

**WEST PIKELAND TOWNSHIP
1645 ART SCHOOL ROAD
CHESTER SPRINGS, PA. 19425**

**BOARD OF SUPERVISORS MEETING
December 15, 2008**

The Board of Supervisors of West Pikeland Township met on December 15, 2008 at the Township Meeting Room. Those in attendance were Robert Shemonsky, Chairman; Richard Bright, Vice Chairman; Robert Barker, Supervisor; Harold Hallman III, Supervisor; William Cracas, Steve Ross, Interim Township Manager; Shane Clark, Chief of Police; Guy Donatelli, Solicitor; Harry Miller, Director of Facilities, Joan Cox, Treasurer and Joan Matthews, Township Secretary.

- I. **CALL TO ORDER:** 7:30 P.M.
- II. **PLEDGE OF ALLEGIANCE**
- III. **EXECUTIVE SESSION** – Mr. Shemonsky noted that the Board of Supervisors met in Executive Session on December 15, 2008 for personnel reasons.
- IV. **MEETING MINUTE APPROVAL** - Mr. Cracas made a motion to approve the minutes of the December 1, 2008 meeting. Dr. Bright seconded the motion. After no further discussion the motion was carried with all voting Aye.
- V. **PERSONS WISHING TO BE HEARD**
- VI. **UNFINISHED BUSINESS**
 - A. **Davis/Conti Subdivision** - Mr. Barker made a motion to approve the extension of the Davis/Conti Subdivision Plan to March 31, 2009. Mr. Cracas seconded the motion. After no further discussion, the motion was carried with all voting Aye.
 - B. **Comprehensive Plan Task Force**- Mr. Shemonsky noted that the Township has received ten volunteers to date to serve on the Comprehensive Task Force. Mr. Cracas stated that the current list does not include representation of the RD Zoning District. Mr. Harold Gibson of Twin Hills accepted the Board's invitation to be appointed to the task force. Mr. Gibson stated that he would seek additional residents of Twin Hills to serve on the task force. Mr. Barker made a motion to table the appointments until additional volunteers are found to represent the RD Zoning District. Mr. Cracas seconded the motion. After no further discussion the motion carried with all voting Aye.
 - C. **Cultural Center Use Policy and Procedure Resolution No. 2008-12-30**
Mr. Barker made a motion to adopt Resolution No. 2008-12-30 revising the Rules, Regulations and Procedures governing the use of the West Pikeland Township Yellow Springs Cultural Center and its associated facilities. Mr. Cracas seconded the motion. Mr. Shemonsky noted that the security deposit amount be removed from the Resolution. After no further discussion, the motion carried with all voting Aye.

D. **Township Engineer Presentation**– Mr. Ross stated that he has requested the Township Engineers to present a summary regarding the pending projects. Mr. Albert Giannantonio, P. E., Michael Mayhew, P. E., and Consultant David Linahan were present from Yerkes Associates. Mr. Albert Vennettilli, P. E. of Carroll Engineering was also present.

1. **Yerkes Associates** – Michael Mayhew, P. E. gave the following summary of 2008 Projects:

a. **Horseshoe Trail Eastern Bridge Project** – An emergency repair permit has been requested and approvals from PADEP and the Chester County Conservation District are expected to be received this month. A lengthy discussion ensued regarding the contractor beginning repairs before the necessary permits were received and the Township's responsibility for costs incurred. Mr. Giannantonio stated that Yerkes will assist the Township in clarifying this to the contractor. Emergency repairs may be completed by February 2009.

b. **Pickering Creek Trail Footbridge** – This Eagle Scout Project on the Bridge to Bridge Trail has obtained all necessary permits and work may proceed in the Spring of 2009.

c. **Elbow Lane Bridge Repair** – A cost estimate to replace the bridge culvert has been submitted in the amount of \$29,000.

d. **SALDO Update** – The update review of the Subdivision/Land Development Ordinance is scheduled for March 2009.

e. **Horseshoe Trail Western Bridge** – Continued review of rising of a portion of the road located in the floodplain along Horseshoe Trail west of Rt. 113.

f. **Upper Pine Creek Culvert Replacement Project** – A Bog Turtle Study and wetland determination report has received approval from U.S. Fish and Wildlife. Permits from PADEP are pending. The project is projected to be completed by the end of February 2009.

g. **Windolph Knoll Park Layout** – The park layout is currently on hold until all Act 537 testing has been completed.

h. **Car Dealership** – A survey estimate in the amount of \$2,700. was given to establish the property line between the car dealership and the Open space.

i. **Bridalwood Subdivision Stormwater Outlet** – An outlet discharge repair cost of \$23,000. was submitted.

