

West Vincent Township
Board of Supervisors Meeting

May 15, 2017 7:00 PM

Attendance: Chairman John Jacobs, Vice Chairman David Brown, Michael Schneider, Township Solicitor John Walko, Hamburg, Rubin, Mullin, Maxwell and Lupin, Bryan Kulakowsky Township Engineer, Manager Erica Batdorf and Township Secretary Tammy Swavely. Chairman John Jacobs called the meeting to order at 7:03 PM.

Mr. Jacobs announced that there were Executive Sessions on May 3, 2017 and May 5, 2017 to discuss real estate and on May 15, 2017 to discuss personnel.

Approval of Minutes:

Mr. Schneider made the motion to approve the May 1, 2107 minutes as submitted. Mr. Jacobs seconded the motion which carried unanimously.

The Agenda was reordered since the auditor was not present to give the report.

Reports:

Bills List: Mr. Schneider made the motion that the Bills List dated 5/15/2017 in the total amount of \$174,124.88 be approved as submitted. Mr. Brown seconded the motion. There was no public comment and the motion carried unanimously.

Correspondence:

Ms. Batdorf shared that the Pennsylvania Department of Agriculture has placed a Pest Alert about the Spotted Lanternfly. This information will be on the Township's website.

The Household Hazardous Waste Event will be at the Owen J. Roberts Middle School on May 20th from 9:00 AM – 3:00 PM.

Ms. Batdorf shared that Community Day was changed due to the weather to May 20, 2017 from 10:00 AM – 3:00 PM.

Subdivision/Land Development:

Eagle Farms/Toll Bros.: Mr. Schneider made the motion to approve Release #4, Sanitary Sewer Improvements for Toll Bros. /Ewing Tract as recommended by the Township Engineer in his May 15, 2017 letter in the total amount of \$57,698.34. Mr. Brown seconded the motion. This is the final release for this bond. The Board answered a few questions and the motion carried unanimously.

Bryn Coed/NLT Subdivisions 2, 3, 4: These subdivisions have been reviewed by the Township Engineer and the Township Solicitor has incorporated all the waiver requests and engineering comments into the prepared resolutions. Mr. Schneider made the motion to approve Resolutions 13-2017, 14-2017 and 15-2017 as submitted by the Township Solicitor which approves the Bryn Coed Subdivisions 2, 3, and 4 respectfully. Mr. Brown seconded the motion. Mr. Kulakowsky stated that one of the conditions of approval is to comply with his review letters. Sara Shick, 1201 Davis Lane asked if the first subdivision plan reviews were submitted. They were not since they are still doing sewer testing. Mr. McGrory, Township Solicitor stated that these resolutions were sent to the Applicant's attorney and the Board and all parties agree on them in this final form. There were no further comments and the motion carried unanimously.

Hankin/Weatherstone Escrow Release: Mr. Schneider made the motion that the escrow be released to the Hankin Group for the Phase 1 Commercial area in the amount of \$58,303.60 as recommended by the Township Engineer in his May 15, 2017 letter. Mr. Kulakowsky stated that this escrow cash was collected to pay invoices on the commercial site in 2008. It was for construction that was not performed. Since the site plan is going to be revised a new escrow will be put in place for the new plan, The Hankin Group has asked for this escrow to be returned. The Board answered some questions and the motion carried unanimously.

Old Business:

Electricity Supplier Contract: Ms. Batdorf stated that the rates that are before the Board this evening are the current market rates for today for all the Township facilities. At the last meeting there was a question on demand services charges. PECO puts contracts on facilities and charge regardless of the carrier. This is the charge on base usage during peak activity. This is a tariff and will not change since it is a fixed rate. Ms. Batdorf shared that this tariff is a charge from the meter at the high point of usage which is the most strain on the meter. It calculates it and there is a formula that sets the rate. Pieter Ouwerkerk, 11 Spring Lea Lane stated that typically a sewer plant can change the math by moving pumps that are started up, which can change the price. Ms. Batdorf stated that it is a good point and will see if this is done. Mr. McGrory asked if this could be severed without penalty and Ms. Batdorf informed him yes. Mr. Schneider made the motion that the Board approve the 48 month pricing with Constellation with the latest price per kWh as /05477. Mr. Brown seconded the motion which carried unanimously.

