

MINUTES OF THE
EAST COVENTRY TOWNSHIP BOARD OF SUPERVISORS
MEETING HELD ON AUGUST 12, 2013
(Approved September 9, 2013)

The Board of Supervisors held their regular monthly meeting on Monday, August 12, 2013. 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 7:00 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 potential acquisition of a conservation easement concerning the Ussler property, potential acquisition of a trail easement, a personnel matter regarding uniformed employee contract negotiations, and follow up on a personnel matter.

Hearings and Adoptions

Ordinance No. 196 – Zoning Ordinance and Subdivision and Land Development Ordinance Amendments

Mr. Hosterman opened the public hearing for consideration and adoption of Ordinance No. 196 at 7:03 p.m.

Mr. Hosterman provided an overview of proposed Ordinance No. 196 as follows:

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF EAST COVENTRY TOWNSHIP, CHAPTER 22 (SUBDIVISION AND LAND DEVELOPMENT), PART 2 (DEFINITIONS), SECTION 202 (DEFINITIONS), TO AMEND THE DEFINITION OF THE OPEN SPACE PLAN PERTAINING TO THE TOWNSHIP, TO AMEND THE DEFINITION OF “PARKING AREA” TO EXCLUDE PARKING AREAS WITHIN GARAGES FROM THE CALCULATION OF REQUIRED OFF-STREET PARKING SPACES, AND TO AMEND THE DEFINITIONS FOR “LOT, CORNER”, “RIPARIAN BUFFER AREA” AND “SIGHT DISTANCE”; TO AMEND CHAPTER 22 (SUBDIVISION AND LAND DEVELOPMENT), PART 3 (PLAN PROCESSING AND CONTENT), SECTION 304 (PRELIMINARY PLAN SUBMISSION, RESUBMISSION, REVIEW AND CONTENT), SUBSECTION 3 (CONTENT), PARAGRAPH E TO ADD A NEW SUBPARAGRAPH 19 TO REQUIRE REFUSE STORAGE AREAS BE PROVIDED AND SCREENED FROM STREET VIEW IN MULTI-UNIT DEVELOPMENTS; TO AMEND CHAPTER 22 (SUBDIVISION AND LAND DEVELOPMENT), PART 4 (DEVELOPMENT DESIGN STANDARDS), SECTION 426 (PARK, RECREATION AND OPEN SPACE), SUBSECTION 2 (MANDATORY DEDICATION OF LAND FOR ON-SITE PARK, RECREATION AND OPEN SPACE USE), PARAGRAPH A, SUBPARAGRAPH (1), TO INCREASE THE FORMULA FOR THE MANDATORY DEDICATION OF LAND FROM 0.02 ACRES PER DWELLING UNIT TO 0.07 ACRES PER DWELLING UNIT; TO AMEND CHAPTER 27 (ZONING), PART 9 (NC NEIGHBORHOOD COMMERCIAL DISTRICT AND C COMMERCIAL DISTRICT), SECTION 902 (USE REGULATIONS), SUBSECTION 3 (NC NEIGHBORHOOD COMMERCIAL DISTRICT SPECIAL EXCEPTIONS), AND PART 10 (C-1 COMMERCIAL AND BUSINESS CAMPUS DISTRICT),

