

West Vincent Township
Board of Supervisors Meeting

March 6, 2017 7:00 PM

Attendance: Chairman John Jacobs, Vice Chairman David Brown, Michael Schneider, Township Manager Erica Batdorf and Township Secretary Tammy Swavely.

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

Mr. Jacobs announced that there was an Executive Session on February 21, 2017 to discuss real estate during the regular Board meeting.

Approval of Minutes:

Mr. Schneider made the motion to approve the February 21, 2017 minutes as submitted. Mr. Brown seconded the motion. Maria Jacobs, 2351 Beaver Hill Road questioned several sections of the minutes in the Open Space Review Board Recommendation. She felt that more of Mr. Schneider comments should be added to reflect his opinion along with Mr. Casciato's reasons for protecting the land. Mr. Jacobs asked if Mrs. Jacobs could send her adjustments to Ms. Batdorf. Mr. Brown stated that since it seems to be a feeling of the Board he made the motion to rescind the previous motion approving the minutes. Mr. Jacobs seconded the motion which carried unanimously. The minutes were tabled.

Reports:

Township Manager Report: Ms. Batdorf gave her report for the time period ending March 6, 2017 which was acknowledged as received. Mr. Curry asked about the acid water in her report and if it affected any pipes to date and he was told no. George Dulchinos 1415 Hollow Road asked about the repair to the Hollow Road Bridge and if this was the covered bridge. Ms. Batdorf that the report did not refer to that bridge, but understands that there were crews out at the covered bridge today. Jim Helm, 2563 Veronica Drive stated that Ms. Batdorf omitted information about the progress of the Fox Hollow Trail. Ms. Batdorf discussed the meeting that was held onsite. After this meeting, Southdown Homes was contacted to stake out the trail to help the construction move forward.

Bills List: Mr. Schneider made the motion that the Bills List dated 3/6/2017 in the total amount of \$80,998.59 be approved as submitted. Mr. Brown seconded the motion. The Board answered some additional questions and the motion carried unanimously.

Correspondence:

A letter from Peter Zimmerman, 2363 S. Chester Springs Road received February 17, 2107 regarding the "Duey Stadium" was acknowledged as received. Ms. Batdorf stated that Mr. Zimmerman is sharing his thoughts and opinions on the Duey Stadium and he would like to have

this as a matter of record. Mr. Jacobs stated that correspondence that is received is taken seriously. Brian Curry, 512 Black Horse Road asked if this will be attached to the minutes and he was informed no. Mrs. Jacobs asked if the Board would read the letter out loud. Mr. Brown read the letter. Mr. Jacobs stated that the Township Solicitor has advised the Board not to discuss this property at this time. Ms. Batdorf shared that Mr. Duey was issued a denial to his building permit and also a denial for his zoning permit. Maury Kring, 2323 S. Chester Springs Road stated that he is Mr. Zimmerman's neighbor and that he feels that Mr. Zimmerman does not know what he is talking about. He stated that the Duey's are developing a property in West Pikeland Township and doing a nice job. It is very surprising that he would feel that way since the Duey's are doing good things. Mike Bradley, 10 Rock Spring Road stated that he is also Mr. Zimmerman's neighbor and agrees with him as do all of the other neighbors.

Free Shredding Event: The Chester County Solid Waste Authority is having a Free Shredding Event on March 18th at the Lanchester Landfill, located on Rt. 322, 2 miles past the intersection of Routes 10 and 322 in Honeybrook from 8:30 am – 11:30 am.

A letter was received from Gloria Shontz, 2415 S. Chester Springs Road regarding the gate and turnaround at the end of S. Chester Springs Road. Mrs. Shontz was present and read it to the audience. Mr. Jacobs thanked her for the letter and informed her that the Township has just received the traffic study report that Upper Uwchlan, West Pikeland and West Vincent Townships participated in. It is the Boards plan to discuss this at the next meeting and have others review it before the meeting. In this report, it discusses improvements to the intersection of S. Chester Springs Road and Route 401. This will be placed on the website. If you have any questions Mr. Jacobs suggested to call and talk to Ms. Batdorf. Penn DOT approvals will be part of this process. The most informative pages of the 120 page document would be the first eight and then page 17 and the last two in the Appendix. There was concern by residents about the Agreement with Toll Bros. and the Board in 2013 to install the gate and to keep the road closed. Since a study was done, they feel that the road may be opened. Mr. Jacobs stated that he cannot give assurance that the road will not be opened. This report has a lot of good things in it and a discussion will start at the next meeting.

