

# CHADDS FORD TOWNSHIP

## Minutes – Board of Supervisors

***January 7, 2002***

***The Supervisors of Chadds Ford Township met in the Township Building on Monday, January 7, 2002. The meeting was called to order at 7:30 P.M. Present were George M. Thorpe, James E. Shipley, and Deborah Love D’Elia. Also present were Solicitor Donald T. Petrosa and James C. Kelly of Kelly Engineers.***

George Thorpe opened the meeting by thanking Harvey Kliman for years of service that he has contributed on the Planning Commission, the Zoning Hearing Board and as Township Supervisor. Mr. Thorpe commented that we all owe Mr. Kliman a great deal of gratitude.

Mr. Thorpe then called for nominations for Chairman of the Board of Supervisors. Deborah Love D’Elia nominated Jim Shipley. Mr. Shipley seconded and Shipley, D’Elia and Thorpe voted yes and the Board approved. Mr. Thorpe turned the meeting over to Mr. Shipley.

Mr. Shipley agreed with Mr. Thorpe’s comments regarding Harvey Kliman and commented that he has indeed made a significant contribution to the township.

Mr. Shipley opened the floor for nominations for Vice Chairman. He then nominated Ms. Love D’Elia. Ms. Love D’Elia seconded, Shipley, D’Elia and Thorpe voted yes and the Board approved.

Mr. Shipley opened the floor for nominations for Roadmaster. Ms. Love D’Elia moved to nominate Bruce Prabel for Roadmaster. Mr. Thorpe requested an additional nomination. Mr. Shipley declared that a motion was already on the floor and then seconded the nomination. Mr. Shipley then opened the floor for discussion of the nomination for Roadmaster. Ron Coates asked if he could make a nomination from the floor. Mr. Shipley advised that only Supervisors could make nominations. Mr. Coates then asked why Mr. Thorpe would no longer be Roadmaster. Mr. Shipley advised that Mr. Thorpe has done well as Roadmaster,

and that the Board would like to have another Roadmaster for 2002. Mr. Shipley then called for a vote on the nomination of Bruce Prabel. Shipley and D'Elia voted yes, Thorpe voted no and the Board approved.

Mr. Shipley opened the floor for a slate of nominees for various appointed positions in the Township. Ms. Love D'Elia moved for the following:

- To continue to employ the firm of Petrikin, Wellman, D'Amico, Brown and Petrosa, specifically Donald T. Petrosa, Esquire. Retainer to be \$400.00 per month and \$125.00 per hour.
- To continue to employ Robert L. Pinto, Esquire, (Levis & Pinto) as secondary counsel (Fees remain unchanged).
- To continue to employ James C. Kelly of Kelly Engineers as the Township's principal engineering company. (Fee Schedule attached.)
- Kelly Engineers; specifically Keith A. Leiberman and John Ibach, as the Township's Sewage Enforcement Officers.
- To continue to employ the Brandywine Conservancy, or equivalent consultant, for land development review services. (Fee schedule submitted by Brandywine Conservancy).
- To continue with First Union Bank as the depository for the Township's funds.
- Adoption of Resolution 2002-1, approving the appointment of Elko Advisory Group, LLC as the Township appointed auditors for 2002.
- Philip Wenrich as Emergency Coordinator.
- Richard J. Jensen as Building Inspector, Code Enforcement Officer, Zoning Officer, and Plumbing Inspector. Remuneration is to be \$700.00 (was \$675.00) per month. Other compensation shall remain the same as follows:

Fees

% of Fees Collected

|   |     |
|---|-----|
| Zoning                                  | 70% |
| Building                                | 35% |
| Plumbing                                | 60% |
| Grading                                 | 70% |
| Certificates of Occupancy (w/o permits) | 70% |
| Certificates of Occupancy (w/permits)   | 35% |

