

Board of Supervisors Regular Meeting January 16, 2007

The Board of Supervisors conducted a regular meeting held on Tuesday January 16, 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. Hawkins Township Zoning Building Inspector, Mr. MacCombie Township Engineer/Zoning Officer and members of the community.

The moment of silence and pledge of allegiance were observed.

Township Police report. Chief Groce reported that he attended a Town Watch meeting that was held at the Municipal Building on Sunday January 14, 2007. The meeting was with Quarry Ridge Town Watch group that introduced themselves to the Sadsbury Village community. Chief Groce mentioned that all homeowners were invited within Sadsbury Village. Topics of discussion were: animal ordinance laws, handicap parking, Megan's Law, solicitation ordinance. Chief Groce said that Mr. Agatone provided an excellent program on how to minimize the risk of identity theft. Suggestions were made to schedule regular meetings with the entire town watch group on a monthly basis on a Sunday evening. Chief Groce stated that Officer John Smith has completed his 90-day probationary period as of December 31, 2006. He recommended his hourly rate be increased to the regular patrolman rate of \$16.05 per hour effective 1-1-2007.

Mr. Hensel made a motion, seconded by Mr. Doratt, to increase the salary of Officer John Smith to regular patrolman rate of \$16.05 per hour as he has completed his 90-day probationary period. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Chief Groce reported that during routine patrol he observed the traffic signal at Old Wilmington Road and Lincoln Highway was not operating properly. The timing on the North/South bound side was delayed. Chief Groce contacted Bill Conrad at Signal Service and he stated that if the signal was not changing with traffic flow the loop detectors must have not been working properly. Chief Groce stated that water service was installed between Old Wilmington Road and First Avenue and figured that the loop wire had been cut. It was mentioned that the opticom controllers were not working either. The Board directed that the Secretary contact Signal Service and Pennsylvania American Water Company contractor.

Township Engineer report. Mr. MacCombie stated that he has prepared a construction release for Total Systems Design in the amount of \$215,083.75 for the Board approval.

Mr. Doratt made a motion, seconded by Mr. Hensel, to approve the construction release for Total Systems Design in the amount of \$215,083.75 per Mr. MacCombie's recommendation. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. MacCombie stated that he has completed the sewage flow calculation for Sadsbury Township. Mr. MacCombie stated that the total Edu's sold to the Township were 563 and 1080 to SSC totaling 410,750 gallons per day. Currently the connections made by

Sadsbury Township are 225, which equals 56,250 gallons per day being used based upon the 250-gallon per Edu use. The Township currently has 159 Edu's that are not connected. SSC has 534 remaining Edu's. Mr. MacCombie reported that the current available flow is:

Capacity	410,750 gallons per day
Current flow + 15%	148,375. gallons per day
Remaining Edu's 159 x 250 gpd	<u>189,750 gallons per day</u>
	72,625. gallons per day

Mr. MacCombie reported that according to his calculations the Township has 232 available edu's per the Township's Act 537 & 258 available Edus's per PaDEP's calculation of 225 gallons per day. The Board stated that before any decisions were made with what to do with the remaining capacity they need to study the documents closer and schedule a special meeting to discuss further.

Mr. Hensel made a motion, seconded by Mr. Doratt, to schedule a special work-session to discuss the flow calculations and to advertise the scheduled meeting. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. MacCombie reported that Mr. Dennis O'Neil will provide draft copies of the Sadsbury Village Enhancement Project on February 13, 2007, he presents the Board with the draft copies to discuss on February 20, 2007. Mr. MacCombie stated that he would have a construction release prepared for Purcell Contractors at the next Board meeting.

Township Solicitor report. Mr. Pompo stated that he has reviewed and made changes to the contract of Code Inspections Inc. Mr. Pompo suggested that the proposed changes be sent to them. The Board stated that they will review the changes and could add additional comments. Mr. Pompo stated that the Commonwealth Court allows 3rd party inspections for all Townships' that have opted into the new building code. Mr. Pompo added that any property owner can hire a 3rd party to complete an inspection of their project and sign off and the Township must permit this to happen, the Township has nothing to do with any fees of a 3rd party inspection all 3rd party inspections must submit an inspection card to Code Inspections, Inc. Mr. Pompo added that any inspection fees that have been paid up front and not done before January 5, 2007 would need to be paid back to Sadsbury Township as their contract has expired. Mr. Pompo reported that First Industrial (EB Building) has a 1.5 million dollar letter of credit for site improvements that they are not intending to renew. Mr. Pompo stated that the work on this project has not been complete and the Township has 30 days to give notice to make sure the letter of credit gets renewed. Mr. Doratt asked how much money in improvements are we talking? Mr. MacCombie said at the least \$50,000. Mr. Pompo stated that he is seeking the Boards authorization to proceed.

