

## **Board of Supervisors Regular meeting held Tuesday December 19, 2006**

The Board of Supervisors conducted a regular meeting held on Tuesday December 19, 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, Mr. Todd Meltsch Township Building Inspector/Zoning Officer and members of the community.

The moment of silence and pledge of allegiance were observed.

**Township Police report.** Sergeant Ranck stated that the 2000 Ford police vehicle needs an intake manifold. He stated (3) quotes were received to do the work. They were as follows: Stottsville Garage \$1,000.00, West Chester Tire \$900.00 and Apple Auto at \$645.00.

The Board agreed to have Apple Auto repair the 2000 Ford police intake manifold at a cost of \$645.00.

**Township Engineer report.** Mr. MacCombie reported that the Sadsbury Village Enhancement plans update would be prepared for the next Board meeting. Mr. MacCombie attended a workshop meeting of the Township's Planning Commission and states that there were a large number of attendances in the meeting. Mr. Jones Engineer for the Chester County Airport Authority was present and discussed traffic flow to go through Bellaire Business Center when Washington Lane closes. Ms. Pantelone of McMahon Associates stated that traffic flow could go through the Bellaire Business Center now but after the build out of the industrial park there would be too much traffic congestion and alternate route would be needed. Mr. MacCombie stated that Mr. Jones said that a 1,000-foot is what is currently needed for the airports safety zone including the additional runway expansion of 700 feet. Mr. MacCombie asked Mr. Jones how much money has been allocated to do such work? Mr. Jones answered zero. Mr. Pompo asked where would Washington Lane go if the Township decides not to close the road? Mr. MacCombie stated that it is possible to loop the road around and come back to the same location is an option. Mr. MacCombie attended a joint meeting with other conjoining municipalities with Pennsylvania American Water Company where they were bashing Sadsbury Township by saying that Sadsbury is having secret meetings and that the Township is selling EDU's to their Board members. Mr. MacCombie stated that he cleared up all these issues. Mr. MacCombie reported that the Township is currently not using the total allocation of flow; he stated that it is possible to amend the Township's Act 537 if he can prove that the Township is using less flow per EDU, which will determine if additional flow is available. Mr. MacCombie is currently working on these numbers.

**Township Solicitor report.** Mr. Pompo stated that he has nothing to report at this time.

**Township Zoning Officer/Building Inspector report.** Mr. Meltsch stated that the following permits were issued-4 construction permits, 7 occupancy permits, and 8 zoning

permits, 6 U & O permits. Mr. Meltsch reported that a letter was sent to the owner of the corn maze business telling them that they are not allowed to operate the business next year. Mr. Meltsch stated that he is in receipt of plans for the Aerzen USA building and some minor changes need to be completed before moving forward. Mr. Meltsch stated that the construction permit has been issued for the Township building and the contractors are doing quality work. A footing permit was issued to Keystone paint composite building, a re-submission of revised plans have been submitted.

Marie Pantelone representing McMahon Associates presented the Board with documents regarding the Act 209 Transportation Impact Fee Study. This study would provide the Township with information that would develop a basis for developing a transportation impact fee. Ms. Pantelone stated that if the Board desires to move forward with this study they would need to create a transportation advisory committee and approve an impact fee Resolution. Ms. Pantelone stated that the study normally takes approximately 18 months to complete. Mr. Doratt asked Ms. Pantelone how do you come up with the trip fee? Ms. Pantelone answered the bigger the improvement the bigger the fee. Mr. Doratt asked if this Act was mandated by the State? Ms. Pantelone stated no. The Board stated that they would table any decisions at this time. Mr. Heineman stated that the previous Board looked into doing a study like this one and a special account would need to be established to place the improvement funds into, you cannot deposit the money into the general fund. Mr. Heineman also stated that the conditional use allows for developers to help with public improvements. He also added that the costs out weighed the benefits. Ms. Pantelone stated that no developer will contribute money to complete a 5 lane cross section which is currently needed in Sadsbury.

Susan Wolfe a resident of Pomeroy Heights stated that she wants to connect to the public water system, she added that when the survey went out by the Township she signed up for public water and PAWC placed the curb stop in the wrong location, which is under the road. Ms. Wolfe stated that now PAWC said it's not them stopping the Wolfe's from getting hooked into public water it's the Township. Ms. Wolfe stated that she was in attendance of the Township meeting for the Board to allow them to get public water. Mr. Pompo stated that the Township does not do public water and if the water stop was placed in the wrong location it is a PAWC problem. Mr. Pompo added that PAWC must comply with the Township's Ordinance, as the roads were completely paved. Mr. MacCombie stated that the Township contacted PAWC as the plans were being prepared for the sanitary sewer project to have the water lines placed at the same time. Mr. MacCombie stated that at first PAWC was on board with placing public water lines then they changed their plans and decided not to run the lines. The Township proceeded with the construction of the sanitary sewer lines and the project was completed when PAWC decided to place the water lines after they lost the plans. Mr. MacCombie stated that the Township waited over a year for PAWC to complete their lines. Mr. Pompo stated that he sat through numerous meetings regarding the placement of public water, written notices went out to all effected residents. Mr. Pompo stated that the Board bent over backwards to accommodate the water company. Ms. Wolfe stated that PAWC told them to go to the Township to get approved for water. Mr. Pompo stated that PAWC needs to

