

## **Board of Supervisors Regular Meeting Tuesday May 1, 2007**

The Board of Supervisors conducted a regular meeting held on Tuesday May 1, 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 stated that May 1, 2007 the department started working the 12-hour shifts tentative that all unresolved issued got met. Chief Groce provided to the Board and Mr. Pompo an undated personnel manual that includes the changes of vacation time to hours and not days. Chief Groce reported for the month of April that 5,867 miles were patrolled and 299 incidents were handled for: 2 theft, 2 burglary, 6 suspicious persons, 59 stationary patrols, 5 911 hang ups, 53 business property checks, 12 alarms, 22 assist to other departments, 3 animal, 5 domestics, 5 accidents, 5 criminal mischief, 3 disturbance. 43 traffic citations were issued and 9 criminal arrests for: 1 DUI, 1 disorderly conduct, 3 criminal warrants, 1 receiving stolen goods, 1 stolen vehicles, 1 possession of drugs, 1 burglary. Chief Groce reported that Sergeant Ranck and Officer Imhoff completed their annual Act 180 police update training and Officer Yanak has completed a 2-day Constitutional and Legal Update training. Chief Groce requested for Sergeant Ranck to attend Stop Violence Against Women Program May 30<sup>th</sup> and 31<sup>st</sup> in Frazer. This class is funded through the District Attorney's office therefore is no charge. Chief Groce requested for himself to attend a two-day Human Resources Class, which covers management issues, and best practices for hiring employees, discrimination claims, drug testing and more. Chief Groce stated that registration costs is \$499.00. Chief Groce made a request to equip 2 police cars with digital recorders that will mount on the dash of the vehicle. The camera begins recording 30 seconds before you make a stop and records until the light bar is shut off. Chief Groce stated that the costs of each unit runs between 2,000 and 5,000 each depends on the manufacture. He stated that Mantel Corporation is one of the least expensive companies. Chief Groce stated that he has ordered a digital camera on a demo basis for 30 days. Chief Groce requested to also purchase (2) taser guns to keep in the station, he stated that he has been in contact with the Township's insurance company and finds that standard coverage applies in the case of the tasers. Chief Groce stated that training would apply to each officer carrying the taser units.

Mr. Hensel made a motion, seconded by Ms. Silvernail to send Sergeant Ranck to a Stop Violence Against Women Two day program with no charge for registration. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

The Board tabled any decision regarding purchasing the digital cameras for the police vehicles until we demo a unit for 30 days.

The Board discussed the request made to send Chief Groce to a Human Resources Class. Ms. Silvernail stated that the Township has never had any problems with human resources. Mr. Doratt stated that it is cheaper than an attorney coming out of the gate. Chief Groce stated the course covers lawful discharge, discrimination, screening, drug testing, and age discrimination. The Board decided to table this request until the May 16, 2007 Board of Supervisors meeting.

The Board discussed the taser request made by Chief Groce. Mr. Hensel asked Chief Groce how many other local Police Departments have tasers? Chief Groce replied “most”. Ms. Silvernail asked if any of our current officers are trained on using the tasers? Chief Groce stated that currently Amber Smith and Kevin Simmons are trained from other municipalities that they work for. The Board made no decisions at this time regarding the Chiefs request to purchase (2) tasers.

**Township Engineer report.** Mr. MacCombie reported that a letter and Resolution have been sent to Mr. Belmonte of PennDot District 6 regarding signalization at Route 30 and Independence Way and AIM Blvd. Mr. MacCombie stated that Penndot should be in contact with him within the next 2 weeks to let him know if the traffic is warranted for a traffic signal. Mr. MacCombie stated that the safety report would be submitted regarding the Sadsbury Village Enhancement Project. Mr. MacCombie stated that he is currently putting together a bid package for the Bert Reel Park grant project regarding construction of bathroom facilities. Mr. MacCombie is working with Joe Drozd to get sanitary sewer calculation regarding the agreement between Pennsylvania American Water Company, West Caln Developers and Sadsbury Township. Mr. MacCombie has prepared (2) releases for the Boards approval for Harry’s Restaurant in the amount of \$22,419.05 and Aerzen in the amount of \$25,602.10.

Mr. Doratt made a motion, seconded by Ms. Silvernail, to approve the construction release to Harry’s in the amount of \$21,184.21 per Mr. MacCombies recommendation. With there being no questions from the public, Mr. Doratt voting “aye”, Ms. Silvernail voting “aye”, Mr. Hensel abstained, the motion passed.

Mr. Doratt made a motion, seconded by Ms. Silvernail, to approve the construction release to Harry’s in the amount of \$1,234.84, per Mr. MacCombies recommendation. With there being no questions from the public, Mr. Doratt voting “aye”, Ms. Silvernail voting “aye”, Mr. Hensel abstained, the motion passed.

Mr. Doratt made a motion, seconded by Mr. Hensel, to approve the construction release to Aerzen in the amount of \$25,602.10 per Mr. MacCombies recommendation. With there being no questions from the public, Mr. Doratt voting “aye”, Mr. Hensel voting “aye”, Ms. Silvernail abstained, the motion passed.

