

Honey Brook Township  
Board of Supervisors  
May 10, 2017 Regular Meeting Approved Minutes – 7:00 PM

The meeting was called to order at 7:05 pm by Chair John McHugh with the pledge to the flag. Also present were Supervisors Tracy Olsen and Travis Stacey, Township Manager Steve Landes, Township Solicitor Chris Hartman, and Township Engineer Michael Reinert.

Announcement

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 April 6 Workshop and the April 12 Regular Business Meeting.
2. Accept the Planning Commission Minutes of April 27, 2017
3. Accept the Parks and Recreation Board Minutes of April 20 and the Trail Committee Minutes of April 11 & 13, 2017
4. Accept the April 2017 Township Manager's Report
5. Accept the April 2017 Financial Report.
6. Accept the April 2017 Zoning and Building Report submitted by Technicon.
7. Accept the April 2017 PA State Police Report.

Travis Stacey made a motion, seconded by Tracy Olsen, to approve the consent agenda. All in favor. Motion carried.

Departmental Reports

1. Don Johnson, Director of Public Works: The crew is working on some projects such as the Woodland cul-de-sac improvement and regrading the bank on Park Road. PPL still has not moved their poles on Park Road. The crew will start ditching the roads next week, weather-permitting.
2. Kristy Deischer- Eddy, Administrative Assistant: The Honey Brook Community Partnership met yesterday. The Harmony Day celebration will be a country fair this year on the grounds of the Honey Brook Fire Company. There will be an opportunity for people to set up tables for distributing information, selling their wares, or selling flea market items. In addition, there will be a wellness fair with health information. Chester County Hospital and Brandywine Hospital have confirmed they will be in attendance, and hopefully more will be added. The Sweet Adelines from last year will be back to serenade the crowd. The Partnership is already looking forward to 2018 and is planning a carnival along Route 322. More information will follow.
3. Steven Landes, Township Manager: Steve stated that a written report was distributed to the Board & copies are in the back of the room for anyone who would like to have one.

4. Land Preservation Committee: nobody was present. Kristy Deischer-Eddy stated that the meeting, which would normally take place on May 16<sup>th</sup>, has been moved to the following week due to the primary election.
5. Park and Recreation Board (Park & Rec): nobody was present. Kristy Deischer-Eddy reported that she ordered a compost bin which was requested by the Board at their April meeting. Camp and tennis registrations are rolling in. The Trail Study Committee took two field trips in the last month, one to the Tabas Tract and one to the Umble Park to determine placement of the raingarden. The Great American Cleanup took place on April 29 and was a great success; 12 participants collected 41 bags of trash and 18 tires in the four hours of collecting litter.
6. Planning Commission (PC): Mike Reinert stated that three members of the PC were in attendance. Next Wednesday is the Zoning Update Task Force meeting. The regular PC meeting will take place on the following week, May 25<sup>th</sup>. There is one land development to discuss as well as a variance application.

#### Public Hearings:

1. Conditional Use application 2017-1 submitted by Benueel Kauffman to operate a kennel at 1991 Beaver Dam Road (Tax Parcel Number 22-9-28.1).

Chris Hartman opened the public hearing at 7:13 pm. A court reporter duly recorded the proceedings.

The hearing was closed at 7:32 pm. The Board then adjourned to executive session.

The meeting reconvened at 7:39 pm.

Discussion ensued as to who may address the Board and when. Chris Hartman stated that per the Sunshine Law, the Board only has an obligation to hear the concerns of residents or property owners during the Conditional Hearing. If they speak at other times, it is up to the Board as to whether they entertain those parties' wishing to make comments. The Board is not obligated to hear others speak unless prior arrangement was made ahead of the meeting stating their business with the Township.

Travis Stacey made a motion, seconded by Tracy Olsen, to approve the conditional use application to operate Creekside Kennel at 1991 Beaver Dam Road. All in favor. Motion carried.

2. Conditional Use application 2017-3 submitted by Jonathan Stoltzfus to operate a kennel at 265 Long Lane (TPN 22-7-62.1).

The second hearing was opened at 7:45 pm. A court reporter duly recorded the proceedings.

