

CHADDS FORD TOWNSHIP

Minutes – Board of Supervisors

June 6, 2001

The Supervisors of Chadds Ford Township met in the Township Building on Wednesday, June 6, 2001. The meeting was called to order at 7:30 P.M. Present were Harvey L. Kliman and James E. Shipley. Also present were Solicitor Donald T. Petrosa and James C. Kelly of Kelly Engineers.

PUBLIC COMMENT

Bruce Prabel commented that he believed that the County has been sending contractors around to test water areas for West Nile Virus and he wanted to know if the Township was notified. Mr. Jensen confirmed that they are testing any basins, ponds, lakes or any significant amount of water.

Columbia Gas

Jonathan Adler and Scott Collier of Columbia Gas attended to alert residents that survey crews will be in the Township doing civil, environmental and archeological surveys for plans to replace existing lines with larger lines for a plant to be built on the Delaware River. If residents have questions they may call 866-479-7831.

STATE POLICE REPORT

Trooper Sgt. Anthony Civo attended to address any police matters the residents wished to discuss. He delivered the Monthly Police Report. Mr. Shipley asked if the reduced 45 MPH speed limit has reduced the number of accidents on Route 1. Sgt. Civo responded that between 50 and 60 citations were written on Memorial Day Weekend; however, only three things that will reduce accidents; engineering, education, and enforcement.

APPROVAL OF MINUTES

Mr. Shipley motioned, Mr. Kliman seconded, and the Board approved the Minutes of the May 2, 2001, meeting.

Reports

Supervisors

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

Minutes – Board of Supervisors

Page 2

JUNE 6, 2001

Treasurer

Account balances as of May 31, 2001:

State Funds:

v Checking	\$284.99	
v Savings	<u>\$655.79</u>	\$ 940.78

Township Funds:

v Checking	\$135,207.03	
v Savings	<u>\$ 34,380.06</u>	\$169,587.09

Escrow Fund:

\$447,106.96

Total

\$617,634.83

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 \$50,875.80

Total Certificates of Deposit/Money Market \$236,409.02

TOTAL ALL FUNDS \$854,043.85

Minutes – Board of Supervisors

Page 3

June 6, 2001

Receipts for the month of May 2001:

General Fund:

Treasurer of Delaware County – trans. Tax 7,481.81

District Court – fines 150.00

Charles J. Weigold 47,917.97

v \$38,205.38 – Twp.

v \$ 9,464.77 – Fire

v \$ 198.63 – Int. Twp.

v \$ 49.19 – Int. Fire

Richard J. Jensen 3,255.00

v \$2,235.00 – BP

v \$ 740.00 – ZP

v \$ 200.00 – GP

v \$ 80.00 – C/O

SEO 1,250.00

v \$500.00 – Janis Tappenden

v \$750.00 – Marianne Thomas Architects
(Brandywine Battlefield)

Buckley, Nagle, Gentry – ZHB (Wawa #2) 500.00

Buckley, Nagle, Gentry – Cond. Use (Wawa #2) 500.00

Chester Water Authority – permit 40.00

Sales of Maps & Ordinances 115.00

Total Receipts – General Fund \$61,209.78

Interest – General Fund	88.94
Interest – State Fund	1.11
Interest – Money Market	<u>144.11</u>

Escrow Fund:

Ted Quality Pools, Inc. – GP	700.00
Ryan Service Group, Inc. – GP (Lot#1 Keepsake)	700.00
Buckley,Nagle,Gentry – ZHB (Wawa #2)	700.00
Buckley,Nagle,Gentry – Cond. Use (Wawa #2)	<u>700.00</u>

Total Receipts – Escrow Fund	<u>2,800.00</u>
------------------------------	-----------------

TOTAL RECEIPTS \$64,243.94

Minutes – Board of Supervisors

Page 4

JUNE 6, 2001

Bills presented for payment June 6, 2001:

General Fund:

PECO	\$745.62
v \$156.05	
v \$451.43	
v \$138.14	
PECO	68.20
Verizon (phone and fax)	71.89
Petrikín,Wellman,Damico,Brown & Petrosa	5,512.50
Kelly Engineers	19,925.12
Chadds Ford Township Sewer Authority	2,333.33
Chadds Ford Township Sewer Authority	1,327.34
Shurgard of Painter’s Crossing	169.00
Ehrlich	59.00
Suburban Propane	43.73
Daily Times	43.18

