

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

BOARD OF SUPERVISORS MEETING SEPTEMBER 20, 2010

The Board of Supervisors of West Pikeland Township met on September 20, 2010 at the Township Meeting Room. Those in attendance were Robert Shemonsky, Chairman; Richard Bright, Jr., Vice Chairman; Tom Tucker, Supervisor, Harold Hallman III, Supervisor; Ernie Holling, Supervisor; Stephen J. Ross, Township Manager; Theodore J. Gacomis, P. E., Township Engineer; Shane Clark, Chief of Police; Harry Miller, Director of Facilities, and Joan Matthews, Township Secretary.

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

II. PLEDGE OF ALLEGIANCE: Lead by resident Wayne Freese.

III. EXECUTIVE SESSION: Mr. Shemonsky reported that the Board met in Executive Session on September 8, 2010 for personnel reasons and prior to this meeting on September 20, 2010 for personnel and legal reasons. Mr. Shemonsky noted that typically on Tuesday or Wednesday mornings the Board has an Executive Session via conference call for legal reasons.

IV. MEETING MINUTE APPROVAL: Mr. Holling made a motion to approve the minutes of August 16, 2010 meeting. Mr. Tucker seconded the motion. After no further discussion the motion carried with all voting Aye.

V. PERSONS WISHING TO BE HEARD:

- A. **John Matthews** announced that the Arts and Culture Committee are presenting two upcoming concerts. On September 26, 2010 at 4:00 p.m. the concert "Tin Pan Alley" will be held with a wine and cheese reception after the concert. On October 1, 2010 "The NorrisTones" will be performing a doo wop concert at 7:30 p.m. Both concerts will be held at the West Pikeland Cultural Center.

VI. UNFINISHED BUSINESS

- A. **Road Bid Award:** Mr. Ross announced that the following bids were duly advertised and were open on September 14, 2010. Mr. Gacomis forwarded his recommendations.

- 1. **Contract #3** – Fairfield Subdivision (Fairfield Lane, Devyn Drive, Carolyn Drive, Collins Mill Road and Mooney Lane), including milling/repair of the existing pavement and a resurfacing with a Micro Surface Treatment. The following bids were received:

B & J Excavating	\$143,978.00
Asphalt Paving Systems, Inc.	\$150,000.00

- 2. **Contract #3 Alternate** – Fairfield Subdivision (Fairfield Lane, Devyn Drive, Carolyn Drive, Collins Mill Road and Mooney Lane including milling/repair of the existing pavement and a resurfacing with a 1.5 inch Bituminous Wearing Course. Full Overlay.

B & J. Excavating	\$227,836.00
Chester Co. Site Contractors	\$272,253.09

Diamond Materials	\$272,000.00
Reid Paving	\$296,144.60
S.A. Masanga	\$272,641.00

3. Contract #4 – Horseshoe Trail, including the cleaning of existing storm pipes, Cold-In-Place Recycling of the existing pavement and resurfacing with a Bituminous Wearing Course and Oil/Chip.

B & J Excavating	\$314,341.00
Diamond Materials	\$279,000.00
S. A. Masanga	\$333,871.00

Mr. Holling made a motion to not award Contract #3 which was for micro surfacing but to award Contract #3A for a Full Overlay to the stated roads in the Fairfield Development to B & J Excavating in the amount of \$227,836.00, and award Contract #4 as Horseshoe Trail Road to Diamond Materials in the amount of \$279,900.00. Mr. Shemonsky seconded the motion. Mr. Shemonsky noted that the current amount held in the State Liquid Fuels account was sufficient to be used for any additional monies beyond the \$1,000,000 loan. Wayne Freese asked why the public works department is not completing the cleaning of existing storm pipes as contained in Contract #4. Mr. Gacomis responded that special equipment and operators are needed to complete the flushing of the pipes. Maurie Kring noted that West Vincent Township will be resurfacing Dewees Lane next year. Bob Smith asked why Haverhill Road was in need of repair and who inspected it at the time of construction. Mr. Gacomis responded that the normal life of a road is 15 years, and both Mulberry and Haverhill roads are over 20 years old. Mr. Smith also asked about the status of the Dedication of Creek Crossing Lane in Pickering Meadows. Mr. Holling responded that the Township Solicitor is awaiting a response from Firemen’s Fund who holds the Bond. After no further discussion the motion carried with all voting Aye.

