

**MINUTES OF THE
EAST COVENTRY TOWNSHIP
BOARD OF SUPERVISORS
MEETING HELD AUGUST 8, 2022**

(Approved September 12, 2022)

The Board of Supervisors held its regular monthly meeting on Monday, August 8, 2022. The following Supervisors were in attendance for the meeting: W. Atlee Rinehart, Anthony Duffy, Karen Nocella and Michael Albert Moyer. Ray Kolb was absent. Also, in attendance were David G. Kraynik, Township Manager, Mark Hosterman, Township Solicitor, and Brady Flaharty, Township Engineer.

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

Mr. Hosterman said the Board of Supervisors met in executive session at 6:15 pm this evening to discuss one matter of real estate and an update on the litigation of 515 Kulp Road with the artisan well.

1. ORDINANCES

No Ordinances were brought before the Board.

2. SOLICITOR'S REPORT

Second review of Amendments to Brush, Weeds, Grass, and Dumping Ordinance.

Mr. Hosterman said the Board of Supervisors saw a draft of the Brush, Weeds, Grass, and Dumping Ordinance from last month. That draft was provided to the Township Planner who has suggested a number of additions including a definition for managed meadows within the zoning ordinance and the subdivision and land development ordinance and also for the open space management agreements that we enter into with homeowner associations. In particular, this will be helpful for Coventry Chase because their open space has a lot of managed meadows in it. Additionally, the provisions you saw last month with regard to mowing adjacent to residential properties remain in there, along with not permitting dumping within 12 feet of any residential use or residential access. The changes are really the managed meadows, the definition, and how to treat managed meadows within the open space management plans. What you saw last month was only the health and safety chapter. Now the subdivision and land development ordinance and the zoning ordinance are involved, it will require planning commission review. Mr. Hosterman asked the Board if anyone had any questions/concerns with regard to the new updates.

1. Atlee Rinehart stated he had a concern with Section 2 number 4 – it's the part that says chipping of fallen trees is prohibited for such chippings to be left in a pile. What is the purpose of that? Per Mr. Hosterman, this is a good question for Rick Tralies, this is his language that he added to this. He says that environmentally, it's best if you take down a tree or if a tree comes down naturally to leave it in place so that it benefits the environment. Apparently, the chipping procedure causes some sort of harm to the environment (and he would have to tell you exactly what that harm is). Mr. Hosterman is going to submit this question to Mr. Tralies as he had the same question.
2. Mike Moyer stated he had a concern with Section 4.1 – Any grass clippings should be removed immediately (no grace period?). Per Mr. Hosterman, this is not new language. This was amended about two years ago when we prohibited shooting the grass clippings

out onto the township streets. It is not new language; it was just taken out and then put back in. This is existing in the code right now.

3. George Colette (Country Lane), asked what's the difference between mulch and chips? Mr. Hosterman stated that would be a good question for the Township Planner. Mr. Rinehart stated from his view it would be easier to clean up if it was in a pile vs being chipped and spread. Mr. Hosterman said we would have to ask what the potential environmental hazards are leaving chipped trees or branches in a pile.
4. Liz Willow (Ellis Woods Road), recommends chipping because of invasive species such as the Lantern Flies it kills their eggs.
5. Mr. Hosterman stated when they mention leaving a fallen tree, they are referring to a forested area. If it's in someone's front yard, you're welcome to clear it.
6. Riannon Walsh (Bishop Road), wanted to know if she wants to address something in the ordinance should she be waiting to do that at the Planning Commission? Mr. Hosterman stated she was welcome to do that at the Planning Commission where this will be discussed. This is an amendment to the zoning ordinance in the subdivision and land development ordinance which requires a public hearing. That would also be the time to express any concerns you may have.
7. Steve Ussler (Kulp Road), asked for confirmation regarding the dumping of manure piles that need to be 12 feet from property lines. Mr. Hosterman confirmed he is correct – 12 feet is the requirement.

3. MINUTES

Mrs. Nocella made a motion to accept the July 11, 2022 meeting minutes. Mr. Duffy seconded the motion. Mr. Rinehart called for a vote and the motion carried 4-0-0.

4. PUBLIC COMMENT

Missy King, Eleanor Rd, reminded the audience that the Spring City Library has an awesome reading program available to residents. They had over 100 children participate throughout the summer. They also have books available online, for those that don't want to drive to the library.

