

## **Board of Supervisors Meeting held February 21, 2006**

The Board of Supervisors conducted a regular meeting held on Tuesday February 21, 2006 commencing at 9:00 a.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.

**Township Engineers report.** Mr. MacCombie reported that he has prepared a certificate of release for Lionville Systems in the amount of \$168,624.13 for the Boards approval. Mr. MacCombie stated that he is trying to schedule a meeting with Patricia Quickly Environmental Consultant, Pen Dot and Delaware Valley Regional Planning Commission for the Sadsbury Village Enhancement Project and will inform the Board of the date at a later time.

**Township Solicitors report.** Mr. Pompo presented the Board with the specification manual and proposal for municipal waste collection for their review. Mr. Pompo stated that there are (5) collection options. Mr. Pompo stated the contract reflects keeping curbside collection, once a week; same number of containers, Township pays tipping fee within 30 days directly to the landfill and receives a discount. Mr. Doratt asked when bidding on the trash contract how would the bidders know what the direct amount should be. Mr. Pompo answered that the bid amount will be straight across the board for the men, truck, time, tons and disposal. Mr. Pompo stated that the contract allows bids for curbside collection of commingled recyclable materials providing recyclable material containers. Another option is for the bidder to provide the Township with (3) bulk recycling containers to be placed at the Township building. Mr. Doratt asked what is the most common pick up, Mr. Pompo answered curbside. Mr. Pompo stated that he has included an additional disclosure for alley pick-ups for the future Sadsbury Park development. Mr. Pompo provided the Board with an Intermunicipal Agreement Between the County of Chester and Participating Municipalities to provide processing and marketing services for recyclable materials generated by municipal recycling programs for review. Mr. Pompo reported that he has prepared an Ordinance that would require all property used as a rental unit to report for each unit, the location, who is currently residing in each rental unit and shall include an Earned Income Tax registration form from each tenant. Mr. Pompo stated that this Ordinance would replace the existing Ordinance. Chief Groce asked if this would apply to trailer parks? Mr. Pompo stated yes he would adjust the wording to state trailers. Ms. Silvernail asked how would this information be distributed? Mr. Lowry replied to send a mailer to each Township resident or include it in the next newsletter. Mr. Lowry suggested including how many tenants in each unit. Mr. Lymberis asked if the Ordinance states once annually and tenants move in and out within the year how will that be reported? Mr. Pompo stated that Ordinance clearly states the report shall be supplemented within 15 days of the arrival of tenants or lessees not previously reported or of the departure of lessees or tenants previously reported. The supplemental report will include an earned income tax form

executed by the new tenants. Mr. Doratt stated the purpose of this Ordinance is to provide for the uniform and equitable collection of sewer rental fees, trash and recycling service fees, and earned income taxes levied within the Township.

Mr. Hensel made a motion, seconded by Mr. Doratt, to make the changes and advertise the Ordinance of property registration and establishing new definitions and procedures for registering all rental property. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Mr. Pompo reported that Mr. Thompson of Lamb McErlane attended the Conditional Use Hearing held on February 15, 2006 at the Valley Township building. Mr. Pompo stated that Sadsbury Township is now a party of record of any further proceedings and will be officially notified of any changes. Mr. Pompo reported that discussions of traffic issues along Washington Lane and Business 30 improvements would be brought to Sadsbury’s Board of Supervisors before Valley can give any approvals. Mr. Lowry stated that the traffic impact deficiencies just pertained to Keystone. Mr. Pompo stated that no one can take our Township roads or make us re-locate them and eminent domain cannot be used. Mr. Hensel suggested a draft letter be sent to the Chester County Airport letting them know exactly what the Township’s position is. A question of how much of Washington Lane really belongs in Sadsbury and what belongs to Valley. The Board requested that Mr. MacCombie find out exactly where the Sadsbury line falls along Washington Lane. The Board requested that Mr. Pompo write a letter to the Chester County Airport requesting a meeting with them.

**Township Zoning report.** Mr. Lowry stated that he has received numerous calls regarding the Tractor Supply sign. He stated they applied for a Zoning Hearing and never showed up.

**Township Police report.** Chief Groce reported that the 2000 Ford has not been shifting properly and was displaying a check engine light. Chief Groce had the car checked by Stottsville Garage and Brian Hoskins Ford and both indicated that bands inside the transmission were worn and burned in the transmission. Brian Hoskins Ford quote for the repair work is \$2,260.00 that includes a 36-month, 36,000 mile warrantee. Stottsville Garage quote is \$2,150.00 includes a 36-month warranty with 75,000 miles.

