

MINUTES OF THE
EAST COVENTRY TOWNSHIP BOARD OF SUPERVISORS
MEETING HELD FEBRUARY 9, 2015
(Approved 03/09/15)

The Board of Supervisors held their regular monthly meeting on Monday, February 9, 2015. Present for the meeting were supervisors Ray Kolb, Mariea Geho, W. Atlee Rinehart and Michael Albert Moyer. Mrs. Karen Nocella was absent. 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 7:00 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 two matters of potential real estate acquisition and a Conditional Use Hearing and Decision.

KULP ROAD BRIDGE PROPOSAL FOR ENGINEERING DESIGN SERVICES

Mr. John Yurick and Mr. Chris Seaman presented a proposal in the amount of \$172,185.00 dated February 6, 2015 from McMahon Transportation Engineers & Planners for Engineering Design Service to replace the Kulp Road Bridge. The Township was awarded a grant in the amount of \$540,000 through DVRPC'S Municipal Bridge Retro-Reimbursement Program and approval of this proposal from McMahon Associates would allow the engineering design for the bridge replacement to begin. If the project is completed by August 1, 2016 the Township would be scheduled for reimbursement quickly. If not completed by August 1, 2016 the Township would have to wait longer but would still be reimbursed. Mr. Yurick stated that the date for completion is aggressive. However, if the Township does not meet DVRPC's date, they have stressed that the Township will not lose the awarded money. The total for the project is \$675,000.00 including Engineering fees.

Mr. Rodgers noted that the Township currently has funds in the Capital Reserve Fund to complete the project and that the Board of Supervisors should authorize McMahon Associates to proceed with the design in accordance with its proposal. Mr. Rinehart made the motion for McMahon Transportation Engineers & Planners to proceed with the design in accordance with the dated February 6, 2015. Mrs. Geho seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 4-0-0 vote. The estimated construction consultation would be an additional \$45,355.00.

PRESENTATION OF POTTSTOWN METROPOLITAN REGION DRAFT COMPREHENSIVE PLAN – DECEMBER 2014

Mrs. Meredith Trego presented the changes to the Pottstown Metropolitan Region Draft Comprehensive Plan. After the completion of the presentations, Mrs. Trego asked for questions.

Mr. Moyer stated he would like to see a change to the language concerning the Route 422 improvements that the Municipalities support the improvements to Rt 422 and its interchanges; however that they expressly reject the idea of Route 422 becoming a toll route.

Mr. Walt Woessner asked if Mrs. Trego could add some language for the definition of Fair Share.

PUBLIC HEARING

Mr. Hosterman opened the Public Hearing at 7:29 pm for Ordinance No 203 amending Chapter 15 (Motor Vehicles), Part 2 (Traffic Regulations), Section 201 (Maximum Speed Limits Established on Certain Street) establishing a speed limit of twenty-five (25) miles per hour and stop intersections on Linwood Circle. Mr. Hosterman closed the Public Hearing at 7:33 pm.

1. ORDINANCE NO 203

Mr. Kolb asked for a motion to accept. Mr. Moyer made a motion to accept Ordinance No 203 amending Chapter 15 (Motor Vehicles), Part 2 (Traffic Regulations), Section 201 (Maximum Speed Limits Established on Certain Street) establishing a speed limit of twenty-five (25) miles per hour and stop intersections on Linwood Circle. Mrs. Geho seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 4-0-0 vote.

2. MINUTES

Mr. Rinehart made a motion to approve the minutes of the January 12, 2015 monthly meeting. Mrs. Geho seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 4-0-0 vote.

