

**West Vincent Township  
Board of Supervisors Meeting**

**October 21, 2019 7:00 PM**

Attendance: Chairman, Mike Schneider; Vice Chairman, Bernie Couris; Member George Dulchinos; Joseph J. McGrory, Township Solicitor; Bryan Kulakowsky, Township Engineer; Erica Batdorf, Township Manager; Michele Hogrelius, Township Treasurer. Absent: Kathryn Shillenn, Township Secretary.

Chairman Schneider called the meeting to order at 7:07 p.m.

Chairman Schneider announced an executive session which occurred prior to the meeting at 6:00 p.m. to discuss matters of real estate, litigation, and personnel.

**MOTION** by Mr. Couris to approve the minutes of October 7, 2019; second by Mr. Dulchinos.

There being no comments or questions, *MOTION carries unanimously.*

**REPORTS:**

**Police Report:**

Sergeant Austin Russell provided the Police Report for the month of September. Sergeant Russell reported there were a total of 167 calls for service in the month of September. The Department training including Child Protective Services Child Passenger Safety Training. The report was acknowledged as received.

**Bills List:**

**MOTION** by Mr. Couris to approve the Bills List, dated October 21, 2019 in the amount of \$353,586.72 second by Mr. Dulchinos.

**Art Ewell, 972 Fellowship Road** stated he observed the invoice paid to B&E Oil Services and inquired as to the possibility of the Township selling waste oil. Ms. Batdorf responded that she will take this suggestion under advisement with the Roadmaster.

There being no further comments or questions, *MOTION carries unanimously.*

**Announcements:** None.

**Correspondence:**

Ms. Batdorf reported that Ellen Scott, 1743 Flint Road, submitted a letter to the Township regarding traffic control on Flint Road. Mr. Schneider commented he would like to review a current evaluation of the traffic speed.

**Brian Curry, 512 Blackhorse Road** inquired as to the current speed limit of the road and asked how the speed is calculated. Ms. Batdorf responded that the Township uses a speed timing device for accurate speed assessment.

Ms. Scott addressed the Board and commented that since the paving and widening of the road has been completed, she has observed increased speeding on the road. The speed limit is set at 25 m.p.h. with cautionary speed limits of 15 m.p.h. in certain places. She indicated several of the residents and landowners on Flint Road are concerned with the traffic and recommended reviewing the possibility of speed humps, potentially a tabled kind to have a less impact on snow plowing. Ms. Scott stated she observes cars traveling at least 45 to 50 m.p.h. Ms. Scott observed the fact that a vehicle accident occurred and a utility pole was broken.

**Art Ewell, 972 Fellowship Road** commented that it only takes a car going 15 m.p.h. for a utility pole to break.

**Subdivision/Land Development:**

**2696 Horseshoe Trail, Patricia Morgera – Subdivision Application Acknowledge Receipt -**

The Board of Supervisors acknowledged the receipt of this subdivision application.

**352 Blackhorse Road, Robert Johnson – Request for Extension of Subdivision Application to February 17, 2020 –**

**MOTION** by Mr. Couris to approve the request for extension of subdivision application to February 17, 2020; second by Mr. Dulchinos.

There being no comments or questions, **MOTION carries unanimously.**

**Lennar/Byers Station – Carriage Homes North Request for Bond Release –**

**MOTION** by Mr. Couris to approve Bond Release No. 2 for Lennar – Ewing Tract, Carriage Homes North in the amount of \$358,211.54, in accordance with Arro Consulting’s October 17, 2019 Recommendation Letter; second by Mr. Dulchinos.

**Jesse Garrison, 3205 Krista Lane**, addressed the Board and on behalf of the HOA requested the Board to hold off on approving the full amount of the escrow release as there are a number of outstanding issues with the development. Mr. Garrison indicated there are a number of drainage and road concerns. The basin and trenches are not draining properly.

Mr. Kulakowsky responded that his review letter Lennar has completed items on their punchlist sufficient for this request, however, Lennar still has \$362,000 left to finish this development. This release request pertains to the Carriage Homes North townhome section of the Byers Station development only. Mr. Garrison noted that paving is being completed in the townhome community and in the single family east section. There is damaged paving. Mr. Kulakowsky responded that the Township will review these issues and have Lennar perform repairs. Mr. Garrison also mentioned that there are issues with sewer manholes.

