

MINUTES OF THE
EAST COVENTRY TOWNSHIP BOARD OF SUPERVISORS
MEETING HELD JUNE 9, 2014
(Approved July 14, 2014)

The Board of Supervisors held their regular monthly meeting on Monday, June 9, 2014. 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. Rinehart arrived at 7:40 p.m.

Mr. Kolb called the meeting to order at 7:05 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 potential acquisition of real estate and legal advice from the Township Solicitor on various matters.

Hearings and Adoptions

Ordinance No. 201 – Amending the Police Pension Plan

Mr. Hosterman opened the public hearing for consideration and adoption of Ordinance No. 201 at 7:05 p.m.

Mr. Hosterman provided an overview of proposed Ordinance No. 201 as follows:

**AN ORDINANCE OF EAST COVENTRY TOWNSHIP, CHESTER COUNTY,
COMMONWEALTH OF PENNSYLVANIA, ELECTING TO AMEND ITS
MUNICIPAL PENSION PLAN ADMINISTERED BY THE PENNSYLVANIA
MUNICIPAL RETIREMENT SYSTEM PURSUANT TO ARTICLE IV OF THE
PENNSYLVANIA MUNICIPAL RETIREMENT LAW; AND AGREEING TO BE
BOUND BY ALL PROVISIONS OF THE PENNSYLVANIA MUNICIPAL
RETIREMENT LAW AS AMENDED AND AS APPLICABLE TO MEMBER
MUNICIPALITIES.**

Mr. Hosterman asked if the Board of Supervisors had any comments or questions regarding proposed Ordinance No. 201 and there were none.

Mr. Hosterman asked if there were any questions or comments regarding proposed Ordinance No. 201 from the public and there were none.

Mr. Hosterman closed the hearing at 7:07 p.m.

Mrs. Geho moved to approve Ordinance No. 201. Mrs. Nocella seconded the motion. Mr. Kolb called for the vote and the motion carried with a 4-0-0 as Mr. Rinehart had not arrived yet.

1. MINUTES

Minutes of May 12, 2014

Mr. Moyer moved to approve the minutes of the May 12, 2014 monthly meeting as presented. Mrs. Geho seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 4-0-0 vote as Mr. Rinehart had not arrived yet.

2. PUBLIC COMMENTS

Pickleball

Ann Sage of 212 Harley Road noted that a ribbon cutting ceremony for the pickleball court will take place on Saturday, June 14, 2014 at Community Day at 1:30 p.m. and encouraged the Board of Supervisors to be present. Also, a pickleball demonstration will be provided at Community Day.

Republic Committee Newsletter

Roger Kolb of 768 Ebelhare Road noted that he felt the Republican Party Newsletter contained inappropriate content.

Republican Committee Newsletter

Mr. Woessner of 164 Schoolhouse Road noted that he liked the Township Newsletter.

3. REPORTS

Township Manager's Report

Conditional Use Hearing Application for Real Pro Enterprises, LP

Mr. Rodgers noted the application for Conditional Use Hearing that was submitted by Real Pro Enterprises, LP and suggested the hearing be set for the July 14, 2014 Board of Supervisors meeting and Mr. Rodgers noted that the hearing notices need to be sent 20 days prior to the hearing. The application is to be forwarded to the Planning Commission for review and comment.

Mrs. Geho moved to set the Real Pro Enterprises, LP Conditional Use Hearing for July 14, 2014 and authorize the application be forwarded to the Planning Commission for review and comment at their June meeting. Mr. Moyer seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 4-0-0 vote as Mr. Rinehart had not arrived yet.

Pottstown Area Health and Wellness Mini Grant Program

Mr. Rodgers noted the Pottstown Area Health and Wellness Mini Grant Agreement for the grant monies for the pavilion at Ellis Woods Park.

Mr. Moyer moved to accept and authorize the Chairman to sign and return the Pottstown Area Health and Wellness Mini Grant Agreement. Mrs. Geho seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 4-0-0 vote as Mr. Rinehart had not arrived yet.

Conservation Easement Acquisition

Jack Stafford of Natural Lands Trust was present to provide a brief overview of the Ussler Conservation Easement. Mr. Stafford noted the agreement of sale between Josephine Ussler and

Natural Lands Trust. It was noted there is a grant from Chester County for \$156,400. East Coventry Township and Chester County will be co-holders and beneficiaries of the conservation easement. The settlement of the property easement acquisition is set for July 11, 2014.

Mrs. Geho moved to approve Resolution No. 2014-11 approving the agreement of sale for grant of conservation easement by and between Josephine G. Ussler and Natural Lands Trust Inc. and to authorize the expenditure of \$552,927.00 from the Township Open Space Fund for purchase of such conservation easement and \$39,000 to Natural Land Trust for reimbursement of transaction costs. Mrs. Nocella seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 4-0-0 vote as Mr. Rinehart had not yet arrived at the meeting.

