

PUBLIC MEETING
December 1, 2009

Chairman Dominic Pileggi called to order the public meeting of the Concord Township Board of Supervisors at 7:05 p.m. on December 1, 2009 at 689 Smithbridge Road, Concord Township. In attendance were the following: Colleen P. Morrone, Dominic A. Pileggi, John J. Gillespie, Robert J. Willert, Brenda L. Lamanna, and Hugh A. Donaghue, Dominic J. Cappelli, Jr., and Nathan Cline. Kevin O'Donoghue was absent.

He advised of an Executive Session held at 6:30 p.m. to discuss the agreement of sale of this building to the Rachel Kohl Community Library.

BOARD OF SUPERVISORS APPROVAL

The Board's November 5, 2009 public meeting minutes were approved unanimously on a motion by J. Gillespie, seconded by C. Morrone.

D. Cappelli, Jr. moved to approve total expenditures for November of \$331,345.19, including the November payroll of \$88,189.86 and current bills totaling \$243,155.33. The motion was seconded by C. Morrone and unanimously adopted by the Board.

RECOGNITION

Resolution No. 50-2009 was unanimously approved on a motion by C. Morrone, seconded by D. Cappelli. **William C. Kelly, Jr.** was recognized for his service to the community for fifty years as Constable. Bill was not in attendance. The Chairman advised that a new constable will be sworn in on January 4, 2009.

MONTHLY ACTIVITY REPORTS

The following presented their monthly reports for November:

Fred Field*	Fire Company
Mary Ann Chew*	Fire Marshal/Emergency Management
Manos Kavadias*	Sewer Authority
Steve Miller*	Code Enforcement Officer/Zoning Officer
Hugh Donaghue	Planning Commission
Allison O'Donoghue	Solicitor
Silva Small/John Gillespie	Park & Recreation Board
Nate Cline	Senior Citizens
Bob Willert	Township Engineer
Andrea Lowery	Township Manager
	Historical Commission

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

There was no one in attendance to present the Pennsylvania State Police report.

Manos Kavadias reported that all violators of the sign ordinance have been cited.

Mr. Donaghue advised of the existing agreement for the **library** to purchase the township's share of the 689 Smithbridge building for \$363,000. The Township will take back the mortgage at 5% - a balloon which is due in 15 years. Rates will be adjusted every five years; and the Township will have right of first refusal, will use the premises as a polling place for the primary and general elections, and will have use of the grounds. The Township will continue to plow the parking lot in exchange for use of the building as a polling place. Bob Mench Drive will be dedicated to the Township. Greg Chestnut confirmed that the terms were consistent with that agreed to. Thereby a **motion to finalize the agreement of sale** pending resolution of final terms to the agreement sale was unanimously **approved** on a motion by C. Morrone, seconded by D. Cappelli.

Ginny was not in attendance to give the Historical Society report; however, Andrea Lowery presented a report on behalf of the Historical Commission. Among their activities were the issuance of letters to property owners of historic structures in need of repair, and the Historic Resource inventory will be updated to include homes constructed through 1913. Andrea noted several applications have been received for the Historical Commission vacancy; and the Commission is working with Delaware County Planning Department and using funding to build an historical book collection at the Rachel Kohl Community Library. Mr. Willert added that the Concord Country Club has not acknowledged receipt of the Historical Commission's letters. Mr. Cappelli advised of many changes in administration and a new president. He advised Andrea to contact Dwayne Lair regarding the James Lackey house on the country club property.

The Township Engineer reported on construction beginning on four projects and advised that Baltimore Pike is scheduled to be closed from three lanes to one after Friday's rush hour for improvements for the storm sewer for the Kwang Lee project. The Board was not in agreement and asked that the project be delayed until after the first of the year.

Bob Willert reported on a meeting with Brandolini regarding a bus shelter on the loop road. He will be setting up a meeting with Brandolini and Septa. M. Kavadias advised that bus shelter advertising is not allowed. Bob also noted that the township staff and Public Works saved many tax dollars during the move to the new township building. He thanked B. Lamanna for her efforts. R. Miley asked for the location of the new meeting room.

PUBLIC FORUM

Vance Downing of 33 Locust Farm Drive expressed concerns about the lack of synchronization of the traffic lights between Routes 202 and 322. The Board will be setting up a meeting with the traffic engineer to discuss.

