

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

**BOARD OF SUPERVISORS MEETING  
July 21, 2008**

The Board of Supervisors of West Pikeland Township met on July 21, 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, Supervisor; Jeri L. Diesinger, P.G., Township Manager; Shane Clark, Chief of Police; Guy Donatelli, Solicitor; Harry Miller, Director of Facilities, and Joan Matthews, Township Secretary.

**I. CALL TO ORDER: 7:30 P.M**

**II. PLEDGE OF ALLEGIANCE**

**III. EXECUTIVE SESSIONS** – Mr. Shemonsky announced that the Board of Supervisors met in Executive Session on June 16, 2008 and July 7, 2008 for personnel reasons.

**IV. MEETING MINUTE APPROVAL**

**A. June 16, 2008 Meeting Minutes** – Mr. Cracas made a motion to approve the minutes of June 16, 2008 with the addition of adding the word “on file” under Section VI.E. Mr. Barker seconded the motion. After no further discussion, the motion was carried with all voting Aye.

**B. June 26, 2008 Anselma Crossing Conditional Use Hearing** – Mr. Barker moved to approve the minutes of the June 26, 2008 Anselma Crossing Conditional Use Hearing with the addition that Mr. Cracas recused himself from the hearing in the attendance paragraph. Dr. Bright seconded the motion. After no further discussion, the motion was carried with all voting Aye.

**V. PERSONS WISHING TO BE HEARD**

**A. Maurie Kring** – approached the Board and requested that the Anselma Conditional Use hearing which was held and closed on June 26, 2008, be reopened and a further hearing be rescheduled and re-advertised. Mr. Kring wishes to submit revisions to the present plan changing the main entrance/exit to and from Route 401 to the Post Office building. Mr. Kring will present these changes to the Planning Commission at their August 11, 2008 meeting and requested the Board of Supervisors consider holding a hearing at the August 18, 2008 meeting. Mr. Donatelli stated that August 18, 2008 will be considered after checking the availability of the appropriate parties.

**VI. UNFINISHED BUSINESS**

- A. **2007 Audit** – Mr. Cracas stated that the 2007 Audit has been completed and is now available for review on the Township web page.
- B. **Comprehensive Plan and Zoning Ordinance Update** – Mrs. Diesinger submitted the following cost summary proposals for Comprehensive Plan and Zoning Ordinance updates:

Gilmore and Associates	\$ 11,280.00
Thomas Committa Associates	\$ 84,920.00
Carroll Engineering	\$ 23,000.00

- 1. **Comprehensive Update** - Mr. Cracas made a motion to accept the proposal from Thomas Committa Associates in the amount of \$77,500.00 to complete an update of the present Comprehensive Plan. Mr. Barker seconded the motion. Mrs. Diesinger stated that the higher quote was chosen because it would accomplish a complete update. After no further discussion, the motion was carried with all voting Aye.
  - 2. **Zoning Ordinance Update** – Mr. Cracas made a motion to accept the proposal from Thomas Committa Associates in the amount of \$7,420.00 to complete an update of the Zoning Ordinance. Mr. Barker seconded the motion. After no further discussion, the motion was carried with all voting Aye.
- C. **Update of light at 401 and 113** – Mrs. Diesinger reported that PennDOT allowed the Township to modify the timing of the SR401 and SR113 intersection traffic light during morning and afternoon rush hours. The Township will watch traffic patterns and if the changes relieve some of the back ups, PennDOT will change their drawings.
- D. **Environmental Advisory Committee Ordinance 2008-02** – Mr. Shemonsky presented Ordinance 2008-02. The Ordinance was duly advertised and proof of publication was marked as an exhibit. Dr. Bright made a motion to adopt Ordinance 2008-02 Environmental Advisory Committee. Mr. Cracas seconded the motion. Mr. Shemonsky stated that persons interested in serving on the newly established committee should fill out a volunteer application form, and submit it to the Township Secretary. After no further discussion, the motion was carried with all voting Aye.
- E. **LYA Donation to Township** – Mrs. Diesinger stated that West Pikeland Township issued \$15,000.00 to LYA to ensure participation of West Pikeland Township children in the 2008 LYA fall program. In turn, LYA donated \$15,000.00 to the Township to be held in escrow and used for the building of a new soccer/lacrosse field.
- F. **Proposals for design of full-size field at Pine Creek Park** – Mrs. Diesinger presented the following summary of engineering proposals and cost estimates for field construction:

