

**BOARD OF SUPERVISORS MEETING**  
**Monday, November 24, 2003, 7:30 p.m. Meeting**

**ATTENDING:** Chairman Ken Miller, Vice Chair Zoë Perkins, Member Clare Quinn, Township Manager Robert Wideman, Township Solicitor Allan Greenwood

Chairman Ken Miller called the **Board of Supervisors Meeting to order** at 7:40 p m

Miller announced the **Executive Session Held on 11/20/03**.

Quinn gave the **update on the New Township Building**. She said she would be repainting the trim this weekend. The ceilings are going up, the countertop is there, the bathroom fixtures are done, and the doors are up. She said the biggest problem is the change order for credit for the road crossing, which came today showing a credit of only \$1,248 – she is working on acquiring proper documentation to disprove this amount. There was also a problem with the last payment made to CDC. Matthew Upson, Treasurer hand delivered the check without including the letter that was to accompany it. Wideman will address this issue. Quinn said we did receive the landscaping credit, which was a bit over \$6,000. Also, she purchased a stainless steel sink for the kitchen for \$5. George Irwin, who had to come fix the boiler at the current Township Building, will be starting work on replacing the boiler at the new building this week.

Wideman stated that Christian Birch, Castle Valley provided a quote for a **new maintenance building** in the amount of \$158,052 for a 60"x120"x18" building. Miller will ask the Road Crew about 16" versus 18" clearance. Miller said he had gotten a load of fill dirt at a nominal cost and that he will ask Craig Kologie, Castle Valley, to inspect it before any more is ordered.

Quinn said the parking lot at the new building was full this weekend and the building had been left unlocked. Perkins asked if it might have been the Emergency Management Team. Wideman will contact David Monteith.

Perkins wanted to confirm that the calls being made by Ronnie Monteith were to check on those needing assistance in the event of an emergency. That was the case.

Wideman reviewed the **Subdivision Extension Update** and said the next item was Della Porta/Griffith – Cornerstone Rise for 12/17/03.

Miller read the **Treasurer's Report**.

Miller reviewed the letter dated 11/6/03 from Chad Brekke regarding landscaping at the Township Park. Perkins asked if there was a landscaping plan for after the new building was finished? Miller stated not at this point. Perkins felt the building should be finished before any landscaping decisions were made. Wideman will contact Chad Brekke and thank him for his comments and let him know that his suggestions will be taken into consideration after the complex is completed.

Miller addressed the letter dated 11/10/03 from Eric Chung regarding the impending traffic study for Ludwig's Corner. He said that Mr. Chung had attended the last Planning Commission meeting and identified himself as a representative of the Weatherstone Civic Association. Miller told him of the first meeting regarding this issue and Mr. Chung had said he would attempt to attend.

Miller reviewed the letter dated 11/6/03 from Caughey & Van Der Ree regarding safety issues on Route 100. Miller stated that he had received a call from, Curt Schroeder, State Representative, to



schedule a meeting at the Ludwig's Corner Fire Company on December 5<sup>th</sup> from 10:00 a.m. to 11:00 a.m., which he and Robert Wideman will be attending

Miller read the **memo dated 11/21/03 from Chief Swinger regarding the establishment of speed limit on Chester Springs Road**. Wideman said he had received additional information from Swinger regarding Edgemont Township stating that speed limits for twenty roads were changed via an Ordinance and that we may want to do the same. Perkins asked that Wideman get recommendations from Swinger for all roads so that the Board includes everything in one Ordinance.

Miller reviewed the **letter received 11/14/03 from the Uwchlan Ambulance Corps. Requesting continued financial support**. Miller said that incorporating funds in next year's budget had already been discussed. Perkins thought additional information was being collected. Quinn felt it might be in the file.

Miller addressed the Memo dated 11/19/03 from the EAC to the **Zoning Hearing Board regarding Trico/Belber**. Jane Gaffer, West Vincent Land Trust, said that Belber's lawyers objected to it being on record.

