

CHADDS FORD TOWNSHIP
Board of Supervisors' Organizational & Regular Business Meeting
7:30 P.M., January 3, 2011

MINUTES

OFFICIALS PRESENT:

Garry Paul, Supervisor
Deborah Love, Supervisor
George Thorpe, Supervisor
Joseph Barakat, Township Manager
Joseph Mastronardo, P.E. Township Engineer
Richard Jensen, Building Inspector & Zoning Officer
Karen J. Eckard, Asst. Secretary/Treasurer

Call to Order:

Supervisor Thorpe called the Organizational Meeting to order at 7:34 p.m., wished everyone a Happy New Year, and reviewed the location of emergency exits for the meeting attendees.

Supervisor Love said this is the Annual Organizational Meeting, and the regular business meeting will be conducted at the conclusion of the Organizational Agenda. There will be no second meeting in January as previously thought. All business will be conducted tonight.

Organizational Meeting:

Supervisor Love said she has been requested to be the Temporary Chairman, and asked for a motion to appoint the Temporary Recording Secretary for 2011.

Upon motion & second (Thorpe/Paul) moved to nominate Karen J. Eckard as Temporary Recording Secretary for 2011.

Upon motion & second (Thorpe/Love) moved to nominate Garry Paul, Chairman of the Board of Supervisors for 2011.

Supervisor Paul proceeded and requested a motion to nominate the Vice Chairman of the Board of Supervisors for 2011. Upon motion & second (Thorpe/Paul) moved to appoint Deborah Love as Vice Chairman of the Board of Supervisors for 2011.

Upon motion & second (Love/Paul) moved to appoint George Thorpe as Secretary/Treasurer of the Township for 2011.

Upon motion & second (Love/Paul) moved to appoint Karen J. Eckard as Assistant Secretary/Treasurer & Right-To-Know Officer of the Township for 2011.

Upon motion & second (Love/Paul) to authorize Karen J. Eckard to receive Notary training and certification for 2011.

Upon motion & second (Thorpe/Love) moved to appoint Joe Barakat, as Township Manager, Road Master, Zoning Officer, & Emergency Management Coordinator of the Township for 2011.

Upon motion & second (Thorpe/Paul) moved to appoint Richard Jensen as Building Inspector, Code Enforcement, Zoning Officer and Building Inspector of the Township for 2011.

Upon motion & second (Love/Thorpe) moved to set compensation for the Building Inspector to be set as a percentage of fees with the fees remaining the same as last year.

Upon motion & second (Thorpe/Paul) moved to appoint United Inspection Agency, specifically Len Warren, as Electrical Inspector of the Township for 2011.

Upon motion & second (Thorpe/Paul) moved to appoint David Schlott as Animal Control Officer of the Township for 2011.

Upon motion & second (Love/Thorpe) moved to appoint the township's solicitor as Donaghue & Labrum, specifically Hugh A. Donaghue, Esq., as solicitor of the Township for 2011, as alternate solicitor of the Township for 2011.

Upon motion & second (Love/Thorpe) moved to appoint Francis Sbandi, Esq. as the solicitor to the Zoning Hearing Board for 2011.

Upon motion & second (Love/Thorpe) moved to appoint Levis & Pinto, specifically Robert L. Pinto, Esq.

Upon motion & second (Love/Paul) moved to appoint the *Professional Consultants* as listed below for 2011.

Pennonni Engineers, specifically Joseph A. Mastronardo, P.E. as Township Engineer, Traffic, Engineering & Landscaping Services.

Pennonni Engineers, specifically John Renzo – Sewage Enforcement Officer.

Regester Associates, specifically James Fritsch, P.E. – Alternate Township Engineer.

Brandywine Conservancy – Additional Consultant to the Township.

Appointments to Committees:

Upon motion & second (Thorpe/Love) moved to appoint Keith Klaver to the Planning Commission with his term to expire in December 31, 2014. (4 Year Term)

Deborah Love serving as the liaison on this committee with Garry Paul serving as alternate.

