

Board of Supervisors Regular Meeting Tuesday May 7, 2013

The regular meeting of the Board of Supervisors of Sadsbury Township was conducted on May 7, 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.

Ms. Silvernail announced the Board of Supervisors met in Executive Session at 6:30 p.m. before the meeting to discuss legal matters.

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 April, 2013, the Township Police patrolled 5,734 miles and handled 427 generated incidents for the month which includes 16 calls answered by the Pennsylvania State Police. Township Police activities are reported as follows: 4 theft complaints, 2 burglary, 17 suspicious conditions & person complaints, 9 alarms, 3 domestics, 6 disturbances, 13 vehicle accidents, 14 assist to other Police Departments, 14 fire and ambulance assists, and 43 non-emergency public service calls. During the month of April, Township Police conducted 84 traffic stops which resulted in 67 traffic citations. 13 non-traffic citations and 17 warnings were given, either verbal or written. The Township Police conducted 218 residential, business, vacation, and Township property checks during the course of their tours of duty in an effort to maintain police presence and pro-activity. Officer John Smith, a certified commercial vehicle inspector, conducted 7 motor carrier inspections during the month of April resulting in issuing multiple traffic safety violations. Sergeant Imhoff participated in the first DUI checkpoint of 2013, hosted in West Chester Borough by the Chester County DUI task force and resulted in 9 DUI arrests and over 600 police contacts made with motorists. Chief Ranck gave a presentation on safety issues and related topics, and answered many questions when he was invited to speak at the Sadsbury Village Homeowners Association at their meeting on April 30, 2013.

Township Engineer Report: Mr. MacCombie reported he has a letter of credit reduction of certificate of completion for Sadsbury Commons Phase-1B Lancaster General Hospital Medical Office Building in the amount of \$31,435.59 for the Board's approval.

Ms. Silvernail made a motion, seconded by Mr. Greenfield, to approve a letter of credit reduction of certificate of completion for Sadsbury Commons Phase-1B Lancaster General Hospital Medical Office Building in the amount of \$31,435.59 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 a letter of credit reduction of certificate of completion for Sadsbury Commons Phase 1-B Lancaster General Hospital Medical Office Building in the amount of \$33,065.40 for the Board's approval.

Ms. Silvernail made a motion, seconded by Ms. Horan, to approve a letter of credit reduction of certificate of completion for Sadsbury Commons Phase 1-B Lancaster General Hospital Medical Office Building in the amount of \$33,065.40 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 a letter of credit reduction of certificate of completion for Sadsbury Arcadia Associates L.P., Sadsbury Park Phase-2A in the amount of \$8,088.75 for the Board's approval.

Ms. Silvernail made a motion, seconded by Ms. Horan, to approve a letter of credit reduction of certificate of completion for Sadsbury Arcadia Associates L.P., Sadsbury Park Phase-2A in the amount of \$8,088.75 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 a letter of credit reduction of certificate of completion for Sadsbury Arcadia Associates, L.P., Sadsbury Park phase-4C in the amount of \$9,975.00 for the Board's approval.

Ms. Silvernail made a motion, seconded by Mr. Greenfield, to approve a letter of credit reduction of certificate of completion for Sadsbury Arcadia Associates, L.P., Sadsbury Park Phase-4C in the amount of \$9,975.00 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, Lancaster General Hospital Medical Office Building Phase-1B in the amount of \$148.12 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, Lancaster General Hospital Medical Office Building Phase-1B in the amount of \$148.12 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 Phase-1B in the amount of \$59.37 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 Phase-1B in the amount of \$59.37 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 Arcadia Associates, L.P., Sadsbury Park Phase-2A in the amount of \$569.37 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-2A in the amount of \$569.37 per Mr. MacCombie's recommendation. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. MacCombie reported that on April 30, 2013, Pennsylvania American Water Company applied to the Public Utilities Commission for an increase in rates of 11.6%. This would increase the average residential water bill an additional \$6.12 per month. Mr. MacCombie stated that according to the enactment of Act 11, PAWC is allowed to increase sewer rates along with the water rates. There are approximately 6,600 customers in PAWC's service area. Mr. MacCombie will look into the request for more information.

Mr. MacCombie reported he has received two proposals for the Compass Road repairs.

Burkholder Paving	\$19,200.00	
	Alt	\$ 4,425.00 Base repair
Dan Malloy Paving	\$ 7,425.00	
	Alt	\$ 3,475.00 Base repair

Mr. MacCombie stated that both these paving companies have done work in the Township and he suggested using Dan Malloy Paving not to exceed \$10,200.00.

