

**West Vincent Township  
Board of Supervisors Meeting**

**March 8, 2010**

**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 7:36 PM

The first item of business was to award the bids for Road Materials. Miller made the motion to award the bid to the lowest bidder in the following categories. Perkins seconded the motion. There were no comments. The motion carried unanimously.

ITEM NO.	DESCRIPTION	Lowest Bidder
1	Anti-Skid Type 2	Glasgow, Inc. Willow Grove Ave. & Limekiln Pike PO Box 1089 Glenside, PA 19038 Unit Delivered: \$13.60
2	Anti-Skid 6S	Cedar Hollow Recycling 100 Paradise St. PO Box 762 Phoenixville, PA 19460 Unit Delivered: \$14.40
3	PSP	Sanatoga Quarry 394 Sanatoga Rd. Pottstown, PA 19464 Unit Delivered: \$87.78
4	2A Crushed Blacktop (Millings)	Cedar Hollow Recycling 100 Paradise St. PO Box 762 Phoenixville, PA 19460 Unit Delivered: \$10.50
5	2A Crushed Concrete	Cedar Hollow Recycling 100 Paradise St. PO Box 762 Phoenixville, PA 19460 Unit Delivered: \$10.50
6	3A Crushed Concrete	Sanatoga Quarry 100 Paradise St. PO Box 762 Phoenixville, PA 19460 Unit Delivered: \$10.13

**Reports:**

Township Building: The Matthews Meadows Sewer Treatment Plant is being required to do testing on the monitoring wells by DEP. This is to check the nitrate concentrations. The Township received a quote from Carroll Engineering to do this work. Perkins made

the motion that Carroll Engineering be authorized by the Township to do the work required by DEP on the monitoring wells with a cost estimate of \$13,500. Quinn seconded the motion which carried unanimously. Both the Matthews Meadows and St. Stephen's Green Sewer Plants are in need of chlorine feed pumps. Perkins made the motion to approve the purchase of the supplies necessary to complete the work as outlined in the Pyrz Water Supply Co., Inc. in the total amount of \$389.00. Quinn seconded the motion which carried unanimously. The Board was informed at an earlier meeting that the cell phones that the Police Department and the Road Department use do not work properly and when an emergency arises, as in the snow storms of February 2010, it is difficult to speak to each other. A radio system has been found to work even in the dead zones of the Township. The price for eight (8) units, all but one portable, on the State Contract is \$9,425.99. The cost of these will be shared by the budgets of the Police Department, Emergency Management, and the Road Department. This will not replace the cell phones that are currently in place. Perkins made the motion that the Township move forward with the purchase of the radio system as outlined in the Metro Commercial quote of \$9,425.99. There were no public comments. Quinn seconded the motion which carried unanimously.

Township Manager Report: The Township Manager Report for the two weeks ending 3/6/10 was acknowledged as submitted. Mr. Wendelgass added that the Zoning Hearing scheduled for this Wednesday for Michele Thomas has been postponed at the request of the Applicant. The Tosco Zoning Hearing is scheduled for March 25, 2010.

Active Subdivision List: An Extension Request was received for the **Birchrun Village Land Development**. Perkins made the motion to approve the extension for Birchrun Village Land Development until 5/30/10. Quinn seconded the motion. There was no public comment and the motion carried unanimously.

Bills List: The Bills List was reviewed. Perkins made the motion to approve the Bills List dated 3/8/10 in the total amount \$63,258.86. Quinn seconded the motion. There was no public comment, and the motion carried unanimously.

### **Correspondence:**

An invitation to the American Red Cross reception on March 25, 2010 was acknowledged as received.

Information on the Uwchlan Ambulance Corps free Lay CPR/AED courses was acknowledged as received. These are offered for both adults and children.

A letter was received from Pam Brown, French and Pickering Creeks Conservation Trust asking for a response letter in support of the completion of the French Creek Trail. This is part of a grant process that needs Township support. Perkins made the motion that the Township send a letter to French and Pickering Creeks Conservation Trust so that it can secure a grant for the Trail easement purchase. Miller seconded the motion. There was no public comment. Ms. Quinn recused herself and the motion carried unanimously.

An invitation to the Ridge Fire Companies annual Banquet on April 10, 2010 was acknowledged as received.

A request to use the meeting room was received from the Northern Chester County 4-H. Perkins made the motion that the Northern Chester County 4-H Club be permitted to use the Township Building on March 9, 2010. Quinn seconded the motion. There was no public comment, the motion carried unanimously.

**Subdivision/Land Development:**

Weatherstone: The Maintenance Bond for Fellowship Road and Westover Lane is about to expire. A letter has been received from Ken Yerger, Carroll Engineering that the repairs have been completed to his satisfaction. Perkins made the motion that the Maintenance Bond that was held for 18 months on Fellowship Road and Westover Lane be returned to The Hankin Group. Quinn seconded the motion. There was no comment public and the motion carried unanimously.

