

CHADDS FORD TOWNSHIP

Minutes – Board of Supervisors

December 5, 2001

The Supervisors of Chadds Ford Township met in the Township Building on Wednesday, December 5, 2001. The meeting was called to order at 7:30 P.M. Present were Harvey L. Kliman, George M. Thorpe, and James E. Shipley. Also present were Solicitor Donald T. Petrosa and James C. Kelly of Kelly Engineers.

PUBLIC COMMENT

Jim Murray reported that the mattress on Ring Road has been removed officially completing the Township Clean Up Day.

STATE POLICE REPORT- No Report

APPROVAL OF MINUTES

Mr. Shipley motioned, Mr. Thorpe seconded, and the Board approved the Minutes of November 7, 2001, as amended.

Reports

Supervisors

This being his last official meeting, Mr. Kliman thanked the citizens of Chadds Ford Township for allowing him to serve for the last six years. He especially thanked the Boards, volunteers, the Sewer Authority, the Planning Commission, the Open Space Committee, the HARB, the Zoning Hearing Board, and all those who have contributed much time without compensation. He

expressed appreciation to Rich Jensen, Gail Force, Jim Kelly, and Don Petrosa, and thanked all those Supervisors with whom he has worked. Mr. Kliman felt it interesting and worth remembering that this Township government is run by a form of oral tradition; that written documents do not really hold all the information required for running this Township. It is in the minds of the people doing the work on a day-to-day basis, the various Boards, and the long-time citizens of the Township.

Mr. Kliman then delivered his Chairman's Report (attached).

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Treasurer

Account balances as of November 30, 2001:

<u>State Funds:</u>		
v Checking	\$ 284.99	
v Savings	\$ <u>51.67</u>	\$ 336.66
<u>Township Funds:</u>		
v Checking	\$83,313.61	
v Savings	\$ <u>34,847.34</u>	\$118,160.95
<u>Escrow Fund:</u>		<u>\$425,190.23</u>
Total		<u>\$543,687.84</u>

Certificates of Deposit opened December 12, 2000 – 14 months @ 6.50%:

Township Fund	\$ 65,978.48
Building Fund	\$102,443.61
Sewer Fund	\$ 7,111.13

Land Trust \$ 10,000.00

Money Market opened December 12, 2000 – 30 days @ 6.05%:
Township Fund \$51,607.22

Total Certificates of Deposit/Money Market \$237,140.44

TOTAL ALL FUNDS \$780,828.28

Receipts for the month of November 2001:

General Fund:

Treasurer of Delaware County – trans. Tax 15,647.66

Richard J. Jensen 3,435.00

v \$2,250.00 – BP

v \$ 830.00 – ZP

v \$ 175.00 – PP

v \$ 100.00 – GP

v \$ 80.00 – C/O

SEO 1,000.00

v \$500.00 – Arthur D. Anderson

v \$500.00 – KV Excavating

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Receipts for the month of November 2001: (cont.)

Planning Module 284.28

v \$148.13 – Wawa #2

v \$ 19.75 – Bancroft

v \$ 39.50 – St. Cornelius #2

v \$ 76.90 – Longview Builders

Engineering	6,197.68	
√ \$ 450.00 – Fanelli (transfer from escrow)		
√ \$ 78.75 – Montchanin (Sheer)		
√ \$ 73.00 – Henderson #2		
√ \$ 111.00 – Henderson – signal		
√ \$1,441.00 – Chadds Ford Plaza		
√ \$ 953.33 – Wawa #2		
√ \$1,751.50 – Bancroft		
√ \$ 219.10 – St. Cornelius #2		
√ \$ 573.00 – Barbone		
√ \$ 547.00 – Maroney		
Legal	425.00	
√ \$350.00 – Bancroft		
√ \$ 25.00 – Henderson #11		
√ \$ 25.00 – Chadds Ford Plaza		
√ \$ 25.00 – Wawa #2		
Chester Water Authority – permit fees	200.00	
Bernard, Mezzanote & Pinnie – (Brandy. Cons. ZHB)	300.00	
Sales of Maps & Ordinances	<u>65.00</u>	
Total Receipts – General Fund		<u>\$27,554.62</u>
Interest – General Fund	53.64	
Interest – State Fund	12.36	
Interest – Money Market	<u>84.76</u>	
<u>Escrow Fund:</u>		
Bernard, Mezzanote & Pinnie – (Brandy. Cons.- ZHB)	700.00	
Peter J. Brookes – GP	700.00	
Total Receipts – Escrow Fund		<u>1,400.00</u>

TOTAL RECEIPTS

\$29,105.38

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Bills presented for payment December 5, 2001:
General Fund:

