

**EDGMONT TOWNSHIP BOARD OF SUPERVISORS  
REGULAR MEETING MINUTES  
June 16, 2010**

**Work Session** – Members of the Board of Supervisors, municipal professionals, the Township Manager, and the Assistant to the Township Manager attended an advertised work session, which began at 6:30 p.m. During this time, the Board met with Robert Linn of Linn Architects to discuss zoning districts and proposed amendments to Article 13 – Light Industrial (LI) zoning district – of the Township’s Zoning Ordinance in order to allow a child daycare center as a use in the district. The Board was open to considering the concept, but expressed concern over sewage and parking, as well as the compatibility of this use with the other uses allowed in the LI zoning district. Mr. Linn stated that he will review alternatives and provide more information to the Board.

The Board also interviewed Brian Mackrides, a resident of Okehocking Hills, who had expressed interest in being on the Township’s Comprehensive Plan Task Force.

**1. Pledge of Allegiance & Open Meeting:** Mr. Gravina called the meeting to order at 7:30 p.m. with the Pledge of Allegiance. In attendance were Ronald Gravina, Chairman; Joseph Conan, Vice-Chairman; Wm. “Chip” Mackrides, Member; Kenneth Kynett, Esq., Township Solicitor; Michael Conrad, P.E., Township Engineer; Samantha Reiner, Township Manager; and Christopher Bashore, Assistant to the Township Manager. Edward Theurkauf, Township Land Planner, was absent. There were 8 guests.

**2. Public Comment:**

- Michael Shouvin – White Horse Village – appeared before the Board of Supervisors to thank the Township for the performance of the municipal officials during the winter snowstorms. Mr. Shevlin asked if the Township would be able to place pressure on the PA Dept. of Transportation (PennDOT) to make repairs to Providence Road near Roscommon Drive. Mr. Gravina explained that the Township does put pressure on PennDOT and appreciated this input. The staff will request PennDOT to make the necessary repairs to the northbound lane of Providence Road.
- Tina Mason of the Community Action Agency of Delaware County appeared before the Board in order to present information on her organization’s Weatherization Assistance Program. Ms. Mason provided posters and flyers to the Township for distribution in the municipal office. Mr. Gravina asked if state-owned property would be eligible for this service and noted that there are several rented homes in Ridley Creek State Park that may qualify and benefit from this service. Ms. Mason will inquire into whether or not they would qualify. There was a consensus among the Board and the staff to offer information on the Program in the summer 2010 newsletter and on the Township’s website.
- Nancy Donaldson – White Horse Village – approached the Board at the conclusion of business and asked if the roadwork proposed for Valley Road would extend into Willistown Township because of constantly flowing springs. Mr. Gravina stated that the work will only go to the Township boarder near the Allee subdivision.

**3. Minutes:**

- **May 19, 2010:** Mr. Gravina made a motion to approve the minutes from the May 19, 2010 regular meeting of the Board of Supervisors as presented. Mr. Conan seconded the motion. There was no further discussion and the motion approving the minutes passed unanimously.

**4. Bill List:** Mr. Gravina stated that the bill list for the month totaled \$75,818.01. Mr. Gravina made a motion to approve the bill list for the month as presented. Mr. Mackrides seconded the motion. There was no further discussion and the motion approving the bill list passed unanimously.

5. **Reports:** Mr. Gravina noted that reports for the month were available at the meeting, as well as at the Township office during regular business hours. Mrs. Reiner read portions of her report onto the record, highlighting the alterations that will be occurring at the recycling area at the municipal building and the discount prescription card program offered by Delaware County to residents of the community. Mrs. Reiner requested that residents police themselves and report any illegal dumping that may occur at the recycling site.

6. **Old Business:**

a. **Public Sewers:**

(1) **Act 537 Plan** – Mr. Gravina stated that the Township’s revised Act 537 Plan will be completed by Bradford Engineers and available for public comment soon. Mrs. Reiner noted that she and Walt Fazler, P.E., of Bradford Engineering met with representatives from Newtown Township on Tuesday, June 15, 2010, to find out the status of Newtown Township’s revised Act 537 plan. Mrs. Reiner stated that today (June 16, 2010) is the first day of the public comment period for Newtown Township’s revised Act 537 plan. The plan still proposes flows from Edgmont Township crossing Crum Creek to enter their lines, even though that is no longer the case. Mr. Conan asked how this would affect Edgmont’s 537 plan. Mrs. Reiner stated that she intends to meet with the PA Dept. of Environmental Protection (DEP) and inform them that Edgmont will not continue planning with Newtown Township. Mr. Gravina stated that the Township must proceed independent of Newtown Township because Edgmont Township’s phasing does not match Newtown’s and no more time can go by without an end in sight to this project.

