

MINUTES OF THE
EAST COVENTRY TOWNSHIP BOARD OF SUPERVISORS
MEETING HELD JUNE 8, 2015
(Approved July 13, 2015)

The Board of Supervisors held its' regular monthly meeting on Monday, June 8, 2015. Present for the meeting were supervisors Ray Kolb, Mariea Geho, Karen Nocella, W. Atlee Rinehart and Michael Albert Moyer. 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 a personnel matter, one (1) matter of litigation, two (2) acquisitions of real estate, and one (1) matter of Zoning.

PUBLIC HEARING

Mr. Hosterman opened the Public Hearing for Resolution 2015-06 to consider the adoption of the Pottstown Metropolitan Regional Comprehensive Plan with a date of 2015 at 7:00 pm. Mr. Hosterman reviewed the resolution. There were not any questions from the members of the Board of Supervisors or the audience and Mr. Hosterman closed the Public Hearing for Resolution 2015-06 for the adoption of the Pottstown Metropolitan Regional Comprehensive Plan.

Mrs. Geho made a motion to adopt Resolution 2015-06 for the Pottstown Metropolitan Regional Comprehensive Plan. Mrs. Nocella seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

1. MINUTES

Mr. Rinehart proposed the following correction to the May 11, 2015 meeting minutes. On page 3 of 5, the minutes read "Mr. Roland Kolb asked if the property is already zoned Commercial". The minutes should read "Mr. Roger Kolb asked if the property is already zoned Commercial". Mr. Rinehart made a motion to approve the minutes of the May 11, 2015 Board of Supervisors monthly meeting with the proposed correction. Mrs. Geho 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, 1898 East Cedarville Road, Pottstown, PA 19465 stated he was concerned about the amount of water used by a neighbor and feels the neighbor is wasting water. Mr. Allen questioned if there is any recourse if the neighbors over use water and cause the wells to go dry in the neighborhood should drought conditions return. Mr. Kolb stated hopefully people will have the sense to not over use water when there is a drought.

Mr. Paul Egrie, 1006 Schoolhouse Road, Pottstown, PA 19465 stated two (2) lots, Lot #72 & Lot #76 were purchased from the Ussler Estate and the new owner intends to combine the two lots and build a 2,400 sq ft house on 1.2 acre. He stated he had to install a swale on his property to direct water runoff and because of the runoff from Bishop Road he is concerned about additional runoff being created as well as the loss of open space. Mr. Egrie asked if the Board could look into this before things go too far. He asked if someone can go onto a property without having it surveyed and start digging holes. Mr. Kolb asked Mr. Flaharty if he received anything concerning this property. Mr. Flaharty stated he has not received anything.

Mrs. Geho wanted the Board and the Residents to know that East Coventry Township has been voted 3rd in the Natural Lands Trust magazine for the work they have done in saving land and open space in the Township.

Mr. Moyer stated he received a number of telephone calls from residents who were concerned about being harassed (the residents' terms) by the Police Department for recreational fires. The definition of a recreational burn is a 3' x 3' square. Mr. Hosterman stated that there is nothing that prohibits burning in a barrel, just stated 3' x 3'. Mr. Roger Kolb stated the Fire Company has stopped going out. If the Police get a call, they have to check it out. Chief Theobald stated the Police will look in the barrel and if they see leaves and sticks they will be instructed to put the fire out. Mr. Moyer stated he did not think burn barrels should be restricted. Mr. Hosterman stated he would agree that you could have a recreational fire in a burn barrel as long as your combustible material does not exceed 3' high. The Police need to follow up and investigate when someone registers a complaint, whether it is in a burn barrel or not, and report back to the complainant.

Mr. Scott Allen stated our police officers are very polite. With all the shootings going on in the Country, Mr. Allen believes the residents should support our officers and appreciate the work that they do.

Mrs. Geho stated that East Coventry Township has an agreement with Arborganics and paid Aborganic Acres to allow the Township residents to take their waste up there so it would not be so much of an inconvenience.

Mr. Sacks asked if the Police have asked people to put out fires in burn barrels with materials that are considered combustibles simply because they were in a burn barrel. Chief Theobald stated they probably have, if they saw leaves and things they did not believe should have been there. Chief stated whatever the Boards pleasure is on this topic and he will convey it to the Officers.

Mr. Hosterman stated if you are burning wood, there should be no reason to put it out. However, burning things that should be recycled is a whole different story.

