

Board of Supervisors Regular Meeting Tuesday December 5, 2006

The Board of Supervisors conducted a regular meeting held on Tuesday December 5, 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. MacCombie Township Engineer, Mr. Meltsch Township Zoning Officer/Building Inspector 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 5,193 miles were patrolled for the month of November and 324 incidents were answered. The primary categories were: 1 assault, 8 criminal mischief, 4 thefts, 7 suspicious persons, 77 stationary patrols, 9 911 hang ups, 54 business checks, 11 alarms, 11 assists to other departments, 9 animal, 10 domestics, 12 accidents, 5 harassment, 4 disturbances, 2 burglary. The Chief reported 7-traffic citations issued for the month and 4 summary citations. 12 criminal arrests for 4 DUI, 2 public drunkenness, 2 disorderly conduct, 1 harassment, 1 aggravated assault, 1 possession of drugs, 1 criminal mischief.

Township Engineer report. Mr. MacCombie reported that the sanitary sewer in Springview Manor has been completed and property owners can connect along with the residents along the northern side of Lincoln Highway. Mr. MacCombie stated that the base course has been placed on Meeting House Lane, Maple Avenue, portions of Spring View Manor and Bonsall School Road. Mr. MacCombie reported that Dennis O’Neil is in the process of applying for funding for phase 4 of the sanitary sewer project, eligible areas are North Street, Stove Pipe Hill and Morris Lane. Mr. MacCombie stated that the Valley Road portion of the project is not eligible at this time for funding. Mr. MacCombie stated that the tap in fee for sanitary sewer has remained the same since 1998 and he foresees a possible change in the tap in fees. Mr. MacCombie stated that Valley Forge Laboratories Inc. completed a geotechnical evaluation and pavement design of Washington Lane, which outlines weight restrictions for Washington Lane. Mr. MacCombie explained the purpose of completing a Act 209 transportation study will lead to the development of a transportation capital improvements plan for developing a transportation impact fee. Mr. MacCombie stated that the McMahon proposal is \$41,900.00 not including the costs of the Township’s land planner. Mr. Doratt asked if the Township could pass the costs of this study onto the developers? Mr. MacCombie stated you could access a trip generation per proposed development while the study is being performed. Mr. MacCombie stated that Dennis O’Neil is currently working on the

Sadsbury Village Enhancement plans for submission to the Township's Planning Commission for review and comment. Mr. MacCombie stated that the Township is currently having issues with certain developers not paying the reimbursable professional fees to the Township. He said that it is his understanding that the EB games building never paid transfer taxes and are currently not paying the Township's invoices. Mr. MacCombie stated that the owners have contacted him and stated they are not going to pay the invoices because the building did not belong to them. Mr. MacCombie states that the improvements have not been completed to date. The Board recommended send them a certified letter telling them that they are in default with Sadsbury and the money owed will go against their security. Mr. MacCombie stated that he also is in receipt of invoices for Commonwealth General Contractors for reimbursement of professional fees that are not being paid. Mr. Pompo suggested not releasing the certificate of completion to them until they pay the Township in full. The Board recommended a system be set up not to release any monies until the Township's reimbursement has been satisfied. Mr. MacCombie stated that he has prepared construction releases for the Boards approval for: Sadsbury Self Storage in the amount of \$217.50, Grateful Dog in the amount of \$121,175.97.

Mr. Doratt made a motion, seconded by Ms. Silvernail, to approve the construction of completion certificate to Sadsbury Self Storage in the amount of \$217.50. per Mr. MacCombies recommendation. With there being questions from Tony Przychodzien why release the money to Sadsbury Self Storage when the job has not been completed? Mr. MacCombie stated that the release is for engineer's fees due to the Township. Mr. Przychodzien stated how could he have use and occupancy when the project hasn't been completed? Mr. Todd Meltsch stated that each unit is being completed in phases and the buildings have been inspected and approved as such. With there being no further questions, Mr. Doratt voting "aye", Ms. Silvernail voting "aye", Mr. Hensel abstained, the motion passed.

Mr. Doratt made a motion, seconded by Mr. Hensel, to approve the construction of completion certificate to Grateful Dog in the amount of \$121,175.97 per Mr. MacCombies recommendation. 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 proceed with the block grant application for sanitary sewer. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

The Board discussed whether to move forward with the Act 209 Study. Mr. MacCombie recommended having McMahan discuss this project in a future meeting.

