

West Vincent Township
Board of Supervisors Meeting

January 12, 2015 7:30 PM

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

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

Public Comment on Non-Agenda Items:

Harriet Stone, 1645 Birchrun Road, submitted to the Board a summary of Township employee wage increases in Chester County and noted that the Township is right in line with everyone else in the area.

Brian Curry, 512 Blackhorse Road commented on links on the website.

Maria Jacobs, 2351 Beaver Hill Road, commented on the Township building door locking procedures.

Sara Shick, 1201 Davis Lane, asked Supervisor Jacobs why he voted “no” on some appointments at the Reorganization Meeting and Mr. Jacobs stated that he did not want to comment.

Approval of Minutes:

The minutes of **December 22, 2014 and January 5, 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 1/12/15 was acknowledged as submitted. Mr. Wendelgass stated that the grinder system, known as a Muffin Monster, at the Ludwig’s Corner WWTP is in need of repair or replacement. To rebuild it with the old cutters the estimated cost from Deckman Electric Inc. is \$7,410. To do the same rebuild with new cutters would be \$8,005. Mr. Brown made the motion to rebuild the machinery as listed in the Deckman Electric quote with new cutters at a total cost of \$8,005. Mr. Jacobs seconded the motion. Mr. Jacobs asked how long the cutters last. Mr. Wendelgass estimated 4 years. The motion carried unanimously.

Road Master Report: Mr. Miller read the attached Road Master Report for the month of December 2014 which 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 1/12/15 in the total amount of \$72,959.21. Mr. Jacobs seconded the motion. The Board answered some questions and the motion carried unanimously.

Correspondence:

A notice was acknowledged as received from Columbia Pipeline Group dated December 30, 2014. This informs the Township that it has obtained Approval from FERC on December 18, 2014. This is to upgrade the system outside of West Vincent Township. If anyone wishes to appeal, there is 30 appeal period.

A request to use the meeting room was received from the Northern Chester County 4-H Horse Club on January 13, February 10, March 10 and April 14. Mr. Jacobs made the motion to permit the same. Mr. Brown seconded the motion. There was no public comment and the motion carried unanimously.

A request to use the meeting room was received from the Northern Chester County 4-H Hippology on January 25, February 8, 22 and March 8. Mr. Brown made the motion to permit the same. Mr. Jacobs seconded the motion. There was no public comment and the motion carried unanimously.

A request to use the meeting room was received from Green Valleys Association on February 2 from 2:00 – 3:00 PM. Mr. Brown made the motion to permit the same. Mr. Jacobs seconded the motion. There was no public comment and the motion carried unanimously.

A thank you letter dated January 8, 2015 from Marguerite Dube, Director of the Hankin Branch of the Chester Springs Library was acknowledged as received. This is thanking the Board for the Townships contribution to the library.

Subdivision/Land Development:

Brunner Land Development: Mrs. Ann Porter, Special Counsel for the Township informed the Board that she has reviewed the phase plan and feels that it is appropriate to approve it at this time. Carroll Engineering has also approved this plan as submitted and has a review letter dated January 12, 2015. This plan is allowing the project to be constructed in two financial phases. Mr. Jacobs asked if the Township had any financial liability. Mrs. Porter feels that the Township is adequately protected. Mrs. Porter prepared a resolution and read a portion of it into the record. NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of West Vincent Township, Chester County, Pennsylvania approves the Phase Subdivision Plan, dated November 5, 2014, last revised January 9, 2015. BE IT FURTHER RESOLVED, that the development of either phase is contingent on adherence to the terms and provisions of the Settlement Agreement, Final Approved Plans, modified Bruner Settlement Plans, Bruner Sewer Agreement, and Bruner Development and Security Agreements, except as modified by this Resolution. BE IT

FURTHER RESOLVED, that the appropriate officials of the Township are authorized to execute revised Bruner Development and Security Agreements and authorize the Phase Subdivision Plan to be recorded once they have been submitted to and approved by the Township Engineer and the Township's Special Solicitor/Special Counsel Catherine Anne Porter, Esquire. BE IT FURTHER RESOLVED, that the appropriate officials of the Township are authorized to issue building permits in compliance with said approved Subdivision Plan, subject to the specific conditions that no building permit shall be issued until Applicant has presented, and thereafter executed, a revised Development Agreement in a form satisfactory to and accepted by the Township's Special Solicitor/Special Counsel Catherine Anne Porter, Esquire and has posted the required financial security. Mr. Brown made the motion to approve **Resolution 7-2015** as submitted. Mr. Jacobs seconded the motion. There was no public comment and the motion carried unanimously.