Miller reviewed the letter dated 11/10/03 regarding **Osborn, et. al. vs. West Vincent Township, et al.** (Tier V Challenge). Greenwood provided information on the case and said there was no need for him to be present at the Hearing.

Miller acknowledged the **letter dated 11/14/03 from Fire Chief, Allen Cleaver, Ludwig's Corner Fire Company, regarding Cornerstone Rise at Griffith Fields** about proposed fire hydrant placement.

Miller reviewed the letter dated 11/7/03 from Greenwood regarding **Quinn vs. West Vincent Township Zoning Hearing Board, Tax Parcel No. 25-3-225** regarding the Petition of West Vincent Township for Allowance to Intervene and related documents. Greenwood said a Brief had been filed by John Good, Esquire on behalf of the Quinns. He said we have a Petition seeking a Petition to Intervene filed. If the Quinns do not respond, Greenwood will file paperwork to allow the Township to intervene with the Court. A discussion ensued regarding Greenwood filing a brief in support of the Township's position. Ms. Guenther, township resident, had some comments regarding the case and Perkins reviewed Greenwood's course of action for her. The Board of Supervisors asked that Greenwood decide on the appropriate course of action and proceed, as he felt appropriate.

Miller addressed the **letter dated 11/11/03 from Fronefield Crawford, Esquire regarding the Weatherstone Development Sewer Plan and Possible Service to Other Properties**.

Miller addressed the **DEP Earth Disturbance Inspection Report dated 11/10/03 regarding Weatherstone**. Wideman said that these were regular monthly inspections and that Weatherstone was fairly responsive except for maintaining the mulch in large commercial areas according to Castle Valley. Greenwood stated that this issue had been brought up at the Planning Commission Meeting last Thursday and felt that an Executive Session should follow tonight's meeting to address this issue.

The proposed **start-up of the Weatherstone Wastewater Treatment Plant and the DEP Inspection Report dated 11/18/03** was the next item discussed. Wideman said the DEP had approved the plan and Gary Weaver; Castle Valley, would be forwarding a letter as well. Wideman's main concern was the fact that the spray fields were not yet vegetated. Richard Hankin, Hankin Group, said the spray fields would not be operational until spring, though they would like to pump sewage into the treatment lagoon and that the DEP concurs with their plan. Miller said the Board could not take action until we see that in writing, which could be addressed next Monday. Wideman felt there were bigger issues than just the start-up and would like to speak with Castle Valley regarding the spray fields and volumes. Hankin said that volumes

had been discussed. Wideman said there were issues in relation to starting the process for dedication and start-up of the plant. Rick Guarini, Hankin Group, said that in the Sewer Plant Agreement dated July 1, 2002, the Township would not take dedication while financing was still in place and asked if the Township was pushing to accept dedication. There was further discussion regarding the financing. Guarini was not sure of the amount financed. Guarini referenced a paragraph in a letter from Fronefield Crawford, Esquire regarding dedication and also stated that if the plant needed to be expanded or additional spray/drip fields were required, it would be advantageous to the Township for Hankin to perform the work. Miller said that the Township would prefer dedication as soon as possible due to problems elsewhere in the Township with systems that were owned by the builders that we have had to take the responsibility for. There was further discussion regarding sewage disposal. Guarini said he would investigate the bond issue. Miller reiterated his position and said it was not necessarily the position of the Board, however, no decisions could be made without a letter from Castle Valley. The Board decided that Wideman should proceed regarding this matter unless he felt there was need for further discussion with the Board. Wideman asked if there would be disadvantages to another landowner or prospective purchaser in the area if they requested to tie into the Treatment Plant. Guarini said the biggest key would be the disposal area; anyone tying in would have to pay their fair share, though based on the Agreements, nobody could tie in without the Township amending the agreement and he felt there should be further discussion on this. Wideman felt the plant should be used as a regional treatment plant and could control other property development in the area.