H.A. Weigand, Inc.	369.70	
Omaha Property and Casualty (flood insurance)	985.00	
Dorothea Reynolds (Today/Almanac)	48.10	
Reino's Print & Copy	672.28	
Tree Medic	640.00	
Spotts, Stevens and McCoy, Inc.	4,250.00	
Township of Concord (shared traffic signals)	1,380.12	
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	3,435.28	
Richard J. Jensen – phone	76.06	
Richard J. Jensen – Brandywine Dr. inspections	805.00	
Richard J. Jensen – Wawa #1 inspections	157.50	
Gail G. Force	1,066.30	
Gail G. Force – (re: Floyd)	465.00	
Martin Bros. Excavation	2,279.03	
EarthLink, Inc.	17.95	
AOL	<u>26.95</u>	
Total Bills – General Fund		\$47,483.18

Minutes – Board of Supervisors
Page 5
June 6, 2001

Bills presented for payment June 6, 2001: (cont.)

<u>Escrow Fund:</u>	
Jeffrey S. Blanton – Rel. #5 (final)	5,058.33
Paul F. McLaughlin – Imp. Sec. Rel. #3 (final)	2,250.00

Paul F. McLaughlin – Developer’s	2,000.00	
William M. Mack – Imp. Sec. Rel. #3	21,906.00	
Martin G. Smith – Developer’s	<u>5,439.00</u>	
Total Bills – Escrow Fund		<u>\$36,653.33</u>
TOTAL BILLS		<u>\$84,136.51</u>

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

Roadmaster – no report

Although Mr. Thorpe was not in attendance to give his report, Mr. Kliman mentioned there were some calls regarding a pothole problem on Marshall Road that Mr. Martin repaired.

Planning Commission

Mr. Taylor highlighted items reviewed at the May 30, 2001, Planning Commission meeting.

Mr. Kliman congratulated Mr. Taylor for making headlines in the newspaper by retiring from the Post Office after 30 years.

Zoning Hearing Board

Ed Wandersee reported no meeting of the Zoning Hearing Board in May. There will be a meeting on June 20, 2001, at 7:00 PM to hear the application of Wawa for numerous variance requests for a proposed site with gasoline service on Route 202 at Dilworthtown Road.

HARB

Mr. Jensen reported that the HARB did meet on the previous Monday evening. Because the Applicant was not in attendance, no decision was made and they will wait to hear from the Applicant.

Minutes – Board of Supervisors

June 6, 2001

Sewer Authority

Jim Murray reported on the operation of the plant. Bids for the extension project were received on May 31. The Authority will award the project at their next meeting on June 19, 2001. Discussions continue with commercial accounts along the extension area. Chester Water Authority has expressed a renewed interest in installing public water along with the extension project. New pamphlets have been received and distributed regarding assistance from the Delaware County Housing Rehabilitation Program. Mr. Kliman thanked Mr. Murray for continuing to pursue financial assistance for the residents of this area.

Building Inspector/Code Enforcement Officer

Mr. Jensen reported the issuance of the following permits during the month: 4 residential alteration or addition, 2 grading, 3 plumbing, 2 pool, 1 temporary trailer, 1 demolition, 8 temporary signs, and 5 permanent signs.

Two enforcement notices were taken to District Court during the month. A fine was issued on one matter and Judge Cappelli was to make a decision within five days on the other matter.

Mr. Jensen stated that the Rizzo matter is to be discussed by Mr. Petrosa later in this meeting.

A Citation was issued for various sign violations during the month.

Mr. Jensen asked the status of the Well Ordinance and Resolution 92-1 (Fee Schedule). Mr. Murray suggested that commercial users should have their water tested on a regular basis.

Engineer

St. Cornelius Church – No Developer's Agreement has been received, nor has security been posted to guarantee implementation of the pertinent features of this plan. A draft of the Operation and Maintenance of the

Sewerage System has been received. Kelly Engineers has made some modifications and additions and will submit them to the Applicant and our Solicitor for review.

William Mack – A release of escrow in the amount of \$21,906.00 was recommended leaving a balance of \$61,260.00. Mr. Shipley motioned, Mr. Kliman seconded and the Board approved this release.

Minutes – Board of Supervisors

Page 7

June 6, 2001

Engineer (cont.)

Bancroft Homes – Bancroft is preparing an Improvement Construction Cost Estimate for this development. This will be reviewed and recommendations submitted to our Solicitor to inclusion in the Developer's Agreement.

Martin Smith – Mr. Shipley motioned, Mr. Kliman seconded, and the Board approved a final release in the amount of \$5,439.00, pending payment of any outstanding bills to the Township.

