

**MINUTES OF THE
EAST COVENTRY TOWNSHIP
BOARD OF SUPERVISORS
MEETING HELD DECEMBER 9, 2019**
(Approved January 13, 2020)

The Board of Supervisors held its regular monthly meeting on Monday, December 9, 2019. The following Supervisors were present for the meeting: W. Atlee Rinehart, Anthony Duffy, Ray Kolb, Karen Nocella and Michael Albert Moyer. Also present were David G. Kraynik, Township Manager, Mark Hosterman, Township Solicitor and Brady Flaharty, Township Engineer.

Mr. W. Atlee Rinehart called the meeting to order at 7:04 p.m. The pledge of allegiance was recited.

Mr. Hosterman stated that the Board of Supervisors met for an executive session which was held at 6:30 pm. There was a brief informational session to educate the Supervisors on traffic calming device policies, it was information only, there was no discussion among the Supervisors about the draft policy that was handed out. There was also a discussion about a potential acquisition of real estate, a personnel matter, an update on the enforcement matter that is pending pertaining to the artesian well on Kulp Road and an update on a Right-to-Know request appeal which is currently in front of the Pennsylvania Office of Open Records.

1. ORDINANCES

Ordinance No. 2020-237 – “Amendment re: Vehicle Auctions”

Consideration to Advertise an Ordinance Amending the Codified Ordinances of East Coventry Township, Chester County, Pennsylvania, to Amend Chapter 27 (Zoning), Part 10 (C-1 Commercial and Business Campus District), Section 27-1002 (Use Regulations), Subsection 1 (C-1 Commercial and Business Campus District Uses Permitted by Right), to Amend and Restate Paragraph G in its Entirety to Restrict Automotive Sales and Servicing to Retail Use and to Exclude Vehicle Auctions; and to Amend Chapter 27 (Zoning), Part 11 (LI Limited Industrial District), Section 27-1102 (Use Regulations), Subsection 1 (LI Limited Industrial District Uses Permitted by Right), to Add a New Paragraph C to Permit Vehicle Auctions for Passenger and/or Commercial Vehicles. Mr. Hosterman reviewed the proposed Ordinance.

A motion was made by Mr. Moyer to authorize advertising a public hearing for proposed Ordinance 2020-237 for consideration of adoption at the Board of Supervisors meeting on February 10, 2020. Mr. Duffy seconded the motion. Mr. Rinehart called for a vote and the motion carried 5-0-0

Ordinance No. 2020-238 – “Amendment to Wireless Communications Facilities Ordinance”

Consideration to Advertise an Ordinance Amending the Code of Ordinances of the Township of East Coventry, Chester County, Pennsylvania, to Amend Chapter 27 (Zoning), Part 20 (Wireless Communications Facilities), Section 27-2003 (General Requirements for all WCF Structures and Wireless Communications Facilities), Subsection 1, Paragraph C (Application Required), to Add a New Subparagraph (5) Requiring the Applicant Include a Signed Consultant Professional Services Agreement with the Application and Reimburse the Township for all Costs and Expenses Incurred by the Township for Consultant Review of the Application Prior to the Issuance of a Permit. Mr. Hosterman reviewed the proposed Ordinance.

A motion was made by Mr. Rinehart to authorize advertising a public hearing for proposed Ordinance 2020-238 for consideration of adoption at the Board of Supervisors meeting on February 10, 2020. Mr. Kolb seconded the motion. Mr. Rinehart called for a vote and the motion carried 5-0-0.

2. **SOLICITOR'S REPORT**

Implementation Agreement for Pottstown Area Regional Recreation Committee

Mrs. Nocella stated the committee had met last Thursday and are going to incorporate Mr. Hosterman's comments and suggestions into the agreement as well as comments from other municipalities solicitors. Mr. Kraynik asked Mrs. Nocella to see that we get a copy of the updated agreement as soon as it is available. This matter is tabled until we receive the updated agreement in January.

Consideration to Approve the First Amendment to Land Development Agreement for East Coventry Elementary School

Mr. Hosterman stated this is a land development agreement between Owen J. Robert School District and East Coventry Township. In this agreement for the Owen J. Roberts School District, they are requesting a change of the emergency access road from macadam to gravel. It saves the district a little bit of money, it's less impervious surface and supposed to also keep cars from trying to explore that area in order to access the site. A discussion ensued. Mr. Hosterman is to acquire more information as far as what the cost savings is in changing it from macadam to gravel and to make sure the school understands they are required to plow the emergency access area. Mr. Rinehart made a motion to table approval of the agreement until further information is received. Mr. Moyer seconded the motion. Mr. Rinehart called for a vote and the motion carried 5-0-0.

