

**Board of Supervisors Regular Meeting held Tuesday August 21, 2007**

The Board of Supervisors conducted a regular meeting held on Tuesday August 21, 2007 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. MacCombie Township Engineer/Zoning Officer, Mr. Hawkins Building Inspector and members of the community.

The moment of silence and pledge of allegiance were observed.

Mr. Hensel opened the sealed bids for the construction of resurfacing and street improvements for 1,700 linear feet of Old Mill Road. The bids were read as follows:

Macanga Paving	\$49,834.10
Burkholder	\$44,037.50
Gessler Construction	\$53,500.00

The Board gave the bid packages to Mr. MacCombie for review and recommendation for the next Board meeting.

**Township Police report.** Sergeant Ranck stated that they have been patrolling Compass Road after receiving a complaint regarding speeders. Sergeant Ranck stated that the gate at Bellaire Business Park has been open. The Board instructed that the Secretary contact Terry Muto.

**Township Engineer report.** Mr. MacCombie reported that Herb MacCombie inspected a property on Lincoln Avenue with regards to a complaint received regarding clutter, trailers, and campers. Mr. MacCombie reported that there are no current zoning violations for this property, but there are code issues, the Board will receive a letter. Mr. MacCombie reported that Dennis O'Neil from his office attended the park and recreation meeting to discuss the location of the bathroom facilities and refreshment stand. The park and recreation board requested that the engineer get pricing for a block building v/s a stick building. Mr. MacCombie stated the park board requested re-location of the building from behind the backstop to beside the pavilion. Mr. MacCombie stated that he did prepare a proposed cedar timber building v/s the concrete block construction. Mr. MacCombie recommended that the Board place both buildings out to bid and make the decision on which building they choose after bids are opened. The Board agreed to have the public park improvements placed out to bid. Mr. MacCombie stated that he has sent (3) certified letters to the owners of the corn maze facility and has received (3) signed signature cards back. Mr. MacCombie reported that an inspection was done at 609 Bedrock Road, property of Mr. Felice regarding swimming pool water discharge. Mr. MacCombie stated that there is no evidence of discharge. It appears that there is a backwash discharge pipe directed into an area of stone and appears that water discharged would travel approximately 10 to 15 foot through a grass area prior to entering an inlet above Mr. Felice's property. Mr. MacCombie made the following recommendations to Mr. Felice: 1. obtain a sample of the discharge and have it tested. 2. inform your neighbor that you are concerned about the discharge. Mr. MacCombie stated this is a private matter. Mr. MacCombie stated that there have been concerns raised regarding the lighting at the new township building and that it had to match the Sadsburyville Village District. Mr. MacCombie stated that no specs were in place at the time of the agreement

for the Township building. The current lights are box lights that primarily shine downward as not to disturb any neighbors. Christy Flynn stated the plan does not say that they had to comply with the Sadsbury Village District at that time there were no standards for the lighting. Ms. Flynn added that knowing of complaints received regarding lighting along Lincoln Highway that she used caution picking the lighting and wanted something that would not throw the light and it would be directional down. Mr. MacCombie stated that similar lighting such as what is at Harry's would be used for the Sadsbury Village Enhancement Project, and those lights were not up at the time of planning for the new township building. Mr. MacCombie stated that the zoning decision is not crystal clear with regards to the lighting. Mr. Hensel stated that the lights had to be picked before hand. Mr. Lymberis added that he has box lightening on the interior of his business. Mr. Pompo suggested that if the wording is unclear someone should review the transcripts. Ms. Silvernail agreed with Mr. Pompo, Mr. Hensel asked what the costs would be? Mr. MacCombie stated that he has reviewed that zoning hearing decision and the language is not crystal clear. Mr. Pompo stated that if while Mr. MacCombie reviewed the transcript something would have jumped out it would be worth reviewing again but otherwise Mr. MacCombie has reviewed it.

**Township Solicitor report.** Mr. Pompo stated that the MS-4 permit has been extended for a year. Mr. Pompo stated he reviewed the amended agreement from Pennsylvania American Water Company. Mr. Pompo stated that the contract has made it clear that when a customer makes a partial payment and money is owed for water they take their money before the sewer invoice is paid and it was made clear that they will take their money first. Mr. Pompo stated that Pennsylvania American Water Company is willing to terminate the contract and therefore the Township will invoice for sanitary sewers.

