

CHADDS FORD TOWNSHIP

Board of Supervisors Meeting Minutes

March 6, 2002

The Supervisors of Chadds Ford Township met in the Township Building on Wednesday, March 6, 2002. The meeting was called to order at 7:30pm. Present were Jim Shipley, Deborah Love D'Elia and George Thorpe. Also present were Solicitor Donald Petrosa and James C. Kelly of Kelly Engineers.

PUBLIC COMMENT

Mr. Shipley opened the meeting for public comment. A representative for the Watkins subdivision asked to be added to the agenda for tonight's meeting. After discussion with Mr. Kelly, Mr. Shipley asked them to return for review at next month's meeting.

Ann Pounds stated that she wished to rescind her resignation, saying that she tendered it in anger at the January reorganization meeting. She said she had notified the Supervisors by letter of her intent to rescind her resignation.

A member of the Girl Scouts who use Sunset Hill informed everyone that she represents a task force called Save Camp Sunset Hill Task Force (a non-profit organization). They have been talking with the Township and County Council about other options for Camp Sunset Hill besides development. Their goal is to work on convincing the Girl Scout Council not to sell the property at all, but to keep it as a camp. She brought some literature for review, and invited any interested parties to call them.

STATE POLICE REPORT

Sergeant Sivo of the Media Barracks of the Pennsylvania State Police gave the report. Since January the Township has had 77 false alarms, 27 accidents, 15 thefts, 5 criminal mischief, 1 burglary, 1 assault, 2 domestics, 58 miscellaneous. He informed everyone that the alarms are very time consuming. He also said they issue citations after the third false alarm. He asked everyone to try to be more conscientious. Fred Reiter asked if the Sergeant knew how many of the false alarms were due to electrical problems or power surges. The Sergeant said that alarm companies do not recognize electrical storms or power surges as their dispatch

centers are sometimes in another state. Therefore, they must still respond to every alarm. The Sergeant said that 99.9% of the alarms are false alarms. Mr. Thorpe reminded the Sergeant that we would like as much attention as possible to patrolling Route 1. The Sergeant informed everyone that they just spent a week of seatbelt enforcement on Route 1 this month. He also said that there is more than one car in the Township every day. Mr. Shipley asked if they keep track of the number of accidents at the Heyburn/Harvey/Route 1 intersection. The Sergeant said the computer keeps track. Mr. Shipley asked him to give that information next month.

Ann Pounds asked for a report on Lucky Spa. Sgt. Sivo told all that they received a report on the Lucky Spa, then their vice operation did an investigation. They had three vice officers enter the establishment, and they were offered sexual services for money. Based on that, they got and served a warrant. They arrested all three girls for prostitution, along with the woman who ran the place. They took all of the cameras, all of the money and televisions. This is a criminal enterprise with a lot of money, and they are back in operation. The Constitution affords them security within their property. To do another raid they have send the vice officers in again, they have to get solicited again, then they have to get and serve another warrant. He said they will do that, but he believes in order to solve this problem the Township must pursue this civilly. The police can arrest all of the girls again, take all of the cameras, all of the money – but they will just open back up again.

The Fire Department was also present to give a report. Timothy Green, Deputy Chief of Concordville Fire Company introduced himself and Butch Griffin, Chief of the Department. They service EMS and Fire for Chadds Ford Township along with several other townships. He gave the following statistics: in 2000 there were 247 EMS calls, in 2001 it went to 346. For fire calls, 2001 had 142 calls (including fire alarms, car accidents and vehicle fires), January of 2002 there were 11 calls and February there were 22.

APPROVAL OF MINUTES

January 7, 2002 - Mr. Shipley asked for a motion to approve the minutes. Mr. Thorpe said that in the first draft of the minutes (which he thinks are correct) there was section that read “there was a meeting of the Supervisors on January 3rd to discuss candidates for appointive office.” Mr. Shipley then requested to change the minutes to “candidates qualifications for and interest in appointive offices.” Mr. Thorpe said that the minutes had to reflect what happened at the meeting. Mr. Shipley said he couldn’t remember what was said, but that the meeting was to

discuss qualifications and interest in appointive office by candidates. Mr. Thorpe said that what was reported on the first draft was correct. Mr. Shipley said he didn't see that as major. Mr. Shipley moved to approve the minutes of the January meeting, except to leave the comments unchanged that Mr. Thorpe mentioned, otherwise to change the first draft according to the email he sent on February 5, 2002. Mr. Thorpe seconded. Mr. Shipley, Ms. Love D'Elia and Mr. Thorpe voted yes and the Board approved.

