

Board of Supervisors Regular Meeting, Tuesday, April 1, 2014

The regular meeting of the Board of Supervisors of Sadsbury Township was conducted on Tuesday, April 1, 2014 commencing at 7:00 P.M. Chairwoman, Stephanie Silvernail, called the meeting to order. Present were Supervisors, Mr. Taylor and Mr. Greenfield, Mr. Robert McClintock, Township Solicitor, filling in for Mr. Pompo, Mr. MacCombie, Township Engineer/Zoning Officer, and members of the community.

A moment of silence and Pledge of Allegiance were observed.

Ms. Silvernail announced the Board met in Executive Session on Wednesday, March 12, 2014 to discuss legal matters and on Monday, March 31, 2014 to discuss legal and personnel issues.

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. 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.

Ms. Silvernail made a motion, seconded by Mr. Greenfield, to adjourn the regular business meeting to conduct a Conditional Use Hearing for the application of Benjamin S. Stoltzfus for a secondary farm business. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

The minutes for the Conditional Use Hearing will be taken by a Court Stenographer.

Ms. Silvernail made a motion, seconded by Mr. Taylor, to resume the regular business meeting. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Ms. Silvernail announced the Conditional Use Hearing for Benjamin S. Stoltzfus for a secondary farming business was continued until May 6, 2014 at 7:00 P.M.

Township Police Report: Chief Ranck reported that during the month of March, the Township Police patrolled 4,514 miles and responded to 190 incidents for: 911 hang-up 5, vehicle crash with injuries 1, accident other type 1, property crash damage 8, injured person 1, alarm fire 1, alarm police 10, animal complaints 6, assault no injuries 1, assist ambulance 25, assist fire department 3, assist to other police departments 13, chimney fire 1, disturbance 3, domestic disturbance 6, erratic driver 5, escort person or money 3, extra patrol request 1, field or brush fire 1, police information 1, fraud 1, harassment 3, harassing phone calls 1, identity theft 1, miscellaneous police nature 6, noise complaint 1, parking violation 3, service of PFA Order 1, phone assignment 32, report only (NIP Incident) 5, Robbery 1, shots heard or

shooting (no injuries) 2, suspicious conditions 2, suspicious person 1, suspicious vehicle 1, theft 1, theft from vehicle 3, traffic general hazards 3, trespasser 2, fire truck 1, traffic stop 20, vacation check request 1, and warrant hit or service 1. Charges filed for the month of March were defiant trespass, scattering rubbish and 1 DUI.

Township Public Works Department: Mr. Taylor read the report for the month of March. For the month of March the Public Works Department responded and prepared for three separate winter weather events that occurred on March 3, March 17, and March 25, 2014. The Public Works Department responded to a total of 23 winter weather events. 307 tons of salt and 144 tons of anti-skid material were used this season. A total of 72.5" of snow was plowed from our streets and roads utilizing 590.66 man hours to plow and treat the roads. On March 18, 2014 the Public Works Department lowered the load/weight limits on the Octorara Road Bridge at the Buck Run Creek. The old limits were weight limit 32 tons and except combinations 40 tons. The new and current limit is weight limit 25 tons and except combinations 37 tons. This change was mandated by PennDOT and all posting of these signs are posted in accordance with PennDOT specifications. Pot holes have been filled on Skiles Road, Quarry Road, Limestone Road, Sadsbury Road, Bonsall Road, Old Mill Road, Greenbelt Drive and Octorara Road. To report a pot hole, tree down, icy road or any type of hazardous road condition e-mail Sadsburypublicworks@comcast.net or phone the Department at 610-857-3733. If the road issue or condition is life threatening or a serious safety concern, please dial 911. During the past winter, there was no damage to Sadsbury Park, however; there was minimal damage to Bert Reel Park, which has been repaired. The track was groomed and is safe and ready for park visitors and the portable toilets were installed as well. For the month of March, the Department has maintained all storm water drains as well as ditches, made many minor repairs to our trucks and winter equipment and have been responsible for the maintenance, repair and replacement of several street signs damaged by weather and vehicles. On March 27, 2014 the Department received the new JCB4CX Backhoe/loader, which will be in service after employees of the Department are trained in its use. Equipment hours were 28.3 and vehicle miles were 776.