Mr. Kulakowsky also noted that any sewer improvements are managed under a separate bond, and subject to review by the Upper Uwchlan Township Sewer Authority.

With no other comments or questions, *MOTION carries unanimously.*

**Old Business:**

**Jaine Lane Road Improvement Project Update –**

Mr. Kulakowsky reported on a site meeting held October 2, 2019 with the PA Center for Dirt and Gravel Road Studies and PECO. Staff had met with the PA Center for Dirt and Gravel Road Studies regarding maintaining the road as gravel and using a driving surface aggregate and controlling stormwater. Mr. Kulakowsky noted that in keeping the road gravel, the total estimate for the recommended PennDOT approved aggregate is \$70,000 and the road would have to be regularly maintained. The aggregate would be installed along with required stormwater pipe and inlets. The PA Center for Dirt and Gravel Road Studies feels the Township will still have issues with drainage due to the slope of the road. If the Township is committed to keeping the road gravel, water bars would need to be installed with this method as well.

Secondly, Mr. Kulakowsky reported that PECO is able to conduct the pole relocation and removal of old poles on Jaine Lane in the 2<sup>nd</sup> quarter of 2020. The location of the pole relocation is a pinch point in the road, where the pole and a tree create very narrow road conditions for travel.

**Sara Shick, 1201 Davis Lane** inquired as to the size of the 24 inch pipes to be installed on Jaine Lane and safety for animals and children. Mr. Kulakowsky noted that these areas have to be left open to allow for the stormwater to be drained. Ms. Shick commented that existing gravel is dispersing on to property owner's land. Ms. Shick commented on liquid fuels requirements. Mr. Kulakowsky indicated that the minimum width of the road has to be 16 feet wide. Ms. Shick inquired as to disturbance to area woodlands in order to install adequate pipes. Mr. Kulakowsky indicated that the woodlands help with the spread and dissipation of water and the inlets and pipe would be designed to be installed in the right of way.

**Steve Dominic**, commented that he walks Jaine Lane often, and noticed over the years the stormwater inlets now installed currently on the road care filled with gravel and will continue to be clogged. Unless you pave the swale, the problem does not get solved.

**John Eldridge, 1634 Hilltop Road**, asked about using existing drains under the road. Mr. Kulakowsky is proposing new drainage with the road improvement design. In regard to Birchrun Road, PennDOT will need to be consulted as this intersection requires their coordination.

**Maria Holderness, 958 Jaine Lane**, asked if the Township is doing anything on the other side of the road. Mr. Kulakowsky indicated that the project is proposed to be completed in phases, with the first phase including the road improvements at the top of the hill on Jaine Lane to the intersection of Birchrun Road. The existing arch pipe under Birchrun Road will be addressed in a second phase of the project.

Mr. Schneider asked about the utilization of paved or slanted swales. Mr. Kulakowsky stated that armored swales are being reviewed. Additionally, even compacted stone with swales are a finer aggregate than paving that will wash off the road. Mr. Schneider inquired as to the width of the road. Mr. Kulakowsky noted that the road at 16 feet wide limits the disturbance to both

sides of the road. With an 18 foot wide road, the Township will need to address trees and other existing structures. The extent of the Phase I project is planned to begin at Birchrun Road and end just past the crest of the hill.

**Bryn Coed Demolition Project – Recommendation for Bid Award –**

**MOTION** by Mr. Couris to approve the bid award for the Bryn Coed demolition project to Reclaim Company, LLC, to include Alternates “A” and “C,” for a total bid price of \$680,187.02 in accordance with Arro Consulting’s October 18, 2019 recommendation letter; second by Mr. Dulchinos.

**John Eldridge, 1643 Hilltop Road**, asked what was included in the bid. Mr. Kulakowsky responded that the base bid includes all existing buildings including the cow palace, barns, silos, manure pits, tanks, concrete in the ground, and retain one maintenance building on site. Alternate A is to remove and dispose crushed concrete. Some concrete can be used on site for backfill and for the existing parking lot. Alternate C includes the demolition of two existing houses on St. Matthews Road.

**Harriet Stone, 1645 Birchrun Road**, asked if the historical documentation of the buildings has been done. Ms. Batdorf commented that this project is nearly complete.