	Engineering Services	Total Construction Costs
Yerkes Associates	\$19,750.00	\$73,998.00
Gilmore & Associates	\$23,174.00	\$99,933.00
Carroll Engineering	\$18,200.00	Not Submitted
KMS Design Group	\$22,330.00	\$70-85,000.00

Mrs. Diesinger also reported that the Township received a verbal quote to grade and seed the field at \$25,000.00. Mrs. Diesinger also stated that she is researching the possibility of the Operating Engineers Union grading the site as a training session for free. Mr. Cracas made a motion to accept the proposal submitted by Carroll Engineering in the amount of \$18,200.00. Mr. Hallman III seconded the motion. Mr. Barker requested the Finance Committee submit their financial impact of building a playing field before the vote on the motion. Mr. Wayne Freese submitted his report that included several non-financial considerations that affects the costs of construction of a full sized field at Pine Creek Park. A lengthy discussion ensued regarding the location and costs involved in placing a new playing field at Pine Creek Park. The Finance Committee recommended that the Board not build a field at Pine Creek Park and consider proposing Windolph Knoll as a more adequate site. Mr. Carreiro summarized the costs for field construction that the Township already obtained and stated that the Board needs to consider that if the Township does not act on the field with LYA, they will be found in compliance and the children of the township will not be able to participate in LYA programs. Mr. Shemonsky stated that the Board should have a discussion with the LYA Board and inform them of the Township's current financial situation and discuss the proposed uses for recreation at Windolph Knoll to possibly prevent unnecessary expenditures. Mr. Barker moved to amend the motion by adding that the engineering design be delayed until a work session with the LYA President and West Pikeland's representative, Beth Madarang to discuss the stipulations set forth by LYA. Mrs. Diesinger stated that the Board should consider the time constraints relating to constructing the field and the time involved in obtaining the necessary permits for excavation by September 15, 2008. Dr. Bright seconded the motion. After no further discussion, the motion was carried with Mr. Shemonsky, Mr. Barker, and Dr. Bright voted Aye. Mr. Cracas and Mr. Hallman III voted Nay.

- G. **Park and Recreation Proposed Ordinance Change** – Mr. Cracas made a motion to postpone further discussion of the proposed changes until the August 18, 2008 meeting. A discussion ensued regarding proposed ordinance changes and the need for clarification on marked recommendations and changes by the Park and Recreation Review Committee and the present Park and Recreation Board. The Ordinance will then be considered at the August 18, 2008 meeting for authorization for advertisement. Mr. Shemonsky

seconded the motion. After no further discussion, the motion was carried with all voting Aye.

- H. **Harvey Barn Demolition request** – Mr. and Mrs. David Harvey of 901 Evergreen Drive submitted an application for demolition of a barn at their property. The barn is designated as a historic resource within the Township. The Historic Commission submitted their written recommendation from their June 24, 2008 meeting. Dr. Bright made a motion to deny the application for demolition of the barn. Mr. Cracas seconded the motion. After no further discussion, the motion was carried with Mr. Shemonsky, Dr. Bright, Mr. Cracas and Mr. Hallman III voted Aye. Mr. Barker voted Nay.
- I. **Village Productions Plan** – Almost, Maine – Mrs. Diesinger reported that 606 people attended the 12 performances and the Township cleared \$1, 352.15.
- J. **Pickering Meadows Road Dedication Update** – Yerkes Associates have conducted an inspection of an existing punch-list needed for dedicating the road. Dedication is not recommended at this time until some of the outstanding items are addressed.

