

MINUTES OF THE
EAST COVENTRY TOWNSHIP BOARD OF SUPERVISORS
MEETING HELD ON OCTOBER 1, 2007
(Approved October 15, 2007)

The Board of Supervisors held a regular monthly meeting on Monday, October 1, 2007. Present for the meeting were supervisors W. Atlee Rinehart, Robert F. Preston, Timothy Roland and Rosemarie C. Miller. John Doering, Jr. was not present. Also in attendance were Bernard Rodgers, Township Manager, John A. Koury, Jr., Township Solicitor, and Brady Flaharty, Township Engineer.

Mr. Rinehart called the meeting to order at 7:03 p.m. and the pledge was recited.

Mr. Rinehart noted an executive session was held at 6:30 p.m. to discuss Tisa Lane sewer easements.

Sewer Update

The Township Engineer provided an update of the sewer project. A map of the progress was presented and the Township Engineer noted the map will be continually updated.

Kevin Kane of 59 Earl Drive asked when the first quarterly bill would be sent and the Township Manager noted billing will start the date of connection.

Lance Parson of 79 Brownstone Drive noted concerns of having to hook up in the middle of winter and Mr. Preston noted that weather conditions will be considered.

It was requested a proposed amendment to the ordinances to address decommissioning of the on-site sewerage disposal systems be provided for the next Board meeting.

Michael Coine of 1134 Schoolhouse Road inquired about the progress of the sewer project and it was noted the project is on schedule.

Mr. Kane inquired about when the roads will be paved and the Township Manager noted a progress meeting is scheduled for Wednesday morning and such items will be discussed. The Board noted they would like the roads drivable and passable before the winter.

Mr. Coine asked how the compaction is being handled and the Township Manager noted the contractor provided compaction equipment specifications for review.

1. MINUTES

Minutes of the September 10, 2007 Monthly Meeting

Mr. Roland moved to approve the September 10, 2007 monthly meeting minutes as revised by Mr. Preston. Mr. Preston seconded the motion. Mrs. Miller abstained due to her absence at the September 10, 2007 monthly meeting. The motion carried with a 3-0-1 vote.

Minutes of the September 17, 2007 Workshop Meeting

Under Public Comment in the second sentence note that the Township Manager noted that Mr. Roland spoke to the auditor. It was noted that the second paragraph on Page 4 that was omitted in Mr. Preston's revisions is to remain. Mr. Preston noted the subject paragraph was moved to page 5 thus no correction is needed. The approval of the minutes was tabled to the October 1, 2007 monthly meeting due to lack of majority vote as a result of two abstentions because the Board Members were not present at the September 17, 2007 regularly scheduled board meeting..

2. PUBLIC COMMENT

Sally Kolb of 231 Baptist Church Road noted concerns of the lengthy process of resolving the issue of the kennel on Bethel Church Road and such action of the East Coventry Board of Supervisors enforcing the Township's Zoning Ordinance. Ms. Kolb inquired why the Zoning Hearing has turned into a legal issue. (The Zoning Hearing Board is the first adjudicator in zoning matters.) Mr. Rinehart noted that because the item concerns litigation the Board may not comment.

3. REPORTS

Reports from Various Departments and Committees

There was a review of the reports from the various departments and committees.

Mr. Rinehart inquired about the stormwater concerns that were posed by Mrs. Diener of Kulp Road and the Township Manager noted that he and Mr. Jordan of the Chester County Conservation District met and have has spoken with Mrs. Diener.

The Township Manager noted a lot in Meadowbrooke Hunt in which the property owner is attempting to obtain a permanent Use and Occupancy Permit and to remove the Temporary Use and Occupancy Permit issued by Code Inspections Inc. on the behalf of East Coventry Township. According to Township Engineer's review two on-lot drainage items are required to be installed and are not part of the public improvements escrow; but are part of the overall drainage plan of the East Coventry Township and Chester County Conservation District approved subdivision. The Township Manager inquired if the Board would consider action to have the items completed and possibly draw down the financial security.

Mr. Preston moved to authorize the Township Manager to send a letter to the developer to install the drainage items by a date certain or the township will draw down the financial security and install the drainage items. Mrs. Miller seconded the motion. The motion carried with a 4-0-0 vote.

The Board was not inclined to grant any further extension to the developer of Meadowbrooke Hunt.

