

APPROVED

**WALLACE TOWNSHIP BOARD OF SUPERVISORS
NOVEMBER 1, 2006**

The Chairman called the Meeting of the Wallace Township Board of Supervisors to order on Wednesday, November 1, 2006, at 7:30 PM in the Municipal Building.

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

PUBLIC COMMENT

None.

MINUTES

Tabled to next meeting.

TREASURER'S REPORT

General Fund Receipts deposited during the month of October totaled \$71,480.36.

Expenditures from the General Fund for the month of October totaled \$114,463.74.

Mr. Bock moved to approve thirty-two (32) bills, payable from the General Fund, for the month totaling \$90,640.06. Mr. McDonough seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

Mr. Bock moved to approve three (3) bills, payable from the State Fund, for the month totaling \$16,731.27. Ms. Grashof seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

CORRESPONDENCE

1. PennDOT to Twp. Office, dated 9/2006, re: estimated liquid fuels moneys for 2007
2. DEP to Twp. Secretary, dated 10/17/06, re: approval of pump and haul for Highspire Estates
3. PennDOT to The Hankin Group, dated 10/17/06, re: review of HOP application for the Hamilton subdivision
4. Twp. PC to The Wallace Trust, dated 10/18/06, re: support letter for grant
5. Sergeant Pence of BRP to PennDOT, dated 10/23/06, re: supplement information regarding accidents at the intersection of Lt. Conestoga and Marshall Roads
6. Theodore Claypoole, Esq. to Thomas Whiteman, Esq., dated 10/23/06, re: exoneration of roll back taxes for Ray Park
7. SC Engineers to WTMA, dated 10/23/06, re: site meeting report regarding the new elementary school
8. SC Engineers to Nave Newell, dated 10/23/06, re: site change for the new elementary school
9. SC Engineers to WTMA, dated 10/24/06, re: approval of revised drip field size for the Hamilton subdivision

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10. SC Engineers to Heritage Construction Co., dated 10/24/06, re: status of collection system at the Highspire Estates project
11. Tim Wloczewski to Ken Warren, dated 10/24/06, re: enforcement notice for work incomplete at 190 Mapleflower Road
12. NLT to BOS and Twp. PC, dated 10/25/06, re: review of revised plan submission for the Hamilton subdivision
13. CVC to Twp. PC, dated 10/25/06, re: review of revised plan submission for the Hamilton subdivision
14. Evans Mill Environmental to Twp. Secretary, dated 10/26/06, re: notice of hydroconductivity testing on the Popjoy tract
15. Heritage Construction to CVC, dated 10/27/06, re: submission of utility as built plans for Highspire Estates
16. Patrick O'Donnell, Esq. to Twp. Office, dated 10/27/06, re: resolutions regarding the Regional Resource Protection Plan for the Northern Federation

ZONING REPORT

Tim Wloczewski reported that twelve (12) new building permits were approved for the month of October as follows:

- #06-82 – 15 Steepleview Drive (Finished Basement)
- #06-83 – 491 Indian Run Road (Deck)
- #06-84 – 20 Elm Lane (Addition)
- #06-85 – 79 Brittany Lane (House)
- #06-87 – 1421 Little Conestoga Road (House)
- #06-88 – 231 Indian Run Road (Fence)
- #06-89 – 44 Brittany Lane (Job Trailer)
- #06-90 – 400 Fairview Road (Job Trailer)
- #06-91 – 400 Fairview Road (Job Trailer)
- #06-92 – 141 Highspire Road (Porch Addition)
- #06-94 – 11 Edgemoor Lane (House)
- #06-95 – 400 Fairview Road (Commercial Sign)

An enforcement notice was issued to the owners of 190 Mapleflower Road to complete site improvements to his property and release of escrow funds withheld prior to the issuance of the U&O. Homeowner was given 10 days to comply.

A Zoning Hearing was held for John Diament, owner of 281 Indiantown Road, for variance relief from the 100-foot setback requirement from the legal right-of-way on Indiantown Road. Variance was granted to allow for construction of a single family dwelling on Lot #2 at approximately 80 feet from the right-of-way.

The pump and haul agreement for Highspire Estates has been approved by DEP. A meeting is scheduled to discussion this issue with the developer. Mr. Wloczewski will monitor and all cost are reimbursable through escrow.

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Downingtown Area School District has been granted a waiver from L&I for ADA compliance in bathrooms in the new elementary school. Facilities in these bathrooms are already at a lower height for the kids.

A home occupation permit has been issued for Mr. and Mrs. Seese for a Group R3 day care facility in their home. Compliance with local ordinances and state regulations have been met.

POLICE REPORT

Chief Kocsi reported that for the month of October the activity report is as follows: 92 investigations; 68 traffic citations; 33 traffic warnings; 11 traffic accidents; 7 criminal arrests and 4 summary arrests.

Officer Denise Knoke and K-9 Nelo have successfully completed and passed their K-9 certification testings. They will be sworn in at the East Brandywine Board of Supervisors meeting on November 15th at 7:30 PM.

Resident Bill Moore asked what the missing persons calls were for. Chief Kocsi stated that it was 3 runaways from Devereux and 3 lost hunters.

Chief Kocsi stated that any request for documents from the police department should be sent to the Commission secretary, Rose. These requests will be passed onto the Commission for any decisions. Next Commission meeting is scheduled for Thursday, Nov. 30th at 8:00 AM at the Wallace Township Municipal Building.

HISTORICAL COMMISSION

Beverly Bock reported that the Commission continues to work on the grant application for the Lamb Tavern Springhouse. Norman Glass has taken photos of the springhouse for the Commission files.

