

**Chadds Ford Township Board of Supervisors Meeting
December 4, 2002**

MINUTES

OFFICIALS PRESENT: James E. Shipley, Chairman
Deborah Love D'Elia, Vice Chairman
George M. Thorpe, Member

OTHERS PRESENT: Donald T. Petrosa, Esquire, Township Solicitor
James P. Kelly for James C. Kelly, Township Engineer
Richard J. Jensen, Building Inspector/CEO
Bruce Prabel, Roadmaster
William Taylor, Planning Commission
Ed Wandersee, Chairman, Zoning Hearing Board
Jim Murray, Chairman, Sewer Authority
Maryann D. Furlong, Secretary/Treasurer

CALL TO ORDER:

Mr. Shipley called the meeting to order at 7:30 PM. The Pledge of Allegiance was said.

PUBLIC COMMENT:

APPOINTMENT OF ANIMAL CONTROL OFFICER

Mr. Shipley introduced David Schlott and explained that the Township will employ the services of two Animal Control officers pursuant to the Animal Control Ordinance, Allen Strickler, for large wild animals and David Schlott, for small wild and domestic animals.

Private residents can call to obtain services for a fee, or the Township can call when the problem that falls within Township responsibility. Mr. Schlott stated that he is a strict enforcer of the leash law, which requires all dogs to be on a leash. He also plans to enforce the bite law, requiring the quarantine of any animal who has bitten or scratched someone.

MOTION TO APPOINT DAVID SCHLOTT AS ANIMAL CONTROL OFFICER

Upon motion and second (Thorpe, D'Elia), the Board of Supervisors unanimously approved the appointment of David Schlott as Animal Control Officer for Chadds Ford Township, accepting the fee schedule as submitted.

ROAD RENUMBERING UPDATE

In response to a question from the audience regarding the effective date of new street numbers, Mrs. Love D'Elia replied that approximately one-third of the 750 properties effected should have already received official notice of new numbers. Mr. Weigold was to complete the process by the beginning of next week. January 2, 2003, is the official start date. The post office will simultaneously make changes to their data base and will deliver

to both new and old numbers for one year. All emergency services have been brought up to date. Mr. Thorpe reported on the work that has been accomplished regarding renumbering and also the work that is still ongoing. All residents were asked to make certain that numbers are clearly visible from the street during both day and night. Mr. Shipley thanked both Mr. Thorpe and Mrs. Love D'Elia for taking leadership roles in the renumbering process and said that although it is an inconvenience for those affected, the Supervisors believe that it is an improvement to the public health, welfare and safety for the residents of Chadds Ford.

Dr. Sheer, a Chadds Ford resident, asked if the post office could implement delivery to the new numbers immediately and not wait until January 2, 2003, to avoid confusion with a group of some six hundred and fifty people with whom she corresponds. Mr. Thorpe stated that the Post Master had informed him that mail will be delivered to the new numbers immediately, but he was to confirm that.

STATE POLICE REPORT

Mrs. Love D'Elia reported that a new commander at the Media barracks will be submitting

monthly reports beginning in 2003, and will either be present personally, or will have a representative attend the meetings.

MOTION TO APPROVE MINUTES:

Upon motion and second (Shipley, Thorpe) the Supervisors unanimously approved minutes of the Board of Supervisors meeting of November 13, 2002, draft dated 12/03/2002 – 1:29 PM.

REPORTS:

SUPERVISORS REPORT – DEBORAH LOVE D'ELIA

A budget preparation meeting had been held on November 19th to finalize figures for final adoption. Mr. Shipley and Mrs. Love D'Elia had attended, among others.

On November 20th, a meeting had been call by Jim Murray of the Sewer Authority to discuss budget preparation and the term of an outstanding loan. In attendance were Mr. Shipley, Ms. Love D'Elia, Mr. Murray and Michel Wolfe of Dolphin and Bradbury.

Mrs. Love D'Elia is to finalize a letter to SEPTA regarding the appearance of the railroad bridge at Route 100 from both a safety and visual viewpoint.

TREASURER'S REPORT

Mrs. Furlong presented the Treasurer's Report for the month of November, 2002, a copy of which is attached hereto for review.

| | |
|---------------|---|
| | Total all funds as of November 30, 2002 |
| \$ 935,443.14 | |
| | Total all disbursements on December 4, 2002 |
| \$ 158,679.83 | |
| | Total all receipts for November, 2002 |

\$ 36,840.12

MOTION TO APPROVE TREASURER'S REPORT

Upon motion and second (Thorpe, D'Elia), the Board of Supervisors unanimously approved the Treasurer's Report of December 4, 2002, and payment of bills as presented.