Mr. Roland moved to approve reports from various departments and committees as presented. Mr. Preston seconded the motion. The motion carried with a 4-0-0 vote.

4. SUBDIVISION AND LAND DEVELOPMENT

Project: Plan Waiver Extensions

Mr. Roland moved to approve the plan waiver extension for Hidden Acre Estates, Green Acres and Joseph McCann Co, Inc. Mr. Preston seconded the motion. The motion carried with a 4-0-0 vote.

Mr. Preston requested the "Plan Review Extension Form" be standardized to include the name of the development; the name and address of the developer with telephone number; and require the East Coventry Township Board of Supervisors Chairman signature and date after approval by board motion.

5. OTHER BUSINESS

Fire Police

Mr. Rinehart moved to approve fire police request for East Coventry Elementary School for October 31, 2007. Mr. Preston seconded the motion. The motion carried with a 4-0-0 vote.

Resolution

Mr. Preston moved to approve resolution acknowledging Mary Brower's service on the Historical Commission. Mr. Roland seconded the motion. The motion carried with a 4-0-0 vote. The East Coventry Township Board of Supervisors publicly thanked Ms. Mary Brower for her service to the Community and to the Historical Commission.

6. DISCUSSION ITEMS

Open Space Plan – West Pottsgrove Open Space Plan

There was discussion of the West Pottsgrove Open Space plan being reviewed by the Planning Commission and the Parks and Recreation Committee. It was recommended that comment be provided to West Pottsgrove with the aid of the Parks and Recreation Committee.

Ivywood Estates

There was a discussion regarding the financial security release request in accordance with TH Properties letter dated September 19, 2007.

Mr. Preston moved to authorize the Township Engineer to perform an inspection of the Creekview collection sewers; and Pump Station #4 and associated Forcemain; and prepare proper notification to appropriate parties that East Coventry Township is ready to accept dedication of the collection sewers, pump station, and forcemain; and release the maintenance bond associated with that work. Mr. Roland seconded the motion. The motion carried with a 4-0-0 vote.

Painter Tract

Mr. Roland moved to authorize the Township Solicitor to intervene in the Painter Tract appeal of the East Coventry Township Zoning Hearing Board decision on behalf of the Township. Mr. Rinehart seconded the motion. The motion carried with a 4-0-0 vote.

Mr. Preston moved to authorize the Solicitor sign the stipulation as written concerning the Painter Tract litigation. Mr. Roland seconded the motion. The motion carried with a 4-0-0 vote.

7. ADDITIONAL INFORMATION BROUGHT BEFORE THE BOARD

Mrs. Miller inquired about the request for Codes Inspections Inc. to provide building sewer certifications that the building sewers installed in "Coventry Glen Subdivision" were installed in accordance with the East Coventry Township Building Sewer Specifications in affect at the time the work was performed. The Township Manager noted he has a meeting scheduled with Pat O'Donnell of Code Inspections and will address the issue at that time.

Mr. Roland noted a meeting will be held tomorrow with SRGA, PECO and Historical Commission members to discuss Fricks Locks- Historical and Recreational Site.

Mr. Roland noted Andy Paravis, Chairman of North Coventry Township Board of Supervisors, stated a path has been placed at the edge of the township line and they would like to extend the trail up along the PECO easement. Mr. Rinehart recommended they negotiate with PECO and the licensee of the property.

Mr. Rinehart inquired about the T-Mobile situation and the Township Solicitor noted he had prepared and distributed a memo regarding the issue and it was noted any co-location on the Sprint Tower must adhere to the conditional use order.

The Township Solicitor noted he will e-mail to the Board a memo regarding the discharging of firearms.

Mr. Preston moved to proceed with the 2006 audit to be completed by October 31, 2007 with the condition that the blended rate may not exceed \$125/hr and the auditing firm provide a 'not to exceed' amount. Mr. Roland seconded the motion. The motion carried with a 4-0-0 vote.

Mr. Ray Kolb, Public Works Supervisor, noted the water problem on Harley Road bounded by Ellis Woods, East Cedarville Road and Harley Road. Mr. Kolb noted that after discussion with Mr. Moyer, residing at the corner of Harley and East Cedarville Roads with street address on East Cedarville Road, Mr. Moyer appears agreeable to having the water sheet flow across Harley Road to his property to the drainage system of swales on East Cedarville Road. The Township Manager will send a letter to Mr. Moyer regarding the water sheet flow across his property then to East Cedarville Road drainage ditch / swale as suggested by Mr. Kolb.

