

**WALLACE TOWNSHIP BOARD OF SUPERVISORS  
OCTOBER 4, 2006**

**APPROVED**

The Chairman called the Meeting of the Wallace Township Board of Supervisors to order on Wednesday, October 4, 2006, at 7:35 PM in the Municipal Building.

Supervisors present: Robert V. Bock, Chairman  
Bryan W. McDonough, Member

**PUBLIC COMMENT**

None.

**MINUTES**

Mr. McDonough requested that a sentence be added to the September 20<sup>th</sup> minutes under the Road Report, stating that enough money was in the budget to complete the work. Mr. McDonough then moved to approve the minutes from the September 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 September totaled \$179,033.46.

Expenditures from the General Fund for the month of August totaled \$178,118.78.

Mr. Bock moved to approve thirty (30) bills, payable from the General Fund, for the month totaling \$90,902.40. Mr. McDonough seconded the motion. Check payable to the Township Building/Zoning Officer was withheld due to an error in his calculation of a permit fee. This invoice will be corrected and paid at the next meeting. There being no further discussion or public comment, the motion was unanimously approved.

**CORRESPONDENCE**

1. DEP to Josh Rorke, dated 9/12/06, re: earth disturbance report
2. Chester County Commissioners Office to Twp. Solicitor, dated 9/13/06, re: request for exemption from payment of roll back taxes for Ray Park
3. PennDOT to Twp. Secretary, dated 9/15/06, re: response to request for 4-way stop at Marshall and Little Conestoga Roads
4. SC Engineers to WTMA, dated 9/15/06, re: recommendation for drip field in the PECO right of way
5. Twp. Solicitor to DLN, dated 9/18/06, re: advertisement for ordinance amendment
6. Twp. Solicitor to Chester County Law Library, dated 9/18/06, re: ordinance amendment
7. Twp. Solicitor to Twp. PC, dated 9/18/06, re: referral for review of ordinance amendment
8. Twp. Solicitor to CCPC, dated 9/18/06, re: referral for review of ordinance amendment
9. CCPC to Warwick Twp., dated 9/19/06, re: review of Regional Resource Protection Plan

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10. DEP to Twp. Secretary, dated 9/21/06, re: approval of planning module for the Hamilton subdivision
11. LRFPC to BOS, dated 9/21/06, re: recommendations regarding permit fees
12. Dept. of Auditor General to Twp. Office, dated 9/22/06, re: check for municipal pension for regional police
13. Dept. of Auditor General to Twp. Office, dated 9/22/06, re: check for general municipal pension
14. Dept. of Auditor General to Twp. Office, dated 9/22/06, re: check for volunteer fire relief associations
15. EB Walsh to BOS, dated 9/22/06, re: response letter for the Hamilton revised plan submission
16. Glen Moore Fire Company to BOS, dated 9/25/06, re: recommendation for appointment of new twp. EMC
17. Evans Mill Environmental to Twp. Secretary, dated 9/25/06, re: notice of well testing on the Popjoy property
18. Evans Mill Environmental to Twp. Secretary, dated 9/26/06, re: notice of soil testing on the Popjoy property
19. Turnpike Commission to BOS, dated 9/28/06, re: reminder for encroachments onto turnpike property
20. Debra Shulski, Esq. to BOS, dated 9/29/06, re: request for extension for approval of land development plan for the Devereux Foundation
21. Twp. HC to Twp. PC, dated 9/29/06, re: recommendations regarding the landscape plan for the Donaldson/Avenick lot line change
22. Twp. HC to The Wallace Trust, dated 9/29/06, re: letter of support for grant application
23. Twp. HC to Tim Wloczewski, dated 9/29/06, re: approval of proposed addition to the DiOttavio property
24. Tim Wloczewski to Heritage Construction, dated 9/29/06, re: approval for holding tank for model home and spec home at the Highspire Estates project
25. Dept. of Revenue, dated 9/29/06, re: PURTA distribution check
26. Tim Wloczewski to BOS, dated 10/4/06, re: request for office hours to be discontinued

## **ZONING REPORT**

Tim Wloczewski reported that three (3) new building permits were approved for the month of September as follows:

- #06-75 – 400 Fairview Road (Elementary School)
- #06-80 – 400 Fairview Road (Construction Trailers)
- #06-81 – 25 Baldwin Circle (House)

Responded to question from GenTerra Corporation regarding a zoning interpretation with regards to the Old Orchard Subdivision. This request involved a storm water basin to be located in the FHWSO on the southwest corner of the property. The applicant was advised that this would require a special exception from the Zoning Hearing Board.

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Mr. Wloczewski requested that the Board allow him to discontinue zoning hours at the Indiantown Schoolhouse. There did not appear to be enough business and he felt that it was not very cost effective to the township. The Board agreed that this was okay and they would revisit the issue at a later time.

### **POLICE REPORT**

Chief Kocsi reported that for the month of September the activity report is as follows: 89 investigations; 86 traffic citations; 16 traffic warnings; 4 traffic accidents; 2 criminal arrest and 1 summary arrest.

BRP have hired a new part time officer, John Sidiras. John has been sworn in and began his field training last week with Officer Twaddell. John will be ready for patrol duties by the end of the year. Mike McBride the other part time officer may be called to active duty as a reservist.

Sergeant Babetski and the Chief met with Devereux officials on September 21<sup>st</sup>. Part of the meeting was spent reviewing the conditions listed in the conditional use agreement. A memo has been issued to the Wallace Township Planning commission and the Supervisors indicating that it is the Chief's opinion, based on what was presented by Devereux, that they were in compliance with the conditional use agreement.