Emergency Management Coordinator Report: Mr. Taylor had no report.

Keystone Valley Fire Company Report: Mr. Taylor reported that for the month of March, 2014, Keystone Valley Fire Company answered 25 calls for: fire 11, rescue/medical assist 10, fire police only 2, and false alarm 2. The response by municipality was as follows: East Fallowfield 1, Sadsbury Township 3, West Sadsbury Township 6, Highland Township 4, Parkesburg Borough 5, West Fallowfield Township 3, and West Fallowfield 3. The response by personnel was average 10 per response call and a total of 223 personnel for 183.07 combined response hours. The Average response time was 5:05. There were 9 trainings with 159 members attending for 436.50 training hours. 22 members participated in public events for 32 combined other hours. The fire units traveled 1,716 miles, used 334.9 gallons of fuel and needed \$2,675.24 in maintenance costs. The ambulance traveled 1,762 miles, used 274.7 gallons of fuel and required \$0.00 in maintenance costs. The monthly EMS Report states the Keystone Valley Fire Department EMS logged 78 calls with an average response time 2.43 minutes. Career staff and volunteer staff logged in 161 hours on call. The calls for the month are as follows: Parkesburg Borough 32, Sadsbury Township 22, West Sadsbury

Township 14, Highland Township 6, Christiana Borough 3, and Atglen Borough 1. The outcome for the calls are as follows: treated/transported ALS 27, treated/transported BLS 26, no service required 11, patient refused care 9, recalled on scene 3, recalled enroute 1, and lift assist-public assist 1. The destination breakdown is as follows: Brandywine Hospital 38, recall/refusal/no service 26, Chester County Hospital 5, Lancaster General Hospital 3, Jennersville regional Hospital 3, Paoli Memorial Hospital 2, and A.I. Dupont 1.

Sadsburyville Fire Company Report: Mr. Taylor reported there were 13 responses for the month of March 2014 for: 3 automatic fire alarms, 1 barn fire, 1 chimney fire, 2 brush fires, 1 fuel spill, 1 auto accident, 1 gas leak inside, 2 assist EMS, and 1 standby. The responses by municipalities were as follows: Sadsbury Township North 7, Sadsbury Township South 1, West Caln Township 2, East Fallowfield Township 1, East Brandywine Township 1 and Wallace Township 1. The time in service was 9 hours and 16 minutes with 75 miles travelled. There were 112 volunteer fire fighters responding. The combined firefighter training hours was 316.25 and the combined personnel fund- raising hours was 95.

Township Engineer Report: Mr. MacCombie stated he has an Engineering Escrow release of funds for Sadsbury Arcadia Associates, L.P. for Sadsbury Park Phase 2A in the amount of \$94.37 for the Board's approval.

Ms. Silvernail made a motion, seconded by Mr. Greenfield, to approve an Engineering Escrow release of funds for Sadsbury Arcadia Associates, L.P. for Sadsbury Park Phase 2A in the amount of \$94.37 per Mr. MacCombie's recommendation. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. MacCombie stated he has an Engineering Escrow release of funds for Sadsbury Commons LP, Sadsbury Commons Phase 1B Lancaster General Hospital Medical Office Building in the amount of \$539.37 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 LP, Sadsbury Commons Phase 1B Lancaster General Hospital Medical Office Building in the amount of \$539.37 per Mr. MacCombie's recommendation. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. MacCombie reported the Chapter 94 Wasteload Management Report is completed and submitted to PAWC on behalf of Sadsbury Township. Mr. MacCombie stated that based on current scheduling, it is anticipated that the Village Enhancement Project will be under construction in the fall of 2014. Mr. MacCombie reported that Jim Briggs of the Delaware Valley Planning Commission has retired and will no longer be the Township's liaison regarding the Sadsbury Village Enhancement Project. Mr. MacCombie stated that there is an employee of Aerzen complaining about the traffic signal at Aim Boulevard, because he is having a difficult time getting out of the Industrial Park. He would like to have the traffic light on a split phase. Mr. MacCombie stated it would tie up traffic in three directions to have the light on a split phase. A traffic study would have to be done to implement a split phase and the Board feels there is not a real need for this.

