

West Vincent Township
Board of Supervisors Meeting

April 4, 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, Timothea Kirchner, Interim Township Manager and Township Secretary Tammy Swavely.

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

Public Comment on non-Agenda items:

Chip Farnham, 988 St. Matthews Road thanked the Public Works for the repairs to Horseshoe Trail.

Harriet Stone, 1645 Birchrun Road stated that the Historic Resource Committee Underground Railroad presentation went well and thanked the Board for permitting this event.

Beverly Buckta, 7 Aldephia Lane stated that she was present with several of her neighbors to thank the Board of Supervisors for stopping the event that was planned in a residential neighborhood that was not permitted. They desire to keep their neighborhood residential and not to have any commercial activity.

George Dulchinos 1415 Hollow Road commented on the 2015 Budget deficit. Mr. Brown commented on this saying that he did not feel the General Fund had a deficit and with the other accounts added together there was a surplus. Mr. Jacobs stated that Mr. Dulchinos should review the Budget vs. Actual for 2015 to get a true picture of expenditures and that in 2016 it is the Board's hope not to have a deficit. After the first three months there should be a good idea where the Township is financially.

Sara Shick, 1201 Davis Lane commented on the legal and engineering fees in 2016.

Frances Ellis, 2823 Flowing Springs Road commented that she was appreciative of the new solicitor Joe McGrory.

Brian Curry, 512 Black Horse Road commented on the past Township Audit reports.

Mrs. Stone commented on the Townships AA rating.

Kit Trolier, 16 Hunt Hill Road commented on Township services and asked what would be cut if the Board is thinking of cutting expenditures. Mr. Schneider answered that the Board has not decided on anything at this time.

Ms. Shick commented on how hard it is to get an AA rating.

Approval of Minutes:

The minutes of **March 21, 2016** were unanimously approved on a motion by Mr. Schneider and a second by Mr. Brown.

Reports:

Township Manager Report: Ms. Kirchner reported on the Public Works Department work for the time period through April 1, 2016. She announced the Conditional Use Hearing for Frances Pascal, 1406 Hollow Road will be on May 2, 2016 at 7:00 PM. Ms. Kirchner announced that the Chester County Solid Waste Authority will now be accepting televisions and computers until December 2016. The ad hoc search committee has been interviewing candidates for the Township Manager position and the Board's first round of interviews will be on April 12th. The Township newsletter has been mailed.

Active Subdivision List: There are no pending deadlines.

Bills List: Mr. Brown made the motion to approve the Bills List dated 4/4/16 in the total amount of \$60,981.95. Mr. Schneider seconded the motion. The Board answered some questions and the motion carried unanimously.

Correspondence:

A letter was received from Sara Painter, French and Pickering Conservation Trust regarding their Annual French Creek Iron Tour on June 12th. The Board opened this up for discussion to see how residents felt about the Township contributing to this event. After a discussion, Mr. Brown made the motion that the Board contribute \$1,000 to the Iron Tour as approved in the Township Budget. Mr. Schneider seconded the motion. There was no public comment and the motion carried unanimously.

Subdivision/Land Development:

Eagle Farms Subdivision/Toll Bros.: Toll Bros. has requested Surety Reductions on a Performance Surety Bond and Cedarville Engineering is recommending their release. This is for the Sanitary Sewer improvements and Upper Uwchlan Township has previously approved this release. Mr. Schneider made the motion to approve Release #9, Sanitary Improvements, Phase 1/2A in the total amount of \$916,170.76. Mr. Brown seconded the motion, there was no public comment and the motion carried unanimously.

Weatherstone/Hankin: Neal Fisher submitted a request for release of escrow for Weatherstone Phase III. Mr. McGrory stated that Carroll Engineering has submitted a letter saying that everything is complete and this can be released. He added that he has met with the HOA regarding their engineering transition study and everything in that report is outside the realm of public improvements. Those were released a long time ago. Mr. Schneider made the motion to approve the release for Phase III Escrow Release No. 2 in the total amount of \$220,996.35. Mr. Brown seconded the motion. Ms. Shick asked if this is the final release. Mr. Fisher stated that is was

