

MINUTES OF THE
EAST COVENTRY TOWNSHIP BOARD OF SUPERVISORS
MEETING HELD APRIL 10, 2017
(Approved May 8, 2017)

The Board of Supervisors held its' regular monthly meeting on Monday, April 10, 2017. Present for the meeting were supervisors Ray Kolb, W. Atlee Rinehart, Michael Albert Moyer, Karen Nocella and Anthony Duffy. Also present were Bernard A Rodgers, Township Manager and Mark A. Hosterman, Township Solicitor.

Mr. Kolb called the meeting to order at 7:00 p.m. and the pledge of allegiance was recited.

Mr. Hosterman advised that the Board of Supervisors held an Executive Session immediately preceding this meeting to discuss potential collective bargaining, potential land acquisition and a matter of potential litigation.

1. MINUTES

March 13, 2017 Meeting Minutes

Mr. Kolb asked for a motion to approve the March 13, 2017 minutes unless there were corrections that were needed. No corrections were noted. Mr. Moyer made a motion to approve the minutes of March 13, 2017 Board of Supervisors meeting. Mr. Kolb seconded the motion. Mr. Kolb called for the vote and the **motion** carried with a 3-0-1 vote. Mrs. Nocella abstained and Mr. Rinehart was out of the room.

2. PARKS, RECREATION AND OPEN SPACE PLAN PRESENTATION

Mr. Richard Tralies (Township Planner) from Natural Lands Trust gave a presentation on the draft Parks, Recreation and Open Space Plan. He noted that, if adopted, this draft plan will be an amendment to the Township's Comprehensive Plan and as such would be considered a recommendation/guide not a requirement.

Mr. Tralies stated the Township currently has 217 acres of parks and open space land and 5 miles of river frontage. Mr. Tralies stated the Schuylkill River Trail will be traversing the township.

Mr. Tralies reviewed the following 5 goals, which are recommendations included in this draft Plan:

- Protect our open space, natural, cultural and historical resources and scenic rural character.
- Establish parks and recreation facilities as community destinations where residents can have fun, experience nature, socialize, and lead active healthy lifestyles.
- Connect our community through a system of trails.
- Facilitate recreation opportunities to help the citizens engage in active healthy living.
- Provide operational excellence and financial sustainability that will garner widespread public support for parks and recreation.

A discussion ensued and Mr. Tralies answered several questions from members of the Board of Supervisors and from other persons attending the meeting.

Mr. Rodgers stated the Township has a grant contract with Chester County that will expire the end of June 2017 and that the Plan should be adopted before the grant contract expires. Mr. Rodgers stated the Board of Supervisors will need to hold a Public Hearing with a 45-day notification to surrounding municipalities and the School District. Mr. Rodgers suggested the Board of Supervisors advertise the public hearing and proposed adoption of the Plan for the June 12, 2017 Board of Supervisors meeting.

Mrs. King, 10 Eleanor Drive, Spring City, PA asked how many actual residents filled out the survey. Mr. Tralies stated the survey was on the website and Anne Tool, Mr. Tralies partner on the project, ran the survey. Mr. Tralies stated there were 2 public meetings, one on July 14, 2015 and November 30, 2016, plus 5 task force meetings. Mr. Kolb stated the proposed plan shows there were 13 surveys submitted from the website.

Mr. Kolb stated there are a couple errors on the maps in the Plan and asked if there will be time to have the maps corrected before the public hearing on June 12, 2017. Mr. Rodgers stated yes, there will be time.

Mr. Duffy made a motion to authorize the advertisement of the adoption of the draft Plan and hold the required public meeting at the Board of Supervisors meeting on June 12, 2017. Mrs. Nocella seconded the motion. Mr. Kolb called for the vote and the **motion** carried with a 5-0-0 vote.

3. PUBLIC COMMENTS

Mrs. Sandy Bower, 169 Sawmill Road, Pottstown, PA mentioned how surprised she was last month when the Board discussed the donation of money to a private group for an event with religious affiliations. Mrs. Bower stated she then researched and found out the White House has been holding Easter Egg hunts on the grounds since 1878. Mrs. Bower stated she attended the Easter Egg hunt and saw how much fun the children had and how quickly the eggs disappeared. She stated the hunt was well run and organized. Mrs. Bower's real point is to have the Board of Supervisors have more discussions at the meeting for what the Board is doing and why the Board is doing it before just agreeing to donate money to private groups. Mr. Rinehart stated as the oldest tenured Supervisor on the Board of Supervisors, the Parkerford Women's club has always sponsored the Easter Egg hunt and it has always been very well run. They have requested the donation to help with prizes and advertising.

