

MINUTES OF THE
EAST COVENTRY TOWNSHIP BOARD OF SUPERVISORS
WORKSHOP MEETING HELD ON OCTOBER 15, 2007
(Approved November 5, 2007)

The Board of Supervisors held a Workshop Meeting on Monday, October 15, 2007. Present for the meeting were supervisors W. Atlee Rinehart, Robert F. Preston Timothy Roland and Rosemarie C. Miller were present. John Doering, Jr. was not present. Also in attendance were John A. Koury, Jr., Township Solicitor and Bernard Rodgers, Township Manager. Also present was Brady Flaharty, Township Engineer.

Mr. Rinehart called the workshop meeting to order at 7:50 p.m. and noted an executive session was held at 6:30 p.m. for the purpose of discussions and negotiations with the auditor's costs to complete the 2006 Audit.

Eagle Scout

Mr. Rinehart presented Resolution No. 2007-32 recognizing and acknowledging Eagle Scout, Andrew Hoffman. The Board of Supervisors unanimously approved Resolution No. 2007-32 by a vote of 3-1-0 with Mr. Roland voting no. Mr. Roland objection concerned the open burning of man-made materials causing pollutants to enter the air.

Sewer Update

The Township Engineer provided a sewer update. The minutes of the last progress meeting were noted and copies were made available for interested parties. The Township Engineer noted the sewer project map indicating the approximate substantial completion date and the anticipated last date for sewer hook-up by color code as presented to the Board of Supervisors and public.

There was a discussion regarding the change orders found in Township Engineer letter dated October 11, 2007.

Mr. Rinehart moved to approve Change Order No. 5 to allow the contractor to continue using hot mix bituminous materials as temporary paving as long as weather conditions meet the requirements contained in the 2007 version of PADOT Publication 408. Mr. Preston seconded the motion. The motion carried with a 4-0-0 vote.

There was a brief discussion regarding Change Order No. 6 to postpone construction of the sanitary sewer installation on Buckwalter Road and the adjacent section of East Cedarville Road with a remobilization cost of \$4,200. The Board of Supervisors did not approve Change Order Number 6 because it died for a lack of a second. The Board would like to see the contractor proceed in accordance with the signed contract as soon as possible.

Mr. Preston requested copies of signed/approved change orders and asked the Township Engineer to provide a list and description of all change orders shown on the partial payment estimates from the contractor through Arro.

Mr. Preston inquired about the status of the building sewer inspection certification from the

Codes Department which was requested on August 22, 2007 by the interim Manager and by Mr. Preston.

There was a discussion regarding the proposed text for to the sewer ordinance and guidance available to the Public to address the issue of abandonment of on-site sewage disposal systems.

Mr. Preston moved to approve the text for standard in-ground on-site sewerage disposal systems as submitted by the Township Engineer found in e-mail dated May 8, 2007 to be adopted by ordinance and include the text in information packets along with specifications in guidance documents available to the public. Mr. Rinehart seconded the motion. The motion carried with a 4-0-0 vote.

There was a discussion regarding the abandonment of non-standard on-site sewerage disposal systems such as sand mounds, etc, and it was requested criteria be added to the proposed text to address the abandonment of such non-standard on-site sewerage disposal systems such as sand mounds.

Mr. Preston moved to authorize the preparation of a sequence of events for removal and de-activation of non-standard on-site sewerage disposal systems such as sand mounds. Mrs. Miller seconded the motion. The motion carried with a 4-0-0 vote.

There was a review of the memo from the Codes Department dated October 12, 2007 regarding sewer inspection procedures and there was a discussion regarding the building sewer inspection fees.

Mr. Preston moved that the initial inspection of the building sewer pipe before it is covered and final inspection when backfilled will be covered by the \$150.00 inspection fee and re-inspections for cause will be at an additional cost of \$150.00. Mr. Roland seconded the motion. The motion carried with a 4-0-0 vote.

There was further review of the Code Department memo dated October 12, 2007 and the location of house traps was discussed.

Mr. Preston moved to allow the house trap location to be placed where the plumber determines to be appropriate for existing homes and have no specific distance specified. Mr. Rinehart seconded the motion. The motion carried with a 4-0-0 vote.

NPDES Public Education Presentation

The short film 'After the Storm' was shown as part of the public education for the NPDES MS-4 program.

The Township Engineer noted the second component of the public involvement of the MS-4 program is the stream clean up and Mr. Roland noted the stream cleanup will be discussed at a PTA meeting. Key points and purpose of the video were discussed.

Stormwater Ordinance Amendments

Mr. Rinehart moved to authorize the Township Solicitor to advertise amendments to the Stormwater Ordinance to be enacted on November 5, 2007. Mr. Roland seconded the motion. The motion carried with a 4-0-0 vote.

Mr. Preston noted concerns of the model stormwater ordinance and it was suggested that comments be provided via e-mail to the Board, the Township Engineer and Solicitor.

