

BOARD OF SUPERVISORS MINUTES
NOVEMBER 10, 2014

Chairman Elston opened the regularly scheduled meeting at 7:00 P.M. on November 10, 2014.

Roll Call: Supervisor's present were Gary C. Elston, David L. Mast and Nelson R. Beam

Others Present: Robert Sautner, Road Manager, Sigmund Fleck, Solicitor and Frank Newhams, Zoning Officer.

Public Comment: Chairman Elston called for any public comment on tonight's agenda, since there wasn't any comment he continued with the meeting.

Minutes: Supervisor Mast asked for a clarification regarding the State Police meeting from last month's meeting. He was satisfied with the explanation and made a motion to approve the October 13, 2014 Minutes as written. The second was made by Mr. Beam. Motion carried Vote 3-0.

Treasurer's Report: Report was reviewed and stands approved until further audit. Balances were as follows:

General Fund – Money Market	1,625,413.70
General Fund – Checking	3,296.54
General Fund – EMS	10,712.87
State Fund – Money Market:	183,869.02
State Fund – Checking:	4,273.19
PLGIT Regular:	536.76
PLGIT Recreation	285.01
Act 209	1,893.28
CD'S	
Glenmoore Fire Co.	20,065.20
Capital Reserve Investment	128,163.55
New Truck	48,714.49
Elverson Ambulance	30,848.25
TVFD	30,848.25
Capital Reserve	129,220.67

Audience:

Mary Ellen and Randy Lammey: Preferred to wait to speak until the New Business portion of the meeting.

N. Craig Stoltzfus Subdivision Plan: We have received the recommendation for approval from our Planning Commission. They are requesting a letter or minutes from the Chester County Land Preservation. The secretary will look into this and report back. Mr. Stoltzfus was asking for conditional waiver approval. It was explained that is usually done when the plan is approved. We have not heard back from the CCHD regarding his Waiver and Non-Building Declaration. Plan should be ready for approval by our next meeting.

Reports:

Zoning: Frank Newhams gave the Zoning Report.

- Steve Guthan's Cease and Desist letter has been sent. Mr. Newhams will check to see if the amount of vehicles parked at his location have been reduced. Also there is a very young child riding his Go Cart on the road. The State Police have been notified.
- Blosenski Stormwater Plan is being prepared by D. L. Howe.
- A letter will be sent to the owners at 2663 Creek Road, Elverson in regard to keeping their guinea hens on their own property. Residents are complaining about the hazard they cause by running wild.
- Donald Gable is having some forestry work done by Steve Hoffman, no plan has been filed. Mr. Newhams will contact Mr. Hoffman's company.

Planning Commission: Nelson Beam gave the report.

- Recommendation was given for Mr. N. Craig Stoltzfus's plan.
- Recommendation for the amendments proposed to our Zoning Ordinance were approved with some minor word changes.

Roads: Bob Sautner gave the Road Report. Salt has been ordered with the last load being delivered tomorrow. Most of the STOP signs have been replaced.

Recreation: David Mast gave the Recreation Report. Three different variety of trees have been planted. The DCNR sign has been ordered and the other signs have been installed. The signs that we installed have to be moved as they block site distance. Mr. Stoltzfus will take care of that next week.

Historic Commission: Report given by Susan Ward.

Emergency Services Report: Report in folder and on file in township building.

New Business:

Public Hearing opened at 7:30 P.M.

Ordinance No. 118, repeals Ordinance No. 31 Weed Ordinance. Sigmund Fleck reviewed the ordinance and the exhibits.

Motion: Mr. Beam made the motion to adopt Ordinance 118 – Weed Control Ordinance, Mr. Mast made the second. Motion carried Vote 3-0.

Ordinance No. 119 Cable Franchise Agreement with Service Electric Cablevision, Inc. Mr. Fleck reviewed the ordinance and exhibits.