Township Solicitor Report: Mr. McClintock reported that a board member needs to be appointed to represent Sadsbury Township on the recently formed Washington Lane/Sikorsky Taskforce. Mr. McClintock stated that everyone can attend but there is only one vote. The taskforce is made up of representatives from Keystone Food, CTDI, Terry Muto, Valley Township, Sadsbury Township, Chester County Development Council, Western Chester County Chamber, and Sikorsky.

Ms. Silvernail recused herself from the discussion and referred the meeting to Mr. Taylor.

Mr. Taylor stated he feels this whole thing has been spearheaded by the Western Chester County Chamber of Commerce to strong-arm Sadsbury Township concerning Washington Lane. Mr. MacCombie stated Sikorsky tried to use pressure from local Representatives and the Economic Development Council to close Washington Lane to extend the airport runway. They changed their plan and now want to build a tunnel so Washington Lane can stay open and helicopters can get to the airport with the least amount of impact on Sadsbury Township and Valley Township. Mr. MacCombie stated that anything done to Washington Lane must be approved by the Board of Supervisors. Mr. Taylor stated the taskforce did not want more than one person on the committee because of the voting. The Township wanted 3 individuals and the taskforce said only one person. One of the jobs of the taskforce is to figure out how to afford a tunnel. Mr. Greenfield stated that Sadsbury Township takes 90% of the brunt of traffic by decisions made by Valley Township. Sadsbury Township does not want traffic stopped on Washington Lane so helicopters can get to the airport. The desire would be for a tunnel or bridge.

Mr. Greenfield nominated Mr. Jamie MacCombie to represent Sadsbury Township on the Washington Lane/Sikorsky Taskforce. The nomination was seconded by Mr. Taylor.

Mr. Taylor, at this time, returned the meeting over to Ms. Silvernail.

Mr. McClintock stated the Township's agreement with Pennsylvania American Water Company has to be re-approved with the addition of the Western Sewer District. Ms. Silvernail had a few questions concerning Section 2, A&B concerning the monitoring of sewage flow and charges for excess flow. Mr. MacCombie stated that business would be monitored as to the flow and would be charged if in excess.

Ms. Silvernail made a motion, seconded by Mr. Taylor, to approve the agreement with Pennsylvania American Water Company as outlined with the addition of the Western Sewer District. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. McClintock stated the draft copy of a letter written by Mr. Pompo concerning the Sadsbury Commons Act 209 credit is ready for review by the Board of Supervisors. Ms. Silvernail stated she would like to have a hold-harmless clause that the Township is not responsible for negligence or law suits arising from maintenance of the connector road in the Sadsbury Commons Development. Mr. McClintock stated he will inform Mr. Pompo of the changes to be

made in the letter. Mr. MacCombie stated that the amount of credit from the exemption from a portion of the Act 209 impact fee concerning the connector road is decided by the Board of Supervisors, not the developer.

