

Board of Supervisors Regular Meeting held Tuesday July 3, 2007

The Board of Supervisors conducted a regular meeting held on Tuesday July 3, 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. Jamie MacCombie Township Engineer & Zoning Officer, Mr. Hawkins Township Building Inspector and members of the community.

Mr. Hensel announced that he and Mr. Doratt met in executive session on June 5, 2007 following the regular Board meeting to discuss possible litigation.

Mr. Hensel announced that the entire Board met in executive session on Friday June 29, 2007 at 9:00 a.m. to discuss police personnel matters.

A moment of silence and pledge of allegiance was 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.

Mr. Albert Sommar a resident of Quarry Ridge requested to discuss a sewer bill, the Board stated for Mr. Sommer that they would fit him on the agenda at the end.

Mr. Hensel stated that he wants to correct a statement regarding Sadsbury Village when Mr. Przychodzien stated that the fire trucks knocked down cones during a cone test that was performed in Coatesville to simulate the rear lane turns that were proposed in Sadsbury Village. Mr. Hensel stated that he is in receipt of a letter from Sadsbury Park,(Arcadia) which he read aloud to say:

Dear Supervisors, I would like to formally respond to the comment made by Mr. Tony Przychodzien at Supervisors meeting on June 5, 2007. Mr. Przychodzien stated that the fire truck failed the cone test that was performed in Coatesville to simulate the rear lane turns proposed in Sadsbury Park. Furthermore, he stated that the Supervisors ignored the results of the test and approved the plans without any changes.

Both of these statements are entirely untrue, in fact the fire truck did successfully navigate the turn, which was carefully measured and marked by cones to match the curve radius proposed on the plans. The test was performed several times, videotaped and witnessed by both Coatesville and Sadsbury Township fire personnel. Despite evidence that the truck was able to make the turn, Mr. Przychodzien then chairman of the planning commission expressed a desire that the curve radius be further widened to make it easier for the truck to drive. In our effort to receive a recommendation for approval of our plan,

we agreed to add an additional two feet of paving to the interior radius of all ninety degree turns in the rear lanes and the plans were changed accordingly. This became a condition of the preliminary plan approval received on May 16, 2005 and all plans submitted since have included detail. Sincerely, Christine Flynn.

Township Police report. Chief Groce reported that during the month of June the police department patrolled 4,669 miles and handled 361 incidents for: 3 theft, 2 suspicious persons, 113 stationary patrols, 3 911 hang ups, 76 business checks, 14 alarms, 10 assist to other departments, 7 animal, 9 domestics, 3 accidents, 5 criminal mischief, 7 disturbance. 52 citations were issued for 44 traffic citations, 8 summary citations, 16 criminal arrests for 1 DUI, 8 disorderly conduct, 3 criminal warrant, 1 harassment, 2 theft, 1 public drunkenness. Chief Groce reported that he attended a 2-day human resources training which included writing and maintain policies and procedures, handling personnel policy issues, and proper methods of accurately documenting personnel matters. Chief Groce reported that the speed machine was placed at Settlers Path and also Friendship Way to acquire the speeds and amount of vehicles traveling these roads. Chief Groce reported that the machine was placed at Settlers Path for a 4-day period and calculated 432 vehicles, 6 above the speed limit, 85% of the vehicles traveled an average speed of 27 mph. Chief Groce reported that on Friendship way the speed machine was set up for 5 days 360 cars traveled on the road with 85% of the vehicles traveled 24 mph with 1 car over the speed limit.

Township Engineer report. Mr. MacCombie reported that he has the documents regarding the traffic report of Settlers Path and Friendship Way. Mr. MacCombie reported that the Bert Reel Park project documents have been prepared and is ready to go out to bid when the Board chooses. Mr. MacCombie stated that the total cost of the Bert Reel Park project is \$120,000; the Township will receive a grant from the State for \$60,000 a grant from the County for \$30,000, which leaves the Township's responsibility being \$30,000. Mr. Hensel stated that the Township allowed for the money during the budget discussions. Mr. MacCombie stated that Herb MacCombie met with the Conservation District regarding the grading that is taking place on Compass Road. Mr. MacCombie stated that the property owner needs a grading permit; a MPDA permit for disturbing more than an acre of land and by doing so disturbing more than an acre of land without proper permits is against federal regulations. Mr. MacCombie reported that the contractor paving the new Township complex paved binder course with out notification for an inspection and does not meet grading ordinance specifications. Mr. MacCombie stated that the Board has 2 choices #1. Make the contractor rip out all the paving and start over or #2 Have the contractor mill the paving and have a 5-year warranty. Mr. MacCombie stated that he is concerned with the contractors working without informing them of the work. Mr. MacCombie recommended taking the 5-year contract for the paving of the parking area. Ms. Silvernail asked how big the company was that did the job? How sure is he that Keystone will still be in business in 5 years? Mr. MacCombie stated that is a very good point, he stated that the Board can either #1 make them tear out all the paving or #2 make Keystone post a bond. The Board agreed to have the contractor post a bond.

