

Board of Supervisors Regular Meeting Tuesday September 5, 2006

The Board of Supervisors conducted a regular meeting held on Tuesday September 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. Jeff Fitch Zoning Officer/Building Inspector and members of the community.

Mr. Hensel announced that the Board met in executive session on September 1, 2006 at 7:00 p.m. regarding police matters.

Mr. Hensel announced that the Board met in executive session on September 4, 2006 to interview for a police position.

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 for the month of August the police patrolled 5,178 miles and handled 336 incidents, the categories were: 3 criminal mischief, 3 thefts, 6 suspicious persons, 72 stationary patrols, 3 911 hang ups, 32 business checks, 26 alarms, 12 assist to other departments, 4 animal, 7 domestics, 10 accident, 5 harassment, 5 disturbances. Chief Groce stated 89 citations were issued and 16 arrests were made for: 1 DUI, 2 firearms, 1 harassment, 3 DC, 4 agg. Assault, 2 warrant, 1 burglary, 1 cruelty to animals, 1 obstruction of justice. Chief Groce also stated that 2 truck inspection details were performed and 2 traffic speed details were performed. Chief Groce stated that a traffic study was performed on Route 30 East of Route 10 and the study shows that traffic has slowed down in that area. The location was studied approximately 6 months ago and stopped 15 to 18 speeders in a short period of time.

Mr. Hensel called an executive session to discuss police personnel matters.

Mr. Groce stated that the speed machine is currently out of service; the speed limit does not light up. He reported that the machine needs a radar cone replacement part that costs \$1,190.00. Mr. Hensel asked if the machine was still under warranty, Chief Groce stated that the warranty has run out.

Mr. Doratt made a motion, seconded by Mr. Hensel, to get the speed machine radar cone replacement service completed to cost \$1,190.00. With there being no questions from the public the Board voting “aye”, the motion passed unanimously.

Chief Groce presented the Board with a recommendation to hire John Smith as a part time patrolman at the rate of \$14.42 an hour with a 90-day probation. Chief Groce added that a background check has been completed and he is a current patrolman at Bethel Township and has 14-year experience.

Mr. Hensel made a motion, seconded by Mr. Doratt, to hire John Smith as a part time patrolman at the rate of \$14.42 an hour with a 90-day probation period. With there being no questions from the public the Board voting “aye”, the motion passed unanimously.

Chief Groce presented the Board with a recommendation to hire Rich Imhoff as a full time patrolman at a rate of \$16.42 per hour with a 90-day probation period. Chief Groce stated that Mr. Imhoff is a current patrolman.

Mr. Hensel made a motion seconded by Mr. Doratt, to hire Rich Imhoff as a full time patrolman at the rate of \$16.42 an hour with a 90- day probation period. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Chief Groce presented a request for Rich Imhoff and himself to attend a two-day training conference for information records management software to be held in Valley Forge on September 28th and 29th. The total cost for the two-day course is \$248.00 for both officers.

Mr. Hensel made a motion, seconded by Mr. Doratt, to approve the request to send Rich Imhoff and Chief Groce to a two-day training conference for information records management software to be held in Valley Forge on September 28th and 29th with a total cost for the two-day course to be \$248.00. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Township Engineer report. Mr. MacCombie reported that he has completed construction releases for the Boards approval. The releases are for Octorara Glenn in the amount of \$14,798.87, Ethernore & Associates in the amount of \$72,958.55, and Grateful Dog in the amount of \$75,380.52, and Harry’s Restaurant in the amount of \$1,592.00.

Mr. Doratt made a motion, seconded by Ms. Silvernail, to approve a construction release to Octorara Glen in the amount of \$14,798.87 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 Ms. Silvernail, to approve the construction release to Ethernore & Associates in the amount of \$72,958.55 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 construction release to Grateful Dog in the amount of \$75,380.52 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 Ms. Silvernail, to approve the construction release to Harry’s Restaurant in the amount of \$51,592.00 per Mr. MacCombies recommendation. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Mr. MacCombie reported that he is in receipt of the Washington Lane Traffic Study regarding Washington Lane and Hoffman Avenue. The studied transportation improvement alternatives were: A. No build, B. Existing Roadway system with improvements, C. Close Washington Lane, D. Close Washington Lane connect through Bellaire Business Center, E. Relocate Washington Lane, F. Close Washington Lane and connect through Valley Township. Since the Board of Supervisors just received these documents as well as Mr. Pompo they need time to review the study. No action was taken the study was tabled.

