

## **Board of Supervisors Regular Meeting held Tuesday May 2, 2006**

The Board of Supervisors conducted a regular meeting held on Tuesday May 2, 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. Lowry was absent, Mr. MacCombie Township Engineer and members of the community.

The moment of silence and pledge of allegiance were observed.

Mr. Hensel announced that as noticed by all extra security measures were being taken for this meeting due to a bomb scare. Mr. Hensel stated he feels that there is a reasonable level of security around the building but if anyone was uncomfortable with this situation they may set out of the meeting.

Mr. Hensel stated that the Board of Supervisors met in executive session on May 2, 2006 at 5:00 p.m. to discuss personnel matters.

Mr. Hensel stated that the Board of Supervisors met in executive session on April 25, 2006 to meet with members of the Delaware Valley Regional Planning Commission and Herbert MacCombie.

Mr. Hensel stated that the Board of Supervisors met in executive session on April 27, 2006 to meet with Whitford Insurance Company, the Townships Insurance provider.

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 for the month of April the police patrolled 5745 miles and handled 398 incidents, the primary categories are: 6 criminal mischief, 3 thefts, 8 suspicious persons, 82 stationary patrols, 5 911 hang ups, 88 business checks, 22 alarms, 26 assists to other departments, 6 animal, 12 domestic, 16 accident, 2 harassment, 3 burglary, 5 disturbances. The Chief stated that 73 citations were issued for 63 traffic, 14 criminal arrests, 1 juvenile. Chief Groce is requesting to purchase handguns for the officers not to exceed \$5,000.00 by creating a payroll deduction of \$50.00 per month for each officer that participates. Chief Groce stated that a payroll deduction could be set up along with a 10-month agreement with each officer. Questions asked were would everyone be mandatory to carry the same gun? The answer is "no". Mr. Doratt stated that most municipalities purchase their own guns and assign one to each officer, but the Township choose not to keep this item as part of this years budget. Ms. Silvernail states what if an officer left employment before the obligation was paid off? Chief Groce stated the employees last check would be held. Ms. Heineman

stated that to set an example the company she works for purchased computers and did a payroll deduction to each that participated. She added when its your own equipment people tend to take better care of the item. The Board were all in agreement to purchase the guns.

Mr. Hensel made a motion, seconded by Mr. Doratt, to approve of the Township purchasing handguns for the officers not to exceed \$5,000.00 by creating a payroll deduction of \$50.00 per month for each officer under an agreement between the officer and Sadsbury Township. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

**Township Engineers report.** Mr. MacCombie reported that he has received a grading permit application for 19 Spruce Street from Chester Pointe Developers; revisions will be required prior to approval. Mr. MacCombie stated that Sadsbury Village has re-submitted as built plans for review. Final plans regarding Arcadia phases 2 and 3 have been reviewed and comments have been forwarded to the Board. Mr. MacCombie stated that additional screenings are needed at the Bert Reel Park walking trail, fabric is exposed in some areas. Mr. MacCombie recommended that the Township re-apply for the park improvements grant. Mr. MacCombie stated that he has prepared construction releases for the Boards review and approval for Octorara Glen in the amount of \$33,306.80, Lionville System in the amount of \$250,629.00, and a letter of credit reduction for Tractor Supply in the amount of \$562,028.71.

Mr. Doratt made a motion, seconded by Mr. Hensel to approve the certificate of construction release to Octorara Glen in the amount of \$33,306.80 per Mr. MacCombies recommendation. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Mr. Doratt made a motion, seconded by Mr. Hensel to approve the certificate of construction release to Lionville Systems in the amount of \$250,629.00 per Mr. MacCombies recommendation. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Mr. Doratt made a motion, seconded by Mr. Hensel to approve the letter of credit reduction for Tractor Supply in the amount of \$562,028.71. With there being no questions from the public, the Board voting “aye”, the Board voting “aye”, the motion passed unanimously.

Mr. MacCombie discussed continuing the sanitary sewers to Meeting House Lane and Morris Lane as an add on to the current sanitary sewer contract. Mr. MacCombie stated that the approximate cost would be \$275,000.00 to sewer Meeting House and Morris Lane, which will include 22 homes. The Board discussed what the costs may be if they wait and bid the job and with gas pricing and costs of materials increasing, it would be less costly to continue with the current contract.

Mr. Hensel made a motion, seconded by Mr. Doratt, to continue with the current sanitary sewer contact with N. Abbonizzio to add on Meeting House Lane and Morris Lane. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

**Township Solicitors report.** Mr. Pompo reported that he forwarded a sample recreation plan to the Board for review regarding recreation fee in lieu of Ordinance. Mr. Pompo suggested that if the Board decides to take this route the current park and open space plan would need updated. Mr. Pompo suggested the next step for the Board to take is to find a consultant; The Board stated that no money was allocated in the budget for such a project. The Board requested Mr. Pompo to get quotes on what a consultant would cost and report back.

