

WALLACE TOWNSHIP BOARD OF SUPERVISORS
SEPTEMBER 6, 2006

APPROVED

The Chairman called the Meeting of the Wallace Township Board of Supervisors to order on Wednesday, September 6, 2006, at 7:35 PM in the Municipal Building.

Supervisors present: Robert V. Bock, Chairman
Jane M. Shields, Vice Chairman
Bryan W. McDonough, Member

PUBLIC COMMENT

None.

MINUTES

Ms. Shields moved to approve the minutes with additional language proposed to Ms. Shields reason for recusal from the Hankin matters. Mr. McDonough asked if the note section under the August 2nd minutes could be removed. Ms. Shields stated that it should not be removed that the statement was made by the treasurer and that Ms. Shields had repeated during the August 2nd public meeting. Mr. McDonough 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 \$162,756.09.

Expenditures from the General Fund for the month of August totaled \$120,981.55.

Mr. Bock moved to approve thirty-eight (38) bills, payable from the General Fund, for the month totaling \$92,069.00. Mr. McDonough seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

Mr. Bock moved to approve one (1) bill, payable from the General Fund, for the month totaling \$797.42. Ms. Shields seconded the motion. There being no further discussion or public comment, the motion was approved by a majority vote with Mr. McDonough voting nay.

Mr. Bock moved to approve three (3) bills, payable from the State Fund, for the month totaling \$1,149.54. Mr. McDonough seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

CORRESPONDENCE

1. GenTerra Corp. to Twp. Zoning Officer, dated 8/11/06, re: request for zoning interpretation for the Old Orchard Subdivision
2. DEP to The Hankin Group, dated 8/11/06, re: acknowledgement of general permit application for the Hamilton subdivision
3. Heritage Construction to Twp. Secretary, dated 8/11/06, re: submission of check for trail within the Highspire Estates project per agreement
4. Steven Gnau to Mr. and Mrs. Silvester, dated 8/12/06, re: restoration of the Kurtz Mill at 2230 Creek Road

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5. Neighborhood Health Agencies to Twp. Secretary, dated 8/15/06, re: request for contribution for year 2007
6. CCCD to The Hankin Group, dated 8/15/05, re: acknowledgement of receipt of NPDES permit for the Hamilton Subdivision
7. DEP to Twp. Secretary, dated 8/15/06, re: approval of planning module for the Cornerstone Subdivision
8. CCPC to Twp. Secretary, dated 8/17/06, re: review of the Donaldson/Avenick lot line change
9. DEP to Twp. Secretary, dated 8/17/06, re: technical review of planning module for the Hamilton Subdivision
10. CCCD to Woodstone Homes, dated 8/18/06, re: earth disturbance inspection report for the Edgemoor Run Subdivision
11. CCCD to Josh Rorke, dated 8/18/06, re: earth disturbance inspection report for the Highspire Estates Subdivision
12. CCPC to Twp. Secretary, dated 8/22/06, re: review of the draft Regional Resource Protection Plan
13. DEP to The Hankin Group, dated 8/24/06, re: receipt of copy of stormwater permit application for the Hamilton Subdivision
14. Rettew Assoc. to Twp. PC, dated 8/25/06, re: response to CVC review of the E&S Plan for site distance on the Old Orchard Estates project
15. Heritage Construction to Twp. Secretary, dated 8/25/06, re: request for dedication of greenway areas at the Highspire Estates project
16. SC Engineers to The Hankin Group, dated 8/28/06, re: response to DEP letter regarding planning module for the Hamilton Subdivision
17. Twp. HC to Twp. Zoning Officer, dated 8/30/06, re: review of report from architect and engineer for the Kurtz Mill
18. Twp. HC to BOS, dated 8/31/06, re: approval of landscape plan for the Cornerstone Subdivision
19. The Wallace Trust to BOS, dated 8/31/06, re: request for support in filing of grant application
20. CVC to Twp. Office, dated 9/1/06, re: site inspection at the Highspire Estates project
21. CVC to Twp. Office, dated 9/1/06, re: site inspection at the Edgemoor Run subdivision
22. CCPC to Twp. Secretary, dated 9/1/06, re: review of the land development plans for Devereux
23. DEP to Evans Mill Environmental, dated 9/1/06, re: receipt of application for planning module for the Girl Scout Camp
24. DelVal Soils to Twp. Secretary, dated 9/5/06, re: response to DEP letter regarding planning module for the Hamilton Subdivision

ZONING REPORT

None.