Chester Water Authority	\$792.00
PECO	745.62
√ \$156.05	
√ \$451.43	
√ \$138.14	
PECO	58.42
Verizon (phone and fax)	90.41
AT&T	14.93
Petrikin, Wellman, Damico, Brown & Petrosa	3727.50
Kelly Engineers	19,189.80
Chadds Ford Township Sewer Authority	2,333.33
Shurgard of Painter's Crossing	169.00
Ehrlich	59.00
Daily Times	332.24
Suburban Propane	120.90
Spotts, Stevens and McCoy, Inc.	1,488.45
Tree Medic	100.00
Concordville Fire & Protective Assn. – ½ contract	10,754.00
Natural Lands Trust	1,168.55
H.A. Weigand, Inc.	542.75
George M. Thorpe – reimb.	50.00
Richard Long – tax refund of overpayment	707.86
Chadds Ford Painting	2,200.00
Susie Ahlstrom	60.00
Harvey L. Kliman	125.00
George M. Thorpe	125.00
James E. Shipley	125.00

George M. Thorpe – Roadmaster	75.00
Richard J. Jensen	2,827.75
Richard J. Jensen – phone	42.64
Richard J. Jensen – postage	56.62
Richard J. Jensen – Brandywine Dr. inspection	70.00
Rocklyn Construction Co., Inc. – reimb. copies	47.50
Rocklyn Construction Co., Inc.	386.70
Gail G. Force	933.41
EarthLink, Inc.	17.95
AOL	28.90
Martin Bros. Excavation	<u>476.00</u>

TOTAL BILLS \$50,042.23

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Mr. Thorpe motioned, Mr. Shipley seconded, and the Board approved the bills as presented.

Roadmaster

Mr. Thorpe presented his Roadmaster’s Report (see attached).

Planning Commission

The Secretary highlighted the Minutes of the November 28, 2001, Planning Commission Meeting.

Zoning Hearing Board

Mr. Kliman reported that the Brandywine Conservancy was granted all of the variances requested at the recent hearing.

HARB

Jackie Givens reported on the meeting held on Monday, December 3, 2001, to review the Brandywine Conservancy application (see attached notes). The Board signed the Certificate of Appropriateness.

Sewer Authority

The meter is in need of repair. The Longview/Woodland/Summit project is on schedule. Chester Water Authority has begun water installation. Final construction is still expected in January. The pump station and generator will be delivered this month.

The Sewer Authority has executed a Resolution and Agreement with Chester Water Authority to provide water shut-off service to enforce collection efforts for any unpaid sewer services. These procedures are in compliance with Section 2261.

Today a dialog was opened with the Conservancy on the Village sewer system. The Authority is encouraged by this discussion.

Building Inspector/Code Enforcement Officer

Mr. Jensen reported the issuance of the following permits during the month: 2 commercial alterations, 5 signs, 1 pool, 1 temporary trailer, 1 residential alteration, and 8 plumbing. Two Certificates of Occupancy for new businesses and six for completed permits were issued.

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Engineer

St. Cornelius Church – On November 27, 2001, representatives of the Township and the Sewer Authority attended a meeting with Glen Stinson, Elizabeth Mahoney, and John Veneziale of PaDEP to discuss the status of their review of the Plan of Study and Task Activity Report as well as the status of their review of the Planning Module submission. The Planning Modules have not yet been approved and further testing is required due to the extent of the dispersion plume from the proposed site of the absorption beds. PaDEP advised that approvals of the Modules would be conditioned

on connection to the Township sewer system when it became available. DEP advised that no “537 Plan” nor Planning Module revision are necessary for the Church to be connected to the Ridings treatment plant if the Sewer Authority were to extend a gravity sewer line to the property.

Wawa - On Thursday, December 6, 2001, a meeting will be held at the request of Wawa’s Engineer, Robert Irons, to discuss which properties will be included in the Planning Modules for connection to a sanitary sewer that will run from their property to Concord Township through Thornbury Township.

Applied Card System – A Public Improvement Cost Estimate for the proposed traffic signal has been submitted. The recommended amount to be held in escrow is \$96,500.00, which includes a 10% contingency line item and a 5% engineering and inspection fee line item.

Bunch Auction House – Planning Modules are to be signed for submission to PaDEP. A previous submission did not include all the required signatures. Mr. Kliman motioned for approval of the Planning Modules subject to the provision that they tie into the public sewer when it becomes available to the site. This motion was amended by Mr. Kliman, seconded by Mr. Shipley, and approved by the Board (Resolution 2001-6) subject to the provision that the Bunch Auction House tie into sanitary sewer when it becomes available to the site.

2001 Road Program – Additional paving and a traffic-calming device have been installed on Bullock Road, completing this year’s Road Program. The contract is being reviewed for close out procedures to finalize this project.