Old Business:

Planning Meeting: Mr. Jacobs suggested that the Board hold a public planning meeting and the Board had previously agreed that the dates would be chosen at this meeting. It was determined that January 29th and February 18th would be the best nights. Mr. Jacobs would like to start a discussion of a five year plan. He asked that the Board consider roads, equipment, larger purchases, structural improvements and the expansion of the Police Department. Mr. Jacobs made the motion to authorize the advertisement of two meetings. Mr. Brown seconded the motion. Mrs. Stone asked if parks would be in consideration. Mr. Jacobs stated that anything long range for the Township could be discussed. The motion carried unanimously. To set a date for budget discussions was premature. Mr. Wendelgass will circulate dates to the Board to see how they will fit into their schedules.

Painting Township Offices: Sherwin Williams paint is on the COSTARS bid. Township staff contacted a local Sherwin Williams dealer and asked for assistance in finding contractors. Three bids were received on painting the kitchen/storage area, main office area, manager's office the main lobby and it also includes power washing the outside of the building. James E. Batdorf: 5,780.00; Superior Coat Painters: \$5,325.00; Jim Steele: \$12,000. These bids do not include paint. After reviewing the quotes, Mr. Jacobs made the motion to approve the quote from Superior Coat Painters since it mentions two coats of paint and the others do not. Mr. Brown seconded the motion. Brian Curry, 512 Blackhorse Road asked if the contractors were on COSTARS, and he was told no. All of the paint will be billed separately from Sherwin Williams. Bernie Flynn, Sherwin Williams representative, has noted that all of the paint costs will not exceed \$1,000.

Sidewalk to West Vincent Elementary: The Township Engineer has prepared an opinion of probable costs. One is outside the right-of-way and the other is within the right-of-way. If this would be built outside the right-of-way, an easement would be necessary. Without the cost of an easement, the estimate is \$84,812. This includes a 15% contingency, Mr. Yerger stated that it is an unknown since the number of trees needed to be removed has not been determined yet. The sidewalk would be approximately 20" from the edge of Route 401. If the sidewalk were to be built in the right-of-way, it would be right along 401 and then a guard rail would need to be installed.

The estimated cost for this is \$120,840 with a 10% contingency. Mr. Brown stated that it would be safer for the children to have it out of the right-of-way. Mr. Yerger stated that it would also be simpler, but an easement would have to be obtained. Either way an easement would be needed, the one in the right-of-way would be a construction easement since the area to work in is small. Mr. Brown asked if this is in the Budget. Mr. Wendelgass stated that it is in part of the road budget. We did obtain a grant of \$10,000 in 2012 from Chester County that covered a portion of the engineering fees. Mr. Jacobs would like to find out how much the cost of an easement would be. The landowner was approached a few years ago and he was willing to grant the easement. If not, then it would have to go in the Penn DOT right-of-way. The Board prefers the sidewalk out of the right-of-way. The Board asked Mr. Wendelgass to contact the landowner tomorrow and ask if he is still willing to grant the easement. Mr. Brown stated that the Sidewalk Ordinance provides a charge of 15% of assessed value. Mr. Miller hopes that the Township will not have to charge the landowner and that he will be reasonable. Mr. Brown agrees, but if it is necessary, it is there for the Board to fall back on. Mr. Wendelgass will report his findings with the Board and discuss it at the next Board meeting. Mr. Curry asked if the new sidewalk will meet up with the current sidewalk. Mr. Yerger informed him that it will.

