

**West Vincent Township
Board of Supervisors Meeting**

April 25, 2011

7:30 PM

Attendance: Chairman Kenneth Miller, Vice Chairperson Clare Quinn, Zoë Perkins, Allan Greenwood of Siana, Bellwoar & McAndrew, LLP, Township Solicitor, Township Manager Jim Wendelgass, and Township Secretary Tammy Swavely.

Chairman Kenneth Miller called the meeting to order at 7:30 PM

Chairman Miller announced that there was an Executive Session on April 21, 2011 at 11:00 AM for a Road Tour to review the Township road conditions.

Public Comment on Non Agenda Items:

Harriet Stone, EAC member, reported on the **Amphibian Migration Protection Project**. She stated that the volunteers did not see as many amphibians as hoped. She stated that they learned a lot of things and that they will try to do it again next year. They recorded the following: 1 tree frog, 42 live spring peepers and 3 dead ones, 29 wood frogs, 23 American toads, 1 pickerel frog, 1 green frog, 1 leopard frog, 1 unidentified frog, and 1 red eft (the juvenile form of the eastern newt). She stated that out of 50 volunteers, 33 showed up and there were lots of children enjoying it also.

John Stoudt, 309 Sundance Dr. Tax Parcel 25-7-419, representing the Chester Springs Model Yacht Club came before the Board to ask them two (2) things. He wanted to know if the Board would permit them to put a rolling dock into the pond to use when they are sailing their boats and if so, could they store it somewhere near the Township building. Mr. Stoudt stated that this dock would allow older persons to access their boats better. They use one in a club in New Jersey. The club would roll it out on the day of a race and then store it out of public access when not in use. The rolling dock is 2 feet high and made of wood. It will not harm the pond and does not take up a lot of space. The Board asked a few questions and it was determined that they do not have a problem with this and will work with the club to find a spot to store it. Solicitor Greenwood asked for an Agreement to Hold Harmless and Mr. Stoudt agreed. Mr. Greenwood also asked that if the club would abandon the dock for a period of time, how long should the Township store it or when could it be disposed of. This will be worked out before it is stored on Township property.

Michele Thomas, 6 Half Hill Road, Tax Parcel 25-4-36.3 approached the Board to discuss a letter that was read into the record on April 11, 2011 regarding herself. She would like to know if she responds to that letter would she be able to make it part of the minutes. She feels that some of the things mentioned in the letter were not accurate. Solicitor Greenwood stated that the Board can not necessarily say yes without hearing it read first to make sure there is nothing derogatory in it. He added that just because she wants it to be part of the minutes does not mean that it will be. Mr. Greenwood stated that he does not expect it to be a problem, but Ms. Thomas must be prepared. Ms. Thomas stated that it relates to the April 11, 2011 meeting and

she would like it to be part of those minutes. Mr. Greenwood stated that since it did not happen at that meeting, it could not be part of those minutes, but when she does submit a letter, it can refer back to that meeting.

The first item of business on the Agenda was to award the bids for the mowing at **Weatherstone Sewer Plant**. This bid has been reviewed by Mr. Wendelgass and it has met all the bid requirements as advertised. Perkins made the motion that the bid for Weatherstone Sewer Plant be awarded to Kenneth Miller, as the sole bidder in the total amount for one (1) mowing: \$4,500 and for three (3) mowings, \$13,500. Quinn seconded the motion. There was no public comment and the motion carried unanimously with Mr. Miller abstaining.

The next item of business was to open the bids for the Dust Control. Chairman Miller opened the only bid that was received from Dust Kill, 252 S. Kinzer Road, Paradise, PA 17562. The bid was as follows: Soybean Oil plus delivery: \$.49/lb and Soybean Oil plus delivery and application: \$.11/sq. ft. This bid will be reviewed for completeness and be awarded at the next Board meeting on May 2, 2010 at 7:30 PM.

Township Building: No Report.

Township Manager Report: The Township Manager Report for the week ending 4/23/11 was acknowledged as submitted.

Active Subdivision List: There are no pending deadlines.

Bills List: The Bills List was reviewed. Perkins made the motion to approve the Bills List dated 4/25/11 in the total amount \$35,580.47. Quinn seconded the motion. There was no public comment and it carried unanimously.