Township Road report. Mr. Doratt reported that the Old Mill Road drain project has been completed, guide rail on the Compass Road South Bridge has been replaced and the guide rail on Old Mill Road has been repaired. Pot holes have on Old Mill road have been filled. All Township equipment fluids, belts and hoses are checked daily. Grass at the Township parks have been maintained, diamond tex was spread on the ball fields. Old railroad ties were removed from Bert Reel Park. Township equipment miles are 665 and hours are 73.6.

**Township Planning Commission report.** Mr. Przychodzien reported that the minutes of the Planning Commission have been attached to the Board of Supervisors minutes. Mr. Przychodzien reported that Sandy Wiggins representing Aerzen USA discussed items covered in Mr. MacCombies review letter dated February 2, 2006. Members representing Sadsbury Park discussed items in Mr. MacCombies review letter dated March 29, 2006 regarding phases 2 and 3 final plan, no action was taken. The Planning Commission discussed the Zoning Ordinance change to the garage setbacks. Mr. Przychodzien motioned no to recommend accepting the proposed Ordinance, the motion passed 4 –1 with George Dalmas as “no” and Matt Arnoldy abstaining. Representatives of Chester County Airport Authority were present to provide a description for their proposed South apron project. The plan showed parking of 48 aircraft and 48 motor vehicles. Vic Kelly representing Valley View discussed their proposed preliminary subdivision plan. Mr. Prozhodzein made a motion to recommend preliminary approval of the subdivision, the motion carried. Ms. Silvernail provided a brief update of the C-2 Zoning.

**Township Zoning report.** Mr. Doratt read Mr. Lowry’s report as follows: 30 inspections have been performed and 88 inquires were answered, 10 permits were issued for 2 additions, 1 single family, 1 pool, one construction trailer, 3 decks, 1 pool with deck, 1 sprinkler system. The Zoning Hearing Board rendered a decision on April 11, 2006 regarding the Shoemaker application of 1143 Octorara Road to expand a non-conforming use and structure. The Board approved the application with the condition that the expanded garage will not be utilized for any commercial use. No code enforcement to report this month. A two-lot subdivision is proposed for West Caln Township with no disturbance for Sadsbury Township.

**Pomeroy Fire Company report.** Mr. Taylor reported that for the month of April 12 alarms were answered for 4 auto accidents, 1 automatic alarm, 1 fields, 1 trees, 1 shed, assists to others: 1 odor investigation, 1 building, 1 standby, 1 auto accident. Time in service was 6 hours 8 minutes.

**Sadsburyville Fire Company report.**

**Emergency Coordinator Update:** Mr. Taylor stated that Knox boxes are available for residents if they are interested to please call him. Mr. Taylor stated that both Township fire companies received \$20,000.00 each from the County to purchase new air packs and rescue equipment and get each fire company up to date. Mr. Taylor stated that it was questioned if Sadsburyville Fire Company carried an insurance bond and the answer is yes that they are bonded. Mr. Taylor stated that he has heard nothing more from the Whitmer or Cumberland Insurance to have Knox boxes installed at their businesses.'

**C-2 Task Force Meeting Update:** Ms. Silvernail reported that 2 representatives from O'Neil properties presented a power presentation of the Worthington Steel property that is currently being developed. 3 distinct uses are proposed for the Worthington site, retail, office, and residential. The discussion of the types of uses was reviewed. Residential and structured parking are included in the Worthington Steel site, but in Sadsbury Township a residential may not be desirable, as the housing needs are addressed in the other zoning districts. The scale of the building is the biggest issue; big box stores could be limited in size and shape. These items will be discussed at the next C-2 taskforce meeting to be held on May 3, 2006 at 6:00 p.m.

**Park Committee report.** Mr. Doratt stated that the park committee has conducted (2) meeting and help is need on Community Day to be held August 26, 2006. Mr. Doratt also stated that help is needed in the refreshment stand during baseball games anyone interested please contact Mae McGuigan or Doug Doratt.

Mr. Hensel made a motion, seconded by Mr. Doratt, to pay the April invoices in the amount of \$60,409.06. 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 pay the April payroll in the amount of \$33,095.83, 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 pay the April sanitary sewer bills in the amount of \$24,909.36. With there being no questions from the pubic, the Board voting "aye", the motion passed unanimously.

Mr. Hensel made a motion, seconded by Ms. Silvernail, to pay N. Abbonizzio Contractors in the amount of \$133,971.85. 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 pay the PIRMA renewal in the amount of \$32,753.39. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

### **Tabled Business:**

Vic Kelly and Jim Reading representing Valley View presented the Board with a request for preliminary approval for lots 1 through 3 of Valley View and land development approval of lot 1. Mr. Pompo stated that at the previous meeting a sanitary sewer issued was not resolved. Mr. Doratt stated he has concerns regarding the traffic on Washington Lane and lack of money management concerns such as why put money into a road that could possibly close in the futures. Mr. Kelly stated that he received an e-mail from Gerald DeBalko project manager for Pennsylvania American Water Company and the letter states: that the Bone Tract (Sadsbury portion) has 40 EDU’s allocated to it on table A2 of the 4<sup>th</sup> quarter 2005 CMP revised February 2006 which has been approved by DEP. This means PAWC has already committed to 40 EDU’s of capacity and have no objections to sing planning modules for this project. None of this allocation has been previously allocated to the Township of SSC. In 2005 I added this to the CMP just thinking it was an oversight and did not check with the Township, which is my error. We suggest that All County pay all appropriate fees to the Township and PAWC and be allowed to connect. PAWC must still review and approve of the subdivision plans and provide comments, I guess just on water facilities. Mr. MacCombie stated that the e-mail is different than the conservation he had earlier that day with Mr. DeBalko. Mr. MacCombie stated with the comments made in Pennsylvania American Water’s letter from Gerald DeBalko and that all issues in his review letter dated January 23, 2006 and the letter from McMahan dated March 20, 2006 be met he has no objections for approval.

