

West Vincent Township  
Board of Supervisors Meeting

September 5, 2017

7:00 PM

Attendance: Chairman John Jacobs, Vice Chairman David Brown, Mike Schneider, Township Engineer Bryan Kulakowsky of Cedarville Engineering, and Township Secretary Tammy Swavely.

Chairman John Jacobs called the meeting to order at 7:05 PM.

The first item of business was to open the bids for 2017 Snow and Ice Removal. Mr. Brown opened the bid and read it into the record. The Township received one (1) bid from OZ Properties:

Bidder	Item	Bid amount
Oz Properties 318 W. Main St. Birdsboro, PA 19508	Dump Truck 30,000-58,000 GVW with plow and spreader	\$225.00/hr.
	Single Axle Dump Truck 22,000-38,000 GVW with plow and spreader	\$195.00/hr.
	4x4 Pickup truck with 8' plow	\$125/hr.
	4x4 Dump Truck 17,500 GVW with plow and spreader	\$145.00/hr
	4x4 Dump Truck 11,500 GVW with plow and spreader	\$130.00/hr
	4x4 Backhoe (min. 1.0 cu yard)	\$155.00/hr.

This bid will be reviewed by staff for compliance and be awarded at the next Board meeting. Brian Curry, 512 Black Horse Road stated that the notice had a two different dates. The Township Solicitor will be asked for his opinion on this issue.

### Approval of Minutes:

Mr. Brown made the motion to approve the August 21, 2017 minutes as submitted. Mr. Jacobs seconded the motion. Chris Carroll, 1021 St. Matthews Road asked if his statement he made at that meeting could be posted on the website. The Board agreed to this and the motion carried unanimously.

### Reports:

Bills List: Mr. Schneider made the motion that the Bills List dated 9/5/2017 in the total amount of \$101,145.77 be approved as submitted. Mr. Brown seconded the motion. Mr. Curry asked about the invoice from Cedarville Engineering since he felt that the Township should not pay

Cedarville for testifying at a hearing when they were the ones that wrote the letter that caused the appeal. Mr. Jacobs stated that the system is built so that one side needs to figure out what the other side is right or not. Mr. Schneider agreed with Mr. Curry stating that they should be defending themselves and their decision. Mr. Brown stated that they are a witness for the Township and explaining his actions done for the Township. Mr. Schneider stated that when a company is contracted for services, that should be included. Mr. Curry stated that they should shoulder the expense since they made the decision. Sara Shick, 1201 Davis Lane feels that they made their judgements on behalf of the Township. Mr. Jacobs stated that this invoice will be held until the Cedarville contract language is reviewed. The total amount for the Bills List was revised to \$99,133.23. Mr. Jacobs called for a vote which carried unanimously.

### **Correspondence:**

A Thank you note was acknowledged as received from Dale and Alan Uchin to Officer Bickel for his assistance when their horses were loose.

A letter dated August 23, 2017 from Penn DOT was received about coordinating the installation of a 4-way stop sign at S. Chester Springs Road and Rt. 401. Mr. Schneider stated that this letter is informing West Vincent that they will coordinate the installation of the stop sign at the same time the gate is removed from S. Chester Springs Road and Eagle Farms Road. Mr. Jacobs stated that the neighbors should be notified and this can be discussed at the next meeting. This letter will be placed on the website. Mr. Jacobs stated that the intersection needs to be improved and this is what Penn DOT wanted along with the fire departments, the police departments and two neighboring Townships. This issue began last fall when a traffic study was performed in the area. At first the Township did not agree with Penn DOT and the Township asked our State Representatives for help in getting Penn DOT to revise their plan for the stop sign. Several residents had questions on this issue. Jim Helm, 2563 Veronica Drive asked about the process if the Board can change an agreement with a developer with a vote. Mr. Jacobs stated that the Board needs the Township Solicitor for his opinion. Jennifer Farnham, 2665 S. Chester Springs Road stated that some neighbors have an attorney because they do not believe all the legal procedures were followed in this subdivision and to take time to do it correctly. Several other comments were heard and Mr. Jacobs stated that this will be fully discussed on September 18<sup>th</sup>.

