

Board of Supervisors Regular Meeting Tuesday, February 4, 2014

The regular meeting of the Board of Supervisors of Sadsbury Township was conducted on Tuesday, February 4, 2014 commencing at 7:00 PM. Chairwoman, Stephanie Silvernail, called the meeting to order. Present were Supervisors, Mr. Taylor and Mr. Greenfield, Mr. Pompo, Township Solicitor, Mr. MacCombie, Township Engineer/Zoning Officer, and members of the community.

Ms. Silvernail announced that the Board of Supervisors met in Executive Session on January 28, 2014 at 12:30 p.m. to discuss personnel matters and February 4, 2014 at 6:30 p.m. to discuss legal matters.

A moment of silence and Pledge of Allegiance were observed.

Ms. Silvernail made a motion, seconded by Mr. Taylor, 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 January, 2014, the Sadsbury Police Department patrolled 5,593 miles. There were a total of 192 incidents for the month for: 9-1-1 hang-up calls 2, hazmat accident 1, hit and run crash 1, vehicle crash with injuries 4, accident other type 2, property damage crash 5, serious accident 1, alarm fire 2, alarm police 15, assist ambulance 32, assist fire department 4, assist to other police department 7, unknown nature Ems call 3, bad checks 1, emotional disorder 1, burglary 1, civil dispute 1, child custody dispute 1, disorderly conduct 1, disturbance 4, domestic disturbance 6, DUI related crash 2, erratic driver 3, escort person or money 1, police department information 6, fraud (actual or attempted) 1, harassment 2, harassing phone calls 2, house check 1, key locked (vehicle, house etc.) 5, miscellaneous police nature 3, missing person 1, noise complaint 2, parking violation 1, phone assignment 28, repossession 3, report only 5, suspicious condition 7, suspicious vehicle 1, theft 4, theft from vehicle 3, traffic general hazards 6, traffic stop 8, and 8 well-being checks. There were 8 criminal arrests, during the month, 1 bench warrant, 1 aggravated assault, 2 thefts, 2 disorderly conduct/harassments, and 2 DUI's. Charges were filed this month by Sergeant Imhoff relating to 1 major theft case that was under investigation at the Witmer Public Safety Group that was in excess of \$23,000.

Ms. Silvernail stated that the FOP and the Township Labor Attorney has presented the Board with a Collective Bargaining Agreement for January 1, 2014 through December 31, 2016. Some of the contents include a 3% raise each year of the contract and some adjustment of the holiday and sick time, and inclusion in the Delaware Valley Health Insurance Group. Ms. Silvernail stated the Collective Bargaining Agreement between Sadsbury Township and Sadsbury Township Police Officers' Association will become a public document.

Ms. Silvernail made a motion, seconded by Mr. Greenfield, to ratify the Collective Agreement between Sadsbury Township and Sadsbury Township Police Officers' Association for a three year term. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Sadsbury Township Road Department Report: Due to the absence of Mr. Simmons, the Road Report was given by Mr. Taylor. Mr. Taylor reported that for the month of January, 2014 the Public Works Department responded to seven separate winter weather related events. Treatment of roads with de-icing agents and plowing operations were used in these events. Also for the month of January, the Public Works Department maintained all storm water drains as well as ditches, recorded sewer meter readings for the 4th quarter of 2013, and repaired pot holes on Sadsbury Road, Limestone, and Skiles Roads. Several street signs were replaced due to damage caused when struck by vehicles and Christmas trees were collected from residences throughout the Township. The equipment hours were 32 and vehicle miles traveled were 1,832.

Emergency Management Coordinator Report: Mr. Taylor reported he sent back a FEMA Certification he received as it did not have dates on it.

Keystone Valley Fire Department Report: Mr. Stackhouse reported that for the month of January, 2014, The Keystone Valley Fire Department responded to a total of 33 calls for: fire 8, rescue/medical assist 17, service call 6, and false alarm 2. The responses by municipality were East Fallowfield 1, Sadsbury Township 9, West Sadsbury Township 7, Highland Township 1, Parkesburg Borough 13, West Fallowfield 1, and West Caln 1. The average response by personnel by call was 9 and a total of 270 personnel for 164.75 combined response hours. The average response time per call was 6:52. Training consisted of 5 drills, 198 members attending for 378.5 training hours. The fire units traveled 1,165 miles using 197 gallons of fuel and \$1,847.91 in maintenance costs. The ambulance traveled 2,800 miles using 349.4 gallons of fuel and need \$0.00 in maintenance costs. Mr. Stackhouse reported that the Keystone Valley Fire Department EMS logged 116 calls for the month of January for: Sadsbury Township 43, Parkesburg Borough 40, West Sadsbury Township 14, Highland Township 8, Christiana Borough 5, Atglen Borough 2, West Caln Township 1, West Fallowfield Township 1, West Marlboro Township 1, and Sadsbury Township Lancaster County 1. The nature of the calls were as follows: treated/transported BLS 47, treated/transported ALS 36, no services required 15, patient refuse care 7, recalled on scene 4, lift assist-public assist 2, recalled enroute 1, treated and released 1, treated, transferred care 1, unfoundend 1, and dead on scene 1.

