

**West Vincent Township
Board of Supervisors Meeting**

August 24, 2009 7:30 PM

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

Chairman Miller called the meeting to order at 7:32 PM.

The first item of business was to **open bids for Dust Suppression on Township Roads**. One bid was received from Dust Kill, Paradise, PA. The bid was for \$.395 per pound. Written on this bid was the statement "Prices good for 30 days." This does not comply with the bid specifications. Perkins made the motion that the bid from Dust Kill be rejected since it does not comply with the specifications of the bid. DiLibero seconded the motion which carried unanimously.

The minutes of August 10, 2009 were reviewed. Perkins made the motion to approve the **August 10, 2009 minutes** as submitted. DiLibero seconded the motion which carried unanimously.

Reports:

Township Building: No report.

Township Manager Report: The Township Manager Report for two weeks ending 8/22/09 was acknowledged as submitted.

Active Subdivision List: There are no pending deadlines at this time.

Road Master Report: The Road Master Report for the last four weeks ending 8/21/09 was acknowledged as received.

Police Report: The police report for the month of July 2009 was presented by Police Chief Mike Swinger and was acknowledged as received.

Bills List: The Bills List was reviewed. Perkins made the motion to approve the Bills List dated 8/24/09 in the total amount \$82,023.23. DiLibero seconded the motion which carried unanimously.

Correspondence:

An e-mail request was received to use the Township Meeting room for a Matthews Meadows Home Owner's Association. Perkins made the motion that the **Matthews Meadows HOA be permitted to use the meeting room** on November 5, 2009 at 6:00 PM. DiLibero seconded the motion which carried unanimously.

An invitation was received to the **2009 Municipal Breakfast from the Chester County Library System** was acknowledged as received. This regional meeting for local officials is on Friday, October 16, 7:30-9:15 AM at the Inn at Chester Springs.

A letter was acknowledged as received from **Barb Mueller, 1026 Jaine Lane Tax Parcel 25-3-121.6** dated 8/13/09 commenting on the excellent work done by the Township on the roadways this summer.

Chester County is hosting a School of Government on Tuesdays from 6:30-8:00 PM beginning September 15-November 10, 2009 for all interested citizens of Chester County. This is a free course being held at the Chester County Government Services Center, 601 Westtown Road, West Chester.

A request to attend the ACC 101, Accessibility Essentials was received from Jason Barron, Code Official Assistant. Perkins made the motion to approve this class in the total amount of \$195.00. DiLibero seconded the motion which carried unanimously.

Subdivision/Land Development:

Oxford Rise: Township Manager Wendelgass and the Zoning Officer Cantrell-Edwards have had a series of discussions with Stephanie Heist, Oxford Properties, who would like to put up two large signs to advertise the apartments. The West Vincent Township sign ordinance puts restrictions on such a sign. The area that Oxford would prefer to put up a sign is owned by the Township. Ms. Heist stated that 95% of their business is obtained by drive-bys. At this time 64% of the apartments are occupied. She stated that this is advantageous to the Township since the residents pay earned income tax. Perkins suggested a different type sign other than a large tractor trailer. Oxford will prepare a design proposal and bring it into the Township for review. This will be a temporary sign on poles and it can be reviewed monthly. Miller suggested a simple agreement to be put in place since he understands the need, but doesn't want other signs along Route 100 to be used this way. Ms. Heist will contact the office when she has a drawing prepared.

Old Business:

A review letter was received from Ken Yerger, Township Engineer, regarding the parking lot at the **Birchrun Village property, 2200 Flowing Springs Road**, the old Township Building. The Board asked him to review the property due to a neighbor complaint. Due to the lack of prior information, he could not verify the limit of gravel parking that was originally installed with the construction of the storage buildings and

could not determine if the gravel parking area in that location matches what is currently in place. **Suzanne Roth, 1360 School House Lane, Tax Parcel 25-3-84** stated that the owner has removed trees and has gotten very close to the stream bed. She stated that she has a plan and will see that Mr. Yerger gets it to compare.

The morning Board of Supervisor Meetings were discussed. Perkins made the motion to cancel the morning meetings in September, those being September 8th and September 21st. DiLibero seconded the motion. Perkins voted yes, DiLibero voted yes, Miller voted no, motion carried.

