

MINUTES OF THE  
EAST COVENTRY TOWNSHIP BOARD OF SUPERVISORS  
MEETING HELD DECEMBER 8, 2014  
(Approved January 12, 2015)

The Board of Supervisors held their regular monthly meeting on Monday, December 8, 2014. Present for the meeting were supervisors Ray Kolb, Mariea Geho, W. Atlee Rinehart, Michael Albert Moyer and Karen Nocella. Also present were Bernard A. Rodgers, Township Manager, Mark A. Hosterman, Township Solicitor, and Brady L. Flaharty, Township Engineer.

Mr. Kolb called the meeting to order at 7:04 p.m. and the pledge of allegiance was recited.

Mr. Hosterman stated that an executive session was held at 6:00 p.m. immediately preceding this meeting to discuss a matter of potential litigation concerning a breach of an agreement and also discussed an assessment appeal.

Fairway Farm Conditional Use Hearing

Mr. Hosterman opened the Conditional Use Hearing for the Fairway Farm development that had been advertised for 7 PM this evening and stated that he had received an e-mail from the Applicants Attorney requesting a continuance of the Hearing until the regular business meeting of the Board of Supervisors on January 12, 2015. A quorum was not present for the Township Planning Commission to hold a meeting in November and consequently it was not able to make an official recommendation on the Conditional Use Application. The Applicant is agreeable to continue the Hearing to allow the Planning Commission more time to submit formal recommendations and comments to the Board of Supervisors. Mr. Hosterman advised that the Board needs to make a motion to accept the continuance to the January 12, 2015 Board of Supervisors meeting. Mrs. Geho made a motion to accept the continuance request for Fairway Farm Conditional Use Application. Mr. Rinehart seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

**1. MINUTES**

Minutes of October 13, 2014

Mr. Kolb has one correction to the minutes on Page 2, under Township Engineer's Report, third paragraph. The current minutes read "Mr. Kolb asked Chief Theobald if "No Parking" signs had to be placed on Linfield Circle in order for the no parking to be enforced and to remind residents that there is no parking on the street." The minutes should read "Mr. Kolb asked Chief Theobald to have the Police Officers enforce the "No Parking" on Linwood Circle and to remind residents that there is no parking on the street." No other corrections were required.

Mrs. Geho made a motion to approve the minutes of the November 10, 2014 monthly meeting with the proposed corrections. Mrs. Nocella seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

**2. PUBLIC COMMENTS**

Tree Issue on Grubb Road

Mr. Walter Connell, 97 Sylvan Drive, Pottstown, PA commented on the trees along Grubb Road. Mr. Connell was wondering if the Township could prune the trees back along Grubb Road from Fulmer Road to Ebelhare Road. He noted that there are a lot of dead branches in the trees and last winter they lost power. Mr. Kolb stated the Township could do trimming but has to stay at least ten (10) feet away from the wires. The work near the wires is either Peco's or Verizon's responsibility. Mr. Connell asked if that

was sub-contracted out to Asplundh. Mr. Kolb stated that would be up to the Peco or Verizon. Mr. Kolb stated the Township would have to stay within the right-of-way, which is sixteen and one-half (16 1/2) feet from the center of the road. Mr. Connell stated he would contact PECO and let them know. Mr. Kolb stated he had a number for PECO also and he would contact them. Mr. Kolb asked if there was a sight distance issue coming out of Sylvan Drive. Mr. Connell responded there was not a sight distance issue. Mr. Kolb stated he would notify PECO.