Mr. Robert Bower, 169 Sawmill Road, Pottstown, Pa. stated he realizes the Board of Supervisors had an executive session before the meetings, but wished there could be more of an explanation of the topics discussed than just "potential land acquisition or potential litigation". Mr. Hosterman stated legally, there is only so much that can be discussed. Mr. Hosterman did state the potential land acquisition has to do with a potential trail easement and the pending litigation has to do with a default on a land development project.

Mr. George Collette, 80 Country Lane, Pottstown, PA 19465, complained about the noise from motorcycles operated on a tract behind his property. Mr. Collette stated it is the same property that was discussed before. Mr. Rodgers stated the property is owned by David Eckhart and when the original complaint was made motorcycles were exempt from the provisions of the zoning ordinance covering noise violation and although that exemption was subsequently removed, this property was grandfathered. Mr. Rodgers stated because the complaint is on the same property and the property was grandfathered, it remains exempt from the noise provisions. Mr. Robert Preston, 2013 East Cedarville Road, Pottstown, PA stated he thought if the owner stopped running motorcycles for a specific period of time, he thought the applicant would fall under the new ordinance. Mr. Moyer stated Mr. Collette is not the only person who has complained about the noise from the motorcycles.

Mr. Moyer stated he would like to make a motion to have the Solicitor look-into the grandfathering issue again. Mr. Rinehart would like to have the Township Manager contact North Coventry Township to see how many complaints they have received.

Mr. Kolb stated Mr. Moyer put a motion on the table and asked if there was a second for the motion. Mrs. Nocella seconded the motion. Mr. Kolb called for the vote and the **motion** carried with a 5-0-0 vote.

Mr. Roger Kolb, 768 Ebelhare Road, Pottstown, Pa. 19465 stated last month he discussed the topic of Mr. Moyer participating in the Township sponsored insurance plan. He noted that at the beginning of every meeting, the minutes for the previous month are approved and he read the following excerpt from the December 14, 2015 Board of Supervisors meeting minutes:

“Mr. Rinehart asked what the cost will be to the Township. Mr. Rodgers stated the cost will be approximately \$11,000.00 per year. Mr. Moyer stated he will reimburse the Township for that cost. Mr. Moyer stated this will not cost the tax payers anything.”

Mr. Roger Kolb stated if the minutes are not going to be accurate, then the Board needs to be more accurate when reviewing the minutes. He stated people should be able to look back on the minutes and say this is true, and this is right out of the minutes. He stated that everyone approved the minutes.

Mrs. Missy King, 10 Eleanor Drive, Spring City, PA 19475 stated as the Tax Collector she had asked at one point if she would be able to participate in the group medical plan if she paid for it herself. Mrs. King was told she could not join the group medical plan as the Tax Collector. Mrs. King stated she was at the December 14, 2015 Board of Supervisors meeting and stated the December 14, 2015 meeting minutes are accurate to what she recalls Mr. Moyer stating at the December 14, 2015 meeting.

Mr. Moyer stated the Board approved minutes tonight from last month and read the following excerpt:

“Mr. Moyer stated that he was participating in the Township sponsored medical plan and that he was contributing the same amount toward the cost of the plan as the employees of the Township.” Mr. Moyer stated this is true and can be verified with Mr. Rodgers.

“He stated that he was sorry about any confusion but his intention and what he had meant when originally requesting participation was that he would pay the same contribution as the Township employees toward the coverage, not that he would reimburse the Township for the full amount of the cost. He also stated that it was his intention to enroll in his current employer’s sponsored health plan when he became eligible for coverage.”

Mrs. King asked how much the employee contribution is for the group medical plan. Mr. Ray Kolb stated the employee contribution is 2.5% of the premium. Mr. Moyer stated he has been paying that amount since he started with the plan.

4. REPORTS

Township Manager’s Reports

Consideration of approval to authorize advertisement for Public Hearing (June 12, 2017) on proposed FEMA Floodplain Ordinance

“FEMA Floodplain Ordinance”

An ordinance amending the Code of Ordinances of the Township of East Coventry, Chester County, Pennsylvania, Chapter 27 (zoning), to repeal all existing provisions regulating floodplains and to adopt an updated floodplain ordinance requiring all persons, partnerships, businesses, and corporations to obtain a permit for any construction or development within an identified floodplain area; providing for the issuance of such permits; setting forth certain minimum requirements for new construction and development within areas of East Coventry Township which are subject to flooding; and establishing penalties for any persons who fail, or refuse to comply with, the requirements or provisions of this ordinance.

Mr. Rodgers reviewed the proposed ordinance as summarized above. Mr. Rinehart made a motion to approve the advertising for a public hearing and adoption of the proposed FEMA Floodplain Ordinance at the June 12, 2017 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.

