

West Vincent Township  
Board of Supervisors Meeting

April 13, 2015      7:30 PM

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

Chairman Miller called the meeting to order at 7:30 PM.

The first item of business was to open the bids for Road Materials. The Board opened sealed bids and the results are as follows:

DESCRIPTION	Cedar Hollow Recycling 100 Paradise St. Phoenixville, PA 19460 Unit FOB Plant	Cedar Hollow Recycling 100 Paradise St. Phoenixville, PA 19460 Unit Delivered	Highway Materials, Inc. 1750 Walton Rd. Blue Bell, PA 19422 Unit FOB Plant	Highway Materials, Inc. 1750 Walton Rd. Blue Bell, PA 19422 Unit Delivered
Anti-Skid Type 2	14.25	19.60	8.00	18.00
Anti-Skid 6S	No Bid	No Bid	No Bid	No Bid
PSP	No Bid	No Bid	115.00	120.00
2A Crushed Blacktop (Millings)	9.00	14.35	7.25	12.25
2A Crushed Concrete	7.00	12.35	No Bid	No Bid
3A Crushed Concrete	7.90	13.25	No Bid	No Bid

Mr. Miller stated that the Township staff will review the bids and they will be awarded at the next meeting on April 27, 2015.

The next bid opening was for the Mowing of the Township Sewer Plants. No bids were received. This will be re-advertised.

**Public Comment on Non-Agenda Items:**

**Gloria Shontz, 2415 S. Chester Springs Road** commented on the stop sign at the end of S. Chester Springs Road.

**Frances Ellis, 2823 Flowing Springs Road** commented on the Trash Task Force and the Townships purchase of TDR's in 2013.

**Harriet Stone, 1645 Birchrun Road** commented that residents should submit questions to the Board prior to a Board meeting in order to get them answered properly.

**Brian Curry, 512 Blackhorse Road** commented on the Wetherill Water Plant, the Township website and the Planning Commission meeting of March 2015.

**Chris Peeples, 1611 Kimberton Road** commented on the Township zoning.

### **Approval of Minutes:**

The minutes of **March 23, 2015** were unanimously approved on a motion by Mr. Brown and a second by Mr. Jacobs.

### **Reports (full copies are attached):**

Township Manager Report: The Township Manager Report for the period ending 4/13/15 was acknowledged as submitted. Mr. Wendelgass stated that he received a quote on the repair of a new controller at the Weatherstone WWTP. Mr. Brown made the motion that the Board approve the purchase of the new controller as submitted by Optimum Controls Corp. in the total amount of \$2,150.00. Mr. Jacobs seconded the motion. The Township Manager answered questions on the proposed purchase and the motion carried unanimously.

Road Master Report: Mr. Miller read the attached Road Master Report for the month of March 2015 which was acknowledged as received.

Active Subdivision List: There are no pending deadlines.

Bills List: Mr. Brown made the motion to approve the Bills List dated 4/13/15 in the total amount of \$164,237.02. Mr. Jacobs seconded the motion. The Board answered some questions and the motion carried unanimously.

### **Correspondence:**

A letter from John DeMarco, Chief of Police, Upper Uwchlan Township dated April 1, 2015 thanking the West Vincent Police Department for assistance during a call was acknowledged as received.

An invitation to the Chester County Library System's Annual Legislative Breakfast on May 8, 2015 was acknowledged as received. The Board members are to let Mr. Wendelgass know if they can attend so that he can RSVP for them.

An email request to use the Meeting room was received from Officer Raymond Liczbinski to use it for a baby shower on May 16<sup>th</sup>. Mr. Brown made the motion to permit the same. Mr. Jacobs seconded the motion which carried unanimously.

**Subdivision/Land Development:**

Hankin/Brunner Land Development: Anne Porter, Special Solicitor for the Township informed the Board that Hankin is to transfer the Brunner Property in phases to Pulte. Hankin would like their letters of credit returned, but the Board cannot do that until the closing. Ms. Porter read a resolution into the record: NOW THEREFORE BE IT RESOLVED, that the Board of Supervisors of West Vincent Township, Chester County, Pennsylvania conditionally approves the replacement of the Weatherstone Letters of Credit with the Pulte Letters of Credit; BE IT FURTHER RESOLVED, that upon the submission by Pulte and Weatherstone of written confirmation from their counsel addressed to Township's Special Counsel that the settlement has occurred on the acquisition by Pulte of Phase I without reservation or conditions antecedent, wherein Pulte agrees to adhere to the terms and provisions of the Settlement Agreement, Final Approved Plans, modified Bruner Settlement Plans, Bruner Sewer Agreement, and Bruner Development and Security Agreements insofar as they relate to Phase I, the Board of Supervisors hereby authorizes the release and return to Weatherstone of the Weatherstone Letters of Credit, and directs the Township staff and Special Counsel to (1) effectuate such release and return of the Weatherstone Letters of Credit, and (2) accept the Pulte Letters of Credit. Mr. Brown made the motion that the Board adopt the Resolution as read. Mr. Jacobs seconded the motion. There was no public comment and the motion carried unanimously.

