

PUBLIC MEETING
April 7, 2009

Vice Chairperson Colleen P. Morrone called to order the public meeting of the Concord Township Board of Supervisors at 7:00 p.m. on April 7, 2009 at the Township building, Concord Township. In attendance were the following: Colleen P. Morrone, Dominic J. Cappelli, Jr., John J. Gillespie, Kevin O'Donoghue, Robert J. Willert, Brenda L. Lamanna, Nathan Cline and Hugh A. Donaghue. Dominic A. Pileggi was absent.

BOARD OF SUPERVISORS APPROVAL

The Board's March 3, 2009 public meeting minutes were approved unanimously on a motion by J. Gillespie, seconded by D. Cappelli.

D. Cappelli moved to approve total expenditures for March of \$536,627.79, including the March payroll of \$98,038.31 and current bills totaling \$438,589.48. The motion was seconded by K. O'Donoghue and unanimously adopted by the Board.

RECOGNITION

Resolution No. 23-2009 was unanimously adopted on a motion by J. Gillespie, seconded by D. Cappelli. Maureen Heckler of **Maris Grove** accepted the resolution recognizing the Maris Grove community for being named Delaware County Workforce Investment Board Youth Council's "Excellence in Youth Exemplary Employer".

MONTHLY ACTIVITY REPORTS

The following presented their monthly reports for March:

Cpl. Tim Greene
Fred Field*

Manos Kavadias*
Steve Miller*
Connie Scholz*
Allison O'Donoghue
Silva Small/John Gillespie
Bob Willert
N. Cline

Pennsylvania State Police
Fire Company
Fire marshal/Emergency Management
Code Enforcement Officer/Zoning Officer
Planning Commission
RK Community Library
Park & Recreation
Senior Citizens
Township Manager
Township Engineer

All asterisked reports have been made a part of the minutes.

There no reports from the Sewer Authority, Solicitor, Historical Society, and Senior Citizens (S. Small),

A. O'Donoghue reported on the very successful Easter Egg Hunt, summer camp and the Autism Walk. She thanked Lane Signs for its donation of the community signs for the Easter Egg Hunt and also Public Works for putting the grounds in such nice order.

S. Small had no report for the seniors, however, J. Gillespie advised of the fourth Senior Citizen Expo and the upcoming Senior Citizens Consortium at Maris Grove. He reported that senior citizens would be the recipients of a one-time payment of \$250 from the Federal Government. He made a motion, seconded by K. O'Donoghue, to approve a contribution of \$1,000 to the Senior Community Services Center. After a second by K. O'Donoghue, the Board unanimously approved this payment.

N. Cline reported that the bids for annual road program would go out in May with construction beginning in June. The advertisement would be done at the end of April.

B. Willert reported on

- Easter Egg Hunt – the biggest and best
- Newsletter will be distributed in mid-May and will include a note to residents encouraging all to sign up for the web site e-mail communications. Additionally, post cards with this information will be mailed.
- Advised the demolition of the Speedway and Antonio's Baltimore Pike properties would begin shortly.
- Commended Manos Kavadias for the clean up of the Aiello property on Concord Road. This has been a nuisance and eyesore for 10-15 years now. Yesterday six abandoned vehicles were removed.
- Announced the May Chester-Ridley-Crum (CRC) 12th Annual Streams clean up, sponsored in part by Concord Township.
- Followed up with Peco regarding the Concord Woods cell tower and screening of AT&T equipment. K. O'Donoghue asked if the township could proceed with tree planting and then be reimbursed. Mr. Donaghue stated that the fencing is the most important issue, and advised that M. Kavadias should issue a letter indicating that a plan should be submitted to the township within five days. When questioned, Frank Lamanna of Peco stated that he will follow-up with Tony DiZebba. He reiterated that any fencing and landscaping plan submitted by AT&T must be approved by Peco. Thereupon K. O'Donoghue made a motion, seconded by J. Gillespie, that the appropriate trees be planted behind 26 Huntingdon Drive.
- Clayton Park Drive and Route 322: D. Pileggi has set up a meeting with Senator Pileggi and Representative Barrar with residents on June 4.
- Recycling Day is April 18 from 8-11:00 a.m.
- Issues with a garage under construction on Schoolhouse Lane. Pictures and the plan have been reviewed. Per the township Code there is no minimum/maximum standard. The township will stay on top of this to ensure that no commercial business or apartments are introduced. The Solicitor added that a two-story attached garage is a permitted accessory use and it is to be used for storage of cars. B. Willert advised of a previous meeting with concerned residents and that he and Manos will be meeting with the applicant tomorrow.

Cpl. Brad Getz presented the PSP report. He noted that he is new to the area, having come from Montgomery County. He advised residents that 1/5 of the month's calls were burglary false alarms and residents can be cited after the third false alarm. J. Gillespie questioned ATV activity in the township. Sam Donaldson of Fox Hill Farm did state that the ATV activity has been minimized recently. K. O'Donoghue asked to have a report on the number of repeat false alarms for next month.

PUBLIC FORUM

David Cleary of 72 Schoolhouse Lane and his wife Patricia Tuggle expressed safety issues with the huge garage presently under construction next to their residence. Mr. Cleary has pictures on his laptop which he offered to send to township officials. Mr. Donaghue advised that the township has made it clear to the applicant that he can be cited for storing commercial property.

Dan Solis, President of the Concord Chase HOA expressed the concerns also. The garage is approximately four times the size of the existing home, and there is concern that this will become a business. He is glad to hear that the township will be keeping an eye on it.

Ed Nolan of 24 Green Creek thanked B. Willert for keeping up with the Clayton Park access issue and B. Lamanna for her research. He reported on another accident on Friday night. The good news is the vandalism at no. 5 has subsided. Apparently, most of the house has been stripped. The Solicitor advised that the Township can put the Commonwealth of PA on notice.