Mr. Hensel made a motion, seconded by Mr. Doratt, to authorize Mr. Pompo draft a letter to First National Bank requesting that they renew the letter of credit. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Pompo reported that he received a letter from Marcus & Hoffman Attorneys at Law representing Sadsbury Village playground re location. Mr. Pompo stated that the letter is asking for the Board to make a decision at their next Board meeting regarding the recommendation of moving the playground to another location. Mr. Pompo added that ballots were sent to every unit in order to re vote on this matter and a reasonable amount of time was given to return the ballot. The majority of the ballots returned were in favor of the construction and relocation of the playground. Mr. Pompo requested that the Secretary place this item on the next evening Board meeting agenda.

Township Zoning report. Mr. MacCombie reported that the following requests have been made: a permit request to place a 40 x 60 barn on Old Wilmington Road needs to submit more information. Ryan Homes is requesting to construct a temporary parking lot on the commercial site of the property located at Sadsbury Village. Mr. MacCombie replied with the request would need approval from the Sadsbury Village homeowners, this issue will need to go before the Zoning Hearing Board, the parking area would need to be paved. Mr. MacCombie stated the time frame of the temporary parking area would be 2 months, it would be possible that Randy White may leave the paved parking area as an over flow parking lot until the site gets developed. Mr. MacCombie stated that he has requested the grading permit extension paperwork for the Florian property located at Belvedere Avenue.

Township Building Inspectors report. Mr. Eric Hawkins introduced himself as the new Building Inspector and stated that he just recently took over. Mr. Hawkins has just received the files from Atlantic Inland.

Tabled Business:

The Board discussed Act 209 Transportation Impact Fee Study. Mr. Doratt stated that he is in favor of the study and Ms. Silvernail agreed. Mr. Pompo stated that an impact fee advisory committee should be created by Resolution. He added that the advisory committee should consist of no fewer than seven nor more than 15 members all of whom shall serve without compensation. The governing body of the municipality shall appoint as members of the advisory committee persons who are either residents of the municipality or conduct business within the municipality and are not employees or officials of the municipality. Not less than 40% of the members of the advisory committee shall be representatives of the real estate, commercial and residential development and building industries. Mr. Pompo stated that the study is approximately 22 months.

Mr. Hensel made a motion, seconded by Mr. Doratt to accept the Act 209 Transportation Impact Fee Study Roadway Sufficiency Analysis and Transportation Capital Improvement Plan. 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, for the Act 209 Study costs will not exceed \$41,900. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

The Board discussed the request made by Neil Heineman to have (2) sanitary sewer invoices waived along with any future invoicing until he gets connected into the public, sewer. Mr. Hensel stated that he has concerns with setting a precedent for others to ask for the same waiver because of a driveway, tree or wall or a resident having similar issues. Mr. Doratt suggested waiving the costs up until this point due to the fact that there have been issues in the past. Mr. Pompo stated that yes it will set a precedent for others to come forth and you must consider this when you make your decision.

Mr. Hensel made a motion, seconded by Ms. Silvernail, not to accept the request of Neil Heinemann to waive the sanitary sewer fees. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Mr. William Colby representing Valley View Subdivision made a request to the Board to accept the (7) Edu’s from Valley Township. Mr. Hensel asked if by the Township taking the Edu’s does it change the Act 537? Mr. MacCombie stated “no” but the Edu’s can only be used for Valley View. Ms. Silvernail stated that he doesn’t want to be forced to take capacity in the future if they don’t want to.

Mr. Hensel made a motion, seconded by Ms. Silvernail, to accept the (7) Edu’s from Valley Township to be used solely for the Valley View Subdivision. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Greg Cook representing Hometown Press gave a brief presentation of their program. Mr. Cook provided several newsletters from different municipalities. Mr. Cook stated that the newsletter is funded by local business by advertising; the only fee to the Township will be postage to mail the newsletters. Mr. Cook added that at anytime the Township is unhappy with the service we can drop out of the program. Mr. Hensel asks what time frame to get the first newsletter out? Mr. Cook replied that it normally takes 3 months from start to finish getting the first newsletter out.

Mr. Hensel made a motion, seconded by Mr. Doratt, to approve Hometown Press to create a newsletter for the Township with the expense of the newsletter to be funded by advertisers and postage being paid by Sadsbury. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Mr. Dave Jones presented the Board with a request for approval of the Washington Lane South Apron Project. The Board requested that they have not seen a maintenance contract for Rockdale Road that Valley Township will take full responsibility of the maintenance for the entire road. The Board tabled any decision at this time.

