

## **Board of Supervisors Regular meeting held Tuesday February 6, 2007**

The Board of Supervisors conducted a regular meeting held on Tuesday February 6, 2007 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 & Zoning Officer, Mr. Hawkins Building Inspector and members of the community.

Mr. Hensel announced that the Board met in executive session before the meeting regarding potential legation.

A moment of silence and pledge of allegiance were waived.

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 January the department patrolled 5,535 miles and handled 329 incidents for: 2 criminal mischief, 2 suspicious persons, 45 stationary patrols, 4, 911 hang ups, 48 business checks, 6 alarms, 7 assist to other departments, 1 animal, 5 domestics, 6 accidents, 5 harassment, 3 disturbances. 75 citations were issued for the month. 17 criminal arrests: 1 juvenile arrest, 1 DUI, 3 identity theft, 2 disorderly conduct, 1 bad checks, 1 cruelty to animals, 1 receiving stolen property, 1 assault, 1 burglary, 1 forgery, 2 thefts, 2 criminal warrants.

**Township Engineer report.** Mr. MacCombie stated that he sent a letter to Robert Florian regarding his grading permit. Mr. Florian did respond to the letter and Mr. MacCombie is reviewing the plan submitted for this site. Mr. MacCombie reported that he has reviewed a letter from Sovereign Environmental Group dated February 5, 2007 regarding the Aerzen fill. Mr. MacCombie stated that based upon PaDEP management of fill policy and a phase 1 environmental assessment study that fill on the site should be considered clean fill, therefore the fill material may be removed from the site in accordance with the regulations. Mr. MacCombie stated that he has prepared construction releases for the Boards approval for: Sadsbury Arcadia in the amount of \$346,455.00 and a certificate of release of funds from the base account to Ethernore & Associates in the amount of \$17,663.65.

Mr. Doratt made a motion, seconded by Mr. Hensel, to approve a construction release to Sadsbury Arcadia in the amount of \$346,455.00. With there being no questions from the public, Mr. Hensel voting "aye", Mr. Doratt voting "aye", Ms. Silvernail voting "nay", the motion passed.

Mr. Doratt made a motion, seconded by Ms. Silvernail, to approve the release of funds from the base account for Ethernore & Associates in the amount of \$17,663.65. With

there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Mr. MacCombie stated that he is in receipt of a letter from D.L. Howell and Associates requesting an additional (2) Edus for the Keystone project. Mr. MacCombie stated that he has reviewed a force main Resolution for Valley View. Mr. MacCombie stated that this Resolution does not affect Sadsbury Township.

**Township Solicitors report.** Mr. Pompo stated that the contract with Code Inspections Inc is not ready for approval tonight, Mr. Pompo stated that the contract should be ready for the February 20, 2007 Board meeting.

**Township Road report.** Mr. Doratt reported that all Township roads are in good shape, cleared brush around the guide rails on Old Mill Road, made repairs and painted the guide rail. All Township equipment fluids, hoses and belts are checked daily. Total vehicle miles are 1231 and equipment hours are 11.

**Planning Commission report.** Ms. Silvernail reported that the Planning Commission held their reorganization meeting and appointed Theodore Claypoole as Chairman, Jay Gregg as Recorder and John Lymberis as Vice Chairman.

**Building Inspection report.** Mr. Hawkins stated that he has completed 2 final inspections and 5 footing inspections, met with 8 residents, and handled 2 complaints one being the warehouse located along Octorara Road.

**Township Zoning report.** Mr. MacCombie reported that he reviewed and issued a zoning permit for 17 Spruce Street for a shed. Mr. MacCombie has sent a letter to the Keck residence of Octorara Road for placement of a barn without a permit. Mr. MacCombie reported that Pennsylvania American Water Company has agreed with the Township’s Ordinance with regards to opening of newly paved roads to place water at a residence on Reel Street. Mr. MacCombie reported that Verizon opened Western Avenue without a permit.

**Pomeroy Fire Company report.** Mr. Taylor reported that for the month of January a total of 12 alarms were answered for: 1 auto accident, 1 automatic alarm, 1 building, 1 electrical fire, 1 house, 1 tree down, assists to other departments: 1 Parkesburg, 3 Sadsburyville, 1 West Caln, 1 West Sadsbury. Time in service was 7 hours and 36 minutes.

