

**-WEST PIKELAND TOWNSHIP  
1645 ART SCHOOL ROAD  
CHESTER SPRINGS, PA. 19425  
BOARD OF SUPERVISORS  
BUSINESS SESSION OF JANUARY 16, 2007**

The Board of Supervisors of West Pikeland Township met on January 16, 2007 at the Township Meeting Room. Those in attendance were Harold Hallman III, Chairman; Linda Glaum, Vice Chairman; William Cracas, Supervisor; Shane Clark, Chief of Police; Harry Miller, Director of Facilities, and Joan Matthews, Township Secretary.

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

**I. PLEDGE OF ALLEGIANCE**

II. **EXECUTIVE SESSION** –Mr. Hallman III reported the Board of Supervisors met in Executive Session on January 15, 2007 for legal matters.

**III. MEETING MINUTE APPROVAL**

- A. *Minutes of December 18, 2006* – Mr. Cracas made a motion to approve the minutes of the December 18, 2006 Business Meeting. Mrs. Glaum seconded the motion. After no further discussion, the motion was carried with all voting Aye.
- B. *Minutes of the Reorganization Meeting January 2, 2007* - Mr. Cracas made a motion to approve the minutes of the January 2, 2007 Reorganization Meeting. Mrs. Glaum seconded the motion. After no further discussion, the motion was carried with all voting Aye.
- C. *Minutes of the Regular Business Session of January 2, 2007* - Mr. Cracas made a motion to approve the minutes of the January 2, 2007 Business Meeting. Mrs. Glaum seconded the motion. After no further discussion, the motion was carried with all voting Aye

**I. PERSONS WISHING TO BE HEARD**

Marguerite McCreight announced that she would electronically record the entire meeting by operating a video recorder for possible broadcast on the internet.

Lila Smith read a letter expressing her disapproval of the Township's actions of reorganizing the Historic Architectural Review Board and the Park and Recreation Board.

Bill Smith inquired about the status of the Cultural Center Parking lot plan. Mr. Cracas stated the Board has been advised by John E. Good, Solicitor; that construction of parking lots does not fall within the jurisdiction of Article VII of the Zoning Ordinance or Ordinance No. 14 and therefore does not fall within the jurisdiction of HARB. Two additional parking lot plans that were submitted to the Township are currently being reviewed by the Township Engineer.

Noreen Vigilante inquired about the status of the Downingtown Area School District's interest in the Windolph property. Mr. Cracas stated that the Board met with Solicitor John Good, Conflict Counsel representing the Township in the matter. Mr. Good advised that none of the Board members pose a conflict of interest in the matter, and furthermore there is no case history of two government agencies involved in eminent domain. Mrs. Glaum stated she wished the matter not to be voted on until all five Supervisors are in office. Mr. Cracas suggested the Board include a time for discussion on the February 20, 2007 Agenda for members of the community to voice their concerns and ideas. This will allow the Board to gather more information before any decisions are made regarding the matter.

Ann Orth read a letter addressed to the Board of Supervisors from the West Pikeland Land Trust stating their opposition to the proposal from the School District. The Land Trust stated the reasons for their opposition is based that the school district's intent is a conflict to the Township's Open Space, Recreational and Environmental Resources Plan and the intent of the previous owner who sold the land to the Township at a conservation value for public open space and parkland. The letter was also sent to the DASD.

Mrs. Glaum also stated that a copy of a petition submitted to Dr. Sandra Griffin, Superintendent of Downingtown Area School District has been received by the Township. The petition is signed by residents of West Pikeland Township and other townships, and request the Downingtown Area School District abandon its efforts to acquire the Windolph property.

John Matthews suggested that the Township consider reinforcing the shed at the entrance of the Cultural Center to prevent any damage from winter conditions. Mr. Hallman III stated he would look into the matter.

Gesa Skarloff asked if the Agricultural Security District proposal has been approved by East Brandywine Township. Mrs. Matthews will review the Township's submittal with officials from East Brandywine Township.

