

## **Board of Supervisors Regular meeting Tuesday June 20, 2006**

The Board of Supervisors conducted a regular meeting held on Tuesday June 20, 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. Herbert MacCombie Township Engineer and members of the community.

The moment of silence and pledge of allegiance were observed.

Mr. Hensel announced that the Board met in a public work-session on June 7, 2006 at 9:00 a.m. to discuss the 2006 Municipal Waste Collection bid package options.

Mr. Hensel announced that the Board met in executive session on June 9, June 15, and June 19, 2006 at 9:00 a.m. to interview for the open position of Zoning Officer/Building Inspector.

A moment of silence and pledge of allegiance was observed.

**Township Police report.** Sergeant Ranck reported that Chief Groce left him a training request for Officer Imhoff to attend a training class for uniform crime report training to be held on July 13, 2006 to cost \$99.00.

Mr. Hensel made a motion, seconded by Mr. Doratt, to approve Chief Groces request to have Officer Imhoff attend a uniform crime report training class on July 13, 2006 to cost \$99.00. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

**Township Engineer report.** Mr. Herb MacCombie reported that the Township has sent a 60-day notice to connect to the sanitary sewer to all Springview Manor residents. Currently the sewer contractors have hit rock on Maple Avenue. Mr. MacCombie reported that the next step of the sanitary sewer was to complete Bonsall School Road; Mr. Pompo stated that one homeowner will not sign an easement for this step and the project cannot move forward without this said easement. Mr. MacCombie reported that the Board added Meeting House Lane and Morris Lane, as an extension onto the contract and the project should being in early July. Mr. Pompo stated that he has been in contact with the homeowners attorney and states that it is not clear on what the homeowner wants to sign the easement needed to proceed with Bonsall School Road. The Board discussed for Mr. Pompo to prepare condemnation paperwork and have them ready for the next Board meeting. The Board asked once the paperwork is filed how long with the process takes; Mr. Pompo replied it usually takes 45 to 60 day time frame. Mr. MacCombie reported that his office has prepared and submitted all MS4 paperwork that was required. Mr. MacCombie reported that his office is still reviewing the Sadsbury Village deed of dedication paperwork along with the paper work of Morris Farm.

**Township Solicitor report.** Mr. Pompo reported that he has received (2) proposals to update the current recreation plan of 1996. Mr. Pompo stated that Environmental Management Center submitted a proposal along with Tom Comitta & Associates Inc. Copies of the documents were given to each Board member for review. Mr. Pompo stated that a grant is available for up to 70% reimbursement for the creation of an

Ordinance regarding a “fee in lieu of” should the Township make the decision to move forward.

**Tabled Business:**

Ted Reed of Pennsylvania American Water Company presented the Board with a discussion of extending an agreement of additional 20 EDU's for the bone tract. With Mr. Reed was Mr. Hickey project manager of Keystone Foods. Mr. Reed stated that he has been in contact with DEP and stated that any extra allocation at this time would need to go through the public utility commission and then DEP, however DEP will not allow additional allocation of capacity and will not enter into any agreements for an additional 20 EDU's until the new sewage treatment plant goes online in 2009. Mr. Reed stated that PAWC would guarantee the Township back their 20 EDU's upon completion of the new plant. Mr. Reed stated at the last discussion a question was raised that the Township may need the 20 EDU's before 2009. Mr. Reed stated that currently the Township is using 90,000 gallons per day, therefore leaving 320,000 gallons per day that are not being used. Mr. Reed stated that the act 537 states an EDU as using 250 gallons per day when actually the average resident is using 140 gallons per day. Mr. Reed stated that a question was asked if the new sewer plant does not get built out by 2009, Mr. Reed stated that fines and jail time will be in order for the presidents of PAWC. What if the Township goes into agreement for the 20 EDU's needed and the company gets sold? Mr. Reed answered that all agreements that are in place would be sold along with the company and be honored. Mr. Reed stated that he was brought back into the Coatesville office to work with Municipalities and he stated that he does not work with developers. Mr. Pompo stated that an agreement, contract commitment guarantee would need to be in place. Mr. Doratt asked if all the EDU's were maxed out but there is still flow what happens? Mr. Reed stated that the EDU's are based on flow. Terry Muto stated that DEP is basing the EDU's per count not gallons per day. Mr. Reed stated it is based on the connection management plan. Mr. Reed stated that currently the Township has made 40% of the connections but is only using 22% of the flow allocation. Mr. Hensel asked if going into an agreement would set precedence for any one needing EDU's. Mr. Pompo stated it would extend an opportunity for others. Mr. Reed added that this request is for a project that is currently in the service area, however the Hershey tract is not part of the 537 plans and an addendum to the existing agreement would have to be created.