Mr. Shipley said that the minutes reflect that a resignation was made from the Open Space Committee by Ann Pounds. He asked Mr. Petrosa if that resignation was effective immediately upon her resignation at the January meeting. Mr. Shipley then read the section of the approved minutes that he was referring to. They read, "Ann Pounds resigned from the Open Space Committee." Mr. Petrosa said in the past people have resigned and the Board has not taken any formal action to accept the resignation. He said he would research the issue of someone at a public meeting making a statement of resignation and whether or not that is immediately effective, or if the Board has to accept the resignation. Mr. Shipley asked if the Board could accept the resignation. Mr. Petrosa clarified that Mr. Shipley meant under the circumstances as they are now. He then said that goes back to whether or not the resignation must be accepted by the Board – and he doesn't know the answer to that. If it must be accepted and wasn't, then she could withdraw. However, if it does not have to be accepted and is effective immediately without requiring any action by the Board, her resignation is in effect. Mr. Shipley asked Mr. Petrosa to research the issue. Mr. Shipley then clarified that the issue is whether official action by the Board is necessary for the resignation to be effective. Ann Pounds then asked Mr. Shipley if he wanted her to resign. Mr. Shipley said that his preference would be to accept her resignation and then look at her continued interest in being on the Committee. He would like to look at her and others who have expressed interest in the Committee, and then make an appointment. Ann Pounds said she would choose to stay on the Committee. Mr. Shipley said they would see what Mr. Petrosa finds in his research.

REPORTS

Supervisors

Ms. Love D'Elia informed everyone that this upcoming Saturday at the Media Borough Hall the League of Women Voters of Delaware County was presenting a program on addressing sprawl. She is unable to attend, but it is open to the public and she plans to forward the information to the Chair of the Open Space Committee

in the hopes that someone on the Committee may be able to attend.

Ms. Love D'Elia also said that she was contacted by a member of the Pennsbury Township Planning Commission who is asking us to join with them in identifying Route 100 as a scenic highway. With the discussions of moving the Open Space Committee to forming some type of lands trust event, she will also forward this information to the Committee to do the joint preparation of paperwork. If it is identified as a scenic highway, there is potential for application for grant money for various things within the Township.

Ms. Love D'Elia informed everyone that she has put out information (both inside and outside on the board) about the Chadds Ford Concordville Rotary's program on Lyme's Disease. Ms. Love D'Elia asked Ed Wandersee to speak about the program. He said it is April 13th at the Garnet Valley Middle School from 11am – 1pm. He then said that the Rotary worked very hard to get at least three medical professionals (doctors) to attend who will be there to discuss the options for treatment. He mentioned that it is a significant affliction in our Township with the population of deer that we have. There is no cost, but they are asking for a donation if you care to make one.

Ms. Love D'Elia then mentioned that the Board received a negative letter addressing the new seating arrangement. She asked anyone who has strong feelings about the arrangement to please comment in writing to the Board. She then reviewed the reasons for the change: so the members could be seen, access to bathroom facilities, and so that those needing to exit could do so through the back rows. Mr. Shipley also asked to keep the chairs two feet from the back of the room so that those exiting could do so through the back.

Mr. Shipley informed everyone that there has been some file cabinets cleared out in the back room, as well as the kitchen sink, in an effort to create a small office for the Secretary-Treasurer to work in and keep some files. He said the previous Secretary-Treasurer was too accommodating in keeping files in her residence, and that is not really appropriate. Whether or not this will be adequate for the long term is something that he has serious doubts about.

Treasurer

Mr. Shipley informed all that there is a Treasurer's report current as of the end of January 2002. There is also a list of bills for approval at this meeting. He said the

