

**WEST PIKELAND TOWNSHIP  
1208 KIMBERTON ROAD  
CHESTER SPRINGS, PA., 19425  
BOARD OF SUPERVISORS  
BUSINESS MEETING OF JULY 18, 2005**

The Board of Supervisors of West Pikeland Township met at 7:30 p.m. at the Township Building, 1208 Kimberton Road, Chester Springs, Pa. 19425. Those in attendance were Chairman Harold Hallman III, Vice-Chairman Linda Glaum, Member William Cracas, Township Manager Norman Long, Corporal Wayne O'Connell, Director of Facilities Harry Miller, and Administrative Assistant Joan Matthews.

**Pledge of Allegiance**

Chairman Hallman III opened the meeting with the salute to the flag.

**Executive Session**

Chairman Hallman III reported that the Board of Supervisors met in Executive Session on June 29, 2005 for legal reasons.

**Public Ordinance Hearing**

Chairman Hallman III opened the Public Hearing for the adoption of Ordinances 2005-204, Resolution 2005-07-14, and Ordinance 2005-205.

**Ordinance 2005-204 Cable Franchise Ordinance**

Mr. Long presented Ordinance 2005-204. The Ordinance was advertised and Mr. Long entered into evidence a copy of the Proof of Publication from the Daily Local News. The Ordinance replaces and deletes the entirety of the Cable Ordinance of 1984 and sets forth detailed regulations regarding the terms and conditions under which the Township may grant non-exclusive, revocable cable franchise. Vice-Chairman Glaum made a motion to adopt the Ordinance with a 5% franchise fee. There was no second and the motion failed. Mr. Cracas made a motion to adopt Ordinance 2005-204 Cable Franchise Ordinance with a franchise fee of 3%. Chairman Hallman III asked if there were any comments from the audience. Chairman Hallman III seconded the motion with all voting Aye.

**Resolution 2005-07-14 Franchise Agreement with Comcast Cable**

Mr. Cracas made a motion to adopt Resolution 2005-07-4 authorizing Comcast of southeastern Pennsylvania to enter into a Cable Franchise Agreement with the Township to conduct, own and operate a cable system. The franchise shall be subject to the terms, and conditions of the West Pikeland Township Cable Ordinance No 2005-204, as amended. Chairman Hallman III seconded the motion with all voting Aye.

**CATV Franchise Audit Agreement for 1994-2003**

Vice-Chairman Glaum made a motion to execute the CATV Franchise Agreement Audit for the calendar years 1994-2003. Mr. Cracas seconded the motion with all voting Aye. The Township will receive a franchise grant from Comcast Cable as a result of the acceptance and execution of this agreement.

Ordinance 2005-205 Prohibiting Angle Parking along Art School Road

Mr. Long presented Ordinance 2005-205. The Ordinance was advertised and Mr. Long presented into evidence the Proof of Publication from the Daily Local News. Mr. Long also entered into evidence the feasibility study of the parking along Art School Road implemented by John R. Caruolo, P. E., of Caruolo Associates, Incorporated.

The Ordinance prohibits perpendicular and angle parking of vehicles on the portion of Art School Road between Yellow Springs Road and Pikeland Road. Vice-Chairman Glaum made a motion to adopt Ordinance 2005-205. Mr. Cracas seconded the motion. Chairman Hallman III asked if there were any comments from the audience. Mr. Cracas asked if Historic Yellow Springs Inc. and the Chester Springs Studio were notified and in agreement with the stipulations set forth in the Ordinance. Mr. Long replied that he notified and informed both Historic Yellow Springs Inc., and Chester Springs Studio and they were in agreement with the Ordinance. Having no further discussion, all voted Aye.

Chairman Hallman III closed the Public Ordinance Hearings.

Meeting Minute Approval

Mr. Cracas made a motion to approve the minutes of the June 20, 2005 Regular Session of the Board of Supervisors. Chairman Hallman III seconded the motion with all voting Aye.

**REPORTS**

Treasurer's Report

Mr. Cracas read the Treasurer's Report for June 2005. The report is on file and available for review at the Township office. Vice-Chairman Glaum made a motion to approve the Treasurer's Report and bills submitted for June 2005. Mr. Cracas seconded the motion with a vote of 2-0. Chairman Hallman III abstained from approving check numbers #7821, #7823, #7848, #7886 due to conflict of interest and voted no from approving check numbers #7851, and #7894.

Police Report

Corporal Wayne O'Connell read the Police Report of June 2005. The report is on file and available for review at the Township office.

Building/Zoning Report

Mr. Long read the June 2005 Building/Zoning report. The report is on file and available for review at the Township office.

