

**Honey Brook Township  
Board of Supervisors  
February 8, 2017 Regular Meeting APPROVED Minutes– 7:00 PM**

The meeting was called to order at 7:06 by Chair John McHugh with the Pledge to the Flag. Also present were Supervisors Tracy Olsen and Travis Stacey, Township Engineer Mike Reinert, Township Solicitor Beth Auman, and Township Manager Steve Landes.

**Announcements**

John McHugh announced that the Board of Supervisors met in executive session immediately before tonight's meeting to discuss potential litigation.

In accordance with Resolution 2-2012, it was announced that Scott Stilson, Vincent Drive, was videotaping the meeting.

**Consent Agenda**

1. Approve the Board of Supervisors Minutes of the January 3, 2017 Reorganization and Regular Business Meeting.
2. Accept the Land Preservation Committee Minutes of December 15, 2016 and January 17, 2017.
3. Accept the Planning Commission Minutes of January 26, 2017.
4. Accept the Parks and Recreation Committee Minutes of January 19, 2017.
5. Accept the December 2016 and January 2017 Financial Report.
6. Accept the January 2017 Zoning and Building Report submitted by Technicon.
7. Accept the December 2016 and January 2017 PA State Police Report.

Travis Stacey made a motion, seconded by Tracy Olsen, to approve the entire Consent Agenda. All in favor; motion carried.

**Departmental Reports**

1. Don Johnson, Public Works Director: The crew has been fixing berms along the edges of roads recently. Today we prepared for the forecasted snow by loading the trucks and installing the plows. We'll have 5 trucks out on the roads starting at 3:00 am tomorrow.

John McHugh thanked Don and the Roads Crew for their good work and asked that they be safe in the upcoming storm.

2. Kristy Deischer- Eddy, Administrative Assistant: The Pennsylvania State Association of Township Supervisors announced that Honey Brook Township placed second in its Communications Contest for Most Improved Newsletter; the award certificate is on display tonight.

In the office, the usual beginning-of-the-year tasks are being worked on. Currently that includes making sure the annual Mobile Home Community, Rural Occupation, and Special Exception Home Occupation inspections are taking place.

John McHugh reminded everyone that we have a responsibility to have all dogs licensed each year, and now is the time to renew licenses. The Township has the forms and they can be filed at Chester County.

3. Steven Landes, Township Manager: there are a couple of things that will be coming up later on in the agenda. One is a resolution to approve the purchase of a Mack truck that will replace an existing truck. This replacement is scheduled to take place this year according to the Township's depreciation schedule.

Don Johnson stated that the chassis will be delivered during April and then delivered to have the body fabricated. The entire unit will be ready in August or September.

There is also a request on tonight's agenda to authorize the Manager to receive bids for annual needs in the Public Works Department including diesel fuel, equipment rentals, stone, asphalt, line painting and seal coating. This year's bids will also include prices for the materials needed for the Park Road project. A bid tabulation will be prepared and reported to the Board of Supervisors at a future meeting.

Land Preservation Committee: Steve Landes stated that one topic of discussion by the Committee is possibly participating in the purchase about 150 acres, a portion of which is in the Township with the remainder in West Caln Township. The land would be preserved as open space and could be used for passive recreation such as walking, nature study, etc. Once the site is acquired it will be deeded to the State.

4. Parks and Recreation Committee: Kristy Deischer-Eddy reported that a Mental Health First Aider class held at the Township Building on the mornings of March 4 and March 11. These classes have been held at various places in the County but this is the first time it would be held at the Township.

The Raised Bed Garden Agreement has been returned to the Chester County Food Bank. Help will be needed during the spring and summer with the garden.

Summer is just around the corner, and the youth camps are being planned.

Kristy reported that she provided the Committee with information about the "Great American Cleanup" which typically takes place sometime between March to May. Materials are provided by the local PennDOT office for those who register their group. The committee will connect with the high school to gain student interest in the project.