Upon motion & second (Thorpe/Love) moved to appoint Marc Altman with his term to expire in 2012 and Ted Mennicke with his term to expire in 2015 to the Chadds Ford Township Sewer Authority. (5 Year Term)

The supervisor liaison to this committee is Garry Paul with George Thorpe serving as alternate.

Upon motion & second (Thorpe/Love) moved to reappoint Bob Reardon with his term to expire in 2013 to the Zoning Hearing Board. (3 Year Term)

Upon motion & second (Love/Paul) moved to appoint Debbie Reardon to serve the Open Space Committee once again with her term to expire in 2012 and Alan Horowitz, new to the township, with his term to expire in 2012. (2 Year Term) The supervisor liaison to the Open Space Committee is George Thorpe with Garry Paul as the alternate.

Upon motion & second (Love/Paul) moved to appoint Peter Jesson to the HARB Committee with his term to expire in 2011 and Farzana Hassonjee with her term to expire in 2012. The supervisor liaison to this committee is George Thorpe.

One Year Appointments:

- Upon motion & second (Love/Thorpe) the following one year appointments were unanimously approved with their terms to expire in December 31, 2010:

-The *UCC Board of Appeals* appointment is Gary Sharp, Jerome Heisler, and Wayne McGill.

-The *Vacancy Officer* appointment is Vince DelRossi.

-The appointment to the *Emergency Preparedness Committee* is Vince DelRossi, John Renzetti, Mike DelRossi, and Alan Horowitz. Supervisor Love pointed out that Joe Barakat is the Emergency Management Coordinator for the township. Love is the supervisor liaison and Thorpe is the alternate.

-The appointment to the *Brandywine Valley Scenic Byway Committee* is Debbie Reardon and Kathleen Goodier.

-The appointment to the *Financial Advisory Board* is Mary Kot, Keith Klaver, and Jim Eagan.

-The appointment to *Auditor Representative* is Jill Eagan.

The supervisor liaison is Garry Paul and Deb Love as serving as alternate.

Supervisor Paul asked the various residents who were in appointed at the meeting to stand up and introduce themselves to the Board and meeting attendees.

Adoption of Resolutions as follows:

Resolution 2011-01

Upon motion & second (Love/Thorpe) designated the appointment of official depositories; Bryn Mawr Trust, TD Bank, DNB First, and Eagle National Bank.

Resolution 2011-02

Upon motion & second (Love/Paul) designated mileage reimbursement rate set according to the Internal Revenue Service of the US Department of Treasury, 2011 Rate of \$.51 per mile.

Resolution 2011-03

Upon motion & second (Thorpe/Paul) designated the renewal of the annual fire protection contract between the Township and Concordville Fire and Protection Services.

Resolution 2011-04

Upon motion & second (Thorpe/Paul) designated Berkheimer as the administrator and tax collector of the township Local Services Tax.

Resolution 2011-05

Upon motion & second (Thorpe/Love) designated Berkheimer as the administrator and tax collector of the township Business Privilege Tax for 2011.

Resolution 2011-06

Upon motion & second (Thorpe/Love) to propose a resolution authorize that the township apply for the DEP MS-339 County Aid.

Resolution 2011-07

Upon motion & second (Thorpe/Love) to advertise the 2011 Township Meeting Schedule in "The Daily Times."

Resolution 2011-08

Upon motion & second (Thorpe/Paul) to appoint Deborah Love as the Township's Delegate to attend the Pennsylvania State Association of Township Supervisors Annual Conference in Hershey, PA.

Resolution 2011-09

Upon motion & second (Thorpe/Love) to establish bonding for the Township Treasurer at \$300,000; the Constable's Bond at \$10,000, and all other Township employees and volunteers are covered by the Township's Commercial Crime Policy.

This concludes the organizational part of the meeting, and the Board opened the Regular Meeting.

