

**Minutes of the Meeting
June 14, 2010**

The regular meeting of the North Coventry Township Board of Supervisors was called to order at 7:00 PM, June 14, 2010 at the Township Building, 845 South Hanover Street, Pottstown. Present were, Andy Paravis, Chairman, Jim Marks, Vice-Chairman, E. Kent High, and Spencer Claypoole, Supervisors; and Kevin Hennessey, Township Manager, Lawrence Sager, Solicitor.

Chairman Paravis asked if there were any changes or corrections to the May 24, 2010 minutes and there were none. **Supervisor Claypoole made a motion to approve the minutes of May 24, 2010 minutes. The motion was seconded by Vice-Chairman Marks and unanimously carried.** There were no other comments.

Chairman Paravis asked if there were any questions from the Board or the audience concerning the bills, totaling \$44,098.28. **Supervisor High made a motion to approve payment of the bills totaling \$44,098.28 and the motion was seconded by Supervisor Claypoole, unanimously carried.** There were no other comments.

Developer's Bills

- There were no questions or comments on the developer bills.

Swearing in New Police Officer

- Chief Schurr introduced the newly hired police officer, Miss Stephanie Scartozzi and Chairman Paravis had her repeat out loud the Oath of Office. In the audience were Miss Scartozzi's parents and several police officers. After the Oath, there was a round of applause.

Public Comment

- There were no comments.

Subdivision and Land Development

The Woods at Chestnut Hill

- Chairman Paravis said that at the request of the developer, there was a meeting about the bridge or stream crossing with Jay Erb, Jay Kline and Township Manager Hennessey. The developer had provided estimates of over \$50,000.00 for completing the work as required by DEP and in turn, they are willing to turn over the \$23,500 to the township in lieu of doing the work. Jay Kline had proposed a walking path using native rocks. The Township Manager contacted DEP and was told to amend the existing permit, submit photos and a sketch for review and hopefully, DEP approval. Chairman Paravis thanked Mr. Kline for the sketch of the walking path. Solicitor Sager asked the Board if they believed the path was safe and Mr. Kline said yes, when it is completed. Mr. Sager said the Board may want to defer action until the permit is amended, but it makes sense to try and close out this project. Chairman Paravis said the developer is still responsible for constructing the path and Mr. Hennessey said they were willing to do that. The Solicitor said that DEP shouldn't be the deciding factor and he recommended taking the money the developer was offering. Vice-Chairman Marks asked if the motion should be conditioned upon the DEP decision. Mr. Sager also suggested getting an agreement in writing for the pathway up to the crossing that must be completed by the developer.

Chairman Paravis said that the cost of a walking path will not be very expensive and some of these remaining funds could be used elsewhere on another trail. Chris Washburn questioned if there would not be any bridge installation and the Chairman said it was a natural crossing without a pipe in the gully and water only flows there when it rains.

- Solicitor Sager asked if the developer will put in the boulders and Township Manager Hennessey said no, there will be volunteers to work on that. Vice-Chairman Marks questioned if this closes the books on the development when the roads are dedicated. Mr. Hennessey said there are a few checklist items that will need to be done and the as-built drawings for the basins have to be approved by LTL but the developer felt they could finish everything up in a month or two and then do the dedication. Chairman Paravis questioned if there is a maintenance bond for the roads and the Solicitor said no. Jay Kline said there will be some costs associated with installing the walking path and the bollard installation could be done by the road crew. Vice-Chairman Marks asked if the funds, if accepted, will be in a separate account and Chairman Paravis said the left-over money should be put into the trail fund. Vice-Chairman Marks said there needs to be a separate line item for it. **Supervisor High made a motion to authorize the Manager to proceed with the DEP process; to accept the \$23,500.00 from the developer in lieu of the bridge; to have the money follow a separate line item in the Trail Fund; and that the developer be made aware that they are responsible for the bollard installation and the completion of the trail up to the crossing. The motion was seconded by Supervisor Claypoole and unanimously carried.** There were no other comments.

