

West Vincent Township  
Board of Supervisors Meeting

November 21, 2016 7:00 PM

Attendance: Chairman John Jacobs, Vice Chairman David Brown, Michael Schneider, Township Solicitor Joe McGrory, Esq., Hamburg, Rubin, Mullin, Maxwell and Lupin, Bryan Kulakowsky, Cedarville Engineering, Township Engineer, Manager Erica Batdorf and Township Secretary Tammy Swavely.

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

Mr. Jacobs announced Executive Sessions immediately prior to the Board meeting this evening to discuss real estate.

**Approval of Minutes:**

The minutes of **November 7, 2016** were unanimously approved on a motion by Mr. Schneider and a second by Mr. Brown.

Bills List: Mr. Schneider made the motion that the Bills List dated 11/21/16 in the total amount of \$725,180.07 be approved as submitted. Mr. Brown seconded the motion. The Board answered some questions and the motion carried unanimously.

**Correspondence:**

A letter dated November 9, 2016 was acknowledged as received from Beverly Lawlor, Henrietta Hankin Branch Library requesting their annual donation. Mr. Brown made the motion that the Township contribute \$500 to Green Valleys Association as provided for in the Budget. Mr. Jacobs seconded the motion. Mr. Jacobs asked Ms. Batdorf to share what she learned from Ms. Lawlor. She stated that Upper Uwchlan Township to the library. Mr. Schneider stated that he does not believe that government should decide what charities to give their tax payer dollars to. Sara Shick, 1201 Davis Lane stated that it is a public resource. Mr. Schneider agreed, adding that everyone should have a choice in the charities that it contributes to. Mr. Jacobs voted yes, Mr. Brown voted yes, Mr. Schneider voted no, motion carried.

Ms. Batdorf announced that there will be a Clothing Drive sponsored by the local sports teams at the Township Building on November 15<sup>th</sup> from 8:30 AM- Noon to coincide with the Turkey Trot.

**Subdivision/Land Development:**

The Courts at Chester Springs Land Development: The Pulte Group has requested a reduction on their Performance Bond and Cedarville is recommending its release. Mr. Brown made the motion to approve the Request for Reduction in the Letter of Credit No. S505546 in the total amount of

\$707,124.00 as recommended by Cedarville Engineering's letter dated November 10, 2016. Mr. Schneider seconded the motion, there was no public comment and the motion carried unanimously. A subdivision application was received to phase the land development. The Board acknowledged this as received and forwarded this to the Planning Commission.

Fox Hollow Subdivision: Southdown Homes has offered their roads for dedication and have completed their punch list. Mr. Schneider made the motion that the Board of Supervisors of the Township of West Vincent accept the Deed of Dedication of the certain strips or ground hereinbefore described compromising road rights-of-way and trail easements. Said Deed being the Deed of Southdown Homes, L.P., Deeding and Dedicating said strips of ground to the Township of West Vincent, said strips being hereby accepted as and for Township roads and trail easements, to be hereafter part of the road system and trail easement system of the Township of West Vincent. Mr. Brown seconded the motion which carried unanimously. As part of the dedication each roadway has to be adopted by resolution. Mr. Schneider made the motion to adopt Resolution 23-2016 taking Veronica Drive as part of the Township road system. Mr. Brown seconded the motion which carried unanimously. Mr. Schneider made the motion to adopt Resolution 24-2016 taking Kennard Way as part of the Township road system. Brian Curry, 512 Black Horse Road asked if this road has a gate that connects to the Eagle Farms Subdivision because GPS still takes people there. Mr. Jacobs stated that yes there is a gate there and sometimes bolt cutters are used to open it up. Ms. Batdorf stated that now that the road is a Township road, the Township may have standing and be able to correct the GPS. Mr. McGrory added that the resolution is required to add the roads to the liquid fuels list. There were no further comments and the motion carried unanimously.

