

Board of Supervisors Regular meeting held Tuesday September 4, 2007

The Board of Supervisors conducted a regular meeting held on Tuesday September 4, 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. MacCombie Township Engineer & Zoning Officer, 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 August 4,588 miles were patrolled and 625 incidents were answered for: 3 theft, 10 suspicious persons, 180 stationary patrols, 13 911 hang ups, 263 business checks, 8 alarms, 8 assist to other departments, 5 animal, 6 domestics, 9 accident, 2 criminal mischief, 9 disturbance, 1 burglary. The Chief reported 171 citations were issued for 136 traffic, 35 summary citations, 39 criminal arrests for: 8 DUI, 9 disorderly conduct, 4 criminal warrant, 3 terrorist threats, 1 drug possession, 2 loitering, 10 open container, 1 public drunkenness, 1 bad checks and credit card use. 4 juvenile arrests for curfew, disorderly conduct and underage drinking. Chief Groce stated that the new mobile video camera has been installed in the 2000 Ford patrol vehicle. Chief Groce requested that the police department participate in the Chester County Major Incident Response Team. Chief Bennett of Caln Township presented the Board with information regarding this team at the last Board meeting. The cost to participate is \$250.00, the only cost to the Township will be the officers hour when participating in the program. Chief Groce recommended that the Township join the MIRT team. Chief Groce also recommended that Officer Criswell attend the training in October if the Board desires to participate in the program. Chief Groce announced that 15 arrests were made in August at the Bert Reel Park for various offenses including 11 for open containers of alcohol at a party at the swimming hole. Chief Groce thanked Officer Ranck and Officer Yanak for providing traffic detail on Compass Road in response to complaints of speeding vehicles. The Chief stated that Officer Jeff Criswell participated in a county wide DUI task force last month which resulted in (1) of his (6) DUI arrests for the month, Officer Yanak made (2) DUI arrests. Chief Groce thanked Officer Viola for his participation with the kids identification program at Community Day. Chief Groce stated that Daniel Mackley was hired as a part time patrolman for Sadsbury and has not completed his Pennsylvania Municipal Police Certifications and has not reported to duty for his scheduled shifts. The Chief stated that officer Mackley has abandoned his position with the department therefore he is requesting to terminate him.

Earl Taylor questioned if the arrests at Bert Reel Park were people from out of the Township? Chief Groce replied “no” they were mostly residents.

Mr. Doratt asked why all the 911 hang-ups? Chief Groce stated that mostly kids are making the 911 calls and hanging up, but all 911-hang ups get followed through.

Mr. Hensel thanked Officer Criswell for a job well done for the DUI arrests along with Officer Yanak.

Mr. Hensel made a motion, seconded by Mr. Doratt, to join the Major Incident Response Team to cost \$250.00 a year and to have Officer Criswell attend the training for said team in October. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Mr. Pompo asked Chief Groce if Officer Mackely has been put on notice for failure to complete his Pennsylvania Municipal Police Certifications and failure to report to duty on his scheduled shifts? Chief Groce stated “no”. Mr. Pompo stated that he must issue a notice to Officer Mackely giving him an opportunity to respond to the notice, otherwise he will be terminated for both reasons given.

Mr. Hensel made a motion, seconded by Mr. Doratt; to have Officer Mackley sent a notice of intent to terminate for failure to complete his Pennsylvania Municipal Police Certifications and failure to report to duty on his scheduled shift, giving him (5) days to respond. With a question from Chief Groce asking, “what if he wants to stay on?” Mr. Pompo stated that a meeting would be scheduled for Officer Mackley to state his side of the story. With there being no other questions, the Board voting “aye”, the motion passed unanimously.

Township Engineer report. Mr. MacCombie reported that he has reviewed the bid packages with regards to resurfacing and street improvements of 1,700 feet of Old Mill Road and is recommending Burkholder Paving of 621 Martindale Road Ephrata Pa 17522, he stated that they were the low bidder at \$44,037.50 and all the paperwork is in order.

