

MINUTES OF THE
EAST COVENTRY TOWNSHIP BOARD OF SUPERVISORS
MEETING HELD ON APRIL 9, 2012
(Approved May 14, 2012)

The Board of Supervisors held their regular monthly meeting on Monday, April 9, 2012. 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 7:18 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 an item of potential litigation and a real estate matter.

Frick's Lock Village

Jane Davidson, Historic Consultant, was present and provided an overview of the Frick's Lock Feasibility Study. Mrs. Davidson is requesting permission/approval to submit the mini-grant application to the Schuylkill River Greenway Association for the Frick's Lock Feasibility Study. The grant would be for \$5,000 with a \$5,000 match. Other organizations are being looked into for the \$5,000 match.

Mrs. Geho moved to authorize the submission of the mini-grant application for the Frick's Village Feasibility Study to the Schuylkill River Greenway Association. Mrs. Nocella seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

723 Saylor's Mill Road

Donna Mastrilli was present to discuss the cease and desist notice that was issued on March 26, 2012 for 723 Saylor's Mill Road. Ms. Mastrilli handed out packets of information to the Board of Supervisors and asked if the Board of Supervisors would lift the cease and desist order. She stated that dogs were previously housed in the barn.

Mr. Hosterman stated that Ms. Mastrilli had originally claimed she bought 723 Saylor's Mill Road and he had checked with Chester County records and Joe Gauger is still the owner of the property. Ms. Mastrilli stated that she has a lease agreement with the property owner. Mr. Hosterman also stated that contractors were working on the property without permits to do so.

Mr. Hosterman noted that the issue of whether dogs were previously in the barn or not is a factual dispute and needs to be heard by the Zoning Hearing Board. Ms. Mastrilli's deadline to appeal to the Zoning Hearing Board is Friday, April 13.

A discussion ensued among and between Ms. Mastrilli and the Board of Supervisors and several individuals attending the meeting in support of Ms. Mastrilli.

Mr. Moyer moved to authorize the Township Solicitor enforce the notice of violation letter for 723 Saylor's Mill Road to the fullest extent if an appeal to the Zoning Hearing Board is not filed.

on or before Friday, April 13. Mrs. Geho seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

1. MINUTES

Minutes of March 12, 2012

Mrs. Geho moved to approve the minutes of the March 12, 2012 monthly meeting as presented. Mrs. Nocella seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

2. PUBLIC COMMENTS

- Scott Allen [1898 East Cedarville Road] – noted concern regarding burning and Mr. Kolb suggested Mr. Allen make a written complaint to the Police Department. Mr. Allen noted concern regarding quad tracks on township open space and suggested the township establish an Environmental Advisory Council.
- Bill Keller [91 Do-Jan Drive] – inquired about Woodcrest and Mr. Kolb noted that item will be discussed later in the meeting.
- Dan Taormino [11 Robin's Nest Lane] – inquired about the parking issue in Creekview Estates and Mr. Kolb noted that item will be discussed later in the meeting.

3. REPORTS

Township Manager's Report

Creekview Estates - Parking

Mr. Rodgers noted a letter received from McMahon Associates, Township Traffic Engineer, dated March 12, 2012, revised March 22, 2012 regarding on-street parking in Creekview Estates. Mr. Rodgers read the below insert from the letter:

Permanent On-Street Parking Consideration

Based on the Institute of Transportation Engineers (ITE) publication *Neighborhood Street Design Guidelines*, a minimum roadway width of 24 feet is necessary to allow parking on one side of a neighborhood street while maintaining two-way traffic flow in neighborhoods where the density is between 2.1 and 6.0 homes per acre. As such, since the width of the internal streets are approximately 24 feet or greater, the Township could allow permanent on-street parking along one side of all internal streets, if desired. It is noted that preliminarily, it appears that sight distance along the roadway and at intersections should not be negatively affected by permanent on-street parking; however, sight distance considerations should be more thoroughly reviewed if the Township decides to allow permanent on-street parking within the Creekview development.