SECTION 1002 (USE REGULATIONS) TO PERMIT AN IN-LAW SUITE WHEN AUTHORIZED AS A SPECIAL EXCEPTION, WHICH BY IMPLICATION ALSO PERMITS SUCH USE BY SPECIAL EXCEPTION IN THE LI LIMITED INDUSTRIAL DISTRICT; TO AMEND CHAPTER 27 (ZONING), PART 2 (DEFINITIONS), SECTION 202 (DEFINITIONS), TO AMEND THE DEFINITION OF "PARKING AREA" TO EXCLUDE PARKING AREAS WITHIN GARAGES FROM THE CALCULATION OF REQUIRED OFF-STREET PARKING SPACES, AND TO AMEND THE DEFINITIONS FOR "LOT, CORNER" AND "RIPARIAN BUFFER AREA"; TO AMEND CHAPTER 27 (ZONING), PART 13 (GENERAL AND SUPPLEMENTAL REGULATIONS AND DESIGN STANDARDS), TO ADD A NEW SECTION 1337 ENTITLED "CORNER LOT YARD FRONTAGE" TO REQUIRE THAT EVERY YARD FRONTING A STREET ON A CORNER LOT SHALL HAVE THE REQUIRED FRONT LOT DEPTH, AND TO DELETE ALL REFERENCES TO CORNER LOT FRONTAGE IN CHAPTER 27 (ZONING), PART 5 (FR FARM RESIDENTIAL DISTRICT), SECTION 503 (AREA, BULK AND DIMENSIONAL STANDARDS), PARAGRAPH D (CORNER LOTS), PART 6 (R-1 RESIDENTIAL DISTRICT), SECTION 603 (AREA, BULK AND DIMENSIONAL STANDARDS), PARAGRAPH D (CORNER LOTS), PART 7 (R-2 RESIDENTIAL DISTRICT), SECTION 703 (AREA, BULK AND DIMENSIONAL STANDARDS), PARAGRAPH 2 (CORNER LOTS), PART 8 (R-3 RESIDENTIAL DISTRICT), SECTION 803 (AREA, BULK AND DIMENSIONAL STANDARDS), PARAGRAPH 1 (SINGLE-FAMILY DETACHED RESIDENTIAL USES, AGRICULTURAL USES AND NONRESIDENTIAL USES), SUBSECTION D (CORNER LOTS), AND PART 9 (NC NEIGHBORHOOD COMMERCIAL DISTRICT AND C COMMERCIAL DISTRICT), SECTION 904 (AREA, BULK AND DIMENSIONAL STANDARDS), SUBSECTION D (CORNER LOTS); AND TO AMEND CHAPTER 22 (SUBDIVISION AND LAND DEVELOPMENT) AND CHAPTER 27 (ZONING) TO CORRECT CERTAIN SECTION NUMBER REFERENCES.

Mr. Hosterman asked if the Board of Supervisors had any comments or questions regarding proposed Ordinance No. 196. There were no comments or questions from the Board of Supervisors

Mr. Hosterman asked if there were any questions and/or comments regarding proposed Ordinance No. 196 from the public and there were none.

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

Mrs. Geho moved to approve Ordinance No. 196 amending the Zoning Ordinance and the Subdivision and Land Development Ordinance. Mrs. Nocella seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 4-0-1 vote with Mr. Rinehart abstaining.

1. MINUTES

Minutes of July 8, 2013

Mr. Rinehart moved to approve the minutes of the July 8, 2013 monthly meeting as amended. Mr. Moyer seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

Amendments being:

- In the third paragraph of the minutes in the last sentence remove ‘regarding’ found between ‘matter’ and ‘brought’
- Under subheading Public Comments in the first bullet point change ‘cannot’ to ‘can only’

2. PUBLIC COMMENTS

There was no public comment.

3. REPORTS

Township Manager’s Report

Basketball/Pickleball Court

Mr. Rodgers noted that the packets contained drawings for the installation of a basketball/pickleball court at Ellis Woods Park. Mr. Rodgers recommended the court be installed in the fall and noted that because the court involved less than 2,000 square feet the installation would not require a stormwater management plan. Mrs. Nocella asked if the court could be used for pickleball and was advised that it could and that lines for pickleball lines were to be placed on the court. Mr. Kolb recommended the court be kept a distance from the walking trail.

Mr. Rinehart moved to approve the installation of the basketball/pickleball court. 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

Mr. Rinehart moved to approve the Township Engineer’s report. 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

Fricks Locks Village Tours

Mr. Rodgers noted that the Fricks Locks Village Tour Guides had expressed a concern about being videotaped and the Historical Commission has requested that the Fricks Locks Village Tour flyer be revised to include the text “No video recording by any media allowed”.

