

Board of Supervisors Regular Meeting Scheduled Tuesday September 2, 2008

A regular meeting of the Board of Supervisors was conducted on Tuesday September 2, 2008 commencing at 7:00 p.m. Chairwoman Ms. Silvernail called the meeting to order. Present were Supervisors Mr. Hensel and Ms. Horan, Mr. Herbert MacCombie Township Engineer/Zoning Officer, Mr. Pompo Township Solicitor, Mr. Hawkins Township Building Inspector was absent and members of the community.

Ms. Silvernail announced that the Board met in executive session today at 6:30 p.m. to discuss possible litigation.

Ms. Silvernail made a motion, seconded by Ms. Horan, to waive reading the previous meetings minutes. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Ms. Silvernail made a motion, seconded by Mr. Hensel, to adopt the minutes of the previous meeting. 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 the police patrolled 5,567 miles and handled 192 complaints from the public. The primary categories were: 9 theft, 9 suspicious persons, 3 911 hang ups, 9 alarms, 11 assists to other departments, 6 animal, 3 domestics, 5 accidents, 6 criminal mischief, 3 disturbance, there were 36 citations issued for 2 disorderly conducts, 5 warrants, 1 bench warrant for homicide and possession of narcotics, 2 public drunkenness, 3 twp Ordinance, 2 burglary, forgery and theft, 1 unauthorized use of motor vehicles, 17 parking tickets issued in Sadsbury Village. 3 juvenile arrests were made for 1 curfew, 1 harassment, 1 terroristic threat; patrol activities included 73 traffic checks, 30 property checks. Chief Groce reported that on August 22, 2008 the serial arsonist investigation was brought to a successful conclusion with the arrest of a suspect who is now awaiting trial. Chief Groce reported that the latest traffic study for Quarry Ridge showed 1,005 cars that traveled through Quarry Ridge for 5 days the average speed was 21 mph the posted speed is 25 mph.

Ms. Silvernail announced that the court reported was present and she suggested to the Board to rearrange the agenda to conduct the public hearing.

Ms. Silvernail discussed Resolution 2008-07 which pertains to adopting a Roadway Sufficiency Analysis. Ms. Silvernail requested any comments from the Board, the Board had no issues, and Mr. MacCombie stated that he found the documents to be sufficient. Elmer Pluck asked how much property will be needed for the future round a-bout located at Strasburg Road and Route 372. Ms. Silvernail said that the report given last month from McMahon is future of Sadsbury Township and the round a-bout is not carved in stone yet, Ms. Horan added that project may never happen; Ms. Silvernail said that the round a-bout is a recommendation only. Mr. Pompo said there is no design done for the proposed round a-bout.

Ms. Silvernail made a motion, seconded by Ms. Horan, to adopt Resolution 2008-07 pertaining to adopt the Roadway Sufficiency Report. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Ms. Silvernail made a motion, seconded by Ms. Horan to close the Board of Supervisors meeting to open a public hearing to consider the Sadsbury Township Transportation Capital Improvements Plan. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Ms. Silvernail made a motion, seconded by Ms. Horan, to reconvene the Board of Supervisors meeting. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

The Board discussed adopting Resolution 2008-08 the Transportation Capital Improvements Plan.

Ms. Silvernail made a motion, seconded by Ms. Horan, to adopt Resolution 2008-08 pertaining to the Transportation Capital Improvements Plan. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

The Board discussed authorizing the advertisement of the impact fee Ordinance and scheduling a special hearing date.

Ms. Silvernail made a motion, seconded by Ms. Horan to authorize the advertisement of the impact fee Ordinance. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Ms. Silvernail made a motion, seconded by Mr. Hensel, to schedule a special hearing for the impact fee Ordinance to be held on September 30, 2008 at 7:00 p.m. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Township Engineer report. Mr. MacCombie reported that he has prepared a construction release for Krasman Construction at the Bert Reel Park in the amount of \$16,127.42 for the Boards consideration. Mr. Elmer Pluck stated that Krasman work is not complete at the Bert Reel Park; Mr. MacCombie stated that Mr. Pluck’s issues are additional work and this construction release is for work that has already been completed.

Ms. Silvernail made a motion, seconded by Ms. Horan, to approve the construction release for Krasman Construction in the amount of \$16,127.42 per Mr. MacCombies recommendation. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Mr. MacCombie stated that he has prepared a construction letter of credit reduction for Cowan Estates in the amount of \$98,327.13 for the Boards consideration.

Ms. Silvernail made a motion, seconded by Ms. Horan, to approve the construction letter of credit reduction to Cowan Estates in the amount of \$98,327.13 per Mr. MacCombie's recommendation. With there being no questions from the public, Ms. Silvernail voting "aye", Ms. Horan voting "aye", Mr. Hensel abstained, the motion passed.

