

Board Of Supervisors Regular Meeting Tuesday, June 2, 2015

A regular meeting of the Board of Supervisors was conducted on Tuesday, June 2, 2015 commencing at 7:00 p.m. Chairwoman, Ms. Silvernail called the meeting to order. Present were Supervisors, Mr. Greenfield and Mr. Taylor, Township Solicitor, Mr. Pompo, Township Engineer/Zoning Officer, Mr. MacCombie, and members of the community.

Ms. Silvernail announced that Mr. Taylor, Mr. Greenfield, and Mr. Pompo met in Executive Session concerning possible litigation.

The moment of silence and Pledge of Allegiance were observed.

Ms. Silvernail made a motion, seconded by Mr. Greenfield, 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. Taylor, 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 that during the month of May, there were 4,845 miles patrolled and 189 calls for service handled by the police. Criminal arrests for the month which does not include any pending arrests are as follows: 2 burglaries, 2 thefts, 2 criminal trespasses, 2 receiving stolen property, 1 DUI, 1 simple assault, and 1 terroristic threat. Two ENRADD speed details were conducted during the month of May resulting in 52 traffic citations being issued. Police incidents for the Month of May are: 911 hang-ups 4, vehicle crash with injuries 2, accident motorcycle 2, accident other type 1, property damage crash 6, alarm fire 1, alarm police 22, animal complaint 1, poisoning 1, assist ambulance 26, assist to other police department 3, emotional disorder 1, criminal mischief/ vandalism 1, disturbance 5, domestic disturbance 7, drowning 1, driving under the influence 1, ENRADD detail 2, erratic driver 2, for police department information 7, house check 1, identity theft 1, keys locked 3, miscellaneous police nature 3, missing person 1, noise complaint 4, phone assignment 26, recovered property 1, report only (NIP incident) 7, shots heard or shooting (no injuries) 1, suicide (attempted or actual) 1, suspicious condition 8, suspicious person 2, suspicious vehicle 3, theft from vehicle 1, traffic general hazards 3, trespasser 1, traffic stop 23, validations 5, warrant hit or service 1, and 3 well-being checks.

Township Public Works Report: Mr. Taylor gave the Public Works report prepared by Mr. Simmons, the Public Works Foreman. For the month of May the Public Works Department maintained all Township owned properties, streets, right-a-ways, buildings, signs, equipment and our storm drain system. Pot holes on Quaker Road, Octorara Road, Limestone Road, Sadsbury Road and Timacula Road have been filled with hot patch material. Rock lining of the road shoulder and storm drainage areas occurred on Greenbelt Drive, Compass Road, Old Mill Road, and Quaker Road. All roads have

been inspected for missing, damaged or worn street signs. Missing signs have been replaced and damaged signs have been repaired. The Public Works Department has periodically throughout the month inspected and have removed debris from our storm drains, road side drainage ditches and pipes with special consideration on Skiles Road. Regular maintenance checks have been done on all equipment. The J.D. Tractor underwent a complete maintenance this month by Atlantic Tractor. All Township properties have been mowed several times this month. Large tree limbs were removed from the right-a-way on Celeste Road and Compass Road. On May 1, 2015, a road inspection of every road in Sadsbury Township was completed by Mr. Herbert MacCombie, Mr. Earl Taylor, and the Public Works Department. The roads are graded using a one to ten scale with one being the lowest and ten being the highest. These gradings are what determines the annual road resurfacing projects. Equipment hours were 14.7 and vehicles miles were 353.

Emergency Management Coordinator Report: Mr. Taylor reported he will do his report to with the reports from the fire departments.

Keystone Valley Fire Department: Mr. Gathercole reported that for the month of May, the Keystone Valley Fire Department answered a total of 25 calls for: fire 14, rescue/medical assist 7, (5 accidents, 1 medical assist, 1 water recovery), fire police only 2, and 2 false alarms. The response by municipality was as follows: Sadsbury Township 5, West Sadsbury Township 8, Highland Township 3, Parkesburg Borough 6, and Out of District 3. The average personnel per call was 10 with a total of 234 personnel for combined response hours 272.21. The average response time was 5:38 in-district and 6:00 out of district. There was a drowning at Bert Reel Park resulting in loss of life on May 12, 2015 and \$12,000 loss in mobile home fire in Highland Township on May 29th. There were 5 trainings with 78 members attending for 15.0 hours combined training hours. The fire units traveled 1,382 miles with 211.0 gallons of fuel used. The ambulance traveled 2,839 miles with 273.1 gallons of fuel used. Keystone Valley Fire Department received Ambulance Service of the Year Award for 2015 at May 21, 2015 at Chester County EMS Banquet. The EMS Division answered 106 calls for: treated/transported ALS 37, treated/transported BLS 35, patient refusal 18, no service 10, recalled on-scene 4, and recalled enroute 2. The municipal breakdown: Parkesburg Borough 45, Sadsbury Township 29, West Sadsbury 15, Highland Township 6, Atglen Borough 1, West Fallowfield Township 1, Christiana Borough 1, Lower Oxford Township 1, and West Grove Borough 1.

