

West Vincent Township
Board of Supervisors Meeting

March 20, 2017 7:00 PM

Attendance: Chairman John Jacobs, Vice Chairman David Brown, Michael Schneider, Joseph McGrory Esq., Hamburg, Rubin, Mullin, Maxwell and Lupin, and Township Manager Erica Batdorf.

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

Before conducting official business, Mr. Jacobs requested the audience use the microphone and podium at the front of the room for public comment.

Approval of Minutes:

Mr. Schneider made the motion to approve the February 21, 2017 minutes as submitted. Mr. Brown seconded the motion. The motion carried unanimously.

Mr. Brown made the motion to approve the March 6, 2017 minutes as submitted. Mr. Schneider seconded the motion. Mr. Jacobs noted that he had one correction that involved the Open Space Advisory Board and comments expressed by Mr. Brown. The motion was tabled.

Reports:

Police Report: Police Chief Swinger gave the Police Report for February 2017 which was acknowledged as received.

Bills List: Mr. Schneider made the motion that the Bills List dated 3/22/2017 in the total amount of \$59,295.69 be approved as submitted. Mr. Brown seconded the motion. The Board and Township Manager answered some additional questions and the motion carried unanimously.

Correspondence:

A letter from the West Vincent Land Trust requesting their 2017 annual contribution from the Township was received and reviewed by the Board. Mr. Brown made a motion to contribute the \$7,500 to the West Vincent Land Trust, and Mr. Jacobs seconded. Ms. Zoe Perkins, Chair of the West Vincent Township Land Trust spoke at the podium regarding the purpose of the Trust's request and reviewed their ongoing activities. Ms. Perkins reported that the Trust supports the 16 Years Project, and has assisted in providing funds necessary for appraisals and yield studies. Because it is a real estate deal the Trust must be private regarding some of their progress. Work on the Benton property is ongoing. Mr. Schneider asked about trail easements and if the Trust assisted in acquiring these. Ms. Perkins indicated the Trust has not used public Township money on the trail projects. Mr. Schneider stated he recently reviewed the documents by the Trust, and 90% of the budget is used to support a consultant's time. Ms. Perkins commented that the

consultant funds are funded by the Trust and not from Township money. The Township money is essentially earmarked and the consultant is not paid for their efforts with these funds. Mr. Schneider commented that he would like to see the Township change the process for funding requests. Interested parties should submit a proposal for fund and explain in detail the purpose of their request. Mr. Schneider further indicated that the Trust's fund balance has been decreasing every year. Ms. Perkins stated she is not opposed to submitting a funding proposal and understands those comments. Mr. Jacobs commented that this process is similar to when the Township submits a request before a grant making body. Mr. Brown explained this process is also analogous to fire company requests who conduct their operations and asked if Mr. Schneider would ask the same of those entities? Mr. Schneider stated yes. Any business should be treated this way. Mr. Schneider explained this is an especially important requirement considering we are paying fees to clean up tax issues with open space at St. Stephens's Green sewer plant. Sara Shick, 1201 Davis Lane, commented that when Trust funds are spent on a yield study, it was important to note there is public support for the project, as was the case at Beaver Hill Road. The Trust needs flexibility to work on projects and some may never come to fruition. Mr. Schneider asked if there is documentation on efforts where money has been spent. Ms. Perkin's commented that yes, there are documents. Mr. Schneider asked if the consultant is paid on an hourly basis. Ms. Perkins stated that the consultant is paid in a lump sum. Mr. Jacobs requested a year-end report. Ms. Perkins stated she would be glad to provide an annual report. Brian Curry, 512 Black Horse Road commented on the By Laws of the Trust and indicated that the Board of Directors has a makeup as defined by those By Laws. Mr. Curry asked Mr. Brown if he was appointed to the Board of Directors for the Trust at Reorganization. Mr. Brown commented that he was appointed to the Trust's Board of Director's by his own right, not at Reorganization. Mr. Curry identified issues in the By Laws he had in his possession and asked Ms. Perkins for clarification. Ms. Perkins indicated the By Laws were completed in 1998 and the Trust is working to update those By Laws now to reflect the proper organizational structure. Mr. Curry asked Mr. McGrory if the Township should donate funds to an organization based on these issues. Mr. McGrory stated he is not going to provide legal guidance to this organization as the Township is his client. Mr. McGrory said if they are a 501 c 3, it is fine to contribute Township funds. Mr. Jacobs asked Ms. Perkins to consider appointing a Board member annually in the future. Ms. Perkin's commented she agreed with this recommendation. Mr. Jacobs asked Mr. Brown if he can make this motion based on the fact that he is a Director on the Trust. Mr. McGrory commented that Mr. Brown must recuse himself in this instance. Mr. Jacobs indicated that if the vote is 1 – 1 the motion will not pass. Mr. McGrory indicated he needed to research the issue of allowing Mr. Brown to vote in the case of a tie in this instance. Mr. McGrory will review the second-class Township code related to this issue. Mr. Jacobs made the motion to table this request, and Mr. Brown seconded the motion. All unanimous.

