

## **Board of Supervisors Regular Meeting July 7, 2015**

A regular meeting of the Board of Supervisor was conducted on Tuesday, July 7, 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 June 17, 2015 at 9:00 a.m. to discuss legal and 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 June, there were 4,966 miles patrolled and 238 calls for service handled by the police. Criminal arrests for the month which does not include any pending arrest are as follows: indecent exposure, open lewdness, 2 terroristic threats. Theft, defrauding secured creditors, possession of controlled substances, possession of drug paraphernalia, harassment by communications, 3 summary harassments, 1 DUI, public intoxication, and disorderly conduct. Officers Ruscio and Moore both received their ballistics vest which used up the remaining allocations of the BVP grant funds for the fiscal year. Police incidents for the month of June are as follows: 911 hang-ups 1, cardiac respiratory arrest 1, accident involving entrapment 1, hit & run crash 1, vehicle crash with injuries 1, accident motorcycle 1, property damage crash 8, alarm carbon monoxide 1, alarm fire 2, alarm police 21, animal complaint 1, assault with injuries 1, assist ambulance 27, assist to other police department 2, alarm medical or EMS 1, DOA actual or possible 1, burglary 1, car fire 1, civil dispute 2, criminal mischief/vandalism 2, disturbance 3, domestic disturbance 7, drug/narcotic violation 1, ENRADD Detail 1, erratic driver 3, police information 12, gas leak inside 1, harassment 2, indecent exposure & related offences 1, keys locked 1, miscellaneous police nature 1, noise complaint 5, phone assignment 44, report only (NIP incident) 8, shots heard or shooting (no injuries) 1, smoke odor investigation 1, suspicious condition 4, suspicious person 2, theft 3, terroristic threats & related 1, vehicle pursuit 1, traffic general hazards 17, traffic stops 11, validations 20, warrant hit or service 4, well-being check 3, and 3 poles wires transformer fire. Chief Ranck reported that the Chester County Facilities and Parks Department used the electronic traffic sign at Nottingham County Park to support their Freedom Fest event held on July 4, 2015. The sign has been returned to the Township.

**Township Public Works Report:** Mr. Taylor gave the Public Works report prepared by Mr. Simmons, the Public Works Foreman. For the month of June, the Public Works Department maintained all Township owned properties, streets, right-a-ways, buildings, signs, equipment and our storm drain system. Vegetation and woody debris were removed from sections of road right-a-ways on Beacon Light Road, Old Mill Road, Octorara Road at Lincoln Highway, and Quarry Road. An above average number of traffic signs were damaged this month by unknown vehicle operators. Almost all the signs have been replaced or repaired. In an effort to improve safety at one of our most dangerous intersections, a stop sign ahead sign was erected approximately 300' prior to the intersection and stop sign on Beacon Light Road. Traffic signs within the Township have been evaluated and if warranted they were upgraded with high reflective faces. These faces meet PennDOT specifications for visual reflectivity. Due to several complaints in regards to illegally parked vehicles in the area of fire hydrants, the Public Works Department has begun to paint curbing yellow 15' either side of a hydrant. On June 23, 2015 a severe storm brought down electric lines and many trees and tree limbs. Several Township roads had to be closed temporarily until the trees could be removed. All roads were re-opened within a few hours after the end of the storm except Compass Road. Compass Road just south of Skiles Road had a tree come down involving electrical wires and was barricaded for safety until PECO responded. During the storm the Township lost power to all three of our traffic lights. The Public Works Department is responsible for setting up generators to power these lights and periodically check them to insure they are fueled and working properly. The equipment hours were 9.3 and the vehicle miles were 906. To contact the Public Works Department for any potholes or concerns or questions about signs, you can notify them at [Sadsburypublicworks@comcast.net](mailto:Sadsburypublicworks@comcast.net). Ms. Silvernail thanked the Public Works crew for helping find a lost dog from Quarry Ridge.