The rezoning request of the Strutynski development was noted as referenced in Garner & Bauer's letter dated September 17, 2007.

Mr. Preston moved to acknowledge receipt of the Garner & Bauer letter dated September 17, 2007 requesting rezoning of the property located at the corner of East Cedarville

Road and Saylor's Mill Road to R – 3 zoning; and make no further changes to the zoning of such property at this time. Mr. Roland seconded the motion. The motion carried with a 4-0-0 vote.

An executive session was held at 9:20 p.m. to discuss Tisa Lane sewer easements and litigation concerning Murray zoning issues.

The monthly meeting reconvened at 10:00 p.m.

Mr. Rinehart noted the Board of Supervisors has decided to send a letter to the Tisa Lane residents involved with the sewer easements stating that the appraisals before them will be the final appraisal, the proposed overlay will be done, and the easements will be revised.

There was a review of the ARRO Consulting, Inc. letter dated September 27, 2007 regarding Phase 2 Sewer Current Issues.

Mr. Preston noted the change order referenced in Item No. 2 was not installed in accordance with the plans and no change order was submitted to the East Coventry Township Board of Supervisors for approval prior to implementing the change. Therefore, all changes from the approved plans and specifications require a change order being approved by the Board of Supervisors prior to implementation.

Per Arro all specified PVC lined manholes are in fact PVC Lined per Item 1 of the September 27, 2007 Arro letter.

Item 2 Compaction is not in accordance with the specifications. Arro allowed the Contractor to install the specified backfill in one lift irrespective of the depth of the trench. The contract requires a maximum of 12 inch lifts. The lack of proper compaction is indicating by significant settlement of the trench. Arro agreed to limit lifts to 12 inches for compaction unless the Board of Supervisors approves a Change Order agreeing to greater lifts. Also pointed out during this discussion was the Contractor is not chocking the pipe.

In response to Item No. 3, Mr. Preston noted that the use of milled road as fill is against environmental law due to ground water pollution and ground water could cause piping of the fines in the millage and create void thus causing the backfill to lose stability. Per Arro Roadway Millage will not be used as backfill in the future.

Item 4 Addresses Proposed Change Order Number 2 and was discussed above.

Item 5. Arro present a General Plan of the Sewer System with a “Bar Chart” indicating substantial completion and estimated completion dates for each sewer drainage area in the sewer system in compliance with Mr. Preston’s request.

Item 6. The equipment compacting the BCBC (25mm ID – 2) was believed not to conform to the specification apparently the smaller equipment delivers 300 pounds per inch of width and complies with the specifications.

Item 7. The “one foot cutback” markings on the roads do not indicate that a one foot cutback from the edge of trench is planned to be provided. Arro indicated that a least “One foot Cutback” from the edge of trench on each side of the trench will be provided. This issue had no relation to the temporary paving.

Item 8. This item notified Arro that on state roads when a under ground line parallels a travel lane the state road must be repaved to the centerline of the state road. Additionally, Arrow was advised that in a state road when perpendicular cuts are closed than 100+- feet of each other that lane is also repaved. (Penn Dot Form 408).

Item 9 This item requested assistance from Arro for obtaining approval from Penn Dot to utilize Liquid Fuels money for full width resurfacing local and state roads.

Item 10. The item noted the excessive settlement of the temporary paving probably caused by inadequate compaction of the sewer trench. It was requested Arro have the contractor maintain the temporary paving in such a manner as to minimize roadway surface depressions, potholes, etc.

The Township Engineer will address the trench settlement repairs and temporary paving settlement at the next progress meeting.

Walter Woessner, 164 Schoolhouse Road, noted that a house in Heather Glen’s building sewer has plastic risers not in accordance with any township building sewer specification and noted concerns of the building sewer installations at Coventry Glen. All building sewer inspections are conducted by Code Inspections Inc. on the behalf of the Township.

8. ADJOURNMENT

The monthly meeting was adjourned at 10:45 p.m.

Respectfully submitted,

John Doering, Jr.
Township Secretary