

Draft 11/05/14

Chadds Ford Township
Delaware County, PA

Board of Supervisors' Meeting
Wednesday, October 01, 2014
7:00PM

Officials Present

Keith Klaver, Chairman
Frank Murphy, Supervisor
Amanda Gattuso, Interim Manager
Kathy Labrum, Solicitor
Joe Mastronardo, Engineer
Matt DiFilippo, Secretary

Call to Order

Chairman Klaver called the meeting to order at 7:00PM.

PA State Police Report

A written report was submitted. Chairman Klaver mentioned that there have been three known robberies in Chadds Ford Township and reminded citizens to call 9-1-1.

Approval of Minutes

Upon motion and second (Murphy/ Klaver) the BOS approved the Special Meeting minutes of August 26, 2014. Motion passes.

Upon motion and second (Murphy/ Klaver) the BOS approved the Workshop minutes of August 27, 2014. Motion passes.

Upon motion and second (Murphy/ Klaver) the BOS approved the Regular Meeting minutes of September 3, 2014.

Supervisors' Report

On September 8, 2014 personnel matters were discussed between Vice Chairman Thorpe and Chairman Klaver. On October 1, 2014, personnel matters and real estate were discussed between Chairman Klaver and Supervisor Murphy.

Manager's Report

Interim Manager Gattuso submitted written report. She announced the following: there have been a number of burglaries in and around the Township that the PA State Police are investigating, at the November regular meeting the preliminary 2015 Township Budget will be available and the budget will be passed at the December regular meeting, prior year ordinances

not yet codified and using General Code's e360 is still being reviewed, all escrow accounts will be converted to non-interest bearing accounts, delinquent BPT taxes are being reviewed, mailbox markers are still available for order through Bethel Fire Department, the Finance Committee is working on a 5-year capital budget, the Township's IT professional, Rob Hayes, has recommended a new server for the Township at a cost of \$7,000, which Supervisor Murphy requested a report in writing.

Treasurer's Report

Secretary DiFilippo reported the financial condition of the Township for September 2014.

GENERAL FUND

September 2014 General Fund Unrestricted Balance: \$860,263.79

RECEIPTS

| | |
|---|--------------------|
| Miscellaneous Collections and Reimbursements: | \$29,952.78 |
| August 2014 Monthly Deed Reconciliation: | \$19,810.70 |
| PA State Foreign Fire Fighter Relief: | <u>\$47,784.41</u> |
| TOTAL RECEIPTS: | \$97,547.89 |

DISBURSEMENTS

| | |
|---|--------------------|
| Bills, Wages and Vendor Payments: | \$57,729.39 |
| Concord Township Volunteer Firefighter Association: | \$47,784.41 |
| Concordville Fire and Protective Association 2014 Contribution: | \$40,422.08 |
| RE Tax Open Space Fund: | \$7,711.45 |
| Brandywine Conservancy Capital Improve. Pymt. (Station Way): | \$11,000.00 |
| Brandywine Mills Fee in Lieu Payment: | <u>\$47,071.00</u> |
| TOTAL DISBURSEMENTS: | \$211,718.33 |

ADDITIONAL BILLS RECEIVED AFTER REPORTING

| | |
|--------------------------------------|----------|
| Kelly Wingender Cleaning | \$275.00 |
| AT&T Phone Bill, Fire Marshal's Cell | \$93.13 |

Open Space Fund

End of 2nd Quarter – Open Space Balance: \$1,414,805.09

Upon motion and second (Klaver/ Murphy) the BOS approved the General Fund disbursements in the amount of \$211,718.33. Motion passes.

Upon motion and second (Murphy/ Klaver) the BOS approved additional bills received after formal reporting in the amount of \$368.13. Motion passes.

Upon motion and second (Murphy/ Klaver) the BOS approved the release of Bruggeman Chemical's landscaping escrow in the amount of \$7,281.64 and retain \$484.50 for an unpaid engineering invoice. Motion passes.

Upon motion and second (Murphy/ Klaver) the BOS approved the release of CMC Engineering's grading permit for work completed at 98 Ring Road in the amount of \$800.00. Motion passes.

Upon motion and second (Murphy/ Klaver) the BOS approved the release of AAA Hellenic Marble's land development escrow for the Gakis property, 1226 – 1242 Baltimore Pike, in the amount of \$4,439.78. Motion passes.

Upon motion and second (Murphy/ Klaver) the BOS approved the release of Keinath's grading escrow in the amount of \$800.00 for work completed at 255 Heyburn Road. Motion passes.

Bill Delany, President, Chadds Ford Civic Association announced the annual membership meeting for the Civic Association to be held October 21, 2014 between 7 – 9PM at the Brandywine River Museum of Art. Karl Kuerner, Jr. will be recognized as the citizen of the year.

New Business: Resolution 2014 – 29: Township Manager Appointment

Upon motion and second (Klaver/ Murphy) the BOS approved Resolution 2014 – 29: Township Manager Appointment of Amanda Ostrander-Serock. Motion passes.

Manager Serock's start date will be October 13, 2014.

Engineer's Report

Engineer Mastronardo submitted a written report. He stated that Pennoni completed a Brandywine Drive road survey counting trucks and cars, but is waiting for crash history from PA State Police and will defer his full report until next month. He also mentioned that the flood flashing warning device project is almost complete. He requested action for escrow release II for Brandywine Mills, 1751 Wilmington Pike.

Upon motion and second (Murphy/ Klaver) the BOS approved escrow release II for Brandywine Mills, 1751 Wilmington Pike, in the amount of \$25,309.75. Motion passes.

