

West Vincent Township  
Board of Supervisors Meeting

August 21, 2017

7:00 PM

Attendance: Chairman John Jacobs, Vice Chairman David Brown, Township Solicitor Joseph McGrory of HRMML, Township Engineer Bryan Kulakowsky of Cedarville Engineering, and Township Secretary Tammy Swavely.

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

**Approval of Minutes:**

Mr. Brown made the motion to approve the August 7 2017 minutes as submitted. Mr. Jacobs seconded the motion. Brian Curry, 512 Black Horse Road commented that he felt the portion about the resident calling 911 was not completely accurate. After a discussion the Board revised the minutes and they were approved unanimously. Frances Ellis, 2823 Flowing Springs Road, referring to the 911 call, asked if a composite sketch could be provided for residents on the website. The Township does not have a sketch artist so it cannot be done.

**Reports:**

Bills List: Mr. Brown made the motion that the Bills List dated 8/21/2017 in the total amount of \$102,330.54 be approved as submitted. Mr. Jacobs seconded the motion. The Board answered a few questions and the motion carried unanimously.

**Correspondence:**

Information has been received from the Chester County Health Department that Potassium Iodide tablets will be distributed at the Kimberton Fire Hall, 2276 Kimberton Road, Phoenixville, PA on August 24<sup>th</sup> from 2:00 PM – 7:00 PM.

A thank you note was acknowledged as received to Officer Fritz for assisting a woman getting her car unlocked with her dog inside.

**Subdivision/Land Development:**

Weatherstone Commercial Area: A Planning Module has been prepared and reviewed by our Township Engineer for the commercial area. Bryan Kulakowsky informed the Board that it is now ready to be sent to DEP upon the Board's approval. This is to rerate or allocate the flow for the commercial portion of the plan. Mr. Brown made the motion that the Board adopt Resolution 18-2017 submitting the Planning Module for the Weatherstone Town Center to DEP for approvals. Mr. Jacobs seconded the motion which carried unanimously.

Natural Lands/Bryn Coed: Mr. McGrory stated that the Deeds of Dedication have been prepared and reviewed by the Township Engineer for the Right of Ways in the Bryn Coed Subdivision. Mr. Brown made the motion that the Board adopt Resolution 18-2017 accepting the Deeds of Dedication and Ultimate Right of Ways over several tax parcels as submitted for: St. Matthews Road and Flowing Springs Road #1, St. Matthews Rd #1, #2, #3, #4, Beaver Hill Road #3, St. Matthews Rd and Beaver Hill Road #1, Flint Rd. #1, Kimberton Rd. #2, Miller Rd. #1, #2, #3. Mr. Kulakowsky stated that this will bring the ROW to current Township standards. Jim Helm, Planning Commission, stated that the Planning Commission is discussing an easement along St. Matthews Road for a future trail and wanted to know if there was enough community access in this easement. Mr. Kulakowsky stated that this is strictly for a ROW. Mr. Jacobs called for a vote which was unanimous.

### **Old Business:**

Zoning Ordinance Revisions: Mr. McGrory opened the hearing for the Board to consider adopting Ordinance 179-2017 which changes the Zoning Ordinance per FEMA's requirements. Mr. McGrory entered several Board exhibits into the record. Mr. McGrory stated that his office does not recommend this ordinance, but without it, homeowners cannot get flood insurance through FEMA and Townships do not want to create hardships for their residents. The Board did not have any questions. Mr. Curry asked for a summary of why Mr. McGrory did not approve this ordinance. Mr. McGrory stated that he has many objections, but for example, the term variance is used throughout and this will get many confused since it is not defined properly. Another reason is if a home is damaged from a flood and 25% of the home is destroyed and within 10 years later it happens again, the structure must be built to code, depending on the use. Maria Jacobs, 2351 Beaver Hill Road asked what hardship would there be if it was not passed. Mr. McGrory answered that residents could not obtain insurance. Mrs. Jacobs stated that she has obtained insurance for properties in the flood plain that was cheaper than FEMA insurance. There were a few more questions and Mr. McGrory was able to answer them and close the hearing. Mr. Brown made the motion that the Board adopts Ordinance 179-2017 amending Article XVI of the West Vincent Township Zoning Ordinance, Flood Plain Conservation Overlay District requiring all persons to obtain a permit for construction or development within those areas in West Vincent Township and other changes as mandated by FEMA. Mr. Jacobs seconded the motion which carried unanimously.

