

**West Vincent Township  
Board of Supervisors Meeting**

**February 2, 2009 9:00 AM**

Attendance: Chairman Kenneth Miller, Vice Chairperson Zoë Perkins, Barry DiLibero, Steve Siana of Siana, Bellwoar & McAndrew, LLP Township Solicitor, Ken Yerger of Carroll Engineering, Township Engineer, Township Manager Jim Wendelgass, Zoning Officer Sandra Cantrell-Edwards and Township Secretary Tammy Swavely.

Chairman Miller called the meeting to order at 9:10 AM.

Perkins made the motion to approve of minutes from **December 22, 2008** as submitted. DiLibero seconded the motion which carried unanimously.

**Reports:**

Township Building: A quote was received from Optimum Controls Corporation to provide service to the Weatherstone WWTP. This is necessary due to the recent power outage. The controls are not working properly and need to be inspected to see what is wrong. Perkins made the motion to approve the estimate from Optimum Controls Corporation in the total amount of \$435.00. DiLibero seconded the motion which carried unanimously.

Township Manager Report: The Township Manager Report for the week ending 1/31/09 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 1/30/09 in the total amount \$21,407.60. DiLibero seconded the motion which carried unanimously.

**Correspondence:**

A thank you note was received from Tom and Heidi Brown thanking Officer Patrick Butler for the assistance he offered during the recent snow storm.

**Subdivision/Land Development:**

**Oxford Rise**: A letter was received from Carroll Engineering Corporation dated 1/26/09, recommending the approval of Escrow Release #14 for work done at the waste water treatment plant in the amount of \$40,270.00. Perkins made the motion to approve the Escrow Release. DiLibero seconded the motion which carried unanimously.

**Old Business:**

Barbara Cohen, President, **The Schuylkill River Heritage Center** came before the Board of Supervisors to give them an update on the reconstruction of a **1895 Ferris wheel**. Mrs. Cohen discussed this at a prior Board Meeting on December 15, 2008. She stated that two other Townships, and the Phoenixville Borough, have agreed to donate funds to have their Township name on a seating basket. Mrs. Cohen feels that all six of the Townships in the Phoenixville Regional Plan should participate. The cost for this is \$5000.00. The deadline to apply for a grant from the Chester County Visitor Bureau is April 1, 2009. Mrs. Cohen would like to have the promise of \$60,000.00 to get the matching fund grant and this should be enough to repair and construct the Ferris wheel. The Board will discuss this, consider the budget, and think more seriously about it.

Mrs. Cohen announced that there will be a presentation on February 10, 2009 entitled *Stories of the Underground Railroad*. This will be at the Schuylkill River Heritage Center at 7:30 PM. Admission is free.

**New Business:**

**David MacElree, 2172 Miller Road, Tax Parcel 25-8-9.1** came before the Board with questions on the sign ordinances. The Zoning Ordinances do not allow directional Open House signs and since he is in the real estate business, he would like to see if this would be allowed for a few hours during the Open House. The Board stated that if signs were to be placed on private property the homeowner must be asked. Many realtors do not want to ask and make it a Township issue. Many signs that are put up are taken down by residents who do not like signs. The Township does not take signs down on weekends. It was determined that a change in the Ordinances would not be done at this time.

**Business from the floor:**

Richard Dunn came before the Board to discuss the reasons why a resident, specifically Maria Holderness, can question the validity of a business, get a ruling from the Zoning Officer that it is an acceptable business, and still be able to have seven (7) Zoning Hearing Board hearings costing the Township a lot of money. DiLibero informed him that this is the procedure that needs to be followed and she is exercising her right as a citizen of the Commonwealth of PA. Mr. Dunn felt that since the Township provided her with a Zoning opinion and discussed this at length with Mrs. Holderness that she should not be able to have the Township incur additional expenses for disagreeing with her. Mr. Dunn feels that the Davis's business is in jeopardy due to the hardship she is costing them in legal fees. Miller informed him that there is a fee that Mrs. Holderness paid but it does not cover everything. It is however a right that she has and the Board must uphold her right to appeal. The Zoning Board did close the case and a Decision should be rendered on March 2, 2009.

**George Walleigh, 220 Cooks Glen Road, Tax Parcel 25-4-43.4** commented on the Zoning Hearings for the Holderness/Davis case and asked why Mrs. Holderness couldn't

go to the County instead of the Township. He also felt that the monies expended by the Township should be considered. Chairman Miller informed him that this was the process that was put in place by the Commonwealth and needs to be followed. The next step would be to take it to the County if the West Vincent Township Zoning Hearing Board Decision is appealed. Miller stated that this is an important process and needs to be upheld for everybody.

**Taylor Braendel, 2440 S. Chester Springs Road, Tax Parcel 25-7-110** asked when the new Zoning Ordinances will take effect. Wendelgass informed him that he was waiting to hear from the Board members if they have any comments. Perkins has given her comment as well as Miller. DiLibero stated that he will review them this week and let Wendelgass know if he has any comments on the changes. After Board approval, they can be advertised for adoption.

Members of the **Park and Recreation Committee** were appointed at January 5, 2009 and January 12, 1009 Board of Supervisors meetings. An Ordinance was adopted January 26, 2009 which requires all members to have an appointment with terms. Perkins made the motion to appoint the following residents to the Park and Recreation Committee with the terms to expire December 31 of the year listed:

TJ Antich, 2010

David Brown, 2013

Brad Dyer, 2011

Jim Hall, 2013

Steve Meyer, 2012

Suzanne Nastase, 2012

Sara Shick, 2010

Dave Gottier, Township Representative

Ken Miller, Board of Supervisor Representative

DiLibero seconded the motion which carried unanimously.

Miller announced that there would be an **Executive Session** immediately following the regular meeting to discuss litigation and real estate.

Perkins made a motion to adjourn, DiLibero seconded, and the motion passed unanimously.

Meeting Adjourned 10:00 AM

Respectfully Submitted,

Tammy Swavelly

Township Secretary