

Chadds Ford Township Board of Supervisors Meeting

April 2, 2003

M I N U T E S

OFFICIALS PRESENT: Deborah Love D'Elia, Acting Chairman
George M. Thorpe, Member
Hugh A. Donaghue, Esquire, Township Solicitor
James C. Kelly, Township Engineer
Richard J. Jensen, Building Inspector, CEO
Maryann D. Furlong, Secretary/Treasurer

CALL TO ORDER

Mrs. Love D'Elia called the meeting to order at 7:30 PM. Those present gave the Pledge of Allegiance and there was a moment of silence in observance of our armed forces overseas.

PUBLIC COMMENT

Anthony Cutrona urged the Board of Supervisors to note recent comments in the Chadds Ford Post regarding the organization and length of Supervisors meetings. Mr. Cutrona suggested moving New Business to the beginning of the agenda and having committee reports submitted in writing to the Board. Mr. Reiter responded that much of what is orally presented under Committee reports is information that residents want to know. After discussion, the Board members decided that committee chairs will continue to make oral presentations, but are to minimize these reports to one or two of the most important items.

REPORTS

STATE POLICE REPORT

A report was not available.

MOTION TO APPROVE MINUTES

Upon motion and second (Thorpe, D'Elia), the Board approved the minutes of the Board of Supervisors meeting of March 5, 2003, Draft of 4/2/03, which included revisions by all Supervisors.

Mrs. Love D'Elia reminded all present that minutes are available for review via both the Township's web site and the glass cabinet located beside the front door of the Township building.

SUPERVISOR'S REPORTS

Mr. Thorpe reported that he had acted on behalf of the Township in appearing for a deposition in the ongoing civil litigation of Sarah Stanley v. Chadds Ford Township, et al.

On March 11, 2003, a meeting had been held with Mrs. Love D'Elia, Mr. Shipley, and representatives of the Rachel Kohl Community Library Board in attendance the purpose of which was to discuss the upcoming referendum in November.

A grant application had been submitted to Representative Stephen Barrar's office by Mrs. Love D'Elia to pay for emergency traffic control equipment for the traffic light at Ring Road and Route 1.

Mrs. Love D'Elia publicly expressed her thanks on behalf of the Board to Charles Weigold, originator of the Township's web site. The recent purchase of computer equipment for the Township building and the increase in office hours had led to moving web site control to the Township office and staff.

TREASURER'S REPORT

Mrs. Furlong reported the following balances for March, 2003:

Total all funds:	\$ 684,948.85
Total all deposits:	\$ 131,711.79
Total all disbursements:	\$ 42,616.51

Mrs. D'Elia noted that the portion of Mr. Donahue's and Mr. Petrosa's bills related to the Loop Road will be billed to the developer.

MOTION TO APPROVE TREASURER'S REPORT

Upon motion and second (Thorpe, D'Elia), the Board unanimously approved the Treasurer's Report for March, 2003.

ROADMASTER REPORT

Mr. Prabel presented the Roadmaster's report for the month of March, 2003, a copy of which is attached hereto.

PLANNING COMMISSION

Mr. Taylor presented the Planning Commission minutes for the meeting of Wednesday, March 26, 2003, a copy of which follows.

ZONING HEARING BOARD

Mr. Wandersee presented the Zoning Hearing Board report for the meeting of March 19, 2003, regarding a decision that had been entered in the zoning appeal of Volpe Tile. A copy of the report is attached hereto.

HARB

There was nothing to report for the month.

SEWER AUTHORITY

Mr. Murray presented the Sewer Authority's report for March, 2003, a copy of which is attached hereto.

Mr. Tobin addressed the Board stating that he was still awaiting a reply to his recent letter addressed to Mr. Shipley in which he objected to his mandatory tie in to the system. Mr. Donahue replied that it was his intention to reply to Mr. Tobin's letter and that he had been in contact with John Mezzanote, solicitor for the Sewer Authority.

As to Mr. Tobin's statement that the Board of Supervisors has been secretive in dealings with the Girl Scout Camp, Mr. Donahue cleared the record by stating that there has not been any meetings between representatives of Toll Brothers and Board members.

A resident reported that tree clearing had started on the site. Mr. Jensen is to inspect the site first thing in the morning.

