

West Vincent Township
Board of Supervisors Meeting

February 16, 2016 7:00 PM

Attendance: Chairman John Jacobs, Vice Chairman David Brown, Michael Schneider, Township Solicitor Joseph McGrory, Esq., Hamburg, Rubin, Mullin, Maxwell and Lupin, Bryan Kulakowsky, Cedarville Engineering, Township Engineer, and Township Secretary Tammy Swavely.

Mr. Jacobs called the meeting to order at 7:00 PM.

Public Comment on non-Agenda items:

Harriet Stone, 1645 Birchrun Road stated that the Historic Resource Committee event on the Underground Railroad properties in West Vincent will be on April 1, 2016 at 7:30 PM at the Township Building.

Brian Styche stated that he was asked by the St. Matthews Lutheran Church to contact the Township regarding the Fellowship Trail. The Board discussed this item at this time. Mr. Styche stated that he understood that the cemetery committee would not grant an easement to go through their property so the Township has engineered a plan through the 401 Right-of-way. He stated that the cemetery committee does not have that authority to make that decision and that the church is willing to have the trail use their property. After a discussion, the Board will take this into consideration.

Frances Ellis, 2823 Flowing Springs Road discussed the Public Works preventive maintenance schedule.

Suzanne Roth, 1360 School House Road discussed mile-a-minute weed, snow storm alerts, and the Road Master position.

Brian Curry, 512 Black Horse Road discussed the preventive maintenance program for the road department vehicles and staff availability during the blizzard. Police Chief Swinger spoke to this issue informing the Board that the police were dispatched with the road department when an ambulance was stuck in the storm.

Sara Shick, 1201 Davis Lane stated that counties have more advanced weather alerts than townships.

Maria Jacobs, 2351 Beaver Hill Road shared information on an alert company she uses in her line of work.

Mike Schneider will spearhead the idea of call forwarding.

Approval of Minutes:

Mr. Brown made the motion to approve the minutes of **January 4, 2016** and **February 1, 2016**. Mr. Schneider seconded the motion. Ms. Roth stated that Mr. Monteith's termination was not included. She also stated that she felt her comments about Mr. Monteith should be added to the minutes. Mr. Brown withdrew his motion on the February 1, 2016 minutes for approval until they are corrected. The minutes of January 4, 2016 were unanimously approved as submitted.

Reports:

Township Manager Report: Mr. Jacobs read the Managers Report. The Chester County Solid Waste Authority has informed the Township that they no longer accept the disposal of electronics, especially televisions and monitors. Best Buy will accept them for a fee of \$99.00. This is because a large number of recycling centers had closed down or will not take them since there is no profit to them. The Township is being urged to write a letter to our legislatures regarding this issue. This is being forwarded to the EAC to craft a proposed letter for the Board to send to the legislation.

Active Subdivision List: There are no pending deadlines.

Police Report: The Police Report for the month of January 2016 was presented by Chief Michael Swinger and was acknowledged as received.

Bills List: Mr. Schneider made the motion to approve the Bills List dated 2/16/16 in the total amount of \$132,659.66. Mr. Brown seconded the motion. The Board answered some questions and the motion carried unanimously.

Correspondence:

An email request to use the Meeting room was received from CCR Management, Inc. for the Wetherill Homeowners Association on April 11, 2016 from 6:30 – 9:00 PM. Mr. Brown made the motion to permit the same. Mr. Schneider seconded the motion which carried unanimously.

Subdivision/Land Development:

The Courts at Chester Springs Land Development: The Pulte Group has requested a reduction on their Performance Bond and Carroll Engineering is recommending its release. Mr. Brown made the motion to approve the Request for Reduction of Performance Bond No. S505547 in the total amount of \$692,829.24 as recommended by Carroll Engineer's letter dated February 2, 2016. Mr. Schneider seconded the motion, there was no public comment and the motion carried unanimously.

Laymen's Home Missionary Lot Line Change: The Board asked Bryan Kulakowsky, Township Engineer to speak on the proposed lot line change. Mr. Kulakowsky stated that Carroll

Engineering did the engineering review and had no issues with it. The Planning Commission has recommended that the Board consider approving it. Mrs. Jacobs asked about the Penn DOT right-of-way and the stonewall. Mr. Kulakowsky stated that at the request of the Township, the engineer for the applicant did a survey of the wall. It is in the Penn DOT right-of-way and it was agreed to have a 25' right-of-way since any more than that renders the new lot to a non-conforming lot. Mr. Walko stated that information is in the Resolution. Mr. Schneider made the motion to approve Resolution 9-2016 for the Preliminary/Final Plan for the Laymen's Home Missionary Lot Line Change with all waivers. Mr. Brown seconded the motion. There was no public comment and the motion carried unanimously.

Old Business:

Sustainability Committee: Mr. Walko stated that he worked with the Sustainability Committee to revise the terms of their members. Mr. Jacobs stated that the committee wanted to go to a three-year term instead of the 4-year term with no more than three members' terms expiring in the same year. This resolution also appoints the current members and terms. Mr. Schneider made the motion to adopt Resolution 7-2016 amending the terms of the Sustainability Committee members as submitted. Mr. Brown seconded the motion which carried unanimously.

