

Board of Supervisors Regular Meeting, Tuesday, August 6, 2013

The regular meeting of the Board of Supervisors of Sadsbury Township was conducted on August 6, 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. Pompo, 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 that for the month of July, 2013 the Township Police patrolled 6,059 miles and handled 352 incidents which include 27 calls answered by the Pennsylvania State Police. Township activities are as follows: 10 theft complaints, 1 burglaries, 11 suspicious condition/suspicious vehicles, 11 alarms, 14 domestics, 10 disturbances, 12 vehicle accidents, 8 other Police Department assists, 27 fire and ambulance assists, and 108 non-emergency police service calls. Chief Ranck stated the Township Police conducted 8 criminal arrests for: 1 drug arrest, 3 assaults, 3 theft arrests, 1 public drunk, and 1 leaving the scene of an accident. During the month of July, Township Police initiated 51 traffic stops and 61 traffic citations were issued and 9 warnings were issued either verbal or written. A speed detail utilizing Enradd in the 2900 block of Lincoln Highway was conducted in an effort to slow traffic down entering into Sadsburyville, resulted in 24 traffic citations being issued during the 3 1/2 hour detail. Township Police conducted a total of 140 residential, business, vacation, and property checks during the course of their tours of duty in an effort to maintain police presence for Township residents. On July 15, 2013 the Township Police took delivery of the second 2013 Ford Interceptor police vehicle which is currently in service. The entire police department extends their gratitude to the Board of Supervisors and to the residents of Sadsbury Township for providing the most up-to-date and necessary equipment. On July 19, 2013 the Sadsbury Township Police Department hosted their first D.U.I. checkpoint along with the Chester County DUI Task Force, which is comprised of officers from West Goshen Township, Trediffryn Township, Easttown Township, Sadsbury Township, West Sadsbury Township, and Parkesburg Borough Police. The checkpoint conducted at the intersection of Routes 10 & 30 between the hours of 9:00 p.m. and 1:00 a.m. resulted in approximately 1400 police contacts with motorists and 8 field sobriety tests administered. There were no arrests. The Sadsbury Police would like to thank Sadsbury Fire Department for their assistance in providing generators, lighting, manpower and a piece of apparatus; also Little Anthony's Pizza, Milton's Pizza, Dunkin Donuts, and Tractor Supply in donating food and drinks during the DUI checkpoint.

Sadsbury Township Road Department Report: Mr. Simmons reported that for the month of July, Township owned properties, right-a-ways, buildings, signs, equipment, and our storm drain systems were maintained. Roadside mowing was done on Lieke Road, Sadsbury Road, Quaker Road, Quarry Road, and Old Mill Road, with the John Deere Tractor and Scag Mower. Vegetation was removed within the right-a-way at Quaker Road, Octorara Road, Reel Street, Compass Road, and Timacula Road. While removing vegetation on Stove Pipe Hill Road, a large hole was discovered about fifteen feet in length by four feet wide, caused by water erosion. The Road Department filled the hole with number four rip rap and then compacted. Five unhealthy large trees that posed a potential danger to the public and private property were removed on Greenbelt Drive by Brandon's Tree Service. The generator at the main Township Building and the one at the pumping station have been serviced by Modern Group. Water meter readings were recorded for the second quarter. In regards to damage to Township owned property by Hurricane Irene and Tropical Storm Lee, PEMA has granted extensions on all three of our uncompleted projects. These uncompleted projects were to expire on September 15, 2013 but now have been extended to March 15, 2014. The projects are the embankment armoring located at Greenbelt Drive, 0.2 miles south of Hilltop Drive intersection, Road surface and shoulder repair located at Compass Road, 500 feet north of Route 30, and pavement surface and shoulder repair located at Old Mill Road near address number 411. Mr. Simmons stated that all three of these uncompleted projects have been combined with the Townships regular yearly road improvement projects and should be completed in the near future. Mr. Simmons stated the equipment hours totaled 12.4 and the vehicle miles totaled 364 for the month of July.

