

MINUTES OF THE  
EAST COVENTRY TOWNSHIP BOARD OF SUPERVISORS  
MEETING HELD DECEMBER 12, 2016  
*(Approved January 9, 2017)*

The Board of Supervisors held its' regular monthly meeting on Monday, December 12, 2016. Present for the meeting were supervisors Ray Kolb, W. Atlee Rinehart, Karen Nocella, Michael Albert Moyer and Anthony Duffy. Also present were Bernard A. Rodgers, Township Manager, Mark A Hosterman, Township Solicitor and Brady Flaharty, Township Engineer.

Mr. Kolb called the meeting to order at 7:01 p.m. and the pledge of allegiance was recited.

Mr. Kolb turned over the meeting to Mr. Hosterman.

Ordinance 209 – Miscellaneous Ordinance Amendments and Amendments Regarding Transmission Pipelines

Mr. Hosterman opened the public hearing at 7:02 pm. Mr. Hosterman gave a brief review of Ordinance 209 and asked if any member of the Board of Supervisors had any questions on the proposed Ordinance. There were no questions from the Board of Supervisors. Mr. Hosterman asked if the public had any questions on the proposed Ordinance. There were no questions from the public. Mr. Hosterman closed the public hearing for proposed Ordinance 209 at 7:03 pm,

Ordinance 210 – An Ordinance of East Coventry Township, Chester County, Commonwealth of Pennsylvania, Amending the Code of Ordinance of the Township of East Coventry, Chapter 15 (Motor Vehicles), Part 2 (Traffic Regulations), By Amending Section 206 (Intersections Where Turn Prohibits on Red Signal) by Adding Three Additional Approaches to the Intersection of New Schuylkill Road, Bethel Church Road, Linfield Road and Old Schuylkill Road to the List of Intersections Where Right-Turn on Red is Prohibited; by Adding a New Section 211 Entitles “No Left Turn and All Traffic Must Turn Right” to Prohibit Left Turns and Require Right Turns Only From Old Schuylkill Road at it Intersection with Bethel Church Road

Mr. Hosterman opened the public hearing at 7:03 pm. Mr. Hosterman gave a brief review of Ordinance 210 and asked if any member of the Board of Supervisors had any questions on the proposed Ordinance. There were no questions from the Board of Supervisors. Mr. Hosterman asked if the public had any questions on the proposed Ordinance.

Mr. Robert Townsend III, 1546 Old Schuylkill Road, Parker Ford, PA 19457, asked who the Township Engineer is for the Township. Mr. Hosterman stated the Township Traffic Engineer is John Yurick from McMahon Associates.

Mrs. Ottaviano, 2364 New Schuylkill Road, Pottstown, PA 19465, asked why the Township restricted the left turn onto Bethel Church Road. Mrs. Ottaviano stated you have been able to turn left at that intersection forever. Mr. Rodgers stated the Township Traffic Engineer had deemed it to be unsafe to make left hand turns at that location.

Mr. Townshend asked if the Traffic Engineer was here to discuss the changes at the intersection. Mr. Townsend stated he has lived there for 32 years and Mrs. Ottaviano has lived there for 40 years and they have successfully made the left hand turn at that intersection for years. Mr. Townsend stated you have far more problems at the intersection of Wells Road and New Schuylkill Road (Route 724) than you have at Bethel Church and Old Schuylkill Road. Mr. Townsend stated you are bringing the city out to the country. Mr. Townsend stated if you install a traffic light in at Wells Road and solve half the problem Mr. Hosterman stated he believed the Board of Supervisors authorized the study to determine if it would be warranted. Mr. Rodgers stated before the changes were made at the intersection and the traffic light,

the Traffic Engineer did the study required by PennDOT and it was deemed to be unsafe. Mr. Rodgers stated from June thru November 2016, there have been at least 4 accidents per month at the intersection. He also noted that the Traffic Engineer reviewed the results of the traffic studies, looked at the patterns and the number of incidents and felt that the intersection was unsafe. Mr. Rodgers stated the Township, from a liability perspective, could not permit that type of situation to continue.

