

Board of Supervisors Meeting
March 13, 2017

Opening: Chairman Elston opened the regular scheduled meeting on Monday, March 13, 2017 at 7:00 P.M.

Roll Call: Roll call was taken and present were supervisors, Gary C. Elston, Nelson R. Beam and (via Face Time) Frank V. Daniel. Others present were Frank Newhams, Zoning Officer, Bryan Kulakowsky, Engineer, and Kristin Camp, Solicitor.

Public Comment: Chairman Elston called for public comment on tonight's agenda, no public comment was received.

Minutes:

Motion: Mr. Beam made the motion to approve the February 13, 2017 minutes as written, Mr. Elston made the second. Motion carried. 3-0

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

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|---------------------------------|--------------|
| General Fund – Money Market | 1,961,337.01 |
| General Fund- Checking: | 4,461.59 |
| General Fund- EMS | 11,049.13 |
| State Fund- Money Market | 85,718.59 |
| State Fund – Checking | 4,269.96 |
| Act 209 | 1,895.50 |
| PLGIT Regular | 539.22 |
| PLGIT Recreation | 286.10 |
| <u>Certificate of Deposits:</u> | |
| Glenmoore Fire Co. | 40,261.33 |
| First Resource Bank | 240,000.00 |
| First Resource Cedars | 61,372.39 |
| First Resource Bank Clearing | 1.97 |

Audience:

Scott Hunter: Mr. Hunter expressed his concerns regarding the pipeline and how it will affect him and his property. He had been in negotiation with Percheron and hasn't heard from them in about a year. He received a \$200.00 check for an easement and has not cashed the check as he does not agree with the amount and had been advised to secure a lawyer. Ms. Camp received permission from the Board of Supervisors to represent Mr. Hunter in further negotiations with Percheron. Mr. Elston also stated that he had been contacted by Mr. William Beam as he also had concerns regarding the pipeline. Discussion ensued regarding an upcoming invitation to meet with Sunoco Logistics as they plan to be in our township in April. Ms. Camp advised that this meeting would not need to be advertised as it is only informational and not decision making.

Reports:

Engineering:

- **Blosenski subdivision-3109 Creek Rd** – Mr. Blosenski would like to share existing driveway. It was decided that an easement agreement would be required before beginning construction of his home. Mr. Kulakowsky will contact Mr. Blosenski.
- Mr. Kulakowsky presented road report with paving estimate for Bollinger and Reeder Roads with an estimated cost of \$500,000.00. He advised that the bid documents are ready to be advertised. It was decided that Reeder Road was a priority and Bollinger Road from the bridge to Creek Road. Mr. Beam stated that the roads could be closed during paving and that there would not be a need for traffic control. It was decided that the bids would be advertised with the following options: Reeder Road; Reeder Road and Bollinger Road; Reeder Road and Bollinger Road from the bridge to Creek Road. Bids will be posted on PennBid and the legal section of the Daily Local News.
- Mr. Kulakowsky stated that he had met with DEP regarding the A.J. Blosenski/Cupola Industrial Park Stormwater plan. There are several issues that still need to be addressed including what is the present use of the existing buildings and if they comply with zoning. Ms. Camp asked Mr. Kulakowsky to script an email regarding current use of existing buildings which Mr. Newhams will then send to Greg Brown.

Zoning Report: Frank Newhams gave the monthly report. The report will be on file in the township office.

- Fidelity Construction was requested by the county to wait to install septic system.
- Mr. Talucci has still not relocated his fence though Mr. Newhams has contacted him two times. Mr. Newhams will contact Mr. Talucci again.

Planning Commission: No meeting in February but they will need to meet in March as per Mr. Kulakowsky regarding the Devonshire Hills planning module.

Roads: Discussed under engineering report

Recreation:

- Discussed the need for a security deposit for a requested rental for a non-resident for April 29, 2017. It was decided to request a \$200.00 security deposit. Ms. Kolpak will contact the applicant regarding the security deposit.
- Mr. Daniel asked that the contractor be notified to remove the fence from the west side of the court for resurfacing of the basketball courts. Ms. Kolpak will contact the contractor.
- Mr. Daniel spoke to Bart Delp and the memorial stone will be completed by the end of the week. This can be installed when the weather becomes more temperate.

Historic: No report

EMS:

- Barclay Hargreaves was not present due to storm preparation. Mr. Hargreaves had forwarded a Declaration of Disaster Emergency for the Board of Supervisors to sign due to pending Winter Storm Stella.

