

MINUTES OF THE  
EAST COVENTRY TOWNSHIP BOARD OF SUPERVISORS  
MEETING HELD FEBRUARY 8, 2016  
*(Approved on March 14, 2016)*

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

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

**1. MINUTES**

Mr. Moyer made a motion to approve the minutes of January 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. Moyer presented a statement on Prohibition of Alcohol in East Coventry Township to the Board of Supervisors. Mr. Moyer made a motion to decide whether to appeal the Prohibition of Alcohol in East Coventry Township.

Mr. Rodgers stated he and Mr. Hosterman were working on background information concerning the origin of Dry Townships and how to reverse that status. The Prohibition can only be changed by referendum on a general election ballot. Mr. Rodgers stated the Board of Supervisors must receive a petition signed by registered voters in the Township equaling at least twenty five (25%) or thirty (30%) percent of the number of votes cast for the office receiving the highest number of overall votes from the last general election.

In light of the additional information, Mr. Moyer withdrew his motion but stated he is recommending the repeal of the prohibition on the sale of Alcohol and Beer to encourage development opportunities along the Route 724 corridor through the Township. Mr. Moyer stated that potential developers will not look at East Coventry Township due to the prohibition.

Mr. Rinehart stated since the Board is just talking about the subject, he would not be in favor of changing from a dry township.

Mr. Kolb asked Mr. Rodgers if any potential restaurants have come in to the Township in the last ten (10) years to research whether they can place their restaurant in the Township. Mr. Rodgers stated no.

Mr. Moyer stated he believes developers know this is a dry township, so they don't make inquiries.

Mrs. Nocella stated she didn't see a down side to repealing the prohibition and possibly it would benefit Frick's Lock if people had somewhere closer to eat after taking a tour.

Mrs. Brown stated she would not be in favor of having Alcohol near her residence on Sanatoga Road and would not want Fricks Lock used to promote drinking.

Mr. Kolb asked the Board if they wanted Mr. Hosterman and Mr. Rodgers to do more research on what would be needed to repeal the prohibitions on alcohol and beer.

Mr. Rodgers asked exactly what the Board wanted Mr. Hosterman and Mr. Rodgers look into.

Mr. Moyer stated Mr. Rodgers and Mr. Hosterman should find out how to repeal the referendum.

Mr. Rodgers stated they can find out the number of signatures required on the petition, but then the Supervisors need to receive a petition. Mr. Hosterman stated the top of the petition will need to be very specific for what the residents are signing on for. Mr. Rodgers stated he believes the Township will have to have separate referendum on each elimination, one for beer and one for alcohol. Mr. Moyer asked if that would require separate petitions. Mr. Hosterman state he would have to check. Mr. Moyer asked if both referendums can be on the same ballot at the same time.

Mrs. Missy King, 10 Eleanor Drive, Spring City, PA 19475 stated she is concerned about the development of the new Elementary School. Mrs. King stated the Planning Commission does a great job, however, constructing a school is different than constructing a subdivision. A subdivision builder will pass on extra costs to the new homeowners but the school would pass on extra costs to residents by raising taxes. Mrs. King stated there needs to be more communications between the Boards. Mrs. King was concerned the review/approval is being delayed, thereby increasing the cost higher than what the school budgeted.

A discussion ensued and it was noted by Board Members and Planning Commission members that the Planning Commission, the Board of Supervisors and Township Consultants have been working with Owen J Roberts School District on the project and that the School District has not been back to the Township since last November.

### 3. **REPORTS**

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

##### Consideration of approval for Mr. Rodgers and Chief Theobald to attend the PELRAS Training Conference from March 16 thru March 18, 2016in State College

Mr. Rodgers discussed the PELRAS Training Conference on Public Sector Labor Law and Personnel Management Training being held March 16 – 18, 2016 at the Penn State Conference Center Hotel in State College, PA. Mr. Rodgers and Chief Theobald have attended the Conference in previous years and would like approval from the Board to attend the conference this year. Mr. Kolb made a motion for Mr. Rodgers and Chief Theobald to attend the PELRAS Training Conference from March 16 – 18, 2016. Mr. Moyer seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

##### Consideration of approval of Application for Special Fire Police Services for OJR NJROTC 5k Run on April 23, 2016

Mr. Rodgers reviewed the request submitted for Special Fire Police Services for the OJR NJROTC 5k Run on April 23, 2016. Mr. Moyer made a motion to approve the request for Special Fire Police Services for the OJR NJROTC 5k Run on April 23, 2016. Mrs. Nocella seconded the motion. Mr. Kolb called for the vote and **the motion** passed with a 5-0-0 vote.

