

North Coventry Township
Board of Supervisors

Minutes of the Meeting
October 11, 2011

The regular meeting of the North Coventry Township Board of Supervisors was called to order at 7:01 PM, October 11, 2011 at the Township Building, 845 South Hanover Street, Pottstown. Present were, Chairman Andy Paravis, Vice-Chairman Harvey Greenawalt, Jim Marks, E. Kent High, and Spencer Claypoole, Supervisors; and Kevin Hennessey, Township Manager, Lawrence Sager, Solicitor. Since the Chairman was having a voice problem he asked the Vice-Chairman to conduct the meeting.

Vice-Chairman Greenawalt asked if there were any changes or corrections to the September 26, 2011 minutes and there were none. **Supervisor Claypoole made a motion to approve the minutes as presented and the motion was seconded by Supervisor Marks.** The motion carried at 3 to 0, with Chairman Paravis and Vice-Chairman Greenawalt abstaining from the vote due to being absent from that meeting. There were no comments.

Vice-Chairman Greenawalt asked if there were any questions from the Board or the audience concerning the bills, totaling \$302,199.44. Brian Budd questioned why there were 2 payments to Norco Fire Company and Supervisor Marks explained that the smaller amount was the monthly payment for the fire trucks and the large payment was a pass through of fire relief money from the state. Mr. Budd thanked Supervisor Marks for the explanation. **Supervisor Marks made a motion to approve payment of the bills totaling \$302,199.44 and the motion was seconded by Supervisor Claypoole, and unanimously carried.** There were no comments.

Developer's Bills

- Supervisor Marks asked if the township received any communications from Wawa on their outstanding bills. Solicitor Sager said he had not heard back from them but the last time he spoke to their counsel, it had been indicated that a payment would be forthcoming. Township Manager Hennessey said that Wawa was trying to finalize everything and get their maintenance bond done. Mr. Sager said he would contact them.

Public Comment-5 minutes

- There were no questions or comments from the audience.

Subdivision, Land Development, and Conditional Use

Caribou

- Vice-Chairman Greenawalt said the township has circulated the Conditional Use Draft Decision for over a month, with the Solicitor incorporating our comments and that all parties have been given the opportunity to comment. A resident of Hoffecker Road asked where the construction would begin, on the north or south side towards Hoffecker Road. Solicitor Sager said the development is supposed to be done in 3 phases and he believed the first building to be built was the one in the middle, but there was no confirmed decision on that yet. Township Manager Hennessey said that all the buffering and screening would be done in phase 1 along Hoffecker Road. John Witten of Chestnut Hill Road asked if the plan was available to the public and Township Manager Hennessey

said he could see it at the township building and it may even be on the township webpage. Laurie Jordan of Hoffecker Road asked when the neighbors should anticipate seeing workers. Township Manager Hennessey said the engineer was doing additional percolation tests as part of the stormwater issues and they will be or may have already started digging holes to perform the tests. Supervisor Marks asked if the developer has tenants for the 3 buildings and Mr. Hennessey said he was aware of only 1 tenant at this time. **Supervisor Claypoole made a motion to adopt and approve the Conditional Use Draft Decision. The motion was seconded by Supervisor Marks and unanimously carried.**

- Chairman Paravis said the developer owes a substantial amount on their accounts receivable balance and asked if they were planning to pay it soon. Solicitor Sager said he spoke to Ed Campbell and was informed that the developer was talking to the bank and expects to have his financing in place soon. Mr. Sager said that tonight's approval may help move the process of payment along faster. Township Manager Hennessey said the bank had called the township a few weeks ago. Mr. Hennessey said that Mr. Campbell understands that there will not be any movement on the project until the escrow is in and the accounts receivable balance is taken care of. There were no further comments.

O'Connor – Friendly Condemnation

- Vice-Chairman Greenawalt explained that the board had approved the Conditional Final Approval of the O'Connor Subdivision, which subdivides lot #2, a 20+ acre parcel that the township has under Agreement of Sale to purchase as open space. The Agreement of Sale allows for Friendly Condemnation. **Chairman Paravis moved to adopt the Resolution of Friendly Condemnation. The motion was seconded by Supervisor Marks and unanimously carried.** There were no comments.

Coventryside Inc – Authorization of Declaration of Taking and Friendly Condemnation

- Vice-Chairman Greenawalt said that the Agreement of Sale, allowed for Friendly Condemnation, but there were covenants that Mr. Rexrode filed that run with the land. Mrs. Rexrode has revoked these covenants, but there remains the question if a third party might attempt to enforce those covenants. To that end, the Solicitor has recommended that the Board file a Declaration of Taking in Chester County Court to extinguish the covenants. Supervisor High asked for further explanation of the proposed action. Solicitor Sager said that in the Rexrode covenants it does not provide for open space, only residential use of the property. Mr. Sager said the issue as to whether Mrs. Rexrode can withdraw them, and with that, the township wants clear title. The title company said they would remove the covenants if the township filed the declaration. **Chairman Paravis made a motion to adopt the Resolution authorizing the Friendly Condemnation of this property. The motion was seconded by Supervisor Claypoole and unanimously carried. Supervisor Claypoole moved to authorize the Solicitor to file the Declaration of Taking, and process same, in the Chester County Court of Common Pleas. This motion was seconded by Supervisor Marks and unanimously carried.** There were no further comments.