Presentation of the Schuylkill River Trail through Towpath Park

Mr. Dave Stauffer and Mark Wilson gave a presentation on Chester County's ongoing efforts to finalize the Schuylkill River Trail through East Coventry, including a map of a proposed route through the Township. A discussion ensued during which it was noted that only a spur branching off the Trail would provide access to Fricks Locks Village but the Trail would by-pass the Village. The consensus from the Board was that not having the Trail pass directly past the Village was unacceptable and Mr. Stauffer was requested to reconsider the route.

3. REPORTS

Township Manager's Reports

Consideration of approval for the Application for Special Fire Police Services for the Owen J Roberts Graduation Assistance

Mr. Rodgers reviewed the request submitted for Special Fire Police Services for the Owen J Roberts Graduation Assistance. Mr. Moyer made a motion to approve the request for Special Fire Police Services for the Owen J Roberts Graduation Assistance. Mrs. Geho seconded the motion. Mr. Kolb called for the vote and **the motion** passed with a 5-0-0 vote.

Consideration of approval for the Application for Special Fire Police Services for the East Coventry Township Community Day

Mr. Rodgers reviewed the request submitted for Special Fire Police Services for the East Coventry Township Community Day. Mr. Moyer made a motion to approve the request for Special Fire Police Services for the East Coventry Township Community Day. Mrs. Geho seconded the motion. Mr. Kolb called for the vote and **the motion** passed with a 5-0-0 vote.

Consideration of approval for the Application for Special Fire Police Services for the Norco Fire Company Fair

Mr. Rodgers reviewed the request submitted for Special Fire Police Services for the Norco Fire Company Fair. Mr. Moyer made a motion to approve the request for Special Fire Police Services for the Norco Fire Company Fair. Mrs. Geho seconded the motion. Mr. Kolb called for the vote and **the motion** passed with a 5-0-0 vote.

Consideration of discussion and approval of the Parkerford Women's Club request to use the Township meeting room for their monthly meetings

Mr. Rodgers stated the Parkerford Women's Club would like to use the meeting room the 1st Tuesday of each month for their meetings. Mr. Rodgers explained that normally the Township charges a fee for the room rental and recommended that the Board waive that fee for the Parkerford Women's Club. Mr. Moyer made a motion to approve the waiver of the room rental fee for the Parkerford Women's Club. Mrs. Geho seconded the motion. Mr. Kolb called for the vote and **the motion** passed with a 5-0-0 vote.

Consideration of Township Engineer's Report

Mr. Flaharty had nothing new to report. Mrs. Geho made a motion to accept the Engineer's report. Mrs. Nocella 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. Geho made a motion to approve the reports from 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 Development - No business

5. Zoning Hearing Board Applications

952 Bethel Church Road – Bethel United Methodist Church

Mr. Rodgers discussed the Zoning Hearing Board Application for a variance which was submitted by Bethel United Methodist Church relating to 952 Bethel Church Road. Mr. Kolb recommended the Board take no action on this application. Mr. Rinehart agreed with Mr. Kolb. Mr. Moyer stated he thinks it is ridiculous that the Church needs a variance, although he understands the Board cannot waive a wand and grant its application. Mr. Moyer questioned whether by recommending the Board take no action that it meant the Board supported the application. Mr. Kolb stated by the Board taking no action, it means the Zoning Hearing Board makes the decision and this Board is neither against it nor for it. Mrs. Geho made the motion that the Board take no action on this Zoning Hearing Board application. Mr. Rinehart seconded the motion Mr. Kolb called for the vote and **the motion** passed with a 5-0-0 vote.

494 Stoney Run Road – Jeffrey Adams

Mr. Rodgers discussed the Zoning Hearing Board Application for a variance, submitted by Jeffrey Adams to construct a garage within the setback area. Mr. Rinehart made a motion that the Board take no action on this Zoning Hearing Board application. Mrs. Geho seconded the motion. Mr. Kolb called for the vote and **the motion** passed with a 5-0-0 vote.

Other Business

Resolution 2015-08 – Disposition of Township Public Records (Exhibit A)

Mr. Rinehart made a motion that we properly dispose the 6 cubic feet of records. Mr. Kolb stated we are going to try to take the documents to the next Shredding event. Mr. Rinehart suggested we call ahead to make sure we can recycle the total amount before sending a Public Works employee to the location. Mrs. Imes will call to make sure we can recycle all 6 cubic feet. Mr. Moyer seconded the motion. Mr. Kolb called for the vote and **the motion** passed with a 5-0-0 vote.

