

West Vincent Township
Board of Supervisors Meeting

April 16, 2018 7:00 PM

Attendance: Chairman, John Jacobs, Vice Chairman, Mike Schneider, Member, Bernie Couris, and Robert Sebia, Esq. Township Solicitor, Bryan Kulakowsky, Township Engineer, Erica Batdorf, Township Manager, Kathryn Shillenn, Township Secretary.

Chairman John Jacobs called the meeting to order at 7:03 p.m.

Approval of Minutes:

Mr. Schneider made the motion to approve the April 2, 2018 minutes as submitted. Mr. Couris noted a revision to the minutes. Mr. Schneider made a revised motion to approve the April 2, 2018 minutes as amended. Mr. Couris seconded the motion which carried unanimously.

Reports:

Police Report: Sergeant Russell provided the Police Report for the month which was acknowledged as received.

Bills List: Mr. Schneider made a motion to approve the Bills List in the total amount of \$168,789.35. The Board answered a few questions from the public and the motion carried unanimously.

Subdivision/Land Development:

Kanavy/Trevdan Lot 1 Conditional Use Application: Mr. Sebia opened the conditional use hearing and entered various exhibits into the record. Timothy Kanavy, Applicant, explained that he owns the business, Trevdan Building Supply, located at 1031 Pottstown Pike, and is interested in building a new 6,900 square foot warehouse building. Dan McKenna, of Wilkinson & Associates, provided testimony related to the application. Mr. McKenna stated that Trevdan operates from a number of buildings located on the property. The property is currently zoned as Planning Commercial/Light Industrial and warehousing is allowed by conditional use in this Zoning District. Mr. McKenna stated that the Planning Commission reviewed and recommended approval of the conditional use application to the Board of Supervisors.

In addition, the conditional use approval is required to facilitate the land development application to construct the proposed warehouse facility. Mr. Couris asked the Applicant how far the building is from the Rt. 100 Right of Way. Mr. McKenna indicated the building is fifty feet from the Right of Way. Mr. Jacobs asked Mr. Kulakowsky if he had any concerns regarding the application. Mr. Kulakowsky indicated he does not have any concerns, and that the Applicant has satisfied his questions. Mr. Sebia asked if there were any questions from the public. Sara Shick, 1201 Davis Lane, inquired as to the status of the stormwater management features on the site, including the

stormwater basin. Ms. Shick indicated that a nearby property owner shared concerns regarding receiving stormwater from Mr. Kanavy's property. Mr. McKenna responded that his firm conducted an as built analysis and have noted on the plans the basin will be cleaned and slopes reset to assure it meets design standards. Mr. Sebia noted a condition of the approval could include approving the use so long as the stormwater basin is addressed to the satisfaction of the Township Engineer. Mr. Sebia closed the hearing and stated the Board has forty-five days to render a decision. Given that there were no questions from the Board, Mr. Sebia presented a motion for consideration. Mr. Jacobs made the motion to approve the Conditional Use Application of Timothy J. Kanavy, requesting Conditional Use Approval of Section 1102-B 13 of the West Vincent Township Zoning Ordinance to permit the construction of a building for warehousing of building materials, located at 1031 Pottstown Pike, UPI Number 25-6-30 subject to the following conditions: the applicant will comply with testimony and exhibits presented at this hearing and comply with stormwater conditions to the satisfaction of the Township Engineer. Mr. Schneider seconded the motion which carried unanimously.

16 Years, LLC Subdivision: Mr. Schneider made the motion to approve an Extension Agreement for the 16 Years, LLC Subdivision through July 31, 2018. The motion was seconded by Mr. Couris and carried unanimously.

Maxwell Subdivision: Mr. Schneider made a motion to approve an Extension Agreement for the Maxwell Subdivision through August 1, 2018. Mr. Couris seconded the motion which carried unanimously.

Glen Hill Subdivision Plan Revision: The Board acknowledged receipt of the subdivision plan revision for Glen Hill, 1692 Hollow Road.

Old Business

Bucks County Water & Sewer Authority (BCWSA) Fat, Oils, & Grease Regulations Ordinance Public Hearing: Mr. Sebia opened the hearing to review the BCWSA ordinance regulating fat, oils, and grease traps of commercial entities related to the sewer system located in the Township. This regulation has been prompted by the sewer sale. Mr. Couris asked Mr. Sebia what commercial entities would be affected by the new Ordinance. Mr. Sebia responded that the Ordinance would impact proposed commercial development at the Weatherstone Town Center. There was no public comment. Mr. Sebia then closed the hearing. Mr. Schneider made a motion to adopt Ordinance No. 182-2018 approving in part, certain regulations adopted by Bucks County Water & Sewer Authority related to the installation and regulation of oil and grease interceptors, and/or traps for all industrial, commercial, and institutional establishments and providing penalties for the same in the event of violations of the ordinance. Mr. Couris seconded the motion. The motion carried unanimously.

Bucks County Water & Sewer Authority (BCWSA) Rules & Regulations Public Hearing: Mr. Sebia opened the public hearing and marked several exhibits into the record. Mr. Sebia explained that these rules and regulations of BCWSA would take effect due to the sewer sale. The rules have been reviewed by staff and the Township Engineer. There was no public comment. Mr. Sebia closed the hearing. Mr. Schneider made a motion to adopt Ordinance No. 183-2018 for the

purpose of establishing and adopting certain rules and regulations concerning the use of the sewer and sewer system. Mr. Couris seconded the motion. The motion carried unanimously.