**Emergency Management Coordinator Report:** Mr. Taylor reported that on June 23, 2015 a severe storm moved through the area taking down trees and wires which resulted in knocking out power and other utilities for a few days in some portions of the Township. With reports coming in all throughout the county, it was decided to open the Emergency Operations Center at the Township building. Chester County Emergency Services switched operations to "Priority Radio" and put a watch officer in their watch desk to coordinate with the county and Township Emergency Management Coordinators with reporting road and partial closure and damage assessments. Mr. Taylor set up in the conference room and logged onto the Knowledge Center Website. Sadsbury Public Works were advised that we had trees down and some roads were closed. They responded and had to make their way to the building changing their route of travel several times due to trees in the roadways. The Township building was operating on generator power with a number of people showing up for a scheduled Zoning Hearing. They were advised that there were about 49 roads closed or partially closed. Within 30 minutes to 45 minutes, the phones and internet in the Township building was lost. Mr. Taylor was able to contact the watch officer via the EMC radio channel and advised them that he had to shut down due to no utilities other than electric. All efforts were then concentrated on opening Township roads with the main blockage being on Old Wilmington in the area of Stove Pipe Hill Road, which was

completely blocked. The Public Works and KVFD personnel cut up the tree and moved it. Penn DOT was not around, possible inundated with calls. Crews moved to Morris Lane, which was completely blocked. With the help of the Public Works Department and Supervisor Greenfield, we were able to open Morris Lane. A call was received from West Sadsbury Township requesting assistance in placing cones in the area of Route 10 with a tree down. Public Works responded to assist. Earlier in the week spoke briefly with Highland Township EMC with ongoing efforts to possibly consolidate resources for regional Emergency Management/Fire Marshall with the four municipalities. They are already helping each other in some instances to benefit the citizens of these areas.

**Keystone Valley Fire Department:** Mr. Gathercole reported that for the month of June, the Keystone Valley Fire Department answered a total of 27 calls for: Fire 8, rescue/medical assist 8, fire police only 5, and 6 false alarms. The response by municipality was as follows: Sadsbury Township 7, West Sadsbury Township 7, Highland Township 5, Parkesburg Borough 7, and 1 Out of District. The average personnel per call was 8 with a total of 215 personnel for combined response hours 139.98. The average response time was 5:40 in-district and 6:00 Out of District. There were 6 trainings with 96 members attending for 54.0 hours combined training hours. The fire units traveled 1,161 miles using 248.9 gallons of fuel and the ambulance traveled 2,783 miles using 271.5 gallons of fuel. Keystone Valley Fire Department EMS Division answered 107 calls for: treated/transported BLS 30, treated/transported ALS 37, no service required 15, patient refusal 12, recalled enroute 3, recalled on-scene 7, lift assist 1, unfounded 1, and 1 dead at scene. The municipal breakdown is as follows: Parkesburg Borough 44, Sadsbury Township 30, West Sadsbury Township 18, Highland Township 5, Atglen Borough 4, Christiana Borough 3, Valley Township 2, and 1 in Salisbury Township, Lancaster County.

**Sadsburyville Fire Company Report:** Mr. Grossman reported that Sadsburyville Fire Company responded to 17 calls for: automatic fire alarms 4, engine transfer 1, public service 1, wires fire 2, gas leak 1, smoke/odor investigation 1, assist EMS 2, motor vehicle accidents 4, and 1 motorcycle accident. The location break-down is as follows; Sadsbury Township North 12, Sadsbury Township South 0, West Caln Township 1, Valley Township 2, Caln Township 1, and Parkesburg Borough 1. The time in service was 8 hours and 10 minutes with an average of 28.8 minutes per call. The miles traveled was 78 with an average of 4.5 miles per call. There were 112 volunteer firefighters responding for an average of 7 per call. The Hurst Hydraulic Rescue tool was used one time. 1000 gallons of water and 150' of 1-3/4" attack hose was utilized. The combined firefighter training hours was 143 and there were 135 combined personnel fundraising hours.

**Township Engineer Report:** Mr. MacCombie reported that the Sadsbury Township Village Enhancement Project plans are at Penn DOT awaiting approval. They are waiting for two letters from the Township concerning the Inspector Submittal and the Construction Office. These letters must be on Sadsbury Township letterhead.

Ms. Silvernail made a motion, seconded by Mr. Greenfield, to sign the prepared letters to Mr. Joe Banks of the Delaware Valley Regional Planning Commission for the Construction office and the Inspector Submittal. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Mr. MacCombie stated that the paving going on Lincoln Highway at the present time has nothing to do with the Village Enhancement Project.

