

## **Board of Supervisors Regular Meeting Tuesday, April 2, 2013**

The regular meeting of the Board of Supervisors of Sadsbury Township was conducted on April 2, 2013 commencing at 7:00 p.m. Chairwoman Stephanie Silvernail called the meeting to order. Present were Supervisors Mr. Greenfield and Ms. Horan, Township Solicitor, Mr. Pomo, Township Engineer/Zoning Officer, Mr. MacCombie, and members of the community.

A moment of silence and Pledge of Allegiance were observed.

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

Ms. Silvernail made a motion, seconded by Mr. Greenfield, 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 Ranck reported for the month of March, 2013, The Township Police patrolled 5,957 miles and handled 473 calls for service for: 5 theft complaints, 1 burglary, 11 suspicious conditions & person complaints, 16 alarms, 5 domestics, 5 disturbances, 7 vehicle accidents, 15 assist other departments, 19 fire & ambulance assists, and 45 other public service calls. Criminal arrests for the month of March, 2013 are as follows: 5 D.U.I. arrests, 2 drug arrests, 1 forgery & theft arrest, and 1 harassment arrest. Chief Rank reported that Sergeant Imhoff, Officer John Smith and Officer Ryan Barr recently attended a D.U.I. Checkpoint certification class which was held at the West Goshen Police Department. They all received certifications to be members of the Chester County D.U.I. Task Force. As a result of these certifications, Sadsbury Township will now be hosting D.U.I. checkpoints within our Township along with other members of the Chester County D.U.I Task Force. This is in the process of being scheduled for up-coming months. During the month of March, 2013, Township Police conducted 114 traffic stops resulting in 81 traffic citations. 1 non-traffic citation, 6 parking violations and 32 warnings were issued. Township Police conducted a total of 230 residential, business, vacation, and Township property checks during the course of their tours of duty in an effort to maintain police presence and proactivity.

**Township Engineer Report:** Mr. MacCombie reported that he has an Engineering Escrow release of funds for Sadsbury Commons – Phase 1B Lancaster General Hospital Medical Office Building in the amount of \$196.24 for the Board's approval.

Ms. Silvernail made a motion, seconded by Mr. Greenfield, to approve an Engineering Escrow release of funds for Sadsbury Commons – Phase 1B Lancaster General Hospital Medical Office Building in the amount of \$196.24 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 he has an Engineering Escrow release of funds for Sadsbury Arcadia Associates, Sadsbury Park Phase 2-A in the amount of \$414.37 for the Board's approval.

Ms. Silvernail made a motion, seconded by Ms. Horan, to approve an Engineering Escrow release of funds for Sadsbury Arcadia Associates, Sadsbury Park Phase 2-A in the amount of \$414.37 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 Chapter 94 Municipal Wasteload Management 2012 Annual Report for Sadsbury Township was delivered to DEP and also to Pennsylvania American Water Company on March 28, 2013.

Mr. MacCombie reported that his office is reviewing the grading permit submitted by Mr. Hanaway.

Mr. MacCombie stated he has reviewed the proposal by Charles Higgins and Sons in the amount of \$1,843.00 to relocate service conduit off of a broken pole in front of Hershey Motors to new pole, transfer electric and remake taps. The proposal also includes digging and restoration. Mr. MacCombie stated he has no objections to this proposal.

Ms. Silvernail stated it should be determined if the pole was broken due to an accident, and if so; the insurance company should be made to pay.

Ms. Silvernail made a motion, seconded by Mr. Greenfield, to approve the proposal by Charles Higgins and Sons in the amount of \$1,843.00 to be shared with West Sadsbury Township, to relocate service conduit off of a broken pole to new pole. With submission of a claim thru Insurance Company hopefully, to reimburse half to Sadsbury and half to West Sadsbury. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. MacCombie reported that Dave Porter, from his office attended the project coordination meeting for the Sadsbury Village Enhancement Project on March 27, 2013. Mr. MacCombie stated the project is moving along quicker since Ryan Gallagher is in charge. Mr. MacCombie stated the lighting plans are being reviewed by PennDot and Ryan Gallagher is waiting for a response.

Mr. MacCombie stated that Dave Simmons, Sadsbury Township Road Crew Foreman, supplied pictures pertaining to the northwest side of Compass Road. There is a collapsed pipe located at Compass Road and Skiles Road. Mr. MacCombie stated there is money in the budget targeted for repairs and drainage on Compass Road.

Mr. MacCombie stated that it is his opinion that storm systems under private driveways are the responsibility of the owner. It is the Township's responsibility to notify property owners to clean the privately owned and maintained pipes.

**Township Solicitor Report:** Mr. Pompo stated that the Township received a letter dated March 1, 2013 from Amtrak concerning the Amtrak Tenant Account agreement with Sadsbury Township for sewer lines and manholes located on Amtrak property. Mr. Pompo stated that the agreement Amtrak wanted was \$8,450 covering the period of July 15, 2009 to July 14, 2014, with an administrative fee of \$500.00. The yearly fee when this agreement period expires would be \$5,000 for the next year, with a \$500.00 administrative fee.

