MINUTES OF THE
EAST COVENTRY TOWNSHIP BOARD OF SUPERVISORS
MEETING HELD ON MARCH 14, 2011
(Approved April 11, 2011)

The Board of Supervisors held their regular monthly meeting on Monday, March 14, 2011. Present for the meeting were supervisors Ray Kolb, Mariea Geho, Timothy Roland, W. Atlee Rinehart and Michael Albert Moyer. Also present were Bernard A. Rodgers, Township Manager, Mark A. Hosterman, Township Solicitor and Brady L. Flaharty, Township Engineer.

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

Mr. Hosterman stated that an executive session was held at 6:00 p.m. immediately preceding this meeting to discuss a potential real estate acquisition and discussions to end litigation matters concerning collections. No decisions were made regarding these matters.

Ordinance No. 176 amending Chapter 27 (Zoning), Part 7 (R-2 Residential District)
Mr. Hosterman opened the public hearing for consideration and adoption of Ordinance No. 176 at 7:02 p.m.

Mr. Hosterman provided an overview of proposed Ordinance No. 176 as follows:

> **AN ORDINANCE AMENDING CHAPTER 27 (ZONING), PART 7 (R-2 RESIDENTIAL DISTRICT), SECTION 702 (USE REGULATIONS), SUBSECTION 702(3) (SPECIAL EXCEPTIONS) TO ADD A NEW SUBPARAGRAPH 702(3)(B) TO PERMIT PUBLIC AND PRIVATE EDUCATIONAL USES BY SPECIAL EXCEPTION IN THE R-2 RESIDENTIAL DISTRICT, PROVIDED THE PROPERTY IS SERVED BY PUBLIC WATER AND PUBLIC SEWER.**

Mr. Hosterman asked if the Board of Supervisors had any comments regarding proposed Ordinance No. 176. There were no comments from the Board of Supervisors.

Mr. Hosterman opened up the questions to the public. There were no comments or questions from the public.

Mr. Hosterman closed the hearing at 7:05 p.m.

Mr. Moyer moved to approve Ordinance No. 176. Mr. Roland seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

1. MINUTES

Minutes of February 14, 2011
Mr. Roland moved to approve the minutes of the February 14, 2011 monthly meeting as presented. Mrs. Geho seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

2. PUBLIC COMMENTS

Ed Collins of 13 Larkspur Lane asked for an update regarding the dedication of Creekview. Mr. Collins stated that he has spoken to Heritage and they are giving him the run around. Mr. Hosterman noted that he has been in contact with Heritage and he informed Heritage that residents had attended the February, 2011 Board meeting with concerns regarding the dedication of Creekivew. The Township Engineer has been asked to make a determination of what remains to be completed in Phase 1 which is on the north side of Pigeon Creek. Mr. Hosterman stated that the phasing plan for Creekview has been approved but Heritage has not recorded the plan.

Jonathan Eldridge of 19 Larkspur Lane asked if Heritage could attend a Board meeting to discuss this matter and Mr. Hosterman stated that it could be requested but their attendance is not required.

Darren Burrell of 1180 S. Sanatoga Road asked if the original improvements completion is past due what authority does the township have to address this matter. Mr. Hosterman noted that a bond has been posted under the developer agreement which could be litigated but Mr. Hosterman does not recommend litigation at this time and the township would prefer to work with the developer.

Mark Blum of 1187 S. Sanatoga Road asked what the residents can do and Mr. Hosterman stated that the township is taking all the appropriate steps that it can take. Mr. Blum asked for a timeline in which the work should be done and Mr. Flaharty stated that he would like to see the punchlist done in 2-3 weeks.

Mark Smolij of 1148 S. Sanatoga Road asked what the improvements completion date is and Mr. Hosterman stated that he would have to check the agreements for that information.

Dan Taormino of 11 Robin's Nest Lane asked what the plan is if Heritage is out of funds. Mr. Hosterman stated that the township would like to give Heritage an opportunity to complete the improvements once they get the punchlist. Mr. Hosterman stated that the township could act on the bond if necessary.

Scott Tarves of 34 Robin's Nest Lane stated that his taxes and property values are affected by the state of the development.

David Dawson of 1128 S. Sanatoga Road reiterated that the next steps are to get a punchlist within the next 2-3 weeks and then Heritage is to complete the improvements to the township's satisfaction, Mr. Hosterman noted that the improvements must be satisfactory to the township prior to dedication.