Coventry Lake Estates

- Chairman Paravis said the developer has requested an escrow release in the amount of \$118,811.00 and that LTL recommends releasing only \$107,311.00. Vice-Chairman Marks questioned when they would pay their accounts receivable balance and the Township Manager said he spoke to their bookkeeper and was advised that they would bring a check to the township when the escrow is released. **Vice-Chairman Marks made a motion to release the escrow amount of \$107,311.00 upon payment of the accounts receivable balance of \$7,934.12. The motion was seconded by Supervisor Claypoole and unanimously carried.** There were no other comments.

North Coventry Commercial LP

- Chairman Paravis said the developer's attorney Andrew Cantor sent a letter requesting a 6-month extension for the Conditional Use, which would take them to 12-31-2010. **Supervisor High made a motion to grant a 6 month extension for the Conditional Use for North Coventry Commercial LP. Vice-Chairman Marks seconded the motion and it unanimously carried.** There were no other comments.

Sewer on Glenmar Drive

- Chairman Paravis said the Board had addressed the Glenmar Drive sewer issue at their April 26th meeting and had voted to allow it to move forward. Township Manager Hennessey said the Municipal Authority's letter indicates that they will include Marshall Drive if DEP directs them to. Solicitor Sager said he recalled the previous motion was for Glenmar Drive only in order to avoid an amendment to the Act 537 Plan. Mr. Hennessey agreed but said that DEP may ask that the Marshall Drive homes be included in the amendment and the authority wanted to be prepared. The Solicitor said if DEP requests the Marshall Drive homes, then the authority needs to come back to the Board for further action. Mr. Sager said the Board's intent was no significant changes in the Act 537 Plan and no further approvals for hook ups and if DEP doesn't approve the amendment, then the Board can revisit the issue. **Supervisor Claypoole made a motion to direct the Municipal Authority to prepare a Minor Amendment to the Act 537 Plan to install sanitary sewer for the homes and**

lots on Glenmar Drive; and specifically no other approvals for any other properties. The motion was seconded by Supervisor High and unanimously carried. There were no other comments.

Resolution to join the Southeastern PA Stormwater Coalition

- Chairman Paravis explained that he and the manager have discussed the issues of the DEP MS4 Program and what it could cost the township. He asked the township manager what the cost of joining this coalition would be and Township Manager Hennessey said it may be about \$1,000.00 and could be less depending on the number of new municipalities joining. Mr. Hennessey said it figures out to be about 7 cents per capita and the township has a population of 7,500 and that the Board could cap it at \$1,000.00. Mr. Hennessey said the Chester County Consortium of Township Managers is currently reviewing this. The Township Manager said that townships need to put the brakes on this DEP unfunded mandate. Chairman Paravis said that all municipalities in Montgomery and Chester Counties are vulnerable to the mandate and there is a lobbying group against this ridiculous mandate. Supervisor High said that it seemed fair at \$1,000.00. **Supervisor Claypoole made a motion to have the township join the Southeastern PA Stormwater Coalition with a cap not to exceed \$1,000.00. The motion was seconded by Supervisor High and unanimously carried.** There were no other comments.

Certificate of Appreciation

- Chairman Paravis said there is a Certificate of Appreciation for former Fire Chief Jack Schaeffer in the packets and asked if anyone had any questions. The Chairman said if it is adopted, the certificate will be presented to Mr. Schaeffer at the Beef & Beer scheduled for June 18th at the Norco Fire Company at 6pm. **Supervisor High made a motion to adopt the Certificate of Appreciation and it was seconded by Vice-Chairman Marks and unanimously carried.** There were no other comments.

Reports

- Supervisor Claypoole asked if the estimates for the Fernbrook demolition were received. Township Manager Hennessey said he had asked for bids from 3 companies, they were all in the vicinity of \$35,000.00 for the demolition of the 2 structures. Mr. Hennessey said the township would need to put together an RFP and put it out for bid.
- Supervisor Claypoole asked about a \$10.00 parking ticket on the Police report and the Chief explained that parking tickets are issued for a variety of reasons. The Chief said that motorists have 48 hours to pay the \$10.00, otherwise it goes to a state citation and the costs go up significantly.
- Supervisor Claypoole said he would ask the Fire Marshal about the details of the building collapse that is on his monthly report.

