

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

**BOARD OF SUPERVISORS MEETING MINUTES
September 15, 2008**

The Board of Supervisors of West Pikeland Township met on September 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, 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 SESSION** – There were no Executive Sessions to report.
- IV. **MEETING MINUTE APPROVAL**
 - A. **August 18, 2008 Regular Session** – Mr. Barker made a motion to approve the minutes of the August 18, 2008 Regular Session with the addition of a correction noted by Mr. Hallman III to include he requested the Township Manager to obtain heating oil quotes for the Township Meeting and Cultural Center Building. Dr. Bright seconded the motion. After no further discussion, the motion carried with all voting Aye.
 - B. **August 18, 2008 Anselma Crossing Conditional Use Hearing** – Mr. Barker made a motion to approve the minutes of the August 18, 2008 hearing. Mr. Shemonsky seconded the motion. After no further discussion, the motion carried with all voting Aye with the exception of Mr. Cracas who abstained.
- V. **PERSONS WISHING TO BE HEARD** – No persons asked to speak.
- VI. **UNFINISHED BUSINESS**
 - A. **Response to Finance Review Committee Report** -Mrs. Diesinger reported that Mr. Shemonsky, Mr. Rowan, Mr. Loughran, Mr. Freese, Mr. Cracas and herself met on August 27, 2008 to discuss the Financial Review Committee’s report submitted at the August 18, 2008 Board meeting. The Board agreed on potentially deferring additional services until next year to provide additional funding to ensure the Township would end the year in the black. The Board agreed that the Township has funds available to pay for a new playing field. A discussion ensued between the Board and the committee regarding the current budget status.
 - B. **LYA proposed field** – Mrs. Diesinger gave an overview of the inspections and construction project status for the new playing field at Pine Creek Park. Mrs. Diesinger explained that the West Pikeland Township Subdivision/Land Development Ordinance and Pennsylvania Municipal Planning Code application process must be followed since the playing field is a designated Land Development Plan. Mrs. Diesinger further stated that the West Pikeland Township Planning Commission reviewed the plan at their September 8, 2008 meeting and made

recommendations to the plan. Mrs. Diesinger stated that Carroll Engineering has presented a plan dated September 15, 2008 that addresses the West Pikeland Township Planning Commission's recommendations by assuring a tree line and trail are not affected. Mr. Shemonsky announced that the Township received a letter from LYA dated September 9, 2008 indicating West Pikeland residents would be suspended from their spring 2009 programs subject to the new playing field leveled, graded, and seeded. A lengthy discussion ensued with the Board and the attending public regarding the size of the field, and the reasons for the past construction delays. Mr. Shemonsky responded that the Township is following the Ordinance process and is moving as quickly as possible. Attending residents who have children in LYA programs expressed their concerns to the Board and requested the Board expedite the construction of the second playing field immediately. Mrs. Diesinger stated that she would take the 9/15/08 plan to a special meeting of Park and Recreation and Planning Commission for their recommendations. Mr. Barker stated that he would attend a meeting with LYA on Sunday, September 21, 2008 to discuss the Board's endorsement of the field, and would post the outcome of the meeting on the Township webpage. Mr. Hallman III made a motion to proceed with the Pine Creek Soccer Field Plan received from Carroll Engineering Corporation on September 15, 2008 and to expedite construction as soon as possible. Mr. Hallman III further wished to thank the West Pikeland Township Planning Commission for their recommendations. Mr. Barker seconded the motion. Mr. Shemonsky asked for assurances that the Planning Commission recommendations have been included in the 09/15/08 plan. Mrs. Diesinger stated that the recommendations are included and neither the tree line nor trail is impacted and the plan is ready to present to the Planning Commission. After no further discussion, the motion carried with all voting Aye.

