

Board of Supervisors Regular Meeting, Tuesday, September 3, 2013

The regular meeting of the Board of Supervisors of Sadsbury Township was conducted on September 3, 2013 commencing at 7:00 p.m. Chairwoman Stephanie Silvernail called the meeting to order. Present were Supervisors Mr. Greenfield and Ms. Horan, Mr. McClintock substituting for Mr. Pompo, Township Solicitor, 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 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 Ms. Horan, 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 August, the Township Police patrolled 5,824 miles. There were a total of 382 incidents for the month which includes 16 calls answered by the Pennsylvania State Police. Township Police activities are as follows: 8 thefts, 1 burglary, 13 suspicious conditions/suspicious vehicles, 11 alarms, 7 domestics, 6 disturbances, 11 vehicle accidents, 9 other police dept. assists, 21 fire and ambulance assists, and 82 non-emergency police service calls. Township Police conducted 7 criminal arrests of which were 2 simple assault, recklessly endangering, harassment, disorderly conduct, and 2 DUI arrests. During the month of August, Township Police initiated 82 traffic stops. 63 traffic citations and 11 warnings were issued. A speed detail using Enradd in the 2900 block of Lincoln Highway on August 16, 2013 resulted in an additional 19 traffic citations issued, totaling 82 citations for the month. There were a total of 131 residential, business, vacation, and Township property checks conducted during the course of their tours of duty in an effort to maintain police presence for Township residents. On August 24, 2013 CODY records management was installed for the Sadsbury Township Police department. The new records management system will allow the entire operations of the police department to be entered and managed directly through CODY. In addition, all officers will be able to enter police complaints directly from their patrol vehicles and have access to CODY LEGIS, which is an information sharing network between Chester County and all police departments regarding sensitive information and officer safety information. On Friday, August 23, 2013, Sergeant Imhoff assisted West Sadsbury Township with their DUI Checkpoint along with the Chester County DUI Taskforce which resulted in 4 DUI arrests.

Sadsbury Township Road Department Report: Mr. Simmons reported that for the month of August, 2013 the Public Works Department maintained Township properties, right-a-ways, roads, signs, and storm drains. Twenty-five tons of screenings were added to the track at Bert Reel Park. Roadside mowing was done on Octorara Road, Sadsbury Road, and Old Mill Road, where it was safe for the John Deere Tractor and Scag Mower to access. All road signs were inspected and all fire hydrants were trimmed of vegetation. Tree limbs in the road right-

a-way were cut and chipped on North Street, Old Mill Road, and Celeste Drive. Excessive cutting and chipping of tree limbs occurred on Hill Top Drive. Pot holes were filled on Hill Top Drive. A clogged pipe on Settlers Path was reopened. Maintenance checks have been performed on all equipment and vehicles regularly. Equipment hours: 22.5 and vehicle hours: 489.

Township Engineer Report: Mr. MacCombie stated that he has an Engineering Escrow release of funds for Sadsbury Commons-Phase 1B, Lancaster General Hospital Medical Office Building in the amount of \$1,502.50 for the Board's approval.

Ms. Silvernail made a motion, seconded by Ms. Horan, to approve an Engineering Escrow release of funds for Sadsbury Commons-Phase 1B, Lancaster General Hospital Medical Office Building in the amount of \$1,502.50 per Mr. MacCombie's recommendation. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. MacCombie stated that he has an Engineering Escrow release of funds for Sadsbury Arcadia Associates, L.P. Sadsbury Park Phase 2A in the amount of \$418.12 for the Boards 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 \$418.12 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 Malloy Paving worked on Compass Road today and a tractor trailer came down Compass Road and ran off the side of the road and went over three properties creating more issues on Compass Road. Mr. MacCombie stated that the police know the vehicle and also Mr. MacCombie feels the owner of the truck should repair the issues they created.

Mr. MacCombie stated that bids for the Resurfacing and Street Improvements 2013 Project were opened on Wednesday, August 28, 2013 at the Township Building by Linda Shank, Township Secretary and David Porter, from Mr. MacCombie's office. The bids were as follows: Allan A. Myers - \$284,925.00 and Pennsy Supply, Inc. \$214,399.60. Mr. MacCombie stated the Township has appropriated \$355,000.00 in the 2013 budget for these improvements. Funding from FEMA of \$30,000.00 will assist in the wall repairs along Buck Run at Green Belt Drive. Therefore, the total funding will be \$385,000.00, which appears to be sufficient funds to support all proposed improvements, engineering and construction surveillance. Mr. MacCombie stated he would like to recommend to the Board of Supervisors to award the contract to Pennsy Supply for their bid of \$214,399.60.