Debbie Schulski, Esq. was present to discuss the reclassification of the Croft House/Croft Cottage. Ms. Schulski provided the Board with the initial report along with a letter from Wise Preservation regarding this reclassification. Devereux continues to look for a use for the building and is even considering using the building for themselves. A committee has been put together to work on the reuse of the building and a meeting will be scheduled shortly. This committee does consist of Jane Davidson, whom the Board recommended to Devereux. The Supervisors agreed to table this matter until the next meeting to determine if a hearing is needed regarding the reclassification.

PARK BOARD

None.

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EAC/WOODLANDS TASK FORCE

Mark Eschbacher reported that both groups continue to meet with the County and the Township Planning Commission to work on the Woodlands Preservation Ordinance.

LONG RANGE FINANCIAL PLANNING COMMITTEE

Bryan McDonough reported that there was no Committee meeting in October. Since the Committee has been finalized by Resolution, Mr. McDonough stated that he would like to have the same members remain on the Board. They are, himself, Bill Moore, Ken Nicely and Rob Jones. Skip McGrew has currently resigned from the Committee but they will be speaking with him to see if he is willing to rejoin. The Committee will be holding a work session tomorrow evening and will be working on the township and police budgets. All meetings are open to the public.

PLANNING COMMISSION

Barbara D'Angelo updated the Board on some of the pending subdivisions before the Commission:

Devereux – site walk was held. Waiting on revised plans.

Hankin – work session was held to review letters from Castle Valley and NLT. Consultants meetings are ongoing. Extension will be required.

Old Orchard – Extension will be required. No report.

Diamant – variance granted from Zoning Hearing Board. Expect applicant to submit formal application shortly.

The Commission has received clarification on the FEMA amendments to the zoning ordinance from the township solicitor. Based on this, the Commission, via email voted to recommend approval of these revisions to the Supervisors.

Ms. D'Angelo stated that she reviewed the invoices for the month and that almost all of the issues are related to Planning Commission activity and are reimbursable. Approximately 6% of the costs will be paid by the Township for work done on Chalfant.

SUBDIVISIONS

1. #04-1 – Old Orchard Estates
2. #05-4 - Hankin
3. #05-5 – Popjoy
5. #06-3 - Moore
6. #06-4 – Devereux Land Development
7. #06-5 - LaPorta

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OLD BUSINESS

A letter has been received from resident, Ray Carr, requesting clarification on an easement, on this property, for access to the Girl Scout Camp. Mr. Carr is requesting that the township solicitor provide him with some information. The Planning Commission has provided responses to the questions addressed in Mr. Carr's letter. Mr. Bock stated that he is not inclined to send this letter to the solicitor for review. Mr. McDonough stated that since a response has already been supplied by the Planning Commission, if any further questions arise, Mr. Carr might want to consider retaining council. Township Secretary will provide a follow up letter to Mr. Carr regarding the Boards decision.

A greenway dedication request has been received from Heritage Builders for greenways within the Highspire Estates subdivision. The township engineer has completed its review and at this time finds some outstanding issues, therefore they do not recommend the Board accept this offer of dedication at this time. The Board agreed with these recommendations and a follow up letter will be sent by the Township Secretary.

NEW BUSINESS

Jeff Gossert presented the Board with a timber-harvesting plan for the Heim property, located on Devereux Road. Property is approximately 185 acres with about 85 acres of woodlands. Of that 85 acres approximately 55 acres will be harvested. All wetlands and waterway channels will be protected with 20-50 feet no cut buffer areas that will be flagged. Average size of tree being harvested is 19.15 inches diameter. All loading of the trees will be done on site on an existing gravel lane that offers approximately 1,000 feet before entering Devereux Road. No bond is proposed for damage to Devereux Road, as the weight limit for the road is not posted and prior harvesting within the township did not require such a bond. Mr. Bock moved to allow the timber harvesting of the Heim property as present in the plan. Such activity to be monitored by the Zoning Inspector. Ms. Grashof seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

GASB 34 Audit proposal was discussed in the Board's last work session. Other municipalities will be contacted to see who they use for their audits and the township will try to get some additional proposals.

The proposed state legislation regarding Comcast has been placed on hold by the state. This matter will be tabled for a later date. Mr. McDonough stated that he would like Verizon to be contacted when this issue is revisited and see if they would like to attend the meeting along with Comcast. Mr. Bock is recused from this matter.

PennDOT has requested a Public Official's meeting to discuss the Springton Road bridge replacement. The Board has agreed that they do not want to have such a meeting and that the general public should be informed of this issue. PennDOT will be advised to attend a regular meeting of the Board.

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The Pennsylvania Municipal Retirement System (PMRS) announced an excess interest award of \$1,254 on the municipal pension plan. An excess interest award form must be completed to insure proper crediting of the award to the plan's accounts. Ms. Grashof move to credit the excess monies based on the earnings distribution of \$1,096 to the municipal account and \$158 to the member account. Mr. McDonough seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

An application has been received from GenTerra for a special exception hearing in front of the Zoning Hearing Board.

An executive session was held on November 1st to discuss legal issues.

PUBLIC COMMENT

Resident Beth Carpenter requested that the Board recognized Mr. McGrew for all of his service and hard work to the township over the years that he has served on the Planning Commission and as Chairman as well as Chairman of the Financial Planning Committee.

ADJOURNMENT

Meeting adjourned at 8:50 PM. Next meeting is Wednesday, November 15, 2006, at 8:00 AM.

Respectfully submitted,

Kimberly A. Milane-Sauro
Secretary