re-submit their plans on hooking the Wolfe property to public water contingent with the Ordinance that is in place.

The Board discussed having the Township building appraised to either rent or sell the property in the future. The Township Secretary contacted several realtors and they did not feel qualified enough to give the Township an appraisal. Mr. John DiRinaldo a certified appraiser gave the Township a proposal of \$550.00 to appraise the Township property with a turn around time of 2 weeks.

Mr. Hensel made a motion, seconded by Ms. Silvernail to hire John DiRinaldo certified appraiser to appraise the Township building at a cost of \$550.00 with a turn around time of 2 weeks. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

The Board discussed that notice had been sent to the current Building Inspector/Zoning Official not to renew their contract for the upcoming year; therefore Mr. Hensel said we must make a decision today to get a new Zoning Official Building Inspector on board. Mr. Hensel asked if the other members would like to split the position and have one company be the Zoning Official and another company to be Building Inspector? Mr. Doratt stated that he prefers to keep both jobs together and not to split them up. Ms. Silvernail stated that if both companies can work together its not a problem. Mr. Hensel suggested hiring Code Inspectors of Horsham to do the Building Inspector work and MacCombies Engineering to be the Zoning Official. Mr. Doratt stated that he is in agreement with that and Ms. Silvernail also agreed.

Mr. Hensel made a motion, seconded by Ms. Silvernail to hire Code Inspectors as the Township's Building Inspector for the 2007 year to begin January 5, 2007. With there being questions from John Lymberis asking if the new inspector will begin where Atlantic Inland left off? Mr. Hensel stated yes. Mr. Fitch stated that their termination letter states that they will complete all inspections and work started. Mr. Pompo read the termination letter and it did not state that, Mr. Hensel voting "aye", Ms. Silvernail voting "aye", Mr. Doratt voting "nay" the motion passed.

Mr. Hensel made a motion, seconded by Mr. Doratt, to hire MacCombie Engineering as the Township's Zoning Official for the year 2007 to being January 5, 2007. 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 authorize advertisement of the SALDO Committee meeting to be held on January 25, 2007 at 7:00 p.m. 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 schedule the reorganization meeting followed by the regular business meeting to be held on January 2, 2007 at 7:00

p.m. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

The Board discussed Ordinance 2006-11 amending Chapter 124 of the code for the regulation of traffic and parking on certain roads within Sadsbury Township and providing regulations for speed limit and weight limits. Mr. Pompo stated that this Ordinance was advertised as a public notice in the Daily Local News. Mr. Pompo stated that a summary of the proposed Ordinance includes: Section 1 Chapter 124-7 is amended to establish speed limits on Hershey Lane. Section 2 Chapter is restated to provide for the installation and operation of traffic control signals at certain locations within the Township. Section 3 Chapter 124-9 is restated to provide for one-way traffic on certain roads with the Township. Section 4 Chapter 124-12 is restated to provide for center structures at certain intersections within the Township. Section 5 Chapter 124-13 is restated to establish stop signs at certain intersections. Section 6 Chapter 124-17 to establish weight limitations on Hoffman Avenue, Lincoln Avenue, Pine Street, Reel Street and Washington Lane. Section 7 Chapter 124-24 is restated to prohibit parking on certain roads within certain developments. Section 8 Chapter 124-45 is restated to establish parking violations and penalties.

Mr. Hensel made a motion, seconded by Ms. Silvernail, to adopt Ordinance 2006-11 pertaining to amending Chapter 124 of the code for regulation of traffic, parking, speed limits, and weight limits. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Neil Heineman presented that Board with a request to have the (2) sanitary sewer bills that he received for the 3<sup>rd</sup> quarter waived. Mr. Heineman is currently not connected into the sanitary sewer and has been in contact with MacCombie Engineers regarding issues regarding connecting into the sewer system. Mr. Heineman stated that he has contracted Stoltzfus Plumbing to do the work. Mr. Pompo stated that if the Board waives the fees it would set a precedence for others that are being billed and not connected to the sewer. Mr. Jamie MacCombie stated that he is aware that Mr. Heineman has issues but Herb MacCombie knows exactly what the issues are and Jamie stated that he does not know the specifics. The Board agreed to table until Mr. Herb MacCombie can be present to explain the issues.