Mr. Doratt made a motion, seconded by Mr. Hensel, to accept the bid from Burkholder Paving of 621 Martindale Road Ephrata Pa in the amount of \$44,037.50 to pave 1,700 feet on Old Mill Road. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Mr. MacCombie reported that he received a letter from Pen Dot that warrants a traffic signal be placed at AIM Boulevard/Independence Way. Mr. MacCombie stated that they are preparing the condition diagram needed in order to prepare the permit. Mr. MacCombie stated that with regards to the Sadsburyville Village Enhancement Project, plans have been re-submitted to Delaware Valley Regional Planning Commission. Mr. MacCombie reported that the bid pack for Bert Reel Park improvements would be out to bid next month. Mr. MacCombie stated that he is unable to attend the Planning

Commission meeting but will send David Billon. Mr. MacCombie met with Steve Soles with regards to the shortage in escrow monies with Octorara Glenn, it appears that the money was never posted for the engineering escrow portion of the agreement, but the developer did pay the engineering fees along the way of the project, Mr. MacCombie stated that the current escrow that the Township hold is enough to finish the public improvements.

Township Solicitor report. Mr. Pompo reported that Octorara Glenn owns (2) properties within the development and his office cannot find any legal reason to attach funds to the home that is to settle tomorrow, however legal action may be taken against the developer before the proceeds of the second home gets sold. Mr. Pompo stated that the Township could proceed with the funds received from the Octorara Glenn account. Mr. MacCombie stated that his office plans to begin the process to get the improvements in Octorara Glen done before winter.

Township Road report. Mr. Doratt reported that the road crew finished the North side of Old Mill Road to the bridge, two new drain boxes and drain pipes were installed. Roadside mowing is complete. All fluids and hoses are checked daily in the Township equipment. Total vehicle miles are: 830 total equipment hours are 76. Penn Power serviced the generator at the pump station. The road crew power washed the tables at the pavilion at the Bert Reel Park.

Planning Commission report. No report given.

Township Saldo Committee report. Ms. Silvernail reported that the committee reviewed the first chapter of the final draft. The draft copies were given to Mr. Pompo, Mr. MacCombie all Saldo member and Planning Commission members for their review. The Saldo Committee requested comments back by September 20, 2007.

Township Zoning report. Mr. MacCombie reported that (3) certified letters went out to the owners of the corn maze along Lincoln Highway and he was informed that the corn maze opened anyway. A letter went out to Mr. Felice regarding his concerns with neighboring pool water. Ms. Silvernail stated that she received a complaint from a resident Sunday morning at 8:30 a.m. regarding Mr. Florian running equipment back and forth along Belvedere Avenue. Ms. Silvernail stated that she drove to Belvedere Avenue and the machine was there but unattended. Mr. MacCombie to look into this issue.

Pomeroy Fire Company report. Mr. Taylor reported that for the month of August a total of 9 alarms were answered for: 1 pedestrian struck, 3 wires, 2 auto accident, 2 automatic alarm, 1 investigation. Time in service was 6 hours and 6 minutes.

Pomeroy Volunteer Ambulance Company report. Mr. Taylor reported that for the month of August a total number of calls received were 33. The calls per Township were as follows: Sadsbury 17, Valley 2, Coatesville 1, East Fallowfield 1, Parkesburg 11, West Caln 1. The calls per type were as follows: 23 medical, 4 vehicle, 4 fire, 5 recalled, 1 scratched, total number of transports were 17.

Ms. Franco thanked Pomeroy Fire Company for the tot finder stickers.

Sadsburyville Fire Company report. Mr. Doratt reported that a total number of alarms for the month of August were 11 for: 3 auto accidents, 1 ambulance assist, 1 odor investigation, 2 automatic alarm, 3 trees and wires, 1 pedestrian struck. Assists to other departments were as follows: 1 auto accident assist to 28, 1 trees and wires assist to 29, 1 odor investigation assist to 44, and 1 dwelling assist to 35. The time in service was 9 hours and 58 minutes.

Emergency Coordinator report. Mr. Taylor reported that he spoke to Mike Sodl of D & S Developers regarding fire protection at the proposed flex warehouse on Valley Road. Mr. Taylor reported that Pomeroy Fire Company is interested in having (2) hydrants placed one on Helen Street and one on Spaulding Avenue. Mr. Taylor reported that hydrants were removed from these locations years ago and the fire company wants to put them back in place. Mr. Taylor spoke to Pomeroy and Sadsburyville Fire Chiefs and it was mentioned to have 5' stortz connections placed on the hydrants, this would accommodate the large diameter hose that most fire companies carry instead of carrying a bunch of adapters when hooking up to the hydrants.