Mrs. Ottaviano asked how many accidents have happened at Wells Road and New Schuylkill Road (Route 724) compared to the accidents at Bethel Church and Old Schuylkill Road. Mr. Rodgers stated the number of accidents and amount of traffic at the intersection of Wells Road and New Schuylkill (Route 724) does not yet meet warrants for a traffic light. He stated PennDOT will not permit a light to be installed at this intersection at this time, however, next year the Township will have the Traffic Engineer do a study at Wells Road and New Schuylkill Road (Route 724) to see how the traffic patterns may have changed with the new pattern configuration at Bethel Church Road, New Schuylkill Road and Linfield Road.

Mrs. Ottaviano asked what the reason was for blocking the cross over at Bethel Church Road. Mr. Rodgers stated it was blocked off because of the number of accidents at the intersection.

Mr. Rinehart stated on behalf of Mr. Yurick, Township Traffic Engineer, that he was at the November Board of Supervisors meeting to discuss the changes at the Bethel Church Road, New Schuylkill Road and Linfield Road.

Mrs. Ottaviano asked if PennDOT required the "No Left Turn" at Bethel Church Road and Old Schuylkill Road. Mr. Rodgers stated no, PennDOT did not make that requirement. Mrs. Ottaviano asked why there was a requirement, if PennDOT did not make the requirement. Mr. Rodgers stated because the Township Traffic Engineer deemed it unsafe due to the number of accidents at the intersection.

Mr. Vincent Ottaviano, 875 Ebelhare Road, Pottstown, PA 19465, asked if there will be left turn arrows at the intersection. Mr. Rodgers stated PennDOT would not permit a left turn arrows from New Schuylkill Road onto Bethel Church Road or Linfield Road at this time. When enough traffic backups on Route 0724 for left turns, then PennDOT will allow the left turn arrows. Mr. Rodgers stated there was an inspection at the sight this morning and he spoke with the PennDOT inspector, who stated there is not enough left turn movement for the left turn arrows. Mr. Rodgers stated if and when left turn arrows are placed at the intersection, there will be an additional cost of approximately \$10,000.00 to the Township to reconfigure the control lights.

Mrs. Ottaviano asked if PennDOT required the blockage of the cross over from Bethel Church Road to New Schuylkill Road (in front of the Spa)? Mr. Rodgers stated he could not say whether that was totally PennDOT or a combination of PennDOT and the Township Traffic Engineer. Mr. Rodgers stated the decision was due to the number of accidents. Mr. Rodgers stated when the Township has too many accidents at an intersection, it is in effect, put on notice and if the Township would allow this type of situation to continue without taking corrective measures, it could be liable. Mrs. Ottaviano asked if there were really 4 accidents per month. Mr. Rodgers stated yes. Mr. Ottaviano asked if the cars were turning onto New Schuylkill Road. Mr. Kolb stated the cars were pulling out of Old Schuylkill Road onto Bethel Church Road and he asked for a copy of the police reports from the intersection. Mr. Kolb stated in the month of July, August, September and October of 2016, there were 4 accidents per month. Mr. Kolb stated he runs with the Ridge Fire Company and was personally at all 16 accidents. Mr. Kolb stated people pull out of Old Schuylkill Road and the people coming down Bethel Church hit them. Mr. Kolb stated someone was going to be killed at this intersection until the Township did something about it. Mr. Rodgers stated so far, there are been no accidents since the traffic pattern has been changed.

Mr. Hosterman closed the public hearing for proposed Ordinance 210 at 7:13 pm.