Township Engineer Report: Mr. MacCombie stated that in reference to the Road Foreman's report, he would like to ask the Board of Supervisors to allow the uncompleted PEMA projects to be included in the bid specs for the resurfacing of Compass Road to be presented at the September Board of Supervisors meeting.

Ms. Silvernail made a motion, seconded by Mr. Greenfield, to allow the three uncompleted PEMA projects to be included in the bid specs for the resurfacing of Compass Road per Mr. MacCombie's request. 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 in the amount of \$172.50 for the Board's approval.

Ms. Silvernail made a motion, seconded by Ms. Horan, to approve an Engineering Escrow release of fund for Sadsbury Commons LP, Sadsbury Commons – Phase 1B in the amount of \$172.50 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 Arcadia Associates, L.P., Sadsbury Park Phase 2A in the amount of \$233.75 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., Sadsbury Park Phase 2A in the amount of \$233.75 per Mr. MacCombie's recommendation. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Township Solicitor Report: Mr. Pompo stated that it was requested by PennDot for Sadsbury Township to pass a resolution to authorize and delegate signature authority for the execution of the Intergovernmental Agreement concerning the Sadsbury Village Enhancement project. At the July 2, 2013 Board of Supervisors meeting, Resolution 2013-08 was approved by the Board pertaining to PennDot's request. Mr. Pompo stated the Board desires that he become the Right of Way Administrator for the project, which has to be done by resolution.

Ms. Silvernail made a motion, seconded by Mr. Greenfield, to adopt Resolution 2013-09 appointing Mr. Pompo, Township Solicitor, to be the Right of Way Administrator for the Sadsbury Village Enhancement Project. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Pompo reported that a new County-wide Act167 Stormwater Management Plan for Chester County and associated Model Stormwater Management Ordinance, as developed by the Chester County Water Resources Authority, has been approved by PADEP. Municipalities in Chester County now have 6 months, until January 2, 2014 to adopt the new ordinance as required under the provisions of the MS4 Permit program. Mr. Pompo stated this ordinance needs to be adopted as a "stand-alone" ordinance, which will require changes to the Land Development and Zoning Ordinances, so they are properly coordinated with the new ordinance. It will also be necessary to adopt a companion ordinance governing the Prohibitions which would apply to existing development. Mr. Pompo stated the final draft ordinance has to be sent to the Chester County Planning Commission no later than November 1, 2013. Mr. Pompo feels it would be best to take the standard ordinance from the County and modify changes for the Township as needed. Publication of the final ordinance should be no later than November 6, 2013. Mr. Pompo stated the draft ordinance should be ready by the September Board of Supervisors meeting.

Mr. Pompo stated that in the late 1960's through litigation, the EPA brought charges against the Barkman Landfill for contamination. Sadsbury Township was included in the charges for allegedly having waste hauled to the Landfill. The Township is now in a 2 year Tolling Agreement. During the period from September 1, 2011 until September 1, 2013, the agreement will toll any statute of limitations that may be applicable to the commencement of an action taken by any or all of the Performing PRP Group, (Alcoa, Inc., Unisys Corporation, and Waste Management of Pennsylvania). Mr. Pompo recommends extending the agreement for 3 more years.

Ms. Silvernail made a motion, seconded by Mr. Greenfield, to extend the current Tolling Agreement regarding the Barkman Landfill Superfund Site for a period of three years from the expiration date of September 1, 2013. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Township Planning Commission Report: Mr. Greenfield reported the Planning Commission met on July 10, 2013 at 7:00 p.m. Joe Russella presented a plan for an extension of Sikorsky Helicopter facilities for a 2,150 square foot delivery center. Mr. Russella is asking for relief to combine Preliminary & Final plans together to be reviewed as final. The initial presentation was made to the Board of Supervisors at their July 2, 2013 meeting. A motion was made by Carlyle Rivers and seconded by Tim Sarbaum to recommend to the Board of Supervisors to grant the waiver request. Mr. John Newton presented to the Planning Commission a sketch plan for an industrial use at the corner of Quarry Road and Old Wilmington Road. There is no tenant in mind and will not have a tenant. This has not been presented to the Board of Supervisors. The Planning Commission was asked to give comments on a sign ordinance proposal for the development of Sadsbury Commons, presented by Michael Gill at the July 2, 2013 Board of Supervisors meeting. No comments were given until review by Mr. Pompo and Mr. MacCombie. With no further business, the meeting was adjourned.

