

## **Board of Supervisors Regular Meeting Tuesday, June 4, 2013**

The regular meeting of the Board of Supervisors of Sadsbury Township was conducted on June 4, 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 May, 2013 the Township Police patrolled 6,115 miles and handled 457 generated incidents for the month which included 18 calls answered by the Pennsylvania State Police. Township activities are reported as follows: 1 theft complaint, 1 burglary, 9 suspicious conditions & person complaints, 19 alarms, 13 domestics, 4 disturbances, 11 vehicle accidents, 6 assist to other Police Departments, 20 fire and ambulance assists, and 70 non-emergency service calls. During the month of May, 2013 Township Police conducted 6 criminal arrests, 1 aggravated assault, 1 simple assault, 2 DUI arrests, and 1 fleeing and leaving the scene of an accident. There were 6 non-traffic summary arrests for public drunkenness and disorderly conduct. During the month of May, 2013, the Township Police initiated 82 traffic stops which resulted in 66 traffic citations, 6 non-traffic citations, and 10 warnings issued either verbal or written. Commercial motor carrier inspector Officer John Smith conducted 15 motor carrier inspections during the month which resulted in multiple traffic safety violations issued. The Township Police conducted 218 residential, business, vacation, and property checks during the course of their tours of duty in an effort to maintain police presence and pro-activity. On May 28, 2013, Sadsbury Police received a check in the amount of \$2,000.00 from the Parkesburg Wal-Mart through a local community giving grant that Sergeant Imhoff applied for earlier in the year. Since January, 2013, Chief Ranck has reached out to the Township's local businesses in an effort to establish public relations between the police department and the local businesses, and as a result, a total of \$3,000.00 was donated to the Sadsbury Township Police Department to assist in upgrading their records management system. Sergeant Imhoff took part in a sobriety check-point hosted by Kennett Township Police in the area of RT 1 & RT 52 on May, 31, 2013. As a result, there were over 1200 contacts made with the public and 5 DUI arrests made between the hours of 10PM and 2AM.

**Township Engineer Report:** Mr. MacCombie reported the road repair to Compass Road approved by the Board of Supervisors at the May, 2013 meeting, will begin in a couple weeks.

Mr. MacCombie reported he had a meeting with Courtney Sarbaum and discovered there is no maintenance being done on the emergency generators. Mr. MacCombie stated it was his understanding that the Road Department was handling the maintenance. Mr. MacCombie stated that it is very important that maintenance on the emergency generators needs to be done.

Mr. MacCombie stated he will have a pre-construction meeting with Pennsylvania American Water Company at their office. They are building a small facility at the water tower on Washington Lane and they will need a grading permit.

Mr. MacCombie reported he has an Engineering Escrow release of funds to reimburse the Township for Sadsbury Commons-Phase 1B Lancaster General Hospital in the amount of \$101.25 for the Board's approval.

Ms. Silvernail made a motion, seconded by Mr. Greenfield, to approve an Engineering Escrow release of funds to reimburse the Township for Sadsbury Commons-Phase 1B Lancaster General Hospital in the amount of \$101.25 per Mr. MacCombie's recommendation. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. MacCombie reported he has an Engineering Escrow release of funds to reimburse the Township for Sadsbury Commons-Phase 1B Lancaster General Hospital Medical Office Building in the amount of \$122.50 for the Board's approval.

Ms. Silvernail made a motion, seconded by Mr. Greenfield, to approve an Engineering Escrow release of funds to reimburse the Township for Sadsbury Commons-Phase 1B Lancaster General Hospital Medical Office Building in the amount of \$122.50 per Mr. MacCombie's recommendation. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. MacCombie reported he has an Engineering Escrow release of funds to reimburse the Township for Sadsbury Arcadia Associates, L.P., Sadsbury Park-Phase 2A in the amount of \$42.50 for the Board's approval.

Ms. Silvernail made a motion, seconded by Mr. Greenfield, to approve an Engineering Escrow release of funds to reimburse the Township for Sadsbury Arcadia Associates, L.P., Sadsbury Park-Phase 2A in the amount of \$42.50 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 for the 4<sup>th</sup> time he is releasing funds to Sikorsky Helicopter for their escrow. The last time funds were released was December, 2012.

Mr. MacCombie stated he has an escrow release of funds from working account letter of credit certificate of completion, Construction Improvement Account for Keystone Ranger Holding (Sikorsky) in the amount of \$77,282.05 for the Board's approval.

Ms. Silvernail recused herself from the vote and turned this issue over to Vice Chairman, Ms. Horan.