Old Business:

Sustainability Work Plan 2017-2022: Mr. Schneider made the motion that the Board approve the Sustainability Work Plan 2017-2022 as submitted. Ben James, previous Sustainability Committee Chairman, informed the Board that this plan has had a few edits, some dates were changed and targets were prioritized. He read a letter to the Board from the committee. Mr. Brown asked if this will be approved or accepted. This started a conversation with several audience members and the Board as to the correct language in the motion. Ms. Batdorf stated that this is a matter of acceptance that sets forth good principals but any policy change or financial need would have to come before the Board for approval. It would not necessarily matter if it was an approval or acceptance of the plan. Mr. Schneider stated that we may need to ask the solicitor for advice. Mr. Brown added to the motion that the Board defines the word approve meaning we accept the report and thank the Sustainability Committee with the understanding that the implementation going forward will be subject to any future Board approval. Mr. Schneider seconded the addition to the motion. After additional discussion on the word "adopt", Mr. Brown made the motion to rescind

the previous motions. Mr. Schneider seconded the motion which carried unanimously. Mr. Schneider made the motion that the Board accept the Sustainability Work Plan 2017-2022 as submitted. Mr. Brown seconded the motion. Kip Archinal, former Sustainability Committee member fears that this will not let the committee move forward. Mr. Schneider stated that the Board will discuss this with the solicitor and as long as the dates are not a problem it should be fine. Mr. Jacobs stated that anything that would require money or changing in zoning would have to come before the Board. Accepting the Plan should be sufficient. This will be placed on the website. Ms. Batdorf will check with the solicitor about the language. Mr. Jacobs called for a vote which was unanimous.

Regional Traffic Study: Upper Uwchlan, West Pikeland and West Vincent Townships have participated in a traffic study in the area and hired Pennoni Engineering to do the study. Three intersections were evaluated, Conestoga Road (Rt. 401) and Chester Springs Road, Conestoga Road and Byers Road, and Byers Road and Eagle Farms Road. This will be placed on the website and this will be placed on the agenda for the next Board meeting, March 20, 2017 at 7:00 PM.

Phase II Fellowship Trail: Mr. Schneider made the motion that the Board support the Fellowship Trail Plan design that is in front of the St. Matthews Lutheran Church that meets the general alignment as submitted by the St. Matthews Church. Mr. Brown seconded the motion. Mr. Jacobs stated that this looks like Plan B from before. Ms. Batdorf stated that she was not in the early conversations with the church but at this point they have been cooperative and Joe Casey has asked the Board to make a motion of general support. In the past discussions have been to go a different route, but issues with the daycare being there it was a concern. Ms. Batdorf commented on the trail design and details will continue to be ironed out in coordination with the church. Mr. Jacobs stated that if this gives the church comfort then it is the right thing to do. There was no public comment and the motion carried unanimously. Chip Farnham, Park and Recreation Chairman stated that the commission is in favor of this project moving forward. Brad Dyer, former Chairman was very focused on this and it will be good to see progress. Mr. Jacobs stated that it looks like 60% of the trail will be in the right of way which was originally our Plan B. Mr. Farnham stated that anything that moves the trail forward is great.