Park and Recreation

Park and Recreation Chairman John Fiorillo read the Park and Recreation report of July 2005. The report is on file and available for review at the Township office.

Mr. Fiorillo asked the Board of Supervisors for direction on making a decision on the

location of the proposed community event sign. Chairman Hallman III requested that Mr. Fiorillo seek further information regarding deed restrictions from Ms. Pam Brown of French and Pickering Creeks Conservation Trusins regards to the sign being installed at the site at Art School Road at Hallman's store.

Chairman Hallman III asked that the Park and Recreation Committee consider an event or community activity between Thanksgiving and Christmas and suggested a possible expansion of the Holiday Stroll event. Mr. Fiorillo requested that the Board give direction and suggestions to such an event.

The Board of Supervisors agreed to the Park and Recreation Committee's recommendation that Community Day be held in conjunction with Historic Yellow Spring's Jazz Festival. Chairman Hallman III suggested that the Committee contact Mr. Robert Wilson of Historic Yellow Springs, Inc. since he organizes the event.

#### Planning Commission

Mr. Harry Miller reported that the Planning Commission reviewed revisions to the Landis Subdivision, granted a time extension to the D'Agostino (Fox Meadows) Subdivision, and referred Vincent Cracchiolo to have his sketch plan reviewed by the Township Engineer.

Mr. Miller also stated that the Planning Commission was presented with a two lot subdivision plan submitted by Hircock-Peck which is located on Route 113. The plan is currently being reviewed by the Township Engineer.

#### Road Report

Mr. Long reported that the Road Department has Ullman Tree Service trimming the trees in preparation for the 2005 road program. The Road Department has started annual road bank mowing. Needed road signs have been ordered.

#### Public Works

Mr. Long reported that additional trash can lids have been ordered for Pine Creek Park.

Mr. Long also reported that he is currently obtaining estimates from individual environmental firms to conduct indoor air quality reports for the Cultural Center.

#### Fire/Ambulance Company Reports

Chairman Hallman III read fire and ambulance company reports from Uwchlan Ambulance, West End Fire Company and Ambulance, Kimberton Fire Company and Lionville Fire Company and Fire Police reports. The reports are on file and available for review at the Township Office.

Chairman Hallman III noted that Uwchlan Ambulance informed the Township of the passing of Lois Norwood. Lois served Uwchlan Ambulance for 30 years, and recently held the position of president. The update further reported that Chief Robert Kegal has resigned his position, and Janet C. Zeis is currently serving as Interim Chief.

## **Old Business:**

### Soft Body Armor Policy

Mr. Long presented the Board with the Soft Body Armor Policy to provide procedures and practices for wearing soft body Armor by the Officers of West Pikeland Township Police Department. This policy was held over from the June meeting.

Mr. Cracas made a motion to adopt the Soft Body Armor Policy amending the proposed Section E to read; "All officers shall where at all times when on duty regardless of their location the soft body armor provided by the township. There are no exceptions to this policy unless authorized by the Chief of Police and the Township Manager. The policy to be implemented upon receipt of the newly Township purchased soft body armor." Mr. Cracas further noted that Section F shall be deleted from the Policy. Chairman Hallman III seconded the motion.

Corporal O'Connell requested that the motion be tabled due to the absence of Chief Shane Clark who was on vacation. Corporal O'Connell stated that such a policy could jeopardize an Officer's safety during an undercover investigation. Mr. White asked why the Board had to adopt such a policy at this immediate time. Chairman Hallman III stated that it is the Board of Supervisors responsibility to ensure the safety of all township employees. Mr. Cracas stated that the policy can be adopted and changes can be made at a later date. Chairman Hallman III and Mr. Cracas voted aye and Vice-Chairman Glaum voted no due to the absence of Chief Clark and his inability to submit comments to the Board.

### Light Duty Policy

Mr. Long presented the Board with the Light Duty Policy which provides procedures for handling the return to work of employees who have been injured while on duty and is temporary disabled. This policy was held over from the June meeting.

Mr. Cracas made a motion to implement the light duty policy for West Pikeland Township employees who are temporary disabled due to on the job injury. Chairman Hallman III seconded the motion. Chairman Hallman III and Mr. Cracas voted aye and Vice-Chairman Glaum voted no due to the absence of Chief Clark and his inability to submit comments to the Board.

Mr. Cracas made a motion to accept the Old Business. Vice-Chairman Glaum seconded the motion with all voting Aye.