Sadsburyville Fire Company Report: Mr. Grossman reported that Sadsburyville Fire Company responded to 17 calls for: automatic fire alarm 2, motorcycle accident 3, house fire 2, motor vehicle accidents 3, wires fire 1, 3 engine transfers, 1 brush fire, 1 building fire 1, and 1 water recovery. The location break-down is as follows: Sadsbury Township North 7, Sadsbury Township South 2, West Caln Township 2, Valley Township 1, Parkesburg Borough 3, City of Coatesville 1, and West Sadsbury Township 1. Miles traveled were 70 with an average of 4.1 miles per call. Time in service was 16 hours and 4 minutes with an average of 56.7 minutes per call. The volunteer firefighters responding were 105 with an average of 6 per call. The combined firefighter training

hours was 125 with the combined personnel fundraising hours of 165. On May 8, 2015 Sadsburyville Fire Company was notified from the Federal Emergency Management Agency's Department of Homeland Security that they have been selected to receive a grant in the amount of \$26,000 to purchase new hydraulic rescue tools.

Mr. Taylor, acting as Emergency Coordinator asked Mr. Gathercole to do a debriefing for the Board of Supervisors regarding Bert Reel Park and access to the area of the recent drowning. It was difficult to access the area and removal from the location was by all-terrain vehicles and by hand. Mr. Gathercole stated the area is open to the public and at some point the water is 15 feet deep. They would like to do live action drills at the location, and need better access. Mr. Taylor stated that the employees on the Public Works Department are usually the first ones on the scene of an emergency. One is a trained EMT and the other is a former police officer. One was denied access to the area by a member of the fire police. Mr. Gathercole stated that their job is to keep the area clear of unauthorized personnel. Mr. Taylor stated the Road Department could make some sort of access to the area and not make it known to the public. Ms. Silvernail and Mr. Pompo both stated that the area where the accident occurred is owned by Amtrak. Mr. Gathercole stated that Amtrak is very cooperative and he will work with Amtrak for a solution. Ms. Silvernail relayed to Mr. Gathercole that the Keystone Valley Fire Department's letter requesting a meeting with the Board of Supervisors will need to be a public meeting and will need to be advertised.

Township Engineer Report: Mr. MacCombie reported that he has a Letter of Credit Account Reduction Certificate of Completion for Sadsbury Arcadia Associates, L.P. Sadsbury Park, Phase 2A in the amount of \$116,103.29 for the Board's approval.

Ms. Silvernail made a motion, seconded by Mr. Greenfield to approve a Letter of Credit Account Reduction Certificate of Completion for Sadsbury Arcadia Associates, L.P. Sadsbury Park, Phase 2A in the amount of \$116,103.29 per Mr. MacCombie's recommendation. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. MacCombie stated the Township roads were inspected and Herb MacCombie wrote a synopsis of the condition of the roads. The drainage issues on Skiles Road needs to be evaluated. The sewer drain on Wick Drive is repaired and the area needs paved. The Stove Pipe Hill project has a Penn DOT number. The drain issue on North Street can be done at the same time. The contract for the sanitary sewer metering at Buck Run is signed and will begin construction meetings.

Mr. MacCombie reported the Storm Water Management Facilities Maintenance Agreement for the McQuiston/Roche project is ready to be signed. This agreement is required under Section 703 of the Sadsbury Township Stormwater Management Ordinance, as amended, requires owners of any storm water discharge to enter into a maintenance agreement requiring that the owner of Storm Water Facilities be responsible for proper maintenance during and after development of all required Storm Water Facilities required by the plan.

Ms. Silvernail made a motion, seconded by Mr. Taylor, to approve the Storm Water Management Facilities Maintenance Agreement between Stephan Roche and Elizabeth McQuiston and Sadsbury Township. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Mr. MacCombie reported that David Biloon has a meeting with Mr. Walker on Thursday. Mr. Walker is down to 10 vehicles and is in the process of waiting for tags for 4 of the vehicles after issuing death certificates to the state. His daughter’s car is in the garage and he is building a facility for the other cars and getting rid of 4. Mr. MacCombie stated that having 10 vehicles is not in compliance with the Township Ordinance. The Board wants Mr. Biloon to instruct Mr. Walker that he has 30 to comply with the Ordinance.

