

**MINUTES OF THE
EAST COVENTRY TOWNSHIP
BOARD OF SUPERVISORS
MEETING HELD FEBRUARY 14, 2022**
(Approved March 14, 2022)

The Board of Supervisors held its regular monthly meeting on Monday, February 14, 2022. The following Supervisors were in attendance for the meeting: Ray Kolb, W. Atlee Rinehart, Anthony Duffy, Karen Nocella and Michael Albert Moyer. Also, in attendance were David G. Kraynik, Township Manager, Mark Hosterman, Township Solicitor and Michael Bingham, Township Engineer.

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

Mr. Hosterman stated an executive session was held this evening at 5:30 pm to discuss a matter of real estate, two matters of potential litigation, one matter of ongoing litigation, and a personnel matter.

1. ORDINANCES

No Ordinances were brought before the Board.

2. SOLICITOR'S REPORT

Zoning Text Amendment Request – 664 Sanatoga Road

Mr. Hosterman stated there are representatives present for Weaver Mulch. They would like to discuss a potential text amendment regarding their property at 664 Sanatoga Road. Weaver Mulch went to the Zoning Hearing Board in order to obtain approval for mulch production on that property which was denied. They are interested in determining if the Board of Supervisors would consider an amendment to the text of the C-1 District in order permit the manufacture of mulch and outdoor storage on that particular property.

Rob Sebia, representing Weaver Mulch, stated that the C-1 District already permits the retail sales of mulch but doesn't permit the manufacturing of mulch and to provide outdoor storage. Pictures were provided to the Board of Supervisors of Weaver Mulch's current operations and the mulch piles. They are requesting a small text amendment change to the C-1 District. It was also stated they are able to provide the buffer required. Mrs. Nocella asked why the Zoning Hearing Board denied them the ability to make mulch. It was stated to date they have not received the Decision and Order.

Mr. Hosterman stated the Board of Supervisors are not obligated to move forward when a text amendment is requested, they can also send it to the Planning Commission for review. Mr. Moyer made a motion to send the text amendment request from Weaver Mulch to the Planning Commission for review. Mrs. Nocella seconded the motion. Mr. Kolb called for a vote and the motion carried 5-0-0.

Consideration of Accepting Sewer Line Easement Agreement and Bill of Sale from OJR School District for the Sewer Line on the New Elementary School Property

Mr. Hosterman stated the Township is required to have some sort of an ownership interest in this particular sewer line. It only serves the old elementary school and the new elementary school but in order to get DEP approval, because they are separate parcels, the Township has to have an ownership interest in the sewer line. The school district has granted the Township an easement where the sewer line is constructed and offered a bill of sale to the Township so that the Township has ownership interest in the actual sewer line. The easement is structured so that the school district maintains the sewer line in its entirety and if it ever becomes necessary for the Township to perform any of the maintenance obligations the school district would have to reimburse the Township for any maintenance performed by the Township.

Mrs. Nocella made a motion to accept the Sewer Line Easement Agreement and Bill of Sale from the OJR School District for the sewer line on the new elementary school property. Mr. Duffy seconded the motion. Mr. Kolb called for a vote and the motion carried 5-0-0.

Mr. Rinehart asked about the EDU's for the old elementary school building. It was stated that they will be paying for one (1) EDU at the old elementary school building.

Consideration of Resolution 2022-05 to Rescind the Appointment of the Western Chester County Regional UCC Appeals Board and to Establish and Re-Establish the East Coventry Township UCC Appeals Board; Appoint Members and Establish Initial Fees

Mr. Hosterman stated that when there is an appeal of the decision of the Building Code Officer it goes to a Township's UCC (Uniform Construction Code) Board of Appeals. We are re-establishing the Township's UCC Board of Appeals because we have an appeal that has been filed. The three members of the UCC Appeals Board that will be appointed in the Resolution are Robert Preston, Paul Lacon and Larry Tietjen. Mr. Hosterman recommends adoption of this Resolution as the Township only has 60 days in which to hold a hearing.

Mr. Rinehart made a motion to adopt Resolution 2022-05. Mr. Moyer seconded the motion. Mr. Kolb called for a vote and the motion carried 5-0-0.

MINUTES

Mr. Rinehart made a motion to accept the January 10, 2022 meeting minutes. Mr. Duffy seconded the motion. Mr. Kolb called for a vote and the motion carried 5-0-0.

3. PUBLIC COMMENT

Missy King, 10 Eleanor Drive, stated the tax bills should be going out in the mail by the end of this week. If anyone doesn't receive their tax bill by the first week of March should call Missy King.