Mr. Richard Felice of Quarry Ridge Development addressed the Board of Supervisors concerning questions he has on John Newton's plan for Quarry Road and Old Wilmington Road. Mr. Pompo stated that Sadsbury Park has proposed 41 single family homes on that parcel. The parcel is an overlay district and the underline zoning is industrial. Arcadia has final approval for the development of that parcel but financial security has not been obtained so the plan has not been recorded with the County. Mr. Felice stated he has over 110 signatures of residents that do not want anything of a business nature on this parcel.

Sadsbury Township Zoning Report: Mr. MacCombie reported that a complaint of illicit discharge from a home on Spruce Street in Pomeroy was investigated by Dave Porter from his office. The first visit at the property, Mr. Porter saw no evidence of discharge. The second visit he determined the discharge was coming from the sump pump. The resident said he was letting the rain water out into the street instead of the sewer system. Mr. Porter stated he told the resident he was doing the right thing by not putting the discharge into the sewer system, but he was to discharge into the lawn and not the street. No chemicals were found to be discharged.

The resident who wanted to put a shed on an adjacent property on Lemon Alley is no longer interested in doing so.

Mr. Discuillio has expressed interest in converting his 5 lots on Lemon Alley and Wallace Alley into 3 lots. Mr. MacCombie stated there are a lot of issues involved.

Concerning the basketball court in Quarry Ridge, it has to be determined if zoning violations have or have not occurred.

Keystone Valley Fire Company Report: Mr. Gathercole reported for the month of June, the Keystone Valley Fire Company answered 20 calls for: 11 fire, 7 rescue, 1 fire police only, and 1 public service. Response by municipality as follows: Sadsbury Township 8, West Sadsbury Township 6, Highland Township 1, Parkesburg Borough 3, and other 2. The average response by personnel is 8 and there were 9 training hours with an average attendance of 32. Fire unites: 3,312 miles traveled, 497.4 gallons of fuel used and \$5,283.94 in maintenance

costs (Eng. 8-2 pump work and annual PM/Pump test). Ambulance: 2,006 miles traveled, 293.2 gallons of fuel used and \$0.00 in maintenance. The Keystone Valley Fire Department Monthly EMS Report of June shows response to 79 calls for Christiana 2, Highland 4, Parkesburg 52, Sadsbury 15, West Caln 2, West Fallowfield 1, and West Sadsbury 3.

Sadsbury Fire Company Report: It was reported that for the month of July Sadsbury Fire Company had 18 fire responses for: 1 gas leak outside, 2 motor vehicle accidents with injuries, 2 assist EMS, 1 assist Police Department, 2 pedestrians struck, 1 trees and wires fire, 2 automatic fire alarms, 2 smoke investigations outside, 1 debris on roadway, 1 vehicle fire, 1 engine transfer, and 2 carbon monoxide alarms. Assists to other departments was as follows: Sadsbury Township North 12, Sadsbury Township South 1, Valley Township 4, and Caln Township 1. Miles traveled was 97 with an average of 5.3 miles per call. The time in service was 12 hours and 9 minutes and volunteer firefighters responding 109. The combined firefighter training hours was 134. Mr. Brecht stated the Sadsburyville Fire Company QRS responded to 24 calls for: Medical 12, cardiac arrest 1, auto accident 1, fall 4, emotional disorder 3, pedestrian struck 1, and assault 1. There were 65 responders and time in service was 8 hours and 5 minutes.

