

May 8, 2013

The regular meeting of the Honey Brook Township Board of Supervisors was called to order at 6:30 p.m. Supervisors Joe Fenstermacher, John McHugh, and Lew Wertley were present, as was Township Administrator Antoinette Antonini and Township Engineer Michael Reinert.

In accordance with Resolution 2-2012, it was announced that the meeting was being filmed by Scott Stilson of 275 Vincent Drive.

Consent agenda.

Minutes of the April 10th regular meeting; bills/receipts; treasurer’s report; Motion by Lew Wertley, seconded by John McHugh, to approve the consent agenda. All in favor. Motion carries.

John McHugh noted condensing minutes.

Treasurer’s Report as of April, 2013

Assets--Gen Fund	1,056,970
Assets--Cap Reserve	999,808
Assets--Op Reserve	350,222
Assets--State Fund	429,305
Assets--Land Pres	82,789
Assets--Land Pres Fund	1,233,711
Total Assets	\$4,152,805

Assets in Restricted Account	
Gen Fund--Recreation	48,041
Gen Fund--Hlth Reimb	7,347
Land Pres	1,316,500

Liabilities--Gen Fund	140,618
Liabilities--Cap Reserve	1,045,446
Liabilites--Op Reserve	0
Liabilities--State Fund	145,538
Liabilities--Land Pres	2,093,929
Total Liabilities	\$3,425,531

Equity--Gen Fund	916,352
Equity--Cap Reserve	-45,638
Equity--Op Reserve	350,222
Equity--State Fund	283,767
Equity--Land Pres	-777,430
Total Equity	\$727,273

Less Restricted Acct	-729,389
Working Capital	\$1,456,662

General Fund Receipts	\$342,534.57
General Fund Expenditures	\$89,923.15
Cap Reserve Receipts	\$26,013.33
Cap Reserve Expenditures	\$1,427.09

Op Reserve Receipts	\$58.33
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Op Reserve Expenditures	\$0.00
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State Fund Receipts	\$214,060.69
State Fund Expenditures	\$0.00

Land Pres Fund Receipts	\$41,643.17
Land Pres Fund Expenditures	\$27,662.20

Sinking Fund (Loan)

Assets	\$17,313
Liabilities	\$4,209,976

Land Preservation (Loan)

Assets	\$0.00
Liabilities	\$1,498,351.00

Departmental Reports

Park & Recreation Committee:

Therese Mauchline advised the community garden had been planted by Lee Heller and the Mauchline family with chard, beets, carrots, and green beans. The Tri-County did a nice feature on the garden. The Committee is recommending having a composting area (with a cover per master gardener) and a kitchen scale to weigh the harvest, to be kept inside the administration building.

John McHugh asked if there was a schedule for maintaining the garden. Therese Mauchline advised that right now, it's being watered every other day between her family and Lee Heller. When more volunteers are on board, the responsibility can rotate. Joe Fenstermacher asked who was coordinating with the Chester County Food Bank (CCFB). Therese Mauchline stated she was. She added that pictures were taken by Eric Pressman of the CCFB for their marketing, since Honey Brook Township is the first municipality to participate in this project.

Roadmaster Don Johnson:

Don Johnson gave his proposal for refurbishing the 1993 Mack & plow (a new dump body, hydro lines, plow assembly) for \$45,000. The new plow would be a foot wider than the current plow. Joe Fenstermacher asked if the Township had budgeted for this. Toni Antonini advised that yes, it had. Don Johnson stated that the truck was due to be replaced last year. This refurbishing will be \$45,000 compared to purchase of a brand new truck for \$145,000.

The department is currently cleaning ditches and getting ready to patch road edges. They will start the Poplar Road project within the next month.

Joe Fenstermacher asked if there had been a response from the Lakeview Estates property owner by Struble Lake (TPN #22-5-16.48). Mike Reinert stated that a letter had been sent by the Solicitor and a response from the property owner's agent was received, requesting a list of the necessary corrections to the basins.

John McHugh asked how the initiative was going that Lew Wertley was heading up with regard to the speed limit study on Rte. 322 & Birdell Roads. Lew Wertley stated he had contacted PennDOT in Norristown but he has not heard back yet. He stated he would like to see the speed limit lowered to 45 mph.

Administration—Toni Antonini:

Toni Antonini noted that a couple of signs are being replaced by PennDOT on Cambridge Road which say French Creek instead of Brandywine Creek.