updated Treasurer's report would be available for the next meeting. Mr. Shipley asked for a motion to pay the bills as listed. Mr. Thorpe said he didn't realize that for February there were two remunerations for Ms. Hoxter – one saying normal, and one saying extra hours for January. The bills for February show the same. Each being for more than the monthly pay. In his memory, they have never done this before. He said that each person who has taken over has done a lot of work on their own and this time (as he understood) there was really no reason for a change, but if it was caused because of inexperience and inundation of work, he believes that has happened each time a change occurred. He said he did approve the bills to be paid last time, but the bills were so helter-skelter he did not realize that was the case. He thinks we have a serious problem if we have done this. He also said he had no knowledge that this was being done, he didn't agree to have this done, and no one asked him to do this. He thinks it is unfair to past people and thinks the Board needs to seriously rethink this. Mr. Shipley said that there has been no assistance whatsoever between the prior and current Secretary-Treasurer. The existing Secretary-Treasurer has worked enormous hours the last two months trying to catch up with the money of the Township. The previous Secretary-Treasurer transferred (unbeknownst to anybody) \$84,000 out of the General Fund. It took almost a month to find out where that went and what the authorization was. Not only that, but the Audit was due in February and Ms. Hoxter has worked many, many hours trying to copy all of the records necessary to submit the audit - which must be completed by March 15th in order to get road monies. Mr. Shipley then said they asked Ms. Hoxter to keep track of her hours for the first few months. It is a part-time position, and they asked her to present to the Board for approval any hours above 50 that she worked. They estimated that the normal time that the work could be done in was about 50 hours for the month. He then said that Ms. Hoxter has done an outstanding job trying to get on top of all of the records and everything that has to be done, and trying to get on top of the Township finances where she had absolutely zero help and the records and files were totally confused. Mr. Shipley then said he believes the additional amount to be justified and moved to pay the bills as presented, including the additional time and expense for Ms. Hoxter for February. Ms. Love D'Elia seconded. Mr. Thorpe replied that everything that Mr. Shipley said has happened every other time. There was no help in transferring duties from one to the other. He said this is not the first time this has happened. He then said that he doesn't know that what Mr. Shipley said was the case – he doesn't know what the files were like because he didn't see them. Mr. Thorpe said he doesn't know what was asked of the previous Secretary-Treasurer as far as help with transferring the duties. He's not sure that it was clear, or that she was offered any compensation to help. He thought if they are compensating Ms. Hoxter for

doing it, Gail should have been offered compensation for her time to work to transfer the duties. Mr. Shipley said Gail was offered compensation, and in fact she agreed to help. He said they offered to pay her for the training and she said yes, and then they found out she didn't want to do it. Mr. Thorpe asked when that was done. Mr. Shipley said it was done at a meeting with Gail in December. Mr. Thorpe asked if they made a written proposal. Mr. Shipley said it was a verbal proposal. Mr. Shipley and Ms. Love D'Elia voted yes, Mr. Thorpe voted no and the Board approved payment of the bills as presented.

Bills for payment on February 6, 2002

General Fund

S. Ahlstrom	60.00
J. Shipley	125.00
D. Love D'Elia	156.25
G. Thorpe	125.00
Bruce Prabel	75.00
C. Weigold	1,044.88
Sewer Authority	2,333.33
Petrikina, Wellman	3,948.75
H.A. Thomson	883.00
Biehn Printing	1,029.10
DelCo Daily Times - zoning McCann	274.00
At&T	16.59
Sucher & Sons	32,847.14
Tri-County Pest Control	75.00
Cleaner Carpets	270.00
Reino's Print & Copy	29.27
Verizon	62.89
Mary Kot - table skirt reimburse.	12.30
Frank's Cabinets	150.00
A-1 Security Center	497.25
Shurgard	169.00
Caruolo Associates	585.00
Valerie Hoxter - exp reimburse	330.81
Valerie Hoxter - postage	119.34
Valerie Hoxter - Secty/Treas	1,000.00
Valerie Hoxter - addn'l. hrs. January	1,063.12
Valerie Hoxter - postage advance Feb	100.00
Kelly Engineers	14,250.91
Suburban Propane	342.05
Peco	813.44
Oceanport Industries	1,673.62

Hanson Aggregates	335.86
Hanson Aggregates	693.16
Merit Court Reporting - Brandywine Conserv.	476.00
Martin Brothers	7,937.00
Rich Jensen	2,335.00
Rich Jensen - phone	37.31
Rocklyn Construction - moving lights in bldg.	<u>582.56</u>
Total Bills - General Fund	<u>76,858.93</u>

Escrow Fund

Ted's Pools - Barbone	700.00
Ted's Pools - Klein	700.00
Chadds Ford Twp - Pettinaro/Ramada bills	560.83
Pettinaro	2,939.17
Berlin Construction - Cunningham	700.00
Zukin Bunch	<u>700.00</u>
Total Bills - Escrow Fund	<u>6,300.00</u>

TOTAL ALL BILLS 83,158.93

Account balances as of January 31, 2002

State Funds

Checking	284.99
Savings	31.68

Township Funds

		<u>316.67</u>
Checking	34,946.28	
Savings	910.63	<u>35,856.91</u>

Escrow Fund

		<u>525,641.23</u>
Total		<u>561,814.81</u>

Certificates of Deposit opened December 12, 2000 - 14 months at 6.5%

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 at 6.05%

Township Fund	23,734.12
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Total Certificates of Deposit & Money Market	<u>209,267.34</u>
TOTAL ALL FUNDS	771,082.15

