

Board of Supervisors Regular Meeting, Wednesday, November 6, 2013

The regular meeting of the Board of Supervisors of Sadsbury Township was conducted on November 6, 2013 commencing at 7:05 PM. Chairwoman Stephanie Silvernail called the meeting to order. Present were Supervisors Mr. Greenfield and Ms. Horan, Mr. Pompo, Township Solicitor, Township Engineer/Zoning Officer, Mr. MacCombie, and members of the community.

Ms. Silvernail announced that the Board met prior to the meeting in Executive Session at 6:30 PM to discuss personnel matters.

A moment of silence and the 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 October, the Sadsbury Township Police Department patrolled 6,150 miles. There were a total of 271 incidents including 25 handled by the Pennsylvania State Police. Breakdown of calls is as follows: theft complaints 7, burglary 1, suspicious conditions/vehicles 12, residential and business alarms 15, domestics 8, disturbances 4, harassment 3, vehicle accidents 15, assists to other departments 13, assists to fire/ambulance 24, and non-emergency public service calls 72. Officers conducted 4 criminal arrests (1 assault with injuries, 1 drug arrest, 1DUI, and 1 disorderly conduct). Chief Ranck also advised the Board of Supervisors that as of October 8th the Cody records management system was fully operational. The Board was also informed that during the month of October, Sgt. Imhoff completed his POSIT training in Allentown receiving college credits and a certificate of completion which will be placed in his personnel file.

Sadsbury Township Road Department Report: In Mr. Simmons' absence, Ms. Silvernail read an abbreviated version of the Township Road Department's monthly report.

Emergency Management Coordinator Report: Mr. Taylor reported he completed IS-00036 Multihazard Planning for Childcare class on October 10, 2013 and that he has five more classes to complete.

Keystone Valley Fire Company Report: Mr. Gathercole reported that for the month of October, 2013, Keystone Valley Fire Company answered a total of 22 calls: fire 15, rescue 6 and fire police only 1. The response by municipality was: Sadsbury Township 6, West Sadsbury Township 7, Highland Township 1, Parkesburg Borough 5, and other 3. The average personnel per call were 9.5. There was 279 hours of in-house training with the average

attendance of 31. Miles traveled were: fire units 2,038 miles and \$2,971.87 in maintenance costs, and ambulance: 2,211 miles and \$0.00 in maintenance costs. The Keystone Valley EMS responded to 70 calls for the month of October. Breakdown is as follows: Parkesburg Borough 26, Sadsbury Township 25, West Sadsbury Township 10, Highland Township 4, West Fallowfield Township 3, Christiana Borough 1, and Atglen Borough 1.

Sadsburyville Fire Company Report: Mr. Grossman reported that for the month of October there were 10 fire responses for: 3 automatic fire alarms, 1 house fire, 1 brush fire, 2 motor vehicle accidents, 1 fire type unknown, 1 mobile home fire, and 1 engine transfer. Responses were: Sadsbury Township North 6, Sadsbury Township South 0, Valley Township 2, West Caln Township 1, and City of Coatesville 1. There were 42 miles traveled and time in service was 7 hours and 32 minutes. There were 63 volunteer firefighters responding. The combined firefighter training hours were 32 and 105 combined personnel fundraising hours.

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 \$758.75 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 \$758.75 per Mr. MacCombie's recommendation. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. MacCombie stated that he has an Engineering Escrow release of funds for Sadsbury Arcadia Associates, L.P. Sadsbury Park Phase 2A in the amount of \$129.37 for the Board's approval.

Ms. Silvernail made a motion, seconded by Mr. Greenfield, to approve an Engineering Escrow release of funds for Sadsbury Arcadia Associates, L.P. Sadsbury Park Phase 2A in the amount of \$129.37 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 all of the paving work on Compass Road, with the exception of some minor clean-up, is complete. In the process, enough money was saved to be able to pave Hilltop Drive instead of oil and chip. The work is in progress to repair the wall on Greenbelt. Mr. MacCombie reported that there was a bit of a struggle with the work crews and that one crew was actually kicked off the site.