Ms. Silvernail stated that Mr. Grafton, the Township Planner suggested that the Township should place in our Ordinances for the future, an ordinance dealing with alternative energy. Ms. Silvernail stated the ordinance would limit the number of windmills and where they could be placed. There is also a section on solar panels. Mr. Taylor stated he would like to talk to the fire departments and get input on solar panels. Mr. Taylor stated they can be dangerous and it is a concern on the fire department side. Ms. Silvernail stated that this should be tabled to clarify items and get input from the fire departments. Ms. Silvernail stated that this is only being discussed as a draft, if and when it becomes a final draft, the public will be involved if a public hearing is scheduled. Ms. Silvernail made it be known that any solar panels already in place will be exempt from the ordinance.

Township Planning Commission Report: Mr. Greenfield reported there was no Meeting held for March.

Township Zoning Report: Mr. MacCombie reported that Aerzen has filed an application to expand their parking area for 20 more parking spaces at the existing lot. The Township is holding an escrow account for Aerzen to construct another parking area separate from the one they now have.

Chester County Airport Update: Mr. Roberts reported the Authority met today. A survey for flight plan obstructions will be done this summer.

Payment of Invoices:

Ms. Silvernail made a motion, seconded by Mr. Greenfield, to pay the March general fund invoices in the amount of \$159,300.49. 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 \$45,965.41. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Old Business:

Vic Kelly from All County Partners came before the Board to discuss the Hoffman Avenue and Valley View Development connection. Mr. Kelly stated that the plan Sadsbury Township approved for a hammerhead located in Sadsbury Township was presented to the Valley Township Board of Supervisors. The Supervisors in Valley Township decided they wanted to go with Sadsbury Township’s original plan for Hoffman to be a two-way street and used only for emergency access to the development. Mr. Kelly stated that Valley Township would like Sadsbury Township to maintain and plow snow into Valley Township for the one house in Valley Township now and 8 more to be built in the future. Mr. MacCombie stated there would

have to be a Municipal Agreement between Sadsbury Township and Valley Township for that to happen. Mr. Kelly stated he already has Preliminary Plan approval from Sadsbury Township. Mr. MacCombie stated that the Preliminary Plan that was approved by the Board of supervisors is not the plan Valley Township asked to modify. Mr. MacCombie stated that Sadsbury Township has been consistent with its concern for the residents of Hoffman Avenue. Mr. McClintock stated he will speak with Mr. Pompo to see if there is a way to speed up the process.

New Business:

A representative from Summit Realty Advisors, LLC presented the Board of Supervisors with a subdivision and preliminary land development plan for the proposed retail project at Route 10 and Route 30.

Ms. Silvernail stated that at budget meetings it was approved to transfer money from Liquid Fuels Fund and the Capital Reserve Fund to cover the cost of a new backhoe for the Road Department.

Ms. Silvernail made a motion, seconded by Mr. Taylor, to transfer \$75,000 from the Liquid Fuels Fund and \$18,556 from the Capital Reserve Fund to the General Fund to cover the cost of the new backhoe for the Road Department. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Ms. Silvernail stated the Township has received a quote from R. Lowry Excavating, Inc. of Gap, PA to repair the water line at Bert Reel Park. Ms. Silvernail stated the quote has a description of the work to be completed but does not have a cost for services on the quote.

Ms. Silvernail made a motion, seconded by Mr. Greenfield, to accept the quote from R. Lowry Excavating, Inc. of Gap, PA to repair the water line at Bert Reel Park at a cost not to exceed \$2,000.00. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Public Comment:

Mr. Stephen Allgyer from Compass Road Stated he would not be able to attend the Conditional Use Hearing for Benjamin Stoltzfus that was continued to next month. Mr. Allgyer stated he has a concern that the Board would approve an escrow account for Mr. Stoltzfus to repair damage to Compass Road. Mr. Allgyer stated that a lot of construction trucks use Compass Road as a short-cut to Route 10 and it would be hard to tell what truck did what damage. Mr. McClintock advised Mr. Allgyer to write a letter for the record and send it to the Board to be placed into evidence at the next Conditional Use Hearing. The Hearing is closed for this evening and the Board cannot consider his comments.

With there being no further business, Ms. 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