Mrs. Tobin asked if the Township could stop with Phase Two of Sewer Authority's plan. Mrs. Love D'Elia and Mr. Kelly responded to the question, stating that feasibility studies are ongoing.

BUILDING INSPECTOR/CODE ENFORCEMENT OFFICER

Mr. Jensen reported on the number of permits that had been issued during the month of March, 2003.

TOWNSHIP ENGINEER

Mr. Kelly presented the Engineer's report for the month of March, 2003, a copy of which is attached.

MOTION TO APPROVE REDUCTION IN LETTER OF CREDIT – TWIN MAGNOLIAS

Upon motion and second (Thorpe, D'Elia), upon the recommendation of James C. Kelly, Township Engineer, the Board of Supervisors approved a reduction in the letter of credit of Twin Magnolias in the amount of \$4,000.00, leaving a remaining balance of \$6,290.78.

SOLICITOR'S REPORT

Mr. Donaghue reported that he had been actively working on both Loop Road and TRAN documents on behalf of the Township. Mr. Lowry, a resident, had spoken to Mr. Donaghue regarding zoning relief for his property.

OPEN SPACE COMMITTEE

Mrs. Love D'Elia presented the report for Open Space, a copy of which follows.

TOWNSHIP PROPERTIES COMMITTEE

Mr. Thorpe stated that a meeting of the Committee had not been held during March, but he was still pursuing cost estimates for building a model of the proposed Township Hall at Turner's Mill.

Mrs. Love D'Elia also reported that a decision will be made at the next meeting as to how to best use grant monies obtained for Mother/Sister Archie's church, which must be expended by the end of the year.

EMERGENCY MANAGEMENT COORDINATOR

Mr. Wenrich is complying with all requests for information being made by various agencies as a result of heightened terrorism alerts on behalf of the Township.

FIRE MARSHALL

Mr. Taylor reported that the proposed Burning Ordinance had been presented to members of the Planning Commission and the topic will again be discussed at the Planning Commission Workshop on April 9, 2003, 7:30 PM. The matter was not yet ready for action by the Board.

FINANCIAL ADVISORY BOARD

Mrs. Love-D'Elia stated that the annual audit had been completed and submitted to

all necessary agencies. There were no outstanding problems or issues. Copies of the management letter had been distributed to Board members. Bids for new auditors are being sought, with four firms being contacted to schedule office visits and subsequently submit proposals.

OLD BUSINESS

MOTION TO AUTHORIZE TOWNSHIP SECRETARY TO ADVERTISE PROPOSED BED and BREAKFAST ORDINANCE

Upon motion and second (Thorpe, D'Elia), Board members authorized advertising of the date and time of Wednesday, May 7, 2003, 7:00 PM, for a public hearing on the proposed Bed and Breakfast ordinance, and subsequent adoption thereof at the Board of Supervisors meeting on May 7, 2003.

Mrs. Furlong is to keep the Board and solicitor apprised of the submission of any comments by the Delaware County Planning Commission.

NEW BUSINESS

OSBORNE PLACE OPERATION and MAINTENANCE AGREEMENT

Jim Fritsh of Register Associates, appeared as engineer for Osborne Place, for the three lot subdivision on Atwater Road. Mr. Fritsh requested the Board's signature of the O & M Agreement for submission to DEP. In accordance with the Township Engineer's recommendation, Board members present signed the Operation and Maintenance Agreement with Marginal Soils for the Osborne Place subdivision on Atwater Road.

WAWA, Inc. SEWAGE PROPOSAL – ROUTE 202 & DILWORTHTOWN ROAD

Joseph Bryant, Esquire, representing Wawa, Inc., briefly explained the lengthy process that had been undertaken to find an adequate solution to sewage disposal for the proposed Wawa store just south of the intersection of Route 202 and Dilworthtown Road, in accordance with conditions placed on the land development agreement by the Board of Supervisors in July, 2001. A viable plan had just been presented to the Board of Thornbury Township and Mr. Bryant was now seeking approval of Chadds Ford.

Rob Irons, of Vollmer Engineering, presented a plan for sewage at the site. Mr. Kelly had previously received a copy of the proposal. Sewage would be pumped via force main from the Wawa store into the Cherry Farm development system, through the Thornbury conveyance structure infrastructure, and eventually to Concord Township Sewer Authority. This would be done in place of an on site system.

