

West Vincent Township
Board of Supervisors Meeting

May 11, 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 the Sewer Plant Mowing. Three bids were received and Mr. Miller did not open any since he was one of the bidders. Mr. Brown and Mr. Jacobs opened the bids and read them into the record in the order below. Mr. Wendelgass stated that the bids will be reviewed by staff and be awarded at the next Board meeting, May 26, 2015.

Bidder	Matthews Meadows Bid	Weatherstone Bid	Total Contract
Greenscape Landscape Contractor, Inc. 733 Willow Grove Ave. Glenside, PA 19038	1 Mowing: \$1,400.00 5 Mowings: \$7,000.00	1 Mowing: \$4,400.00 3 Mowings: \$13,200.00	\$20,200.00
Deerfield Mowing & Property Maintenance, Inc. 708 Pheasant Run West Chester, PA 19382	1 Mowing: \$1,325.00 5 Mowings: \$6,625.00	1 Mowing: \$4,125.00 5 Mowings: \$12,375.00	\$19,000.00
Kenneth Miller, Jr. 2573 Horseshoe Trail Chester Springs, PA 19425	1 Mowing: \$1,500.00 5 Mowings: \$7,500.00	1 Mowing: \$3,000.00 5 Mowings: \$9,000.00	\$16,500.00

Public Comment on Non-Agenda Items:

Harriet Stone, 1645 Birchrun Road commented that she had a lot of extra milkweed seeds to encourage Monarch Butterflies for anyone who wants them.

Francis Ellis, 2823 Flowing Springs Road, commented on the full parking lot with the sport teams and the Board meeting.

Brian Curry, 512 Blackhorse Road, commented on the legal fees that the Board members were going to review.

Richard Dunn, 1004 Birchrun Road, commented on the full parking lot.

Maria Jacobs, 2351 Beaver Hill Road, commented on the covering of the video cameras on Election Day and the poll workers using the Township kitchen.

Ken Allan, 21 Ivy Lane, thanked the Township for having a successful Community Day on May 9th and praised all the people who put it together.

George Dulchinos, 1415 Hollow Road, commented on the Phoenixville Regional Plan minutes and the various committee agendas.

Sara Shick, 1201 Davis Lane, commented on the Park and Recreation Agenda for May 2015.

Francis Ellis commented on preserving old cemeteries in the Township.

Thomaseth Dulchinos, 1415 Hollow Road, commented on preserving old cemeteries in the Township and other historic resources.

Suzanne Roth, 1360 School House Lane, commented on hiring a professional to review the Township Zoning Ordinances to strengthen them in assisting the preservation of the Township's historic resources.

Kip Archinal, 919 Fellowship Road, commented that the Sustainability Committee's sub group is meeting with the Planning Commission and is discussing how to strengthen the Zoning Ordinances and more are welcome to join.

Brian Curry commented on different Township committee meetings.

Hy Mayerson, 1585 Hollow Road, asked for a 2014 Balance Sheet.

Susan Miller, 2573 Horseshoe Trail, thanked the Board for protecting Open Space for the future of the Township.

Approval of Minutes:

The minutes of **April 27, 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 5/11/15 was acknowledged as submitted.

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

Active Subdivision List: An extension was submitted by Dave Gibbons for the Batchelor Subdivision. Mr. Brown made the motion to grant the Extension for the **Batchelor Subdivision** until June 30, 2015. Mr. Jacobs seconded the motion. Martin Manco, attorney for a neighbor,

Michael Williams, 15 Ivy Lane stated that this is going on for a very long time. Solicitor Steven Siana stated that he had a conversation with the Applicant's attorney over the concerns of the width of the encroachment, turnouts and the Stormwater. The Applicant has agreed to revisit the plan to see if it can be revised. Mr. Alan informed the Board that a lot of Ivy Lane residents were present this evening. He stated that Ivy Lane is a private road and everyone who lives on it contributes to the Home Owners Association (HOA) which provides funding for snow plowing, road maintenance and landscaping. This proposed subdivision would use Ivy Lane and not have to contribute to the HOA and they do not think that is a good idea. He invited Mr. Batchelor to come to a HOA meeting to discuss it. He also stated that the cul-de-sac is situated such that he will have to go all the way around the circle to enter into the driveway. Mr. Alan invited the Board to come to the site to see what he is talking about. The Board will consider it in an Executive Session immediately following the meeting. There was no further comment and the motion carried unanimously.

