

Board of Supervisors Minutes
February 10, 2014

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

Roll call was taken and all three supervisors, Gary C. Elston, David L. Mast and Nelson R. Beam, were present. Others present were Frank Newhams, Zoning Officer, April Barkasi, Engineer and Kristin S. Camp, solicitor.

Chairman Elston called for public comment on tonight's agenda, since there was no comment from the audience he continued with the meeting.

Minutes: The Minutes from the January 6, 2014 Reorganization Meeting were approved as written on a motion made by Mr. Mast, seconded by Mr. Elston. Motion carried by a vote of 3-0.

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

General Fund - Money Market:	1,490,446.58
General Fund – Checking	3,291.11
General Fund – EMS	11,947.08
State Fund – Money Market:	170,719.20
State Fund – Checking:	4,271.37
PLGIT Regular:	536.67
PLGIT Recreation	284.97
Open Space	12,619.29
Act 209	1,892.57
CD'S	
Capital Fund	129,220.67
Capital Reserve Investment	128,163.55
New Truck	48,714.49
Elverson Ambulance	30,848.25
TVFD	30,848.25

Audience: Maria Elliott- Barley/Snyder Law Firm is representing the Estate of Regina Jennelle. One of the issue preventing this from going to settlement is septic for the multiple dwellings on the 1.7 acres of land. This must be clarified prior to issuing a U&O Permit.

Jeff Miller from Evans Mill Environmental was here to testify that the system for this property and the back up systems are adequate for the cottage, 2 apartments at 528 N. Manor Road, and the former store property which is supposed to have 4 dwelling units. The Chester County Health Department has issued a permit (no one seems to have a copy

of the permit) and Mr. Miller says that both drain fields for the 3 (7 units) properties are adequate.

This addresses the septic issue for the 7 units but there are additional units on the property. A U&O can be issued for the cottage and the 2 apartments in what is called the garage but the additional units in the former store, 6 apartments and 8 rooms, must be addressed prior to issuing a Use and Occupancy permit.

Miguel Angel Ruager and Myriam S. Peralta-Ruager: Zoning enforcement matter was scheduled for February 11, 2014 at the District Justice but Mr. Ruager intends to defend and the hearing was rescheduled for April 1, 2014. The board has asked our solicitor to see if the hearing could be rescheduled for an earlier date. Ms. Camp will contact the Magisterial District to see if an earlier date is possible.

Corporal Torres from the State Police gave an update on calls to our township in January.

Leslie Kerns, 277 Green Hollow Road, Glenmoore, PA: Ms. Kerns here regarding her mailbox that was hit during one of the recent snow storms while backing up in her driveway and she has taken pictures of the tire tread. The road crew says they did not back up in her driveway or hit her mailbox. Upon looking at the pictures, Mr. Mast said this isn't the tire tread of our vehicle so it couldn't be us who hit her mailbox. This is a mute point as our solicitor pointed out as it is a law that township's are not responsible for mailboxes while plowing the roads. Ms. Kerns asked for a copy of this ruling and our solicitor will send this to her.

Jane Baldwin, 2977 Creek Road, Honey Brook, PA 19344: Hearing is scheduled for this property and when the application was filed the Planning Commission couldn't make a recommendation as they didn't have enough information. The Baldwin's were contacted and Mrs. Baldwin brought in a sketch plan to be presented at the hearing. Tonight she brought in pictures to show the board. She was going to leave them but wanted them returned and Ms. Camp said that if she presented them at the hearing they would become part of the exhibits and they couldn't be returned. Mrs. Baldwin took them and said she would have copies made and bring them to the hearing next week.

The board will not send representation to the hearing.

Reports:

Frank Newhams gave the Zoning Report.

Planning Commission met briefly to give their recommendation on the Baldwin Hearing but didn't have enough information to make a recommendation.

Roads Report: The board felt the road crew was doing a good job in plowing. Mr. Vassello at 1801 Little Conestoga Road asked to have some extra attention to areas of Little Conestoga that are shaded and covered with ice. This is a state road but we plow for PennDOT.

Recreation Report, Ms. Barkasi said the equipment has been ordered and should be available late March. A walk through has been tentatively scheduled for February 24, 2014 at 9:00 A.M.

Historical Commission report was given by Susan Ward. We are sponsoring a Railroad Presentation on March 1, 2014 (snow date March 15, 2014) at the Honey Brook Presbyterian Church. All are welcome. Fund raising committee is working on fund raisers for 2014.

New Business:

Micheal Kerr - DigEntGrp: Mr. Kerr's appealed the Zoning Hearing Board's denial from December 5, 2013. We made an offer for his property but his counter offer was too high. The board had originally decided to let the courts handle this as they were not comfortable with going against the Zoning Hearing Board's decision. Ms. Camp said that she will contact the Zoning Hearing Board's solicitor to have him speak to the members of the board to see if this can be settled.

Ms. Barkasi is working with Ms. Camp on a Professional Services Agreement to cover costs that aren't covered under Subdivisions and Land Development Plans.

The menu for the Appreciation Dinner on March 22, 2014 was selected.

The secretary will check to make sure we have replacement value on our insured equipment.

Ms. Kerns had applied for a deck permit that was never installed. She inquired to see if she could have her permit fee refunded. The Board agreed that since there were no inspections her fee could be returned.

Bills were paid as listed on a motion made by Mr. Beam, seconded by Mr. Mast. Motion carried by a vote of 3-0.

General Fund	\$30,804.33
Payroll	7,401.39

With no further business to discuss, adjournment took place at 9:08 P.M. on a motion made by Mr. Mast, seconded by Mr. Beam. Motion carried by a vote of 3-0.

Respectfully submitted,

Susan L. Ward, Secretary/Treasurer