Mary Ann Keen, 537 Sanatoga Road, stated she went to the Zoning Hearing Board hearing regarding the Weaver Mulch application. She said after everyone was done speaking the Zoning Hearing Board members all whispered amongst themselves for 15 to 20 minutes then denied said case. Ms. Keen wanted to know if that is normal and allowed for them to whisper amongst themselves. Mr. Hosterman stated they are allowed to deliberate amongst themselves in an Executive session although they could have done so in another room.

Kim Lederer, 623 Sanatoga Road, asked if the neighbors of the property Weaver Mulch will receive notices of when the Planning Commission meeting will be and can they attend. Mr. Hosterman stated anyone can attend the Planning Commission meeting and that they will not receive a notice but that it will be on the Planning Commission's agenda which will be posted on the Township website.

Jocelyn Henry, 506 Stoney Run Road, asked what the correct spelling of "Stoney" is for her road. She stated East Vincent Township has it as Stony and East Coventry has it as Stoney. She stated they are having problems because of the spelling issue. Missy King stated the Chester County Assessment office handles this type of situation.

4. REPORTS

Township Manager's Report

Presentation of Grant Opportunities by Tricia McCloskey, AICP, Pottstown Area Regional Recreation Committee, Parkerford Historic Riverside Park Engineering Project and Towpath Park Phase I Construction Project

Both Tricia McCloskey, PARRC, and Al Gryga, CMC Engineering, are present to discuss the grant applications for Towpath Park Phase I. Tricia McCloskey, PARRC, stated the total cost of Phase I improvements is just over \$400,000. A donation of \$25,000 has been received from the Willian and Dorothy Yeck Family Foundation. They are applying for the Chester County Preservation Partnership

Grant in the amount of \$203,609. The Township match or the DCNR grant, if we receive it, would be \$166,609. If one of those two grants is not awarded the Township would need to make up the difference. If the Township received both grants then there would not be any cost to the Township. The improvements for Phase 1A consist of development of a pedestrian loop trail, construction of the stone parking lot, paving for ADA access and ADA parking stalls, erosion and sedimentation control, stormwater management facilities, kiosk/trailhead, landscaping.

In regards to Towpath Park Phase 1B Park Redevelopment, they are proposing applying for a grant from the Commonwealth Financing Authority in the amount of \$545,328. There is no match required. If the grant is not received the Township would not have to do anything with this part of the project. The improvements for Phase 1B consist of construction of the natural playground, playground fencing, river overlook, additional landscaping and lighting.

There are two Resolutions that are needed in order to apply for these grants mentioned, one is the Chester County Municipal Grant and the other is the 2022 Round of the Department of Community and Economic Development's Local Share Account. A discussion ensued.

Mr. Kolb stated Jonathan Brackbill from Ridge Fire Company is present and is in need of help acquiring a grant. Mr. Brackbill stated he has been applying for grants to acquire an ATV for the fire company to use on trails in case of emergencies. Ms. McCloskey stated she can do a second grant application for the fire company with the Local Share Account which does not require a match. She will work with Jonathan and will come back to the Board of Supervisors at the March meeting with another Resolution for the Ridge Fire Company.

Missy King, 10 Eleanor Drive, feels it's important for the Ridge Fire Company to be able to get the grant needed for an ATV so if there is an emergency on one of the trails, they are able to get to the emergency.

Consideration of Approval of Resolution 2022-06 Chester County Municipal Grant Resolution

Mrs. Nocella made a motion to approve Resolution 2022-06 Chester County Municipal Grant Resolution. Mr. Rinehart seconded the motion. Mr. Kolb called for a vote and the motion carried 3-2-0 with both Mr. Duffy and Mr. Moyer voting no.

Consideration of Approval of Resolution 2022-07 A Resolution Authorizing the Submission of a Grant Application for the 2022 Round of the Department of Community and Economic Development's Local Share Account

Mrs. Nocella made a motion to approve Resolution 2022-07 Authorizing the Submission of a Grant Application for the 2022 Round of the Department of Community and Economic Development's Local Share Account. Mr. Moyer seconded the motion. Mr. Kolb called for a vote and the motion carried 5-0-0.

Consideration of Approval of \$302,800 in Financial Support for a Conservation Easement at 1200 Ellis Woods Road

Mr. Kraynik stated they have been working with French & Pickering regarding this conservation easement and have had discussions with the Nesspor's who own 1200 Ellis Woods Road. French & Pickering will be applying for a county grant in the amount of \$119,020, the balance of the value of the conservation easement is \$302,800 which would be paid from the Township's Open Space Fund. Mrs. Nocella made a motion to approve the \$302,800 financial support for a Conservation Easement at 1200 Ellis Woods Road. Mr. Duffy seconded the motion. Mr. Kolb called for a vote and the motion carried 5-0-0.