- C. ***Salt Storage*** - Mrs. Diesinger stated that the Township has to remove the salt stored at its present location by September 30, 2008. Mr. and Mrs. William Cracas of 1206 Conestoga Road have agreed to allow the Township to use a portion of their property to temporarily store road salt and allow the Township access to the salt during the winter of 2008-2009. Mr. Donatelli stated that the agreement does not violate the conflict and contract provisions or any of the other "Restricted Activities", of the Public Official and Employee Ethics Act, 65 P.S. sections 1103. Mr. Donatelli further stated that Mr. and Mrs. Cracas would not be compensated for the storage. Mr. Shemonsky made a motion to authorize the Township Manager to execute the License Agreement with the Licensor to the satisfaction of the Conditions Precedent to Effectiveness. Dr. Bright seconded the motion. Mr. Hallman III requested an advisory opinion from Mr. Donatelli. After no further discussion, the motion carried with all voting Aye with the exception of Mr. Cracas who abstained from voting.
- D. ***Non-Smoking Ordinance 2008-05***-Mr. Barker made a motion to adopt Ordinance 2008-05 prohibiting smoking and the carrying of lighted objects in specified places in the building, grounds and vehicles owned by the Township of West Pikeland. Mr. Cracas seconded the motion. The motion was duly advertised and the proof of publication was marked as Exhibit 1. After no further discussion, the motion carried with all voting Aye.

VII. NEW BUSINESS

- A. ***Bills for Approval*** – Mr. Cracas made a motion to approve the bills submitted. Mr. Shemonsky seconded the motion. After no further discussion, the motion carried with all voting Aye. Mr. Hallman III abstained from checks 1541 and 1550. Mr.

Hallman III requested the road department use local hardware stores to conserve fuel and to purchase cold patch in small bulk quantities.

- B. Reserve Fund transfers**- Mr. Shemonsky made a motion to adopt Resolution 2008-09-22 transferring funds from the escrow general and the capital reserve fire/police funds into the general operating fund. Mr. Hallman III seconded the motion. After no further discussion, the motion carried with all voting Aye.
- C. Anselma Crossing Conditional Use Decision**- Mr. Cracas wished it noted that the transcript of the proceedings for the August 18, 2008 hearing had him listed as in attendance. It should be noted that Mr. Cracas had recused himself from the proceedings. Mr. Shemonsky asked the Board for comments concerning the Decision and Order. Mr. Hallman III stated that he felt Condition 10 that places restrictions on outside sales was too constrictive for the conduct of business. Mr. Donatelli stated that the retailer could make application to the Board of Supervisors in the form of a permit to allow outside sales. Mr. Barker made a motion to grant the Conditional Use Application, subject to the conditions listed in the Decision, items 1-30. Dr. Bright seconded the motion. After no further discussion, the motion carried with all voting Aye, with the exception of Mr. Hallman III who voted Nay, and Mr. Cracas who abstained.
- D. Open Space- Appraisals** – The Board agreed to table approval of the appraisals until additional information including a yield study is completed. The Board agreed to have an Executive Session to discuss this matter.
- E. Government Study Commission – Resolution 2008-09-21**- Mr. Shemonsky made a motion to adopt Resolution 2008-09-21 acknowledging the work of the West Pikeland Township Government Study Commission and recommending that resident voters approve the adoption of the West Pikeland Home Rule Charter by voting “Yes” to the referendum question on the November 4, 2008 Ballot. The motion did not receive a second. A discussion ensued regarding the funding of the Commission. Mr. Hallman III requested the record reflect that Mr. Hollings stated he did not keep a record of private donations and simply deposited the checks into the Government Study Commission treasury. Mr. Barker stated he personally endorses the Commission, but does not feel confident with the Resolution not being a unanimous vote of the Board. Mr. Cracas stated that he would not vote due to the restrictions on loans, voting issues, no submission of a financial impact study, and the lack of disclosure of unanimous gifts to the Commission. The motion did not carry.
- F. Chester County Craft Guild Request** – Mr. Cracas made a motion to approve Chester County Craft Guild to use the Cultural Center Facilities November 14, 15, and 16, 2008 for holding a Craft Show. Mr. Barker seconded the motion. After no further discussion, the motion carried with all voting Aye.
- G. Historic Yellow Springs use of Cultural Center 2009-2012** – Mr. Shemonsky made a motion to approve the dates submitted by Historic Yellow Springs to use the Cultural Center Facilities and parking lots as specified in their letter dated August 18, 2008 that Historic Yellow Springs has until November 1, 2008 to amend the request. Mr. Cracas seconded the motion. After no further discussion, the motion carried with all voting Aye.
- H. Harvey Barn**– Laurie Harvey of 901 Evergreen Drive presented the Board with her letter dated September 15, 2008 requesting application of a subdivision plan in order to preserve the existing historic barn on her property. Mrs. Harvey stated she understood why the Board of Supervisors denied the barn demolition application on July 21, 2008 and respected the Historic Commission’s recommendations for the barn to be preserved. Mrs. Harvey stated that she has met with the Building/Zoning

