

MINUTES OF THE
EAST COVENTRY TOWNSHIP BOARD OF SUPERVISORS
MEETING HELD NOVEMBER 14, 2016
(Approved December 12, 2016)

The Board of Supervisors held its' regular monthly meeting on Monday, November 14, 2016. Present for the meeting were supervisors Ray Kolb, W. Atlee Rinehart, Karen Nocella, Michael Albert Moyer and Anthony Duffy. Also present were Bernard A. Rodgers, Township Manager; Mark A. Hosterman, Township Solicitor; Brady Flaharty, Township Engineer and John Yurick, Traffic Planner.

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

PUBLIC HEARING

Mr. Kolb turned the meeting over to Mr. Hosterman for the Public Hearing on Ordinance No. 208. Mr. Hosterman opened the Public Hearing at 7:01 pm. Mr. Hosterman stated Ordinance No. 208 is to establish a reduced speed limit of 25 mph on Ebelhare Road between 613 Ebelhare Road and the intersection with Grubb Road. Mr. Hosterman stated the ordinance has been properly advertised for consideration this evening and asked if there were any questions from the Board of Supervisors. There being none, Mr. Hosterman asked if there were any questions from the audience. Seeing none, Mr. Hosterman closed the Public Hearing at 7:02 pm.

1. ORDINANCE

Mr. Kolb asked for a motion to approve Ordinance No. 208. Mr. Moyer made a motion to approve Ordinance No. 208 to establish a reduced speed limit of 25 mph on Ebelhare Road between 6103 Ebelhare Road and the intersection with Grubb Road. Mr. Duffy seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

2. MINUTES

Mr. Rodgers recommended the Board of Supervisors table the approval of the October 10, 2016 Board of Supervisors meeting minutes until the December 12, 2016 meeting. Mr. Rodgers stated he did not have a chance to review the meeting minutes and there are some changes required.

Mrs. Nocella made a motion to table the approval of the October 10, 2016 until the December 12, 2016 Board of Supervisors meeting. Mr. Rinehart seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

3. NOTICE OF VIOLATION WAIVER REQUEST

Mr. Rodgers asked that the topic of the Notice of Violation Waiver Request from Riannon Walsh be tabled until the December 12, 2016 Board of Supervisors meeting. Mr. Rodgers stated he received a call from Mrs. Walsh's attorney stating they would not be able to attend.

4. PUBLIC COMMENTS

Mrs. Missy King, 10 Eleanor Drive, Spring City, PA 19475 wanted to express her appreciation from the Republican and the Democratic parties for the great job the East Coventry Police Department and the Ridge Fire Police did to help at keep people safe in line at the voting polls.

5. REPORTS

Township Manager's Reports

Discussion and consideration of traffic regulations for the intersection of Old Schuylkill Road and Bethel Church Road

Mr. Rodgers stated he would like to discuss the traffic regulations for the intersection of Old Schuylkill Road and Bethel Church Road. Mr. Rodgers indicated that the Parkerford Intersection

Improvements project is nearly complete. The island at the intersection has been removed the Township is waiting for the new control box to be installed. Mr. Rodgers stated the stop bar on Bethel Church Road has been moved closer to the intersection to improve traffic control.

Mr. Rodgers gave a brief summary of the issues at the intersection since the update took place noting that the Township has received numerous calls about people turning left from Old Schuylkill Road onto Bethel Church Road. All the new directional signs have been posted at the intersection, however people are still making the turn. The following signs have been posted at the intersection:

- "All traffic must turn right" from Old Schuylkill Road onto Bethel Church Road
- "No left turn" across from Old Schuylkill Road at Bethel Church Road (facing Old Schuylkill Road)

Mr. Rodgers stated some cars have been turning right from Old Schuylkill Road onto Bethel Church Road, but then turning left into the parking lot of the Verde Spa Salon to come back out onto Bethel Church Road in order to make a right at the traffic light onto New Schuylkill Road (Route 724). Mr. Rodgers stated the property owner and the business owner have called to log complaints, stating the drivers turning around are not courteous to the patrons of the salon walking into the establish and the property owner's car has been hit by someone using the parking lot as a turn around. Mr. Rodgers stated the Township has observed other people going further up Bethel Church Road and using private driveways as a turn around.