Mr. Pompo negotiated a new agreement with Amtrak to pay \$4,500.00 plus \$500.00 administrative fee agreeable for a 10 year option. Mr. Pompo does not have the revised agreement at this time.

Ms. Silvernail made a motion, seconded by Ms. Horan to accept the agreement made by Mr. Pompo with Amtrak on behalf of Sadsbury Township to pay Amtrak \$4,500.00 plus \$500.00 administrative fee with a ten year option. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Pompo stated that regarding the transportation and capital improvements plan requested by Sadsbury Commons, he would like to explain that the impact fee is a fee the developer must pay the Township for anticipated peak hour trips calculated on predicted land development and improvements.

Mr. Pompo stated that the applicant is not at the meeting tonight.

Mr. Pompo stated that according to the February 22, 2013 report from Traffic Planning and Design, Inc., revising the Capital Improvement Plan to include the connector road in the southeast quadrant of the intersection of Route 10 and Route 30 implies that the connector road will be a public road.

Mr. Pompo stated the Township has not made a decision to dedicate and make the connector road a public road. Ms. Silvernail stated that the road would eventually become a 4 lane loop road and would be an ongoing cost to the Township for maintenance. There would also be the addition of 2 traffic signals to maintain.

Ms. Horan stated the case could be made that this loop road would be in the public interest and Penn-Dot is looking at this as freeing up traffic at the intersection of 10 & 30, particularly going south. Mr. MacCombie stated that this loop road would be a benefit to the developer as well and Penn Dot is pushing for the Township to take dedication of the road saying it will relieve the congestion at the intersection of 10 and 30. The Township will be responsible for the traffic signals whether they take possession of the road or not. Mr. MacCombie stated the road will be 5 lanes and will be done in phases.

Ms. Silvernail stated that this will be an unfunded mandate to the tax payers of Sadsbury Township. The Township does not have the equipment to take care of a 5

lane road. In the case of a snowstorm, this road will take priority over the other roads in the Township.

Mr. MacCombie stated that maybe PennDOT will take over the road since they are pushing so hard for the Township to take the road.

Ms. Horan stated she would like to have a whole picture of costs and improvements of Routes 10 & 30 regarding impact fees as to what you have to do and what not to do.

Mr. MacCombie stated that one of the conditions is that Lieke Road and Hershey Road must line up to each other.

Ms. Horan stated all she sees is the cost falling back onto the taxpayers of the township.

Mr. Pompo and Mr. MacCombie will work with the developer and their traffic consultant to collaborate together and advise the developer that the assumption will be that the road will be a private road.

**Township Planning Commission Report:** Mr. Greenfield reported there was no business to conduct and the meeting was cancelled.

**Township Zoning Report:** Mr. MacCombie reported that he has had 3 different calls of interest on a barn on Old Wilmington Road. There is no access to sewer at this property.

**Pomeroy Fire Company Report:** Mr. Taylor reported that for the month of March, 2013 there were a total of 10 calls for: 1 automobile accident, 1 automatic alarm, 3 brush fires, 1 chimney, 1 CO alarm, 1 odor investigation, and 1 woods. There were a total of 10 assists to other departments for: West Sadsbury 3, Parkesburg 5, Sadsbury 1, and Highland 1. Time in service was 5 hours and 18 minutes and 29.22 man hours. Miles traveled were 43 with 40 fire personnel.

**Sadsburyville Fire Company Report:** No report

**Emergency Management Coordinator Report:** Mr. Taylor reported that he has received a plaque from Pennsylvania Emergency Management Agency (PEMA) for completing training requirements. Mr. Taylor also received a certificate of achievement from FEMA for his dedication in serving in times of crisis through continued professional development and completion of the independent study course: IS-00029. Mr. Taylor reported that the county has given radios to the EMCs.

**Chester County Airport Update:** A study has shown that there are 3 obstructions in Valley Township and 10 obstructions in Sadsbury Township. The airport or Penn Dot will pay for a study on the question about airport funding.

**Payment of Invoices:**

Ms. Silvernail made a motion, seconded by Mr. Greenfield, to pay the March invoices in the amount of \$62,780.63. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Ms. Silvernail made a motion, seconded by Mr. Greenfield, to pay the March sanitary sewer invoices in the amount of \$50,419.07. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

**New Business:**

Mr. Art Herling presented the final Maple Avenue Subdivision plan. Mr. MacCombie stated that the requirements in his letter of April 1, 2013 have been agreed to and the Storm Water agreement has been executed. Mr. MacCombie stated that the Act 209 fees will have to be paid before any building permits are approved.