Township Solicitors report. Mr. Pompo was prepared to review with the Board a draft installation and maintenance agreement for individual on lot disposal systems and a draft ordinance that governs the management of on lot subsurface sewage disposal facilities. Mr. MacCombie stated that he was unprepared to report on either of these matters. Mr. Pompo stated that the engineer's comments are needed. Mr. Hensel asked if the maintenance agreement is for all new construction? Mr. Pompo stated yes. Mr. Hensel asked if the Ordinance would represent every sewer system in the Township? Mr. Pompo stated that the Ordinance would affect all existing residents within the entire Township. Mr. Pompo stated that if the Board desires they can place an installation and maintenance agreement without the Ordinance. The Board agreed to table any discussion on the installation and maintenance agreement and the draft Ordinance that governs the management of on lot subsurface sewage disposal facilities.

Township Road report. Mr. Doratt reported that the road crew finished removing trees from Old Mill Road and moved a drain box back off the road way. The road crew removed an old drainpipe from Old Mill Road and a new box and drainpipe were installed. The roadside mowing is finished for the July 4 holiday. All fluids, belts, hoses are checked daily in all Township equipment and vehicles. Total equipment hours are 59 and vehicles miles are 801. Cathy Kryzanauskas said that the Andrew Drive sign is down, she added that Andrew Drive roadway is cracking from all the heavy equipment. Alan Eagle stated that the gate is open in Bellaire Business Center on the Old Wilmington Road side. Mr. Hensel stated that he gave permission for the trucks to haul dirt off of a construction site. Mr. Hensel added that it is only temporary. Mr. Eagles added that the trucks are speeding, and Earl Taylor added that they are pulling huge rocks from the gate entrance onto Old Wilmington Road and vehicles are hitting them. The Board directed the Chief to watch the area.

Mr. MacCombie reported that the street sweeper that is being used on Spruce and Chestnut Streets are not appropriate the machine should be water wash and vacuum. Mr. Pompo stated he researched the Delaware Valley Concrete Plant issues and at that time notices went out to the company, a letter of intent of a lawsuit was sent to the business owner. Mr. Pompo stated that it is unfortunate that the Township does not have good enforcements under the current Ordinance at that time. Mr. Doratt suggested a meeting with DEP, the business owner and the Township. The Board gave direction to Mr. MacCombie to schedule a meeting with DEP, Township, business owner and the residents. Mr. Washington stated that if the drive into the concrete plant was paved and not dirt it may illuminate some of the dust. Mr. Pompo stated that the law is clear and no business is allowed to have any air borne dust coming from their facility.

Township Planning Commission report. No report given.

Township Saldo report. Ms. Silvernail reported that the committee met on June 28, 2007. The committee reviewed Article V Mobile Homes and briefly reviewed previous chapters that were marked to return for further discussion. Mr. Grafton distributed

Article VI, which is the final chapter for the committee to review. The next scheduled meeting is July 19th at 7 p.m.

Township Zoning report. No report given

Pomeroy Fire Company report. Mr. Earl Taylor reported that the minutes of June 5th reflect 32 alarms answered when in deed it was 16. Mr. Taylor reported that the total number of alarms answered for the month of June was 9 for 1 assist ambulance, 1 automatic alarm, 1 brush, 1 debris, 3 house, 1 trees and wires, 1 vehicle. Total time in service was 10 hours and 26 minutes. Mr. Taylor added that Pomeroy Fire Company would be selling the green reflective address signs. The Board stated to advertise in the next Township newsletter. Ms. Franco asked if the fire company still supplied the tot finder's window stickers, Mr. Taylor replied yes.

Sadsburyville Fire Company report. Mr. Doratt reported that the total number of alarms answered for the month of June was 9 for 2 auto accidents, 2 fields & woods, 1 vehicles, 1 dwelling assist to 43, 1 debris on road assist to 29 and 2 dwellings assist to 44. Total time in service was 8 hours and 2 minutes.

Emergency Services Coordinator update: Mr. Taylor stated that he attended a mandatory training at the Chester County Government Services Building. Mr. Taylor requested to be included in the 2008 budget for approximately \$300.00 to purchase a blazer/rain coat that has EMC reflector on the back as well as a winter jacket with EMC to identify himself. Mr. Taylor also stated that his Township ID badge has expired.

