

West Vincent Township
Board of Supervisors Meeting

May 27, 2014 7:30 PM

Attendance: Chairman Kenneth Miller, Jr., Vice Chairman David Brown, John Jacobs, Steven Siana of Siana, Bellwoar & McAndrew, LLP, Township Solicitor, Kenneth Yerger of Carroll Engineering, Township Engineer, Township Manager James Wendelgass, and Township Secretary Tammy Swavely.

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

Public Comment on Non-Agenda Items:

A number of residents made comments on items not on the agenda.

The minutes of **May 12, 2014** were unanimously approved on a motion by Mr. Jacobs and a second by Mr. Brown.

Reports (full copies are attached):

Township Manager Report: The Township Manager Report for the period ending 5/27/2014 was acknowledged as submitted. Mr. Wendelgass announced that there would be an Executive Session on June 2nd at 7:30 PM.

Treasurer Report: Mr. Wendelgass read the attached Treasurer Report for the period ending April 30, 2014 which was acknowledged as received.

Police Report: The Police Report for the month of April 2014 was presented by Sergeant Austin Russell and was acknowledged as received.

Active Subdivision List: An extension was submitted by Franklin Markle for the Markle Subdivision. Mr. Miller made the motion to grant the Extension for the **Markle Subdivision** until July 31, 2014. Mr. Jacobs seconded the motion. The motion carried unanimously.

Bills List: Mr. Brown made the motion to approve the Bills List dated 5/27/14 in the total amount of \$88,260.61. Mr. Jacobs seconded the motion. The Board answered some questions and the motion carried unanimously.

Correspondence:

An email was acknowledged as received from Sandy Fisher dated May 11, 2014 thanking the Township for their proactive actions for the welfare of dog/animals in the Township.

An email was acknowledged as received from Thomas Wagoner dated May 7, 2014 commending the West Vincent Police Department and Chief Swinger for the response to an accident in his yard.

A request was received from Anupama Kapoor to use the gazebo and park on June 4, 2014 from Noon-5:00 PM for a birthday party. Mr. Brown made the motion to permit the same. Mr. Jacobs seconded the motion. There was no public comment and the motion carried unanimously.

A request was received from Eric Woodworth, volunteer at the Hankin Library, to use the gazebo on June 25, 2014 from 6:00 PM- closing for Guys Read. Mr. Jacobs made the motion to permit the same. Mr. Brown seconded the motion. There was no public comment and the motion carried unanimously.

A request was received from Amy Lasco to use the gazebo on June 28, 2014 from 3:00 PM -6:00 PM for a small wedding. Mr. Brown made the motion to permit the same. Mr. Jacobs seconded the motion. There was no public comment and the motion carried unanimously.

Subdivision/Land Development

Brunner Land Development: At the last Board meeting, Neal Fisher, West Vincent Associates, came before the Board with a Developer Agreement signed by Richard Hankin along with a Resolution from the Township's Special Solicitor Ann Porter authorizing the execution of the Developers Agreement. The Board tabled this issue for further review of the agreement. At the meeting tonight, the Board received an Agreement for Construction and Operations of Community Sewer Facilities. Since the Board has only seen a draft of this document and not the final changes, they determined a longer review is necessary. Michael Malloy, attorney for West Vincent Associates stated that he is disappointed that it cannot get done because it is time sensitive. Mr. Miller read a portion Resolution 7-2014 into the record.

NOW THEREFORE BE IT RESOLVED, that the Board of Supervisors of West Vincent Township, Chester County, Pennsylvania approves and authorizes execution of the Development Agreement for the Bruner Site, under the conditions that Applicant has posted security, in an amount and in a form acceptable to the Township, in the form of a Letter of Credit with M&T Bank and continues to comply with the terms of the Settlement Agreement, the amended Preliminary/Final Subdivision and Land Development Plan and accompanying Resolution, and all other approvals, conditions and permits required under the MPC;

BE IT FURTHER RESOLVED, that Township approves the Dedicated Improvement Estimates, as last revised and in the amount satisfactory to and approved by the Township Engineer.

BE IT FURTHER RESOLVED, that the appropriate officials of the Township are authorized to issue building permits in compliance with said approved Plan, subject to the specific conditions that no building permit shall be issued until Applicant has presented all executed approved permits and approvals required under the MPC and has posted the required financial security in a form satisfactory to the Township's Special Solicitor/Special Counsel Catherine Anne Porter, Esquire.

