

**MINUTES OF THE
EAST COVENTRY TOWNSHIP
BOARD OF SUPERVISORS
MEETING HELD JUNE 8, 2020**
(Approved July 13, 2020)

The Board of Supervisors held its regular monthly meeting on Monday, June 8, 2020 at the Ridge Fire Company as well as via conference call. The following Supervisors were in attendance for the meeting: Anthony Duffy, Ray Kolb, W. Atlee Rinehart, Karen Nocella and Michael Albert Moyer were present at the Ridge Fire Company. Also, in attendance at Ridge Fire Company were David G. Kraynik, Township Manager, Mark Hosterman, Township Solicitor and Brady Flaharty, Township Engineer.

Mr. Anthony Duffy called the meeting to order at 7:00 p.m. The pledge of allegiance was recited.

Mr. Hosterman stated an executive session was held at 6:00 pm to discuss personnel matters and an update on the litigation concerning 515 Kulp Road.

1. ORDINANCES

Consideration for Authorization to Advertise two (2) Ordinances Amending the Police Pension Plan and Non-Uniform Pension Plan, as required by the Pennsylvania Municipal Retirement System.

Mr. Kraynik stated these Ordinances are necessary because the State Retirement Commission has made some amendments. They are procedural and all municipalities are being asked to approve the amendments. Mr. Rinehart made a motion to advertise both Ordinances Amending the Police Pension Plan and Non-Uniform Pension Plan, as required by the Pennsylvania Municipal Retirement System. Mr. Moyer seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

2. SOLICITOR'S REPORT

Consideration of Approval of Agreements with the Owen J. Roberts School District for Close-Out of the East Coventry Elementary School Projects.

Mr. Hosterman stated the Township is in receipt of the following agreements from Owen J. Roberts School District: First Amendment to Land Development Agreement (this allows the Township to accept dedication of the additional right-of-way of E. Cedarville and Old Schuylkill Road and also the sewer line early), Bill of Sale for Sanitary Sewers, Maintenance Agreement for Sanitary and Storm Sewers, Storm Sewer Maintenance Agreement (this requires the school district to maintain the sanitary sewer for a period of 18 months after dedication and they will be maintaining the storm sewer system perpetually. When they close out the land development agreement they are going to deposit \$13,500 with the Township as good faith money in case they don't do something right away like remove debris or something.), Deed of Dedication for UROW in East Cedarville Road and Old Schuylkill Road, as well as two (2) Resolutions (Resolution 2020-12 and Resolution 2020-13) to accept the ultimate right-of-way's. Mr. Hosterman stated he will be drafting the Recapture and Reimbursement Agreement but is looking for a motion to approve it subject to the solicitor's approval of any changes that the school district may request. The school district built this extension of the sewer lines and when anyone connects to that, after the Township receives tap-in fees, the school district will get back \$3,229.00 per tap-in fee. Mr. Kolb asked Mr. Flaharty regarding storm sewers if the Township is responsible for taking care of the storm sewers. Mr. Flaharty believes that the Township will be responsible for the storm sewers in the ultimate right-of-way. Mr. Moyer made a motion to approve execution of all agreements stated above, as well as adopting the two (2) Resolutions (Resolution 2020-12 and Resolution 2020-13), and the Recapture and Reimbursement Agreement subject to solicitor's approval of any changes that the school district may request. Mrs. Nocella seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

3. **MINUTES**

May 11, 2020, Meeting Minutes

Mr. Kolb made a motion to accept the May 11, 2020 meeting minutes. Mrs. Nocella seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

4. **PUBLIC COMMENT**

Missy King, 10 Eleanor Drive, asked if there are any updates from PennDOT as to when they will be working on Bethel Church Road. Mr. Kolb stated his understanding is that PennDOT is still intending to do work on Bethel Church Road. Mr. Kolb also stated the Township will be paving Eleanor Drive around the third week in July.