Receipts for January 2002

General Fund

Treasurer of Delaware County - trans. tax	23,366.63
Treasurer of Delaware County - del. tax	37.04
Commonwealth of PA - state police fines	300.00
Richard J. Jensen	5,270.00
SEO	0.00
Charles J. Weigold	2,115.03
Engineering	5,418.09
Legal	250.00
Chester Water Authority - permits	0.00
Current Status	0.00
Sales of maps and ordinances	42.00
Misc. deposits by Gail - need to research	<u>502.15</u>
Total Receipts - General Fund	<u>37,300.94</u>

Interest - State Fund

Interest - General Fund

Interest - Money Market

Escrow Fund

Day	<u>700.00</u>
Total Receipts - Escrow Fund	<u>700.00</u>

TOTAL ALL RECEIPTS **38,000.94**

Roadmaster

Bruce Prabel delivered his Roadmaster's report (see attached). Mr. Thorpe commented that on southbound Route 1 between Southpoint and the telephone box,

there is a trench from the expansion of the road width. In the trench, there is tar (among other things) coming out and creating some large potholes. As he is afraid drivers may have tire blowouts causing accidents, he asked Mr. Prabel to contact PennDot. Harvey Kliman mentioned that he is seeing illegal signs again on the north side of Route 1. Mr. Prabel said he has been pulling them and will keep at it. Mr. Shipley asked if we could cite the people who put up the signs. Mr. Petrosa said you have to be able to find them first. Mr. Shipley asked Mr. Prabel to make a few phone calls and see if he can find an address. Then we could turn it over to the Code Enforcement Officer. Mr. Shipley said that if we could get a reputation for citing for illegal signs, it might help deter them.

Planning Commission

William Taylor highlighted the minutes of the February 27, 2002 Planning Commission meeting.

Mr. Shipley asked if the items needing completion for the Concordville Nissan Subaru approval have been taken care of. Mr. Taylor said there is no actual building in Chadds Ford Township. There will only be a sewage area in the Township. They are in the process of replacing the sewage system. It has not yet been completed, but the applicant has assured the Planning Commission that they will take care of. Mr. Murray said that this issue has not been put before the Sewer Authority, so they don't have a feel for the problem. Mr. Kelly said the issue must be resolved. He said the SEO's recent inspection of the site revealed blatant violations of the regulations for on-lot disposal systems. Therefore, Mr. Kelly recommends that we not approve the plan until the applicant resolves the sewage issue – because that issue is in Chadds Ford Township. Whether or not they will go to the Sewer Authority or go to a treatment plant has not been indicated on the plan. They have two choices: they could go to the Ridings Plant or to the SpringHill Farms treatment plant, or they can do an on-lot disposal system. However, one of the concerns to Mr. Kelly is that the statement made with their plans says there will be no increase in flow. Mr. Kelly cannot accept that. Furthermore, there is a strong indication that there are illegal discharges. It appears from the petroleum residue on the ground in the area of the treatment system that they are discharging wash down areas from the facility. After confirming that there was still time on the MPC clock, Mr. Shipley said as this was not on the agenda tonight, the Board will act on the plan next month. He suggested that the applicant work out the issues with the Engineer before then.

Mr. Heisler asked if the Sewer Authority could receive copies of all plan submissions from this point forward. Mr. Shipley said that would be done. Copies of all plans will be sent to Mr. Murray.

Zoning Hearing Board

Ed Wandersee reported that there was on a hearing held on February 20, 2002 at 7:05pm.

The hearing was on a setback variance on a non-conforming lot request on the Day property, which preceded the zoning ordinance. This property also received a variance earlier relative to expansion of the original building. There were no objections from the public or the Township. The variance was approved.

The meeting was adjourned at 7:20pm.

HARB

HARB had nothing to report.

Sewer Authority

Plant activity: one of the SBR tanks was down for maintenance and observation. This was done in preparation for the additional flows into the plant from Longview Woodland Summit Sewer. The new connections will be 46 residential and 8 commercial accounts. They anticipate the additional flows to be 3,500 gallons per day.

Startup of the new pump station and generator was completed today (March 6, 2002). Bonnie Taylor added that the residents in the Longview Summit area have been notified that they must connect by May 11, 2002. Additionally, the final “walk around” inspection is scheduled for the week of March 12, 2002.

Plant flow for February 2002 averaged 16,564 gallons per day, totaling 463,800 gallons.

On the St. Cornelius project – they removed 9,600 gallons waste test water from the two holding tanks. It was hauled to the sewer treatment plant at Ridings with no problem on March 1st.

The three original sewer agreements have been executed and are now ready for Township approval.