3. DECISION FOR FAIRWAY FARM CONDITIONAL USE APPLICATION

Mr. Hosterman presented the Decision for Fairway Farm Conditional Use Application to the Board of Supervisors. The decision has a number of conditions. The conditions are as follows:

1. The plan ultimately submitted for preliminary and final land development approval shall be substantially in accordance with the Conditional Use Development Plan prepared by Bursich Associates, Inc., dated October 6, 2014 and last revised November 24, 2014, as the aforesaid plan may have been modified by the testimony at hearing and as required to be revised pursuant to Township ordinances and the conditions herein.
2. Nothing in this Order of the East Coventry Township Board of Supervisors on the Conditional Use Application shall be construed as either an express or implied waiver of any provision of any applicable ordinance or resolution of East Coventry Township unless expressly waived herein.
3. No level of development is guaranteed by virtue of this Order and the proposed development shall be permitted only if the fully-engineered plans for the Tract can demonstrate compliance with all applicable zoning and subdivision regulations of the Township of East Coventry as well as any relevant statutes or regulations of any other governmental entity having jurisdiction over development on the Tract.
4. The Board of Supervisors hereby requires Applicant to provide a Traffic Analysis in accordance with the requirements of Section 1402.H of the East Coventry Township Zoning Ordinance.
5. The Board of Supervisors hereby requires Applicant to provide a Fiscal Impact Assessment in accordance with Section 1402.I of the East Coventry Zoning Ordinance.
6. The Board of Supervisors hereby requires Applicant to provide a Natural and Cultural Resources Analysis in accordance with Section 1402.G of the East Coventry Township Zoning Ordinance.
7. Prior to preliminary approval of the land development, Applicant shall comply to the satisfaction of the East Coventry Township Board of Supervisors, with any and all comments set forth in the review letter from ARRO Consulting, Inc. dated November 11, 2014.
8. Prior to preliminary approval of the land development, Applicant shall comply, to the satisfaction of the East Coventry Township Board of Supervisors, with any and all comments as set forth in the legal review from Wisler Pearlstine, LLP dated November 18, 2014.
9. Prior to preliminary approval, Applicant shall comply, to the satisfaction of the East Coventry Township Board of Supervisors, with any and all comments set forth in the review letter from Natural Lands Trust dated December 2, 2014.
10. Prior to preliminary approval, Applicant shall comply, to the satisfaction of the East Coventry Township Board of Supervisors, with any and all comments set forth in the Township Planning Commission's motion dated December 17, 2014.
11. The Tract shall be developed substantially in accordance with the testimony, exhibits and evidence presented to the East Coventry Township Board of Supervisors at the public hearing for the conditional use opened on December 8, 2014 and continued and concluded on January 12, 2015.

12. All Homeowner Association Documents and Open Space and Trail Maintenance Agreements between the Homeowner Association and East Coventry Township shall be subject to review by the Township Solicitor and shall be revised by Developer as required by the East Coventry Township Board of Supervisors.
13. All Open Space shall be owned and maintained by the Homeowner Association and Developer shall prepare and propose and Open Space and Train Maintenance Agreement between the Homeowners Association and East Coventry Township, subject to approval of the Board of Supervisors and as reviewed by the East Coventry Township Solicitor which shall be recorded at the expense of Applicant along with all other Homeowner Association Declarations and any miscellaneous recordable instruments.
14. Any and all All-Terrain Vehicles (ATV's), motorcycles, mini-bikes, motorized dirt bikes and other motor vehicles, except emergence vehicles, shall be prohibited from operating on the Tract and Applicant shall deed restrict the property with restrictive covenants to prohibit such motor vehicles acceptable to the Board of Supervisors.

Mrs. Geho made a motion to approve the Conditional Use Application Decision for Fairway Farm. Mr. Rinehart seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 4-0-0 vote.

4. PUBLIC COMMENTS

Mr. Walt Woessner noted that there is not a sign around the corner on Ellis Woods Road designating the road as an emergency route. How does someone know that it is an emergence route without a sign at that location? Mr. Kolb will look into whether this road is an Emergence Road.

Mr. John Doyle, 23 Latshaw Lane, Pottstown, PA 19465, stated that he heard the Township was planning a running event and wondered how any funds collected would be used. Mr. Rodgers stated the Park, Recreation and Conservation Committee has been discussing the possibility of having a run but has not yet made a recommendation to the Board of Supervisors. Mr. Doyle stated he would like to see the money come into the Township. Mr. Rodgers stated that the Township is not a 501.C.3 and, therefore, any funds contributed could not be used as a tax deduction.

