

Draft of 04.03.13

Chadds Ford Township  
Delaware County, PA

Board of Supervisors' Meeting  
Wednesday, March 6, 2013  
7:00PM

Officials Present:

Deb Love, Chair  
George Thorpe, Vice Chairman  
Keith Klaver, Supervisor  
Judy Lizza, Manager  
Hugh Donaghue, Solicitor  
Joe Mastronardo, Engineer  
Matt DiFilippo, Secretary

Call to Order

Chair Love called the meeting to order at 7:00PM, and Vice Chairman Thorpe reviewed the Emergency exits.

Public Comment

There was no public comment.

State Police Report

A written report was submitted. State Trooper Malone attended the meeting and reported on recent activity in the Township.

Approval of Minutes

Upon motion and second (Klaver/ Love) the BOS unanimously approved the Special Meeting minutes of January 24.

Upon motion and second (Klaver/ Love) the BOS unanimously approved the Regular Meeting minutes of February 6.

Supervisors' Report

The Supervisors reported that the Executive Session on Monday during the Workshop concerned personnel and litigation matters. They also reported that they interviewed Mike Daily for the Fire Marshal position with the Township.

Manager's Report

Manager Lizza submitted a written report. She announced Brandywine Battlefield Charter Day and Recycle and Community Day at the Township. Manager Lizza reported progress on the LST

and BPT collection issues and the County's assessments of Township properties. She also discussed the Estates at Chadds Ford's open space.

### Treasurer's Report

Secretary DiFilippo gave the Treasurer's report.

### GENERAL FUND

General Fund Unrestricted Balance: \$689,369.74

#### RECEIPTS:

Miscellaneous Collections and TWP. Reimbursements:	\$44,055.71
Verizon Franchise Fees, 4 <sup>th</sup> Qtr 2012:	\$11,758.66
Comcast Franchise Fees, 4 <sup>th</sup> Qtr 2012:	\$11,636.21
January 2013 Real Estate Transfer Tax:	<u>\$36,396.71</u>
TOTAL RECEIPTS:	\$103,847.29

#### DISBURSEMENTS:

Bills, wages and ACH Payments:	<u>\$63,593.22</u>
TOTAL DISBURSEMENTS:	\$63,593.22

Upon motion and second (Klaver/ Thorpe) the BOS unanimously approved General Fund disbursements in the amount of \$63,593.22.

Upon motion and second (Klaver/ Thorpe) the BOS unanimously approved the PECO Bill not included in the disbursement amount, in the amount of \$1,152.35.

Upon motion and second (Klaver/ Thorpe) the BOS unanimously approved the release of a \$1,000 Stormwater Waiver Escrow for work at 127 Bullock Road with \$28.50 to the homeowner and \$971.50 to the Township for unpaid bills.

Upon motion and second (Klaver/ Thorpe) the BOS unanimously approved the release of an \$800.00 Grading Escrow in the full amount to the homeowner at 138 Beaver Valley Road.

Upon motion and second (Klaver/ Thorpe) the BOS unanimously approved the release of a \$900.00 Conditional Use Escrow in the full amount to the firm Riley, Riper, Hollin and Colagreco.

Upon motion and second (Klaver/ Thorpe) the BOS unanimously approved the release of an \$800.96 Grading Escrow in the full amount to the builder, Calvin Powell.

Upon motion and second (Klaver/ Thorpe) the BOS unanimously approved the release of an \$800.00 Grading Escrow in the full amount to the Henderson Group.

Upon motion and second (Thorpe/ Klaver) the BOS unanimously approved the release of a \$900.00 Conditional Use Escrow in the full amount to the firm Petrikin, Wellman.

Upon motion and second (Thorpe/ Klaver) the BOS unanimously approved the release of an \$800.00 Grading Escrow for work at 4 Coopershawk Lane with \$19.75 to the builder and \$780.25 to the Township for unpaid bills.

Upon motion and second (Thorpe/ Klaver) the BOS unanimously approved the release of a \$20,028.87 Developer's Agreement Escrow in its entirety to the developer of the Glen Eagle Square project.

Supervisor Klaver discussed the summary of financial information for the first two months ending February 28, 2013.

Paul Koch, Baltimore Pike, commented that the report available to the audience, the summarized profit and loss, was titled January – December, and asked if it was current through February 2013.

#### BCO Report

Engineer Mastronardo submitted a written report.

#### Engineer's Report

Engineer Mastronardo submitted a written report and requested action on the following four items.

Upon motion and second (Thorpe/ Klaver) the BOS unanimously approved the release of the Woodland Drive maintenance bond escrow in the amount of \$22,929.00.

Upon motion and second (Thorpe/ Klaver) the BOS unanimously approved escrow release #6 for Brueggemann Chemical in the amount of \$41,457.93.

There was some discussion about Brueggemann Chemical, specifically a neighbor's complaint and landscaping.

Upon motion and second (Thorpe/ Klaver) the BOS unanimously approved escrow release #1 in the amount of \$19,982.00 to MetroPCS.

There was discussion about how MetroPCS needs to address landscaping issues at the site.