##### Consideration of approval of Application for Special Fire Police Services for East Coventry Township 10k, 5k and 1 Mile Fun Run on March 19, 2016.

Mr. Rodgers reviewed the request submitted for Special Fire Police Services for the East Coventry Township 10k, 5k, 1 Mile Fun Run on March 19, 2016. Mr. Moyer made a motion to approve the request for Special Fire Police Services for the East Coventry Township 10k, 5k, 1 Mile Fun Run on March 19, 2016. Mr. Duffy seconded the motion. Mr. Kolb called for the vote and **the motion** passed with a 5-0-0 vote.

Consideration of approval of request to remove 50 Ellis Woods Road and 200 Old Schuylkill Road from Agricultural Security Area No. 1

Mr. Rodgers reviewed the request submitted Susanne F. Walley, Sara Jane Frederick, Elizabeth Lou Trumbauer and W. Atlee Rinehart to approve the removal of 50 Ellis Woods Road and 200 Old Schuylkill Road from the Agricultural Security Area No. 1. After some research, it was determined that these two (2) parcels were not currently on the Agricultural Security Area No. 1 list in 2013. Therefore, there is not action required from the Board of Supervisors. The only action required is from the Applicants.

Multimodal Study/Plan Preliminary Project Summary & Scope of Work

Mr. Rodgers provided a copy of a letter from John Yurick, McMahon Associates, Inc. which details the Multimodal Plan Preliminary Project Summary & Scope of Work. The letter proposes to do a multi-modal transportation study for the Township. The proposal is to perform the study utilizing the Chester County Vision Partnership Program (VPP). The funding levels available for this VVP round are \$50,000.00 for adopted plans and \$30,000.00 for planning studies. The County would reimburse the Township upon completion of the study. The out of pocket cost to the Township would be approximately \$15,000.00 or 30%.

Mr. Duffy asked if the funds would come from the Open Space fund. Mr. Rodgers stated yes, the Township funds would come from the Open Space fund. A discussion ensued and there was consensus that the Board members would review the information and give feedback to Mr. Rodgers within a couple of weeks and, in the meantime, Mr. Rodgers would arrange a meeting with Chester County, to review the proposal.

Consideration of Township Engineer's Report

Mr. Flaharty was not present for the meeting. Mrs. Nocella made a motion to approve the Township Engineers report. Mr. Rinehart seconded the motion. Mr. Kolb called for the vote and **the motion** passed with a 5-0-0 vote.

Consideration of approving reports from various departments and committees

Mrs. Nocella provided an update the Board on the proposed Community Run on March 19, 2016 at 9:00 pm. Mrs. Nocella stated the run is to benefit the repair of the Rock Wall on the Daniel H. Kulp property (formerly known as the Wineberry Property). Mr. Moyer asked how much the repair of the wall will cost. Mrs. Nocella stated to do a "dry stack", the cost is estimated at \$25,000.00 and to fix the wall correctly, the cost is estimated at \$200,000.00.

Mr. Kolb made a motion to accept the various department and committee reports. Mrs. Nocella seconded the motion. Mr. Kolb called for the vote and **the motion** passed with a 5-0-0 vote.

**4. Subdivision and Land Development**

**5. Zoning Hearing Board Applications**

**6. Other Business**

Resolution 2016-04 (Multi-Jurisdictional Hazard Mitigation Plan of the County of Chester)

Mr. Rodgers reviewed Resolution 2016-04, Multi-Jurisdictional Hazard Mitigation Plan of Chester County. Mr. Rinehart made a motion to accept the Multi-Jurisdictional Hazard Mitigation Plan of Chester County. Mr. Moyer seconded the motion. Mr. Kolb called for the vote and **the motion** passed with a 5-0-0 vote.

### 2016 Road Projects

Mr. Kolb reviewed the proposed 2016 road projects and explained the meaning of applying a “scratch coat” to the roads. Mrs. Nocella made a motion to approve the proposed 2016 road projects. Mr. Duffy seconded the motion. Mr. Kolb called for the vote and **the motion** passed with a 5-0-0 vote.