## **II. REPORTS**

- A. Treasurer's Report – Mr. Hallman III made a motion to approve the Treasurer's Report for December 2006. Mrs. Glaum seconded the motion. After no further discussion, the motion was carried with all voting Aye.
- B. Bills Submitted – Mr. Cracas made a motion to approve the bills submitted. Mrs. Glaum seconded the motion. Mr. Hallman III abstained from voting on Check #1875. After no further discussion, the motion was carried with all voting Aye.
- C. Police Report – Chief Clark read the Police Report for December 2006.
- D. Building/Zoning
  - 1. Mr. Hallman III read the Building/Zoning Officer's report for December 2006.
  - 2. Mr. Hallman III read the Building/Zoning Officer's report of the progress on the Cease and Desist Order issued by the Township to Mr. Roos of 1240 Kimberton Road. The report stated that Mr. Roos is making progress in obtaining conformity, and has ceased doing automotive repairs at the stated address.
- E. Park and Recreation Review Committee-Nancy Bartley reported that the Committee has met and is currently working on the structure of how they will conduct their review. Mrs. Bartley expressed the need for additional members to join the committee. Mr. Rob Kocher volunteered to join the committee. Mr. Cracas noted that the Park and Recreation Board has not been disbanded but is under review by committee. Mr. Cracas further stated that the public is encouraged to attend their meetings.
- F. Planning Commission – Mr. Miller reported that the Planning Commission has met and reorganized for 2007. Mr. Frank Best was elected as Chairman, Thomas Dinan, Vice Chairman, and Sean O'Neill, Secretary. Art School Road Associates, LLC submitted a sketch plan of the parking area of the Jenny Lind house. The sketch plan will be reviewed by the Township Engineer. The Township Engineer also informed the Commission that he is currently reviewing three plans for the proposed parking lot at the Cultural Center.

Mr. Shemonsky asked if the Historic Architectural Review Board reviewed the parking lot plan for the Jenny Lind House. Mr. Cracas informed Mr. Shemonsky that Mr. Brogan of HARB reviewed the plan. It should be noted that no formal submission of the plan was completed by HARB. Mr. Cracas wished it noted that Solicitor John Good informed the Board that parking lot plans are exempt from HARB review. Mr. Good will be submitting a legal position on the matter

- G. Roadmaster's Report- Mr. Hallman III read the Roadmaster's Report for December 2006.
- H. Fire and Ambulance-Mr. Hallman III read the Fire and Ambulance Reports for the month of December 2007.
- I. Motion to approve Reports – Mrs. Glaum made a motion to approve the reports as read. Mr. Cracas seconded the motion with all voting Aye.

## VI. OLD BUSINESS

- A. Cultural Center – No report at this time.
- B. Land Development
  - 1. Bryn Coed Farms Subdivision Review by Solicitor – No report at this time
- A. General Government
  - 1. Township Manager Review Committee-Robert Shemonsky reported that two candidates are being considered and will be presented to the Board of Supervisors. Mr. Shemonsky further reported that the Committee would continue to advertise and accept applications in February. The Committee will complete their review by March 2007.
  - 2. Traffic Studies
    - a) Route 113 and Davis Road – Chief Clark reported the Township Engineer would provide the Township with a copy of a traffic study conducted by Orth-Rodgers during the recent 113 improvements. The Township will further petition Penndot for a current traffic study to consider a traffic signal at that location.
    - b) Art School and Yellow Springs Road- Chief Clark reported that the Township is currently contacting Penndot to conduct a traffic study to consider the elimination of the right turn sign from Art School Road at the intersection at Yellow Springs Road. The Township has also contacted Rob Lukens, Director of Historic Yellow Springs requesting the bushes at the triangle of the intersection be trimmed to improve site distances.
    - c) Davis Road/Hunt Club Lane – Chief Clark reported that the Township Traffic Engineer, John Caruolo, has been contacted to perform an engineering study to consider creating a three-way stop intersection at the location to ensure pedestrian safety.
  - 3. Park and Recreation Review Committee-Mr. Hallman III reported that the Township has received a letter from John Fiorillo stating his resignation from his position on the Park and Recreation Committee. Mr. Hallman III read a letter thanking Mr. Fiorillo for his service to the Township.
  - 4. Engineer Study of Horseshoe Trail Bridge flood area- Township Engineer reviewing-No report at this time.
  - 5. Engineer Study of Pine Creek Park entrance and fields-Township Engineer reviewing – No report at this time.
  - 6. FEMA Grant June/July Flood-The Township Manager has requested that the Board prepare a plan for the completion of the replacement of fencing along Pikeland Road, and repairs to washouts at the bridge into the Palmer House and the bridge on the driveway into Pine Creek Park. These two projects are a result

of damage from the June/July floods, and FEMA has granted funds to cover the costs of repairs. The Board authorized the Township manager to obtain bids to complete the repairs to the fence along Pikeland Road and obtain estimates of the stated bridge repairs.

- D. Approval of Old Business –Mr. Cracas made a motion to accept the items of Old Business. Mrs. Glaum seconded the motion. After no further discussion, the motion was carried with all voting Aye.