Bill Keller of 91 Do Jan Drive asked how the township can avoid this type of situation in the future and wasn't there an escrow. Mr. Hosterman stated that there is not an escrow because the Municipalities Planning Code (MPC) gives developers an option to post a bond which is what Heritage did.

Mr. Taormino asked when the improvements were supposed to be completed and how much more time will the developer be given. Mr. Hosterman stated that no additional time will be

granted, just the time it may take to complete the improvements. Mr. Hosterman noted that he was uncertain what the completion dates are but they it can be found in the developer agreements.

Rosemarie Miller, Chairperson of the East Coventry Township Historical Commission provided a monthly report of what was discussed at the Commission's last meeting, those items were: administrative guidelines, Fricks Lock Village timeline, and appointment of Penny Morton. Mrs. Miller noted that Mrs. Geho is the Historical Commission liaison from the Board of Supervisors.

Edward Gavin of 1112 Kulp Road asked when Kulp Road will be fixed and Mr. Kolb noted that repairs will be made to Kulp Road in the spring.

Bill Keller of 91 Do Jan Drive stated that the intersection of Ellis Woods Road and Bethel Church Road floods. Mr. Kolb noted that he has met with PennDot regarding this issue and he told PennDot that they need to install more pipes.

Missy King, Tax Collector, of 10 Eleanor Drive stated that she has a situation next month when she will need to take time away for personal issues and asked that Connie Megay be made Deputy Tax Collector so her duties may be covered by Mrs. Megay.

Mr. Moyer moved to deputize Mrs. Connie Megay to accept/receive taxes for tax year 2011. Mr. Rinehart seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

Pennsylvania Act 209 Transportation Capital Improvements Plan

Mr. Hosterman noted that the Board of Supervisors will be considering adopting Resolution No. 2011-07 for approval of the Transportation Capital Improvements Plan.

Mr. Yurick stated that the Traffic Impact Fee Advisory Committee will hold their public hearing this evening on the Transportation Capital Improvements Plan. Notice of this public hearing was advertised on March 1, 2011 and March 7, 2011.

Those present representing the Traffic Impact Fee Advisory Committee were:

Walter Woessner of 164 Schoolhouse Road
Jay Raspen of 1667 Old Schuylkill Road
Robert F. Preston of 2013 East Cedarville Road
Tim Manley of 415 Ellis Woods Road

John Yurick of McMahon Associates, Township Traffic Engineer, provided an overview of the Transportation Capital Improvements Plan.

Mr. Yurick noted that the Transportation Capital Improvements Plan consists of:

- Existing Transportation Capital Improvement Program
- Future Pass-Through Transportation Capital Improvement Program

- Future Development Transportation Capital Improvement Program Impact Fee

Three tables are contained in the Plan and of which Mr. Yurick provided an overview. In Table 2, Item #6 – PA Route 724/Wells Road is to be removed. Mr. Yurick noted that making Wells Road a cul-de-sac is not being recommended. The impact fees are to be adjusted as follows:

TSA North	Development Capital Improvement Costs to be $4,212,564 Impact Fee to be $2,846
TSA South	Development Capital Improvement Costs to be $156,255 Impact Fee to be $1,062

These changes are to accommodate adjustments made to the proposed improvements.

Mr. Yurick asked if there were any comments from the Traffic Impact Fee Advisory Committee.

Mr. Manley asked if the Plan's projects would be affected due to the potential of Ivywood Estates not being developed and Phase 2 of Creekview not being constructed. Mr. Yurick noted that the Township Planner would be able to address that inquiry more accurately.

Mr. Preston asked why the township should pay for the improvements when two state roads intersect and can the work be delayed past 2019. Mr. Yurick stated that the work can be delayed past 2019 and the Township would just have to reevaluate and update the Transportation Capital Improvements Plan.

Mr. Kolb stated he would rather see a traffic light at Old Schuylkill Road and Route 724. Mr. Yurick stated that the traffic would be difficult to manage at that intersection. Mr. Kolb stated that he was not in favor of all one way direction from Manatawny Manor due to the concern over emergency vehicle access. Mr. Kolb stated that the plan does not take into consideration the improvements that will need to Peterman Road.

Mr. Moyer stated that the egress should not be restricted at Old Schuylkill Road and Route 724 but ingress should be limited. Mr. Moyer also stated the traffic light should be at Fricks Lock Road instead of Peterman Road because of safety issues.