2. **David Linahan, P. E.** – Mr. Linahan gave a summary of the work completed to date on the proposed Act 537 Plan. Mr. Linahan stated that the soil testing has been completed at the site and a drip field location is now available. The next step would be to start a Hydro geological Study. Mr. Linahan stated that the Township Solicitor should review the language contained in the Ordinance. An agreement

with Twin Hills needs to be proposed and submitted in writing. Once these tasks are all completed, the Township will be ready to proceed for formal public comment. Mr. Shemonsky stated that the residents need more detailed information to understand the need and scope of the project and suggested another presentation in January 2009. After a lengthy discussion, Mr. Shemonsky suggested Mr. Linahan draft an informative brochure within the next thirty days that could be posted on the web page and contained in the next newsletter to the residents. Upon completion of the brochure, a public presentation should be scheduled to include officials from the Chester County Health Department. Mr. Barker made a motion to approve Mr. Linahan to proceed with consultant work as outlined in the 12/11/08 proposal with a not to exceed amount of \$30,000. Mr. Cracas seconded the motion. After no further discussion the motion was carried with all voting Aye. Mr. Hallman III requested that Mr. Linahan clarify the legal requirements of the Township's obligations regarding public health.

3. Alberto Vennettilli, P.E. of Carroll engineering provided the Board with information regarding the construction of the soccer field at Pine Creek Park. Mr. Vennettilli stated that revisions of the plan requested by the Chester County Conservation District and DEP need to be completed and re-submitted. The revisions will include the need of an outside Geotechnical Consultant to complete Infiltration Testing. Mr. Vennettilli stated that the extensive testing is a result of the proposed soccer field affecting the Pickering Creek since it is designated as an Exceptional Value Stream. Mr. Cracas requested verification of the Pickering Creek's designation. A lengthy conversation ensued regarding the additional \$8,000. needed to complete the changes. Mr. Donatelli requested Mr. Vennettilli to outline the costs involved and submit it to the Board of Supervisors. Mr. Cracas made a motion to approve engineering services outline in the 12/25/08 proposal received from Carroll Engineering with a not to exceed amount of \$8,000. and approve the 12/9/08 proposal submitted from Rettew Associates in the amount of \$2,100. Mr. Barker seconded the motion. After no further discussion the motion carried with all voting Aye. Mr. Cracas made a motion to reject all bids and rebid the playing field at Pine Creek Park when a plan is completed that includes the revisions as required by DEP and the Chester County Conservation District. Mr. Hallman III seconded the motion. After no further discussion the motion carried with all voting Aye. Mr. Cracas made a motion to include the alternate of sod, and an alternate of

not having the top soil screened. Mr. Barker seconded the motion. Mr. Donatelli will review the Township's right to have criteria in the bid specifications to assure the bidder is qualified to build playing fields. Mr. Ross requested Mr. Vennettilli submit a time line of the progression of the project so that he can inform Lionville Youth Association.

- E. **2009 Budget Resolution 2008-12-31** - Mr. Cracas made a motion to adopt Resolution 2008-12-31 appropriating specific sums of the General and State Liquid Fuels funds for the specific purposes of the Township government, and specifying the General Fund Budget based on a rate of 0.125 mills Real Estate. Mr. Barker seconded the motion. After no further discussion the motion was carried with all voting Aye.
- F. **Appointments to Strategic Planning Committee** – Mr. Shemonsky noted that the Board will make the appropriate appointments at the January 5, 2009 Organizational Meeting.

