

**MINUTES OF THE  
EAST COVENTRY TOWNSHIP  
BOARD OF SUPERVISORS  
MEETING HELD APRIL 12, 2021**

*(Approved May 10, 2021)*

The Board of Supervisors held its regular monthly meeting on Monday, April 12, 2021. The following Supervisors were in attendance for the meeting: Ray Kolb, W. Atlee Rinehart, Anthony Duffy and Michael Albert Moyer. Karen Nocella was present by telephone. Also, in attendance were David G. Kraynik, Township Manager, Mark Hosterman, Township Solicitor and Brady Flaharty, Township Engineer.

Mr. Ray Kolb called the meeting to order at 7:05 p.m. The pledge of allegiance was recited.

Mr. Hosterman stated an executive session was held this evening to discuss several personnel matters, a potential acquisition of real estate and one privileged and confidential matter related to ongoing subdivisions and land developments.

**1. ORDINANCES**

**Ordinance No. 2021-250 – “Amended and Restated Sign Ordinance”**

Consideration to Authorize Advertising an Ordinance Amending the Codified Ordinances of East Coventry Township, to Amend Chapter 27 (Zoning), Part 2 (Definitions), Section 27-202 (Definitions), to Delete the Following Definitions: “Agricultural Products”; “Flag”; “Sign, Address Directional”; “Sign, Animated or Moving”; “Sign Area or Size”; “Sign, Banner”; “Sign, Bulletin Board”; “Sign, Business”; “Sign, Development”; “Sign, Electronically Controlled”; “Sign Façade”; “Sign, Home Occupation”; “Sign, Marquee”; “Sign, On-Site Directional”; “Sign, Political”; “Sign, Portable”; “Sign, Real Estate”; “Sign, Residential”; “Sign, Undercanopy”; and “Subject Property”; to Amend Section 27-202 (Definitions), to add the Following New Terms and Definitions: “Awning”; “Banner or Flag”; “Canopy”; “Sign, Animated”; “Sign, Directional”; “Sign, Directory”; “Sign, Electronic Variable Message”; “Sign, Government”; “Sign, On-Premises”; “Sign, Wayfinding”; “Sign Area”; and “Sign Face”; to Amend Section 27-202 (Definitions), to Amend and Restate the Following Definitions in their Entirety: “Sign”; “Sign, Awning”; “Sign, Billboard”; “Sign, Canopy”; “Sign, Changeable-Copy”; “Sign, Double-Faced”; “Sign, Freestanding”; “Sign, Ground”; “Sign, Identification”; “Sign, Illuminated”; “Sign, Official Traffic”; “Sign, Off-Premises”; “Sign, Projecting”; “Sign, Roof”; “Sign, Temporary”; “Sign, Vehicle”; “Sign, Wall” and “Sign, Window”, and to Amend Chapter 27 (Zoning), Part 13 (General and Supplemental Regulations and Design Standards), to Amend and Restate Section 27-1314 (Sign Regulations) in its Entirety and to Contain the Following Subsections: Purpose; General Regulations; Freestanding Signs; Wall Signs; Projecting Signs; Changeable-Copy Signs; Electronic Variable Message Signs; Canopy Signs; Awning Signs; Identification and Directory Signs; Billboards; Prohibited Signs; Exempted Signs; Temporary Signs; Signs in Residential Districts; Signs in Commercial Districts; Signs in the Limited Industrial District; Signs in any Zoning District; Nonconforming Signs; and Abandoned Signs. Mr. Hosterman reviewed.

Mr. Duffy made a motion to authorize advertising Ordinance No. 2021-250 – “Amended and Restated Sign Ordinance”. Mrs. Nocella seconded the motion. Mr. Kolb called for a vote and the motion carried 5-0-0.

