

Chadds Ford Township Board of Supervisors Meeting
December 3, 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 7:37 PM. The Pledge of Allegiance was recited.

PUBLIC COMMENT – CHADDS FORD RESIDENTS

CHARLES J. WEIGOLD RECOGNITION

Mrs. Love D'Elia recognized long term resident and both active and loyal supporter of the Chadds Ford community Charles J. Weigold, Township Tax Collector, who had submitted a letter of resignation to be effective December 31, 2003. Mrs. Joan Weigold was present on behalf of her husband. Mr. Thorpe stated that while it was an honor to present a Certificate of Outstanding Community Service to Charlie, he was saddened that the honoree was not present due to ill health. Among Mr. Weigold's many contributions to the community was his service on Planning Commission, as an elected auditor, as Tax Collector, as the first Township webmaster, and as an assistance in the recent renumbering process.

Mrs. Love D'Elia announced that two years remain on Mr. Weigold's term as Tax Collector and that any resident may submit a letter of interest to the Township Secretary by December 10th. In an effort to avoid delays in issuing the 2004 tax bills, the Board will appoint to fill term on Wednesday, December 17th prior to a previously scheduled PRD Hearing for Toll Brothers, at Walker Hall, St. Cornelius, 7:00 PM.

Phil Wenrich, Emergency Management Coordinator and President of the Civil Association, also thanked Mr. Weigold on behalf of the Chadds Ford Township Civil Association.

Mrs. Love D'Elia congratulated Ed Wandersee, who had been reelected to serve as President of the Unionville-Chadds Ford School Board.

STATE POLICE REPORT

A report was not available.

APPROVAL OF MINUTES – November 10, 2003

Mrs. Furlong had prepared and circulated minutes of the November 10th Board of Supervisors meeting for review and comment.

MOTION TO APPROVE MINUTES OF NOVEMBER 10, 2003

Upon motion and second (Thorpe, D'Elia), the Board of Supervisors approved the minutes of the November 10, 2003 meeting, draft dated December 3, 2003, which included revisions by Mr. Thorpe.

REPORTS

SUPERVISORS' REPORT

Mrs. Love D'Elia announced the receipt of a letter of resignation from James Reamer, Planning Commission member, which was effective December 1st. Mr. Reamer is moving from Chadds Ford Township. Interested parties are to submit resumes by December 17th for possible appointment at the January 5th organization meeting.

The Supervisors also announced that Mr. Prabel will not seek reappointment as Roadmaster in January, thus there will be a vacancy. Interested parties may contact Mr. Thorpe for information regarding responsibilities and should submit resumes by December 17, 2003.

TREASURER'S REPORT

Mrs. Furlong reported the following balances as of November 30, 2003:

Total all funds:	\$ 889,149.52
Total all deposits to General Fund:	\$ 72,068.35
Total disbursements General Fund:	\$ 71,265.38

Ms. Love D'Elia questioned the \$150 expenditure to St. Cornelius for the rental of Walker Hall. Mrs. Furlong explained that an e-mail from the church had come through regarding a fee, but prior to release of the check, she will contact St. Cornelius regarding any other outstanding rental fees. Toll Brothers will be invoiced for all recoverable expenses.

MOTION TO APPROVE TREASURER'S REPORT

Upon motion and second (Thorpe, D'Elia), the Board of Supervisors voted to approve the Treasurer's Report for November, 2003, and authorized the payment of bills in the amount of \$71,265.38, as listed in the Disbursement Report dated December 2, 2003.

ROADMASTER REPORT

Mr. Prabel presented the Roadmaster's report for the month of November, 2003, a full copy of which follows.

PLANNING COMMISSION

Mrs. Taylor, in Mr. Taylor's absence, presented Planning Commission minutes for the meeting of Wednesday, November 17, 2003. A full copy follows these minutes.

Solicitor Hugh Donaghue announced that a public hearing on the Toll Brothers PRD application has been scheduled for Wednesday, December 17, 2003, at St. Cornelius' Walker Hall, 7:00 PM. Mrs. Furlong will advertise the meeting.

Mr. Thorpe stated that he was pleased to see comments regarding the proposed

deed restrictions in the Tremonte subdivision plan and asked Mrs. Taylor to pass the comment on to Bill.

Mrs. Love D'Elia commented that the narrow window of time between Planning Commission meetings and Board of Supervisors meetings was presenting some problems and asked if Planning Commission would consider changing their meeting dates. Mr. Taylor will be informed of the request.