**Sadsburyville Fire Company report.** Mr. Doratt reported that for the month of January a total of 10 alarms were answered for: 3 auto accidents, 1 CO2 detector, 1 automatic alarm, 4 assists to other departments. Time in service was 10 hours and 56 minutes.

**Emergency Services Coordinator Update.** Mr. Taylor reported that he has been in contact with the contractors that are building the new Township building regarding the placement of a knox box.

Mr. Hensel made a motion, seconded by Mr. Doratt, to pay the January invoices in the amount of \$65,215.63. 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 January payroll in the amount of \$37,699.21. 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 sanitary sewer invoices in the amount of \$18,890.32. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

### **Tabled Business:**

Adam Marcus representing the Sadsbury Village Homeowners Association stated that they have complied with all the Boards requests in the matter of the re location of the playground equipment and as requested the association put the re- location matter out to a vote to all unit owners and the majority of the ballots returned were in favor of the construction and re- location of the playground. The vote was 36 for the re location and 31 against. Mr. Steiner a resident of Sadsbury Village stated that looking back on the Township’s minutes its clear that the homeowners are against any basketball court. Mr. Steiner added that the plans of relocating the playground was shown at the bottom of the hill and now it is proposed 75 feet off the deck of the town homes. Mr. Steiner states that he feels there will be a safety issue with the playground being tucked back in behind this row of homes especially once the commercial property gets developed out along Lincoln Highway. Mr. Steiner is against the basketball court. Ms. Gellman president of the homeowners association states that she spoke to Sergeant Ranck and he sees no problems with the re-location. Matthew Illes a visitor of a resident within the village stated he doesn’t live in the Village and gave a counted vote. Mr. Doratt asked if a restricted time would be placed on the playground? Ms. Gehman stated, “yes”. Tonya Curry stated that the majority of the voters wanted a playground with a basketball court. Mr. Steiner provided the Board with a sample ballot. Libby Jaworski stated that when she bought her home she was told there would be a walking trail not a playground behind her home; she is for the playground but against the basketball court. Courtney Sarbaum stated when she bought her home Ryan Homes never disclosed any information about a playground, Ryan Homes misrepresented their homes.

After Board discussion, Mr. Hensel made a motion, seconded by Mr. Doratt, to allow the movement of the playground relocation as to be amended in the final plan of Sadsbury Village with the basketball courts not to be built. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

### **New Business:**

Mr. David Malman attorney for Chester County Airport Authority is requesting preliminary land development approval for the South Apron Project. Mr. Malman stated he has several scenarios to the issues of this project:

1. Valley Township will maintain the entire roadway being Rockdale Road and Sadsbury will turn over the Liquid Fuels to Valley.
2. Sadsbury to maintain Rockdale Road and Chester County Airport Authority will reimburse for the maintenance.
3. The entire road becomes maintained by Valley Township and the airport will maintain privately.

Mr. Malman requested approval of the preliminary land development of the South Apron Project with conditions. Mr. Pompo suggested to the Board that they can proceed forward with preliminary approval and with conditions of Mr. MacCombies review letter and the approval should be subject to the applicant reaching an agreement with Valley Township and Sadsbury Township for the maintenance by Valley Township of the entire portion of Rockdale Road subject to the satisfaction of Sadsbury Township Board of Supervisors, or the applicant reaching an agreement with Sadsbury Township for the maintenance of the relocated Rock Dale Road by Sadsbury Township with the Chester County Airport Authority financing the maintenance subject to Sadsbury Township's satisfaction. Mr. Pompo stated that applicant should have obtained all required approvals from Valley Township prior to final plan approval by Sadsbury Township. Mr. Doratt stated that he is in favor of both options. Ms. Silvernail has concerns with the maintenance being in Sadsbury's hands.

Mr. Hensel made a motion, seconded by Mr. Doratt, to give Chester County Airport South Apron Project preliminary approval contingent that the conditions subject to the applicant reaching an agreement with Valley Township and Sadsbury Township for the maintenance by Valley Township of the entire portion of Rockdale Road subject to the satisfaction of Sadsbury Township Board of Supervisors, or the applicant reaching an agreement with Sadsbury Township for the maintenance of the relocated Rock Dale Road by Sadsbury Township with the Chester County Airport Authority financing the maintenance subject to Sadsbury Township's satisfaction. Applicant shall have obtained all required approvals from Valley Township prior to final plan approval by Sadsbury Township. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Terry Muto representing Bellaire Business Center to ask the Township to provide the salting of roadways within the Bellaire Business Center to reimburse at the costs of approximately \$95.00 an hour for material, manpower and equipment. The Board tabled any discussion until Joe Drozd could give them a cost.