Upon motion and second (Klaver/Thorpe) the BOS unanimously approved the final escrow release in the amount of \$27,491.96 to Newlin Homes for the Stonebrook II site dependent on a new escrow in the amount of \$3,700.00 being secured from the new builder for continued work on the site.

Upon motion and second (Klaver/ Thorpe) the BOS unanimously approved to accept the 537 Plan Update to take place in 2013 and 2014.

### Old Business

There was no old business to discuss.

### New Business

Chair Love announced that audio tapes will no longer be made of the Board of Supervisors' Meetings or Workshops.

Frank Murphy, Marshall Road, asked, how is the official record be kept and what will be used a backup.

Upon motion and second (Thorpe/ Klaver) the BOS unanimously approved to authorize to advertise the LST Ordinance and revisions to the ordinance in order to comply with PA State Code.

Upon motion and second (Klaver/ Thorpe) the BOS unanimously approved Resolution 2013 – 13 to amend Resolution 2013 – 10, Keystone as LST Collector.

Upon motion and second (Klaver/ Thorpe) the BOS unanimously approved Resolution 2013 – 14 to amend Resolution 2013 – 11, Keystone as BPT Collector.

Upon motion and second (Klaver/ Thorpe) the BOS unanimously approved Resolution 2013 – 15, C2P2 Grant in support of the Harvey Run Trail.

Upon motion and second (Love/ Klaver) the BOS unanimously approve Resolution 2013 – 16 recognizing the month of March as Women's History Month.

Dennis Henry, CERT Committee Member, reported on CERT's activities and meetings over the past year. Manager Lizza explained the Global Connect system as a tool for the CERT Committee. Chair Love reported that this item was also discussed at the Workshop Monday, where CERT Chairman Bill Delaney requested funds for the Global Connect System.

Rhona Klein, Ridings Way, informed that she knows of free services similar to Global Connect.

Upon motion and second (Love/ Thorpe) the BOS unanimously approved the purchase of the Global Connect System for the Township CERT Committee in the amount of \$1,500 plus annual and/or monthly software update fees estimated at \$15.00.

There was lengthy discussion by the Board regarding Township policy for the conference and meeting room availability, which has been an ongoing discussion since the inception of the security system. The Board of Supervisors all gave their opinions concerning use of the rooms and hours of operation at the Municipal Building.

Gail Force, Southpoint, asked how the Board plans to cover the various committee meetings if certain rooms were denied access and an alarm was set-up, and whether or not an employee would have to be available.

Debbie Reardon, Tally Ho, commented that all committee members should return their keys if there are going to be restrictions to the Municipal Building.

Frank Murphy, Marshall Road, commented on the necessity of a written policy, and requested a copy of an email from Chairman Thorpe dealing with Municipal Building restrictions.

Upon motion and second (Love/ Klaver) the BOS unanimously approved that the Municipal Building will be closed from 10:30PM – 6:00AM with no staff, volunteers or residents permitted to enter between these hours.

Chair Love introduced the next motion emphasizing the responsibility of the Board of Supervisors to ensure security, and that the motion has nothing to do with trust.

Valerie Hoxter, Tax Collector, Painters Crossing, commented, that she's happy she'll be able to continue to collect taxes and that it is the most important business of the Township allowing the Township to actually have an operating revenue.

Vice Chairman Thorpe re-emphasized that the motion has nothing to do with mistrust.

Paul Koch, Baltimore Pike, commented and suggested a partition be built to allow access to the Conference Room bypassing the office area.

Debbie Reardon, Tally Ho, commented that Open Space is unable to comfortably conduct business in the Meeting Room and prefers using the Conference Room.

Gail Force, Southpoint, asked what needs to be protected in the way of documents taking into consideration that a lot of the documents are public information.

Chair Love responded that in an emergency staff may have to leave in a hurry, and possibly may leave sensitive documents on desks or tables without a chance to put sensitive business information away.

Upon motion and second (Love/ Thorpe) the BOS approved by a vote of 2 – 1 (Klaver – nay) the use of the Meeting Room for all Township committees; furthermore, if committees are to use the Conference Room or require access to the Administrative Offices, then they would need to be accompanied by one of the Township's staff members or one of the three Board of Supervisors or arrange committee needs accordingly with a Township staff member or Supervisor.

Klaver stated that he strongly disagreed with the need to restrict volunteers and the elected Tax Collector from the use of the Conference Room and Administrative Office area with a Supervisor or staff member present. In his view the approach unduly restricts the performances of the Tax Collector's or volunteer committee member's duties, and from matters brought to his attention is not justified from a safety or document security perspective.

Supervisor Klaver introduced the The BPT and LST collection issues, specifically collecting back taxes.

Upon motion and second (Klaver/ Thorpe) the BOS unanimously approved the Manager to engage Keystone Collections to submit LST and BPT tax requirements for the collection period of 2007 – 2012 as well as develop a letter to the identified businesses outlining the requirement of paying the tax and, among other things, an amnesty program.

#### Committee Reports

Written committee reports were submitted.

#### Adjournment

Upon motion and second (Klaver/ Love) the BOS unanimously adjourned the meeting at 8:35PM.

Respectfully Submitted,

Matt DiFilippo, Secretary