Consideration of approval to authorize advertisement for Conditional Use Hearing (June 12, 2017) on proposed Cell Tower to be located at 92 Baptist Church Road

Mr. Rodgers reviewed the Conditional Use Application for a proposed Cell Tower to be placed at 92 Baptist Church Road. The application was submitted by SBA Towers. Mr. Rinehart made a motion to approve the advertising for a public hearing and then adoption of the proposed Conditional Use Application immediately following the Public Hearing at the June 12, 2017 Board of Supervisors meeting. Mr. Duffy seconded the motion. Mr. Kolb called for the vote and the **motion** carried with a 5-0-0 vote.

Consideration of approval to authorize advertisement for Public Hearing (June 12, 2017) on proposed Miscellaneous SALDO/Zoning Ordinance

**“Miscellaneous Zoning and Subdivision
And Land Development Ordinance Amendments”**

An ordinance amending the Code of Ordinances of the Township of East Coventry, Chester County, Pennsylvania, to amend Chapter 5 (Code Enforcement), Part 1 (Building Codes), Section 5-111 (Amendments to Building Codes), Subsection 1, Paragraph F (Floodplain Construction and Development), Section 3501.2 (Definitions) to update the referenced Zoning Ordinance to amend Chapter 22 (Subdivision and Land Development), Part 2 (Definitions), Section 22-202 (Definitions), to update Floodplain Terminology by deleting the Definitions for “Flood”, “Floodplain Districts”, “Floodway”, “New Construction”, and “One-Hundred-Year Flood (100 Year Flood), adding new Definitions for “Base Flood;”, “Flood”, “Floodplain Area”, “Floodway”, and “New Construction”, and amending the Definition for “New Mobile/Manufactured Home Park”, to amend Part 3 (Plan Processing and Content), Section 22-304 (Preliminary Plan Submission, Resubmission, Review and Content), Subsection 3 (Content), Paragraph A (General Content), Subparagraph 16, Paragraph H (Site Analysis), Subparagraphs 2 and 3, and Part 6 (Construction and Acceptance of Improvements), Section 22-608 (Standard Public Improvement Specifications), Subsection 2 (Inconsistencies), Paragraphs A and B to update the referenced Floodplain Terminology; to amend Part 4 (Development Design Standards), Section 22-426 (Park, Recreation and Open Space), Subsection 4 (Fee-in-Lieu of Dedication of Land for on-site Par, Recreation and Open Space), Paragraphs C, D and E to expand the permitted uses for Fees-in-Lieu paid and eliminate the 3-year time limit for Township use of Fee-in-Lieu funds; to amend Chapter 27 (Zoning), Part 8 (R-3 Residential District), Section 27-803 (Area, Bulk and Dimensional Standards), Subsection 2 (Two-Family Detached, Two-Family Semi-Detached, Single Family Semi-Detached, Single-Family Attached, Two-Family Attached and Garden Apartment Residential Uses), to eliminate Paragraph H (Architectural Rendering); and to amend Part 9 (NC Neighborhood Commercial District and C Commercial District), Section 27-902 (Use Regulations), Subsection 4 (C Commercial District Used Permitted by Right), to permit Day Care Centers by right.

Mr. Rodgers reviewed the proposed ordinance as summarized above. Mrs. Nocella made a motion to approve the advertising for a public hearing and adoption of the proposed Miscellaneous Zoning and Subdivision and Land Development Ordinance Amendments at the June 12, 2017 Board of Supervisors meeting. Mr. Rinehart seconded the motion. Mr. Kolb called for the vote and the **motion** carried with a 5-0-0 vote.

Consideration of approval of the request from Chester County Tax Claim Bureau to exonerate property tax lien(s) on Parcel ID 1805-0003550T, located in the Coventry Terrace Mobile Home Park

Mr. Rodgers reviewed the letter received from Chester County Tax Claim Bureau to exonerate the delinquent real estate property tax lien(s) which are uncollectable because the mobile home was physically removed from the lot. Mr. Rinehart made a motion to approve the request to exonerate the uncollectable County real estate property tax liens for Parcel ID 1805-0003550T. Mr. Duffy seconded the motion. Mr. Kolb called for the vote and the **motion** carried with a 5-0-0 vote.

Consideration of approval of the Bid results for the 2017 Road Projects

Mr. Rodgers reviewed the following bids that were received on April 5, 2017 and recommended that the Board accept and approve the bid from Charlestown Paving & Excavating, Inc. in the amount of \$87,725.00.