Mr. Hensel made a motion, seconded by Mr. Doratt, to accept the Amendment to Performance of Billing and Revenue Collections Services Agreement with Pennsylvania American Water Company. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Pompo stated that he has been advised that there is a problem with Resolution 2007-07 regarding Response Territories for Emergency Services Providers and the Chester County Department of Emergency Services. He stated that the County does not want to split Route 10 between (2) EMS companies. Mr. Pompo read the change request as follows: Further be it resolved that Station 29 Pomeroy will provide ambulance coverage to all of Sadsbury Township East of Route 10 (Octorara Trail) with driveways and access off both side of Octorara Trail and North of Lieke Road. Station 28 Parkesburg will provide ambulance coverage to the part of the Township West of Route 10 (Octorara Trail) and South of Lieke Road or the area of Sadsbury Township accessed from North Culvert (Julie Drive). After discussion the Board agreed to invite Pomeroy Fire Company and Sadsbury Fire Company to discuss this matter further. No decision was made and this item was tabled until the next regular meeting.

**Township Building Inspector.** Mr. Eric Hawkins stated that all the weed complaints are 50% compliant and (2) have been sent citations. Mr. Hawkins inspected the Township building and provided that Township with a punch list. Mr. MacCombie informed Mr. Hawkins that he has a matter to discuss with him regarding a residence on Lincoln Avenue.

## **New Business:**

Christy Flynn presented that Board with a request to approve the signature of Phase 2 Sadsbury Park. Ms. Flynn stated that the Board did sign the plans once before but time has passed, the signatures have timed out and are no longer valid. Ms. Flynn stated (3) changes have been made, 1. grading, 2. incorporate a piece of phase (3) into phase (2) area, and having the townhouses ownership by footprint. Mr. Pompo asked if a new builder was chosen? Ms. Flynn stated it's the same. Mr. Pompo stated that he held the signed plans that never got recorded because no security was ever posted. Ms. Flynn stated that they need the signatures on the plans to move forward with the project. Ms. Silvernail asked why now? Mr. Duckworth stated they are gearing up to get started on this project. Mr. Pompo asked where does the condo units fall? Ms. Flynn replied phase (4) at which the ownership will be footprint. Ms. Silvernail asked who would run the Home Owners Association being as most residents are not qualified to do such a task? Ms. Flynn answered that they will select a management company to complete the grass cutting and snow removal. Ms. Silvernail stated what is the Township to do when the Homeowners Association falls apart in 10 years because they cannot handle running the association? Ms. Flynn stated that their intent would be to suggest they continue to hire a professional management company and that the code of Pennsylvania does not allow them to enforce a professional management company. Mr. Pompo suggested why not put a provision in the documents that would make them keep a professional company. Ms. Flynn stated that they couldn't even place a provision to suggest that according to the uniform community act. Ms. Flynn stated that she would look into it. Mr. Pompo asked if the plans show the lot lines taken off and building envelopes placed? Ms. Flynn stated "yes" the plans show boxes. Mr. Hensel stated that the Board signed off on the plans before and security was never delivered and Mr. Pompo held the plans, and Mr. Pompo added that nothing can be released without the posting of the security, Mr. Hensel suggested that Ms. Flynn move forward with some of the outstanding items and get them addressed and brought back to the Board. No decision was made the request was tabled.

The Board discussed the Township's fall bulk trash pick up to be held on Friday November 2, 2007.

The Board discussed scheduling the fall appreciation dinner to be held this year at the Revere Tavern in Paradise on October 24, 2007.

Mr. Hensel made a motion, seconded by Ms. Silvernail, to authorize the spending of money on October 24, 2007 for the Board to take all employees and committees to an appreciation dinner. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

The Board discussed a letter received from the United States Department of Commerce, U.S. Census Bureau requesting that the Township participate in the 2010 decennial census local update of census addresses. Mr. Hensel stated that the program could take between 105 to 1,575 hours to complete. Mr. Hensel asked anyone if they would be interested in volunteering for this position? Ms. Silvernail stated that she would participate. The Township Secretary is to get Ms. Silvernail a copy of all current Township address.