DVHIT Ordinance and Trust Agreement

- Vice-Chairman Greenawalt explained that the board has been considering joining the Delaware Valley Health Insurance Trust, referred to as DVHIT, to curb the spiraling health insurance costs to the township. Vice-Chairman Greenawalt opened a Public Hearing on the matter and said that the possible adoption of the Ordinance and the joining of the Trust has been duly advertised and asked

if there were any questions or comments and there were none. Vice-Chairman Greenawalt closed the Public Hearing and called for a vote. **Supervisor Marks made a motion to adopt the Ordinance and authorize the signing of the Trust Agreement. The motion was seconded by Supervisor Claypoole and unanimously carried.** There were no other comments.

PEMA Resolution

- Vice-Chairman Greenawalt said that the Township Manager and Treasurer attended the PEMA/FEMA briefing in West Chester last week. To proceed with the claim for funds, the board needs to adopt a Resolution designating an agent and in the past, has named the Township Manager. Vice-Chairman Greenawalt said that since there were 2 events, Hurricane Irene and Tropical Storm Lee, the township needs to have both addressed by resolutions. **Supervisor Marks made a motion to designate the Township Manager as the agent for both events. The motion was seconded by Supervisor Claypoole and unanimously carried.** There were no other comments.

Reports

- Vice-Chairman Greenawalt asked if there were any questions or comments on the Police, Road, Building Inspector and Fire Marshal reports and there were none.

Administration

Action Item List

- Supervisor High said he had nothing for this list.
- Chairman Paravis said he would like to add the Diltz issue to the list because the township should try to help them. He thanked Supervisor Marks for doing in-depth research on how to do a FEMA buyout. Mrs. Diltz said she still didn't understand what to do next. Township Manager Hennessey told Mrs. Diltz that she must re-register for the current flooding. Solicitor Sager also urged her to do so. Township resident Mrs. Keffer said there was a deadline approaching for such registration. **Chairman Paravis made a motion to have the Diltz's make an appointment with the Solicitor so he can assist with applying for the FEMA buyout. The motion was seconded by Supervisor Marks and unanimously carried.** There were no other comments.
- Supervisor Marks said he had nothing for the action item list.
- Vice-Chairman Greenawalt said that the area around #7, the PECO pole at St. Peters and Coventryville Road has washed out more and it needs to be looked at. Chairman Paravis said the contractor duped the homeowner who was supposed to move the pole with PECO but never did it. Vice-Chairman Greenawalt said there needs to be something done about the cable on the roadway, and that the pole may fall down without anything holding it up.
- Vice-Chairman Greenawalt said that #8, 9, and 10 can be removed from the list because they are completed.
- Vice-Chairman Greenawalt said that #16, should read as Catfish Lane not Evans/Fernbrook. Mr. Greenawalt said there are always flooding complaints about Catfish and something needs to be done. Township Manager Hennessey said he would look into it.
- Supervisor Claypoole said he had nothing for the list.
- Chairman Paravis said he received another call from Mrs. Monoski of 690 Neiman Road about the water rushing down her driveway and into her house, coming from Laurelwood and Neiman. The Chairman said there should be a culvert put in because that would prevent the water from going into her house and felt maybe the township could help if Penn Dot supplied the materials. He

suggested putting pressure on Senator Rafferty and State Representative Hennessey about the piping that needs to be done down Neiman Road to the first stormwater drain. **Chairman Paravis made a motion to have the Township Manager contact Senator Rafferty's and State Representative Tim Hennessey's office and ask them to talk to Penn Dot about contributing the piping material; the township road crew do the digging and installation. The motion was seconded by Supervisor Claypoole and unanimously carried.** There were no other comments.