Markle Subdivision: A decision has been prepared and reviewed by the Board on the Markle Subdivision. Mr. Miller stated that he must recuse himself from the voting since he rents ground from Mr. Markle. Mr. Brown read the Decision into the record. Mr. Jacobs made the motion to approve the Markle Subdivision as presented in the Decision. Mr. Brown seconded the motion. There was no public comment and the motion carried unanimously.

Eagle Farms Subdivision: Residents who live near this subdivision came to the Board with several questions. Mr. Miller stated that he has not had any discussion at this time with the developer. Mr. Wendelgass stated there has been an ongoing discussion on the culverts. The residents are not happy with the way that the culverts look since they are concrete, not stone faced. The residents feel that the Conditional Use Decision, which states that the retaining walls be covered in fieldstone, should cover all structures. Mr. Wendelgass stated that after discussions with the developer, they feel that the Decision refers to the retaining wall only. He stated that the Township is still in discussion with them about it. Jennifer Farnham, 2665 S. Chester Springs Road read the Decision on page 86 of the plan into the record in support of the resident's theory. Mr. Miller agreed with the residents that pressure should be put on Toll Bros. but the information has to go to people higher up in the business to get anything done. Ronald Brostrom, 2655 S. Chester Springs Road brought information on stone veneer that can be placed on the culverts without much cost or trouble. He has seen it done in other places. Anne Ewing, 2211 Eagle Farms Road stated that in the early stages of the development Toll Bros. assured her that the culverts would be stone. The residents also had an issue with metal guard rails. They would like to not have any guard rails, but if they had to, then they would like to have wood. Mr. Brostrom showed the Board pictures of his grading along his property where the guard rails are to go. Ms. Ewing stated that she sent a list of questions to Toll Bros. and will send it to the Township. After a lengthy discussion Mr. Miller stated that the Township will see what can be done. The Board all agreed that the Township engineer should be told that the Township should support the residents on these issues.

Ms. Ewing added that the culvert is on her property and she will need an easement. Solicitor Stephen Siana stated that a meeting should be set up between the decision makers for the developer and counsel along with representatives from the Township and neighbors. Mr. Wendelgass will set up a meeting. However, the Township cannot stop the work in progress. Signage was discussed. Mr. Brostrom stated that in discussion with West Vincent Officers that the Road Closed sign is not appropriate since it is a citable offense to go past this sign. It should be changed to Access Restricted or something more suitable. There is no turn around and people do not know this when they come down the road. The Township engineer is working on a turnaround plan. Mr. Miller stated that the solicitor will be able to tell us the parameters of what can be put on a sign.

### **Old Business:**

Community Garden: Draft rules and regulations have been proposed. The Board will review these and make a decision on them at the next meeting. So far the fence has been installed and the plowing has been done. It is hoped that the garden can open shortly.

Farmland Lease: The Township owns property at 1359 Pottstown Pike that is rented out to a local farmer. At a prior meeting, the Board discussed raising the rent \$5 acre/year and in turn the lease would automatically renew and the farmer would not have to ask to renew it every year. This has been agreed upon by the farmer. Mr. Brown made the motion that the Township agree to the terms of the lease as provided. Mr. Jacobs seconded the motion. There was no public comment and the motion carried unanimously.

Fellowship Trail: Mr. Wendelgass stated that he is in the process of setting up a meeting with the church representatives and Upper Uwchlan Township representatives. If the church does not approve the sidewalk on their property, the plans have been prepared to place the trail in the Right-of-Way.

Sidewalk to Elementary School: Mr. Wendelgass stated that questions and comments have been received from the landowner where the sidewalk it to cross.

Sustainability Fair: The 3<sup>rd</sup> Annual Sustainability Fair will be on April 18<sup>th</sup> from 10-3. All are encouraged to attend.

### **New Business:**

New Stormwater Management Agreement: A new Stormwater Management Agreement has been submitted with a grading permit for 1418 Hilltop Road. This has been approved by Carroll Engineering. Mr. Brown made the motion to approve the Stormwater Best Management Practices, and Conveyances Operation and Maintenance for 1418 Hilltop Road, Tax Parcel 25-3-110.1 and for the Chairman and Secretary to execute the same. Mr. Jacobs seconded the motion. There was no public comment and the motion carried unanimously.

Meeting adjourned 9:00 PM