

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

BOARD OF SUPERVISORS MEETING DECEMBER 6, 2010

The Board of Supervisors of West Pikeland Township met on December 6, 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; Shane Clark, Chief of Police; Harry Miller, Director of Facilities; Guy Donatelli, Solicitor, and Joan Matthews, Township Secretary.

- I. **CALL TO ORDER:** 7:30 P.M.
- II. **PLEDGE OF ALLEGIANCE:** Resident Jeff Chernet led the pledge of allegiance.
- III. **EXECUTIVE SESSION:** Mr. Shemonsky reported that the Board met in Executive Session prior to this meeting for personnel and real estate reasons
- IV. **MEETING MINUTE APPROVAL:** Mr. Tucker made a motion to approve the minutes of the November 15, 2010 meeting. Mr. Holling seconded the motion. After no further discussion the motion carried with all voting Aye.
- V. **PERSONS WISHING TO BE HEARD:**
 - A. **John Kustifik** inquired about the status of the Draft Act 537 Plan. Mr. Holling stated that he has a meeting scheduled with David Linahan, P. E. to address all the comments received during the review phase and that the Plan may be considered for adoption at the December 28, 2010 Regular Session.
 - B. **John Matthews** wished to thank the Township staff and everyone who contributed to the success of the recent Holiday Stroll event.
 - C. **Mr. Shemonsky** also wished to thank the Township staff for their participation in the Holiday Stroll event.
- VI. **TOWNSHIP MANAGER**
 - A. **Mr. Shemonsky** made a motion to appoint Vincent Visoskas as Township Manager effective December 27, 2010. Mr. Holling seconded the motion. Mr. Shemonsky stated that Mr. Visoskas has been an Assistant Township Manager at West Bradford Township for twelve years. Mr. Visoskas introduced himself and gave a brief background of his qualifications. After no further discussion the motion carried with all voting Aye.
 - B. **Bob Shemonsky** wished to thank Stephen J. Ross for his two years of service as Township Manager. Mr. Shemonsky noted that Mr. Ross will continue to assist Mr. Visoskas during the transition period and his contract will expire on February 4, 2011. Mr. Holling also wished to personally thank Mr. Ross for his service to the Township.

VII. UNFINISHED BUSINESS

- A. **Anselma Crossing Conditional Use** - Mr. Ross reported that the applicant and his attorney are not prepared to begin making a record for the amended Conditional Use hearing. The applicant's attorney, John Good submitted a waiver of the applicable time period for Conditional Use Applications. The hearing may be scheduled in January 2011.
- B. **Comprehensive Plan Update** – Edward Theurkauf of Comitta Associates and Mario DiBenedetto, Chairman of the Comprehensive Update Committee gave a summary of the changes to the Comprehensive Plan. The changes have been reviewed and approved by the Chester County Planning Commission. Mr. Holling made a motion to adopt the Comprehensive Plan. Dr. Bright seconded the motion. Joan Cohen of the Fairfields Development stated that she wished to make a formal objection to the plan being adopted at tonight's meeting since the agenda read Comprehensive Plan Update and that residents were not given proper notification of the adoption of the plan. Mr. Theurkauf and Mr. DiBenedetto both stated that the Task Force meetings were publically advertised, public comment was appropriately submitted and reviewed and, the process mandated by the Pennsylvania Municipal Planning Code was followed. Mr. Theurkauf advised that delaying the adoption of the plan could mean that the Township would need to apply for an extension for the Vision Partnership Grant awarded by the Chester County Planning Commission. Mr. Donatelli noted that the Comprehensive Plan is a planning document and therefore can always be amended. After no further discussion the motion carried with all voting Aye. Mr. Hallman III requested an appreciation letter to all the Comprehensive Task Force members.
- C. **2011 Budget** – Mr. Ross presented the 2011 Preliminary Budget. Mr. Shemonsky made a motion to authorize the advertisement of the 2011 Budget with the following changes; additional expenditures of \$30,000.00 for open space appraisals, \$200.00 for UCC Fees, reduction of the generator purchase from \$11,000.00 to \$3,000.00, the reduction of Real Estate tax receipts by \$2,000.00, and clarification of the word "Promoter of concert" in line item 453.0100. Dr. Bright seconded the motion. A lengthy discussion ensued regarding the budget line items and proposed repairs needed to the earthworks and township shed. Tom Tucker made a motion to amend the previous motion and authorize advertisement of the 2011 Preliminary Budget with all the capital items including the Earthworks and Township shed repairs in one lump sum reserved as a capital purchase item that totals in the amount of \$101,758.00. Mr. Hallman III seconded the motion. Bob Shemonsky noted that he would support the items placed in a capital purchase line item as long as the items are defined in the budget comments. After no further discussion, the Board carried the motion with all voting Aye.
- D. **Pickering Meadows** – Mr. Ross reported that the Township has received a request from a resident of Pickering Meadows Phase II asking the Township to consider handling snow removal during the winter of 2010-2011 of the undedicated section of Creek Crossing Lane. Mr. Donatelli noted that he will have to obtain an estimate on the costs involved regarding the Township plowing snow on Creek Crossing Lane, Phase II before making application to the Bonding Company for reimbursement since Orleans Homes is now in bankruptcy. Mr. Donatelli further stated that the impending Deed of Dedication requires a final punch list what needs to be done by

an Engineer representing the Township. Ernie Holling requested that McCormick Taylor complete the punch list, Mr. Ross noted that he believes Mr. Gacomis is completing the punch list. After further discussion Mr. Shemonsky requested that Mr. Ross contact Mr. Gacomis regarding the status of completion of the punch list or engage McCormick Taylor to compile the list of open items remaining from the development agreement.