1. **ORDINANCE**

Ordinance 209

Mrs. Nocella made a motion to approve Ordinance 209 – Miscellaneous Ordinance Amendments and Amendments Regarding Transmission Pipelines. Mr. Duffy seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

Ordinance 210

Mrs. Nocella made a motion to approve Ordinance 210 – An Ordinance of East Coventry Township, Chester County, Commonwealth of Pennsylvania, Amending the Code of Ordinance of the Township of East Coventry, Chapter 15 (Motor Vehicles), Part 2 (Traffic Regulations), By Amending Section 206 (Intersections Where Turn Prohibits on Red Signal) by Adding Three Additional Approaches to the Intersection of New Schuylkill Road, Bethel Church Road, Linfield Road and Old Schuylkill Road to the List of Intersections Where Right-Turn on Red is Prohibited; by Adding a New Section 211 Entitles “No Left Turn and All Traffic Must Turn Right” to Prohibit Left Turns and Require Right Turns Only From Old Schuylkill Road at it Intersection with Bethel Church Road. Mr. Rinehart seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

2. **MINUTES**

October 10, 2016

Mr. Duffy made a motion to approve the minutes of October 10, 2016 Board of Supervisors meeting. Mrs. Nocella seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

November 11, 2016

Mr. Kolb stated the signs posted at the intersection of Bethel Church Road, Old Schuylkill Road and New Schuylkill Road do not include the last two signs listed in the minutes on page 2, second paragraph. Mr. Kolb asked if the last two signs shown in the minutes should be removed. Mr. Kolb stated the top 2 are the posted signs at the intersection. Mr. Rodgers stated they were discussed at one time, but it would be no problem removing the last two signs shown in the minutes.

Mr. Duffy made a motion to approve the November 11, 2016 minutes, with the removal of the two signs shown in the minutes on page 2, second paragraph. Mr. Moyer seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

3. **NOTICE OF VIOLATIONS WAIVER REQUEST**

Mrs. Shields, Esquire, Mac Elree Harvey et.al., Attorney representing Riannon Walsh on the Notice of Violation Waiver Request. Mrs. Shields requested Mrs. Nocella recuse herself from the topic to be discussed since she was involved with the topic. Mrs. Nocella recused herself from the discussion.

Attorney Shields stated they were here to discuss Chapter 21 STREETS AND SIDEWALKS , PART 1 DRIVEWAYS, Section 21-113. Waiver of The East Coventry Township Code of Ordinances. Attorney Shields briefly described the location of the driveways to Mrs. Walsh’s residence, Mrs. Nocella’s residence and the farm field access installed by Mrs. Walsh beside Mrs. Nocella’s driveway. Attorney Shields further stated that Mrs. Walsh installed the access adjacent to Mrs. Nocella’s driveway after Mrs. Nocella installed a split rail fence and pillar along her driveway which coincided with the property line between the two parcels. Prior to that time Mrs. Walsh had accessed her field by traversing across Mrs. Nocella’s driveway which she was prevented from doing when the fence was installed.

Attorney Shields presented the Board of Supervisors with a list of Exhibits A-1 through A-7 which included the following:

- A-1: 9-22-16 Request For Waiver
- A-2 Definition of “Appeals” and “Waiver”
- A-3 Definition of “Driveways”
- A-4 6-27-13 Chester Co. Planning Commission ASA Review
- A-5 Definition of “Agricultural Area Security”
- A-6 Photos
- A-7 Aerial

Attorney Shields reviewed each of the Exhibits with the Board. There was a brief discussion and exchange of comments between Attorney Shield, the Board members and Solicitor Hosterman in order for the Board to better understand circumstances surrounding the waiver request.

Mrs. Walsh stated briefly that the access is question only accessed what are crop fields and that she had a discussion with Chief Mossman, who acknowledged that tractors should not be on a road surface. Mrs. Walsh stated that did not have any intention of building a driveway and that the disturbed area had been reseeded and strawed. Mrs. Walsh stated the area is better than it was before.

Mr. Hosterman asked Attorney Shields if they were in agreement with the definition of a driveway. Mrs. Shields stated yes, she is in agreement.

A discussion ensued.

Mr. Duffy asked Attorney Shields how the driveway promotes health and safety. Attorney Shields replied that taking the driveway further down the road would be unsafe for Mrs. Walsh.