Mr. Kolb stated that he is fine with a light a Peterman Road but Old Schuylkill Road and Route 724 should remain as is. Mr. Yurick said that he would take another look at that intersection. Mr. Kolb stated that they need to know the cost for the improvements on Peterman Road.

Mr. Hosterman suggested that the Board of Supervisors develop a list of comments and the plan should go back to the Traffic Impact Fee Advisory Committee for further review.

Mr. Rodgers suggested the Board approve the plan as presented subject to sending the plan back to the Committee for additional recommendations based on the comments this evenng.

Mr. Rinehart moved to adopt the Transportation Capital Improvements Plan. There was no

seconded to Mr. Rinehart's motion therefore the motion died.

After further discussion Mr. Kolb moved to continue the hearing for adoption of the Transportation Capital Improvements Plan to the next Board of Supervisors meeting. Mr. Roland seconded the motion. Mr. Kolb called for the vote. Mr. Kolb, Mr. Roland, Mr. Rinehart and Mrs. Geho voted yes. Mr. Moyer voted no. **The motion** carried with a 4-1-0 vote.

3. REPORTS

Township Manager's Report

Keystone Collections Group

Mr. Rodgers noted that the transition has not gone smoothly with Keystone Collection Group for the collection of EIT and LST taxes and the township revenues are down $90,000 from this time last year. He noted the letter from the Chester County Tax Collection Committee dated February 18, 2011.

Township Engineer's Report

Mr. Flaharty noted that the date of the stream clean up has been changed from April 23, 2011 to April 16, 2011 with the rain date of April 30, 2011 remaining the same.

Mr. Rinehart moved to approve the Township Engineer's Report as presented. Mr. Moyer seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

Reports from Various Departments and Committees

Mr. Roland moved to approve the reports from the various departments and committees. Mrs. Geho seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

Karen Nocella, Chair of the East Coventry Township Parks, Recreation and Conservation Committee, asked the Board of Supervisors if they selected a date to meet with the other townships. Thursday, April 14, 2011 was selected. The meeting will be advertised.

4. SUBDIVISION AND LAND DEVELOPMENTS

There were no subdivision and land development items for discussion.

5. ZONING HEARING BOARD APPLICATIONS

There are no applications for review.

6. OTHER BUSINESS

Ordinance No. 177 – False Alarm Ordinance

Mr. Rodgers reviewed the proposed Ordinance No. 177 which would the setting the fees for false alarms to be done by Resolution of the Board of Supervisors.

Mr. Rinehart moved to advertise proposed Ordinance No. 177 concerning false alarms for adoption at the April 11, 2011 Board of Supervisors meeting. Mr. Moyer seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

Wind Energy Ordinance
Mr. Rodgers noted proposed amendments to the zoning concerning wind the placement of wind turbines on buildings.

Mr. Rinehart moved to forward the proposed amendments to the East Coventry Township Planning Commission for review and comment. Mrs. Geho seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

Historical Commission
Mr. Moyer moved to appoint Penny Morton to the East Coventry Township Historical Commission. Mr. Roland seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

Exonerations and Exemptions
Mr. Moyer read the exonerations as presented by the Tax Collector.

Mr. Rinehart moved to approve the exonerations as presented. Mrs. Geho seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

Exoneration
Mr. Rodgers noted an exoneration request received from the Chester County Tax Claim Bureau which hence has been withdrawn so no action is required.

Water User Fund
Mr. Rinehart moved to approve Resolution No. 2011-08 for the closure of the Water Users Fees account. Mrs. Geho seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

Fee Schedule
Mr. Rodgers provided an overview of the proposed amendments to the Township's Fee Schedule.

Mrs. Geho moved to approve Resolution No. 2011-09 approving the amended Schedule of Fees and Costs. Mr. Roland seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

7. PAYMENT OF THE BILLS

Mr. Moyer inquired about the hourly rate for Jane Davidson and asked how many hours make up the current payments to Ms. Davidson. Mr. Moyer inquired about the payment to Delaware Valley Workers Comp Trust and Mr. Rodgers noted that the payment was for Workers Compensation Insurance and Mr. Moyer inquired about the frequency of the payment and Mr. Rodgers noted that it is quarterly. Mr. Moyer will be provided with copies of the invoices noted.