Motion: Mr. Mast made the motion to adopt the Ordinance No. 119 Cable Franchise Agreement with Service Electric Cablevision, Mr. Beam made the second. Motion carried Vote 3-0.

West Nantmeal Township Zoning Amendments are ready to be advertise:

Motion: Mr. Mast made the motion to advertise for adoption next month the amendments for the West Nantmeal Township Ordinance, this motion was seconded by Mr. Beam. Motion carried by a vote of 3-0.

Public hearing was closed at 7:48 P.M.

Michel Kerr – DigEntGrp: Mr. Kerr disputes the hours and money charged for his Subdivision Plan for 197 Lippitt Road. The total amount of the invoices that were sent for engineering and legal services come to \$2,014.00 and Mr. Kerr proposes to pay \$750.00. The board felt that was not a fair offering but after discussion decided on the following motion:

Motion: Mr. Beam made the motion to reduce the invoices for DigEntGrp (Michael Kerr) to \$1,500.00. This motion was seconded by Mr. Mast. Motion carried by a vote of 3-0.

Mr. Saunter has to leave and wanted to discuss hiring an additional employee with a CDL to help with winter maintenance and road work. He has suggested Jim Cochran for this position. Mr. Beam, Road Master and Mr. Sautner will interview Mr. Cochran but Mr. Sautner would like to take Mr. Cochran on a test drive before the interview. The question of insurance and liability was discussed with having someone who is not an employee driving our vehicle. It was decided that the secretary will contact the insurance company to see how this should be handled.

Bensinger O&M Agreement: Mr. Bensinger objects to the entire agreement but since it is in the law (Act 167) it is required. More specifically he objects to No. 4 and 5 of this agreement. Discussion ensued regarding how these 2 sections could be rewritten to protect the land owner from right to enter and inspections by the municipality. Mr. Fleck will return this agreement to our solicitor and she will re-write the agreement to reflect what was agreed upon this evening.

Randy and Mary Ellen Lammey with Jason and Hope Bensinger were protesting the billing practices of the township as they feel 12 hours to review an accessory building is excessive. This issue was discussed prior to our October meeting when our engineer, April Barkasi, showing the plan and what was specifically done relating to the charges. However, the consensus was that these reviews need to be streamlined. Ms. Bensinger has called other townships and feels the time spent to review the plan is excessive. It was explained to her that each plan is different and the engineer that reviews the plan license is dependent on them approving each plan on its merit. Mr. Mast asked if they would be satisfied with reducing the invoice to \$650.00 from the original amount of \$1,375.00. The Bensinger's agreed to this compromise.

Motion: Mr. Mast made the motion to adjust the invoice for Stormwater Review from Cedarville Engineering Group to \$650.00, this was seconded by Mr. Beam. Motion carried on a vote of 3-0.

The LED sign from K&C Signs for the township was discussed. It was decided that the motion will be made at our Reorganization meeting in January and the 50% check to be cut at our February meeting.

Resolution No. 187-2014 – Gary and Donna Sweigert to be placed in our Act 43 – Agricultural Security act was approved and adopted on a motion made by Mr. Mast, seconded by Mr. Elston. Motion carried by a vote of 3-0

Codifying the stand alone ordinance was tabled so we can discuss this next month with our solicitor.

The 2015 Budget was reviewed. Several items were increased for expenses. With those increases noted, Mr. Elston made the motion to advertise the 2015 Budget for adoption, Mr. Mast made the second. Motion carried by a vote of 3-0.

The bills were paid as listed on a motion made by Mr. Beam, seconded by Mr. Mast. Motion carried Vote 3-0.

General Fund	\$14,204.74
Payroll	\$ 4,721.86

With no further business to discuss adjournment took place at 9:10 P.M. on a motion made by Mr. Mast, seconded by Mr. Beam. Motion carried Vote 3-0.

Respectfully submitted,

Susan L. Ward, Secretary/Treasurer