Administration

Action Item List

- Supervisor High said the tree at Cedarville Road needs to be removed and there has been an accident there. Township Manager Hennessey said that Penn Dot advised him that it will be removed the first week in July.
- Township Manager Hennessey reported that the tree was taken down on Riverside Drive and the contractor, Tree-Pro, said the interior had been eaten away and it was ready to fall down.

Checklist

- Township Manager Hennessey said that the Treasurer has submitted the necessary forms to PEMA for reimbursement for the snow emergency back in February. Mr. Hennessey said that PEMA will be at the township building on Friday, June 18th for a final review of the forms and a possible close out for approximately \$45,000.00 reimbursement.
- Township Manager Hennessey said that Mr. and Mrs. Reeder who live on Urner Street made the township aware that there is a generator at the Clear Wire site. Mr. Hennessey said he contacted Clear Wire and it was explained to him that PECO could not do their electric meter installation until the end of the month and that was why the temporary generator was there.
- Township Manager Hennessey said the site walk at the Basile property on Laurelwood Road was done and there are over 1,500 trees that will be taken out, leaving 150 trees. Solicitor Sager said this cutting was approved by the Court and on June 9th, the township forester John Yoder met with Mr. Basile and his forester, Lloyd Casey to inspect the trees that would be harvested. Mr. Sager noted that the trees that would be cut were poor quality and there would be 8 trees per acre once the harvesting is complete. Mr. Sager said that Mr. Casey will urge Mr. Basile to draw up a stewardship plan that conforms to the standards of forestry. The Solicitor said the Board should consider having the manager get an aerial photo of the property before harvesting and one after it is done. Mr. Sager said his second point is that Mr. Yoder should render his report immediately and that Mr. Basile's council should confirm that a stewardship plan will be put into place, otherwise council will be directed to go to court for a court order for the stewardship plan. Mr. Sager said he felt the judge was quite clear in his statement that both foresters are to decide what to do. Township Manager Hennessey said that Mr. Casey expressed that a stewardship plan is proper. Supervisor High questioned the fencing and Mr. Sager said the fencing is erected to prevent deer from eating the seedlings and then when they reach a certain height, the fence is moved to another area. Supervisor High said it may cost a fortune to put in the fence and he didn't believe it would keep the deer out. **Supervisor Claypoole made a motion to have Mr. Basile establish a stewardship plan; that the foresters have a plan to regenerate the seedling trees; to have the manager arrange for a before and after aerial photo of the property; and that Mr. Basile's council confirm that Mr. Basile will abide by these conditions and if not, the township can go to court to get a court order of such. The motion was seconded by Vice-Chairman Marks and unanimously carried.** There were no other comments.
- Township Manager Hennessey said that last year, State Representative Tim Hennessey secured a \$5,000.00 grant for the township to purchase a traffic counter and Governor Rendell had finally released the funds. Supervisor Claypoole asked if the counter takes photos and Chief Schurr said no. The Chief said the township has 3 ways of doing traffic counts.
- Township Manager Hennessey said the grant money for the Schuylkill Valley Highlands, which Natural Lands Trust was part of, came in at \$29,000.00.
- Mr. Hennessey told Vice-Chairman Marks that he left information on the Volunteer Fire Fighter Tax Credit at his seat.
- Township Manager Hennessey said that the Building Inspector spoke to the representative from Inland Management and they are meeting at the site this month. Vice-Chairman Marks said the lights are out at the Rite-Aid Drug Store. Chairman Paravis said he thought the lighting was controlled by Lowe's. The Township Manager said the parking area lighting in front of Lowe's is controlled by Lowe's. Mr. Hennessey said he will follow up on the letter that was sent to them last month.
- Mr. Hennessey said the Diehl and Pecarich sketches will be in front of the Planning Commission this Wednesday, June 16th. He said the Diehl property is now back up to a 3-lot subdivision and the Pecarich's sketch indicates they want to subdivide and sell off the portion of land that has the house on it.

