

November 14, 2012

The regular meeting of the Honey Brook Township Board of Supervisors was called to order at 6:35 p.m. Supervisors Lew Wertley, John McHugh, and Joe Fenstermacher were present, as was Township Administrator Antoinette Antonini and Township Engineer Michael Reinert.

John McHugh announced that he would be chairing the meeting on Lew Wertley's behalf.

Consent agenda.

Minutes of the October 10th regular meeting; minutes of the October 22nd workshop; bills/receipts; treasurer's report. Motion by Lew Wertley, seconded by Joe Fenstermacher, to approve the consent agenda. All in favor; motion carries.

Treasurer's Report as of October 31, 2012

October 31, 2012
Treasurer's Report

Assets--Gen Fund	945,352	General Fund Receipts	\$95,804.49
Assets--Cap Reserve	943,971	General Fund Expenditures	\$116,886.35
Assets--Op Reserve	350,441		
Assets--State Fund	128,506	Cap Reserve Receipts	\$162.12
Assets--Land Pres	1,292,361	Cap Reserve Expenditures	\$0.00
Total Assets	\$3,660,630		
		Op Reserve Receipts	\$60.19
		Op Reserve Expenditures	\$0.00
		State Fund Receipts	\$59.24
		State Fund Expenditures	\$0.00
		Land Pres Fund Receipts	\$31,388.62
		Land Pres Fund Expenditures	\$27,666.57
		Sinking Fund (Loan)	
		Assets	\$17,294
		Liabilities	\$4,103,972
		Land Preservation (Loan)	
		Assets	\$0.00
		Liabilities	\$1,340,255.81
		Suplee Turnback (State)	
		Assets	\$129,932.03
		Expenses	\$0.00

Liabilities--Gen Fund	96,971		
Liabilities--Cap Reserve	966,947		
Liabilites--Op Reserve	0		
Liabilities--State Fund	79,288		
Liabilities--Land Pres	255,960		
Total Liabilities	\$1,399,166		
Equity--Gen Fund	848,381		
Equity--Cap Reserve	-22,976		
Equity--Op Reserve	350,441		
Equity--State Fund	49,217		
Equity--Land Pres	1,036,401		
Total Equity	\$2,261,464		
Less Restricted Acct	1,112,806		
Working Capital	\$1,148,658		

Assets in Restricted Account	
Gen Fund--Recreation	70,247
Gen Fund--Hlth Reimb	6,158
Land Pres Fund	1,292,361

Departmental Reports.

None.

Announcements.

Park & Recreation Committee Meeting will be held tomorrow evening, Nov. 15, at 6:00 pm.

Honey Brook Community Partnership: two of the four welcome signs have now been replaced; the other two will be installed soon.

Open Forum.

Bob Witters, Tel Hai, stated he was surprised at the news that Gov. Corbett had approved a PennVEST loan for the Dead Animal Recovery (DAR) facility on Mount Pleasant Road. He stated he has no objection to a well-run facility but feels betrayed that he was told that the initial loan application for the DAR had been withdrawn & that the facility didn't need any other construction because it had met all environmental requirements. This is taxpayer money; he stated he is concerned about how it's spent.

John McHugh stated he was surprised as well. They had been given an indication that they might reapply but the board did not know the loan application was back in the pipeline for consideration. The loan went through the approval process by PennVEST. There are still some outstanding processes that facility would have to fulfill before the loan money released.

Lew Wertley stated that he was surprised also. The last time he talked with the Chester County Conservation District (CCCD), they did not indicate the DAR loan application had been resubmitted. He only found out in an e-mail from the CCCD that the DAR had received the loan, and that came after the article in the Daily Local News.

Joe Fenstermacher stated that the last he'd heard, the DAR was not going to reapply. When he asked the CCCD why they had, they told him that the County felt it was a worthwhile project. They hadn't told him they were going to reapply. As far as site itself and the operators, he stated that he knows Emmanuel Stoltzfus well, as his farm backs up onto his. As far as operator, it's not known if Ira Beiler is still involved in the running of the DAR or if it's an Emmanuel Stoltzfus agricultural-related business.

Mike Reinert stated that the project would still need to go through the land development process according to the township solicitor. The facility still has those hurdles to overcome; this announcement was just about the loan.

John McHugh noted that he spoke to Rep. Tim Hennessey and that he is aware of what's going on.

Robert McMinimee, President of the Twin Valley Little League: has a few questions regarding buildings at the park. As far as repairs to upgrade those buildings, is that responsibility of the Little League or the township?