Mr. MacCombie prepared a construction release reduction for Lafayette Square grading to JYF Partners in the amount of \$13,661.75 for the Board's consideration.

Ms. Silvernail made a motion, seconded by Ms. Horan, to approve the construction reduction for Lafayette Square grading to JYF Partners in the amount of \$13,661.75 per Mr. MacCombie's recommendation. With there being no questions from the public, Ms. Silvernail voting "aye", Ms. Horan voting "aye", Mr. Hensel abstained, the motion passed.

Mr. MacCombie prepared a construction release for Gateway Church in the amount of \$142,278.08 for the Board's consideration.

Ms. Silvernail made a motion, seconded by Ms. Horan, to approve the construction release to Gateway Church in the amount of \$142,278.08 per Mr. MacCombie's recommendation. With there being no questions from the public, Ms. Silvernail voting "aye", Ms. Horan voting "aye", Mr. Hensel abstained, the motion passed.

Mr. MacCombie prepared a construction release for Valley View Lot 1 improvements in the amount of \$54,900.42 for the Board's consideration.

Ms. Silvernail made a motion, seconded by Mr. Hensel, to approve the release for Valley View Lot 1 improvements in the amount of \$54,900.42 per Mr. MacCombie's recommendation. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. MacCombie reported that the status of the Sadsburyville Village Enhancement project is waiting for the speed study report from Pen Dot. Mr. MacCombie met with Mr. Brightenstein regarding the storm water MS-4 reports shows minor issues such as him wanting more storm water information posted to the Township webpage and more ads in the Township newsletter. Mr. MacCombie reported that the road resurfacing project for 2008 has been completed as of today and clean up has begun, he requested that the road department assist with filling in dirt along the drop off area of the new pavement. Mr. MacCombie read a letter from Joseph DiScuillo saying: Dear Supervisors, I am requesting an on site meeting to review access and sewer availability on two lots in the village of Pomeroy. I propose meeting Mr. MacCombie on site to discuss the issues involved. I fully understand that I will be responsible for his service. The lots in question tax parcel 37-4L-62.1 and 37-4L-124 both predate the installation of the public sewer system. To the best of my knowledge neither lot had a lateral installed at that time. The ingress/egress issues revolve around the dedication of Wallace Avenue and the demolition of the Newport Avenue Bridge. Please let me know your suggested

course of action. I may also be reached by cell phone. Thank you for your time. Joseph DiSciullo. The Board agreed to call Mr. DiSciullo and ask him to be placed on the next Board agenda to explain exactly what he is seeking from the Township. Mr. MacCombie reported that the Township has received a quote for a planned maintenance agreement between Sadsbury and Modern Group. Mr. MacCombie suggested that Penn Power be called as the Township already has a generator maintenance agreement for the pump station with this company. Mr. MacCombie reported that a field inspection has been done at 48 Stovepipe Hill Road since the last regular Board meeting and at the original inspection Mr. Walker had 30 vehicles on the property and this inspection there are 20 remaining. The Board asked what is the next step to have Mr. Walker comply with the Township Ordinance. Mr. Pompo stated the next step is an enforcement notice. The Board was in agreement to take the next step and directed Mr. Pompo to send the enforcement notice.

Township Solicitor report. Mr. Pompo reported that the Eldredge Fence Company went before the Zoning Hearing Board one and a half years ago for a special exception which was denied by the Zoning Hearing Board. Mr. Pompo reported that the Eldredges are still operating the fence business on the land without any additional time given by Sadsbury Township. Mr. Pompo said that Eldredges attorney published a notice of deemed approval because at the time the Township Zoning Hearing Board heard the application with only (1) officer hearing the case, now the attorney is claiming that the Zoning Hearing Board never convened as a quorum, and for that reason this entire hearing is tainted and should be void according to the applicants attorney. The Board discussed taking the next step by filing an enforcement notice to the landlord being Mr. Esh and the tenant being the Eldredges. Mr. MacCombie stated that Mr. David Biloon did a field inspection of the site at Western Avenue and the Eldredges were not on site but the business is clearly in operation. Mr. MacCombie stated that the Township resurfaced Western Avenue for the residents not for heavy truck traffic.

Ms. Silvernail made a motion, seconded by Mr. Hensel, to file an appeal with the Court of Common Pleas against the Eldredge Fence Company. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Mr. Pompo reported that since the 2008 road resurfacing project came in under budget it is possible for the Township to use 25% additional of the existing amount of which the contract was awarded for. Ms. Silvernail stated that the Township has been in contact with Joe Drozd and it was suggested to wait on agreeing on an additional amount at this time due to income issues. Mr. Lymberis asked what roadway was going to be added. Mr. MacCombie said they wanted to continue with a small portion of Old Mill Road. Mr. Pompo stated that all the Octorara Glen roadways dedication documents have been submitted at the court house and are in the judge’s chambers for acceptance.