### **Subdivision/Land Development:**

Eagle Farms/Sunderland Avenue: An extension request was submitted by Alyson Zarro for the Sunderland Avenue Plan in Eagle Farms. Mr. Schneider made the motion to grant the Extension for the Sunderland Avenue Plan until December 11, 2017. Mr. Brown seconded the motion. Linda Davies, 3138 Butternut Lane asked if this Toll Bros. will be done by the end of this year. Mr. Kulakowsky explained that this extension request is for the Sunderland Avenue plan that Toll submitted to the Township. Per the Municipalities Code, the Board can accept the Extension Request or it needs to either deny or approve the plan. Otherwise it would be a deemed approval. Currently the plan has outstanding items that need to be addressed. Ms. Davies was concerned that Toll Bros. would not have to finish the work and could leave it as is. Mr. Jacobs informed her that Toll Bros. is under a court order to install Sunderland Ave. They will post escrow to make sure it is done per the plan along with a signed Agreement. Lisa Castanza, 3124 Butternut Lane

commented that if it is a while it brings up other issues. The neighbors would like to get the bus to come closer, but since the road is not dedicated they will not come on the road. Ms. Castanza needs to contact the Chief of Police, Michael Swinger to see if he could assist in this issue. Several questions were asked about the dedication of the roads. Mr. Kulakowsky stated that he could not give a timeline as to when Toll Bros. will ask to dedicate the roads. At that point a punch list will be given and all items must be finished per plan to get approval. Mr. Jacobs called for a vote which was unanimous.

Weatherstone Day Care: A Land Development Plan was submitted by West Vincent Associates, LTD. for a Day Care on the lot next to the library. This will be forwarded to the Planning Commission.

### **Old Business:**

Support of Amendment to the PA Human Relations Act: The Board have had a letter prepared to send to Senator John Rafferty, Jr. and Representative Becky Corbin asking them to amend the PA Human Relations Act to see that remedies are in place to protect those people who currently are not protected under it. This would include discrimination on the basis of sexual orientation or marital status. Chris Carroll, 1021 St. Matthews Road informed the audience members that at the last Board meeting he requested that the Township consider an ordinance to protect those classes that are not. Mr. Jacobs stated that the letter encapsulates what was said at the last meeting. He added that he feels it belongs at the state level, not at the municipality level. His biggest concern with the ordinance sample provided from the Borough of Phoenixville requires five commissioners to oversee the law. Mr. Carroll stated that he agreed that the ordinance could be revised, and if the Board is not going to have an ordinance that it may consider a statement. Mr. Jacobs stated that is fine, but there are no enforcement powers with that. This should be done at the state level. Mr. Brown stated that the first step is to write to the State Representatives.

Fellowship Trail Bid: Mr. Schneider made the motion that the Board award the bid for the construction of the Fellowship Trail Phase 1 to James R. Kenney Excavating and Paving, Inc. in the total amount of \$127,544.90. Mr. Brown seconded the motion. George Dulchinos, 1415 Hollow Road asked when it will be done. Mr. Kulakowsky stated that it is a 90 contract and when all the documents are signed he will give the Notice to Proceed. It will be done this year, Phase 1 from Weatherstone to the Vineyard Church. There were no further comments and the motion carried unanimously.

### **New Business:**

File Cabinets: Mr. Schneider made the motion that the Board approve the purchase of the file cabinets on the COSTARS Purchase program in the total amount of \$3,745.44. Mr. Brown seconded the motion. Mr. Curry asked how old the cabinets were. Mrs. Swavely stated that they were used when the Township got them over 13 years ago and the drawers do not open. The motion carried unanimously.

Township Insurance: Mr. Schneider made the motion that the Board renew the municipal insurance premium for the 2017-2018 year with Selective Insurance in the total amount of \$144,522. Mr. Brown seconded the motion which carried unanimously.