Mr. Brown made the motion to adopt Resolution 7-2014. Mr. Jacobs seconded the motion. There was no public comment and the motion carried unanimously. Mr. Jacobs made the motion that the Board hold a special meeting on Thursday, May 29, 2014 at 7:30 PM to consider the Brunner

Sewer Agreement. Mr. Brown seconded the motion. There was no public comment and the motion carried unanimously.

Old Business:

Community Day: The Board thanked the volunteer committee and staff for Community Day held on May 12, 2014. They include Tammy Swavely, Amanda Gooding, Bridgit Hill, and Melanie McCartney. Others that helped during the day were Danielle Hewitt and Ruth McVey. The following were the donors for the event: Silver Contributors: Merit Service Solutions. Bronze Contributors: Camphill Kimberton Village, The Hankin Foundation, Toll Bros., Carroll Engineering Corp and Ludwig's Corner Veterinary Hospital and Eagle Kennel. Other donors included Macadam Company, Inc., Siana, Bellwoar, & McAndrew, LLP; DNB 1st, Signal Service, Inc., Caruolo Associates; Dave Hoffman Auto Repair; Frances Hall Insurance; H.A. Thompson Insurance; Northern Chester County 4-H Club, Penn Liberty Bank, Richard Brown, Inc., Tom Josiah Consulting and Rothwell Document Solutions, Inc. The following were donors of goods and services: AJ Blosenski, Inc., Birchrunville Café, City Folk Handiwork, Hellzapoppin' Farm, Ludwig's Corner Supply Co, Parkway Dry Cleaners and Robert E. Little, Inc.

Township Lease with Charles Dickinson: The Weatherstone Open Space B, Tax Parcel 25-7-20.2 parcel located at the corner of Flowing Springs Road and Westover Lane is currently being mowed by the Township. Charles Dickinson owns property across the street and would like to mow it, paying the Township \$1.00/acre per mowing. This lease was reviewed by the Board and determined it would be beneficial. After a discussion Mr. Jacobs made the motion that the lease be approved as submitted. Mr. Brown seconded the motion which carried unanimously.

Sidewalk to Elementary School: Mr. Wendelgass stated that he has received a memo from counsel with various suggestions on how to move this project forward which he will share with the Board.

Fellowship Trail: Mr. Wendelgass has spoken with Upper Uwchlan about this project and has forwarded them all of Carroll Engineering plans. At this point the Township is waiting to hear back from Upper Uwchlan.

New Business:

Township Park Sign: The park sign has been stolen along with the wooden posts. The Park and Recreation Commission recommended that a new one be purchased from their budget. Mr. Jacobs made the motion that the Township purchase a new one. Mr. Brown seconded the motion which carried unanimously.

Water Infiltration Tank: The tank in the Township parking lot was found to be leaking ground water into the sewer lines. It is a vertical tank with three (3) rings and the bottom ring has a small hole in it as discovered by videotaping it. An estimate was received from John F. Keliuss, Inc. in the total amount of \$1,300. Mr. Jacobs would like a guarantee on the work. Mr. Jacobs made the motion to approve the repair and to ask for a guarantee of one (1) year. Mr. Brown seconded the motion. There was no public comment and the motion carried unanimously.

Weatherstone WWTP: A floating aerator was damaged by the severe winter. A quote was received from MGK Industries, Inc. to remove and repair the motor. Mr. Jacobs made the motion that the aerator be repaired. Mr. Brown seconded the motion. There was no public comment and the motion carried unanimously.

St. Matthews Road-Gravel: After the storm last week, it was reported by a resident on the gravel portion of St. Matthews Road to have a recurring drainage issue. Mr. Miller, Mr. Wendelgass and Mr. Yerger all met on site with the homeowner. Mr. Yerger suggested that the only way to cure the issue would be to pave a portion of the road. Mr. Jacobs made the motion that the Board direct Carroll Engineering to proceed with an engineered study. Mr. Brown seconded the motion. After a discussion the motion carried unanimously.

Meeting Adjourned 8:30 PM

Respectfully Submitted,

Tammy Swavely
Township Secretary