### 3. REPORTS

#### Township Manager's Report

#### **Building Code Enforcement, Property Maintenance and Zoning Enforcement**

Mr. Rodgers received four (4) proposals from Code Enforcement Companies to perform reviews and inspections related to the UCC, and enforce the Property Maintenance Code and Zoning Ordinance. Currently the Township uses Building Inspectors Underwriters and has used that company since 2009. The proposals received were from Keystone Municipal Services, Inc., Barry Isett & Associates, Inc., Technicon Enterprises Inc., and Cedarville Engineering Group, LLC. After reviewing the proposals, including rate structures and discussing same with representatives from the various entities, Mr. Rodgers recommended that the Board appoint Barry Isett & Associates, Inc. on an at will basis, as the other Township Consultants are appointed, that the agreement with Building Inspectors Underwriters be rescinded and BIU be provided its thirty (30) written notice of termination immediately. Mr. Rinehart made a motion to rescind the agreement with BIU and send the required thirty (30) day written notice of termination immediately and to appoint Barry Isett & Associates, Inc., based on the fee schedule presented, to enforce/administer the Township's UCC, Property Maintenance Code and Zoning Ordinance. Mr. Moyer seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

#### **Toshiba 3055c Digital Copier/Printer/Scanner/Fax System**

Mr. Rodgers presented a new agreement for the leasing of the Township's printer/copier. This is under the state COSTARS contract. The new machine will cost \$167.00 per month for 60 months with add-ons based on the number of copies used, including color copies. Mr. Moyer wanted to clarify that the lease is under the State COSTARS program. Mr. Rodgers confirmed that it is. Mr. Moyer asked if by participating in COSTARS, we get the best possible pricing. Mr. Hosterman stated there is a good chance it is the most competitive price, but it is not guaranteed and you do not have the expense of going out to bid. Mrs. Geho asked how much it would cost to purchase a copier. Mr. Rodgers stated it would be more than \$10,000.00. Mr. Hosterman stated it is better to lease because they become obsolete quickly. There was a discussion regarding how many copies were included in the contract per quarter versus the number of copies actually used by the Township. Mr. Moyer made a motion to authorize the Township Manager to enter into a new lease for the Township copier. Mrs. Geho seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

#### **Chester County Planning Commission Vision Partnership Program Agreement**

Mr. Rodgers discussed the letter from the Chester County Planning Commission approving the Township's Vision Partnership Program grant application in the amount of \$20,000.00 to perform a Trails, Greenways, and Recreation Plan. The total cost of the project would be \$48,000.00 as proposed by Natural Lands Trust. The County approved the grant and sent the Agreements to be approved and signed by the Board. Mr. Rodgers requested that the Supervisors approve the VPP Grant Agreement and authorize the appropriate Township official(s) to sign the contracts. Mrs. Geho made the motion to approve the VPP Grant Agreement and to have the appropriate Township Officials execute same. Mrs. Nocella seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

#### **Will-Serve Letter for Sanitary Sewer Service for Whispering Woods**

Mr. Rodgers discussed the receipt of the Will-Serve Letter for Sanitary Sewer Service for Whispering Woods from Langan Engineering and noted that Section 310.1 Reservation of Public Sanitary Sewage System and Treatment Plant Capacity of CHAPTER 18, Sewers and Sewage Disposal, Part 3, Public Sanitary Sewage Systems of the East Coventry Township Code of Ordinances provided procedures for the reservation of sanitary sewer capacity. It was discussed that a Will-Serve letter, based upon the requirements of the SALDO should be provided, with the reservation and acknowledgment that the Township has capacity, but does not guarantee that capacity unless pre-purchased. Otherwise, it is available on first come-first serve basis. Mr. Kolb asked Mr. Flaherty about the capacity per EDU because the letter states 300 gallons per day. Mr. Flaherty stated that the Township's definition is 262.5 gpd, but North Coventry uses 300gpd. When the Developer prepares its' modules, 300 gpd should be used but in terms of tracking capacity 262.5 gpd should be used. Mrs. Geho made the motion to send the Will-Serve letter for Sanitary Sewer Service to Whispering Woods noting that it was not a reservation of capacity. Mr. Kolb seconded the motion Mr. Kolb called for the vote and **the motion** carried with a 4-0-1 vote. Mr. Rinehart abstained due to his involvement with the Whispering Woods Development.