Officer who directed her to Section 804 of the Township Zoning Ordinance, which affords the possibility of a subdivision plan to separate the barn from the house, onto its own 1.3-acre lot. Mr. Donatelli noted the Board would need to take formal action on her appeal of the decision as stated in her letter of August 18, 2008. Mrs. Harvey stated her formal withdrawal of the August 18, 2008 appeal. Mr. Donatelli advised Mrs. Harvey to seek legal council and obtain the necessary Subdivision/Land Development forms from the Township. The Board agreed to have Mr. Donatelli review the Harvey's application through the subdivision process to assure they are afforded special provisions contained in the Ordinance that encourages the preservation of historic structures.

- I. **Resignation from Arts and Culture Committee** – Mr. Shemonsky announced that Gesa Skarloff has resigned as a member of the Arts and Culture Committee. The Board expressed their appreciation to Mrs. Skarloff for her dedication to the Township. Mr. Hallman III requested a thank you letter be sent to Mrs. Skarloff.
- J. **Appointment of Acting Chair – Strategic Planning Committee** – Mr. Shemonsky stated he informed the committee that they could appoint their own chairperson without an action by the Board.
- K. **Pine Creek Park Bridge Noise** -Mrs. Diesinger reported that the Township Engineer completed a Noise Reduction Report for the main entrance bridge at Pine Creek Park. Mrs. Diesinger suggested that the repairs would be considered in the 2009 budget. A discussion ensued regarding alternative repairs to the bridge. The Board agreed to have the Township Engineer review Mr. Hallman's III suggestion to place boards in an opposite direction on top of the existing base to slow traffic and lessen the bridge noise.
- L. **Palmer House** – Mrs. Diesinger reported that the heating and hot water systems at the Palmer house needs replacement, as the tenant's hot water is not consistent. The following quotes were received:

Service Mark	\$9,878.00
Precision Air Heating & Cooling	\$9,825.00
Summers & Zims, Inc.	\$9,987.00

Mrs. Diesinger stated that the Building/Zoning Officer and John Lambert conducted an inspection of the system. Mr. Hallman III stated that the quotes are based on different models and the bid should have been for a specific model. Mr. Shemonsky agreed that the Township Manager submit specifications to the bidders for future consideration. Mr. Hallman III suggested a small electric hot water heater be installed until the system is repaired.

- M. **Maintenance Building**- Mrs. Diesinger reported that the following quotes were received for a Waste Oil Heating System to heat the maintenance building at Pine Creek Park:

Brian Myers Shope Equipment	\$9,295.00
EFM Automatic Heating	\$9,330.00
PSM Waste Oil Combustion, LLC	\$9,950.00

The Board discussed concerns regarding having such a system at the park and the necessary MS4 permits. The Board agreed they were not interested in installing such a system at this time.

