

MINUTES OF THE
EAST COVENTRY TOWNSHIP BOARD OF SUPERVISORS
MEETING HELD NOVEMBER 10, 2014

The Board of Supervisors held their regular monthly meeting on Monday, November 10, 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. Kolb called the meeting to order at 7:06 p.m. and the pledge of allegiance was recited. Mr. Kolb introduced Cheryl Imes as the new Administrative Assistant.

Mr. Hosterman stated that an executive session was held at 6:00 p.m. immediately preceding this meeting to discuss one (1) enforcement litigation matter, three (3) matters of potential acquisition of real estate and one (1) matter of potential litigation.

1. MINUTES

Minutes of October 13, 2014

Mr. Moyer moved to approve the minutes of the October 13, 2014 monthly meeting as amended. Mrs. Geho seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

2. PUBLIC COMMENTS

Pickle Ball Update

Mrs. Ann Sage of 212 Harley Road, Pottstown, PA commented that the startup of Pickleball was successful this summer. Pickleball was played at Ellis Woods Road Park from June through October on Tuesday and Thursday evenings. Attendance included 8 to 10 adults, plus children. Mrs. Sage stated that they are looking for an indoor facility but did want to thank the Board for promoting Pickleball at the Township's park. It was exciting and brought people together. Mrs. Geho thanked Mrs. Sage and the Park & Recreation Committee for getting the process started and making it a success. Mrs. Sage stated it was a team effort.

Pottstown Regional Comprehensive Plan

Mr. Walter Woessner Jr. of 164 Schoolhouse Road, Pottstown, PA commented that the Pottstown Regional Comprehensive Plan will be available December 9, 2014. The East Coventry Township Planning Commission will be reviewing the plan at their December 17, 2014 meeting and forward comments to the Board of Supervisor's for review. Mr. Woessner asked how many copies the Board of Supervisors would like for its review. It was noted that the Board of Supervisor's would like to have two copies, one for the Board and one for the Township Manager. Mr. Woessner stated he will be requesting one copy for the Planning Commission as well and that a public hearing by the Board will be required. The Principals from Montgomery County will be available to make a presentation to the Board of Supervisors. The presentation will consist of a nine (9) page executive summary of the proposed changes. Mr. Moyer stated that the PMRPC would like to see a unanimous vote approving the draft comprehensive plan but noted that was not required. He further stated that he would like to see the Planning Commission comments before the Board of Supervisor's make its decision. Mr. Rinehart asked if they realize it will take 30 to 45 minutes to perform the presentation. Mr. Moyer stated you do not have to have an overview presentation. Mr. Rinehart, Mrs. Nocella, Mrs. Geho and Mr. Kolb indicated that they would like to have the Principals from Montgomery County make a presentation. Mr. Woessner noted that the presentation may not take place until the February's Board of Supervisors meeting.

3. REPORTS

Township Manager's Report

Appointment of Auditors Public Notice

Mr. Rodgers reviewed the Public Notice advertisement that was placed in the Pottstown Mercury to appoint Reinsel Kuntz Leshner, LLP to replace the elected auditors of the Township and make examination of all accounts of the Township for fiscal year ending December 31, 2014. This item will be on the December 8, 2014 Board agenda for approval.

Appointment of Deputy Tax Collector

Mr. Rodgers reviewed a letter from Melissa King, Tax Collector requesting that the Board of Supervisors approve the appointment of Kimberly King as Deputy Tax Collector. The Deputy Tax Collector will perform the duties of collecting taxes in the event that the Tax Collector is unable to perform her duties due to incapacitation or death. Mr. Rodgers asked if the Board would like to make a motion to accept the appointment. Mrs. Geho moved to appoint Kimberly King as Deputy Tax Collector for East Coventry Township. Mr. Moyer seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

Melissa King explained that House Bill 1590, which recently passed, requires all Tax Collectors to appoint a backup. This bill also requires Tax Collectors to take a test to qualify to be a Tax Collector, take continual education courses (6 credits yearly), and to have background checks performed. Even though those items take effect one (1) year from signing she noted that the appointment of a Deputy Tax Collector was required right away. Mr. Rinehart asked if the Deputy Tax Collector is required to take the classes. Mrs. King stated no, the Deputy is covered under the Tax Collector umbrella, which makes the elected Tax Collector responsible.

Township Engineer's Report

Mr. Flaharty stated that he did not have anything to report. Mr. Rinehart questioned why the Parkerford Properties Project had not been closed. On January 6, 2009 a letter had been sent to the developer requesting the project be finalized and closed out. Mr. Rodgers stated at the time that Parkerford Properties did want to close the project but because EPA had not finalized its monitoring activity the project had to remain open.

Mr. Kolb asked if **Walnut Springs** has been dedicated and recorded. Mr. Flaharty stated he believe it has been dedicated and recorded. Mr. Flaharty just received a request for the 20th escrow release at the end of October.

