

## **Board of Supervisors Regular Meeting Monday January 4, 2010**

A regular meeting of the Board of Supervisors was conducted on Monday January 4, 2010 commencing at 7:00 p.m. Chairwomen Ms. Silvernail called the meeting to order. Present were Supervisors Ms. Horan and Mr. Walton, Mr. Niemiec substitute for Mr. Pompo Township Solicitor, Mr. MacCombie Township Engineer/Zoning Officer, Mr. Weaver Building Inspector and members of the community.

The moment of silence and pledge of allegiance were waived.

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

Ms. Silvernail made a motion, seconded by Mr. Walton, to adopt the previous meetings minutes. 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 December the police patrolled 2,954 miles and handled 127 complaints from the public for: 1 burglary, 4 suspicious persons, 5 911 hang ups, 17 alarms, 8 domestics, 21 accidents, 2 disturbances, 3 assist to other departments, 3 harassment, 2 criminal mischief, 2 animal, 4 theft. There were 7 citations issued for the month for 1 parking ticket, 3 criminal arrests, 1 harassment, and 1 possession of drugs, 1 disorderly conduct and assault. 9 traffic checks and 13 property checks were performed. Chief Groce reported totals for the 2009 year were as follows: total miles patrolled 36,019, adult arrests 40, accidents 54, vehicles towed 18, parking tickets 28, juvenile arrests 19.

**Township Engineer report.** Mr. MacCombie reported that he has reviewed the bid results for phase 4 of the sanitary sewer construction project and he has provided the Board with these results. Mr. MacCombie stated that the Board has 120 days from December 1, 2009, the date the bid packages were opened, to make a decision. Mr. MacCombie stated that he is waiting for easements and a stream crossing permit with regards to this project. The low bidder is Pact Construction. Mr. MacCombie stated that he was in attendance in a meeting with Penn Dot and Sadsbury Commons. Mr. MacCombie stated that Compass Road is part of a mandatory study for the Sadsbury Commons shopping center. They are studying the intersection and the effect of Sadsbury Commons will have to Compass Road. Penn Dot also wants Hershey Lane to line up with Leike Road. Mr. MacCombie stated that he is in receipt of the Peco Green Region Open Space Program. Mr. MacCombie said this is an opportunity for the Township to participate in a grant that would match the Township \$7,500.00 to install additional trees in the Bert Reel Park to supplement trees damaged or removed when fill was placed and removed in the Penguin Industries Easement Area. Approximately 25-30 deciduous hard wood trees, 3- 3 1/2 caliper balled and burlaped tree guying stakes, wire and wrapping for deer protection. The requested amount of trees would be 30 at \$500.00 each, total project cost would be \$15,000.00.

After discussion, Ms. Silvernail made a motion, seconded by Mr. Walton, to adopt Resolution 2010-01 pertaining to requesting a Peco Green Region Open Space Program Grant administered by the Natural Lands Trust, Inc. a private non profit land conservancy in the amount of \$7,500.00 to be used for the installation of additional trees in the Bert Reel Park to supplement trees damaged or removed when fill was placed and removed in the Penguin Industries Easement Area. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Ms. Silvernail requested that Mr. MacCombie explain the dates of when the sanitary sewer phase 4 line designs were completed. Mr. MacCombie stated that the design of the sanitary sewer lines was done 3 months ago and his office had to choose the location to run the line to keep construction out of the state road; and by placing the line out of the roadway allows the project to go further and more residents can connect to the line. Mr. MacCombie stated that Ms. Silvernail did not make any requests to have the line placed where is it going to be currently located. Ms. Silvernail stated that she has to pay the fees like everyone else does.

**Township Solicitor report.** Mr. Niemiec stated that he has nothing to report at this time.

**Planning Commission report.** Ms. Franco reported that the Planning Commission met at their regular meeting held on December 9, 2009. Mr. Joe Russella appeared to represent lot 5 Independence Way to request a recommendation for a waiver of the landscape requirement and a plan approval recommendation. Mr. Orsatti a landscape expert presented a plan change as per request of the Board of Supervisors showing an increase in the number of trees to a double row along the buffer area and to the west of the building with an addition of 50 evergreen trees and an agreement that if the Board agrees that the planting is inadequate they will plant additional landscaping if needed. The Planning Commission recommended a letter to the Board of Supervisors requiring the applicant comply with Mr. MacCombies review letter dated November 11, 2009. The Planning Commission also sent a letter to the Board of Supervisors regarding their comments about Sadsbury Commons. Ms. Silvernail asked Ms. Franco what the clock date is for Witmer Properties. Ms. Franco did not know. Ms. Silvernail requested that the Planning Commission report to the Board with the clock times on a monthly basis.