**New Business:**

The Board has considered a policy with regards to the use of recording devices during Township Meetings. Perkins made the motion that the Board adopt Resolution 12-2010:

NOW, THEREFORE, be it resolved and it is hereby resolved this 8<sup>th</sup> day of March, 2010, by the Board of Supervisors of West Vincent Township, Chester County, Pennsylvania that the following rules are hereby adopted with respect to any person wanting to make a video or audio recording of the proceedings at any public meeting of the West Vincent Township Board of Supervisors, or any of its various boards or commissions:

1. Any individual desiring to record a public meeting shall notify the Chairperson of the Board or Commission presiding over the meeting and the general public, at the outset of such meeting, of their intent to record all or a portion of the public meeting, as well as whether the recording will be video, audio or both. While prior notification is required, prior approval of the Township shall not be required.
2. The Township shall be under no obligation to request, obtain or maintain a copy of such recording, nor shall the same constitute a public record under the Pennsylvania Open Records Act
3. The video or recording device shall be located along the right side or to the rear of the meeting room, or such other area designated by the Chairperson, in plain view of the public and the presiding Board or Commission. Such recording devices shall not be situated so as to hinder or impede accessways or the ability of the general public to observe the Board or Commission presiding over the meeting.
4. A notice shall be posted in the Township meeting room as follows:

**NOTICE.** Please note that the Township meeting room is considered to be a public forum during the time periods when such is being used for a public meeting. Any statements or comments that you make may be recorded by an individual other than the Township. Pursuant to the Pennsylvania Open Meetings Law, individuals have the right to record a public meeting pursuant to certain reasonable regulations established by the Township.

**NOTICE** is further given that, to the extent that an individual desires to record a public meeting, the individual must comply with any applicable ordinances, resolutions, rules and regulations established by the Township from time to time. Additionally, all individuals desiring to record a public meeting shall take note that such recording is subject to the individual's compliance with all applicable laws and regulations, including, but not limited to, any wiretap, copyright, trademark, child welfare, privacy or other applicable laws and regulations.

5. Recording devices shall not be utilized to record: executive sessions of the Board or Commission presiding over the public meeting that is to be recorded; discussions between the Board or Commission and its counsel; or private discussions between any individual and his counsel.

6. The use of recording devices shall not be permitted to disrupt the normal routine of the meeting. An individual recording a public meeting should not expect that the meeting will be stopped or recessed for any changes of recording media or due to technical difficulties with the recording device/media.

7. With respect to conditional use hearings, proceedings before the Township Zoning Hearing Board, and any other public meeting that is being transcribed by the Township, the official record shall be the stenographic record taken by the Township.

Quinn seconded the motion. Comments were made as to certain regulations. Ms. Quinn stated that she felt that someone would not have to be in the back of the room or stand in a particular spot to be recording. Item # 3 was changed to read: *The video or recording device shall be located in plain view of the public and the presiding Board or Commission. Such recording devices shall not be situated so as to hinder or impede accessways or the ability of the general public to observe the Board or Commission presiding over the meeting.* With this change, Perkins made the motion to adopt **Resolution 12-2010**. Quinn seconded the motion. There was no further comment, the motion carried unanimously.

**Resolution 13-2010** was presented to the Board at the request of Chester County regarding the Multi-Jurisdictional Hazardous Mitigation Plan. Both Township Manager Jim Wendelgass and the Emergency Management Coordinator have reviewed the plan and have found it acceptable. The Plan needs to be in place before anytime the Township seeks reimbursement from the County as it will be doing regarding the snow storms of February 2010. Perkins made the motion that the Board adopt Resolution 13-2010 as

presented before them this evening. Quinn seconded the motion. There was no public comment, the motion carried unanimously.

**Business from the Floor:**

The **Pipeline Meeting** originally scheduled February 25, is now March 25 at the West Pikeland Township Building. To register, please contact Tammy Swavely in the West Vincent Township office. The following meeting will be on April 29<sup>th</sup> at West Pikeland Township Building again. Mrs. Perkins stated that she would like to publicly thank Curt Schroder for all the help he has been with this issue. Curt Schroder has been named “Legislator of the Year” by the Exton Chamber of Commerce.

Ms. Quinn updated the Board about **East Vincent Township’s** hearing regarding its withdrawing from the Regional Plan. The hearing is scheduled for April 7 and several people will be making a plea for East Vincent Township to stay in the Plan. This hearing is part of the formal process that is to be followed to withdraw from the Plan. A voting to withdraw municipality must still continue, as part of the Plan for one year after.

A question was asked when the No Parking signs at the Birchrunville Post Office would be removed. They were put up during the storm because cars would park in the middle of the road and the school busses could not get around. Mr. Wendelgass stated that they should be coming down soon.

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

Meeting adjourned 8:18 PM.

Respectfully Submitted,

Tammy Swavely  
Township Secretary