Steve Ussler, Kulp Road, expressed a concern he has with regard to the trimming of the trail by his property. He would like to know what the official township policy is for allowing people to trim the trail. His concern is, if someone where to get injured while trimming the trail, would they be able to sue him, if they were working on his property. Mr. Kraynik stated, the gentleman that was trimming the trail is a neighbor and he was granted permission by Mr. Kolb. The neighbor was told he can do the trimming on the township property, he is not to touch anything on Mr. Ussler's property. Mr. Ussler asked, if they are going to allow someone to trim the trail, that it should be put in writing. Mr. Hosterman stated, you are protected under the recreational use land act because you have a trail easement on your property. Anyone injured in the easement area means you are protected. You have no liability under that act. Mr. Ussler would like to see it in writing that the township approves someone to do the work and the township is taking full responsibility of what he does or doesn't do right. Mr. Hosterman said the protection to you as a property owner is part of the state's statues that allow the township to have that easement. It doesn't mean you won't get sued, but you have a defense and it's an excellent defense. Mr. Ussler asked if the township would pay to defend him and Mr. Hosterman stated, probably not unless it's in the easement agreement. Mrs. Nocella, stated the Parks and Recreation Committee, encourage residents that walk the trails to be good stewards of the land. They encourage volunteers to help keep the trails clean.

Mr. Rinehart reminded the audience; house numbers are important. He reminded everyone, you can access the order forms via the township website or through the Ridge Fire Company directly. He also asked that this be added to the Fall/Winter newsletter.

Mr. Rinehart also asked everyone to please be a good neighbor and to check on your elderly neighbors during the current heat waves we've been experiencing. It takes just a few minutes and it could save a life.

5. **REPORTS**

Consideration of Township Engineer's Report

Consideration of Approval of Construction Escrow Release No. 2 (Final) for the East Coventry Elementary School.

Mr. Flaharty stated the land development has been completed, they recently closed out the As Built Plan and the drainage permit so they are recommending that the Board consider authorizing the release of the final escrow in the amount of \$903,525.46.

Ms. King (Eleanor Road), asked if the funds that were being released by escrow, does that money go back to the school district? Mr. Flaharty stated it depends on what type of account they established. With the district they established two different types of escrows. There's a cash escrow and there was a set aside. The set aside is what's being released. Mr. Hosterman explained, when escrow funds are being held by the bank, they go into a restricted escrow account. Now that the work has been complete, the bank can release the funds from restricted escrow to the general operating account.

Mr. Rinehart made a motion to approve the Consideration of Approval of Construction Escrow Release. Mrs. Nocella seconded the motion. Mr. Rinehart called for a vote and the motion carried 4-0-0.

Mr. Duffy made a motion to approve the reports from various departments and committees. Mr. Moyer seconded the motion. Mr. Rinehart called for a vote and the motion carried 4-0-0.

6. **SUBDIVISIONS AND LAND DEVELOPMENT**

No Subdivision and Land Development Brought Before the Board

7. **ZONING HEARING BOARD APPLICATIONS**

Application No. 286 – 888 Ellis Woods Road – Bryan Boyer

For Informational Purposes. The Date and Time of the Zoning Hearing Board meeting is set for September 6, 2022 at 6:30 pm. Application for a variance to allow a pool to extend into the side yard. The Board of Supervisors agreed to take no action.

Application No. 287 – 1521 Old Schuylkill Road – Curtis F. Sandberg and Amy E. Sandberg

For Informational Purposes. The Date and Time of the Zoning Hearing Board meeting is September 6, 2022 at 6:30 pm. Application for a variance to permit an office showroom and storage associated with the sale of mattresses. The Board of Supervisors agreed to take no action.

8. OTHER BUSINESS

No Other Business brought before the Board.

9. EXONERATIONS

Mr. Duffy made a motion to accept the Exonerations. Mr. Moyer seconded the motion. Mr. Rinehart called for a vote and the motion carried 4-0-0.

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	\$	302,914.22
Benefit Escrow		-
Open Space		1,650.00
Sewer Operating Fund		18,347.58
Sewer Capital Fund		-
Traffic Impact Fee Fund		-
Capital Reserve		3,315.28
Highway State Aid Fund		5,999.23
TD Escrow		-
Totals	\$	<u>332,226.31</u>

Mr. Duffy seconded the motion. Mr. Rinehart called for a vote and the motion carried 4-0-0.

11. ADJOURNMENT

Mr. Duffy made a motion to adjourn the monthly meeting at 7:25 pm. Mrs. Nocella seconded the motion. Mr. Rinehart called for the vote and the motion carried 4-0-0.

Respectfully submitted,

David G. Kraynik
Township Manager