

Honey Brook Township Board of Supervisors
September 13, 2017 Regular Meeting Approved Minutes

Chairman John McHugh called the meeting to order at 7:02 pm with the pledge to the flag. Also present were Supervisor Travis Stacey, Township Manager Steve Landes, Township Engineer Michael Reinert, and Township Solicitor Chris Hartman. Supervisor Tracy Olsen was absent.

Announcements

In accordance with Resolution 2012-2, it was announced that Scott Stilson, Vincent Drive, and Deb Dovin, Park Road, were videotaping the meeting.

Open Forum

A male resident asked what the speed limit was on Township residential roads in general. Don Johnson stated that the speed limit is usually 35 mph along those roads.

The resident mentioned that on Mount Pleasant, there have been instances where children had to jump away from passing vehicles walking to school along that road. John McHugh asked Steve Landes to put in a request for more patrols along that road.

The resident asked if school signs could be erected along the road near the school. John McHugh asked how that had been handled in the past. Don Johnson stated that we have such signs up along Beaver Dam Road near the schools at their request. We hadn't yet along Mount Pleasant because nobody had requested it and the school is set so far back from the road. That's not to say we couldn't do that, but usually the Amish request it.

Terry and Carmella Schmidt, Mount Pleasant Road, voiced their opposition to Lew Wertley being moderator for the kennel task force meeting. John McHugh stated that Lew Wertley's role was to facilitate the meeting, due to his experience in running meetings as a supervisor.

Bob Witters, Tel Hai, stated that the Task Force web page had great information on it that people should read. [The website was displayed on the screen.] John McHugh stated that there is a new tab on the web page. It is a task force of short duration.

Consent Agenda: Travis Stacey, made a motion, seconded by John McHugh, to approve the following consent agenda.

1. Approve the Board of Supervisors Minutes of the August 7th Workshop and the August 9th Regular Business Meeting.
2. Accept the Planning Commission Minutes of August 24, 2017
3. Accept the Parks and Recreation Board Minutes of August 17, 2017
4. Accept the August 2017 Township Manager's Report
5. Accept the August 2017 Financial Report.
6. Accept the August 2017 Zoning and Building Report submitted by Technicon.
7. Accept the August 2017 PA State Police Report.

All in favor. Motion carried.

Departmental Reports

1. Don Johnson, Director of Public Works: today we got started on the storm sewer project on Park Road. We will continue until the weather breaks. Bob Witters asked if the road would be totally closed. Don Johnson stated that it would be closed during the day. Bob Witters asked where the water being collected would be discharged. Don Johnson stated that it would be right there at the bridge, the same place it goes now; it will just be piped there.

Don reported that road line painting will take place during the next 2-3 weeks.

Don also reported that he had contacted the Northwestern Chester County Municipal Authority to request that the Township be permitted to use a portion of their property to store road materials and supplies. The Authority was receptive to the request.

2. Kristy Deischer- Eddy, Administrative Assistant: Kristy stated that the recent Honey Brook Community Partnership meeting focused on finalizing plans for Harmony Day which will be at the Fire Company fairgrounds. Information will be on the website, and the Supervisors will have a table.
3. Steven Landes, Township Manager: the Zoning Ordinance Update Task Force adjourned in June and will reconvene on November 15th. The draft is still being written, and it will be reviewed starting then.

Park & Recreation Board is working with the Trail Study Committee on planting a garden at the park using materials from a grant from the Brandywine Conservancy. That's to take place on Saturday, September 30.

We've had a resident interested in starting a neighborhood watch program. If you're interested, contact the Township office and give us your contact information. The state police will help us get started with a core group of people.

John McHugh asked what the Township is doing about locating a transmitter on Township property for AM Radio 1610 which is located in the Township. Steve Landes stated that is one of the items that the Supervisors are discussing.