Township Road report. Mr. Turner reported that for the month of August the road crew has been performing general maintenance on the roadways, including trimming branches, roadside mowing and filling pot holes. They have completed track improvements at Octorara Glen. All fluids, belts and hoses are checked on a regular basis; the new

generator has been placed at the Township building and is now in operation. The road crew power washed the pavilion and tables at Bert Reel Park, painted lines in the parking area, mulched, cut grass and cleaned up the park. Total equipment hours are 26, total vehicles miles are 658.

Township Planning Commission report. Mr. Lymberis reported that the Planning Commission met on August 12, 2008, no old business was discussed, new business was Morris Farm Lot 6 18,000 square foot office building/final land development plan was discussed by Joe Russella of D. L. Howell representing the applicant York Equity Fund, the Planning Commission recommended the Board of Supervisors approve the plan subject to the applicants compliance with any items raised in Mr. MacCombies review letter dated August 11, 2008. Mr. Lymberis reported that the Planning Commission reviewed the Constable Subdivision; Mr. Crossman was present to represent the applicant. The Board tabled further review until Mr. MacCombies review was complete.

Township Zoning report. Mr. MacCombie reported that his office reviewed a deck application for Flagstone Circle and Pebble Lane. He stated that he has already reported on the Eldredge Fence Company and the junk yard at Stove Pipe Hill Road.

Pomeroy Fire Company report. Mr. Taylor reported that for the month of August a total of 13 alarms were answered for: 1 appliance, 1 automatic alarm, 1 barn, 1 building, 1 car, 1 dwelling, 2 house, 2 odor investigation, 1 shed, 1 standby, 1 transformer. The alarms were answered for 10 Sadsbury, 1 Highland, 1 Honey brook, 1 West Sadsbury. Time in service was 9 hours and 1 minute. Mr. Taylor thanked the Board for the Township contribution to the fire company and Ms. Horan for her donation in the memory of Doug McGuigan.

Sadsburyville Fire Company report. Mr. Grossman reported that for the month of August a total of 8 alarms were answered for: 1 auto accident, 1 building, 1 automatic alarm, 1 appliance, assist to 28 1 auto accident, assist to 29 2 dwellings, 1 barn. Total time in service 3 hours and 37 minutes.

Emergency Coordinator update. Mr. Taylor reported that he attended a pipeline safety course held in Edgemont PA. He stressed to always call 811 before you dig to have underline utilities marked.

Building Inspection report. Mr. Hawkins reported for the month of August 6 application were received for 1 plumbers license 1 contractors license 2 certificates issued and 2 UCC occupancy. There were 4 residential and 1 commercial permits, 4 building 1 electrical. Letters or notices sent were 8, 4 of which are open and 4 that are closed. There is 1 stop work notice that is still open. Ms. Pawling requested to file a complaint against her neighbor that has sprayed toxic weed killer that killed all vegetation around her including her flowers. Ms. Pawling is concerned about her well water and what the toxic chemicals might be. Mr. Hawkins replied that he does not handle that type of complaint, for Ms. Pawling to contact the DEP. Ms. Pawling

requested the owner of the property's name and address so that she can write to him. Mr. Hawkins said he would provide that to her.

Park Committee News. Ms. Horan reported that Community Day was a success, and thanked all those who volunteered their time to help that day. Ms. Horan stated that the park committee is suggesting that in order to rent the Bert Reel Park a permit would be required that would provide that applicant with a copy of the rules of the park. Ms. Horan said that the committee also suggested raising the park rent from the current \$50.00 with a \$25.00 refund to \$100.00 with a \$50.00 refund. Mr. Pluck said he recalls the committee discussing a \$100.00 flat rate with no refund. Ms. Horan asked Mr. Pluck to contact other Township's to get their park rental rates. Ms. Horan discussed the opening of the new bathroom facilities, she said as discussed by the park committee the restroom hours of operation should be during rentals of the pavilion, and baseball games and not to have the facilities open at all during the day or night hours. Mr. Pluck requested to keep (1) porta pot in the park during peak season. Ms. Horan tabled all decisions until the next Board meeting.

Payment of Bills:

Ms. Silvernail made a motion, seconded by Mr. Hensel, to pay the August invoices in the amount of \$77,222.65. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Ms. Silvernail made a motion, seconded by Mr. Hensel, to pay the August payroll in the amount of \$33,706.00. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Ms. Silvernail made a motion, seconded by Ms. Horan, to approve the sanitary sewer invoices in the amount of \$35,757.65. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

New Business:

Ms. Silvernail turned the meeting over to Mr. Hensel for any Lot 6 Morris farm decisions due to Ms. Silvernail's business relationship with the applicant.