- N. **Comprehensive Plan Task Force** – Mrs. Diesinger reported that Mrs. Matthews has contacted all the committees for a volunteer representative to serve on a task force to work with the Township Engineer to update the existing comprehensive plan. The Volunteer request will be posted on the webpage.

- O. **Composting Workshop** – The Township will have a Composting Workshop presented by the Chester County Solid Waste Authority on October 17, 2008 at 7:00 p.m. Earth Machine composters will be provided to the first 35 registered attendees. Residents are encouraged to contact the Township Office to register.

VIII. REPORTS

- A. **Arts and Culture Committee** – No report.
- B. **Building/Zoning Officer**- Mr. Shemonsky read the Building/Zoning Officer’s report for August 2008.
- C. **Communication Committee** – No report.
- D. **Financial Review Committee** – Mr. Shemonsky read the Financial Review Committee minutes.
- E. **Fire & Ambulance Services** – Mr. Shemonsky read the August 2008 fire reports from Kimberton Fire Company, West End Fire/Ambulance Company, and Kimberton Fire Company.
- F. **Historic Architectural Review Board** – None
- G. **Historic Commission** – The Board acknowledged the Historic Commission’s minutes of August 26, 2008.
- H. **Open Space Advisory Committee** – The Board acknowledged the Open Space Advisory Committee report for September 2008.
- I. **Police Department** – Chief Shane Clark read the August 2008 Police Report. A discussion ensued regarding how speed details are calculated.
- J. **Planning Commission**- Harry Miller gave a summary of the September 8, 2008 meeting of the Planning Commission.
- K. **Park and Recreation Committee** – Joe Carriero gave a summary of the August 7, and September 4, 2008 meeting minutes and stated that the committee has completed the trail map of Pine Creek Park and is currently working on an additional parking plan. Mr. Cracas requested he submit the parking plan to the Board. Mr. Carriero requested that Mrs. Diesinger submit a list of what work needs to be completed at all the Township parks to the committee. Dr. Bright suggested that a representative from Park and Recreation attend the pre-construction meeting for the additional field, and evaluate construction as it progresses.
- L. **Strategic Planning Committee** – No report.
- M. **Treasurer’s Report** – Mr. Shemonsky read the Treasurer’s report as of September 15, 2008.
- N. **Windolph Knoll Master Site Plan Committee** – Ms. Bartley gave a summary of the committee’s recent meeting.
- O. **Motion to Receive Reports** – Mr. Cracas made a motion to accept the reports. Mr. Barker seconded the motion. After no further discussion, the motion carried with all voting Aye.

IX. ANNOUNCEMENTS

- A. **ACMEC CU Hearing** – The ACMEC Conditional Use Hearing will be held on Tuesday, October 21, 2008 with Thursday October 23, 2008 reserved for additional testimony. The hearings will commence at 7:00 p.m. in the Cultural Center Theatre.
- B. **Act 537 Plan Presentation** – September or October date is pending.
- C. **Next Board Meeting** - Monday, October 6, 2008 at 7:30 p.m.

- D. ***Composting Workshop*** – The Chester County Solid Waste authority will conduct a Composting Workshop on October 14, 2008 at 7:00 p.m. in the Township Meeting Room. Residents are encouraged to register by calling the Township Office.
- E. ***Community Day at Pine Creek Park***- The fall festival is Saturday, October 18, 2008 with a rain date of Sunday, October 19, 2008.

X. PERSONS WISHING TO BE HEARD

- A. ***Harold Hallman III*** – Mr. Hallman requested that the Road Department not drive mowing equipment on public roads and use the trailer due to safety concerns.
- B. ***Dr. Bright*** – Dr. Bright requested a thank you letter be sent to the Government Study Commission for their dedicated efforts to the Township.

XI. ADJORNMENT – Mr. Cracas made a motion to adjourn the meeting at 10:08 p.m.

Respectfully Submitted,

Joan C. Matthews,
Township Secretary