

North Coventry Township
Board of Supervisors

**Minutes of the Meeting
November 14, 2011**

The regular meeting of the North Coventry Township Board of Supervisors was called to order at 7:01 PM, November 14, 2011 at the Township Building, 845 South Hanover Street, Pottstown. Present were, Vice-Chairman Harvey Greenawalt, Jim Marks, and Spencer Claypoole, Supervisors; and Kevin Hennessey, Township Manager, Lawrence Sager, Solicitor.

Vice-Chairman Greenawalt asked if there were any changes or corrections to the October 24, 2011 minutes. Vice-Chairman Greenawalt asked that the 5 minute public comment section be amended to read that he explained that this portion was not for lengthy conversations but for identifying any problem that could be placed on the action item list. He also suggested that the township needs to have a request or problem put in writing from the resident. Solicitor Sager suggested holding the approval of these minutes because there were only 2 supervisors present who could vote on them. Vice-Chairman Greenawalt asked that the Township Manager place these minutes on the next agenda. The general consensus was to agree and there were no further comments.

Vice-Chairman Greenawalt asked if there were any questions from the Board or the audience concerning the bills, totaling \$59,520.73 and there were none. **Supervisor Claypoole made a motion to approve payment of the bills totaling \$59,520.73 and the motion was seconded by Supervisor Marks and unanimously carried.** There were no comments.

Developer's Bills

- Supervisor Marks asked the status of payment from Caribou and Township Manager Hennessey said he spoke to Ed Campbell who had said they met with the bank last week about getting the financing in order and once that is done, payment to the township will be made as soon as possible. Supervisor Marks questioned how they could initialize such a project without having proof of financial backing. Township Manager Hennessey said they had a \$7,500.00 escrow but that had been used up and needs replenishment. Vice-Chairman Greenawalt agreed that they had the money in the beginning but suggested having the principal partners pay the current amount owed. Solicitor Sager said the principals are not personally liable and he believed the matter will be resolved shortly. Township Manager Hennessey said they will give an extension request before the next meeting. Solicitor Sager said the developer is aware that the payment is the next step in the process and Supervisor Marks voiced concern over not seeing the next step.
- Supervisor Marks asked the status of the Wawa Route 100 payment. Mr. Sager said he believed there is an internal problem whereby their attorney advised them to pay the township, but the request doesn't seem to go anywhere. Vice-Chairman Greenawalt asked if the township had any other leverage and the Solicitor said they won't go into the maintenance period until the balance is paid and they will be extending their obligation of the 18 month period. The Township Manager commented that interest on the balance is accruing each month.

Public Comment-5 minutes

- Vice-Chairman Greenawalt asked if there was any update on the 1495 Shenkel Road project and Township Manager Hennessey said he has not yet heard back from DEP, but hoped that the weather would hold out so that the work could get done this year. Supervisor Marks asked what he was waiting for from DEP and Mr. Hennessey explained that the work requires a general DEP permit because of the stream. Vice-Chairman Greenawalt suggested calling the state representative and senator to ask for help in moving the permit along. Mrs. Keffer asked if the manhole and basin will be addressed. Township Manager Hennessey said the contractor, Todd Miller will begin this weekend removing the dead stuff out of the basin. Vice-Chairman Greenawalt said the contractor can't get in there when it's wet. Mr. Hennessey said the home owner and contractor agreed that the manhole will be addressed during the re-grading process.
- Brian Budd complimented the road crew on the yard waste removal job and said there are quite a lot of piles out there waiting to be picked up.

Subdivision, Land Development, and Conditional Use

Caribou Development

- Township Manager Hennessey said he had not heard anything further from Caribou other than what was reported.

Tower One

- Vice-Chairman Greenawalt said the Solicitor has prepared the Land Development Agreement for Tower One and they have signed it so now the township needed to authorize the signing. **Supervisor Marks made a motion to authorize the signing of the Land Development Agreement by the Chairman or Vice-Chairman on behalf of the township. The motion was seconded by Supervisor Claypoole and unanimously carried.** There were no further comments.

Integral Development

- Vice-Chairman Greenawalt said the applicant has submitted a sketch plan to the township and submitted to the PA Housing Authority for financing of an assisted living facility at the property between Cedarville Road and Route 724. They have also requested a staff meeting to discuss the development and possible zoning issues. The Vice-Chairman said they have agreed to pay for the cost of the staff meeting and by proceeding in this fashion, the township can provide the public with important informal fact finding as the nature, extent and issues concerning this proposed development. Solicitor Sager said he would recommend that if they establish an escrow, then the township would need to have LTL involved. Mr. Hennessey said the escrow should be in the amount of \$5,000.00. The Solicitor also suggested that the Zoning Officer/Building Inspector also attend the staff meeting. **Supervisor Marks made a motion to authorize the staff meeting; the applicant paying for such; the Zoning Officer/Building Inspector being present; subject to a \$5,000.00 escrow to be posted. The motion was seconded by Supervisor Claypoole and unanimously carried.** There were no further comments.

