

West Vincent Township
Board of Supervisors Meeting

November 23, 2015 7:30 PM

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

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

Public Comment on Non-Agenda Items:

Suzanne Roth, 1360 School House Lane commented on Round-up used on the sewer plant irrigation ponds.

Richard Dunn, 1004 Birchrun Road commented on chemical weed control.

Susan Miller, 2573 Horseshoe Trail commented on organic vs. non-organic chemicals.

Sophie Pomanto, 289 Black Horse Road commented on the repairs to Black Horse Road.

Kit Trolier, 16 Hunt Hill Road commented on the sale of the sewer plant RFQ.

Brian Curry, 512 Black Horse Road commented on proposals to look at the Township for space requirements, the specs for the sidewalk to the elementary school, and D & L Construction OSHA reports.

Sara Shick, 1201 Davis Lane commented on the update of the Fellowship Trail.

Jane Altmann, 276 Black Horse Road commented on the inspections of Black Horse Road.

Brian Curry, 512 Black Horse Road commented on the Black Horse Road plan.

Frances Ellis, 2823 Flowing Springs Road commented on the residents mowing their yard on Black Horse Road.

Approval of Minutes:

The minutes of **November 9, 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 11/09/15 was acknowledged as submitted.

Treasurer Report: Mr. Wendelgass read the attached Treasurer Report for the period ending October 31, 2015 which was acknowledged as received.

Police Report: The Police Report for the month of October 2015 was presented by Chief Swininger 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 11/23/15 in the total amount of \$124,521.97. Mr. Jacobs seconded the motion. The Board answered some questions and the motion carried unanimously.

Correspondence:

An email request to use the meeting room was received from the Stonecroft HOA. Mr. Brown made the motion to permit the same on December 9, 2015 from 6:00-8:30 PM. Mr. Jacobs seconded the motion which carried unanimously.

An email was received from Beverly Lawler, Branch Manager of the Henrietta Hankin Library highlighting the benefits of the library and asking for their yearly contribution from the Township. Mr. Jacobs made the motion that the Township contribute \$500 to the library. Mr. Miller seconded the motion which carried unanimously with Mr. Brown abstaining since he is on the Library Board.

The Township received a request from Delaware Valley Health Trust for Alsace Township, Berks County to become a member. DVHT is the broker for West Vincent Township's health care and as members, the Township is asked to approve of new groups to join the healthcare system. They have also sent a ballot for the Board Treasurer, whose term is expiring at the end of the year. The current Treasurer, Don Berger, has expressed an interest in continuing his term. Mr. Brown made the motion that Mr. Wendelgass be approved to vote for Don Berger for the Treasurer for DVHT and to add Alsace Township as a full member. Mr. Jacobs seconded the motion which carried unanimously.

A request was received from Tammy Swavely to attend an Administrative Professional Seminar on January 27, 2016. Mr. Brown made the motion to permit Mrs. Swavely to attend the seminar at a total cost of \$149.00. Mr. Jacobs seconded the motion which carried unanimously.

Mr. Brown made the motion to accept the resignation of Raymond Liczbinski from the West Vincent Township Police Department effective November 9, 2015 and to authorize the Chairman to sign the documents relating to the resignation. Mr. Jacobs seconded the motion. Mrs. Jacobs asked if this was a full-time officer and she was informed he was. There was no further public comment and the motion carried unanimously.

The Turkey Trot will be held in the Township Park on November 27, 2015. Registration is at 9:00 AM with the race beginning at 10:00 AM.

Subdivision/Land Development:

Toll Bros/Eagle Farms: Toll Bros. has requested Surety Reductions on the Performance Surety Bond SU1127841 for the Sanitary Sewer Improvements. Mr. Jacobs made the motion to forward these to Carroll Engineering for review and recommendation to see if it is acceptable for security to be released in the total amount of \$122,266.60. Mr. Brown seconded the motion. Mr. Curry asked if the spray field is in West Vincent or Upper Uwchlan. Mr. Wendelgass stated that the fields are in West Vincent. The effluent is sent to Upper Uwchlan Township Treatment Plant per an Inter-municipal Agreement and the flow is sent back to West Vincent for disposal. Maria Jacobs, 2351 Beaver Hill Road mentioned the 2016 Budget Summary asking if the funds will be coming out of that escrow. Mr. Wendelgass stated that this is a Bond posted by the developer and they are trying to get some security released, not any Township escrow in the Budget. There was no further public comment and the motion carried unanimously.

Old Business:

Proposed 2016 Budget: Mr. Brown made the motion that the staff be authorized to advertise the 2016 for public review. Mr. Jacobs seconded the motion. There was no public comment and the motion carried unanimously.

New Business:

Conveyance of Chester County Park Land: Mr. Miller stated that the potential conveyance by Chester County to the Township of the land owned by the County of Chester has been before the Board many years. This is land along the French Creek on Sheeder Mill Road, Saw Mill Road and Cooks Glenn Road. It has a large flood plain and is heavily wooded. There is a small field there that is mowed about twice a year by a neighbor. It is undeveloped land and would be good for fly fishing and horse trails. Mr. Jacobs asked whether once it is the Township's would it be turned over to the Park and Recreation Commission to see what can be done with the area? Mr. Wendelgass stated that would be a good plan. It would also be a good area to add to the Township's Deer Management Archery Program. Mr. Brown asked if there are any negatives if the Township takes the property. Mr. Wendelgass did not see any. Mr. Jacobs read the following portion of Resolution 17-2015 into the record: NOW, THEREFORE, BE IT RESOLVED and it is hereby RESOLVED by the Board of Supervisors of West Vincent Township that the Township accepts the dedication and conveyance of the Subject Property from Chester County, a third class county, in fee simple to the Township for and in consideration of the sum of one dollar (\$1.00), subject to the condition of title and the form of documentation conveying title being acceptable to the Township Board of Supervisors and its consultants. The Township Supervisors, Manager, staff, Solicitor and representatives shall have the due authority to take any and all actions in order to effectuate said conveyance. Mr. Brown made the motion to adopt Resolution 17-2015 as submitted. Mr. Jacobs seconded the motion. Mr. Curry stated that this resolution was passed in 2011, then why do it again. Mr. Siana stated that the Township was poised to take it then, but the Commissioners of Chester County changed their mind. Now Chester County is willing to convey it again so we need a contemporary resolution. Sharon Davis, 932 Davis Lane shared that it is a great horse trail and Pam Brown, with the French and Pickering Creeks Conservation Trust, has told her that when Ryan Costello was a County Commissioner, he wanted money for the land and

