

Draft of 8/26/13

CHADDS FORD TOWNSHIP  
Delaware County, PA

Board of Supervisors' Meeting  
Wednesday, August 7, 2013  
7:00PM

Officials Present

Deb Love, Chair

George Thorpe, Vice-Chairman

Judy Lizza, Manager

Hugh Donaghue, Solicitor

Joe Mastronardo, Engineer

Mike Daily, Fire Marshal

Matt DiFilippo, Secretary

Call to Order

Chair Love called the meeting to order at 7:00PM.

Public Comment

Bruce Prabel, Heyburn Road, reported that he was taping the meeting.

Bob Craig, Oakland Road, discussed the removal trees along his property on Oakland Road due to the 2013 Road Program. He reported that a compromise was reached between himself and the Township: the northern-most tree with damage will be removed, but the other tree will be saved. Rob King, Ring Road, expressed concurrence with the tree removal decision.

Solicitor Donaghue clarified liability issues pertaining to the Township and the resident if notice is given that a tree on one's property must be removed.

Engineer's Report

Engineer Mastronardo reported on the 2013 Road Program, specifically roadside mowing, drainage swail and the removal of 4 – 5 trees along Oakland Road. He also confirmed that residents along Oakland Road will be notified, and Solicitor Donaghue added that the notice to residents will also confirm which trees along Oakland Road will be removed.

Solicitor Donaghue introduced Resolution 2013 – 22, Resolution Providing Notice of Work, and clarified that it's Township-wide.

Upon motion and second (Thorpe/ Love) the Board voted to adopt resolution 2013 – 22 Providing Notice of Work.

### PA State Police Report

A written report was submitted. Corporal Rick Malone reported that the PSP will enforce false alarm responses and a charge will be incurred by the residence totaling \$400.00. Cpl. Malone also reported car accidents and responded to Vice Chairman Thorpe's inquiry of property checks and Ring Road resident Rob King's inquiry about a motorcycle incident on Creek Road.

### Approval of Minutes

Upon motion and second (Thorpe/ Love) the Workshop minutes of July 1, 2013 were approved.

Upon motion and second (Thorpe/ Love) the Regular Meeting minutes of July 2, 2013 were approved.

### Supervisors' Report

Vice Chairman Thorpe reported two executive sessions: Thursday, July 25 and Monday, August 5. Chair Love reported conducting interviews for the Township's Manager position and that a unanimous decision was made to permanently hire interim Manager Judy Lizza.

Chair Love introduced Resolution 2013 – 23, Hiring Judy Lizza as Township Manager.

Upon motion and second (Thorpe/ Love) Resolution 2013 – 22 was adopted hiring Judy Lizza as Township Manager.

### Manager's Report

Manager Lizza submitted a written report. She highlighted the following: inspections department activity, specifically a citation to the Sprint Store in Keystone Plaza for failure to apply to the Zoning Hearing Board for a sign variance; the upcoming Planning Commission meeting to be held on Monday, August 19; and, four applications to the Zoning Hearing Board. There was some discussion about the recent ZHB applications amongst Chair Love, Vice Chairman Thorpe and Solicitor Donaghue. Manager Lizza requested a motion to purchase data filing cabinets from Datum, Inc. in the ongoing effort to properly organize the files in the basement of the Municipal Building.

Upon motion and second (Thorpe/ Love) approved the payment of the above for the filing cabinet \$6,913.91.

Bruce Prabel, Heyburn Road, asked if the Township planned on hiring additional staff to help with filing at the Municipal Building. Some discussion followed about planning for such an addition.

Manager Lizza also requested action from the Board to approve Fire Marshal expenditures for fire equipment.

Upon motion and second (Thorpe/ Love) the Board approved Fire Marshal expenditures for equipment from the Company, Smiley's, in the amount of \$2,265.68.

Deb Reardon, Tally Ho, asked what type of responsibilities will the recently appointed Fire Marshal have?

Rhona Klein, Ridings Way, asked if the Fire Marshal was appointed full-time or part-time.

Fire Marshal Mike Daily responded and explained that he's notified by the Concordville Fire Department of incidents in the Township as first line of defense, and that in such cases he'll need OSHA compliant equipment. He also discussed recent calls he's responded to such as monitoring residents' burning and making sure they're adhering to the burning ordinance. He also noted that he was hired part-time and is a full-time police officer for Chester Township, Delaware County, PA. He has also been submitting written reports to the Manager on a monthly basis.

Vice Chairman Thorpe commented on the benefits of having a Township Fire Marshal versus in the past relying solely on the Concordville Fire Department.

Manager Lizza commented that a Fire Inspection report has been developed, a fire lane ordinance is being developed and that Fire Marshal Daily has also made himself available to provide CPR Training.

There was discussion between Rhona Klein, Ridings Way, and Manager Lizza about the Township in the past using the Building Inspector as the Fire Marshal and the benefits of the current situation having two separate staff for the separate duties.

Manager Lizza reported on the payments to Keystone Collections Agency and asked for Board action to approve the Township to pay fees for Keystone's collections of past LST taxes never collected.