Mr. Hosterman asked Mr. Flaharty, Township Engineer and Township Driveway Inspector if he would approve the driveway as it is now. Mr. Flaharty stated that he had been out to review the site and then provided the following list of actual or possible non-compliance with Chapter 21 STREETS AND SIDEWALKS , PART 1 DRIVEWAYS, Section 21-106 Standards for Driveways:

- §106.5: Actual non-compliance, in that driveway must be paved twenty-five feet (25') from edge of cartway, and driveway is not paved.
- §106.7.B: Actual non-compliance, in that driveway must have six feet (6') minimum radius at connection to cartway on both sides, and driveway does not have radius on either side.
- §106.7.C: Possible non-compliance, in that entire driveway may not be on frontage of parcel 18-3-04.1 if radius is added to eastern driveway edge. This section requires entire driveway to be located within the frontage of the driveway to be served by the property.
- §106.7.D: Possible non-compliance, in that eastern driveway edge appears to be located less than 10' from property line, assuming property maker location upon 11/11/16 site observation was accurate. This section require driveway edge to be located not less than ten feet (10') from property line for a lot with frontage of greater than eighty feet (80'). According to the approved subdivision plan, the frontage of this lot is 287.04'.
- §106.11: Possible non-compliance if the second access to this property at the location of the gas line and associated easement is on the 18-3-04.1 tax parcel. This section prohibits parcels from having more than one driveway unless one of two listed conditions are met, and neither condition is met in this case.
- §106.12: Actual non-compliance, as neither a swale nor a pipe is provided across the end of the driveway for drainage purposes.

Mr. Hosterman asked Mr. Flaharty if he had reviewed a driveway permit application for the installation of a new driveway, would this have been the best location on the property to place the driveway. Mr. Flaharty stated he would have the applicant make a ten foot (10') shift of the driveway

from the current location, which would allow the radius to be installed without the radius being installed on the neighboring property, while allowing sufficient sight distance for the location if that occurred. Mr. Hosterman stated if these conditions were met and the Board of Supervisors were inclined to, they could waive some of the other conditions. Mr. Rinehart stated with the character of a field entrance, he would not like to see it blacktopped.

Mrs. Sally Kolb, 151 Kolb Road, Spring City, PA 19475, stated she knows nothing of this situation, but if the Township is going to create ordinances for tractor paths, she feels the Township is entering a slippery slope. Mrs. Kolb stated the Township has long said they support Agriculture and all farmers have tractor paths that come out in difficult areas and deal with traffic all the time. Mrs. Kolb stated farmers make changes like this on a daily basis. Mr. Kolb stated the Township has to discuss these types of topics when a complaint is received.

Mr. Kolb asked how the Board feels about this topic. Mr. Hosterman reviewed the options available to the Board of Supervisors.

Mr. Moyer asked Mr. Hosterman why the Board of Supervisors would want to waive the permit. Mr. Moyer stated that he doesn't think the driveway should be paved. Mr. Hosterman stated there is a provision in the ordinance which allows the Board of Supervisors to waive the driveway permit.

Mr. Rodgers stated there are a couple things for the Board to consider. This is a specific issue being discussed tonight, but you have an ordinance to be followed. Mr. Rodgers stated the Driveway Ordinance and standards are set primarily for new development. However, this is an access that didn't exist before. If another Agricultural property opened an access, they would receive a Notice of Violation also. Mr. Rodgers stated if there is an accident from a new access, the Township would be liable.

Mrs. Walsh stated wouldn't each access be taken on a case by case basis. Mr. Rodgers stated no.

Mr. Kolb stated the Board has heard a lot of information tonight and made a motion to table a decision until the January 2017 meeting, in order for the Board of Supervisors to have time to digest all the information presented. Mr. Moyer seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 4-0-1 vote. Mrs. Nocella abstained.

#### **4. PUBLIC COMMENTS**

Mrs. Sandy Bower, 169 Sawmill Road, Pottstown, PA 19465, asked when the budget discussion comes up, will there be discussion including revenues and expenditures for 2017. Mr. Rodgers stated there will be a general review of the revenues/expenditures for 2017.