**Bill Holderness, 958 Jaine Lane**, inquired as to existing easements for power lines. Mr. Kulakowsky indicated utility companies have permanent easements on the site as these utilities serve other property owners. Mr. Holderness indicated the lines are low in some areas and these issues should be conveyed. Ms. Batdorf will consult with the proper contacts on this issue.

**Sara Shick, 1201 Davis Lane**, inquired as to what fund will be used to offset the difference in the bid result and the open space maintenance fund account. Mr. Schneider commented that the Board may elect to use additional open space funds for this purpose in accordance with the open space law next year.

With no additional comments or questions, *MOTION carries unanimously.*

**New Business:**

**670 Birchrun Road (Tax Parcel # 25-7-5.1) – Request for Approval of Board of Supervisors for Change in Use of Structures per Declaration of Restrictive Covenant and Easement and Approval of Exterior Modifications per Weatherstone Settlement Agreement -**

Scott Risbon, owner of 670 Birchrun Road, addressed the Board and stated he was present to ask for approval of changing the use of his existing barn and structures in accordance with a Restrictive Covenant on his property, as well as ask the Board for approval to make exterior modifications in accordance with the Weatherstone Settlement Agreement. Mr. Risbon stated he is looking to convert the barn to four townhouse style apartments.

**MOTION** by Mr. Couris to approve the reuse of the barn located at 670 Birchrun Road, owned by Scott Risbon for the purpose of the property owner's proposed barn conversion project; second by Mr. Dulchinos.

Mr. Schneider indicated that the Board would like the Historical Commission to review the proposed exterior modifications planned for the barn before the Board makes a decision on this item.

**Jim Helm, 2563 Veronica Drive**, reported on behalf of the Historical Commission. Mr. Helm commented that they have no objection to the waiver for use in line with the covenant, and no issue with the exterior modifications, but wants the project to adhere to the Standards for Rehabilitation Ordinance guidelines.

Mr. Schneider commented that if the Board approved the request to approve exterior modifications per the Weatherstone Settlement Agreement, Mr. Risbon would not have to follow the Ordinance requirements. Mr. Dulchinos commented that at the Historical Commission they knew Mr. Risbon was going to be requesting an approval on use, but not the approval regarding the exterior modifications. Mr. Helm stated that the Commission did discuss the subject briefly, and concluded the Rehabilitation Standards in the Ordinance should be applied to all projects. Mr. Risbon will need to comply with building code and the Ordinance, and this will require collaboration.

**MOTION** by Mr. Couris to rescind the previous motion; seconded by Mr. Dulchinos.

With no additional comments or questions, *MOTION carries unanimously.*

**MOTION** by Mr. Couris to approve the reuse of the barn and structures and approve of proposed exterior modifications to the barn and related structure located at 670 Birchrun Road, owned by Scott Risbon for the purpose of the property owner's proposed barn conversion project; seconded by Mr. Dulchinos.

Mr. McGrory stated that by granting approval through the Weatherstone Settlement Agreement, Mr. Risbon technically does not have to adhere to Ordinance requirements. Does the Board know what exterior improvements are being approved? Mr. Risbon commented that he needs to meet code requirements but does not have an objection to adhering to the process described.

Mr. Helm commented that the Ordinance is not specific and there are characterizations of the Standards to be met. The Standards would say to adhere to the historical character of the building such as windows, doors, or roofing. Mr. Dulchinos commented that regardless of the Settlement Agreement the process should be the same for all projects of this type. Mr. McGrory commented that is important for the Board to understand fully what they are permitting Mr. Risbon to do under this request. Mr. McGrory stated that approval through the Weatherstone Settlement Agreement gives Mr. Risbon full relief, and he technically does not have to follow existing Ordinances.

Mr. Risbon has come before the Historical Commission for preliminary comment based on conceptual plans. Ms. Batdorf indicated that a formal land development application needs to be

submitted. Mr. Risbon explained he is looking to install two front doors, with two interior doors with an alcove, windows by code, maintain the existing roof, and other improvements to fully convert the barn.

**Sara Shick, 1201 Davis Lane**, asked how the application would go to the Historical Commission for review. Ms. Batdorf responded that through the land development process the application would go to the Historical Commission and the Planning Commission.