**Zoning Officer report.** Mr. MacCombie reported that the violation at 70 Frederick was still open and the cars did not ship like promised. The Board is in receipt of a letter from the resident with a new ship date and the request of an extension of time. Ms. Horan suggested not giving an extension, Mr. Walton agreed. Ms. Silvernail asked what the next step is. Mr. MacCombie said they are in violation and they will be cited and taken to the district justice. Ms. Horan stated that with the time it will take to cite them and get to court, that is extension time enough. The Board agreed no extension time is to be given at this time for 70 Frederick.

**Township Building Inspector report.** Mr. Weaver stated that 6 residential permits were issued for 2 public water connections, 1 for a deck, 1 gas service, 1 two story addition, 1

manufacture SFD. 1 certificate of occupancy has been issued for a deck, 1 panel box upgrade permit and 1 for a pool have been approved and issued this past quarter. Mr. Weaver announced that the Pennsylvania Home Improvement Consumer Protection Act has made it illegal for Sadsbury Township to require its own license or registration to any contractor who only conducts home improvement work within the Township. It is legal to require a license or registration for commercial contractors or home builders. Susan Franco asked if a resident would need a permit to put a wood stove in their home. Mr. Weaver stated "yes" it needs to be inspected. Mr. Weaver stated that he is receipt of complaints from a Pomeroy Heights resident that would like to have the Township Ordinance amended to change the number of abandoned vehicles that are allowed to be on ones property. Mr. Weaver stated that currently the Ordinance allows (2) per property before it is considered a junk yard. Mr. Weaver stated that changing this Ordinance would regulate what residents are doing with their own property. Ms. Horan stated that there is no need to change what is currently on the books. The Board agreed that there is no need to further regulate.

**Pomeroy Fire Company report.** Mr. Taylor reported that for the month of December a total of 10 alarms were answered for 1 ambulance assist, 4 auto accidents, 1 automatic alarm, 1 chimney, 1 house, 1 motorcycle accident, 1 wire. The fire company responded to the following Township's: East Fallowfield 2, Highland 3, Sadsbury 4, West Fallowfield 1. Total time in service was 7 hours and 4 minutes. Mr. Taylor reported that the yearly totals for 2009 were 369 alarms were answered for 225 medical, 55 vehicle accidents, 12 fires, 15 relocate, 8 fly outs, Responses were: 36 recalled, 7 scratches, 90 other. Mr. Taylor reported that the following fire house 2010 officers are as follows: EMS Captain Brian Gathercole, EMS Lieutenant Erik Brecht, EMS Second Lieutenant Stephanie Caron, EMS Career Supervisor Jeanna Blank, EMS Engineer David Madonna, Fire Chief Danny Tribbett, Deputy Chief Earl Taylor, Assistant Chief Brian Gathercole, Fire Captain Jared Dalmas, Safety Officer Ray Campbell, and Chief Engineer Paul Rhodes.

**Sadsburyville Fire Company report.** Mr. Grossman reported for year ending 2009 a total number of alarms answered were 169 for 41 auto accidents, 36 buildings, 8 standby, 6 false alarms, 5 CO2 detector, 9 odor investigation, 27 automatic alarm, 3 vehicles, 14 fields, woods, 9 trees & wires, 3 helicopter landing, 2 public service, 6 fuel spill. Assists to other departments were as follows: assist to 28 18, assist to 43 21, assist to 29 11, assist to 44 18, assist to 26 1, assist to 35 4, assist to 38 1, assist to 76 1, assist to 62 1, assist to 48 1. Property at risk is \$19,650,000.00, property loss \$5,000.00. Time in service was 92 hours and 21 minutes.

**Emergency Coordinator report.** Mr. Taylor reported that he gave Denny Howell, a representative of Witmer Properties a clean letter for the hydrant placement. Mr. Taylor thanked all the residents for their kindness while he helped the Township out plowing snow. The Board also Thanked Mr. Taylor for a job well done, it is truly appreciated.

