

Board of Supervisors Regular Meeting held Wednesday May 16, 2007

The Board of Supervisors conducted a regular meeting held on Wednesday May 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. 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 the clean up day along Old Wilmington Road was a success with the Quarry Ridge Homeowners and other residents participating. Chief Groce announced that a parade would be held on May 26, 2007 with the route to begin at Bellaire Business Center, he stated the police department would assist with traffic. Chief Groce stated that the demo camera has been installed in the 2007 Ford but the remote is not functioning properly therefore the camera is not operational; the Chief is awaiting assistance from watch guard. Chief Groce requested that the Board and Mr. Pompo review the "Use of Force Policy" pertaining to the use of taser units. Chief Groce has requested the Township to purchase (2) units to keep in the station to cost \$1,773.10, which Chief Groce stated is in the budget for 2007. Mr. Pompo stated that he is in receipt of the "Use of Force Policy" and has not completed his review. The Board tabled any decision regarding adopting this policy or purchasing the taser units.

Township Engineer report. Mr. MacCombie reported that he has prepared a construction release for Sadsbury Arcadia in the amount of \$213,570.00 for the Board's consideration.

Mr. Doratt made a motion, seconded by Mr. Hensel, to approve construction release 3 & 4 to Sadsbury Arcadia in the amount of \$213,570.00 per Mr. MacCombie's recommendation. With there being no questions from the public, Mr. Doratt voting "aye", Mr. Hensel voting "aye", Ms. Silvernail voting "nay" the motion passed.

Mr. MacCombie stated that he has prepared a punch list of outstanding public improvement items for Octorara Glenn. The list was as follows:

- Base repairs
- Resurface entire road
- Inlets need concrete and cleaned
- Depressed curb removed
- Sidewalks not complete
- Walking trail not complete
- Replace sidewalks
- Utility trench
- Sanitary sewer connections made
- Manholes checked
- Check all sanitary sewer lines

- Detention basin clean and stabilize
- Open space
- Top soil pile removed
- Trees replaced
- Monuments placed
- As built plans
- Deed of dedication document review

Mr. MacCombie stated that these are most of the outstanding items; he stated that he has located the developer. Mr. Pompo stated that he has the security agreement documents that state to give a 60-day notice. The Board directed Mr. MacCombie to give the punch list to Mr. Pompo and directed Mr. Pompo to give the developer a written notice of 60 days to begin complying with the list. Mr. MacCombie reported that Pen Dot has received the Township's application for a traffic signal to be placed at AIM Boulevard, Independence Way and Lincoln Highway; Pen Dot is awaiting the accident reports. Mr. MacCombie reported that he is in receipt of a letter from Stapleton Lesley surveyors of Mr. Florian. Mr. MacCombie stated that he has drafted a letter to the affected residents informing them that Mr. Florian has had a certified surveyor. Mr. MacCombie has also sent a letter to Mr. Florian stating that the Board has granted a 60 day extension contingent upon payment of all invoices be paid to the Township.

Township Solicitors report. Mr. Pompo began with the Sewage Maintenance Agreement at which Pa DEP is now requiring be part of the Sewage Planning Module regarding on lot sewer systems. Mr. Pompo states that Cowan Estates, D & S Developers, and Gateway Church need this agreement. Mr. Pompo stated that in 1998 the Act 537 Plan had an Ordinance that would institute an on lot plan for the Township, the Township did not act upon the Ordinance at that time. Mr. Pompo stated that PaDEP has since mandated that all Townships' have a sewage maintenance agreement that would provide the Township with paperwork that each on lot sewer was pumped every (3) years. Mr. Pompo stated that with such an agreement the Township would have to set up a program to monitor and enforce this agreement and PaDEP will not sign off on any Sewage Planning Modules unless the Township agrees to put such an agreement in place. Mr. Pompo stated who would pay the costs and expense to enforce such an Ordinance? Mr. MacCombie stated that the Township could talk to the developers and let them know that the Township has to incurred costs to adopt such an Ordinance and perhaps they would share in the costs with the Township. Sue Ahearn representing Gateway Church stated that the on lot sewage facilities management agreement was part of the sewer module, but PaDEP will not sign off until the Township signs the agreement. John Lymberis asked the Board if they could implement a letter to PaDEP stating they intend on putting a program in place for on lot sewage? Mr. Pompo stated the on lot sewage facilities management agreement is a standard DEP agreement although the Township should not have a different agreement for each developer. John Lymberis asked if the Township could include in the sewer planning modules an agreement to agree upon the on lot sewer. Mr. Pompo stated it would not make any difference cause they will not accept them until the Township agrees to get on board with the sewage maintenance agreement. Mr. Pompo moved on to say that he made the corrections to the draft