- Valerie Hoxter as Secretary/Treasurer. Remuneration of \$900.00 per month for Township Secretary/Treasurer, plus an additional \$100.00 per month (was \$65) per month for attendance at Planning Commission meetings and preparation and issuing of minutes.
- Appointment of the firm of Fronefield & DeFuria, specifically Francis T. Sbandi, as Solicitor for the Zoning Hearing Board. The basis for fees is to remain the same.
- Sigurd S. Swensson as Vacancy Officer for a one-year term.
- Paul Linsen to the Sewer Authority for a five-year term. (Carey Verger expired)
- James Urie to the Planning Commission for a four-year term. (Donald Honig expired)
- Robert Reardon to the Zoning Hearing Board for a three-year term. (Marian Fuller expired)
- Cindy Tobias to the HARB for a five-year term. (Jackie Givens expired)
- Deborah Danby to the HARB for a five-year term. (Phyllis Nolan expired)
- Hugh Donaghue to the Open Space Committee for a three-year term. (Grace Raak expired)
- Deborah Reardon to the Open Space Committee for a three-year term. (Holly Harper expired)

- Louis Jacona to fill Deborah Love D'Elia's term on the Open Space Committee for a two-year term through December 2003.
- Garry Paul to fill Deborah Love D'Elia's term as Auditor.
- Jim Shipley as Supervisor liaison and member of the Property Planning Workgroup and to change the name of the Property Planning Workgroup to Township Properties Committee.
- Deborah Love D'Elia as Supervisor liaison to the Sewer Authority.

The Treasurer's Bond has been previously established at \$900,000.

Mr. Shipley seconded the above motion. Citing Robert's Rules of Order, Mr. Thorpe called for a division of the question. Mr. Shipley referred the request to Mr. Petrosa who advised that splitting the nominations was not required. Mr. Petrosa did, however, suggest that the Adoption of Resolution 2002-1 (above) be deferred due to some issues with the submission of Elko's fee schedule and engagement letter. The Township is permitted to defer appointment of Township auditors to a subsequent meeting. Ms. Love D'Elia amended her motion for the above slate excluding the Adoption of Resolution 2002-1. Mr. Shipley seconded the amended motion. Shipley and D'Elia voted yes, Thorpe objected to the motion and voted no. The Board approved the motion.

Mr. Shipley explained the new arrangement of the Township Building for meetings and requested feedback from the public.

## **PUBLIC COMMENT**

Mr. Shipley informed all that the Supervisors would like to defer voting on the Animal Control Ordinance until such time as they can meet with an Animal Control Official and review how other areas administer and enforce their Animal Control Ordinances. Mr. Shipley opened the floor for public comment.

Harvey Kliman thanked Mr. Thorpe and Mr. Shipley for their earlier comments and also commented that Gail Force has done an exemplary job for the Township over the years.

Harvey Kliman also commented that it has been his experience that there are 1-2 dog bites per year in the Township. He believes that the County Officers have not responded quickly enough. Mr. Shipley said that one of his questions was whether or not Officers, upon responding to a call for a dog bite, have to see a dog running at large in order to issue a citation. Mr. Petrosa believes that for the offense of a dog running at large, the Officer has to actually see the dog to issue a citation. Mr. Petrosa agreed that Supervisor's should meet with an Animal Control Officer to discuss their concerns.

Jim Murray asked if the new appointment to the Sewer Board was effective immediately. Mr. Shipley said that it was.

Ann Pounds commented that, as the founding Chair of the Open Space Committee, she was very happy to have Holly Harper on the committee. She asked for confirmation that Ms. Harper was not being reappointed. Mr. Shipley confirmed. He continued by saying that he had discussed the matter privately with Ms. Harper. Mr. Shipley also agreed that Ms. Harper has contributed a great deal to the Open Space Committee, which has been greatly appreciated by the Township. Mr. Shipley explained that there is a desire by the majority of the Board to refocus the Open Space Committee's efforts toward more of a land trust idea. It is the hope that the three new members that were appointed, along with the existing members, will work together to do that. The decision to appoint new members had nothing to do with any dissatisfaction with Holly Harper.