## **New Business**

Ms. Silvernail made a motion, seconded by Mr. Walton, to adopt Resolution 2010-02 pertaining to the fee schedule for subdivision land development, escrows, building permits, zoning fees, administration fees. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

The Board discussed the Witmer Property Warehouse Expansion at Lot 5 Morris Farm preliminary/final land development plan. Witmer Property has no one in attendance to represent them at this meeting. Mr. MacCombie stated that Witmer Associates is proposing to construct a 29,966 square foot addition to the existing fire store facility. Mr. MacCombie stated that the applicant is requesting a waiver from Section 427.F.1 and Section 427.H.5a of the Sadsbury Township Subdivision Land Development Ordinance Chapter 109 SALDO pertaining to landscaping requirements to the extent that landscaping is provided and maintained as shown on the landscape plan sheets 13 and 14 dated December 3, 2009 Section 303.C.3 (a) to allow the applicants use of topographic survey data from a survey completed on December 5, 2009.

Ms. Silvernail made a motion, seconded by Ms. Horan, to grant Witmer Properties a waiver from Section 427.F.1 and Section 427.H.5a of the Townships Subdivision and Land Development Ordinance and a waiver from the SALDO Section 303.C.3 (a) as outlined on the plan dated 12/3/09. 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 Preliminary/Final Subdivision Plan of Witmer properties contingent upon the applicant providing a land development agreement, financial security agreement, Landscape Maintenance Agreement, Operation and Maintenance Agreement for storm water, payment of all outstanding fees and billings for consultant reviews and all items of Mr. MacCombie’s review letter dated December 7, 2009. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

The Board discussed a letter received from the Cumberland Insurance Group regarding the release of their letter of credit balance of \$61,215.88. The letter states that they never intend to expand the parking lot at 101 Independence Way. It was stated that this letter of credit is a condition of a Conditional Use Decision and Order and Cumberland Insurance would have to have a conditional use hearing to have this item removed.

The Board discussed the Traffic Signal Maintenance Contract renewal agreement to maintain the traffic signals at Old Wilmington Road and AIM Boulevard. Mr. MacCombie stated that Higgins and Son gave the Township a proposal sometime back regarding the maintenance of these traffic signals. After discussion the Board agreed to get proposals from Higgins and Sons to compare pricing. The Board agreed to table this item until the next regular Board meeting.

The Board discussed hiring Earl Taylor as a temporary road crew member as needed for snow removal and salting for winter storms. The Board agreed to set the hourly rate for Earl Taylor to be \$18.00 an hour.

Ms. Silvernail made a motion, seconded by Ms. Horan, to hire Earl Taylor as a temporary road crew member with an hourly rate to be \$18.00. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

The Board discussed (2) proposals for the re roofing and replacement of some plywood to the Township’s two car police garage. The proposals were for Diamond Ridge Construction \$1,810.00 and Hysten Company \$2,900.00. The Board agreed to hire Diamond Ridge.

Ms. Silvernail made a motion, seconded by Ms. Horan, to hire Diamond Ridge Construction to replace the roof and some plywood of the (2) car police garage to cost \$1,810.00. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

The Board of Supervisors scheduled a Christmas tree curb side pick up to be Friday January 15<sup>th</sup> and Friday January 22<sup>nd</sup>.

Ms. Silvernail stated that the plow blade broke on the 2003 pick up. Mr. Simmons provided her information that the replacement costs will be \$600.00. The Board agreed that it needs replacement.

Ms. Silvernail made a motion, seconded by Mr. Walton, to approve the amount not to exceed \$700.00 to replace the broken plow blade for the 2003 pick up. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

**Public Comment:**

Ms. Horan questioned Mr. MacCombie regarding the AIM Development sketch plan regarding intersection improvements. Mr. MacCombie stated that he is in receipt of a Highway Occupancy Plan from AIM Development Corporation to open the intersection of Quarry Road. Mr. MacCombie stated that years ago the prior Board only wanted that intersection accessed for emergency use only. The Board stated they have not seen a plan. The Secretary stated that no plan has been received. Mr. MacCombie will copy the Board.

Susan Franco commented that opening Quarry Road would be dangerous with the truck traffic.

Susan Franco stated that she received a call from a Quarry Ridge resident stating they were following a recycle truck up Old Wilmington Road on a windy day and all the contents were flying out of the truck. The Board replied that it was a windy day and the

debris did not come from the recycle truck; but it did come out of Quarry Ridge; recycle containers are across Old Wilmington Road and up in trees and plastic containers are all over the side of highway.

Tim Sarbaum thanked the Board for the use of the building for Sadsbury Village Homeowners Association meetings and will provide the Township with a new schedule for 2010.

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

Respectfully Submitted,

Lisa Myers  
Secretary/Treasurer