

## **Board of Supervisors Regular Meeting, Tuesday, May 6, 2014**

The regular meeting of the Board of Supervisors of Sadsbury Township was conducted on Tuesday, May 6, 2014 commencing at 7:00 P.M. 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.

A moment of silence and Pledge of Allegiance were observed.

Ms. Silvernail announced the Board of Supervisors met in Executive Session on Thursday, April 10 at 2:00 P.M. to discuss personnel matters.

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.

Ms. Silvernail made a motion, seconded by Mr. Greenfield, to adjourn the regular business meeting to conduct a Conditional Use Hearing for the application of Benjamin S. Stoltzfus for a secondary farm business. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

The minutes for the Conditional Use Hearing will be taken by a Court Stenographer.

Ms. Silvernail made a motion, seconded by Mr. Greenfield, to resume the regular business meeting. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Pompo stated that the Board has 45 days to render a decision regarding Mr. Stoltzfus' application for a secondary farm business.

**Township Police Report:** Chief Ranck reported that during the month of April, the Township Police patrolled 4,083 miles and responded to 186 incidents for: 911 hang-up 2, fatal automobile crash 1, hit and run crash 2, vehicle crash with injuries 1, property damage crash 7, carbon monoxide alarm 1, alarm fire 1, alarm police 10, animal complaint 6, assist ambulance 28, assist fire department 1, assist to other Police Department 4, ATV complaint 1, burglary 1, credit card theft/fraud 1, criminal mischief/vandalism 4, disturbance 2, domestic disturbance 12, electrical fire inside 1, ENRADD DETAIL 2, erratic driver 2, escort person or money 3, Police Department information 3, harassing phone calls 1, keys locked (vehicle or house, etc.) 1, miscellaneous police nature 4, missing person 1, noise complaint 1, Township park check 1, parking violation 2, phone assignment 28, repossession 1, report only (NIP) 6,

stolen vehicle 1, suspicious condition 4, suspicious person 1, theft 4, vehicle pursuit 1, traffic general hazards 10, traffic detail 1, traffic stop 20, and warrant hit or service 1. Chief Ranck reported that Sgt. Imhoff is currently investigation a fatal motor vehicle accident that occurred on April 14, 2014. Charges of Involuntary Manslaughter, Homicide by motor vehicle while D.U.I., and other related charges are currently being filed. Officer Haldeman recently filed charges of Aggravated assault by motor vehicle while D.U.I. and other related charges earlier this month after he investigated a serious motor vehicle accident involving entrapment. Other arrests for the month of April were a Bench Warrant, Fugitive from Justice, accidents involving damage to unattended property, and possession of drug paraphernalia. Chief Rank stated the Township Police conducted 3 speed details in the area of the 2900 block of Lincoln Highway and the 2000 block of Valley Road in an effort to keep motorist travelling at safe speeds. As a result, there were 61 speeding violations issued.

**Township Public Works Report:** Mr. Taylor read the report for the month of April prepared by David Simmons, Public Works Foreman. For the month of April, the Public Works Department spent a majority of its time cleaning up from the February 5<sup>th</sup> ice storm. During the storm hundreds of tree limbs that broke and accumulated forced many roads in the Township to close. These were cut and placed off to the side of the road in an effort to keep the roads open. In April, these limbs were cut and chipped on Greenbelt Drive, Quarry Road, Hill Top Drive, Celeste Lane, Stove Pipe Hill Road and Sadsbury Road. Some cutting and chipping occurred on Compass. Roads to be done in the next few weeks are Old Mill Road, Skiles Road, and the rest of Compass Road. The ice storm also caused minor damage within Bert Reel Park. Several limbs came down over the walking trail and along the perimeter of the Park. One large limb came down and crushed the outfield fence. This limb was removed and the fence was repaired. Trees along the perimeter and across the walking trail have been cut and chipped. The walking trail has been groomed several times this month. Bert Reel Park and other Township properties have been prepared for mowing by picking up sticks, limbs and trash and by leveling out ruts left from vehicles and plows. A water line that runs from the main to the old meter pit that has had several leaks over the years was repaired by an outside company. Another leak was discovered in the “snack shack” or concession stand/bathrooms. Repair for this leak is now in progress. Several signs have been repaired or replaced; all storm drains have been opened and maintained. Sewer meter readings have been recorded for the first quarter. The Public Works Department picked up and delivered two loads of Diamond Tex to the baseball park at Sadsbury Park; assisting in spreading the Diamond Tex and dragging the field. The old warped wooden visitor side benches were replaced with new boards made of cedar to resist warping. On April 30, 2014, over 6” of heavy rain fell within a few hours and several Township roads experienced serious flooding conditions and had to be closed. The Public Works Department responded by coning off these areas and notifying the Police and County Officials of the closings. After the water subsided, all roads were re-opened immediately except Greenbelt Drive in the area of the Buck Run Creek. In this area part of the roadway, and shoulder had been washed away. Greenbelt was only closed for a few hours before opening to one lane then completely open a few days after the flood. An inspection of all roads in the Township was conducted after the