SWAT Team

Mr. Rodgers noted that Chester County is merging two of the three emergency response Swat Teams into one, therefore a new Mutual Aid Agreement and Memorandum of Understanding for participation in the Swat Unit will need approval.

Mrs. Geho moved to authorize the Chief of Police to sign the Mutual Aid Agreement and Memorandum of Understanding for participation in the Swat Unit. Mr. Moyer seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 4-0-1 vote with Mr. Rinehart abstaining for he had arrived mid subject.

Kulp Road and Eblehare Road Intersection

Mr. Rodgers noted that McMahan Associates did a traffic study of the Ebelhare and Kulp Roads intersection as requested by the Board of Supervisors due to a complaint from a resident.

McMahan Associates listed two options in their letter dated June 9, 2014, which were:

Option 1 -Provide better guidance to motorists by placing plaques at the approaching intersection.

Option 2 -Provide a 4-way stop.

Mr. Moyer moved to adopt Option 1 (placement of guidance plaques at the approaches to the intersection) in accordance with the McMahan Associates letter dated June 9, 2014. Mrs. Geho seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

Lubold Road Fence Issue

Mr. Rodgers noted that a zoning permit application for the installation of a fence by the owners of 21 Lubold Road was denied because the fence would be installed within a non obstruction area per the approved Heather Glen Subdivision and Land Development Plan. No planting or structure was to be installed in the non obstruction area that may impede the flow of stormwater runoff. A fence was determined to be a structure and also an obstruction per the Township's zoning ordinance. The owner requested that the Township Engineer perform an evaluation of the property to determine if a fence would impede the flow of runoff. Mr. Rodgers noted that he thought the request was not unreasonable and obtained a quote from the Township Engineer in the amount of \$250.00 to do the evaluation and further felt that the owner should pay that cost.

The owner had agreed to pay the cost to have the Township Engineer perform the evaluation. Mr. Rodgers requested that the Board of Supervisors authorize the Township Engineer to perform the evaluation to recommend whether or not the installation of a fence would impede the flow of stormwater.

Mr. Moyer moved to authorize the Township Engineer to perform the evaluation. Mrs. Geho seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

Township Engineer's Report

Mrs. Geho moved to approve the Township Engineer's report. Mr. Rinehart 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. 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 DEVELOPMENTS

Coventry Glen – Change Order No. 5

Mrs. Geho moved to approve Change Order No. 5 for Coventry Glen in accordance with Township Engineer letter dated May 29, 2014. Mrs. Nocella seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

Walnut Springs Farm

Mr. Rinehart moved to authorize release of payment for Escrow Release No. 16 for Walnut Springs Farm subject to the Township Engineer verifying that the trees have survived. Mrs. Geho seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

5. ZONING HEARING BOARD APPLICATIONS

6. OTHER BUSINESS

Hunting Ordinance

There was discussion regarding the proposed hunting ordinance. The ordinance was thought to be burdensome on the township and difficult and expensive to enforce.

Mr. Rinehart moved to allow archery hunting only hunting on township-owned properties with the exception of Towpath Park and Ellis Woods Park contingent upon approval by the township's insurance provider. Mrs. Geho seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

Fire Police Requests

Mrs. Geho moved to ratify approval of fire police request for the North Coventry Fair for July 2-5, 2014 at various times. Mr. Moyer seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0.

Mr. Kolb moved to ratify approval of fire police request for an auction on May 24, 2014 at 7:00 a.m. Mr. Moyer seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0.

Mr. Kolb moved to ratify approval of fire police request for Twin Valley Firehouse for a funeral on June 5, 2014 from 10:30 a.m. to 1:30 p.m. Mr. Moyer seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0.

Mrs. Geho moved to approve fire police request for Owen J. Roberts' graduation on June 13, 2014 at various times. Mr. Moyer seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0.

Exonerations and Exemptions

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

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

Exoneration

Mr. Rinehart moved to approve the Real Property Tax Exemption for Carol A. Hunter-Stouch in accordance with Pennsylvania Department of Military and Veterans Affairs correspondence dated April 29, 2014. Mrs. Geho 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:

General Fund	\$122,607.42
Fire Hydrant Fund	\$472.94
Sewer Operating Fund	\$9,833.93
Traffic Impact Fee Fund	\$247.00
Capital Reserve Fund	\$30,810.60
<u>Highway State Aid Fund</u>	<u>\$8,246.05</u>
	\$172,217.94

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

Parks, Recreation and Conservation Committee

Mrs. Geho thanked the Parks, Recreation and Conservation Committee for all their hard work for Community Day.

Fricks Locks Village

Mr. Kolb noted that a pavilion was built down at Fricks Locks Village.

D-Day

Mr. Rinehart noted the sacrifices made by servicemen on D-Day.

Community Day

Mr. Moyer wanted to thank Flora Kapp and Anne Sage for all their work with Community Day and especially for pickleball.

9. ADJOURNMENT

Mrs. Nocella moved to adjourn the monthly meeting at 8:40 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