New Business:

Road Material Bid: Mr. Schneider made the motion to authorize the advertisement of the 2017 Road Material Bid as submitted. Mr. Brown seconded the motion. Mr. Schneider read the list of items on the bid advertisement: 1. Penn DOT approved AS2; 2. Penn DOT approved AS4; 3. Penn DOT approved PSP; 4. Penn DOT approved Recycled Blacktop 2A modified graduate; 5. Penn DOT approved 203 Aggregate C2A Recycled Concrete; 6. Penn DOT approved 3A Crushed Recycled Concrete; 7. Haul and Disposal of Dirt. Mr. Curry asked why we pay to get rid of dirt. Mr. Jacobs stated that the dirt is not clean fill and therefore no one wants to pay for it. Mr. Curry stated that he investigated dirt on Penn DOT's website and stated that they require a chemical test only if there is evidence of a spill. He feels that the Township should use Penn DOT standards. Ms. Batdorf stated that she has learned that it is a requirement from the vendor that the dirt be clean, no roots or large stones. Another issue is storage. All the fill that is taken off the roads would fill the bins and the Township has limited storage capacity. Mr. Jacobs

asked Ms. Batdorf to double check this issue. There was no further public comment and the motion carried unanimously.

Park and Recreation Annual Report: Mr. Schneider made the motion to accept the 2016 Park and Recreation as submitted. Mr. Brown seconded the motion. This will be placed on the website on the Park and Recreation page.

Public Comment:

Sara Shick, 1201 Davis Lane handed the Board a pamphlet on the benefits of preserving land. She stated that it talks about the cost of conservation vs. development.

Ms. Shick commented on two homes on the Bryn Coed plan that are proposed to be demolished. She asked the Board to consider separating those homes off the Township parcel and have the Natural Lands Trust sell them as fixer uppers. She stated that there is not much affordable housing in the Township and that is one of the goals in the Sustainability Plan. The Board discussed this and thanked her for her comment.

Mr. Helm commented on the strategies of the Open Space Review Board and that they need a well-defined plan since it seems that after the last meeting it was not clear. He feels that the committees should have a Plan like the Sustainability Committee has.

Mr. Jacobs stated that the Board did have a nice meeting with the Sustainability Committee and learned about their Plan, and it would be great if all the Board members could meet with all of the committees. Ms. Batdorf asked if he would like a monthly agenda item leaving it open to a monthly report if a committee would feel it necessary. She added that the Board has liaisons on each of the committees. Volunteering is admirable, but can be difficult for them. Mr. Jacobs stated that he would like the Board to get on the same wavelength as the committees.

Mr. Farnham stated that using Facebook is a valuable tool to inform others of meetings.

Harriet Stone, 1645 Birchrun Road stated that more education would be great especially about open space and proposed a meeting at the Township to inform people about open space and how much it costs vs. development. Mr. Jacobs stated that Mr. Brown pointed out the OSRB recommended the purchase of the Conservation Easement, along with the Sustainability Committee but had I no idea that there was a grading system. This evaluation form will be added to the website. Mr. Jacobs stated that he would rather than do this at the committee level. Mrs. Stone stated there are five conservation groups that could meet with the Board and/or public to explain the benefits.

Mr. Curry stated that he does not feel that Facebook is a good means of communication since it is unreliable as to what you actually see.

Mrs. Jacobs discussed the Open Space records and the Open Space Review Board and how they have a big impact on a large budget. She feels that the past minutes were sketchy. She questioned the Executive Sessions that were held last year. Mr. Brown stated that discussions on

private property are held in executive session because it is a privacy issue and he did ask the solicitor for an opinion and he said that it should be done in executive session. For the expenditure of monies that definitely needs to be a Board decision. Mr. Schneider asked if the past TDR purchases had executive sessions. Mr. Brown did not know the answer to that question. Mrs. Jacobs asked other questions on the OSRB. Mr. Brown stated that each the OSRB visited each site together. Pam Brown, French and Pickering Conservation Trust, stated that she was on the original OSRB since 2003 and there was always a meeting with the landowner and it was private. The landowner would need to see the appraisal before they decide if they would want to sell their TDR's or not. Mrs. Jacobs was concerned since the past executive sessions were not mentioned in the minutes. Mr. Jacobs stated that the Sunshine Law requires all Executive Sessions to be mentioned before the next meeting begins. He asked Mr. Brown who the chair of the OSRB was and he stated that they have not elected a chair but they have an acting secretary. Mr. Jacobs stated that they need to follow their founding resolution and elect officers and submit an annual report.

Meeting adjourned 8:55 PM.

Respectfully Submitted,

Tammy Swavely
Township Secretary