

Board of Supervisors Regular Meeting August 4, 2015

A regular meeting of the Board of Supervisors was conducted on Tuesday, August 4, 2015 commencing at 7:00 p.m. Chairwoman, Ms. Silvernail called the meeting to order. Present were Supervisors Mr. Greenfield and Mr. Taylor, Township Solicitor, Mr. Pompo, Township Engineer/Zoning Officer, Mr. MacCombie, and members of the community.

Ms. Silvernail announced that the Board met in Executive Session on July 28, 2015 at 10:00 a.m. to discuss personnel matters.

The 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. Taylor, 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 during the month of July, there were 4,874 miles patrolled within the Township and 202 calls for service were handled by the police. Criminal arrests for the month which does not include any pending arrest are 1 DUI, and 2 disorderly conducts. The police department is investigating 3 burglaries that occurred during the month along with 1 attempted burglary. There were 2 ENRADD speed details conducted during the month which resulted in numerous traffic citations being issued. The Police Department has received their \$1,000.00 reimbursement grant from the Attorney Generals' Office for the purchase of 2 Alco-Sensors PBT's. The Police incidents for the month of July are as follows: 911 hang-up 1, hit & run crash 1, accident other type 1, property damage crash 6, alarm fire 1, alarm police 19, animal complaint 4, assist ambulance 29, assist fire department 1, assist to other police department 6, attempted burglary 1, DOA actual or possible 1, emotional disorder 1, burglary 3, car fire 1, criminal mischief/vandalism 2, child custody dispute 1, disturbance 3, domestic dispute 6, ENRADD Detail 2, erratic driver 7, for police information only 7, lost property 1, miscellaneous police nature 5, noise complaint 1, phone assignment 39, report only (NIP incident) 13, shots heard or shooting (no injuries) 1, suspicious condition 13, suspicious vehicle 1, theft 2, theft from vehicle 1, traffic general hazards 2, traffic stop 15, vacation check request 1, and 3 well-being checks. Chief Ranck urged residents to lock their car doors and house doors and windows, including cellar windows. There have been burglaries in the Township and Chief Ranck wants all residents to have their automobiles and homes secure.

Township Public Works Report: Mr. Taylor gave the Public Works report prepared by Mr. Simmons, the Public Works Foreman. For the month of July, the Public Works Department maintained the Township properties, right –a –ways, buildings, signs,

equipment, and our storm drain system. Weed and vegetation control was performed around all guide rails, bridges and signs for better visibility. Pot holes have been filled on Holstein Drive, Hershey Lane, Frederick Road and Andrew Drive. The Public Works Department met with Penn Dot officials to discuss improving visibility and traffic safety at Octorara Trail (Route 10 State Road) and Beacon Light Road (Township Road). The majority of the discussion was in regards to vehicles pulling off Beacon Light Road to Octorara Trail and how we could improve visibility especially looking south or to your left (the southeast corner). The findings of this meeting and action taken to improve visibility are as follows: Remove street sign from southeast corner and move to northeast corner, remove a private sign, communicate and work with property owner who resides on the southeast corner in intersection in regards to cutting low hanging tree limbs within the right-a-way and by communicating with utility companies to have pole removed in the immediate future. On the northeast corner of intersection as reported in last month's Public Works Report, a "stop sign ahead" sign was erected approximately 300' in advance of stop sign to improve awareness and prepare vehicular traffic to stop ahead. Sewer meter readings have been recorded for the second quarter. Equipment hours were 3.6 and vehicle miles were 684.

Emergency Management Coordinator Report: Mr. Taylor reported that Nathan Trotter has mounted their Knox Box and the key was placed in the box and it was locked this afternoon. Last evening (August 3, 2015), after numerous requests for assistance from residents, the Public Works Department and the fire companies (Keystone & Sadsbury) were able to stage a drill with the cooperation from a homeowner who has complained numerous times regarding cars parked in various positions within the cul-de-sac at the west end portion of Julie Drive. Some concerns were snow plowing, mail delivery, children darting in and out of the numerous cars parked there and most importantly access of emergency services. Our first attempt at performing this drill had to be cancelled due to fires keeping the fire companies busy. More complaints were received, so another fire drill was planned and executed. The plan was not to pick on any particular neighbor, but to educate the public by bringing to your door step what will transpire should an actual fire take place in that area of congestion. Sadsbury Public Works was invited for their input along with Sadsbury Township Police for security and input. Crews responded professionally after a briefing at KVFD central on our plan. Crews responded with the ladder truck and three engines which may be a small response if a fire would occur in the daytime hours. Crews responded in emergency mode once they were about a block away. Some of the residents were surprised, however; felt that was needed and the ones we spoke with asked questions and were respectful in understanding what was being accomplished. Mr. Taylor asked KVFD Chief Gathercole how he felt the operation went. Chief Gathercole filmed the whole operation and felt overall it was a good event.