Sadsburyville Fire Company Report: Eric Brecht reported that for the month of January, 2014 there were 16 fire responses for: 2 automatic fire alarms, 2 house fires, 1 brush fire, 2 building fires, 3 motor vehicle accidents, 3 motor vehicle accidents with entrapment, 1 gas leak inside, 1 fuel spill, and 1 public service. Responses were Sadsbury Township North 11, Sadsbury Township South 1, East Fallowfield Township 1, West Caln Township 1, and West Sadsbury Township 2. There were 132 miles traveled with an average of 8.2 miles per call. Time in service was 9 hours and 11 minutes. There were 136 volunteer firefighters responding with an average of 8 firefighters per call. In District Sadsbury North the average response time

7.7 minutes. There was 100 gallons of water pumped with pump time 30 minutes. The combined firefighter training hours was 106 with 150 hours of combined personnel fundraising hours. The Hurst Hydraulic Rescue Tool was used 1 time.

Township Engineer Report: Mr. MacCombie reported he has an Engineering Escrow release of funds for Sadsbury Arcadia Associates, L.P. Sadsbury Park Phase 2A in the amount of \$138.12 for the Board's approval.

Ms. Silvernail made a motion, seconded by Mr. Greenfield, to approve an Engineering Escrow release of funds for Sadsbury Arcadia Associates, L.P. Sadsbury Park Phase 2A in the amount of \$138.12 per Mr. MacCombie's recommendation. With there being no question from the public, the Board voting "aye", the motion passed unanimously.

Mr. MacCombie reported he has an Engineering Escrow release of funds for Sadsbury Commons, LP, Sadsbury Commons Phase 1B – Lancaster General Hospital Medical Office Building in the amount of \$651.87 for the Board's approval.

Ms. Silvernail made a motion, seconded by Mr. Taylor, to approve an Engineering Escrow release of funds for Sadsbury Commons, LP, Sadsbury Commons Phase 1B – Lancaster General Hospital Medical Office Building in the amount of \$651.87 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 Communitor is in place at the pump station at no cost to the Township.

Mr. MacCombie stated that the representative from Sikorsky Helicopter who was scheduled to address the public's concerns will not be attending the meeting this evening, but will be here at the Board of Supervisor's meeting next month.

Mr. MacCombie stated he received a call from Mr. Lynn Hanaway to let him know he was dumping snow on his Shamrock Lane property. Mr. MacCombie informed him we do not have a snow dumping ordinance.

Mr. Richard Felice asked Mr. MacCombie who would be the representative from Sikorsky. Mr. MacCombie responded that Chuck DiLabbio and staff from his office will be here to discuss fly-over and noise issues. Mr. MacCombie assured Mr. Felice that he was not alone in his complaints about Sikorsky.

Township Solicitor Report: Mr. Pompo reported that PennDOT requires the Township to have a full-time construction inspection services consultant for the Sadsbury Village Enhancement project, and it requires this be done by resolution.

Ms. Silvernail made a motion, seconded by Mr. Greenfield, to adopt Resolution 2014-06 pertaining to the procurement of a full-time construction inspection services consultant for the

Sadsbury Village Enhancement project. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Mr. Pompo stated he received a letter dated January 27, 2014 from Indian Valley Appraisal Company concerning appraisals on three properties involved in the Sadsbury Township Village Enhancement Project. The cost of the appraisal would be \$1,500 per appraisal. The total amount of the assignment would be \$4,500. Mr. Pompo explained that Indian Valley Appraisal Company is approved by PenDot, and this is part of the process concerning appraisals for the three properties.

Ms. Silvernail made a motion, seconded by Mr. Taylor, to approve Indian Valley Appraisal Company to do appraisals on three properties involved in the Sadsbury Village Enhancement Project for a total cost of \$4,500, which would be \$1,500 for each appraisal. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Mr. Pompo stated an Ordinance to increase the sewer rate from \$12.00 per thousand gallons of water used to \$13.50 per thousand gallons has been advertised. Mr. MacCombie stated that Pennsylvania American Water Company was granted yearly rate increases from the PUC. The increases were stacked over a period of time, and as of now the rate is \$8.66 per 1,000 gallons. This charge will be in effect for the next 4 years. Mr. MacCombie continued that the Township Financial Consultant feels the increase in sewer rates is warranted because of accounts that are in arrears. The District Magistrate serving Sadsbury Township is willing to access fines on accounts in arrears to collect the bad debt that is due the Township. Ms. Silvernail stated that if we have an aggressive collection process, hopefully the budget can get to where it needs to be.

