

**MINUTES OF THE  
EAST COVENTRY TOWNSHIP  
BOARD OF SUPERVISORS  
MEETING HELD OCTOBER 12, 2020**  
*(Approved November 9, 2020)*

The Board of Supervisors held its regular monthly meeting on Monday, October 12, 2020. The following Supervisors were in attendance for the meeting: Anthony Duffy, Ray Kolb, W. Atlee Rinehart, Karen Nocella, and Michael Albert Moyer. Also, in attendance were David G. Kraynik, Township Manager and Mark Hosterman, Township Solicitor. Brady Flaharty, Township Engineer was present by phone.

Mr. Anthony Duffy called the meeting to order at 7:03 p.m. The pledge of allegiance was recited.

Mr. Hosterman stated an executive session was held at 6:15 pm to discuss two personnel matters, the potential acquisition of real estate and stated he provided an update on the litigation concerning the property at 515 Kulp Road.

**1. ORDINANCES**

Ordinance 2020-246 – Amendments to Public Sanitary Sewage System Ordinance

Mr. Hosterman stated the Board of Supervisors will hold a public hearing and reviewed the proposed Ordinance Amending the Code of Ordinances of East Coventry Township, Chester County, Pennsylvania, Chapter 18 (Sewers and Sewage Disposal), Part 3 (Public Sanitary Sewage Systems), Section 18-302 (Interpretation; Definitions), Subsection 2 (Specific Definitions) to Amend the Definition of “Township Technical Specifications” to Include Future Amendments; to Amend Section 18-303 (Connection with and Use of Public Sewers), Subsection 3 (Notice), Paragraph A to Expand the Methods for Service of Notice to Include First Class or Certified Mail; to Amend Paragraph B to Permit the Township to Impose Six Percent Interest and a Five Percent Penalty for Nonpayment; to Amend Section 18-306 (Building Sewers and Connections with Public Sewers), Subsection 1 (Sanitary Sewer Permit), Paragraph B to Require Application Be Supplemented by Any Information Required by the Township and to Add New Paragraphs “D,” “E” and “F” Establishing Sewer Permit Expires After One Year and Requiring Permit Be Displayed at Site and Insurance Certificate be Provided Naming Township as Additional Insured; to Amend Subsection 2 (Prerequisites for Connection to Public Sewers), to Require Satisfactory Evidence Fees Paid and to Add New Paragraphs “E” and “F” Requiring Compliance with Township Technical Specifications and Applicable Requirements of Section 18-307; to Amend Subsection 8 (Maintenance, Repair and Replacement of Building Sewers), to Require Owner Make Repairs Upon Receiving Notice From Township; to Amend Subsection 9 (Building Sewer Excavations), to Prohibit Excavation From Remaining Open to Water Inflow for More Than 10 Hours; to Amend and Restate Subsection 10 (Unsatisfactory Condition of Building Sewers) in its Entirety to Identify Township Remedies When Owner Fails to Make Required Repairs; to Add New Subsection 11 Titled “Construction, Inspection and Maintenance of Laterals” and New Subsection 12 Titled “Acceptance of Laterals Previously Constructed”; to Amend and Restate Section 18-307 (Extensions of Public Sewer) in its Entirety and to Contain the Following Subsections: Compliance with Township Technical Specifications; Compliance with Other Applicable Requirements; Submission of Plans; Permit for Surface Opening; Restoration of Surface; Development Agreement; Financial Security; Establishment of Escrow; Supervision and Inspection by Township Engineer; Requirements for Dedication and Acceptance by Township; As-Built Plans; Maintenance Period; Maintenance of Sewer Extensions; and Reimbursement for Sewer Extensions; and Miscellaneous Minor Technical Amendments.

Mr. Kolb made a motion to adopt Ordinance 2020-246 Amendments to Public Sanitary Sewage System Ordinance. Mr. Moyer seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

**2. SOLICITOR'S REPORT**

Mr. Hosterman stated his office continues to work with the Planning Commission on the growing greener and sign ordinance amendments. They are also finishing up the various contracts for Building 19 and the Fricks Lock Trailhead.

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

**3. MINUTES**

September 14, 2020, Meeting Minutes

Mr. Duffy made a motion to accept the September 14, 2020 meeting minutes. Mr. Kolb seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

**4. PUBLIC COMMENT**

Mrs. Nocella stated she received an email from Craig Colistra, Program Officer, Pottstown Area Health and Wellness, stating they received a grant award from Trust of Public Land. He stated that they are looking to convene municipalities and school districts to meet and have conversations regarding shared use agreements between local governments and school districts for schoolyards. He is asking if she would be interested in representing East Coventry Township by going to the meetings and engaging in conversations. There is no commitment and there would be four (4) meetings between December and May. Mr. Moyer made a motion to approve Mrs. Nocella to be the representative for East Coventry Township for the meetings. Mr. Duffy seconded the motion. Mr. Duffy called for a vote and the motion carried 4-0-1 with Mrs. Nocella abstaining.