B. Ordinance 2010-03 – Mr. Ross explained that the Public Works Department has Installed stop signs on both sides of the wooden bridge that accesses Pine Creek Park from Yellow Springs Road and Ordinance 2010-03 is necessary to authorize the installment and enforcement of the Stop Signs. Mr. Holling made a motion to adopt Ordinance 2010-03 establishing additional Stop Signs at the Pine Creek Bridge and noted the Ordinance has been properly published. Dr. Bright seconded the motion. After no further discussion the motion carried with all voting Aye.

C. Mowing Proposals – Mr. Ross explained that Mr. Kreiter provided a proposal for mowing, seasonal planting of winter rye grass and managing the fields with chemicals. Mr. Ross had discussions with County and State Agencies seeking a review of Roundup and other herbicides as in Mr. Kreiter’s proposal. The County and State Agencies found that Roundup and use of herbicides in the Spring of 2011 is acceptable provided that the manufacturer label was followed by the person applying the chemicals and that person be qualified to apply the chemicals and a 50’ buffer be provided away from the stream. Mr. Hallman III made a proposal to the Board to mow the front fields at Pine Creek Park in lieu of a \$200.00 donation to the Downingtown Marching Band Rose Bowl Fund. Mr. Tucker made a motion to approve Mr. Hallman III to mow the two front fields at Pine Creek Park for a donation to Downingtown Marching Band Rose Bowl Fund in the amount of

\$200.00. Mr. Holling seconded the motion. Mr. Hallman III requested that Mr. Ross draft an appropriate contract for Mr. Kreiter's agreement. Mr. Ross will consult with Mr. Kreiter regarding his proposal which includes the back fields at Pine Creek Park. After no further discussion the motion carried with all voting Aye.

D. Resolution 2010-09-25 Davis/Conti Lot Line Change – Mr. Ross stated that the Planning Commission has reviewed and recommended approval of the Davis/Conti Lot Line Change. Mr. Holling made a motion to adopt Resolution 2010-09-25 approving the Davis/Conti Lot Line Change subject to the conditions as approved by the Planning Commission and as referenced by the Township Engineer dated August 3, 2010. Mr. Hallman III seconded the motion. After no further discussion the motion carried with all voting Aye.

E. Braefield Road – Mr. Ross stated that he has consulted with Mr. Donatelli regarding what preventive measures can be taken to assure safety to the residents on undedicated roads during times of emergencies. Mr. Donatelli advised that Township assistance would not be for the purposes of general ingress or egress or to get someone to work or an errand, but to provide assistance in case of immediate emergency situations such as fire or ambulance. Mr. Ross contacted the Township's risk management company and verified that the Township is covered in such a case. Mr. Ross also stated that Mr. Donatelli contacted Mr. Rowan to discuss the concerns of the residents of Braefield road regarding the pending road dedication. Mr. Rowan stated that the Braefield Subdivision Agreement contains a requirement that Braefield Road be dedicated to the Township. Mr. Ross stated that he contacted developer David Page who stated he would confer with his attorney if he had any legal obligations under the old agreement and respond back to the Township. Mr. Rowan requested that the Board consider waiving specific requirements regarding the maintenance agreement in order for Mr. Page to complete dedication of the road. A lengthy discussion ensued regarding the inspections during the construction of the road. Mr. Hess stated he felt the Township should contact Mr. Page to negotiate the terms for dedication. Mr. Shemonsky recommended that Mr. Rowan review the Braefield Road file at the Township office and have the Township Solicitor study the file and determine what the facts are concerning the requirements for dedication.

F. Appraisal Invoice – Mr. Shemonsky made a motion to pay an appraisal invoice submitted by Michael Samuels in the amount of \$11,800.00 for conducting an appraisal on an unnamed property out of the Open Space Funds. Dr. Bright seconded the motion. After no further discussion the motion carried with all voting Aye.

G. Resolution 2010-09-24-Lisa D'Andrea, P. E. and Maurice Kring appeared before the Board requesting approval of the Sewage Facilities Planning Module for Anselma Crossing. Mr. Shemonsky made a motion to adopt Resolution 2010-09-24 and submit to the Department of Environmental protection for its approval as a revision to the "Official Sewage Facilities Plan". Mr. Holling seconded the motion. After no further discussion the motion carried with all voting Aye.