Keystone Valley Fire Department: Chief Gathercole reported that for the month of July, the Keystone Valley Fire Department answered a total of 18 calls for: fire 8, rescue/medical assist 8 (5 accidents, 3 medical assist), and 2 false alarms. The response by Municipality was as follows: Sadsbury Township 3, West Sadsbury Township 3, Highland Township 3, Parkesburg Borough 7, and out of District 2. The

average personnel per call was 9 with a total of 153 personnel for combined response hours of 53.32. The average response time was 5:30 in-district and 6:00 out of district. There were 4 trainings, with 41 members attending for 419.50 hours combined training hours. The fire units traveled 1,438 miles and used 248.4 gallons of fuel. The ambulance traveled 3,285 miles and used 342.7 gallons of fuel. Keystone Valley Fire Department EMS Division answered 115 calls for: treated/transported BLS 36, treated/transported ALS 45, no services required 9, patient refusal 17, recalled enroute 5, lift assist-public assist 1, and 2 dead at scene. The municipal break-down is as follows: Parkesburg Borough 61, Sadsbury Township 25, West Sadsbury Township 14, Highland Township 11, Atglen Borough 2, Christiana Borough 1, and West Fallowfield Township 1.

Sadsburyville Fire Company Report: No report

Township Engineer Report: Mr. MacCombie reported the Stovepipe Hill project should be finished sometime next week. There are some issues that have arisen that can be resolved. Mr. Taylor stated that the drain on North Street sets up high and needs to be sealed better. Mr. MacCombie stated that Veterans Construction is asking for an extension to September 30, 2015 to finish the manhole project.

Ms. Silvernail made a motion, seconded by Mr. Greenfield, to allow Veterans Construction an extension to September 30, 2015 to complete the manhole project. 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 Certificate of Completion for 103 Independence Way, LLC, Morris Farm Lot 2, in the amount of \$65,227.10 for the Board's approval.

Ms. Silvernail made a motion, seconded by Mr. Greenfield, to approve a Letter of Credit Certificate of Completion for 103 Independence Way, LLC, Morris Farm Lot 2, in the amount of \$65,227.10 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 for 103 Independence Way, LLC, Lot #2 Morris Farm in the amount of \$1,249.99 for the Board's approval.

Ms. Silvernail made a motion, seconded by Mr. Greenfield, to approve an Engineering Escrow release for 103 Independence Way, LLC, Lot #2 Morris Farm in the amount of \$1,249.99 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 there has been a complaint about odors at the Township Pump Station. Jim Kelly from Pennsylvania American and Jeremiah MacCombie went to investigate and neither one feels the odor is coming from the Pump Station.

Scott Duffield from Aerzen came before the Board asking for temporary parking for 22 vehicles.

Ms. Silvernail recused herself from the discussion with Aerzen.

Mr. Duffield stated that in September 2014 Aerzen submitted a sketch plan to illustrate plans for an expansion that would include 62 new parking spaces and relocate the 76 parking spaces held in reserve in order to provide the optimal location of our addition while still retaining the required parking spaces. Since that time, Aerzen has been exploring the purchase of a neighboring property to allow for consolidation of some off-site operations. That purchase is not moving forward and the project that was envisioned in 2014 is now in Design Development with a construction manager. The “temporary parking” is actually “bridge parking” to accommodate recently hired employees that will be placed in the addition once it is complete. The parking should be temporary because the area where the 62 additional permanent parking space will be located is intended to be used for safe construction staging and access and are trying to avoid the waste associated with construction permanent parking that would be ripped out and redone as part of the expansion project. Mr. Duffield gave Mr. MacCombie a set of plans that were not included with the original letter of June 30, 2015. Mr. MacCombie feels that this triggers opening of the Conditional Use granted Aerzen for parking issues. Mr. Duffield stated there should not be a need for parking long-term. Mr. Pompo advised Mr. Duffield to file the appropriate forms to ask the Board of Supervisors for relief from their Conditional Use.

Township Solicitor Report: Mr. Pompo stated that Arcadia, the developer for Sadsbury Park agreed to construct a maintenance garage for the Township with a Letter of Credit in the amount of \$150,000 which has grown with interest to \$176,802. Mr. Pompo received communication from Arcadia that the Letter of Credit expires in September. Arcadia wants the Letter of Credit to expire and transfer the amount to the Township and fulfill their obligation to the Township for the garage. Mr. Greenfield asked if Arcadia should go into bankruptcy would it have an effect on the Letter of Credit. Mr. Pompo responded that would have no effect on the Letter of Credit. Mr. Pompo stated that this is simply a request by Arcadia, it is the Township’s decision. The Board has decided to let the Letter of Credit ride.