Mrs. Nocella stated Nate Ackerman of Hershey Drive has put together a proposal to do a community service project at the Schoolhouse. He is proposing planting bulbs and mulching to improve the curb appeal of the Schoolhouse. The bulbs would cost approximately \$100. Mr. Kolb stated Public Works has mulch so that doesn't need to be purchased. Mr. Kolb made a motion to approve the community service project at the Schoolhouse. Mr. Moyer seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

Mr. Kolb wanted to thank the Parks and Recreation Committee for their work on the Grand Reopening of Ellis Woods Park on September 26, 2020. He said the trees and landscaping that was planted all look great and he also stated the recognition of Ann Sage was very nice. Mrs. Nocella thanked Sally Kolb for the refreshments and thanked Mr. Kolb and the Public Works crew for all they did in preparation for that day.

Mr. Kolb asked Mrs. Nocella about the kiosks in regards to the Eagle Scout projects. Mrs. Nocella stated that Liz Willow is working on putting a list of the projects together and they will be reviewing it to make sure they didn't forget anyone.

Mr. Duffy stated he was contacted by Melissa Booth, Owen J. Roberts School District School Board, in regards to the old East Coventry Elementary School. Mr. Duffy stated that the school district plans on using the building as a community center for the residents of East Coventry Township. Exactly what they are going to do is unclear at this time but they do plan on making use of the building for the community. George Colette asked how much is it going to cost. Mr. Duffy stated it is not going to cost East Coventry Township anything and that the school board is going to take up that expense. Mrs. Nocella stated she knows the people who play pickle ball are interested in using the building to play indoor in the winter time. Sally Kolb, 231 Baptist Church Road, stated Montgomery County uses a

school building in Creamery which is a public use building that different organizations use and has been very successful.

## 5. **REPORTS**

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

#### **Hanover Engineering to Give a Design Update on Route 724 and Peterman Road Intersection Improvements.**

Bob Lynn, Hanover Engineering and John Yurick, McMahon Associates were present to give an update on the Route 724 and Peterman Road Intersection Improvements. Bob Lynn stated that on Peterman Road the sidewalk has been flipped to the other side of the street, meaning it is now going to be located on the Pizza World side which will extend from Old Schuylkill Road to Route 724. The only thing left to do from a construction standpoint is to do the physical construction cross sections and the tabulation of the items for construction for bidding purposes. They will then go back to PennDOT with it but have to wait until they get the NPDES permit. Some of the other improvements include, new left turn lanes on Peterman Road and on Route 724, signalized intersection, improvements to Towpath Park entrance, new sidewalk constructed, and widening to accommodate the lanes. Scott Maerten, 87 Peterman Road, asked which side of the road are they widening and Bob Lynn stated the widening would occur on the Pizza World side but the curbing would be on both sides of Peterman Road. George Colette, 80 Country Lane, asked if tractor trailers will be able to make the turns and it was stated there would be enough room for them to make turns. Bob Lynn stated they are hoping to go to bid in 2021 but it will depend on when the NPDES permit is issued by the DEP. The NPDES permit is good for five years and is renewable. A discussion ensued.

#### **Consideration of Approval of the Multimodal Transportation Fund Grant Reimbursement Agreement for Highway and Bridge Projects for the Route 724 and Peterman Road Intersection Improvements.**

Mr. Kraynik asked the Board to defer this item to give them more time to go over the agreement. Mr. Kolb made a motion to defer approval of the Multimodal Transportation Fund Grant Reimbursement Agreement at this time. Mr. Moyer seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

#### **Consideration of Approval for the Advertisement of Bids to Farm the Maack Property. Five-Year Lease.**

Mrs. Nocella stated she would like this property to be leased to local farmers and is asking the Board to defer advertising for a couple of months until after the Agricultural Security Area Committee meets and reviews. Mr. Moyer stated while he agrees they must still follow the rules that it goes to the highest bidder. Mr. Kolb stated he does not want to drag this out.

Larry Tietjen, 131 Maack Road, asked if something can be done about the water runoff issues. Mr. Kolb stated they are putting in the lease that they can only grow hay, no crops, no corn and no beans.