Ms. Horan made a motion, seconded by Mr. Greenfield, to approve an escrow release from working account letter of credit certificate of completion, Construction Improvement Account for Keystone Ranger Holding (Sikorsky) in the amount of \$77,282.05 per Mr. MacCombie's recommendation. With there being no questions from the public, Ms. Horan and Mr. Greenfield voting "aye", and Ms. Silvernail abstaining, the motion passed.

Mr. MacCombie stated he has an escrow release of funds from certificate of release of funds from base account for Keystone Helicopter Land Development (Sikorsky) in the amount of \$66,392.62 for the Board's approval.

Ms. Horan made a motion, seconded by Mr. Greenfield, to approve an escrow release of funds from certificate of release of funds from base account for Keystone Helicopter Land Development (Sikorsky) in the amount of \$66,392.62 per Mr. MacCombie's recommendation. With there being no questions from the public, Ms. Horan and Mr. Greenfield voting "aye", and Ms. Silvernail abstaining, the motion passed.

Mr. Pompo requested that the minutes reflect the fact that this is the 4<sup>th</sup> release of funds for this project and they have not been taken to the bank for release. Ms. Sarbaum stated she will personally hand deliver the releases to Sikorsky.

Mr. MacCombie stated he would like to request that the Township purchase from the County Health Department a GIS mapping for sewage systems and failing sewage systems. The charge from the county is \$75.00 and the mapping is done in PDF form.

Ms. Silvernail made a motion, seconded by Mr. Greenfield, to allow Mr. MacCombie to purchase from the Chester County Health Department a GIS mapping for sewage systems and failing systems. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. MacCombie reported the Sadsbury Village Enhancement Project will be out to bid by February, 2014. The issue holding up the project is the handicap ramps.

**Township Solicitor Report:** Mr. Pompo stated the Board of Supervisors voted to enter into an Intergovernmental Agreement with PennDOT to be permitted to have electronic access to the Engineering and Construction Management System for the purpose of the Village Enhancement Project. Mr. Pompo stated he has received the agreement, and PennDOT is requiring that the Township implement security measures to insure that only authorized employees will have access to and enter data into the system.

Ms. Silvernail made a motion, seconded by Ms. Horan to sign the PennDOT Business Partnership Agreement as required for the Village Enhancement Project to have electronic access to the PennDOT Engineering and Construction Management System. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Pompo stated that an Ordinance authorizing entering into a cable franchise agreement with Comcast Cable has been duly advertised for adoption at tonight's meeting.

Ms. Silvernail made a motion, seconded by Mr. Greenfield, to adopt Ordinance 2013-03, an Ordinance of Sadsbury Township, Chester County, authorizing the entering in to a Cable Franchise Agreement granting a nonexclusive franchise to Comcast of Southeast Pennsylvania, LLC to construct, install, maintain, extend, and operate a cable communication system in Sadsbury Township. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Pompo stated that an Ordinance amending the Sadsbury Township Grading Ordinance has been duly advertised for adoption at tonight's meeting. Mr. Pompo stated the amendment concerns having an expiration date of 12 months added to the Ordinance.

Ms. Silvernail made a motion, seconded by Mr. Greenfield, to adopt Ordinance 2013-04, an Ordinance amending the Sadsbury Township Grading Ordinance to provide for a 12 month duration of Grading Permits. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

**Township Planning Commission Report:** Mr. Greenfield had no report as there was no business to be conducted and the meeting was cancelled.

**Township Zoning Report:** Mr. MacCombie stated he has received a letter from a resident requesting a by-right minor home occupation by right to sell guns out of his home. Mr. MacCombie stated the resident was in the audience and would like to address the Board on this matter. Anthony Schuibbeo, a resident of the Township, stated he has been in law enforcement for the past 15 years and he is applying for a no-impact home business to buy, sell, ship and receive firearms through standard mail. Mr. Schuibbeo stated he has been fingerprinted by the ATF. He will have no showroom and is not open to the public. Mr. Schuibbeo stated the Officers Store has limited hours that do not always fit into an officer's schedule, and ATF allows him to be open for business until 10:00 p.m. Mr. Schuibbeo stated that ATF requires him to have a safe but he will purchase a second one. The operation will be by appointment only and no ammunition will be sold. Ms. Silvernail asked if he received permission from the Homeowners Association and stated some neighbors might have some issues with this business. Mr. Schuibbeo stated there is nothing in the Homeowners Association document to deter this, but he wanted to come to the Board of Supervisors before he went to the Homeowners Association for approval. Mr. Schuibbeo stated that the area of 4 to 5

houses around him have no issues or concerns with this business. Mr. Pompo stated the Ordinance states there will be “no sale of retail goods.” Mr. Schuibbeo stated he would have a license to transfer and he would have to charge sales tax. There is a \$2.00 transfer fee included and a background check must be done before a gun can be transferred. Ms. Silvernail asked Mr. Schuibbeo to outline to Mr. MacCombie exactly what his plan of business is and the Board would like to look at that before a decision would be made.