The Board directed the Township Manager, Solicitor, and Sewer Engineer to meet with DEP as soon as possible to discuss the Township’s concerns.

(2) **CDCA** – Mr. Gravina stated that the CDCA board met Tuesday, June 8, 2010. The CDCA engineer received six (6) bids for the advertised Phase I improvements and two (2) bids for Phase II. The project schedule is proposed as follows:

- June 8<sup>th</sup> - bids opened; the analysis of the bids was referred to the Authority Engineer and Maintenance Committee for review and recommendation;
- June 11<sup>th</sup> – Authority Engineer’s analysis and recommendation due;
- June 16<sup>th</sup> – Maintenance Committee meeting to consider project scope and price to recommend to the CDCA Board;
- July 13<sup>th</sup> – CDCA meets to approve final project scope & price
- August 1<sup>st</sup> – Finance team asked to provide documents for approval by CDCA attorney;
- August 10<sup>th</sup> – Special Board meeting to award construction contract – approve and sign financial bond documents.

The authority board asked that an Agreement be reached, in writing, with Catania Engineering Associates concerning their charges, rates, and asked for a quote ‘not to exceed’ for oversight of this project. A copy of the proposed Agreement was provided to the Board for review.

(3) **Sewer Project/DELCORA update** – Mr. Gravina stated that the solicitors are working to prepare a draft Agreement between Edgmont Township and DELCORA. Mr. Kynett stated that a draft should be provided to the Board for their next meeting.

b. **Comprehensive Plan Update Task Force:** Mr. Gravina stated that the Comprehensive Plan Task Force conducted its first meeting on June 7, 2010. At this meeting, Brian Mackrides, a

resident of the Okehocking Hills development, expressed interest in joining the Task Force. An interview was conducted during the Board's work session with this candidate.

Mr. Gravina made a motion to appoint Brian Mackrides to the Comprehensive Plan Task Force. Mr. Conan seconded the motion. Mr. Gravina noted that he believes that the Task Force has an adequate number of members and no further appointments will be made at this time. There was no further discussion and the motion appointing Brian Mackrides passed unanimously.

**c. 2010 Road Project – Open Bids – Award Contract:** Mrs. Reiner stated that the Township received two (2) sealed bids from paving contractors for the Township's 2010 Road Project; Charlestown Paving and Excavating, Inc. and Innovative Construction Services, Inc. Mr. Conrad stated that the project will consist of paving and drainage improvements for the portion of Valley Road, north of Stackhouse Mill Road. Mr. Conrad stated that the bid received from Charlestown Paving was in the amount of **\$91,438.50**. Mr. Conrad stated that the bid received from Innovative Construction was in the amount of **\$85,766.60**. Mrs. Reiner requested that the Board continue the meeting in order to check references, review bid details, and qualify the bidder before the contract is awarded. The Board agreed to continue this meeting. No action was taken.

**d. 2009 Road Project – Outstanding items:** Mr. Gravina stated that there are still outstanding items from the 2009 Road Project that have yet to be completed by the contractor, Gessler Construction. The Township has attempted to contact the company, but to no avail. Mr. Gravina asked if the money remaining from the contract would be enough to complete the remaining punch-list items. Mr. Conrad stated that he believed there were sufficient funds remaining and that a majority of the punch-list items were repairs to the disturbed areas. Mr. Kynett stated that he will discuss this matter with the Township Manager, review the contract, and determine the appropriate course of action.

## **7. New Business**

### **a. Zoning Hearing Board**

**i. Castle Rock – requesting variances in order to construct additions to an existing house:** Mrs. Reiner stated that no decision was rendered on this application by the Zoning Hearing Board at last month's meeting. Mrs. Reiner noted that she had discussed the Board's concerns regarding septic and stormwater management with the Zoning Hearing Board, who reiterated the Board's concerns. No action was taken.

## **8. Miscellaneous Discussion**

**a. Summer 2010 newsletter – Review & discussion:** The Board reviewed the draft version of the summer 2010 Township newsletter. A few typos were noted and it was recommended that the section with discount ticket information be moved to an insert as opposed to part of the newsletter. Mr. Mackrides suggested including more Township history. E-news was discussed as a cost saving option.

**b. West Chester Pike & Providence Road Intersection Upgrades:** Mr. Gravina stated that a letter was received by the Township from the PA Department of Transportation (PennDOT) indicating the revised permit will be issued to the Township once a decision on the "Yield to Pedestrian" sign at the intersection is made by the Township. The Board felt that this would enhance pedestrian safety in the area.

Mr. Gravina made a motion to request PennDOT to revise the permit to allow for a "Yield to Pedestrians" sign to be installed on the eastbound lanes of West Chester Pike at the intersection of West Chester Pike and Providence Road for right turn traffic. Mr. Conan seconded the

motion. There was no further discussion and the motion requesting the revision of the permit passed unanimously.