A letter dated February 27, 2017 from French and Pickering Conversation Trust thanking the Board for the unanimous vote to commit \$200,000 of Open Space funds to purchase the 16 Years, LLC Conservation Easement was received by the Board and read aloud by Mr. Brown.

A letter dated March 6, 2017 from Peter Reitmeyer thanking the board for having the Township's Deer Hunting Program was received by the Board and read aloud by Mr. Jacobs.

Subdivision/Land Development:

NLT/Bryn Coed: Resolution 10-2017: Final Decision Approval: Mr. Brian Sundermeir, Project Manager for NLT addressed the Board of Supervisors and provided an overview of their subdivision plans. Mr. Sundermier indicated he has met with the Township EAC, Planning Commission, and staff, to review the plans. Mr. Sundermeir indicated he was in receipt of the Township Engineer's review letter and has reviewed the Resolution before the Board tonight and NLT will comply with all comments. Mr. McGrory indicated that the waivers requested by NLT have been received and are incorporated in the Resolution. Mr. Schneider made a motion to approve Resolution 10-2017 and Mr. Brown seconded.

Sara Shick, 1201 Davis Lane asked the Board if this Resolution is a new process for the Board when approving a subdivision. Mr. McGrory commented that yes, the Resolution serves as a checklist for the Township and is likely the first to be completed since his tenure with the Township. Ms. Shick also commented that they have not seen the waivers or received comments from Chester County or the Phoenixville Regional Planning Committee review letters to the satisfaction of the Township. Mr. McGrory stated that the waivers were explained by the Township Engineer at the Planning Commission meeting as they were referenced in his review letter and the planning comments will be a requirement that must be addressed as part of a condition in this Resolution by NLT. Jim Helm, 2563 Veronica Drive, commented that the Chester County and Phoenixville Regional Planning Committee review comments must be included in the Resolution. Mr. McGrory confirmed that these comments are part of the Resolution. Mr. Helm reiterated comments brought forth at the Planning Commission meeting that the Commission would like the Board's reassurance in reviewing the lot line change that the two dwellings on St. Matthew's Road impacted by this project will be evaluated. Mr. Jacobs indicated there will be a concerted discussion regarding the Township's involvement with NLT in consideration of these two properties. Mr. Jacobs called for a vote and it was unanimous.

Kanavy/Trevdan: Extension Request: Mr. Brown made the motion to approve the 90-day plan extension. Mr. Schneider seconded the motion and the vote was unanimous.

Eagle Farms Subdivision/Toll Bros.: Toll Bros. has requested Surety Reductions on a Performance Surety Bond and Cedarville Engineering is recommending their release. This is for the improvements on the Carriage Homes, South. Mr. Schneider made the motion to approve Release #4, in the total amount of \$29,592.07. Mr. Jacobs seconded the motion, there was no public comment and the motion carried unanimously.

Old Business:

Regional Traffic Study Report: Brian Keaveney of Pennoni & Associates provided an overview of the Regional Traffic Study Report. Mr. Keaveney reported that he reviewed traffic locations including Rt. 401 & Byers Road, Rt. 401 & S. Chester Springs Road, and Byers Road & Eagle Farms Road for the purposes of providing recommendations for traffic improvements. Mr. Keaveney collected traffic data, evaluated intersection geometry, site distances, and other existing conditions in providing his recommendations. Recommendations considered as improvements include supplemental pavement markings, signage, multi – ways stops, and traffic signals. Mr.