Correspondence:

A memo was acknowledged as received regarding a Public Update hosted by Owen J. Roberts School District on April 26, 2011 at 7:00 PM in the High School LGI. This is regarding the exploration of various options to accommodate future enrollment.

A request from Ludwig's Corner Horse Show to use the Township Meeting room was received. Perkins made the motion to permit the same on May 18, 2011. Quinn seconded the motion. There was no public comment and the motion carried unanimously.

A notice came from Chester County Solid Waste Authority informing the Township that there will be a Free Shredding and Electronics Collection Event on May 7, 2011 from 9:00 AM-2:00 PM at the Honey Brook Industrial Center, 5064 Horseshoe Pike, Honey Brook, PA. This is an opportunity to safely dispose of electronic equipment and destroy and recycle documents.

Old Business:

Neal Fisher, The Hankin Group, came before the Board to discuss the walking trail on the Title Plan for Weatherstone along lots 18-24 on Linden Avenue. He brought this up at the April 4, 2011 Board Meeting. Since then he has submitted a new Title Plan sheet for review by the Township Engineer. This review came back from Carroll Engineer dated April 21, 2011 with no comments and stated that if the Board would consider changing the plan, the engineer does not have an issue with it. Mr. Miller asked how much money Hankin is saving by not installing the walkway. Mr. Fisher estimated \$3,000. The real issue is that the lots will not sell due to the unusual way this walking path is laid out on the lots. At one point it was thought to be an attraction, but not now. Mr. Wendelgass stated that he has contacted Special Counsel to determine if this can be done without opening the Conditional Use. We do not have an opinion yet. Ms. Quinn stated that she is sympathetic to the issue, but the Board needs to wait for an opinion before it can act. Mr. Fisher asked for conditional approval. Sara Shick, Park and Recreation Commission Member, asked if the trail could be moved to another site since her commission is currently working on connecting the trail from Weatherstone to the Township Park by way of the Vineyard Church. Mrs. Perkins stated that she also is sympathetic to the issue and feels the walkway was added as an afterthought. Mr. Miller asked for an offer in kind to the Township for the trails. Mr. Fisher stated that he did not have a problem with that but felt \$1,500 was an appropriate amount. **Art Ewell, 972 Fellowship Road, Tax Parcel 25-7-66** asked if Hankin will be making increased revenue due to the removal of this trail. Mr. Miller stated that is not part of this negotiation. Perkins made the motion that the trail be removed from the plan on lots 18-24 conditioned upon special counsel approval and that an in kind contribution of \$3,000 be given to the Township for trail establishment. Quinn seconded the motion. There was no public comment and the motion carried unanimously.

Mrs. Perkins introduced **Katy Casto, 8 Pine Drive, Tax Parcel 25-7-127** a fifth grader at the West Vincent Township Elementary School was present at the meeting to watch local government in action.

New Business:

The EAC would like the Township to become part of Bird Town an Audubon, PA based organization which encourages diversity of native plants for bird habitats for better biodiversity. The end result is better habitats for birds. An anonymous donor has contributed the first year's application fee of \$450.00. The EAC has a donor who has pledged four (4) years membership. Ms. Quinn stated that the Sustainability Task Force plans to have a raffle at Community Day to raise the level of participation in Bird Town. EAC member, Suzanne Roth is currently negotiating a training fee with a representative of Audubon Bird Town. Mr. Miller read Resolution 14-2011 into the record. Perkins made the motion that the Board adopt **Resolution 14-2011: NOW THEREFORE LET IT BE RESOLVED** that to engage in new efforts to live lighter and provide a healthier environment for the people and birds of our community, West Vincent Township wishes to commit to ecological initiatives and by doing so, we will be recognized as an Audubon Bird Town. **BE IT FURTHER RESOLVED** by the Board of Supervisors of West Vincent Township that we do hereby authorize the Environmental Advisory Committee to serve as West Vincent Township's agent for the Audubon Bird Town and Bird

Day Processes. Quinn seconded the motion. There was no public comment and the motion carried unanimously.