Emergency Management Coordinator Report: Mr. Taylor reported that Ken Battin is the new Fire Administrator/liaison for Keystone Valley Fire Company and Sadsbury Township. Mr. Taylor stated he has attended pipe line awareness classes and reported that pipe lines have doubled and it should be a very serious concern about pipe line safety. Mr. Taylor reported that West Sadsbury Township would like him to assist with their Emergency Operations Plan and requested a copy of Sadsbury Township's Emergency Operation Plan.

Chester County Airport Update: Mr. Roberts reported that the airport had a shut-down on July 12, 2013 due to tree obstructions; which were taken care of. The South Apron Project should be completed in 2016. Mr. Roberts stated there will be an open-house the first Saturday in October and it is free to the public. On August 19, 2013 to August 21, 2013, Chester County Airport will host the "Wings of Freedom Tour". There will be a P-51 Mustang, a B-17 Flying Fortress, and a B-24 Liberator. Mr. Roberts stated that tours of the planes and also rides are available for a fee. Mr. Roberts also stated that the Airport appreciated that the Sadsbury Township was represented at the Valley Township Board of Supervisors meeting concerning the proposed development at Hoffman Avenue.

Payment of Invoices:

Ms. Silvernail made a motion, seconded by Mr. Greenfield, to pay the July general fund invoices in the amount of \$135,652.31, which includes the purchase of the new police car. 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 pay the July sanitary sewer invoices in the amount of \$61,640.87. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Old Business:

Michael Gill, representing Sadsbury Commons, Lancaster General Hospital Medical Office Building, presented an amendment to the Sadsbury Township Sign Ordinance at the July 2, 2013 Board of Supervisors meeting. Mr. Pompo was to rework the draft ordinance and make it more defined. Mr. Pompo changed the term "Master Development" into "Town Center Commercial Development". Mr. Pompo stated the height requirement in the Ordinance is 20 feet. Mr. Gill stated that height will suit the requirements for the signs at the development. Ms. Silvernail stated she is comfortable with Mr. Pompo's edited version of the draft, and Mr. Gill stated he is on board with the term "Town Center". Mr. Pompo suggested giving the edited draft ordinance to Mr. Gill and also forward it on to the Planning Commission for review and plan to motion to advertise the Ordinance at the September Board of Supervisors meeting.

Mr. Joe Russella came back before the Board of Supervisors asking the Board to accept the initial Land Development submission for Sikorsky Global Helicopter, 110 East Stewart Huston Drive and consider a waiver request to have the project submitted as a preliminary/Final application.

Ms. Silvernail recused herself from the proceedings with Sikorsky Helicopter as she has a professional relationship through her business. Ms. Silvernail turned the meeting over to Ms. Horan, Vice Chairman.

Mr. Russella stated he has a review letter from MacCombie Engineering dated July 8, 2013 and also a recommendation letter from the Sadsbury Township Planning Commission dated July 11, 2013.

Ms. Horan made a motion, seconded by Mr. Greenfield, to allow the waiver request of Sikorsky Global Helicopter, 110 East Stewart Huston Drive to accept the initial Land Development submission to be submitted as a preliminary/Final application. With there being no questions from the public, Ms. Horan and Mr. Greenfield voting "aye" and Ms. Silvernail abstaining, the motion passed.

Ms. Horan made a motion, seconded by Mr. Greenfield, to approve the Preliminary/Final Plan submitted for the Land Development submission for Sikorsky Global Helicopter, 110 East Stewart Huston Drive to add a 2,150 square foot addition subject to Mr. MacCombie's review letter dated July 8, 2013. With there being no questions from the public, Ms. Horan and Mr. Greenfield voting "aye", and Ms. Silvernail abstaining, the motion passed.

New Business:

Ms. Silvernail reported that representatives for the Chester County Chamber of Commerce, the Chester County Economic Council, and several municipalities met at the Township this morning to discuss a Vision Partnership Grant for the Airport Road Interchange study. PennDot will not fund this project, and each municipality was asked to send a letter of support to the Chester County Planning Commission to secure a Vision Partnership grant for the study of this project.