Ms. Silvernail made a motion, seconded by Mr. Greenfield, to accept the proposal of Dan Malloy Paving to do the repairs to Compass Road per Mr. MacCombie's recommendation, with the condition the cost not exceed \$10,200.00. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. MacCombie reported that Commonwealth Engineers have contacted him with regard to their proposal to construct 115 townhomes with access to Hoffman Avenue. There will still be 9 units built on Hoffman Avenue. Mr. MacCombie stated that the attorney for Commonwealth Engineers is going back to Valley Township with this plan. Mr. MacCombie stated he is reviewing the documents.

Township Solicitor Report: Mr. Pompo reported that Sadsbury Township, West Caln Township and Lawrence Developers are in agreement on the agreement of conveyance of sewer from West Caln Township through Sadsbury Township to Pennsylvania American Water Treatment Plant. PAWC was not in agreement and wanted some minor changes made to the agreement as follows:

1. Domestic Waste – residential dwelling was changed to residential *type* dwelling with apartments being an example.
2. Once West Caln and the Development are connected to the Sadsbury system, no flow coming from such connections shall thereafter be disconnected from and then be diverted by PAWC from the point of connection unless by mutual agreement. This was changed to *unless West Caln Township officially revises its Act 537 Plan.*
3. The use of seven day charts to record the flow was changed to *data logger flow recording device.*
4. PAWC will be responsible to pay to Sadsbury Township PAWC's proportionate share of capital costs, including without limitation, engineering, legal and administrative costs, incurred by Sadsbury Township for capital upgrades and/or replacement of the commonly used wastewater facilities at such time in the future as such replacement shall be necessary. The sole exception being the capital cost necessary to correct an overload condition at the pump station if the Development is connected to the PAWC wastewater system at the time the capital cost is incurred. Deleted from the agreement: *but if the Development is not connected at the time, PAWC shall pay its proportionate share of the capital costs.*

Ms. Silvernail made a motion, seconded by Ms. Horan, to ratify and execute the Second Agreement for the Conveyance of Wastewater from West Caln Township through Sadsbury Township containing the comments from Pennsylvania American Water Company outlined by Mr. Pompo. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Pompo stated that Sadsbury Township never formally advertised the franchise agreement between Sadsbury Township and Comcast.

Ms. Silvernail made a motion, seconded by Ms. Horan, to have Mr. Pompo advertise an ordinance to enter into a Cable Franchise Agreement between Sadsbury Township and Comcast of Southeast Pennsylvania LLC to construct, install, maintain, extend, and operate a cable communications system in Sadsbury Township. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Pompo stated that the Sadsbury Township Grading Ordinance has no date of expiration. Mr. Pompo recommends that the permit should have an expiration date of one year.

Ms. Silvernail made a motion, seconded by Ms. Horan, for Mr. Pompo draft and advertise a Grading Ordinance Amendment adding a one year expiration date to the Ordinance. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Pompo stated that the Amtrak License Agreement was approved by the Board of Supervisors at the April 2, 2013 Supervisors Meeting and he will deliver the check to Amtrak.

Mr. Pompo stated D&S Developers have a permit for a proposed commercial development located on the north side of Valley Road near the intersection of Valley Road and Western Avenue. D&S received preliminary approval October 4, 2006 and Final approval on July 20, 2007 and all conditions were satisfied. The approval would have expired if it were not for the "Permit Extension Act". The expiration date due to the Permit Extension Act is set at July 2, 2016. Mr. Pompo stated one of the conditions of approval was for them to have a temporary on-site sewer system until completion of the Township sewer extension. Sewer is now available and Mr. Pompo stated he suggests a letter be written to D&S that they must connect to the sewer system. Mr. Pompo stated the Township has enacted a new Subdivision and Land Development Ordinance and a new Zoning Ordinance since the date of the conditional preliminary plan approval.

Township Planning Commission Report: Mr. Greenfield had no report as the meeting was cancelled.

Township Zoning Report: Mr. MacCombie stated a resident of Pomeroy wants to sell firearms out of his home and also over the internet. There is an application for an addition on a home on Old Mill Road and also a bakery out of a home on Old Mill Road. The National Guard wants to install a flag pole. Mr. Pawling on Octorara Road wants to put an addition on his home and needs to go to the Zoning Hearing Board. Sadsbury Self Storage Special Exception for a sign needs to be changed to a Variance.