Applied Card Systems – (To be discussed during our Solicitor's Report)

Street Re-numbering Plan – Revised copies of the draft plan were submitted for review and comment.

Rizzo – The site was inspected on Tuesday, June 5, 2001, and determined that the septic system is in compliance with Code. Fill did not cover the septic tanks; however, the plan calls for a retaining wall in that area. The site has been stabilized; however, germination has not taken place. Jute matting has been placed on the rear slopes and some grass growth has begun. The front of the lot has been temporarily stabilized with a layer of mulch. Another inspection will be made and a more detailed report will be submitted to our Solicitor.

Mr. Petrosa reported that a Complaint had been filed. Rizzos had done a lot of the work prior to the hearing and Mr. Rizzo, who was out of town, had requested a continuance; however, the Judge denied this request. Mrs.

Rizzo was present with her attorney. Because of the progress on most of the issues, the case was continued until June 29, 2001, to give the Rizzos an opportunity to complete the outstanding issues. If completed to the satisfaction of Mr. Kelly and Mr. Jensen, then the Judge will be notified to take this matter off his schedule. Mr. Jensen mentioned that the bills for this matter are now rather significant.

Brandywine Plaza- Weekly construction meetings are being held with the owners, contractors, and Richard Jensen. A pavement design for the cartway was received from Brandywine Valley Engineers. The design has been done in accordance with PennDOT collection road standards. The Developer (BRARC, Ltd.) has indicated they will have the final plan amended to address all final plan approval conditions and will resubmit them within the month. At a meeting with PennDOT, the issue of dedication was discussed. PennDOT did not favorably respond to the proposal of accepting ownership of Brandywine Drive; however, they did seem receptive to exchanging lane miles. The problem with this is that we would be accepting an old road in exchange for a new road. Brandywine

Minutes – Board of Supervisors

Page 8

June 6, 2001

Engineer (cont.)

Drive will be approximately 2,900 feet long, which equates to approximately 1.1 lane miles. Curb construction on the inside of the curve has begun.

Hoffman's Mill Road – Kelly Engineers prepared a plan of the proposed improvements to Hoffman's Mill Road for the Brandywine Conservancy in an effort to re-align the road to reduce travel speeds while allowing 18-wheel traffic to travel the road if necessary. This re-alignment requires the Conservancy to dedicate property to the Township as right-of-way, and the Township will have to vacate a portion of the existing right-of-way. Right-of-way plans, legal descriptions, and construction plans will be submitted to the Township in July.

2001 Road Program – It was suggested that a meeting with the Roadmaster be scheduled to establish a Road Program for 2001 in order to apply for County Aid.

Line Stripping – Line stripping on Oakland, Heyburn, and Marshall Roads will be done within the next two to three weeks.

Chadds Ford Plaza Planning Modules – The Modules have been reviewed and are ready to be signed.

SEO Activity Report (see attached report for the period May 1 through 31, 2001)

Solicitor

Wawa (Dilworthtown Road) – Mr. Petrosa reported that both a Conditional Use Application and a Zoning Hearing Board Application have been filed by Wawa for the property at Route 202 and Dilworthtown Road.

Mr. Shipley stated that he felt we should send our Solicitor to the Zoning Hearing to oppose. Mr. Kliman stated that we remain very strict regarding our sign regulations and felt that no one suffers a hardship as a result. Because Mr. Petrosa's firm does some work for Wawa, he will have to refer this matter to Robert Pinto, Esquire, our Alternate Solicitor.

The Attorney for Wawa, Mr. Brion, suggested that the June 20, 2001, Zoning Hearing be held for dimensional variances; then hold the Conditional Use hearing before the Board; and go before the Zoning Hearing Board again in July for the other variance requests.

Minutes – Board of Supervisors

Page 9

June 6, 2001

Solicitor (cont.)

The Conditional Use Hearing date was set for Monday, July 2, 2001, at 8:00 P.M. The Board will also look at the proposed signage in order to determine what to advise Mr. Pinto who will be attending the Zoning Hearing Board to oppose.

Open Space Committee

Mr. Wandersee reported for Chairperson Samantha Reiner that there were two work sessions with the Supervisors during May and June. At the conclusion of the June 4 session, Mr. Shipley felt that an additional work session would be beneficial. Mr. Wandersee was asked to request a date when all Supervisors would be available for another work session on Ordinance revisions. Ms. Reiner also attended a meeting with a representative of the Girl Scout Camp and County Council and plans to attend another meeting next week. She urged that a member from the Open Space Committee be appointed as a liaison to the Girl Scouts and she suggested Deborah Love D'Elia. The next meeting of the Open Space Committee is set for Thursday, June 14, 2001, at 7:00 P.M. in the Township Building. The next work session was set for Monday, June 25, 2001.

