

## **Board of Supervisors Regular Meeting held Tuesday September 18, 2007**

The Board of Supervisors conducted a regular meeting held on Tuesday September 18, 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.

Mr. Hensel announced that the Board met in executive session on Tuesday September 11, 2007 at 9:00 a.m. to discuss police personnel matters.

The moment of silence and pledge of allegiance were observed.

Mr. Hensel introduced Mike Lynch a current manager from East Bradford Township. Mr. Hensel stated that he invited Mr. Lynch to the Board meeting to discuss the importance of a Township Manager's duties. Mr. Lynch stated that he has been employed by East Bradford Township as Manager since 1992 and had not previously been involved with municipal employment. Mr. Lynch stated that a manager keeps track of all daily routine business that is conducted in the Township and keeps the Board informed. He stated that all elected Supervisors are not paid a lot for the time that they spend in the Township. Mr. Lynch stated that he does not currently have a contract with East Bradford and most Townships' do not use a contract.. The Board asked if anyone had questions for Mr. Lynch, with no replies, the Board thanked Mr. Lynch for attending our meeting.

**Township Police report.** Chief Groce reported that the employee probationary period for Officers Daniel Mackley and Martin Lawson are due this month. Chief Groce recommended that Daniel Mackley and Martin Lawson be released from the Township as employees of the Township Police Department. Chief Groce reported that he has received acceptance for reimbursement for 50% of the Township's purchase of (9) bulletproof vests. The reimbursement grant is in the amount of \$3,311.00 and Chief Groce requests that this money be placed back into his budget.

Mr. Hensel made a motion, seconded by Mr. Doratt, to release Martin Lawson and Daniel Mackley from the Township Police Department per the Chiefs recommendation. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

**Township Engineer report.** Mr. MacCombie reported that a letter was drafted and mailed to David Stoltzfus who is the operator of the corn maze located at 3211 Lincoln Highway informing them that they must obtain all necessary permits from Sadsbury Township, including a food handling permit, sanitation permit, building permit, electrical permit, zoning permit and any other permit governing the health, safety and welfare of the public. Ms. Silvernail stated that the corn maze was open for operation again last weekend. Mr. Pompo stated that if the corn maze is open for operation someone from the Township will have to be available to perform an inspection and since the corn maze is only open on Saturdays and Sundays the Board will have to authorize Eric Hawkins,

Building Inspector to visit the site. Mr. Pompo stated the next step would be to file citations. The Board agreed to authorize Eric Hawkins to complete an inspection on a Saturday or Sunday and report back to the Board on the findings. The Board directed the Secretary send a memo to Mr. Hawkins.

**Township Solicitor report.** Mr. Pompo stated that he received a letter from Mark Kaplan regarding Phase 4 Sadsbury Park. Mr. Pompo stated that based upon a decision in Warwick Township issued by the Court of Common Pleas in 2005 provides the applicant a (5) year-protected period measured from the date of preliminary approval. Mr. Pompo stated to get the clock date started on this project as of the Planning Commission meeting. Mr. Pompo stated that he is in receipt of a formal letter from the Chester County Airport Authority addressing the Boards concerns with noise. Mr. Pompo discussed the Conditional Use application received regarding a shopping center located at Routes 10 & 30. Mr. Pompo had some discussion with the attorney of the applicant and there is possible discussion of the layout of the shopping center before proceeding with the hearing. Mr. Jaros attorney for the applicant stated that his client does not want to ignore what the Township has been working on and wants to know what comments the Board has. Ms. Silvernail stated that she reviewed the plan and it is generic, she would like something appealing other than an everyday shopping center. Ms. Silvernail asked since Wayne Grafton is the Township's land planner can he be included in the discussion? The Board agreed to have Ms. Silvernail, Mr. Pompo, Mr. Grafton, Mr. MacCombie gather for a meeting. Mr. Jaros will contact Mr. Pompo with some dates. Mr. Pompo stated that after discussions with Mr. Drozd regarding the outstanding invoices of Atlantic Inland, they have agreed to accept the recommendation from Mr. Drozd in the amount of \$37,583.79. The Board directed the Township to put the amount of \$37,583.79 as part of this months invoices to pay.

#### **Tabled Business from September 4, 2007**

The Board discussed a draft Resolution to amend the response territories for the Route 10 corridor. Mr. Pompo stated that after sending a draft to the emergency responders in the Township, the Resolution was amended to say: Further be it resolved that Station 29-Pomeroy will provide ambulance coverage to all of the Township with the exception that Station 28 Parkesburg will provide ambulance coverage to the area of the Township North of Parkesburg Borough line having driveways and access from North Culvert (Julie Drive), Strasburg Avenue, Limestone Road, Leike Road. Pomeroy will cover Leike Road and Route 10 (Octorara Trail). Ambulances from both Pomeroy and Parkesburg will cover route 10 and Route 30.

Mr. Hensel made a motion, seconded by Mr. Doratt, to adopt Resolution 2007-11 pertaining to an amendment to Resolution 2007-07 by further establishing response territories for emergency service providers. With there being no questions from the public the Board voting "aye", the motion passed unanimously.