ZONING HEARING BOARD

Mr. Wandersee submitted a report on a hearing on that had been held on Wednesday, November 19, 2003, for an application that had been submitted by Family Chrysler Jeep. A copy of the report follows.

HARB

No report was available.

SEWER AUTHORITY

Mr. Murray presented the Sewer Authority's report for November, 2003, a copy of which is follows. A complete report was submitted to the Supervisors for review.

BUILDING INSPECTOR/CODE ENFORCEMENT OFFICER

Mr. Jensen reported as to the number of permits that had been issued during the month of November, 2003. A written report reflecting same has been submitted. Mr. Jensen also reported that the first citation notice had been issued pursuant to the Burning Ordinance. The situation seemed to have been resolved.

TOWNSHIP ENGINEER

Mr. Kelly presented the Engineer's report dated December 3, 2003, a copy of which follows, and recommended a release of escrow funds to Longview Builders and a partial payment to Sucher and Sons for 2003 Road Program work.

MOTION TO APPROVE ESCROW RELEASE Number 4 – LONGVIEW BUILDERS (Heyburn Road)

Upon motion and second (Thorpe, D'Elia), the Board of Supervisors moved to allow the Letter of Credit for Longview Builders (Heyburn Road) to be reduced to \$20,000.00.

MOTION TO APPROVE THE 2003 ROAD MAINTENANCE EQUIPMENT RENTAL CONTRACT

Upon motion and second (Thorpe, D'Elia), the Board of Supervisors approved the 2003 Road Maintenance Equipment Rental Contract being awarded to Martin Brothers as the sole bidder.

MOTION TO APPROVE PARTIAL PAYMENT – 2003 ROAD PROGRAM

Upon motion and second (Thorpe, D'Elia), the Board of Supervisors approved the partial payment of \$29,583.00 to Joseph E. Sucher & Sons, Inc., for the completion of items as indicated in Payment Estimate #1 prepared by Kelly Engineers.

OPEN SPACE COMMITTEE

Mrs. Debbie Reardon presented a report for the Committee, a copy of which follows.

Mrs. Love D'Elia stated that the Board of Elections deadline for the filing of any referendum to be included in the spring primary is on or before January 27, 2005. Open Space members should be aware of that date for planning purposes.

TOWNSHIP PROPERTIES COMMITTEE

Mr. Thorpe reported that Committee members had met to review data submitted by John Milner for proposed work on the structure at the Turner's Mill site. The cost estimate is \$825,000.00. Board members have asked Mr. Jensen to review the plan to ensure compliance with Township codes and L & I requirements. The committee has asked Mr. Kelly to prepare a site development proposal, with hopes that such information will be forthcoming within the next few weeks. Mrs. Hauser asked if the building estimate had included parking and landscaping costs. Mr. Thorpe replied that it did not, but those costs would be included in the site development proposal of Kelly Engineers.

Mr. Thorpe also reported that progress was being made regarding the signage at Mother Archie's.

EMERGENCY MANAGEMENT COORDINATOR

Mr. Wenrich stated that there was no formal report.

FINANCIAL ADVISORY BOARD

There had been no meeting during the month of November.

PLOWING OF PRIVATE ROADS

Solicitor Hugh Donaghue reported that the Board of Supervisors had been contacted regarding the plowing of private roads by the Township. Mr. Donaghue subsequently had prepared a report indicating that the Township was not permitted to expend public monies for the plowing of private roads however, homeowners may contract privately with the company that performs the Township's work.

OLD BUSINESS

RENUMBERING OF ORDINANCE 102 to 64(Q)

Mr. Thorpe announced that Ordinance 102, adopted at the November 10, 2003 Board meeting, had been incorrectly numbered as a stand alone ordinance instead of being numbered as part of the zoning ordinances.

MOTION TO REPEAL ORDINANCE NUMBER 102 and RENUMBER AS ORDINANCE 64(Q)

Upon motion and second (Thorpe, D'Elia), the Board of Supervisors repealed Ordinance 102, number only, as a stand alone ordinance to be renumbered Ordinance 64(Q) to be included as a zoning ordinance.

NEW BUSINESS

GRACE/RIDGE ROAD SUBDIVISION

Mr. Donaghue indicated that due to ongoing reviews of the subdivision application regarding the deed and sewage disposal, an extension of time was required. Mr. Ginter, present at the meeting, executed the extension application and indicated that he was in agreement with the information contained therein. The Township must act on the application on or before January 5, 2004.