Jamie MacCombie’s office will help Mr. DiLabbio with the construction of the Tot Park in Bert Reel Park at no cost. He would ask the Board if they would waive the permit fees for the project.

Ms. Silvernail made a motion, seconded by Mr. Greenfield, to waive the grading fees for the DiLabbio Project to build a Tot Park in Bert Reel Park. With there being no questions from the public, the Board voting, “aye”, the motion passed unanimously.

Mr. MacCombie reported that there is a Declaration of Restrictive Covenant that needs to be signed by the Chairman of the Board of Supervisors and the Secretary concerning Mr. Mumford’s addition to his home. The building plans for the addition on Mr. Mumford’s property could be used to create a second dwelling on the property; which is a violation of the Township’s Zoning Ordinance. The Declaration of Restrictive Covenant is a document stating that Mr. Mumford agrees that the dwelling on the property shall remain as and be occupied solely as a single-family dwelling. The terms of the Declaration shall run with the property, and shall be binding upon Declarant’s heirs, successors, grantees and assigns to the Property. Ms. Silvernail stated that the Building Plans need to be approved by the Building Codes Inspector before a grading permit can be issued.

**Township Solicitors Report:** Mr. Pompo reported that the Township received an updated PIRMA Intergovernmental Contract for risk management insurance. The current version has been in effect since 1966 and the PIRMA Board feels it should be updated. The PIRMA Board of Directors requests that a new version be signed and returned to Whiteford Insurance Co.

Ms. Silvernail made a motion, seconded by Mr. Greenfield, to execute the January 2015 revised Intergovernmental Contract for Pennsylvania Intergovernmental Risk Management Association. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Mr. Pompo stated that he has been in discussions with the Board concerning the sale of the Sewer System to Pennsylvania American Water Company. There are some options to investigate, such as the assets of the system; to retain or sell. Think about current situation with debt and collection issues versus administration cost and risk of selling the system and losing control over rates. It needs to be considered what is in the best interest for the Township by not just talking to one entity; but see if another is interested in the purchase. There is the question of what to do with the proceeds of the sale of the

system. Mr. Pompo stated he would recommend that the Township discuss the creation of a committee comprised of elected officials, and users of the system, both residential and non-residential. Mr. Taylor stated that in the future the Township could be faced with an aging system too expensive to maintain. Ms. Silvernail stated she feels an evaluation committee is a good idea. . Mr. Pompo stated that there is a push by investor owned utilities to expand ownership of sewer systems. Pennsylvania American approached the Township and asked if they were interested in selling their system. Mr. Pompo reported that Penn Township sold their system to Aqua. Mr. Jesse from Sadsbury Park asked who would evaluate the aging of the sewer system. Mr. Pompo stated that the Township Accountant and the Township Engineer are fairly savy in evaluating the system. Ms. Silvernail stated if the Township thought it was worth “x” amount and they only offered “y” amount, that would be a deal breaker. Mr. Pompo stated to ask at public meetings and advertise on web page to see who would be interested on being on the committee. Mr. Pompo stated the owner of the Lincoln Crest Trailer Park is disputing the amount of the outstanding sewer charge obtained from readings of their sewer meter. They have filed a lawsuit against the Township, but Mr. Pompo stated he has not seen any paperwork. Mr. Pompo would like to set up a meeting with Mr. MacCombie, Township Engineer and the Engineer from Lincoln Crest to get to the bottom of the problem. Mr. Pompo stated he received a letter from Michael Gill, who represents Sadsbury Commons asking for revised Conditional Use proceedings for the proposed shopping center. They will be going before the Planning Commission at their July meeting.

**Township Planning Commission Report:** Mr. Greenfield reported there was no meeting held in June.

**Township Zoning Report:** Mr. MacCombie reported that Dave Porter from his office will be coming before the Planning Commission in July to report on the 537 Plan for the Township. Mr. Bilon processed 4 fence permits, fireworks sales, shed, and a fence complaint on Belvedere Avenue. The noise issue with the trash truck complaint has been resolved. Mr. MacCombie stated he met with the owner at 106 Compass Road concerning a noise complaint. A towing business parks a tow truck on the property. This creates a lot of noise. Auto repairs and other repair work is being done in the shed which has no permit for electric. The issue is not resolved as of yet. Mr. Walker apparently is moving toward court. Ten to twelve vehicles have been moved and the rest have been tagged. Four vehicles are not permitted and still on property. The Board has authorized Mr. McCombie to take legal action against Mr. Walker.