Consideration of Approval of Letters of Engagement for Legal Consulting Services

Mr. Krainik stated there is a letter of engagement for legal consulting services regarding some possible real estate matters with Bagley Law LLC. Mr. Duffy made a motion to approve the engagement letter with Bagley Law LLC. Mrs. Nocella seconded the motion. Mr. Kolb called for a vote and the motion carried 5-0-0.

Consideration of Application for Special Fire Police Services:

- French & Pickering Creeks Conservation Trust, Bicycle Event, June 12, 2022, 8:15 am to 3 pm.
- East Coventry Township Parks & Recreation Committee, John Doyle Rock the Wall Run, April 2, 2022, 8:30 am to 11:30 am.

Mr. Moyer made a motion to approve both Special Fire Police Services applications. Mr. Duffy seconded the motion. Mr. Kolb called for a vote and the motion carried 5-0-0.

Township Engineer's Report

Mr. Bingham stated they received a minor subdivision application for 281 Sawmill Road and that ARRO Consulting has provided a review letter which is on the Planning Commission agenda for February.

Mr. Bingham also stated that the Spring Stream Cleanup will take place on Saturday, April 23, 2022 at 10:00 am and the rain date will be the following Saturday, April 30, 2022. Mrs. Nocella made a motion to approve the Spring Stream Cleanup. Mr. Moyer second the motion. Mr. Kolb called for a vote and the motion carried 5-0-0.

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

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

5. SUBDIVISIONS AND LAND DEVELOPMENT

No Subdivisions and Land Development brought before the Board.

6. ZONING HEARING BOARD APPLICATIONS

Application No. 283 – 664 Sanatoga Road – Weaver Mulch LLC

For Informational Purposes. DENIED ON 01/26/2022 Application for Variances to Permit the Processing of Mulch on the Subject Property and to Permit the Proposed Use on the Subject Property.

7. OTHER BUSINESS

Consideration of Approving 2022 Road Projects

Mr. Kolb explained the road projects for 2022 which consist of an ultra-thin bonded wearing course on the following roads: Spiece Road, Country Lane, Ellis Woods Road between Schoolhouse and Old Schuylkill Roads, Old Schuylkill Road between Ellis Woods and Fricks Lock Roads, Savage Road, Fricks Lock Road between Old Schuylkill Road and Route 724, Pheasant Lane, and Roberts Circle. Mr. Duffy made a motion to approve the 2022 Road Projects. Mr. Rinehart seconded the motion. Mr. Kolb called for a vote and the motion carried 5-0-0.

Consideration of Accepting a Donation of a Tree at Towpath Park in Memory of Township Resident Michael LaBelle

Mr. Krainik stated it's his understanding that Mr. LaBelle was not only a Township resident, a long-time Supervisor at the Pottstown Post Office, a life member of the Norco Fire Company and his friends and co-workers would like to honor him by donating a tree and having it planted at Towpath Park. Mr.

Kolb stated he would like to discuss where they would like the tree planted because of the potential improvements to Towpath Park, he doesn't want it planted and then have to move it. Mr. Kraynik stated maybe there is some other place they would like it planted. Mr. Kolb will discuss it with Mrs. LaBelle. Mr. Rinehart made a motion to approve the donation of a tree in memory of Michael LaBelle. Mr. Duffy seconded the motion. Mr. Kolb called for a vote and the motion carried 5-0-0.

Vacancy – Zoning Hearing Board Alternate

Mr. Kraynik stated they have an opening on the Zoning Hearing Board for an alternate. If anyone is interested to please submit a Volunteer Position Application which can be found on the Township website or stop by the Township Administration office.

8. EXONERATIONS

No Exonerations were brought before the Board.

9. 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	\$	392,868.30
Benefit Escrow		-
Open Space		39,641.26
Sewer Operating Fund		38,815.09
Sewer Capital Fund		-
Traffic Impact Fee Fund		-
Capital Reserve		8,266.49
Highway State Aid Fund		2,067.12
TD Escrow		-
Totals	\$	<u>481,658.26</u>

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

Missy King, 10 Eleanor Drive, wanted to mention that she will be collecting taxes in-person this year at the Township Building in April. The schedule will be on the tax bills and also on the Township website.

10. ADJOURNMENT

Mrs. Nocella made a motion to adjourn the monthly meeting at 7:59 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