

Draft of 12/29/15

Chadds Ford Township
Delaware County, PA

Board of Supervisors' Workshop
Wednesday, December 2, 2015
7:00PM

Call to Order

The Regular Meeting of the Chadds Ford Township Board of Supervisors was called to order at 7:00PM. Chairman Frank Murphy, Vice Chairman George Thorpe and Supervisor Samantha Reiner were all present. Ms. Amanda Serock, Manager, Mr. Hugh Donaghue, Solicitor, Mr. Dan Malloy, Engineer, and Mr. Matt DiFilippo, Assistant to the Manager/ Township Secretary were also present. (25) people from the public were in attendance.

Announcements

Chairman Murphy announced the Volunteer Appreciation and Open House on December 18th, from 6 - 8PM. He also announced that all three Supervisors met in executive session prior to tonight's regular meeting to discuss litigation.

Approval of Minutes

Supervisor Reiner's motion to approve the Workshop minutes of Wednesday, October 28, 2015, as amended, was seconded by Vice Chairman Thorpe and passed unanimously.

Supervisor Reiner's motion to approve the Regular Meeting minutes of Wednesday, November 4, 2015, as amended, was seconded by Vice Chairman Thorpe and passed unanimously.

Supervisor Reiner's motion to approve the continued Regular Meeting minutes of Thursday, November 10, 2015, as amended, was seconded by Vice Chairman Thorpe and passed unanimously.

Supervisors' Report

Vice Chairman Thorpe announced the Township had advertised a snow removal RFP, which Manager Serock confirmed, and added that action was now needed to authorize the bidding process.

Supervisor Reiner's motion to authorize the Roadmaster and Manager to receive, open and award bids for the Township's snow removal services on December 17th was seconded by Vice Chairman Thorpe and passed unanimously.

Supervisors' Report: Resolution 2015 – 27, Recognizing Supervisor Thorpe

Chairman Murphy read the resolution recognizing Vicer Chairman Thorpe for his 25+ years of service to Chadds Ford Township.

Supervisor Reiner announced that she met with Mark D'Amico, solicitor for the Henderson Group, regarding Nudy's Café moving into the old Friendly's Ice Cream building at the Shops at Painters

Crossing. She reported that a subdivision and land development application would not be necessary, which she confirmed with the Township Solicitor. She also said that she met with the Township Engineer, Dan Malloy and went over ADA requirements and traffic circulation. A grading permit will be required to show the change in impervious surface concerning Nudy's Cafe's idea for patio seating.

Manager's Report

Manager Serock submitted a written report. She announced that the next quarterly meeting between the Township's Board of Supervisors and Planning Commission will be Wednesday, December 9th and that the Zoning Task Force will be presenting their findings on zoning changes for the Township in conjunction with Sam Haber from the Delaware County Planning Department. Chairman Murphy added that the Zoning Task Force began their research into the Township's Zoning Ordinance and Map close to two years ago and will unveil their findings. Manager Serock also announced a Sewer Authority meeting at 3:00PM on December 9th to discuss the Act 537 Plan and the Ridings Plant.

Treasurer's Report

Assistant DiFilippo presented the Treasurer's Report. A written report and hardcopies of the Township's financial status for the month of November were provided by Manager Serock.

Supervisor Reiner's motion to approve General Fund expenditures in the amount of \$224,881.48 was seconded by Chairman Murphy and passed unanimously.

Supervisor Reiner's omnibus motion to approve the escrow releases listed below was seconded by Vice Chairman Thorpe and passed unanimously.

- Escrow in the amount of \$3,500 held on behalf of Harrier, LLC for a residential sketch plan submitted for the west side of Oakland Road. \$747.44 will be returned to Harrier, LLC, and \$2,752.56 will be retained for unpaid engineering invoices.
- Escrow in the amount of \$4,750 held on behalf of Mongiovi Orthodontics at 4 Woodland Drive held for a now completed SALDO process. The entire amount will be retained for unpaid engineering invoices.
- Motion to release escrow in the amount of \$800.00 held on behalf of Paul Koch, 1291 Baltimore Pike for grading work that has been completed. The entire amount will be returned to the homeowner as all bills have been paid and the job has been completed.
- Motion to release escrow in the amount of \$4,750.00 held on behalf of Not Your Average Joe's for a SALDO application submitted in 2014 where the process has now been completed. \$3,887.25 will be returned to the applicant and \$862.75 will be retained for unpaid engineering invoices.

Engineer's Report

Engineer Malloy submitted a written report. He announced the following: attending a tentative loop road meeting, conducting inspections at Keystone Plaza, Audi of West Chester, Brandywine Mills Shopping Center, Ruggeri Cadillac on Wilmington Pike, the Estates of Chadds Ford, Calvary Chapel and several septic system installations throughout the Township. Chairman Murphy and Supervisor Reiner both inquired about the ongoing work at Calvary Chapel, specifically the grading plans, parking lot

adjustments and amount of impervious coverage already on site. Engineer Malloy responded that the original plans for Calvary Chapel had been approved and a recent erosion, grading and sedimentation permit application had also been reviewed and approved for the paving in the parking lot. Supervisor Reiner asked about the Keystone Plaza complaint received from the neighbors concerning the trees and the fence as well as whether or not there is an as-built that reflects the actual impervious coverage of the site. Engineer Malloy confirmed that he will follow-up with the owner and request as-builts and that yes the complaint from the neighbors has been addressed.