Mall Assessment Appeal

- Vice-Chairman Greenawalt said that at the last meeting the township had the proposal costs from Owen J Roberts to hire an appraiser to contest the mall's appeal and since then, we have received the notice of appeal from the mall. He said that OJR has asked the county if they would join in and share the costs in proportion to the taxes, which breaks down to the township paying \$1,250.00 of

the \$25,000.00. The Vice-Chairman said the board had previously authorized the Township Manager to try and settle this as well as the deed issue and asked if the board wanted to move forward with the proposal or keep the reassessment issue and deed issues separate. Supervisor Claypoole asked if the county will be involved and Township Manager Hennessey said yes, that as part of the appeal the county gets 3.95%, the township 1.6% and OJR gets 82.8%. Vice-Chairman Greenawalt asked if the township didn't participate would it still get help and Mr. Sager said he doesn't agree that the township should not participate because the appeal will move ahead regardless. Supervisor Marks agreed with Mr. Sager's comment. The general consensus was to move forward with the previous proposal of settling both the deed and appeal issue together. There were no other comments.

DVHIT Health Insurance

- Vice-Chairman Greenawalt said that the township has received the quotes from Blue Cross which went up by 7.8% and by going with DVHIT, the township will save 4.5%. He explained that the township's Blue Cross rep went back to Blue Cross to see if they would reduce the increase, but they will not and the township has until December 1st to switch to DVHIT. Supervisor Marks said that since Blue Cross will not reduce its increase, then there is no benefit to stay with them. Vice-Chairman Greenawalt said he wondered what kind of increase will happen in the 2nd year of the DVHIT contract because there is no guarantee on the rate of increase in the second year. Vice-Chairman Greenawalt asked if a 3 year contract had been discussed and Township Manager Hennessey said no, there is a lock in for 2 years and no guarantee for a 3rd year. Solicitor Sager asked if the proposal was for all years and Mr. Hennessey said no, the township can only lock in for 2 years if there is a 3 year contract because they will not provide a rate without any experience with the group. Solicitor Sager said the issue of 2 years is that the 2nd year may be a 12% increase. Vice-Chairman Greenawalt said the rates are going up traditionally at 5.5 to 6% each year. **Supervisor Marks made a motion to authorize the Township Manager to sign the DVHIT proposal, with a 2 year contract and a 1 year rate lock. The motion was seconded by Supervisor Claypoole and unanimously carried.** There were no other comments.

Act 209 Committee

- Vice-Chairman Greenawalt said that one of the committee members has indicated that he can no longer continue to be a member due to work commitments and needs to be replaced by someone in the real estate, development, or construction sectors and that a board member has suggested asking Karl Glocker to serve. Vice-Chairman Greenawalt asked if there is a conflict if Richard Scheler would serve. Both the Township Manager and Solicitor said there may or may not be a conflict since Mr. Scheler currently serves on the Zoning Hearing Board. The Township Manager suggested nominating both to cover construction and real estate. **Supervisor Marks made a motion to nominate both Karl Glocker and Richard Scheler to the Act 209 Committee until 2012. The motion was seconded by Supervisor Claypoole and unanimously carried.** There were no other comments.

Open Space Hearing

- Vice-Chairman Greenawalt said that with the Agreement of Sale for Coventryside Inc-Rexrode, a Growing Greener parcel, that the Solicitor has prepared a Notice of Hearing for this and other Growing Greener parcels that have been noted by the Open Space Review Board and that at this time, the board needs to authorize the advertisement of such a hearing. **Supervisor Marks made a**

motion to authorize the advertisement of a hearing to be held at the Board's first December meeting, which will cover the Coventryside piece of property as well as confirming the standards for acquisition of Open Space under the Open Space Lands Act. 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 reports and there were none.

Administration

Action Item List

- Supervisor Marks asked for an update on #13, Diltz/Fema buyout. Township Manager Hennessey said he verified with the county that the 200-300 block of South Hanover Street was put on as a Hazard Mitigation area when the township adopted the county plan and today the township filed a letter on intent regarding the Diltz home at 231 South Hanover.