**Chester County Airport Update:** No report.

**Payment of Invoices:**

Ms. Silvernail made a motion, seconded by Mr. Taylor, to pay the June General Fund invoices in the amount of \$106,788.95. 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 June Sanitary Sewer Fund invoices in the amount of \$53,922.57. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

### **New Business:**

Vic Kelly, representing Morris Farm Lot 2, for Greg Vietri came before the Board seeking final land development approval and approval of Land Development agreements, including Developer agreement, Financial Security Agreement, landscape restrictive covenant, and Stormwater Management Facilities Maintenance Agreement. Mr. Pompo stated Mr. Vietri has a clean letter from Jamie MacCombie for his project. Mr. Pompo has recommendations for approval: payment of Act 209 Impact fees, payment of Open sign Land Development Agreement, and pay financial security within 30 days.

Ms. Silvernail made a motion, seconded by Mr. Greenfield, to approve final land development of Morris Farm, Lot 2 for Greg Vietri and approval of Land Development Agreements, Including Developer Agreement, Financial Security Agreement, Landscape Restrictive Covenant, and Stormwater Management Facilities Maintenance Agreement and contingent on compliance with the recommendations from Mr. Pompo. With there being no questions from the public, the Board voting “aye”, the motion passed unanimously.

Ms. Silvernail stated a letter was received from Richard Dague for the Elizabeth B. Dague Limited Partnership concerning the property situated between Hershey Lane (west) and Quaker Road (east) and Business Route 30 (north) to request this property be included in future planning for sewage capacity and allocations. Mr. MacCombie stated this property will be included in the 537 Plan. It would be up to the applicant to provide funds to construct lines to tie into the system.

Joe Russella from DL Howell came before the Board to present initial Land Development plan and waiver request to combine Preliminary and Final plans into one submission for the Ethernore & Associates – Nathan Trotter 241 West Stewart Huston Drive. Mr. Russella stated the addition will be for a 20,000 square foot combo office/warehouse. The warehouse will store bulk supplies of metal. The Zoning Hearing Board approved building on the steep slope. Mr. Jesse from Sadsbury Park lives on the property on the other side of Old Wilmington Road and wants to know if he will be seeing building or will landscaping be done to provide screening year round. Mr. Russella state he can't control it entirely, but certainly will comply with the Landscaping Ordinance.

Ms. Silvernail made a motion, seconded by Mr. Greenfield, to allow the Land Development plan for Nathan Trotter to be combined Preliminary/Final since the project is not a new Land Development. With there being no questions from the public, the Board voting "aye", the motion passed unanimously.

A complaint was heard from residents of Old Wilmington Road about two properties along Old Wilmington Road with over-grown grass and weeds. One property has been sold and one property will be going back to the bank. Ms. Silvernail explained the process is that a certified letter is sent out to the property owner giving them 30 days to comply with the Ordinance. If they do not comply, the Township can mow their property at a fee, which would be placed on the property as a lien if the owner does not pay. The Board will have Mr. Dickey send letters and contact the residents. Mr. Taylor wants to have Mr. Dickey look into another property on Old Wilmington Road near Morris Lane.

Ms. Silvernail stated that the Township has a proposal from Stratix for a new copier with a state contract purchase price of \$5,129.20 and a monthly maintenance fee of \$54.00. The old copier is over 12 years old and parts are not available for it any more.

Ms. Silvernail made a motion, seconded by Mr. Greenfield, to purchase a Ricoh copier from Stratix Systems for a state contract purchase price of \$5,129.20 with a monthly maintenance fee of 54.00. With there being no questions from the public, the Board voting "aye" , the motion passed unanimously.

### **Public Comment**

Adam Grossman asked if there will be parking on South Harner Blvd. in Sadsbury Park. He stated he had a hard time getting a fire truck through the road.

Mr. Jesse stated that at a HOA meeting, the developer encouraged parking in the street to slow traffic.

Mr. Taylor stated Sadsbury Park roads are not dedicated to the Township, but if emergency vehicles need to get through and any one is parked in the street, they will be in violation.

Jamie MacCombie stated he will look into future parking situations.

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