

West Vincent Township
Board of Supervisors Meeting

March 7, 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.

Mr. Jacobs announced that there was an Executive Session on March 3, 2016 to discuss real estate and on March 7, 2016 to discuss litigation.

Mr. Jacobs stated that he would like to present former Board of Supervisor Kenneth Miller with the PSATS Award. Mr. Jacobs read the following into the record: *The PA State Association of Township Supervisors hereby recognizes Kenneth Millers 24 years of dedicated service to West Vincent Township and its residents and we congratulate you on your selflessness and your lasting contributions to your neighborhood.* The audience gave a round of applause to Mr. Miller.

The first item of business was an Agriculture Security Area Hearing for Kenneth Miller, Jr. on Tax Parcels 25-7-37, 25-7-38. Mr. Jacobs turned the hearing over to Mr. McGrory. Mr. McGrory entered exhibits into the record. T-1, Ag. Security Application, T-2, Notice of Hearing, T-3, Proof of Publication, T-4 Ag Security Committee Minutes, T-5, WVT Planning Commission Minutes, T-6. Chester County Planning Commission Minutes. Mr. McGrory swore in Kenneth Miller. He asked Mr. Miller questions regarding his property. Even though it is less than 10 acres, it is adjacent to other properties that are already in the Ag Security Area. Both the WVT Planning Commission and the Chester County Planning Commission as well as the Ag Security Committee all have recommended adding these parcels to the area. There was no comment and Mr. McGrory closed the hearing. Mr. Brown made the motion to add Tax Parcels 25-7-37 and 25-7-38 to the West Vincent Township Ag Security Area. Mr. Schneider seconded the motion. Ms. Roth asked for an explanation of the Ag Security Area. Mr. McGrory stated that the biggest advantage to agriculture areas is the protection from condemnation. There were no further comments and the motion carried unanimously.

Public Comment on non-Agenda items:

Frances Ellis, 2823 Flowing Springs Road asked about the maintenance of the Township vehicles. Mr. Jacobs found an answer for her since this was discussed at the last meeting. The Public Works Department does treat the equipment each time it is the snow and ice for corrosion control.

Suzanne Roth, 1360 School House Road read a letter written by Hy Mayerson regarding the previous Road Master.

Pat Calhoun, 1621 Birchrun Road commented on the previous Road Master.

Kip Archinal, 919 Fellowship Road asked the status of the Zoning Ordinance changes. Mr. Jacobs addressed this question. He stated that the Board is holding them until more changes are needed. Mr. McGrory stated that it is cumbersome and pricy to change the Zoning Ordinance for just a few items and it is a better idea to get as many as we can before it is done. Mr. McGrory added that he is encountering additional changes that need to be done.

Mrs. Archinal asked about the status of Westover Lane with regards to the lawsuit. No punch list has been submitted from Weatherstone at this time.

Mark Dewald, 3040 Horseshoe Trail asked if there was a Road Maintenance Plan and a place for residents to report potholes. Ms. Kirchner responded to this informing her that the Township takes phone calls 24/7 and we will respond either by phone or email or you may see someone looking at the road conditions. The Public Works Department has been responding to all calls in addition to their proactive work.

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.

Chip Farnham, 988 St. Matthews Rd. commented on the road condition of Horseshoe Trail.

Mrs. Ellis commented on the Township website Road Report form.

Ms. Roth commented on the adoption of the Zoning Ordinance changes. Mr. McGrory commented on this stating that if the Board would like to prioritize this it can be done.

Approval of Minutes:

The minutes of **February 1, 2016 and February 16, 2016** were unanimously approved on a motion by Mr. Schneider and a second by Mr. Brown.

Reports:

Township Manager Report: Ms. Kirchner reported on several items including the damage and repair efforts to the roads after the rain storm on February 25th. Included was a report on why French Creek Road was closed due to a failing culvert. This is currently being reviewed by a structural engineer for recommendations. The Fellowship Trail is moving forward after a meeting was held between West Vincent Township, Upper Uwchlan Township and representatives from the St. Matthews Lutheran Church. There is a concept of dividing the trail into two sections for construction. The Planning Commission will have a speaker, Rusty Strauss, Board of Supervisor from East Pikeland Township speak on the benefits of the Regional Plan at their next meeting, March 17th.

Active Subdivision List: There are no pending deadlines.

Bills List: Mr. Brown made the motion to approve the Bills List dated 3/7/16 in the total amount of \$125,467.52. Mr. Schneider seconded the motion. The Board answered some questions and the motion carried unanimously.

Correspondence:

Information was received from the Chester County Solid Waste Authority that they are having a Shredding Event on March 12th at the Lanchester Landfill.

Subdivision/Land Development:

Goldfield Subdivision: Mr. Margusity came to discuss this subdivision application at 2653 Flowing Springs Road. It is a six acre parcel that is proposed to be divided into two-three acre parcels with an existing home. The engineer on the project discussed this at the Staff Meeting with the information that the house is currently in the Penn DOT right-of-way. If more right-of-way was given to Penn DOT as the Chester County Planning Commission letter is suggesting it would exasperate an already non-conforming home. He will write a letter to request that not be done. Mr. Kulakowsky stated that the engineering review letter stated that the plan has no deficiencies. Sara Shick, 1201 Davis Lane stated that the West Vincent Planning Commission did not recommend the extended right-of-way. There was no more comments and the Board directed Mr. McGrory to write a Resolution for the next Board meeting.