storm with no significant damage to report. Equipment hours were 43.2 and vehicle miles were 561.

**Emergency Management Coordinator Report:** Mr. Taylor reported that he has completed three classes from FEMA and received certificates for IS10-Animals in Disasters: Awareness and Preparedness, IS11- Animals in Disasters: Community Planning, and IS100 PW-Introduction to the Incident Command System for Public Works. Mr. Taylor reported the rain event on April 30, 2014 kept the county busy along with our Public Works Department with reporting and closing roads that were flooding. Mr. Taylor stated he was informed that roads that were flooded and were barricaded had the barricades removed. This is a situation that should not be tolerated, it puts the person who removed them and drives onto these roads at risk along with the first responders in jeopardy going in after them. Mr. Taylor stated he was advised by personnel from the County that there were about 60 water rescues during the last storm. Anyone moving barricades from roads should be dealt with accordingly. Mr. Taylor stated he did road checks and contacted the watch commander via radio and updated the Township road closures. Mr. Taylor reported the County Fire Marshall's Office received an anonymous letter regarding practices at CTDI regarding their fire safety practices along with some information about exits at the facility. The letter was sent back to the Township to be handled at this level. The Fire Chief reported to Mr. Taylor about what goes on during fire alarms at that location with their lack of evacuation during these alarms. Mr. Taylor stated he feels that with this latest letter it may serve as a need to have someone inform CTDI that letters are being written and proper evacuation policies need to be adhered to. Anyone who has family members with special needs, please register them on the County web site Special Needs Register.

**Keystone Valley Fire Company Report:** For the month of April, 2014, Keystone Valley Fire Company answered 36 calls for: Fire 17, rescue/medical assist 11, service 5, and false alarm 3. The response by Municipality was: Atglen Borough 1, East Fallowfield 1, Sadsbury Township 4, West Sadsbury Township 8, Highland Township 2, Coatesville City 3, Parkesburg Borough 7, Modena Borough 1, Lancaster County 1, South Coatesville Borough 1, West Caln Township 2, West Grove 2, and West Fallowfield 3. The average response by call by personnel is 12 with a total of 144 personnel for 243.02 combined response hours. Five minutes and thirty seconds is the average response time. There were 9 trainings in house with 159 members attending for 710 training hours. Two members graduated fire 1 class, Fire Police attended advanced fire police training at CCPSTC, water supply training with neighboring companies, and attended conduct and standards of coverage class in Montgomery County. The Piston Poppers begin in May. The Fire Units traveled 2,024 miles using 310.3 gallons of fuel and needing \$2,339.83 in maintenance costs. The ambulance traveled 2,766 miles using 283.2 gallons of fuel and needing \$2,811.99 in maintenance costs. The ambulance was out of service for 4 hours for maintenance/repairs, the Rescue was out of service for 48 hours for maintenance/repairs, and Engine 2 was out of service for 48 hours for maintenance/repairs. The Keystone Valley Fire Department EMS ran a total of 99 calls for the month of April for: treated, transported BLS 40, treated, transported ALS 27, patient refused care 16, no service required 13, recalled on