### Disc Golf Course

Mr. Rodgers noted that a presentation had been made to the Board at its January 2016 meeting and representatives from the disc golf community are present to continue the discussion. Mr. Rodgers invited Mr. Adam Harris to speak with the Board. Mr. Harris handed out a presentation and apologized to the Board of Supervisors concerning the miscommunication surrounding the January meeting and the actions of the disc golf volunteers explaining they were under the impression the project was further along. Mr. Harris explained what disc golf is, how it is played, who can play, cost to play and where disc golf can be played.

Mr. Kolb stated that back in July 2015, Mr. Fein asked the Board of Supervisors about having a disc golf course in the Township. The Board made a motion authorizing Mr. Fein walk the Wineberry property to determine if it would be a feasible location to place a disc golf course. The Board of Supervisors did not hear anything until January 2016 meeting and at the same learned that area of the property had already been cut/cleared. Mr. Kolb stated there was an Eagle Scout, who spent months clearing out the trail by hand and now the trail is destroyed because it is totally open now. He explained about his concern over the disc golf fairways interfering with the existing trails and presenting a danger to trail users. Mr. Kolb stated Mr. Harris had said French Creek moved their course because there were too many walkers and that residents in North Coventry and Boyertown have said they won't use the trails because of the disc golf. Mr. Kolb stated he is not against disc golf, but he does believe that disc golf is not appropriate on the Wineberry property. Even if the clearing activity hadn't occurred he would not have been in favor of disc golf on the Wineberry property because it was purchased with more passive activity in mind and to preserve its natural beauty.

Mr. Tietjen, 131 Maack Road, Pottstown, PA 19465 stated there are two (2) things to consider. First question is, “Is this Township good for disc golf?”. The second question is, “whether this property is the right spot for disc golf.” Mr. Tietjen stated that posts on "Facebook" view the Wineberry Disc Golf Course as a Sport Venue not open space. If the Township is proposing this as a sports venue, there will be a lot of additional traffic than if the property is known as open space. Mr. Tietjen showed examples of the discs that are used. Mr. Tietjen discussed his concern over the use of alcohol and recreational drugs by people playing disc golf and handed out a presentation to the Board of Supervisors. Mr. Tietjen pointed out that all of the Township planning documentation over the last twenty (20) years recommends that this be preserved.

Mrs. Nocella stated she thought disc golf would be a venue and that it would be non-intrusive.

There was discussion on how the property would be policed.

Mrs. Gail Brown, 500 Sanatoga Road, Pottstown, PA 19465 stated she is the Historical Commission Chairperson. Mrs. Brown made a presentation to propose a name change for the Wineberry Property to Daniel H. Kulp Farm. Mrs. Brown also made a presentation to preserve the property for passive recreation.

Mr. Moyer asked Mr. Harris if disc golf is played 12 months per year. Mr. Harris stated that it is played year round. Mr. Moyer asked Mrs. Brown if the Historical Commission has ever requested an archeological study to be done at the Wineberry Property. Mrs. Brown stated there has not been a study done because the development never went through. Mr. Moyer asked if the disc golf course

would prevent Mr. Tietjen from placing his property on the national register. Mrs. Brown stated she does not know if the disc golf would prevent the property from being listed on the national registry.

Mr. Duffy asked Mr. Hosterman if he researched whether the conditions proposed for the 13 house development would have to be met if the Township placed the disc golf course on the property. Mr. Hosterman stated the Maack Property received final approval but there is not anything specific noted in the resolutions nor in the conditions without approval of the Wineberry Estates development and the final approval of the Wineberry Estates development was never granted by the Township.

Mr. Rodgers stated Mr. Hosterman was going to research whether the disc golf course would have to go through the Land Development process. Mr. Hosterman stated that going by the plan presented, which shows a parking lot expansion, it seems that this should go through Land Development. Mr. Moyer asked Mr. Hosterman who makes that determination. Mr. Hosterman stated the Township Engineer would review the plan and make the determination.

Mr. Bruce Stephens, 148 Brownstone Drive, Pottstown, PA 19465, Chairman of the Parks, Recreation and Conservation Committee stated he thought this would be good. Mr. Stephens agrees the priorities for this area is to preserve the open space, the walking trails and the historical nature of the area. Mr. Stephens stated if we can preserve those priorities and put the disc golf course in harmony with that, he is in favor of the disc golf course.