Fellowship Trail: This proposed trail will connect Open Space C in the Weatherstone Subdivision, continue along Fellowship Road and connect to the Vineyard Church walking path. Then it is to continue in front of the St. Matthews Church and connect with the Township Park walking path. Carroll Engineering has drafted an Opinion of Probable Costs both in the right-of-way and out of the right-of-way. Out of the legal right-of-way, through the St. Matthews Church property requires an easement and is estimated at \$137,445 with a 10% contingency. Out of the legal right-of-way, the estimate is \$122,993 with a 10% contingency. Mr. Yerger stated that in the right-of-way includes a guard rail in the price. He added that the final design is not done yet and the widths can be modified. Mr. Jacobs asked if there was any grants available. Mr. Wendelgass stated that he was meeting with DCNR tomorrow regarding grants of this type. Mr. Miller would like to send an engineered plan to Upper Uwchlan to get their sign off. Mr. Siana stated that before a fully engineered plan is made, Upper Uwchlan should be contacted for commitment and then the plan can be designed. Kip Archinal, 919 Fellowship Road asked if this path could be dirt. Mr. Miller stated that no, it had to be concrete or macadam. Ms. Shick added that the Park and Recreation Commission recommended a stroller friendly path. She also stated that the Church has been holding up this walking path for 1 1/2 years. Mr. Miller stated that he prefers placing it in the right-of-way. Mr. Brown agreed, adding that this sidewalk is different than the one along Route 401, it is for adults and he would prefer not to deal with the church. Mr. Wendelgass will contact Upper Uwchlan to get a commitment before an engineered plan is prepared. He will keep the Board updated on his findings. This project will be placed on Penn Bid when it is ready.

Helms Agriculture Security Application: The property has been posted and the Agriculture Security Committee has met regarding this application for 2563 Veronica Drive. It is now ready for a public hearing. Mr. Brown made the motion that the hearing date be set for January 26, 2015. Mr. Jacobs seconded the motion. There was no public comment and the motion carried unanimously.

Website Committee: Mr. Miller asked what vision Mr. Jacobs had for this committee since it was his idea. Mr. Jacobs stated that he did not have a vision, but to move along the discussion of the website he thought this would help. He feels that two meetings would be enough. Five volunteers have been chosen, Jamie Caughey, Maria Jacobs, Greg Knight, Derek Rodner, and Sara Shick. Mrs. Swavely was asked to contact the developer and the committee members and set up a meeting. Mrs. Stone wanted to know if this was a public meeting or not. Mr. Siana stated that it is not required, but could be. The information will be on the website.

New Business:

New Stormwater Management Agreement: A new Stormwater Management Agreement has been submitted with a building permit for 18 St. Andrews Lane. This has been approved by Carroll Engineering. Mr. Jacobs made the motion to approve the Stormwater Best Management Practices and Conveyances Operation and Maintenance Agreement for 18 St. Andrews Lane and for the Chairman and Secretary to execute the same. Mr. Brown seconded the motion. Mr. Jacobs asked if there was any provisions for reimbursement for the Township. This Application came in before the Resolution including the Stormwater Management Fees. Charges by the Township Engineer and recording fees will be refunded. Any escrows necessary are to be set by the Township engineer. There was no public comment and the motion carried unanimously.

Sustainability Report: Kip Archinal, Sustainability Committee Chairman presented the committees report for 2014 to the Board. She has asked that they attend their meeting on January 20, 2015 so that they can discuss it with them.

New Subdivision Application: A new subdivision application for 2333 Chester Springs Road was received to the Township on January 12, 2015. There are two lots and homes and the application is to change the lot lines on these two-10 acre parcels to one-2 acre parcel and one-18 acre parcel. Mr. Brown made the motion that the Board acknowledge receipt of the Campbell Lot Line Change. Mr. Jacobs seconded the motion which carried unanimously.

Meeting Adjourned 8:30 PM

Respectfully Submitted,

Tammy Swavely
Township Secretary