J. Grace Co. (Mansfield Development) Proposal for Oakland

Chairman Klaver described the issue surrounding the developer and his plans for the property at Oakland and Brintons Bridge Roads: a by-right Residential-1 (R-1) plan, a Planned Residential Development-1 (PRD-1) plan or a Planned Residential Development-3 (PRD-3) plan.

Stormwater management, open space, lot acreage, buffers, a proposed park, developing a PRD-3 plan and text amendment, steep slopes, surrounding woodland and wetlands, and the developer providing a by-right R-1 plan to assess how many homes can be built on the lot.

Motion

Upon motion and second (Murphy/ Klaver) the BOS approved to refer the request for a PRD-3 land development review by J. Grace and Co. to the Planning Commission for consideration of a PRD-3 development proposal; such referral to the Planning Commission does not constitute approval nor the promise of future approvals by this Board of Supervisors.

Public Comment

Supervisor Murphy said that this Board's intent is to simply have the Township's Planning Commission review the project and proposed PRD-3 development plan and text amendment and not approve the development.

Chairman Klaver reiterated what Supervisor Murphy stated and expressed the importance of stormwater management, involving Open Space, capturing residents' opinions and staying open about the project.

Samantha Reiner, Webb Road, expressed concern over the cumbersomeness of a PRD-3 plan after the fact when homeowners want to build porches, decks, pools and accessory structures and find out they'll need relief because of the small lots the homes are built on. She also recommended a Residential-1 plan with amendments to mandate open space and help protect the surrounding woodlands. She also discussed transferring property rights.

Supervisor Murphy again expressed that this motion is an incremental step and that the Planning Commission will be looking at all of the issues surrounding this development.

Bruce Prabel, Heyburn Road, asked for the motion to be repeated, and recommended that the other two plans not automatically be rejected.

Debbie Reardon, Tally Ho Drive, expressed interest in the contiguous open space and keeping as much open space around the development as possible.

Kathleen Goodier, Webb Road, expressed concern about the small lots and homeowners wanting accessory structures or additions to their homes in the future and being unable to acquire such additions without having to go in front of the Zoning Hearing Board.

Peter Hermann, Oakland Road, expressed concern over privacy being a neighbor to the proposed development, and suggested a "country fence" surrounding the proposed development.

Vote

Motion passes.

Motion

Upon motion and second (Murphy/ Klaver) the BOS approved the transfer of \$18,000 from old unclaimed escrow accounts to the General Fund.

Public Comment

Solicitor Labrum stated that the “escheat” escrow account was created sometime around 2010 by the Township Manager because the escrow accounts were unable to be identified. It is believed that generated bills were paid out of General Fund and not reimbursed from the existing escrow accounts, which should have been the procedure.

Supervisor Murphy inquired if it was money that a 3rd party could request to have returned.

Solicitor Labrum responded that money is returned to escrow account holders when they request the money; however, the funds in question were unable to be identified so they were swept into one account and if the Township knew whose money it was they would have returned it, and if a 3rd party knew their money was being held with the Township, they would have requested that it be returned.

Peter Barsz stated that he felt that bills were paid out of the General Fund in the past, and that he supports the proposal to return the escheat escrow fund to the General Fund.

Vote

The motion was tabled and deferred until next month.

Request Planning Commission to Review Ordinances: Noise Ordinance & Ordinance 84 – B

Supervisor Murphy reported that there are several ordinances that don't appear to have been properly codified, and have been reviewed over the past six months need to be corrected. He continued that there are two noise ordinances being reviewed, and that other ordinances are being reviewed as well.

Purchase of 1381 Baltimore Pike

Chairman Klaver reported that an appraisal was conducted on the property and the owner has accepted the Township's offer based on the appraisal. The Township's offer is conditional upon a satisfactory environmental study.

Motion

Upon motion and second (Murphy/ Klaver) the BOS approved the preparation of an agreement of sale for 1381 Baltimore Pike not to exceed \$135,000 based on the appraisal by Donald Wright subject to a Phase 1 Environmental study, and the Solicitor's approval of the agreement of sale.

Public Comment

Samantha Reiner, Webb Road, inquired about what the property use to be used for and

about any possible remediation. Gail Force, Southpoint, mentioned that it used to be B&H Motors and that it was a metal shop. Chairman Klaver said that the Township will evaluate the results of a Phase 1 study before agreeing to the acquisition. Chairman Klaver stated that the Supervisors intend to use Infrastructure funds for the acquisition.

Vote

Motion passes.

Appointment of First State National Park Representative

Chairman Klaver reported that the newly designated Federal Park, First State National Monument, which is primarily in Delaware, also consists of over 200 acres in Chadds Ford Township, PA, and thus, the Township is appointing a representative.

Motion

Upon motion and second (Murphy/ Klaver) the BOS approved the appointment of Deb Reardon as the representative from Chadds Ford Township for First State National Park.

Vote

Motion passes.

Preliminary 2015 Budget

Chairman Klaver commented on the preliminary 2015 Budget about not increasing property taxes, proposing a stormwater management study for next year, increasing road and maintenance costs such as snow and salt purchase, including an element of increasing Code Enforcement, and ultimately, pending the final assessment from Delaware County. Supervisor Murphy mentioned that the Rachel Kohl Library would like to attend a meeting to discuss the Library services and the Township's contributions.

Public Comment

Painters Crossing residents asked that notices about special meetings or meetings regarding future development adjacent to their townhomes be sent directly to the residents of Painters Crossing and not just to the HOA.

Adjournment

Supervisor Murphy adjourned the meeting at 8:50PM.

Respectfully submitted,

Matt DiFilippo
Secretary