Meeting Minutes – December 1, 2010 & December 22, 2010:

Upon motion & second (Paul/Love) unanimously approved the Regular Board Meeting minutes of December 1, 2010 as submitted.

Upon motion & second (Paul/Love) unanimously approved the minutes of the Special Meeting, on December 22, 2010 to adopt the 2011 budget.

Supervisors' Report:

Supervisor Paul reported that on Thursday, Dec 13th, Supervisor Love and himself held interviews for committee positions, and on Saturday, December 11, Supervisor Thorpe and Supervisor Love also held interviews. Supervisor Paul reported that Supervisor Love and himself had met on Saturday, December 20th to discuss personnel issues.

Manager's Report:

Joe Barakat said he has an escrow release for 901 Poplar, Stonebridge property, 681 Webb Road. The applicant has completed their recording of the plan. The applicant is recording the plan as is and not going forward with the Bed & Breakfast. The escrow account release would be for \$5,706.86

Motion - Escrow Release for 901 Poplar, Stonebridge Property:

Upon motion & second (Love/Paul) the Board unanimously agreed to release the escrow account for 901 Poplar Road, Stonebridge Property in the amount of \$5,706.86.

Mr. Jensen asked about the status of the Bed & Breakfast application. Barakat said the applicant would have to connect to the township sewer system to exist as a Bed & Breakfast. Jensen recommended having the applicant formally close the project if the applicant was not going to move forward with the Bed & Breakfast. The Board discussed the application. Supervisor Paul recommended asking the solicitor for his opinion on how best to handle this issue, and revisit this topic at the next meeting. The Board was in agreement. Mr. Barakat said he would hold the check until this matter has been resolved.

Treasurer's Report:

The Treasurer reported the following balances for December 31, 2010:

Total Deposits in the General Fund for the month of December:	\$67,112.55
Disbursements, if approved tonight:	\$75,031.54
Cash balances of all accounts after disbursements:	\$2,673,215.11

Motion to Pay Bills:

Upon motion & second (Thorpe/Love) the Board unanimously approved the bills as submitted in the amount of \$75,031.54.

Building Inspection / Zoning Enforcement:

Mr. Jensen said he had submitted a written report and also reported he sent an enforcement notice on December 31st due to a complaint to clean up the Falker property located at 154 Heyburn Road. As of this date, nothing has been done to clean up the property. Mr. Jensen reported there is a Zoning Hearing this month for Chadds Ford Development for a Use Variance request. The applicant has an insurance agent who wants to rent one of their office suites. Mr. Barakat said Chadds Ford Development has still not hooked up to the township's sewer system, and the Sewer Authority wanted the Board to be aware of this fact. Supervisor Thorpe said he felt Chadds Ford Development should be forced to hook up to the sewer system for the health, safety, and welfare of the community, and should be granted nothing further until this issue is resolved. Supervisor Paul agreed, and said the Board should request the solicitor to attend the Zoning Hearing to ensure that their edict is carried out. The Board was in agreement with this recommendation.

Motion – Chadds Ford Development:

Upon motion & second (Thorpe/Love) moved that the township's solicitor or appropriate party attend the Zoning Hearing for Chadds Ford Development on January 16 to represent the Board's edict to oppose their Variance request until such time that Chadds Ford Development hooks up to the township's sewer system. Mr. Jensen asked if there should be a time limit set on this request. Supervisor Thorpe said they will face this issue as it unfolds. Keith Klaver reminded the Board there are hook-up fees that will have to be paid by the applicant.

Engineer's Report:

Joe Mastronardo thanked the Board for their reappointment and said he has submitted a written report and also had two escrow releases and a maintenance bond release to approve this evening.

Escrow Releases - Woodland Drive Associates & Calvary Chapel:

Upon motion & second (Love/Paul) approved escrow release #2 for *Woodland Drive Associates* in the amount of \$115,479.00 leaving a balance of \$40,896.00

Upon motion & second (Love/Paul) approved escrow release #13 for *Calvary Chapel* in the amount of \$70,046.38 leaving a balance of \$446,131.66 remaining.