The hearing was closed at 8:02 pm. Tracy Olsen made a motion, seconded by Travis Stacey, to approve the conditional use application to operate Long Lane Kennel at 265 Long Lane (22-7-62.1). All in favor. Motion carried.

## Open Forum

Bob Witters, Dogwood Drive, stated that there is a disconnect between the Township and the State about licensing kennels in the Township.

John McHugh stated that in the past the Township kennel regulations were not enforced, but we are trying to bring everyone into compliance. Kristy Deischer-Eddy stated that there are 12 known kennels in the Township. Three received conditional use approval. One received approval and the operator chose to close the kennel. Two were denied and have subsequently closed. There were two here tonight for hearings; we were scheduled to have a third, but the kennel operator withdrew the request because he will be closing his kennel. There are a few stragglers that did not respond to the request for a hearing; those have been sent Notices of Violation informing them they need to come into compliance.

Bob Witters stated that's good that you're keeping up with it. What can be done about communicating with the state? Kristy Deischer-Eddy stated that the place to go would be to speak with the state representatives in Harrisburg, where the state laws are made.

## New Business

1. Travis Stacey made a motion, seconded by Tracy Olsen, to approve the payment of all invoices prepared by the Treasurer. All in favor. Motion carried.
2. Tracy Olsen made a motion, seconded by Travis Stacey, to appoint Sarah Huard, of 127 Shore Line Drive, Honey Brook, to a term on the Board of Trustees for the Honey Brook Library effective immediately and ending April 30, 2020. All in favor. Motion carried.
3. Travis Stacey made a motion, seconded by Tracy Olsen, to adopt Resolution 8-2017 to utilize Pennsylvania Cooperative Sourcing To Achieve Reductions in Spending (PA COSTARS) and Pennsylvania Department of Transportation (PennDOT) Contracts for the purchase of aggregate and asphalt products. All in favor. Motion carried.
4. Motion to (approve / not approve) the Swampy Hollow request for Waiver of Land Development for a proposed addition to the existing paint shop at their facility on Westbrooke Drive (22-3-64 & -78).

Mike Reinert stated that this is a proposed addition to the building. It is being placed on current impervious surface and has no additional impact to the property.

Travis Stacey made a motion, seconded by Tracy Olsen, to approve the Swampy Hollow request for waiver of land development for the proposed addition. All in favor. Motion carried.

5. Motion to (approve / not approve) Resolution 9-2017 authorizing the Component 3 sewage facilities planning module for Westbrooke IP, LLC (22-3-75.5A).

Mike Reinert stated that this planning module is for an extension of the public sewer for the land development previously approved on this property. It has been reviewed by my office, the Sewer Authority, and the Chester County Health Department.

John McHugh made a motion, seconded by Travis Stacey, to approve Resolution 9-2017. All in favor. Motion carried.

6. Travis Stacey made a motion, seconded by Tracy Olsen, to authorize the Township Manager to sell a 1997 Mack truck equipped with a ten-foot dump body, plow and spreader by using an electronic bidding site. All in favor. Motion carried.
7. Motion to (approve / not approve) a partial financial security release recommended by Technicon in the amount of \$25,524.50 for the Samuel King Storm Water Management Plan, 450 Beaver Dam Road (22-11-73).

Mike Reinert stated that this is a stormwater project. We are withholding some of the monies until seeding & grading is completed for a month or two until know there is good stabilization at the site.

Travis Stacey made a motion, seconded by Tracy Olsen, to approve the partial financial security release of \$25,524.50 for Samuel King. All in favor. Motion carried.

#### 8. Other New Business

- a. Volunteer Fire and EMS Tax Credit: John McHugh stated that the Western Chester County Council of Governments (CoG) has discussed the Act 172 Tax credit program for these volunteers that he'd like to have the Board consider at the next workshop. There seems to be good support for this program across the state.
- b. Veterans Honor Roll: John McHugh requested that Harry Garbe is a WWII veteran, a survivor of Iwo Jima, who is 93 and dealing with cancer be added to our Honor Roll.
- c. Technology sharing: John McHugh stated he did a technology presentation for local governments at the PSATS convention. The CoG will roll out a trial in June as a proof of concept for the technologies.
- d. Congratulations to East Brandywine Township: they received the Citizens Communications Award for the entire state at the PSATS Conference.
- e. Calendar Update: The July CoG meeting is canceled.