Mr. Rodger Kolb, Ridge Fire Company would like to thank the Township for allowing two (2) firefighters employed by the Township to respond during the workday to help with fire calls. He noted that Ridge Fire Company has been trying, with no avail, to have neighboring Townships do the same because of how important it is to have all fire trucks respond. He stated that any encouragement to the other Townships to follow along with East Coventry would be greatly appreciated. Mr. Moyer stated he believes Roger has a very good point. Mr. Moyer made a motion to have the Township Manager write a letter addressed to the surrounding Townships for all members of the Board of Supervisor to sign asking that, if they do not already do so, allow active fire fighters in their employ to respond to daytime fire calls. Mrs. Geho seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 4-0-0 vote. Mr. Rinehart suggested that each Board member speak neighboring Township Supervisors when they are attending other functions.

5. REPORTS

Township Manager's Reports

Consideration of approval of Diamond Waste Disposal, LLC as the Trash Hauler at the Township Building, replacing Republic One Services

Mr. Rodgers presented a 2 year proposal submitted by Diamond Waste Disposal LLC to become the Township's trash hauler. Diamond Waste Disposal LLC is proposing to charge the Township \$80.00 per month compared to our current trash hauler Republic One Services, which charges the Township \$357.77 per month. The Township will save \$277.77 per month, \$3,333.24 per year. Mr. Moyer made a motion to contract with Diamond Waste Disposal, LLC as the Trash Hauler for the Township Building. Mrs. Geho seconded the motion. Mr. Kolb called for the vote and **the motion** carried with

a 4-0-0 vote.

Discussion on preservation of the Elliot Farm located at 583 Old Schuylkill Road, Pottstown, PA, tax parcel 18-1-194

The Township received correspondence from The Chester County Agricultural Land Preservation Board dated January 20, 2015 asking if the Township would like to participate with the County in preserving 25 +/- acres, known as the Elliott Farm, located at 583 Old Schuylkill Road, Pottstown, PA 19465. The County would submit for the Challenge Grant Program which would require 50% match from the Township. The County would pay 50% of the easement cost with the Township paying the other 50%. The County estimates the easement cost to be at \$5,000.00 per acre. The Township cost would be about \$60,000.00 plus a portion of the preparation of the easement, surveying and clearing of the easement. Mr. Rodgers recommended that the proposal be sent to the Open Space Committee for its review and recommendation to the Board of Supervisors. Mr. Kolb made a motion to table the decision to participate in the purchase of the 25 +/- acres of the Elliot Farm and to send the information to the Open Space Committee for its review and recommendation to the Board of Supervisors for the March 9, 2015 meeting. Mr. Moyer seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 4-0-0 vote.

Consideration of approval of the \$1,000.00 donation to the Parkerford Women's Club for the Community Easter Egg Hunt

Mr. Rodgers discussed the request from the Parkerford Women's Club for the \$1,000.00 donation to its annual Easter Egg Hunt. Mr. Kolb made the motion to make a donation to the Parkerford Women's Club in the amount of \$1,000.00 for the Community Easter Egg Hunt. Mrs. Geho seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 4-0-0 vote.

Mr. Rodgers noted that the Parkerford Women's Club expressed an interest in holding the 2016 and 2017 Community Egg Hunt at Ellis Woods Park due to the proposed construction at the East Coventry Elementary School.

Discussion of Ellis Woods Park Pavilion Quotes

Mr. Rodgers discussed the Ellis Woods Park Pavilion quotes. Last year the Township was awarded a grant through the Pottstown Metropolitan Wellness Program in the amount of \$14,500.00 to construct a pavilion over the concrete pad. The pavilion must be installed before June 1, 2015 to meet the grant requirements. Three (3) quotes were received for two (2) options; (a) 46'x32'x10 and (b) 46'36'x10: Shirk Pole Buildings, LLC, (a) \$14,500; (b) \$15,500; Unlimited Structures, Inc., (a) \$15,611, (b) \$16,780 and Pioneer Pole Buildings, Inc., (a) \$20,440. Pioneer did not submit a quote for the second option. A Memo dated January 30, 2015 from ARRO Consulting Engineers summarizing the quotes was reviewed. The Township is required to go out for bid for anything over \$19,600.00. Mr. Rodgers noted because two of the tree quotes were under the \$19,600.00 threshold for bidding, bidding is not required and recommended that the quote from Shirk Pole Buildings, Inc be approved, however, the Board will need to decide whether they want the 46' W x 32' L x 10'0" H Pavilion or the 46' W x 36' L x 10'0" H Pavilion (with 4-foot cantilever truss carriers). Mr. Rinehart recommended the 46' W x 36' L x 10'0" H Pavilion (with 4-foot cantilever truss carriers). Mr. Kolb agreed. Mr. Rinehart made a motion to award the contract to Shirk Pole Buildings, LLC for the 46' W x 36' L x 10'0" H Pavilion (with 4-foot cantilever truss carriers) for \$15,500.00. Mr. Moyer seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 4-0-0 vote. Mr. Kolb recommended that the roof of the Pavilion should be red.