Mr. Helm commented that the Commission has helped provide preliminary comment to Mr. Risbon as no formal application was officially submitted in accordance with the Ordinance process. Mr. Risbon is working to finalize these plans and will have them ready shortly. Mr. Schneider indicated that the best course of action is to have Mr. Risbon submit his land development application and with comment from the Commission the Board will review the request regarding exterior modifications.

**Harriet Stone, 1645 Hilltop Road** inquired as to the status of the equipment barn and repairs. Mr. Risbon responded that his plan is to complete the repair and put a roof on the structure after the barn is complete. Ms. Stone is interested in seeing Mr. Risbon protect this structure.

**MOTION** by Mr. Couris to rescind the last motion; seconded by Mr. Dulchinos.

With no additional comments or questions, *MOTION carries unanimously.*

**MOTION** by Mr. Couris to approve the reuse of the barn, located at 670 Birchrun Road owned by Scott Risbon for the purpose of the property owner's barn conversation project; second by Mr. Dulchinos.

With no additional comments or questions, *MOTION carries unanimously.*

**Non - uniformed Employee Pension Plan Payment 2019 -**

**MOTION** by Mr. Couris to approve the Township's non uniformed pension payment in the total amount of \$31,921.08 in state aid for 2019; second by Mr. Dulchinos.

With no additional comments or questions, *MOTION carries unanimously.*

**Police Department Vehicle Replacement Costars Proposal -**

**MOTION** by Mr. Couris to approve the COSTARS cost proposal for the purchase of a 2020 Chevrolet Tahoe, including police outfitting, in the total amount of \$48,201.00, from Patriot Chevrolet and TRM Outfitters; second by Mr. Dulchinos.

**Brian Curry, 512 Blackhorse Road**, inquired as to the disposal or reuse of existing police equipment in the vehicles which are replaced. Ms. Batdorf will confer with the Chief but believes this equipment is refurbished to the extent possible during vehicle replacement.

**Art Ewell, 972 Fellowship Road**, asked what truck was being replaced in the Police Department, and when the Building Department truck is planned to be replaced. Ms. Batdorf responded that

the vehicle replacement is for the 2014 Dodge Ram, and she has included the Building Department vehicle replacement in the draft 2020 Budget.

With no additional comments or questions, *MOTION carries unanimously.*

**Evans Park Tree Maintenance Proposal -**

Suzanne Nastase, member of the Parks & Recreation Commission recently met with three different companies to inspect Evans Parks and develop a proposal for tree maintenance.

Ms. Nastase stated that there has been concern trees are dying, existing invasive vines are hurting the trees, ash bore and spotted lantern flies are harming trees, and roots need to be maintained. Additionally, roots require remediation. Ms. Nastase wanted to make sure the overall health of the trees was reviewed. Ms. Nastase indicated that she proposed we hold off on any insect treatment until next year. Ms. Nastase proposes we address the removal of invasive vines and have the root beds of the trees addressed. Given this recommendation, Ms. Batdorf reviewed the cost proposals and indicated that John Ward's proposal of \$7,545.00 was the lowest.

**MOTION** by Mr. Couris to approve the cost proposal in the amount of \$7,545.00 by John Ward for tree maintenance at Evans Park; second by Mr. Dulchinos.

**Brian Curry, 512 Blackhorse Road**, commented that this is good progress.

With no additional comments or questions, *MOTION carries unanimously.*

**Public Comment on Non - agenda items:**

**Susan Nastase, 120 Windgate Drive**, observed that after events at Evans Park the porta potties should be serviced. Ms. Nastase recommends that for future events the porta potties should be serviced.

**Barry Dilibero** asked the Board if the Township meeting room is available for Thursday, October 24, 2019 from 7:00 p.m. - 9:00 p.m. Ms. Hogrelius indicated the room is available. Mr. Dilibero announced that he would like to hold a meeting of the Republican Committee for a Question and Answer Session.

Ms. Batdorf announced that the Fall Festival is being held at the West Vincent Township Park at Bryn Coed on Saturday, October 26, 2019 from 2:00 p.m. - 6:00 p.m. Belle Holderness, member of the Parks & Recreation Commission, announced that the group needs volunteers.

There being no further discussion, the **MOTION** to adjourn was brought forward by Mr. Couris; second by Mr. Dulchinos. **MOTION carries unanimously.**

Meeting adjourned at 8:31 PM

Respectfully Submitted,

Erica L. Batdorf  
Township Manager