Gail Force commented that, during a meeting with Mr. Shipley on December 28, 2001 she was told she was being replaced. Mr. Shipley said that was incorrect and that he told her on December 28 that he anticipated there would be a vote on January 7<sup>th</sup> for a new Secretary/Treasurer. Ms. Force said that she was told the reason for the expected new appointment was that the new Board wanted their own people. She then asked for an explanation. Mr. Shipley informed her that he anticipated that the Board would vote for a Secretary/Treasurer of their own appointing. Mr. Shipley also commented that he had asked Ms. Force at the December 28<sup>th</sup> meeting if she would cooperate with the anticipated transition. He reminded Ms. Force that she agreed to cooperate, but subsequently has declined to aid the transition in any way.

Mr. Thorpe went on record to say that he had no involvement in the slate of new appointees approved during this meeting.

Several residents expressed concern over the fact that the new appointments had been discussed prior to this meeting. Mr. Shipley commented that you cannot appoint people to new positions without discussing and reviewing qualifications prior to the vote before the Board. All of that must be done ahead of time. Mr. Shipley assured everyone that the people on this slate all received a majority vote before the Board.

Bruce Prabel commented that, in his opinion, it was good to have some new people getting involved in the Township. Mr. Prabel continued by saying that every community finds it difficult to get people involved, and if there are people who haven't been previously involved who are willing to serve, that is a good thing

Ann Pounds resigned from the Open Space Committee.

Harvey Kliman commented that there should be certain criteria met by people who will be serving the community – either through experience or background. He then expressed concern over the fact that there are some newly appointed people of whose background he had no knowledge. Mr. Shipley commented that it is the new appointees' performance that will be what's important in determining their contributions to the community. Willingness to serve is an indication of an interest in the community. Mr. Shipley commented that he didn't have experience when he started in the Township either.

Ron Coates asked how many of the newly appointed people were present at the meeting. Mr. Shipley commented that it is not a requirement that people appointed to specific Boards attend the Supervisor's meetings. That they attend the meetings of the Board they were appointed to, as well as participate in the activities of their particular Board, is the contribution that we should appreciate.

Mr. Shipley commented that he stands behind the nominees that have been appointed – he is sure they will do a fine job. As time goes by, he is sure everyone will see that. He also commented that he appreciated the new appointees' willingness to serve.

## STATE POLICE REPORT

No report

## APPROVAL OF MINUTES

In the minutes from the December 5, 2001 meeting, under the section entitled Sewer Authority Temporary Loan, Mr. Shipley recollected that the loan was contingent upon monies not being available from existing sources to the Sewer Authority. He would like to have that added to the minutes. Mr. Thorpe also requested a correction of the street names to Summit and Woodland not Woodlawn.

Mr. Shipley also commented that prior to the approval of the \$2000 to the Brandywine Battlefield Park Associates, he had asked what the money was going to be spent for. Mr. Thorpe commented that the money was to be spent for the Park's 225<sup>th</sup> anniversary celebration events and other activities focusing on Chadds Ford Township.

Mr. Thorpe motioned for approval of the December 5<sup>th</sup> minutes with the above corrections. Mr. Shipley seconded. Mr. Shipley, Ms. Love D'Elia and Mr. Thorpe voted yes and the Board approved.

Mr. Shipley questioned the language used in the approval of the 2002 Budget at the December 28<sup>th</sup> meeting. He believes it was specified that the Board approved the summary budget without specific details. Mr. Shipley also expressed concern over the fact that the specific budget details had not be made available to the public or to him. Mr. Petrosa informed all that there is a state form that must be used for the budget, and if it was used it appears to have been done correctly for purposes of approval. He also mentioned that there is a provision allowing for an approved budget to be amended and adopted by the Board of Supervisors on or before February 15<sup>th</sup> of each year. Mr. Shipley commented that he is not proposing that we change the summary budget that was adopted on December 28<sup>th</sup>. He wants the minutes to reflect that the detailed amounts were not part of the vote on December 28<sup>th</sup>, and that the details were not made available to the public for consideration and comment. Mr. Thorpe offered to email the details behind the summary budget to Mr. Shipley for his review. Mr. Shipley made a motion to amend the minutes to reflect that it was noted by Mr. Shipley that no detailed budget numbers had been published, and that any vote on the adoption of Resolution 2001-9 did not include approval of any budgeted amounts other than as appears specifically in such Resolution. Ms. Love D'Elia seconded the motion. Mr. Thorpe requested that we review the tape recording of the Budget Meeting with regard to the summary vs. detailed budget approval. Mr. Shipley moved to table the motion to approve the December 28<sup>th</sup> minutes as amended until the February meeting and until the Supervisors could review the tape. Mr. Thorpe seconded. Mr. Shipley, Ms. Love D'Elia and Mr. Thorpe voted yes and the Board approved.