Township Solicitors report. Mr. Pompo reported that the Zoning Hearing Board heard the application of Eldridge Fence Company and the hearing has been continued until December 18, 2006. Mr. Pompo stated that the Hanaway validity challenge has been continued indefinitely. Mr. Pompo stated that Sandy Mirades attorney has been in contact with him regarding when all the work will be completed on her lot regarding the

sanitary sewer project? Mr. MacCombie stated that the staging area has been cleaned up and raked out and will be re-seeded in the spring. Mr. MacCombie stated that the Township is not responsible for cleaning up of the raw sewage on the lot as it was there when the job began.

Township Road report. Mr. Doratt reported that all Township roads are in good shape. The Road Crew removed the concrete embankment at the corner of Reel and Railroad Street and a drain box was installed to improve drainage and make the corner safer. 25 tons of road salt was delivered on November 14, 2006. New labels were installed on the 2003 and 2006 Ford trucks to identify them. All fluids belts and hoses are checked daily on all Township equipment. All equipment is ready for snow. Total vehicle miles is 680, total hours are 18. All fire extinguishers have been inspected and charged for the vehicles and Township building. The water has been shut off at the Bert Reel Park for the winter and the water meter removed.

Township Planning Commission report. No report given.

Township Zoning report. Mr. Meltsch reported that he replied to an e-mail regarding building alarms in the Bellaire Business Center, Mr. Meltsch stated that one problem was some of the buildings were not identified with a 911 addressing number therefore it was hard to find the locations in case of emergency. Mr. Meltsch stated that he handled this problem. Mr. Meltsch stated that he attended a pre construction meeting for the construction of the new Township complex. Mr. Meltsch stated that Purcell Contractors are doing quality work and placement of blankets is being used to protect from frost. Mr. Meltsch suggested that Board keep an attorney attending the Zoning Hearing Board meetings for the Eldridge Fence application. Mr. Meltsch stated he would provide the Board with a full written report at the next Board meeting.

Pomeroy Fire Company report. Earl Taylor reported that 10 alarms were answered for the month of November for: 1 auto accident, 2 automatic alarm, 1 electrical fire, 1 haz mat, 4 house, 1 wires and trees. Total time in service was 9 hours and 46 minutes.

Sadsburyville Fire Company report. Mr. Doratt reported that for the month of November a total number of alarms answered was 6 for: 1 auto accident, 1 automatic alarm, 1 assist to police department, 1 assist to 29 for 1 dwelling, 1 assists to 44 for a standby, 1 assists to 35 for a standby. Total time in service was 26 hours and 36 minutes.

Emergency Services Coordinator Update. Mr. Taylor reported that he spoke with Mr. McClure from Gateway Church regarding the sprinkler system and fire department for the new church. Mr. Dilabbio ordered knox boxes for Keystone Ranger. Mr. Taylor spoke to a gentleman there who needed a standby of a fire truck with foam capabilities for a helicopter run up, Mr. Taylor referred the gentlemen to Sadsburyville Fire Company. Mr. Taylor asked what is the priority for closing state roads within the Township? Mr. Taylor stated that the fire companies do not have the proper sources to shut down a State road. Mr. Pompo answered by stating that that Township has an

emergency response system and all local jurisdictions has the authority to close a road which means the Township or fire department can do so in the case of an emergency. Elmer Pluck stated that the fire department is only a volunteer and in the case of closing a road they could be there all day or night. He suggested that the Township road crew relieve the fire departments. Mr. Przychodzien suggested that the Township place barricades to close the road, have a police officer man the site and write tickets to all those who pass over the barricade.