POLICE REPORT

Chief Kocsi reported that for the month of August the activity report is as follows: 97 investigations; 97 traffic citations; 17 traffic warnings; 2 traffic accidents; 3 criminal arrest and 4 summary arrest.

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PennDot has installed additional stop signs and approach signs at Marshall and Little Conestoga Roads. They will be conducting the traffic study over the next few months to determine if it meets criteria for a 4-way stop.

Both townships have experienced an increase in theft out of vehicle incidents again this month. Two juveniles and one adult have been arrested in connection with these cases. An additional reminder to please lock your vehicles at night and keep valuables in the house. All the incidents involved unlocked cars.

Officers Tony Howe and Sean Gregory will be awarded commendations this month for their interruption of a burglary in progress and arrest of a suspect. Both officers responded to a burglary call and encountered the suspect running from the house. The suspect was found to be an escaped felon and wanted on outstanding charges in Delaware County. The subsequent search of the suspect's vehicle revealed jewelry and other property from a burglary committed in Malvern earlier in the day.

The Police Commission meeting scheduled for Sept. 25th has been changed to Sept. 26th at 8:00 AM in the Wallace Municipal Building.

Resident Bill Moore questioned the Chief on the number of missing persons for the month. Chief Kosci reported that all of those reports were from Devereux. Mr. McGrew asked if security measures are in place per the conditional use. Chief Kosci stated that he could not answer at this time and that a meeting was being scheduled with Devereux to discuss.

HISTORICAL COMMISSION

Elaine McGrew reported that the Commission has received a grant for scope of work to be performed on the Lamb Tavern Springhouse. They are currently awaiting a report from John Milner Assoc. The Commission has received an email from Scott Carter at Devereux providing an update on the repairs to the Croft House.

The Township has been provided a copy of the list for historic resources along with recommendations regarding changes to classifications. The township secretary stated that pursuant to the zoning ordinance any property owner affected by any proposed change must be notified at least ten days prior to formally hearing the recommendation. The Board has established the Oct. 4th meeting as the date for this recommendation to be heard. Property owners being affected by the proposed reclassification will be notified.

PARK BOARD

Mary Jacobson reported that the last Park Board meeting focused on the development of Ray Park. A subcommittee has been set up to work on this project. The committee consists of a representative from GEYA, GGS, the Planning Commission, the Park Board and the Board of Supervisors. The Park Board requested that the water at the snack shack be tested. Board agreed this was okay to do and to check with the maintenance department regarding filtering system.

A request has been received for use of Ray Park for a fundraising event for the GGS. The Board has stated that this would be fine and asked the township secretary to determine if any additional insurance would be needed for a one-time event.

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EAC/WOODLANDS TASK FORCE

None.

LONG RANGE FINANCIAL PLANNING COMMITTEE

Skip McGrew reported that the Committee is finalizing their recommendation regarding permit fees and will be providing those recommendations to the Supervisors at their October evening meeting. The Committee continues to work on the financial planning for the township.

PLANNING COMMISSION

Skip McGrew updated the Board on some of the pending subdivisions before the Commission:

Hankin – still awaiting revised plans. Worksession has been scheduled to discuss stream monitoring.

Old Orchard – awaiting another revised plan. Applicant may be considering a new plan showing fewer lots. Contaminated soils still remains an issue and are awaiting a response from the township solicitor.

Girl Scout Camp – awaiting plan submission

Popjoy – awaiting direction from applicant on plan review. Extension will be needed.

Donaldson/Avenick – lot line change on Indian Run Road. Commission sees no particular issues with the site. There is an historic resource on the property and will defer to the Historical Commission regarding any waivers. Extension will be needed.

Moore – application submitted however plan did not recognize any tier. Awaiting a revised plan submission.

LaPorta – application submitted.

Devereux – application under review.

Omnipoint – under construction

Diament – application has been made to the Zoning Hearing Board.