Discussion of Reinsel Kuntz Leshner Objective and Scope of the Audit of the Financial Statements

Mr. Rodgers reviewed the letter dated January 8, 2015 concerning the objective and scope of the Audit of the Financial Statements from Reinsel Kuntz Leshner. Mr. Rodgers asked that the Board

authorize confirmation of the letter as requested. Mr. Rinehart made a recommendation. Mrs. Geho seconded the recommendation. Mr. Kolb called for the vote and **the motion** carried with a 4-0-0 vote.

Discussion of Professional Services Contract for Sanitary Sewer Line

Mr. Rodgers explained the Professional Services Contract for the extension of the Sanitary Sewer Line for three (3) lots on East Cedarville Road. The addresses are 1533 East Cedarville Road, 1575 East Cedarville Road and 1597 East Cedarville Road. Mr. Rinehart made a motion to approve the contract for the design of the sanitary sewer line for the connection of the three (3) lots on East Cedarville Road as noted. Mr. Kolb seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 4-0-0 vote.

Discussion of Linfield Bridge Utility Replacement Projects

Mr. Rodgers noted that the Township received a general permit acknowledgement from PennDOT for work to be done on the Linfield Bridge. He stated that Mr. Yurick has been asked to obtain more detail on the work to be done and the timing involved. Mr. Rinehart asked why PECO's name is on the application. Mr. Rodgers stated there may be some PECO lines crossing the bridge.

Consideration of Township Engineer Report

Mr. Flaharty stated he has two non agenda items to discuss. He asked that the following text be captured verbatim and included in the meeting minutes for the MS4 Program:

“East Coventry Township is an operator of a regulated small municipal separate storm sewer system (MS4), which is permitted through the Pennsylvania Department of Environmental Protection (PA DEP). This mandated, yet unfunded, MS4 Program is designed to reduce adverse impacts to water quality and aquatic habitat by placing controls on the unregulated sources of stormwater discharge. Under the MS4 Program the Township is required to:

1. Maintain a valid NPDES permit. The Township submitted a NPDES Individual Permit renewal application on September 11, 2012, and is currently waiting on approval from PADEP.
2. Develop a stormwater management program, which includes 6 minimum control measures that are expected to reduce pollutant discharged into Waters of the Commonwealth located within the Township. The 6 minimum control measures are:
 - Public Education and Outreach
 - Public Involvement and Participation
 - Illicit Discharge Detection and Elimination
 - Construction Site Runoff Control
 - Post-Construction Runoff Control
 - Pollution Prevention and Good Housekeeping
3. The Township's stormwater management program is to be evaluated annually for its effectiveness and an annual report on the Township's progress in implementing this program is to be submitted to PADEP by June 9th of each year.”

Mr. Flaharty stated the second item is that the review period for Whispering Woods expires March 17, 2015 and a time extension will be needed if not already completed. Mr. Hosterman stated he believed a time extension had already been received from Ben Goldthorp. Mr. Rodgers stated he would check the file to see if it was received.

Mr. Kolb asked Mr. Flaharty if a date has been set for the Spring Stream Cleanup. Mr. Flaharty stated there is some information on the stream cleanup later in the agenda.

Mrs. Geho made a motion to accept the Engineer's report. Mr. Rinehart seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 4-0-0 vote.

Consideration of approving reports from various departments and committees

Mrs. Geho made a motion to approve the reports from various departments and committees. Mr. Kolb seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 4-0-0 vote.