Ms. Silvernail made a motion, seconded by Mr. Greenfield, to award the Resurfacing and Street Improvements 2013 Project to Pennsy Supply, Inc. located in Annville, Pennsylvania for the bid amount of \$214,399.60 per Mr. MacCombie's recommendation. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. MacCombie stated that a letter was received from Charles H. Higgins & Sons, Inc. dated August 8, 2013 listing problems discovered during their 2013 inspection. These problems have to be fixed in order to comply with Penn Dot permit requirements. A proposal was received from Higgins dated September 3, 2013 for repairs to Lincoln Highway, Aim Boulevard, & Independence way for a total of \$139.00 and Lincoln Highway & Old Wilmington Road for a total of \$706.00. The grand total would be \$845.00.

Ms. Silvernail made a motion, seconded by Ms. Horan, to award the repairs to the traffic lights at the intersections of Lincoln Highway, Aim Boulevard & Independence way and the intersection of Lincoln Highway & Old Wilmington Road to Charles H. Higgins & Sons in the amount of \$845.00 based on the quote dated September 3, 2013; with the stipulation that any additional fees must first be approved by the Board of Supervisors. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Ms. Silvernail asked Mr. MacCombie if his office would send a letter to Charles Higgins requiring the Township be made aware if any additional fees would be added on the final bill; which would need approval by the Board of Supervisors.

Township Solicitor Report: Mr. McClintock stated that the Township received a letter from Pennsylvania Department of Environmental Protection dated July 2, 2013 regarding approval of the County-Wide Act 167 Stormwater Management Plan for Chester County. A second letter dated July 12, 2013 from PDEP stated that each municipality within the area covered by the Storm Water Management Plan is required to adopt or amend and implement such ordinances, including zoning, subdivision and land development, building code, and erosion and sedimentation as are necessary to regulate development within the municipality in a manner consistent with the Storm Water Management Act. The deadline for enacting this ordinance is January 2, 2014. Chester County prepared and transmitted to the municipalities a model Stormwater Management Ordinance. Mr. McClintock stated that their office is working with Mr. MacCombie's office to comply with the ordinance. Mr. MacCombie and Mr. Pompo are working on other ordinances that need to be amended (Saldo, Zoning, Grading, etc.) and will have all information by next Board of Supervisors Meeting. It should be before the Planning Commission by November and back to the Board of Supervisors by December. The Ordinance must be adopted by January 2, 2014.

Mr. Richard Felice asked what would happen if the Township decided not to comply with this ordinance; as there certainly would be a fee on residents associated with this ordinance. Mr. McClintock stated that if the Township does not enact the Act 167 Stormwater Ordinance, funding could be withheld from the Township, such as Liquid Fuels.

Mr. McClintock reported that an agreement has been made on payments with a resident that came to the meeting last month with the threat of Sheriff Sale on her property.

Township Planning Commission Report: Mr. Greenfield reported that the Planning Commission met on Wednesday, August 14, 2013 at 7:00 p.m. Ms. Heineman called the meeting to order. Mr. Michael Gill, Esq. representing the developer of Sadsbury Commons

came before the Planning Commission with another revision of the proposed amendment to the Sadsbury Township Sign Ordinance. Mr. Gill stated that Lancaster General Hospital Medical Office Building will have a free standing sign on Route 30 and one on Route 10. In the future, there will be two more drive ways on Route 10 for which he would like to have a sign at each drive way. After much discussion, the Planning Commission motioned to recommend to the Board of Supervisors to accept the revision with no more than 3 signs fronting Route 10 and 2 signs no larger than 150 square feet. Mr. Glenn Bentley, of the Chester County Planning Commission will be attending the September meeting to hear comments there might be regarding the Chester County Planning Commission's review process. With no further business, the meeting was adjourned.

Township Zoning Report: Mr. MacCombie stated he had no report.

Keystone Valley Fire Company Report: Mr. Stackhouse reported that for the month of August, 2013, Keystone Valley Fire Company answered a total of 18 calls: fire 6, and rescue 12. The response by municipality was: Sadsbury Township 5, West Sadsbury Township 3, Highland Township 4, Parkesburg Borough 5, and other 1. The average personnel per call were 8. There was 9 hours of in house training with the average attendance of 36. Miles traveled were: fire units: 1,827 miles and \$2,414.27 in maintenance costs, and ambulance: 2,298 miles and \$14.00 in maintenance costs. The Keystone Valley EMS responded to 84 calls for the month of August: Parkesburg Borough 35, Sadsbury Township 21, West Sadsbury Township 15, highland Township 7, West Fallowfield Township, 2, Christiana Borough 2, and Sadsbury Township Lancaster County 2. Upcoming events: Iron Springs Horse Show – September 5&6, October 2, and Piston Poppers Motorcycle Races – September 8. Mr. Stackhouse stated he would like to bring to the Board's attention a big issue he has with multiple companies responding to Keystone Valley Fire Company calls. Mr. Stackhouse stated there is a reason for each Fire Company to have their own territories but there has been an increase in a company self-dispatching to calls. Mr. Stackhouse stated it is not Sadsburyville Fire Company. Mr. Reynolds from Sadsburyville Fire Company stated he is unaware of issues with self-dispatching as dispatching is done through the County. Ms. Silvernail asked Mr. Stackhouse to give her dates to have a public meeting to debate this point and cautioned everyone to make their point and to keep it civil. When dates are given, the meeting will be advertised.