Toni Antonini stated she would have to look at the agreement that had been drawn up to know for certain.

Robert McMinimee stated that there were a few things that needed to be done to the concession stand before next spring.

Toni Antonini asked for him to e-mail her a list of those items.

Robert McMinimee continued: The dugouts' metal roofing was a concern. He stated he was not sure if the Park & Recreation Committee or the Board of Supervisors was the place to start.

John McHugh asked if the League would need to work through the Park & Recreation Committee now that it is established.

Toni Antonini advised yes.

Honey Brook Community Library (HBCL) Power Point presentation: Mike Green, president of the HBCL Board of Trustees, stated that he was giving an update to each of the townships served by the Library. Honey Brook Township is home to the library, one of five municipalities served in Chester County (Honey Brook Borough, West Nantmeal Township, Elverson, Borough, 50% of West Caln Township, plus Caernarvon, Narvon, & Salisbury Townships in Lancaster County).

Some of the programs offered by the HBCL: service to Mobile Home Parks & retirement facilities; coordinating with local schools in summer; a young children's program (such as Fish Castle Music for ages 0-5 and Stories in the Shade for ages 2-5); school age children programs (materials for school assignments, Let's Read Math for grades 1-3, Science in the Summer for grades 2-5, Nature mornings for ages 4-12, Young adults Hunger Games program); and a summer reading challenge and Star Wars event for all ages.

He noted that the library does have volunteer opportunities.

Plans for 2013 include the HBCL's 50th anniversary.

The building loan will be paid off in December 2012. The HBCL is trying to cut overhead (utilities) to save more money. They recently painted for a cost of \$64 for materials with volunteers rather than for \$5,000 for professional help.

Act 73 has changed, meaning that instead of the \$20,000/year the Chester County Solid Waste Authority has traditionally given the HBCL, they are now only allowed to give \$1000/year. This is 20% of the HBCL's total budget getting cut.

The Board was thanked for listening and was asked to please remember the HBCL in the budgeting process, as it is working to use its money in the best way it can.

Bob Witters, Tel Hai, asked what the HBCL's affiliation was with the Chester County Library System (CCLS).

Mike Green stated that the HBCL receives funding from county, but the HBCL is run by the library's Board of Trustees. The HBCL can share books as part of the CCLS consortium.

John McHugh presented Mike Green with the township's annual contribution to the library, for which the township was thanked.

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

Business.

Support/oppose/take no position on Variance application for 22-2-8—accessory building size.

Mr. Yarnell, applicant, was present along with his attorney, Brian Nagle to review the zoning application submitted to the Township. Mr. Yarnall had applied for a permit for an accessory building, which was denied by the Township for non-compliance with 27-1602.C(1)(b), which says that the accessory building may not be larger than the footprint of the primary dwelling. The applicant has appealed the decision to the Zoning Hearing Board (ZHB) and a variance to allow his 7,200 square foot pole-style building to house his collection of "stuff". His property is 19.5 acres and located on Township Line Rd in the RC district. The application is up for review by the ZHB, but Mr. Yarnall would like to ask for a zoning amendment to address the issue. He feels that with a property of this size, the restriction on the accessory building is not necessary. Mr. Yarnall requests the opportunity to draft a proposed amendment for consideration.

Lew Wertley advised that such an amendment would have to be submitted through the Planning Commission. Brian Nagle stated that Mr. Yarnall had gone to the Planning Commission with this proposal but that they did not have the benefit of a draft to consider. The Board advised that they would consider the draft, however it must go to the Planning Commission first for their review and they would not comment on the draft this evening. The only topic for this meeting is the position of the Board on the zoning application.

Brian Nagle asked if the Board would delay their position on the variance application until Mr. Yarnall went through the amendment process? Joe Fenstermacher stated that was the applicant's choice. Lew Wertley stated that all the Board was discussing is to support, not support, or take no position on the variance application. Mike Reinert recommended that the Board make a motion on this topic, and then the applicant can decide how to proceed with the amendment or request a delay for the ZHB to rule on the application.

Lew Wertley made a motion that the Board takes the position of no position on the variance application for 22-8-8 with regard to accessory building size.

Joe Fenstermacher made a motion that the Board take the position of support on the variance application for 22-8-8 with regard to accessory building size. He stated that if the house on the property was larger, then the applicant would have enough impervious coverage to build his accessory building. He doesn't see why Mr. Yarnall should be penalized for having a smaller house.