The Board discussed the (2) vacancies open on the Planning Commission. Ms. Silvernail read a recommendation letter from Matthew Arnoldy Chairman of the Planning Commission stating that at their regular scheduled meeting 5 residents expressed interest in filling the two open positions. The recommendation is to appoint Theodore Claypoole till 2007 and Carlyle Rivers until 2006.

Mr. Hensel made a motion, seconded by Mr. Doratt, to appoint Theodore Claypoole to fill a vacant seat on the Planning Commission with a term to expire 2007. 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 appoint Carlyle Rivers to fill a vacant seat on the Planning Commission with a term to expire 2006. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

## **New Business:**

Mr. Doratt read a letter out loud from Bob Florian that read: Dear Board of Supervisors I am requesting a grading permit extension so that I can continue to fill the area on my property at the end of Belvedere Avenue. As you know obtaining clean fill is sporadic and time consuming as the project (filling in) has been going on for a while, the end results will be an improvement to an otherwise dangerous and debris fill area. Due to my work schedule I cannot attend the A.M. Supervisors meeting on Tuesday 6/20/06 but I'm willing to meet with you if the need to do so is needed. Any questions please call. Thank You Bob Florian. The Board questioned Mr. MacCombie regarding this matter. Mr. MacCombie stated that he has visited this site last year with Mr. Garris when complaints had been reported regarding the storm drains. Mr. MacCombie stated that the property has steep slopes and needs to comply with the soil conservation, stabilization to the area with silk fence. Mr. Disciullo was present at the meeting and stated that Robert Florian is filling in the area of his property up to where it meets Newport Avenue. Mr. Disciullo added that silk fence is placed along the property. The Board requested that Mr. MacCombie inspect the site and report back at the next Board meeting. No action was taken at this time, the request was tabled.

The Board discussed a letter received from The Grafton Association regarding the C-2 Zoning and the concept of reviewing growth management. Ms. Silvernail stated that the purpose of the study is growth and the entire township would be studied. Mr. Hensel asked how long will the study take? Ms. Silvernail stated 3 to 4 months. Mr. Hensel asked what the costs would be associated with this managed growth study? Ms. Silvernail did not know. Mr. Hensel asked if this was something the Planning Commission could review? Ms. Silvernail stated yes. Ms. Silvernail stated that she would gather more information and report at the next meeting.

Mr. Drozd presented that Board with a summary of the Municipal Waste Collection bid package results that shows all bid options. Mr. Drozd stated all numbers are based on picking up 1172 households with approximately 55 pounds of trash per week equals 2860 pounds per year and 1.43 tons per year

Mr. Hensel made a motion, seconded by Mr. Doratt, to adopt Resolution 2006-05 pertaining to the plan revision for new land development for Pomeroy Partnership upon completion of section 4A be completed by the Township Planning Commission Chairman as per Mr. MacCombie's recommendation. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Brian Kulakowsky representing Gateway Church made a request for preliminary land development approval of Gateway Church. Mr. Kulakowsky stated that he has received Mr. MacCombie's review letter dated June 9, 2006. Mr. Kulakowsky states that they will comply with placement of additional trees for screening. Mr. Kulakowsky stated that the plan shows placement of utility poles. Mr. MacCombie stated that the current subdivision land development section 109-52 requires the existing electric and telephone lines along Cowan Road be placed underground instead of relocation of new poles. Mr. McClure asked if they would have to go to Peco and get the costs for placement of underground utilities? Mr. Pompo stated yes, that's what the Township Ordinance calls for unless you request a waiver from the requirements of the Ordinance. Mr.