Revised Open Space Review Board Ordinance: Mr. McGrory opened the hearing for the consideration of adoption of Ordinance 177-2017 Open Space Review Board. He entered exhibits into the record: 1. The Ordinance 2. Legal notice 3. Proof of Publication 4. Proof of notice to the Chester County Law Library. Mr. McGrory stated that the ordinance is being revised to eliminate the requirement that a Board member be on and has taken out all references to that. The Board did not have any questions. Mr. McGrory closed the hearing and re-opened the public meeting. Mr. Schneider made the motion to adopt Ordinance 177-2017 as presented this evening amending the Open Space Review Board membership requirements. Mr. Brown seconded the motion. The Board answered a few questions and the motion carried unanimously.

Open Space Review Board Appointment: Mr. Jacobs stated that this will be tabled since a few new applicants were just received.

Feasibility Study: Mr. Schneider made the motion to authorize the firm Kimmel Bogrette Architecture to do a Feasibility Study of the West Vincent Township office complex for a total amount of \$14,500 as recommended by the Township Manager. Ms. Batdorf shared that there have been discussions about the Township Building, the Police Department and the Public Works Department areas for a while now. She put out an RFP to consider the Townships future for a Feasibility Study based on those needs. The Township received 15 proposals, she short listed the group and had three interviews. Kimmel Bogrette Architecture firm did a good job and have a reasonable price. They are involved with PSATS and do a lot of municipal work. They have a strategic work plan and understand municipal constraints. Mr. Jacobs stated that this is for long range planning, 5-10 years from now. The Township must consider different needs, for instance the hiring of a female police officer. After a short discussion, Mr. Jacobs called for a vote which was unanimous.

Paving of Horseshoe Trail and Nantmeal Road: Mr. Schneider made the motion to approve the Bid Award to Innovative Construction Services, Inc. for the paving of Horseshoe Trail and Nantmeal Road in the total amount of \$342,442.45 as recommended in the Township Engineer letter dated May 15, 2017. Mr. Brown seconded the motion. Ms. Batdorf stated that this number is under the budgeted number for this repair. Mr. Kulakowsky stated that the number is lower since it was determined to do a cold in place recycling on the road. It is a quicker process and the Township can save \$80,000. Mr. Schneider asked if there was a downside to this type of repair and Mr. Kulakowsky told him no. The company has a 90 day window to complete the job and will notify the Township within 14 days of construction. They are required to go door to door informing the homeowners along the route. Pam Brown, French and Pickering Conservation Trust asked if this would impact the Iron Tour on June 11 and Mr. Kulakowsky stated that this must be approved by Penn DOT first so this will not start until June 15th. Mr. Kulakowsky answered additional questions and Mr. Jacobs called for a vote which was unanimous.

Bid for Repair of the Hollow Road: Mr. Schneider made the motion to reject all bids received for the repair to the Hollow Road Bridge as recommended by the Township engineer letter dated May 15, 2017 and to authorize the advertisement of the re-bidding for this project. Mr. Brown seconded the motion. Mr. Kulakowsky explained that the three bids received were completely different even though there was a pre-bid meeting and a site visit. A structural engineer will review the bid specs to make clarifications. All of the bidders will be interviewed to see why they bid what they did. Mr. Kulakowsky answered additional questions and Mr. Jacobs called for a vote which was unanimous.

2016 Audit Report: Steven Kupsufakis, Barbacane Thornton & Company, LLP was present to discuss the Audit and the Financial Statements. He stated that the DCED Report was filed on time along with the summary report. He stated that the audit has a modified opinion which is the highest

level. During this audit there were no internal control issues. The Township uses a cash basis instead of accrual basis which is something the Township should consider changing sometime down the road. Mr. Jacobs asked if this is odd and if the Township should change. Mr. Kupsuflakis stated that the large Townships do accrual but the smaller ones are cash basis. Ms. Batdorf stated that it is something to explore. Mr. Jacobs asked if the Board should have the invoices attached to each check they sign. Mr. McGrory stated that it was not necessary because there is the Bills List to refer to and Ms. Batdorf reviews all the invoices. Mr. Kupsuflakis stated a Financial Summary was prepared for the second year which will be helpful. The audience had questions that were answered and the Board thanked Mr. Kupsuflakis for his report.