Mr. Bill Colby representing the All County Partnership (the Bone property) to discuss a letter from Pennsylvania American Water Company which was received via e-mail. Mr. Colby states that PAWC agrees to provide the additional 8,250 gallons per day (33EUD's) to Sadsbury Township after the Township updates its ACT 537 Plan, which justifies the need for increased flow above the current contracted capacity of 410,750 gallons per day and it is approved by DEP. Any increase from the current contracted capacity can only be allocated after the treatment plant has been expanded. Mr. Pompo states that it sounds easy but actually it is complicated. He stated that DEP must be on Board and sign off; a memo of understanding between all parties would need to be in place, condition of approval to account for the guarantee of the 33 EDU's. Mr. Colby asked if he can have approval for the Township to accept the (7) Edu's from Valley

Township which would reduce Valley Township's Edu's by (7) and they will worry about the remaining EDU's needed. Mr. MacCombie stated that the planning modules show ultimate use. Mr. Pompo stated that he wants to see what DEP has to say about this project being a part of the expansion; he stated that he thinks the plant is not built out yet but is already expanded. Mr. Colby stated he does not agree and it is not Sadsbury's problem, it's a problem of Valley View. Mr. Pompo stated there is no sense in taking (7) EDU's from Valley when (40) are needed for the project. Mr. MacCombie stated that he is in the process of doing analysts to show the current flow that the Township is using and the calculation may determine that the 250 gallons per day could possibly be reduced to allow for additional EDU's. The Board made no decisions at this time the issues were tabled until the second Board meeting in January.

Mr. MacCombie stated that himself, the road crew and representatives of Chester County GIS met to discuss the mapping which would include roads, sign, water lines, hydrants, sewer lines, storm sewers etc. Mr. MacCombie stated that the membership would cost \$5,000.00 a year with 160 hours of project time. The Township can opt out at anytime. Mr. Pompo stated that he is in receipt of the contract but has not reviewed it yet. The Board tabled any decisions until Mr. Pompo completes a review.

Susan Franco asked if the mapping would include the drain system within Quarry Ridge. Mr. MacCombie stated yes.

Mr. Hensel made a motion, seconded by Mr. Doratt, to approve the construction release #17 to Octorara Glen in the amount of \$51,021.25. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

#### Public Comment:

Susan Franco stated that Quarry Ridge has had some major parking issues where approximately 30 vehicles were parked on both sides of the street. She added that she called the police office and got no answer left a message and nobody ever called her back. Sergeant Ranck stated that each shift the patrolman are out on patrol and not sitting in the police station, he added if there is a problem that is not an emergency to call 610-383-7000, the number to the police board where they can get in contact by radio with the patrolman on duty. Ms. Franco asked if a "No turn on red" sign could be placed at the Old Wilmington Road and Lincoln Highway traffic signal? The Board stated that all vehicles should stop at the white line on the road, that white line trips the signal to turn, they also stated that if you can't see to turn right then you should not do it.

Neil Heineman asked the Board to eliminate any interest that may be charged to his sanitary sewer invoices until they get resolved. The Board suggested that Mr. Heineman pay the bills and if they decide to waive the payment he will get a refund. Mr. Heineman stated that if you place a "No turn on red" sign at the intersection of Old Wilmington Road and Lincoln Highway the traffic will back up on Old Wilmington Road in the morning.

The Board discussed the following issues with Atlantic Inland:

Bob Fitch asked why the Township didn't put them on notice and talk to them if there were issues of not renewing their contract? The Board replied that they just decided not to renew the contract.

Bob Fitch asked if there were problems with their billing and were they charging too much? The Board replied that the invoicing was hard to understand and a lot of double billing was occurring. Mr. Meltsch stated that they took a % off the invoices of existing permits as a courtesy to the Township. Bob Fitch stated that he met with Joe Drozd several times to go over invoices. The Board stated that Mr. Drozd charged the Township \$140.00 per hour to go over the billing.

Bob Fitch made the following comments:

- He feels that this decision is unfair
- They were not asked to re-bid the contract.
- They feel they have done an excellent job.
- No idea why they are being released.
- If the billings were too high they would have negotiated with the Township.
- Were denied any meetings with contractors.
- Took off guard.

The Board stated that their last day would be January 5, 2007 to return all records to the Township office. All prepaid inspections will need to be credited.

With there being no further business the meeting was adjourned.

Respectfully Submitted,

Lisa Myers  
Secretary/Treasurer