Mr. Hosterman stated he had an additional item which is a Sanitary Sewer Line Recapture and Reimbursement Agreement with Cama Sdira LLC. Mr. Hosterman stated that the Manley's had installed the sewer main along Ellis Woods Road and it is expected that additional properties will hook into the main. The Manley's are entitled to reimbursement. Mr. Kolb asked when the Township took over the line and Mr. Hosterman stated it was March 11, 2019. A motion to approve and sign the agreement was made by Mr. Kolb. Mrs. Nocella seconded the motion. Mr. Rinehart called for a vote and the motion carried 5-0-0. A motion was made by Mr. Kolb to have letters sent to residents within 150 feet of the main to hook into the sewer system. Mr. Moyer seconded the motion. Mr. Rinehart called for a vote and the motion carried 5-0-0.

3. **MINUTES**

November 11, 2019, Meeting Minutes

Mr. Kolb made a motion to accept the November 11, 2019 meeting minutes. Mr. Duffy seconded the motion. Mr. Rinehart called for a vote and the motion carried 5-0-0.

4. **PUBLIC COMMENT**

Walt Woessner, 164 Schoolhouse Road, stated back to a conversation they had at the October Board of Supervisors meeting regarding no parking areas, he asked when they are putting up signs stating no parking, particularly Schoolhouse Road. Mr. Kolb stated Schoolhouse Road is not in the Ordinance that states there is no parking. Schoolhouse Road, however, is a snow emergency and there are signs at either end of the road.

Missy King, 10 Eleanor Drive, discussed the letter she submitted to the Board suggesting to possibly name the Zieber Road Bridge after Rose Marie Miller given all she's done for this Township and that she lived on Zieber Road. Mr. Kolb stated they are not rebuilding the structure but has no problem putting a plaque at the bridge. Mr. Kraynik stated the Board will need to decide whether or not they want to rename the bridge or put an "in memory" plaque at the base of the bridge. The Board of Supervisors will discuss further at a later date.

Liz Willow, 683 Ellis Woods Road, stated she spoke with Billy Worrell of the Pottstown Veterans regarding the ceremony at the cemetery for Memorial Day. Liz Willow stated she will need to find someone to supply chairs and asked for any suggestions.

Consideration of Approval of the Annual Cub Scouts, Pack 4, Wreaths Across America Ceremony on Saturday, December 14, 2019 from 11:30 am to 12:30 pm at Ellis Woods Revolutionary War Cemetery. Mr. Kolb made a motion to approve the Wreaths Across America Ceremony at Ellis Woods Revolutionary War Cemetery on December 14, 2019. Mr. Duffy seconded the motion. Mr. Rinehart called for a vote and the motion carried 5-0-0.

5. ADOPTION OF TOWNSHIP BUDGET, TAX RATE AND PAY PLAN FOR 2020

Resolution 2019-18 2020 Township Budget

Consideration of approval of Resolution 2019-18 for adoption of the 2020 proposed budget. Mr. Rinehart made a motion to approve Resolution 2019-18 adoption of the 2020 Township Budget. Mr. Kolb seconded the motion. Mr. Rinehart called for a vote and the motion carried 5-0-0.

Resolution 2019-19 Tax Rate Resolution

Consideration of approval of Resolution 2019-19 establishing the 2020 real estate tax rate. Mr. Kolb made a motion to approve Resolution 2019-19 establishing the 2020 real estate tax rate. Mrs. Nocella seconded the motion. Mr. Rinehart called for a vote and the motion carried 5-0-0.

Resolution 2019-20 Pay Plan

Consideration of approval of Resolution 2019-20 establishing the 2020 pay plan. Mr. Duffy made a motion to approve Resolution 2019-20 establishing the 2020 pay plan. Mr. Rinehart seconded the motion. Mr. Rinehart called for a vote and the motion carried 5-0-0.

6. REPORTS

Township Manager's Reports

Consideration of Approval of the Fricks Lock License Agreement

Mr. Kraynik stated the Fricks Lock License Agreement gives the Historical Commission and the Township oversight to make sure the money that Exelon has agreed to spend on the maintenance and upkeep of the Fricks Lock properties is spent appropriately. Mr. Hosterman discussed the agreement. Mr. Kolb made a motion to approve the Fricks Lock License Agreement. Mrs. Nocella seconded the motion. Mr. Rinehart called for a vote and the motion carried 5-0-0.