Mr. Kring and Ms. D'Andrea also presented a sketch plan which includes revisions to the original Anselma Crossing Land Development Plan. The revisions include changes to the location of the driveway. Mr. Hallman III requested that this item be deferred until Planning Commission minutes from September 9, 2010 are received and the Solicitor has reviewed the revisions to the plan in relation to the Conditional Use Order,

VII. NEW BUSINESS

- A. **Bills for Approval** – Mr. Holling made a motion to approve the bills submitted. Dr. Bright seconded the motion. Mr. Hallman III abstained from checks 2849 and 2857. After no further discussion the motion carried with all voting Aye with the exception of Mr. Shemonsky who did not vote due to not being able to review the bills.
- B. **Resignation letter Carriero** – Mr. Hallman II moved to accept a letter of resignation received from Joseph Carriero for his position on the Park and Recreation Board. Mr. Holling seconded the motion. Mr. Hallman III requested that a letter of recognition of service be sent to Mr. Carriero. After no further discussion the motion carried with all voting Aye,

Mr. Hallman III made a motion to appoint Bryon Misfud, presently the alternate member, as a full member to the Park and Recreation Board. Mr. Tucker seconded the motion. Mr. Hallman III noted that the Park and Recreation Board will need to advertise the Alternate position vacancy. A notice will be placed on the website.

- C. **2010-2011 Salt Shed Agreement** – Mr. Shemonsky noted that the Township Solicitor has drafted and reviewed with Mr. William Cracas a continued agreement for the Township to access and store salt on his property. Mr. Holling made a motion to approve the re-installed License Agreement that will permit access to the Cracas property and storage of salt during the winter of 2010-2011. Mr. Tucker seconded the motion. After no further discussion the motion carried with all voting Aye.
- D. **Certificate of Appropriateness** – Mr. Ross noted that the Historic Architectural Review Board has issued a letter dated September 14, 2010 recommending their approval that the Board issues a Certificate of Appropriateness for the reconstruction of the Jane and Ronald Beard residence at 1750 Art School Road with noted conditions. Mr. Holling made a motion to approve the Certificate of Appropriateness to Jane and Ronald Beard for the reconstruction of their residence at 1750 Art School Road with noted conditions as set forth by the Historic Architectural Review Board. Mr. Hallman III seconded the motion. After no further discussion the motion carried with all voting Aye.

VIII. PERSONS WISHING TO BE HEARD

- A. **Gesa Skarloff** asked if the stop signs at Pine Creek Park will be enforced. Chief Clark responded that the signs will be monitored by the Police Department.
- B. **John Matthews** stated that he attended the Federation of Northern Chester County meeting on September 14, 2010. Mr. Matthews noted that fifteen sport leagues were contacted for input into planning and LYA did not respond. Mr. Hollings noted that he spoke to representatives of LYA and they informed him they plan to respond to the Federation in the near future.

- C. **John Matthews** noted that he has met with Pastor Nathan Brunk and Charles Orlando to clarify the position and job description of the Event Coordinator and what immediate improvements are needed for the Cultural Center. Mr. Shemonsky requested that a list of improvements be submitted to the Board as soon as possible.
- D. **Gesa Skarloff** requested an update on the status of the Pine Creek Park bridge noise repairs. Mr. Ross noted that the custom cut wood for the bridge was delivered today and the public works department is currently installing scaffolding to start construction.

IX. ANNOUNCEMENTS

- A. **Tin Pan Alley Concert** – Mr. Shemonsky noted the concert will be held on Sunday, September 26, 2010 at 4:00 p.m.
- B. **Doo Wop Concert** – Mr. Shemonsky noted that the NorrisTones will be performing at the Cultural Center on Friday, October 1, 2010 at 7:30 p.m.
- C. **BOS Meeting October 4, 2010** – Mr. Shemonsky noted that the Board of Supervisors next meeting will be Monday, October 4, 2010 at 7:30 p.m.
- D. **Street Road Closures** – Mr. Ross noted that Street Road was scheduled to be closed from Yellow Springs Road to Pikeland Road from 9/20/10 to 9/21/10 however, the contractor has experience equipment failures today and work will be rescheduled. Mr. Ross further noted that Street Road from Pikeland Road to Clover Mill Road is scheduled to be closed 9/22/10 to 9/23/10, 8AM to 6PM.

- X. **ADJOURNMENT** – Mr. Hallman III made a motion to adjourn the meeting at 8:45 p.m.

Respectfully Submitted,

Joan C. Matthews,
Township Secretary