**2. SOLICITOR’S REPORT**

**Review of Draft Ordinance - “Permitted Projections into Required Yards”**

Review of a Draft Ordinance Amending the Codified Ordinances of East Coventry Township, Chapter 27 (Zoning), Part 13 (General and Supplemental Regulations and Design Standards), Section 27-1322 (Projections into Required Yards) to Permit Certain Structures, Such as Certain HVAC Facilities, to Project into Required Yards, Subject to Certain Conditions. Mr. Hosterman stated this was drafted after a discussion he had with the zoning officer. The Township received an application for a generator

and there was no side yard or rear yard available for this particular generator and felt it would be a good idea to potentially amend the Ordinance to allow HVAC equipment, generators, mailboxes and other miscellaneous structures as defined in the Ordinance to be in the required yard.

Mr. Rinehart made a motion to proceed going through the process with the draft Ordinance. Mr. Duffy seconded the motion. Mr. Kolb called for a vote the motion carried 5-0-0.

Mr. Hosterman stated the only other item he wants to report is that they are closing on the Kulp settlement on Thursday, April 15, 2021 for a conservation easement. They are also finishing up everything for settlement on the Fiandaca conservation easement which should be coming up in the near future as well.

### **3. MINUTES**

Mr. Moyer made a motion to accept the March 8, 2021 meeting minutes. Mrs. Nocella seconded the motion. Mr. Kolb called for a vote and the motion carried 5-0-0.

### **4. PUBLIC COMMENT**

Peter Price, 4 Freigh Lane, stated that he has spoken to some neighbors about a timber harvesting project going on between Bishop Road and S. Keim Street. He asked if a timber harvesting plan was submitted to the Township and stated there are concerns about setback distances and property boundaries being marked and the number of trees being removed. Mr. Price stated he wanted the Township to know that there are concerns in the neighborhood pertaining to that project. Mr. Kolb stated there wasn't a plan submitted to the Township but that we did receive a letter from Chester County Conservation District who must have had complaints, and it is assumed they are working on it. Mr. Price asked since there is an Ordinance that pertains to timber harvesting, is this something that is being enforced or rescinded. Mr. Kolb stated that the Code Enforcement Officer would be the person to look into the situation. Mr. Price stated Mr. Weaver has been notified of the situation and that he stated he would be in contact with the Supervisors and the Solicitor. Mr. Hosterman stated he believes he has an email from Mr. Weaver but has not had a chance to look at it and will be reading it tomorrow. Mr. Price stated the Ordinance he is referring to is in Section 27-1316.

Steve Ussler, 938 Schoolhouse Road, asked how far the Board has gotten regarding the condemnation of his property. Mr. Kolb stated they have no comment at this time. Mr. Hosterman stated there is no action and it won't be considered on the agenda next month either. Mr. Ussler stated he spoke to Karen Nocella a few weeks ago regarding the Township buying a gator type vehicle for the road department and he also spoke to Chief Mossman about the police department sharing the gator with the road department so they can patrol the trails. Mr. Kolb stated they already go around the trails on a regular basis and that the police can use the gator anytime also.

### **5. REPORTS**

#### **Township Manager's Reports**

Discuss Request to Use the Maack/Wineberry and Ellis Woods Properties on June 13, 2021 for the French Creek Iron Bike Tour. Kersten Appler and Jay R. Fisher from French & Pickering Creeks Conservation Trust, Inc.

Mr. Kraynik stated that Kersten Appler and Jay Fisher from French & Pickering are on the telephone and have previously spoken to Mrs. Nocella regarding using the Maack/Wineberry and Ellis Woods properties on June 13<sup>th</sup> for a portion of their bike tour. Mr. Fisher and Ms. Appler gave an overview of the Bike Tour. A discussion ensued. Mr. Kraynik is asking the Board to approve the request based on French & Pickering providing the signed waivers, a certificate of insurance, repair any damage caused and if the conditions are too wet, they would reroute the race. Mr. Rinehart made a motion to approve the request to use the Maack/Wineberry and Ellis Woods properties for the June 13, 2021 French Creek Iron Bike Tour. Mr. Duffy seconded the motion. Mr. Kolb called for a vote and the motion carried 4-1-0, Mr. Moyer voting no.

Presentation of the 2020 Wastewater Analysis and Report by Robert Preston.  
Mr. Preston gave an overview of the 2020 Wastewater Analysis.