Mastronardo commented that both these projects are in their final phases.

Fisher Carpet #1 - Maintenance Bond Release:

Mastronardo said the last motion for tonight is a release on the 18 month maintenance bond for Fisher Carpet #1. Mastronardo said all the improvements have been inspected and approved.

Upon motion & second (Love/Thorpe) approved the release of the 18 month maintenance bond on *Fisher Carpet #1* in the amount of \$51,934.65.

Old Business:

Family Landscape: Mr. Jensen said that the solicitor sent a letter to Mr. Ferver, and the entire display still needs to be removed. Manager Barakat said that Hugh Donaghue and himself were supposed to meet with PennDOT later in the week to determine exactly where the right-of-way is located at this site. Supervisor Paul said we will revisit this issue at the next meeting when we have more information.

New Business:

Garnet Ford:

Steve Wasylyszyn. G.D. Houtman & Son, Inc., representing the applicant, Garnet Ford. Wasylyszyn said the Garnet Ford plan was approved several years ago. Wasylyszyn presented a revised plan with some minor revisions which has been reviewed by the township engineer. The applicant has also submitted the required Maintenance Agreement for existing stormwater systems and Developer's Agreement to the township. Manager Barakat summarized and said that

Resolution 10-2008 was the preliminary final approval and your asking the Board for reapproval of the revised plan which had been reviewed by the township engineer. Mr. Thorpe commented the height of the property on Route 202 exposes the under carriage of the vehicles, and he would like to see the landscape cover up to the hood height of the vehicles. Wasylyszyn said the applicant is open to change to provide more screening. Mr. Thorpe asked that this property be inspected to make sure the new landscaping provides adequate screening of the property. He also asked that the applicant be aware of the township's ordinances while going through this process including the township's sign ordinance. Barakat asked the township engineer to inspect the back of the property to make sure there is reestablishment of the existing 20 foot screening buffer at the back of the property. Wasylyszyn said if the township would like additional trees in the back of the property, he had no problem with it. Mr. Thorpe said he just wants to see the site thoroughly reviewed by the township engineer.

Supervisor Paul said contingent upon review by the township engineer and that there are reasonable plantings to provide screening of the property, the township would reapprove the revised plan for signing.

Motion – Garnet Ford Plan Approval:

Upon motion & second (Love/Thorpe) reapproved the Garnet Ford Plan as discussed this evening with the modifications on the revised plan, and in addition, the township engineer review the plantings that were part of the original approval to make sure they exist as per the plan, and the modifications are in agreement with the township's existing ordinances.

Painters Crossing Condominiums:

Supervisor Love said she had received a call from representatives of the Painters Crossing Condominiums property concerning their need for building permits and the requirements that our building inspector was making as it relates to the building. Love reported she had met with the president of their counsel, their contractor, and their property manager along with Joe Mastronardo this week to discuss their dissatisfaction with our building inspector. Supervisor Love said Mastronardo was in agreement with our building inspector's recommendations. Supervisor Love said she informed them of their right to appeal through the UCC or they could revisit their issues with Mr. Jensen.

Supervisor Paul reported that Paul Vernon, who contributed a lot of his time to the township, has passed away, and the viewing is tomorrow.

Committee Reports: There were no additional reports.

Public Comment: Bruce Prable said he had concerns about the chain across the Girl Scout Camp entrance. Mr. Jensen said the chain is down because CWA and PECO need access to the property. Supervisor Paul said no hunting is permitted on that property. Manager Barakat said Mr. Prable should contact the HOA manager because the township has no jurisdiction over this property, and he has the phone number for Mr. Prable.

Adjournment: Upon motion & second (Love/Thorpe) moved to adjourn the meeting at 8:32 p.m.

Respectfully submitted,

Karen J. Eckard