Toni Antonini stated that with regard to the webmaster search, she would recommend going with the one used by Honey Brook Borough, which would charge \$500-\$600 to overhaul the site. The fee would be \$30/hour to update and maintain. Joe Fenstermacher stated that he understood that the administrative office would do updates. After much

discussion it was decided to have Toni choose program and have site restructured by outside vendor with program to run and be maintained in-house.

Toni Antonini stated that the Township was awarded Vision Partnership Program grant in the amount of \$10,971 for the comp plan update.

Planning Commission:

Mike Reinert noted that Phases 3 & 4 of Tel Hai will be reviewed at their next meeting in May as well as continuing the discussion of an on-lot sewage management plan & a property maintenance code. They likely will need to have public workshop meetings in the future. Joe Fenstermacher asked what the logic was for public workshop meetings. Mike Reinert stated that although such meetings would still need to be advertised, they are more of an informal discussion as opposed to a formal meeting, which may be full of formal business items (subdivisions, etc). Joe Fenstermacher asked if there would be a recommendation as to whether or not to adopt the property maintenance code as an amendment to the UCC (Uniform Construction Code). Mike Reinert stated that at their last meeting, one of the PC members was absent and the group wanted everyone's comments before offering a recommendation.

Code Enforcement—Kennel, Levi Kauffman—Beaver Dam Road.

Mike Reinert stated that Levi Kauffman was issued a Notice of Violation in December. At that time Board extended the time frame for correction of the violations to 120 days. The 120 day extension has expired and today the Township received an incomplete application for a Conditional Use Hearing, the key omission being the Hearing fee of \$500. Joe Fenstermacher asked if he had established a payment schedule. Toni Antonini advised that since he did not give anything yet, payments would depend on the amount of the remaining balance. Joe Fenstermacher stated that the agreement should be in writing. He was under the impression he would have given at least 20%. Lew Wertley asked why he was being given a break. Joe Fenstermacher asked how long a resident might have been given in the past to submit payment. Mike Reinert stated it was not the standard practice to give someone a payment schedule for submission of application or hearing fees; usually the money is submitted all at once. It is also not typical to get to the 120th day of a time extension for submission of the fee and then ask for more time without discussing a payment plan previously. John McHugh stated that he thought he ought to pay the full amount in 30 days. There was general agreement among the Board on the time frame.

Mike Reinert stated that he would recommend an update to the Notice of Violation be prepared by his office and sent to Mr. Kauffman. The Board agreed with the recommendation.

Announcements.

Joe Fenstermacher asked State Trooper Torres, who had just arrived, if he would speak to the statistics report for April.

Trooper Torres stated there were 13 calls in April for minor miscellaneous responses for non-criminal matters; a minor harassment/assault response, plus some assistance to other agencies. There were four residential burglaries and one commercial burglary in April.

The State Police have criminal investigators to follow up on those so Trooper Torres stated he did not know the status of those cases. Lew Wertley asked if there were statistics on accidents at Birdell Road and Rte. 322. Trooper Torres advised that he could get that information.

Joe Fenstermacher announced that the first Open Forum would be tabled in the interest of getting through the business portion of the agenda.

Open Forum.

Tabled.

Business.

Presentation—Kate Ferry, P.E., Mandated Act 101 Recycling by Department of Environmental Protection (DEP) assigned consultant.

Kate stated that she is our assigned consultant to assist in developing Act 101 Recycling Ordinance due to being a newly mandated municipality and needing to fulfill this requirement. She will be assisting in trash & recycling collection along with a burn ordinance mandated also by DEP

Kate stated she recently met with Toni Antonini, Township Administrator and discussed how best to incorporate such a program into the Township. She understands that the Township desires as smooth a transition as possible with the least impact on residents and Township while also meeting DEP's requirements.

A technical assistance report of 6 pages plus appendices is due at end of June. A scope of work drawn up after the meeting with Toni was approved by DEP. The report will involve a comparison of private hauler programs, data on ordinance language, education measures, how to make the program effective, costs, administrative requirements, how to deal with the no-burn aspects, and how to measure participation rates.

Joe Fenstermacher asked if there was to be no burning whatsoever.

