

**East Pikeland Township
Board of Supervisors Meeting
February 3, 2015**

A public meeting of the Board of Supervisors of East Pikeland Township was held on Tuesday; February 3, 2015 at the Township Building, 1158 Rapps Dam Road, Kimberton. Present were Chairman Ron Graham, Vice Chairman Rusty Strauss, Supervisor Ben Campbell and Township Manager, Kim Moretti.

Mr. Graham called the meeting to order at 7:00 p.m. following a public hearing on two proposed ordinances.

Special Recognition

Chief Franciscus took this opportunity to present several awards. He introduced and presented awards to Gayle Exley, Nichole Roque, Lysa Monterio, Charles Schuepfer, and Monica and Robert Davis for the heroic role they each played when Gary Moyer had a heart attack along the side of the road in December. Officer Pat Ehmann was also recognized for his role in the incident when he arrived with his patrol car and the AED machine that was used to revive Mr. Moyer's heart while waiting for the ambulance. Mr. Moyer was present and sincerely thanked everyone who was involved in saving his life.

Additional Department awards were presented to: Officer Pat Ehmann for the most traffic citations issued in 2014 (262); Officer Dan Corbo for the most DUI arrests in 2014 (7) and Officer James Robb, who was named Officer of the Year by his fellow officers.

Chief Franciscus introduced Megan McNabb, a senior student at Phoenixville Area High School, who has been interning with the department since October and Jarrett Wise, a senior from West Chester University who will begin his internship in May. Both students live in the township and wish to pursue a career in law enforcement.

Lastly, Chief Franciscus introduced the new part-time officer, Rob McCole. Mr. Strauss took the opportunity to make a MOTION to approve hiring Robert McCole as a part-time Police Officer, effective February 3, 2015. Mr. Campbell seconded the motion and the Board unanimously welcomed Officer McCole to East Pikeland Township.

Minutes

Mr. Campbell made a MOTION to approve the January 5, 2015 Reorganization Meeting Minutes and the January 5, 2015 Board of Supervisors meeting minutes. Mr. Strauss seconded the motion and the minutes were unanimously approved.

Department Reports

Township Manager – Kim Moretti announced that the PA Historic and Museum Commission had met that day to approve the addition of the Continental Powder Works to the National Register of Historic Places. She acknowledged the hard work of the Historical Commission volunteers and historic preservation consultants of John Milner Associates.

Mrs. Moretti reported that there are several grant deadlines that she hopes to meet this Spring, including one for traffic signal improvements, open space acquisition matching funds and possibly park and recreation funds.

Public Works – Al Cushman’s report was posted for review.

Police Department – Chief Franciscus reported statistics for the month of January 2015: police responded to 218 calls, 1 burglary, 1 theft, 3 DUIs, issued 35 traffic citations, and responded to 8 reportable accidents and 11 non-reportable accidents. There were 11 misdemeanor/felony arrests in January.

Correspondence

Mrs. Moretti explained that the Homeowners Association for Coldstream Crossing had expressed concern about the 55mph speed limit on Route 113 in front of their development and asked the township to consider lowering the speed. The township contacted PennDOT, who conducted a traffic speed study and recently sent a letter authorizing lowering of the speed limit from 55mph to 45mph on the entire length of Route 113 in East Pikeland Township.

Old Business

Kimberton Meadows Subdivision – Special Counsel, Andrew Bellwoar, was present to update the Board on the Kimberton Meadows Subdivision. The developer has filed a lawsuit against the township. Meetings to negotiate a settlement agreement have been conducted with the goal being for the developer to complete the improvements. The Board of Supervisors has authorized a default action against the developer who has not complied with the development agreements. The developer has a 60-day period, beginning January 26, in which to address the deficiencies in the development and complete the improvements. In the meantime, counsel will continue to negotiate a settlement agreement and hopes to have that ready for the Board to take action on it in March. If no settlement is reached, the litigation will continue.

