

Board of Supervisors Minutes
February 13, 2012

Chairman Elston opened the regularly scheduled Board of Supervisors meeting at 7:04 P.M. on Monday, February 13, 2012.

Roll call was taken and present were Gary C. Elson and Nelson R. Beam.

Others present were Frank Newhams, Zoning Official, April Barkasi, Engineer and Kristin S. Camp, solicitor.

Minutes: Nelson Beam noticed a zero missing from the Treasurer's Bond amount and with that notation he made the motion to approve the January 3, 2012 Reorganization and Regular meeting minutes, this was seconded by Mr. Elston. Vote 2-0

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

General Fund – Money Market:	\$1,154,297.26
General Fund – Checking:	2,854.36
General Fund – EMS	6,530.25
State Fund – Money Market:	158,197.12
State Fund – Checking:	4,251.08
PLGIT Regular	536.26
PLGIT- Recreational	284.86
Open Space	12,570.25
Act 209	1,890.23
Certificate of Deposits:	
National Penn Bank	126,376.04
Capital Reserve	127,742.71
New Truck	48,157.32
Elverson Ambulance	30,648.25
TVFD	30,648.25

Audience:

Mr. James Malone was present to discuss the Malone –Bensinger Subdivision Plan. The Financial Security Agreement was discussed. Our engineer has approved the \$17,849.27 that his engineer has submitted and there was discussion on only collecting 10% of this amount. Dialogue took place on whether this was needed or not as this can be monitored with the U&O if things are not done correctly.

Motion: Mr. Beam made the motion to waive the Financial Security Agreement, this was seconded by Mr. Elston. Vote 2-0

A revised Developers Agreement will be necessary that references that no Financial Agreement will be needed.

A letter was received from DEP regarding this subdivision , dated February, 9 , 2012. Several key items are missing but the letter also states that a hydro-geologic will be needed because of Nitrates and Nitrogens that are located within ¼ of a mile. Mr. Malone disputes this and says that he has all types of studies that show this isn't correct because it has to be disturbed area and the area that he is going to disturb doesn't meet that criteria.

The secretary will contact DEP to see if they will accept this material and not make them have an expensive test. In the mean time Mr. Malone will gather the material and submit it to the township so it can be sent when his engineer has the rest of the missing item that need to be resubmitted to DEP.

This review date will expire on March 12, 2012. Mr. Malone was made aware of this and was told that he will need an extension if we haven't heard back from DEP by that date. Mr. Malone was wondering if we would give him contingent verbal approval before hand since this is the only item outstanding. The Board and solicitor agreed that couldn't be given until DEP approval was received.

Tim Campbell: Emergency Management Coordinator: Presently, he is working on updating our Emergency Operations Manual and wants the township to prepare a letter for the businesses in our township so he can institute a program for preparedness for commercial properties. Mr. Campbell introduced H. Barclay Hargreaves III would like to have Mr. Hargreaves appointed as the deputy EMS. Mr. Campbell plans to eventually turn over the duties to Mr. Hargreaves.

Motion: Mr. Beam made the motion to appoint H. Barclay Hargreaves III as deputy Emergency Management Coordinator. This was seconded by Mr. Elston and vote carried unanimously.

New Business:

The Micro Mound On-Lot Sewage Agreement that Chester County Health Department wants us to enter into for 305 Killian Rd, Honey Brook was reviewed. Chairman Elston wanted this tabled until next month when Mr. Mast will be here but a few items were discussed.

- Escrow: Should it be a percentage of cost of the system
- Administrative fee and how it should be established.

These items will be included in the revised copy of the agreement and will be discussed further next month.

Lippitt Acres Escrow Account: Our solicitor suggested that the account be closed as it was put in a trust account in 2005 and the banks consider this a dormant account. She suggests we keep track of the amount and if the applicant can be found the money will be given to him.

Randall and Rita DiLibero, 127 Barneston Rd, Honey Brook, PA 19344: Variance requested to allow a pool to be placed in the side front yard. The application was reviewed and the board determined that there is no hardship.

Motion: Mr. Beam made the motion to inform the Zoning Hearing Board that the Board of Supervisors reviewed the application and found no hardship and there are alternatives and the Supervisors are non-supportive of this application. This was seconded by Mr. Elston. Vote 2-0

Michael Kerr- DigEntGrp: Has appealed the Zoning Hearing Board's denial of his variance request. There was talk that he may accept an offer for the township to purchase these two parcels that were purchased at a tax sale. After a brief discussion it was decided to let the process go forward. The township doesn't have any interest in purchasing this ground.

April Barkasi reviewed what she and Mr. Mast concluded when they went to look at the big soccer field regarding additional fields. Mr. Hafer from the Twin Valley Youth Soccer had given some scenarios on additional fields. After reviewing this area it was decided that 2 junior fields could be accommodated just by painting them on the large field. No excavation would be necessary. This way they could use the field as one large or two junior fields. There were too many concerns with the other options that Mr. Hafer offered.

Ms. Barkasi reviewed what was discussed at the Parks and Recreation Board meeting that took place on February 6, 2012. The grant for the park equipment was discussed and the fact they would like to have 2 additional tables for the pavilion. We could use grant money for this but Chairman Elston felt this should be discussed when Mr. Mast was here since he heads the park.

Act 167 was discussed. This Act can be adopted outright or we can just adopt what our Stormwater Ordinance doesn't cover. This will be reviewed later.

Agenda Request form that the Planning Commission has worked on was submitted. Ms. Barkasi's feels this can be discussed further during the amendments to our Subdivision and Land Development Ordinance (SALDO)

Our first meeting for the SALDO is scheduled for Monday, February 27, 2012 at 6:00 P.M. There are some changes in the original dates. The March meeting will be on March 26, 2012 and not the 19th as advertised and there will be no SALDO meeting in May.

The Grist Mill property on Lewis Mills Road was discussed. This property has many extenuating features and it was suggested that the buyer and/or realtor come in and speak directly to Mr. Newhams on Wednesday. to discuss further what can and can not be done with the property.

Motion: Mr. Beam made the motion to approve and sign the Loag's Corner Mobile Home License for 2012. Mr. Elston made the second, Motion carried Vote 2-0

Motion: Mr. Elston made the motion to approve and sign the 2012 Junk Yard License for R.D. Excavating. Mr. Beam made the second, motion carried unanimously. Vote 2-0

Motion: Mr. Beam made the motion to approve and sign Resolution No. 179 that provides pay to the Planning Commission for each planning meeting they attend. This was seconded by Mr. Elston. Motion carried unanimously. Vote 2-0

Reports:

Robert Sautner and Nelson Beam gave the Road Report. Mr. Sautner suggested that a letter be sent to Martin Paving regarding Yoder Road to remind them of the disrepair the oil and chip that was done on this road last summer. Although Mr. Beam and Mr. Sautner have contacted Jordan Martin they want to make sure this is taken care as soon as possible.

Historic Commission Report was given by Susan Ward. Mr. Campbell suggested that we have vehicles following the hay wagons on the Chester County Tour that will take place this August. Since we are so rural a walking tour will not be possible so our committee is going to use hay wagons.

Mr. Newhams gave the Zoning Report.

Bills were paid as listed on a motion made by Mr. Beam, seconded by Mr. Elston. Vote 2-0.

General Fund - \$25,729.65

With no further business to discuss, adjournment took place at 9:27 P.M. on a motion made by Mr. Elston, seconded by Mr. Beam, motion carried unanimously.

Respectfully submitted,

Susan L. Ward, Secretary