Heyburn Road Storm Damage – Rick Mellon has been provided with all permitting information. Plans for this project have been revised to include Mr. Mellon’s field data points and photo points. We are awaiting the approved permits to be returned from the DEP and the Army Corps of Engineers.

537 Plan Amendment – On Tuesday, November 27, 2001, representatives of the Township and the Sewer Authority attended a meeting with Glen Stinson, Elizabeth Mahoney and John Venezia of PaDEP to discuss the status of their review of the Plan of Study and Task Activity Report as well as the status of their review of the Planning Module submission for St. Cornelius. We were informed that the Plan of Study and Task Activity Report would be approved subject to some comments on the scope of the study and reconciliation of the flow projections in the 1990 “537 Plan” with the actual flows to the plant and future flow projections in the designated study area.

SEO Activity Report (see attached report for the period November 1-30, 2001)

Solicitor

Bunch Auction House – The Developer’s Agreements and Improvement Security Agreements are available for signature this evening. Final plans still need to be presented for signature.

Parkside Associates (Olde Ridge Village) – The original approved land development was amended in 1999 and plans have been recorded. The Developer requested approval to do this project in phases and wishes to move forward with the stand-alone building now, leaving the addition for another building for the future. They have provided us with an updated Letter of Credit. Mr. Petrosa prepared Developer’s Agreements and Improvement Security Agreements for Phase I. Mr. Thorpe motioned, Mr. Shipley seconded, and the Board approved Resolution 2001-7 allowing the Developer to complete this project in two phases.

Animal Control Ordinance – This Ordinance will be advertised for enactment at the January 7, 2002, meeting.

Open Space Committee

Prior to reporting on the November 4, 2001, meeting of the Open Space Committee, Samantha Reiner asked if the 2002 Budget has been completed. Mr. Kliman advised that the Budget will probably be adopted at a special meeting on December 28, 2001.

The Open Space Committee met on November 14, 2001. The Brandywine Conservancy apologized that they have yet to prepare the memorandum that Mr. Shipley requested to summarize the Ordinance revisions. She requested that the Supervisors consider setting a public hearing where the amendments could be made available for public review and a public record would be made.

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Open Space Committee (cont.)

Ms. Reiner asked that the Board consider appointing three new members to this Committee and suggested that this might be something that could be added to our website. She requested to be advised of any new business the Board would like the Committee to consider.

Mr. Thorpe reminded Ms. Reiner that when he last attended a meeting of the Open Space Committee (one at which Ms. Reiner was not in attendance), he requested a number of changes; and, to date, he has seen no revisions. Ms. Reiner was under the impression that no revisions were to be made until the Conservancy completed the summary memorandum.

Property Planning Workgroup

Mr. Thorpe reported that at the November 27, 2001, meeting, three Township properties were discussed. With regard to Turner's Mill, they have successfully obtained the help of a local real estate person for assistance with options for the property and to place a value on the property. Somebody will be coming to the December 27, 2001, meeting to give a presentation about funding methods. During a discussion of the cemetery property on Ring and Bullock Roads (Mother Archies), it was decided that several things need to be done to make the property more useful to Township citizens. Two members were assigned to collect history of this property. The value of the Township Building was discussed in order to determine what kind of investment should be made.

OLD BUSINESS

Henderson (Lot #11) – Jeff Nagorny, of Brandywine Valley Engineers, represented

The Henderson Group in presentation of this plan for a professional office building on the last remaining parcel in the Chadds Ford Business Campus; a 42,000 square foot, two and three-story office building. This plan was granted preliminary approval on September 5, 2000; however, a delay was caused by the wetlands permitting process. The Army Corps of Engineers waived responsibility and delegated permitting to DEP. In a lengthy discussion about the size of the existing basin, Mr. Nagorny assured our Engineer that the Applicant has agreed, and a note has been added to the plan, that the elevation of the main spillway channel will be adequate or it will be adjusted.

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Henderson (Lot #11) – cont.

Mark Eisenhardt of The Henderson Group reminded the Board that Henderson agreed to pay for the Hillman Drive traffic signal and its installation; however, they never agreed to pay for improvements on the east side of Route 202. Mr. Kliman advised that The Henderson Group has paid for the engineering work on the east side of Route 202 to facilitate the traffic signal. The property owners on the east side of Route 202 have agreed to allow the necessary work to be done; however, who will pay for those improvements has not been determined.

Jerome Heisler asked if there was any way to improve water quality from this basin. Although we know Henderson is not the only contributor, the water quality of Harvey Run has deteriorated over the years. Mr. Kliman reminded Mr. Eisenhardt that it has been the policy of the Board to ask Developers to improve sites rather than do just what is required. Mr. Heisler asked what is being done by the Township to insure the maintenance of basins. While we have no annual inspections, Mr. Kelly responded that we have included conditions on plans that give the Township the right, but not the obligation, to perform maintenance.