Ms. Silvernail made a motion, seconded by Mr. Greenfield, to approve the final Maple Avenue Subdivision plan submitted by Art Herling, contingent on the requirements being met on the MacCombie Engineering letter of April 1, 2013. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Vic Kelly from All County Partners addressed the Board and residents of Hoffman Avenue in Sadsbury Township concerning the 115 town house development in Valley Township using Hoffman Avenue as access to the development. Mr. Kelly stated the development has been in the planning process in Valley Township for 8 years and in the Conditional use process, Valley Township required two accesses to the development. One access is Waverly Boulevard and the other would be full access to Hoffman Avenue. Valley Township declined a cul-de-sac, which is what Sadsbury Township proposed to alleviate the traffic on Hoffman. Valley Township is willing to use the road on Sadsbury Township side with no improvements being made. In the developing of the project, there will be trucks and construction vehicles on Hoffman Avenue. Valley Township will not improve the condition of the road.

Ms. Silvernail asked the residents of Hoffman Avenue if they would like to have the road widened with sidewalks as a safety issue. This would mean that the residents would have to pick up additional expenses with the maintenance of the sidewalks. The residents in attendance were not in favor of that option. Mr. MacCombie recommended making Hoffman Avenue one way into the development. Mr. MacCombie stated there will be a traffic signal at Washington Lane when the amount of traffic warrants. Mr. Kelly stated that a traffic study was done years ago. Ms. Silvernail asked Mr. Kelly if there were any future plans for the southern part of the lot owned by Debbie Bone. Mr. Kelly stated that there are about 100 acres zoned R2 & R1 and they passed on this property.

The opinion of the Hoffman Street residents in the audience is that they are dead set against Hoffman Avenue being used by Valley Township with no regard for the residents or the road repairs. The Board was asked what can be done to prevent this.

Mr. Pompo stated he cannot tell the developer what he can do with Hoffman Avenue within Valley Township, but within Sadsbury Township, he is not prepared to say as yet that Sadsbury cannot convert Hoffman Avenue to an emergency access only. There is one home in Valley Township on Hoffman Avenue and this home could be the key. The position of the Board is that they want no thru traffic into Valley Township.

One of the residents of Hoffman Avenue stated that the house on the Valley Township side always had a gravel road. When the streets were paved by Sadsbury Township after the sewer connections were made, the paving company accidentally paved to the end of Hoffman, which included the home in Valley Township.

The Board asked Mr. Pompo to research and see if he can find a solution.

One of the complaints from a resident on Hoffman was that that thru the Heights and particularly on Washington Lane, there is excessive speeding, and 18 wheel trucks coming from the Industrial Park.

Ms. Silvernail suggested that Chief Ranck set up the Enradd on Washington Lane.

Mr. Pompo stated that he received a voice mail from Michael Gill regarding Arcadia Builders and Sadsbury Commons, LP on behalf of Lancaster General Hospital requesting a sign ordinance change. Mr. Pompo reported that Mr. Gill said a 20 square foot sign is too small. Mr. Gill plans on working on a proposed sign package and will then present it to the Board of Supervisors. Mr. Pompo stated that it would require an Ordinance change.

The Board of Supervisors reviewed a revised job description for a part-time office clerk/police department secretary.

Ms. Silvernail made a motion, seconded by Ms. Horan to advertise the position for a part-time office clerk/police department secretary. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

With regard to Zoning Hearing applications, Ms. Silvernail stated that at the present time the policy is to refund the left-over funds associated with the Zoning Hearing Board if there are any funds left after the associated fees are paid. The Board would like to have Mr. Pompo look into the Ordinance to see if this can be changed to a non-refundable fee. At this time, the fee schedule does not state that this is a non-refundable fee.

Ms. Silvernail stated that two residents have written to the Board of Supervisors for trash related matters. One resident is asking for a waiver on the trash payment as this

person is out of town for months at a time. The other request is for a minimal payment plan on a liened property. Both requests were denied. Ms. Silvernail stated the Township is under contract with Eagle Disposal and they charge the Township for every home whether occupied or non-occupied.

Ms. Silvernail stated the Board is considering moving the Township's General Fund account from Sovereign Bank to Fulton Bank. The signage on the checks would remain at three signatures.

**Public Comment:**

Ms. Silvernail stated the Keystone Valley Regional Fire District was recognized with the Governor's Award for its intergovernmental cooperation through the consolidation of fire companies to become the Keystone Valley Fire Department. The Consolidation includes Sadsbury Township, West Sadsbury Township, Parkesburg Borough, and Highland Township.

Mr. Pomo stated the signed relinquishment of 10 EDU's from the Stottsville Hotel has been recorded. The owner of the Stottsville Hotel could still ask forgiveness for the 10 ECU's and has agreed to pay the back fee for 3 EDU's instead of 13. The owner wants to pay for what he used.

Earl Taylor stated that the Keystone Valley Fire Department has an on-line advertisement for a Fire Administrator. Mr. Taylor reported that at the last meeting over 50 people attended. Right now, 20 people are in training and things are running very well.

Chief Ranck thanked the Board and Earl Taylor for taking care of the Bert Reel park for the baseball teams.

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

Respectfully Submitted,

Linda Shank  
Secretary