4. Planning Commission, Mike Reinert: this month we have a land annexation plan on Pleasant View Road, a sketch plan for a 2-lot subdivision on Cambridge Road and two plans just received today. We do not have any hearings to discuss, but there will be a full agenda.
5. Park and Recreation Board: nobody from the Committee was present. Kristy Deischer-Eddy stated that due to lower attendance, the Senior Fitness class has been discontinued by Jen Bauer. Today was the first Wednesday Pickleball day at the Park; it has been announced in a variety of places. Also, pickup tennis games will begin mid-month, led by Kevin Wynant.
6. Land Preservation Committee (LPC): nobody from the LPC was present. The next meeting will be a week later than usual, on September 23rd.

Public Hearings: the meeting was turned over to Solicitor Chris Hartman at 7:21 pm.

1. Conditional use decision for an application submitted by Reuben King to operate a kennel at 295 Old Pequea Lane. The hearing was opened at 7:21 pm and was duly recorded by a court reporter.

John McHugh made a motion, seconded by Travis Stacey, to approve the application by Reuben King to operate a kennel at 295 Old Pequea Lane. All in favor. Motion carried.

The hearing was closed at 7:24 pm.

2. Conditional use application submitted by Honey Brook Golf Course. The hearing was opened at 7:25 pm and was duly recorded by a court reporter.

The meeting recessed to an executive session at 9:20 pm and reconvened at 9:30 pm.

John McHugh made a motion, seconded by Travis Stacey, to approve the conditional use application submitted by the Honey Brook Golf Course.

The hearing was closed at 9:33 pm.

3. Conditional use application submitted by John K. & Barbara K. Kauffman / Elmer & Rebecca Kauffman to operate a kennel at 1373 Beaver Dam Road. The hearing was opened at 9:34 pm and was duly recorded by a court reporter.

Because the applicant was unable to attend because of another commitment, the hearing was continued to the Supervisors meeting on October 11, 2017.

New Business

1. Travis Stacey made a motion, seconded by John McHugh, to approve the payment of all invoices prepared by the Treasurer. All in favor. Motion carried.
2. Northwestern Chester County Municipal Authority (NCCMA) Minor Land Development Final Plan.

Mike Reinert stated that this plan is for a property near the treatment plan to construct an office building. The waivers below have been recommended by the PC. In addition, the PC recommends final plan approval.

- a. Travis Stacey made a motion, seconded by John McHugh, to grant the following waiver requests:
 - i. allow a plan scale of 1" = 60'
 - ii. allow the existing 12' wide driveway to be utilized for site access
 - iii. not monument the entire property boundary.

All in favor. Motion carried.

- b. Travis Stacey made a motion, seconded by John McHugh, to grant Conditional Final Plan approval for the Authority Minor Land Development Plan conditioned on complying with the Technicon review letter dated August 16, 2017. All in favor. Motion carried.
3. Motion to (support / take no position / not support) the Sam and Barbara Riehl Variance Application.

Mike Reinert stated that this is a variance to build a barn within the setback. It does appear that there are limitations on the property that affects where they could place the barn based on the septic system. Where it's being built is next to a farm field furthest from the nearest residence.

The PC had a split decision with half against and half a position of no position because of unanswered questions since the applicant wasn't present.

Travis Stacey made a motion, seconded by John McHugh, to take a position of no position. All in favor. Motion carried.