Solicitor's Report:

- Ms. Camp stated that the township will need to have a medical marijuana guidelines in place and presented a draft copy of an ordinance in which this is included. A dispensary would be treated the same as a pharmacy and whoever holds a permit would be a grower/processor. This ordinance also addresses nonconforming lots that are less than 2 acres in the R-1 and R-2 districts and raising/keeping horses. It was decided to change the side yard setback to 30 feet in both districts.
- Mr. Beam asked how the use of medical marijuana would affect those with CDL licenses. Ms. Camp referred back to the Township Employee Handbook
- Ms. Camp discussed the various issues with Wyebrook Farm's recent inquiry as to a modification of his farm business. She stated that this property is under a conservation easement and also referred to a letter that was sent to Mr. Carlson in December, 2016. Mr. Carlson has not yet responded to this letter. Mr. Elston inquired about the ADA access to the facility and asked Mr. Newhams to check the ramp to the lower level and restrooms. Mr. Elston also said that a list of concerns needs to be compiled and addressed before any business expansion can be approved. Mr. Kulakowsky stated that Mr. Carlson had not addressed concerns that were raised in a correspondence From Cedarville Associates from February, 2016. It was decided that Mr. Newhams, Mr. Kulakowsky, and Ms. Camp will compile a list of concerns and a meeting will be scheduled with Mr. Carlson.
- The Northwestern Chester County Municipal Authority did an assessment regarding adding the Hammell-O'Donnell property into their authority. There will be a meeting within the month.
- Ms. Camp stated that her office would be able to address the change in telecommunications requirements including cell towers in township Right of Way and how to regulate.

New Business:

- First Resource Bank CDARS CD renewed for a 2 year term
- Ms. Kolpak and Mr. Daniel met with Tomkins Vist Bank and will schedule further meetings with this bank and others to determine the best fit for West Nantmeal Township's banking needs.
- Lammey subdivision escrow account: Mr. Kulakowsky advised that there were still problems with the as-built plans that were submitted and presented a letter with the necessary adjustments. Ms. Kolpak will send the letter to Mr. Randall Lammey.

Motion: Mr. Elston made the motion to release the escrow account on the condition that the as-built plan is corrected to the required specifications and was seconded by Mr. Beam. Motion carried 3-0.

- Mr. Michael Kerr (DigEntGrp LLC) requested a 90 day extension of his Land Development Plan.

Motion: Mr. Beam made the motion to grant Mr. Kerr a 90 day extension of his Land Development Plan and was seconded by Mr. Elston. Motion carried 3-0.

- It was decided that a meeting with Sunoco Logistics regarding the Mariner 2 pipeline would be needed. Ms. Kolpak will schedule the meeting with Ivana Wolf from Sunoco Logistics.
- Ms. Kolpak will present a Records Retention Resolution at the April 10, 2017 meeting for the proper disposal of allowable records as per the Records Retention Manual.
- Purchase order 17-001 was issued on February 20, 2017 to Deere and Company to purchase a “Gator” to use in the township park.
- Ms. Kolpak will contact the organizer of the Bike the Brandywine event to determine the actual route through West Nantmeal Township. The event is scheduled for September 30, 2017.
- Ordinance 122 regarding on-lot sewage disposal was discussed. The escrow account for the sewage system at 305 Killian Road will need to remain in place.
- The UPS (Uninterrupted Power Source) needs to be replaced

Motion: A motion was made by Mr. Elston to purchase a new UPS and was seconded by Mr. Daniel. Motion carried 3-0.

- The current owner of the parcel at 25 Langoma Ave which was recently found to be 2 parcels will need to secure a Deed of Consolidation through Chester County Recorder of Deeds. Mr. Newhams will contact the property owner.
- The current cell phones that are owned by West Nantmeal Township have available updates. Ms. Kolpak will contact AT&T for further information.
- Ms. Kolpak read correspondence from Honey Brook Library thanking the township for their donation of \$6,500.00.
- The Lyster Stormwater agreement was presented for supervisor approval.

Motion: A motion was made to approve the Lyster Stormwater agreement by Mr. Daniel and seconded by Mr. Beam. Motion carried 3-0.

- The auditors were at the Township Building at 6 pm on March 6, 2017, as advertised, to discuss the audit results. No residents attended the advertised meeting.
- Mr. Elston stated that there is a need for volunteers to assist the Friends of Twin Valley Fire Department to visit local business to solicit funds for the fire company. There is a meeting on March 27, 2017 and interested parties should attend for further information.

Other business: None

Bills: The bills to be paid this evening were reviewed.

Motion: Mr. Elston made the motion to pay the bills as listed with the addition of the following checks:

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|---------------------|---------|
| Mr. Beam payroll | \$66.25 |
| WCCRUCCAB 2017 dues | \$50.00 |

Mr. Beam seconded the motion. Motion carried 3-0

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|--------------|-------------|
| General Fund | \$20,018.61 |
| Payroll | \$6,819.89 |

Adjournment: With no further business to discuss, adjournment took place at 9:30 pm with Mr. Elston making the motion to adjourn and seconded by Mr. Beam. Motion carried 3-0

Respectfully submitted,

Deborah M. Kolpak, Secretary