

MINUTES OF THE
EAST COVENTRY TOWNSHIP BOARD OF SUPERVISORS
MEETING HELD ON MAY 5, 2008
(Approved June 9, 2008)

The Board of Supervisors held a special meeting on Monday, May 5, 2008. Present for the meeting were supervisors W. Atlee Rinehart, Rosemarie C. Miller, Robert F. Preston, Timothy Roland and Ray Kolb. Also, in attendance were Bernard A. Rodgers, Township Manager and Wayne Grafton of the Grafton Association, Township Planner. Mr. Rinehart called the meeting to order at 7:05 p.m.

1. PUBLIC COMMENT

James Stauffer owner of 70 Anderson Road noted that he appreciates everyone's consideration in reviewing his property.

2. ZONING ORDINANCE DISCUSSION

There was a discussion and review of the proposed zoning ordinance.

Mr. Grafton stated that the December 21, 2008 final draft was reviewed at the last meeting and subsequent comments have been received. Mr. Grafton proceeded to highlight such comments.

There was a discussion regarding Sections 102 and 105. Mr. Grafton noted the language is primarily a legal question. Mr. Grafton noted the suggested recommendation from the former Solicitor, in Section 102 delete the following language "In the interpretation and application of this Chapter, the provisions thereof shall be held to be the minimum requirements for the promotion of the public health, safety and general welfare", and in Section 105 another suggestion was to add language be added to address specific Sections of the ordinances to be repealed.

Mr. Preston suggested striking "ordinance" in Section 102. It was recommended Sections 102 and 105 receive additional legal review before further changes are made.

Mr. Grafton noted correspondence received from Gail Brown. The ordinance is to reflect one meeting per month for the Historical Commission.

There was a discussion regarding residential day care home. Mr. Preston noted concerns of turning a single family dwelling into a business and the potential for changing the outside character of a home. Mr. Preston stated that allowing 6 off-street parking spaces changes the outside character and also noted impervious coverage concerns.

Mr. Preston moved to allow 4 parking spaces for home businesses. Mr. Roland seconded the motion. **Mr. Rinehart called for the vote and the motion carried with a 5-0-0 vote.**

Mr. Preston moved to change the Depth of the Parking Row in Section 1305.B(1) at a 90 degree angle to 20'. Mrs. Miller seconded the motion. **Mr. Rinehart called for the vote and the motion carried with a 5-0-0 vote.**

Mr. Preston moved to change the word 'dogs' in the definitions Kennel and Kennel, Commercial, to 'pets' and in definition Kennel add the words 'not for profit' and in definition Kennel, Commercial add the words 'for profit'. Mr. Roland seconded the motion. **Mr. Rinehart called for the vote and the motion carried with a 5-0-0 vote.**

Mr. Roland moved to accept text for Section 701.G. Mr. Preston seconded the motion. **Mr. Rinehart called for the vote and the motion carried with a 5-0-0 vote.**

Mrs. Miller moved to change '7,200 sq. ft.' to '7,400 sq. ft.' in Section 802.B.2, add a rear yard setback in Section 804.C.4 and change 'Dwellings' to 'Buildings' in Section 802 as appropriate. Mr. Preston seconded the motion. **Mr. Rinehart called for the vote and the motion carried with a 5-0-0 vote.**

There was a review of the proposed zoning map with emphasis on the proposed zoning between Route 724 and Old Schuylkill Road from Wells Road to Bethel Church Road.

Mr. Rinehart moved to change the zoning between Old Schuylkill Road and New Schuylkill Road from Wells Road to Bethel Church Road to "C – Commercial". Mr. Preston seconded the motion. Mrs. Miller voted no. **Mr. Rinehart called for the vote and the motion carried with a 4-1-0 vote.**

The following items were noted by Mr. Preston.

- Definition Agricultural Products – 40% needs better clarification.
- Definition Feedlot – delete 'where sixty percent (60%) or more of the feed of such animals is imported or purchased' and replace it with 'for sale'.
- Definition Noxious Vegetation – add 'invasive vegetation' and reference the State manual.
- Definition Riparian Buffer Areas – add 'and tributary streams' after Schuylkill River.
- Section 1204 Demolition of Historic Resources – Mr. Preston stated that the UCC requires a permit to be issued within 15 days of receipt of the application while the Historical Resources Protection Standards of the Zoning Ordinance provides for up to six months of review time before issuing a permit. This appears to create a conflict and should be resolved. Mr. Rodgers stated that under the UCC a permit could be issued with conditions to address the review on the Historical Resources section. It was the consensus of the Board that this item should be reviewed and clarified, if needed.
- Section 1317 - temporary signs should be added into the first sentence.