Mr. Hensel made a motion, seconded by Mr. Doratt, to accept the price quote of Stottsville Garage in the amount of \$2,150.00 that includes the 36-month warranty or 75,000 miles. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Chief Groce requested that mandatory Act 180 municipal training has been scheduled for the following officers: Scott Viola, Gerald Ranck, David Simmons, John Sidiras, Chris Yanak, and Chief Groce to maintain their police certification.

Mr. Hensel made a motion, seconded by Mr. Doratt, to send the following officers to take the mandatory Act 180 annual update training: Scott Viola, Gerald Ranck, David

Simmons, John Sidiras, Chris Yanak and Chief Groce. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Chief Groce presented the Board with a request to adopt the schedule and payroll plan as all officers have reviewed and signed off on the procedures.

Mr. Hensel made a motion, seconded by Mr. Doratt, to adopt the schedule and payroll plan directive 06-01 update to go into effect March 1, 2006. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Chief Groce stated that he has the radar machine set up on First Avenue due to complaints received of people speeding up First Avenue to avoid the traffic signal. Mr. Doratt commented that this radar machine is more dependable than the last one and it sure is a big difference. Chief Groce replied that he is looking into having a fluorescent stripe placed on the machine. Chief Groce estimates this cost to be approximately \$200.00.

**Tabled business:**

Christy Flynn representing Arcadia Land presented the Board with a request of their approval of Purcell Contractors contract. Ms. Flynn stated at time all issues have been ironed out and an amendment to that has been forwarded. Ms. Flynn stated that approval of this contract would be conditioned upon building upon the marked up specs of Herbert MacCombie. The Board asked Mr. MacCombie if he had comments, Mr. MacCombie stated he has no issues with this request, Mr. Pompo stated he has reviewed this contract and states it is acceptable, and he asked if Purcell is holding the builders risk insurance and Ms. Flynn stated yes. Mr. Lymberis asked if there was a projected construction date? Ms. Flynn stated at this time “no”. Mr. Lymberis asked if the Pen Dot permit has been issued yet? Ms. Flynn stated “no”, but they have met with Pen Dot and have re-submitted that plans. Tom Greenfield asked why dirt is being delivered off of Route 30? Ms. Flynn stated they should not be pulling in or out of the Route 30 entrance. The Board requested that the next time Tom Greenfield spotted the truck dumping dirt coming in or out of the property to call the Township Police Department. Tom Greenfield asked why approve the Purcell contract if the Pen Dot approval hasn't been met yet? Ms. Flynn stated that it is one item of many on a checklist and the company realizes that they cannot build without Pen Dot approval. Ms. Silvernail stated she would like Purcell contractors to sign off the contract first and what happens if the contract gets signed and Pen Dot won't issue the permit? Mr. MacCombie said that the Pen Dot permit will be issued and that Pen Dot doesn't have any problems with the permit but it has to go through the chain of paperwork. Tom Greenfield asked is an acceleration and de-celeration lanes would be provided? Ms. Flynn said they made the request but it is a state highway decision. No action was taken it this time, the Purcell contract will be tabled until the next Board meeting and will not get approval until the contractors sign off first.

The Board discussed the streetlights located within the Township that are not claimed or being paid for by anyone. Mr. Pompo stated that Peco does not pay for the streetlights or bulbs. The Board discussed the location of the streetlights and will do a physical inspection and decide in the next Board meeting if they should stay or go. A request was made for the police department to check out the locations of the streetlights as well and measure if they are placed there for safety reasons. Mr. Pompo stated that the streetlights would fall under the Tariff Electric Agreement. A street light is located in the Sadsbury Crossing development; Mr. Pompo is to review the agreements to see if it is part of the homeowners association.

**New business:**

Victor Kelly representing Commonwealth Engineers to discuss access issues of the Bone Tract. Mr. Kelly stated that All County Properties owns the Bone Tract of property and states they have a 3-lot subdivision preliminary plan submitted to Sadsbury Township. Mr. Kelly stated that part of the Bone tract is located in Valley Township and is under a Conditional Use Hearing to allow Keystone Foods to develop. Mr. Kelly states that access is an issue but there is no other way in or out of the property other than Washington Lane at current. Mr. Doratt stated that the road infrastructure is a problem along with sewer capacity issues. The only access to this property is Washington Lane. The PAWC sewage treatment plant expansion is geared for 3 years from now, Mr. Pompo suggested that with that in mind and no sewer capacity available at this time to plan a long term plan. Mr. Pompo added that by the time the treatment plant is completed and the Chester County Airport plan takes place is all in the same time frame. No action was taken the Board tabled this discussion until the next Board meeting.