Mr. MacCombie stated that he wanted to keep the Board apprised of an issue with the comminutor at the pump station. The motor, which was supposedly waterproof, was destroyed when the wet well flooded. It is still under warranty and will be roughly \$4,500 to repair. The manufacturer is asking for the Township to split the cost of the repairs. Mr. MacCombie said that he told the manufacturer "no" on the basis that the unit was supposed to be waterproof. He will update the Board as his conversations with the manufacturer continue.

Mr. MacCombie updated the Board on the status of the Sadsburyville Village Enhancement Project. Mr. MacCombie reported that Mr. Briggs (PennDOT) has been non-responsive to e-mail related to an upcoming meeting. He also addressed the Board inquiry regarding the appointment of a Project Inspector. For the Township to select someone other than PennDOT to be the Project Inspector, the Township must do a Request for Proposal (RFP). The RFP cannot be completed by the entity being considered, so Mr. MacCombie's office could not complete it. Mr. Pompo and Mr. MacCombie will investigate further. If PennDOT is selected, they will claim 15% of roughly \$69,000 as their fee and Mr. Briggs has made the alternate process sound arduous.

Mr. MacCombie stated Mr. Lymberis has submitted paperwork for Phase 2 of the Lafayette Square development. Construction access off Route 30 is part of this phase and requires the Township be responsible for operation and maintenance of the storm sewers and drainage pipes. There was a similar agreement for Sadsbury Commons and Mr. MacCombie inquired as to whether the Board would be o.k. with the same process for Lafayette Square. Mr. Pompo stated that with the Board's approval, he and Mr. MacCombie could work out the details of the agreement with the developer. Mr. Lymberis, the developer for Lafayette Square, said that the agreement would be fine with him with a few exceptions (i.e. the UPI number is incorrect) and unless there was a disagreement on any of the numbers.

Mr. Felice asked if the Village Enhancement Project discussed this evening was the same project that was discussed several years ago. Mr. MacCombie said that it was and explained some of the history of the project and the related grant.

Township Solicitor Report: Mr. Pompo advised the Board that the Act 167 Ordinance draft and the comment period with the Chester County Planning Commission has commenced. Mr. Pompo also stated that he had two other Ordinance issues to discuss with the Board. The first was the recently approved Sign Ordinance Amendment and the comments received from the Chester County Planning Commission. In their letter to the Township, they suggested clarification of Section 1406 D-3 (d) specifying that "a freestanding sign that may be visible from Route 30, but which does not front Route 30, would still be subject to the limitations in this subsection." They also advised that while the 2010 Ordinance did contain a definition of a Town Center Commercial Development, it does not appear to indicate where a Town Center Commercial Development is permitted.

Mr. Pompo stated that he was in agreement with the comments received from the Chester County Planning Commission and asked the Board if they wanted to incorporate the comments into another amendment. He also reminded the Board that the applicant agreed to pay for any costs associated with the Ordinance.

Ms. Silvernail made a motion, seconded by Mr. Greenfield to amend the Ordinance incorporating the recommendations from the Chester County Planning Commission. Mr. Felice asked if this relates to the Act 167 Storm Water Ordinance. Ms. Silvernail stated that it did not. With no further questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Pompo advised the Board that Chester County would be transitioning to a new emergency radio system and that in advance of that, the County has asked all municipalities to enact and/or update an Ordinance related to adequate emergency communications inside buildings. The new system will operate in both the 700 MHz and 800 MHz bands and have a new frequency range between 763 MHz and 861 MHz. The County, in its communication to all municipalities, provided a draft Ordinance. While it is not completely clear when the new system will be implemented, Mr. Pompo inquired as to whether or not the Board wanted him to review the County's draft and prepare a draft specific to Sadsbury Township.

Mr. Gathercole stated that the transition is and has been a work in progress for the County and that implementation is expected in the next year or two.

Ms. Silvernail made a motion, seconded by Mr. Greenfield to have Mr. Pompo prepare an amended draft of the County's document for the Board to review. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Township Planning Commission Report: Mr. Greenfield reported that the Planning Commission met on Wednesday, October 9, 2013 at 7:00 PM. Ms. Heineman called the meeting to order. The minutes from the previous meeting were approved with no corrections. Mr. Vic Kelly of All County Partners appeared before the Planning Commission concerning access to a development in Valley Township using Hoffman Avenue located in Sadsbury Township as the access road. Mr. Kelly has been back and forth between Valley Township and Sadsbury Township. He met with the residents of Hoffman Avenue to present a sketch plan for a 20' wide 55' deep "hammerhead" located at the Sadsbury Township border. Most of the residents in attendance were in favor of the hammerhead design. With no further business, the meeting was adjourned.