Mr. Kolb asked Chief Theobald to have the Police Officers enforce the "No Parking" on Linwood Circle and remind residents that there is no parking on the street. The Chief responded in the affirmative.

Mr. Rodgers asked Mr. Flaharty if all the escrowed improvements had been accepted within Walnut Springs Farm. Mr. Flaharty stated there is still some remaining escrow needed to cover the installation of the landscaping. The Developer had until the end of October to complete the landscaping, which appears to be done. Mr. Rodgers stated the Developer had posted the \$8,000.00 maintenance escrow and the maintenance agreement.

Mr. Rodgers stated the Township is holding a Letter of Credit with a balance of \$286,000.00 as escrow for completion of the improvements. He indicated the Board of Supervisors should authorize release of the Letter of Credit at the December 8, 2014 meeting. Mrs. Geho moved to accept 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

Mr. Rodgers discussed the receipt of a Conditional Use Application for Fairway Farm Residential Development. This is a proposed development of approximately 30 acres. The applicant is proposing 26 Townhomes. A public hearing is required within 60 days of receipt of the application. Mr. Rodgers recommended scheduling the Conditional Use Hearing for the Board of Supervisors regular meeting to be held on Monday, December 8, 2014 since the 60 days would expire before the Board's regular meeting to be held in January 2015. Mrs. Geho made a motion to hold a public hearing on Monday, December 8, 2014 at the regularly scheduled Board of Supervisors meeting to hear the Conditional Use Application for Fairway Farm Residential Development. 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

344 Zieber Road – Jeremy Stierly

Mr. Rodgers discussed the Zoning Hearing Board Application decision for a variance which was submitted by Jeremy Stierly relating to 344 Zieber Road. The Zoning Hearing Board granted the application at their October 22, 2014 meeting.

118 Hershey Drive – David and Mary Blye

Mr. Rodgers discussed the Zoning Hearing Board Application decision for a variance which was submitted by David and Mary Blye relating to 118 Hershey Drive. The Zoning Hearing Board granted the application at their October 22, 2014 meeting.

6. ORDINANCE

Mr. Hosterman distributed a revision of the draft wireless communications ordinance, which had been given to the Supervisors at its October 2015 meeting. The revised draft shows additions and removals of text to the proposed ordinance. He advised that if the Supervisor's do not have any questions or changes the revised draft is ready to go to the Township Planning Commission for its review.

Mr. Kolb asked if it was typical for the inactive period to be 12 months. Mr. Hosterman stated this is usually covered under the lease agreement. He asked if the Board would like to change the inactive period to 6 months with a 90 day removal. Mr. Kolb stated he felt the time frame was too long once the site became inactive. He suggested changing the 12 months to 6 months and removing the 90 day period. Mrs. Geho suggested changing the 12 months to 6 months, but changing the 90 day period to 60 days.

Mr. Hosterman suggested the Board of Supervisors may want to consider changing the height of the tower from 120 feet to 150 feet. This would allow the tower to accommodate more carriers on the same site. The increase in tower height would promote co-location of carriers. He stated the industry standard seems to be 150 feet. Mr. Rinehart asked if we should just list a maximum height. Mr. Hosterman stated that is how the ordinance is currently written. Mr. Woessner stated he believed the maximum height used to be 190 feet at one time. A discussion continued on regarding the maximum height and the consensus was to change the ordinance to show a maximum height not to exceed 190 feet.

Mrs. King asked if there was any chance in getting Verizon service in the Township. Mrs. Geho stated Verizon service is available on certain roads in the Township. Mr. Kolb explained that the Verizon service is available on the roads where the wire is on poles and not underground.

Mrs. Geho made a motion to make the appropriate changes to the draft Wireless Communications Facilities Ordinance. Mr. Moyer seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

7. OTHER BUSINESS

2015 Township Budget

Mr. Rodgers reviewed the proposed changes to the 2015 Township Budget and the new handouts for the amended Funds. Mr. Rinehart asked about the change in the Insurance by some of the employees and whether the Township will have an increase in premiums. Mr. Rodgers explained that there is a premium increase and that the employees pay a contribution based on that increase. Mr. Rodgers stated he is looking for a recommendation from the Board to authorize the advertisement of the proposed 2015 Township Budgets for consideration of adoption at the December 8, 2014 Board of Supervisors meeting. The budget has to be advertised for inspection 20 days ahead of adoption.