John McHugh stated that the Township participated in the Great American Cleanup about 12 years ago and it's good to see interest in that revived again. We are also looking for help in watering the garden. We have the same four families that have been helping, and they could use more. The produce goes to a good cause and it doesn't take that much time.

5. Planning Commission: Bob Witters and Terry Schmidt were present from the PC. Mike Reinert stated that there are some variance applications that may be coming for review, but as of now there isn't anything to discuss.

Bob Witters, Dogwood Drive, stated that at the last meeting, the PC discussed the Tabas Tract about delaying some of the recreation facility improvements for Phase I.

### **Open Forum**

1. Bob Watts, Chester County Solid Waste Authority (SWA):

Bob Watts stated that the Lanchester Landfill has been a participant in the Great American Cleanup each year and the landfill will accept trash collected at no charge.

John McHugh asked if the Landfill was collecting broken electronics. Bob Watts stated that they do; 3 televisions per vehicle are accepted at no charge.

Bob reminded the Township that the landfill is willing to lend the Township equipment if needed for a snow event or other emergency.

Bob stated that he is in attendance to let the Board and Township residents know that the SWA in cooperation with the Honey Brook Borough Authority (HBBA) will extend public water service to Solid Waste Authority properties. Maps of the proposed extension were handed to members of the Board and was projected on the screen. The extension would start at the intersection of Reservoir Road & Route 10 and extend down to Route 322 and then over to Churchtown Rd.

The SWA is doing this project because the cost of installation is projected to be less than the continued expense to test the wells on these properties as required quarterly by the Environmental Protection Agency (EPA) during the next 45 years to sample water quarterly.

John McHugh asked if the water test results from these wells were published for the public. Bob Watts stated that the results are not published, but they are available upon request from us, and the results are reported to the EPA. There are no contamination issues at this time in Honey Brook Township.

Bob Watts stated that this project will benefit others along the proposed including homes and businesses who may be interested in connecting to public water plus the Township could elect to add fire hydrants along the line. If anyone would be interested in connecting to the line, it would be at their expense as set by the HBBA. Mike Shuler, Borough Authority, stated that the tapping fee is \$3,500.00.

Bob Watts stated that they are meeting with all of the municipalities where the line will be installed this month. The SWA would like to have permission from all parties before going out to bid in the spring or summer to break ground in the fall or spring 2018. Beth Auman stated that there is a road opening ordinance that specifies how that is handled.

2. Lee Englehart, Tel Hai, stated that he had a concern about where Birdell Road meets Route 322. If I want to make a left turn onto [South] Birdell Road from westbound 322, it's difficult to see that corner, especially in the dark. I think there should be a street light there so that turning is a lot safer.

John McHugh stated that it is difficult to see that corner; thank you for bringing it to our attention. Steve Landes stated that we can contact our local PennDOT district office to learn what they will do because these are both State roads.

John McHugh stated that this item needs to be carried as "old business" on future agendas until there is a resolution.

3. John Robb, Chief of the Twin Valley Fire Company and President Dustin Nierintz attended the meeting to introduce themselves to the Supervisors and residents. They noted that the fire company has 30 volunteer members protecting the community. They also asked everyone to support the fire company during the annual fund drive and at the monthly fundraisers that are needed to keep the doors open

John McHugh stated that we appreciate the work you are doing for the community and invited fire company representatives to attend a Board workshop meeting if you have a proposal for our support.

### **New Business**

1. Tracy Olsen made a motion, seconded by Travis Stacey, to approve the payment of all invoices prepared by the Treasurer. All in favor. Motion carried.
2. Westbrooke IP, LLC (Tax Parcel Number 22-3-75.5A) Preliminary Subdivision and Land Development Plan #2016-2

Michael Cowen of Commonwealth Engineers was present representing applicant J. Daniel Stoltzfus. The plan was shown on the screen for all to see. Mr. Cowen reviewed the proposed plan and answered questions.