4. Travis Stacey made a motion, seconded by John McHugh, to enact Floodplain Management Ordinance 190-2017. All in favor. Motion carried.
5. Travis Stacey made a motion, seconded by John McHugh, to direct the Township Engineer to submit the MS4 (Municipal Separate Storm Sewer System) Individual Permit Application and Pollution Reduction / Total Maximum Daily Load plan to PA Department of Environmental Protection by the September 16, 2017 deadline. All in favor. Motion carried.
6. Travis Stacey made a motion, seconded by John McHugh, to enact Ordinance 189-2017 authorizing the Township to enter into a MS4 Implementation cost sharing and cooperation agreement with Honey Brook Borough. All in favor. Motion carried.
7. Travis Stacey made a motion, seconded by John McHugh, to enact Ordinance 188-2017 establishing Park Rules and Regulations. All in favor. Motion carried.
8. Travis Stacey made a motion, seconded by John McHugh, to adopt Resolution 13-2017 directing staff to cease issuing permits to property owners who have liens or judgements against them for unpaid sewer or water invoices due to the Northwestern Chester County Municipal Authority or the Honey Brook Borough Authority and to Honey Brook Township for unpaid taxes. All in favor. Motion carried.
9. Travis Stacey made a motion, seconded by John McHugh, to direct the Solicitor to advertise Ordinance 191-2017 for enactment at the October 11, 2017 Supervisors meeting that approves the Township to enter into an Intermunicipal Agreement with West Nantmeal Township, the Northwestern Chester County Municipal Authority, and Hamell - O'Donnell regarding sewage service. All in favor. Motion carried.
10. Motion to (direct / not direct) the Solicitor to advertise Ordinance 192-2017 for enactment at the October 11, 2017 Supervisors meeting that revises the eligibility for who may serve on the Township's Administrative Appeals Board (AAB).

Steve Landes stated that at present, one person on the AAB must be a sewage enforcement officer (SEO). It's very difficult to find someone with those credentials, so we're looking to change it to just need three residents on the AAB.

Chris Hartman stated that the jurisdiction of the AAB is to hear appeals from a variety of decisions made by a Township code officer but only a few of those items relate to sewage matters and in my opinion the SEO requirement is an unnecessary qualification.

John McHugh made a motion, seconded by Travis Stacey, to direct the solicitor to advertise the ordinance for enactment at the October 11, 2017 meeting. All in favor. Motion carried.

11. Travis Stacey made a motion, seconded by John McHugh, to adopt a Capitalization Policy. All in favor. Motion carried.
12. Travis Stacey made a motion, seconded by John McHugh, to enter into a settlement agreement with Honeybrook Estates and authorize the Solicitor to take all action necessary to implement the agreement. All in favor. Motion carried.

Bob Witters asked what that agreement was. Chris Hartman stated that there was a lawsuit that spanned many years by Honeybrook Estates that was denied permission to build 78 townhouses on Route 322. The court ordered that the plan be approved under the requirements that existed at the time of denial. After the court ruled, the applicant stated that they wanted to change the plan to 37 single-family homes which is a better option for the Township.

13. Other New Business:

- a. John McHugh stated that he wants the Earned Income Tax amount for Land Preservation lowered from 0.5% to 0.3%. He wants to approach Keystone Collections to implement that for 2018. The revenue for land preservation has far exceeded the original expectations.

John McHugh made a motion consider the reduction in EIT from 0.5% to 0.3%. There was no second to the motion, therefore the motion died.

A resident asked why the motion was not seconded. Travis Stacey stated he did not second the motion because there continues to be interest in the program and a lot more land can be preserved.

- b. John McHugh stated that at the next Western Chester County Council of Governments meeting there will be a presentation on MuniLogic and other software items that could have cost savings among municipalities.
- c. Bill Ford questioned how the Supervisors can sign an agreement for Honeybrook Estates when the Sewer Authority has not approved it yet. Steve Landes stated that it's the developer's responsibility to obtain other outside parties approvals for their project. Mike Reinert stated that the only thing the agreement states is that the development is in the sewer service area.

14. Adjourn: John McHugh made a motion, seconded by Travis Stacey, to adjourn the meeting. Meeting adjourned at 9:54 pm.

Upcoming Meetings: Dates are subject to change

Sept 14	Parks and Recreation Trail Committee Meeting (7:30 pm)
Sept 18	Zoning Hearing Board – Riehl Variance Application (7:30 pm)
Sept 21	Parks and Recreation Board Meeting (7:30 pm)
Sept 26	Land Preservation Committee (7:00 pm)
Sept 28	Planning Commission Meeting (7:00 pm)
Oct 5	Board of Supervisors Workshop Meeting (7:00 pm)
Oct 11	Board of Supervisors Regular Business Meeting (7:00 pm)

Respectfully submitted,

Kristy J. Deischer-Eddy, Recording Secretary