Mr. Shipley asked Ms. Hoxter to try to locate the tape of the December 28<sup>th</sup> meeting and review the minutes to see whether or not they are consistent with the revised motion as it was tabled at this meeting.

Mr. Thorpe reported that he and Harvey Kliman met with Mr. Kelly on December 27<sup>th</sup> and January 2<sup>nd</sup> to finish the renumbering of the roads in Chadds Ford Township.

Mr. Shipley reported, as on the official agenda, there was a meeting of the Supervisors on January 3, 2002 to discuss candidates for appointive office.

## Reports

### **Treasurer**

Account balances as of December 31, 2001:

|                            |                     |                     |
|----------------------------|---------------------|---------------------|
| <u>State Funds:</u>        |                     |                     |
| v Checking                 | \$ 284.99           |                     |
| v Savings                  | \$ <u>51.68</u>     | \$ 336.67           |
| <br><u>Township Funds:</u> |                     |                     |
| v Checking                 | \$69,336.09         |                     |
| v Savings                  | \$ <u>34,899.47</u> | \$104,235.56        |
| <br><u>Escrow Fund:</u>    |                     |                     |
|                            |                     | <u>\$447,540.23</u> |
| <br>Total                  |                     |                     |
|                            |                     | <u>\$552,112.46</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 \$51,691.88

Total Certificates of Deposit/Money Market \$237,225.10

TOTAL ALL FUNDS \$789,337.56

Receipts for the month of December 2001:

General Fund:

|   |          |
|---|----------|
| Treasurer of Delaware County – trans. Tax | 2,213.82 |
| Treasurer of Delaware County – del. Tax   | 695.66   |
| Commonwealth of PA – State Police Fines   | 1,570.41 |
| Richard J. Jensen                         | 3,187.50 |
| √ \$1,020.00 – BP                         |          |
| √ \$ 1,097.50 - ZP                        |          |
| √ \$ 890.00 – PP                          |          |
| √ \$ 100.00 – GP                          |          |
| √ \$ 80.00 – C/O                          |          |
| SEO – J. Grace Co., Inc.                  | 300.00   |
| Kelly Engineers – SEO Pileggi             | 150.00   |
| Charles J. Weigold                        | 796.07   |
| √ \$ 548.33 – Twp.                        |          |
| √ \$ 135.85 – Fire                        |          |
| √ \$ 89.68 – Int. Twp.                    |          |
| √ \$ 22.21 – Int. Fire                    |          |
| Charles J. Weigold                        | 560.50   |
| √ \$ 410.73 – Twp.                        |          |
| √ \$ 101.73 – Fire                        |          |
| √ \$ 38.49 – Int. Twp.                    |          |
| √ \$ 9.55 – Int. Fire                     |          |

