

**MINUTES OF THE  
EAST COVENTRY TOWNSHIP  
BOARD OF SUPERVISORS  
MEETING HELD FEBRUARY 10, 2020**  
*(Approved March 9, 2020)*

The Board of Supervisors held its regular monthly meeting on Monday, February 10, 2020. The following Supervisors were present for the meeting: Anthony Duffy, Ray Kolb, W. Atlee Rinehart, Karen Nocella and Michael Albert Moyer. Also present were David G. Kraynik, Township Manager, Mark Hosterman, Township Solicitor and Brady Flaharty, Township Engineer.

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

Mr. Hosterman stated the Board of Supervisors met for an executive session which was held at 6:30 pm to discuss the status of the 515 Kulp Road litigation, Pizza World property maintenance enforcement litigation and three matters of potential acquisition of real estate.

**1. ORDINANCES**

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

Mr. Hosterman stated the Board of Supervisors will hold a public hearing and reviewed the proposed 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 stated the Chester County Planning Commission is making a recommendation is that the Township consider making this either a conditional use or special exception for vehicle auctions in the LI District. The reason is to achieve compliance with the Landscape 3 2018 county comprehensive plan for this section of the county. Mr. Hosterman suggests that the Ordinance be adopted as it is presented this evening and consider in the future if they want the vehicle auctions to be either special exception or conditional use in the LI District.

Mr. Kolb made a motion to adopt Ordinance 2020-237 – “Amendment re: Vehicle Auctions”. Mrs. Nocella seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

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

Mr. Hosterman stated the Board of Supervisors will hold a public hearing and reviewed the proposed 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. Rinehart made a motion to adopt Ordinance No. 2020-238 – “Amendment to Wireless Communications Facilities Ordinance”. Mr. Moyer seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

Ordinance No. 2020-239 – “Ordinance re: Sump Pumps and Other Prohibited Discharges into Public Sanitary Sewer System”

Consideration to Advertise an Ordinance Amending the Codified Ordinances of East Coventry Township, Chester County, Pennsylvania, Chapter 18 (Sewers and Sewage Disposal), Part 3 (Public Sanitary Sewage Systems), Section 18-303 (Connection With and Use of Public Sewers), to Add a New Subsection 5 Entitled “Sump Pumps and Other Prohibited Discharges into the Public Sanitary Sewer System” in Order to Ensure that Groundwater is not Improperly Deposited into the East Coventry Township Public Sanitary Sewer System, to Reaffirm that the Discharge of Sump Pumps into the Township Public Sanitary Sewer System is Prohibited, to Establish Enforcement Procedures Including Mandatory Inspections Upon Resale of the Property and the Issuance of Violation Notices, and to Establish Penalties for Violations. Mr. Hosterman reviewed the proposed Ordinance.

A motion was made by Mr. Moyer to authorize advertising a public hearing for proposed Ordinance 2020-239 for consideration of adoption at the Board of Supervisors meeting on March 9, 2020. Mrs. Nocella seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0

Ordinance No. 2020-240

Consideration to Advertise the Code of Ordinances of East Coventry Township, Chapter 15 (Motor Vehicles), Part 4 (General Parking Regulations), Section 15-402 (Parking Prohibited at All Times in Certain Locations) is Hereby Amended by Adding Wiand Lane to the List of Prohibited Parking at All Times on Both Sides for the Entire Length. Mr. Hosterman reviewed the proposed Ordinance.

A motion was made by Mrs. Nocella to authorize advertising a public hearing for proposed Ordinance 2020-240 for consideration of adoption at the Board of Supervisors meeting on March 9, 2020. Mr. Kolb seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

**2. SOLICITOR’S REPORT**

Mr. Hosterman stated that a draft Sign Ordinance will be on the Planning Commission agenda in February for them to review.