ROADMASTER'S REPORT:

Mr. Prabel presented the Roadmaster's Report, a copy of which is attached hereto.

Mrs. Love D'Elia added that a recent traffic light outage at Routes 1 and 100 had led to the creation of a chain of command from Mr. Prabel to Mr. Wenrich, then to Ms. Love D'Elia, to prevent light outages for any prolonged length of time.

Mr. Kliman questioned the speed limit throughout the Village of Chadds Ford. Mr. Prabel said that he had spoken to PennDOT regarding the issue and had been told the area in question was permitted for a 55 mile an hour speed limit. Mr. Prabel plans to address the speed limit issue after the matter of the Ring Road traffic light is resolved.

PLANNING COMMISSION

Mr. Taylor reported that due to lack of a quorum on November 27th, the regular Planning Commission meeting was not held, however, Mr. Taylor, Mr. Cutrona and Mr. Jensen spent several hours working on the proposed Bed and Breakfast ordinance. Mr. Jensen had presented the proposal to Mr. Petrosa for review. The Planning Commission will look over the ordinance one more time before referral to the Board of Supervisors for consideration.

ZONING HEARING BOARD

Mr. Wandersee presented the Zoning Hearing Board report, a copy of which is attached hereto.

Mr. Jensen asked that the Board of Supervisors consider appointing one or two alternate members to the Zoning Hearing Board to allow for a quorum when regular members cannot make the meetings. The issue was taken under advisement.

HARB

There was nothing to report for the month.

SEWER AUTHORITY

Mr. Murray presented the Sewer Authority's report for the month of November, 2002, a copy of which is attached hereto.

BUILDING INSPECTOR/CODE ENFORCEMENT OFFICER

Mr. Jensen reported that the following permits had been issued: 3 temporary sign permits, 2 wall sign permits were denied, 1 wall sign was approved, 2 sewer laterals, 1 water service, 1 demolition permit, 1 residential addition, 1 certificate of occupancy for a new business and 12 certificates of occupancy for completed permits. The demolition permit had been issued for the Robbins' barn that had no historical significance

whatsoever. The barn had been removed and cleaned up, thus, the Robbins' final subdivision plans were ready to be released for recording.

ENGINEER'S REPORT

James P. Kelly presented the Engineer's Report, a copy of which is attached hereto. Mr. Kelly asked for the Board's approval in releasing escrow funds in the amount of \$ 35,187.39 to Dr. Harry Gray and a reduction in the letter of credit of Twin Magnolias in the amount of \$ 19,942.20. Mr. Kelly further requested a second payment to AF Damon for the remainder of work on the 2002 Road Program, with an additional ten percent to be retained for minor items that still need to be completed.

MOTION TO APPROVE PAYMENT TO A.F. DAMON – 2002 ROAD PROGRAM

Upon motion and second (Thorpe, D'Elia), the Board of Supervisors unanimously approved the payment of \$15,567.45 to AF Damon, representing the second payment for the 2002 Road Program.

OPEN SPACE COMMITTEE

Mrs. Love D'Elia reported that Chairman Samantha Reiner will be taking the Township maps to Professional Duplicating to be laminated. The bill for same will be submitted to Delaware County for reimbursement.

TOWNSHIP PROPERTIES COMMITTEE

Mr. Thorpe reported that there had been nothing submitted thus far on the Turner's Mill feasibility study.

EMERGENCY MANAGEMENT COORDINATOR

Mr. Prabel stated that Phil Wenrich was attending a training session and was unable to be in attendance tonight.

FIRE MARSHALL

Mr. Shipley has started drafts on both the Fire Marshall and Open Burning ordinances and hopes to have something to present at the January meeting.

FINANCIAL ADVISORY BOARD

The Board had not met during the month of November, but individual members were pursuing ongoing work on the 2003 Budget and the change over to Commerce Bank.

OLD BUSINESS

DEDICATION OF BRANDYWINE DRIVE (LOOP ROAD)

Michael Lyons, Esquire, representing the Chiccarone group, proposing fee simple dedication, and Joseph D'Amico, Esquire, representing the Henderson Group, proposing a deed of dedication by right of way, were both present. Some seventeen sub files had been presented to Township's legal representative for review. Mr. Lyons summarized the documents included therein. Mr. D'Amico reviewed the Henderson Group's proposal and those documents that had been submitted to Robert Pinto, Esquire, acting as special counsel for Chadds Ford Township. Mr. D'Amico believed that all aspects of fee simple

versus deed of dedication had been discussed with chief counsel for PennDOT. PennDOT representatives did not anticipate accepting dedication of Brandywine Drive from the Township now or in the foreseeable future.