The Board discussed an Ordinance to create the position of Township Manager. Mr. Doratt stated it is time to retain a position of Township Manager. Mr. Hensel stated that

with the growth of the Township a part time manager is needed. Ms. Silvernail stated that she wants to wait and see if there is room in the next year's budget for this position and wants to table until the beginning of the year. Ms. Silvernail asked if the Township has money in the budget to pay for a Township Manager? Mr. Hensel stated hiring a Township Manager would save money. Ms. Silvernail stated that they might not find a part time manager; she feels it's a full time position and would be an extremely difficult position for a part time person to fill. Mr. Hensel stated that a manager would work at the Supervisors direction. Mr. Doratt stated, "we can make it work and customize a manager to fit the Township".

Mr. Hensel made a motion, seconded by Mr. Doratt, to authorize advertisement of an Ordinance to create a position for Township Manager. With there being no questions from the public, Mr. Hensel voting "aye", Mr. Doratt voting "aye", Ms. Silvernail voting "nay", the motion passed.

### **New Business:**

Gary Moskovitz representing Cowan Estates requested final signature and developer's agreements approval. Mr. Moskovitz stated that all paperwork with regards to Cowan Estates is in order; he added that they need approval before the letter of credit can be obtained. Mr. MacCombie asked Mr. Moskovitz if they have received a Pen Dot permit extension? Mr. Lymberis stated, "yes". Mr. Pompo stated that in the past documents have been approved and signed and held at his office until financial security was received as such with the problems in the past with Sadsbury Park Phases 2 & 3 at which were signed and held for financial security was received and to date the security was never received. Mr. Pompo stated that he has prepared a Resolution for the Board to consider which pertains to developers seeking final signature without first obtaining the financial security. Ms. Silvernail said this was a good idea. Mr. Moskovitz stated that his client has a good track record with the Township and would like to move forward with this project without delay and is requesting the signature on the plans and financial security will be posted within the week.

Ms. Silvernail made a motion, seconded by Mr. Doratt, to approve the final signature and developers agreements for Cowan Estates as outlined contingent upon the letter of credit be received by Monday September 24, 2007 and that all other outside agency permits are received in a timely manner. With there being no questions from the public, with Ms. Silvernail voting "aye", Mr. Doratt voting "aye", Mr. Hensel abstained, the motion passed.

Mr. Doug Howe presented the Board with a request to purchase (3) additional EDU's for lot #6 Morris Farm. Mr. Howe stated that he is not seeking any EDU's other than what is needed for lot #6 Morris Farm. The Board asked Mr. MacCombie what the remaining EDU count is? Mr. MacCombie replied that he believes it is approximately (70). Mr. MacCombie added that Mr. Howe is making this request as the part (1) submission of additional EDU's, he added that currently the Township does not have an application form to hand out. The Board accepted the letter and check for (3) additional EDU's.

Mr. John Jaros representing Lafayette Square is requesting the approval of a Resolution pertaining to the plan revision for new land development. Mr. MacCombie stated that he has reviewed the plans and all documents are in order except item G needs re worded to say Pennsylvania American Water Company.

Ms. Silvernail made a motion, seconded by Mr. Doratt, to approve Resolution 2007-12 pertaining to the planning module of Lafayette Square plan revision for new land development. With there being no questions from the public, Ms. Silvernail voting "aye", Mr. Doratt voting "aye", Mr. Hensel abstained, the motion passed.

Mr. Brian Kulowski representing Gateway Church presented the Board with a proposed (2) phase plan for Gateway Church. Mr. Kulowski stated that during the phase I a temporary cul-de-sac will be placed along Cowan Road and during the phase II construction the cul-de-sac will be made permanent. Ms. Silvernail asked what the time frame for build out of phase II be? Mr. Kulowski replied it depends on the growth of the church. Ms. Silvernail asked what happens if the growth does not happen, what happens to phase II? Ms. Silvernail went on to say that the main concern is what guarantees will the Township have that the cul-de-sac would be placed? Mr. MacCombie stated that the temporary cul-de-sac will be paved in phase I.

Ms. Silvernail made a motion, seconded by Mr. Doratt, to accept the amendment of the Gateway Church plans as a final plan submission contingent all fees are in order and all neighboring property owners are contacted so that there are no surprises. With there being no questions from the public, Ms. Silvernail voting "aye", Mr. Doratt voting "aye", Mr. Hensel abstaining the motion passed.

Mr. Kulowski representing Gateway Church requested an extension of Conditional Use No. C-1-04 for an additional 12 months.

After discussion, Ms. Silvernail made a motion, seconded by Mr. Doratt, to accept the extension request for Conditional Use C-1-04 Gateway Community Church from September 21, 2007 for a period of 12 months. With there being no questions from the public, Ms. Silvernail voting "aye", Mr. Doratt voting "aye", Mr. Hensel abstained, the motion passed.

Mr. Hensel announced that all maintenance, administration and police department need to present budget requests for the 2008 budget.

The Board scheduled the first budget work session to be held on October 4, 2007 at 9:00 a.m. This meeting will be advertised.

Mr. Hensel announced that an executive session would be conducted following this meeting to discuss police matters.

**Public Comment:**

Susan Franco asked if the Township Managers position is going to be an hourly or salary position? Mr. Hensel stated hourly. Ms. Franco asked if she could get a copy of the Chester County Airport response letter. The Board stated, "yes".

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

Respectfully Submitted,

Lisa Myers  
Secretary/Treasurer