Mr. Murray informed the representatives from the fire company that there are two new hydrants in the Longview area. They were not aware. Ms. Love D'Elia asked the Sewer Authority to send a formal request for inspection of the new hydrants (with their locations) to the fire company. Mr. Kelly said he had documentation of the hydrants and their locations and he would send it to the fire company.

Upon receipt of the Ridge Road survey for the 537 Plan from Mr. Kelly, they will be prepared to proceed on an early date to secure competitive bids.

The Sewer Authority has begun preliminary work on the Chadds Ford Village project - mainly on the land application, available areas and feasibility.

Building Inspector/Code Enforcement Officer

Mr. Jensen reported the issuance of the following permits during February: 4 zoning permits, 4 building permits, 2 plumbing permits, 1 grading permit, 3 certificates of occupancy.

Engineer

Barnaby's of America

A request for final escrow release was received and presented at the February Township meeting. The land development work and landscaping has been completed; however, no action was taken because a question was raised about outstanding obligations to the Township and Sewer Authority that had not yet been satisfied. We have received no further information on the status of these obligations during the past month.

Brandywine Conservancy

In the limited time available since receiving the site improvement cost estimates on March 4, 2002, the Engineer has reviewed the unit costs assigned to the line items of work. However, he has not verified the quantities of work listed. Therefore, he has tabulated all work listed to determine the value of the site improvements. To this total, he has applied a 10% contingency factor and a 5% factor for engineering and inspection cost anticipated to be incurred by the Township, bringing the total escrow amount to \$338,750.00. The Engineer recommends that this amount be

included in the Improvements Security Agreement.

St. Cornelius

The Engineer submitted a copy of the preliminary sanitary sewer extension plan for the Ridge Road Sewer Extension to provide service to St. Cornelius Church property and parts of Raven's Crest. A copy of this plan has been provided to the Sewer Authority and to Brian Rupp of W.B. Satterthwaite Associates (engineers for St. Cornelius). The manhole locations, rim and invert elevations are approximate; however, elevations were taken to determine the elevation of the Ridge Road culvert relative to the Ridings WWTP main line lift station. The sewer can be run over the culvert and directly into the main lift station. Since this extension can be constructed with a "gravity line" to the main lift station, it is not necessary to obtain a formal 537 Plan amendment approval for this section of the study area.

Mr. Heisler asked if the Engineer had any topo with this. Mr. Kelly said they have USGS

topo that does not show on the plan. Mr. Heisler asked if the spot elevations on the plan were accurate. Mr. Kelly said they are. Mr. Heisler asked for copies of the field notes. Mr. Kelly will send to Mr. Heisler.

Bunch Auction House

The applicant has submitted a request to reduce the improvement security by \$50,322.00. Upon review of this request it was determined that the unit prices on several of the line items did not agree with the unit prices in the Improvement Security Agreement. The work as described is complete; therefore the Engineer recommends the release of \$53,370.00 which is 90% of the value of the work completed as noted on the Escrow Release #1 tabulation sheet. This is unusual in the respect that it is not the release of cash, but a release that would allow Mr. Bunch to reduce the letter of credit that was put in place to guarantee the completion of the improvements. Mr. Petrosa asked if the developer would be submitting a substitute letter of credit in a lesser amount. Mr. Kelly said that was correct. Mr. Petrosa said we need the new letter of credit to release the existing letter. Mr. Thorpe moved to release from the financial security \$53,730 upon submission of a replacement letter of credit for \$100,270, and to authorize the Township Secretary to return the original letter of credit to the bank upon receipt of the new letter. Mr. Shipley seconded. Mr. Shipley, Ms. Love D'Elia and Mr. Thorpe voted yes and the Board approved.

Henderson Lot 11

The Engineer has forwarded the Traffic Signal Resolution adopted at the February

meeting to McMahon Associates for submission to PennDot for the Traffic Signal Permit at Hillman Drive. Since then, the Engineer has received confirmation that Henderson will proceed with the installation of the signal and fund the improvements required beyond the right-of-way on the Saft/Phillips property. Mr. Kelly had Dr. Saft and Mr. Phillips sign the PennDot HOP application and has forwarded it to McMahon Associates to complete the traffic signal permit process. Construction of the signal installation and interconnection from State Farm Drive to the Applied Card traffic signal just below the Hillman Drive signal has begun. Mr. Shipley asked Mr. Kelly to check on whether or not all of the signals have Opticon. Mr. Kelly will do. Mr. Thorpe asked if the light would begin operation as soon as installation is complete. Mr. Kelly said that it would. Mr. Thorpe reminded all that this will be another light the Township will have to add to its maintenance and electric and service contracts.