Resolution pertaining to establishing a policy for the allocation of capacity within the wastewater system. Ms. Silvernail asked if how many gallons per day would be spelled out in the Resolution? Mr. MacCombie stated that he believes that this number could change from time to time. Ms. Silvernail asked would the EDU be 250 gallons per day or 225 gallons per day? Mr. MacCombie answered that he has to talk with representatives of DEP. Ms. Silvernail stated that the Resolution states that the Township will hold payment for (5) years and then the Township must return a portion back to the developer of any unused EDU's at that time. Ms. Silvernail stated shouldn't the Township create an escrow fund and post the money to that account because the Township cannot count that as capital money if a portion is to be returned to the developer for unused EDU's after the (5) year period. Mr. MacCombie stated that Ms. Silvernail has made a valid point and that the 55% reserve should be set-aside in a separate escrow account. Mr. Colby stated that he reviewed that Resolution and questioned Mr. Pompo with regards to ownership use. After discussion Mr. Pompo stated that the ownership change would remain the same, no need for re-review. Mr. Pompo stated that he would make the changes and have another draft Resolution ready for the Board meeting in June. Mr. Pompo stated that he is in receipt of the time extension for the Decision and Order of the Rampmaster Zoning Hearing. Mr. Pompo stated that their time extension period has expired and Rampmaster must take his request to the Zoning Hearing Board.

Tabled Business:

The Board briefly discussed a Resolution that had been presented by Ms. Franco regarding the Township joining an inner municipal agreement. Ms. Silvernail stated that she does not have enough facts or figures to make a fair decision. Mr. Doratt stated that he attended a meeting and found it to be informational but still was not familiar enough to make a decision either. Ms. Franco stated that she has informed the Board of when the meetings take place and are welcome to attend.

Mr. Hensel made a motion, seconded by Ms. Silvernail, not to act on a Resolution pertaining to an inner municipal agreement. With there being no questions from the public, Mr. Hensel voting "aye", Ms. Silvernail voting "aye", Mr. Doratt "abstained" the motion passed.

The Board discussed a request from Chief Groce to attend a human resources course to cost \$499.00. Ms. Silvernail stated that this is a lot of money for one course and wants to track the costs for all education.

Mr. Hensel made a motion, seconded by Mr. Doratt, to approve Chief Groce attend a Human Resources course to cost \$499.00. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

New Business:

Mike Sodl representing D & S Developers discussed the review letter that he received from MacCombie 's office. Several items of the MacCombie letter dated May 7, 2007

were discussed. Mr. Sodl requested that the Board give conditional final approval of this land development. Ms. Silvernail stated to Mr. Sold that he needs to take his request back to the Planning Commission for a letter of recommendation as well as providing to the Board a clean letter from Mr. MacCombie. No action was taken.

Joe Rosella representing Keystone Ranger is requesting final land development approval for Keystone Hanger #3 and will comply with Mr. MacCombies review letter dated April 19, 2007. Mr. Pompo stated that financial security agreements would need submitted. The Board agreed to approve the request to approve the final land development of Keystone Hanger #3.

Mr. Hensel made a motion, seconded by Mr. Doratt, to approve the final land development of Keystone Hanger #3 contingent upon Mr. MacCombies review letter dated April 19, 2007 and payment must be received for any outstanding invoices due and the applicant must submit financial security agreements. With there being no questions from the public, Mr. Hensel voting “aye”, Mr. Doratt voting “aye”, Ms. Silvernail abstained the motion passed.

Public Comment:

Sue Ahern requested that Board to consider the acceptance of the on lot sewage facilities management agreement. Mr. Pompo stated that he would review the agreement.

Alan Eagles commented that if the Board is overwhelmed with attendance in various meetings they should consider putting more Supervisors on the Board, he stated to either send a volunteer to some meetings or hire a manager. Mr. Eagles commented that the Township has a creepy trash contract since they are paying more money for less service.

Susan Franco commented that Quarry Ridge has had some bad vandalism with spray-painting benches, the tot lot, stop signs, curbs, sidewalks, Ms. Franco said that the town watch is going to discuss this being the 3rd incident. Ms. Franco also stated that residents in Quarry Ridge have joined in a class action suite against the natural gas company due to the lines are not grounded. Ms. Franco thanked all those who joined with cleaning up Old Wilmington Road; they collected 47 bags of trash. The Board stated “nice job”.

Maggie Saleswki stated that earlier Mr. MacCombie read off a punch list of unfinished items at Octorara Glen and seems like a huge list, is there going to be enough money to finish the punch list? Mr. MacCombie stated, “yes”. The Board stated that the notice should go out to the developer by Friday. Ms. Saleswki made a request to use the Township meeting room for a homeowners association meeting on the evening of June 6, 2007 from 6pm to 9pm. The Board said that would be fine.

Lynn Hanaway made a request to place storage trailers on his lot on Valley Road. The Board stated that he would have to go through the permit process.

John Lymberis commented that with the on lot sewer system would eventually be a homeowner's association responsibility.

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

Respectfully Submitted,

Lisa Myers
Secretary/Treasurer