DiSABATINO SUBDIVISION RE-APPROVAL

Both James Fritsch, PE, of Register Associates, representing applicant Chris DiSabatino and Mr. Kelly briefly reviewed the preliminary/final subdivision plan that was again before the Board for re-approval due to the deletion of the Ciprianni property. Mr. Donaghue had prepared a resolution and asked the applicant to review the conditions as set forth therein. There was discussion as to the status of the planning module application Form B Waiver and the ability to issue a building permit. Mrs. Furlong was directed to hold the plans until Mr. Hall was available to sign.

MOTION TO RE-APPROVE DiSABATINO PRELIMINARY/FINAL SUBDIVISION PLAN – RESOLUTION 2003-31

Upon motion and second (Thorpe, D'Elia), the Board of Supervisors approved Resolution 2003-31, granting re-approval of the DiSabatino preliminary/final subdivision plan consisting of seven sheets, last revised 10/14/03, for a parcel of land known as the DiSabatino/Hall properties on Heyburn Road.

MEETING RECESSED

The meeting was recessed briefly at 8:45 PM.

MEETING RECONVENED

The meeting was reconvened at 8:55 PM.

APPOINTMENT TO FILL SUPERVISOR VACANCY

Mrs. Love D'Elia stated that the Board had received and accepted the resignation of Supervisor James E. Shipley, effective at 7:30 PM, December 3, 2003. Only one letter of interest had been received by the Township Secretary, that coming from resident Garry Paul of Spring Lane.

NOMINATION OF GARRY PAUL

Supervisor George Thorpe nominated Garry Paul to fill the unexpired portion of James E. Shipley's term as Township Supervisor.

MOTION TO FILL VACANCY – BOARD OF SUPERVISORS

Upon motion and second (Thorpe, D'Elia), the Board of Supervisors appointed Garry Paul to fill the vacancy on the Board of Supervisors resulting from the resignation of James E. Shipley. Mr. Paul's term will run through December 31, 2005.

District Justice Richard M. Cappelli administered the oath of office to Mr. Paul.

NEW BUSINESS CONTINUED

2004 BUDGET ADOPTION

Mrs. Love D'Elia reported that notice of the proposed 2004 Budget had been advertised and duly posted outside the Township Hall for a period of more than twenty days therefore, the Board was in a position to adopt the budget.

MOTION TO ADOPT THE 2004 CHADDS FORD TOWNSHIP BUDGET

Upon motion and second (Thorpe, Paul), the Board of Supervisors approved the Chadds Ford Township 2004 Budget, draft dated 11/9/03, 4:08 PM, with receipts and expenditures each totaling \$585,750.25.

TAX LEVY RESOLUTION 2003-29

Mrs. Love D'Elia presented Resolution 2003-29, the formal document setting forth the millage rates for 2004 Township real estate taxes, with total millage being .357. The breakdown is .20 for the Township; .075 mills for fire protection; .012 mills for the Rachel Kohl Community Library, and .07 mills for a capital improvement fund.

MOTION TO APPROVE RESOLUTION 2003-29 – 2004 TAX LEVY

Upon motion and second (Thorpe,), the Board of Supervisors approved Resolution 2003-29, which establishes the tax levy for the year 2004.

MOTION TO ADVERTISE FOR APPOINTMENT OF AUDITOR TO REPLACE ELECTED AUDITORS

Upon motion and second (Thorpe, Paul), the Board of Supervisors authorized the Township Secretary to place the requisite legal advertisement to permit the firm of MervesAmon&Barsz, LLC, to replace the elected Township auditors for the purpose of conducting the 2003 audit.

REFERENDUM – OPEN SPACE

This issue had been addressed during the Open Space report.

PUBLIC COMMENT CONTINUED

Township resident Ed Kisko asked Board members if the Turner's Mill restoration has to be put to referendum. Mr. Donaghue replied that it cannot be put to referendum. Mr. Kisko further asked how much of the cost will have to be financed. Discussion ensued with Mr. Wandersee suggesting that a combination of cash and bonds for twenty or thirty years would be his recommendation.

Mr. Fred Reiter asked if the \$825,000 cost estimate included the new addition to the building. Mr. Thorpe responded that costs for the new addition were included, but the projection is for the bricks and mortar only, with a site design and additional costs to follow.

MEETING RECESSED

Acting Chairman Deborah Love D'Elia recessed the Board of Supervisors meeting at 9:17 PM, to be reconvened at 7:00 PM, Wednesday, December 17, 2003, Walker Hall, St. Cornelius, for any further business the Board may deem appropriate.

Respectfully submitted,

MARYANN D. FURLONG,
Township Secretary