## VII. NEW BUSINESS

- A. Anselma Mill Shed/Certificate of Appropriateness-Mr. Cracas made a motion to issue a Certificate of Appropriateness to the Mill at Anselma Preservation Trust, 1730 Conestoga Road, Chester Springs, Pa. for the installation of a shed. Mrs. Glaum seconded the motion. The Certificate authorizes the Building/Zoning Officer to issue a permit for the proposed work, subject to compliance with the completion of the building permit application process. After no further discussion, the motion was carried with all voting Aye.
- B. Lighting System/Black Box Theatre – Mr. Cracas made a motion to approve the purchase of 500-Watt lamps for the completion of lighting for the Black Box theatre. Mrs. Glaum seconded the motion. After no further discussion, the motion was carried with all voting Aye.
- C. Black Box Theatre Windows – Mr. Cracas made a motion to authorize Russ Daniels PE to perform an inspection of the Black Box Theatre windows, so that any repairs can be scheduled prior to additional use of the facility. Mr. Glaum seconded the motion. After no further discussion, the motion was carried with all voting Aye.
- D. Black Box Theatre Occupancy Clearance - Mr. Cracas made a motion to authorize the Township Manager to formulate a plan within the next two weeks to establish occupancy clearance for public use of the Black Box Theatre. Mrs. Glaum seconded the motion. After no further discussion, the motion was carried with all voting Aye.
- E. DARC Request to use the soccer field area –Mr. Cracas made a motion to authorize the Downingtown Area Recreation Consortium to reserve the Soccer Field area at Pine Creek Park for Youth Soccer Camp June 18-22, 2007, 8:45 a.m. to 12:15 p.m. Mr. Hallman III seconded the motion. After no further discussion, the motion was carried with all voting Aye.
- F. Resolution 2007-01-09-Interim Twp. Manager- Mr. Cracas made a motion to adopt Resolution 2007-01-09 appointing Edwin R. Hill as Interim Township Manager and Administrative Advisor at the rate of \$60.00 per hour. Mrs. Glaum seconded the motion. After no further discussion, the motion was carried with all voting Aye.
- G. Conformance of ICC 2006-Mr. Cracas read the following notice of the Township conforming to ICC 2006. Section 1. of the West Pikeland Township Ordinance 2004-203. The Municipality hereby elects to administer and enforce the provisions of the Pennsylvania Construction Code Act, Act 45 of 1999, 35 P.S. Section 7210.101-7210, 1103, as amended from time to time, and its regulations, and as of December 31, 2006 the State of Pennsylvania changed its statewide Building Code from ICC 2003 to ICC 2006. Now Therefore, as of January 2, 2007 the Township of West Pikeland does hereby adopt to administer and enforce the building code provisions of the Pennsylvania ICC 2006 Uniform Construction Code.
- H. 2007 Employee Hourly Rate Increase – Mr. Cracas made a motion to approve a 4% wage increase in the hourly rate for employees Richard Weiss Jr., Mark Miller and Eleanor McCahon. The stated employees mentioned will be reviewed by the Township Manager

and initial supervisors. Mrs. Glaum seconded the motion. After no further discussion, the motion was carried with all voting Aye.

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- I. 2007 Directory of CCATO-Historic Commission- The Chester County Association of Township Officials has requested the Township to submit a history article to be included in their annual directory. Mr. Hallman III suggested that the Township Historic Commission and Rob Lukens be contacted to compose such an article.
  - J. Township Meeting Room use at polling place- The Township Manager has suggested that the Board consider inviting Voters Services to use the new Township facility as a voting polling location. Mr. Cracas suggested that such a request should be considered and reviewed in the summer of 2007.
  - K. Appointment to the Historic Commission – Mr. Cracas made a motion to appoint Barbara J. Bergeron as a member of the Historic Commission. Mrs. Glaum seconded the motion. After no further discussion the motion was carried with all voting Aye.
  - L. Act 40 Collection of Delinquent Real Estate Taxes – Mr. Hallman III made a motion to authorize the advertisement of an Ordinance for compliance to Act 40 regarding the collection of delinquent real estate taxes. The new Ordinance must meet criteria set forth by the Chester County office of the Recorder of Deeds forwarded on December 1, 2006. Mrs. Glaum seconded the motion. After no further discussion the motion was carried with all voting Aye.
  - M. Resolution 2007-01-08 Approve registration of Contractors – Mr. Cracas made a motion to adopt Resolution 2007-01-08 providing the registration of general, plumbing, heating, electrical, air conditioning, landscape contractors dealing with regarding of existing properties and/or installation of retaining walls who desire to work within the limits of West Pikeland Township. Mrs. Glaum seconded the motion. Mr. Hallman III expressed his concern regarding how such a registration would be enforced and administered. A lengthy discussion ensued with the attending public. After no further discussion the motion was carried with Mr. Cracas and Mrs. Glaum voting Aye., and Mr. Hallman III voting Nay.

**VIII.ADJOURNMENT**- Mr. Cracas made a motion to adjourn the meeting at 8:40 p.m.

Respectfully Submitted,

Joan C. Matthews,  
Township Secretary