Ms. Silvernail made a motion, seconded by Mr. Greenfield, to adopt Ordinance 2014-01, an Ordinance pursuant to the Second Class Township Code, as amended, amending the Code of Ordinances of Sadsbury Township by amending Chapter 101, The Sadsbury Township Sewer Use Ordinance, by increasing the meter rate to \$13.50 per thousand gallons of water. 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 conducted a re-organizational meeting before the regular meeting. Jane Heineman was nominated and accepted the position of Chairman and John Lymberis was nominated and accepted the position of Vice Chairman. At the regular meeting, the Planning Commission members reviewed and commented on the 2013 Comprehensive Plan. The dates for the meetings for 2014 were announced for advertising. With no further business, the meeting was adjourned.

Township Zoning Report: Mr. MacCombie reported that he has had 12 complaints about a farm on Compass Road regarding removal of the manure from the manure storage pit creating a nuisance to the residents on compass Road. Forty truck-loads of manure were removed at night on the 9th of January, 2014. The resident of Compass Road complained that the road was damaged and trucks running off the road caused more damage off the road. Mr.

MacCombie stated that because of the complaint, it was discovered that the owner of the farm was receiving deliveries of soy meal products about twice a month during the winter months when the cows cannot graze. It was also discovered that the soy meal was being sold to other farmers. Mr. MacCombie stated that the farmer can use the soy meal, but he cannot sell it. He will send the farmer a letter and apprise him of the zoning regulations.

Chester County Airport Update: Mr. Roberts reported that the Authority meeting was postponed until next Tuesday. Construction at the Airport has stopped for the winter. Mr. Roberts stated the FAA has determined there are 3 tall tree obstructions in Sadsbury Township in the flight-path of the airport. The owners of the trees will be contacted and trees must be cut at owner's expense. The FAA is closing any runways that are impeded.

Payment of Invoices

Ms. Silvernail made a motion, seconded by Mr. Taylor, to pay the January general fund invoices in the amount of \$91,318.18. 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 January sanitary sewer invoices in the amount of \$12,875.79. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

New Business

Mr. Joseph Riper, John Cogan, and Joel Dellicarpini appeared before the Board to present a concept plan for a CVS on the Northwest Corner of PA Route 10 and US Route 30. The plan was prepared for Summit Realty Advisors. The plan shows a CVS store, a restaurant, and two retail uses. Mr. Dellicarpini stated the proposed property is owned by the Mast Family. Lot 1 would be used for the CVS store and the remaining lots will remain with the Mast Family. The plan is for the CVS store to be located on the corner of Route 10 and 30 and have a drive-thru and sixty three parking spaces. Mr. Dellicarpini stated that public water and sewer details are to be worked out. The access would be a right in and right out only on Route 30 and access on Route 10 with the WaWa. Mr. MacCombie stated that they might want to advise the Environmental Consultant to Sadsbury Commons about this development. Mr. MacCombie stated the Act 209 trip fee would apply to this development. Mr. MacCombie stated that this development is clearly not in Pennsylvania American service area. Mr. Pompo stated that Sadsbury Commons has been doing all the footwork to get public water and sewer to this area. Mr. Pompo advised Mr. Dellicarpini to co-ordinate with Sadsbury Commons Jeffrey Miller or Michael Gill. Mr. Lymberis stated that access on Route 10 going south is difficult with cars stacked. Mr. Taylor reported that this is a problematic area and it could turn into a nightmare. Chief Ranck stated that the WaWa has two access roads to Route 10. Mr. Dellicarpini stated a traffic study will be done. Mr. Riper stated that this is an informal plan and he is not looking for any action to be taken by the Board at this time.

Terry Muto came to the Board of Supervisors to present a lot line change for Lot 29A in the Bellaire Business Center. Ms. Silvernail stated the procedure would be to present the

proposed line change for the project to the Board of Supervisors and then it would proceed to the Planning Commission for a recommendation.

Ms. Silvernail stated that Maulo & Company has presented the Township with an audit engagement letter to perform the audit of December 31, 2013 financial statements and prepare an annual financial report. The fee for this service to the Township is \$12,550. Ms. Silvernail stated that Maulo & Company has been doing the audit for the Township for several years, and the fee of \$12,550 is a reduction of \$450.00 from last year's audit.

Ms. Silvernail made a motion, seconded by Mr. Greenfield, to accept the execution of audit engagement letter from Maulo & Company to audit 2013 financial statements and prepare the annual financial report for a fee of \$12,550. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Ms. Silvernail stated the Township will be joining the Delaware Valley Insurance Trust for health insurance for eligible employees. The Public Works Department had to have the authorization from their union to make the insurance change, and the Teamsters had to execute a Memorandum of Understanding.

