

**West Vincent Township  
Board of Supervisors Meeting**

**October 12, 2009 7:30 PM**

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

Chairman Miller called the meeting to order at 7:35 PM.

Perkins made the motion to approve the minutes from **July 13, 2009** as submitted and **September 28, 2009** as corrected to reflect that the Supervisors declined Township Health coverage (it being agreed that Ken Miller as Road Master remained eligible for coverage.) DiLibero seconded the motion which carried unanimously.

**Reports:**

Township Building: The rectangular field in the Township Park does not drain well. In order to correct this, several options were explored. The Park and Recreation Commission recommended to the Board to aerate the field. The least expensive way would be to core it with solid rods 8-10 inches deep. This would break up the compacted ground and if water gets into the cracks over winter, it will break up even more. Other options would be to slit the fields and insert dry sand. This allows water to go across the sand and into a drain. Yet another option would be to install a drainage system. Both of the alternatives are expensive. Perkins made the motion to proceed with the aeration of the rectangular field with the quotation from Aer-Core, Inc. in the total amount of \$3495.00 per the August 24, 2009 quote. DiLibero seconded the motion which carried unanimously.

Township Manager Report: The Township Manager Report for two weeks ending 9/26/09 was acknowledged as submitted. Wendelgass added that the first Sustainability Task Force Meeting will be on October 22, 2009 at 7:30 PM. Anyone interested is encouraged to join this task force.

Active Subdivision List: An Extension Request was received from Thomas Smith, representing the Dunworth Subdivision. Perkins made the motion to extend the time within which the Township must act on the Dunworth Subdivision until December 15, 2009. DiLibero seconded the motion. The motion carried.

Bills List: The Bills List was reviewed. Perkins made the motion to approve the Bills List dated 10/12/09 in the total amount \$91,075.21. DiLibero seconded the motion which carried unanimously.

### **Correspondence:**

A letter from the Chester County Association of Township Officials with information on the Fall County Convention on November 5, 2009 was acknowledged as received.

An e-mail request was received 10/7/09 to use the Township Meeting room from the Airedale Terrier Club. Perkins made the motion that the Airedale Terrier Club be permitted to use the meeting room on October 16, 2009 at 7:30 PM. DiLibero seconded the motion which carried unanimously.

An e-mail request was received 10/8/09 to use the Township Meeting room from the Tri-Community 4-H Dairy Club. Perkins made the motion that the Tri-Community 4-H Dairy Club be permitted to use the meeting room on October 23, 2009. DiLibero seconded the motion which carried unanimously.

An e-mail request was received 10/9/09 to use the Township Meeting room from Maria Holderness for a Girl Scout Daisy Troop. Perkins made the motion that the Girl Scout Daisy Troop be permitted to use the meeting room on October 14, 2009. DiLibero seconded the motion which carried unanimously.

### **Subdivision/Land Development:**

Eagle Farms: Perkins read a letter from Carroll Engineering Corporation dated 9/26/09, recommending the approval of Escrow Release #5 for Site Improvements in Phase 1 and 2A in the amount of \$228,602.16. DiLibero made the motion to approve the Escrow Release. Perkins seconded the motion which carried unanimously with Miller abstaining. A second letter from Carroll Engineering Corporation dated 9/30/09 was received, recommending the approval of Escrow Release #5 for Sanitary Improvements in Phase 1 and 2A in the amount of \$170,550.00. DiLibero made the motion to approve the Escrow Release. Perkins seconded the motion which carried unanimously with Miller abstaining.

Oxford Properties: An Escrow release request was received from the Applicant requesting a refund of the cash escrow that was held for inspection services during construction. They also would like to have the Township sign a certification of completion of work. Perkins made the motion to forward both of these to Carroll Engineering for review. DiLibero seconded the motion which carried unanimously.

### **Old Business:**

Chester County 2020, A Community Conversation was held on October 8, 2009 with over 90 residents in attendance. Kate Damsgaard, Planning Commission Member who organized the event reported that it was a successful evening. She would like to thank those who helped, including Tammy Swavely, Township Secretary, Jim Wendelgass, Township Manager, Sandra Cantrell-Edwards Zoning Officer, and Planning Commission Members Sara Shick and Clare Quinn. The Ludwig's Corner Market provided a quantity discount and Pearls Farm Market also discounted the apples she purchased for the bag