Keaveney reported that of specific concern to West Vincent Township is the intersection of S. Chester Springs and Rt. 401. He indicated that a multi – way stop may be a recommendation that is feasible to install with PennDOT cooperation. Current traffic conditions at this location could warrant a multi way stop.

Ms. Annie Ewing, 2211 Eagle Farms Road, asked Mr. Keaveney if S. Chester Springs Road was assumed to be open or closed in this study. Mr. Keaveney stated he reviewed both of these options. Mr. Keaveney commented that opening the road would not impact traffic given the levels reviewed. Mr. Jacobs asked Mr. Keaveney if improvements to Byers Road and Rt. 401 would impact the region. Mr. Keaveney reported that traffic signals certainly help with safety, rather than efficiency of traffic flow. Mr. Jacobs indicated that West Pikeland residents had a desire to close Eagle Farms Road. Mr. Schneider weighed in on this discussion by stating he has heard a similar comment from Upper Uwchlan Township. Mr. Jacobs asked Mr. Keaveney if a roundabout was considered. Mr. Keaveney stated that a roundabout at Byers Road and Rt. 401 is somewhat less practical given the amount of coordination needed for installation.

Mr. Jim Helm, 2563 Veronica Drive, has several questions for Mr. Keaveney and shared some concerns. Mr. Keaveney agreed line-of-sight issues at S. Chester Spring Road and Rt. 401 are exacerbated when 85% of vehicles exceed the posted speed limits. Mr. Keaveney also stated the proposed 4-way stop could help, but there can be issues caused by the que of vehicles which is highlighted in his report. Mr. Keaveney stated he thought the corner at S. Chester Springs Road was safer than the corner at Byers Rd because there have been more accidents in total at the corner of Byers Road and Rt. 401. Mr. Helm voiced the opinion that the accident rate was the most important factor, and the rate of accidents was substantially higher at the S. Chester Springs road intersection considering the low amount of traffic turning to and from S. Chester Springs Rd. Mr. Helm pointed out the accident rate at S. Chester Springs Road and Rt. 401 was 1 per year with only 81 turns in this study. The overall accident rate was much lower at the Byers Road intersection with 4 accidents per year involving over 1730 turns in this study, which is an accident rate 200 times less frequent than the accident rate at S. Chester Springs Road. Mr. Helm did not think the intersection at S. Chester Springs Road was safe for a higher volume of traffic without modifications. Mr. Helm also pointed out that traffic from homes built in the Eagle Farms subdivisions built after the report were not included in this report. Hr. Helm voiced support for the 4-way stop proposal to Penn Dot at the intersection of S. Chester Springs Rd and Rt. 401.

Mr. Darryl Sanders, 2619 S. Chester Springs Road, commented that he lives on S. Chester Springs Road, and is very concerned about the corner of S. Chester Springs Road and Rt. 401. People drive very fast up this road and have difficulty managing this corner. Increased development will cause additional cars going to down the road and there is a need to warn people about the issues.

Ms. Jennifer Farnham, 2665 S. Chester Springs Road, shared that she is perplexed by the study because it is based on current traffic. Ms. Farnham indicates that Lennar and Toll Bros. will impact traffic, in addition to the Pulte development. Ms. Farnham indicates there are legal agreements that brought about the closure of S. Chester Springs Road. Using the intersection and living in this area is a much different experience. Ms. Farnham noted that there are errors in the traffic study regarding speed limit. Ms. Farnham commented on the number of crashes in the range of this location. Mr. Jacobs commented that the Township is looking to address these issues through improvements. Mr. Schneider commented that the additional traffic caused by development

supports the basis of installing an improvement. Mr. Jacobs stated that the next step would be to meet with PennDOT on improvements in coordination with other Townships. Ms. Farnham stated that the multi way stop at S. Chester Springs Road and Rt. 401 is going to create a que of vehicles. You can't compare it to St. Matthews Road and Rt. 401. We are concerned for our lives.