Steve Ussler, 938 Schoolhouse Road, stated he talked to Mrs. Nocella a few weeks ago asking about the grant application for the trail easement on his property and wants to know if she ever found it. Mr. Ussler stated it was the approved grant that put the benches on the trail easement. Mrs. Nocella stated Pottstown Area Health and Wellness are where the grant for the benches came from. Mrs. Nocella said she can call Michael Lane and ask him for a copy of the grant application. Mr. Ussler also stated that at the last Township meeting the rumor is that Mrs. Nocella made a comment involving him and he would like her to elaborate on it. He asked to see the minutes but was told they were not available until the Board approves them. Mr. Duffy stated he can check the website tomorrow when they will be posted. Mr. Kolb gave Mr. Ussler a copy of the minutes that they just approved. Mr. Ussler proceeded to ask Mrs. Nocella when her contractor moved the fence to put the trail on her property why did she instruct them to destroy his property. Mrs. Nocella asked what was destroyed. Mr. Ussler stated they pulled out the metal posts that were on his property. Mrs. Nocella stated they were put perfectly back in the way they were originally were on his property. Mr. Ussler told Mrs. Nocella she is not to trespass on any property that Ussler's own.

George Collette, 80 Country Lane, asked if someone could check the drain on Spiece Road. Mr. Kolb stated Whispering Woods is supposed to clean it out.

Mr. Moyer thanked Ray Kolb and Roger Kolb for the use of the Fire House.

Mr. Kolb asked Mrs. Nocella if Parks and Recreation talked about the tennis court on the Wineberry property. Mrs. Nocella stated they would love for it to be cleaned up enough so it can be used.

Mrs. Nocella stated the Township is receiving a \$10,000 grant from the Pottstown Area Health and Wellness to put trails in on the DiBono property.

Mr. Kolb stated the two new pickleball courts are up and running. His only concern is that when the pavilion is rented at Ellis Woods Park that they should have access to the first pickleball court and the basketball court. Mr. Kraynik stated the permit should be amended so that it indicates the use of one pickleball court and the basketball court when renting the pavilion. A discussion ensued.

Mr. Rinehart made a motion to close Public Comment. Mr. Moyer seconded it. Mr. Duffy called for a vote and the motion carried 5-0-0.

5. **REPORTS**

Township Manager's Reports

Consideration of Approval of PECO Trail License Agreement for the DiBono Trail Easement, including Fee of \$500.

Mr. Kolb asked if the \$500 fee for the trail license is every year and Mr. Hosterman stated that it is. Mr. Kolb feels this is too much for 300 feet. Mrs. Nocella stated they should do it for this year and revisit this issue next year. Mrs. Nocella asked if they can re-negotiate with PECO and Mr. Hosterman

stated PECO has been clear the trail license agreements are non-negotiable. George Collette asked if the Township has to maintain it and it was stated yes, they do. A discussion ensued. Mrs. Nocella made a motion to approve the PECO Trail License Agreement for the DiBono Trail Easement including the Fee of \$500. Mr. Duffy seconded the motion. Mr. Duffy called for a vote and the motion carried 4-1-0, with Mr. Rinehart opposed.

Consideration of the Awarding of a Construction Contract for the Frick's Lock Village Trailhead along the Schuylkill River Trail.

Mr. Kraynik stated the Construction Contract for the Frick's Lock Village Trailhead along the Schuylkill River Trail is for the sitework for the Trailhead. The Township received eight (8) bids. It was recommended by ARRO Consulting to accept the bid from Barwis Construction, LLC which is within budgetary limitations in the amount of \$407,544. This amount excludes the water fountain due to excessive costs for installation and maintenance as required by DEP and EPA. Mr. Kolb made a motion to award the construction contract for the Frick's Lock Village Trailhead along the Schuylkill River Trail (sitework) to Barwis Construction for \$407,544. Mrs. Nocella seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

Consideration of the Awarding of a Construction Contract for Rehabilitation of Building 19 at Fricks Lock Village.