Consider Approving Electrical Change Order #1 for Additional Electrical Service in the Amount of \$4,710 for Building #19, Fricks Lock.

Mr. Kraynik stated this change order has been recommended by the architect, Frens and Frens. Mr. Duffy made a motion to approve the Electrical Change Order #1 for Additional Electrical Service in the Amount of \$4,710. Mrs. Nocella seconded the motion. Mr. Kolb called for a vote and the motion carried 5-0-0.

Consider Awarding a Road Improvement Contract.

Mr. Kraynik stated they put out to bid the road improvements for 2021. The low bid is Asphalt Industries, Inc. in the amount of \$203,610.96. Mr. Kolb identified the roads and put the bid together. Mr. Moyer made a motion to award the Road Improvement Contract to Asphalt Industries, Inc. Mr. Rinehart seconded the motion. Mr. Kolb called for a vote and the motion carried 5-0-0.

Consider Approving Job Offers for Part-Time Positions.

Mr. Kraynik is asking the Board to approve job offers for two part-time positions, one is a seasonal Public Works Laborer and it is recommended the position for the summer be awarded to Owen Burt and the second is a permanent part-time position in the Administration Office and is recommending Lisa Angelucci for that position. Mr. Moyer asked for the motions to be made separately.

Mr. Kolb made a motion to approve Owen Burt for the seasonal part-time Public Works Laborer. Mr. Moyer seconded the motion. Mr. Kolb called for a vote and the motion carried 5-0-0.

Mrs. Nocella made a motion to approve Lisa Angelucci for the permanent part-time position in the Administration Office. Mr. Duffy seconded the motion. Mr. Kolb called for a vote and the motion carried 4-1-0, Mr. Moyer voting no and stating he does not oppose the person, he opposes the position.

Consider Citizen Committee Appointments

Mr. Kraynik stated they are about to resurrect the Traffic Advisory Committee as it is required every so many years to revive the Act 209 study, which allows the Township to charge a developer for certain improvements around that development in terms of traffic. This is a seven (7) member committee and there are three (3) vacancies. They have three (3) individuals that have come forward and he is asking the Board to appoint the following to the Traffic Advisory Committee: David Calamarra, Scott Maerten, and Mark McNally. Mr. Moyer made a motion to appoint the three individuals Mr. Kraynik listed. Mr. Kolb seconded the motion. Mr. Kolb called for a vote and the motion carried 5-0-0.

Consider Approving an Agreement with Evolution Payroll Services.

Mr. Kraynik stated about six months ago the current payroll company changed their software which has caused difficulties and their prices have increased. Our Accounting Department has solicited for other payroll services and have recommended Evolution Payroll Services whose fees are significantly lower and there are other local Townships that use them. Mr. Kraynik stated the agreement can be terminated by either party with a 30-day notice and it has been reviewed the Solicitor. Mr. Moyer made a motion to approve the agreement with Evolution Payroll Services. Mr. Duffy seconded the motion. Mr. Kolb called for a vote and the motion carried 5-0-0.

Consider Approving a Conservation Easement Preparation Agreement with French & Pickering Creeks Conservation Trust, Inc.

Mr. Kraynik asked the Board to approve an agreement with French & Pickering Creeks Conservation Trust, Inc. for the preparation of a conservation easement not to exceed \$12,500. Mr. Kraynik stated this gets paid from the Open Space Fund. Mrs. Nocella made a motion to approve the Conservation Easement Agreement with French & Pickering Creeks Conservation Trust, Inc. not to exceed \$12,500. Mr. Kolb seconded the motion. Mr. Kolb called for a vote and the motion carried 5-0-0.

Township Engineer's Report

Mr. Flaharty has nothing to report this month. Mr. Moyer made a motion to accept the Engineer's Report. Mr. Rinehart seconded the motion. Mr. Kolb called for a vote and the motion carried 5-0-0.