Mr. Doug Kapp, 22 Bishop Road, Pottstown, PA 19465, stated he witnessed the contractor moving dirt at Mrs. Walsh's property at 247 Bishop Road, Pottstown, PA 19465. Mr. Kapp stated he thinks it is wrong if the Township allows this driveway waiver. Mr. Moyer noted that he was in agreement with Mr. Kapp.

Mr. Moyer discussed the referendum to repeal Prohibition of Alcohol sales in the Township. Mr. Moyer explained he wants to give the Township residents the right to vote on this prohibition for hard liquor and beer distributions. Mr. Moyer asked Mr. Hosterman what type of questions would need to be on the petitions for the prohibition repeal. Mr. Moyer stated the petition will need at least 875 signatures in order to be placed on the primary ballot for voting.

Mrs. Missy King, 10 Eleanor Road, Spring City, PA 19475 stated the signatures will need to be collected from February 14 through the end of March.

Mr. Bower, 169 Sawmill Road, Pottstown, PA 19465, stated there would have to be four (4) different petitions.

Mr. Moyer made a motion to have Mr. Hosterman prepare the proper referendum petitions for the prohibition repeal to be placed on the primary ballot. Mr. Duffy seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 4-1-0 vote.

**5. Adoption of Township Budgets, Tax Rate and Pay Plan for 2017**

**Resolution 2016-21 (2017 Budgets)**

Mr. Rodgers reviewed the proposed 2017 Budget. Mr. Rodgers review the nine (9) funds shown below.

	General Fund 01	Benefit Escrow Fund 01A	Fire Hydrant Fund 03	Open Space Fund 04	Sewer Operating Fund 08	Sewer Capital Fund 09	Traffic Impact Fund 18	Capital Reserve Fund 30	Highway State Aid Fund 35	Total All Funds
Beginning Balance	776,981.39	64,185.52	16,303.00	941,147.56	181,440.17	1,279,752.37	129,503.92	908,525.12	33,568.44	4,331,407.49
Revenues	3,324,465.90	20,012.00	4.00	588,000.00	712,020.00	131,643.00	176,018.00	540,750.00	277,144.80	5,770,057.70
Total Available Funds	4,101,447.29	84,197.52	16,307.00	1,529,147.56	893,460.17	1,411,395.37	305,521.92	1,449,275.12	310,713.24	10,101,465.19
Expenses	3,299,658.88	0.00	12,240.00	592,730.95	485,837.69	20,000.00	2,000.00	883,100.00	253,800.00	5,549,367.52
Ending Balance	\$ 801,788.41	\$ 84,197.52	\$ 4,067.00	\$ 936,416.61	\$ 407,622.48	\$ 1,391,395.37	\$ 303,521.92	\$ 566,175.12	\$ 56,913.24	\$ 4,552,097.67

Mr. Rodgers reviewed the proposed budgets for 2017 by Fund and noted that the budget had been advertised for inspection and made available at the Township Offices for review per the requirements of the Second Class Township Code. He noted that the remaining monies in the Fire Hydrant Fund will be used to pay the hydrant fees to Pa American Water Company in 2017 and the fire hydrant fees will be paid from the General Fund beginning in 2018. Any monies left in the Fire Hydrant at the end of 2017 should be transferred to the General Fund and the Fire Hydrant Fund closed.

Mr. Rodgers stated the budget does not include any tax increase for 2017.

Mr. Moyer made a motion to approve Resolution 2016-21 (2017 Budget). Mrs. Nocella seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

**Resolution 2016-22 (Tax Resolution)**

Mr. Rodgers reviewed the proposed 3 mil tax rate for 2017 and noted that the Fire Hydrant Assessment was not included.

Mr. Rinehart made a motion to approve Resolution 2016-22 (Tax Resolution). Mr. Moyer seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

**Resolution 2016-23 (Pay Plan)**

Mr. Rodgers reviewed the proposed pay plan for 2017. The pay plan shows a three percent (3%) increase in pay for all employees in 2017.