Mr. Kraynik stated this project entails four (4) bids which include: general construction, mechanical, electrical, and plumbing. The low bids total \$1,137,309 which is approximately \$600,000 over budget. Mr. Kraynik stated it has been recommended by the architect, Dale Frens, to throw out the bids and rebid the project in July. Dale Frens also recommends the bid have a reduction in the scope of work to include only those items which are eligible for funding from the DCNR grant. It was stated that most of the rehabilitation of the interior of Building 19 would be cut out of the next bid because that is not covered by the grants. Gail Brown expressed concerns over the masonry work. Mr. Kraynik recommends that Gail Brown and the Historical Commission meet with Dale Frens to discuss rebidding the project. A discussion ensued. Mr. Kolb made a motion to reject all bids due to the fact they are over budget and have the project go out to bid in July per Dale Frens recommendation. Mr. Moyer seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

Township Engineer's Report

Consideration for Authorization of Construction Escrow Release No. 1 for East Coventry Elementary School in the amount of \$596,474.54.

Mr. Flaharty is requesting authorization for Construction Escrow Release No. 1 for East Coventry Elementary School in the amount of \$596,474.54. Mr. Rinehart made a motion to authorize Construction Escrow Release No. 1 for East Coventry Elementary School in the amount of \$596,474.54. Mr. Kolb seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

Consideration for Authorization of Construction Escrow Release No. 3 for Whispering Woods in the amount of \$238,896.60.

Mr. Flaharty is requesting authorization for Construction Escrow Release No. 3 for Whispering Woods in the amount of \$238,896.60. Mr. Kolb made a motion to authorize Construction Escrow Release No. 3 for Whispering Woods in the amount of \$238,896.60. Mrs. Nocella seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

MS4 Program Announcement

Mr. Flaharty stated in regards to the MS4 Program, the recommendation is to not have the annual stream clean up. However, by the end of June there are minimum control measures for the MS4 program that need to be done. They are recommending a community cleanup be held the week of June 22nd which will be posted on the website.

Mr. Flaharty gave the following Annual MS4 Announcement:

As per the requirements of the National Pollutant Discharge Elimination System (NPDES) General Permit For Stormwater Discharges From Small Municipal Separate Storm Sewer Systems (MS4), I am pleased to update you on the East Coventry 2018-2019 Annual Report and our efforts to move the MS4 program forward in expectation to submit the East Coventry 2019-2020 Annual Report this September 30th.

We submitted the East Coventry 2018-2019 Annual Report on September 30, 2019. The report detailed the progress that East Coventry made across the six Minimum Control Measures (MCMs) that guide the program.

The first MCM is Public Education and Outreach on Stormwater Impacts. We are required to set goals for the coming reporting period, July 1st through June 30th, and confirm that we have achieved the goals set forth in the previous Annual Report. During the 2018-2019 reporting period we met all of our Public Education and Outreach goals, such as providing educational materials by mail to commercial business owners to define and educate about stormwater Best Management Practices (BMPs) and producing a MS4 Program Analysis to better focus our efforts on the most likely sources of contaminants and our target audiences.

We have not established what our goals are yet for the coming reporting period (2020-2021), however they will need to be in line with our focus on education and reduction of illicit discharge risk.

The second MCM is Public Involvement and Participation. This meeting fulfills part of the requirements of this MCM. We invited the public to work with us for a yearly stream cleaning event, which I took part in, on April 27, 2019. Also, the Township worked with Partnership for the Delaware Estuary, in which there are educational opportunities for children to learn about estuaries through activities, and games.

East Coventry will continue to work with Partnership for the Delaware Estuary to involve and educate our residents. Sadly, due to current events, we will not be able to host our yearly stream cleaning event. After discussions with the Pennsylvania Department of Environmental Protection (DEP), The Township will conduct an online based cleanup event for our target audience groups (residents, businesses, and municipal staff). This event involves our audiences performing cleanups within their properties.

The third MCM is Illicit Discharge Detection and Elimination. Illicit discharge means any discharge to a municipal separate storm sewer that is not composed entirely of stormwater, except in very specific circumstances such as from firefighting activities. During the 2018-2019 reporting period, we kept our storm sewer mapping up to date to help efforts in identifying sources of illicit discharges should they occur. Only one illicit discharge was identified in the past reporting period from our efforts of inspecting the discharge points of our system and from resident reporting. The illicit discharge was quickly cleaned and remedied. We have not had a recurrence of that discharge.