Mr. Rodgers stated the East Coventry Township Police department has been issuing citations to motorist who are not abiding by the new intersection signage. However, that does not seem to be deterring the left hand turns from Old Schuylkill Road onto Bethel Church Road. Mr. Rodgers stated the Township needs advertise and adopt an ordinance in order to enforce the traffic signage at the intersection of New Schuylkill Road, Bethel Church Road and Linfield Road. This will allow East Coventry Township Police department to issue tickets to motorists who are not abiding by the posted signs.

Mr. Michael Coine, 1690 Old Schuylkill Road, Parker Ford, PA 19457 requested the right turn from Old Schuylkill Road onto Bethel Church Road not be allowed. Mr. Coine stated the Police could not do anything about people turning into his property because they were turning onto private property. It was discussed that for the Police to be able to get involved with the activities on Mr. Coine's property, he needed to post signs on his property stating "No Turn Around" and "Private Property".

Mr. Rodgers stated Mr. John Yurick, Township Traffic Engineer, McMahon Associates, Inc does not recommend a left hand turn from Old Schuylkill Road onto Bethel Church Road because there is not enough clearance. Mr. Kolb stated there has been 16 accidents from June 2016 through October 31, 2016. Mr. Rodgers stated with the movement of the stop bar past Old Schuylkill Road's entrance, it makes it hard for traffic to turn

Mr. Rodgers asked Mr. Yurick how many people turned right onto Bethel Church Road before the project was started. Mr. Yurick stated in the morning traffic study, 6 people turned right. Mr. Yurick stated in the afternoon traffic study, 6 people turned right. Mr. Kolb asked if the counts were before the change to the intersection, where people were still able to go straight through the triangle to get to Route 724. Mr. Yurick stated yes, this was before the intersection changes. Mr. Yurick stated hopefully with the signs pointing people to use Wells Road to access Route 724 people will get used to the change

Mr. Yurick stated the recommendations for the intersection changes go back to 2000. However, the same recommendations still apply now. Mr. Yurick stated originally there was a lot of debate

whether to close off the Old Schuylkill Road entrance at Bethel Church Road or to make the intersection a right turn in and a right turn out. Mr. Yurick stated there is not a lot of room to turn right from Old Schuylkill Road onto Bethel Church Road.

Mr. Rodgers asked if there was ever any discussions to make Old Schuylkill Road a one way west from Bethel Church Road to Baptist Church Road? Mr. Yurick stated there was no discussion at that time.

Mr. Rinehart stated the school buses currently turn right from Old Schuylkill Road onto Bethel Church Road and left from Bethel Church Road onto Old Schuylkill Road.

Mr. Kolb stated he agrees with Mr. Rodgers about putting an ordinance in place to help the Township Police Department enforce the directional changes to the intersection.

Mr. Duffy asked if there are signs in place letting people know of the changes. Mr. Rodgers stated yes, the signs are in place. Mr. Rodgers stated the Township will have to discuss additional signage with Mr. Yurick.

Mr. Moyer asked if once the ordinance is in place and the Township can issue tickets to people ignoring the traffic signs, we would have an extra layer from the Township being sued if accidents do occur. Mr. Hosterman stated yes.

Mr. Rinehart asked if the stop bar on Bethel Church Road could be moved back. Mr. Yurick stated the Township would have to go through PennDOT to change the location.

Mr. Kolb asked Mr. Rinehart if the buses have had any trouble turning at Bethel Church Road. Mr. Rinehart stated yes. Mr. Yurick stated he spoke to Owen J Roberts School District about the buses changing their routes. Mr. Yurick stated Owen J Roberts School District stated they could change to routes to pick up the children along Old Schuylkill Road last. Mr. Yurick stated he will touch base with the School District.

Mr. Moyer made a motion to create an ordinance specifying the traffic regulations for the intersection of Old Schuylkill Road and Bethel Church Road. Mr. Rodgers asked if the motion is for the current traffic pattern or for a one-way pattern on Old Schuylkill Road. Mr. Kolb suggested they keep the current pattern and if the Township decides that is not working, then they can change it later. Mr. Rinehart seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

Mr. Rodgers asked Mr. Yurick how long the Township should wait before performing another traffic study at Wells Road and New Schuylkill Road (Route 724) to determine if a traffic signal would be warranted. Mr. Yurick stated you will want to make sure people are using the intersection. Mr. Yurick stated he would not do the traffic study before January 2017 or early Spring 2017.