Brian Kulokowski of D. L. Howell is representing Doug Howe Lot 6 Morris Farm Subdivision. Mr. Kulokowski requested final approval of the Lot 6 Morris Farm land development. Mr. Kulokowski is in receipt of the August 11, 2008 review letter from Mr. MacCombie and will comply will all outstanding issues. Ms. Horan asked Mr. MacCombie to recap the review letter. Mr. MacCombie stated that the applicant is proposing to construct a 1 story building containing 18,000 square foot of office space and associated parking and site improvements. The lot is in the I-1 industrial Zoning District and will be serviced by public water and public sewer. Mr. MacCombie stated that a detailed maintenance and operations program will need to be developed for the temporary by pass pumps. This document will need to contain information such as

names and phone numbers of emergency contracts, refueling schedules, etc. This document will need to be provided to the Township prior to a pre-construction meeting scheduled for the project. The applicant must secure a part 2 sanitary sewer allocation approval from PADEP for the 2 additional EDU's. An estimate for the construction costs to support the execution of the developer's agreement will need to be provided prior to the plan being recorded. Mr. MacCombie stated that all comments have been addressed and are acceptable. Mr. Earl Taylor, Emergency Coordinator, asked if he can get a copy of all updates for road changes that occur in the Township with development. The Board agreed to supply Mr. Taylor with a set of plans which will be made available at the time of the Planning Commission packets.

Mr. Hensel made a motion, seconded by Ms. Horan, to approve the final land development of Lot 6 Morris Farm contingent upon all items of the August 11, 2008 review letter of Mr. MacCombie be addressed and Mr. Taylor receiving a copy of the land development plan. With there being no questions from the public, Mr. Hensel voting "aye", Ms. Horan voting "aye", Ms. Silvernail abstained, the motion passed.

The Board discussed hiring a part time road crew worker. The Board has been made aware that Gary Dunmyre has shown an interest in retiring sometime in the fall of 2008. The Board suggested drafting a letter to Mr. Dunmyre to ask him what his intentions are and to possibly committing to a date. The Board agreed to place a part time help wanted for the road crew job in the Community Courier to run 3 times.

Ms. Silvernail announced that the Township is conducting an American Recycle Day indoor workshop on composting on Saturday November 15, 2008 at 9 am at the Township building. All those who attend the workshop will receive a free compost bin. Ms. Franco said according to the Quarry Ridge homeowners association composting bins are not permitted.

Ms. Silvernail discussed placing the office space at the old Township building for rent, Mr. Pompo searched the Second Class Township Code to be sure the Township could indeed rent the space without bidding the space. Mr. Pompo stated that if the Township was going to sell the building it would have to go through the bid process, but otherwise renting is fine. The Board discussed getting the square footage of office space available and what to charge per foot of space. The Board tabled any decision at this time.

The Board discussed beginning the 2009 budget process and scheduling a meeting with Joe Drozd to be present. Mr. Drozd provided dates he would be available.

Ms. Silvernail made a motion, seconded by Ms. Horan, to scheduled and advertise a budget work-session to be held on September 23, 2008 at 9 am. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Ms. Silvernail announced that the fall County Convention is being held at the Mendenhall Inn at \$50.00 per plate. Ms. Silvernail stated that this event is yearly and includes the Board of Supervisors and guest official's attendance.

Ms. Silvernail made a motion, seconded by Ms. Horan, to approve the Supervisors and their guest officials attend the fall county convention to be held at the Mendenhall Inn at \$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:

Jamie MacCombie announced that Keystone Ranger is conducting a meeting this coming Thursday to discuss parking and traffic situations. The meeting is being held at Keystone Ranger’s main entrance.

Maggie Salewski asked if the plug could be checked in the retention pond in Octorara Glen as it is not draining properly. Mr. MacCombie said he would look into it. Ms. Salewski asked when the roadways would be dedicated. Mr. Pompo answered possibly by the end of September.

Elmer Pluck thanked all who helped with Community Day in the park; Ms. Silvernail thanked the fire companies for their attendance. Mr. Pluck made a complaint about the tall grass and weeds at 1930 Valley Road. Mr. Hawkins will inspect the property.

Earl Taylor said that a tree was dropped at 1930 Valley Road years ago and never cleaned up.

Ann Garrett stated that a pep rally will be held at Pomeroy Fire Company on September 15, 2008 (a tentative date) the pep rally is to show thanks and support to the volunteers.

Vicky Horan announced that Natural Lands Trust will have an event hike on October 29, 2008 at 9 am all are welcome to attend.

With there being no further business, Ms. Silvernail made a motion, seconded by Ms. Horan, to adjourn the regular Board of Supervisors meeting. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Respectfully Submitted,

Lisa Myers
Secretary/Treasurer