Mike Reinert stated that the Planning Commission reviewed this plan at their last meeting and recommended conditional preliminary plan approval, as well as recommending granting the waivers as listed in the Board packet. Because this is in the Industrial District, each of the lots will need to have its own land development approval.

Michael Cowen noted that there is an emergency access from the plan's cul-de-sac to Rt. 10 that is planned to be stoned. Don Johnson suggested that they may want to consider using landscape block because it will be easier to plow and require less maintenance.

Beth Auman stated that the existing portion of Westbrooke Drive is still private because it hasn't met the requirements for the Township to accept dedication, and the new portion would also remain private until such time as the Township requirements are met for dedication on both sections.

- a. Travis Stacey made a motion, seconded by Tracy Olsen, to approve the waiver requests as described in the Commonwealth Engineers letter dated February 1, 2017.
- b. Tracy Olsen made a motion, seconded by Travis Stacey, to grant conditional preliminary plan approval of the Westbrooke IP, LLC Preliminary Land Development Plan provided the applicant:
  - 1) Satisfies all comments in the Township Engineer's review letter dated January 19, 2017
  - 2) Provides evergreen street trees along the outdoor storage on TPN 22-3-79 and street lights at the end of the new cul-de-sac, at the transition point of the existing cul-de-sac and at the first bend in the extended street where the horizontal curve radius is less than 150' as discussed at the January Planning Commission meeting,
  - 3) Modifies the paving section shown on the plans to match the heavy traffic provisions in SALDO Section 22-613.6.B and providing geotextile matting to the satisfaction of the Township Engineer beneath the stone base due to the wet soil conditions and poor drainage in the area of the road, and

- 4) Obtains an access easement across the existing Westbrooke Drive from the current owner to be approved by the Township Solicitor and recorded at the County.

All in favor. Motion carried.

3. Motion to (approve / not approve) the Phase 1 development of the Poplar Realty (22-8-52) Land Development Plan #2016-13 conditioned that the applicant satisfies all comments in the Township Engineer's review letter dated January 20, 2017 and that the following recreational facilities are installed in Phase 1: a multipurpose field and the portion of the overall trail network that extends from Phase 1 to Cupola Road.

John Tressler with Boucher & James appeared on behalf of the applicant, Poplar Realty to review the Stage One plan that was shown on screen.

During discussion John Tressler noted that the Township's request to escrow monies for the entire trail system at stage 1 may be a problem for the developer. Discussion Steve Landes noted that a note be added to the plan that guaranteed the Township the right to take dedication of the trails even in the event that the development is not built or completed. Mike Reinert stated that note 9 and 10 on sheet 13 (the second sheet of the record plan) addresses the subject of leaving the possibility open to the Township to build the remaining loop of trail should the other stages of the project not be built.

Following considerable discussion Beth Auman stated that the motion before the Board is as follows: Approve / not approve Conditional Final Plan Approval for Stage 1, provided the applicant satisfies all comments in the Township Engineer letter dated January 20, 2017, and adding the following notes to the plan:

- 1) The trail segment from Grieson Road to Cupola Road and the multipurpose field, as shown on the plan, must be constructed as part of the Phase 1 construction. The full scope of the entire trail system shall be subject to dedication to the Township at the Township's discretion going forward. Trail paving materials shall be subject to the approval of the Planning Commission before they are installed.
- 2) Open space calculation is based upon required open space for all stages of development, which upon full completion will require the use of Transferable Development Rights (TDRs). 13 TDRs have already been transferred to Parcel 22-8-8 from Parcel 22-8-52, by deed dated 11/6/2015, recorded 6/20/2016 at Chester County Recorder of Deeds, Book 9331 Page 2327. Developer acknowledges that by recording this Stage 1 plan, which relies upon the future use of TDRs to reduce the open space requirement from 60% to 40%, developer is effectively utilizing the 13 TDRs that have been transferred to the property, and such TDRs may not hereafter be severed from the property. Such TDRs shall, however, be available for use in future stages of this development to determine the number of permitted dwelling units.
- 3) The developer shall withdraw the previous conditionally approved final plan. Those shall be replaced by these open phased final plans.

