

West Vincent Township
Board of Supervisors Meeting

October 26, 2015 7:30 PM

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

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

Public Comment on Non-Agenda Items:

Brian Curry, 512 Black Horse Road commented on when the Board received the draft 2016 Budget.

Jane Altmann, 276 Black Horse Road commented on the D & L Construction, LLC contract that was void and D & L Construction Paving and Excavating, LLC.

Approval of Minutes:

The minutes of **October 12, 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 10/26/15 was acknowledged as submitted.

Treasurer Report: The attached Treasurer Report for the period ending September 30, 2015 was acknowledged as received.

Police Report: The Police Report for the month of September 2015 was presented by Sergeant Russell 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 10/12/15 in the total amount of \$95,739.73. Mr. Jacobs seconded the motion. A question arose about the D & L Construction payment and the award going to D & L Construction Paving and Excavating. Mr. Miller made the motion to approve the payment to D & L Construction but to hold payment until the Solicitor evaluates the bill to make sure the appropriate party is paid so that it matches the bidding party. Mr. Brown seconded the motion which carried unanimously. The Board answered other Bills List questions. Mr. Miller called for a vote, Mr. Miller voted yes, Mr. Brown voted yes, Mr. Jacobs voted no.

Correspondence:

A request was received dated October 16, 2015 to use the Meeting room was received from Davida Waters, Leader of the Northern Chester County 4-H Club on the second Tuesday of the month from November through April 2016. Mr. Jacobs made the motion to permit the same. Mr. Brown seconded the motion which carried unanimously.

A letter was received from Victoria Laubach, Green Valleys Association requesting their annual Township contribution. The Township has budgeted for this many years and has historically donated \$1,000. This year GVA is requesting \$1,500. The Board felt that this was time for an increase. Mr. Brown made the motion to contribute \$1,500 to Green Valleys Association. Mr. Jacobs seconded the motion. There was no public comment and the motion carried unanimously.

An email request was received dated October 26, 2015 to use the Meeting room was received from Brenda McCann, The Airedale Terrier Club of Greater Philadelphia on November 22, 2015 at 1:30 PM. Mr. Brown made the motion to permit the same. Mr. Jacobs seconded the motion which carried unanimously.

Old Business:

Eagle Farms Subdivision: The Board had previously discussed this at their regular meeting on July 27, 2015 when Mr. Brown was not present. Mr. Miller and Mr. Jacobs felt best placement would be on S. Chester Springs Road close to Eagle Farms Road between the Ewing driveway and the culvert. The turnaround would be after the gate. Anne Ewing, 2211 Eagle Farms Road was not happy with this concept and came to the Board to ask them to relocate it. Toll Bros drew up a plan for where she would like the gate. She would like room for trucks to turn around at the end of the road. Ron Brostrom, 2655 S. Chester Springs Road stated that he understands that Ms. Ewing feels the neighbors are fine changing the plan but that is not the case. The neighbors on the other side of the proposed gate would like it to remain where it was planned for this past July. The neighbors came to the front of the table and discussed options with the Board. After a lengthy discussion, the Board was prepared to make a final decision. Mr. Brown made the motion to place the gate across S. Chester Springs Road as close to the Ewing's driveway as it can be engineered considering traffic safety and to have the turnaround adjacent to the gate and to have Toll Bros engineer a plan for Carroll Engineering to review. Mr. Jacobs seconded the motion. There was no public comment and the motion carried unanimously.

Old Business:

Tree Removal Resolution: Mr. Siana stated that by the Second Class Township Code, the Township is required to have a resolution to deal with tree removal. Mr. Brown read Resolution 16-2015 into the record.