- Section 1329.G – Mr. Preston asked why we have such a detailed noise ordinance that is not being enforced. Mr. Preston noted the ordinance should be stricken if not being enforced. It was discussed that the Township would need to purchase the required measuring devices to enforce the ordinance or hire an outside company to measure the noise level. Mr. Rodgers also noted that the ordinance as written cannot be enforced against motorized vehicles including, dirt bikes, ATV's, etc. and the Township has had complaints concerning that type of noise. It was recommended 'motor vehicles' be struck from this section and add '100' measured from property line'.
- Section 1906 – change 'groups thereof' to 'as an assemblage'.

Sections 102 and 105 will be forwarded to the Solicitor for further clarification for the May 19, 2008 Board of Supervisors meeting at which time the time and date will be set for the adoption hearing. The revised document will then be forwarded to the County for review.

3. PAYMENT OF BILLS

Mr. Rinehart moved to approve payment of bills from the General Fund for the amount \$174,981.25. Mr. Kolb seconded the motion. Mr. Preston noted that reimbursements were made to the Capital Reserve Fund from the General Fund in the amount of \$65,000 and \$36,620. He inquired if the intent was to reimburse the difference between the \$36,620 and the \$40,000 authorized by the Board in December 2007. Mr. Rodgers explained that although the Board had authorized the transfer of \$40,000 only \$36,620 had been transferred, therefore, only the amount transferred would be reimbursed. Mr. Preston also recommended that the person reconciling the petty cash account should not be the same person to whom the check is made payable when the petty cash is reimbursed. Mr. Preston requested that the \$5,000 payment to Murray Insurance be included on the bill list for NCD because he had voted 'no' on the insurance settlement for which this amount was the deductible portion.

Mr. Rinehart amended the motion to deduct the Murray Agency bill of \$5,000 from the General Fund bill list and added to the NCD bill sheet. Mr. Preston seconded the amended motion. **Mr. Rinehart called for the vote and the motion carried with a 5-0-0 vote.**

Mr. Rinehart moved to approve payment of the NCD bill of \$101.08 and the added Murray Agency bill of \$5,000. Mr. Kolb seconded the motion. Mr. Preston voted no. Mrs. Miller voted no. **Mr. Rinehart called for the vote and the motion carried with a 3-2-0 vote.**

Mr. Rinehart moved to approve payment of bills from the Highway Aid Fund for the amount \$4,159.15. Mr. Roland seconded the motion. **Mr. Rinehart called for the vote and the motion carried with a 5-0-0 vote.**

Mr. Roland moved to approve payment of bills from the Water Users Fund for the amount \$328.37. Mr. Kolb seconded the motion. **Mr. Rinehart called for the vote and the motion carried with a 5-0-0 vote.**

Mr. Preston moved to approve payment of bills from the Capital Reserve Fund for the amount \$3,240.00. Mr. Rinehart seconded the motion. **Mr. Rinehart called for the vote and the motion carried with a 5-0-0 vote.**

Mr. Preston moved to approve payment of bills from the Sewer Capital Fund for the amount \$23,710.06. Mrs. Miller seconded the motion. **Mr. Rinehart called for the vote and the motion carried with a 5-0-0 vote.**

Mr. Preston moved to approve payment of bills from the Sewer Operating Fund for the amount \$65,291.13. Mr. Kolb seconded the motion. **Mr. Rinehart called for the vote and the motion carried with a 5-0-0 vote.**

Mr. Rinehart moved to approve payment of \$200,000 for repayment of the tax anticipation note. Mr. Roland seconded the motion. **Mr. Rinehart called for the vote and the motion carried with a 5-0-0 vote.**

4. RESOLUTION

Mr. Rodgers explained that a new tape drive for data back-up was needed but had not been budgeted as a purchase. Purchase of the tape drive would cause line item 406.21 to be exceeded and therefore supplemental appropriations were needed. Resolution 2008-23 would approve the necessary supplemental appropriations. Mr. Preston noted that the Resolution as prepared should be amended to change 406.10 in the third WHEREAS to 406.21. Mr. Kolb moved to approve Resolution No. 2008-23 for the supplemental appropriation of certain revenue and expense line items in the Township General Fund as amended. Mr. Preston seconded the motion. **Mr. Rinehart called for the vote and the motion carried with a 5-0-0 vote.**

PHASE II SEWER PROJECT – CHANGE ORDERS

Change Order #18

Mr. Preston moved to approve Change Order #18 – Additional Compensation for Base Repair on Buckwalter Road. Mr. Kolb seconded the motion. **Mr. Rinehart called for the vote and the motion carried with a 5-0-0 vote.**

Change Order #19

Mr. Roland moved to approve Change Order #19 – Time Extension for Completion of Non-Paving Restoration. Mr. Preston seconded the motion. **Mr. Rinehart called for the vote and the motion carried with a 5-0-0 vote.**

5. ADJOURNMENT

The meeting adjourned at 9:15 p.m.

Respectfully submitted,

Bernard A. Rodgers
Township Secretary