Mrs. Nocella made a motion to approve Resolution 2016-23 (Pay Plan). Mr. Duffy seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

## 6. REPORTS

### Township Manager's Reports

#### Consideration of approval of the McMahon Associates, Inc. Work Authorization Form for the Kulp Road Bridge Replacement

Mr. Rodgers reviewed the proposed McMahon Associates, Inc Work Authorization Form to provide Construction Consultation for the Kulp Road Bridge Replacement project. Mr. Rodgers stated the cost of this service would be \$45,355.00.

Mrs. Nocella made a motion to approve the Work Authorization Form for Construction Consultation from McMahon Associates, Inc. for the Kulp Road Bridge Replacement project. Mr. Kolb seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

#### Consideration of approval of Contractor's Application for Payment #3 for the Parkerford Intersection Improvements.

Mr. Rodgers reviewed the Contractor's Application for Payment #3 for the Parkerford Intersection Improvements Project. The amount requested for payment is \$164,617.67.

Mr. Rinehart made a motion to approve the Contractor's Application for Payment #3 for the Parkerford Intersection Improvements Project in the amount of \$164,617.67. Mrs. Nocella seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

#### Consideration of authorization to submit proposed Miscellaneous Zoning and Subdivision and Land Development Ordinance Amendments to Planning Commission for review

Mr. Rodgers discussed the proposed Ordinance and recommended that the Board authorize the Township Planning Commission to review the proposed ordinance and provide comments to the Board with the intent to advertise for adoption in February 2017.

Mr. Moyer made a motion to have the proposed Ordinance reviewed by the Planning Commission. Mr. Duffy seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

#### Discussion of Wreath Laying Ceremony at Ellis Woods Road Revolutionary Cemetery by Cub Scout Pack 157 on December 17, 2016

Mr. Rodgers discussed the proposed Wreath Laying Ceremony at Ellis Woods Road Revolutionary Cemetery on Saturday, December 17, 2016 at 12:00 pm.

#### Proposal for Touch Point Customer Communications for the printing and mailing of the 2017 East Coventry Real Estate and Per Capita Tax Bills

Mr. Rodgers reviewed the proposal submitted by Missy King, Tax Collector. Mrs. King is requesting Touch Point Customer Communications print and mail the 2017 Real Estate and Per Capita Tax Bills.

Mrs. King stated that currently the Township pays for all the supplies for Mrs. King to print and mail the tax bills. Mrs. King currently prints approximately 7,016 bills which require 5,000 mailings. Mrs. King stated there will be approximately a \$875.00 savings.

Mr. Rinehart made a motion to approve Touch Point Customer Communications to print and mail the 2017 East Coventry Real Estate and Per Capita Tax Bills. Mrs. Nocella seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

#### Consideration of Township Engineer's Report

Mr. Rinehart asked Mr. Flaharty if he had an update on the MS4 report. Mr. Flaharty stated he has not heard if the report has been approved.

Mr. Rinehart made a motion to approve the Township's Engineer Report. Mrs. Nocella seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

Consideration of approving reports from various departments and committees

Mrs. Nocella asked the Board to approve the registration form and route for the 5k / 10k Rock the Wall Community Run scheduled on March 18, 2017. Mr. Kolb stated the Committee will need a lot more volunteers and a lot more signs for the route's they are taking this year.

Mrs. Nocella made a motion to approve the reports from various departments and committees. Mr. Duffy seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

**7. Subdivision and Land Development**

Michael J. Makris Preliminary / Final Minor Reverse Subdivision Plan – Resolution 2016-26

Mr. Andrew Miller, made a presentation on the Michael J. Makris Preliminary / Final Minor Reverse Subdivision Plan for Auto Quest Collision, located at 2579 New Schuylkill Road.

