

DRAFT MINUTES OF THE  
EAST COVENTRY TOWNSHIP BOARD OF SUPERVISORS  
MEETING HELD AUGUST 8, 2016  
*(Approved September 12, 2016)*

The Board of Supervisors held its' regular monthly meeting on Monday, August 8, 2016. Present for the meeting were supervisors Ray Kolb, W. Atlee Rinehart, Karen Nocella, Michael Albert Moyer and Anthony Duffy. Also present were Bernard A. Rodgers, Township Manager, Marjorie Brown, Township Solicitor and Brady Flaharty, Township Engineer.

Mr. Kolb called the meeting to order at 7:00 p.m. and the pledge of allegiance was recited.

Mr. Kolb presented Chief John Theobald with a plaque and resolution for his 16 1/2 years' of service to the East Coventry Township Police Department. Chief Theobald stated he appreciated the opportunity to work for the East Coventry Township Police Department. Chief Theobald stated he has a great group of officers working for him and thanked them. Chief stated he enjoyed working with the Board of Supervisors, Administration and Public Works. Chief Theobald stated this has been a great journey and he has worked with a great group of people.

Mrs. Brown stated that an executive session was held immediately preceding this meeting to discuss one matter of real estate.

**1. MINUTES**

Mr. Rinehart made a motion to approve the minutes of the July 11, 2016 Board of Supervisors meeting. Mrs. Nocella seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

**2. PUBLIC COMMENTS**

Mr. Scott Allen, East Cedarville Road, Pottstown, PA 19465, stated he noticed smoke around the neighborhood between 11:00 pm /12:00 am around East Cedarville Road & Schoolhouse Road. Mr. Allen walked around the neighborhood to try to find where the smoke was coming from. Mr. Allen stated with this taking place at night, it is harder to find who is burning. Mr. Allen stated if he would call the Code Officer, by the time the Officer arrived, the burning will more than likely be done. A discussion ensued. Mr. Allen asked if something could be added to the newsletter about not burning plastic, rubber, styrofoam, etc. Mr. Kolb stated we can put something in the newsletter pertaining to not burning plastic, rubber, styrofoam, etc.

Mr. Robert Bauers, 169 Sawmill Road asked what real estate is the Township thinking about purchasing, at what cost and for what purpose. Mrs. Brown stated there is a recommendation to approve an agreement of sale for the property located at 850 Schoolhouse Road, Pottstown, PA 19465. The size of the property is 1/2 acre with a dwelling. The purchase price is \$88,900.00, which would require a deposit of \$4,445.00. The Township, once agreement is fully executed, would have 30 days to obtain title commitment and review the title work on the property. Thereafter, about 60 days to do a site investigation, which will include a phase 1. Mrs. Brown stated she has a motion available. Mrs. Brown read the following motion:

Motion to approve the purchase of the real property and home located at 850 Schoolhouse Road, Pottstown, PA for the purchase price of \$88,900.00 and to authorize the Board Chairman and Secretary to sign an Agreement of Sale in the form presented to this Board, to issue a deposit check in the amount of \$4,445.00 payable to Security Abstract of PA, Inc. to be held in escrow pending closing on the purchase, and to authorize the appropriate officers to take any and all actions necessary or appropriate, upon advice of the Township Solicitor, to consummate the transactions contemplated

by the Agreement of Sale.

Mr. Duffy made a motion to approve the purchase of the property located at 850 Schoolhouse Road. Mr. Moyer seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

Mrs. Linda Ottaviano, 2364 New Schuylkill Road, Pottstown, PA 19465, asked what happened to the microphones the Township used to use during the meetings. Mr. Kolb does not remember using any microphones for the meeting.

Mrs. Ottaviano asked if the Township owns the fire hydrants. Mr. Kolb stated the Township does not own the hydrants, they are owned by the Pennsylvania American Water Company. Mrs. Ottaviano asked if there was any other fund where the money could come out of instead of charging the residents. Mr. Rodgers stated the money could come out of the General Fund. Mr. Rodgers explained the fee charged by the Pennsylvania American Water Company is to cover its cost to maintain the hydrant and this cost is determined by the Pennsylvania Utilities Commission. The Township, in turn, assesses a fee to property owners within a certain distance of the hydrants to cover that cost. Mrs. Ottaviano stated this seems to be discriminating of those who live near them. A discussion ensued and Mrs. Ottaviano stated she is not complaining about the fire hydrants, but feels the cost should be spread throughout the Township. Mr. Rodgers stated the Board of Supervisors could consider whether they want to keep the fire hydrant tax for the 2017 Budget.