Wideman addressed the letter dated 11/18/03 from Michael Matlock regarding a subdivision agreement for the Matlock Real Estate/Trust (tax parcel no.'s 25-9-2, 25-9-2.1, 25-9-2.2). He said that Eli Kahn, c/o Signature Group Real Estate Services, would like to purchase two lots and exchange some of the property with a third lot which would result in a net loss of one lot. The language in the Subdivision and Homeowners Association Agreement states that there could be no further subdivision. Perkins asked if this was a lot line change. Wideman said it was and asked if the Township would be willing to sign an Amendment to the Matlock Subdivision Agreement which would allow Eli Kahn to reconfigure said lots, if all other owners executed the Agreement. Wideman reviewed the plot plan with the Board. Perkins felt that three lots becoming two lots was for the ultimate good of the Township. Greenwood will check on whether these existing Covenants could be amended by an Agreement by the parties or if there must be court approval to make it effective. The Board asked that Greenwood contact the Matlocks and inform them of the Board's position and that legal provisions be followed. Quinn suggested that the subdivision agreements be revised to contain more specific language to avoid this type of issue in the future.

Miller reviewed the Letter, with attachments dated 11/14/03 from Doreen Resnick regarding the Sewer Plant Fencing Specifications for Stonecroft/Woodstone Homes. Perkins felt their choices were the most unattractive. Wideman thought they were the cheapest and felt the Township should choose. Quinn stated that Mr. Saunders, township resident, had mentioned that there should be a wave or other means to break up flat surface in the fence to help keep the noise from bouncing off and causing problems for others. Wideman said none of these would fit that description. Wideman will contact Woodstone and ask for clarification on sound diffusion.

Wideman addressed the 2004 Budget Review and said advertisement must be done on 12/1/03 as the budget must be available for 20 days. Matthew Upson, Treasurer wanted to have another meeting to complete the budget. Perkins said it would have to be done at a night meeting. Quinn said she did not see her suggestions regarding the EAC and Planning Commission on Matthew Upson's Memo of 11/24/03. Greenwood read the regulations regarding revising the Budget after it had been advertised. The Board of Supervisors agreed that Wideman should have the budget advertisement run on 12/1/03. The Board had some suggestions regarding revisions to the budget.

Quinn said there would be a **Regional Planning Meeting** tomorrow night at the Township Building at 8:00 p.m. and she then distributed paperwork for grant applications to be addressed at next week's Board of Supervisors Meeting. She said the budget would need to be revised to reflect these numbers. She said these documents were prepared by Allen Heist, Consultant, and asked that Greenwood review them.

Miller reviewed the **Letter dated 11/13/03 regarding Castle Valley Consultants 2004 Proposal for Services**. He said the fees have stayed the same. Wideman said there were problems with the Planning Modules. The Board felt that Wideman should have a meeting to discuss. Miller and Quinn brought up concerns about their not having enough staff to meet our needs. Wideman said he and Craig had discussed that. Perkins asked that the Township have Tom Kelso, Castle Valley in on 12/15/03. Greenwood said there was a mediation clause in this agreement that is very vague and felt there should be specific rules pertaining to mediation. The Board asked that Greenwood review the Agreement.

Miller announced that the **Executive Session** was to discuss Robert Burch's desire to sell TDR's to The Hankin Group and that they have 30 days to notify us of their intent because the Township has a right of first refusal. Quinn said the Board needed to be sure that the Open Space Committee was not acting independently as a representative of the Township. Wideman suggested that any recommendations be made in writing to the Board of Supervisors. The Board also discussed the dollar amount and zoning of TDR's and all information being provided to the Board. Perkins felt that there should be further discussion regarding this issue after review of additional documentation.

Perkins made Motion to approve the **Bills List**. Quinn seconded the Motion with a comment that spell-check should be run before it is submitted. There was no further comment. All were in favor.

Miller announced that there would be an **Executive Session immediately following** the meeting regarding the Earth Disturbance Enforcement.

Perkins made **Motion to adjourn** the meeting. Quinn seconded the Motion. There was no comment. All were in favor.