|   |               |                    |
|---|---------------|--------------------|
| Engineering                                       | 21,574.25     |                    |
| √ \$ 496.03 - Ferver                              |               |                    |
| √ \$ 438.73 – Bergin                              |               |                    |
| √ \$ 101.25 – Henderson #2                        |               |                    |
| √ \$ 1,048.38 – Brandywine Cons. (Hoffman’s Mill) |               |                    |
| √ \$16,626.94 - Chadds Ford Plaza                 |               |                    |
| √ \$ 617.63 – Chadds Ford Plaza                   |               |                    |
| √ \$ 17.50 – Wawa #1                              |               |                    |
| √ \$ 362.00 – Wawa #2                             |               |                    |
| √ \$ 358.20 – Children’s Hospital (Kids First)    |               |                    |
| √ \$ 650.59 – St. Cornelius #2                    |               |                    |
| √ \$ 182.00 – Applied Card Systems                |               |                    |
| √ \$ 675.00 – Applied Card Systems (Caruolo bill) |               |                    |
| Legal   | 587.50        |                    |
| √ \$ 37.50 – Brandywine Cons. (Hoffman’s Mill)    |               |                    |
| √ \$337.50 – Chadds Ford Plaza                    |               |                    |
| √ \$ 25.00 – Chadds Ford Plaza                    |               |                    |
| √ \$ 12.50 – St. Cornelius #2                     |               |                    |
| √ \$175.00 – Applied Card Systems                 |               |                    |
| Chester Water Authority – permits                 | 480.00        |                    |
| Current Status, Inc.                              | 150.00        |                    |
| Brandywine Conservancy, Inc. – LD                 | 1,050.00      |                    |
| Brandywine Conservancy, Inc. – LD (SEPTA)         | 1,350.00      |                    |
| Kenneth J. Sammut – ZHB appl. fee                 | 300.00        |                    |
| Estate of Robert H. Saunders – SD                 | 605.00        |                    |
| George K. Mehring – ZHB appl. fee                 | 300.00        |                    |
| Sales of Maps and Ordinances                      | <u>194.00</u> |                    |
| Total Receipts – General Fund                     |               | <u>\$36,064.71</u> |
| Interest – General Fund                           | 52.13         |                    |
| Interest – State Fund                             | .01           |                    |
| Interest – Money Market                           | <u>84.66</u>  |                    |

Escrow Fund:

|   |               |
|---|---------------|
| Kenneth J. Sammut – ZHB                   | 700.00        |
| Brandywine Conservancy, Inc. – LD         | 4,500.00      |
| Brandywine Conservancy, Inc. – SD (SEPTA) | 5,000.00      |
| Estate of Robert H. Saunders, Decd. – SD  | 3,750.00      |
| Zukin Bunch, L.P. – GP                    | 700.00        |
| Zukin Bunch, L.P. – Developer’s           | 5,000.00      |
| George K. Mehring – ZHB                   | <u>700.00</u> |

Total Receipts – Escrow Fund 20,350.00

TOTAL RECEIPTS \$56,551.51

Bills presented for payment January 7, 2002:

General Fund:

|  |            |
|--|------------|
| Brandywine Battlefield Park Associates     | \$2,000.00 |
| Chester Water Authority                    | \$792.00   |
| PECO                                       | 745.62     |
| v \$156.05                                 |            |
| v \$451.43                                 |            |
| v \$138.14                                 |            |
| PECO                                       | 58.42      |
| Verizon (phone and fax)                    | 99.62      |
| AT&T                                       | 14.92      |
| Petrikin, Wellman, Damico, Brown & Petrosa | 4,988.75   |
| Kelly Engineers                            | 12,587.16  |
| Chadds Ford Township Sewer Authority       | 2,333.33   |
| Shurgard of Painter’s Crossing             | 169.00     |
| Ehrlich                                    | 59.00      |
| Daily Times                                | 861.02     |
| Suburban Propane                           | 137.42     |
| Martin Bros. Excavation.                   | 3,038.00   |

