

**Chadds Ford Township Board of Supervisors Meeting  
June 6, 2007  
M I N U T E S**

**OFFICIALS PRESENT:** Deborah Love D'Elia, 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 7:50 PM. The pledge of allegiance was recited. Mr. Thorpe identified emergency exits.

**STATE POLICE REPORT**

Corporal Moretti, Pennsylvania State Police, Media Barracks, reported during May there were six thefts from motor vehicles, six auto thefts and various other minor incidents. The Corporal asked for input from residents regarding the late night thefts from auto dealers.

Mr. Barakat reported graffiti on the Creek Road bridge walls and asked for increased patrols of the area. Any information from local residents would be helpful.

Lana Sheer, Atwater Road, complained of blatant running of stop signs, especially at Hillman Drive and the five way intersection at the Village of Dilworthtown.

**APPROVAL OF MINUTES – MAY 2, 2007**

Upon motion and second (Paul, Love D'Elia), the Board of Supervisors' minutes of May 2, 2007, draft dated 5.27.07, were approved.

**REPORTS**

**SUPERVISORS' REPORT**

More than two Supervisors were together at the following times during the month of May:

- Mr. Thorpe and Mrs. Love D'Elia met with resident Tony Cutrona, Southern Slopes, regarding a problem at the entrance to his driveway;
- Mr. Paul met with Vince Del Rossi, Keith Klaver, Joseph Mastronardo, Richard Jensen and Jim McCann, Pennoni Associates, to gather preliminary information for the tap in fee Ordinance, and
- Earlier this evening Mrs. Love D'Elia, Mr. Thorpe, Mr. Paul, Mr. Donaghue, Mr. Jensen and Mr. Barakat met to review the 2007 road program, activities with Ridge Associates and implementation of the Goodman appeal decision including restoration of the property to appropriate zoning use.

Mrs. Love D'Elia announced the Delaware County Tourism Bureau will donate \$500 to be used to sponsor the Township's annual membership dues for the Brandywine Scenic

Byways Commission.

## **TREASURER'S REPORT**

The Treasurer reported the following figures for the month of May, 2007:

Total deposits to General Fund:	\$	252,376.42
Total disbursements General Fund:	\$	107,022.13
Total disbursements Escrow Fund:	\$	2,500.00
Cash Accounts Balances	\$	1,688,905.50

Two late checks were written for the total amount of \$131.94, making the total \$107,022.15. The report will be revised to include those checks.

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### **MOTION TO APPROVE TREASURER'S REPORT**

Upon motion and second (Thorpe, Love D'Elia), the Treasurer's Report for May, 2007 was approved as amended.

### **FIRE MARSHALL REPORT**

Mr. Thorpe read a written report prepared by Mr. Wenrich (copy follows).

### **ROADMASTER'S REPORT**

Mr. Barakat, Roadmaster, presented the monthly report (copy follows). The Supervisors were asked to approve a traffic signal maintenance contract with Charles A. Higgins & Sons, Inc.

### **MOTION TO APPROVE TRAFFIC SIGNAL MAINTENANCE CONTRACT**

Upon motion and second (Thorpe, Paul), the Supervisors approved entering into a traffic signal maintenance agreement with Charles A. Higgins & Sons, Inc.

### **MOTION TO APPROVE EXPENSE TO INSTALL LED LIGHTS IN TRAFFIC SIGNALS**

Upon motion and second (Paul, Thorpe), the Supervisors approved installation of LED lights in traffic signals at Station Way and Creek Roads for the cost of \$1476.00.

Mrs. Love D'Elia announced the date for the July Board of Supervisor's meeting has been changed to Tuesday, July 10, 2007, with the continued Conditional Use hearing of T-Mobile also scheduled for July 10<sup>th</sup> at 6:00 PM.

### **BUILDING INSPECTOR/CODE ENFORCEMENT OFFICER**

Mr. Jensen presented the Building Inspector/Code Enforcement Officer's report for

May. The Estep banner issue on Route One was resolved in the Township's favor by the local District Court.

### **GARNET VW REQUEST**

Eric J. Hendrixson, owner of Garnet VW, requested the Supervisors' permission regarding a special promotional event and erection of a tent on the weekend of June 29<sup>th</sup> to include live music.

After discussion, the Supervisors agreed to allow the activities contingent upon parking issues being resolved. Mr. Hendrixson will be reminded to stay out of fire lanes, right of ways, etc., must provide notification to the State Police of the event and must submit a plan to Mr. Jensen to include more detail. Mrs. Furlong will notify the applicant.

