

Board of Supervisors Regular Meeting Scheduled June 5, 2007

The Board of Supervisors conducted a regular meeting held on Tuesday June 5, 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 Building Inspector was absent, and members of the community.

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 Ms. Silvernail, 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 May 6,199 miles were patrolled and 324 incidents were handled for: 4 theft, 3 burglary, 8 suspicious persons, 67 stationary patrols, 3 911 hang ups, 71 business property checks, 13 alarms, 14 assist to other departments, 5 animal, 4 domestics, 6 accidents, 8 criminal mischief, 4 disturbance. 42 citations were issued for 36 traffic and 6 summaries. 9 criminal arrests for 2 DUI, 6 disorderly conduct, and 1 criminal warrant. Chief Groce reported that Sergeant Ranck has completed a 2 day Domestic Violence Seminar and a 1-day class on Supervision. Officer Yanak completed his annual Act 180 certification. Chief Groce reported that he forwarded a draft of the Use of Force Policy to Mr. Pompo for his review and comments. Mr. Pompo stated after a few revisions the policy is in order for the Boards decision. Chief Groce requested to purchase (2) Taser Units to cost \$1,773.00 that has been included in the 2007 police budget. Chief Groce stated that project-funding requests have been sent to Senator Dominic Pileggi and Representative Art Hershey. Chief Groce reported that a Township resident has been identified and arrest pending for the damage of the playground equipment in Quarry Ridge and Township road signs.

After discussion Mr. Hensel made a motion, seconded by Mr. Doratt, to adopt the Use of Force Policy per Mr. Pompo’s review. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

After discussion, Mr. Hensel made a motion to purchase (2) Taser kits, (4) Taser air cartridge, (4) and Taser air cartridge single shot training use to cost \$1,773.10. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Township Engineer report. Mr. MacCombie reported that all documents were sent to PenDot regarding the traffic signal request for Lincoln Highway and AIM Boulevard/Independence Way. Mr. MacCombie has a call into Keith Dudley of DEP

regarding EDU count, he has not responded. Mr. MacCombie has completed those calculations regarding the Pennsylvania American Water Company and West Caln Developers sewer rent. Mr. MacCombie commented that the Township has 71,000 feet of sanitary sewer line. The Sadsbury Village Enhancement Project is moving forward. Mr. MacCombie stated that plans are being prepared for the bid package for the bathroom facilities and other park improvements. Mr. MacCombie stated that the bathroom location would be re-located behind the backstop area; he stated that the current location is within 1,000 feet of the sanitary sewer line. The Board stated by relocating the facilities it would create more parking spaces. Mr. MacCombie stated that bids would be received at the August meeting. Mr. MacCombie stated that he is completing the MS-4 report. Mr. MacCombie stated that he forwarded the Octorara Glenn punch list to Mr. Pompo. Mr. MacCombie stated that he has prepared a construction release request to Sadsbury Arcadia in the amount of \$72,628.13 and a construction release request for N. Abbonizio in the amount of \$62,907.49 for the Boards approval.

Mr. Doratt made a motion, seconded by Mr. Hensel, to approve the construction release request for Sadsbury Arcadia in the amount of \$72,628.13. With there being no questions from the public, Mr. Hensel voting "aye", Mr. Doratt voting "aye", Ms. Silvernail voting "no", the motion passed.

Mr. Doratt made a motion, seconded by Mr. Hensel, to approve the construction release request for N. Abbonizio in the amount of \$62,907.49. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Township Solicitors report. Mr. Pompo stated that the default notice has been sent to Octorara Glenn, the deadline for response is July 22, 2007. Mr. Pompo added that Bank Corp has been put on notice as well. Mr. Pompo reviewed with the Board the Allocation of Sewer Capacity Policy by stating the following changes have been made: page 3-upon the successful completion of the Part 1 application process the applicant may present PaDEP sewage planning modules for the project to the Township Board for approval subject to the completion of the Part 2 application process for capacity allocation. Page 5-an applicant must notify the Township if an applicant transfers the tract of land to a new owner, the allocation may upon prior written notice to the Township be transferred with the tract provided that the required number of EDU's for the transferee's proposed use remains constant. Page 7- tapping fees paid for reserved capacity may be refunded prior to the connection to the sewer system only in accordance with this policy. The Township will segregate tapping fees into a separate account, apart from the sewer revenue fund and the general fund. The Township will maintain an adequate reserve within its tapping fee account in order to cover the contingency of refunds. In no event will the Township's general funds or sewer revenue funds be available for refunds of tapping fees. The following questions were answered:

Jane Heineman asked what conditions would a tap in fee be refunded? Mr. MacCombie stated that the developer would pre pay for allocation if within (5) years they are not connected they have to either pay the sewer rents or request a refund of a % of the tapping fee; it would never be 100%.