We are continuing to monitor the system, inspect our points of discharge, and encourage anyone to report any non-stormwater substance entering our system.

The fourth MCM is Construction Site Stormwater Runoff Control. Many of the requirements of this portion are fulfilled by the statewide program for stormwater associated with construction activities. During the reporting period we complied with all relevant Pennsylvania codes regarding

the management of construction permits and notification of DEP regarding qualifying construction activities.

East Coventry will continue to manage construction permits and DEP notification in accordance with the requirements of MCM #4.

The fifth MCM is Post-Construction Storm Water Management in New Development and Redevelopment. Similar to MCM #4, many of the requirements of this portion are fulfilled by the statewide program for stormwater associated with construction activities. East Coventry maintained an inventory of all post-construction stormwater management BMPs and worked to ensure that proper operations and management of said BMPs.

East Coventry has inspected the BMPs on the inventory within the last month. The Township will continue to keep an up to date inventory of post-construction stormwater management BMPs and ensure that they receive the required operation and management.

The sixth and last MCM is Pollution Prevention and Good Housekeeping. This MCM primarily ensures that the municipal staff and operations do not negatively impact our waterways. To meet the yearly requirement that municipal staff receive yearly stormwater training, a training in strategies for the proper application of road salt to minimize pollution was held on September 18, 2018. The Township maintains many operational documents such as “Good Housekeeping Operation and Maintenance Program” and the “Operation, Maintenance, Inspection and Repair Program for All Municipally Owned Stormwater Facilities”, which can be found in the 2018-2019 Annual Report.

East Coventry will be undergoing a facility audit soon to minimize the potential that municipal properties contribute to stormwater pollution. 2019-2020 training documentation has been supplied to municipal employees. The Township will continue to maintain and update the operational documents.

An electronic copy of the Annual Report can be found on the municipal website. A printed copy can be found at the municipal office. You can also request a copy by mailing into our office.

And finally, if you see anything suspicious entering or exiting the East Coventry stormwater system, please call 610-495-5443 during business hours. After hours and on weekends, please use the form found on the East Coventry website under stormwater management and then stormwater reporting.

Please provide comments regarding the Township’s stormwater program to 610-495-5443, info@eastcoventry-pa.gov, or on The Township’s Stormwater page under “Stormwater Reporting”.

Mr. Moyer made a motion to adopt the revised online based cleanup to meet MS4 requirements just outlined by Mr. Flaharty. Mr. Rinehart seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

Mr. Moyer made a motion to accept the various departments and committee’s reports. Mr. Kolb seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

6. SUBDIVISIONS AND LAND DEVELOPMENT

There were no Subdivision and Land Development applications brought before the board.

7. ZONING HEARING BOARD APPLICATIONS

There were no Zoning Hearing Board applications brought before the board.

8. OTHER BUSINESS

Consideration to Advertise 2001 International Dump Truck w/Plow and Spreader for Bid.

Mr. Kolb stated the Public Works Department received the new dump truck and would like to put the old one out for bid. Mr. Kolb made a motion to accept advertising the 2001 International Dump Truck w/Plow and Spreader for Bid. Mr. Moyer seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

9. EXONERATIONS

No Exonerations were brought before the board.

10. PAYMENT OF BILLS

Mr. Kolb made a motion to approve the payment of bills as presented.

<u>Fund Name</u>		<u>Amount to Pay</u>
General Fund	\$	296,504.03
Benefit Escrow		-
Open Space		11,571.43
Sewer Operating Fund		14,845.01
Sewer Capital Fund		-
Traffic Impact Fee Fund		-
Capital Reserve		373,564.85
Highway State Aid Fund		3,692.59
TD Escrow		-
Totals	\$	<u>700,177.91</u>

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

11. ADJOURNMENT

Mr. Kolb made a motion to adjourn the monthly meeting at 7:56 pm. Mrs. Nocella seconded the motion. Mr. Duffy called for the vote and the motion carried 5-0-0.

Respectfully submitted,

David G. Kraynik
Township Manager