Mrs. Nocella made a motion to approve Resolution 2016-26 for the Auto Quest Collision, Michael J. Makris Preliminary / Final Minor Reverse Subdivision Plan. Mr. Moyer seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

MacKissic Land Development – Resolution 2016-27

Mr. Hosterman reviewed Resolution 2016-27 accepting dedication of the Ultimate Right-of-Way along Old Schuylkill Road. Mr. Hosterman asked that the Board of Supervisors approve this resolution with the condition of the applicant provide the Mortgage Releases and the Planning Module.

Mr. Rinehart made a motion to approve Resolution 2016-27 approving the MacKissic Land Development Deed of Dedication for the Ultimate Right-of-Way along Old Schuylkill Road with the conditions mentioned. Mrs. Nocella seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

MacKissic Land Development – Resolution 2016-28

Mr. Hosterman reviewed Resolution 2016-28 accepting the Ultimate Right-of-Way along New Schuylkill Road. Mr. Hosterman asked that the Board of Supervisors approve this resolution with the condition of the applicant provide the Mortgage Releases and the Planning Module.

Mrs. Nocella made a motion to approve Resolution 2016-28 approving the MacKissic Land Development Deed of Dedication for the Ultimate Right-of-Way along New Schuylkill Road with the conditions mentioned. Mr. Rinehart seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

Mr. Hosterman stated the Township is waiting for MacKissic, Inc to provide the Mortgage Releases and the Planning Module.

SBA Towers, Inc., Conditional Use Application for Cell Tower at 86 Baptist Church Road

Mr. Hosterman reviewed the Waiver of Time Limits for Action on the Conditional Use Application for the proposed Cell Tower at 86 Baptist Church Road.

Mrs. Nocella made a motion to approve the Waiver of Time Limits for Action on the Conditional Use Application for the proposed Cell Tower at 86 Baptist Church Road. Mr. Duffy seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

**8. Zoning Hearing Board Applications**

Zoning Hearing Board Application 261 – 1322 Kulp Road

Zoning Hearing Board application for variance submitted by Guy E. Fessler relating to the installation of a two story, 3 car garage, 30' x 30' for storage in a front yard. The Zoning Hearing Board approved the variance(s) during the Hearing held on Wednesday, November 23, 2016..

Zoning Hearing Board Application 262 – 1533, 1575 and 1597 E Cedarville Road

The Zoning Hearing Board application for variances submitted by McLaughlin Brothers relating to front yard and side yard setbacks for new single family homes was approved at the Boards November 23, 2016 Hearing.

Amendment to Zoning Ordinance

Mr. Rodgers discussed the letter received from the East Coventry Township Zoning Hearing Board Solicitor pertaining to sending residential notification by Certified Mail. The Zoning Hearing Board Solicitor is requesting a change to the Zoning Ordinance to send residential notifications via regular mail.

**9. Other Business**

Reorganization Meeting

Mr. Rodgers discussed the proposed time for the Board of Supervisors reorganization meeting on Tuesday, January 3, 2017. Mr. Rodgers is proposing the Board of Supervisors hold the reorganization meeting at 5:30 pm.

Mrs. Nocella made a motion to hold the Board of Supervisors Reorganization meeting on Tuesday, January 3, 2017 at 5:30 pm. Mr. Rinehart seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

Christmas Tree Pickup Dates for 2017

Mr. Kolb discussed the proposed dates for Christmas Tree pickup and proposed the Township pickup Christmas Trees on Monday, January 9, 2017 and Monday, January 16, 2017. He asked for authorization to advertise these dates in the Pottstown Mercury.

Mr. Rinehart made a motion to advertise the Christmas Tree pickup dates as Monday, January 9, 2017 and Monday, January 16, 2017 in the Pottstown Mercury. Mr. Duffy seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

Resolution 2016-20 (Disposition of 2014 Tax Records and 2014 Administrative Assistant Applications)

Mr. Rodgers reviewed Resolution 2016-20, Disposition of 2014 Tax Records and 2014 Administrative Assistant Applications.

Mr. Rinehart made a motion to approve Resolution 2016-20 (Disposition of 2014 Tax Records and 2014 Administrative Assistant Applications). Mrs. Nocella seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

Resolution 2016-24 (Budget Supplemental Appropriations)

Mr. Rodgers reviewed Resolution 2016-24 authorizing the supplemental appropriations to certain revenue and expense line items in the 2016 Township Budget.