David Cleary of 72 Schoolhouse asked for help with enforcement; he has received another letter from the township today. He reiterated the May 13 issue; the Solicitor noted that the PA State

Police investigated and did not cite the driver of the truck. Mr. Cleary also presented pictures of the driveway at 74 Schoolhouse and an \$800 Donaghue & Labrum invoice for documents. Chairman Pileggi took down Mr. Cleary's concerns (i.e., May 13 – what code allowed this truck to operate; is driveway placement and width acceptable to township; boundary dispute – he presented pictures of soil encroachment; future safeguards; Donaghue & Labrum invoice for \$800 of June 29, 2009; and another boundary issue in which a meeting was held and that he and another neighbor were not included), will e-mail the questions to Mr. Cleary to ensure he took them down correctly, and the Township would respond once again.

Bud Brink of 74 Schoolhouse noted that he has done everything legally on his property and they (Mr. Cleary and Ms. Tuggle) have done many things illegally. Mr. Donaghue suggested that since there was other business to discuss, that further discussion wait until after.

OLD BUSINESS

No old business was reviewed or discussed.

NEW BUSINESS

On a motion by C. Morrone, seconded by D. Cappelli, the Board unanimously voted to **reappoint Kyle Patino** to Planning Commission; his term will expire December 3, 2013.

On a motion by D. Cappelli, seconded by C. Morrone, the Board unanimously voted to **accept extensions** of time for the partial **demolition** permit application submitted by Neil Davis for **65 Cheyney Road** and Dave Thompson for **711 Concord Road**.

Adoption of the **Accessory Building Ordinance** was **tabled** until a future meeting.

The following **New Municipal Center Progress Draw Application** was reviewed. The payment to Cooks Service Company was unanimously approved and Pancoast & Clifford was approved up to the amount of the request subject to meeting with the architect to resolve any outstanding issues and pending receipt of a cost breakdown of additional credits. J. Gillespie made the motion, which was seconded by C. Morrone. This will be discussed further at the Board's mid-month meeting on December 8. The Township is due credits for the pre-school wing, hardware finishes, and carpet.

Application No. 26

Pancoast & Clifford, Inc. (GC-14)	\$237,769.55
Cooks Service Company, Inc. (M-11)	\$ 21,693.20

On a motion by J. Gillespie, seconded by D. Cappelli, the Board voted unanimously to **approve Escrow Release No. 1**, for **Victoria Land Partners** (Citizens Bank & Texas Roadhouse).

On a motion by C. Morrone, seconded by D. Cappelli, the Board voted unanimously to approve **Resolution No. 51-2009 for Concord Township Subdivision at 689 Smithbridge Road**. S. Miller presented the Planning Commission's review of the plan, and the Chairman explained that the subdivision of the parcel was necessary in order to sell off the parcel. The Township Engineer described the plan and variances received from the Zoning Hearing Board

On a motion by J. Gillespie, seconded by C. Morrone, the Board voted unanimously to approve **Resolution No. 52-2009 for Brinton Land Development Phase VII-A Lot 8 (Crozer Building)** Final Land Development Plan. Mr. Donaghue explained that an agreement has been entered into to settle litigation, and final approval of the plan for Lot #8 is based on that agreement. R. Miley of 22 Leopard Run was under the impression that with the Conditional Use hearings for Costco, the land developments were to be approved at the same time. This only applies to Phase VII-B. The original plan was divided into two phases. Phase VII-A (office and medical building) was conditionally approved, which approval was appealed. The present agreement allows Lot #8 (the Crozer building) to be finally approved and constructed as the condition relating to Evergreen Drive does not apply. Ted Pleibel of 130 Mill Road asked if the lighting on the existing medical building could be lowered. B. Lamanna indicated an advance copy had been sent to the applicant, and was told that if the applicant had no issues with the conditions of approval, no one would attend the meeting. The applicant was not in attendance

On a motion by D. Cappelli, seconded by C. Morrone, the Board voted unanimously to **accept** as complete for filing the following applications:

... **Panarello** (Final Minor 3-lot Subdivision) Mill Road

OTHER BOARD MATTERS

The Chairman announced that after 20 years, this would be the last public meeting at 689 Smithbridge Road. Beginning in January, all meetings would be held in the new building at 43 Thornton Road.

ADJOURNMENT

With no additional business to conduct, J. Gillespie made a motion that the December 1, 2009 public meeting be adjourned at 8:18 p.m. The motion was seconded by C. Morrone and approved by unanimous vote of the Board.

Respectfully submitted,

Brenda L. Lamanna, Township Secretary