Mr. Kelly asked if there would be a possibility for Chadds Ford to tie into the line. Mr. Bryant stated that the infrastructure had been designed to permit Chadds Ford to extend if so desired at some point in time. Discussion ensued as to contractual arrangements regarding EDU requirements, with Mr. Murray addressing issues on behalf of the Township's Sewer Authority and the existing 537 Plan. Birmingham Township to date has not agreed to cross county boundaries with sewer lines.

Mr. Bryant asked for authorization for Mr. Donahue to begin discussions regarding legal and also for the Township Engineer to work with Mr. Irons regarding the details and design of the system.

Mrs. Love D'Elia instructed that prior to authorizing Mr. Donaghue's participation,

the Board will direct Mr. Kelly to contact Mr. Irons regarding the technical engineering questions of the plan. Mr. Kelly is to report back at the next Board of Supervisors meeting in May and will keep Mr. Donahue informed of his progress. Mrs. Love D'Elia also asked Mr. Kelly to provide a synopsis of the decisions between the engineers for presentation at a future Sewer Authority meeting.

RESOLUTION 2003-8 FEE SCHEDULE REVISION

Mr. Jensen stated that the fee schedule had been updated to reflect current costs. The document also had been restructured to make it user friendly.

MOTION TO APPROVE RESOLUTION 2003-8 TO REVISE THE TOWNSHIP'S FEE SCHEDULE

Upon motion and second (Thorpe, D'Elia), the Board of Supervisors unanimously approved adoption of Resolution 2003-8, revising fees for permits and applications within Chadds Ford Township.

RESOLUTION 2003-9 TAX AND REVENUE ANTICIPATION NOTE

Mr. Donaghue explained that the TRAN note permits the Township to borrow money at the rate of 1.7% which will allow the Township to cover expenses should a shortfall occur prior to the receipt of tax revenues.

MOTION TO APPROVE RESOLUTION 2003-9 TAX AND REVENUE ANTICIPATION NOTE

Upon motion and second (Thorpe, D'Elia), the Board of Supervisors unanimously approved adoption of Resolution 2003-9 authorizing the Tax and Revenue Anticipation Note for funds in the amount of \$85,000.

RESOLUTION 2003-10 DESIGNATION OF AGENT

Mrs. Furlong reported that the Township has an opportunity to recover funds for snow removal costs incurred during the Presidents Day snowstorm through FEMA. Mrs. Furlong had attended a presentation by PEMA personnel in West Chester on Friday, March 28, 2003, and had filed a preliminary request on behalf of the Township. The application process requires the adoption of a resolution designating an agent to act on behalf of the Township during the process.

MOTION TO APPROVE RESOLUTION 2003-10 DESIGNATION OF AGENT RE PRESIDENTS DAY SNOWSTORM

Upon motion and second (Thorpe, D'Elia), the Board of Supervisors unanimously approved adoption of Resolution 2003-10 appointing Maryann Furlong as the designated agent to file the necessary application for possible reimbursement for snow removal costs incurred during the Presidents Day Snowstorm.

CAMP SUNSET HILL

Mrs. Love D'Elia stated that a public meeting has been scheduled for Tuesday, April 22, 2003, at 7:00 PM, in the school hall at St. Cornelius Church for Toll Brothers to present to the Board of Supervisors in a public venue. Seating for 250 will be available. More information is available on the Township's web site and will be posted in the glass display box outside the building.

RELEASE OF ESCROW MONIES – HENDERSON GROUP

Mrs. Furlong reported that in response to requests from the Henderson Group and after determination that no bills are outstanding, she was recommending release of escrow funds in the following amounts:

Henderson, Brandywine 1 and 2	- \$700 Conditional Use Escrow
Henderson, Chadds Ford Business Campus	- \$700 Zoning Board Escrow
Henderson, Chadds Ford Business Campus	- \$700 Sign Permit Escrow
Henderson Group	- <u>\$4,500 Reverse Subdivision Escrow</u>
Total Release:	- \$6,600

MOTION TO APPROVE RELEASE OF ESCROW FUNDS – HENDERSON GROUP

Upon motion and second (Thorpe, D’Elia), the Board of Supervisors unanimously approved the release of escrow funds to the Henderson Group in the amounts listed above.

ADJOURNMENT

There being no further business, the meeting was adjourned at 9:00 PM.

Respectfully submitted,

MARYANN D. FURLONG,
Township Secretary