Mr. MacCombie stated he has had a complaint in Quarry Ridge that a neighbor has built a basketball court in the back yard. Mr. MacCombie reported his office will look into this complaint.

**Keystone Valley Fire Company Report:** Brian Gathercole reported for the month of May, 2013, the Keystone Valley Fire Department answered 21 calls for: 5 Fires, 7 rescues, 5 ambulance assists, and 4 mutual aide calls. The response by municipality is as follows: Sadsbury Township 1, West Sadsbury Township 8, Highland Township 3, Parkesburg Borough 5, and other 4. Personnel responding totaled 186 with the average response per call being 9. Due to the consolidation, the ambulance response report is being developed.

**Sadsbury Fire Company Report:** Eric Brecht reported Sadsbury Fire Company had 11 fire responses for: 2 motor vehicle accidents with entrapment, 3 motor vehicle accidents with injuries, 1 assist EMS cardiac arrest, 2 house fires, 1 engine transfer, 1 building fire, and 1 automatic fire alarm. Assists to other departments are as follows: Sadsbury Township North 6, Sadsbury Township South 1, Parkesburg Borough 1, West Bradford Township 1, East Fallowfield Township 1, and West Caln Township 1. For the month of May, 2013, 65 miles were traveled with an average of 6.5 miles per call. Time in service was 13 hours and 38 minutes which averages 81.8 minutes per call. Volunteer firefighters responding for the month of May was 64 with an average of 6.4 per call. The combined firefighter training hours was 50 and there was 100 hours combined personnel fundraising hours. Debbie Supplee reported that the Sadsbury Fire Company QRS responded to 15 calls for: Station 8- 10 calls, Station 44- 2 calls, Ambulance 1-44- 4 calls, Ambulance 41- 4 calls, Medic 93- 11 calls, and Medic 46- 1 call. For the month of May, there were 11 medical calls for: 1 fall, 2 accidents, 1 assault, 8 Sadsbury, 4 West Caln, and 3 in Valley. There were 55 responders and time in service was 247 minutes and 33 miles were traveled.

**Emergency Management Coordinator Report:** Mr. Taylor has certificates to be placed in his file for High Frequency CPR, Epinephrine Auto Injector Pen, Burn Injury Assessment and treatment, and 2013 Bloodborne Pathogens. Mr. Taylor stated he has received his FEMA certificate for EMC and is training for advanced local certificate. Mr. Taylor stated he would like to have the Sadsbury Township Road Crew trained in CPR and AED. There have been a couple incidents where the road crew was first on the scene and they could provide certain levels of care prior to our first responders' arrival. Ms. Silvernail stated that a CPR class was given a few years back, and asked Mr. Taylor to try to put a CPR class together.

**Chester County Airport Update:** Mr. Roberts there is a company interested in buying the fixed base operations at the Chester County Airport.

**Payment of Invoices:**

Ms. Silvernail made a motion, seconded by Ms. Horan, to pay the May invoices in the amount of \$80,996.99. 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 May Sanitary Sewer invoices in the amount of \$83,330.86. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

**Tabled Business:**

The Board of Supervisors addressed the residents of Hoffman Avenue with their concerns about the construction of 115 townhouses in Valley Township in the Valley View Industrial Park. Resident’s complaints are that traffic in the Heights is out of control due to the Keystone Foods trucks driving through Pomeroy Heights and speeding on Washington Lane. Hoffman Avenue cannot handle all the additional traffic and it is dangerous for children and pets and is not wide enough for 2 cars. Some residents want to close off the road at the Sadsbury Township border. The residents’ have unanimously refused to have Sadsbury Township require the developer to make Hoffman Avenue a full access road and install sidewalks.

Mr. Pompo addressed some of the Hoffman Road residents’ concerns by stating that if Valley Township wants to open Hoffman to the Sadsbury Township border to 2 way access, they have the right to do this. Hoffman Avenue is a public road and Sadsbury Township cannot erect a barrier to close the road at the border. Mr. Pompo stated that Sadsbury Township would have full maintenance of Hoffman Road, Valley Township would have no responsibility at all to care for the road. Mr. MacCombie stated the issue is that Sadsbury Township asked for the development to have a cul-de-sac within Valley Township, and Valley Township denied this and wants full access to Hoffman Road.