Mrs. Nocella made a motion to defer the advertisement of bids to farm the Maack Property for two (2) months to allow the Agricultural Security Area Committee to review. Mr. Moyer seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

#### **Agricultural Security Area Seven-Year Review**

Mr. Kraynik stated that the Solicitors informed him it is time for the Agricultural Security Area Committee to conduct their seven-year review and in their memo they instructed how to proceed. This committee consists of five (5)-members, however, one member has passed away and they will need to add a new member. Meetings are as needed but at this time they will have multiple meetings to complete the current tasks.

Review of the 2021 Proposed East Coventry Township Budget.

Mr. Kraynik stated copies of the draft budget will be delivered to the Board of Supervisors this week. Mr. Kraynik stated no tax increase is contemplated at this time. No action is needed tonight. Mr. Kraynik reviewed the process which includes asking the Board to authorize advertising the draft budget at the November 9, 2020 meeting and then adopting the budget at their December 14, 2020 meeting.

Consideration of Approval of the Credit Card System, Jackrabbit Connect, to Accept Certain Payments.

Mr. Kraynik stated the Township has received many requests to make payments by credit card. We currently only accept cash or check. A credit card system would help increase collection for sewer usage, building permits, pavilion rentals, and police reports. The fees for using a credit card are passed onto the card user not the Township.

Mr. Kolb made a motion to approve the Credit Card System, Jackrabbit Connect to Accept Certain Payments. Mr. Rinehart seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

Consideration of Approving Conservation Easement Appraisals for Certain Properties by Will Wood in an Amount Not to Exceed \$12,000.00.

Mr. Kraynik stated these appraisals are for ten (10) specific properties that the Open Space Committee is looking at for conservation easements. Mr. Kolb made a motion to approve the conservation easement appraisals for the ten (10) specific properties by Will Wood not to exceed \$12,000.00. Mrs. Nocella seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

Consideration of Application for Special Fire Police Services.

- Retroactively Approve Kandler Viewing/Funeral at Brownback's U.C.C., September 22, 2020 from 6-8 pm and September 23, 2020 from 10-11:45 am.
- Twin Valley Fire Company, Elverson Borough Halloween Parade, October 21, 2020 from 5:15-10:30 pm.

Mr. Moyer made a motion to accept both Special Fire Police Service requests. Mr. Kolb seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

Township Engineer's Report

Mr. Flaharty stated he has nothing to report at this time.

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

Mr. Rinehart asked Mr. Flaharty the status of the Parkerford 537 Plan and Mr. Flaharty stated they are waiting for COVID to end or to be able to have a public meeting that would allow a larger number of people.

Mr. Duffy made a motion to accept the various departments and committee reports. Mr. Kolb 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**

Discussion of the Towpath Park Master Plan.

Al Gryga, CMC Engineering, gave a presentation on the Towpath Park Master Plan. He reviewed the strategies for improving the park. This is a concept plan at this time and they will soon be requesting resident input. Gail Brown, 500 Sanatoga Road, asked if he would present this plan to the Historical Commission at one of their meetings. Al Gryga stated yes, he would discuss a meeting date with Gail. Larry Tietjen, 131 Maack Road, stated they should do an economic analysis before advertising this concept. Mr. Tietjen said is it even feasible that the Township could afford to do everything proposed plus maintain it. George Colette, 80 Country Lane asked about the liability insurance. Mr. Hosterman stated the Township would have to look at their coverage with their liability insurance carrier to see if they would need an increase in insurance. A discussion ensued.

Al Gryga stated the next step is to refine the design, meet with the Historical Commission, and get the community’s feedback. They are in the very early stages of this project.

Resolution 2020-17 – A Resolution Authorizing the Township to Agree to use the dotGrants On-Line Reporting System to File the Required Liquid Fuels Forms Annually; Including but not Limited to the MS-965, MS-329 and MS-999 forms.

Mr. Moyer made a motion to approve Resolution 2020-17. Mr. Kolb seconded the motion. Mr. Duffy called for a vote and the motion carried 5-0-0.

**9. EXONERATIONS**

Mr. Duffy made a motion to accept the exonerations. 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            | \$        | 340,478.64               |
| Benefit Escrow          |           | -                        |
| Open Space              |           | 322,974.34               |
| Sewer Operating Fund    |           | 19,319.30                |
| Sewer Capital Fund      |           | -                        |
| Traffic Impact Fee Fund |           | 11,379.88                |
| Capital Reserve         |           | -                        |
| Highway State Aid Fund  |           | 13,106.39                |
| TD Escrow               |           | 5,463.83                 |
| <b>Totals</b>           | <b>\$</b> | <b><u>712,722.38</u></b> |

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

**11. ADJOURNMENT**

Mr. Duffy made a motion to adjourn the monthly meeting at 8:31 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