Keystone Valley Fire Company Report: Mr. Taylor introduced Ray Stackhouse, the Fire Chief of the Keystone Valley Fire Department. Mr. Stackhouse stated next month he will be giving the report. Mr. Taylor reported for the month of April, 2013 there were a total of 17 calls for: 6 auto accidents, 1 smoke investigation, 2 assist EMS, 1 brush, 2 relocate, 1 trash/out house, 1wires, 1 automatic alarm, 1 house, and 1pedestrian struck. There were a total of 17 assists to other departments for: West Caln 1, West Sadsbury 5, Parkesburg 5, Sadsbury 2, Highland 2, Coatesville 1, and Avondale1.

Sadsbury Fire Company Report: No report

Emergency Management Coordinator Report: Mr. Taylor stated he has a correction to the minutes of the last meeting. Mr. Taylor stated he did not receive a certificate for the IS-00029 course, but is still working on achieving this certificate. Mr. Taylor stated he would like to thank the Road Crew for their assistance at a Bert Reel Park emergency.

Chester County Airport Update: No report.

Payment of Invoices:

Ms. Silvernail made a motion, seconded by Mr. Greenfield, to pay the April invoices in the amount of \$142,712.86. 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 April sanitary sewer invoices in the amount of \$60,335.77. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Tabled Business:

Mr. Michael Gill, representing Sadsbury Commons, LP on behalf of Lancaster General Hospital and Ann Marie Hall, representing Fast Signs of Lancaster, Pennsylvania, came before the Board to discuss the sign issue at Sadsbury Commons. Mr. Gill stated the existing Sadsbury Township Sign Ordinance does not adequately address the needs of the Medical Office Building. Mr. Gill stated that the previous decisions of the Board regarding the application of sign relief, has proven that the Board takes sign relief very seriously. Mr. Gill stated the Ordinance states a free standing sign can be 20 square feet, and a wall sign can be on any façade other than the front façade. Mr. Gill stated the front of the building faces Route 10 and there- in lies the problem. Mr. Gill stated he would like to have permission to begin dialog with Mr. Pompo to prepare a new Sign Ordinance and take it to the Planning Commission, if that would be the Board of Supervisors desire. Ms. Hall stated the signs are all internally lit and none are LED. Ms. Silvernail asked if when the rest of the development is being built, will anyone ask for larger signs? Mr. Gill stated when the rest of the property is built-out, the signs will be integrated into the development. Ms. Silvernail stated the Board will review the Sign Ordinance, and Mr. Gill can have talks with Mr. Pompo.

New Business:

Ms. Silvernail stated that the Police Department purchases a new vehicle every 2 years. The Department has a 2007 Crown Victoria and a 2008 Crown Victoria that need to be replaced. The funds for one vehicle have been budgeted for and the second vehicle would come from a loan from the Capital Reserve Fund which would be paid back at an interest rate of 3%. The purchase of the two vehicles would then bring the fleet up-to-date.

Ms. Silvernail made a motion, seconded by Mr. Greenfield, to transfer from the Capital Reserve \$34,100.00 to the General Fund for the purchase of a Police Department vehicle to be paid back at an interest rate of 3%. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Ms. Silvernail stated PennDOT and Sadsbury Township want to enter into an agreement where submittals to PennDOT can be made electronically for the purpose of the Village Enhancement Project.

Ms. Silvernail made a motion, seconded by Mr. Greenfield, for Sadsbury Township to enter into an intergovernmental agreement with PennDOT to authorize electronic access to the PennDOT systems as it relates to the Village Enhancement Project. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Ms. Silvernail stated an e-mail was received from the Home Owners Association for Sadsbury Village, wishing to use the Township building for their monthly meetings. The request was to have the meeting the second Tuesday of the month. Ms. Silvernail stated this would be a conflict as the Comprehensive Plan Committee meets on the second Tuesday of the month. Ms. Silvernail stated perhaps they could choose an alternate date.

Ms. Silvernail stated a request was made from a resident wishing to be exonerated for the payment of trash fees due to the fact that the Township deemed the property uninhabitable. Ms. Silvernail stated the trailer is still on the property, and is not exempt from the Township Ordinance. If the trailer is removed completely from the property, they would then not have to pay a trash bill on a vacant lot. After polling the Board, it was determined to deny the request.

Ms. Silvernail stated the Township has received 95 applications for the part-time clerk position as of this date. The posting of the position expires on May 11, 2013, and at that time interviews will begin to be scheduled.

Public Comment:

Earl Taylor made a comment that Valley Township is replacing manholes with covers that have a seal. A car ran over the manhole cover and broke it in half, then lost control and rolled the car.

Jackie Taylor asked at what length does the grass on a property have to be to in violation of the Ordinance? One property on North Street is getting ugly. Ms. Silvernail stated she will send the Codes Department to have a look. Ms. Taylor also asked if he could look at a tree in the property's front yard.

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