Mr. Rodgers stated a representative from McMahon Associates is here tonight to review the bids received for the Traffic Signal Improvement at Route 724 and Bethel Church Road. Mr. Rodgers introduced Mr. Stephen Giampaolo, P.E.

Mr. Stephen Giampaolo, Senior Project Manager, McMahon Transportation Engineers & Planners gave an overall presentation of the Intersection Improvements at S.R. 724 and Bethel Church Road. Mr. Giampaolo stated the intersection improvements includes installation of new traffic lights, reconfiguration of the curbs and turning lanes and a crosswalk for the Schuylkill River Trail. The bids received are as follows:

<u>Bidder</u>	<u>Total Lump Sum</u> <u>Base Bid</u>	<u>Net Change for</u> <u>Add Alternate Bid</u>	<u>Total Lump</u> <u>Sum Bid</u>
Road-Con, Inc.	\$ 366,077.10	\$ 7,000.00	\$ 373,137.10
Marino Corporation	\$ 356,796.90	\$ 17,230.00	\$ 374,026.90
Wampole-Miller, Inc.	\$ 415,860.94	\$ 5,059.00	\$ 420,919.94

A discussion ensued. Mr. Rodgers stated the estimated completion date will be around Thanksgiving. Mr. Giampaolo stated the poles take approximately 12 weeks to order. Mr. Rodgers stated the Certificate of Insurance must include the Commonwealth of Pa/PennDOT as Additional Insured. Mr. Moyer made a motion to award the bid for the Traffic Signal Improvement to Marino Corporation for the amount of \$ 356,796.90. Mr. Rinehart seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

### 3. **REPORTS**

#### **Township Manager's Reports**

##### **Consideration of approval of Special Fire Police Services for the Pottstown Fire Police Sly Fox Half Marathon on July 16, 2016**

Mr. Rinehart made a motion to approve the Special Fire Police Services for the Pottstown Fire Police Sly Fox Half Marathon on July 16, 2016. Mr. Duffy seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

#### Consideration of approval of Police Weapons Update/Upgrade

Mr. Rodgers reviewed the e-mail from Chief William Mossman pertaining to upgrading and replacement of the Police Department Firearms. Chief Mossman has secured a grant from the Phoenixville VFW in the amount of \$7,000.00 to cover the upgrading and replacement of the weapons.

Mr. Duffy made a motion to upgrade the Police Department Weapons according the e-mail received from William Mossman. Mr. Rinehart seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

#### Consideration of approval for release of Maintenance Escrow for Walnut Springs Farm

Mr. Rodgers reviewed the request for release of Maintenance Escrow for Walnut Springs Farm in the amount of \$7,500.00. After discussion, it was determined the applicant would receive a check in the amount of \$7,000.00, with the Township continuing to hold \$500.00 for future maintenance of the recently installed underdrain from the right-of-way into the pavement, if needed.

Mr. Rinehart made a motion to release \$7,000.00 from the escrow account for Walnut Springs Farm, with the Township continuing to hold \$500.00 for future maintenance of the recently installed underdrain from the right-of-way into the pavement. Mrs. Nocella seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

#### Consideration of Township Engineer's Report

Mr. Rinehart asked Mr. Flaharty if he had an update on the multiple years of MS4 report. Mr. Flaharty stated he has not heard if the report has been approved. Mr. Flaharty stated with the proposed changes, he doubts we will receive approval for the multiple years of MS4 reports.

