

**MINUTES OF THE
EAST COVENTRY TOWNSHIP
BOARD OF SUPERVISORS
MEETING HELD MAY 11, 2020**
(Approved June 8, 2020)

The Board of Supervisors held its regular monthly meeting on Monday, May 11, 2020 via conference call. The following Supervisors were in attendance for the meeting: Anthony Duffy, Ray Kolb, and W. Atlee Rinehart were present at the Township Building. Karen Nocella and Michael Albert Moyer were present by phone. Also, in attendance were David G. Kraynik, Township Manager at the Township Building, Mark Hosterman, Township Solicitor and Brady Flaharty, Township Engineer were present by phone.

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

1. ORDINANCES

Ordinance No. 2020-241 – “Ordinance Amendments re: Historical Commission”

Mr. Kraynik stated he would like to propose postponing Ordinance No. 2020-241 indefinitely. Mr. Moyer made a motion to accept postponing Ordinance No. 2020-241 indefinitely. Mrs. Nocella seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

2. SOLICITOR’S REPORT

Liquor Code Referendum

Mr. Hosterman stated he has done some research, per the Board’s request, regarding the Liquor Code. The Board of Supervisors are interested in circulating a petition to put a referendum on the ballot so we would no longer make East Coventry Township a dry town. Mr. Hosterman stated it was reported the number of votes has decreased as a result of the amendments to the liquor code. It has been decreased to 500 in second class A counties only which are Bucks, Delaware and Montgomery and it does not include Chester County. If decided to do a referendum to repeal prohibition in the Township we still need 25% of votes to sign the petition for the office that received the most votes in the general election. Mr. Duffy asked what East Coventry Township is classified as and Mr. Hosterman stated he will look into it but he said we are not classified as second-class A. Mr. Hosterman stated the board does not need to take any action this was just for informational purposes.

Discussion Amending the Zoning Ordinance to Permit Horse Boarding in the FR District

Mr. Hosterman stated the zoning officer forwarded an email to him from a resident on Bishop Road who is constructing an addition to an existing agricultural building and also inquired about horse boarding. After reading the definition of agriculture Mr. Hosterman determined horse boarding is not permitted in the FR District. Although, he stated horse boarding in the FR District is most likely wide spread and the Board should consider making it a permitted use. In order to have horses on your property for your own use, two (2) acres for two (2) horses is required and after that it’s one (1) horse per additional acre. Mr. Hosterman would recommend the Board limit the number of horses if they choose to permit it at all. Mr. Duffy asked if people could be in violation right now. Mr. Hosterman stated yes, horse boarding is probably already going on although he has not received any complaints. A discussion ensued. Mrs. Nocella stated they should make boarding horses legal. Mrs. Nocella made a motion to permit the solicitor to draft the Ordinance regarding horse boarding to present to the Planning Commission for review and make recommendations to the Board of Supervisors. Mr. Moyer seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

3. MINUTES

April 13, 2020, Meeting Minutes

Mr. Rinehart recommended the minutes be changed to reflect which board members were in attendance at the Township Building vs conference call at the April meeting. Mr. Rinehart made a motion to accept the April 13, 2020 meeting minutes after changes presented. Mrs. Nocella seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

4. PUBLIC COMMENT

Liz Willow, 683 Ellis Woods Road, stated in regards to the Memorial Day Service at Ellis Woods Cemetery, she said they will decorate and have it open throughout the weekend so people can come and visit safely at their own pace. She is going to make a handout about the history instead of a program. Liz Willow is inviting everyone to stop by and visit the cemetery on May 23, May 24, and May 25. Mr. Rinehart thanked Liz Willow for moving this project forward.

Riannon Walsh, 247 Bishop Road, stated she is the person that sent in the email regarding horse boarding and she was not inquiring for herself as she is not interested in boarding horses. She has a comment about what should be included in the Ordinance for horse boarding which is that if the acreage is shady, muddy or forested, this land should be excluded from the acreage amount because it is not good for the horses' health. They are better in grassy areas and she feels it should be written in the Ordinance to indicate the condition of the land. Mrs. Nocella agreed that horses should be in huge pastures.

Mr. Rinehart asked about the E. Cedarville sewer dedication. Mr. Hosterman stated his office is done everything that can be done and right now it is up to the school district at this point. The school district still has escrow on this project. Mr. Flaharty confirmed that they are still holding all of the escrow, nothing has been released. Mr. Kraynik stated the board should authorize Mr. Hosterman to prepare a letter to be sent to the School Board President. The Board of Supervisors asked Mr. Hosterman to draft a letter from them to the President of the School Board and copy the Superintendent regarding the sewer dedication on E. Cedarville Road.

Mr. Rinehart stated he would like to see signs saying "no dumping will prosecute" at the sewer right away near Manatawny Manor. No motion is necessary as this is being taken care of at this time.

5. REPORTS

Township Manager's Reports

Consideration of Approval of the Purchase of Recycled Plastic Materials for the Trail Markers for the Wayfinding Project from the Plastic Lumber Yard for \$4,918.99.

Mr. Kraynik stated they are looking for approval for the purchase of these recycled materials for the trail markers for the Wayfinding project. Mr. Kolb stated the Public Works Department will be picking up the materials so deduct the \$466.50 for the shipping and also, we are tax exempt so exclude the sales tax of \$252.03. The total cost will instead be \$4,200.46 for the materials. Mr. Moyer asked where the money is coming from the pay for this material. Mrs. Nocella stated it is being paid by grant money. Mr. Moyer made a motion to approve the Purchase of Recycled Plastic Materials excluding shipping and sales tax. Mrs. Nocella seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

Consideration of Approval of the Towpath Park Master Plan Study Proposal from CMC Engineering not to exceed \$32,640.00.