|  |              |                    |
|--|--------------|--------------------|
| Hanson Aggregates Pennsylvania, Inc.               | 124.65       |                    |
| H.A Thomson Co. – Treasurer Bond                   | 1,028.00     |                    |
| H.A. Thomson Co.                                   | 1,698.00     |                    |
| PIRMA – liability                                  | 9,680.56     |                    |
| Pennsylvania State Assn. of Twp.<br>Supervisors    | 796.00       |                    |
| Birmingham Township Chester Co.– traffic<br>lights | 998.81       |                    |
| Susie Ahlstrom                                     | 60.00        |                    |
| James E. Shipley                                   | 125.00       |                    |
| Deborah Love D’Elia                                | 125.00       |                    |
| George M. Thorpe                                   | 125.00       |                    |
| George M. Thorpe – Roadmaster                      | 75.00        |                    |
| Richard J. Jensen                                  | 3,257.63     |                    |
| Richard J. Jensen – phone                          | 34.48        |                    |
| Richard J. Jensen – postage                        | 29.91        |                    |
| Richard J. Jensen – Brandywine Dr.<br>inspection   | 105.00       |                    |
| Gail G. Force                                      | 1,247.31     |                    |
| George M. Thorpe – Roadmaster (1 wk)               | 17.31        |                    |
| EarthLink, Inc.                                    | 17.95        |                    |
| AOL  | <u>28.90</u> |                    |
| Total Bills – General Fund                         |              | <u>\$47,463.51</u> |
| <u>Escrow Fund:</u>                                |              |                    |
| Zukin Bunch, L.P. – GP                             | 700.00       |                    |
| Berlin Construction Co., Inc. – GP (Lot#2)         | 700.00       |                    |
| Pettinaro Construction – LD less bills<br>(Ramada) | 2,939.17     |                    |
| Chadds Ford Twp. Gen. Fund – Pettinaro<br>bills    | 560.83       |                    |
| Ted’s Quality Pools, Inc. – GP (Klein)             | 700.00       |                    |
| Ted’s Quality Pools, Inc. – GP (Barbone)           | 700.00       |                    |
| Total Bills – Escrow Fund                          |              | <u>6,300.00</u>    |

TOTAL BILLS

\$53,763.51



Mr. Shipley motioned, Mr. Thorpe seconded; Mr. Shipley, Ms. Love D'Elia and Mr. Thorpe voted yes and the Board approved the bills as presented.

## Roadmaster

Mr. Thorpe delivered his Roadmaster's report (see attached).

Ann Pounds asked what could be done about the dangerous situation on Route 1 with cars making left hand turns where there is no turning lane. Mr. Thorpe responded that Penn Dot has assured him all areas with an opening in the barrier allowing for turns without a turn lane will be filled with standing reflectors that can be driven over by emergency vehicles only.

Mr. Thorpe mentioned that he received information from Penn Dot about the new bridge on Route 100 and what it would look like. He said it is going to be quite impressive and a compliment to the community.

## Planning Commission

William Taylor highlighted the minutes of the December 26, 2001 Planning Commission meeting.

## Zoning Hearing Board

As there was no meeting in December, there was nothing to report.

## HARB

HARB had nothing to report.

## Sewer Authority

Plant waste for December 2001 was 562,000 gallons which is 18,116 gallons per day. Pump station and generator for Longwood Sewer Project is on site.

Construction on the pump station will start next week. Chester Water Authority has completed their water main project and two hydrants are complete and available for use. Homes on Ridge Road and approximately six on Longview are now ready to connect to the main sewer lines.

Upon question from Mr. Shipley, Mr. Murray replied that 46 residential homes will be connected to the sewer line by mid-February 2002.

## **Building Inspector/Code Enforcement Officer**

Mr. Jensen reported the issuance of the following permits during the month: 1 demolition , 3 plumbing, 2 commercial alteration, 2 temporary sign and 1 grading.

Mr. Jensen also reviewed a letter from Town and Country Antiques requesting help in addressing what they feel is a lack of signage to identify their business. It was decided that there would be a letter drafted to send to them informing them that they must comply with Township sign ordinances regarding a temporary sign, and that they are welcome to apply for a variance. Mr. Shipley told Mr. Jensen to cite them if they do not comply.

## **Engineer**

### **St. Cornelius**

The Engineer has ascertained that a gravity sewer line can be extended from the main lift station at the Ridings Wastewater Treatment Plant over the culvert crossing Ridge Road. The sewerage connection does not require Planning Module approval from PaDEP.