Tammy Pawling asked if the available EDU's are being offered to developers? Mr. MacCombie answered "no" discharge flow calculation show that the Township's usage is not being met and not just (1) person can buy all available EDU's. Mr. MacCombie added that they are being sold to help pay sewer loans.

Tony Pryzchodzien stated that financially by the Township selling additional EDU's is not going to hurt the Township at this point.

Mr. MacCombie stated that phase 4 has not been completed yet which includes 21 connections and the cost of the project is approximately \$350,000.

Rich Felice asked who is paying for the new sewer plant? Mr. MacCombie stated PAWC is paying for the plant and will adjust user rates to help pay for the new expansion. Mr. Felice stated that soon he would be paying more for waste then clean water.

Mr. Hensel made a motion, seconded by Mr. Doratt, to adopt Resolution 2007-09 pertaining to the allocation of sewer capacity policy. With there being no questions from the public, Mr. Hensel voting "aye", Mr. Doratt voting "aye", Ms. Silvernail voting "no", the motion passed.

Township road report. Mr. Doratt reported that the Road Crew has completed roadside mowing for the Memorial Day holiday. Trees are being removed along Old Mill Road to make the road wider and improve the drainage and prep for paving. The guide rail has been installed on the North bridge of Compass Road. All Township equipment is checked on a daily basis. Total vehicle miles are 950 and equipment hours are 42.

Planning Commission report. No report given.

Township Saldo Committee report. Ms. Silvernail stated that the committee met on Thursday May 24, 2007. The Committee reviewed Article IV Development Design Standards. Article V Mobile Homes was presented to all members to be reviewed at the next meeting. The next scheduled meeting is June 28, 2007 at 7:00 p.m.

Township Zoning report. Mr. MacCombie reported that a complaint regarding Eldridge Fence Company on Western Avenue was investigated and found that they are allowed to operate until November 2007 according to the decision and order of the Zoning Hearing Board. Mr. MacCombie inspected grading that was being done on a farm along Lincoln Highway and Herbert & Jeremiah MacCombie met with the Conservation District regarding this issue.

Pomeroy Fire Company report. Mr. Taylor reported that 32 alarms were received for 1 ambulance assist, 2 auto accident, 1 barn, 3 brush, 1 fire, 1 gas leak, 1 house, 1 house struck by lighting, 1 set up for landing, 1 stand by, 1 trash, 1 tree, 1 trees and wires, assists to other departments: 3 East Fallowfield, 1 Highland, 2 Parkesburg Borough, 8 Sadsburyville, 1 South Coatesville, 1 Valley Township. Time in service was 14 hours 5 minutes.

Sadsburyville Fire Company report. Mr. Weaver reported that 16 alarms were answered for the month for 4 auto accidents, 1 ambulance assist, 1 co2 detector, 2 fields, assists to other departments: 1 automatic alarm assist to 28, 1 dwelling assist to 43, 1 gas leak and 1 brush assist to 44, 1 brush, 1 auto accident, 1 furnace assist to 44. Time in service 7 hours 7 minutes.

Emergency Services Coordinator Update. Mr. Taylor reported that he is attending a mandatory training at the Government Services Center.

Mr. Hensel made a motion, seconded by Ms. Silvernail, to pay the May invoices in the amount of \$48,195.05. 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 May payroll in the amount of \$38,363.57. 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 May sanitary sewer invoices in the amount of \$22,379.13. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

New Business

Amy Magee, a West Caln resident explained to the Board that she purchased her property in West Caln 5 years ago at 110 North Sandy Hill Road at the time of purchase the septic was inspected and found to be sound but was told if the sanitary sewer system fails they would be unable to relocate the sand mound to any other part of the property. Ms. Magee stated that her sanitary sewer is in complete failure and they cannot place another sand mound on the property and requests permission to tap into the preexisting sanitary sewer line that runs through their property. Mr. MacCombie remembers this discussion last year and explained that there is an agreement between West Caln Developers, PAWC and Sadsbury Township and believes that this agreement does not allow any outside connections to be made. Ms. Magee states that West Caln and PAWC do not have a problem with her making the connection. Mr. MacCombie stated that the existing agreement would have to be modified to state such. Mr. Hensel commented that if you allow 1 connection in West Caln then you are setting a precedence to allow others to make a connection. Ms. Silvernail stated that the Magees have 12.73 acres of land why can't they place another sewer on their property? Ms. Magee stated that she has 2 streams going through the property and it is impossible and they have exhausted all possibilities at this point. Mr. Pompo stated that letting the Magee's connect is not permitted as part of the agreement. Ms. Magee states that she has a letter from PaDEP with regards to her malfunctioning on lot sewer system. Mr. Pompo stated to have DEP order the Township to let them make a connection. The Board tabled any decision regarding this matter until the next scheduled Board meeting.