Mr. MacCombie stated that he is in receipt of a new Resolution for new land development for Joe Discuillo. Mr. MacCombie stated he realizes that the Board already adopted the Resolution but a new one needs adopted because of a conflict with dates between the adoption of the Resolution and the Planning Commission signature on the Planning Modules. Mr. MacCombie added that PAWC has already approved the flows for this project.

Mr. Hensel made a motion, seconded by Mr. Doratt, to approve Resolution 2006-08 pertaining to the new land development of Pomeroy Partnership. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Mr. MacCombie stated that he needs the Boards direction on how to proceed with repairing the end of First Avenue. Mr. MacCombie states that Sadsbury Park has an agreement that states they will be responsible for the repair but the Township needs to obtain the right of way in order for Sadsbury Park to begin the project. Mr. Hensel directed Mr. MacCombie to move forward to obtain the right of way at the end of First Avenue. Mr. MacCombie stated that he is in the process of completing the historic report for the Sadsbury Village Enhancement Project. Mr. MacCombie urged the Board and community to contact the County Commissioners to request matching funding for the Bert Reel Park improvements. Mr. MacCombie stated that Chris Moore a resident of Compass Road has been in contact with him regarding flood plain issues on her property. He stated that she was told her property is located in a flood area and she in turn has to pay flood insurance each year, she is requesting Mr. MacCombie perform a study to be done to decide if her home does lie within the flood plain. Mr. MacCombie stated that he

couldn't do the work for her and bill the Township. Mr. MacCombie stated that he figures approximately \$5,000-\$6,000 should cover the costs. The Board recommended that Ms. Moore establish an escrow account with the Township to cover the costs. Mr. MacCombie stated that Randy White general partner for Sadsbury Associates paid for 15 EDU's that had been allotted to him by the Board several years ago. Mr. MacCombie suggested that the Board notify PAWC to add this project to their connection management plan. Mr. MacCombie stated that 15 EDU's is to be allotted from the Township's allocation and commit to Sadsbury Village. The Board directed Mr. MacCombie to send a letter to PAWC regarding the EDU's of Sadsbury Village and suggested that Mr. MacCombie request the removal of D & S and the Bone Tract from the connection management plan as they are not supposed to be on there. Mr. MacCombie stated that he is in receipt of the Chester County Airport Plans that is located almost entirely in Valley Township, however they are proposing the relocation of an apron to support aircraft parking in anticipation of the runway expansion which would cause Rockdale Drive to be relocated, which effects Washington Lane. Mr. MacCombie stated that with all the complaints coming before the Board regarding Meeting House Lane road conditions and safety, that the only solution that can be done is placing base coat down and wait for the road to settle and pave in the spring. Mr. MacCombie stated that some spots of the road were dug very deep. The Board agreed to have Meeting House Lane base coat down and the entranceway of Fredrick Road done.

Township Solicitors report. Mr. Pompo stated that he has reviewed the Resolution which authorizes the Board of Supervisors to adopt a schedule of fees to cover various costs incurred in the Building Code process, including but not limited to applications for building permits, inspection fees. Mr. Pompo added that this Resolution that amends the past Resolution with changes such as all applications for construction permits shall be accompanied by a non refundable fee as well as all zoning applications.

Mr. Hensel made a motion, seconded by Mr. Doratt, to adopt Resolution 2006-09 pertaining to adopting a schedule of fees to cover various costs incurred in building code process including but not limited to applications for building permits and inspection fees. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Pompo explained Resolution 2000-10 being a Resolution pertaining to amending a rate change per hour of the fee schedule. Mr. Pompo stated that the Township Zoning Officer rate changed from \$70.00 an hour to \$125.00 an hour.

Mr. Hensel made a motion seconded by Mr. Doratt, to adopt Resolution 2006-10 pertaining to the charging of review fees for subdivision applications, including but not limited to professional consultations, engineering review and reporting, legal documentation preparation and submittal, legal research and other legal services and administrative fees. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Pompo explained the text of the Master Professional Services Agreement between Sadsbury Township and Bureau Veritas North America Inc. and its parent affiliates divisions, subsidiaries, agents, successors and assigns, hereinafter the consultant. Mr. Pompo stated that he has reviewed and revised this agreement with Bureau Veritas and has found the agreement to be acceptable.

Mr. Hensel made a motion, seconded by Mr. Doratt, to accept the Master Professional Services Agreement between Sadsbury Township and Bureau Veritas North America. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Mr. Pompo explained the text of the Master Professional Services Agreement between Sadsbury Township and Bureau Veritas North America Inc. Mr. Pompo stated that this agreement accepts Bureau Veritas as the Zoning Officer. Mr. Pompo stated that he has reviewed this agreement and found it to be acceptable.