Old Business:

Chester County Emergency Communication System: Mr. McGrory opened the hearing on Ordinance 169-2016. He entered exhibits 1- the Ordinance, 2-Proof of Publication, 3-Legal Notice, 4-Proof of Receipt from the Chester County Law Library. Mr. McGrory stated that this ordinance is a requirement from Chester County Emergency Services which promotes communications between buildings. The Board did not have any questions. The Audience did not have any questions and the hearing was closed. Mr. Schneider made that Ordinance 169-2016 be approved amending the West Vincent Township Ordinance 125 to provide for additional modifications to the adopted UCC in order to better serve communications among emergency providers and personnel within structures by requiring adequate radio coverage and testing procedures. Mr. Brown seconded the motion, there was no public comment and the motion carried unanimously.

New Business:

2015 Audit Report: Pamela Baker with Barbcane, Thornton and Company, the Township's appointed outside auditor, came to the Board to present the audit report for 2015. She explained that it is mandated by the state to have an independent auditor and then file with the state. Ms. Baker stated that West Vincent Township is completely in compliance. What her company does is look at internal controls and the checks and balances. There are expenditure and revenue tests

that are done. If they find an opportunity to provide insight, they will do that also. As a Township in Pennsylvania, it is permitted under the DCED to run accounts on a cash basis. Most of the Townships run it that way. For purposes of this audit, West Vincent Township has a clean audit opinion. Mrs. Baker went through explained the report which will be placed on the Townships website. Mrs. Baker also explained her advice letter. This also will be placed on the website. Management is already working at addressing these comments. Maria Jacobs, 2351 Beaver Hill Road thank Mrs. Baker for coming and explaining the audit. Brian Curry, 512 Black Horse Road asked if the Township would have an advantage by going to the accrual accounting system. Mrs. Baker stated that there have been discussions with the Township about this and possibly the water and sewer plants could be changed over to accrual, but for a Township of this size, cash basis accounting works out fine.

On-Lot Sewage Agreement: Kenneth and Angela Frame, 1205 Pottstown Pike would like to open a Farmer' Market and part of that process is that DEP is requires them to obtain an On-Lot-Sewage Agreement from the Township. Zoning Officer Brian Willicombe stated that they plan to open a sales stand, which used to be the Pearls Farm Market. DEP has now set standards that any resident changing their property will need to have an On-Lot-Sewage Agreement. Mr. McGrory stated that ultimately the Township is responsible if the homeowner does not maintain it. Mr. Jacobs stated that for a Pump and Haul, the Township has generally collected an escrow for two or three months hauling. Since the Frame's will be done at a minimum of \$225 every two or three years, the Board discussed the amount of escrow it should collect. Mr. Brown made the motion that the Board approves the On-Lot Sewage Agreement between the Township and Kenneth and Angela Frame as submitted with an escrow in the total amount of \$300.00. Mr. Schneider seconded the motion. Mr. McGrory stated that when the Township revises its 537 Plan, all new homes and uses will be subject to this type of agreement by DEP. Mr. Brown revised his motion to approve the On-Lot Sewage Agreement subject to the limitation of the Hickman Sanitation Service letter dated March 7, 2016 with the escrow to be \$300.00. Mr. Schneider seconded the motion. Mr. Brown voted yes, Mr. Schneider voted yes, Mr. Jacobs voted no. The motion carried.

Road Materials Bid: The Road Material Bid has been prepared and ready to advertise. Mr. Schneider made the motion that the 2016-2017 Road Material Bid be advertised. Mr. Brown seconded the motion. There was no public comment and the motion carried unanimously.

Road Inspection Tour: Each year the Board of Supervisors take a tour around the Township to inspect the conditions of the roads to help make recommendations for repairs. The Board will email the office with dates and times that are convenient for them and it will be scheduled accordingly.

Ad Hoc Committee: The Board desires to appoint a committee of residents to assist in choosing the new Township Manager. Mrs. Stone asked if this was advertised. Mr. Jacobs stated that no, and each Board member chose a resident. Mr. Schneider made the motion to appoint Maurie

Kring, Bob Casciato and Shirley Puccino to the Ad Hoc Steering Committee. Mr. Brown seconded the motion which carried unanimously.

Snow Plow Policy: Mr. Schneider stated that the Township has a practice that unless the snow plow directly comes into contact with the mailbox, the Township is not responsible for replacing their mailbox. Mr. Schneider would like to adopt a policy around this practice. He has drafted a policy along with creating a form that can be used when a resident has a problem. Mr. Schneider stated that while people assume it is the truck that hits the mailbox, it is actually the accumulating snow that does the damage. Currently the Township takes calls and emails and inspects each one individually and 99% of the time it is the snow that does the damage. Ms. Kirchner stated that it is one thing to have a practice, but another to have a policy that helps out all involved. Richard Dunn, 1004 Birchrun Road stated that this sounds like the policy that North Coventry just recently adopted. Ms. Kirchner stated that this policy has a picture of the USPS standard for mailboxes. It is sturdy, and it is in this policy that this is the only kind the Township will install should they be responsible. Mr. Schneider found through his research of Townships in the area that only one replaced mailboxes. Mr. Farnham suggested a blanket number of \$25 to keep people happy. Mr. Schneider stated that no one would be happy with \$25. Mr. Jacobs was agreeable to a token payment, but the intent is still not going to be enough. This policy will be posted on the website for more discussion at the next Board meeting.

Meeting adjourned 8:50 PM.

Respectfully Submitted,

Tammy Swavely
Township Secretary