Tracey Olsen made a motion, seconded by Travis Stacey, to grant Conditional Final Plan approval to Poplar Realty provided the applicant meets the conditions in the Township Engineer's letter of January 20, 2017, and the three notes as just stated by the Solicitor are added to the plan. All in favor. Motion carried.

4. Tracy Olsen made a motion, seconded by Travis Stacey, to adopt Resolution 2017-6, authorizing the purchase of a 2018 Mack cab and chassis from Pennsylvania Truck Center in the amount of \$123,879.40 and a dump body, snow plow and spreader from E. M. Kutz, Inc. in the amount of \$86,954.00 both under the terms of COSTARS contracts. All in favor. Motion carried.
5. Travis Stacey made a motion, seconded by Tracy Olsen, to authorize the Township Manager to prepare specifications and receive bids for the Public Works Department's annual material and supply requirements and then deliver an award recommendation to the Board. All in favor. Motion carried.
6. Tracy Olsen made a motion, seconded by Travis Stacey, to approve four (4) financial security actions recommended by Technicon:
  - a. A final security release in the amount of \$2,750.00 for Tel Hai (22-10-10.1), Phase 3, Site Improvements Plan 2016-10.
  - b. A partial release in the amount of \$43,091.10 for the Stoltzfus Storage (22-3-24.5) Land Development Plan 2016-4.
  - c. A final release in the amount of \$3,200.00 for the Travis and Tabatha Roy (22-4-34) Storm Water Management Plan.
  - d. Establish financial security in the amount of \$277,200.73 for the Honey Brook Community Church (22-7-72) site improvements plan 2016-9.

All in favor. Motion carried.

7. Other New Business: Beth Auman introduced a motion to (authorize / not authorize) the Solicitor to obtain search warrants through the District Court to conduct inspections units in the Brandywine Terrace Mobile Home Community.

Travis Stacey made a motion, seconded by Tracy Olsen, to authorize obtaining the search warrants to conduct inspections at Brandywine Terrace. All in favor. Motion carried.

### **Old Business**

John McHugh stated that the Birdell Road intersection at 322 should be placed on the agenda under old business until we have the matter resolved.

John also wants the Board to discuss goals for the year at future meetings including: the Earned Income Tax (EIT) for Land Preservation; when the existing Land Preservation Plan should be updated; and options for the Township for law enforcement.

### **Open Forum**

Bob Witters, Dogwood Drive, stated that he wanted to address the Board on the notion of paying for state police coverage. Last night on the news, the governor stated that he would like to do that.

During discussion Steve Landes stated that this legislation is introduced every year for the recent 5 to 10 years so it is nothing new. If legislation passes during the new session the Township will have time before the 2018 budget to evaluate its option and effect on financing.

Kristy Deischer-Eddy stated that the Township Offices would be closed on Monday, February 20, in observance of Presidents' Day. Hopefully, it won't snow that day.

Tracy Olsen made a motion, seconded by Travis Stacey, to adjourn. All in favor. Meeting adjourned at 8:22 pm.

**Upcoming Meetings:** *Dates are subject to change*

February 9	Trail Study Committee (7:30 pm)
February 15	Zoning Update Task Force (7:00 pm)
February 16	Park and Recreation Committee (7:30 pm)
February 23	Planning Commission (7:00 pm)
March 1	Zoning Update Task Force (7:00 pm)
March 2	Board of Supervisors Workshop Meeting (7:00 pm)
March 8	Board of Supervisors Regular Business Meeting (7:00 pm)
March 9	Trail Study Committee (7:30 pm)

Respectfully submitted,

Kristy J. Deischer-Eddy  
Recording Secretary