Mr. Prabel questioned the responsibility for the traffic signal at Route 1 and Brandywine Drive, stating that he needed to know the date the signal will be made operational because the Township should add the signal to the current contract with Signal Services. Mr. Petrosa stated that the Township had to be the permittee for the light and he asked Mr. Lyons to amend the appropriate documents to reflect same. Mr. Lyons volunteered to coordinate the issue of placement of a road sign on the traffic signal with PennDOT.

Mr. Petrosa had prepared a resolution for adoption that agreed to conditionally accept the deed of dedication subject to conditions set forth in Exhibit "C". Mr. Petrosa also reviewed the provisions of Exhibits "A" and "B". Mr. Pinto indicated his satisfaction with the current status of the application.

MOTION TO ADOPT ORDINANCE NUMBER 2002-12 – DEDICATION OF BRANDYWINE DRIVE

A motion was made by George Thorpe. Discussion ensued with Mr. Shipley voicing his intention to vote against the resolution, stating that the road would be used primarily by non-residents with the expense to be carried by the Township, possibly leading to a tax increase for residents.

Upon motion and second, (Thorpe, D'Elia) the Board of Supervisors, by a vote of 2-1 (Mr. Shipley voting no), approved adoption of Resolution 2002-12, agreeing to accept dedication of Brandywine Drive, commonly known as the Loop Road, subject to and conditioned upon satisfaction of any and all conditions set forth in Exhibits "A" and "B", and in particular those set forth in Exhibit "C" within a period of sixty (60) days from December 4, 2002.

2003 PROPOSED BUDGET

Mr. Shipley said that the proposed 2003 budget had been advertised on November 29, 2002, and had been available for inspection since that time.

Ms. Love D'Elia reported that some figures had been adjusted with the help of Richard Jensen, Building Inspector, Mr. Prabel, Roadmaster, Mr. Shipley and Mr. Thorpe. No real estate tax increase was expected for 2003. Millage will remain at .021 for the Township, with a .0052 contribution for the fire contract.

The Township's contribution to the Concordville Fire and Protection Company had been increased to \$32,000; \$48,000 had been requested. Discussion ensued as to how to best procure monies for this purpose.

Mr. Kliman questioned the absence of a contribution for the Rachel Kohl Library. Mr. Shipley stated that the issue was in limbo pending feedback on a question regarding whether or not the Library can charge user fees. The Library had initially responded that state regulations prohibit such fees if the library in question receives state financial aid. If such is the case, it might change the Township's viewpoint as to contributions.

Mr. Reiter voiced his opinion as to the line item indicating revenue generated from Comcast Cable Company and suggested the money was generated by customers and not

by Comcast. Mr. Reiter also questioned the Township's continuing financial support of the Sewer Authority. Mr. Shipley stated that there is some financial responsibility on the part of the Township to the Sewer Authority but hopefully, the \$1500 per month support payment will cover that financial responsibility. Mr. Reiter also thanked the Board for the new budget format that very clearly shows how the books are kept.

Mr. Shipley informed all that the 2003 Budget would be adopted at a special meeting of the Board of Supervisors to be held on Friday, December 20, 2002, at 10:00 AM, in the Township Hall.

NEW BUSINESS

ESCROW RELEASES

MOTION TO APPROVE RELEASE OF ESCROW FUNDS

Upon motion and second (Shipley, D'Elia), the Board of Supervisors unanimously approved release of the following escrow monies in the amounts indicated, pending payments of any and all outstanding invoices:

| | <u>Developer</u> | <u>Amount</u> |
|--------------|---|---------------|
| \$ 22,250.00 | Henderson – Land Development Escrow | |
| | Return of Original Letter of Credit (\$152,948.00) | |
| | Return of Amended Letter of Credit (\$157,741.00) | |
| | Bancroft – | |
| 5,000.00 | Developer's Escrow | \$ |
| 4,250.00 | Land Development Escrow | \$ |
| | Dr. Harry Gray – Reduction in Land Development Escrow | \$ 35,180.00 |
| | Twin Magnolias | |
| | Reduction in Letter of Credit by \$19,942.20 | |
| | William Bunch – Correction (grading escrow previously refunded) | |
| 3,500.00 | Land Development Escrow | \$ |
| Escrow | Developer's | |
| | \$ 5,000.00 | |

MOTION TO ADJOURN

There being no further business, upon motion and second (D'Elia, Shipley), the meeting was adjourned at 9:00 PM.

Respectfully submitted,

MARYANN D. FURLONG,
Township Secretary