Mr. Hensel made a motion, seconded by Mr. Doratt, to pay the June invoices in the amount of \$80,364.49. 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 June payroll in the amount of \$35,535.15. 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 June sanitary sewer invoices in the amount of \$28,278.93. 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 \$250.00 per hour to the firm of Neil Morris for labor relation's issues with the Township police department with the expense to come out of the police budget.

New Business:

Joe Rosella representing lot 6 of Morris Farm presented the Board with a preliminary land development submission. Mr. Rosella stated that the proposed building is 18,000 square foot 1 story building, 90 parking spaces will be available. Mr. Hensel asked who

would be completing Patriot Way? Mr. Rosella stated that the plans stated whoever comes in first has to finish the road, so lot 6 will pave the road.

Mr. MacCombie stated that all paperwork was turned into Mark Kray of Pen Dot regarding the traffic signal request for Bellaire Business Center and Independence Way and Lincoln Highway. Mr. MacCombie stated that Mr. Kray has retired and a Mr. Lutz is taking over the request, Mr. MacCombie stated that he would contact them to get the status.

Mr. Przychodzien asked Mr. Rosella what kind of building is going on lot 6? Mr. Rosella stated an office building.

The Board stated with all required paperwork and payments being in order, that lot 6 Morris Farm will be forwarded to the Planning Commission.

The Board discussed Old Mill Road paving project and the need to prepare the bid package. Mr. Hensel stated that the paving project of Old Mill Road goes from Friendship way entrance to Route 30, then Route 30 to the bridge behind Tim Browns automotive. Mr. Hensel stated that money has been budgeted to complete this project this year. The Board directed Mr. MacCombie to prepare the bid package.

The Board discussed the closing of the community sewage system within Spring View Manor, Ms. Kryzanauskas stated that currently there is one resident not connected and states they are not going to make the connection. Ms. Kryzanauskas stated that the homeowners association is responsible for this system and that it is not fair to continue spending money on a system that has failed when all residents have complied with the Township's request to connect.

The Board asked Mr. Doratt if he spoke with the representatives of the Chester County Airport Authority to schedule a public meeting with the Board regarding the noise issues. Mr. Doratt stated yes August 7, 2007 at 4pm at the Chester County Airport. The Board stated the meeting was to be held at the Township with the Board and public. Mr. Doratt commented to call Gary Hudson to schedule the meeting.

Mr. Hensel asked Mr. MacCombie "whose dirt is at the Township building?" Mr. MacCombie stated he does not know, but will find out.

Public Comment:

Albert Sommar stated that he has made a request to have his sanitary sewer bill waived due to a leak. The Board stated that they reviewed his request in the last Board meeting and stated that PAWC did not forgive the leak, they still charged him for the water use therefore the Board stated that the sanitary sewer should be paid in full as well. Mr. Sommar stated that he would get the Township a check.

James Washington asked what if a tanker full of gasoline explodes on Chestnut or Spruce Street, is the Township ready for a disaster? Mr. Taylor suggested if that happens to notify the County.

Elmer Pluck thanked the police department for watching the stop sign in Stottsville, the results are appreciated.

John Lymberis asked since the on lot maintenance agreement got tabled if it was possible to have the Board adopt the Planning Module Resolution for Cowan Estate if they approve the on lot maintenance agreement. Ms. Silvernail stated that the Board would have to review the planning modules. Mr. Pompo added if the Board is prepared to approve the on lot agreement Cowan Estates can be placed on the agenda.

Earl Taylor asked where the emergency command center would be should there be a disaster in Sadsbury Township. The Board stated that currently the Township has no back up generator to keep the municipal building open, that possibly in the future the new municipal office will be equipped. Mr. Lymberis stated that he has a back up generator at Harry's and offered it as a place where the emergency command center could set up.

Cathy Kryzanauskas stated the land across from her property was graded, seeded and dug back up and no re-seeding or grading has been done to make it complete. Mr. MacCombie will look into this matter.

Tony Przychodzien stated that the minutes of June 5, 2007 reflects him stating Quarry Ridge when indeed it was Sadsbury Village.

Don Roberts asked what is going on with the Township's web page being wrong? The Board stated that they are aware of the problems at this time.

Tony Przychodzien asked why Sadsbury Self Storage has not been completed? Mr. Hensel stated that it is a phased project. Mr. Lymberis added that the buildings are completed but the landscaping is not.

With there being no further business the meeting was adjourned.

Respectfully Submitted,

Lisa Myers
Secretary/Treasurer

