

Board of Supervisors Regular Meeting Tuesday, March 5, 2013

The regular meeting of the Board of Supervisors of Sadsbury Township was conducted on March 5, 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. McClintock, substituting for 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 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.

Township Police Report: Chief Ranck reported that for the month of February, 2013, The Township Police patrolled 5,720 miles and handled 465 calls for service for: 7 theft complaints, 20 suspicious conditions/persons complaints, 10 alarms, 4 domestics, 4 vehicle accidents, 7 assist to other departments, 14 fire and ambulance assists, 8 harassments, disorderly, public drunk, and 28 miscellaneous public service calls. Criminal arrests for the month of February, 2013 are as follows: 3 D.U.I's, 1 simple assault/harassment, 1 resisting arrest, possession of narcotics, 2 public drunkenness, 1 simple trespass, and 2 disorderly conducts. During the month of February, 2013, the Township Police issued 168 traffic citations, and 12 warnings were issued either written or verbally. The Township Police conducted a total of 257 residential, business, vacation, and Township property checks while on patrol throughout the course of the month for the purpose of maintaining police presence. The Township Police received their new ballistics vest in the month of February, 2013 and the grant was finalized and all documentation was forwarded over to the Bullet Proof Vest Program for the reimbursement of \$2,797.20. Sergeant Imhoff has submitted a grant application to the Walmart Foundation in the amount of \$2,500.00. If this is approved, the grant would go toward the cost of replacing the current records management system from Informant to Cody's records management system.

Township Engineer Report: Mr. MacCombie stated he has a letter of credit reduction certificate of completion for Cosmos Properties, L.P. - Cowan Estates in the amount of \$6,001.12 for the Board's approval.

Ms. Silvernail made a motion, seconded by Mr. Greenfield, to approve a letter of credit reduction certificate of completion for Cosmos Properties, L.P. - Cowan Estates in the amount of \$6,001.12 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 \$425.62 for the Board's approval.

Ms. Silvernail made motion, seconded by Ms. Horan, to approve an Engineering Escrow release of funds for Sadsbury Commons – Phase 1B in the amount of \$425.62 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 – Lancaster General Hospital Medical Office Building in the amount of \$269.37 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 – Lancaster General Hospital Medical Office Building in the amount of \$269.37 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 \$588.12 for the Board's approval.

Mrs. 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 \$588.12 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 the Western Sewer District includes Sadsbury Commons, Hershey Motors, Hershey Market, and residents in the area. Pennsylvania American Water Company will not sign the planning module without an amended agreement for the allotted EDU's.

Mr. MacCombie reported the grading permit for 2341 Lincoln Highway has been revoked. Mr. Hanaway was issued a Highway Occupancy Permit by Penn-Dot for a limited use driveway. Mr. MacCombie explained that a limited use driveway permit is for residential use of less than 25 trips a day and can be revoked by Penn-Dot if not adhered to. Mr. MacCombie stated that Mr. Hanaway's Engineer submitted an application for new grading permit. Ms. Silvernail asked if a time limit could be placed on grading permits as this issue has been going on for years. Mr. MacCombie stated that if a new permit is issued and the limits on the permit are not adhered to, the new permit will be revoked.

Mr. MacCombie stated that at the last meeting he was instructed to have his brother, Herb MacCombie, inspect two trees on Greenbelt Drive. Mr. Herb MacCombie's results were that the two trees on Township Park Lands need to come down. Ms. Silvernail

stated the Township will need to get prices on the removal of the two trees. Mr. McClintock stated that it does not have to go through the bidding process if the cost of the trees removal is under \$10,000.

Mr. McCombie stated he met with the owner of the Stottsville Hotel on the matter of reducing their EDU's from 13 to 3. The owner of the Stottsville Hotel has several concerns with the agreement Mr. Pompo prepared for the reduction of EDU's. Mr. McCombie recommends that the Township set up a meeting with the Supervisor's Chairman, Mr. MacCombie, and Mr. Pompo to discuss the concerns.