Concordville Nissan

This is a land development plan for property in both Concord and Chadds Ford Townships. The Planning Commission recommends conditional approval subject to adequate resolution of sewage overflow on property in Chadds Ford Township within 6 months of the February 27th Planning Commission meeting. The sewage disposal system is in Chadds Ford Township, therefore the Engineer recommends that the Township not approve the plan until sewage issues are resolved, a permit obtained from the SEO, the internal drainage system is modified to receive only waste water, and the new sanitary sewer system is constructed.

Twin Magnolias

The Planning Commission recommended approval contingent upon satisfaction of engineering review comments.

Capelli

The Planning Commission recommended re-approval of the plans subject to updating all required permits.

Pileggi

The Planning Commission recommended approval of the plans contingent upon the satisfaction of the engineering review comments.

Building Renumbering

Mr. Kelly has provided a complete set of large-scale drawings and one plan for the entire Township mounted for exhibition at the Township Building. A complete set

of large scale plans was provided to Fred Fields, Chief of Concordville Fire Department and a Township wide plan was provided to Phil Wenrich, the Township Emergency Coordinator. A representative from Concordville Fire informed all that Fred Fields is the Concordville Fire Marshall, but does not have anything to do with Concordville Fire Company. However, Mr. Fields forwarded the plans to the Concordville Fire Company. Mr. Kelly handed out copies of a street list and Township wide plans that list all streets in the Township, and indicate the proposed changes in the numbering as well as those streets with no changes proposed.

Mr. Kelly also distributed to the Board copies of a letter he received from Ford Draper offering some comment on the numbering of houses on Rocky Hill Road. Mr. Shipley said he did not intend to change the name of Rocky Hill Road. Ms. Love D'Elia said she also did not think the name should be changed.

Ms. Love D'Elia asked Mr. Kelly if he could take the streets that would be renumbered and spell out the renumbering. She believes that would be more helpful, and requested it for Friday March 8, 2002. Mr. Thorpe asked if Mr. Kelly could make a list of only streets with changes so it will be easier to understand. Ms. Love D'Elia also suggested putting the list on the website. A resident asked if Raven Drive would be changed or not. They said they contacted the Township and were told that Raven Drive would not change; however, it is on the list for renumbering. Mr. Thorpe said his notes say that Raven Drive was not supposed to be changed. Mr. Kelly will go back and check his information. Mr. Shipley said he would like to schedule a public hearing in April and vote on the plan in May.

Ms. Love D'Elia asked for comments from the Fire Company. Deputy Chief Green said they had some concerns. For example, Oakland road and some other streets where the numbers jump, as well as the fact that only some developments are being numbered evens on one side, odds on the other. Mr. Thorpe said that what the Township was attempting to do was to make the least number of changes that made sense, while not creating an emergency problem. Some roads are already numbered in a way that's not consistent. They are ok, but are not numbered left, right, left, right. To change those streets would create a real hardship for people by making them only off by one digit. Mr. Green said he understood, but felt that the Supervisors have a duty to provide safety. Ms. Love D'Elia asked if passing an ordinance requiring numbers to be posted would help. Mr. Green said it would, but the main thing is to make sure there's a sequence. Chief Griffin said that Concord Township has an ordinance whereby every forty feet gets a number – whether or not it is developed. Mr. Shipley said that was the concept behind our numbering -

although not every forty feet, but for every possible house site according to current zoning. Mr. Shipley asked Chief Griffin to call Mr. Kelly and set up a meeting to go over the plan with him. Chief Griffin agreed to do so.

SEO Activity Report (see attached report for the period February 1 – 28, 2002)

Solicitor

Mr. Petrosa had the Developer's Agreement and Improvement Security Agreement for Brandywine Conservancy for the Board to sign. He informed everyone that there was an appeal filed by Joe Grace on the land development approval which was granted to the Brandywine Conservancy. That was filed on March 1, 2002 in Common Pleas Court. He distributed copies to the Secretary and the Board. He said the fact that Mr. Grace has filed an appeal does not act as a stay; therefore the Developer's Agreement can be signed, the plan can be recorded, and the Conservancy will have to decide whether or not to proceed at their own risk. Mr. Grace is alleging that the Zoning Hearing Board made some errors; which would make the land development approval invalid.