- Mark Blum [1187 S. Sanatoga Road] – noted that on-street parking should be allowed on S. Sanatoga Road in Creekview and Mr. Kolb noted that he did not think that the S. Sanatoga Road was wide enough for parking on one side.
- Todd Byers [1231 S. Sanatoga Road] – noted that he is in support of parking on one side on S. Sanatoga Road
- Jack Nickels [1134 S. Sanatoga Road] – noted that he is in support of parking on one side on S. Sanatoga Road
- Scott Jarvis [Robin's Nest Lane] – noted that he is in support of parking on one side on S. Sanatoga Road

Mr. Kolb stated his concern that parking on one side of the street on S. Sanatoga Road does not allow room for two cars to pass each other.

Mr. Moyer requested an Executive Session be called because he had a legal inquiry.

The Board of Supervisors recessed into Executive Session at 8:30 p.m.

The Board of Supervisors meeting reconvened at 8:36 p.m.

Mr. Moyer moved to authorize the Township Solicitor to draft an ordinance to allow permanent parking on one side (the sidewalk side) of the streets in Creekview Estates, to include S. Sanatoga Road, Larkspur Lane and Robin's Nest Lane in accordance with Township Traffic Engineer letter dated March 12, 2012, revised March 22, 2012). Mrs. Geho seconded the motion. Mr. Kolb called for the vote. Mr. Moyer, Mrs. Geho, Mr. Rinehart and Mrs. Nocella voted yes. Mr. Kolb voted no. **The motion** carried with a 4-1-0 vote.

Scott Jarvis [Robin's Nest Lane] – asked when the ordinance would go into effect and Mr. Hosterman stated that the ordinance will be effective five (5) days after ordinance adoption.

Michael Tolan [1219 S. Sanatoga Road] – asked about a 4-way stop at East Cedarville Road and Sanatoga Road and Mr. Rodgers noted that he has contacted PennDot about this issue but has not gotten a reply as of yet.

Township Engineer's Report

Mr. Flaharty reminded everyone of the stream clean up date of April 21, 2012 at 10:00 AM with a rain date of April 28, 2012.

Mr. Rinehart moved to approve the Township Engineer's Report and reports from the various departments and committees. 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. Mr. Kolb seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

4. SUBDIVISION AND LAND DEVELOPMENTS

5. ZONING HEARING BOARD APPLICATIONS

Walnut Springs Farm

Mr. Kolb moved to approve Escrow Release No. 14 for Walnut Springs Farm in the amount of \$15,901.34 in accordance with Township Engineer letter dated March 23, 2012. Mr. Rinehart seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

6. OTHER BUSINESS

2012 Road Project

Below please find the bid results for the 2012 Road Project.

Bidder	Unit	Est Qty	Unit Price	Total Amount of Bid
Martin Paving, Inc.	SY TON	40,100 200	\$2.215 \$89.50	\$106,721.50
Asphalt Maintenance Solutions	SY TON	40,100 200	\$2.31 \$104.00	\$113,431.00
Asphalt Industries, Inc.	SY TON	40,100 200	\$2.19 \$130.00	\$113,819.00

Mr. Kolb moved to award the 2012 Road Project to Martin Paving, Inc. with a bid price of \$106,721.50 subject to Township Solicitor review of the bid documents. Mr. Rinehart seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

Coventry Glen and Woodcrest Estates

Mr. Rodgers noted that the Township had received several request for proposals for the construction services for completion of overall improvements for Coventry Glen and Woodcrest Estates Subdivision.

Mr. Flaherty, P. E., Township Engineer reviewed the proposals.