Ms. Silvernail received a complaint from a Township resident regarding aircraft not following the flight path. Mr. MacCombie stated that sometimes if there is a safety issue to deviate the flight path. Mr. Doratt stated that he would like to have all information regarding this complaint. The Board requested the Township Secretary send a letter to the Chester County Airport asking them to explain why they are not following the right flight path.

Mr. Hensel stated that a position has been open for several months for a Zoning Hearing Board member. Mr. Hensel stated that he is in receipt of (3) interested applications being Tom Greenfield, Alan Eagles and Jane Heineman. Mr. Doratt stated he would like to have Alan Eagles fill that position. Mr. Hensel and Ms. Silvernail stated that with Ms. Heinemans experience they would like for her to fill the vacancy.

Mr. Hensel made a motion, seconded by Ms. Silvernail, to appoint Jane Heineman to the Zoning Hearing Board to fill the vacancy to expire December 31, 2007. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

The Board presented Scott Weaver with a certificate of appreciation for his part in rescuing an accident victim that occurred with a vehicle in the pond behind Weavers Mulch. Mr. Weaver thanked the Board.

Christy Flynn and Jason Duckworth representing Arcadia presented that Board with a sketch plan for the approved preliminary plan of phase 4C. This proposal is to eliminate the fifty-multi family units and replace them with thirty-six single families attached units, which would reduce the density of phase 4c from fifty-six dwellings to 42 dwellings. Mr. Duckworth stated that the market has changed and townhouses are more valuable and condos are not. Ms. Silvernail stated that a reduction by 14 is not a lot. Ms. Silvernail asked who was to maintain the snow removal from the alleyways at which the homeowner's cars are parked? Ms. Flynn stated that the homeowners association would maintain the alleyways. Ms. Silvernail stated that the Township would receive complaints if they plow the main roads in this development. Mr. Duckworth stated that one good thing with the alleyways is they are dead end streets and the plow trucks will have a place to push the snow. Mr. Hensel asked how wide are the roadways? Ms. Flynn answered 32' and the alleys are 12', which will be owned by the homeowners association. Ms. Silvernail stated that they would have to reduce more then 14 homes in order for her to accept it and she wants to see more recreation facilities added. Ms. Flynn stated that currently there is plenty of recreation such as: walking biking trail, measured jogging track, multi purpose play field, 2 playgrounds, a pool and a cabana.

Mr. Hensel stated to forward the sketch plan to the Township Planning Commission and get comments back from them. Mr. Duckworth stated that the sketch plan is a reduction and not an increase and the reason they presented it, as a sketch plan is to get the Townships input.

Public Comment:

Rich Felice commented to the Board to allow Ms. Magee from West Caln to hook into the sanitary sewer system.

Jane Heineman asked who enforces the weed ordinance? The Board stated that the building inspector does. Ms. Heineman complained about the tall grass and weeds along Quarry and Greenbelt Drive. The Board will inform Mr. Hawkins of the problem. Ms. Heineman asked if a sign could be placed in the Bert Reel Park to stop residents from letting their pets run wild? Chief Groce stated for her to dial 911 the next time it happens.

Earl Taylor commented to the Board to move cautiously with the new developments.

Tammy Pawling made complaint regarding the warehouse on Octorara Road. Ms. Pawling said that there had been movement in the vacant warehouse approximately a month ago with the moving of material out of the building. Ms. Pawling stated that since then wood crates are sitting out and are an eye sore. The Board will have Mr. Hawkins look into this matter.

George Thomas a representative of Pennsylvania American Water Company made a request to tie a resident at 47 Washington Lane into public water. Mr. Thomas stated that at the time the water was available the resident opted out. Mr. Thomas stated that the water main is right at the curb and is requesting to make a 4 x 4 patch and restoring the road with an infrared machine that heats up the blacktop and retamps it without seams. Mr. MacCombie stated that he is unaware of this process and never seen it done and would prefer if PAWC would just follow with the Ordinance that the Township has in place. Mr. Thomas stated not a problem.

Tony Prychodzein reminded the Board that the Planning Commission set up a test for the road width in Quarry Ridge and fire truck and the fire truck knocked down or ran over the cones.

Robert Silvernail commented that if Octorara Glenn is having major issues with 44 homes what will happen to the 450 homes proposed homes of Arcadia?

Jay Groce stated that the Township has a person under arrest for the sign painting within the Township.

Clair Audette stated that there are several basketball nets in the streets at Settlers Path and Friendship Way.

Scott Weaver wanted to thank Pomeroy Fire Company for stepping up and placing full time paid medics.

Earl Taylor asked why couldn't farmer's plant crops in the current empty fields instead of letting weeds grow?

Jane Heineman thanked the road crew for mowing the roadsides along Quarry Road and Greenbelt Drive.

Clair Audette thanked the road crew for cleaning up Old Mill Road, trees, grass etc.

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

Respectfully Submitted,

Lisa Myers
Secretary/Treasurer