lunches. Mrs. Damsgaard provided the postage for the cards that were sent to the residents inviting them to come. Suzanne Nastase, 4 Gregory Way stated that it was a fabulous opportunity and she learned a lot. She would like to suggest having a follow up session on different topics that were brought up for just 1 ½ hours so that people with families would feel they could attend. Mrs. Damsgaard stated that she appreciates any idea on how to get people involved and to think about the issues and share thoughts. The facilitator of the event, Mary Ann Ralph and William Stevens of Chester County 2020 will write a report which will be available to the residents and posted on the website. From this a dialogue can begin on how to find out what people are thinking about. Supervisor Perkins stated that it was a wonderful event and the Board should try to get more people to attend Township meetings. She felt it was extremely gratifying because it is one of the things that made her become a Supervisor in the first place. It was gratifying to hear that both old and new residents had enthusiasm for the old goals of the Township, which were to preserve it for being West Vincent. There was a discussion on the breakdown of residents who live in subdivisions verses non-subdivisions

A letter was received into the Township addressed to the Board of Supervisors on October 7, 2009 from Michele Thomas regarding her property on **17 Weidner Way, Tax Parcel 25-7-47**. This has been forwarded to Solicitor Allan Greenwood. He has not had the opportunity to respond but plans to do so by the end of this week. This will be tabled until the next Board Meeting on October 26, 2009.

#### **New Business:**

A new Zoning Application was received from Francesco Tosco, 1257 Pottstown Pike, Tax Parcel 25-6-6. This is on the old school house on Route 100 and the Applicant needs a series of variances to use it as an Italian restaurant. He plans to keep the school house intact but add onto the back end. It seems as if the changes to the structure are minimal. There has not been a date set at this time. After the Planning Commission does its review, the Board will decide if it wants to get involved in the Zoning Hearing Board hearings regarding this application.

The Regional Comprehensive Plan Consistency Review Report needs to be adopted by all Townships and Boroughs involved in the project along with an amended plan. This will be before the Planning Commission on Thursday, October 15 for their review. Assuming the Planning Commission will approve the document, it needs to be advertised for approval before February 2010 in order to take advantage of grant funds from Chester County. A date of November 9 was chosen as hearing and for decision regarding the Consistency Review Report.

A determination is needed for the amount of funds that are to be contributed to the employees' pension plan accounts for the year 2009. The state has forwarded \$64,547.90. Of this amount, \$28,560.00 will be deposited into the Police Pension fund, according to the MMO, Minimum Municipal Obligation, prepared in 2008. This leaves \$35,987.90 remaining for the non-uniformed employees. Perkins made the motion to set the target amount of contribution to the 401A Plan at 6.2% of the base compensation.

DiLibero seconded the motion which carried unanimously. Wendelgass explained that these funds come to the Township through the state by means of a \$1.00 charge to all persons who have an insurance policy with an out-of-state insurance company. It is never really known on a yearly basis how much money the state will have available for this fund.

**Business from the floor:**

Chairman Miller stated that he was traveling around the Township talking to residents in anticipation of Election Day and he heard a lot about trash collection and using only 1 hauler. He stated that it might be a good idea to consider since it would mean less traffic from many trucks and there would be less wear and tear on the roadways. The other benefit is that it would encourage people to recycle more. Once the Township has over 5000 residents, it will be mandated that everyone recycles. This will most likely happen after the 2010 Census. It would be a good time to investigate the pros and cons. This would follow a regular bid procedure following the Chester County guidelines. This bid could be written the way the Township would prefer. The hours of pickup could be regulated also. There are many factors to take into consideration. Kit Trollier a West Vincent resident, who managed the trash collection program for Upper Uwchlan Township, provided valuable insight for this discussion.

Miller suggested that the Zoning Ordinance be posted on the website when it is completed. There is a company that will provide that service, so they will be contacted as soon as the changes go into effect.

Miller would like the Bills List for each meeting to be posted on the website. He asked if the unapproved minutes could be posted also. Solicitor Greenwood stated that they can be made available as long as they are marked as such. Other financial reports can be made available on the website also. The budget is currently on the website. Perkins stated that most Township documents are available for review if someone needs to see something. When the Board goes into an Executive Session this is to remain private. Some reasons for these would be personnel and real estate. The real estate matters could be concerning the sale of TDRs which in the early stages is private. Eventually the TDR hearing is public.

Miller asked both Supervisor Perkins and Supervisor DiLibero if at any time in the last two (2) years that he made a motion to raise taxes that the other Board members turned down. Both Perkins and DiLibero stated that there was never a time when Miller tried to raise taxes and had to be turned down.

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 8:40 PM.