Mrs. Geho moved to allow the Historical Commission to add to their Fricks Locks Village Tour flyers the text “No video recording by any media allowed”. Mr. Rinehart 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 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.

4. SUBDIVISION AND LAND DEVELOPMENTS

Coventry Glen – Resolution Nos. 2013-17 and 2013-18

Mrs. Geho moved to approve Resolution No. 2013-17 for the acceptance of dedication of the sanitary sewer facilities and easements in Coventry Glen. 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 approve Resolution No. 2013-18 for the acceptance of dedication of road and right-of-ways in Coventry Glen. Mrs. Nocella 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

Memorandum of Understanding

Mr. Rinehart moved to approve and authorize signature of the Memorandum of Understanding by and between East Coventry Township Police and Owen J. Roberts School District. Mrs. Geho seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

Etrace Agreement

Mr. Rinehart moved to approve the Etrace Agreement between East Coventry Township Police and the Federal Government. Mrs. Geho seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

Police Agreement

Mr. Rodgers provided a brief overview of the 2014-2017 Police Agreement.

Mrs. Geho moved to approve the 2014-2017 Collective Bargaining Agreement between The East Coventry Police Association and East Coventry Township. Mrs. Nocella seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

Delaware Valley Health Insurance Trust

Mr. Moyer moved to authorize advertising of the proposed ordinance for East Coventry Township's participation in the Delaware Valley Health Insurance Trust. 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 and exemptions as presented by the Tax Collector.

Mr. Rinehart moved to approve the exonerations and exemptions as presented. 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 approve the fire police request for West Chester Borough for September 29, 2013 from 10:00 a.m. to 4:00 p.m. Mrs. Nocella seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

Mr. Moyer moved to approve the fire police request for Elverson Borough for the Halloween Parade on October 16, 2013 from 5:00 p.m. to 10:00 pm. Mrs. Nocella seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

Records Disposal - Resolution No. 2013-19

Mr. Rinehart moved to approve Resolution No. 2013-19 approving the disposition of certain records. Mrs. Geho seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

Stormwater Management

Mr. Flaharty noted that the DEP approved the Act 167 Countywide stormwater management plan and an ordinance needs to be adopted by the township prior to 1/2/2014.

Mr. Kolb moved to authorize the Township Solicitor, Township Manager, Township Engineer and one member of the Planning Commission to collaborate with the preparation of an ordinance to address the Act 167 Countywide stormwater plan. Mr. Moyer seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 4-1-0 vote with Mr. Rinehart voting no.

Winter Traffic Services Agreement

There was discussion regarding approving the amended rate for the Winter Traffic Services Agreement with PennDot. Mr. Kolb noted that PennDot has not cut trees that need cutting and has not trimmed banks that need trimming on the state roads. Mr. Kolb noted that if the township is to maintain these roads PennDOT should clear the trees and brush so that the mirrors of the trucks are not hit. A discussion ensued and Mr. Rodgers and Mr. Kolb will contact PennDot regarding these issues.

Mrs. Geho moved to not sign the Winter Traffic Services Agreement until further research is done regarding the tree cutting and bank trimming. Mr. Moyer 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	\$216,065.79
Fire Hydrant Fund	\$473.23
Open Space Fund	\$29,842.49
Sewer Operating Fund	\$12,071.65
Traffic Impact Fee Fund	\$198.00
<u>Highway State Aid Fund</u>	<u>\$133,110.72</u>
	\$391,761.88

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

Mini-grant Program

Mrs. Nocella noted a mini-grant for \$25,000.00 and suggested the township apply for the grant for a pavilion at Ellis Woods Park. The grant application is due September 6, 2013. A discussion ensued and it was the consensus that additional thought /planning should be done before deciding about a pavilion at Ellis Woods Park.

9. ADJOURNMENT

Mrs. Geho moved to adjourn the monthly meeting at 7:50 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