Upon motion and second (Thorpe/ Love) the Board approved the Township to pay fees to Keystone Collections Agency for past LST collections from Township businesses.

#### Treasurer's Report

Secretary DiFilippo reported the Township's financial activity for the month.

#### GENERAL FUND

General Fund Unrestricted Balance \$810,051.77

#### RECEIPTS

Miscellaneous Collections & TWP. Reimbursements \$31,894.78

Real Estate Tax Collections (June 2013) \$24,280.02

Real Estate Transfer Tax (June 2013) \$33,047.07

Delinquent BPT Tax Collection \$6,580.00

TOTAL RECEIPTS: \$95,801.87

#### DISBURSEMENT

Bills, Wages and Vendor Payments \$69,795.72

CFT Open Space Fund from Real Estate Tax Collections \$8,102.19

CFT Capital Improvement Fund from Real Estate Tax Collections	<u>\$2,633.26</u>
TOTAL DISBURSEMENTS:	\$80,531.17

Upon motion and second (Thorpe/ Love) the Board approved General Fund disbursements in the amount of \$80,531.17

Upon motion and second (Thorpe/ Love) the Board approved the release of Rose Tree Development's Grading Escrow in the amount of \$800.00 for work done at 191 Ridge Road retaining \$627.00 for unpaid Engineering invoices.

Upon motion and second (Thorpe/ Love) the Board approved the release of Tresch Associates Developer's Escrow for Brandywine Coachworks, Baltimore Pike in the amount of \$6,059.25.

Upon motion and second (Thorpe/Love) the Board approved the release of 326 Ridge Road's Grading and SEO Escrows totaling \$1,550.00 retaining \$1,530.75 for unpaid Engineering invoices.

#### Engineer's Report

Engineer Mastronardo submitted a written report. He requested action from the Board regarding expenditures related to bridge construction and the removal of evasive plant species pertaining to the Harvey Run Trail project.

Upon motion and second (Thorpe/ Love) the Board approved expenditures generated for construction of the bridges along the Harvey Run Trail.

Upon motion and second (Thorpe/ Love) the Board approved expenditures, not to exceed \$2,500, generated for the removal of invasive plant species, specifically "Autumn Olive," along the Harvey Run Trail.

Deb Reardon, Tally Ho, Open Space Chair, discussed specific herbicides allowed for use in wetland areas (good to mention in the Township's annual MS4 Report).

Engineer Mastronardo requested action from the Board for a final release of Newlin Home's Stonebrook III, Atwater Road, Security Improvements Escrow with the contingency that the Township receives a \$4,000.00 Fee in Lieu to be used toward the Harvey Run Trail.

Upon motion and second (Thorpe/ Love) the Board approved the final escrow release of Newlin Home's Security Improvements Escrow for Stonebrook III, Atwater Road, in the amount of \$14,744.12 contingent that a \$4,000.00 Fee in Lieu is paid for the Harvey Run Trail.

Engineer Mastronardo requested action from the Board for a final release of Brueggemann Chemical's Security Improvements Escrow for their site on Baltimore Pike contingent on them posting a landscape maintenance bond.

Upon motion and second (Thorpe/ Love) the Board approved the final escrow release of

Brueggemann Chemical's Security Improvements Escrow for their site on Baltimore Pike, in the amount of \$39,790.03 contingent that a Landscape Maintenance Bond be posted.

There was discussion about a neighbor's complaint of the Brueggemann Chemical site and confirmation that the Township reached out to address the issues.

#### Old Business

There was no old business to discuss.

#### New Business

Solicitor Donaghue requested action from the Board to advertise the revised Fee in Lieu Ordinance 125. He further explained that the revised fees can be periodically changed if so desired by resolution based on Open Space and Planning Commission recommendations.

Upon motion and second (Thorpe/ Love) the Board approved advertising the Fee in Lieu Ordinance 125.

Debbie Reardon, Tally Ho, Open Space Chair, thanked Kathy Labrum, Solicitor, Donaghue and Labrum, the Open Space Committee and the Board of Supervisors for their support.

Solicitor Donaghue requested action from the Board to authorize the Township Manager to contact the Brandywine Conservancy and have their legal department compose legal documents for the transfer of Hoffman's Mill Road to Conservancy ownership.

Upon motion and second (Thorpe/ Love) the Board approved the authorization for the Township Manager to contact the Brandywine Conservancy and have their legal department compose legal documents for the transfer of Hoffman's Mill Road to Conservancy ownership.

Solicitor Donaghue announced the upcoming Battlefield Run Saturday, November 2, 2013 at 9AM. The proceeds of the run will benefit the Friends of the Brandywine Battlefield Park to help the group operate the park. He asked the Board to consider pledging money toward the run to benefit the group operating the park.

Upon motion and second (Thorpe/ Love) the Board agreed to donate \$10,000 to the Battlefield Run on November 2, 2013 to benefit the Friends of the Brandywine Battlefield Park who operate the park.

#### Adjournment

Upon motion and second (Thorpe/ Love) the meeting was adjourned at 8:07PM.

Respectfully submitted,

Matt DiFilippo  
Secretary