Mrs. Geho moved to pay bills as presented:

General Fund	$209,414.80

Sewer Operating Fund	$15,905.57
Traffic Impact Fee Fund	$1,224.00
Highway State Aid Fund	$1,178.48
	$227,722.85

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

8. ADDITIONAL ITEMS BROUGHT TO THE BOARD

Route 422 Corridor

Mr. Kolb noted correspondence received from Michael Hayes regarding a petition opposing the Route 422 Corridor plan.

Tax Bills

Mr. Kolb noted correspondence received from the Tax Collector confirming that tax bills were mailed on March 1.

Upcoming Events

Mrs. Geho noted the upcoming Town Tours & Village Walks, Pennsylvania Transportation and Heritage Project, and the Chester County Preservation Fair to be held April 9. Mrs. Geho requested that flyers regarding these items be placed on the bulletin board at the township building.

PSAT's

Mr. Rinehart asked the Board to let him know if they wanted him to take anything to PSAT's on their behalf.

Ridge Fire Company

Mr. Kolb noted the Ridge Fire Company banquet to be held on April 9 and asked who would like tickets and Mrs. Geho stated that she would like to use the two complimentary tickets. Mr. Moyer encourages all to attend the Fire Company banquet.

9. ADJOURNMENT

Mr. Moyer moved to adjourn the monthly meeting at 9:50 p.m. Mrs. Geho seconded the motion. Mr. Roland called for the vote and **the motion** carried with a 5-0-0 vote.

Respectfully submitted,

Bernard A. Rodgers
Township Secretary

03/01/11

To East Coventry Board of Supervisors,

The following names are presented for Exoneration/Exemption for:
2011 Per Capita Tax

FIRST NAME	LAST NAME	REASON
Eleanor	Taylor	Moved to Potter County
John E	Stanley	Moved to Potter County
Sung Cha	Sourber	Deceased
Lewis B	Gottshall	Deceased
Elmer B	Swenson	Moved to Honey Brook
Thelma R	Swenson	Moved to Honey Brook
W Richard	Dewees	Moved out of Township
Jim D	Scott	Moved to Barto
Katie A	Scott	Moved to Barto
Raymond N	Knight Sr	Moved to Royersford
Elizabeth H	Knight	Moved to Royersford
Megan A	Neville	Moved to Huntingdon
Kristie M	Trice	Moved to Philadelphia
Deneen A	Euler	Moved to Newtown Square
Amy M	McGuigan	Moved out of Township
Yvette	Dukes	Moved out of Township
Luann	Olley	Moved out of Township
Ethel L	Turner	Moved out of Township
Jason	Sutliff	Moved out of Township
Andrew	Harris	Moved out of Township
Brianna M	Bardsley	Moved out of Township
Kirby L	Bloomquist	Moved out of Township
Caroline J	Bloomquist	Moved out of Township
Ashley	Ambridge	Moved out of Township
Alec A	Baker	Moved out of Township
David A	Beard	Moved out of Township
Amanda	Bernard	Moved out of Township
Joel	Bernard	Moved out of Township
Katie E	Custer	Moved out of Township
Kyle J	Custer	Moved out of Township
Jessica M	Dawson	Moved out of Township
Jerry	Desir	Moved out of Township
Bonnie	Gardner	Moved out of Township
Robert N	Green	Moved out of Township
Alan C	James	Moved out of Township
Lisa A	James	Moved out of Township

Zachery	Kolb	Moved out of Township
Patricia	Lesser	Moved out of Township
Robert J	Lion	Moved out of Township
Keith J	McKeown	Moved out of Township
Amanda L	McKeown	Moved out of Township
Sharon	Miller	Moved out of Township
Timothy	Mulray	Moved out of Township
Gordon T	Poet	Moved out of Township
Angela M	Rorabaugh	Moved out of Township
Melani M	Scdhapell	Moved out of Township
Zachery	Schwab	Moved out of Township
Douglas C	Schwab	Moved out of Township
Clarence S	Smith	Deceased
Ellen	Tso	Moved out of Township
Gregory	Wirt	Moved out of Township
Brian	Coppola	Moved out of Township
Stephen P	Photopoulos	Moved out of Township
Catherine H	Photopoulos	Moved out of Township
Kevin	Shych	Moved out of Township

Respectfully Submitted By

Tax Collector

Ray Kolb
Chairman Board of Supervisors of East Coventry Township