**3. MINUTES**

January 13, 2020, Meeting Minutes

Mr. Rinehart made a motion to accept the January 13, 2020 meeting minutes. Mr. Kolb seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

**4. PUBLIC COMMENT**

Lois Reitnour, 14 Fricks Lock Road, stated that she has a request for a “No Truck Turning” sign, possibly over a certain axle, be installed on Old Schuylkill Road for turning onto Fricks Lock Road. She states that trucks going west on Old Schuylkill Road that turn right onto Fricks Lock Road cut into her property which is causing her to lose property every day. Mrs. Reitnour stated that busses, trash trucks, fed-ex trucks all make the turn without damaging her property, it’s the larger trucks or trucks with trailers causing the problem. She has the only property being affected by this issue. Mr. Rinehart stated that we should look at all roads that may be affected. Mr. Hosterman recommends a study be done by the traffic engineer before restrictions of traffic are put in place. Mr. Kolb stated he feels that they should put up white reflectors and see how that works before going to the expense of a traffic study. Mrs. Reitnour stated she was fine with them putting up white reflectors.

Walt Woessner, 164 Schoolhouse Road, expressed concern about the condition of the culvert between his driveway and Brownstone Drive.

Missy King, 10 Eleanor Drive, stated that the tax bills went out earlier than they were supposed to this year. She also asked if the State was going to be paving Bethel Church Road anytime soon. Mr. Kolb stated his understanding is that this year PennDOT would be paving the road.

Tom Kratz stated his congregation meets at 87 Bethel Church Road. He is in the process of purchasing this property and said the septic system has failed and asked if there were any plans for public sewer. Mr. Flaharty stated they are going to talk about the Act 537 Sewage Facilities Plan in a few minutes.

Mr. Moyer stated his understanding is that it takes 500 signatures to get the referendum on the ballot to repeal prohibition and asked Mr. Hosterman to look into. He also stated he would like to publicly thank State Senator Andy Dinniman for his years of service as County Commissioner and State Senator. Mr. Moyer wishes him well in his retirement.

## 5. **REPORTS**

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

#### **Presentation on a Possible Amendment to the Zoning Ordinance Researching Cluster Development Provisions**

Rick Tralies with Natural Lands gave a presentation on Cluster Development Provisions and a possible amendment to the Zoning Ordinance. He stated this Ordinance brings land development and open space together. Right now, cluster developments are only permitted in R-2 and R-3 Districts where there are properties greater than 20 acres and at this time there are no properties to use it. Cluster Development Provisions do not apply to the FR district which needs to be updated to protect open space. Rick Tralies stated they would work closely with the Planning Commission on tailoring the Ordinance to the Township. Rick Tralies stated no formal action is needed by the Board of Supervisors at this time.

#### **Authorization to Bid the Fricks Lock Village Trailhead and Rehabilitation of Building 19**

Mr. Kraynik stated this project is ready to go out to bid and that David Kee, ARRO Consulting and Carol Quigley, Frens & Frens are here tonight to discuss. Mr. Kraynik stated there are two grants that total over \$776,000. If the estimates of the project costs hold true the funding from the Township would be approximately \$277,000 from the Open Space Fund in addition to the grants. David Kee, ARRO Consulting, stated they have finalized the plans for the Fricks Lock Trailhead site work and improvements and are ready to submit to DCNR. He stated the improvements are restrooms, sand mound septic system and well, pavilion with picnic tables, parking with ADA accessibility to the building and trail, 2 rain gardens and infiltration bed, gates (which will be closed nightly), lighting (solar powered) and improving the existing road. Carol Quigley, Frens & Frens, stated they will be doing the rehabilitation of Building 19, first floor only with offices and one restroom as well as the addition of outside public restrooms. It was stated that once DCNR approves this project, then it can go out to bid. They are looking for it to go out to bid in March, with the bids coming in time for the April BOS meeting. The anticipated completion would be January-February 2021 which coincides with the Schuylkill River Trailhead project. The addition for the trailhead is for public restrooms which was confirmed by Carol Quigley. David Kee was asked what kind of picnic tables cost \$2,500 each. David Kee said they are ADA accessible picnic tables that the County has used in the past. Gail Brown, 500 Sanatoga Road, asked if all the picnic tables have to be ADA compliant. David Kee stated it was his understanding that yes, they all had to be ADA compliant but he will confirm.

