

**APPROVED**

**WALLACE TOWNSHIP BOARD OF SUPERVISORS  
SEPTEMBER 1, 2004**

The Chairman called the Meeting of the Wallace Township Board of Supervisors to order on Wednesday, September 1, 2004, at 7:35 PM in the Municipal Building.

Supervisors present: Louis T. Schneider, Chairman  
Jane M. Shields, Vice Chairman  
Robert V. Bock, Member

**PUBLIC COMMENT**

Mr. Schneider suggested a letter be sent to Barbara Aglira for her many years of service to the township.

**MINUTES**

Ms. Shields moved to approve the minutes of the August meetings. Mr. Bock seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

**TREASURER'S REPORT**

General Fund Receipts deposited during the month of August totaled \$62,456.48.

Mr. Schneider moved to approve thirty-four (34) bills, payable from the General Fund, for the month totaling \$89,071.30. Mr. Bock seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

Mr. Schneider moved to approve three (03) bills, payable from the State Fund, for the month totaling \$18,876.67. Mr. Bock seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

**CORRESPONDENCE**

1. Neighborhood Health Agencies to Twp. Secretary, dated 8/12/04, re: request for contribution for fiscal year 2005
2. West Brandywine Twp. Engineer to West Brandywine BOS, dated 8/12/04, re: review of final plans for Hide-A-Way Farms
3. John Good, Esq. To BOS, dated 8/17/04, re: review of conservation easement and homeowners declaration for the Rorke subdivision
4. Tim Wloczewski to John Reid, dated 8/17/04, re: final inspection for Lot #11 in the Chalfant development
5. John Spangler, Esq. to Mark Quinn, Esq., dated 8/18/04, re: The Blue Heron Inn

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6. Black Dog Assoc. to Twp. Secretary, dated 8/18/04, re: review of sketch plan for the Louderback tract
7. Aqua PA to BOS, dated 8/19/04, re: relinquishing of permits for the Cornog project
8. Castle Valley Consultants to Twp. Solicitor, dated 8/20/04, re: inspection of Chalfant development for purposes of escrow funds
9. Chester County Conservation District to William Harple, dated 8/23/04, re: review of E&S plan
10. GenTerra Corp. to BOS, dated 8/23/04, re: request for extension for review of Old Orchard subdivision plans
11. Black Dog Assoc. to Twp. Secretary, dated 8/24/04, re: follow-up for review of sketch plan for Louderback tract
12. Castle Valley Consultants to Twp. Secretary, dated 8/25/04, re: inspection of Steepleview site for E&S control measures
13. WTMUA to Twp. Secretary, dated 8/25/04, re: notice of Hankin withdraw of planning modules
14. Dan Shoemaker to Hankin, dated 8/25/04, re: notice of Hankin withdraw of planning modules
15. Twp. Solicitor to Madison Bank, dated 8/27/04, re: Chalfant subdivision escrow
16. DEP to Aqua PA, dated 8/30/04, re: relinquishment of permits relating to the Cornog project
17. Uwchlan Ambulance Corps. to BOS, dated 8/31/04, re: proposed 2005 budget
18. Downingtown Area Senior Center to BOS, re: thank you letter for contribution

## **ZONING REPORT**

Tim Wloczewski reported that eight (8) new building permits were approved for the month of July as follows:

- #02-80 – 30 Wycombe Road (Deck/Permits)
- #04-54 – 1511 Creek Road (House)
- #04-60 – 170 Fairview Road (Demolition)
- #04-61 – 4 Peters Lane (House)
- #04-62 – 30 Steepleview Drive (House)
- #04-63 – 231 Fairview Road (Shed)
- #04-64 – 90 Sycamore Lane (Shed)
- #04-65 – 251 Barneston Road (Barn Renovations)

The equitable owners of Lot #11, 30 Wycombe Road, have requested a Use and Occupancy Permit to be issued to them to occupy their new home after a two-year time span for construction. An escrow account must be established in the amount of \$5,457.00 for completion of code violation items discovered during a final inspection on July 23, 2004, which currently have not been corrected. Additionally, a Use and Occupancy Permit can only be issued to Chalfant St. Giles, Inc. and the new owners are seeking a court order to occupy their dwelling if John Reid cannot be found or fails to respond to notices sent to him.