Mr. Ron Brostrom, 2655 S. Chester Springs Road, commented that the real concern is opening S. Chester Springs Road. Would this also mean opening up the road at Kennard and Paige Roads? Mr. Jacobs responded no. Mr. Brostrom stated that the Sunderland Avenue proposal is new and has this been considered? Mr. Jacobs indicated that the submission is new and it will be considered. Mr. Schneider commented that reviewing opening the gate again once improvements are in at Rt. 3401 and S. Chester Springs Road. Mr. Brostrom indicated he has sought counsel and will meet with Township officials in the future to discuss further. Mr. Jacobs indicated the Board would not move forward without our resident input. Mr. Curry asked if reducing the embankments would help and improve sight lines. Is PennDOT amenable to helping with this? Mr. Keaveney stated yes. Mr. Sara Shick, 1201 Davis Lane, asked the Board are you seriously considering opening the gate. Mr. Jacobs responded we are considering opening the gate.

New Business:

Pottstown Area Health and Wellness Foundation Fellowship Trail Grant Application: Ms. Batdorf explained that the Township is seeking to apply for \$25,000 in grant funds from the Pottstown Area Health and Wellness Foundation to support the Fellowship Trail St. Matthews Connection Phase II project. The grant will require a 50% match and is due April 4, 2017. Mr. Schneider made the motion to approve application of the grant, and Mr. Brown seconded. The vote was unanimous.

Griffith Farm Property: Ms. Batdorf reported that the Township is looking to evaluate the potential of selling the 2.8-acre parcel known as the Griffith Farm Property. The existing barn and structures are in need of continuous maintenance. The property is also not well suited to house municipal operations. Ms. Batdorf will report back to the Board of Supervisors with an action plan.

New Subdivision Application for Eagle Farms/Sunderland Avenue: A new subdivision application was received for Eagle Farms/Sunderland Avenue by Toll Bros. It has been forwarded to our Township Engineer and is under review. Mr. Schneider made the motion that the Board acknowledge receipt of the Subdivision application of the Eagle Farms/Sunderland Avenue by Toll Bros. Mr. Brown seconded the motion. The vote was unanimous.

Authorize Advertisement for Bidding of Hollow Road Bridge Repair: Mr. Schneider made the motion to authorization advertisement of bidding for the Hollow Road Bridge Repair. Mr. Brown seconded the motion. Mr. Brian Curry, (Blackhorse Road) asked for the project cost estimate. Ms. Batdorf responded that the estimate is \$100-125,000. The vote was unanimous.

Authorize Advertisement for Bidding of French Creek Road Arch Replacement: Mr. Schneider made the motion to authorize advertisement of bidding of French Creek Road Arch Replacement. Mr. Brown seconded the motion. Mr. Brian Curry, (Blackhorse Road) asked for the project cost estimate. Ms. Batdorf responded the estimate is roughly \$250,000. The vote was unanimous.

Authorize Advertisement for Bidding of Paving Program Projects – Horseshoe Trail & Nantmeal Road: Mr. Schneider made the motion to authorize advertisement of bidding of paving program projects including Horseshoe Trail and Nantmeal Road. Mr. Brown seconded the motion. The vote was unanimous.

Public Comment:

Ms. Harriet Stone, 1645 Birchrund Road, commented that the Historic Resources Committee needs help in documenting and filing historic records. The Committee is interested in seeing the documents are properly recorded, classified, and retained. Mr. Jacobs asked if a lobby case would help. Ms. Stone stated it could, as items have been collected over the years, but we will have many documents to file.

Mr. Joe Bergey, 1433 Birchrund Road, commended that he is glad to see Hollow Road Bridge is being addressed. Mr. Bergey commented that several roads are still in very bad shape including Flint Road, Shady Lane, and Jaine Lane. Mr. Schneider commented that the Township acknowledges there are many road issues, and this year we have prioritized them with the help of our Road Program Study. Mr. Bergey also asked about the status of the Sheeder Mill covered bridge. Ms. Batdorf reported this bridge is owned by the County and repairs are underway.

Meeting adjourned 9:15 p.m.

Respectfully Submitted,

Erica L. Batdorf
Township Manager