Resolution 15-2011 was presented to the Board. This supports renewing Growing Greener which is a state program which provides funds for preserving Open Space, Trail Easements, cleaning up abandoned mines and developing community park and recreation areas. There is currently an effort to stop funding to this program at the state level. Some of these funds were used by West Vincent Township to purchase trail easements and preservation of the Weney property on Bertolet School Road. **Tom Helwig, 2034 Pottstown Pike Tax Parcel 25-3-2** asked if there will be a cost to the Township. He was informed that there is no cost to the Township and that the income to support this will be coming from the Marcus Shale Tax. Perkins made the motion that the Board adopt **Resolution 15-2011: NOW, THEREFORE BE IT RESOLVED** that West Vincent Township supports renewal of Growing Greener by the General Assembly and Governor Corbett with dedicated, sustainable and long-term funding sources and the signed resolution shall be forwarded to the Governor and our respective county and state legislators. Quinn seconded the motion. There was no public comment and the motion carried unanimously.

Meeting adjourned 8:05 PM.

Respectfully Submitted,

Tammy Swavely
Township Secretary

WEST VINCENT TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA

RESOLUTION 15-2011

A RESOLUTION IN SUPPORT OF RENEWING GROWING GREENER

WHEREAS, the Growing Greener program has provided funding for preserving open space and farmlands, developing community park and recreation areas, cleaning up abandoned mines and brownfield sites, restoring impaired rivers and streams, and protecting and improving our state game, forest, and park lands; and

WHEREAS, West Vincent Township and entities like the French and Pickering Creek Conservation Trust have effectively leveraged Growing Greener funds to achieve tangible, lasting results for its residents of West Vincent Township by, among other things, using such funds to purchase conservation easements and to preserve trails within the Township; and

WHEREAS, West Vincent Township seeks to protect the health of its citizens and enhance the quality of life for its residents, in part by planning for and implementing projects that preserve open space and historic resources, providing for community parks and recreation, and safeguarding water resources; and

WHEREAS, West Vincent Township has learned that Growing Greener II will soon expire and funds for Growing Greener I have been precipitously diminished; and that this will affect the community's ability to restore and protect our local environment and the environment of Chester County; and

WHEREAS, West Vincent Township understands that throughout Pennsylvania, Growing Greener II has helped to preserve nearly 34,000 acres of working family farms; conserve more than 42,300 acres of threatened natural areas; restore more than 1,600 acres of abandoned mine lands; and enhance access to outdoor recreation through 234 community park projects and 132 state park projects and forest infrastructure projects; and

WHEREAS, Article I, Section 27 of the Pennsylvania Constitution states that, "The people have a right to clean air, pure water, and to the preservation of natural, scenic, historic and esthetic values of the environment. Pennsylvania's public natural resources are the common property of all the people, including generations yet to come. As trustee of these resources, the Commonwealth shall conserve and maintain them for the benefit of all the people"; and

WHEREAS, West Vincent Township realizes that the Commonwealth is losing three times more forest, wildlife habitat, farmland and other open spaces to development that it is able to preserve; and that the Commonwealth has over 16,000 miles of rivers and streams that are unsafe for fishing and swimming; and that in Pennsylvania more than 2,000 working family farms await protection from encroaching development; and that 189,000 acres of abandoned mine lands scar 44 of the Commonwealth's counties; and that the grant funds available for the community and county recreation, greenways and trails projects have been severely diminished; and

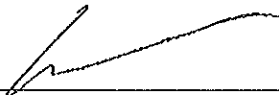
WHEREAS, West Vincent Township wishes to encourage and support renewed funding for the *Growing Greener* program, before the last of the Growing Greener II funds are spent in 2011:

NOW, THEREFORE BE IT RESOLVED that:


1. West Vincent Township supports renewal of Growing Greener by the General Assembly and Governor Corbett with dedicated, sustainable and long-term funding sources,
2. The signed resolution shall be forwarded to the Governor and our respective county and state legislators.

DULY ADOPTED at the regular meeting of West Vincent Township Board of Supervisors this 25th day of April, 2011.


West Vincent Township, Chester County



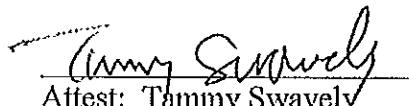
Kenneth Miller, Jr., Chairman



Clare Quinn, Vice Chairman



Zoe Perkins, Member



Attest: Tammy Swavely
Township Secretary