Mrs. Geho moved to award the Coventry Glen construction services to P.J. Reilly Contracting Co Inc. for the amount of \$751,072.80. Mr. Kolb seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

Mrs. Geho moved to award the Woodcrest Estates construction services to P.J. Reilly Contracting Co Inc. with a bid amount of \$183,634.20 with the condition that only the paving work and those items ancillary to completion of the paving be completed. Mrs. Nocella seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

Fire Police Requests

Mr. Rinehart moved to approve the Fire Police Request for Owen J. Roberts School District for April 22, 2012 at 10:00 a.m. Mr. Moyer seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

Mr. Rinehart moved to approve the Fire Police Request for French and Pickering Trust for bicycle event on June 10, 2012 from 8:30 a.m. to 2:45 p.m. Mrs. Geho seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

Pole Building Addition

Mrs. Geho moved to approve the purchase of a garage addition (Public Works Department garage) from Unlimited Structures, Inc. for the price of \$9,995.00. Mr. Rinehart seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

Exonerations and Exemptions

Mr. Moyer read the exonerations as presented by the Tax Collector.

Mr. Rinehart moved to approve the exonerations as presented. Mrs. Geho seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

Part-time Laborer

Mr. Rinehart moved to approve the part-time seasonal Public Works Department employee starting April 30, 2012 through September 2012. Mrs. Nocella seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

7. PAYMENT OF THE BILLS

Mrs. Geho moved to pay bills as presented:

Capital Reserve Fund	\$15,000.00
Fire Hydrant Fund	\$472.94
General Fund	\$97,068.22
Sewer Operating Fund	\$4,332.77
Sewer Capital Fund	\$73,957.91
Traffic Impact Fee Fund	\$65.00
<u>Highway State Aid Fund</u>	<u>\$5,207.93</u>
	\$196,104.77

General Fund	\$74,206.51
Highway State Aid Fund	\$5,259.42
Traffic Impact Fee Fund	\$610.50
Fire Hydrant Fund	\$472.94
<u>Sewer Operating Fund</u>	<u>\$2,191.33</u>
	\$82,740.70

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

8. ADDITIONAL ITEMS BROUGHT TO THE BOARD

EOC Plan

Sally Kolb asked if the Board signed the resolution in the required format for the EOC Plan. Mr. Rodgers noted that he will get the resolution to the Board for signature.

Street Widths

Robert Preston of 2013 East Cedarville Road suggested that street widths be required to be a minimum of 28 feet. Mr. Kolb suggested the Planning Commission review this item and provide comment to the Board of Supervisors.

Mr. Moyer moved to authorize the Township Solicitor to prepare a proposed ordinance revising the Subdivision and Land Development Ordinance to require a minimum street width of 28 feet. Mrs. Geho seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

Wineberry Estates

Mr. Hosterman stated that settlement for Wineberry Estates is scheduled for either April 23, 26 or 27, 2012.

Act 101

Mr. Hosterman distributed a draft Act 101 ordinance for review by the Board of Supervisors.

Mr. Hosterman distributed a Client Alert addressing electronic communications and the Right-to-Know Law. Mr. Hosterman suggested that the Board of Supervisors do not use e-mail for agency business.

Mrs. Geho noted resolutions (in Forms A and B) for the Northern Federation Parks, Recreation and Open Space Plan. Form A will be voted on.

Mrs. Nocella moved to take action tomorrow evening on Resolution No. 2012-10 that the Parks, Recreation and Open Space Plan for the Federation of Northern Chester County Communities is adopted as an element of the East Coventry Township Comprehensive Plan in accordance with Article III of the Municipalities Planning Code. Mrs. Geho seconded the motion. Mr. Moyer voted no. Mr. Kolb called for the vote. Mrs. Nocella, Mrs. Geho, Mr. Kolb, and Mr. Rinehart voted yes. **The motion** carried with a 4-1-0 vote.

Mr. Moyer stated that he voted no because he felt the Parks, Recreation and Open Space Plan for the Federation of Northern Chester County Communities has weak language as it relates to eminent domain and the plan requires a sports complex in East Coventry and South Coventry.

9. ADJOURNMENT

Mr. Moyer moved to adjourn the monthly meeting at 9:35 p.m. Mrs. Geho 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