scene 2, and recalled en route 1. The location of calls: Parkesburg Borough 39, Sadsbury Township 23, West Sadsbury Township 19, Highland Township 7, Christiana Borough 4, West Fallowfield Township 1, Valley Township 1, South Coatesville Borough 1, and Salisbury Township, Lancaster County 1. Keystone Valley Fire Department gained another new EMT this past month, Tyler Devoe passed his National Registry Exam on April 18<sup>th</sup>. After a few months of searching, the Keystone Valley Fire Department Ambulance Spec. Committee recommended to the Board of Directors that the department purchase a 2013 Chevy G-4500 PL Custom ambulance from Spitler Vehicle Specialties, Montoursville, PA at a cost of \$166,672.00. This will increase the number of ambulances to two. The unit will be delivered in approximately 46-60 days.

**Sadsburyville Fire Company Report:** David Reynolds reported there were 19 responses for the month of April 2014 for: 3 automatic fire alarms, 5 house fires, 3 rapid intervention assignments, 2 motor vehicle accidents, 1 motor vehicle accident with entrapment, 3 engine transfers, 1 fill site, and 1 woods fire. The responses by Municipality were: Sadsbury Township North 6, Sadsbury Township South 0, West Caln Township 2, East Fallowfield Township 2, South Coatesville Borough 1, Wallace Township 1, Modena Borough 1, Valley Township 2, and Coatesville City 4. In District (Sadsbury North) average response time was 8 minutes. 9,000 gallons of water was pumped with a pump time of 1 hour and 30 minutes. There were 100 hours of combined firefighter training and 120 hours of combined personnel fundraising hours.

**Township Engineer Report:** Mr. MacCombie stated he has an Engineering Escrow release of funds for Sadsbury Commons LP, Sadsbury Commons-Phase 1B in the amount of \$183.75 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 LP, Sadsbury Commons-Phase 1B in the amount of \$183.75 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 an Engineering Escrow release of funds for Sadsbury Arcadia Associates, L.P., Sadsbury Park Phase 2A in the amount of \$568.12 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 \$568.12 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 attended a meeting on April 16, 2014 with a representative from Sikorsky Helicopter, Valley Township, and Chester County Airport regarding Washington Lane. D.L. Howe Associates showed a plan to construct a tunnel for Sikorsky to get to the Chester County Airport. The cost of the tunnel will be 3 million dollars and the amount raised for the project is zero. Mr. MacCombie stated that Ms. Proctor from Valley Township does not want Washington Lane to be closed during

construction. Mr. MacCombie stated that Terry Muto asked about the future expansion of the Chester County Airport. Mr. MacCombie stated he will be attending a meeting this Thursday at 1:30 concerning the expansion of the Airport. Mr. Greenfield asked Mr. MacCombie why does everyone know about the airport expansion but Sadsbury Township? Mr. MacCombie stated the Airport contacted a developer on how they can expand without spending airport money. The airport has a Master Plan approved with zero money. Mr. MacCombie stated that Sikorsky is booked for the next 3 years and wants to get the Washington Lane project done as soon as possible.

Mr. MacCombie reported that on April 30, 2014 five inches of rain fell in 4 hours causing the pump station in Pomeroy to pump 10 or 11 times more than the normal flow. The high-level alarm was set off in part from the Lincoln Crest Trailer Park overflow and damming of debris under the trestle bridge at the Buck Run. Mr. MacCombie stated the manholes adjacent to the Buck Run need to be looked into and he also reported the MS4 annual report is due June 9, 2014.

Mr. MacCombie reported that West Sadsbury Township would like to interconnect with Sadsbury Township Sewer resources. The Western Sewer District would have a pump station at Sadsbury Commons pumping to the Sadsbury Crossing Development. The question being that this is a private pump, how can it be public and used by West Sadsbury Township? Mr. MacCombie stated an idea would be to do away with the pump at Sadsbury Commons and put a pump at the new CVS, hoping Pennsylvania American Water Company would own and operate it and West Sadsbury Township to use it and that would make it a public pump. Mr. MacCombie stated that a pump station is very expensive to maintain.