Resolution 2015-09 – Establishing Compensation for Members of the East Coventry Township Zoning Hearing Board

Mr. Rodgers explained the resolution. There is no change to what the Zoning Hearing Board is currently receiving. This is only updating the Supervisors approval and clarifying it is per each hearing and per each continuance. Mr. Rinehart made the motion to approve Resolution 2015-09. Mrs. Geho seconded the motion. Mr. Kolb called for the vote and **the motion** passed with a 5-0-0 vote.

Resolution 2015-10 – Establishing the Member Contribution to the Municipal Pension Plan for the Fiscal Year 2015

Mr. Rodgers explained that this resolution establishes the employee contribution to the Municipal Pension Plan for the year 2015 at 5 ½% of compensation. Mr. Rinehart made a motion to approve Resolution 2015-10. Mrs. Geho seconded the motion. Mr. Kolb called for the vote and **the motion** passed with a 5-0-0 vote.

6. 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 5-0-0 vote.

7. Payment of Bills

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

Fund Name	Amount to Pay
General Fund	102,914.42
Fire Hydrant Fund	1,018.23
Open Space	350.00
Sewer Operating Fund	13,404.25
Sewer Capital Fund	-
Traffic Impact Fee Fund	3,645.10
Capital Reserve	140,363.51
Highway State Aid Fund	6,176.85
TD Escrow	-
Heritage Escrow Fund	-
Totals	\$ <u>267,872.36</u>

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

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

Mr. Hosterman stated the Second Class Township Code has a provision which allows the Second Class Township to reimburse an employee 65 years or older, opting to go on to Medicare for their supplemental insurance provision. In 2012, the Board approved a memorandum of understanding to do that for one of our employee's spouses. Most recently the Board took action to do that for the employee himself. Mr. Hosterman is in receipt of an interpretation of the Affordable Care Act, from the IRS. The Township will no longer be able to do that. The Second Class Township Code is now superseded by the Affordable Care Act. If the Township continued to provide reimbursement contrary to the Affordable Care Act, the Township could be subject to a fine of \$100.00 per day. Mr. Hosterman recommended the Board of Supervisors rescind the memorandum of understanding and cease the practice. Also as a corollary to that, the employee that is affected be compensated the equivalent amount of the supplementary premium for the employee himself and not the employee's spouse. Mrs. Geho made a motion to rescind the Memorandum of Understanding and compensate the equivalent amount of the supplementary premium to the employee. Mrs. Nocella seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

Mrs. Nocella wanted to remind everyone that Community Day is coming up on Saturday, June 13, 2015 from 12:00 pm to 4:00 pm. Mr. Gary Hughes submitted an application to become a member of the Parks, Recreation and Conservation Committee. Mrs. Nocella stated Mr. Hughes attends the monthly meetings. Mrs. Nocella made a motion to appoint Gary Hughes to the Parks, Recreation and Conservation Committee. Mr. Moyer seconded the motion. Mr. Kolb called for the vote and **the motion** passed with a 5-0-0 vote.

Mrs. Nocella informed the Board that West Pikeland was awarded the Going Greener Award from CATO and Natural Lands Trust for the land it has preserved. West Pikeland has spent close to \$6,000,000,000.00 on easement acquisitions and recently acquired 67 acres of open space located at Rt 113 and Rt 401.

Mr. Rinehart informed the Board that he attended the ceremony at Ellis Woods Cemetery. The ceremony was very moving. Mr. Rinehart stated the veterans advertised the ceremony in the newspaper. Mrs. Nocella asked Mr. Rinehart if this is something we should advertise on the webpage. Mr. Kolb stated Mrs. Imes did place the information on the webpage and the Township sign. Mrs. Geho asked if Mrs. Imes could send an e-mail to the Board whenever these types of ceremonies are scheduled.

Mr. Rodgers stated the Township just received the Sewage Facility Planning Module for FM Development for the three (3) lots on East Cedarville Road. Mr. Rodgers is asking the Board to authorize the Chairman to sign the agreement subject to the Township Engineers approval. Mr. Rinehart made a motion to have the Chairman of the Board of Supervisors sign the Sewage Facility Planning Module subject to the approval by the Township Engineer. Mrs. Geho seconded the motion. Mr. Kolb called for the vote and **the motion** passed with a 5-0-0 vote.

9. Adjournment

Mrs. Geho moved to adjourn the monthly meeting at 8:10 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