Mr. Duffy made a motion to approve Resolution 2016-24 (Budget Supplemental Appropriations). Mr. Rinehart seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

Resolution 2016-25 (Transfer of Funds)

Mr. Rodgers reviewed Resolution 2016-25 authorizing the transfer of Funds from the General Fund to the Capital Reserve Fund in the amount of \$300,000.00.

Mr. Rinehart made a motion to approve Resolution 2016-25 (Transfer of Funds). Mr. Moyer seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

**10. Exonerations**

Mr. Moyer read the list of exonerations. Mrs. Nocella made a motion to approve the Exonerations List. Mr. Rinehart seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

Mr. Kolb discussed the request to remove the tax bill for 16 Oak Drive, Spring City, PA 19475 since the existing Mobile Home was removed and the parcel number was retired by Chester County.

Mrs. Nocella made a motion to approve the removal of the tax bill for 16 Oak Drive, Spring City, PA 19475. Mr. Moyer seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

**11. Payment of Bills**

Mrs. Nocella made a motion to pay the bills as presented:

Fund Name	Amount to Pay
General Fund	242,078.49
Fire Hydrant Fund	1,017.32
Open Space	97.99
Sewer Operating Fund	15,411.69
Sewer Capital Fund	-
Traffic Impact Fee Fund	272,632.75
Capital Reserve	20,350.39
Highway State Aid Fund	2,463.28
TD Escrow	-
<b>Totals</b>	<b>\$ <u>554,051.91</u></b>

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

**12. Information Items and Additional Items to be Brought Before the Board**

Mr. Hosterman made a recommendation that the Board of Supervisors create and adopt an ordinance for Medical Marijuana. Mr. Hosterman suggested the Planning Commission discuss where dispensaries and clinics should be located in the Township. Mr. Moyer made a motion to have the Planning Commission discuss the best locations for Medical Marijuana dispensaries and clinics in order to create an ordinance. Mr. Duffy seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

Mr. Hosterman wished everyone a Merry Christmas, Happy Hanukkah and Happy New Year.

Mr. Flaharty wished everyone a Merry Christmas and Happy New Year.

Mr. Duffy stated he attended a luncheon on October 13, 2016 sponsored by PECO to update everyone on the status of the Towers. Mr. Duffy stated PECO reported that Tower 2 has been certified by the Federal Government this year and tower 1 is to be inspected next year.

Mr. Duffy wished everyone a Happy Holiday.

Mrs. Nocella wished everyone a safe and Happy Holiday.

Mr. Kolb stated he is in the process of getting three (3) quotes to replace the heater at the School House located at 850 Schoolhouse Road.

Mr. Kolb wished everyone a Happy Holiday.

Mr. Rinehart mentioned that the PSATS newsletter is in the Board of Supervisors packet. The newsletter discusses the upcoming PSATS meeting. Mr. Rinehart encourages the Board members to try to attend the meeting.

Mr. Rinehart thanked the Township Manager and Finance for the work they did on the Budget, without having to borrow any money.

Mr. Rinehart wished everyone a safe and Happy Holiday.

Mr. Moyer wished everyone a Merry Christmas and a Happy New Year.

Mr. Rodgers discussed the PECO Green Grant Program. The Parks, Recreation and Conservation Committee would like to apply for a \$10,000 grant to install uniform signs throughout the Township Parks & Trails. Mr. Rodgers is looking for approval to submit an application to the PECO Green Grant Program. The deadline for submittal is December 31, 2016. Mr. Rinehart made a motion to approve the submittal of an application to the PECO Green Grant Program for the uniform signage for the Township's Parks & Trails. Mr. Moyer seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

Mr. Rodgers wished everyone Happy Holidays.

### **13. Adjournment**

Mrs. Nocella moved to adjourn the monthly meeting at 8:57 p.m. Mr. Rinehart 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