Mr. MacCombie reported that Dennis O'Neil from his office and Ms. Silvernail met with Penn-Dot concerning the Village Enhancement Project. Ms. Silvernail reported that they discussed the schedule for the construction to begin. There is an issue with the lighting plans and a check list needs to be done. The handicap ramps were an issue in the past. Ms. Silvernail stated the goal is to begin construction by next August.

Township Solicitor Report: Mr. McClintock reported that a letter dated March 1, 2013 from Amtrak, was received by the Township via Federal Express. Mr. McClintock explained that the Township is in an agreement with Amtrak for sewer lines through their property. The agreement expired on July 14, 2009. A new agreement must be executed in order for Sadsbury Township to continue occupancy of Amtrak's property. The fee for the continued agreement is \$8,450 which covers the period of July 15, 2009 to July 14, 2014. An administrative fee of \$500.00 is charged in addition to the occupancy fee. Mr. McClintock stated he recommends not signing the contract at this time and reach out to Amtrak to make a ten year contract.

Ms. Silvernail made a motion, seconded by Mr. Greenfield, to have Mr. McClintock and Mr. Pompo continue correspondence with Amtrak and negotiate the cost of a ten year lease agreement for the occupancy of Amtrak property easement for the Sadsbury Township Sanitary Sewer Line. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. McClintock stated a letter was received from Traffic Planning and Design, Inc. on February 22, 2013 concerning the request to prepare a proposal for updating the Sadsbury Township Transportation Capital Improvements Plan to include the proposed connector road at the intersection of Route 30 and Route 10. The developer for the Sadsbury Commons project has requested the update and is willing to pay for the revisions. Mr. McClintock summarized the letter by saying it has two ways to proceed.

1. To open the Plan and re-evaluate the connector road. If the Township does not want to take dedication, there would be a credit toward the Impact Fee.
2. Sadsbury Township can offer up to 100 percent of the impact fee if the development is considered to have an over-riding public interest.

Michael Gill, representing Sadsbury Commons stated that it was always understood that the Township could decide to take or decline dedication of the connector road. Mr. Gill stated he believes the road will benefit the public and have an impact on the

development and Routes 10 and 30. Ms. Silvernail stated that the connector road will at some point be a 2 lane road and will demand priority with the Road Crew in case of storm with no allowance for liquid fuels money. It would be an unfunded mandate to the Township to maintain the road. Ms. Silvernail stated that opening the Act 209 Impact Fees could be a disadvantage to the Township. Mr. Gill stated that it is not necessary for the Township to make a decision tonight, but the process should be played out as the Sadsbury Commons property is a unique property with unique needs. Mr. McClintock stated he will contact Traffic Planning and Design to try to get more information on the potential of impact fees. Ms. Silvernail stated the Board will look at the possibilities and continue the discussion at the next meeting.

Township Planning Commission Report: There were no agenda items for the February 13, 2013 meeting. Meeting was cancelled.

Sadsbury Township Zoning Report: Mr. MacCombie stated Ben Stoltzfus of Compass Road has applied for a grading permit and wants to install a pole barn. The signs at Sadsbury Self Storage are now in compliance with the Township Ordinance with the exception of the sign on the northeast corner. The sign is 6' from the ground and the ordinance states the sign shall be no lower than 8' from the ground and no higher than 20'. Their option is to apply to the Zoning Hearing Board.

Pomeroy Fire Company: Mr. Taylor reported that for the month of February 2013, there were a total of 12 calls for: 1 house, 1 fuel spill, 1 building, 2 relocate, 1 EMS assist, 1 brush, 2 automatic alarm, and 1 accident. There were a total of 12 assists to other departments for: West Fallowfield 1, West Sadsbury 1, Parkesburg 5, Sadsbury 2, Highland 2, and Coatesville 1. Time in service was 9 hours and 9 minutes and 61.91 man hours. Mr. Taylor reported the Keystone Valley Fire Department handled a consolidated call volume of 50 for: Pomeroy Ambulance 14, and Parkesburg Ambulance 36. The call types were: Medical 36, vehicle 4, fire 9, recalled/refusal 6, and lift assist 1. The total number of transports was 35.