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An unauthorized timbering project was found at 20 Indian Run Road and approximately 18 poplar trees and a few hardwood trees were removed from the property without submitting required timbering plans or notifying the township. After meeting with current homeowners, all operations ceased and E&S control measures were installed at all disturbed areas. No future timbering will be done without township approval.

An inspection of the Blue Heron Inn was performed on August 26, 2004 for possible building and safety code violations. The inspection was required after the current establishment owner, Mrs. Joanne Ransing, expanded the use of the existing commercial structure without inspections and approval from the township. The Kitchen, Bar, and Bar Seating Area are currently the only approved use and the main dining room areas were to be renovated and inspected at a later date. During the inspection, several code violations were observed to include faulty electrical wiring in basement, emergency egress and fire code infractions, non-ADA compliant bathrooms, and open sewer lines in Kitchen area. Proceedings are ongoing to resolve issues pertaining to compliance with all 2000 Code Requirements.

Bryan McDonough inquired as to whether or not the escrow release has been received for the Chalfant development and what work will be done. Mr. Wloczewski stated it has not, we are still waiting on the bank to release the funds and the work to be completed is site improvements. Mr. McDonough further asked whether or not this work would be bid out. Mr. Wloczewski stated that it would not since this is not township money.

Mr. McGrew stated that he received a call from Pat Corry regarding a shared well on his property. Mr. Wloczewski stated that he received the same call and advised Mr. Corry that the codes require wells and septic systems to be independent.

### **POLICE REPORT**

Chief Kocsi reported that for the month of August the activity report is as follows: 91 investigations; 110 traffic citations; 41 traffic warnings; 1 traffic accidents; 2 criminal arrests and 2 summary arrests.

There have been four theft out of vehicle incidents recently reported. In all of the incidents the vehicles were left unlocked. Please remember to lock your vehicles regardless of whether they are in your driveway or not.

Two juveniles were arrested for damaging the benches in Wagenseller Park. Both juveniles are going before the Youth Aid Panel and will be recommended for community service to fix the benches. Ed Smith has agreed to oversee the refurbishing project.

The BRP has been notified that they were awarded two more grants. One grant is from Senator Rafferty in the amount of \$26,360 to purchase and equip a vehicle for the newly formed Regional Accident Reconstruction Team. The second grant is from State Representative Curt

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Schroder in the amount of \$10,000 to help purchase and install some of the laptop computers in the police vehicles.

The Regional Director for Care Link, Inc. and myself have authored a letter which was sent out to the residents along Marty Close and the 100 block of Indiantown Road. Due to the recent incidents involving a resident from the home and his contact with some of the homeowners, we felt in necessary to educate the residents about the Care Link facility, its residents and procedures.

### **HISTORICAL COMMISSION**

Jaci Nicely reported there were approximately 143 people who attended the town walk. They have received very positive feedback about the tour. Nothing further to report.

### **PARK BOARD**

Rob Bebee reported that the Board has been having its first E-meeting. They are in the process of getting ready for Halloween.

Jim Lauckner has volunteered to be the point person for one of the park projects and he may be willing to do the other. Mr. Schneider stated that the Supervisors have been in contact with Evergreen Landscape Associates regarding the status of the park projects and they have been advised that Evergreen is a little behind but are hoping to have a meeting in October to discuss the projects.

Mr. Bock inquired as to the status of the questionnaire. Mr. Bebee stated that he believes they have been tallied but the report has not been finished. He will check on status.

Bryan McDonough inquired into the status of restrooms being installed at Wagenseller Park. Mr. Bebee stated that this item is on the list for the Long Range Planning Committee to consider.