Mr. Shipley stated that he would not have any opposition to a member of the Open Space Committee being appointed as a liaison to the Girl Scouts. Mr. Wandersee agreed, as did Mr. Kliman.

Property Planning Workgroup

Mr. Kliman stated that although Mr. Thorpe was not present, he did not believe there had been any meeting of which Mr. Thorpe had been a part. Mr. Wandersee commented that there have been no meetings of this group since December. This was of concern to him because one of their goals was to find a way to stabilize the Turner's Mill property and "demolition by neglect is a terrible thing for an historic structure." Mr. Jensen stated that there are some maintenance issues to be addressed this summer.

OLD BUSINESS

Stonebridge Bed and Breakfast – Mr. Kliman mentioned this matter is on the Agenda for discussion of the possibility of a provision to allow a commercial use at the corner of Webb Road and Route 202 for a 60-seat restaurant. He opened the floor to the Applicant for any further comment. The Applicant's consultant, Maryanna Ralph, is in the process of preparing proposed Ordinance revisions. Mr. Shipley stated that he remains receptive to looking at proposed Ordinance revisions, but that is difficult to mix bed and breakfast with commercial facilities.

Applied Card Systems – Representing this Applicant, Mark Kaplan, Esquire, detailed this plan for development of an office building in Concord Township with access to Route 202 in our Township. They have received confirmation from PennDOT that the signal to be installed at this access drive will not conflict with the proposed signal at Hillman Drive. PennDot has agreed to reassess these two signals at the time the signal is installed at Hillman Drive. Mr. Kliman advised that Concord Township has applied for a grant to tie all the signals for optimization of the flow of traffic along Route 202 from Naamans Creek Road to Oakland Road.

Mr. Kliman motioned, Mr. Shipley seconded, and the Board approved this plan subject to documentation to be prepared by Mr. Petrosa covering any amended conditions previously enumerated, satisfaction of Kelly Engineers' review comments dated May 30, 2001, and subject to compliance with our Traffic Engineers' (John Caruolo) comments.

The Applicant will not be abandoning this access easement upon completion of the loop road as requested by our Planning Commission. It was Mr. Petrosa's opinion that this plan could be approved and signed without Mr. Hineman's signature.

NEW BUSINESS

Escrow Releases

Dansfield (Ryan) - Mr. Kelly added that he had not included an escrow Mr. Ryan's (Dansfield) request for release of escrow for submission to his bank in the amount of \$70,438.05, pending Mr. Kelly's review of the release documentation. Mr. Kliman motioned, Mr. Shipley seconded, and the Board approved this request subject to Mr. Kelly's review.

McLaughlin - Mr. Kelly recommended the final balance of \$2,250.00 in the improvement security be released to Mr. McLaughlin. Mr. Shipley motioned, Mr. Kliman seconded,

and the Board approved this release pending payment of any outstanding invoices.

Mr. Kelly recommended release of the \$2,000.00 developer's escrow. Mr. Shipley motioned, Mr. Kliman seconded, and the Board approved this release.

Minutes – Board of Supervisors

Page 11

June 6, 2001

Escrow Releases (cont.)

Blanton – Mr. Kelly recommended final release of escrow in the amount of \$5,058.33. A Certificate of Total Completion has been executed. Mr. Shipley motioned, Mr. Kliman seconded, and the Board approved this release pending payment of any outstanding invoices.

Chadds Ford Plaza Planning Modules

Mr. Kelly has reviewed and recommended that the Board adopt a resolution to sign the Chadds Ford Plaza Planning Modules. Mr. Shipley motioned, Mr. Kliman seconded, and the Board voted to adopt Resolution 2001-3 approving these Planning Modules.

Website

Mr. Kliman announced that there has been a request to provide the Minutes of both the Board of Supervisors and the Planning Commission for our website. Mr. Shipley stated he was in favor of this but the question would be do we provide a draft or the approved Minutes a month later. Mr. Kliman and others agreed that it needed to be the approved Minutes. Mr. Petrosa advised that it should be the official approved Minutes.

Hoffman's Mill Road

Mr. Duff complimented Mr. Kelly on the plan prepared for the Brandywine Conservancy.

ADJOURNMENT

The meeting was adjourned at 10:00 P.M.

Gail G. Force, Secretary