Sadsbury Fire Company Report: no report

Sadsbury Township Emergency Coordinator Report: Mr. Taylor reported he is taking more training from the county and the county is also issuing radios to the emergency personnel. Mr. Taylor reported that he has an issue with parking of cars and plowing snow on Julie Drive as it is difficult and in an emergency, could be a public safety issue.

Chester County Airport Update: no report

Payment of Invoices

Ms. Silvernail made a motion, seconded by Mr. Greenfield, to pay the February invoices in the amount of \$75,724.39. 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 February sanitary sewer invoices in the amount of \$51,378.90. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Tabled Business

Mr. Andrew McGuire, representing the new owner of the Sadsbury Self Storage, Mark Windell; is requesting that the Board of Supervisors re-visit the idea of allowing truck leasing at the facility. Mr. McGuire stated the previous owner thought he had authorization, but the trucks had to be removed. Truck leasing is a big part of the self-storage business. Mr. McGuire stated truck leasing will be a benefit to the community and the impact will be minimal, as the trucks will be delivered to the self-storage facility when a request is made for leasing a truck. All the maintenance of the trucks will be done off sight. If the trucks are stored, it will be for a brief time on a back road and not visible from the highway. Ms. Horan stated she does not have a problem with idea, but does not want to change the Ordinance. Mr. McClintock stated the procedure might be to open up the Conditional Use and make modifications to allow for an additional use. Ms. Silvernail stated that two separate uses on one lot are not permitted according to the Ordinance. Retail use is not permitted in Industrial Zoning. Mr. McClintock stated that Mr. Pompo has been more involved with this issue. Ms. Silvernail stated she will discuss this issue with Mr. Pompo before going any further. Mr. McGuire will continue to discuss with Mr. Pompo to work out details.

Ms. Horan stated she has nothing new to discuss on the business of the Southern Chester County Babe Ruth League requesting use of the Bert Reel Park for the 2013 baseball season. Ms. Silvernail stated she has no problem with them using the field, the problem she has is how long they want to use it. Chief Ranck also uses the field for his ball team. Chief Ranck stated the two teams will work around each other. Ms. Horan stated a letter should go out to the Southern Chester County Babe Ruth League stating the Township would like them to co-ordinate dates with Jerry Ranck’s team and there will be no Sunday games.

New Business

Ms. Silvernail stated that it is time to renew the annual sodium chloride contract with the Department of General Services COSTARS program. Ms. Silvernail stated that last year the Township ordered 100 tons of salt and the average use per year is 97 tons.

Ms. Silvernail made a motion, seconded by Mr. Greenfield, to contract for an order of 100 ton delivery of sodium chloride from the Department of General Services COSTARS program for the August 2012 to July 2014 season. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Ms. Silvernail stated that she would like to hire Brian Gathercole to assist the Road Department with snow removal on a part-time temporary basis. This would give the Township two temporary employees to help the Road Crew during winter storms. Earl Taylor would still be a temporary employee.

Ms. Silvernail made a motion, seconded by Ms. Horan, to hire Brian Gathercole to assist the Road Crew with snow removal on a part-time temporary basis at a rate of \$19.00 per hour. With there being no questions from the public, and Mr. Greenfield abstaining, the motion passed.

Public Comment

Jesse Donovan asked the Board why his comments from the January re-organization meeting were not in the minutes. Ms. Silvernail stated that the meeting minutes are not word-for-word verbatim. Mr. McClintock stated that if he had a correction to the January minutes, it should have been done in February and not waited until March.

John Lymberis asked if there was any progress with Penn-Dot concerning the Village Enhancement Project. Mr. MacCombie stated there was not really any progress. The problem was with the handicap ramps which were changed four times.

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