Open Space Review Board request: The Open Space Review Board had an Executive Session to discuss the proposed 52.38 Cutler Subdivision on Beaver Hill Road and St. Matthews Road. They feel that this site would rank high on their TDR criteria and need a TDR calculation done to determine its value. Mr. Brown explained that this parcel is an important parcel since it is adjacent to the 16 Years LLC and the Bryn Coed parcels, all of which are preserved. The land could have 21 and the Cutler plan would have only 4. Mr. Jacobs stated that he would like to reserve all the Open Space funds for the Bryn Coed tract. Mr. Schneider did not feel this was a rush to do. Mr. Brown disagreed, saving 17 additional houses. Ms. Shick stated that the information may already be in the old Cutler Subdivision file. Mr. Brown stated that these parcels would be part of the inventory that the Township would purchase the TDR's from in the future. This is no commitment, but long range planning. Mr. Schneider stated that 17 houses did not seem like many. Mr. Brown stated that it is not a large commitment of funds. Sharon Davis, 932 Jaine Lane stated that if anything moves us forward to preserve land it is worth it and she feels that 17 homes are a lot. Mr. Brown made the motion that the Board authorize a TDR calculation on Tax Parcel 25-4-111.1 and 25-4-113.1 as requested by the Open Space Review Board. Mr. Jacobs seconded the motion. Mr. Jacobs voted yes, Mr. Brown voted yes, Mr. Schneider voted no. Motion carried.

Fire Police Request: Ridge Fire Police have requested permission from the Township to attend the East Coventry Community Day on September 9, 2017. Mr. Schneider made the motion that the Board authorize the Ridge Fire Police to attend the East Coventry Community Day to assist with parking and traffic control. Mr. Brown seconded the motion. Mr. Curry asked that since this comes up with regularity, maybe it is something the Manager could take care of. Mr. Jacobs stated that he will ask the Township Solicitor. The motion carried unanimously.

Horseshoe Trail Paving: Mr. Schneider made the motion that the Board approve Change Order #1 from Marino Corp for the Horseshoe Trail and Nantmeal Road project in the total amount of \$72,000. Mr. Brown seconded the motion. Mr. Curry asked what was being changed and why it wasn't in the original bid. He was informed that there is 450' of pipe for Stormwater with additional paving. Mr. Kulakowsky stated that the Township Road Crew was going to do the work but after a review of the project did not have the capacity to do it. Since the project is large, it requires prevailing wage. Mr. Jacobs stated that the Road Crew made the right decision in not doing the work themselves. Mr. Kulakowsky stated that the recycling train is coming from New Jersey, slated to arrive on September 22<sup>nd</sup>. This is a 2-day process. The machine removes the road surface and treats it and puts it back down in place. The machinery is 60'-80' long and works in a train configuration. The piping will be installed the week of September 11, 2017. The road that is getting done is Horseshoe Trail from Davis Lane to St. Matthews Road. The motion carried unanimously.

**Public Comment:**

Frances Ellis 2823 Flowing Springs Road asked if she could have cones placed in what she considers a dangerous ditch along Jaine Lane and Flowing Springs Road. Mr. Jacobs will talk to the Road Foreman to see what he suggests.

Suzanne Roth, 1360 School House Lane stated that there were two cones in the front of her house and now they are not there, so they may be available for Mrs. Ellis. She also asked if School House Lane could be paved and then make it a 1-way with speed bumps. Mr. Jacobs stated that the Township is consulting with its traffic engineer on that road and looking for a solution.

Sara Shick asked if there were any doubts that the Township may not get the Bryn Coed property and if they are entertaining selling the 10 acres in the middle. Mr. Jacobs said that he does not think so. Ms. Shick asked if the Township will be paying for it all at once or are they negotiating payments over time. Mr. Jacobs stated that it is not for public discussion at this time.

Ms. Shick asked if the Township was going to get temporary help in the office while Ms. Batdorf is out and she was informed no.

Ms. Shick asked if there was a vacancy on the Park and Recreation Commission. Mr. Jacobs stated that he just heard of it today and he is waiting to hear from the commission.

Ms. Roth stated that the Natural Lands Trust did not raise the total amount that they were looking for so they may not be able to negotiate terms with the Township.

Davey Waters 2434 Malehorn Road asked if there would be a solution for the bridge on Davis Lane near Birchrun Road since the metal slabs and plates are dangerous for horses to cross. Mr. Jacobs will ask the Road Foreman if he would have a solution.

Jane Helm, 2563 Veronica Drive asked if there was an update on the installation of the Fox Hollow Trail and Mr. Schneider thought it would be this month.

Meeting adjourned 9:05 PM.

Respectfully Submitted,

Tammy Swavely  
Township Secretary