Mrs. Nocella made a motion to approve the Township's Engineer Report. Mr. Rinehart seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

#### Consideration of approving reports from various departments and committees

Mrs. Nocella made a motion to approve the reports from various departments and committees. Mr. Duffy seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

### **4. Subdivision and Land Development**

#### East Coventry Elementary School Final Plan Approval – Owen J Roberts School District and Resolution 2016-12

Mr. Jim Shefion provided an overview of the proposed project. Mrs. Brown discussed the East Coventry Elementary School Trail Easements first. Mrs. Brown stated the proposed Resolution granting final land development approval for construction of the East Coventry Elementary School contemplates that three "trails" or "paths" will (or may be) construction on the school property as follows:

- Trail #1 – An asphalt walkway along East Cedarville Road in Lieu of sidewalks and adjacent to the driveway entrance to the school building. The walkway will be maintained by the School District.
- Trail #2 – A crushed gravel path to be constructed by the School District that leads to the athletic fields, the Coventry Glen property line, and the Pheasant Lane cul-de-sac. That portion of the walkway leading to Pheasant Lane is to be constructed when the school building is constructed. That portion of the path leading to the athletic fields and the Coventry Glen development is to be constructed when the athletic fields are installed. The gravel path is to be maintained by the School District.
- Trail #3 – A proposed "future trail" that meanders through the property, which may be constructed by the Township, at its option. If the future trail is constructed by the Township,

it is to be maintained by the Township. The future trail is intended to be part of the Township's trail system.

Mrs. Brown stated an issue came up on the scope of the use for the three different types of trails. The School District has requested that the use of all trails and paths be limited to foot traffic only, and that bicycles, skateboards, horses and motorized vehicles be explicitly prohibited. After a discuss with Rich Tralies, Township Planner, Natural Lands Trust and the remaining consultants, the Consultants are recommending the following:

- Bicycles – Bicycles should be permitted. The bicycles on these trails will be used by children going to and from the school to use the fields and playgrounds there. There could be some recreational riders cutting through, particularly if they live in Coventry Glen or want to ride a bike to their children's sports practice. The School District could post signs asking bicyclists to yield to pedestrians and dismount when crowds are assembled.

The School District and Township agree to permit bicycles on the trails. However, the School District and the Township agree bicycle racing will not be permitted.

- Horses – We understand that there are equestrian trails throughout the Township but that none of them are near the school; therefore, we doubt that equestrians would want to ride through this property. We also doubt that many riders would bring their horses to a place where there are many children. Concern about horse droppings on school property is certainly reasonable. For the foregoing reasons, we have not concerns with prohibiting horses.

The School District and Township agree to not permit horses on the trails.

- Skateboards – Since the walkway along East Cedarville Road is in lieu of sidewalks, we recommend that skateboards be permitted on the asphalt walkway along East Cedarville Road as skateboards are generally permitted on Township Sidewalks. The gravel paths will be constructed of 2A modified stone, which is too uneven a surface for skateboards. The Township trail plan is not contemplating skateboard use. For these reasons, we have not concerns with prohibiting skateboards on either the gravel paths or the future trail.

The School District and Township agree to allow skateboards on the trail along East Cedarville Road.

- Motorized Vehicles – We agree with the School District's request that motorized vehicles be prohibited, but recommend an exception be made for OPDMD's (Other Power Driven Mobility Devices) to assist people with disabilities.

The School District and Township agree to allow OPDMD's (Other Power Driven Mobility Devices) to assist people with disabilities.

The School District requested the limit of public use only while school is not in session. Mr. Moyer asked the School District if they allow children to walk to school. The School District will allow children to walk to school if they live in neighboring areas if a waiver is signed by the parents. A discussion ensued on the "future trail".

Mr. Duffy made a motion to approve the Final Reverse Subdivision/Land Development Plan for the Owen J Roberts East Coventry Elementary School. Mr. Rinehart seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

Mr. Kolb asked if the School District is ready to go out to bid. The School District will be ready to go out for bid at the end of this week and break ground in the fall. Mr. Duffy asked if they have an idea of completion. The School District estimate the completion of the new school in 18 months.

Razor Sharp Grinding – Preliminary / Final Plan Submission

Mr. Rodgers stated Razor Sharp Grinding is before the Board of Supervisors to request approval to submit their proposed plan as a Preliminary / Final Plan for approval. Mr. Rodgers stated the Planning Commission supports the submittal as Preliminary / Final Plan.

Mr. Moyer made a motion to allow the applicant to submit his plan as a Preliminary / Final Plan for approval. Mr. Rinehart seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

Enclave at Ellis Woods Preliminary Subdivision/Land Development – Time Extension for Sanitary Sewer Agreement

Mr. Rodgers presented an amendment to the Sanitary Sewer Improvements Agreement for the Enclave at Ellis Woods. Mr. Rodgers stated the agreement will be extended from August 2016 to November 2016.