Bills List: Mr. Brown made the motion to approve the Bills List dated 5/11/15 in the total amount of \$118,263.55. Mr. Jacobs seconded the motion. Mr. Miller stated that he would like to hold the bills for Pipe Xpress, Inc. and Cedar Hollow Recycling. Mr. Brown revised the motion to exclude those invoices and the total Bills List was revised to \$106,231.39. The Board answered some questions and the motion carried unanimously.

Correspondence:

An email request to use the Meeting room was received from Marchetta Antellocy, 21 Gregory Way for the Brandywine Foundation to use it for a Bingo Day. Mr. Brown made the motion to permit the same as long as a certificate of insurance is provided and a Small Games of Chance Permit is obtained at the County. Mr. Jacobs seconded the motion which carried unanimously.

A request to use the gazebo on May 30 from 3:30 PM-6:30 PM was received from Mike Bullard, for the Green Valleys Association. Mr. Brown made the motion to permit the same. Mr. Jacobs seconded the motion which carried unanimously.

A request to use the gazebo on June 7 from 2:00 PM-5:00 PM was received from Becky Malcom, for the Coventry Youth Lacrosse Association. Mr. Brown made the motion to permit the same. Mr. Jacobs seconded the motion which carried unanimously.

A request to use the soccer fields on Sunday mornings from May 17 through September 27 from 7:00 AM – 9:00 AM was received from Eduardo Martinez. Mr. Brown made the motion to permit the same providing that they provide proof of insurance. Mr. Jacobs seconded the motion which carried unanimously.

Subdivision/Land Development:

Batchelor Subdivision: Mr. Manco discussed this plan with the Board. He stated that it has an access issue with three lots currently on a shared driveway. With another lot added, it would be a fourth, which he claimed was not permitted by the Township ordinances. The other issue is that Ivy Lane is a private road. Mr. Miller asked if the lot that Mr. Batchelor owned was created before

or after the Ivy Lane subdivision. This lot was created before that subdivision. Mr. Alan asked the Board to visit the site to see what an impact it will have. There is a 20' easement to access Mr. Batchelor's property along Michael Williams' property, 15 Ivy Lane. Mr. Manco added that the Planning Commission was felt that there were only two people who use that access, but there is a third, Gregory Koterba, 2340 Horseshoe Trail. The Board will discuss a site visit.

Fox Hollow Subdivision: Joseph Galli, 2553 Veronica Dr. came to the Board with an issue on the road next to his property. He stated that he was promised peace and privacy by his builder when he bought the property seven years ago, but feels he has not gotten that due to people trying to go through Kennard Way to the Eagle Farms subdivision. This is to be gated at the end of the subdivision and to be used for emergency access only. He said that the staff was able to obtain a "No Throughway" sign last week and cars still go through the road since Google Maps directs them that way. He asked the Board if the Township could contact Google to get this corrected. He also stated that the chain that Toll Bros. put up between Kennard Way and Paige Place a very cheap chain, so truck drivers cut it and go through. He has repaired the chain a number of times. Mr. Brown stated that there are a few items going on, the first being that the builder was not truthful with him when he purchased his home. As far as the road, he deferred to Mr. Miller as Road Master. Mr. Miller stated that a permanent gate will go up at the time of dedication. He added that the Board will discuss this in an Executive Session to determine if there is a solution. The Board will also schedule a site visit.

Eagle Farms Subdivision: Jennifer Farnham, 2665 S. Chester Springs Road asked for signage for their road since people are traveling on it only to find out that it is closed at the end. Ronald Brostrom, 2655 S. Chester Springs Road stated that he spoke with the Police Chief on wording for a sign. He would like it 3'x 4', large enough to make an impression on drivers. He also stated that people are driving on his lawn to turn around. Mr. Siana stated that he and Jim Wendelgass met with representatives of Toll Bros. and Orleans and their counsel on May 8th. The plans for turnarounds were discussed. Toll Bros. is going to see what is feasible versus preferable and will look at possible gate locations. The guide rails were installed as per the Township Engineer recommendations. The culverts were also discussed as to being out of the right-of-way. The stone veneer on the culverts was also discussed. Toll Bros. plans to reach out to the neighbors to see what kind of stone would be preferable. Mr. Siana stated that the gate was the Townships issue since it was a health, welfare and safety issue. Mrs. Farnham asked about the Conditional Use wording where no industrial looking structures were to be constructed and she feels that the culverts are that. Mr. Siana stated that Toll Bros. feels that it refers to retention walls only, but the Township made it clear that in the spirit of the Decision, it asked that a stone face should be added. Toll Bros. will come back to the Township with what they are willing to do. They also plan to look at the grading and come back with a plan for the gate. This will be reviewed by Carroll Engineering. Mr. Miller asked where they wanted the gate. Mr. Brostrom stated that they want it to the south of the culvert. Signage was discussed at this meeting. Mr. Miller stated that he will see what can be done about a sign.

