

Draft of 01/06/14

Chadds Ford Township
Delaware County, PA

Board of Supervisors' Meeting
Wednesday, December 04, 2013
7:00PM

Officials Present

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

Call to Order

The meeting was called to order at 7:02PM by Chair Love.

Public Comment

Ann Ferrentinos, Ridings Development of Chadds Ford, and Jennifer Charleton, Dogwood Hill Lane, were in attendance in support of a YMCA in Chadds Ford Township, and wanted to understand the procedure of the application that had occurred. Solicitor Donaghue responded and explained the text amendment procedure. It wasn't that the Township didn't want a YMCA; rather the Township didn't want to amend the text to the zoning district where the YMCA was interested in building.

Jerry and Ann O'Rourke, Tally Ho Drive, Dominic DiSabatino, 6 Dickinson Drive, Abby Middleton, Heyburn Road and Rhona Klein, Ridings Way, all expressed their support for a YMCA in Chadds Ford Township.

Supervisor Klaver commented that Solicitor Donaghue summarized his reason for denying the YMCA's application based on the grounds of amending the text to the zoning at Dickinson and Hillman Drives. He added that he fully supported the mission of the YMCA and that if the YMCA wishes to re-apply to build somewhere where zoning would be allowed in the Township he would welcome such an application. He continued that he had talked to residents local to the site and monitored the traffic and thought that there were health and safety issues to be addressed.

Bruce Prabel, Heyburn Road, reported audio recording the meeting.

PA State Police Report

A written report was submitted.

Approval of Minutes

Upon motion and second (Klaver/ Love) the Board approved the regular meeting minutes of November 6, 2013.

Supervisors' Report

The Supervisors reported holding an executive session after Monday's workshop meeting to discuss personnel and legal matters.

Manager's Report

Manager Lizza submitted and reviewed her written report.

Treasurer's Report

Secretary DiFilippo reported the Township's financial activity for the month of November 2013.

GENERAL FUND

General Fund Unrestricted Balance: \$684,079.14

RECEIPTS:

Miscellaneous Collections and TWP. Reimbursements:	\$42,674.81
Liquid Fuels Transfer to General Fund for Road Program:	\$76,018.97
Verizon Franchise Fee (3 rd Quarter):	\$12,287.87
Comcast Franchise Fee (3 rd Quarter):	\$11,920.37
Monthly Deed Reconciliation (October 2013):	<u>\$16,308.99</u>
TOTAL RECEIPTS:	\$159,211.01

DISBURSEMENTS:

Bills, Wages and Vendor Payments:	<u>\$81,104.27</u>
TOTAL DISBURSEMENTS:	\$81,104.27

Upon motion and second (Klaver/ Love) the Board approved the General Fund Disbursements in the amount of \$81,104.27.

Upon motion and second (Klaver/ Thorpe) the Board approved the payment of additional bills received after formal financial reporting in the amount of \$2,769.74.

Upon motion and second (Klaver/ Love) the Board approved the release of a \$950.00 SEO escrow for work done at 20 Carriage Path retaining \$98.75 for unpaid engineering invoices and returning \$851.25 to the homeowner.

Upon motion and second (Klaver/ Thorpe) the Board approved the release of a \$950.00 SEO escrow for work done at 114 Harvey Lane retaining \$592.50 for unpaid engineering invoices and returning \$357.50 to the homeowner.

Engineer's Report

Engineer Mastronardo submitted a written report

New Business: 2014 Budget

The Board reported that there would be no tax increase in 2014, the Township was in excellent shape with the surplus carryover.

Upon motion and second (Klaver/ Thorpe) the Board adopted the 2014 budget with expenses of \$1,203,758.26.

New Business: Resolution 2013 – 28: Automatic Red Light Enforcement Grant (ARLE)

Engineer Mastronardo introduced Resolution 2013 – 28. The grant will be used to fund “flood warning” signs on Ring and Creek Roads.

Upon motion and second (Thorpe/ Klaver) the Board adopted Resolution 2013 – 28, ARLE Grant, to fund flood warning signs on Ring and Creek Roads.

New Business: Resolution 2013 – 29: 29 Ringfield Road Lot Line Change

Upon motion and second (Klaver/ Thorpe) the Board adopted Resolution 2013 – 29 changing the lot line at 29 Ringfield Road.

New Business Resolution 2013 – 30: 2014 Real Estate Taxes

Upon motion and second (Klaver/ Thorpe) the Board adopted Resolution 2013 – 30 establishing the tax levy for 2014.

New Business: Resolution 2013 – 31: 2014 Salary and Wage Rates

Upon motion and second (Thorpe/ Klaver) the Board adopted Resolution 2013 – 31 approved the salary and wage rates for all municipal employees for the Fiscal Year 2014.

New Business: Resolution 2013 – 32: 2013 PECO Green Region Open Space Grant

Upon motion and second (Klaver/ Thorpe) the Board adopted Resolution 2013 – 32 authorizing application to the 2013 PECO Green Region Open Space Program for the Harvey Run Trail Crossing Project.

New Business: Resolution 2013 – 33: Eagle Scout Recognition

Upon motion and second (Thorpe/ Klaver) the Board adopted Resolution 2013 – 33 recognizing Walip Yenbutr's accomplishment attaining Eagle Scout rank.

New Business: Assisted Living Text Amendment Request

Ed Morris presented his plan for an assisted living facility at 1770 – 1778 Wilmington Pike, and requested a text amendment to the Business district to allow such a facility.

Upon motion and second (Klaver/ Thorpe) the Board approved the Planning Commission to consider a text amendment to the Business District to allow Senior Living Facilities, however, in no way awarding approval of the proposed development project.

New Business: Resolution 2013 – 34 David Dodge Final Plan Approval

Upon motion and second (Thorpe/ Love) the Board adopted Resolution 2013 – 34 David Dodge Final Plan Approval (2 – 1, Klaver – no) amending the fee-in-lieu amount of \$3,500.00.

Supervisor Klaver indicated that he agreed with the appeal submitted by Mr. Kelleher, however he was troubled by the proposed amount of \$3,500. He would prefer to have an amount based upon an objectively derived approach in what might be viewed as a precedent in the future. Also he was troubled by the proposed amount being less than the recommendations from the Planning Commission (\$5,000) and Open Space Committee (\$8,200).

Chair Love considered what renovations were actually being done and thought a reduction was appropriate.

Deb Reardon, Open Space Chair, Tally Ho Drive, expressed concern over a possible precedent set by reducing the fee-in-lieu amount.

Solicitor Donaghue explained that the Board has legal right to exercise discretion on fee-in-lieu amounts to be determined.

Public Comment

Lou Dickinson, 1244 Baltimore Pike, inquired about the Resolution pertaining to his property passed at the last meeting and procedures to file an appeal to which Solicitor Donaghue responded.

Rich Schwartzman, Chadds Ford Live, asked the Township what it cost to litigate the issue regarding events at 681 Webb Road. He reported that he would file a Right-to-Know Request.

Chair Love spoke about serving the Township for the past twelve years and thanked the residents.

Adjournment

Chair Love adjourned the meeting at 8:30PM.

Respectfully Submitted,

Matt DiFilippo, Secretary