- E. Snow Plow Equipment and Operators** – Mr. Holling made a motion to approve the following people available as snow plow drivers at the rate of \$17.00 per hour; Chip Griffith, Kurt Katzor, Bill White, Elmer White, Richie Weiss, Chris Petry, and James Siegel. Albert Wachsmuth who attends to the Township Building will be paid \$13.00 per hour. Dr Bright seconded the motion. Mr. Hallman III wished it noted that elected officials are not eligible to make application for the position and suggested the advertisement also be noted. Mr. Hallman III made a motion to reduce the hourly rate of \$17.00 per hour to \$16.42 per hour. Mr. Holling seconded the motion. After no further discussion the motion carried with all voting Aye.
- F. Snow Plow Equipment and Drivers** – Mr. Ross reported that he advertised a bid through MuniBid for vehicles with drivers to assist the Township snow plow team in the event of extreme winter weather conditions and there being a need to supplement the Township forces. On December 3, 2010, the Township did not receive any bids. Mr. Hallman III suggested Mr. Ross re-advertise the bid in the Daily Local.
- G. Fire Insurance Escrow** – Mr. Shemonsky made a motion to authorize the Township Solicitor to draft an Ordinance reflecting the provisions of Act 94 which allows the Township to require the insurance company representing the property owner of a fire damaged residence to release funds to the Township to be used for property Security and Delinquent taxes. Mr. Hallman III seconded the motion. After no further discussion the motion carried with all voting Aye.
- H. Open Space Appraisals** – Mr. Hallman III made a motion to authorize two separate appraisals be performed on parcels of properties being recommended by the Open Space Committee. Mr. Tucker seconded the motion. After no further discussion, the motion carried with all voting Aye.

VIII. NEW BUSINESS

- A. Land Trust Resignation/Appointment** – Mr. Shemonsky made a motion to acknowledge the resignation of Tim Tietze and the appointment of Bob Haskell to the West Pikeland Township Land Trust. Seconded by Mr. Holling. After no further discussion the motion carried with all voting Aye.
- B. Approval of Penn Liberty Bank** – Mr. Shemonsky made a motion to invest \$250,000 from the Road Improvement Fund with Penn Liberty Bank at the rate of 1.0%. Mr. Tucker seconded the motion. After no further discussion the motion carried with all voting Aye with the exception of Mr. Hallman III who abstained.
- C. Fuel Oil Award** – Mr. Ross advised that the Township advertised for quotes to purchase Heating Oil for both the Cultural Center and Police Department through the MuniBid Program. Reilly and Sons was the only bid received. Mr. Hallman III made a motion to accept the bid from Reilly Oil at a fixed price of \$2.49. Mr. Holling seconded the motion. After no further discussion the motion carried with all voting Aye.

- D. **Act 90 of 2010** – Mr. Ross explained that on October 27, 2010 the Governor signed into law Act 90 known as the Neighborhood Blight Reclamation and Revitalization Act. The new law allows the Township to deny “municipal permits” due to deteriorating property and failure to pay property taxes or municipal claims. Mr. Holling made a motion to accept the steps from the Township Solicitor and follow the process as defined in the Act prior to the effective date of April 25, 2011. Mr. Shemonsky seconded the motion. After no further discussion the motion carried with all voting Aye.
- E. **Resignation of EAC Member** – Mr. Shemonsky noted that a letter has been received from William Paul resigning from his position on the Environmental Advisory Council. An appreciation of service letter will be sent to Mr. Paul.

IX. PERSONS WISHING TO BE HEARD

- A. **John Henssler** – requested the Board consider contracted services for snow removal.
- B. **Mr. Hallman III** – reported that he attended the November 29, 2010 Western Chester County UCC Board of Appeals meeting.
- C. **Mr. Hallman III** – suggested the Township obtain information regarding the use of a check processor for remote deposit.
- D. **Chief Clark** announced the Police Department will be collecting new unwrapped toys for the Toys for Tots program by December 14, 2010.

X. ANNOUNCEMENTS – Mr. Shemonsky made the following announcements:

- A. **The Township Office will be closed** on December 24 and 31, 2010.
- B. **Next Board of Supervisors Meeting** will be December 28, 2010 at 7:30 p.m.
- C. The Re-Organizational Meeting of the Board of Supervisors will be held on Monday, January 3, 2011 at 7:30 p.m.

- XI. **ADJOURNMENT** – Mr. Holling made a motion to adjourn the meeting at 9:28 p.m. Dr. Bright seconded the motion. After no discussion the motion carried with all voting Aye.

Respectfully Submitted,

Joan C. Matthews,
Township Secretary

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