Consideration to Approve the Amendment to the Police Department Weapons and Ammunition Policy Addressing the Wearing of Tasers

Mr. Kraynik stated this amendment to the policy specifies the location of the taser in relation to the firearm and is required by the insurance company. Mr. Rinehart made a motion to approve the Amendment to the Police Department Weapons and Ammunition Policy Addressing the Wearing of Tasers. Mr. Duffy seconded the motion. Mr. Rinehart called for a vote and the motion carried 5-0-0.

Consideration to Award a Contract for the Zieber Road Bridge Rehabilitation

Mr. Kraynik stated this project went out for bid last month and the bids were opened on December 4th. Mr. Kraynik stated the lowest bid from Fares Farhat General Construction Services should be disqualified because they are not PennDOT prequalified. It was a condition in the bid that all contractors are PennDOT prequalified. Therefore, his recommendation is the next lowest bidder, who is PennDOT prequalified, which is AJ Jurich, Inc. at \$137,716.00.

Mr. Rinehart made a motion to disqualify the lowest bidder, Fares Farhat General Construction Services due to not being PennDOT prequalified. Mr. Kolb seconded the motion. Mr. Rinehart called for a vote and the motion carried 5-0-0. Mr. Duffy made a motion to award the contract to AJ Jurich Inc. for \$137,716.00. Mr. Moyer seconded the motion. Mr. Rinehart called for a vote and the motion carried 5-0-0.

Mr. Rinehart asked when groundbreaking would take place. Mr. Kraynik stated it will depend on the weather but it shouldn't be any later than March 1st.

Mr. Flaharty stated he had nothing to report at this time. Mr. Kolb made a motion to accept the Engineer's Report. Mrs. Nocella seconded the motion. Mr. Rinehart called for a vote and the motion carried 5-0-0.

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

7. SUBDIVISIONS AND LAND DEVELOPMENT

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

8. ZONING HEARING BOARD APPLICATIONS

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

9. OTHER BUSINESS

Reorganization Meeting

Mr. Rinehart stated the Board of Supervisors reorganization meeting will take place on Monday, January 6, 2020 at 5:00 pm. Mr. Rinehart made a motion to authorize advertising the reorganization meeting. Mr. Duffy seconded the motion. Mr. Rinehart called for a vote and the motion carried 5-0-0.

Christmas Tree Pick-up Dates for 2020

Mr. Rinehart stated the Christmas Tree Pick-up dates will be Monday, January 6 and Monday, January 13, 2020. The tree must be undecorated and put on the curbside the night before. Mr. Kolb made a motion to advertise the Christmas Tree Pick-up Dates for 2020. Mrs. Nocella seconded the motion. Mr. Rinehart called for a vote and the motion carried 5-0-0.

Recent Grants

Mr. Kraynik stated he would like to recognize the fact that we have been very fortunate in the last 30-60 days by receiving four grants. Mrs. Nocella stated we also just recently received a \$16,000 grant from the Pottstown Health and Wellness for the Master Plan for Towpath Park which is not on the list. The list consists of: \$75,900 for Rehabilitation of Ellis Woods Park which the grant application was prepared by Rick Tralies, \$20,000 for a License Plate Reader for a police vehicle which the grant application was prepared by Chief Mossman, \$5,265 for Garage Door Openers for both Police and Public Works which the grant application was prepared by Chief Mossman, Ray Kolb and David Kraynik, \$2,450 for a Storage Container which the grant application was prepared by Ray Kolb and David Kraynik, and also \$16,000 for the Master Plan for Towpath Park which the grant application was prepared by Michael Lane from PARRC.

10. EXONERATIONS

Mr. Kolb made a motion to approve the exonerations presented. Mrs. Nocella seconded the motion. Mr. Rinehart called for a vote and the motion carried 5-0-0.

11. PAYMENT OF BILLS

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

<u>Fund Name</u>	<u>Amount to Pay</u>
General Fund	\$ 318,715.28
Open Space	1,009.37
Sewer Operating Fund	20,734.77

Sewer Capital Fund	19,440.04
Traffic Impact Fee Fund	-
Capital Reserve	1,922.31
Highway State Aid Fund	2,537.54
TD Escrow	-
Totals	\$ <u>364,359.31</u>

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

The Board of Supervisors, Mr. Hosterman, Mr. Flaharty and Mr. Kraynik would like to wish everyone a Merry Christmas and Happy New Year!

12. ADJOURNMENT

Mr. Kolb made a motion to adjourn the monthly meeting at 7:52 pm. Mrs. Nocella seconded the motion. Mr. Rinehart called for the vote and the motion carried 5-0-0.

Respectfully submitted,

David G. Kraynik
Township Manager