## VII. **NEW BUSINESS**

- A. **Bills for Approval** – Mr. Cracas made a motion to approve the bills submitted. Mr. Barker seconded the motion. After no further discussion, the motion was carried with all voting Aye. Mr. Hallman III abstained from checks #1408 and 1430.
- B. **Resignations** – Mrs. Diesinger advised that Amber Clark has submitted her resignation as Office Assistant, effective August 2, 2008. Mr. Frank Tavani has resigned as a non-voting member of the Planning Commission effective July 14, 2008.
- C. **751 Upper Pine Creek Road complaint** – Mr. and Mrs. Kustifik of 751 Upper Pine Creek Road stated that paving to the road completed eight to ten years ago has resulted in water damage to their property. Mr. Barker made a motion to forward the drainage complaint to the Township Engineer for review and recommendations. Mr. Shemonsky seconded the motion. After no further discussion, the motion was carried with all voting Aye.
- D. **Conflict Council request for waiver of Conflict of Interest**. Mr. Cracas made a motion to waive the conflict of interest as addressed in a letter from Denise Wekley, Esquire, dated July 16, 2008 and have the Township Manager sign the document. The conflict being, the Township alternate engineer representing a property owner in a dispute with a Homeowner's Association in which the township has become involved. Mr. Shemonsky seconded the motion. After no further discussion, the motion was carried with all voting Aye.
- E. **Anselma Crossing Conditional Use** – Mr. Barker made a motion to grant the re-opening of the Anselma Crossing Conditional Use Hearing. Mr. Shemonsky seconded the motion. After no further discussion, the motion was carried with all voting Aye, with the exception of Mr. Cracas who abstained from voting.

- F. **Davis/Conti Subdivision Plan extension of time** – Mr. Cracas made a motion to approve a 30 day extension to September 11, 2008 to the Davis/Conti Subdivision Plan. Dr. Bright seconded the motion. After no further discussion, the motion was carried with all voting Aye.
- G. **Municipal Pension Plan Appointment of Administrator – Resolution 2008-07-17-** Mr. Cracas made a motion to adopt Resolution 2008-07-17 appointing Joan Cox as Municipal Pension Plan Administrator. Mr. Barker seconded the motion. After no further discussion, the motion was carried with all voting Aye.
- H. **Jacob Yasgur Minor Subdivision Plan. - Resolution 2008-07-18-**Mr. Shemonsky made a motion to adopt Resolution 2008-07-18 approving the 2 lot Jacob Yasgur Subdivision Plan. Mr. Cracas seconded the motion. After no further discussion, the motion was carried with all voting Aye.
- I. **Mileage Rate Change-Resolution 2008-07-19** – Mr. Barker made a motion to adopt Resolution 2008-07-19 establishing the rate of 58.5 cents per mile for reimbursement. Mr. Cracas seconded the motion. After no further discussion, the motion was carried with all voting Aye.
- J. **No Smoking Policy – Ordinance** – Mr. Cracas made a motion to advertise the Ordinance as produced and simultaneously have the Township Solicitor conduct a legal review of the Ordinance. Mr. Hallman III seconded the motion. After no further discussion, the motion was carried with all voting Aye.

## VIII. REPORTS

- A. **Committee Report Requirements** – Mrs. Diesinger stated that in order to streamline the reports received from the committees; the following guidelines need to be followed. A form will be provided to all the committees to outline the following:
  1. Submit reports and minutes to the Township Secretary no later than the Wednesday before the next Board of Supervisors meeting.
  2. Place an executive summary at the top of the report with bulleted recommendation directly below.
- B. **Arts and Culture Committee** – No report was submitted to the Township. John Matthews summarized his report. He wished to thank Amber Clark for all her assistance. John reported that the Committee wished to bring to the attention of the Board the appalling physical condition of the entire outside grounds and condition of the Cultural Center facility. Mr. Shemonsky asked Mrs. Diesinger to obtain quotes on landscaping and repairs to the building. Mr. Hallman III stated that the present poor condition of the roof over the meeting room and township offices should also be addressed.
- C. **Building/Zoning Officer** – Mr. Shemonsky read the report. Mr. Hallman III requested Historic Yellow Springs submit to the Township the status of the house that has fire damage and which repairs have not been made to this date. HARB has been notified to submit comments regarding the shed at the entrance of the township building.