#### **PADEP Response to Request for Information on Exelon Spill**

Mr. Rodgers wanted to bring to the Board's attention the letter that was sent PADEP regarding the spill by Exelon. A response has been received; in fact a couple responses have been received and are included in the packets tonight.

#### **Wreath Laying Ceremony**

Mr. Rodgers wanted to bring to the Supervisor's attention that there will be a Wreath Laying Ceremony at the Ellis Woods Road Revolutionary Cemetery on Saturday, December 13, 2014 by Local Cub Scout Pack 157. There will be approximately 35 to 40 people in attendance. The Cub Scout Pack would like to know if any Supervisor's will be in attendance and whether they would like to make any comments. Mr. Kolb, Mrs. Geho and Mr. Rinehart stated they would be in attendance, but did not wish to make any comments. Mr. Rodgers stated he would let Cub Pack 157 know there will be some local officials in attendance. Mr. Kolb stated he found out from someone else in Cub Pack 157 that the wreath will be removed sometime in March. They will be placing approximately 15 wreaths in the cemetery.

#### **Township Engineer's Report**

Mr. Flaherty stated that he did not have anything additional to report. Mr. Rinehart moved to accept the Township Engineer's report. Mrs. Geho seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

#### **Reports from Various Departments and Committees**

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

### **4. SUBDIVISION AND LAND DEVELOPMENTS**

#### **Whispering Woods – Preliminary Plan Submission**

Mr. Rodgers advised the Board that the Preliminary Plan for Whispering Woods, located at Ellis Woods Road and Old Schuylkill Road was received by the Township on December 1, 2014. The plans were sent to the Township Consultants for review. The project is scheduled to be heard by the Planning Commission at their December 17, 2014 meeting.

#### **Walnut Springs Farm – Release of Letter of Credit**

Mr. Rodgers noted that the roads/improvements had been completed, with the exception of some landscaping, and the maintenance escrow established. Mr. Flaherty stated the landscaping items have all been completed. The only remaining item he is aware of is the skimmers in the basins still need to be

removed. Mr. Rodgers requested that the Board release the Irrevocable Standby Letter of Credit in the amount of \$286,805.68 because the improvements have been completed and the required maintenance escrow posted. Mr. Rinehart made a motion to release the balance in the letter of credit. Mrs. Geho seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

## 5. ZONING HEARING BOARD APPLICATIONS

### 645 Ridge Road – Corey Bowlby

Mr. Rodgers noted that the Zoning Hearing Board Order for a variance which was submitted by Corey Bowlby relating to 645 Ridge Road was issued November 17, 2014 and a copy of the Order was included in the meeting packet for the Board's information and review. No discussion ensued.

## 6. ORDINANCE

## 7. OTHER BUSINESS

### Exonerations and Exemptions

Mr. Moyer read the names on the Exonerations and Exemptions report for December 1, 2014. Mrs. Geho made a motion to approve the exonerations and exemptions per capita tax report for December 1, 2014. Mr. Rinehart seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

### Reorganization Meeting

Mr. Rodgers explained that the Board of Supervisor's Reorganization meeting has to be held on Monday, January 5, 2015 and asked what time the Board would prefer the meeting be advertised. Mr. Rinehart made a motion for the Board of Supervisor's to hold the Reorganization Meeting Monday, January 5, 2015 at 5:30 pm. Mrs. Geho seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

### Resolution No 2014-16 (2015 Township Budget Approval)

Mr. Rodgers reviewed Resolution No. 2014-16 to approve the 2015 Township Budgets. He advised that the budgets were reviewed at the November meeting and advertised and available for public inspection as required by the 2<sup>nd</sup> Class Township Code. Mrs. Nocella made a motion to accept Resolution No 2014-16, 2015 Township Budgets. Mrs. Geho seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

### Resolution No 2014-17 (Tax Resolution)

Mr. Rodgers discussed Resolution No. 2014-17 to establish the 2015 real estate and fire hydrant tax rate. The property tax will remain the same at 3.0 mills and the fire hydrant tax will be reinitiated for the year 2015 at a rate of 0.012 mills. Mr. Moyer questioned reinitiating of the fire hydrant tax and Mr. Rodgers explained that additional hydrants were added to the invoice by the PA American Water Company and insufficient funds were available to cover the additional cost. Mrs. Geho made a motion to accept Resolution No 2014-17, Tax Resolution, including the fire hydrant tax for the year 2015. Mr. Rinehart seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 4-1-0 vote. Mr. Moyer voted no.