It was recommended the model stormwater ordinance issues should be presented to PSATs for review and comment, and a joint meeting with West Vincent, South Coventry, East Vincent, South Coventry, North Coventry, East Coventry, Township and Mr. Breitenstein of the DEP be scheduled for addressing questions on the PA DEP suggested Stormwater Ordinance revisions.

1. MINUTES

Minutes of the September 17, 2007 Workshop Meeting

Approval of the minutes of the September 17, 2007 workshop meeting was tabled to the November 5, 2007 monthly meeting due to lack of majority vote as a result of two abstentions due to these Board Members not being present at the September 17, 2007 meeting.

Minutes of the September 25, 2007 Zoning Taskforce Meeting

Mr. Preston moved to approve the minutes of the September 25, 2007 zoning taskforce meeting as revised by Mr. Preston and further amended. Mrs. Miller seconded the motion. The motion carried with a 3-0-1 vote. Further amendment is under subheading *Audit Discussion* change 'Mr. Baker' to 'Ms. Baker'.

Minutes of the October 1, 2007 Monthly Meeting

Mr. Preston moved to approve the minutes of the October 1, 2007 monthly meeting as revised by Mr. Preston and further amended. Mr. Roland seconded the motion. The motion carried with a 4-0-0 vote. Further amendment is under subheading *Painter Tract* change 'of the East Coventry Township's plan denial' to 'of the East Coventry Township Zoning Hearing Board decision', under subheading *Additional Items Brought Before the Board – Item 10* – the last sentence to read 'It was requested ARRO have the contractor maintain the temporary paving in such a manner as to minimize roadway surface depressions, potholes, etc.

2. PUBLIC COMMENT

Missy King of 10 Eleanor Drive inquired about the political signs appearing on township property and the Township Manager noted he has informed the Codes Department of this issue.

Walter Woessner of 164 Schoolhouse Road inquired about the request of the Codes Department to provide the sections of the code under which the permit was issued for the fireworks tents on Route 724. The Codes Department will be notified and required to respond to this question.

3. OTHER BUSINESS

Phase 2 Sewer

Mr. Roland moved to approve Payment No. 6 for the Phase 2 sewer project for the amount of \$392,168.34. Mr. Preston seconded the motion. The motion carried with a 4-0-0 vote

It was requested that all change order description details be provided on the payment estimates.

Ellis Woods Parks

There was a discussion regarding the relocation of the 3-phase electric for the Ellis Woods Park project. The Township Manager noted he is obtaining three quotes and is waiting for a quote from Reading Site Contractors. If the quote is under \$10,000 it can be treated as a separate contract or change order as the case may be. The Township Manager noted the permit application was sent to the Chester County Conservation District has been reviewed and comments forwarded to the consultant for response, and or plan modification. The Major Group, is to supply further information to the Conservation District in order for the Erosion and Sedimentation and Stormwater NPDES permits to be issued by the Chester County Conservation District.

There was a discussion regarding the bridge loan for the Ellis Woods Park project. The Township Manager noted borrowing of over \$125,000 needs DCED approval. It was recommended that quotes from other banks be solicited to obtain the best rate.

4. DISCUSSION ITEMS

Penn Power Systems

There was a discussion regarding a maintenance agreement with Penn Power Systems for maintenance of the generator at the township building. Ray Kolb, Public Works Supervisor, noted the Public Works Department could perform the work and maintenance to the generator. Mr. Preston indicated that Diesel Generators not run under Full Load for 30 continuous minutes each year will become "Sloppy" i.e. Diesel Fuel in the exhaust and will not develop the necessary power. Mr. Preston then requested Full Load testing for at least 30 continuous minutes each year is added to the list of maintenance for all generators. The Public Works Supervisor and Township Manager will discuss.

Montgomery County Lands Trust

There was a discussion regarding Green Futures Achievement Award reception held by Montgomery County Lands Trust and who the Board would like to appoint to attend. Mr. Roland recommended Connie Megay due to her extensive involvement with the Pottstown Metropolitan Regional Planning Commission. The Board will get back to the Township Manager regarding who will attend.

5. PAYMENT OF BILLS

There was a review of the General Fund bills. Mr. Preston noted the high amount for phone bills. Mr. Preston inquired about the Tractor Supply balance payment and inquired why the township is paying a balance. Mr. Preston requested that all credit purchases be

paid in full each month in order to avoid finance charges. Mr. Preston requested a breakdown of the Code Inspections, Inc. bill.

Mr. Rinehart moved to pay bills for the General Fund less the bill for NCD Associates in the amount of \$97.34. Mr. Roland seconded the motion. The motion carried with a 4-0-0 vote.

Mr. Rinehart moved to pay the NCD Associates bill for the amount of \$97.34 from the General Fund. Mr. Roland seconded the motion. Mr. Preston voted no. The motion carried with a 3-1-0 vote.