- Supervisor High said the 3way stop at Cedarville to Laurelwood doesn't make sense. Mr. Hennessey said this had been part of the Wawa Route 100 detour plan and the township has petitioned Penn Dot to make these signs permanent but Penn Dot has not yet put up the permanent signs. A resident at 657 W Cedarville Road said they had a site distance problem when pulling out of their driveway with the temporary signage and asked if the bottom grate could be removed from the sign. The resident also said that many motorists don't stop there, especially during peak traffic hours. Mr. Hennessey replied that Penn Dot was supposed to make them permanent signs back before Memorial Day, then 2 weeks after that and that he would continue to pressure them. Chairman Paravis suggested reporting this site obstruction to the County. Chief Schurr said he would call Senator Rafferty's office and have them apply some pressure to Penn Dot. The Chief said he would let his officers know that motorists are not coming to a complete stop there.
- Chairman Paravis said that there had been discussion concerning closing Kutz Drive at Route 100. Solicitor Sager asked what that would accomplish and the Chairman said it would alleviate the early morning traffic on Kutz that were circumventing the light at Temple and Route 100 to get to the Wawa. Chief Schurr said the traffic count on Kutz Drive indicated an excessive amount of traffic during peak hours. The Chief said a guard rail is another option. Mr. Sager said if a guard rail is put up, then how will the road crew do their snow plowing and the Chief said they could come in from the other side. There were no further comments.
- Vice-Chairman Marks said that House Bill 2431 refers to the counties becoming the 'government' and doing away with townships and boroughs. He said that this was discussed 2 years ago at the PSATS Convention and PSATS was fighting it. He suggested contacting State Representative Tim Hennessey and voicing an objection to this bill. Township Manager Hennessey said he would send a letter out. Vice-Chairman Marks further explained that this bill gives the county the oversight of all municipal operations, such as police, fire, and road departments.
- Supervisor Claypoole said the appraisal on the quilt came in at \$850.00. He was going to have it professionally fixed on the back. Mr. Claypoole said he will submit the appraisal report when it is received.
- Supervisor Claypoole said he received about 40 photographs from the Pottstown Historical Society from 1924 showing North Coventry's South Hanover Street, the canal, and various other areas. He said he was thinking of getting some of them blown up.
- Supervisor Claypoole asked if the police calls were less at the Salisbury House and Chief Schurr said he was meeting with their personnel on Tuesday for discussions.
- Solicitor Sager said that Mrs. Tripodi/Kline Place Apartments has not complied with the directive of the court and he was ready to file a 5th contempt, which will mean another hearing. Mr. Sager said that Mrs. Tripodi must bear the sanctions of the court or be incarcerated. He explained that the proposed petition deals with the master given the opportunity to sell the property as is and that the master, Jack Koury, did not object to the petition, but he did want to get paid. Mr. Sager said that Mrs. Tripodi's council, Mr. Knox has stated that she is not cooperating.
- Mr. Sager said the Lawson issue is being followed up.
- Solicitor Sager asked the status of the Rosewarne subdivision and Mr. Hennessey replied that there was a request in for an extension. He said that this and the Shops at Coventry were both on the Planning Commission's agenda for extensions and the Board will deal with them at their next meeting.

Public Comment

- Doctor Smock of West Mont Christian Academy said the last day of school is Friday, June 18th. He also said that they received good cooperation from the township and asked that the flashing lights be turned off.

With no further business before the Board, the meeting recessed at 8:20pm before an Executive Session on personnel.

The Board reconvened at 8:30pm and **Supervisor Claypoole made a motion to authorize the Township Manager to begin negotiations with the Police Department on their contract. The motion was seconded by Vice-Chairman Marks and unanimously carried.** There were no other comments.

With no further business before the Board, the meeting adjourned at 8:40pm.

Respectfully Submitted,

Kevin F. Hennessey
Township Manager