Township Park Committee report. Mr. Doratt reported that Community Day was very successful with thanks to Harry's for donating the hotdogs and burgers and thanks to Mae McGuigan for putting it all together. A total in money collected that day was \$654.91. A total of money collected from the refreshment stand for the season was \$312.27.

Payment of bills:

Mr. Hensel made a motion, seconded by Ms. Silvernail to pay the August invoices in the amount of \$70,065.17. 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 August payroll in the amount of \$38,133.06. 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 August sanitary sewer invoices in the amount of \$19,124.50. 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 Code Inspections for services performed from January thru June 2007 in the amount of \$15,471.45. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Tabled Business from August 7, 2007 Board Meeting:

The Board discussed amending Resolution 2007-07 pertaining to response territories for emergency service providers. Scott Kreager from Pomeroy Fire Company stated that the County does not want to split Route 10 between (2) EMS companies. Mr. Kreager stated that he spoke to the fire chief of Sadsburyville and they are on board for Pomeroy Fire Company to take all of Route 10 calls and Parkesburg will take Julie Drive. It was discussed to have a dual dispatch to take the Route 10 & 30 intersection with accidents always needing more than one ambulance response.

After lengthily discussions Mr. Hensel made a motion, seconded by Mr. Doratt, to amend Resolution 2007-07 with Resolution 2007-12 that adds further be it resolved that Station 29 Pomeroy will provide ambulance coverage to all of Sadsbury Township East of Route 10 with driveways and access off both sides of Octorara Trail and North of Lieke Road. Station 28 Parkesburg will provide ambulance coverage to the part of the Township West of Route 10 and South of Leike Road or the area of Sadsbury Township accessed from North Culvert Street. Questions arose from the Board of who would cover the other portion of Leike Road? Mr. Hensel stated that the motion is off the floor and Mr. Pompo was directed to write a draft Resolution that states that Pomeroy will provide ambulance coverage to all of the Township except Station 28 Parkesburg will provide ambulance coverage to the area to the Township North of Parkesburg Borough line having driveways and access from North Culvert Street, Strasburg Avenue, Limestone Road and South of Leike Road except the intersection of Leike Road and Route 10. Mr. Pompo will e-mail the draft to the Township Secretary and it will be forwarded to Pomeroy Fire Company and Sadsburyville Fire Company for review.

New Business:

The Board discussed having Mr. MacCombie prepare a bid package to install a new natural gas generator at the new Township office. The Board stated that in case of an emergency situation the new Township building could be set up as an emergency response center.

Christy Flynn representing Arcadia presented the Board with Sadsbury Park phase 4 plans. Ms. Silvernail asked Ms. Flynn when the preliminary plans were approved? Ms. Flynn replied she believed it was around November 2005. Ms. Silvernail stated that it has been over a year and they have not received any time extension request regarding phase 4. Ms. Silvernail stated that the SALDO clearly states that no applications can be accepted beyond the (1) year mark. Ms. Silvernail told Ms. Flynn that the Board couldn't accept this plan. Mr. MacCombie stated that he would review the requirements with the applicant.

The Board discussed a grant contract acceptance from DCED in the amount of \$25,000.00. Mr. Hensel stated that the grant award was to be used for equipment purchase. Ms. Silvernail stated the grant is for a chipper.

Mr. Hensel made a motion, seconded by Ms. Silvernail, to accept the grant award Q00028297 from DCED in the amount of \$25,000.00 to be used to purchase a chipper.

With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

The Board discussed an exoneration request from a Township resident from the per capita and personal taxes for the 2007 year. The Board stated that this resident has been exonerated for the past several years.

Mr. Hensel made a motion, seconded by Mr. Doratt, to grant the request of a Township resident’s request to be exonerated from the per capita and personal taxes for the 2007 year. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

John Lymberis presented the Board with information pertaining to his planning modules for Lafayette Square. Mr. Lymberis stated that the planning modules are up to date and complete. Ms. Silvernail requested to have Mr. MacCombie review the modules for completeness. Mr. MacCombie stated that he would review the modules.