Township Solicitor Report: Mr. Pompo stated the Township Noise Ordinance noise testing procedure starts with complaints to the Zoning Officer who then contacts the Supervisors in writing. The Supervisors will make a determination in a public meeting to allow the testing to proceed. Mr. MacCombie reported that the Noise Enforcement Officer was Ambric Environmental, LTD, but they no longer do noise testing. Mr. Pompo suggested that Mr. MacCombie’s office find a noise enforcement officer. Mr. Pompo stated there are Apps on IPHones to take measurements, but the testimony is not good enough in court. Accurate reading requires an expert. Mr. MacCombie stated he will try to find someone who is local. Mr. Taylor asked if there was anyone Mr. Pompo could contact from Sikorsky to come to a meeting. Mr. Pompo stated he has e-mailed Mr. DiLabbio, but has not gotten a response. Doug Howe stated that all upper-management has been replaced at Sikorsky. Mr. Howe asked Mr. Taylor what is his concerns with Sikorsky, the hours of operation or the noise. Mr. Taylor stated that it was basically the noise. Mr. Pompo will send a letter to Sikorsky to invite them to a Township meeting.

Township Planning Commission Report: Mr. Greenfield stated the meeting was cancelled for lack of business.

Township Zoning Report: Mr. MacCombie reported that zoning permits have been applied for a shed, swimming pool, fence, and an above ground swimming pool. There have been requests for zoning certifications concerning CTDI, and a generic letter was issued from MacCombie’s office. Mr. MacCombie stated that Mr. Biloon has had discussions with Mr. Stoltzfus concerning a pole barn. Mr. Mumford has applied to the Zoning Hearing Board, and Ethermore has applied to the Zoning Hearing Board concerning building on steep slopes. The complaint about trash removal at Ethermore at 4:00 a.m. has resulted in the trash being picked up later in the day. There has been a complaint about 106 Compass Road. Two years ago they applied for a shed permit, now the shed is used as an auto repair shop. This person works at M&M Towing, and cars are towed here to be worked on. No permits have been applied for or issued for a repair shop. Mr. MacCombie stated the situation will be resolved.

Chester County Airport Update: Mr. Roberts reported that the Board met today but there is nothing to report.

Payment of Invoices:

Ms. Silvernail made a motion, seconded by Mr. Greenfield, to pay the May General Fund invoices in the amount of \$127,783.78. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Ms. Silvernail made a motion, seconded by Mr. Taylor, to pay the May Sanitary Sewer invoices in the amount of \$58,921.01. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Old Business:

Mr. Vic Kelly from Commonwealth Engineers came before the Board to discuss the Morris Farm Lot 2, Vietri Project. Mr. Kelly stated the Board gave the project Preliminary Approval at their last meeting and a review letter for final plan review was received from MacCombie’s office dated May 27, 2015. Mr. Kelly is asking for relief from the Ordinance for open space and landscaping issues. Mr. Kelly feels Mr. Vietri should not have to pay a fee in lieu of open space when he is paying almost \$30,000 for the Act 209-Transportation Impact Fee. The Landscaping Ordinance is impossible to comply with as the property is in a commercial business center. Mr. Pompo stated that an amendment was done at the request of Lancaster General Hospital which allows for changing the quantity of landscaping and to make substitutions and pay a fee in lieu of; CVS can also comply. Mr. Kelly stated that a tree on every 7 feet of property is impossible to comply with as already there are 220 shrubs agreed to be planted. The Planning Commission has already recommended to the Board for a waiver of 29 evergreen and 29 deciduous trees. Mr. Kelly stated he would like to ask for final approval for the Morris Farm Lot 2, Vietri Project. Mr. Pompo stated that Mr. Kelly did not ask to be on the agenda for final approval for his project so there was no preparation done by his office or Mr. MacCombie’s office. Mr. Pompo told Mr. Kelly that between now and next month’s Board of Supervisors meeting to have all the agreements and financial security in place, and everything will be voted on at next month’s meeting. Mr. Kelly feels it is a disadvantage to his client to wait another month. Mr. Pompo stated that the Board will not sign plans until agreements and financial security are finalized.

Ms. Silvernail made a motion, seconded by Mr. Greenfield, to give relief to the Morris Farm Lot 2, Vietri Project on the SALDO Section 1304A, for landscaping as illustrated on final plans which will be approved at later date when agreements and financial security are finalized. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Public Comment

Mr. Taylor again thanked everyone who participated at the incident at Bert Reel Park.

With there being no further business, Mrs. Silvernail made a motion, seconded by Mr. Greenfield, 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