Brunner/Pulte: Pursuant to the Developer's Agreement, Bill Creeger, Pulte, has requested a name change for this Land Development. He proposes to change it from the *Courtyards at Weatherstone* to *Courts at Chester Springs*. Mr. Brown made the motion to accept the name change. Mr. Jacobs seconded the motion. There was no public comment and the motion carried unanimously.

Stonecroft: Mr. Miller stated that he has been in conversation with representatives of the Homeowners Association about sidewalks in the Stonecroft Subdivision. He went to look at them and it is not just a repair, but some need to be replaced. He feels that Carroll Engineering should look at it to see what could be done. Mr. Brown made the motion to authorize Carroll Engineering to inspect the sidewalk and make a recommendation. Mr. Jacobs seconded the motion. There was no public comment and the motion carried unanimously.

Old Business:

Sidewalk to Elementary School: Mr. Wendelgass stated easement language has been agreed upon and should be ready for the next Board meeting. That is a major component in the Penn DOT HOP permit. After the permit is approved, this will go out to bid.

Fellowship Trail: Mr. Wendelgass stated that he is still trying to set up a meeting between the church representatives and Upper Uwchlan. He hopes to do it in the next couple of weeks.

New Business:

New Stormwater Management Agreement: A new Stormwater Management Agreement has been submitted with a pool and decking permit for 850 Fellowship 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 850 Fellowship Road, Tax Parcel 25-7-80.4 and for the Chairman and Secretary to execute the same. Mr. Jacobs seconded the motion. After some Board discussion on the wording of the Carroll Engineer review letter, Mr. Miller voted yes, Mr. Brown voted yes, Mr. Jacobs voted no, motion carried.

Infectious Disease Officer: Mr. Wendelgass stated that the West Vincent Police Department and Fire Departments can come in contact with bodily fluids in the line of duty. They are not permitted to view the medical records of the person they came into contact with. If we have an appointed, trained and certified Infectious Disease Officer, this person would have the ability to work with the departments and get the information and let the officer know if he or she has to seek medical treatment from coming in contact with such. West End Ambulance has a person who is willing to do this free of charge for West Vincent Township. Chief Swininger and Jim Wendelgass are in favor of this to protect the employees. Mr. Brown made the motion to appoint Heather Staley as the Infectious Disease Officer. Mr. Jacobs seconded the motion. After much discussion, this item was tabled until the next Board meeting.

Dust Control Bid: The spring season is very dry and Mr. Miller is concerned that we may need to treat the dirt road with soybean oil this year. We have already had requests for it by some residents. Mr. Jacobs made the motion to advertise for Dust Control. Mr. Brown seconded the motion. There was no public comment and the motion carried unanimously.

Black Horse Road Repairs: Mr. Miller stated that Carroll Engineering has estimated \$50,000 - \$75,000 for engineered plans to repair the paved portion of Blackhorse Road. Mr. Miller stated

that this road is in bad condition and needs to get repaired. Mr. Brown made the motion that Carroll Engineering engineer a plan and prepare a bid package to reconstruct Black Horse Road. Mr. Jacobs seconded the motion. Mr. Curry asked what exactly is being done. Mr. Miller stated that the grade needs to be changed to drain towards Route 100 and paving is needed. There was no further comment and the motion carried unanimously.

Trout Rodeo: The West Vincent and East Vincent Township Police Departments have an Annual Trout Rodeo free for children age 5 to 14 at French Creek Road between Beaver Hill Road and Pughtown Road. This year it will be on May 16th with registration at 7:30 am and begins at 8:00 am. Awards are presented at noon.

French Creek Road Building: Mr. Jacobs is concerned with the condition of a building along the French Creek. He is worried that it is dangerous and asked if the Township can do anything about it. Mr. Wendelgass stated that the Township is currently working with the landowner.

Mr. Miller announced that there will be an **Executive Session** immediately following the meeting to discuss possible litigation and real estate.

Meeting adjourned 9:55 PM

Respectfully Submitted,

Tammy Swavely
Township Secretary