The Board discussed a Resolution pertaining to the plan revision for new land development for D & S Developers. Mr. MacCombie stated that he has reviewed the planning module and has found it to be complete.

Mr. Hensel made a motion, seconded by Ms. Silvernail, to adopt Resolution 2007-10 pertaining to the plan revision for new land development for D & S Developers. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

The Board stated that the draft Subdivision Land Development has been given to the SALDO committee members, Mr. Pompo, Mr. MacCombie and the Board members. Comments will be discussed at the next SALDO committee meeting held on September 20, 2007 at 7:00 p.m.

Mr. Hensel opened discussion with the Board regarding the draft ordinance pertaining to the Township establishing an office of Township Manager. Ms. Silvernail stated that there was no prior discussion of this ordinance nor was it an item on the agenda, she added that she knew nothing about the Township having any interest of creating a position for Township Manager. Ms. Silvernail stated that she did review the ordinance and it appears to be an extremely intense job. Ms. Silvernail also stated that the hiring of a Township Manager would be costly and do we really need one? Ms. Silvernail expressed other concerns of not having enough information to make a decision; Township Manger is not a budget item and why now? Mr. Hensel stated that the Board looking into a Township Manager for possibly next year, the Township has grown to a point where it should be considered and thought about. Ms. Silvernail stated that currently the Township has no transfer tax money coming in and she does not want to raise taxes for this position which could cost the Township \$70,000-\$100,000 a year plus paying benefits. Mr. Hensel asked Ms. Silvernail if she would like a study done? Ms. Silvernail commented, “This was your idea”. Mr. Doratt said that the Township needs a

manager. Ms. Silvernail stated that this is not a part time position that most managers are full time employees. Mr. Felice suggested that the Township speak to other Township Managers. Robert Silvernail asked why now? Mr. Hensel answered that the Township is growing with lots of changes and personnel issues. Mr. Pompo stated that he has recommended for years that the Township seek a manager, he added that the manager acts as a CEO, all employees would report to this person, then the manger would report to the Board, handle troubled residents, business issues, coordinate neogartions. Mr. Pompo added that most Townships' have managers they are the central person and are more business like. Robert Silvernail asked why not let the residents vote? John Lymberis stated that Gary Dunlap is the manager of West Caln Township and things run smoothly there. Vicki Horan stated that next year there will be a new Supervisor at the table, don't you think the new person would want to have a say. The Board agreed to have managers from other Township's come in and talk with them.

The Board briefly discussed the Act 537 Plan and the commercial district of Route 10 & 30. Mr. MacCombie will get numbers for the 2008 budget.

Mr. Hensel made a motion, seconded by Mr. Doratt, to approve the Supervisors and their guest officials to attend the County Convention on November 8, 2007 at the Mendenhall Inn Grand Ballroom to cost \$50.00 per person to be paid by the Township. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Public Comment:

Maggie Salewski stated that currently there are (5) driveways in Octorara Glenn that have ramps to be removed, what are the costs? Mr. MacCombie will check with Herb MacCombie. Ms. Salewski also stated that the mound of topsoil is still there and kids are using their BMX bikes to climb to the top and she fears for their safety. Mr. MacCombie stated that he will look into the matter of the topsoil.

Elmer Pluck stated that there is no harm in having two fire companies responding to Route 10 calls; he thinks (2) ambulances should show up every time there is a call for Route 10. Mr. Pluck thanked that Board for relocating the bathroom facility at the Bert Reel Park.

Susan Franco stated that she thinks the position of manger is a good idea and needed.

Jay Groce stated that the Township has received the \$250.00 from Ryan Homes for false alarms that occurred when they had an open house set up in Sadsbury Village.

Robert Silvernail commented that he read the last meeting minutes and asked if Sadsbury Park is proposing townhouses and not condos? Mr. MacCombie stated, "yes" they will simply sell the land under the building, but there are more singles than townhouses.

With there being no further business the meeting was adjourned.

Respectfully Submitted,

Lisa Myers
Secretary/Treasurer