

**Chadds Ford Township Board of Supervisors Meeting  
November 1, 2006  
M I N U T E S**

**OFFICIALS PRESENT:** Deborah Love D'Elia, Chairman  
George M. Thorpe, Vice Chairman  
Garry Paul, Supervisor  
Hugh A. Donaghue, Township Solicitor  
Joseph A. Mastronardo, Township Engineer  
Richard J. Jensen, Building Inspector/CEO  
Maryann D. Furlong, Secretary/Treasurer

**CALL TO ORDER**

Chairman Deborah Love D'Elia called the meeting to order at 7:31 PM. The pledge of allegiance was recited. Mr. Thorpe identified the two exits to be used in case of emergency.

**STATE POLICE REPORT**

No report was available.

**PRESENTATION OF CERTIFICATE OF APPRECIATION – STEPHEN P. RYAN**

Chairman Love D'Elia presented a Certificate of Appreciation to Stephen P. Ryan for the landscaping work he did at the Township Building to fulfill his Eagle Scout project requirement. Stephen is the son of Patrick and Suzanne Ryan of Keepsake Lane. Supervisor Garry Paul presented Stephen with a Boy Scout badge from the 2005 Camp Jamboree that he recently found at the Aloha Council in Hawaii.

**APPROVAL OF MINUTES – August 2, 2006, September 5, 2006, October 2, 2006 and October 20, 2006**

The following motions were made.

**MOTION TO APPROVE SUPERVISORS MINUTES OF AUGUST 2, 2006**

Upon motion and second (Paul, Thorpe), Mr. Paul and Mr. Thorpe approved minutes of the August 2, 2006 meeting.

**MOTION TO APPROVE SUPERVISORS MINUTES OF SEPTEMBER 5, 2006**

Upon motion and second (Paul, D'Elia), Mr. Paul and Mrs. Love D'Elia approved minutes of the September 5, 2006 meeting.

**MOTION TO APPROVE SUPERVISORS MINUTES OF OCTOBER 2, 2006**

Upon motion and second (Thorpe, D'Elia), Mr. Thorpe and Mrs. Love D'Elia approved minutes of the October 2, 2006 meeting.

**MOTION TO APPROVE SUPERVISORS MINUTES OF SPECIAL MEETING OF OCTOBER 20, 2006**

Upon motion and second (Thorpe, D'Elia), Mr. Thorpe and Mrs. Love D'Elia approved minutes of the October 20, 2006 special meeting.

**REPORTS**  
**SUPERVISORS**

Mrs. Love D'Elia asked for updates on the Ridge Road/Capano subdivision. Joe Mastronardo attended the most recent Concord Township Planning Commission meeting and reported on discussion that took place as to what is needed to move the project forward. Mr. Mastronardo reiterated the fact that Chadds Ford would like to be included in the retail planning process. Jim Fritsch, Alternate Township Engineer, reported that a subsequent meeting was held today, November 1, 2006. The following issues were discussed at that meeting:

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- whether the applicant needs zoning relief or conditional use approval. The solicitor suggested conditional use and perhaps zoning relief for parking issues. Applicant's attorney objected.
- traffic issues regarding a proposal to widen Ridge Road along the front of the shopping center and additional work on Route 202. A traffic light may be forthcoming on Ridge Road.
- The entrance into the residential area has been moved further into Concord Township. Chadds Ford will be asked to take dedication of that road.
- Concord Township Sewer Authority discussed public sewage for the shopping center.

Another meeting is scheduled for next Wednesday at Concord Township regarding revised stormwater plan from Kelly Engineers. Mr. Jensen will attend a meeting scheduled for tomorrow, November 2, 2006, to discuss a review letter from Thomas Comitta letter.

The Applicant has indicated they will be looking for a recommendation of approval at the next Concord Township Planning Commission meeting. Mrs. Love D'Elia asked Mr. Fritsch to attend on behalf of Chadds Ford.

Mr. Thorpe asked if problems will be created by people making u-turns to get into the shopping center. Mr. Fritsch will address the issue with Ron Moore of Pennoni Associates.

A special meeting to work on the 2007 budget was held on October 31, 2006. The meeting will reconvene next Wednesday, November 8<sup>th</sup> at 3:00 PM. Mr. Paul commented that there is uncertainty in projecting revenue for the transfer tax because of the real estate market. The Supervisors are considering enacting an Emergency Municipal Service tax for those earning in excess of \$12,000 per year and a Business Privilege Tax for those operating businesses in the Township with gross receipts in excess of \$15,000. Proceeds will go into an infrastructure fund to defer costs of future projects.

**MOTION TO AUTHORIZE TOWNSHIP SECRETARY TO ADVERTISE PROPOSED ORDINANCES**

Upon motion and second (Paul, Thorpe) the Township Secretary was authorized to advertise a public hearing on the two proposed ordinances for December 6, 2006.

**TREASURER'S REPORT**

The Treasurer reported the following figures for the month of October, 2006:

Total deposits to General Fund:	\$	88,643.17
Total disbursements General Fund:	\$	133,760.57
Total disbursements Escrow Fund:	\$	3,578.74
Cash Accounts Balances	\$	1,148,661.54

**MOTION TO APPROVE TREASURER'S REPORT**

Upon motion and second (Thorpe, D'Elia), the Supervisors approved the Treasurer's Report for October, 2006, and authorized payment of bills in the amount of \$133,760.57.