Mr. Hensel made a motion, seconded by Ms. Silvernail, to adopt Resolution 2007-04 pertaining to the placement of approximately 48 acres into the agricultural security area property belonging to Key Associates along Valley Road and Western Avenue. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Vic Kelly representing Valley View requested the Boards approval of the force main sewer, which runs from lot 4 to lot 5. Mr. Kelly added that this approval is a DEP requirement. Mr. Kelly stated that there is no discharge of any kind into the Township or no hook ups; the force main runs along the right of way of the Township. Mr. MacCombie stated that he reviewed this request and has no issues with the Board approving it.

Mr. Hensel made a motion, seconded by Ms. Silvernail, to approve the force main from lot 4 to lot 5 of the Valley View Development. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

William Colby representing Valley View asked when the Board was going to take action on the selling of available EDU’s? The Board stated that they will not take any action until Mr. MacCombie can give the value of what an EDU is worth.

The Board discussed adopting Resolution 2007-05 pertaining to the building inspection fee schedule. Mr. Pompo stated that the Township has recently switched building inspectors and is proposing to put in place an interim fee schedule that will probably need revised with the new companies approval.

Mr. Hensel made a motion, seconded by Ms. Silvernail, to adopt Resolution 2007-05 pertaining to the building inspection fee schedule. 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 authorize advertisement to sell the 1994 Ford Crown Vic “as is” and (2) Flink salt spreaders “as is” to be a sealed bid opened at the March 6, 2007 Board meeting. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

The Board discussed forming an advisory board for the Act 209 Transportation Impact Fee to consist of 7-15 members with 40% of the members be representatives of the real estate commercial and residential development. The Board stated this would be an 18-month commitment. All interested persons may apply by resumes showing the individuals background. The Board directed the Secretary to have this posted on the web page.

Scott Kreager representing Pomeroy Fire Company discussed with the Board the most recent letter from Chester County Emergency Services regarding response territories. Mr. Kreager stated that Station 29 being Pomeroy Fire Company will provide ambulance coverage to all Sadsbury Township East of Route 10 with driveways that access off of the East side of Octorara Trail and North of Leike Road. Station 28 being Parkesburg Fire Company will provide ambulance coverage to part of the Township West of Route 10 with driveways that access off the West side of Octorara Trail and South of Leike Road. Vehicle accidents along that section of Route 10 between Parkesburg Borough and the Township line will be handled by an ambulance from Station 29 being Pomeroy and Station 28 being Parkesburg. Station 29 and Station 28 will provide ambulance coverage, Station 31 being Sadsburyville will provide fire protection service, Station 35 being Wagontown will provide rescue service for all that part of the Township with regard to the Route 30 bypass. The Board will review the territories.

**Public Comment:**

Earl Taylor asked if the Township could place Knox box information on their web page. The Board stated yes to please get the information to Lisa and she will forward it to the webmaster.

Jamie MacCombie stated that Dennis O'Neil a representative from his office would provide a presentation to the Planning Commission regarding the Sadsbury Enhancement Project.

John Lymberis asked if the Board received his e-mail regarding a resolution for PenDot stating the Township supports the Route 30 expansion. The Board stated that they have an upcoming meeting with PenDot regarding the expansion.

Alan Eagles asked if the Township Ordinances would ever be available on the Township's web site? Mr. Pompo stated no and suggested to the Board to hire a company to explore all past Ordinances and have them updated.

Vicki Horan asked if Hometown Press would consider using outside advertisers for the Township newsletter? The Board did not know.

Scott Kreager stated that Pomeroy Fire Company currently has 2 full time paid positions filled for the fire company and ask if they could be part of the Township's insurance plan? Mr. Pompo stated that only Township employees could participate in the Township's insurance.

Elmer Pluck requested a copy of the 2007 budget and the minutes of the last 3 meetings. The Secretary stated she will have it prepared for tomorrow.

Earl Taylor made a statement for all to check on their neighbors with the cold weather upon us.

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

Respectfully Submitted,

Lisa Myers  
Secretary/Treasurer