Vision Partnership Grant: Vic Laubach informed the Board that the EAC has been working on tree protection for over a year and they have received a proposal from Ed Theurkauf to assist the Township with this. A grant is available to apply for which would cover 70% of the costs. Ms. Laubach explained that the EAC is concerned with maintaining the forests and water quality. The intent would be to preserve the woodlands and clean up the existing ordinance to make it more consistent. They also are concerned with native plants and invasive species and how to protect the high value of forests. She asked the Board for a letter of support to go with the application for the grant which is due on August 31<sup>st</sup>. It is a competitive grant and the remaining portion the Township

would be responsible for is approximately \$4,700 which would be in next year's budget. Chester County has specific requirements including having the Board of Supervisors involved, the Planning Commission and public input and comment. Mr. Brown asked what commitment the Board needed to make. At this time there is nothing financial, just a letter of support for the application. The Township is only committed if it accepts the grant. The Board answered some questions and Ms. Laubach stated that if the Township does not receive the grant, the EAC may ask for it to be in the budget at a later date. Mr. Brown made the motion that the Board authorize sending a letter of support in applying for a grant which the EAC desires to protect the forests and timber harvesting in West Vincent Township. Mr. Jacobs seconded the motion which carried unanimously.

Chester Springs Road: Gloria Shontz, 2415 S. Chester Springs Road handed the Board a petition signed by several people who desire to have S. Chester Springs Road remain closed. She read a letter to the Board and the Board thanked her. Mr. Jacobs stated that if the Board decides to do anything that they will notify her.

Hollow Road Bridge Repair: Mr. Kulakowsky stated that the bids were opened and five (5) companies submitted bids for the repair to the bridge on Hollow Road. The lowest bidder has been vetted by his office and he is able to recommend the company. The road will be closed during construction, it is unknown how many days, but that will be determined at the Pre-construction meeting. Mr. Brown made the motion that the Board award the bid for the Hollow Road Bridge repair to Bi-State Construction Co. in the total amount of \$96,644.00 as recommended by the Township engineer in his letter dated August 16, 2017. Mr. Jacobs seconded the motion which carried unanimously.

Fellowship Trail Bid: Mr. Brown made the motion that the Board delays the bid award for the construction of Fellowship Trail until September 5, 2017. Mr. Jacobs seconded the motion. This is for Phase 1, from the Weatherstone Trail to The Vineyard Church trail. Phase 2 should be constructed next year, the part between St. Matthews Church and the Township Park. Phase 2 is to go in front of St. Matthews Church inset from the Penn DOT Right of Way. Mr. Jacobs called for a vote which carried unanimously.

### **New Business:**

EAC Yearly Report: The EAC has submitted their yearly report to the Board for the year 2016. Suzanne Roth, Secretary for the committee stated that she was unaware that this report had to be done. She also suggested that the Board read the minutes from the EAC. Mr. Brown made the motion that the Board accept the EAC Yearly Report with thanks. Mr. Jacobs seconded the motion which carried unanimously.

Non Discrimination Ordinance: Chris Carroll, 1021 St. Matthews Road came to ask the Board to consider adopting an ordinance to protect against anti-discrimination. He stated that although we are partially protected at Federal and State levels, certain aspects are not covered. The following

are not protected, sexual orientation, gender identity, and marital status. Mr. Carroll continued stating that he would like West Vincent to follow other Townships and adopt an ordinance to protect these rights. He in particular feels that a good one to follow would be the one adopted in the Borough of Phoenixville. Mr. McGrory stated that he is correct in his statement. There has been a Bill introduced over two years ago at the State level, but there has been no movement on it. Mr. Jacobs feels that this is a state issue and if all of the Townships would talk to their representatives it would be a better place to start. Mr. Carroll agreed, but he has more of an impact with local government. The Board listened to comments from the audience. Mr. Carroll was told to keep asking to be put on the agenda. Mr. Jacobs stated that he will contact the County Commissioners to see what they are doing about the issue. The Board will review the Phoenixville ordinance and give it thought.

**Public Comment:**

Jane Helm, 2563 Veronica Drive asked if or the status of the Fox Hollow Trail. Mr. Jacobs stated that the Township did take dedication just two weeks ago and not sure how far along this is. He stated that it should be done this year.

Frances Ellis thanked the road department for the good work done on Jaine Lane and Flowing Springs Road. She added that at the intersection an orange cone would be a good idea since there is still a ditch.

Jim Bergey asked what the status of the repairs to Horseshoe Trail were. Mr. Kulakowsky stated that he has heard from the contractor that they plan to start September 11, 2017. There is still a Penn DOT approval pending on the asphalt mix.

Meeting adjourned 8:37 PM.

Respectfully Submitted,

Tammy Swavely  
Township Secretary