	BIDDER	AMOUNT	BOND
2017 Road Project	Melchiorre Construction Co	\$117,450.00	Yes
2017 Road Project	Charlestown Paving & Excavating, Inc	\$87,725.00	Yes
2017 Road Project	Allen Myers	\$98,165.00	Yes
2017 Road Project	Dan Malloy Paving, Inc	\$88,885.00	Yes
2017 Road Project	H&K Group, Inc	\$98,600.00	Yes
2017 Road Project	Schlouch Incorporated	\$92,075.00	Yes
2017 Road Project	GoreCon, Inc	\$107,010.00	Yes
2017 Road Project	Sacks & Sons, Inc	\$100,775.00	Yes

Consideration of approval for Manager to attend Association of Pennsylvania Municipal Manager Conference in Bedford, PA

Mr. Rodgers reviewed the upcoming Association of Pennsylvania Municipal Managers Conference, which he would like to attend in Bedford, PA from May 16, 2017 through May 18, 2017. Mr. Rinehart made a motion to approve Mr. Rodgers' attendance at the Association of Pennsylvania Municipal Managers Conference in Bedford, PA from May 16, 2017 through May 18, 2017. Mr. Moyer seconded the motion. Mr. Kolb called for the vote and the **motion** carried with a 5-0-0 vote.

Consideration of approval for the Special Fire Police Applications for Kirk Tradewell – Coventry Forge Farm Open House to be held on Saturday, April 22, 2017 from 11:00 am to 5:00 pm. Mr. Kolb made a motion to approve the Special Fire Police Services for the above event. Mr. Duffy 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. Flaharty updated the Board of Supervisors and the public on the Spring Stream Cleanup, to be held on Saturday, April 22, 2017, starting at 10:00 am. Everyone is to meet at the intersection of New Schuylkill Road (Route 724) and Linfield Road. The cleanup will start at Pigeon Creek and if time permits, will move to Towpath Park.

Mr. Rinehart made a motion to approve the Township Engineer's 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

Mr. Rinehart made a motion to approve the various department and committee reports. Mrs. Nocella seconded the motion. Mr. Kolb called for the vote and the **motion** carried with a 5-0-0 vote.

5. **Subdivision and Land Development** no activity to report or consider.

6. **Zoning Hearing Board Applications**

Zoning Hearing Board Application No 264 – 601 Ridge Road

Mr. Rodgers reviewed the Zoning Hearing Board application for variance submitted by Gary & Elizabeth Gaboriault, 601 Ridge Road, Spring City, PA 19475, requesting a variance from Section 1321, #2: Creation of Interior Lots in order to subdivide two (2) acres from the 13.371-acre parcel serviced by an existing private driveway. Mr. Rodgers advised that no action was required by the Board.

7. **Other Business**

Resolution 2017-14 – DCBR Application for Fricks Lock Village Trailhead Project

Mr. Rodgers reviewed the Resolution approving submission of a DCNR application for Fricks Lock Village Trailhead Project. Mr. Rodgers explained East Coventry Township must be listed as the owner of Fricks Lock Village for the DCNR grant and this resolution is to be submitted with the grant application.

Mr. Duffy made a motion to approve Resolution No. 2017-14. Mrs. Nocella seconded the motion. Mr. Kolb called for the vote and the **motion** carried with a 5-0-0 vote.

8. **Exonerations**

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

9. **Payment of Bills**

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

Fund Name	Amount to Pay
General Fund	244,096.07
Fire Hydrant Fund	1,017.32
Open Space	851.61
Sewer Operating Fund	14,885.87
Sewer Capital Fund	-
Traffic Impact Fee Fund	-
Capital Reserve	6,189.44
Highway State Aid Fund	2,678.36
TD Escrow	-
Totals	\$ <u>269,718.67</u>

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

10. Information Items and Additional Items to be Brought Before the Board

Mr. Duffy discussed the 2nd Annual 5K/10K Race held on Saturday, March 18, 2017. He stated there were 88 runners pre-registered, 16 runners who registered Saturday morning of the race and 5 runners who did not show up. Mr. Duffy stated even though it was a cold day, everyone had a good time.

Mr. Rinehart stated the Parks, Recreation and Conservation Committee did a great job advertising the 5K/10K Race with signs, but now that it is over, the signs need to be picked up from throughout the Township and surrounding communities. Mr. Rinehart stated he picked up signs today from the areas of Lowe's and at East Cedarville Road and Miller Road. Mr. Kolb stated he saw signs at Hares Hill Road and Route 23 and on Evergreen Road.

Mr. Rinehart also stated the signs for the Easter Egg hunt need to be removed also.

11. Adjournment

Mr. Moyer moved to adjourn the monthly meeting at 8:23 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 Manager