### **TOWNSHIP ENGINEER REPORT**

Joseph Mastronardo, Pennoni Associates reviewed activities during the past month. A written report follows.

Concord Crossing, LLC submitted a request for a second reduction in the letter of credit for improvements completed on the Chadds Ford Inn project. After review, Mr. Mastronardo recommended a reduction in the amount of \$63,318.00.

### ***MOTION TO APPROVE REDUCTION #2 IN IMPROVEMENT SECURITY ESCROW – CHADDS FORD INN***

Upon motion and second (Paul, Thorpe), the Board of Supervisors approved the second reduction in the letter of credit for improvements completed at the Chadds Ford Inn in the amount of \$63,318.00.

Mrs. Furlong stated that Jim Fritsch, Alternate Township Engineer, received a request from Parkside Associates for a reduction in the letter of credit for improvements completed on the Olde Ridge

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Village Phase II project. After review, Mr. Fritsch recommended a reduction in the amount \$71,725.50.

### ***MOTION TO APPROVE REDUCTION IN IMPROVEMENT SECURITY ESCROW – OLDE RIDGE VILLAGE PHASE II***

Upon motion and second (Thorpe, Paul), the Board of Supervisors approved the second reduction in the letter of credit for improvements completed in the Olde Ridge Village Phase II project in the amount of \$71,725.50.

The Township Engineer reported speaking with a representative of the Army Corps of Engineers regarding possible grants for installation of sanitary sewers along the Brandywine Creek and inflow and infiltration issues at the Ridings WWTP. The Township has already submitted a letter of interest to Congressman Sestak's office for Section 14 funding. A letter of interest will be submitted directly to the Corp also.

### ***MOTION TO DIRECT TOWNSHIP ENGINEER TO PROCEED WITH GRANT APPLICATION***

Upon motion and second (Paul, Thorpe), the Board of Supervisors directed Mr. Mastronardo to pursue Section 14 funding and to provide any additional information necessary to the Army Corps of Engineers.

The Township's year 4 MS4 report was submitted to DEP by Pennoni Associates. Mrs. Furlong thanked Phil Wenrich for his help with the website in this regard.

### **PLANNING COMMISSION**

Mr. Taylor, Planning Chairman, reviewed a draft of minutes for the meeting of May 9, 2007. There were no items on Planning's agenda for review.

### **ZONING HEARING BOARD**

Mr. Wandersee reported that there was no meeting last month.

### **HARB**

HARB members met last Monday night and approved changes in the pumps at Leader Sunoco. After discussion and review, the Supervisors objected to both the color of the graphics and the signage. Mrs. Wandersee stated the new pumps have already been installed.

### **MOTION TO DENY CERTIFICATE OF APPROPRIATENESS**

Upon motion and second (Thorpe, Paul), the Board of Supervisors voted not to approve a Certificate of Appropriateness pursuant to HARB's recommendation.

### **SEWER AUTHORITY**

Keith Klaver reported on Sewer Authority activities. The developer of Brandywine Summit was contacted regarding EDUs and a tap in fee. DEP violations have decreased. There have been lengthy discussions and reviews of sand filter issues. Delcora has completed a portion of the inflow and infiltration review by televising the sewer lines. Several manhole covers will be repaired. An approve letter to proposed users of the Turner's Mill Waste Water Treatment Plant from the Supervisors regarding the current status of the project and future public meetings has been mailed. A DEP consent order and agreement stipulating what SA must do to bring fix problems at the Ridings plant is in discussion.

### **OPEN SPACE COMMITTEE**

Kathleen Goodier presented a report for Chairman Debbie Reardon. The Committee met on May 11<sup>th</sup> and 29<sup>th</sup> in preparation for the upcoming second public

meeting to present the first draft of the Township's Open Space Plan.

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## **EMERGENCY MANAGEMENT COORDINATOR**

Mr. Barakat commented on his progress on the Township's Emergency Management Plan under the Roadmaster's report. Meetings are ongoing and formal writing will start in late June or July.

## **PUBLIC COMMENT**

Lana Sheer, Atwater Road, asked when the Township plans to repair the roadway at Atwater and Webb Roads. The Township Engineer replied the area is included in the 2007 Road Program and work should begin within the next two weeks. Future reconstruction and resurfacing was discussed. The contractor will provide ingress and egress for residents at all times. Mr. Barakat provided information regarding boring tests performed last winter and alternatives to school buses entering a private road.

Keith Klaver, Atwater Road, asked the Township to approach the School Board again regarding the turn around issue. Mr. Wandersee personally had both the business manager and transportation director view the site and have exhaustively reviewed both safety and liability issues. Mr. Wandersee said the next School Board meeting is scheduled for June 18<sup>th</sup> at 7:30 and public comment is welcomed.