Sadsburyville Fire Company Report: Mr. Reynolds reported that for the month of August there were 13 fire responses for: 3 motor vehicle accidents, 1 motorcycle accident, 1 smoke/odor investigation, 1 public service, 1 assist EMS, and 1 engine transfer. Responses were: Sadsbury Township North 9, Sadsbury Township South 0, Valley Township 3, and West Caln Township 1. There were 59 miles traveled and time in service was 5 hours and 36 minutes. There were 72 volunteer firefighters responding. The combined firefighter training hours were 84 and 103 combined personnel fundraising hours. The Sadsburyville Fire Company EMS responded to 22 calls for: medical 15, auto accident 3, emotional disorder 1, fall 1, assault 1, and 1 recall. Responses for: Sadsbury 17, West Caln 2, and Valley 3. The number of responders is 50 and miles traveled were 52.

Emergency Management Coordinator Report: Mr. Taylor reported he will have to wait a year to receive his County Training Certificate. Mr. Taylor reported the Road Crew assisted him with water issues on Route 10. Mr. Taylor stated that the Board has put in their budget for him to receive gas money, supplies, etc. and he would like to transfer that amount so that the Road Department could purchase rain gear. Ms. Silvernail stated it is in the Road Department's union contract that the Township will pay for the Road Department to purchase rain gear. Mr. Taylor stated he was under the impression they had none.

Chester County Airport Update: Mr. Roberts reported that a federal law suit was dismissed against the Airport Authority. The Authority voted to put more money in the budget for displays and the 2013 Fall Fling festivities. The August 19th National Aviation Day was a big success and they had to turn people away. The Authority voted "yes" for Ross Aviation to purchase the FBO.

Payment of Invoices:

Ms. Silvernail made a motion, seconded by Mr. Greenfield, to pay the August general fund invoices in the amount of \$87,174.40. 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 August sanitary sewer invoices in the amount of \$44,314.78. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

New Business:

Michael Gill, Esq. representing Sadsbury Commons, Lancaster General Hospital Medical Office Building, came before the Board of Supervisors asking the Board to authorize advertisement of the amendment to Sadsbury Township Sign Ordinance. Mr. Gill stated he went before the Planning Commission at their August 2013 meeting and the Planning Commission recommended that the Board of Supervisors accept the latest revision of the Ordinance. Mr. Gill stated that he told his client that if the Board of Supervisors authorized the ordinance to be advertised, it would be safe to order the signs. Mr. Gill asked that if the Board motions to advertise the ordinance, he would like to have a public hearing, at his client's expense in October to vote on the ordinance.

Ms. Silvernail made a motion, seconded by Ms. Horan, to authorize advertisement of an Ordinance amending the Sadsbury Township Zoning Ordinance, Ordinance No. 2010-04, as amended, specifically section 1406 to add a maximum sign size allowance in a Town Center Commercial Development; and section 1408 to add the allowance of certain wall signs in a Town Center Commercial Development. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mrs. Silvernail stated there have been recent drive failures in the 10 year old server that services the Township office. She stated this server needs to be replaced, as the office has been experiencing failures and the computers could crash at any time.

Ms. Silvernail made a motion, seconded by Mr. Greenfield, to purchase a new Dell T320 server at a cost not to exceed \$3,500, including installation, set-up, data transfer, etc. for the Township office. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Public Comment:

Mr. Richard Felice stated he wanted to talk about an unfunded mandate affecting all Pennsylvanians. Mr. Felice stated that Common Core will cost taxpayers \$650 million to implement. The government will control all education from Pre-K to college. All education standards will come from Washington D.C.

Mr. Weaver from Western Avenue asked if the Board has any information about the stretch of Western Avenue that leads to his property that needs repair. Mr. MacCombie stated that Mr. Weaver was to look at his deed to get the information on the property. If the road is abandoned, it would not be the Township's responsibility, but the responsibility of the property owner. Mr. MacCombie stated that if the road is not a public road, it may not be a private road. Mr. MacCombie suggested that Mr. Weaver contact an attorney to get his options about closing this right-of-way. Mr. McClintock told Mr. Weaver that if the easement is not in writing and not recorded it would be in his best interest to find an attorney. Ms. Silvernail advised Mr. Weaver to have the tenants call 911 for the dirt bikes on the property.

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