New Business:

Sewer Ordinance: Mr. McGrory stated in the Township's Sewer Ordinance, the Township is responsible for grinder pumps even if they are on private property. Best practices are that the homeowner owns up to the Right of Way. Mr. McGrory is advising to change the ordinance. Mr. Schneider made the motion that the Board authorize the advertisement of the revision to the Sewer Ordinance for a hearing to be considered at the June 19, 2017 meeting. Mr. Brown seconded the motion which carried unanimously.

New Zoning Hearing Application: A new Zoning Hearing Application was received from Jason and Melissa Owens, 2388 S. Chester Springs Road. Mr. McGrory stated that the homeowner would like to construct a 2500 sq. ft. accessory structure which will encroach into the riparian buffer which they need a variance for this. The Board needs to determine if they would like him to support, deny or do nothing with this application. Lindsay Dunn, Esq. representing the Applicant was present. She stated that the property is 5.4 acres and it is bisected by a stream and the only portion that an accessory dwelling could be placed is in the proposed spot. This will be farther away from the stream than the dwelling. The Board does not have an opinion on this issue and will be forwarded to the Planning Commission and the EAC in addition to the Zoning Hearing Board.

Cedarville Engineering Proposals: Mr. Kulakowsky reviewed two proposal for services with the Board. The first one is for professional surveying services of the sewer plants. It also would assist in the quiet title that the Township is doing with the St. Stephens Green parcel that is currently owned by the West Vincent Land Trust. Easements are necessary on two parcels of Weatherstone open space for the sale of the sewer plants. Mr. McGrory stated that in order to sell the plants, accurate data is necessary. An access easement needs to be created. After the audience had questions, Mr. Brown made the motion that the Board does not accept the proposal from Cedarville Engineering for the Professional Surveying Services. Mr. Schneider seconded the motion. Mr. Schneider asked if this was time sensitive. Mr. McGrory stated that the quiet title action is being held up for this. The motion carried unanimously. Mr. Kulakowsky discussed his second proposal for services for GIS mapping and asset inventory services. He stated that as part of the wastewater treatment sale a complete list of assets needs to be done which would include an inventory of all

the pipes and size of pipe and the material that they are and where all the manholes are on a GIS map. This is similar to what was done for the MS4 mapping for Stormwater. In addition, all the equipment at all of the plants needs to be inventoried. This will include a review of invoices to see when they were replaced. Mr. McGrory stated that most of what is being proposed the Township should have regardless of a sale of assets. Mr. Jacobs agreed that the work should be done. Mr. Schneider stated that without the bidding process, the Township does not know if it is the best price or not since Cedarville Engineering is proposing the work. Mr. Schneider made the motion to approve the proposal from Cedarville Engineering to do an evaluation of all the plants including, but not limited to the inventory of equipment and feet of pipe in each sewer and water plant in the total amount of \$29,655.00. Mr. Brown seconded the motion. Kip Archinal, 919 Fellowship Rd. asked if the information is already on the plan from Weatherstone. Mr. Kulakowsky stated that this would be a GIS mapping of all the facilities. Mr. McGrory stated that most municipalities already have a mapping of their pipes. He added that the Township does not know what it is are selling so it is necessary to get a list of assets. After the Board heard several more comments, Mr. Jacobs called for a vote which carried unanimously.

New Subdivision Application: Vincent Kling submitted a plan for 6 conservation lots plus an existing one for 1259 Birchrun Road. This will be forwarded to the Planning Commission.

Public Comment:

Harriet Stone, 1645 Birchrun Road shared that the Chester County Planning Commission is updating its Comprehensive Plan and is looking for public comment. This will be placed on the Township website.

Robin Lasko, 10 St. Andrews Lane stated that she heard a rumor that a WaWa and a CVS were going to be built in Weatherstone. She stated that she felt that West Vincent did not want to become like Upper Uwchlan Township. Mr. Jacobs informed her that no submittal was made. Ms. Shick stated that Hankin did come to the Planning Commission with a concept plan that included a convenience store and a pharmacy as anchors. Ms. Lasko asked if the Township can do anything about it since she is concerned with the traffic and noise. Mr. Jacobs stated that the Township will be in discussions when a plan is submitted.

Meeting adjourned 9:25 PM.

Respectfully Submitted,

Tammy Swavely
Township Secretary