Mr. Petrosa received some correspondence from attorneys representing Bancroft Homes who had an approved plan in September 2001. There is a Developer's Agreement, security posted, and recorded plans for a five-lot subdivision at Heyburn and Tally Ho. There is a new developer (Longview Builders and Developers, Inc.) that wants to take over the development. Rather than assigning the Development Agreement, the new developer would like to post his own security with First Keystone Federal Savings Bank. The developer would also like to enter into a new Development Agreement and Improvement Security Agreement. The Board has to authorize Mr. Petrosa to prepare the Agreements - at the developer's expense. Mr. Thorpe said he doesn't know what agreements have been made with the people on Tally Ho. Mr. Petrosa said there is a recorded declaration that runs with the land that is binding to any subsequent developer. In addition, there are conditions of approval that would be binding to a new developer. Mr. Shipley mentioned that he thought there was an agreement that no construction vehicles would go in or out anywhere other than the construction entrance. Mr. Petrosa said he would make that clear in the agreement. Mr. Thorpe moved to authorize Mr. Petrosa to prepare the appropriate agreements to transfer all of the rights and responsibilities to the new developer. Mr. Shipley seconded. Mr. Shipley, Ms. Love D'Elia and Mr. Thorpe voted yes and the Board approved.

Mr. Petrosa asked about the escrow release for Barnaby's. He said he received a call from Barnaby's asking why the escrow had not been released. Mr. Kelly said

he's satisfied that the land development aspect has been completed. The Sewer Authority said that Barnaby's is currently in arrears on the current Sewer bill. Mr. Jensen said that the release should be contingent upon payment of all bills due the Township - not the Sewer Authority. Mr. Thorpe moved to authorize the return of the escrow for Barnaby's of America provided all Township bills have been paid. Ms. Love D'Elia seconded. Mr. Thorpe asked if there were any other bills to come in. Mr. Petrosa and Mr. Kelly said they do not have any other bills to submit. Mr. Shipley, Ms. Love D'Elia and Mr. Thorpe voted yes and the Board approved. Mr. Thorpe said it is incumbent on us to be sure that we have all the bills that have been submitted. Once this is done, no more bills will be paid.

Mr. Petrosa asked the Board to adopt the Resolution to appoint Elko and Associates as auditors. Mr. Thorpe moved to appoint Elko and Associates as appointed auditors to audit the accounts for 2001 and serve the function of the elected auditor for 2002. Ms. Love D'Elia seconded. Mr. Shipley, Ms. Love D'Elia and Mr. Thorpe voted yes and the Board approved.

Open Space Committee

Ann Pounds said the Committee met on February 14, 2002. All new members were present. A good portion of the meeting was spent helping the new members understand where the Committee has come from and where they are going. Samantha Reiner was re-elected as the continuing Chair. They are addressing the exchange of memos between Mr. Shipley and the Conservancy about certain issues in the proposed Ordinances. They have all agreed to read the Ordinances section by section and to become fully informed as to what the issues are and how they should be addressed. Ms. Pounds then invited all members of the community to come to the meetings. They are held the second Thursday of the month at 7:00pm. Ms. Love D'Elia mentioned to Mr. Petrosa the importance of looking into the resignation (or non-resignation) of Ann Pounds as it relates to the Chairmanship of the Committee. She said there was a vote taken prior to Ann's attendance at last month's meeting to elect Samantha Reiner as Chair. It was a split vote 3-3, so it was undecided. Ann came late to the meeting and made the vote 4-2 (with 1 abstention) in favor of Samantha. So there is a compound issue of her presence and vote. Mr. Shipley said this would be resolved based on the legalities of the resignation.

Properties Committee

Mr. Shipley discussed whether the current Township building is adequate or inadequate for Township needs. He pointed out the changes being made to try and accommodate the Secretary-Treasurer, Code Enforcement Officer and our filing

requirements. The space limitations are severe. He reminded everyone that we have discussed the safety issues relating to the narrow road for parking during elections, night meetings, etc. Layered with that is a need to do something with the Turner's Mill building before it falls in on itself. Turner's Mill is designated as a historical building. The Township could bulldoze it and get rid of it (which would be the cheapest solution). Most people hate to think of that because it is part of the community. However, if we don't do something about it, it will fall down. No matter what is done, it will take money to do. Mr. Shipley told everyone that the Brandywine Conservancy has offered to get an estimate of the cost to build a Township Hall as part of preserving Turner's Mill. Fred Reiter asked if they were talking about making it a Township Hall or adding a Township Hall to it. Mr. Thorpe said that is really the question – what to do with it. Mr. Shipley said there is an interesting concept that has been put on the table. Perhaps the cheapest way to do it would be to build the meeting room only inside Turner's Mill. Then build the Township support facility beside it as part of a new compatible building. He said this is just preliminary thinking, but if we get estimates we can start to discuss it as a community to see if there is interest in doing it. Mr. Shipley also mentioned that there were foundation problems discovered when redoing the back room of the current building. Eventually we will have to do something about that, which will be expensive. If the community doesn't want to do anything, we'll have to make the best of what we have. However, something must be done with Turner's Mill. Mr. Shipley said they could re-stabilize Turner's Mill and put on a new roof, but that is a short-term solution. In a few years the Township will be faced with what to do with it again. Mr. Thorpe said the Conservancy is doing the estimate with the construction company that is building the barn building. They are professional estimators and were given a lot of ideas. They will come up with costs based on those ideas. A resident asked if the estimate is being done for free. Mr. Shipley said it is, and we appreciate what they are doing. He also said neither the Historical Society nor the Conservancy has any financial interest in doing anything with Turner's Mill.