Mr. Hensel made a motion, seconded by Mr. Doratt, to approve the November invoices in the amount of \$74,177.50. 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 approve the November payroll in the amount of \$34,928.88. 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 approve the November sanitary sewer invoices in the amount of \$16,194.24. 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 approve the November payment to N. Abbonizio in the amount of \$92,201.85. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Hensel authorized sending a letter terminating the contract between Sadsbury Township and Bureau Veritas (Atlantic Inland) from their duties as Zoning Officer/Building Inspector. Mr. Meltsch questioned why the Board is authorizing sending the termination letter now when they received the letter by fax this morning? Mr. Hensel stated that it was discussed at the last public budget meeting to send the letter via fax to give the company a heads up. Mr. Meltsch is requesting a meeting to discuss the reasons why the Township is not renewing the contract. Mr. Hensel stated that the contract is over and the Board agreed not to renew it at this time. Mr. Hensel asked the other Board members if they wanted a meeting? Ms. Silvernail said no, they just are not renewing the contract; Mr. Doratt said yes he would like a meeting. Mr. Pompo recommended the Board set up an exit interview, the Board agreed to meet with Mr. Meltsch in executive session after the next regular Board meeting.

The Board tabled any discussion of replacing the Zoning Officer/Building Inspector at this time.

Mr. Hensel made a motion, seconded by Ms. Silvernail, to adopt the 2007 SPCA contract to cost \$1,679.00 plus the cost of \$20.00 per unclaimed animal. 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 end of year meeting to be held on December 29, 2006 at 9:00 a.m. to adopt the budget and close the books.

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

The Board discussed a brochure received from Hometown Press that designs custom newsletters that get funded through community advertising. The Board stated that they would be responsible for postage only. The Board reviewed the brochures with Mr. MacCombie and Mr. Pompo and suggested the Secretary call them and asks them to attend a future meeting to discuss using their services.

The Board discussed Ordinance 2006-10 that amends Chapter 101-27 delinquent payment penalties and municipal liens. Mr. Pompo stated that this Ordinance was advertised as required and applies to amending a penalty from 60 days to 90 days after delinquency at a rate from 10% to 5% as per the State Law. Mr. Pompo stated that this Ordinance would allow Pennsylvania American to access late fees, as they will begin the sanitary sewer billing beginning January 1, 2007.

Mr. Hensel made a motion, seconded by Mr. Doratt, to adopt Ordinance 2006-10 an Ordinance that amends Chapter 101-27 delinquent payment penalties and municipal liens. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

The Board discussed amending the sign and weight restriction Ordinance by adding Washington Lane and Hoffman Avenue as part of the amendment.

Mr. Hensel made a motion, seconded by Ms. Silvernail, to authorize advertisement of an Ordinance amending signs and weight restrictions. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Mr. William Colby representing the Bone property to discuss the transfer of (7) EDU’s from Valley Township to Sadsbury Township. He stated that Valley Township has revised a new Resolution that states that the (7) EDU’s to be transferred would not revert back to Valley Township if unused but states that they can only be used for the Valley View project. Mr. Colby states that Pennsylvania American agrees to assure that EDU’s will be available at the time of the plant being built out. A letter from Pennsylvania American Water Company was received via e-mail. Mr. Colby states that PAWC agrees to provide additional 8,250 gallons per day (33 EDU’s) to Sadsbury Township after the Township updates it 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 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 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. The Board made no decision and the issues were tabled.

Public Comment:

Joanne Benner asked if someone could take a look at her water situation in her yard, she stated at the time public sewer went in she had a ditch that took the water away from her yard, now the project is done and so is the ditch. The Board will have the Road Crew take a look.

Earl Taylor asked if he could use the Township vehicle when doing emergency management within the Township? The Board stated yes.

Elmer Pluck asked the Board if Todd Meltsch is part of the Zoning firm that replaced Tom Lowry? The Board stated yes. Mr. Pluck asked if the Township was getting rid of Mr. Meltsch or the entire firm? The Board stated the entire firm.

Tony Przychodzien stated that he has received the 60-day notice to connect to the sanitary sewer. Mr. Przychodzien asked if the 60 days would be extended due to weather? Mr. Hensel stated that at this time the 60 days stands no exceptions.

Stephanie Silvernail stated that she has formed a subdivision land development committee and would like to have their first meeting advertised. Ms. Silvernail stated that the committee members are: Theodore Claypoole, Vicki Horan, Linda Wilson and Ann McGrail.

Mr. Hensel made a motion, seconded by Mr. Doratt, to accept the subdivision land development committee and to authorize advertisement of the first meeting to be December 12, 2006 at 7:00 p.m. to elect a chairman of the committee. 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