Mr. Preston moved to pay bills out of the Sewer Construction Loan in the amount of \$38,166.44 for engineering services of Arro on the Sewer Project as listed below and the addition of N. Abbonizio Contractors requisition in the amount of \$392,168.34 as listed below:

Requisition No. CL-34	ARRO Consulting, Inc.	\$38,166.44
Requisition No. CL-35	N. Abbonizio Contractors	\$392,168.34

Mr. Roland seconded the motion. The motion carried with a 4-0-0 vote.

Mr. Preston moved to pay bills out of the Sewer Operating Fund for the amount of \$1,389.79 as listed below:

Requisition No. SRA-39	Oehlert Brothers	\$32.41
Requisition No. SRA-40	PECO Energy	\$1,117.84
Requisition No. SRA-41	Pennsylvania America Water	\$27.46
Requisition No. SRA-42	Verizon	<u>\$212.08</u>
	Total	\$1,389.79

Mr. Roland seconded the motion. The motion carried with a 4-0-0 vote.

Mr. Rinehart moved to pay bills for the Highway Aid Fund in the amount of \$3,675.08. Mrs. Miller seconded the motion. The motion carried with a 4-0-0 vote.

Mr. Roland moved to pay bills for the Water Users Fund in the amount of \$256.07. Mrs. Miller seconded the motion. The motion carried with a 4-0-0 vote. It was requested a balance be shown for the Water Users Fund.

6. ADDITIONAL ITEMS BROUGHT BEFORE THE BOARD

Mr. Preston moved to contact Tailored Turf to collect the \$1,300.00 voluntary contribution as offered by the developer. Mr. Roland seconded the motion. The motion carried with a 4-0-0 vote.

There was a discussion regarding the request for funds for a recent Eagle Scout project. The Township Manager noted contributions were provided to two Eagle Scout projects in 2006.

Mr. Preston moved to split the \$500 in the budget between the two pending Eagle Scout projects. Mr. Roland seconded the motion. The motion carried with a 4-0-0 vote.

The Township Manager noted a request from a resident of Coventry Greene to park on Coventry Greene Lane. The Board did not take any action concerning the request.

The Board held an executive session at 11:15 p.m. to discuss potential litigation and sewer easements. The workshop meeting reconvened at 11:45 p.m.

Mr. Roland moved to authorize the Township Solicitor to work with the Township Manager to revise the letter to the Funk's, White's and Dougherty's regarding the settlement terms as discusses Tisa Lane sewer easements as discussed and obtain from EDM Consultants Inc. revised easement descriptions reflecting the changes agreed to by the Board of Supervisors and Tisa Lane Representatives. Mrs. Miller seconded the motion. The motion carried with a 4-0-0 vote.

Mr. Rinehart moved to authorize the Township Solicitor to appear, as well as Eric Hawkins or Peter Silvestri of the Codes Department, at the Chester County District Attorney's office on October 31, 2007 at 8:00 a.m. as a result of the appeal for the District Court decision to the Court of Common Pleas by David Gaugler. The District Justice fined the defendant \$1,000 plus costs. Mr. Roland seconded the motion. The motion carried with a 4-0-0 vote.

Mr. Roland moved to revise the contract with Barbacane Thornton & Company in regard to the 2006 audit at its meeting on Monday, October 16, 2007 as follows:

That Barbacane Thornton & Company be paid to date for the outstanding invoice with a balance of \$4,800.00 subject to the Board of Supervisors receiving an hourly task breakdown for charges for each task from day one of work on the 2006 audit and to date;

That Barbacane Thornton & Company be paid for services to be rendered on October 17, 2007 at the total hourly rate of \$265.00 consisting of \$180.00 per hour for a Principal and \$85.00 for a staff person.;

That Barbacane Thornton & Company be paid its hourly rate for a follow up meeting with the Board of Supervisors to present a status report along with a quote for additional services necessary to complete the audit with a maximum "not to exceed" number for the services necessary to complete the audit (information to be presented in executive session and if agreed upon among the Board of Supervisors may be presented in public);

That the audit is completed by November 19, 2007, which will be the date that the final audit will be completed and the management letter provided to the Board of Supervisors;

That the letter setting forth the additional services and the cost of same with a cap “not to exceed” be submitted to the Township Manager not later than Friday morning, October 19, 2007 so that the Township Manager can distribute the letter to the Board of Supervisors in anticipation of the follow up meeting with Barbacane Thornton & Company on Monday, October 22, 2007 at 6:30 P.M. to discuss the letter which will be an additional proposal to complete the audit.

Mrs. Miller seconded the motion. The motion carried with a 4-0-0 vote.

7. ADJOURNMENT

The workshop meeting adjourned at 12:00 a.m.

Respectfully submitted,

John Doering, Jr.
Township Secretary