Resolution adopting Rules & Regulations of Bucks County Water & Sewer Authority (BCWSA):

Mr. Sebia explained that the Ordinance that was passed now requires the Township to adopt a new Resolution adopting BCWSA Rules and Regulations. Mr. Schneider made the motion to approve Resolution No. 15-2018 establishing and adopting certain rules and regulations concerning the sewer and sewer system. Mr. Couris seconded the motion. The motion carried unanimously.

Bryn Coed Open Space Land Acquisition Public Hearing: Mr. Sebia opened the public hearing and entered various exhibits into the record. Mr. Sebia explained the hearing is set in accordance with the Open Space Lands Act. The Township is looking to acquire a 72 acre property currently owned by Natural Lands. A conservation easement will be placed on the property. Mr. Jacobs commented that this project has been a tremendous effort of several partners. There was no public comment. Mr. Sebia closed the hearing. Mr. Schneider made a motion to approve Resolution No. 16-2018 authorizing, confirming, and ratifying the selection and acquisition of an approximately 71.2547 gross acre property located in West Vincent Township and authorizing the Chairman of the Board of Supervisors, Township Manager, and Township Solicitor to execute and file all necessary documentation required to acquire the property. Mr. Couris seconded the motion. The motion carried unanimously.

Road Materials Contract Bid Award: Ms. Batdorf indicated that two bids were received as part of this bid package. One bid was received from Cedar Hollow Recycling for two items as part of the bid. One bid was received by Britton Industries for the hauling of dirt. Ms. Batdorf explained that the bid price submitted by Cedar Hollow Recycling is slightly higher than last year. Ms. Batdorf indicated that the price submitted by Britton Industries for the removal of dirt was very high. Staff's recommendation is to award the bid to Cedar Hollow Recycling for materials as noted, and to reject the bid from Britton Industries. Ms. Batdorf indicated that there is an alternative vendor who can service the Township at a significantly lower cost. The total estimated cost in using this alternative bidder for the removal of dirt is below the bidding threshold required by the second class Township code. Mr. Schneider made a motion to award the road material bid as submitted for PennDOT Approved Recycled Blacktop 2A Modified and PennDOT Approved 203 Aggregate C2A Recycled Concrete to Cedar Hollow Recycling of Phoenixville, PA, and to reject the road material bid as submitted for the hauling of dirt by Britton Industries of Morrisville, PA. Mr. Couris seconded the motion. The motion carried unanimously.

New Business:

Resolution Authorizing Condemnation of Sewer Easement on 2639 Westover Lane: Mr. Couris made a motion to approve Resolution No. 17-2018 authorizing the condemnation of portions of certain real estate owned by Kevin Barr located within West Vincent Township, Chester County, Pennsylvania, for the purpose of obtaining a sanitary sewer and access easement for sanitary sewer facilities. Mr. Schneider seconded the motion. Ms. Batdorf explained that as part of the sewer sale process there has been much due diligence conducted including the surveying of all Township properties involved with the sewer sale. The Township identified that monitoring wells serving the Weatherstone sewer plant are located on private property. For several years the Township had been

using and maintaining the monitoring wells on this property. The Township and the property owner could not come to a resolution in agreeing to an access easement to allow for the maintenance of these existing facilities. Therefore, the Township needs to acquire the .23 acres of property in anticipation of the sewer sale through condemnation. George Dulchinos, 1415 Hollow Road, asked why the Township could not come to terms with an agreement. Mr. Sebia indicated that the Township did offer compensation in accordance with the fair market value of the property through an appraisal. The property owner did not accept it. Art Ewell, 975 Fellowship Road, asked if this easement was noted on the property owner's deed. Mr. Sebia indicated that the easement is not on the deed. The motion carried unanimously.

Appoint Township Treasurer: Mr. Couris made the motion to appoint Michele Hogrelius as Township Treasurer at a rate of \$23.50/hour. Sara Shick, 1201 Davis Lane, asked what hours Ms. Hogrelius will work in the office. Ms. Batdorf responded that she will work thirty hours per week. The motion carried unanimously.

Appoint Township Secretary: Mr. Couris made a motion to motion to appoint Kathryn Shillenn as Township Secretary at a rate of \$28.00/hour. Sara Shick, 1201 Davis Lane, asked how many hours Ms. Shillenn will work in the office. Ms. Batdorf responded that Ms. Shillenn will work forty hours a week, plus additional hours as needed for meetings. The motion carried unanimously.

Public Comment on Non-Agenda Items:

Harriet Stone, 1645 Birchrund Road, commented that Natural Lands was exceedingly helpful and supportive with the Historic Resource Subcommittee in preserving the Ralston Barn.

Jim Bergey, 1433 Birchrund Road, commented on needed drainage improvements on Jaine Lane in the Township. Mr. Kulakowsky reported that the survey is a first step towards a plan to remediate the stormwater issues and form a maintenance plan for Jaine Lane.

Jennifer Munson, 1974 Beaver Hill Road, thanked the road crew for the recent roadwork along Beaver Hill Road. Ms. Munson indicated although the maintenance improves conditions unfortunately she learned her neighbor experienced a flat tire recently and wanted to pass along this feedback to the road crew for their knowledge.

George Dulchinos, 1415 Hollow Road, expressed concern over public comments made at a recent public meeting concerning his interest in open space preservation.

Mr. Jacobs announced an Executive Session to occur right after the Board meeting at 8:05 p.m. concerning real estate.

The meeting adjourned at 8:05 p.m.

Respectfully submitted,

Erica L. Batdorf
Township Manager