Checklist

- Township Manager Hennessey said that the township received \$32,348.00 from the County for the Coventry Heights purchase.
- Township Manager Hennessey said the road crew has over 130 yard waste removal applications and they completed 20 of those today, but then the chipper jammed and has since been fixed.
- Mr. Hennessey said the township's fall newsletter has been sent out and it contains information on recycling for the grant and MS-4. He said there are extra copies in the magazine rack.
- Township Manager Hennessey said that the budget meeting is set for Thursday, November 17th at 8:30am at which time the roadmaster asked for consideration of a truck purchase.
- Township Manager Hennessey explained that the 2012 meetings must be advertised in December and noted there is a conflict with the boards 2nd December meeting in that it falls on Christmas Eve and suggested moving it to Friday, December 21st in the morning. Vice-Chairman Greenawalt said the board would like to have a proposed schedule for 2012 and asked that this be on the next agenda for discussion.
- Supervisor Marks said that at the Chester County Association of Township Officials meeting last Thursday night that Supervisor High was given an honor and it was really nice. Township Manager Hennessey said that one other supervisor had 36 years and is on the PSATS Honor Roll and that Mr. High, with 48 years of service may have set a state record.
- Vice-Chairman Greenawalt said he had nothing for the checklist.
- Supervisor Claypoole said the stop sign at St. Peters and Temple Roads, going west, is not there and needs to be replaced.
- Solicitor Sager said the Manager spoke to Mr. Stein regarding the Hill Camp property next to the acreage that the township bought. He explained that Mr. Stein constructed a house on the portion of township property, but the township does not want to battle and only needs access to the road. Mr. Sager said that 2 quit claim deeds will give Mr. Stein ½ of the acreage and thus allows the township to have its access, both parcels being 1.5 acres, although he had not spoken to or seen the survey the Stein's had done. **Supervisor Claypoole made a motion to authorize the Township Manager and Solicitor to put the deeds on record if the Steins agree to the Resolution of such; that this precludes any further claims of property if there are any 3rd party claims in the future. The motion was seconded by Supervisor Marks and unanimously carried.** Vice-

Chairman Greenawalt said that any action that requires a motion should be put on the agenda and not done during the checklist. Township Manager Hennessey said he will contact the Steins. There were no other comments.

- Township Manager Hennessey said that the township received an update today from Karl Glocker about the Rexrode property and Mr. Glocker said that the cleanup was done. Jay Kline said he was there today and it is not done and he spoke to Mr. Glocker who is following up on it.
- Mr. Sager asked if the Coventry Lake Deed of Dedication was filed and Mr. Hennessey said yes, it was filed and recorded. The Township Manager explained that LTL said there was a discrepancy of the legal description of the roadway from the 90's during the McKinney plan, and that Kevin O'Hare of LTL indicated that they did amend the plans and they agree. Mr. Hennessey said it was just an error when the document was typed and there is no conflict being rectified. He said he confirmed that the roads are on the Liquid Fuels list with Penn Dot and that the funding will increase by \$3,700 or \$3,800.

Extended Public Comment

- Roadmaster Joe Wood said there is a vehicle on the Municibid website that he would like the board to consider as a supplemental truck to the fleet, especially since there are additional developments like Coventry Lakes and French Creek. He said the additions add approximately 2 hours to plow and 20 minutes more to salt. Vice-Chairman Greenawalt said they are working on the budget now and asked if this is an additional truck and Mr. Wood said yes. Township Manager Hennessey said the truck will remain on bid until November 18th. Solicitor Sager asked what the truck is worth and Mr. Wood said about \$138,000.00 new because it is used to plow the airport and has only 4,000 miles on it. Mr. Wood said this additional will allow the road crew to use the 2003 Ford pickup as a tool truck with a utility body that they can use on sight at their jobs instead of running back and forth and changing the body to a spreader for winter. Vice-Chairman Greenawalt said it will be discussed in the budget meeting.
- John Ellwanger of the Deer Management Committee said that out of the 14 hunters, 2 got bucks and they reported 95 hours of hunting time logged. Vice-Chairman Greenawalt asked when the season ends and Mr. Ellwanger said that archery closes this Saturday at sunset. Mr. Ellwanger said he was told the number of deer at the sight has tripled and 2 fox were found. Chris Washburn said there are coyotes close to Shaner Drive also.
- Mr. Ellwanger said there is a 12" branch on the electric line at Fernbrook near the lodge. Township Manager Hennessey said he had contacted PECO about it and that he will call again. Mr. Ellwanger said he was also concerned over the position of the pole.
- Roadmaster Wood said that the road crew hoped to do leaf collection early in December but he did not have a date yet.

The meeting was recessed at 8:05pm for discussion on personnel matters in Executive Session.

With no further business before the Board, the meeting adjourned at 8:35 pm.

Respectfully Submitted,

Kevin F. Hennessey
Township Manager