Engineer Malloy announced that he would like to check out reported sink holes at the Estates at Chadds Ford development before releasing Toll Brother's maintenance bond.

Engineer Malloy asked for action from the Board for escrow release requests from Audi of West Chester, Brandywine Mills and Concord Auto Body.

Supervisor Reiner's motion to approve Escrow Release #1 for Audi of West Chester in the amount of \$890,516.33 was seconded by Vice Chairman Thorpe and passed unanimously.

Vice Chairman Thorpe's motion to approve Escrow Release #11 for Brandywine Mills in the amount of \$248,287.13 was seconded by Supervisor Reiner and passed unanimously.

Supervisor Reiner's motion to approve Escrow Release #1 for Concord Auto Body in the amount of \$38,220.00 was seconded by Vice Chairman Thorpe and passed unanimously.

Old Business: Resolution 2015 – 19, Springwater Plaza Sewage Facilities Planning Module

Supervisor Reiner's motion to approve resolution 2015 – 19, Springwater Plaza Sewage Facilities Planning Module was seconded by Vice Chairman Thorpe and passed unanimously.

New Business: SALDO Application, Henderson Group, 2015 Hillman Drive Extension

Ross Weiss, attorney for the applicant, The Henderson Group, who submitted the SALDO application to construct Hillman Drive, was joined by John Coyle, attorney for The Henderson Group and Chuck Olivo, Engineer representing the applicant. Mr. Weiss requested that the Township accept a time extension to consider the application until June 30th, 2016, and that the Board authorize Township staff to meet with the applicant in order to prepare a revised SALDO plan. Chairman Murphy announced that he wasn't ready to make a decision on the application and that the Township currently has until January 12, 2016 to consider the application.

New Business: Adoption of Budget

Manager Serock introduced the final budget for 2016.

Vice Chairman Thorpe's motion to approve the 2016 budget and Capital budgets as it was advertised to the public with all of its attachments and iterations was seconded by Chairman Thorpe and passed unanimously.

New Business: Resolution 2015 - 16, Establishing 2016 Tax Levy

Vice Chairman Thorpe's motion to adopt resolution 2015 – 16, Establishing 2016 Tax Levy was seconded by Supervisor Reiner and passed unanimously.

New Business: ZHB Application(s), December 16th Continued Hearing on 681 Webb Road, the Barnabei's and 1751 Wilmington Pike, Sleep Number, Additional Signage (logo on their door)

Solicitor Donaghue reported the status of the continued hearing regarding 681 Webb Road, the Barnabei's, and their request for a variance to allow them to operate a drug rehabilitation center at their home. He continued that the Township is due to respond with findings of facts by December 12th and that the ZHB may be able to make a decision at that time.

Manager Serock reported that the Sleep Number ZHB application for additional signage was withdrawn.

Delaware County Act 247 Review Application(s): Harrier LLC/ Zoning Change Proposal for Newly Created Lot on 202 from PBC to PBC1 (*Application has not been sent to County, yet)

Alternate Solicitor Mike Maddren reported that the applicant, Harrier, LLC, was asking for a zoning change for a lot adjacent to Wilmington Pike and Oakland Road. Supervisor Reiner mentioned that a Zoning Task Force had been set-up in the Township close to two years ago to study and analyze the Township's zoning districts and that the committee will be making recommendations based on their many months of reviewing the Township's zoning code and map on December 9th. Mr. Maddren stated that no time constraints are placed on the Board to request a zoning change. Vice Chairman Thorpe confirmed that the applicant has asked the Board to send the application to the Delaware County Planning Department but is unsure if the Board is ready to commit to such a decision. Mr. D'Ignazio, attorney for the applicant, implored the Board to send the application to the county and comply with section 609 of the MPC. Chairman Murphy announced that the issue will be discussed at the January 2016 regular meeting, and that he would like to hear what the Zoning Task Force has to say next week at their presentation. Larry Strohm, attorney for the equitable owner of the property, Jim Sipala of Kia, state that Act 247 applications are required and added that it is true that there is no time constraint on submitting such an application but one has been filed with the Township and should be forwarded to the County. Mr. Strohm continued detailing what the plans were for the site, ultimately a Kia Car Dealership.

Committee Reports

Noelle Barbone, Bellefair Lane, Strategic Advisory Committee, proposed a second vision workshop. She announced that she would be stepping down from the Committee in 2016 as she takes on the role of Supervisor.

Public Comment

Vicki Hoxter, Painters Crossing, said that she would like to see more handicap parking at the Township building.

Bruce Prabel, Heyburn Road, announced that the Township Logo was used by another group during the elections and that the Township logo should be copyrighted.

Vice Chairman Thorpe thanked everyone for their attendance and said that he has enjoyed being a Supervisor.

Supervisor Reiner thanked Richard Schwartzman for his news article about Andrew Vogts' performance at Carnegie Hall.

Chairman Murphy thanked Vice Chairman Thorpe for his many years of service. He also expressed condolences to Solicitor Donaghue for his personal loss; Chairman Murphy continued that he has respected Solicitor Donaghue's tenacious and wise decisions and wished him the best in his future endeavors.

Adjournment

Chairman Murphy's motion to adjourn the meeting at 8:15PM was seconded by Supervisor Reiner and passed unanimously.

Respectfully submitted,

Matt DiFilippo, Assistant to the Manager