Church conditioned upon Mr. MacCombie's review letter dated June 9, 2006 and to grant a waiver from section 109.52 regarding utility lines. With there being no questions from the public, Mr. Doratt voting "aye", Ms. Silvernail voting "aye", Mr. Hensel abstained, the motion passed.

Mr. Randy White representing Sadsbury Village requested the Board to accept the dedication of the roads in Sadsbury Village. Mr. White stated that he has satisfied all the conditions of Mr. MacCombie's review letter. Mr. MacCombie stated that he has received the updated asbuilts and updated easements and legal descriptions. No maintenance bond has been received. Mr. Hensel stated that if the documents were not prepared by September the liquid fuels would not cover the expenses. No action was taken.

Mr. Doratt stated that the Township has had network issues with the Nextel phones for quite some time and suggests that the Township consider switching to Cingular Service. Mr. Doratt stated that the cost is cheaper than the current Nextel. Mr. Doratt stated that he spoke to the Chief and stated the County is making the transition to switch to Cingular as well.

Mr. Doratt made a motion, seconded by Mr. Hensel to cancel the Nextel phone service and take a contract with Cingular. With there being a question from John Lymberis

asking why the Township does not go with Verizon since we have a Verizon tower can't the Township get a deal? Mr. Hensel stated that the Township received a check every month as part of an agreement with Verizon so there are no deals to be made for phones. With the Board voting "aye", the motion passed unanimously.

Public Comments:

Alan Eagles asked why the speed machine is set up on Lincoln Highway in a 55 mph speed limit with a 45 mph speed sign posted on the machine? The Board stated that the patrolman must have forgot to change the mph.

With there being no further business the meeting was adjourned.

Respectfully Submitted,

Lisa Myers  
Secretary/Treasurer