Mrs. Missy King, 10 Eleanor Drive, Spring City, PA 19475, asked if there are any signs at the new trail crosswalk to say "Use Crosswalk". Mrs. King stated people are crossing everywhere and not only on the crosswalk. Mr. Rodgers stated the trail is not completed yet, but the Township installed the crosswalk because of timing of the intersection improvements. Mr. Rodgers stated the trail will not be installed for one to two years but he will ask the County to place directional signage for trail users to use the crosswalk.

Mr. Michael Coine, 1690 Old Schuylkill Road, Parker Ford, PA 19457 stated there are two poles there but not sure if they were working. Mr. Yurick stated the two poles should start working when the new controller is installed.

Mr. Rinehart asked if the crosswalk will delay the traffic signal timing for people making a right hand turn. Mr. Yurick stated the people making a right hand turn onto Linfield Road will have to wait until the people go across the road before they can continue with their turn.

Mr. Kolb asked Mr. Yurick if he thought the Kulp Road bridge would be started this year. Mr. Yurick stated probably not. Mr. Kolb requested McMahon Associates, Inc. to coordinate with Chester County because it is looking to re-do the Halteman Road Bridge next year and both bridge projects should not be started at the same time due to blocking that area with road closures.

Consideration of approval of the Contractor's Application for Payment No 2 for the Construction of the Parkerford Intersection Improvements in the amount of \$106,743.18

Mr. Rodgers discussed the request for Payment No 2 for the Parkerford Intersection Improvements in the amount of \$106,743.18. Mr. Kolb asked why the invoices shows as \$0.00 for the tack coat, but the tack coat process had been completed. Mr. Yurick stated that possibly the contractor did not get his bill in on time for it to be included in the payment request.

Mr. Rinehart made a motion to approve the Contractor's Application for Payment No 2 for the Construction of the Parkerford Intersection Improvements in the amount of \$106,743.18. Mr. Duffy seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

Consideration of approval of Special Fire Police Services for Linfield Fire Company Hayride Event for October 28, 2016 thru October 30, 2016

Mr. Kolb made a motion to approve the Special Fire Police Services for the above event. Mr. Moyer seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

Consideration of approval of the time extension request for the Vision Partnership Program (VPP) grant agreement between Chester County Planning Commission and East Coventry Township

Mrs. Nocella made a motion to approve the approval of the time extension request for the Vision Partnership Program (VPP) grant agreement between Chester County Planning Commission and East Coventry Township. Mr. Moyer seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

Discussion of the proposed Open Space Committee Conservation Easement letter to property owners

Mrs. Nocella discussed the Open Space Committee's Conservation Easement letter the Committee would like to send to Township Residents owning 10+ acres to see if they are interested in entering into a Conservation Easement Agreement with the Township. Mrs. Nocella is looking for Board of Supervisor approval to send the letters.

Mr. Duffy made a motion to approve the Open Space Committee to send letters to Township Residents owning 10+ acres to see if they are interested in entering into a Conservation Easement Agreement with the Township. Mr. Moyer seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

Consideration of approval to authorize advertisement of the Draft 2017 Township Budget for approval at the December 12, 2016 meeting of the Board of Supervisors

Mr. Rodgers asked the Board of Supervisors if they had any questions or recommendations for change to the proposed 2017 Budget. Mr. Duffy asked Mr. Rodgers about the Open Space Fund 04 and the additional \$100,000.00 under the acquisition line item that differed from the amount in his narrative. Mr. Duffy stated since the purchase of the school house has already taken place, should the Open Space Fund 04 be reduced by \$100,000.00. Mr. Rodgers stated the Open Space Fund 04 acquisition line item should be reduced by \$100,000.00 since settlement has taken place for the old

school house located at 850 Schoolhouse Road. Mr. Rodgers will have the appropriate changes made. The Budget Summary should read as follows:

	General Fund 01	Benefit Escrow Fund 01A	Fire Hydrant Fund 03	Open Space Fund 04	Sewer Operating Fund 08	Sewer Capital Fund 09	Traffic Impact Fund 18	Capital Reserve Fund 30	Highway State Aid Fund 35	Total All Funds
Beginning Balance	776,981.39	64,185.52	16,303.00	941,147.56	181,440.17	1,279,752.37	129,503.92	908,525.12	33,568.44	4,331,407.49
Revenues	3,324,465.90	20,012.00	4.00	588,000.00	712,020.00	131,643.00	176,018.00	540,750.00	277,144.80	5,770,057.70
Total Available Funds	4,101,447.29	84,197.52	16,307.00	1,529,147.56	893,460.17	1,411,395.37	305,521.92	1,449,275.12	310,713.24	10,101,465.19
Expenses	3,299,658.88	0.00	12,240.00	592,730.95	485,837.69	20,000.00	2,000.00	883,100.00	253,800.00	5,549,367.52
Ending Balance	\$ 801,788.41	\$ 84,197.52	\$ 4,067.00	\$ 936,416.61	\$ 407,622.48	\$ 1,391,395.37	\$ 303,521.92	\$ 566,175.12	\$ 56,913.24	\$ 4,552,097.67

Mr. Moyer made a motion to advertise the proposed 2017 Budget, with the changes discussed tonight to the Open Space Fund 04. Mr. Duffy seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

Consideration of approval for additional fees for the 2015 Arborganics agreement

Mr. Rodgers stated East Coventry Township paid \$4,000.00 in 2015 to Arborganics for Township Residents to drop-off their yard waste. The Board had approved \$4,000.00 because it was uncertain how much yard waste would be dropped-off since 2015 was the first year. Arborganics notified the Township there were additional fees due for 2015 in the amount of \$840.00. Mr. Moyer asked if anyone was keeping records of what was dropped off. Mr. Rodgers stated yes, Arborganics is required to record what comes into their facility to provide information to the Chester County Recycling Center and the Township. Mr. Woessner stated that North Coventry residents have to pay to take their yard waste to Arborganics. Mr. Rodgers stated that was a complicated affair due to a law suits between the residents, Arborganics and North Coventry Township.

Mr. Rinehart made a motion to approve payment of the additional fees due to Arborganics for 2015 in the amount of \$840.00. Mr. Moyer seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

Discussion of the letter received from Christine Ussler thanking the Township for the painting of the "Lone Oak on the Ussler Farm"

Mr. Rodgers stated the Township had received a thank you letter from Christine Ussler for the painting of the Oak Tree presented to her at the Nature Walk on October 29, 2016.

Mrs. Nocella stated everyone had a great time at the Nature Walk and stated the last time there were students in the school house was in 1926. Mrs. Nocella stated Mrs. Gail Brown was at the event and wants to speak with the older residents of the Township to see how much history she can acquire on the school house. Mr. Kolb stated Mr. Larry Tietjen and Mr. Eric Hughes did a great job with their presentations during the walk.

Consideration of approval of Reimbursement Agreement with Chester County for cost of the Schuylkill River Trail Crosswalk at Parker Ford

Mr. Rodgers discussed the Reimbursement and Indemnification Agreement received from Chester County. Mr. Rodgers is looking for authorization to accept the Agreement.

Mrs. Nocella made a motion to authorize approval of the Reimbursement and Indemnification Agreement received from Chester County. Mr. Duffy seconded the motion. Mr. Kolb called for the

vote and **the motion** carried with a 5-0-0 vote.

Consideration of Township Engineer's Report

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

Consideration of approving reports from various departments and committees

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

6. Subdivision and Land Development

Reitnour & Silverberg/Skelton Minor Subdivision – Resolution 2016-18

Mr. Roger Lehmann, All County & Associates, Inc gave a brief presentation of the project.

Mrs. Nocella made a motion to approve Resolution 2016-18 for the Reitnour & Silverberg/Skelton Minor Subdivision, located at 14 & 34 Fricks Lock Road. Mr. Moyer seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

Razor Sharp Grinding Land Development Deed of Dedication for the Ultimate Right-of-way along Old Schuylkill Road – Resolution 2016-19

Mrs. Nocella made a motion to approve Resolution 2016-19, accepting the Deed of Dedication for the Ultimate Right-of-way along Old Schuylkill Road. Mr. Duffy seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

Conditional Use Application for proposed Cell Tower at 86 Baptist Church Road

Mr. Hosterman stated the Township received a Conditional Use application for a proposed Cell Tower located at 86 Baptist Church Road, submitted by SBA Towers, Inc. Mr. Hosterman stated the Planning Commission will be reviewing the submittal at their meeting on Wednesday, November 16, 2016. Mr. Hosterman is looking for authorization from the Board of Supervisors to advertise a Conditional Use Hearing for the proposed Cell Tower at 86 Baptist Church Road.