Ms. Silvernail made a motion, seconded by Mr. Greenfield, to send a letter of support to the Chester County Planning Commission to secure a Vision Partnership grant for the study of the Airport Road Interchange. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Ms. Silvernail reported that Sergeant Imhoff has requested to attend a Police Supervisor in-Service Training Program (POSIT) offered by the Penn State Justice and Safety Institute in Hershey, PA from September 16-20 at a cost of \$620.00 to come out of the Police Department's training budget for 2013.

Chief Ranck stated that this is a good class and would benefit the Police Department and the Township.

Ms. Silvernail made a motion, seconded by Mr. Greenfield, to allow Sergeant Imhoff attend a Penn State Justice and Safety Institute POSIT class in Hershey, PA from September 16-20 at a cost of \$620.00. With there being no questions form the public, the Board voting, "aye", the motion passed unanimously.

Ms. Silvernail stated that a certified letter was sent to the owners of the abandoned property at 27 North Street to clear their property and mow the lawn. Ms. Silvernail stated that the Road Department should go to the property and mow the lawn and bill the property owner. Earl Taylor informed the Board that the grass has been cut, but he does not know who did it. Mr. Taylor stated he took his bush-hog and cut the back grass.

Public Comment:

Mr. McGowan from Hoffman Avenue has complaints about motor bike riding in the middle of the road and on his property. Ms. Horan suggested that when this happens they should call the police. Chief Ranck will show a police presence on Hoffman Avenue.

Eric Brecht of Western Avenue stated there is tremendous bike traffic on Western Avenue. They come up Borough Line Road and Route 372, cross over the creek and come up Western Avenue. Mr. Brecht would like to work with Chief Ranck to find out who these riders are. Mr. Brecht stated the bridge collapsed and is not used by the public and would like to know if a gate could be placed at the Weaver property as the Township does not maintain the road. The Board asked Mr. Weaver to look at his deed to determine if it addresses that portion of Western Avenue up to Borough Line Road.

Mr. McGowan asked what is involved to make Hoffman Avenue a private road. Mr. Pompo stated it would not be successful because the developer has the right to use Hoffman to complete his endeavors in Valley Township. Mr. Pompo stated that Hoffman Road is only a public road in Sadsbury Township; Valley side is not a public road. Mr. Pompo suggested to see what Valley Township does, and go to their meeting in September.

Catherine Ward of Holstein Drive stated she has been sent to Sheriff's sale due to a lien on her property for the years 1992, 2000 & 2001 trash collections fees. She states she has no

record of payment since her bank only holds records for 5 years. She is disabled and would like the Township to forgive the debt since it is so old and she cannot access any bank records. Mr. Pompo stated that she always had the opportunity to be on a payment plan to pay off the debt. Ms. Silvernail stated the dilemma is that the Township still has to pay the trash collector even-though people do not pay. Mr. Pompo does not feel the Township should waive any of the debt as it costs \$2,000 to send the notice to the Sheriff Department for sale. Mr. Pompo suggested Ms. Ward contact the office of Lamb, McErlane to make an offer of a payment plan to pull this from the Sheriff Sale.

Anthony Schubbio of Quarry Ridge stated that Mr. Felice mentioned a petition that was signed by 112 residents of Quarry Ridge. Mr. Schubbio read the petition concerning Quarry Road and Old Wilmington Road.

Mrs. Silvernail stated that there has been no land development submission to the Board of Supervisors with regard to any industrial development at the property located at Quarry Road and Old Wilmington Road. John Newton happened to be at the last Planning Commission meeting, was not on the agenda; and showed the Planning Commission an informal sketch for an industrial building at that location. The Board of Supervisors has not seen or has any information other than what has been discussed this evening. Ms. Silvernail stated that until a submission is made to the Board of Supervisors, it is a non-issue.

Mr. Felice asked who can tell him about zoning and what is an overlay? Mr. Felice was directed to the Municipal Office to look at the Zoning Ordinance Book.

Mr. Beiler of Old Mill Road stated he went through the Zoning Hearing Board and was granted a variance to put a bakery in his home. He was directed to talk to Jim Dickey, Codes Enforcer about permits.

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