- c. Lot 17 Brick House Farm Estates – Status update:** Mr. Gravina stated that On **February 17, 2010**, the Board of Supervisors authorized the Zoning Officer/Building Code Official to issue a new temporary Certificate of Occupancy for the house located on lot 17 in Brick House Farms. The temporary Certificate of Occupancy was to be valid through **May 31, 2010**. This temporary Certificate of Occupancy carried the following conditions:

- Berm was to be inspected, completed, and approved by April 30, 2010
- Plantings were to be inspected, completed, and approved by May 31, 2010

On **March 31, 2010**, a Declaration of Covenants and Restrictions outlining the requirements of the rain garden on the property was recorded with the Delaware County Recorder of Deeds office. A copy was furnished to the Township. On **April 12, 2010**, Yerkes Associates inspectors certified the completion of the berm. Thomas Comitta Associates approved the plantings on **May 19, 2010**. An e-mail certifying approval is on file with the Township. A permanent Certificate of Occupancy was issued by the Zoning Officer/Building Code Official on **May 20, 2010**. The remainder of the temporary Certificate of Occupancy escrow will be returned to the property owner. No action was taken.

- d. Community Outreach proposals:** Mr. Mackrides stated that he has spoken with members of the community who are concerned with having to go to other events and use amenities in other communities. Mr. Mackrides noted that he has spoken with representatives from the Edgmont Country Club about an Edgmont Township Day and they were receptive to the idea. Mrs. Reiner noted similar events of this nature that had occurred in the past, but have not continued due to lack of participation and interest. Mr. Mackrides stated that he would like to form a committee of volunteers.

Mr. Gravina stated that he believed this matter needed further discussion, noting that participation may be very limited. There are also financial aspects that must be taken into consideration. The matter was left open to be discussed further.

- e. Tents – Discussion of proposed policy on tents:** Mr. Gravina stated that a first draft of a Township policy on tents was circulated to members of the Board. Mr. Gravina commented that this draft provide the Township with a good starting point, but believes that it is too restrictive in its current form. There should not be restrictions on residential tents at this time and that certain non-residential tents should not require a permit from the Township. Mr. Mackrides agreed that tents on residential properties should not be regulated. Mr. Conan asked if any other Township's currently regulate tents. Mrs. Reiner stated that very few currently do. The draft policy will be amended and the matter will be discussed at a future meeting. No action was taken.

## **9. Announcements**

- a. The **Board of Supervisors** will meet on **Wednesday, July 21, 2010 at 7:30 p.m.** for their regular meeting, with a **work session at 6:30 p.m.**
- b. The **Planning Commission** will meet on **Monday, June 28, 2010 at 7:00 p.m.** for their regular meeting, with a **work session at 6:30 p.m.** to discuss proposed amendments to Article 18 of the Township's Zoning Ordinance, consider acceptance of their 2009 Annual Report, and to review Newtown Township's revised Act 537 plan.
- c. The **Zoning Hearing Board** will meet on **Tuesday, June 22, 2010 at 7:00 p.m.** to render a decision on an application requesting variances in order to construct additions to an existing house in the Castle Rock community.

10. **Executive Session:** During this time, those in attendance generally discussed matters concerning an offer to purchase municipal property; Edgmont v. Kelly; the Township's tenant house; and a personnel matter. No action was taken.
11. **Continuance:** At 9:30 p.m., Mr. Gravina made a motion to continue the meeting to June 22, 2010 at 4:30 p.m. to consider awarding the contract for the 2010 road project. Mr. Conan seconded the motion. There was no further discussion and the motion to continue the meeting passed unanimously.

Respectfully submitted,

Samantha Reiner  
Township Manager

## **ACTION ITEMS**

### **June 16, 2010**

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<b>Samantha Reiner</b>	<p><b><u>PennDOT</u></b> – Contact about Providence Road</p> <p><b><u>2010 Road Project</u></b> – Qualify low bidder</p> <p><b><u>Act 537 Plan</u></b> – Advertise Edgmont’s plan for comments/review</p> <p><b><u>Act 537 Plan Update</u></b> – Obtain copies of Newtown Township’s revised 537 plan and circulate/review</p> <p><b><u>Providence Road &amp; West Chester Pike</u></b> – Notify PennDOT of acceptance of sign proposal</p> <p><b><u>Tent policy</u></b> – Revise and resubmit tent policy</p>
<b>Michael Conrad</b>	<p><b><u>2010 Road Project</u></b> – Review bids for road project</p>
<b>Kenneth Kynett</b>	<p><b><u>DELCORA</u></b> – Prepare draft agreement</p> <p><b><u>2009 Road Project</u></b> – review Gessler contract and recommend action</p>