### **Wawa**

Mr. Kelly met with Bohler Engineers to discuss sewerage disposal alternatives for Wawa at Dilworthtown Road. Mr. Kelly suggested that they include nine properties in Chadds Ford Township in the flow estimates in their Planning Modules. There have been no further submissions on this project.

### **Kid's First**

The Engineer has received a request to release the final escrow being held on this project. The site has been inspected and Mr. Kelly recommends the release of all monies held less any outstanding debt. The Engineer will supply the executed

completion report. Mr. Kelly does not recommend release of escrow funds until the Developer and the Developer's Engineer sign and return the Certificate of Total Completion.

## **Bunch Auction House**

Mr. Kelly has reviewed the record plan and determined that it is in conformance with previously submitted plans. The Engineer recommended that the Supervisors sign the submitted plans. Mr. Petrosa reminded all that at the last meeting he discovered that Bunch does not have a line of credit with the bank, but rather a letter of credit. He asked previously to see a copy of the letter of credit, but has not seen it yet. He does not think this should stop the signing of the plans; however, he needs to see the letter of credit to be sure it is ok. Mr. Shipley suggests signing the plans subject to Mr. Petrosa receiving satisfactory proof of letter of credit before releasing the plans. Mr. Petrosa agreed. Mr. Kelly received a copy of the PaDEP approval of the Planning Modules. However, the type of sewage disposal system is classified as alternate under Chapter 73. Therefore, the SEO cannot issue a permit until PaDEP determines the alternate system is appropriate. He has also reviewed the draft of the Operation and Maintenance Agreement submitted by the applicant. Mr. Kelly recommended that the agreement be amended to include a specific statement that the property will be connected to the Knight's Bridge sewerage system as soon as the parties can resolve the terms of sewerage service agreement.

## **2001 Road Program**

The punch list and change order items have been completed and the Road Program is complete. Mr. Kelly recommends the release of the final payment to the contractor for this project. He provided Current Estimate #2 which lists the line items for the project in addition to the current amount due. Mr. Thorpe recommended that the final payment not be released yet as there are two areas that need attention: there is a mess on Holly Tree Lane and shrinkage of crack filler on Hunters Lane. Mr. Kelly recommended holding 10% of the final payment until the above mentioned problems are taken care of. Mr. Thorpe moved to release 90% (\$32,847.14), Ms. Love D'Elia seconded, all voted yes and the Board approved.

## **Heyburn Road Storm Drainage**

Mr. Kelly has received the joint permit application packets from Rick Mellon for this project. The Engineer will complete the plans and forward them with the permit application to the PaDEP and the Army Corps of Engineers. When he receives a response he will advertise the project for bidding.

## **537 Plan Amendment**

Mr. Kelly has received a letter from PaDEP approving the plan of study with some comments that will require expansion of the scope for work to address some unresolved issue in the present 5737 Plan. The Engineer has determined that it is possible to extend a gravity line from the Main Lift Station over the culvert that crosses Ridge Road to receive flows from St. Cornelius Church property as well as Coopershawk Lane. He is also exploring the routes available to extend sewer into the Raven's Crest Development. Mr. Kelly suggested that we set up a meeting with St. Cornelius to advise them of the findings to date.

SEO Activity Report (see attached report for the period December 1 – 31, 2001)

## **Solicitor**

Thomas F. Lawrie Tax Assessment Appeal – There is no action necessary on this. Mr. Petrosa sent a letter to the Township informing of the results of an arbitration that took place. The outcome of the arbitration trial is that the determined value of the property (along Route 202) is \$555,000. This was docketed on December 18<sup>th</sup> and there is a 30 day appeal period. He reminded all that the School District usually takes tax assessment appeals, and he doubts that the School District will take appeal. Ed Wandersee also doubts they will take appeal. Mr. Shipley wondered if there might be an opportunity to more aggressively argue these appeals. Mr. Wandersee said that sometimes they do use an arbitration attorney to go through the arbitration process. He agreed that perhaps we should be more aggressive. He said that there are sometimes 4-6 appeals per year. He reminded all that our taxes are based upon the assessed valuation in the community so the outcome of these appeals affects all of our individual taxes. Mr. Shipley commented that maybe the Township could share in the cost on a pro-rated basis. Mr. Wandersee said that they have asked for that help before but it has been refused. Mr. Shipley thinks that perhaps Township residents would see that as money well spent if over the long term they see their taxes go up as a result of not appealing these assessments.