VII. NEW BUSINESS

- A. **Bills for Approval** – Mr. Cracas made a motion to approve the bills submitted. Dr. Bright seconded the motion. Mr. Hallman III abstained from Check #1754. After no further discussion the motion carried with all voting Aye.
- B. **Right to Know Law** - Mr. Cracas made a motion to adopt Resolution 2008-12-32 to establish compliance with the new Right-To-Know Act of 2008, and Resolution 2008-12-33 to appoint Joan C. Matthews as Open-Records Officer, and Wayne O'Connell as deputy open-records officer. Mr. Barker seconded the motion. Mr. Hallman III requested that the Board of Supervisors be supplied with a copy of each month's log of requests received.
- C. **Snow Removal** –
 - 1. **Equipment/Operators Bid Award** – Mr. Ross reported that only one bid was received from Morgan Site Improvement. Mr. Hallman III requested that Mr. Ross specify larger vehicles, a time commitment for use of chains and adequate insurance liability limits before considering the submitted bid.
 - 2. **Winter Maintenance Policy Resolution 2008-12-35**- Mr. Cracas made a motion to adopt Resolution 2008-12-35 with the recommended changes as noted by Mr. Hallman III. Mr. Barker seconded the motion. Mr. Hallman III requested Mr. Ross authorize where the salt trucks are to be washed. After no further discussion the motion carried with all voting Aye.
- D. **Approval of Facility Use** – Mr. Cracas made a motion to authorize Schmata Productions, a non-profit agency to use the Cultural Center facilities February 15-22, 2009 with the exclusion of February 18, 2008 and authorizing a non-profit 50% rental reduction of the current fee schedule. Mr. Shemonsky seconded the motion. After no further discussion the motion carried with all voting Aye with the exception of Mr. Barker and Mr. Hallman III abstaining due to lack of enough information.

- E. **Resolution 2008-12-36** - Mr. Shemonsky made a motion to adopt Resolution 2008-12-36 affirming the appointment of Keystone Municipal Services as Interim Township Manager and the removal of Jeri L. Diesinger as Township Manager. Mr. Cracas seconded the motion. After no further discussion, the motion was carried with all voting Aye.

VIII. REPORTS

- A. **Arts and Culture Committee** – John Matthews gave a summary of their minutes. Mr. Matthews noted that a safe ladder is needed for the theatre.
- B. **Building/Zoning Officer**-Mr. Shemonsky read the November 2008 Building/Zoning Officer's Report.
- C. **Communications Committee**- No report or representative
- D. **Financial Review Committee**-No representative
- E. **Fire & Ambulance Services** – Mr. Shemonsky gave the November 2008 Lionville, Kimberton, and West End Fire Company.
- F. **Historic Architectural Review Board** –No report
- G. **Historic Commission** – No report
- H. **Open Space Advisory Committee** –No report
- I. **Police Department** – Chief Shane T. Clark read the November 2008 Police Report.
- J. **Planning Commission** – Harry Miller gave a summary of the December 8, 2008 Planning Commission Meeting.
- K. **Park and Recreation**- Linda Glaum gave a summary of the Items to Follow Up and the meeting minutes of December 4, 2008. Mr. Shemonsky made a motion to authorize the printing of 50 copies of the PCP Trail Map; one UV protected Laminated Print for the kiosk, and a weather proof map holding box at an estimated total cost of \$170.00.
- L. **Manager's report** – Mr. Ross summarized the report.
- M. **Strategic Planning Committee**- No report.
- N. **Treasurer's Report** – Mr. Cracas made a motion recommending pay-off of the \$130,000. balance of the debit note at Downingtown National Bank, with the option to re-borrow at a lower interest rate if funds are needed. Mr. Hallman III seconded the motion. Mr. Barker requested the Township Treasurer to confirm there are enough funds for January 2009. After no further discussion the motion carried with all voting Aye, with the exception of Mr. Shemonsky and Mr. Barker who abstained.
- O. **Windolph Knoll Master Site Plan Committee**- No report
- P. **Land Trust**- Report will be submitted quarterly.
- Q. **Motion to Receive Reports**. Mr. Cracas made a motion to approve the reports as read. Mr. Barker seconded the motion. After no further discussion the motion carried with all voting Aye.

IX. ANNOUNCEMENTS

- A. **ACMEC Hearing**- The next ACMEC Hearing will be December 18, 2008 at 7:00 p.m. in the Township Meeting Room.

- B. ***Board of Supervisors Organizational Meeting*** – will be held on January 5, 2009 at 7:00 p.m.
- C. ***Board Regular Session*** – The Board of Supervisors next Regular Session will be on January 5, 2009 immediately following the Organizational Meeting.
- D. ***Board of Auditors Meeting*** will be held on January 6, 2009 at 6:00 p.m.

X. PERSONS WISHING TO BE HEARD

XI. ADJOURNMENT – Mr. Cracas made a motion to adjourn the meeting at 10:10 p.m.

Respectfully Submitted,

Joan C. Matthews,
Township Secretary