Ms. Silvernail stated that during the winter storm February 11, 2006 21” of snow fell and the news channels were telling residents to stay home and do not travel unless its an emergency. It was reported that residents in Quarry Ridge were standing out on the edge of their driveways, yelling and throwing their fists at the men plowing. Mailbox doors were left open so that the truck could not get in close to plow. The Board states these are safety issues that should not be happening and someone is going to get hurt. Ms. Franco stated that she was told parts of Quarry Ridge were not plowed at all “this is a huge problem” she states cul-de-sacs did not get done in the beginning. Ms. Silvernail stated a huge amount of snow fell and she drove through Quarry Ridge and one lane was opened. The Board stated that if this problem becomes an issue the Township Police Department would be called to site the residents standing in the way of the plow trucks. Chief Groce commented that there is a sections to fine adjacent to people pushing the snow back onto the plowed streets.

Ms. Silvernail made a motion, seconded by Mr. Hensel to appoint William Baxter as a full time road crewman who completed his probation period and completed his CDL training and passed the CDL test successfully. 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 accept the 2006 maintenance agreement from Copy World for the Ricoh 1022 copy machine for a total cost of \$1,013.00. 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 rent a postage meter for the Township Office from ITS Mailing Systems to cost \$16.95 a month. 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 add a short term disability policy for the (5) current full time employees to cost \$120.00 a month. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Terry Muto is requesting the Boards approval and signature on the Subdivision Financial Security Agreement Addendum. Mr. MacCombie stated this agreement was made between Sadsbury Township and AIM in lieu of sidewalks to total \$208,000. for the entire Industrial Park. The agreed 83% of the total fee in lieu of sidewalks due for Phase 1A and 1B is \$172,640.00 has been paid with a balance of \$35,360.00 being due to the Township at the time of the signing of this agreement.

Mr. Hensel made a motion, seconded by Mr. Doratt, to approve the signing of the Subdivision Financial Security Agreement Addendum of AIM upon receipt of the final payment of \$35,360.00. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Mr. Ryan Costello of O’ Donnell, Weis & Mattel, P.C. representing Lance and Valerie Castle to discuss a proposed winery which includes on site wine production and sales thereof at 3000 Lincoln Highway Sadsbury Township. Mr. Costello stated that this property had previously been used as a residence, antique shop and dog kennel with fenced in pasture with utility sheds. Mr. Costello states his applicant proposes a limited winery, with the first floor of the barn used to produce wine; twelve 750-gallon tanks will be used for the production of 2000 cases of wine per year. The primary use of the property will be on site sales of wine produced with Pennsylvania grapes. Mr. Costello states that the Township Ordinance allows on site retail sales of wine but the area cannot exceed 2000 square feet of gross usable floor area. The applicant proposes to utilize the first floor of the barn and existing deck and patio and portions of the rear yard for out door tasting events going beyond the 2,000 sf. The property has on site sewer and well and is not included as part of the Act 537 plan. Mr. Lymberis asked if there could be a condition included to add sidewalks for the Sadsbury Village Enhancement Program. Mr. MacCombie stated it is possible.

Ms. Silvernail stated that Courtney Sarrbum was appointed to the C-2 Task Force Committee and has missed both scheduled meetings. Ms. Silvernail stated that in

speaking to Linda Wilson she has interest in becoming a member of the committee. Ms. Wilson is a Township resident and resides at Celeste Lane in Pine Hills.

Ms. Silvernail made a motion, seconded by Mr. Doratt, to remove Courtney Saarbum from the C-2 Task Force Committee and appoint Linda Wilson as a member. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

**Public Comment:**

Susan Franco stated that she attended the Conditional Use Hearing held in Valley Township regarding Keystone Foods. Ms. Franco stated that she is disturbed at the fact that (5) tractor-trailers will travel through Sadsbury Township per hour to reach Keystone Foods. Ms. Franco also stated that she would like to see the speed limit lowered from 55 mph on Washington Lane. Regarding the snow issue Ms. Franco states that Quarry Ridge has different types of problems than the Township is used to working with.

Joe Demarest: grading issues at Old Mill Road, due to the developer pulling out and not completing the grading work. The Board stated that Mr. MacCombie would do an inspection of the property and report back to the Township. Mr. Lowry stated he would be in contact with Alan Jarvis attorney for the developer.

John Lymberis asked what fund would the \$35,0000 that AIM paid to Sadsbury go? The sanitary sewer fund. Mr. Lymberis suggested that the road crew get some type of snow plowing training. Mr. Hensel stated that the entire road crew takes a course once a year. Mr. Doratt stated its impossible for the men to do a good job when you have residents standing in the road to keep the trucks from plowing in their driveways.

With there being no further business, the meeting was adjourned.

Respectfully Submitted,

Lisa Myers  
Secretary/Treasurer