Mr. MacCombie asked the Board if they would be interested in loaning the Township speed trailer to Avondale for a traffic study. Ms. Silvernail stated that a contract would need to be in place in the worst-case scenario a loss of the machine while it is in use in Avondale and all insurance requirements would need to be met. The Board stated that they are ok with loaning it to Avondale for a traffic study contingent a contract is agreed upon. Mr. MacCombie reported that he completed a site inspection of the Florian property along Belvedere Avenue and all issues have been resolved. Ms. Silvernail stated that upon approval of the extension of the grading permit application of Mr. Florian he must have all professional fees paid to the Township and Ms. Silvernail is requesting that a letter be sent from Florians engineer to all effected property owners at Belvedere Avenue informing them of the certified land survey that has been completed.

Mr. Hensel made a motion, seconded by Mr. Doratt, to extend the grading permit for Mr. Florian at Belvedere for a period of six months contingent upon all professional fees be paid to the Township and property owners Sue Allen and Mike and Phyllis Loftus get a letter from the engineer representing Mr. Florian stating a certified survey of land and pins have been placed. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Mr. MacCombie stated that a site inspection has been completed for the storm drains on Old Mill Road for a future-paving project.

**Township Solicitors report.** Mr. Pompo reported that he has received the Township’s police proposal of the 12-hour shift schedule change and has made numerous changes to the police personnel policy to reflect the changes and Chief Groce agreed with the changes. Mr. Pompo finds the Police Personnel Policy to be acceptable.

Mr. Hensel made a motion, seconded by Mr. Doratt, to accept the schedule change for the Township police department to reflect 12-hour shifts along with the personnel policy. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

**Township Road report.** Mr. Doratt reported that the road crew has been replacing road signs throughout the Township. The water meter has been installed at the Bert Reel Park and port a potties installed, grass cutting has begun. Total vehicle miles are 803 total machine hours are 17.

Mr. Hensel stated that (3) quotes have been obtained to replace the guide rail at the second bridge on Compass Road. The quotes were:

Morgan Rail

\$9,820.72

ML Ruberton Construction CO.	\$15,725.00
Collinson, Inc.	\$11,012.00

After Board discussion Mr. Hensel made a motion to accept the quote of Morgan Rail in the amount of \$9,820.72 to replace the guide rail at bridge #2 on Compass Road. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

**Township Planning Commission report.** Ms. Silvernail stated that the minutes of the Planning Commission Meeting held on March 13, 2007 have been attached to the Board minutes.

**Township SALDO report.** Ms. Silvernail reported that the committee met on April 26, 2007. The committee reviewed the remainder of the draft article III plan process and content and draft article IV development design standards. Some amendments were suggested by the committee. The Township storm water Ordinance will be discussed at the next SALDO meeting May 24, 2007 at 7:00 p.m.

**Township Zoning report.** Mr. MacCombie reported that he has sent a cease and desist letter to Ryan Homes regarding the operation of a Real Estate Sales Office in a residential zoned area. Mr. MacCombie stated that he has had conversation with Mr. & Mrs. Loftus regarding an Echo Home. Mr. MacCombie informed them that they must first submit a plan. It is his understanding that Echo Housing is temporary housing. Ms. Silvernail added that since the housing is temporary the home must be removed within a stated amount of days once the person moves out. Mr. MacCombie stated that they could possibly put an addition on their home but does not know if the temporary housing meets the regulation, needs more documentation.

**Pomeroy Fire report.** Mr. Earl Taylor reported that for the month of April a total number of calls per Township were 32 for: Sadsbury 17, Parkesburg 2, Coatesville 1, Highland 2, East Fallowfield 7, West Fallowfield 1, Honey brook 2. Mr. Taylor reported 12 alarms were answered for 2 automatic alarms, 1 chimney, 1 wires, 1 auto accident, 1 assist ambulance, 1 standby, 1 fire unknown, 2 brush, 1 electrical, 1 fuel spill. Time in service 11 hours and 3 minutes.

**Sadsburyville Fire report** No report given

**Emergency Services Coordinator Update** Mr. Taylor thanked the Board and Road Crew for the replacement of the street signs.

Mr. Hensel made a motion, seconded by Mr. Doratt, to pay the April invoices in the amount of \$93,283.45. 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 approve the April payroll in the amount of \$36,960.73. 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 the April sanitary sewer invoices in the amount of \$23,676.62. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

### **New Business:**

Bill Washington, a Spruce Street resident presented that Board with the street conditions of Spruce Street. Mr. Washington stated that Spruce Street is the nicest street in Pomeroy but the living conditions are deplorable, the stop signs and speed limit signs are a joke, he stated last election the residents were asked what do you need? “Nothing” gets done. Mr. Washington stated that the dust issues are causing health concerns and disease. Mr. Washington said that the noise ordinance is a joke. Mr. Washington stated that the Board of Supervisors is supposed to take care of the people. Mr. Washington stated that he has called PaDEP numerous times since 1998, he stated that the dust was analyzed and tested terrible. Mr. Doratt asked Mr. Washington to supply the documents to him regarding this matter. Mr. Washington stated that many of the Spruce Street residents have children and animals. Mr. MacCombie stated that he remembers being there being problems years ago when Heineman was in office.