Mr. Kolb made a motion to approve the amendment to the Sanitary Sewer Agreement extending the agreement from August 2016 to November 2016. Mr. Moyer seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

**5. Zoning Hearing Board Applications**

Zoning Hearing Board Application 257 – 2579 New Schuylkill Road

Zoning Hearing Board application for variance submitted by Michael J. Makris d/b/a/ Auto Quest Collision relating to combining two parcels in order to construct a 30' x 40' garage and a 12' x 12' connection breezeway.

Mr. Rinehart made a motion to take no action for this Zoning Hearing Board application. Mrs. Nocella seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

Zoning Hearing Board Application 258 – 16 Oak Drive

Zoning Hearing Board application for a variance submitted by The Carlyle Group d/b/a Coventry Terrace relating to the installation of a new 24' x 56' HUD code doublewide mobile home at 16 Oak Drive.

Mr. Rinehart made a motion to take no action for this Zoning Hearing Board application. Mr. Moyer seconded the motion. Mr. Kolb called for the vote and the motion carried with a 5-0-0 vote.

**6. Other Business**

Resolution 2016-13 (Amending the Sterling Act for the Philadelphia Wage Tax)

Mr. Rodgers reviewed Resolution 2016-13 pertaining to the Sterling Act for the Philadelphia Wage Tax. This resolution requests the Governor of the Commonwealth of Pennsylvania and the Senators and Representatives of the General Assembly of Pennsylvania to amend the Sterling Act to require that an amount up to 1% of the non-resident Philadelphia Wage Taxes paid by non-residents of Philadelphia be remitted to the municipality in which the tax payer resides.

Mr. Rinehart made a motion to approve Resolution 2016-13. Mr. Duffy seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

7. **Exonerations**

Mr. Moyer read the list of exonerations. Mr. Rinehart made a motion to approve the Exonerations List. Mrs. Nocella seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 4-0-0 vote.

8. **Payment of Bills**

Mrs. Nocella made a motion to pay the bills as presented:

Fund Name	Amount to Pay
General Fund	216,944.25
Fire Hydrant Fund	17,625.33
Open Space	4,445.00
Sewer Operating Fund	15,110.68
Sewer Capital Fund	985.00
Traffic Impact Fee Fund	1,658.00
Capital Reserve	5,439.96
Highway State Aid Fund	4,360.04
TD Escrow	7,500.00
<b>Totals</b>	<b>\$ <u>274,068.26</u></b>

Mr. Rinehart seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 4-0-0 vote.

9. **Information Items and Additional Items to be Brought Before the Board**

Mr. Ray Kolb discussed the Public Works Department need for a new Rubber Tire Loader. The loader is 31 years old. Mr. Kolb stated he has a demo on site and after speaking with Mr. Rodgers, there is money in the Capital Reserve Fund to purchase the loader now. Mr. Kolb has priced some loaders and they run between \$125,000.00 to \$130,000.00 with a trade in of the Township's current loader. Mr. Rodgers stated the money is available in the Capital Reserve Fund to purchase the loader now, with an amendment to the 2016 budget, instead of waiting until 2017. A discussion ensued. Mr. Rinehart made a motion to move forward with the purchase of the loader in 2016. Mrs. Nocella seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

Mr. Kolb stated South Coventry is working on the Pigeon Creek culvert between Porters Mill Road and Young Road. They expect to have the road open end of August 2016.

Mr. Rodgers stated the Township received a revised Flood Maps and Insurance Study from FEMA. FEMA is requesting the Township review and provide proposed revisions by June 17, 2017. FEMA will not grant any extensions for the review and proposed revisions. Mr. Rodgers asked for the Board of Supervisors approval to have the Township Solicitor and the Township Engineer to work with the Planning Commission to review and propose recommendations.

Mr. Rinehart made a motion for the Township solicitor and Township Engineer to work with the Planning Commission to review the Flood Maps and Insurance Study from FEMA. Mr. Duffy seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

Mr. Kolb presented a Resolution 2016-09 recognizing, acknowledging and thanking Chief John Theobald for his service as the East Coventry Township Police Chief.

**10. Adjournment**

Mrs. Nocella moved to adjourn the monthly meeting at 8:19 p.m. Mr. Rinehart seconded the motion.  
Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

Respectfully submitted,

Bernard A Rodgers  
Township Secretary