Mrs. Nocella stated she is with Parks, Recreation and Conservation Committee and believes the Board knows how she feels about the project. Mrs. Nocella asked if we could explore other options to place the disc golf course. Mrs. Nocella asked if the Heyser tract would be appropriate.

Mr. Moyer stated he does not want to say no to the disc golf course, but leans toward the Historical Commissions opinion and agrees with Mr. Kolb's opinion. Mrs. Nocella stated she does not want to say no either, but she can see the both sides as presented.

Mr. Duffy stated the Historical Commission has made a presentation tonight. Mr. Duffy stated he is not against disc golf and there have been a couple of sights mentioned here tonight which could be good candidates for the disc golf course.

Mrs. Nocella asked if other options could be explored, such as the Wade tract. Mr. Rodgers stated the Wade tract would be too small but the Heyser tract might be usable with Towpath Park used for parking. Mr. Stephens asked if there are any plans for parking at the Heyser Tract with the Schuylkill River trail being installed. Mr. Rodgers stated the County is considering additional parking at Towpath Park for the Schuylkill River Trail, but not on the Heyser tract.

Mr. Kolb made a motion not to allow the disc golf course on the Wineberry Tract. Mr. Rinehart seconded the motion. Mr. Kolb called for the vote and **the motion** passed with a 4-1-0 vote. Mrs. Nocella opposed.

Mr. Kolb stated that if the disc golf volunteers wanted to propose another property, bring a design back to the Board of Supervisors before any work is started, the Board would welcome the opportunity to review the design.

Mr. John Dunbar, member of the local club, apologized for the work done. Mr. Dunbar stated they were under the impression they were further along in the plan. Mr. Dunbar was wondering if they could move what had been cut down and have piled ready to chip to other areas to be mulches. Mr. Kolb stated that the Public Works Department will take care of it. Mr. Rodgers thanked them for volunteering to clean up the debris.

Mr. Moyer made a motion that Natural Lands Trust should not consider the Wineberry Property for any additional "Active" recreation. Mrs. Nocella seconded the motion. Mr. Kolb called for the vote and **the motion** passed with a 5-0-0 vote.

Mr. Moyer made a motion to accept the Historical Commission recommendation to change the name of the Wineberry/Maack Property to the Daniel H Kulp Farm. Mrs. Nocella seconded the motion. Mr. Kolb called for the vote and **the motion** passed with a 5-0-0 vote.

Mr. Moyer stated there will need to be an additional sign added for the name change of the Wineberry/Maack Property.

Mr. Duffy asked if there were any websites associated with the Wineberry Disc Golf Course. Mr. Harris stated there is a "Facebook" page, which he will remove.

**7. Exonerations**

Mr. Moyer read the list of exonerations. Mr. Rinehart made a motion to approve the Exonerations List. Mr. Duffy seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

**8. Payment of Bills**

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

Fund Name	Amount to Pay
General Fund	219,907.52
Fire Hydrant Fund	1,018.23
Open Space	3,430.00
Sewer Operating Fund	20,037.56
Sewer Capital Fund	-
Traffic Impact Fee Fund	6,828.64
Capital Reserve	17,952.13
Highway State Aid Fund	-
TD Escrow	-
<b>Totals</b>	<b>\$ <u>269,174.08</u></b>

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

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

Mr. Kolb stated in November 2015 meeting, the Board approved a proposal from Unlimited Structures to add an addition to the Public Works Pole Building. Mr. Kolb stated he has been unable to contact Unlimited Structures but has obtained a quote from the contractor who installed the Pavilion, RN Pole Buildings. The new quote is actually \$1,397.00 cheaper than Unlimited Structures. Mr. Kolb moved that the Board rescind approval of the Unlimited Structures proposal and approve the quote from RN Pole Buildings and authorize it to install the addition to the Public Works Pole Building. Mr. Rinehart made a motion to approve RN Pole Buildings to install the addition to the Public Works Pole Building. Mrs. Nocella seconded the motion. Mr. Kolb called for the vote and **the motion** passed with a 5-0-0 vote.

Mr. Rodgers stated the Chester County Association of Township Officials is hosting their Spring Conference on Thursday, March 10, 2016 at the Desmond Hotel, Malvern, PA.

**10. Adjournment**

Mrs. Nocella moved to adjourn the monthly meeting at 9:07 p.m. Mr. Duffy 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