Kulakowsky stated he is seeking preliminary approval of the Gateway Plans. Ms. Silvernail stated for them to get some of the conditions of the review letter of Mr. MacCombie dated June 9, 2006 cleaned up before the Board can make a decision. At this time Ms. Silvernail stated no action would be taken regarding this matter.

Mr. Pompo stated that Mr. Hensel remained silent and did not participate with any Gateway Church matter due to a conflict.

A motion to purchase a backstop for the Bert Reel Park ball field was tabled until Mr. Doratt could provide more information.

Mr. Hensel made a motion, seconded by Mr. Doratt, to approve the purchase of a HP Tower server with software with costs not to exceed \$3,900.00. 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 payment of \$2,400.00 to Altizer Services for installation of the new tower server, setting up the service and employee training with a cost not to exceed \$2,400.00. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Hensel made a motion, to approve the consulting fees of \$85.00 an hour to Tom Lowry to update the new Zoning Official of zoning situations. Mr. Doratt asked Mr. MacCombie if he felt this to be necessary? Mr. MacCombie stated that at some point he will have to ask Tom questions about a past permit or inspection situation, at this point he has not called, he is going through the information that was left for him. Mr. Pompo stated to keep it to a minimum. The Board agreed that it should be in 15-minute increments. With Ms. Silvernail adding this is only temporary. With there being no further questions, the Board voting "aye", the motion passed unanimously.

Chuck Dilabbio representing Keystone Ranger is requesting the Boards approval of placement of a gazebo. Mr. Dilabbio stated that the gazebo measures 12' x 12' and is an octagonal until constructed of pressure treated pine. Mr. Dilabbio stated they are requesting to place the gazebo on the already existing blacktopped driveway occupying (2) current vehicle parking spaces. Mr. MacCombie stated with the size of the building in a commercial development would require a land development plan although this request is a temporary construction item the permittee must request a waiver from the land development ordinance.

Mr. Hensel made a motion, seconded by Mr. Doratt, to waive the land development ordinance section that would require plans be submitted for a commercial building for Keystone Helicopter. With there being no questions, the Board voting "aye", the motion passed unanimously.

Mr. Hensel stated that the Board would table the request to approve the placement of the gazebo until Mr. MacCombie has inspection the placement location.

**Public Comment:**

Alan Eagles: Ask if the Township is going to hire a new Zoning Officer. The Board answered yes.

Susan Franco: Asked what was the Board going to do regarding the relief parking for events only? The Board stated that they have not discussed this issue any further. Mr. Pompo added that when parking became an issue in Quarry Ridge a suggestion was made to have event parking by calling the police department in advance. Mr. Pompo stated a break down of communication happened which made the idea not work, so a decision was made not to do that anymore. The Board requested Mr. Pompo draft a simple Ordinance for the “no” parking in the Township.

Christy Flynn: Requested that the Board motion to approve the highway occupancy permit conditions statement. Ms. Flynn stated that this document is a Pen Dot requirement. Ms. Flynn requested the Board to accept the document contingent upon Mr. MacCombies review and comments. The Board stated that they would table this request until Mr. MacCombie can review and make comments. No action was taken, tabled until the next Board meeting.

Robert Ferrucci: Asked if Industrial Clients will have to comply with the recycling should the Township go that way? The Board answered yes it is mandatory and a new Ordinance will be enacted requiring re-cycling.

Jerry Ranck: Made a comment that the back stop at the Bert Reel Park fence is curling out and is concerned that someone will get hurt. Mr. Doratt stated replacement of the backstop is in progress.

With there being no further business the meeting was adjourned.

Respectfully Submitted,

Lisa Myers  
Secretary/Treasurer