**FIREMARSHALL REPORT**

No report was available.

**ROADMASTER'S REPORT**

Roadmaster Joe Barakat presented a report for the month of October, 2006. A copy follows the minutes. Mr. Barakat will contact Delaware County Community College regarding possible interns for the Township regarding the Emergency Management Plan. Both Mrs. Love D'Elia and Mr. Thorpe asked the Roadmaster's help to upgrade traffic signals and check PECO charges for street lights.

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**BUILDING INSPECTOR/CODE ENFORCEMENT OFFICER**

Mr. Jensen presented the Building Inspector/Code Enforcement Officer's report and provided an update on the progress of improving acoustics in the main meeting room.

Chairman Love D'Elia gave an update on Toll's progress in replacing trees and planting evergreens in the buffer area at the Estates of Chadds Ford development. Work is being done in compliance with recommendations made by the Brandywine Conservancy.

Supervisor Paul said that a sharp decrease in 2006 transfer tax revenue precluded the Township from setting aside extra money for Atwater Road work this year, but an extra

\$50,000 has been budgeted in 2007 for that purpose.

## **TOWNSHIP ENGINEER REPORT**

Joseph Mastronardo of Pennoni Associates reviewed activities during the past month. The Township Engineer had reviewed a second payment request for the 2006 Road Program and recommended payment in the amount of \$65,424.80. This represents final payment less 5% retainage.

### ***MOTION TO APPROVE PAYMENT #2 2006 ROAD PROGRAM TO DAN MALLOY PAVING, Inc.***

Upon motion and second (Thorpe, Paul), the Supervisors present approved Payment #2 to Dan Malloy Paving, Inc. as recommended by the Township Engineer in the amount of \$65,424.80.

Mrs. Love D'Elia questioned the daytime work on Route 1 instead of the agreed to night work. Mr. Jensen replied this is patching work that cannot be done at night.

## **PLANNING COMMISSION**

Mr. Taylor, Planning Commission Chairman, reported on the Planning Commission meeting of Wednesday, October 11, 2006. A draft of the minutes follows. Since nothing was on the agenda, Planning members discussed updating the Comprehensive Plan and worked towards creating a task force.

## **ZONING HEARING BOARD**

Mr. Thorpe presented the Zoning report in Mr. Wandersee's absence. A written report follows.

## **HARB**

There were no outstanding applications.

## **SEWER AUTHORITY**

Vincent Del Rossi reported on the Sewer Authority's September meeting. A resolution was adopted regarding possible financing thru PennVEST, including a Letter of No Prejudice. Earlier this evening a meeting was held with representatives of Toll Brothers to discuss the tentative turn over of the Turner's Mill Wastewater Treatment Plant to Township. The plant will be complete by December with operations to start in March. Reimbursement will be sought for use of the Ridings Treatment Plant for temporary pump and haul services.

## **OPEN SPACE COMMITTEE**

Chairman Debbie Reardon submitted a report for the October 5, 2006 meeting. A copy follows. There was discussion regarding a letter of interest to PennDOT concerning the Twin Bridge issue. Mr. Thorpe will contact a resident in the effected area to coordinate efforts.

## **EMERGENCY MANAGEMENT COORDINATOR**

No report was available.

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### **FINANCIAL ADVISORY BOARD**

Mrs. Furlong reported that as a matter of good business practice, members of the Financial Advisory Board reviewed insurance coverage every few years to obtain the best coverage and lowest premiums. Three agencies had been asked for quotes, with Brokerage Professionals being the lowest. It was the recommendation of FAB that the Township change coverage to Brokerage Professionals.

### **MOTION TO CHANGE INSURANCE BROKERS and LEAVE PIRMA POOL**

Upon motion and second (Paul, Thorpe), the Board of Supervisors unanimously voted to accept Brokerage Professionals insurance coverage proposal and to leave the PIRMA pool.

Mrs. Furlong will confirm the change in liability, flood and property insurance policies and address worker's compensation coverage when that policy comes due in February.

### **PUBLIC COMMENT**

Bruce Prabel, Heyburn Road, asked if PennDOT still intends to pave Route 1. Mr. Mastronardo responded that apparently PennDOT no longer plans to do so.

Keith Klaver, Atwater Road, asked the Roadmaster to inspect the intersection of Atwater and Webb Roads for possible repairs.

### **OLD BUSINESS**

The Ridge Road land development application was addressed earlier in the meeting.

### **NEW BUSINESS**

### **T-MOBILE CELL PHONE TOWER APPLICATION**

The Township has received notification from Advantage Engineering that T-Mobile Northeast intends to file an application to construct a new telecommunications facility in Chadds Ford Township. The proposed site is Brandywine Veterinary on Route 1. An application is on file from some years ago, but will need to be updated. The proposed site is out of cell tower district. The application will most likely be scheduled for December.