Mr. Kolb asked Mr. Rodgers about his meeting went with Mr. McMullen from Aborganic Acres. Mr. Rodgers explained that Mr. McMullen canceled the meeting and said he would call to reschedule. Mr. Rodgers explained that he added \$5,000.00 to the General Fund to cover drop off of recycling material. Mr. Kolb stated he hopes the project does not require that much and stated he would like to know the percentage of residents that actually use the facility. Mr. Rinehart stated that because the Township went to a "No Burn" policy, he would like to have somewhere for the residents to take their yard waste. He stated that it seems unfair to expect the residents to have to pay to take their yard waste to the facility. A discussion ensued on why residents should or should not have to pay since they have to pay for the trash company to take the waste. Mr. Rinehart stated that since the Township would be providing a yearly contribution to Aborganic Acres, he felt there should not be a drop off fee to Township residents.

Mrs. Geho asked Mrs. King if she was still associated with the Spring City Library. Mrs. King stated she has never worked for the Library. Mrs. Geho mentioned that there is a contribution in the 2015 Budget for the library. She is looking for a little more information on what their costs are for operating, what other municipalities make donations and what percentage of the Township residents use the Library. Mrs. King stated that Spring City Library is the closest Library to East Coventry Township. Mrs. King stated the Spring City Library has a lot to offer the residents that use it. Mrs. Geho stated she is not opposed to making the donation; she just wanted more information on what was available. Mrs. Geho will check with the library directly.

Mr. Rinehart made a motion to advertise the 2015 Township Budgets for adoption at the December 8, 2014 Board of Supervisors meeting. Mrs. Geho seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

Mr. Kolb asked since the Board approved the advertisement for the adoptions of the 2015 Budget, if it would allow the new Public Works' truck, which is included in the 2015 budget, to be ordered now. The truck will not come in until next year and the invoice will not be paid until next year. Mr. Kolb stated that he would like to get a jump on placing the order so the truck will come in a month sooner. The consensus from the Board was to order the new Public Works truck now.

Exonerations and Exemptions

Mr. Moyer read the names on the Exonerations and Exemptions report for October 1, 2014. Mr. Moyer read the names on the Exonerations and Exemptions report for November 1, 2014. Mr. Rinehart made a motion to approve the exonerations and exemptions per capita tax reports for October 1, 2014 and November 1, 2014. Mrs. Geho seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

8. PAYMENT OF BILLS

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

Fund Name	Amount to Pay
General Fund	118,580.00
Fire Hydrant Fund	472.94
Open Space	2,925.00
Sewer Operating Fund	16,676.37
Sewer Capital Fund	-
Traffic Impact Fee Fund	5,185.46
Capital Reserve	-
Highway State Aid Fund	4,228.66
TD Escrow	-
Heritage Escrow Fund	-
Totals	\$ <u>148,069.42</u>

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

9. ADDITIONAL ITEMS BROUGHT TO THE BOARD

Traffic Signal Improvements

Mr. Hosterman discussed a traffic signal improvement at Route 724 and Linfield Road. In order to utilize the grant money provided for the improvement, there are some land acquisitions that need to take place. All the acquisitions have taken place except one that has surfaced just recently. The parcel is a strip of land about 3’ wide x 140’ long parcel. The title to this parcel is unclear and has an unknown owner. PENNDOT is requiring the Township to proceed with an unknown owner condemnation. Mr. Hosterman received a proposal from a right-of-way acquisition company, known as Keystone Acquisition Services Inc. in the amount of \$3,800.00, to perform the work necessary to accomplish this condemnation. Mr. Hosterman recommended that the Board of Supervisors accept the proposal from Keystone Acquisitions Services Inc to perform the work. Mrs. Geho made a motion to accept the proposal from Keystone Acquisitions Service Inc to conduct an unknown owner condemnation for the remaining parcel located at Route 724 and Linfield Road. Mrs. Nocella seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

Mrs. Nocella stated the Parks & Recreation Department is considering doing a 5K & 10K run in the fall of 2015. They have two routes that have been mapped out. The start and end points will be at the East Coventry Elementary School. The race could possibly generate \$1,000.00 income. The race would be called the Five & Dime Run. John Doyle is heading the project. There will be more information to come.

Mr. Rinehart stated he will be attending the Chester County Tax Association on Tuesday, November 11, 2014.

Mr. Rodgers stated at the Board of Supervisors September meeting, the Board approved Resolution 2014-15 for the Pence Subdivision Lot Line Adjustment. The Township received the signature pages for the Resolution from the Pence’s and noted their signature was dated 11/7/14. The Resolution, on page 8, required it to be returned with the Pence’s’ signatures by October 8, 2014 for it not to be deemed automatically rescinded and revoked. In order for that not to occur Mr. Rodgers requested a motion from the Board to approve the return of the signed resolution by November 7, 2014 rather than October 8,

2014. Mrs. Geho made a motion to approve the change to the due date for the signed copy of Resolution 2014-15 to be received from the Pence's from September 8, 2014 to November 7, 2014. Mrs. Nocella seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

10. ADJOURNMENT

Mrs. Geho moved to adjourn the monthly meeting at 8:00 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