Mr. Kraynik stated this is the proposal that has been recommended by Michael Lane. Mrs. Nocella stated they had three to four consulting groups that were evaluated and they picked CMC Engineering. Mrs. Nocella stated this is a five-year plan which includes the Heyser Tract, Faulk Tract and Towpath Park. They have a grant for \$16,000 and \$16,000 will come from the Open Space Fund. Mr. Rinehart

made a motion to approve the Towpath Park Master Plan Study Proposal from CMC Engineering not to exceed \$32,640.00. Mrs. Nocella seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

Consideration of Approval to Initiate Hiring Process for a New Part-Time Police Officer.

Mr. Kraynik stated the Chief would like to begin the process to initiate hiring a Part-Time Police Officer. Brayden Walsh who was the part-time police officer has resigned. Mr. Moyer made a motion to approve initiating the hiring process for a New Part-Time Police Officer. Mrs. Nocella seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

Mr. Kraynik stated the Public Works Department hired a new Full-Time Public Works Laborer, Corey Mowrer. He has replaced Mike Hogga who came from West Vincent Township 9 months ago and is going back to work for them as the Road Master.

Mr. Kraynik stated that scheduled for the next Board of Supervisors meeting on June 8th is the Parker Ford Sewer Study public meeting and he would like postpone this meeting indefinitely as he doesn't want this meeting being conducted on the phone. Mr. Moyer made a motion to postpone the Parker Ford Sewer Study public meeting indefinitely. Mrs. Nocella seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

Mr. Kraynik also stated he would like the Board of Supervisors to determine how they would like to proceed with the Parker Ford Sewer Study public meeting once the pandemic is over as far as whether they would like it to be a totally separate meeting or part of the Board of Supervisors meeting. Mr. Kolb feels this should be a separate meeting instead of including it in the Board of Supervisors meeting.

Mr. Flaharty stated he had nothing to report at this time. Mrs. Nocella asked Mr. Flaharty what the status is with the Ellis Woods Park renovations permits. Mr. Flaharty stated they are working with Rick Tralies on this matter. Mr. Rinehart made a motion to accept the Engineer's Report. Mrs. Nocella seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

Mr. Kolb asked Mr. Flaharty if they cancel the stream clean-up will that matter for the MS4 program. Mr. Flaharty doesn't believe it will matter.

Mrs. Nocella stated in regards to the Park and Recreation Committee, she stated they have enough grant money for three kiosks at this time. She stated the kiosks are \$3,800 each so it would be a total of \$11,400 and is looking for a motion to approve going forward with purchasing the three kiosks which would be for Ellis Woods, Maack and Wineberry properties. Mr. Moyer made a motion to approve the purchase of three kiosks for a total of \$11,400. Mrs. Nocella seconded the motion. Mr. Duffy called for a vote the motion carried 5-0-0.

Mrs. Nocella stated in regards to the signage they are working on for the parks and trails in the Township, there was a survey put on the East Coventry Township website that residents could participate in about the parks. They had about 30 responses. Mrs. Nocella stated of those responses about two or three people complained of the dangerous situation on the Ussler Tract. She stated there are metal fence posts in the trail easement. Apparently, Steve Ussler put these metal fence posts in not long after the conservation easement was done. She spoke with Jack Stefferud from Natural Lands Trust and he stated this is a liability and people can get hurt. Mrs. Nocella stated she was recently walking the trail and ran into Steve Ussler and he was also complaining about the benches. Mrs. Nocella stated the benches and the picnic table are in the trail easement that is owned by the Township. Mrs. Nocella also stated that Steve Ussler recently chopped down the 200-year-old white oak tree that the picnic table sits under. It was stated the tree was not in the easement. A discussion ensued. Mrs. Nocella stated she would like Mr. Hosterman to send Steve Ussler a letter to remove the dangerous

metal fence posts. Mr. Hosterman asked for a diagram of the trail with an X on the spot of the dangerous situation and would also like photos. Mrs. Nocella stated that Jack Stefferud from Natural Lands Trust has also stated he would send a letter to Steve Ussler after the solicitor does, since they hold the conservation easement. A further discussion ensued. Mr. Moyer made a motion to authorize Mr. Hosterman to send a letter to Steve Ussler stating the metal fence posts are dangerous and need to be removed. Mrs. Nocella 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 a Proposal from Natural Lands Trust to Acquire a Conservation and Trail Easement for 391 Harley Road. Chester County has Awarded the Township a \$102,480 Grant which is 50% of the Acquisition Costs

Mrs. Nocella made a motion to approve the Proposal from Natural Lands Trust to Acquire a Conservation and Trail Easement for 391 Harley Road. Mr. Moyer seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

9. EXONERATIONS

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

10. PAYMENT OF BILLS

Mr. Duffy made a motion to approve the payment of bills as presented.

<u>Fund Name</u>		<u>Amount to Pay</u>
General Fund	\$	236,948.95
Benefit Escrow		-
Open Space		797.21
Sewer Operating Fund		12,791.88
Sewer Capital Fund		-
Traffic Impact Fee Fund		3,262.85
Capital Reserve		5,417.98
Highway State Aid Fund		1,639.07
TD Escrow		-
Totals	\$	<u>260,857.94</u>

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

11. ADJOURNMENT

Mr. Kolb made a motion to adjourn the monthly meeting at 8:08 pm. Mrs. Nocella seconded the motion. Mr. Duffy called for the vote and the motion carried 5-0-0.

Respectfully submitted,

David G. Kraynik
Township Manager