Fred Reiter questioned the timetable for completion of the cul-de-sac on Atwater Road and dedication of the road to the Township.

Mr. Wandersee questioned the status of Beaver Dam Road. Mr. Thorpe responded that legislation must be passed to allow the state of Pennsylvania to assume ownership. There is no record of ownership. Woodland Trustees is currently surveying the road and will have a final legal description showing the meets and bounds for submission to the Transportation Committee via Representative Barrar. Representative Barrar will then write legislation for submission to the legislature to allow PennDOT to enter into an agreement with the State of Delaware to maintain the road. DelDOT has already offered to maintain that portion of the roadway in question.

Mr. Wandersee also asked for an update on the uncompleted portion of Hillman Drive. Mr. Jensen gave an update on the four party agreement and financing issues.

John Rotteveel, questioned whether or not the EMS tax has been authorized by the Governor. Mr. Paul responded that it was approved by the Governor several years ago and other municipalities have been collecting it for several years. Mr. Donaghue will investigate possible exemptions and directly respond to Mr. Rotteveel.

## **OLD BUSINESS**

### **RAVEN CREST Lot #9**

Mr. Donaghue read a proposed resolution regarding the Township's purchase and sale of Lot #9 Raven Crest (copy follows).

**MOTION TO APPROVE SALE OF LOT #9 RAVEN CREST**

Upon motion and second (Paul, Thorpe), the Supervisors approved the sale of Lot #9 Raven Crest for the gross sale price of \$256,000.00.

**NEW BUSINESS  
CALVARY CHAPEL REQUEST**

Jeff Stockdale, Calvary Chapel Church’s building committee member, sought permission for erection of a tent in conjunction with bringing groups of church members to the site of the new church on five Sundays in July, August and September. The Church owns four acres on Brandywine Drive. Size of the canopy, security and insurance issues were discussed. Mr. Stockdale assured the Supervisors that the area will be inspected regularly and that the Township will be added to the Church’s insurance policy as an additional insured. Calvary Chapel will notify the State Police of the activities.

**MOTION TO AUTHORIZE PROPOSED LIMITED ACTIVITIES – CALVARY CHAPEL**

Upon motion and second (Thorpe, Paul), the Supervisors agreed not to oppose use of the Calvary Chapel site on Brandywine Drive as described in the letter dated May 17, 2007 (copy follows).

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**TGIF TEMPORARY SIGN**

Geri Welch, Director of Development for T.G.I. Friday’s, asked the Board for guidance with signage at the restaurant’s site in Painter’s Crossroads Shopping Center. The March opening was the worst opening ever seen by company officials. Chairman Love D’Elia asked if the owner of site has been approached regarding signage at corner of Routes 1 and 202. Mr. Jensen reviewed sign size and requirements pursuant to Township ordinances. Installation of red and white awnings would be allowed if authorized by the landlord. The site has already used its annual temporary sign permit.

**PROPOSED ORDINANCE TO SET TAP IN FEE**

Mr. Mastronardo will work on a draft ordinance for review at the July meeting.

**PROPOSED TOWNSHIP ORDINANCE REGARDING OPERATION & MAINTENANCE OF SANITARY SEWERS**

Mr. Donaghue has provided a sample ordinance regarding operation and maintenance of sanitary sewers in the Township. It was suggested that all comments be received within ten (10) days to allow sufficient time to advertise a public hearing prior to the next Supervisors’ meeting.

**MOTION TO AUTHORIZE ADVERTISEMENT OF OPERATION & MAINTENANCE OF SEWER SYSTEMS ORDINANCE**

Upon motion and second (Love D'Elia, Thorpe), the Township Secretary was authorized to scheduled a public hearing and place the necessary legal ads as prepared by the Township Solicitor regarding the proposed ordinance.

**MOTION TO APPROVE ESCROW RELEASES**

Upon motion and second (Paul, Thorpe), the Supervisors approved release of the following escrows:

<b>APPLICANT/TWP AMOUNT</b>	<b>ESCROW TYPE</b>	<b>ESCROW AMOUNT</b>	<b>CHECK</b>
Dambro Lot #8	Grading	\$800.00	\$800.00
Dambro Lot #10	Grading	\$800.00	\$800.00
J. Grace Co. Inc.	ZHB	\$900.00	\$721.10
Chadds Ford Twp.	Reimbursement for Grace costs		\$178.90

There being no further business, the meeting was adjourned at 9:55 PM.

Respectfully submitted,

MARYANN D. FURLONG,  
Township Secretary