

West Vincent Township
Board of Supervisors Meeting

May 26, 2015 7:30 PM

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

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

Mr. Miller announced that there was an Executive Session on May 20, 2015 to discuss real estate and litigation.

Public Comment on Non-Agenda Items:

Susan Butler, 864 Fellowship Road commented on her neighbor's building permit. She was referred to the Township Zoning Officer since the Board does not issue permits.

Sharon Davis, 932 Jaine Lane commented on the election signs that were stole from properties who had given permission before the election.

Judy Newhouse, 325 Sundance Drive thanked the Board for providing the Community Garden saying it is a great place to garden for people from all around the Township.

Art Ewell, 972 Fellowship Road commented on the police cars at the Columbia Gas Transmission Station.

Approval of Minutes:

The minutes of **May 11, 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 5/26/15 was acknowledged as submitted.

Police Report: The Police Report for the month of April 2015 was presented by Chief Swinger and 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 5/26/15 in the total amount of \$161,300.80. Mr. Jacobs seconded the motion. The Board answered some questions and the motion carried unanimously.

Correspondence:

A request to use the gazebo on June 20 at 1:00 PM-6:30 PM was received from Brenda McCann, for the Airedale Terrier Club. Mr. Brown made the motion to permit the same. Mr. Jacobs seconded the motion which carried unanimously.

A letter was received from several homeowners on Veronica Drive about the safety of the intersection of S. Chester Springs Road and Route 401. They were present to discuss it with the Board. Alissa Christoforou, 2552 Veronica Drive spoke for the group. She stated that the neighbors have a very serious concern for the 30 children that ride the school buses in the morning. They would like to request flashing lights along Route 401 near the intersection. They would also like Powell Road to be dedicated as soon as possible. If the school bus would be permitted to come onto that road and it would be able to get their children. Ms. Christoforou wanted to know what would need to occur to make this happen before the next school year. The Board informed her that Toll Bros. needs to request dedication and they have not done so. She should also contact the homeowners on Powell Road and together contact Toll Bros. to request dedication. Chief Swinger stated that he can contact Senator Rafferty's office for assistance on the installation of the yellow flashing lights on Rt. 401 since it is a State road. He can also meet with Owen J. Roberts's bus department, the homeowners along with Toll Bros. to see what can be done to make it safer.

Subdivision/Land Development:

Eagle Farms Subdivision: Mr. Miller stated that the Township is still waiting to hear back from Toll Bros. on the questions the Board asked them to consider. Ronald Brostrom, 2655 S. Chester Springs Road asked if there was a deadline. The Board would like answers within a month. Anne Ewing, 2211 Eagle Farms Road stated that Toll Bros. has a surveyor out to draw up the plan for the turnaround. She also asked what the Township could do to push the road construction forward. Solicitor Stephen Siana stated that in the Road Relocation Agreement, it sets forth timelines including the number of units built. The Township does have escrow in place that keeps Toll Bros. and Orleans Homebuilders moving as planned. If it has been delayed, he needs to look into that situation.

Stonecroft Sewer System: The Board has a letter from Carroll Engineering stating there are a few items outlying in the punch list that need to be completed. Mr. Siana stated that there is no deadline, but the Township has signed off on this some time ago, but then there were aerator issues and the developer was going to replace them. This is ready to be taken for dedication subject to a clean letter from Carroll Engineering and a Capital Reserve be deposited. This will be tabled until those items are completed.

Old Business:

Sewer Plant Mowing Bid: Mr. Brown stated that the Board received an email protesting the bidding process. He stated that since a cloud has been cast over the bidding process that the bids should be thrown out and done again. Mr. Jacobs felt that this bidders concerns were not pertinent. Mr. Jacobs asked what happens when bids come in. Mrs. Swavely explained that they