Mr. Brian Kulowski representing Gateway Church presented that Board with an amended final plan of Gateway Church for the Boards comments. Mr. Kulowski stated that one of the changes is to change the phasing form (3) to (2). Phase (1) would be the building of the church and phase (2) would be the completion of the road. Ms. Silvernail stated that no comments have been received from Mr. MacCombies office; Mr. MacCombie added that they have not received any submission from Gateway. Ms. Silvernail suggested that she would like to see the road get completed in the first phase. Mr. MacCombie suggested that the plans be submitted to the fire marshall. Ms. Silvernail stated that an escrow account would have been set up for the completion of the Cowan Road. Mr. Kulowski stated that an additional change is more buffering along Cowan Road and the lighting will not affect the (2) existing properties. Ms. Silvernail asked why the building was set so far back into the field? Mr. Kulowski answered it was set back on a hill. Mr. McClure stated that Tom Lowry suggested that it be set back due to the commercial changes happening on Lincoln Highway. Ms. Silvernail asked what the time frame is between phases (1) and (2)? Mr. McClure stated that the phases would be generated by the growth of the church. Mr. MacCombie stated that in the escrow that would be placed to finish the road could have a time frame placed of within (2) years completion that way it will guarantee the project get done.

Mr. John Jaros representing Lafayette Square was not present. Mr. Lymberis apologized for the change and requested to be placed at the next Board meeting.

Mr. Bill McClure representing Gateway Church presented the Board with a request to approve the Installation and Maintenance Agreement for individual on lot disposal systems. Mr. Pompo stated that the forms used are standard forms of the Township and are found to be in order for the Boards consideration.

Ms. Silvernail made a motion, seconded by Mr. Doratt, to approve the Installation and Maintenance Agreement for individual on lot disposal systems of Gateway Church dated August 20, 2007. With there being no questions from the pubic, Mr. Doratt voting "aye", Ms. Silvernail voting "aye", Mr. Hensel abstained, the motion passed.

The Board discussed the proposal from GK Productions to maintain the Township's web page. After Mr. Pompo reviewed the proposal his comments were that he would want to approve GK Productions terms and conditions, which were not included in the proposal.

Mr. Hensel made a motion, seconded by Ms. Silvernail, to hire GK Productions to maintain the Township's web page subject upon the approval of Mr. Pompo's review of the terms and conditions. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

The Board discussed the project proposal from CNAT Group to complete the installation and set up for telecommunications system for the new Township building to cost \$3,985.00. This cost includes (1) phone system and (4) incoming phone lines and equipment.

Mr. Hensel made a motion, seconded by Ms. Silvernail, to hire CNAT Group to install the telecommunications system for the new Township building to cost \$3,985.00. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Hensel requested that Mr. Pompo provide the Board with a sample Ordinance that would allow the Township to establish an office of Township Manager. Ms. Silvernail asked why hire a manager? Mr. Hensel stated that the Board is busy and he thinks it would make the Township run smoother. Ms. Silvernail stated that costs are involved. Ms. Silvernail stated that she would only agree to have an outside person, must go through the interview process and it must be someone that is not affiliated with any of them.

Ms. Silvernail made a request for Mr. MacCombie to attend the next Planning Commission Meeting, she added that some members are new and it would have to have his comments.

Chief Bennett of Caln Township Police Department stated that Chief Groce requested his presence at the Township meeting to discuss the MIRT Program to the Board. Chief Bennett stated that the MIRT Program means Major Incident Response Team; this team consists of 92 officers Countywide. Chief Bennett stated that this program can respond to a pre planned event or a disaster, crowd control etc. Chief Bennett stated that they get their funding through Homeland Security. Chief Bennett stated that it costs \$250.00 yearly fee to join the program and the money goes into an operating capital for manpower out in the field for several hours it pays the costs to feed them. The Board requested to place this item on the next Board agenda for discussion on participating in this program.

With there being no further business the meeting was adjourned.

Respectfully Submitted,

Lisa Myers  
Secretary/Treasurer