Mr. Pompo reported that Lincoln Crest Trailer Park served the Township with a lawsuit pertaining to a dispute over sewer fees. They are questioning meter readings resulting in substantial billings. A letter was sent by the Township for delinquencies and the owner had no dispute with the flat fee and paid that amount. Lincoln Crest then sued for incorrect billing so the Township could not place them in lien. Mr. Pompo stated he has been trying for months to sit and discuss meter issues with the owner of Lincoln Crest and have asked the owner for a Tolling Agreement until September 21, 2015, which allows the Township and the owner of Lincoln Crest to discuss the lawsuit.

Ms. Silvernail made a motion, seconded by Mr. Greenfield, to sign a Tolling Agreement between Sadsbury Township and Lincoln Crest to extend the time frame to close of business on September 21, 2015 for Sadsbury Township and Lincoln Crest to discuss the lawsuit. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Mr. Pompo stated Pennsylvania American came to the Township to see if there was any interest in selling them the sewer system. Mr. Pompo does not have good news on the update to the sale. There would be a penalty for prepayment of the Township's sewer debt note if paid off before schedule. The amount of the penalty would be \$335,000. Mr. Pompo stated the Board might want to give some consideration of the cost involved to selling the system and it very well could cost the Township to sell it. Does the Board want to go to more expense to explore options to sell? The Board agreed they do not want to waste any more money looking into the sale of the system.

Township Planning Commission Report: Mr. Greenfield reported the Planning Commission met on Wednesday, July 15, 2015 at 7:00 p.m. Ms. Heineman called the meeting to order. All were present with the exception of Mr. Yen and Mr. Greenfield. Dave Porter, from McCombie Engineering came before the Planning Commission to give a presentation on the Act 537 Plan Update. The Planning Commission did a brief review of the Parks and Recreation section of the SALDO. With no announcements or correspondence or public comment, the meeting was adjourned.

Township Zoning Report: Mr. MacCombie reported that Mr. Walker from Stove Pipe Hill Road is in the litigation process. Mr. MacCombie is waiting for a written response to the issues of noise and a pick-up truck on Compass Road. Someone has complained about another property at 1936 Valley Road with junk vehicles. Ms. Silvernail stated she received a memo from Louise Wennberg at the GIS/911 Center and she states the County recommends to have the road with the listed owner of Pomeroy Family Limited & Partnership changed to Zekes Lane with all the business in that area to have the address of Zekes Lane. Mr. Pompo stated the Township does approve street names so this is a project that can be done. Ms. Silvernail stated the Streets Ordinance will have to be advertised for amendment.

Chester County Airport Update: Mr. Roberts stated there was a meeting today with a 40 minute presentation on the future of the airport followed by 20 minutes of questions and answers.

Payment of Invoices

Ms. Silvernail made a motion, seconded by Mr. Taylor to pay the July General Fund invoices in the amount of \$101,691.16. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

Ms. Silvernail made a motion, seconded by Mr. Taylor, to pay the July Sanitary Sewer invoices in the amount of \$50,026.53. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

New Business

The date set for the initial budget meeting is Wednesday, August 12, at 9:00 a.m.

Ms. Silvernail made a motion, seconded by Mr. Taylor, to terminate the employment of Courtney Sarbaum with the Township. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Public Comment

Mr. Klingman wanted to know if there was an update for the Village Enhancement Project. Mr. MacCombie stated he is waiting for a letter from Penn Dot.

Vicky Horan wanted to know if there was any additional movement on a representative of Sikorsky coming to a Township meeting. Mr. Pompo stated he has e-mailed Mr. Dilabbio several times with no response.

Mr. MacCombie reported an update to the Tot Park. The equipment has been ordered and when it is delivered, it will be installed.

Mr. Greenfield stated the level of complaints about helicopters as gone down.

Steven Allgyer stated that Skiles Road is deteriorating with more water run-off and traffic on the road. Mr. Taylor stated they looked at Skiles Road on the Township road inspection and found that some of the water run-off is coming from West Caln Township. Mr. Allgyer wanted to know if there could be a temporary fix. Ms. Silvernail stated the Public Works Department will look at the road and it will be discussed at the budget meeting.

Mr. Allgyer wanted to know how to dispose of old paint cans. Mr. MacCombie told him to let the paint dry out if it is latex paint and dispose of the cans in the trash.

Joseph Duda wants to sell land in the Township that is now being rented to Don Cairnes for farming. 90% of this property is in Sadsbury Township with a church building located in West Caln. Another option Mr. Duda wants to look into is to have a cemetery on the land in Sadsbury Township and some in West Caln. Mr. MacCombie instructed Mr. Duda to hire a professional Engineer and Surveyor to explain to him what the procedures would be in both cases. In either case, Mr. Duda would have to appear before the Zoning Hearing Board.

Chief Gathercole thanked the Board for the meeting on July 28, 2015.

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