Mr. Rinehart made a motion to authorize the Fricks Lock Village Trailhead and Rehabilitation of Building 19 to go out for bid contingent upon approval from DCNR. Mr. Moyer seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

#### Update on Parkerford Act 537 Special Sewer Study

Bill Bohner, ARRO Consulting, gave an update on the Parkerford Act 537 Special Sewer Study which is for the Parker Ford planning area. The Act 537 Special Study has been reviewed and received support from the Chester County Planning Commission, Chester County Health Department and also the East Coventry Township Planning Commission. The next step is the public comment phase which is a 30-day public comment period. There are approximately 290-300 properties involved which is at the southeast corner of the Township bordering East Vincent Township.

#### Consideration to Approve Purchase of a Radar Speed Sign

Mr. Kraynik stated they received three (3) bids on a radar speed sign which is needed for the Police Department to do speed studies and enforcement. Mr. Kraynik and Chief Mossman both recommend they approve the bid from Elan City in the amount of \$3,189, of this \$2,500 will be covered by an insurance grant which has already been approved. Mr. Rinehart made a motion to approve the purchase of the radar speed sign through Elan City in the amount of \$3,189. Mr. Moyer seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

#### Consideration to Approve Advertising for Sale 2014 Dodge Charger

Mr. Kraynik stated the police department has received a new police vehicle and as a result has retired a 2014 Dodge Charger with approximately 116,000 miles on it and would like approval to advertise to sell that vehicle. Mr. Moyer made a motion to approve advertising for the sale of the 2014 Dodge Charger. Mr. Rinehart seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

#### Consideration of Application for Special Fire Police Services

- Parks and Recreation Committee, John Doyle Rock the Wall Run, Saturday, April 25, 2020 from 8:30 am to 11:30 am.
- East Vincent Elementary PTA, RUN for JACK Fundraiser for Pavilion, Saturday, April 4, 2020 from 9:00 am to 11:00 am.
- French & Pickering Creeks Conservation Trust, Bicycle Event, Sunday, June 14, 2020 from 8:15 am to 3:00 pm.

Mr. Moyer made a motion to approve all three (3) Special Fire Police Services applications. Mr. Rinehart seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

Mr. Flaharty stated in support of Earth Day activities this April, the Board of Supervisors is sponsoring a cleanup of Pigeon Creek between Old Schuylkill Road and the Schuylkill River. Persons interested in keeping East Coventry clean and green are invited to volunteer a few hours of their time to participate in this 13<sup>th</sup> annual community stream cleanup initiative. Interested volunteers are to gather at the Schuylkill River Trail parking lot located at the intersection of Linfield Road and Route 724, at 10:00 a.m. on Saturday, April 18, 2020. The rain date will be Saturday, May 2, 2020. For more information, please contact Brady Flaharty with ARRO Consulting Inc., the Township Engineer, via email at [brady.flaharty@arroconsulting.com](mailto:brady.flaharty@arroconsulting.com) or phone at (484) 995-7137.

Mrs. Nocella made a motion to approve the Engineer's Report. Mr. Moyer seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

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

## **6. SUBDIVISIONS AND LAND DEVELOPMENT**

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

**7. ZONING HEARING BOARD APPLICATIONS**

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

**8. OTHER BUSINESS**

Consideration of Approval of 2020 Road Projects

Mr. Kolb stated the 2020 Road Projects consist of paving Ellis Woods Road (between East Cedarville and Bethel Church Roads) and Eleanor Drive. Mr. Kolb made a motion to approve the 2020 Road Projects. Mr. Moyer seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

**9. EXONERATIONS**

Mr. Kolb made a motion to approve the exonerations presented. Mr. Moyer seconded the motion. Mr. Duffy 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 as presented.

<u>Fund Name</u>		<u>Amount to Pay</u>
General Fund	\$	293,345.39
Open Space		6,015.22
Sewer Operating Fund		14,984.70
Sewer Capital Fund		-
Traffic Impact Fee Fund		-
Capital Reserve		1,620.00
Highway State Aid Fund		7,344.22
TD Escrow		-
<b>Totals</b>	<b>\$</b>	<b><u>323,309.53</u></b>

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

**11. ADJOURNMENT**

Mrs. Nocella made a motion to adjourn the monthly meeting at 8:02 pm. Mr. Kolb seconded the motion. Mr. Duffy called for the vote and the motion carried 5-0-0.

Respectfully submitted,

David G. Kraynik  
Township Manager