Mr. Schneider stated that Blue Grass concert was another well attended event and he asked Mr. Bebee if he sends letters of thanks to the bands who perform. Mr. Bebee stated that he does not send formal letters but does send them emails. Mr. Schneider requested that he would like to see something more formal on township letterhead if possible.

### **PLANNING COMMISSION**

Skip McGrew stated that the Planning Commission has not had a meeting and therefore has no report. One issue is a piece of correspondence received from Jim Baker of Black Dog Assoc. requesting a meeting with township engineer outside of the regular commission meeting. Craig

Kologie stated that he has spoken to the township secretary regarding this matter and has decided that he would prefer not to hold such a meeting and to have all issues discussed with the Planning Commission present.

### **VILLAGE TASK FORCE**

Bryan McDonough reported that they are still awaiting a response from the state setting the historical boundaries. John Miller has sent emails trying to check on the status but has not received a response. Mr. Schneider stated that if the Task Force continues to receive no response to advise the Board and they will write a letter requesting the information.

### **SUBDIVISIONS**

1. #04-1 – Old Orchard Estates – extended to 9/15/04.
2. #04-2 – Edgemoor Run (Bernard) – Reaffirmation of plan approval
3. #04-3 – Brandywine Hill (Wheeler)

### **OLD BUSINESS**

Mr. Schneider stated that the final stages of the agreement with PSW are in the works. Brandywine Conservancy will be holding an easement stating that no water plant will be built at Cornog. An agreement will also be put in place with Downingtown MUA for water withdrawal.

Mr. Schneider provided an update on the Elverson Ambulance issue. He stated that a meeting was held last week wherein 10 municipalities have engaged services from the Government Services Center. Brandywine Hospital has decided to drop their ALS service and Uwchlan has stated that they would be willing to pick up 4 of the 6 routes for approximately the same cost that Brandywine was charging. The rates for the coming year will not be effected. Elverson has stated that they have enough funds to carry them through. Mr. Schneider will keep us updated on future discussions.

The Turnpike Authority has provided the township with a report regarding changes to the Camiel Service Plaza. A meeting was held with the Authority to discuss stormwater issues and the Authority has incorporated all of the township's suggestions into their report. Mr. Schneider asked that this report be sent to the township engineer for review.

### **NEW BUSINESS**

Dan O'Connell of Castle Valley Consultants was present to discuss a water issue on Messner Lane. Two residents from Messner Lane were also present. Mr. O'Connell provided the board with photos showing the water flow. It was noted that Lot #14 has a basin on the property and that the water is constantly flowing over the driveway of Lot #15 and has no way to get underground to the inlet. Mr. O'Connell stated that the homeowners are willing to have some

pipng work done under the driveway going approximately 90 yards and connecting to the inlet. The piping and inlet boxes proposed are smaller than what the township normally requires and another issue would be who would maintain the inlets. Mr. Bock asked if the pipe size and boxes proposed with be adequate for the water flow. Mr. O'Connell stated that it would since the new boxes will be piped to the existing box which is to township size. Mr. Schneider asked if a swale would provide the same function as the pipe. Mr. O'Connell stated it would but would probably not resolve the issues of the water running over the driveway. Mr. Schneider suggested that some cost estimates be put together and then the Board would sit down with the homeowners and the township engineer and discuss further options.

Mr. Schneider stated that the township office has received a notice regarding proposed legislation to take away local control from municipalities of agricultural areas within the townships. He suggested that anyone concerned about this legislation should write to their local legislators. Ms. Shields moved to oppose the proposed legislation and have a letter written to our legislators on behalf of the township. Mr. Bock seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

**PUBLIC COMMENT**

None.

**ADJOURNMENT**

Meeting adjourned at 9:00 PM. Next meeting is Wednesday, September 15, at 8:00 AM.

Respectfully submitted,

Kimberly A. Milane-Sauro  
Secretary