NOW, THEREFORE, BE IT RESOLVED, consistent with its prior practice, the Township will, to the extent possible and practicable, provide notice, either written or verbal, to abutting property

owners forty-eight (48) hours prior to the proposed removal of shrubbery and trees having a trunk diameter in excess of (6) inches, except for situations in which any shrubbery or trees constitute a hazardous or dangerous condition to the use or maintenance of the road or street, as determined by the Board of Supervisors, its employees or agents. The shrubbery and trees subject to removal shall be conspicuously marked with identifying paint and/or ribbon forty-eight (48) hours prior to the removal.

BE IT FURTHER RESOLVED, any removal of trees with a trunk diameter in excess of six (6) inches that was not preceded by the issuance of prior notification as provided herein, is hereby approved and ratified, and shall not be the subject of any prosecution or enforcement proceeding contemplated by the Second Class Township Code. This determination is based upon the provisions of the Second Class Township Code indicating that the costs related to and the receipt of funds resulting from any such prosecution or enforcement would be payable to and paid into the Township general fund. The Township, in its sole discretion, may consider any instance in which said notice was or is not provided, and take any action or inaction as the Board of Supervisors sees fit and deems appropriate, as may be statutorily-prescribed.

Mr. Brown made the motion to adopt Resolution 16-2015 as read. Mr. Jacobs asked if some wording could be changed. He would like “*consistent with its prior practice*” removed as well as provide “*verbal*” notice. The other Board members were fine with those changes and Mr. Jacobs seconded the motion. The Board and the Solicitor answered some questions and the motion carried unanimously.

Zoning Ordinance Changes: The Board received changes incorporated into the Township’s Zoning Ordinance by the Solicitor’s office as recommended by the Planning Commission. The Board will review these changes and consider them for adoption. Kip Archinal, 919 Fellowship Road speaking for the Sustainability Committee asked for the Board to move on the Sustainability Committee’s recommendations rather than waiting on any others. She feels that those changes should be in sooner rather than later. Mr. Siana stated that what the Board has is the Sustainability Committee changes as well as changes to Bed and Breakfasts and to incorporate Airbnb’s as recommended by the Planning Commission. The next step is for the Board to review them and then to authorize advertisement adoption of them. Mr. Miller suggested that the Planning Commission and the Sustainability Committee review the document from the Solicitor. Mrs. Archinal was concerned that the committee had to review them again. Mr. Siana stated that there are a few minor changes and that the committee should be able to pass them to the Planning Commission and the Board at the same time fairly easily.

New Business:

New Members to Delaware Valley Health Trust: Delaware Valley Health Trust is the broker for West Vincent Township’s health care. As members, the Township is asked to approve of new groups to join the healthcare system. Ten groups have requested to join for the 2016 year. Mr. Brown made the motion to approve the following applications to DVHT: Brady’s Run Sanitary Authority, Chadds Ford Township, Carbon Monroe Pike Mental Health & Developmental Services, East Goshen Township, East Whiteland Township, Franklin County Housing Authority,

Nazareth Borough Municipal Authority, North Coventry Municipal Authority, Pennsylvania Municipal Authorities Association, and Upper Salford Township. Mr. Miller seconded the motion. There was no public comment and the motion carried unanimously.

New Stormwater Management Agreement: A new Stormwater Management Agreement has been submitted for a pool, garage and hardscaping plan for 1765 Sheeder Mill Road. This has been approved by Carroll Engineering as long as the Applicant complies with Section 2201.A.2 of the Zoning Ordinance. Mr. Brown made the motion to approve the Stormwater Best Management Practices, and Conveyances Operation and Maintenance for John and Michelle Wilkinson, and approve the plan prepared by Wilkinson Associates, Inc. for a proposed pool, garage and hardscaping with the Stormwater to be subject to that plan last revised September 4, 2016, for the Chairman and Secretary to execute the same, subject to them meeting all the requirements of the Carroll Engineering letter dated October 6, 2015. Mr. Jacobs seconded the motion. There was no public comment and the motion carried unanimously.

Meeting adjourned 9:22 PM

Respectfully Submitted,

Tammy Swavely
Township Secretary