Mike Reinert stated that the main reason for the requirement in the ordinance is that an accessory structure is meant to be subordinate to the dwelling unit. Therefore, one would always want an accessory building smaller than a dwelling to go along with that definition. He stated that the Planning Commission's position on the variance application was no position provided it not be used for commercial purposes.

John McHugh seconded the motion of no position.

There being no second on the motion of support, the motion died.

In favor of no position on the variance application for 22-8-8 with regard to accessory building size—John McHugh, Lew Wertley. Opposed—Joe Fenstermacher.

Authorize/not authorize YR2013 Budget advertisement.

Lew Wertley made a motion, seconded by Joe Fenstermacher, to authorize the YR2013 budget advertisement. All in favor; motion carries.

Final Open Forum.

Jamie Whye, principal at Honey Brook Elementary Center (HBEC): mentioned the walking path. She noted that the HBEC's gym teacher had come to the last meeting and spoke about it. She stated she wanted to know where the Board stood on the subject as to whether they want to partner with the HBEC or not.

John McHugh stated that the discussion would be going back to Park & Recreation Committee, which is meeting at 6 pm tomorrow. He asked if the HBEC had brought forward a proposal last month.

Toni Antonini advised that a full proposal had not been brought forward. She suggested the HBEC go through the Park & Recreation Committee. She stated she had spoken with Janet Hess about that. As long as someone is at the meeting tomorrow, then the HBEC and other interested parties will all know the procedure. She asked that if there was a proposal drafted that she bring it so that copies could be made.

Lew Wertley asked what the Twin Valley School Board's position was on the project.

Jamie Wyman stated that the school board supports it but that they do not have the funding for it.

Joe Fenstermacher asked if the person whose easement would be needed got back to her or not.

Jamie Wyman advised she had not heard back yet.

John McHugh stated that the Park & Recreation Committee will be looking at the area around the playing fields for Phase 1 and then at library access for Phase 2.

He then asked if the Board of Supervisors were to partner with the HBEC, what permits would be needed?

Toni Antonini advised that there are grants through Chester County and that the information was passed on to the Park & Recreation Committee, but there are no permits required.

Mike Reinert stated that the township will want to see a plot plan so that the path would not be hindering anything environmentally; however he didn't believe a permit would be needed.

Joe Fenstermacher stated this was the first he'd heard of the project being in phases.

Jamie Wyman stated that since the total projected cost was \$55,000 for the whole thing, there were thoughts about doing part of it now and part later.

Bob Witters, Tel Hai, asked if the Team Ag bill for the DAR was resolved.

Toni Antonini advised the bill was not for Team Ag, but the DAR's outstanding engineering had been paid.

Pete Collins, Tel Hai, advised that there was a Tel Hai retention basin that he believed was not functioning as designed. The basin is down by the pond at Beaver Dam Road and he doesn't think it is draining properly. He asked if the state or the township regulates that.

Mike Reinert advised that Tel Hai went through the Township for land development and the CCCD/DEP for its National Pollutant Discharge Elimination System (NPDES) permit. He stated he could look into the issue further. Sometimes when construction is occurring, the temporary measures will not be the same as the ones that will be in place permanently after the construction is done.

A Lorraine Stilson, 275 Vincent Dr., asked what the value of the budget advertisement that was just approved was.

Toni Antonini advised the total budget for 2013 is \$1.471 million.

John McHugh announced that the veteran's honor roll was posted on the meeting room wall. Over 100 names, mostly Tel Hai residents, are currently listed. He asked that if a resident of Honey Brook Township is serving or has served in the military to please let the Administrative Office know. Every year the Board will dedicate an updated list. The hope is to have something more permanent eventually.

John McHugh announced that he had contacted the HBEC as a location for a December 6 Town Hall meeting. He is waiting to hear approval for that.

Upcoming Meetings:

November 15th – Parks and Recreation (6:00 pm). Last meeting of the year.
November 15th -- Planning Commission Regular Meeting (7:00 pm)
November 20th – Land Preservation (6:30 pm). Last meeting of the year.
December 12th – Board of Supervisors Regular Meeting (6:30 pm). Last meeting of the year.

Motion by Lew Wertley, seconded by Joe Fenstermacher, to adjourn the meeting. All in favor. The meeting adjourned at 7:21 pm.

Respectfully submitted,

Kristy J. Deischer-Eddy
Recording Secretary