Mr. Hensel made a motion, seconded by Ms. Silvernail, to approve the preliminary approval for lots 1 through 3 of Valley View and land development approval of lot 1 contingent upon all issues of Mr. MacCombie’s review letter dated January 23, 2006 be met and that Valley View comply with McMahan traffic review letter dated March 20, 2006. With there being a comment from John Lymberis stating that Valley View work with Somewhere Saloon as far as road widening issues. With there being no further questions, Mr. Hensel voting “aye”, Ms. Silvernail voting “aye”, Mr. Doratt voting “nay”, the motion passed.

### **New Business:**

The Board discussed the Washington Lane traffic study proposal from McMahan Associates. The cost of the study is \$18,300.00. Mr. Doratt stated that the developers affected in the areas of the traffic study should pay a portion to offset the Township’s

expense. Mr. Doratt stated that Keystone Ranger, Valley Township, AIM Development and Vic Kelly should be requested to donate a portion since the study will affect them. Mr. Kelly stated that Valley View has already paid for several studies pertaining to the Valley View/Keystone Foods tract. Ms. Silvernail stated that study was for west of route 30 and your study was done east of route 30. Mr. Kelly stated that he would speak to the developer and get back to them. Gary Hudson representing the Chester County Airport stated \$18,300.00 split 5 ways would be approximately \$3,700.00 and the Chester County Airport could deal with that. Jane Heineman stated that the Township needs a comprehensive traffic study of the entire area. The Board stated that this traffic study would serve as the comprehensive study for the entire area. Mr. Pompo suggested approving the proposal subject to getting funding from other affected developers.

Mr. Hensel made a motion, seconded by Mr. Doratt, to accept the proposal of McMahon Associates to perform the traffic study for Washington Lane. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

**Public Comment:**

Jane Heineman- announced that Sadsbury North is in need of poll workers, the pay is 114 for the entire day starting 6:30 a.m. to approximately 9:00 p.m. She added that you must be a registered voter of the north prescient. Ms. Heineman asked if the trash barrel at the park could be emptied, it has been missed the past few weeks.

John Lymeris-Asked questions about the sanitary sewer line locations for Meeting House Lane and Morris Lane. Mr. MacCombie stated that would be it the line will not be currently run out to Lincoln Highway.

Susan Franco- Stated that the Town Watch was a success and thanked the Board for the placement of the advertisement in the Township’s newsletter. Susan added that they are seeking volunteers to come out and be active on the town watch. Ms. Franco stated they would take down all the old posters for the past meeting.

Patty Bacon- Asked how long will the traffic study take before the Township has the results. The answer was approximately 6 weeks.

Demarest- asked if legal proceedings have been started against David Carr? Mr. Pompo stated not yet.

Alan Eagles- Asked if a basketball court could be placed on the old slab of concrete along Quarry Road? Mr. MacCombie stated that when the land was donated to the Township certain stipulations were placed on the Township and the agreement would need to be reviewed. Mr. Eagles added that he read that the Township has ordered another police vehicle and does the Township ever have more than 2 patrolmen on at a time? Mr. Hensel answered that they rotate vehicles to reduce mileage.

Vic Kelly- stated that he would take under consideration the request to chip in for the traffic study being conducted on Washington Lane.

Terry Franciscus- Commented that traffic through the village of Sadsburyville in the morning has been unusually heavy.

Tony Przychodzien- Stated that the County granted each fire company \$20,000.00. Mr. Przcchozein stated that all municipalities are going to be required to take NIMS training. He stated that the Chester County Department of Emergency Services has developed an introduction to the incident command system course. Mr. Przychodzein stated that he is trained to do teach the class at the Township, it would consist of 2 classes at 1-½ hours each class. The Board directed Mr. Przychodzien to set up the class.

Mr. Hensel made a motion, seconded by Mr. Doratt, to adjourn the regular Board of Supervisors meeting and open a public hearing for an Ordinance amending the TND overlay district to adjust the distance a front entry garage must be recessed from the principal front façade. 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 reconvene the regular Board of Supervisors meeting. 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 Ordinance 2006-04 pertaining to the TND amendment. With there being no questions from the public, Mr. Hensel voting “aye”, Mr. Doratt voting “aye”, Ms. Silvernail voting “nay”, the motion passed.

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

Respectfully Submitted,

Lisa Myers  
Secretary/Treasurer