Mr. McDonough asked the Chief how Mr. Bock was appointed to the Police Commission. Chief Kocsi stated that believes that the Chairman for the Commission contacted Mr. Bock and asked him to fill Ms. Shields spot until the end of the year.

### **HISTORICAL COMMISSION**

Elaine McGrew reported that the Commission has provided the Board with a request for reclassification of the Croft House and Croft Cottage located on the Devereux Foundation property. The Commission would request that the buildings be changed from Class II to Class I. The buildings were constructed in or about 1880-1882 and has been occupied over history by well noted people. Devereux has owned and occupied the buildings for over 50 years. Within Chester County, most Class I resources are 50 years or older. Debbie Schulski, attorney for Devereux was presented and requested that the Board allow Devereux time to retain a historic consultant. The Board agreed to hear an informal presentation from Devereux at their first November meeting and if required could advertise and hold a public hearing at a later date.

Ms. Schulski requested that her client be afforded an extension of time from the conditional use regarding approval of the land development plan. It is required under the MPC that a land development plan be approved with six months of conditional use approval. Mr. McDonough moved to grant an extension of time from the conditional use regarding approval of the land development plan for ninety (90) days. Mr. Bock seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

Chief Kocsi stated at his meeting with Devereux it was discussed as using the Croft House as a rewards program for students, allowing parents to visit and stay on site with their child. Also, the Chief has discussed with the Center for Resolutions to utilize the building as their Chester county Office. Ms. Schulski stated that she would take both of these suggestions back to her client.

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Beverly Bock continued the Historical Commission report. They are continuing to work on the Lamb Tavern Springhouse. They are looking to apply for some grants and would request a letter of support from the Board to allow them to apply. The Board will issue a letter to the Commission with regards to supporting them in the seeking of grant funding.

### **PARK BOARD**

Mark Bainbridge reported that a subcommittee will be put together to work on Ray Park. Jim Lauckner will be the point person for his project. The Park Board continues to work on getting bathrooms installed at Wagenseller Park and they will continue to seek grant money with no cost to the township. Halloween Party has been scheduled for October 31<sup>st</sup>. Trick-or-Treating will be from 5:30-7:00 PM and the party will begin at 7pm at Wagenseller Park.

### **EAC/WOODLANDS TASK FORCE**

Mark Eschbacher reported that the Woodlands Ordinance draft has been presented to the Planning Commission for comments. The EAC and the PC will be meeting next week to discuss.

### **LONG RANGE FINANCIAL PLANNING COMMITTEE**

Skip McGrew reported that the Committee has provided the Board with recommendations regarding the building permit fees and compensation to the inspector. Some increases in the fee schedule are recommended as well as asking the inspector to review the language in the resolutions to see if any adjustments should be made as it relates to the UCC. The Committee is still reviewing the compensation for the inspector, however, they have recommended that a written contract be in place prior to the 2007 calendar year.

Mr. McGrew stated that an issue has arisen that he feels undermines his credibility with the supervisors and therefore is resigning from the Long Range Financial Planning Committee effective immediately and will follow up with a letter to the Board.

### **PLANNING COMMISSION**

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

Popjoy – applicant has submitted a sketch plan along with an extension of their current application. Applicant will be attending next PC meeting to discuss.

Girl Scout Camp – completing reviews of sketch plan. Applicant has been reimbursing the township for all costs associated with these reviews and meetings.

Mr. McGrew stated that he reviewed the invoices for the month totaling approximately \$14k and that almost all the issues are related to Planning Commission activity and are reimbursable.

**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
7. #06-5 - LaPorta

**OLD BUSINESS**

The public hearing to discuss the Regional Resource Protection Plan for the Northern Federation is scheduled for October 10<sup>th</sup> at the Warwick Township Building.

Supervisory vacancy – some additional questions were entertained by the audience, but with one candidate missing, it was noted that it would not be a fair process if this candidate was not given and opportunity to hear the questions and respond. Therefore, the Board provided their recommendations for the new supervisor. Mr. Bock recommended Jeff Camp. He feels that the township needs someone with a strong financial background and someone who can remain a neutral to help with the issues at hand. Mr. McDonaugh feels that we should have someone with knowledge of things going on in the township and would recommend Bill Moore to fill the supervisory vacancy. Mr. Moore also has financial background as he is a member of the Long Range Financial Planning Committee. Mr. Bock stated that since the current Board cannot come to an agreement on this issue, they will reconvene as a vacancy board and Charles Zeiders, the vacancy board member will act as chairman. Mr. Bock moved to advertise for a vacancy board meeting to be held on Monday, October 16<sup>th</sup> at 7:00 PM. Mr. McDonaugh seconded the motion. There being no further discussion or public comment, the motion was unanimously approved. The secretary was asked to advise all of the candidates of the date and time of the meeting.

**NEW BUSINESS**

Mr. Bock moved to approve escrow release #1 for the Coltsfoot Subdivision based on the recommendations of the Township Engineer. Mr. McDonaugh seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

Mr. Bock moved to exonerate the County from paying the roll back taxes associates with the sale and purchase of Ray Park. Mr. McDonaugh seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

Mr. McDonaugh requested that copies all of the budget requests received with regards to the 2007 budget be placed in the supervisor's bins for review. He also suggested that the Board try to schedule some work session to discuss next years budget. The Board is in agreement with this.

**PUBLIC COMMENT**

None.

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**ADJOURNMENT**

Meeting adjourned at 9:25 PM. Next meeting is Wednesday, October 18, 2006, at 8:00 AM.

Respectfully submitted,

Kimberly A. Milane-Sauro  
Secretary