Mr. Hensel made a motion, seconded by Ms. Silvernail, to accept the Master Professional Services Agreement between Sadsbury Township and Bureau Veritas North America as the Township’s Zoning Official. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Mr. Pompo discussed with the Board a draft floodplain Ordinance. Mr. Pompo stated that DCED has set forth provisions to revise the definitions to be compliant of the federal regulations of the floodplain overlay district for compliance with the National Flood Insurance Program. Mr. Pompo stated that DCED has set a deadline to be complete by September 29, 2006, Mr. Pompo said that is not enough time but as long as he sends DCED a proof of publication of the advertisement the Township will stay compliant.

Mr. Hensel made a motion, seconded by Ms. Silvernail, to authorize advertisement for a public hearing to be held on October 3, 2006 regarding the Ordinance pertaining to revising the floodplain overlay district. With there being questions from Earl Taylor asking with all the building does it protect storm water flows. Mr. Pompo stated that this Ordinance does not impact storm water. With the Board voting “aye”, the motion passed unanimously.

The Board tabled any discussion regarding the recreation update.

Mr. Joe Drozd Township’s financial consultant discussed the current sewer debt refinancing to reset the interest rates to fixed rates. Mr. Drozd stated that option 1 is 25% variable, 25% 3 year rate which is 3.86% current, 25% 6 year rate which is 3.95% current, 25% 9 year rate which is current 4.10%. Option 2 is a 20-year rate at 4.25%. Mr. Drozd recommended for the Board to consider the 20 year fixed rate at 4.25%. Mr. MacCombie agrees that the 20-year option is what is best for the Township.

Mr. Hensel made a motion, seconded by Mr. Doratt, to directed Mr. Drozd to move forward on obtaining the 20 year fixed rate of 4.25% for the sewer debt refinancing by

contacting Delaware Valley Regional Finance Authority to prepare the Resolution for the Township Solicitors review and advertisement. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Mr. Drozd explained that he has reviewed the agreement from Pennsylvania American Water Company regarding billing and revenue collection services. Mr. Drozd stated that he recommends the Township to consider finalizing this agreement for reasons of the current process requires that the Township receives the beginning and ending water flows and must calculate the current usage utilizing excel, the usage is then entered into QuickBooks for billing. The Pennsylvania American Water billing system will allow the current period water usage to automatically flow to the sewer usage bills, thereby eliminating human input errors. Mr. Drozd stated the process the Township follows is very time consuming and this agreement would provide additional time for Township employees to address other areas in the growing Township. Mr. Drozd recommended the Board direct Mr. Pompo to review the agreement.

The Board agreed to have Mr. Pompo review the Pennsylvania American Water Company agreement.

Township Zoning report. Mr. Jeff Fitch reported that a notice of zoning violation has been mailed certified mail to 10 Western Avenue; he stated that the residents are running a business from the home. Mr. Fitch stated that occupancy permits have been issued for 27 Wick Drive, 26 Wick Drive, 405 Broad Meadow Drive, 143 Stewart Huston Drive A & B, and 410 Greenhill Road. Mr. Fitch stated that an application has been received by the Quarry Ridge Home Owners Association to place two benches on the corner of Flagstone Circle and Autumn Trail. The plans have been reviewed and meet the minimum standards and safety requirement for installation. Mr. Fitch stated that the actual location or placement of the benches is located within the Township’s right of way and the location is a bus stop location. Mr. Fitch added that the Township should not take any responsibility for the condition or maintenance of the benches. Mr. Pompo stated that the Board should require a site inspection by the Township Engineer and report given before any approval are met. Mr. Pompo also added that it could be a liability and safety issue. The Board requested Mr. MacCombie perform a site inspection of the location for the benches. No action was taken on this matter at this time.

Mr. Grafton presented the Board with a copy of a draft Ordinance pertaining to a main street commercial center district. Mr. Grafton stated that this draft Ordinance will provide for a more pedestriatan oriented site and a family environment. Mr. Grafton stated that this Ordinance will change the title of one for the base zoning districts from C-2 General Commercial to C-2 Main Street Commercial. Mr. Grafton suggested sending the draft ordinance to Chester County Planning Commission for review and to copy the Township Planning Commission. Mr. Hensel recommended that the draft be sent to both County and Township Planning Commissions for review. Mr. Grafton stated that before the adoption of the proposed ordinance the Board should consider updating the SALDO, he added that the County Landscapes program would help fund the updating of the SALDO.