A resident of Hoffman Avenue asked if the Township was under time restraints and Ms. Silvernail stated the project is in the Development process and yes, there is a time restraint. Mr. Pompo stated the residents need to have a dialog with the developer and Valley Township. Mr. Pompo asked the residents if they would be willing to attend a Valley Township Board of Supervisors meeting. Ms. Silvernail stated she would be willing to attend the meeting and encourages the residents of Hoffman Avenue to attend as there is always strength in numbers.

Mr. Pompo has written a draft letter to Valley Township asking for a compromise in restricting limited access to Hoffman Avenue. He is asking permission from the Board of Supervisors to send the letter. In the letter he writes, “As a compromise to not opening Hoffman Avenue at all, the Sadsbury Township engineer has re-introduced his past

proposal to open Hoffman Avenue to two way traffic only for the first two sets of eight townhouses, then one way into the development within Valley Township, with a cul-de-sac at the end of proposed road and a curbed pork chop median that would physically restrict through traffic from Valley View Business Park into Hoffman Avenue. This configuration would allow emergency access only in both directions. This is essentially the same design requested by the Township in the past, which was rejected by Valley Township during its conditional use approval of the project. We understand that the Applicant is willing to revise its preliminary plans to show these improvements, subject, of course, to your approval.”

The Board of Supervisors directed Mr. Pompo to change the letter to the original request of a partial cul-de-sac to a full cul-de-sac in Valley Township with emergency access only on Hoffman Avenue.

Ms. Silvernail made a motion, seconded by Mr. Greenfield, to allow Mr. Pompo to write a letter to the Board of Supervisors of Valley Township regarding the Valley View Business Park Lot 8 Preliminary Subdivision and Land Development Plan using Hoffman Avenue access with the change to the letter requesting a full cul-de-sac in Valley Township with emergency access only on Hoffman Avenue in Sadsbury Township. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

#### **New Business:**

Mr. Greenfield stated the Road Department has requested to purchase 6 new tires for the 2009 Ford Truck at state contract pricing (\$1,780.74 + \$100.94 for installation), service of the John Deere Backhoe (base cost \$763.79), and service of the 2007 Bandit wood chipper (base cost \$377.00).

Mr. Greenfield made a motion, seconded by Ms. Horan, to permit the Road Department to purchase 6 new tires for the 2009 Ford Truck at state contract pricing of \$1,780.74 with installation cost of \$100.94, service of the John Deere Backhoe at a base cost of \$763.79, and service of the 2007 Bandit wood chipper at a base cost of \$377.00. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Ms. Silvernail stated the Township has received a letter from the Chester County Tax Claim Bureau asking the Township to exonerate uncollectable property taxes on 3 demolished trailers in Sadsbury Township. Ms. Silvernail stated that this has been done in the past for demolished trailers.

Ms. Silvernail made a motion, seconded by Ms. Horan, to exonerate uncollectable property taxes on 3 demolished trailers in Sadsbury Township designated by the Chester County Tax Claim Bureau. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Ms. Silvernail reported that there is an opening on the Zoning Hearing Board due to the resignation of Reitzel Swaim. Anyone interested in volunteering to be on the Zoning Hearing Board should contact the Township.

Ms. Silvernail stated it is time to begin working on the budget for 2014. Ms. Silvernail asked Ms. Sarbaum to coordinate with the Township Accountant to see if he is available for the week of July 15<sup>th</sup> with the exception of the 17<sup>th</sup>.

Ms. Silvernail announced that the Chester County Solid Waste Authority will hold a household hazard waste collection event on Friday, June 21, 2013 from 9:00 a.m. to 3:00 p.m. at the Coatesville 9<sup>th</sup> -10<sup>th</sup> Grade Center located at 1425 East Lincoln Highway in Coatesville.

Ms. Silvernail announced that Sadsbury Fire Company will hold a Chicken Barbeque fundraiser at the Black Walnut Winery on Saturday, June 22, 2013 from 12:00 p.m. to 6:00 p.m.

**Public Comment:**

Mr. Pompo stated that Robert McClintock from his law firm is putting together a proposal for changing the Zoning Hearing Board escrow account to a flat fee payment. It has to be determined what can legally be charged to the escrow account to come up with a flat fee amount.

Mr. Taylor stated that The American Cancer Society is holding the 2013 Relay for Life at Octorara Intermediate School, 221 Highland Road, Atglen on June 21<sup>st</sup> – June 22<sup>nd</sup> beginning at 12:00 p.m. for 24 hours.

Mr. Greenfield stated he would like the Road Department Foreman to attend the Board of Supervisors meetings to give the Road Report.

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