Park and Recreation Commission Ordinance: Mr. Walko opened the hearing for the proposed ordinance to amend Ordinance 149-2009. This is to increase the membership of the Park and Recreation Commission by two members to have a total of nine members. The term remains unchanged at 5 years. Mr. Walko provided the exhibits including the ordinance, the legal notice, proof of publication and notification to the Chester County Law Library. Mr. Walko asked the Board for comments and they had none. Ms. Roth asked how many members usually attend this meeting. Mr. Jacobs stated that they rarely have all members present but discussed Roberts Rule of Order which state that if you do not have a quorum you can leave the meeting open at the end and not do any voting until the next meeting with a quorum. Ms. Shick stated that she does not recollect any quorum problems. Steve Meyer, 25 Springlea Lane stated that he was one of the original members of the Park and Recreation Commission. He had to resign this year due to his work schedule. The only time the meeting was cancelled was due to lack of agenda items. He also recommended Kristina Casey for the open position. Mrs. Ellis asked if you can fire a member for not showing up. Mr. Walko stated that no, not without cause. Mr. Walko closed the hearing. Mr. Jacobs made the motion to adopt Ordinance 168-2016 changing the number of Park and Recreation Members to nine. Mr. Brown seconded the motion which carried unanimously. Mr. Jacobs nominated Kristina Casey. Mr. Brown seconded the nomination. Mr. Schneider nominated Maria Jacobs. Mr. Brown seconded the nomination. Mr. Jacobs called for a vote on the new members which carried unanimously.

New Business:

Chester County Emergency Communication System: The Chester County Department of Emergency Services has updated their radio communication system. To enable the system, each Township needs to adopt an ordinance. Mr. Schneider made the motion that Ordinance 169-2016, establishing minimum regulations applicable to the Chester County Emergency Communication

System be authorized for advertisement. Mr. Brown seconded the motion which carried unanimously.

Agreement with James Wendelgass: Mr. Jacobs stated that the Board has a Separation and Release Agreement which has been signed by the former Township Manager Jim Wendelgass. He has agreed to assist the Township during the transition as a consultant for 80 hours. Mr. Brown stated that he had not seen the document before this meeting but since Mr. Wendelgass has already signed it, that he would agree to it. Mr. Schneider made the motion that the Agreement of Separation and Release between the Board of Supervisors and James Wendelgass be approved and that the Chairman of the Board be authorized to countersign the Agreement. Mr. Jacobs seconded the motion.

PECO Grant Application: The Parks and Recreation Commission is applying for a grant through PECO to be used on the Fellowship Trail. This needs to be approved by the Board to move forward. Mr. Schneider made the motion to approve Resolution 8-2016 authorizing the application to PECO for the 2015 Grant Award. Mr. Brown seconded the motion which carried unanimously.

Yield Study: Mr. Kulakowsky stated that this quote is at the request from the Planning Commission. During recent meetings of theirs, they have been discussing the RM District and how it could be rezoned. As a result, they would like to know how many units would actually be able to be built in this district to make a good decision. A lot yield study takes into consideration wetlands, steep slopes, ponds and gets a gross lot area which then can be helpful in knowing how many homes could be constructed. This does not take into account sewer systems. It is based on density under the present zoning. Mr. Brown made the motion to approve the Yield Study on Tax Parcel 25-5-4. Mr. Schneider seconded the motion. Mr. Jacobs read the breakdown of costs: Subject Track Background Research, \$764.00; Lot Yield Determination, \$930.00; Transferrable Development Rights Determination, \$456; Lot Yield Study, \$623.00. Ms. Shick stated that the Planning Commission asked for the entire RM District to be done. This would add an additional 25 acres that is owned by East Pikeland Township. Mr. Jacobs stated that for the Planning Commission to make a sound decision that they should have this Yield Study. Mr. Kulakowsky stated that he will not need to go onsite. He will use GIS published data, soils, contours and stream designation. Mr. Kulakowsky added that it would be approximately \$200 to add the East Pikeland Township parcel into the study. The motion was amended to include Tax Parcel 25-5-5-E. Mr. Jacobs called for a vote which carried unanimously.

Policy Amendment to Meeting Room Use: The Board desires that the requests to use the Meeting Room, gazebo and ball fields' policy be changed. Currently the Board approves all uses. Mr. Walko stated that he has revised the policy as requested and has created a Building Use Form and an indemnification clause. The policy will now be under the Township Manager's jurisdiction. Mr. Schneider made the motion that the policy for the Township Meeting Room, gazebo and ball field requests be changed as submitted in the West Vincent Building Use Policy. Mr. Brown seconded the motion. Kit Troilier, 16 Hunt Hill Road stated that this makes sense to place it in the hands of the Township Manager. Chip Farnham, 988 St. Matthews Road stated that he is currently making the calendar for the field use. It helps to know the guidelines as the process is moving forward. Mr. Jacobs called for a vote and it carried unanimously.

Community Garden: Mr. Schneider stated that the Community Garden does not fall under any committee or commission. He suggested that it be placed under the Park and Recreation Commission. The Board was in agreement with this suggestion.

Meeting adjourned 8:40 PM.

Respectfully Submitted,

Tammy Swavely
Township Secretary