are stamped and put aside until the Board meets to open them. Mr. Brown stated that he knows all of the bids were sealed. Sara Shick, 1201 Davis Lane stated that since these bids are now public information, it is not fair for the bidders. Mr. Brown stated that that is true, but if this is redone, then no one can suggest that it was done inappropriately. After a discussion, Mr. Jacobs stated that he sees both sides. Mr. Jacobs made the motion that the bid should be awarded to the lowest bidder, Ken Miller. Mr. Brown seconded the motion. Mr. Miller stated that he thinks the bids should be thrown out and rebid. He suggested that everyone turn in their bid at 7:30 PM, that way no one's integrity is questioned. Mr. Jacobs stated that since Mr. Miller suggested it, he will agree with it. Mr. Brown voted No, Mr. Jacobs voted No, the motion failed with Mr. Miller abstaining. Mr. Brown made the motion that the Sewer Plant Mowing Bid be re-advertised with the specification that they be turned in at 7:30 PM the day they are due. Mr. Jacobs seconded the motion. There was no public comment and the motion carried unanimously.

Mr. Jacobs made the motion to amend the meeting minutes for a typographical error changing the Weatherstone Bid under 5 mowings for Deerfield Mowing and Property Maintenance, Inc. to be \$12,375. Mr. Brown seconded the motion. There was no public comment and the motion carried unanimously.

West Vincent Township Trail Logo Winner: The West Vincent Land Trust held a Trail Logo Design Contest this spring. The prize offered was a \$100 gift card to the Walking Store. The following is a list of people who entered the contest: Marty Blumenthal, Tom Kalusky, Ed Humpal, Melanie McCartney, Isabelle Travaglini, Meryl Joblin, Mary Kane, Pete Rodgers, and Davey Waters. The judges from the West Vincent Land Trust, the Park and Recreation Commission and the Martin Foundation chose a winner. They combined two different designs and came up with the winning design. The winners are Marty Blumenthal, 1567 St. Matthews Road and Ed Humpal, 1765 Sawmill Road. This design will appear on all of the West Vincent trails in the Township. The Board congratulated the winners and two gift cards were awarded. The design will be placed on the website for all to see.

Community Day Wrap-Up: The Board would like to thank the following contributors to the 13th Annual Community Day: Silver Contributors, Merit Service Solutions; Bronze contributors: Hankin Foundation; Other Donors: Carroll Engineering Corporation, Toll Brothers, Ludwig's Corner Veterinary Hospital, Eagle Kennel, Clean Water, Inc., Siana, Bellwoar & McAndrew, LLP, Theurkauf Design and planning, LLP, Trevdan Building Supply, DNB First, Francis Hall Insurance & Risk Management Services, H.A. Thomson Risk Management Services, Caruolo Associates, Inc., Dave Hoffman's Auto Repair, National Penn Bank, Signal Service, Inc., Tom Josiah Consulting. Goods and Services: A.J. Blosenski, Inc., Birchrunville Café, City Folk Handwork, Frame's power Equipment and Mulch, Hellzapoppin' Farm, Ludwig's Corner Supply Co., Robert E. Little, Inc. The Board would also like to thank the Community Day Staff: Tammy Swavely, Amanda Gooding, Bridgit Hill, and Melanie McCartney, and staff who also has been helpful, Ruth McVey and Danielle Hewitt.

Fellowship Trail: Mr. Wendelgass provided the Board with an update. He has been in contact with the Upper Uwchlan Township Manager and he has told him today that he has been in contact with representatives from the church. The Upper Uwchlan Township Manager also promised to get meeting dates from the church.

Sidewalk to Elementary School: Mr. Siana stated that an Agreement for a Sidewalk Easement and Temporary Construction Easement has been prepared. Once the legal descriptions are complete along with the plans, the owner will sign the Agreement and the Board can execute them.

Infectious Disease Officer: At the last Board meeting, the Board discussed the appointment of an Infectious Disease Officer. The Board wanted more information including who would be covered and how this person was covered with insurance. The person has all of her training and certificates to perform her duties in this role and she currently is doing this for the West End Fire Company No. 3, Valley Forge Fire Company, Kimberton Fire Company, Ridge Fire Company and the Spring City Police Department. There would be no charge to the Township and she is covered by insurance. Chief Swinger stated that it is a Federal Law requirement that police departments, fire departments and EMS have an Infectious Disease Officer. Mr. Brown made the motion to approve the Mutual Aid Agreement with Heather Staley as the designated Infectious Disease Officer. Mr. Jacobs seconded the motion. John Rieder, 1580 Hollow Road, asked if agreement was with the individual or West End Ambulance. The agreement is with the individual. There were no further comments and the motion carried unanimously.