Richard McCloskey of 802 Concord Road presented pictures and his concerns regarding the property at 804 Concord Road (Aiello). Mr. Donaghue noted that the township is in the process of cleaning up the property as a result of a court settlement. Bob advised that a dumpster will be on site next week and the remaining vehicle(s) should also be off the property.

OLD BUSINESS

No old business was reviewed or discussed.

NEW BUSINESS

On a motion by K. O'Donoghue, seconded by J. Gillespie, the Board voted unanimously to appoint **Theresa Agnostelli** to the **Rachel Kohl Library Board of Trustees**. Her term will expire in April, 2012.

Michael J. Kirlin was unanimously reappointed to the Planning Commission on a motion by J. Gillespie, seconded by K. O'Donoghue. His term will expire in April, 2013. John G. has worked with Mike as a member of the Planning Commission with Mike, and it was his pleasure to make the motion for reappointment.

On a motion by K. O'Donoghue, seconded by J. Gillespie, the Board unanimously voted to accept the demolition permit for an abandoned house owned by Peco on the **Temple Road** right-of-way.

Resolution No. 24-2009 Revised Fee Schedule to include **outdoor dining** was unanimously adopted on a motion by D. Cappelli, seconded by K. O'Donoghue. A building permit will be required for any outdoor dining areas.

The following New Municipal Building **Progress Draw Applications** were reviewed and unanimously approved on a motion by J. Gillespie, seconded by D. Cappelli:

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|---------------|--|--------------|
| No. 8 | | |
| | Cook's Service Company, Inc. (HVAC-3) | \$18,990 |
| No. 10 | | |
| | Pancoast & Clifford (GC-8) | \$124,708.95 |
| | James Nasella & Sons, Inc, (P-6) | \$ 11,529.28 |
| | Lenni Electric (E-7) | \$ 12,516.25 |
| No. 11 | | |
| | Cook's Service Company (M-4) | \$ 38,886.30 |

On a motion by J. Gillespie, seconded by D. Cappelli, the following **Maris Grove Escrow Releases** were unanimously approved:

| | |
|--------------------------------|--------------|
| Loop Road No. 5 (Final) | \$ 61,931.33 |
| Neighborhood 1 (Final) | \$930,724.42 |

Resolution No. 25-2009 Policy for Retention of Digital and/or Audio Tape Recordings was unanimously approved on a motion by D. Cappelli, seconded by J. Gillespie. Ms. Morrone noted that the Board and Planning Commission meetings were taped to facilitate the minutes. This resolution sets the policy that all tapes will be destroyed or reused within forty-eight hours after minutes have been approved.

K. O'Donoghue motioned, D. Cappelli, seconded, and the Board unanimously voted to **reaffirm** the following approved plans:

- Maris Grove Neighborhood 3** – Resolution No. 55-2008 of August 12, 2008
- Summit Crossing** – Resolution No. 72-2008 of November 5, 2008
- Herker** – Resolution No. 9-2009 of January 5, 2009

Resolution No. 26-2009 – Kwang Lee (Amended Final Land Dev) Baltimore Pike. Mr. Kwang Lee and J. Dellicarpini of Bohler Engineering were in attendance. The Planning Commission Project Manager, M. Kirlin, gave the review of the Commission's comments. All conditions were acceptable to the applicant. S. Miller noted the elevation distance between the two properties and asked Ms. Morrone to repeat the Board wording for condition no. 8 of the resolution. N. Cline noted that sometimes a pizza or sandwich shop is included in a retail building. This can be done but the parking will have to be reevaluated. It was recommended that the Board direct the Planning Commission that there is a cut-off regarding mixed use centers. The applicant should specify any restaurant use within a center and this use should be limited to a certain percentage of the total square footage. There being no further discussion by either the Board or the public, the Board unanimously voted to approve Resolution No. 26-2009 on a motion by K. O'Donoghue, seconded by D. Cappelli.

Resolution No. 27-2009 - Bertucci's Conditional Use. The continued Conditional Use hearing had been conducted and closed prior to the start of tonight's meeting. No one was in attendance for the applicant. Mr. Donaghue noted the only change from the original approval was the change

in outdoor seating to 18 feet by 26 feet. S. Miller asked if this approval was for outdoor seating and alcohol. There being no further discussion by either the board or the public, the board unanimously voted to approve Resolution No. 27-2009, on a motion by K. O'Donoghue, seconded by D. Cappelli.

On a motion by J. Gillespie, seconded by K. O'Donoghue. **PennDOT Traffic Signal Permit Applications (Resolution No. 28-2009 & 29-2009)** were unanimously approved by the Board. These are the north- and south-bound traffic signals at Route 202 and the new "Isaac Bullock Lane". These signals will serve the Summit Crossing and Shops at Spring Lake developments.

On a motion by C. Morrone, seconded by K. O'Donoghue, the following applications were **accepted as complete for filing**:

- ... **Neerland Subdivision** (2-lot final minor subdivision at 3513 Garnet Mine Road
- ... **Benson Companies** (Prel Major Sub 11 lots) Featherbed Road
- ... **Bank of America** 990 Baltimore Pike Prel/Final Land Dev

OTHER BOARD MATTERS

No other Board matters were discussed.

ADJOURNMENT

With no additional business to conduct, K. O'Donoghue made a motion that the April 7, 2009 public meeting be adjourned at 8:28 p.m. The motion was seconded by J. Gillespie and approved by unanimous vote of the Board.

Respectfully submitted,

Brenda L. Lamanna, Township Secretary



Maureen Heckler, Maris Grove