except for the commercial area escrow. Ms. Shick asked if the Linden Ave. trail connection or the berm along Westover Lane was complete. Mr. Fisher stated that the path is an equestrian trail and it is there. He also stated that in a Settlement Agreement with some residents it identified plantings and they were installed and inspected by Carroll Engineering. Joe Vasile, 2712 Horseshoe Trail stated that the plantings were to block the view of the subdivision from Westover Lane. Mr. Jacobs stated that this is a legal issue and nothing to do with the escrow held by the Township. Mr. McGrory added that the engineer reviewed it and said everything was done, the Township really does not have any choice but to release it. Mr. Brown asked if the plantings were covered by this escrow. Mr. McGrory stated that the Township should go on the advice of their engineer. Mr. Fisher stated that he walked the road with the engineer who counted the trees. Mr. Schneider asked who would be responsible if it was not correct. Mr. McGrory stated that the engineer is liable. Mr. Jacobs added that there is a timing issue to this. Mr. McGrory stated that the Township has a professional letter to rely on. Kip Archinal, 919 Fellowship Road was upset stating that the terms of the lawsuit were not fulfilled. Mr. McGrory asked Mr. Fisher if he would mind waiting two weeks until the resident's issues are addressed. Mr. Fisher stated that there are two sides to every story and he resents people saying Hankin did not follow in their commitments. Mr. McGrory asked him to come to a staff meeting to clear things up. Mr. Fisher agreed and Mr. McGrory thanked him for being gracious and not taking a deemed approval of release. Mr. Brown tabled the motion. Mr. Schneider seconded the motion which carried unanimously.

Southdown/Fox Hollow: Mr. McGrory stated that he met with the HOA over their issues with the trail being mulch. Many people did not want the mulch as it calls for in the plan. The HOA had an unrelated issue with a basin that needed to be adjusted. Tim Townes, Southdown Homes, came to a Staff Meeting and was asked to eliminate the mulch from the trail and instead put in posts at the turns. He agreed to do this and in exchange the Township asked him to repair the basin. This is all memorialized in a letter. Based on that letter, this can be considered a field change. Mr. Brown made the motion that the field change as request from Tim Townes, Southdown Homes for the Fox Hollow Subdivision be approved as submitted in the letter dated April 1, 2016 with the trail being changed from a mulch trail to a delineated trail with markers at all changes in direction and that Southdown Homes will install a rock and fabric channel between the fore-bay and infiltration area as directed by the Township Engineer. Mr. Schneider second the motion which carried unanimously.

Old Business:

Road Material Bid: The 2016 Road Material Bids were reviewed and have met the bidding requirements. Mr. Schneider made the motion that the lowest bidder, Cedar Hollow Recycling be awarded the 2016 Road Material Bid as submitted. Mr. Brown seconded the motion which carried unanimously.

New Business:

Office Equipment: Mr. Schneider made the motion that the five file cabinets and table be purchased on the COSTARS contract as submitted by the proposal from Benjamin Roberts

Office Interiors dated March 18, 2016. Mr. Brown seconded the motion which carried unanimously.

PEMA Agent: The Federal Government has approved funding for the blizzard in January 2016. In order to file for this, a Township representative is necessary. Mr. Brown made the motion that Timothea Kirchner be appointed as the PEMA Agent for the Winter Storm DR-4267. Mr. Schneider seconded the motion which carried unanimously.

Stormwater Agreement: Mr. Schneider made the motion that the Stormwater Agreement with Randall and Janna King, 1985 Beaver Hill Road be approved as submitted and reviewed by Cedarville Engineering. Mr. Brown seconded the motion. Mr. McGrory stated that this can be done administratively, it does not have to come to the Board for approval. There was no other comments and the motion carried unanimously.

Stormwater Agreement: Mr. Schneider made the motion that the Stormwater Agreement with Bonnie and David Peters, 1156 Jaine Lane be approved as submitted. Mr. Brown seconded the motion. There was not a review from Cedarville Engineering on this application. Mr. Brown made a motion to withdraw his prior motion. Mr. Schneider seconded the motion which carried unanimously.

Mr. Schneider made the motion that the Township Manager be appointed to sign the Stormwater Agreements. Mr. Brown seconded the motion. There was no public comment and the motion carried unanimously.

Floodplain Update: Cedarville Engineering has prepared a proposal to update the Township's Floodplain Ordinance because the Federal Emergency Management Agency, FEMA is updating the floodplain maps. Part of the process is that Townships must adopt it as an ordinance. Mr. McGrory stated that the changes are technical and an engineer should review the process. Mr. Schneider stated that before West Vincent moves forward with this he would like to contact other Townships to see how they are dealing with this. Mr. McGrory stated that this takes a long time to complete since there is a process to it and it will have to be done. The Federal Government does not give the Township much discretion. This will be tabled until the next Board meeting.

New Zoning Hearing Application: A new zoning hearing application was received for 1202 Butterfly Ct., A & S Pools. This is for information only and no hearing date has been selected.

Meeting adjourned 8:35 PM.

Respectfully Submitted,

Tammy Swavely
Township Secretary