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

Mr. Rinehart stated that several months ago the Board asked the Solicitor to send a letter on behalf of them to the legislators to encourage them to move forward on issues governing election rules. They have not answered and Mr. Rinehart, himself, has made several phone calls. Mr. Hosterman stated he did not receive a response to the letter he had sent. Mr. Rinehart would like to have the Solicitor, if the Board agrees, send another letter urging them to do what is already on the books regarding the rules for elections. Mr. Moyer stated the letter that was sent previously went to State Representative Tim Hennessey and State Senator Katie Muth. Mr. Moyer made a motion to have the Solicitor send another letter to the legislators. Mr. Duffy seconded the motion. Mr. Kolb called for a vote and the motion carried 5-0-0.

Mr. Kolb stated he would like to thank the Planning Commission, Mr. Hosterman, Ms. Brown and Mr. Flaharty, for the extensive work on the sign ordinance.

**6. SUBDIVISIONS AND LAND DEVELOPMENT**

No Subdivisions and Land Development brought before the Board.

**7. ZONING HEARING BOARD APPLICATIONS**

Application No. 280 – 932 Sanatoga Road – Owen J. Roberts School District

**For Informational Purposes. The Date and Time of the Zoning Hearing Board meeting is**

**April 14, 2021 at 6:30 pm.** Application for Special Exception of the Zoning Ordinance for Conversion of a Portion of the Former Elementary School into a District-Wide Services Center to be Used for Storage, a Trades Shop and Offices for Maintenance Personnel, with the Former Library to be Used as a Training Center and Location for Public Meetings.

Application No. 278 – 56 Riverview Road, Pottstown, PA 19465 – Herman and Joyce Lederer

**For Informational Purposes. This application was deemed unnecessary by the Zoning Hearing Board on March 10, 2021 subject to the following: Applicants or their successor in interest shall apply for a building permit to the Township and – if necessary – obtain variances from setback, lot coverage or other relief identified at the time of the permit application for the building lot to determine net lot area.** Application for a variance to be able to sell the property as a buildable lot for a residential house. Present zoning district requires a two (2) acre minimum lot size and the present lot is 1.742 acres.

**8. OTHER BUSINESS**

☞ **Resolution 2021-08** – Acceptance of Deed of Dedication of Legal Right-of-Way and Ultimate Right-of-Way Along Harvey Lane – Matthew B. Kulp and Richard I. Kulp. Mr. Hosterman stated this is part of the Kulp Subdivision.

☞ **Resolution 2021-09** – Acceptance of Deed of Dedication of Ultimate Right-of-Way Along Bishop Road – Matthew B. Kulp and Richard I. Kulp.

Mrs. Nocella made a motion to approve Resolutions 2021-08 and 2021-09. Mr. Moyer seconded the motion. Mr. Kolb called for a vote and the motion carried 5-0-0.

☞ Update on East Coventry Revolutionary Cemetery – Liz Willow. Ms. Willow would like to invite the Board of Supervisors, our Elected Officials, Community, Veterans and Gold Star Families to the ceremony she is organizing for the annual Memorial tribute to the 17-unknown revolutionary soldiers at the cemetery on Ellis Woods Road on behalf of East Coventry Township and the Pottstown Joint Veterans Council on Sunday, May 30, 2021 at 2 pm.

**9. EXONERATIONS**

Mr. Moyer made a motion to approve the Exonerations. Mr. Duffy seconded the motion. Mr. Kolb called for a vote and the motion carried 5-0-0.

**10. PAYMENT OF BILLS**

Mrs. Nocella made a motion to approve the payment of bills.

<u>Fund Name</u>		<u>Amount to Pay</u>
General Fund	\$	317,698.23
Benefit Escrow		-
Open Space		129,637.47
Sewer Operating Fund		17,977.94
Sewer Capital Fund		-
Traffic Impact Fee Fund		-
Capital Reserve		-
Highway State Aid Fund		7,951.02
TD Escrow		-
<b>Totals</b>	<b>\$</b>	<b><u>473,264.66</u></b>

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

**11. ADJOURNMENT**

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

Respectfully submitted,

David G. Kraynik  
Township Manager