## **Zoning Hearing Board Applications**

- Ø McCann/Sammut (1187 Smithbridge Road, The Ridings) are requesting a variance for land in the R-1 zoning district in order to build an addition to their existing residence. Applicants are seeking relief from the relevant section of the Ordinance requiring side and rear yard setbacks of no less than 50 feet from any property line. They are proposing side and rear yard setbacks of 48 feet and 44 feet. The issue before the Board is whether or

not to formally oppose the application and send the Solicitor to oppose it or leave the matter to the Zoning Hearing Board to rule as they see fit. The Board decided to have the matter handled by the Zoning Hearing Board.

- Ø Mehring (392 Smithbridge Road) are requesting a variance for land in the R-1 zoning district. They want to do a four lot subdivision of 32.84 acres and deed restrict the three of the four lots against further subdivision. The Ordinance would require a 100 foot front yard setback. In one instance they are proposing a 0 foot and 16 foot from structures on Lot 1 and 2.5 feet and 39 feet and 69 feet from structures on Lot 3. The Board agree to leave this matter to the Zoning Hearing Board also.

## Open Space Committee

As there was no December meeting, there was nothing to report.

## Property Planning Workgroup

The Workgroup met on December 27, 2001. Gary Whelan (guest speaker) was there to discuss use and leasing options for the Turner's Mill property. Mr. Thorpe reviewed Mr. Whelan's comments as follows: Mr. Whelan reviewed the market for properties similar to Turner's Mill. He stressed that the property should be improved to be what the Township ultimately wants and what could be leased until that time. Improvements to the building should allow for as much variability as possible for inside arrangements. It would be very difficult to show the property in its present condition because potential tenants cannot see how it will look in the future even if shown on plans and drawings. There must be an addition of some sort to help "carry" the main building because the present building would be too small for most tenants and to include the Township needs as we noted. Because the building is somewhat isolated (not in an office park), it would attract only certain types of tenants such as office professionals requiring little or no signage and little traffic.

The Township needs to do the construction because a developer would not have the profit margin to do so. Because of low interest rates now, he suggested we have the opportune time to obtain low cost funds. He felt such a project could be done very successfully and ultimately at little cost to the Township.

We agreed to arrange for a presentation by a financial person familiar with funding such a project so that we could make a final recommendation to the Board of

Supervisors.

The next Planning Workgroup meeting has been scheduled for mid to late January when another guest is available to speak to the group about building funding issues.

## **OLD BUSINESS**

Ann Pounds asked about the Open Space Committee and new Ordinances. Mr. Shipley commented that he has received a memo that he will distribute to the Supervisors that addresses the issue of making the alternative vs. current provisions. Mr. Shipley would like the opportunity to review with the newly structured Open Space Committee. Ann asked if the issue had been held up until the new Committee was in place. Ms. Love D'Elia mentioned that in November there was discussion about the fact that there had been no action on this for quite some time. She also noted that the revisions that had been recommended at a joint meeting of the Open Space Committee and the Board of Supervisors were sent back to the two authors to be incorporated. As of November, which was the last Open Space meeting, those revisions had not been done and sent back.

## **NEW BUSINESS**

Phil Wenrich requested, on behalf of the Civic Association, that the Township provide a link on its website to the Civic Association's website. Mr. Thorpe moved to authorize the Webmaster to allow a link to the Civic Association's website. Ms. Love D'Elia seconded, all voted yes and the Board approved.

## **ADJOURNMENT**

Mr. Shipley moved to adjourn, Ms. Love D'Elia seconded, all voted yes and the meeting was adjourned at 10:30pm.



Valerie Hoxter, Secretary