SUBDIVISIONS

1. #04-1 – Old Orchard Estates
2. #05-4 - Hankin
3. #05-5 – Popjoy
4. #06-2 – Avenick/Donaldson
5. #06-3 - Moore
6. #06-4 – Devereux Land Development

OLD BUSINESS

Northern Federation – Mr. Bock stated that the Resource Protection Plan should be available shortly for posting on the website.

Maintenance of Lamb Tavern Preserve – Barbara D’Angelo reported that the Wallace Trust cannot complete all of the maintenance required for the preserve and they would like to utilize students from West Chester University to perform the maintenance on a long term basis as part of their classes. The Board agreed that this would be a good idea and to advise the Board once discussions have commenced with West Chester University.

Devereux demolition permit – it was noted that the conditional use order states that stabilization of the Croft Building should occur as well as trying to find a reuse for the building, and that the building would not be demolished in the near future. Devereux has reapplied for a demolition permit to protect its classification as a Class II structure. Mr. McGrew stated that he did review the transcript for the conditional use hearings and that during the hearings, it was discussed that a demolition of a Class I or Class II building was permitted but that the process for a Class I is lengthier. Mr. McGrew stated that he is inclined to urge the Board to site Devereux for a violation of the conditional use order. Ms. Shields recommended that the Board wait to hear any recommendations from the Historical Commission regarding reclassification of the Croft Building as well as any argument from Devereux before any decisions regarding violation of the conditional use order are made. Devereux was advised as to placement on the agenda to discuss this matter however no one for the applicant appeared.

Mr. McDonough asked if the financial information that was discussed with the auditor could be placed on the website. Mr. Bock said that was fine and advised that it should show budget vs. actual as well as a comparison from the year before.

NEW BUSINESS

Subdivision application has been received for the LaPorta property located on Mapleflower Road. Plan proposes the creation of 2 new lots.

Mr. Bock moved to approve the fee in lieu of fiscal impact offered by Cornerstone in the amount of \$5,000 for the Lakeview Subdivision. Mr. McDonough seconded the motion. Ms. Shields is recused from this matter. There being no further discussion or public comment, the motion was unanimously approved.

Ms. Shields moved to approve escrow release #9 for the Highspire Estates project based on the recommendations of the Township Engineer. Mr. McDonough seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

Correspondence has been received from Heritage Building Group requesting the township accept dedication of the greenway areas within the Highspire Estates subdivision. The Board agreed to send this request to the township engineer for review. This matter will be addressed at a later meeting once a report has been received from the township engineer.

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Bitten Krentel was present to discuss a grant application that the Wallace Trust will be applying for to purchase a conservation easement on the property owned by Dr. Andrew Fieo. This property is approximately 10 acres on Creek Road and is adjacent to the Barneston Dam. Dr. Fieo has offered his land as matching funds should be granted to the Trust. No funds would be required from the township. The Trust would like to request a letter of support from the supervisors to be included in their grant application package. The Board agreed to send a letter of support.

Ms. Shields tendered her resignation from the Board of Supervisors effective as of September 7, 2006. She stated numerous conflicts with her work and township issues as the reason for her resigning. The Board accepted her resignation and thanked her for her numerous years of service to the township. Mr. Bock stated that at this time the Board will have thirty days to appoint someone to fill Ms. Shields unexpired term. If after the thirty days a replacement has not been found, an additional fifteen day period will commence with the vacancy board member. If no decision is reached after that time, the township must petition the Court of Common Pleas to render a decision. Anyone interested in fulfilling this unexpired term should send a letter of interest to the township secretary.

Correspondence has been received from DEP regarding a drip system in the PECO right-of-way for the Hamilton subdivision. PECO is waiting on a response from the township regarding this drip system and that we are aware of the non-exclusive easements on the PECO land. Currently there is a 50' fenced strip and the applicant has provided an additional 30' of eased area. A conference call was held with the applicant, the municipal authority, DEP and Mr. Bock. The township solicitor has reviewed a draft letter to DEP and finds no issues with the content. The Board feels that since the municipal authority has reviewed this and their consultant has responded to DEP's concerns the Board finds no issues with the drip system. The drafted letter will be finalized and forwarded to DEP.

PUBLIC COMMENT

None.

ADJOURNMENT

Meeting adjourned at 9:05 PM. Next meeting is Wednesday, September 20, 2006, at 8:00 AM.

Respectfully submitted,

Kimberly A. Milane-Sauro
Secretary