### Resolution No 2014-18 (Pay Plan)

Mr. Rodgers discussed Resolution No. 2014-18 establishing the 2015 Pay and Classification Plan for non-uniformed employees and the Chief of Police. This is a continuation of the policy the Township has had regarding the pay plan and classification schedule. The increase is based upon 2 ½ % on each employees position. The non-uniform increase is proposed to be the same as the contract for the Police in 2015. Mrs. Geho made a motion to accept Resolution No 2014-18 Pay Plan. Mr. Rinehart seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

**Resolution No 2014-19 (Auditors)**

Mr. Rinehart made a motion to accept Resolution No 2014-19 appointing Reinsel Kuntz Leshner, LLP as auditors for examination of the Township accounts for fiscal year ending December 31, 2014. Mrs. Geho seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

**Resolution No 2014-20 (2014 Budget Supplemental Appropriations)**

Mr. Rinehart made a motion to accept Resolution No 2014-20 approving the 2014 Budget Supplemental Appropriations. Mrs. Geho seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

**8. PAYMENT OF BILLS**

Mrs. Geho made a motion to pay bills as presented:

Fund Name	Amount to Pay
General Fund	196,729.60
Fire Hydrant Fund	472.94
Open Space	-
Sewer Operating Fund	15,876.30
Sewer Capital Fund	-
Traffic Impact Fee Fund	885.00
Capital Reserve	-
Highway State Aid Fund	3,961.21
TD Escrow	-
Heritage Escrow Fund	-
<b>Totals</b>	<b>\$ <u>217,925.05</u></b>

Mrs. Nocella seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

**9. ADDITIONAL ITEMS BROUGHT TO THE BOARD**

Mr. Hosterman wished everyone a Merry Christmas and Happy New Year and hoped everyone enjoyed the Thanksgiving Holiday.

Mr. Flaherty wished everyone a Merry Christmas and Happy New Year.

Mrs. Nocella wanted to update the Board that the Northern Federation is requesting to hold their meetings at the East Coventry Township Building on the second Tuesday of each month at 7:00 pm starting January 2015. Mrs. Nocella discussed it with Mr. Rodgers and verified there is only one meeting conflict in September. Mr. Rinehart stated the other meeting in September is for the Pottstown Area Council of Governments. Mr. Rinehart stated they are a small group and can use the small meeting room. The consensus of the Board was that the Northern Federation could use the large meeting room.

Mrs. Geho wanted to wish everyone a Happy Holiday.

Mr. Kolb wished everyone a Happy Holiday. Mr. Kolb also wanted to let the public know that Santa will be at Ridge Fire Company on Sunday, December 14, 2014.

Mr. Rinehart discussed the PSATS information that was passed out to the Board. The conference will be in April. Mr. Rinehart is interested in representing the Township at the conference if the Board was considering sending a representative.

Mr. Rodgers advised that a couple of invoices had been received after the packet was assembled. One was from Wisler Pearlstine for \$7,885.00 and the other was from Natural Lands Trust for \$33,691.07. The Natural Lands Trust is for the work done for the Ussler Easement Acquisition. Mr. Rodgers recommended not carrying these invoices over to 2015. Mrs. Geho made a motion to pay the invoices for Wisler Pearlstine and Natural Lands Trust. Mrs. Nocella seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

#### **10. ADJOURNMENT**

Mrs. Geho moved to adjourn the monthly meeting at 7:38 p.m. Mrs. Nocella 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