Township road report. Mr. Doratt reported that most Township roads are in good shape. Two new drains have been set on Old Mill Road to improve the drainage. All Township equipment belts, fluids and hoses are checked daily. Total equipment miles are 904 and hours are 37. All general maintenance has been performed at all Township parks, Bert Reel Park was mulched and the pavilion was power washed and new lines were painted in the parking area.

Township Planning Commission report. No report given.

Pomeroy Fire Company report. Mr. Taylor reported that for the month of August 12 alarms were answered for 5 automatic alarm, 1 brush, 1 child locked inside car, 1 gas leak outside, 1 house fire, 1 motorcycle accident, 1 pedestrian struck, 1 trees and wires. Time in service 4 hours 47 minutes.

Sadsburyville Fire Company report. No report given

Emergency Services Coordinator update. Mr. Taylor stated that he prepared a letter of approval of hydrant locations for phases II and III of Sadsbury Park. Mr. Taylor stated that the County gave all emergency coordinators an option to receive emergency weather information; Mr. Taylor opted in and is receiving weather information. Mr. Taylor stated that he spoke to Todd Meltsch current Zoning Officer/Building Inspector regarding plans for a building or companies being proposed near the Chester County Airport. Neither Mr. Taylor nor Mr. Meltsch could locate the property. Mr. Taylor stated that the Pomeroy Fire Company Chief received plans regarding a possible warehouse to be built near the Verizon building located along Route 372. No hydrants were located near this property and the Chief did not sign off on the plans as requested.

C-2 Taskforce Committee update. Ms. Silvernail stated that the committee met on August 15, 2006. The committee received the final draft ordinance from Mr. Grafton regarding a main street commercial center district. The committee voted to pass the ordinance to the Board of Supervisors for review. Mr. Grafton suggested that the SALDO be updated before the adoption of the C-2 ordinance.

Township Park Committee update: Mr. Doratt stated that the park committee had a successful community day. He thanked everyone who helped prepare for the event. Mr. Doratt stated that \$2,300.00 gross was brought in that day. Mr. Doratt stated that the Township road crew would be installing the backstop. Mr. Doratt said that Debbie Mundy Chairperson of the park committee did an excellent job.

Mr. Hensel made a motion, seconded by Mr. Doratt, to approve the August invoices in the amount of \$54,351.54. 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 August payroll in the amount of \$36,627.02. 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 sanitary sewer invoices in the amount of \$26,753.78. 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 August invoice to N. Abbonizio in the amount of \$114,055.19. 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 make the yearly donation to Parkesburg Library in the amount of \$1,500.00. 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 make the yearly donation to Coatesville Library in the amount of \$1,500.00. 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 make the yearly disbursement to Sadsburyville Fire Company in the amount of \$16,350.00. 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 make the yearly disbursement to Pomeroy Fire Company in the amount of \$16,350.00. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Tabled business:

Randy White representing Sadsbury Village to discuss the acceptance of the road dedication. Mr. White was not present at the meeting. The Board tabled this item for the next Board meeting.

Public Comment:

Elmer Pluck—stated that he would pass along the thanks to Debbie Mundy. He stated that he would like to see more park activities offered. Ask the Board at budget time to place more money in the budget for the park so that nice equipment can be placed for the children.

Susan Franco—stated that the Quarry Ridge Homeowners Association would provide insurance on the park benches.

Vince Pompo—stated that Act 101 of the Second Class Township Code has updated and will allow for a Township Supervisor to collect lost wages for certain events held during the day.

Stephanie Silvernail—stated that she received a noise complaint regarding the Cabbassa home located on Lincoln Highway. Chief Groce stated that the department is aware of the condition.

Alan Eagle—asked if recycling cans could be placed at the Bert Reel Park. The Board answered “no” they tried that years ago and everyone used it as a dump grounds.

John Lymberis—announced that the self-storage opened today, and he will set a date to have the Township officials take a tour. He added that he volunteered to reimburse the fire companies for attending an elevator rescue course. As he has one in his establishment.

Chief Groce—announced that the new police vehicle would be in tomorrow.

Earl Taylor—stated that the ommitter located northbound of Old Wilmington Road needs re-located. The traffic signal does not change in time of approachment. Mr. MacCombie will follow up on this.

With there being no further business the meeting was adjourned.

Respectfully Submitted,

Lisa Myers
Secretary/Treasurer