Michele Thomas, 6 Half Hill Road, Tax Parcel 25-3-89.2 sent a certified letter to the Board of Supervisors regarding **Tax Parcel 25-7-46**. This is in regards to her allegation that there are five (5) lots on the property. The Township informed her that she needed to file a quiet title action a while ago. She is not present at the meeting tonight, so the Board will table this until she can attend a meeting to discuss it. She sent a letter requesting the Township to acknowledge the existence of a subdivision plan known as "Glad Acres." The Township had previously determined that there was no evidence that it was a valid subdivision. Zoning Officer Sandra Cantrell-Edwards sent a letter to Ms. Thomas stating that 25-7-46 is one single lot and not five lots. Ms. Thomas' letter refers to what appears to be a County Ordinance and not a Township one. This will be revisited on September 14th.

New Business:

West Vincent Township will participate in the **Electronic Recycling Event** on October 17, 2009 at the East Vincent Township Building, 262 Ridge Road, from 8:00 AM-12:00 PM. This is for all electronics from computers, small appliances and telephones. This will be added to the website and newsletter.

The Township Newsletter will be mailed out next week.

Business from the floor:

Sue Krug, 2144 Flowing Springs Road, Tax Parcel 25-4-145 came before the Board with questions on the Weyl Subdivision. Ms. Krug has appealed the Preliminary Decision. There are items that have not been done including setting the escrow for public improvements. These are set based on a cost estimate which is done by Carroll Engineering. The plan calls for multiple phases. Ms. Krug is concerned about her litigation and if anything can be done while it is pending. Solicitor Greenwood stated that it depends if there is a stay in the action and to what court it has gone. He stated typically without a stay you can move forward. Supervisor Perkins stated that generally it would be better to wait until all the legal avenues are exhausted and then the plan can move forward. A faxed letter was received from Ms. Krug's attorney and the Board asked for an opinion from Greenwood before more discussions on this matter.

The project at **972 Fellowship Road** was discussed. According to Art Ewell, it needs another cement structure. Since this work is outside of the right-of-way, the Board needs to decide on the expenditure. This pipe would help with the runoff problem in the area and would be in place of work within the right-of-way that would likely damage an existing pipe. Perkins made the motion to reimburse Art Ewell for purchase of a structure not to exceed \$750.00 for this project. DiLibero seconded the motion which carried unanimously.

Art Ewell questioned the Board about the police car mileage. He stated that the two year old Crown Victoria has 90,000 miles and would like to know if it would be a good idea to purchase an additional car so that it can reduce the mileage on that car. Mr. Ewell also suggested that an unmarked car would be a better way to catch offenders. Police Chief Michael Swinger stated that they are considering taking the 2004 out of service and replacing it with a new car. He also stated that in an ideal situation, the Police Department would be able to take one car out of service each year and replace it with a new one. This is not economically sound at this time. Chief Swinger will take the suggestion under advisement. Perkins stated that the miles the police cars get are due to the work that they do. There are many residents who want to see a police car in their neighborhood more than once a day. There are over 75 miles of road in the Township in which the West Vincent Township Police patrol on a daily basis.

Madelyn Martin, 1860 Kimberton Road, Tax Parcel 25-5-40.1 asked what the time frame would be to do the repairs to Flint Road. Miller stated that they are currently doing phone bids to get pricing at this time. Mrs. Martin stated that the rains have been hard on Kimberton Road and it may need a pipe to take the water away.

The Northern Federation Park and Recreation Stake Holder meeting will be on September 8, 2009 at 7:00 at the Warrick Township Building. This will be the first opportunity that input will be received to the plan.

The **West Vincent Township Park and Recreation Commission** would like to have an outreach into the community on Halloween. They would like to hand out information about the commission and use a truck or flat bed with hay on it and hand out candy. The Board would like to see what the costs would be.

A question came up with regards to the **Mulch Man property, 976 Pottstown Pike** and whether his recent grading helped ease the amount of debris coming from his property during rain storms onto Route 100. Brian Morrison, Carroll Engineering informed the Township that it seemed to be working better, but he was waiting for a big rain event during the day when he could see what was actually happening.

Michele Thomas, 6 Half Hill Road, Tax Parcel 25-3-89.2 was now present at the meeting and her issue was discussed briefly earlier. Ms. Thomas stated that she will come to the next meeting, September 14, 2009 to discuss the matter further. She invited the members of the Board to visit 25-7-46 (Weidner Way).

Miller announced that there would be an Executive Session to discuss personnel.

Perkins made a motion to adjourn, DiLibero seconded, and the motion passed unanimously. Meeting Adjourned 9:15 PM.

Respectfully Submitted,

Tammy Swavely
Township Secretary