Mr. Shipley motioned, Mr. Thorpe seconded, and the Board approved the Henderson Lot #11 final plan dated June 12, 2000, last revised November 2, 2001, (ten sheets) subject to: Applicant escrowing the appropriate funds as specified by the Township Engineer for the Route 202 and Hillman Drive traffic light and its

installation; our Township Engineer's approval of the water volume and height requirements of the storm water management basin; and Applicant's submission of a proposal for water quality renovation for water exiting the storm water basin to reverse sedimentation and hydrocarbons exiting into the stream subject to approval of our Township Engineer.

NEW BUSINESS

Rachel Kohl Library – At the Library's request for funding in the amount of \$5,000 for the year 2002, Mr. Kliman asked Meg Hawkins for information regarding membership. Mr. Shipley had requested a breakdown of private contributions. In terms of membership, Chadds Ford makes up about 7-1/2% of the members; however, in 2001 Township and private contributions totaled \$4,500.00, or approximately 2% of the total budget. Meg Hawkins explained a new online system whereby books can be borrowed from other libraries and members can check the status of books from home.

Mr. Kliman introduced Pat Hagan, a retired mathematics teacher, who has been proposed as a representative of the Township on the Library Board. As described by Ms. Hagan, if she is appointed, one of her goals would be to acquire reading lists from the Unionville-Chadds Ford School District in order to assure that the Library has the current reading requirements available.

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Concordville Fire Company – In an effort to raise awareness, Lee Weersing, President of the Concordville Fire Company, gave an overview of the fire company's growing operation and its equipment needs for the coming years; and to ask the Township for additional funding. The fire company covers a total of 45 square miles. In addition to Chadds Ford Township, the fire company covers all of Concord Township and portions of Thornbury and Birmingham Townships; while their ambulance service covers all of Bethel Township and a portion of Chester Heights. Dave Montville, Treasurer, presented a detailed a Five-Year Budget Analysis. Mr. Kliman mentioned that in Budget preparation, our millage was adjusted to provide for an approximate 10% increase to the fire company in 2002.

St. Cornelius Church Sewer Module Withdrawal – Mr. Shipley explained that Chadds Ford Township approved the Planning Module for St. Cornelius Church in January 2001. Since that time, Chadds Ford Township determined that it would be better for St. Cornelius to tie into the Ridings Sewer Plant rather than install an on-site system. There have been several meetings to present attractive proposals to the Church including donation of capacity to the Church. DEP has stated that any approval will be contingent upon the Church tying into public sewer when it is available. With the modification of our 537 Plan, including a collection pipe up Ridge Road, that condition will then force St. Cornelius to tie into the plant. Sewer Authority Chairman, Jim Murray, was advised today that St. Cornelius has decided to tie into the sewer plant; therefore, the previously approved Planning Module for on-site sewer is no longer necessary. Mr. Shipley motioned, Mr. Thorpe seconded, and the Board approved adoption of Resolution 2001-8 including a finding that the land development described in the St. Cornelius Sewage Facilities Planning Module does not adequately conform to a comprehensive program of sewage control and water quality management; and that the Board authorized the Chadds Ford Township Sewer Authority to extend the gravity sewer line along Ridge Road to make public sewer service available to the St. Cornelius Church property; and that the Board rescind the adoption of the Resolution submitted to DEP in January 2001 indicating approval of the Sewage Facilities Planning Module.

Sewer Authority Temporary Loan – Jerome Heisler, on behalf of the Sewer Authority, made a financial request of the Township for a temporary loan in the amount of \$9,999.00 to begin an engineering study for the sewer line up Ridge Road to Heyburn Road. Mr. Thorpe motioned, Mr. Shipley seconded, and the Board approved establishment of this temporary loan contingent upon the monies not being available to the Sewer Authority from existing sources.

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Tom Spackman (representing Sweed property) – Mr. Spackman, a local realtor, represents the Swede family living in the Historic District on Brinton's Bridge Road since the 1950's. The house is a twin with the property line running down the center of the house. In seeking advice from the Board, he presented several scenarios for disposal of this property for the Board's consideration. The Board

will need to discuss this further.

Brandywine Battlefield Park Associates – Mr. Kliman mentioned that in reviewing Budget items, we have overlooked our \$2,000.00 contribution for planning and activity assistance for the 225th Anniversary of the Battle of the Brandywine on December 11, 2002. Mr. Shipley asked what the money would be spent for. Mr. Thorpe motioned and Mr. Kliman seconded payment of this \$2,000.00 contribution for use specifically for the special 225th commemoration. Mr. Shipley abstained.

ADJOURNMENT

The meeting was adjourned at 11:30 P.M.

Secretary

Gail G. Force,