Mr. Rinehart made a motion to authorize the advertisement of a Conditional Use Hearing for the proposed Cell Tower at 86 Baptist Church Road, submitted by SBA Towers, Inc. Mrs. Nocella seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

Miscellaneous Ordinance Amendments and Amendments Regarding Transmission Pipelines

Mr. Hosterman made a presentation of the executive summary prepared for the Miscellaneous Ordinance Amendments and Amendments Regarding Transmission Pipelines.

After a brief discussion, Mrs. Nocella made a motion to authorize the advertisement for the public hearing for the Miscellaneous Ordinance Amendments and Amendments Regarding Transmission Pipelines. Mr. Rinehart seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

7. Zoning Hearing Board Applications

Zoning Hearing Board Application 261 – 1322 Kulp Road

Zoning Hearing Board application for variance submitted by Guy E Fessler relating to the installation of a two story, 3 car garage 30' x 30' for storage in a front yard. Applicant has a corner lot, which consists of two front yards. Mr. Rodgers stated Mr. Fessler lives on the corner of Kulp Road and Do Jan Drive and wants to put a 2-story detached garage in his side yard.

Mr. Kolb made a motion for the Board of Supervisors to take no action on this application. Mr. Rinehart seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

8. Other Business

Information from the Pennsylvania Department of Agriculture on the Spotted Lanternfly

Mr. Rodgers stated he received a call from the Pennsylvania Department of Agriculture about the Spotted Lanternfly. Mr. Rodgers stated that members of the Pennsylvania Department of Agriculture did research in the Township and found evidence of the Spotted Lanternfly in East Coventry Township. As a result, the Township will be placed under quarantine, notice of which will be in the Pa. Bulletin. Mr. Rodgers stated the Township will put information on the website with a link to the Department of Agriculture which will be sending information to Township residents.

Mrs. Lois Reitnour stated she works for Upper Frederick Township and it was notified 3 months ago that the insects were in Upper Frederick Township. Mr. Rodgers stated this is the first time the Township has been notified.

9. Exonerations

Mr. Moyer read the list of exonerations. Mr. Rinehart made a motion to approve the Exonerations List. Mr. Duffy seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

10. Payment of Bills

Mrs. Nocella made a motion to pay the bills as presented:

Fund Name	Amount to Pay
General Fund	445,447.56
Fire Hydrant Fund	1,017.32
Open Space	6,744.09
Sewer Operating Fund	16,466.84
Sewer Capital Fund	-
Traffic Impact Fee Fund	57,367.78
Capital Reserve	-
Highway State Aid Fund	3,143.79
TD Escrow	-
Totals	\$ <u>530,187.38</u>

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

11. Information Items and Additional Items to be Brought Before the Board

Mr. Hosterman discussed the Stormwater Management & BMP Agreement for the PECO Substation. Mr. Hosterman is requesting approval of the agreement. Mr. Flaharty requested time to review the submitted Stormwater Plan before the agreement is signed. Mr. Flaharty would like a copy of the Stormwater Plan added to the agreement as an Exhibit.

Mr. Kolb made a motion to approve the Stormwater Management & BMP Agreement, subject to the Township Engineers approval of the submitted Stormwater Plan. Mr. Duffy seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

Mr. Hosterman handed out an article on "How to Manage Wireless Facilities in your Borough", which will help validate the Ordinance the Township passed for Wireless Communication Facilities.

Mr. Kolb read a letter received from Mr. Michael J. Coine, member of the Zoning Hearing Board. Mr. Coine is resigning his position on the Zoning Hearing Board as of January 1, 2017. Mr. Kolb thanked Mr. Coine for his service on the Zoning Hearing Board.

Mr. Moyer wanted to express his appreciation and concur with Mrs. King thanking the East Coventry Township Police and the Ridge Fire Police for their help at the polls.

12. Adjournment

Mrs. Nocella moved to adjourn the monthly meeting at 8:10 p.m. Mr. Duffy seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

Respectfully submitted,

Bernard A Rodgers
Township Secretary