Weatherstone Commercial Area: Neal Fisher, Hankin Group and Mike Malloy, Esq. for the Hankin Group came to the Board requesting that they consider the proposed plan amendment. Mr. Brown stated that the plan was submitted to the Phoenixville Area Regional Planning Commission and their review has not come back yet. It should be released shortly and he feels that the Board should wait for that. Mr. Fisher did not agree. Mr. Jacobs stated that there were certain benchmarks in the proposal that made a submittal necessary. Mr. Fisher feels that the Settlement Agreement trumps the PRPC. Mr. McGrory stated that the problem arises when adding the additional land that was not in the Settlement Agreement. Mr. Malloy stated that the Settlement Agreement trumps all zoning. The issue of sending it to the PRPC has not come up before. The Board can revisit this in two weeks after the review is received. Mr. Malloy stated that the components in the old and new plan are the same and is not sure what the PRPC could comment on. They are not a party to the Settlement Agreement and this needs to be taken into consideration. Mr. Jacobs agreed, but has taken this issue to Mr. McGrory for advice. Ms. Shick stated that is why West Vincent Township has partnered with the PRPC, and since the thresholds have changed the Township was honoring the PRPC by submitting it. Mr. Malloy feels that the plan was vested in the Settlement Agreement and the PRPC standards should not apply. Mr. Jacobs apologized but the Township's part of the PRPC and it needs to follow those guidelines. Mr. Malloy stated

that the PRPC is advisory. Mr. Jacobs stated that the right thing to do was to wait for the review, Mr. Brown agreed. Mr. Jacobs added that if this review is not considered, it is a slap in the face of the other Townships who are a part of this group. Mr. Brown made the motion to table this consideration of a plan amendment. Mr. Schneider seconded the motion which carried unanimously.

### **Old Business:**

2017 Township Budget: Mr. Schneider made the motion that the 2017 West Vincent Township Budget be authorized for advertisement. Mr. Brown seconded the motion. There was no public comment and the motion carried unanimously.

### **Public Comment:**

Francis Ellis, 2823 Flowing Springs Road asked the Board to consider the Election Dates in 2017 when planning the Board of Supervisor meetings next year.

Ms. Shick, 1201 Davis Lane thanked the Board and staff for supporting the Natural Lands Trust Public Meeting on November 16<sup>th</sup> and asked when the Board will be considering the 72 acres. Mr. McGrory stated that the Board cannot talk about it at this time.

Sharon Davis, 932 Jaine Lane asked about the Sheeder Mill Road Bridge closure. Mr. Jacobs stated that Penn DOT will be assessing the damage this week, but it is too soon to know when it will be open again.

Ron Brostrom, 2655 S. Chester Springs Road stated that Republic Services will not be offering trash services because the turnaround is not adequate at the end of his road at the gate. He added that the UPS driver hit the post and rail fence and that the propane delivery driver was not happy with the turnaround. After a long discussion on the gate and turnaround, Mr. Brown asked Ms. Batdorf to find out exactly what can be done with regards to the gate, turnaround and get clear choices for the Board. This has been going on too long and a decision needs to be made which will be a compromise. The idea behind the gate was to protect people from using the intersection at Route 401 and S. Chester Springs Road since it is dangerous. Now that it is a 4-way stop sign, the danger may not present itself. Ms. Batdorf will do research and let the Board know her findings.

Harriet Stone, 1645 Birchrun Road, speaking for the Historic Committee, invited all to the Vincent Baptist Church to assist putting flags on the Veterans graves this Saturday at 10:00 AM.

John Eldridge, 1634 Hilltop Road commented on the Township's possible purchase of a Bryn Coed parcel and if Open Space funds could be used. He also asked the Board to investigate the pre and post evaluation value of the property and to review the easement terms.

Jane Altmann, 276 Black Horse Road asked if the police could do traffic/speed controls on her road. Ms. Batdorf will contact Chief Swinger regarding this.

Mr. Jacobs thanked the volunteers who installed the flag pole at no cost to the Township. There is a possible flag raising event this Friday with the scouts.

Meeting adjourned 8:15 PM.

Respectfully Submitted,

Tammy Swavely  
Township Secretary