

**East Pikeland Township
Board of Supervisors Meeting**

May 6, 2014

A public meeting of the Board of Supervisors of East Pikeland Township was held on Wednesday, May 6, 2014 at the Township Building, 1158 Rapps Dam Road, Kimberton. Present were Chairman Ron Graham, Supervisor Ben Campbell and Township Manager Kim Moretti. Vice Chair Rusty Strauss was absent.

Mr. Graham called the meeting to order at 7pm.

Minutes

Mr. Campbell made a MOTION to approve the April 1, 2014 Board of Supervisors meeting minutes. Mr. Graham seconded the motion and it passed unanimously.

Correspondence

- Letter from French & Pickering Creeks Conservation Trust requesting municipal sponsorship for the annual French Creek Iron Tour bike ride.
- 2013 Financial Statements for the Police and Non-Uniformed pension plans from actuary.
- Liquid Fuels Audit Report for 2012.
- Community Update from EPA on Kimberton Superfund Site.

Mr. Graham made a MOTION, seconded by Mr. Campbell to approve \$500 contribution to French & Pickering Creeks Conservation Trust for the French Creek Iron Tour Bike Ride. Motion passed unanimously.

Department Reports

Township Manager's Report – Mrs. Moretti reported that in April 5 employees were re-certified in CPR, the Easter Egg Hunt was held at Kimberton Park, a clean-up was held on the French Creek Trail, and DCNR conducted a site visit of the trail to see how grant funds are being spent. The pedestrian bridge project has been delayed due to scheduling by the contractor. A public meeting was held to introduce revisions to the historic preservation ordinance. The ordinance draft will be presented to the Board shortly. Grant news: Application submitted to the Dept. of Justice for bullet-proof vests, notification received from DEP that the township was awarded a \$238,000 grant for a new tub-grinder for the yard waste recycling program.

Public Works Report – Posted

Police Department – Chief Franciscus provided a report of April 2014 statistics: 243 police responses, 2 thefts, 1 drug arrest, 3 DUIs, 7 felony/misdemeanors, 126 traffic citations were issued and 4 reportable accidents. Officers participated in active-shooter training at Phoenixville High School this month. An analysis was done on the fuel savings with the Compressed Natural Gas police vehicle and was determined that the CNG vehicles saves about \$200/month in fuel costs.

Planning Commission – John Schott reported that the Planning Commission is seeing an increase in land development activity and interest from development on projects that have been inactive for a number of years. The Planning Commission has better working relationship with developers than in the past. The zoning revisions for the MU district are moving forward. The Kimberton Village ordinance will be discussed at the May Planning Commission meeting. Ron Graham asked if a cost estimate had been provided for the village circle concept that the township will be contributing towards. Ed Latshaw responded that the location and design need to be finalized before determining responsibility for private/public improvements.

Old Business

None

New Business

Mr. Graham made a MOTION to accept the resignation of Jared Davis from the Police Department, effective April 23, 2014. Mr. Campbell seconded the motion and it passed unanimously.

Mr. Graham made a MOTION to authorize execution of Temporary Construction and Access Easement Agreements for the French Creek Trail Bridge Construction project. Mr. Campbell seconded the motion and it passed unanimously.

Mr. Graham made a MOTION to appoint Siana, Bellwoar & McAndrew as labor counsel. Mr. Campbell seconded the motion and it passed unanimously.

Discussion Items

Verizon Franchise Fee Audit – Kim Moretti explained that the elected auditors had suggested that the township consider an audit of the cable franchise fees from Verizon and Comcast. Recently a proposal to conduct such an audit was submitted to the Chester County Manager’s consortium by a law firm in Pittsburgh that specializes in this type of work. The fee for the audit would be a sliding scale based upon the number of municipalities that participate. Kim Moretti will further investigate and report back to the Board.

Wireless Facilities Management – Kim Moretti explained that a second proposal was submitted to the Chester County Manager’s Consortium for review of wireless facility ordinances. New technology is being developed that may not be addressed in the current ordinance. While the East Pikeland Township ordinance is strong, it does not address the newest technology. Kim Moretti will gather more information on this proposal also. The fee would also be based on a sliding scale based upon participation.

Public Comment

Debbie Schneider of Clover Lane was present to represent the Kimberton Meadows HOA as their new president. She asked why the township had removed the Kimberton Meadows discussion from the agenda. Kim Moretti explained that several meetings were held with Benson representatives and their attorney regarding the revised stormwater plans and permit requirements. DEP has issued the revised NPDES permit and the township asked Benson to provide a schedule for completion of the public

improvements before the Board of Supervisors takes action to approve the modified stormwater plan. Benson has not provided such a schedule, therefore the item was removed from the agenda. Ed Latshaw added that the township could find Benson in default and seize the escrow to complete the project, but this is a legal issue. In his opinion, the escrow amount remaining would be close to enough to finish the project but improvements would have to be prioritized in order to ensure enough escrow is available.

Ron Graham commented that it appears that Benson's goal is to get escrow released in advance of work being completed, but the township will not allow that to happen. He shared an April 18, 2014 letter from Benson's attorney with Mrs. Schneider to share with the HOA board. She responded that any progress would be appreciated, but the residents would like the township to consider pursuing a default action. The Board directed Mrs. Moretti to speak to the solicitor about this issue.

Jonathan Gayl commented that the potholes on Pickering Road, between Merlin Road and Charlestown Township, are very bad. Mrs. Moretti responded that since that road floods on a regular basis that the township is hesitant to spend funds to repave it, however she will make the Public Works Department aware of the problem.

Dennis Ray asked about the status of the damaged Rapps Dam Bridge. Mrs. Moretti responded that PennDOT has stated they will repair the bridge, but they have not yet provided a schedule. Once they do she will post it on the website.

Announcements

There being no further business, the meeting adjourned at 7:50 p.m.

Submitted by,
Kim Moretti, Township Manager