Ms. Silvernail made a motion, seconded by Mr. Taylor, to accept the Memorandum of Understanding executed by Teamsters Local 312 authorizing change in the health care plan and making this document part of the Teamsters contract. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Pompo stated the Delaware Valley Trust is like entering into a municipal agreement and the Township would need to adopt an Ordinance to enter into an agreement with the Delaware Valley Trust. Mr. Pompo stated the minimum time is 7 days to advertise the Ordinance and the Township would need to schedule a special meeting to adopt the ordinance so that the insurance could be in effect.

Ms. Silvernail made a motion, seconded by Mr. Greenfield, for Mr. Pompo to advertise an Ordinance for Sadsbury Township to enter into an agreement with the Delaware Valley Trust for insurance coverage pursuant to the Pennsylvania Intergovernmental cooperation Law with a special meeting to be held Tuesday, February 18, 2014 at 7:30 PM. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Ms. Silvernail stated there has been a request by a resident to be exempted from paying trash fees for 2014 due to the demolition of a structure. After discussion, it was determined by the Board to waive no fees until back trash fees are paid to make the account current; then the Board will reconsider the request.

Mr. Taylor stated that the Governor of Pennsylvania issued a Proclamation of Disaster Emergency issued on February 3, 2014. Mr. Taylor advised during a Disaster Emergency, vehicles should stay off the roads as it creates plowing problems. If the Township should authorize to declare a State of Emergency, Mr. Taylor explained that it would allow the Township to hire outside help or other personnel to help plow without doing so in a meeting.

Ms. Silvernail stated that Bryan Gathercole and Ryan Barr, Township residents would be willing to help the Public Works Department when needed for temporary/seasonal help.

Ms. Silvernail stated that the Township is in need of an elected auditor with a four year term, and Chris Hershey has volunteered to assume that position.

Ms. Silvernail made a motion, seconded by Mr. Greenfield, to appoint Chris Hersey as an Elected Township Auditor for a 4 year term. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Ms. Silvernail stated Mr. Hershey will have a reorganizational meeting with the other Township Auditor, and at that time they will set the wages for a Supervisor's salary doing work as a Township employee.

Public Comment

Ms. Silvernail stated there is an opening on the Zoning Hearing Board. Anyone interested should let the Board know. Ms. Silvernail stated the Zoning Hearing Board receives \$25.00 per meeting.

Mr. Taylor stated a number of residents have invited them to have food and drinks while they were doing snow removal. Most people were nice and then you had some not so nice. Mr. Taylor wanted to thank residents for clearing fire hydrants during the winter storms.

Mr. Pompo stated he had a meeting with the representative of Sadsbury Commons concerning how to handle the Act 209 traffic impact fee without the Township accepting the connector road. The Board has agreed the least liability the better for the Township as a whole and the Board is firm that they will not accept the connector road at Sadsbury Commons to be a public road.

Mr. Richard Felice of Quarry Ridge stated the Road Department did a great job and he is requesting that all the cinders be picked up after the winter storms. Mr. Felice claims that the cinders build up and in the spring bike riders slide on them and someone could get hurt. Ms. Silvernail stated that the rains will wash some away, and added that a street sweeper and a person to operate it would cost the Township \$100,000 or more and to rent one would cost thousands with the insurance requested to rent it. Ms. Silvernail stated they will look at the situation in the spring.

Mr. Lymberis told Mr. Felice to have the Homeowners Association hire someone to remove the cinders.

Mr. Klingman stated that Octorara Glen has a spring clean-up and gets rid of their own cinders from the road.

Mr. Felice continued to ask questions about Sikorsky Helicopter. He stated when he moved into the Township in 2006, he knew there was an airport. Keystone Helicopter came into the Township and was a small company. Sikorsky took over Keystone with bigger helicopters with bigger motors. When the helicopters hover over his home, it makes him uncomfortable.

Mr. Greenfield stated that it bothers him also.

Ms. Horan asked what restrictions were placed on Keystone Helicopter that Sikorsky is not complying with?

Mr. Felice asked if it is true that when Sikorsky hopscoches over Washington Lane they close Washington Lane?

Ms. Horan asked do they come to the Township and ask to close Washington Lane? How do we get this to end?

Ms. Silvernail stated that Sikorsky representatives will be attending the March Supervisors meeting to answer all the questions that residents have.

Mr. Taylor stated to have all residents concerned about Sikorsky come to the next Board of Supervisors meeting.

A resident of Hoffman Avenue asked if Hoffman Avenue will be widened when the new development goes into Valley Township. Mr. MacCombie stated that Hoffman Avenue will not be widened in Sadsbury Township.

Mr. Roberts stated that the Chester County Airport has been operating since 1930 and for the last 15 years has been the second busiest non-commercial airport in the state.

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