the Township did not want to pay anything for it. Mr. Wendelgass added that Chester County disbanded its Parks Department so people were let go or reassigned. Mr. Curry asked what placard is now on the trail. He was informed that it is the French Creek Trail marker. George Dulchinos, 1415 Hollow Road asked what cost would be associated with this. Mr. Wendelgass stated that the only thing would be insurance. There was no further comment and Mr. Miller called for a vote which was unanimous.

Appointment of Outside Auditor: Mr. Brown made the motion to approve the advertisement of a notice of the Township's intent to appoint Barbacane Thornton as the appointed Township Auditor, to be considered at the Board's Organization Meeting on January 4, 2016. Mr. Jacobs seconded the motion. There was no public comment and the motion carried unanimously.

Reorganization Meeting: Mr. Brown made the motion that the Township authorize the advertisement of a notice of the Organization Meeting to be held by the Township Board of Supervisors on January 4, 2016 at 7:30 p.m. Mr. Jacobs seconded the motion. There was no public comment and the motion carried unanimously.

Auditor Meeting: Mr. Jacobs made the motion that the Township authorize the advertisement of a notice of the Township Auditor's meeting to be held on January 5, 2016 at 5:00 p.m. Mr. Brown seconded the motion which carried unanimously.

New Stormwater Management Agreement: A new Stormwater Management Agreement has been submitted for a pool, decking and fence for 60 Lily Pond Lane. This has been approved by Carroll Engineering with a review letter dated November 16, 2015. Mr. Jacobs made the motion to approve the Stormwater Best Management Practices, and Conveyances Operation and Maintenance for Eric and Tanya Karas, and for the Chairman and Secretary to execute the same, subject to them meeting all the requirements of the Carroll Engineering letter. Mr. Brown 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 woodworking garage building for 2742 Horseshoe Trail. This has been approved by Carroll Engineering with a review letter dated November 19, 2015 and the Zoning Officer has confirmed that Section 2209 A.3.i is a permitted home occupation use. Mr. Jacobs made the motion to approve the Simplified Approach Stormwater Best Management Practices, Operation, Maintenance and Inspection Plan and Agreement for Nazneen and Ryan Meachim, and for the Chairman and Secretary to execute the same, subject to them meeting all the requirements of the Carroll Engineering letter. Mr. Brown 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 new residential home, driveway, on-lot sanitary system and seepage bed control to control the new impervious coverage for 18 Pine Drive. This has been approved by Carroll Engineering with a review letter dated November 10, 2015. The Zoning Officer has confirmed that the plan was revised as suggested by the letter. Mr. Brown made the motion to approve the

Stormwater Best Management Practices, and Conveyances Operation and Maintenance for Northmark Builders, LLC, and for the Chairman and Secretary to execute the same, subject to them meeting all the requirements of the Carroll Engineering letter. Mr. Jacobs seconded the motion. There was no public comment and the motion carried unanimously.

Chester County SPCA: The contract with the Chester County SPCA is expiring at the end of the year. To obtain a discount, payments are due by December 31st. The new contract will be for three years with each subsequent year having a 3% raise in the contract and fees. There are two options: Full Contract, \$1500 and Limited Contract, \$1000. Mr. Jacobs made the motion that West Vincent Township contract with the Chester County SPCA for the Full Contract in the total amount of \$1500. Mr. Brown seconded the motion, there was no public comment and the motion carried unanimously.

Farmland Lease for Griffith Farm: Mr. Miller leases the 43 acres of farmland along Route 100 known as the Griffith Farm which the Township owns. He has asked for an extension of time for the lease as called out in a provision of the current lease. This was done previously in 2010. Mr. Brown made the motion that the Township accept the extension for an additional 5 years. Mr. Jacobs asked if would be able to be raised from \$52/acre to \$55/acre. Mr. Brown accepted the addendum to his motion. Mr. Miller stated that he would be fine with the increased rent. Mr. Curry asked if this amount of rent was the same as the other farmland lease. He was informed that it was. Mrs. Jacobs asked how many terms was this able to be renewed? Mr. Wendelgass stated that the lease does not have a limit. Mrs. Jacobs feels that the wording is loose. Mr. Curry stated that the Sustainability Committee mentioned that the Township farmland that is leased should be organic. Mr. Brown stated that that committee is a recommending body and the Sustainability Plan is goals, it is not an ordinance. Mrs. Jacobs asked if the farmland leases are paid up front or in arrears. Mr. Wendelgass answered in arrears. Ms. Shick stated that that the Sustainability Plan recommends no till farming not organic farming. Mr. Brown called for a vote which carried unanimously with Mr. Miller abstaining.

Meeting adjourned 8:30 PM

Respectfully Submitted,

Tammy Swavely
Township Secretary