**Township Solicitor Report:** Mr. Pompo reported that there is a resident in the Township who requests the Township to consider a settlement for trash liens for the year 2007 and 2009. Ms. Silvernail stated that she looked at the amount due and could see no leeway with the amount as the Township has already paid these fees and payment by the resident would reimburse the Township. Mr. Pompo stated that the original debt is \$1,100.00 and over the years with interest, fees and costs the total is \$9,741.00. Payments have been made by the residents but never enough to get caught up. Mr. Pompo stated there was an oral offer to pay \$3,000 to settle the debt and he advises that he does not recommend the Board accept this offer. It was brought to the attention of the Board that this same property has been billed for 2 units for as long as the Township has been billing for trash collection and it was discovered by accident that the property has 3 units. The discussion on how to handle the billing for trash collection on the 3<sup>rd</sup> unit will be tabled until next month.

Mr. Pompo stated Resolution 2014-07, is a Resolution adopting policy and procedure for consultant selection and recommendation of Qualifications Selection Committee for construction inspection services for the Village Enhancement Project and ranking of firms. Mr. Pompo stated that by resolution adopted in February, the Board of Supervisors resolved its intent to procure a full-time construction inspection services

consultant for the Sadsburyville Village Enhancement Project. In Accordance with PennDot, this must be done by resolution.

Ms. Silvernail made a motion, seconded by Mr. Greenfield, to adopt Resolution 2014-07, a Resolution adopting policy and procedure for consultant selection and recommendation of Qualification Selection Committee for construction inspection services for Village Enhancement Project and ranking of firms. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Pompo stated that by Resolution adopted February 4, 2014, the Board of Supervisors of Sadsbury Township resolved its intent to procure a full time construction inspection services consultant for the Sadsburyville village Enhancement Project. Mr. Pompo prepared a Request for Qualifications for Full-Time Construction Services for the Project which was reviewed by the DVRPC Consultant Project Manager prior to issuance on April 8, 2014. The Request for Qualifications was sent to five consultants qualified and able to provide the required services with a response date of April 22, 2014. Statements of Qualifications were received from the following four consultants: Carroll Engineering Corporation; Gilmore & Associates; Herbert E. MacCombie, Jr. Engineers, Inc.; and McCormick Taylor. On May 5, 2014, the Qualification Selection Committee consisting of Stephanie Silvernail, Chairman of the Board of Supervisors, Gerald T. Baker, P.E., the Township's traffic engineer with the firm of Traffic Planning and Design, Inc., and Vincent M. Pompo, the Township Solicitor with the firm of Lamb McErlane PC, met with a conference call to review the qualifications of the submitted consultants. The ranking of the consultants is as follows:

1. Herbert E. MacCombie, Jr. Engineers, Inc.
2. McCormick Taylor
3. Gilmore & Associates
4. Carroll Engineering Corporation

Mr. Lymberis asked if there was a construction date for the project? Mr. MccCombie stated the project will go out to bid by the end of this year or beginning of next year.

Ms. Silvernail made a motion, seconded by Mr. Taylor, to accept the recommendation of the Qualification Selection Committee for the ranking of firms for the construction inspection services for the Village Enhancement Project. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Pompo stated the Township adopted an Ordinance 2006-03 in March of 2006 for registering rental properties. Mr. Pompo stated this Ordinance needs to be enforced due to the fact some properties are rentals that the Township is not aware of. Mr. Pompo stated the Township needs to identify rental properties and suggested that a letter be sent to every residence in the Township with a form from Keystone Collections concerning the Earned Income Tax Residency Certification Form and to also put a notice on the web page that all tenants must turn in a Earned Income Tax Residency Certification Form for any tenant over 18 years of age.

**Township Planning Commission Report:** Mr. Greenfield reported there was no meeting in the month of April.

**Township Zoning Report:** Mr. MacCombie reported he has the following zoning permit requests: in-law suite on Octorara Road, Sheds on Wick Drive, Autumn Trail, Old Wilmington Road, and Everett Court. On Compass Road, there is a request to construct several barns. Mr. MacCombie stated that Mr. Walker on Stove Pipe Hill Road is once again storing cars on the property. Mr. Thompson from Lamb McErlane Law Firm and Mr. David Biloon from MacCombie's office took Mr. Walker to court in the past for violating the Zoning Ordinance and a judgment was placed against Mr. Walker. Mr. Thompson suggests the Township go directly back to the Judge concerning the current violation.