6. Subdivision and Land Development

Daylor Lot – Bishop Road - Consideration of approval of Component 1 Planning Modules for Christine Daylor Lot on Bishop Road

Mr. Rodgers reviewed the Planning Module. The subdivision was approved with a waiver stating that lot 2 is a non-building lot unless the applicant was able to obtain an approved Planning Module from the Township and DEP. Also, Mr. Rodgers noted that there were some notes on the subdivision approval that would require action by the Board of Supervisors prior to the issuing of a building permit for this lot. The Planning Commission reviewed the Module but refrained from signing its section because the zoning district had been changed from when it was originally subdivided. Mr. Hosterman stated the Planning Commission would have to mark their section as inconsistent to the Zoning Ordinance and add an asterisk stating "The Zoning applied at the time of approval of the Subdivision". But you cannot say it is consistent today because it is non-consistent. Mr. Rinehart made a motion to accept the Planning Module for Christine Daylor Lot on Bishop Road. Mr. Kolb seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 4-0-0 vote.

7. Zoning Hearing Board Applications

8. Other Business

2015 Road Projects

Mr. Kolb reviewed the Interoffice Memo listing the Road Projects for 2015. Mr. Rinehart made a motion to accept the 2015 Road Projects. Mrs. Geho seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 4-0-0 vote.

MS-4 Program Education, Involvement & Participation Plan

Mr. Flaharty reviewed the MS-4 Program Education, Involvement & Participation Plan information. This information needs to be reviewed and updated on as needed basis every year. Mr. Kolb asked if a couple of churches could be added to the Public Involvement and Participation Plan. He would like to add Bethel Church, Brownback's Church and the United Methodist Church. Mr. Flaharty stated that they could be added. Mrs. Geho made a motion to accept the MS-4 Program Education, Involvement & Participation Plan. Mr. Kolb seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 4-0-0 vote.

MS-4 Newspaper, Newsletter, Website Articles

Mr. Flaharty reviewed the MS-4 Newspaper, Newsletter, Website Articles information. Mrs. Geho made a motion to accept the MS-4 Newspaper, Newsletter, and Website Articles. Mr. Rinehart seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 4-0-0 vote.

2010 Ford Crown Victoria (Out for Bid)

Mr. Kolb stated the new Dodge police car would be placed in service soon and the 2010 Ford Crown Victoria should be sold. Mrs. Geho made a motion to place the 2010 Ford Crown Victoria out for bid. Mr. Moyer seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 4-0-0 vote.

9. Payment of Bills

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

Fund Name	Amount to Pay
General Fund	83,594.04
Fire Hydrant Fund	1,018.23
Open Space	-
Sewer Operating Fund	15,756.26
Sewer Capital Fund	-
Traffic Impact Fee Fund	-
Capital Reserve	-
Highway State Aid Fund	22,751.43
TD Escrow	-
Heritage Escrow Fund	-
Totals	\$ <u>123,119.96</u>

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

10. Information Items and Additional Items to be Brought Before the Board

Mr. Hosterman announced the Township has successfully negotiated an agreement of sale for the purchase of the Ussler property, located at 954 Schoolhouse Road for \$70,000.00. The property consists of 3.6 acres. The parcel will be used for the development of a trailhead. There is a contingency that the Township has an environmental evaluation performed. Mrs. Geho made a motion to authorize the execution of the agreement of sale for the Ussler property, located at 954 Schoolhouse Road. Mr. Kolb seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 4-0-0 vote.

Mrs. Geho made a motion to have the Township Manager and the Solicitor follow up on all the requirements for the agreement of sale. Mr. Rinehart seconded the motion. Mr. Kolb seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 4-0-0 vote.

Mrs. Geho would like to have the Recycling Schedule placed on the website and copies of the schedule in the lobby. Mr. Kolb suggested we place the recycling schedule on the Township sign when we get closer to the individual dates.

11. Adjournment

Mrs. Geho moved to adjourn the monthly meeting at 8:31 p.m. Mr. Kolb seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 4-0-0 vote.

Respectfully submitted,

Bernard A. Rodgers
Township Secretary