John Sly Chief of Westwood Fire Company announced that they are celebrating their 16<sup>th</sup> anniversary with a parade that will line up and start at the Bellaire Business Center on May 26, 2007 at 1:00 p.m. Mr. Sly stated that Lincoln Highway would be closed for approximately 2 hours. Mr. Sly is requesting a letter from the Township stating that they have been notified and made aware of the parade route being Lincoln Highway to being at 1:00 p.m. The Board welcomed the parade and will have a letter drafted and sent to him.

Mr. Hensel stated that a Township resident approached him and requested to make a donation of furniture to one office in the new Township complex. Mr. Pompo stated that the Township can accept a donation and with it being such the resident can use the donation as a charitable tax deduction. Mr. Pompo stated that all furniture must be purchased through state contract pricing otherwise it must go out for bid.

Mr. Taylor asked what the status of the Knox box is at the new Township building? The Board stated that they would contact Mr. Hawkins the Township building inspector to find out the status.

The Board discussed and agreed to have the repairs done for the 1992 Dodge Truck in order to pass State Inspection. The work needed is: rear brakes, parking brake cable, muffler & tail pipe, steering box bracket. All items to cost \$734.15 to McClure's Garage.

Mr. Hensel made a motion, seconded by Mr. Doratt, to authorize the additional amount of money that was paid to Jerry Ranck in 2006 as the result of an error.

**Public Comment:**

An Octorara Glen resident Commented to the Board that he was watering his lawn and the water ran down onto the neighbor's driveway and the neighbors called the Township police department. The Board asked Chief Groce if he was aware of this situation? The Chief replied "no" but he will look into it.

Maggie Salewski stated that she is a board member on the homeowners association of Octorara Glenn and she stated that the roads are unfinished, walking trail is incomplete, tree planting not complete, sidewalks unfinished and drainage beds not complete. Ms. Salewski states that she is concerned along with many other homeowners that the contractor has skipped out on the completion of this project. Mr. Pompo stated that the Township has a developer's agreement that lists the defaults of a contractor and he will look into the process. The Board directed Mr. MacCombie to create a punch list of the condition of the development the next step will be for the Township to place the developer on notice of all incomplete items, if the developer does not take action the Board can declare default and take escrow money and disburse funds to complete the public improvements.

Mike Klingston a homeowner of Octorara Glenn asks what if the builder has filed chapter 7. The Board stated that they have directed Mr. MacCombie to do a punch list of the development and that \$225,000.00 remains in escrow to complete the public improvements.

Alan Eagles stated that the Old Wilmington Road clean up crew would meet on May 5, 2007 at the Sadsburyville Fire Company for coffee and donuts at 8:00 a.m.

Susan Franco asked the Board if they were prepared to make a decision regarding the Inner Municipal Agreement? The Board agreed that at this time they do not know the liability nor the costs of accepting such a Resolution. Ms. Franco stated that the Board meets the 2<sup>nd</sup> Thursday of each month at the West Brandywine Township Building and the 3<sup>rd</sup> Thursday at City Hall in Coatesville at 8:30 a.m.

Rich Felice made a comment to Mr. Washington a (Spruce Street resident) that if the dust they are breathing in is concrete dust it should have been under control long before now. Mr. Felice asked the Board about the guide rail bids and how do they determine which bid to award? The Board stated normally the lowest. Mr. Felice commented that even by the Board taking the lowest bid they could get the price even lower. Mr. Felice stated that before the Board approves the tasers he hopes that the Board establishes a policy for use.

Scott Kreager requested that the Township provide him with the address of all Township residents for a donation flyer that the Pomeroy Fire Company sends out yearly. The Board agreed to have the Secretary prepare the list for them.

Elmer Pluck stated that he would like to see more police presence in Pomeroy; a lot of vehicles are blowing the stop sign by his home.

Tom Greenfield asked what happens if the Octorara Glenn escrow gets exhausted and all issues do not get completed where will the rest of the money come from? Mr. MacCombie stated that money will only be released for work completed and any extra money will go back to the developer. Mr. Pompo suggested a punch list get completed and a default notice can be sent which carries a 45-60 day period and for the Township to be aggressive to get the public improvement finished before winter sets in.

Mr. MacCombie stated that it is rare to have a developer default.

Vicki Horan asked if extra money is due back to the developer is it possible for the Township to drag their feet? Mr. Pompo stated that he would not be first in line to write them a check.

Resident: What if Octorara Glenn files bankruptcy what happens to the escrow money? Mr. Pompo said it could hold up the \$225,000.

Tom Greenfield asked if Octorara Glenn defaults could Arcadia be responsible for getting all the final approvals? The Board was unsure.

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

Respectfully Submitted,

Lisa Myers  
Secretary/Treasurer