- D. **Communications Committee** – No report was submitted to the Township. Mr. Butchkoski summarized their recent meetings.
- E. **Emergency Management Planning Committee**. Mr. Hallman III reported that he is currently working on updating the present emergency operations plan. Mrs. Matthews attended a seminar at Chester County relating to a public registry for residents with special needs. A Registry link will be added to the web page.
- G. **Fire and Ambulance Services** – Mr. Shemonsky read the reports.
- H. **Historic Commission** – Lila Smith reported that the Commission is currently reviewing procedures and policies.
- I. **Open Space Advisory Committee** – Curt Grogan stated that the advisory committee recommends the Township be a co-holder and ultimate substitute should the designated Conservancy no longer be in a position to enforce easements. Mr. Cracas made a motion that the Township make a policy to hold and monitor the easements including the West Pikeland Land Trust, French and Pickering Trust, Natural Land Trust, North American and Brandywine Conservancy to hold and monitor easements with West Pikeland Township as the co-holder and ultimate substitute should the designated conservancy no longer be in a position to enforce the easements.
- J. **Police Department** – Chief Clark gave the June 2008 Police Report. Chief Clark reported that the Police Association will attend to Meta’s garden as they did last year.
- K. **Planning Commission** – Mr. Miller summarized the July 14, 2008 meeting. Mr. Hallman III requested that the status of the Bryn Coed Farms Subdivision Plan be reviewed.
- L. **Park and Recreation Committee** – Mr. Carreiro summarized the meeting minutes of their June 19, 2008 meeting and July 5, 2008 minutes. Mr. Cracas made a motion to approve Saturday, October 18, 2008 with a rain date of October 19, 2008, as Community Day at Pine Creek Park. Mr. Shemonsky seconded the motion. After no further discussion, the motion was carried with all voting Aye. Mr. Barker made a motion to approve the purchase of 200 Boundary signs to identify West Pikeland Township as recommended by the Park and Recreation Committee not to exceed \$500.00. Mr. Cracas seconded the motion. After no further discussion, the motion was carried with all voting Aye.
- M. **Strategic Planning Committee** – Dale McCullough summarized the committee’s latest meeting report.
- N. **Treasurer’s Report** – Mr. Shemonsky read the Treasurer’s report for June 2008 and the first quarter.
- O. **Windolph Knoll Site Plan Committee** – Mrs. Bartley gave a summary of the committee’s recent meetings.
- P. **Motion to receive the reports**. Mr. Barker made a motion to accept the reports. Mr. Cracas seconded the motion. After no further discussion, the motion was carried with all voting Aye.

**IX. ANNOUNCEMENTS**

- A. *Next Board Meeting* – Mr. Shemonsky announced that the next Board of Supervisors meeting will be August 18, 2008.
  - B. *ACMEC Conditional Use Hearing* – Mr. Shemonsky announced that the hearing will be held on August 19, 2008 at 7:00 p.m.
- X. **PERSONS WISHING TO BE HEARD**
- A. *Joe Loughran* stated that he felt Wayne Freese was not given adequate respect during his financial presentation.
  - B. *Carole Kustafik* – stated that it is hard to hear persons speaking in the meeting room, and suggested some type of amplified sound system.
  - C. *Rob Kocher* – stated he felt that Cathy Grady should resign from the Park and Recreation Committee since she has not attended any meetings.
  - D. *Dr. Bright* stated that he has concerns regarding the lack of timely responses from Yerkes Associates and suggested the Township look into other alternative engineer firms.
- XI. *ADJOURNMENT* – Mr. Barker made a motion to adjourn the meeting at 10:45 p.m.

Respectfully Submitted,

Joan C. Matthews,  
Township Secretary