#### Old Business

1. Dark intersection at South Birdell and Horseshoe Pike: John McHugh stated that we have a reflector to put on the sign post temporarily at South Birdell Road.

Mike Reinert stated that we have discussed installation of a street light with PPL. They require a 10-15 year contract with them to cover the cost of operating the light, which is about \$240 per year. They field-located it and are in process of designing it. In a few months, the installation can occur. Bob Witters stated his thanks to the Supervisors for finding this solution.

2. Emergency Management Update: John McHugh stated that the Board is required to complete National Incident Management Training so that if there is a weather event, we can put in a request for payment from FEMA.

Rob Esposito, Jr. who was nominated as the Township's Emergency Management Coordinator; is still awaiting confirmation by the County and the State. We hope to coordinate with five other municipalities in the CoG, to share responsibility for 24/7 coverage during emergencies. It's a nice way that the costs can be shared.

Bob Witters asked if there was a way for residents to know where the comfort zones are. I know there's one at Tel Hai and this building is one.

John McHugh stated that we have worked at the CoG to have a website to link to our website for people to know in advance of emergencies where those places are.

3. John McHugh announced that the Honey Brook Fire Company's 125<sup>th</sup> anniversary celebration is scheduled for August 5<sup>th</sup>.
4. Veterans Day Observance: John McHugh stated that this is on the calendar for this year. We bring out the Veterans Honor Roll and observe a moment of silence.
5. Nominations for Citizen Recognition: John McHugh stated that the Township is taking nominations for those who should be recognized in the Township. If you have nominations, let Kristy know.
6. Construction hours of work: John McHugh questioned what the permitted hours of construction are in the Township. Steve Landes stated that there is a conflict in the Township Code with different start times. At some point we'll need to amend one or both ordinances regulating the permitted hours of work. Currently the permitted hours of work are 6:00 am to 10:00 pm based on the advice of the Solicitor.
7. Earned Income Tax: John McHugh stated that he wants the Board to consider reducing the EIT tax that is dedicated for farmland and open space preservation and that he spoke with a Keystone Collection person at the PSATS Convention.

### Open Forum

Karen Horosky stated that she works with a dog rescue and asks that the Township tighten regulations in the kennel ordinance and keep an eye on what's going on.

Sandy Moser, East Brandywine Township, stated that she will review the Solicitor's earlier comment about who must have the opportunity to testify at these hearings.

Melissa Needles, New Village Greene Drive, stated that she feels that the starting time as designated in the Peace and Good Order portion of the Township Code should limit contractors from beginning work until 7 am. Chris Hartman stated that he recommends the Board address these inconsistencies. John McHugh stated that we'll add it to the Board Workshop agenda for next month.

Mike France, North Birdell Road, asked if there were plans for a light at the Birdell Road intersection with 322. John McHugh stated that PennDOT has not made any plans for a light there. Mike Reinert stated that the only light being considered that he is aware of is at the corner of Chestnut Tree Road and Route 322, with the Hammell - O'Donnell development going in there at West Nantmeal Township. Mike France stated that many years ago, there had been discussion during the Tel Hai expansion about a light at Birdell Road.

Adjournment

Tracy Olsen made a motion, seconded by Travis Stacey, to adjourn. Meeting adjourned at 8:37 pm.

Upcoming Meetings: Dates are subject to change

May 11	Trail Study Committee (7:30 pm)
May 17	Zoning Update Task Force (7:00 pm)
May 18	Parks and Recreation Board (7:30 pm)
May 23	Land Preservation Committee (7:00 pm)
May 25	Planning Commission (7:00 pm)
June 7	Zoning Update Task Force (7:00 pm)
June 8	Board of Supervisors Workshop Meeting (7:00 pm)
June 14	Board of Supervisors Regular Business Meeting (7:00 pm)
June 15	Parks and Recreation Board (7:30 pm)

Respectfully submitted,

Kristy J. Deischer-Eddy, Recording Secretary