New Business:

The Board discussed participating in the Commonwealth of Pennsylvania’s annual statewide contract for Sodium Chloride. Mr. Hensel stated that for the current contract the Township has taken 25 ton of the 30-ton contract agreement. The Board stated its been a very mild season and does not want to obligate the Township to take another 30 ton next year with no place to stock pile a large amount and once you participate in the contract you have to take the Chloride.

Mr. Hensel made a motion, seconded by Mr. Doratt, not to participate in the August 2007 through July 2008 winter season contract. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Mr. John Jaros representing John Lymberis and Lafayette Square discussed with the Board the need of an additional 50 Edu’s for the Lafayette Square Project. Mr. Jaros states that he currently has 75 Edu’s for the project but DEP states that he is in need of an additional 50 Edu’s to complete the project due to a revision made by them. The Board suggested that Mr. Jaros attend the January 25, 2007 meeting where Mr. MacCombie will discuss options with the Board for sanitary sewer capacity. Mr. Jaros requested that the Board consider Lafayette Square to purchase an additional 50 Edu’s. Ms. Silvernail questioned how much SSC current sewer allocation is? Mr. Jaros stated 75 Edu’s. Ms. Silvernail stated that in the past the Township has not sold Edu’s to developers and how much value are the Edu’s worth? Mr. MacCombie stated that the Edu’s are worth \$2,445.00. Mr. Jaros stated that the past Board of Supervisors sold an already approved project (Sadsbury Village) 20 Edu’s. Mr. Doratt stated that he has no problem or issues with selling available Edu’s to a developer. Ms. Silvernail said that no decision would be made until after the January 25, 2007 meeting. Mr. Jaros requested the Board write a letter to DEP giving Lafayette Square an additional 60-day extension.

Ms. Silvernail made a motion, seconded by Mr. Doratt, to authorize the Township Secretary send a letter to DEP giving Lafayette Square a 60 day extension on their planning modules. With Ms. Silvernail voting “aye”, Mr. Doratt voting “aye”, Mr. Hensel “abstained”, the motion passed.

After discussion Ms. Silvernail made a motion, seconded by Mr. Doratt, to adopt Resolution 2007-03 for plan revision for new land development for Gateway Church. With there being no questions from the public, Mr. Doratt voting “aye”, Ms. Silvernail voting “aye”, Mr. Hensel “abstained” the motion passed.

Mr. Hensel made a motion, seconded by Mr. Doratt, to approve the certificate of release #18 for public improvements to Octorara Glen in the amount of \$49,350.00. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Mr. Hensel made a motion, seconded by Mr. Doratt, to approve Southern Chester County Baseball League to reserve the Bert Reel Park from Monday to Saturday starting April and ending June contingent a copy of the April renewal of insurance is turned into the Township office. 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 accept the Pennsylvania American Water Company Act 537 Update. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

The Board adjourned the regular meeting to conduct an executive session with the police department.

The Board re-adjourned the regular Board meeting.

Public Comment:

Susan Franco showed the Board a Crime Watch Sign that she would like to have placed at the entrance of each community. Ms. Silvernail questioned Ms. Franco on who holds the liability insurance for the Town Watch Committee? Ms. Franco answered that the residents are just the eyes and ears for police awareness. Ms. Franco states should she be concerned with insurance. Mr. Pompo stated “yes” it is a concern. Mr. Hensel stated what if one of the members decides to take crime matters into their own hands and gets injured, who is paying for his injuries? Ms. Franco asked if the Town Watch Committee could sign a waiver? Mr. Pompo stated that the committee should hire their own attorney; it is separate from Township business. Ms. Silvernail suggested that all members could possibly call their homeowners insurance and have it added individually to their policy.

Mr. Hensel stated to Ms. Franco that from this point on all copies of maps or any documents needed from any of the Township’s consultants must get an approval from the Board before any requests are made. Ms. Silvernail added there is a certain protocol that needs to be followed when you take it upon yourself to request information from the professionals that costs the Township money.

John Lymberis asked if the Board received the sample Resolution that was provided at the Caln Township meeting regarding moving forward with the Route 30 bypass project. The Board stated that they did not receive any handouts at the meeting. Mr. Lymberis stated that he would provide the Board with a copy.

Chief Groce stated that PenDot has placed the speed limit signs along Lincoln Highway.

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

Respectfully Submitted,

Lisa Myers
Secretary/Treasurer