New Business:

Westover Lane Improvements: As part of a private Settlement Agreement, in 1999-2000 The Hankin Group agreed to certain terms to neighbors along Westover Lane. These improvements are to be done at the end of the construction. The last homes have been built and the neighbors came to the Board to determine what can be done to have The Hankin Group fulfill the requirements in the Settlement Agreement. This will be forwarded to Special Counsel, Anne Porter for review.

Sealcoat Bid: Mr. Miller presented the Board a list of roads that are in need of Sealcoat (tar and chip). He stated that we may not do it all, but it depends on the pricing of the bid. He also would like to try putting it on the dirt part of St. Matthews Road to see if it would help. Chip Farnham, 988 St. Matthews Road stated that bikers and walkers do not like tar and chip and he would like the Board to find an alternative. Frances Ellis, 2823 Flowing Springs Road asked why some roads get tar and chip and some do not. This extends the life of the road several years. Mr. Jacobs made the motion to advertise the bid for Sealcoat on Penn Bid. Mr. Brown seconded the motion. There was no public comment and the motion carried unanimously.

DVHT By-Law Amendment: West Vincent is a member of Delaware Valley Health Trust. They need to amend their By-Laws since it has expanded the Executive Committee from five to seven members. As a voting member of the Trust, the Board needs to approve the proposed amendments. The Board will review the amendments and make recommendations at their next meeting.

Child Protective Services Law Amendment: There is a new State law that defines what is considered a mandatory reporter for child abuse. If someone has the potential to have contact with children, they are required to report suspected child abuse. Mr. Siana stated that this law applies to any volunteer who has the potential to come in contact with a child. The Board needs

to determine who should get clearances and the Police Chief needs to decide who should get them in his department. This is to be done by July 1, 2015. Chief Swinger stated that he is working with Owen J. Roberts who has purchased a finger printing machine. They may be able to do this for us. Currently, there are finger printing machines at UPS stores. These clearances need to be done every three years. Mr. Siana will have a resolution for the next meeting and the staff will determine who should have clearances by the next meeting. Suzanne Roth, 1360 School House Lane stated that this could potentially be a huge project and that the Township should not do it. Mr. Miller stated that the Township must comply with the law and questioned what would happen if something did happen and the Township was not in compliance. Mr. Jacobs agreed stating that the Township needs to put its best foot forward.

New Part-Time Officer: Police Chief Swinger informed the Board that applicant Nicholas Rubino has successfully completed his psychological exam, physical exam and pre-employment background check. This is not a new position, but it is to fill the vacant position that was created when Justin Fritz moved to fulltime when Nathan Woodland left. He is recommending that the Board hire Mr. Rubino as a part-time officer. Ms. Roth asked how many officers the Township has. Chief Swinger stated that there are six Full-time officers and four Part-Time officers with the new hire. Ms. Roth feels that is too many since many neighboring Townships do not have any. Chief Swinger stated that most of the adjacent Townships have departments that are the same size or larger including East Pikeland, East Vincent and East Coventry. Mr. Brown stated that he has heard of a Bill in the State that Governor Wolf will sign. This mandates anyone who uses the State Police will be charged a significant dollar figure per resident for the use of them. This will triple the Real Estate Taxes for many Townships. Mr. Farnham asked if the Township has police coverage on Sundays. Chief Swinger stated that currently the Township has coverage except between 2:00 AM – 6:00 AM. He does not like to give exact times when there is not coverage. Mr. Farnham asked if there is coverage at the school during the morning hours. Chief Swinger informed him that there was. Mr. Brown made the motion that West Vincent Township hire Nicholas Rubino as recommended by Chief Swinger. Mr. Jacobs seconded the motion which carried unanimously.

Concrete Structure for Water Supply: A quote was received from A. C. Miller, Concrete Products to install a concrete vault to hold a water meter. This was initially to help the Community Garden obtain water. Due to the high cost, over \$10,000, it was decided to purchase a water tank and install hoses.

Meeting adjourned 8:50 PM

Respectfully Submitted,

Tammy Swavely
Township Secretary