Kate Ferry stated that, yes, per state law, nobody in the township may burn any yard waste or recyclables. The Township can get a grant every year for the amount of recycling in township. The more recycling that comes in, the more grant money the Township gets and the less it has to pay to the landfill.

Joe Fenstermacher asked when the Township had to have this in place.

Toni Antonini advised that the state extended its original deadline. It needs to be in place by March, 2014.

Kate Ferry stated that as part of law, the township has to collect yard waste. Usually collections are one in spring, one leaf pickup in fall, and a Christmas tree pickup. She then asked if there was any other information on the report that the Board would like to see.

Joe Fenstermacher stated that as much information as possible would be good. He stated that the Township gets a lot of wind; leaf pickup will be rough.

John McHugh stated that a large portion of the Township is in the Agricultural Security district. Are such parcels exempt?

Kate Ferry stated she had not seen any exemptions but she would look into that.

Lew Wertley stated that he thought this mandate was just for recycling.

Kate Ferry stated that as part of the Act 101 requirement there is recycling, recycling yard waste, leaf clean up and no burn ordinance.

Kate Ferry yard waste can either be picked up privately or township-wide by one hauler.

Lew Wertley stated that leaf waste is a non-marketable product, so that collection could be township-wide.

Kate Ferry stated that the yard waste tipping fee is less than landfill tipping fee, but nobody was making money off of it.

Lew Wertley noted that the Township's interest would be meeting DEP requirements with as minimal impact on township as possible.

Joe Fenstermacher stated he didn't understand why use of extra diesel fuel to pick up yard leaves & carry them to a county facility was preferable.

Kate Ferry stated that in a rural township, residents are certainly allowed, and encouraged, to mulch their leaves on site, but by law they are not allowed to put leaves into the trash stream or to burn them.

John McHugh stated that this topic could be something to cover with other municipalities in the WCCoG.

Authorize/not authorize advertisement scheduling Conditional Use hearing for TPN# 22-7-72 (old elementary center art building); change of use, June 12th, 2013.

Mike Reinert noted that the Planning Commission will review the hearing application at their next meeting and he will prepare a review letter for consideration by the PC and Board. This motion is simply to authorize advertising the hearing for the next Board meeting in June.

Lew Wertley made a motion, seconded by John McHugh, to authorize advertisement scheduling a Conditional Use Hearing for June 12th, 2013 for change of use for TPN 22-7-72. All in favor. Motion carries.

Support/oppose/take no position – Zoning Hearing Board Variance TPN# 22-6-6.4.

Mike Reinert stated that this is for a variance for replacement of an existing non-conforming 44 year-old building which is falling apart with a slightly larger building,

further encroaching into rear yard setback. The Planning Commission is taking the position of “no position.”

Lew Wertley made a motion, seconded by John McHugh, to take no position. All in favor. Motion carries.

Approve/not approve Western Chester County Council of Governments (WCCCoG) By-Laws.

John McHugh stated that approval of the by-laws is required of all participating municipalities.

Lew Wertley made a motion, seconded by John McHugh, to approve the WCCCoG By-Laws. All in favor. Motion carries.

Approve/not approve James A. Umble Memorial Park hold harmless agreement, reservation & rules form, and \$100 deposit.

Lew Wertley made a motion, seconded by John McHugh, to approve the hold harmless agreement, reservation and rules form, and \$100 deposit for use of the James A. Umble Memorial Park. All in favor. Motion carries.

Appoint/not appoint Alex Rahn, Jr., Planning Commission member to fill term to expire 12/31/2015.

Lew Wertley made a motion, seconded by John McHugh, to appoint Alex Rahn, Jr., to the Planning Commission to fill the term due to expire 12/31/2015. All in favor. Motion carries.

Final Open Forum.

None.

Upcoming Meetings:

- May 14th – Land Preservation Committee (6:30 pm)
- May 16th -- Park & Recreation Committee (7:00 pm)
- May 23rd – Planning Commission Regular Meeting (7:00 pm)
- June 12th – Board of Supervisors Regular Meeting (6:30 pm)

John McHugh noted that there would be a Town Hall meeting at the Administration Office meeting room tomorrow, May 9, 2013. Primary Election Day is May 21st.

Motion by Lew Wertley, seconded by John McHugh, to adjourn the meeting. All in favor. The meeting adjourned at 7:28 pm.

Respectfully submitted,

Kristy J. Deischer-Eddy
Recording Secretary