Debbie Schneider, President of the HOA, was asked if she had any comments/questions. She responded that the HOA knows the major issue for completion is the concrete work, but they don’t know what the other issues are. For example, is the stormwater management issue behind lots 16-18 on the list of items to be addressed? Mr. Bellwoar responded that the specific stormwater issue is on the list and Ed Latshaw concurred that this is an item Benson has responded they will resolve. Mr. Bellwoar explained that because of the litigation the details of the settlement cannot be discussed in a public meeting. He did say that the deficiencies list started out with 35 items; 20 of which are still outstanding. The settlement agreement would address the scope of improvements and address the timing for completing those improvements.

Sean O’Neill, attorney for the HOA, asked if the HOA will be involved in execution of the settlement agreement. Mr. Graham responded that while the HOA is not a party to the law suit, he would like to see their input. Mr. Bellwoar will present the terms of the agreement to the Board of Supervisors at a public meeting prior to the Board of Supervisors approving it.

Mike Dimmerling asked who the default notice was sent to and was the lender notified. Mr. Bellwoar responded that the attorney representing the developer had been the recipient. The lender will be notified after the 60-day cure period if issues have not been resolved.

New Business

Mr. Strauss made a MOTION to accept the resignation of part-time police officer, Paul Kingsbury, effective February 2, 2015. Mr. Campbell seconded the motion and it passed unanimously.

Mr. Strauss made a MOTION to adopt **ORDINANCE No. 164**, amending the Subdivision and Land Development Ordinance to revise design standards and to promote economic redevelopment in the Commercial and Mixed Use zoning districts. Mr. Campbell seconded the motion and it passed unanimously.

Mr. Campbell made a MOTION to adopt **ORDINANCE No. 165**, amending the Zoning Ordinance of 2002, to promote economic redevelopment in the Commercial and Mixed Use zoning districts. Motion was seconded by Mr. Strauss and passed unanimously.

Mr. Campbell made a MOTION to adopt **ORDINANCE No. 166**, amending Chapter 16 of the Code of Ordinances, by deleting Section 16-102.8 that regulates the carrying of firearms within the limits of township parks. Mr. Strauss seconded the motion and it passed unanimously.

Mr. Campbell made a MOTION to authorize the township solicitor to draft an **Agreement of Sale for the purchase of the Wagner property** with Open Space Funds. Mr. Strauss seconded the motion. Carolyn Thompson asked where the property is located. Mr. Strauss responded that it is on the north side of 724 where the golf range is located. There being no further questions, the motion passed unanimously.

Subdivision/Land Development

Kimberton Way Project – Charles Line distributed a sketch for a senior living project to be located on 18 acres in the Kimberton Retail (KR) zoning district. He explained that he believes the property would solve roadway problems that have been encountered with the Walkable Kimberton project and would further present solutions for the Village.

Ron Graham responded that the Planning Commission is preparing to start a new project of reviewing the KR zoning district and he suggested that presentation of this project is premature until the Planning Commission has taken action on the zoning. John Schott encouraged Charlie Line to participate in the Planning Commission discussions, but agreed that presentation of the plan is premature.

Mr. Line stated that he has an agreement with the property owner and interest in the senior living facility and would like to proceed in a more timely manner. After further discussion, Mr. Line agreed to start with the Planning Commission and plans to do so at their February 9th meeting.

Public Comment

Dennis Ray asked for explanation of Ordinance No. 166 passed earlier in the meeting. Mr. Graham responded that a rule was removed from the Park & Recreation Ordinance regulating firearms. Mr. Strauss further explained that the ordinance was in response to a new State firearms law where a municipal ordinance cannot supersede state law.

Mike Ellis introduced himself to the audience and announced that he will be running for school board. East Pikeland Township has not had a resident represented on the school board in many years. He has been a 15-year resident of the township, has children at Phoenixville Area High School and would like to represent East Pikeland Township on the school board. He hopes to be endorsed shortly by the Republican Party.

Announcements

Mrs. Moretti announced that the township had declared a Snow Emergency on January 26, 2015.

There being no further business, the meeting was adjourned at 7:55pm.

Submitted by,
Kimberly Moretti, Township Manager