## **New Business**

### 2005 Road Paving Contract

Mr. Long read the bid results for the 2005 Road Contract. E. J. Breneman \$808,101.00 Alan Myers \$961,627.50, Reading Site Contractors \$1,034,276.50 and two Alternate

## Bids.

The list of improvements for 2005 read as follows: Highview Drive - full depth reclamation, David Road - Cold in place recycling, Dogwood Lane - replace all of the curbing and base repair, Pikeland Road - Cold in place recycling, Dewees Lane - full depth reclamation, Dunsinane Hill full depth reclamation. All will receive a wearing course overlay

Mr. Cracas made a motion to accept the bid of E. J. Breneman with the Base bid total of \$808,101.00 with the addition of Alternate No. 1 for Dogwood Lane in the amount of \$100,140.00 and the addition of Alternate No. 2 which replaces Dunsinane Hill scope in the amount of \$131,312.00 and deducts the original amount of Dunsinane Hill which was \$144,217.50 for a total award of \$895,335.50 and to authorize the Township Manager to seek financing for the project. Chairman Hallman III seconded the motion with all voting Aye.

### Paving Repairs to Horseshoe Trail Contract

Mr. Cracas made a motion to accept the bid of Reading Site Contractors in the amount of \$22,524.00 for paving repairs to Horseshoe Trail. Vice-Chairman Glaum seconded the motion with all voting Aye.

### Landis Subdivision Time Extension

Mr. Cracas made a motion to grant a time extension for the Landis, Yellow Springs Farm Subdivision to August 30, 2005. Vice-Chairman Glaum seconded the motion with all voting Aye.

### D'Agostino Subdivision Time Extension

Mr. Cracas made a motion to grant a time extension for the D'Agostino, Fox Meadows Subdivision to October 31, 2005.

### Treasurer Appointment

Chairman Hallman III made a motion to appoint Norman Long as Treasurer. Mr. Cracas seconded the motion with all voting Aye. It was noted that the majority of the Treasurer functions have been outsourced. This includes the payroll function including payment of taxes and submitting the forms. Mr. Long has been performing the Assistant Treasurer Position.

### Anselma Mill license to sell Flour

Chairman Hallman III made a motion to support Anselma Mill in obtaining a license to sell milled flour. Mr. Cracas seconded the motion with all voting Aye.

Mr. Cracas made a motion to accept the New Business as read. Vice-Chairman Glaum seconded the motion with all voting Aye.

### Announcements

*Gunlocks offered by Police Department*

Corporal Wayne O'Connell announced that the Police Department is offering free gunlocks to township residents as part of the ChildSafe program. A form is available at the Township Police Department, Township Administrative office, and Township web page. Residents are asked to complete the form and submit it to the Police Department. Upon completion of the form, a police officer will visit the home to give instruction on the gunlock procedure. Chairman Hallman III asked that a notice be posted on the opening page of the Web site, and any additional gunlocks available from the program be advertised in the next Township Newsletter.

*Public Comment*

*Treasurer Position*

Gesa Sklaroff asked if the Treasurer's administrative tasks are being contracted and why Mr. Long has been appointed Treasurer. Mr. Cracas explained that the Treasurer position has been appointed as a requirement of the Second Class Township Code, and the administrative tasks are currently being evaluated for the most efficient computerized program. It was noted that most of the treasurer activities have been outsourced to a more cost effective approach.

*Balmoral Court Road Dedication*

Mr. William Groff asked the Board for direction in the completion of obtaining Road Dedication for Balmoral Court. Mr. Cracas explained that Balmoral Development, Inc. has not completed or performed several improvement items, and currently has an outstanding balance of \$11,204.85.

Mr. Cracas further explained that it is not the Township's position to demand that a developer dedicate roads to the Township. After a lengthy discussion Mr. Cracas suggested that the Township seek the outstanding balance before obtaining the Escrow, and provide the residents of Balmoral Court with a list of the items that need completion before Dedication can be accomplished.

Mr. Cracas made a motion to authorize the Township Manager to pursue the appropriate clauses of the current Escrow of Balmoral Court and to obtain the appropriate sum owed to the Township by Balmoral Development, Inc. Vice-Chairman Glaum seconded the motion with all voting Aye.

*Palmer House*

Sandy Heilman asked the Board to clarify what is actually included in the lease of the Palmer House and when the bridges are being repair for driveway access. Chairman Hallman III responded that the house and lawn area in close proximity to the house will be included in the lease. Chairman Hallman III further stated that the bridges are scheduled to be repaired starting next week.

Gesa Sklaroff asked what financial responsibility the Township is taking in relation to the improvements that need to be completed on the Palmer house. Mr. Long stated that the

Township will be responsible for all repairs to the well and electric to the house and the tenant will be the financially responsible for all repairs and renovations to the existing structure.

**Adjourn**

Mr. Cracas made a motion to adjourn the meeting at 9:20 p.m. Vice-Chairman Glaum seconded the motion with all voting Aye.