Emergency Management Coordinator

Phil Wenrich said that upon his appointment he was instructed to make the appropriate contacts to see what Chadds Ford needed to do for its Emergency Plan, as well as create improved communications with various emergency services. He has conferenced and/or met with the State Fire Commissioner, FEMA, PEMA, Delaware County Emergency Services, State Police and Concordville Fire and Protective Association. Everyone has submitted (or will submit) to him their suggestions for Chadds Ford to comply with emergency management and emergency preparedness within our Township. He is also getting suggestions on

ordinances, emergency plans, and other things they suggest need updating or re-adopting within the Township. Next month he will submit all of the above in writing to the Board. Mr. Thorpe asked Mr. Wenrich if there was a law that says we have to do an update every so many years. Mr. Wenrich said yes, the old emergency plan needs to be updated. Once it is updated, PEMA will review it and approve it if everything is in order. Mr. Wenrich said that although 90% of the Plan may never be used, if the need is there and we don't have the plan, that's a problem.

OLD BUSINESS

Capelli Tract

Tom Schocklin from Brandywine Valley Engineers appeared on behalf of the applicant and summarized the plan. Mr. Thorpe said he would like to personally review the entrance and the proposed "pork chop," as there is an entirely different circumstance on that portion of Route 1 now. Mr. Shipley said his recollection was that there was an action by the Zoning Hearing Board on this plan. Mr. Schocklin said there was a conditional use for crossing the flood plain. Mr. Shipley asked if that would have to be done again. Mr. Schocklin said the Solicitor was looking into whether or not that would have to be re-approved. Mr. Petrosa said with a subdivision plan you have protection against changes in the ordinances for 5 years. This plan was approved in 1994; therefore, the plan would have to comply with any new ordinance provisions. Mr. Petrosa said he does not think there is an expiration of a conditional use, but thinks there is an expiration for a variance of special exception. Mr. Jensen said this was a variance, not a conditional use. Mr. Petrosa thinks there is an expiration of a variance if you don't get a building permit within a year, but he will check the ordinance. If the variance is expired, they will have to get it again. Mr. Shipley said the Board is reluctant to approve a plan if there are still open questions about it. Mr. Thorpe would also like to review the entrance. Mr. Kelly said in the Engineer's re-review, they did not find any Township Ordinance conflicts. However, the applicant does have to get all of the approvals again. They will also need to get a PennDot permit. In addition, any approval by the Township would be contingent upon approval from all other agencies. Mr. Petrosa also said that we need to find the approval letter to see if, in 1994, there were any conditions to the approval. Mr. Shipley asked if we still have time to answer these questions and act on this plan next month. Mr. Schocklin said the plan was submitted in the beginning of February. Mr. Petrosa said we still have time. Mr. Shipley suggested that Mr. Thorpe look at the entrance, we find out what the conditions were, and then the Board will act on the plan next month.

Twin Magnolias

Tom Schocklin from Brandywine Valley Engineers appeared on behalf of the applicant and summarized the plan (which was previously approved in 1999). Mr. Thorpe moved to approve the plan subject to satisfaction of the items in Mr. Kelly's review letter. Ms. Love D'Elia seconded. Mr. Shipley, Ms. Love D'Elia and Mr. Thorpe voted yes and the Board approved.

NEW BUSINESS

Pileggi subdivision

Mrs. Pileggi asked for final approval on their plan contingent upon Mr. Kelly's approval of final plans that will be in his office at the beginning of next week. Mr. Kelly had no problem with approval. Mr. Petrosa asked the applicant to have their Engineer "z-out" the original property line on the plans to make the change more clear. Mr. Thorpe moved to approve the plan contingent upon satisfying the Township Engineer and "z'ing-out" the old property line. Ms. Love D'Elia seconded. Mr. Shipley, Ms. Love D'Elia and Mr. Thorpe voted yes and the Board approved.

ADJOURNMENT

Mr. Thorpe moved to adjourn the meeting. Ms. Love D'Elia seconded. Mr. Shipley, Ms. Love D'Elia and Mr. Thorpe voted yes and the meeting was adjourned at 10:20pm.