Checklist

- Township Manager Hennessey said that he was trying to put the fall newsletter together and asked if anyone had any information they would like in it. He said he had gotten something from the Historical Commission and was going to put in a blurb from the road crew regarding snow plowing. Mr. Hennessey said he was also getting a list from the Building Inspector about what permits are needed for certain jobs. Vice-Chairman Greenawalt suggested putting in information on the dog leash laws. Vice-Chairman Greenawalt suggested putting the newsletter in the informational rack at the township office so that anyone could come in to get a copy. Township Manager Hennessey said there will also be a blurb from the Chief and Fire Marshal.
- Township Manager Hennessey said that Integral Development Company has submitted a sketch plan for the Specht property that runs from Route 724 to Cedarville Road along Route 100 and it is for a low income senior assisted living housing unit. Mr. Hennessey said he would forward the sketch to the Planning Commission for comments.
- The Township Manager said he needed to have a brief Executive Session.
- Supervisor High said he felt the Penn Dot rep that he had contacted about the guard rail on Hoffecker Road was avoiding him. Township Manager Hennessey said it may be possible to have Caribou Development take care of it in their Penn Dot permit. Vice-Chairman Greenawalt suggested sending it to Penn Dot again and see if anything happens.
- Chairman Paravis said he had nothing for the checklist.
- Supervisor Marks asked if the board wanted to discuss a recap of the recent road tour and asked the status of the flooding issue on Shenkel Road. Township Manager Hennessey said that Kevin O'Hare of LTL was at the property doing the sight elevations and a plan for the drainage, but was being careful not to create another flooding problem elsewhere. Supervisor Marks asked if the engineer was looking at the grading and Mr. Hennessey said not yet, that right now they are looking at the sight elevations and their report should be forthcoming. The Township Manager said he was meeting with the Stratford Court property owner on Thursday to discuss cleaning out his basin which has been badly silted over and allows for no drainage. Vice-Chairman Greenawalt asked who is responsible for it and Mr. Hennessey said that the basin is the homeowner's responsibility, but the bigger issue is the pipe that needs to go in under the Hand's driveway. Brian Budd asked what sort of cost is involved and if this had been budgeted. Township Manager Hennessey said the township has discretionary funds and a slight surplus that will be used for this work. Vice-Chairman Greenawalt said this has been going on for 8 years and the previous homeowner would not allow the township to correct the problem. Supervisor Marks said that the new owners, the Hands, are very nice and cooperative.
- Supervisor Claypoole said that on September 29th, the Chester County Preservation Officer, Karen Marshall and the State will be meeting about the bridges in Chester and Bucks Counties. The meeting is to discuss the preservation of covered bridges and others in the township that should not be overlooked in regard to the National Historic Register.
- Solicitor Sager said he had nothing for the checklist.

Extended Public Comment

- Fire Marshal Ron Comtois said that this week is Fire Prevention Week and that Norco Fire Company will have their trucks on display at the Suburbia Shopping Center this Thursday from 6 to 9 pm.
- Mr. Comtois showed the board pictures of the bushes blocking fire hydrant access at the Town Square Shopping Center and said the problem needs to be addressed since it creates a safety issue. Chairman Paravis asked if the bushes can be trimmed back and Mr. Comtois said yes, but they will certainly grow back again. Supervisor High suggested taking the bushes out completely. Vice-Chairman Greenawalt asked if the firemen could crash through the bushes if it was necessary to get to the hydrants and Mr. Comtois replied yes. Township Manager Hennessey suggested having Jay Kline make a recommendation on another type of bush that would work better in those spots. **Vice-Chairman Greenawalt made a motion to trim the bushes immediately so that the fire hydrants are accessible to the fire fighters and have a recommendation of what type of plant would work better. The motion was seconded by Supervisor High and unanimously carried.** There were no other comments.
- John Ellwanger asked if the Park & Rec Committee could put in information for the fall newsletter and Mr. Hennessey said yes.
- Mr. Ellwanger said there is a water drainage issue on Union Avenue. He explained that there is a 24 inch pipe that comes out onto the road and then meets a 12 inch pipe, which causes constant flooding, especially since there are no culverts from the Coventry Ice Cream Parlor to River Road. Vice-Chairman Greenawalt said the water runs mostly onto Marshall's field and Mr. Ellwanger said no it runs into the road. Chairman Paravis asked why the water doesn't go into the swale and Mr. Ellwanger said the swale is barely there any more. Vice-Chairman Greenawalt said this would need an engineer and he was willing to allow for 8 hours engineering for some type of resolution to the flooding. Mr. Ellwanger said there are 2 drains that are clogged and this causes River Bend Park to flood also. Chairman Paravis said that when the area was built in the 1700's, there was no stormwater plans. Supervisor Marks suggested getting the Roadmaster to look at the situation before spending money for an engineer and Supervisor Claypoole agreed. Solicitor Sager suggested having the Roadmaster talk to Mr. Ellwanger and then possibly consulting with the LTL engineer. Vice-Chairman Greenawalt suggested this be on the next agenda. There were no comments.
- Stephanie Keffer of 1495 Shenkel Road thanked the board for the quick action regarding the flooding issue and asked if there was a stormwater discharge plan from Temple Road to Stratford Court and who was responsible for the manhole and clogged basin. Township Manager Hennessey said the property owner is responsible and told her he was meeting with the Stratford Court property owner this Thursday morning to discuss the basin. Mrs. Keffer asked for a copy of the letter sent to the property owner and a copy of the discharge plan. Vice-Chairman Greenawalt suggested she put her request in writing to the township and she said she would.
- Kendra Diltz thanked the Chairman for any help she can get for the FEMA buyout. She asked if she had to file a new claim. Chairman Paravis said he believes the township has to file to the state for the FEMA buyout. Township Manager Hennessey advised Mrs. Diltz to register with FEMA because at last weeks briefing, it was stated that if you are not in the system, there is no help. He suggested she call FEMA to get registered.

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

No further action was taken and the meeting adjourned at 8:30 pm.

Respectfully Submitted,

Kevin F. Hennessey
Township Manager