**Chester County Airport Update:** Mr. Roberts reported that the Authority met this afternoon. There is a 25-year plan to submit to PennDOT for the expansion of the Airport which is not approved nor funded.

### **Payment of Invoices**

Ms. Silvernail made a motion, seconded by Mr. Greenfield, to pay the April invoices in the amount of \$118,838.36. 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 Fund invoices in the amount of \$54,088.47. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

### **New Business:**

Mr. James Gable, Operations Superintendent of the Coatesville District Office of Pennsylvania American Water Company came before the Board to introduce himself. A pamphlet was given to the Board to explain some of what PA American is about and what they do. Mr. Gable stated there 2 public PUC hearings per year about the water rate increase. The first hearing was held in March with about 15 residents attending. The next meeting will be in September or October. Pennsylvania American Water Company has instituted a new billing system and Mr. Gable stated if there are any problems to call the office. Ms. Silvernail asked Mr. Gable if PAWC would hold Sadsbury Township responsible for perceived rate of lost of revenue if sewer service was shut off on a resident for non-payment of sewer bills. Mr. Gable stated that if the sewer is not being paid, either is the water. The Township could not be billed if no water is going through the pipes. Mr. Gable recommended the Township have a contract with sewer shut off. Mr. Pompo asked Mr. Gable to send him a form agreement for the contract to have sewer shut off in the contract.

Ms. Silvernail stated that at the meeting last month, there was a motion made and seconded that the Board accept a quote from R. Lowery Excavating, Inc. of Gap, PA to

repair the water line at Bert Reel Park not to exceed \$2,000. Ms. Silvernail stated a water meter pit had to be installed per Pennsylvania American specs with cost \$1,000. Once the job was finished, the total came to \$3,989.00.

Ms. Silvernail made a motion, seconded by Mr. Greenfield, to pay R. Lowry Excavating, Inc. of Gap, PA. the sum of \$3,989.00 for water service done at Bert Reel Park. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Ms. Silvernail stated that even though the concession stand and the bathrooms at Bert Reel Park were winterized, there is a water leak and proposals will be coming in to correct the situation.

Ms. Silvernail stated that there was a resident who complained to the County about another resident on Belvedere Avenue burning trash and leaves. The Chester County Health Department sent to the Township a copy of the letter that was written to the resident on Belvedere Ave. The letter states that Sadsbury Township does not have an ordinance against open burning so the Health Department rules and regulations apply. Mr. Taylor stated that residents burn mainly yard debris, but any time someone burns, the fire board should be called. Fires can get out of control resulting in brush fires, and house fires. Mr. Taylor stated there is not that big a problem in Sadsbury Township with burning. Mr. Pompo stated that if recycling is mandated, the Township must have a burn ordinance. Sadsbury Township does not have mandated recycling so in turn is not required to have a burn ordinance. Mr. Pompo stated the Township could have an ordinance dictating how to burn and not restrict burning. Mr. Lymberis suggested having a certain size lot to allow burning. Mr. Pompo stated that Homeowners Associations could prohibit burning within a development. Mr. Taylor stated he will talk to the firemen to see what their opinion would be.

### **Public Comment**

Mr. Taylor stated he has a paper from Ready Region about information hotlines.

211-health & human services	611-contact wireless provider
311-Philadelphia Only	711-hearing or speech disability
411-telephone information	811-call before you dig
511-travelers information	911-emergency

Mr. Taylor stated he would like to see this information put on the Township web page.

A resident thanked the fire departments and the Public Works Department, and all emergency personnel for keeping the Township open during the storms this winter.

Mr. Lymberis asked Mr. MacCombie what the length of the tunnel over Washington Lane would be? Mr. MacCombie reported the length would be 80 Feet.



Mr. Lymberis asked if the Western Sewer District covered the C2 Commercial District? Mr. MacCombie responded that some residents of Hershey Lane could connect if the need arose. It would cover Hershey Market and Tractor Supply.

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