Township Zoning Report: Mr. MacCombie stated he only had a couple of items and the first was with respect to a resident request to operate a firearms business out of their home. The Board had asked the resident to outline their business plan and Mr. MacCombie stated that while communication was received from the resident, it did not address any of the Township's comments. A letter had been issued to the resident outlining the Board's numerous concerns, but the response did not contain answers to any of the most important questions. Ms. Silvernail stated that based on the information the Board currently had, the resident would, at the very least, have to apply for a special exception.

Mr. MacCombie also reported that he and David Biloan have been dealing with an issue regarding signage at the new Sadsbury Commons Medical Office Building. According to Mr. Pompo, this is a separate and exclusive issue from the recently passed sign Ordinance amendment, having more to do with the recorded subdivision plan and where the lot line ends. Applicant may need relief from the Zoning Hearing Board, but Mr. Pompo believes that it can be resolved. Mr. MacCombie said that he would be willing to go out to the site to identify a spot for the sign that would meet the code.

Chester County Airport Update: No Report

Payment of Invoices:

Ms. Silvernail made a motion, seconded by Mr. Greenfield, to pay the October General Fund invoices in the amount of \$158,196.85. 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 October Sanitary Sewer invoices in the amount of \$51,911.88. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

New Business:

Ms. Silvernail advised that the Township received the check for the annual PA Fireman’s Relief funds from the state in the amount of \$27,692.81. Each year, those funds are disbursed equally between the Township’s two (2) fire companies.

Ms. Silvernail made a motion, seconded by Ms. Horan, to authorize disbursement of the PA Fireman’s Relief funds to Sadsburyville and Keystone Valley fire companies. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Mrs. Silvernail stated the Township is in receipt of the 2014 Chester County SPCA contract. The Chester County SPCA, through the contract, provides Animal Protective Services and Stray Boarding Services to the Township’s residents. They will not accept stray animals from any municipality that has not entered into either a Full or Limited contract for their services.

Ms. Silvernail made a motion, seconded by Mr. Greenfield, to execute the 2014 Chester County SPCA contract in the amount of \$2,450.00. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Public Comment:

Mr. Lymberis inquired about a developers offer to install speed bumps through Pomeroy Heights. Mr. MacCombie stated that there is no formal proposal at this time and that the Board would have to discuss with the residents and make a decision when the time comes.

Mr. Richard Felice again asked the Board if it was too late to do anything about the Act 167 Storm Water Ordinance and whether or not the Township could elect to opt-out. Mr. MacCombie re-explained the process, requirements, and potentially adverse financial effects non-participation could have on the Township, including federal sanctions by the EPA under MS-4. Ms. Silvernail stated that there was no way to calculate the potential fines that could be in the hundreds of thousands of dollars.

Mr. Felice also wanted to complain about Sikorsky’s helicopter activity. Mr. MacCombie stated that both he and David Biloon have had numerous conversations with several people at Sikorsky. Mr. MacCombie said that they are not taking off from Sikorsky’s property, but from

the airport which puts them under the auspices of the FAA. Mr. Greenfield stated that Sikorsky's security shuts down the road in order to get the helicopters from Sikorsky to the airport. Mr. Pompo stated that under the code, the Board of Supervisors is the only entity that can close a Township road and that he believes that their heliport license was not renewed.

Mr. Silvernail stated that the original entity was Keystone Helicopter and that they were a family run business. Then Sikorsky came in – what happened to the terms of the agreements with Keystone as there was a Conditional Use Hearing for Keystone? Mr. Klingman stated that the helicopters are much larger now, with higher engine power, than what Keystone had been working on. Ms. Horan stated that originally Keystone stated that they would only be operating something like seven run-ups a month; obviously there is much more activity now.

Mr. Pompo and Mr. MacCombie said that they would look into the issue further and will get back to the Board.

With there being no further business, Ms. Silvernail made a motion, seconded by Mr. Greenfield, to adjourn the meeting at 8:35 PM. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Respectfully Submitted,

Courtney Sarbaum
Assistant Secretary