### **MOTION TO SEND TOWNSHIP SOLICITOR TO ZONING HEARING BORAD TO OPPOSE T-MOBILE APPLICATION**

Upon motion and second (D'Elia, Thorpe), the Supervisors moved to send the

Township Solicitor to the Zoning Hearing Board meeting to oppose the application.

**MOTION TO APPROVE RETAINING EXPERTS**

Upon motion and second (D'Elia, Paul), the Supervisors authorized the Township Solicitor to hire experts to oppose the T-Mobile application.

Fred Reiter, Atwater Road, had several questions regarding the application.

Lois Saunders, Bullock Road, suggested the applicant be required to file a land development application to allow reviews by both Chadds Ford Township and Delaware County Planning Commissions.

**HILLMAN DRIVE/LOOP ROAD PROJECT**

George Thorpe reported on progress made to complete the Hillman Drive portion of the Loop Road. The next meeting is scheduled for Friday morning, November 3<sup>rd</sup>. Three different entities will build the road and then dedicate it to the Township. Mr. Donaghue read the entire motion into the minutes as follows:

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**MOTION TO APPROVE PROPOSED AGREEMENT FOR THE EXTENSION AND DEDICATION TO HILLMAN DRIVE**

Upon motion and second (Thorpe, Paul), the following motion was adopted:

And now, this 1<sup>st</sup> day of November, 2006, the Chadds Ford Board of Supervisors recognizes and approves the Proposed Agreement for the Extension and Dedication of Hillman Drive. Furthermore, the Board of Supervisors of Chadds Ford Township moves to accept dedication of the Hillman Drive extension as described in the Proposed Agreement subject to: completion of a review and approval of the Township Solicitor and Township Engineer, and a satisfactory inspection of the aforementioned improvements. Finally, the Board of Supervisors of Chadds Ford Township hereby authorizes Chairman Deborah Love D'Elia to execute the Agreement for the Extension and Dedication of Hillman Drive as aforementioned.

**BRANDYWINE TRAIL FORUM**

The Township had received a letter from the Brandywine Conservancy asking for the Board's approval and support for the Brandywine Trail Forum concept. Lois Saunders reviewed the history of the current trail, which links Brandywine Creek State Park in Delaware to Ludwig's Corner in West Vincent Township. Changes in ownership and new developments have fragmented the trail and the Forum is seeking to take action to preserve it.

**MOTION TO APPROVE and SUPPORT THE BRANDYWINE TRAIL FORUM CONCEPT**

Upon motion and second (Paul, Thorpe), the Board of Supervisors unanimously voted to approve and support the Brandywine Trail Forum in their efforts to take action to preserve the Brandywine Trail and to formalize the solidarity of the six municipalities involved.

### **EMS and BUSINESS PRIVILEGE TAX ORDINANCES**

This topic was discussed during the Supervisors' reports.

### **2007 DRAFT BUDGET**

Mr. Paul briefly reviewed a draft of the proposed 2007 Township Budget. Finalization of the proposed budget will take place at the special Board meeting that was continued to Wednesday, November 8<sup>th</sup>. The proposed budget will then be available for public inspection for a period not less than twenty days before adoption at the December 6<sup>th</sup> Board of Supervisors meeting.

### **INSURANCE POLICIES**

See the Financial Advisory Board report.

### **AUTHORIZATION TO ADVERTISE INTENT TO APPOINT AUDITOR**

A legal advertisement must be placed in order to comply with time restrictions to allow the Board to appoint a professional auditing firm to replace elected auditors at the 2007 Organization meeting in January.

### **MOTION TO AUTHORIZE LEGAL ADVERTISEMENT TO APPOINT AUDITOR**

Upon motion and second (Thorpe, Paul), the Supervisors authorized the Township Secretary to place the necessary legal advertisement indicating the intent to appoint a professional auditor to replace elected auditors for the purpose of conducting the 2006 Township audit.

### **ESCROW RELEASES**

The Township Secretary recommended five escrow releases. Mrs. Love D'Elia announced the releases as follows:

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<b>APPLICANT/TWP AMOUNT</b>	<b>ESCROW TYPE</b>	<b>ESCROW AMOUNT</b>	<b>CHECK</b>	
Sovereign Bank 733.98 (reissue of o/s check)	ZHB	\$ 900.00	\$	
Keen Compressed Gas Co.	Grading	\$ 700.00	\$	

700.00			
(reissue of o/s check)			
CHOP	ZHB	\$ 700.00	\$
444.76			
PW Design, LLC	Grading	\$ 800.00	\$
800.00			
Ethan Allen	ZHB	\$ 900.00	\$
581.06			
Chadds Ford Township	o/s bills Ethan Allen		\$
318.94			

**MOTION TO APPROVE RELEASE OF ESCROW FUNDS**

Upon motion and second (D'Elia, Thorpe), the Supervisors authorized release of the escrow funds listed above conditioned upon payment of all outstanding bills.

Keith Klaver announced that the Civic Association's annual meeting will be held next Wednesday at 7:00 PM at the Brandywine Conservancy.

There being no further business, the meeting was adjourned at 9:14 PM.

Respectfully submitted,

MARYANN D. FURLONG,  
Township Secretary