

**WALLACE TOWNSHIP BOARD OF SUPERVISORS**  
**October 1, 2009**

A Regular Meeting of the Wallace Township Board of Supervisors was called to order on Thursday, October 1, 2009 at 7:30 PM in the Township Building by Vice-Chairman Robert Jones.

Supervisors present: Robert Jones  
William Moore

Solicitor: Michael G. Crotty, Esquire

**Pledge of Allegiance**

The meeting was begun with a recitation of the Pledge of Allegiance.

**Executive Session**

None.

**Correspondence**

Ninety-four (94) pieces of correspondence were noted as received. A list of the correspondence as well as the individual pieces of correspondence is available for public inspection.

**Minutes**

The minutes of September 3, 2009 and September 17, 2009, were presented for review by the Board. Supervisor Jones noted that the minutes for September 17, 2009, should be tabled as he was not present at that meeting. Supervisor Moore moved that the minutes for September 3, 2009 be approved as submitted. Supervisor Jones seconded the motion, which carried unanimously.

**Treasurer's Report**

Township Secretary/Treasurer Betty Randzin gave the Treasurer's report, which is available at the Township Building for review. Thirty-nine (39) invoices totaling \$55,576.44 were presented to the Township Supervisors for their approval. After discussion, Supervisor Moore moved that the thirty-nine (39) invoices totaling \$55,576.44 be authorized for payment. Supervisor Jones seconded the motion, which carried unanimously.

**Pennsylvania State Police**

A report was submitted, which is available for review. There were fifty-two (52) calls for service in September, which Supervisor Jones summarized. Resident Frank Duca commented

that his home was burglarized recently and he questioned as to whether the Township could initiate a way to publicize such incidents to all local residents. Supervisor Moore noted that a notice could be placed in the newsletter from the State Police. Supervisor Jones further noted that he has spoken with the State Police about the burglary at Mr. Duca's residence and he will continue to follow up on the status of the investigation. Further discussion ensued as to claims that Verizon representatives are violating the Township's Solicitation Ordinance. Residents were advised that any door-to-door salesmen are required to obtain a permit from the Township and that the residents can request to see the permit from solicitors.

### **Glenmoore Fire Company**

No report.

### **Elverson Ambulance**

Supervisor Jones provided a report for the Board of Supervisors. The Elverson EMS Finance Committee has not met since the last BOS meeting. The Township has provided its 2008 and 2009 contributions, and a thank you letter was forwarded from Elverson, which was read aloud at the meeting by Supervisor Jones. In discussions with the representatives from Elverson EMS, it was noted that the Township should expect the same level of contribution to be required for next year. Additional discussion ensued by residents in the audience as to the benefits of the residents becoming members of the applicable ambulance company in order to reduce costs in the event that the individual needs ambulance services. The Township will follow up with Elverson EMS and Uwchlan Ambulance Corps as to placing a statement in the Township newsletter.

### **Park and Recreation Board**

Nanette Hervey gave the report for the Park and Recreation Board. The Park and Recreation Board is preparing for the Halloween events, including a parade, games and trick-or-treating, on October 31, 2009, from 4:00 p.m. to 6:00 p.m. in Wagenseller Park. Ms. Hervey will follow up with the Fire Company to inquire as to whether it will participate with the truck and treat event. Ms. Hervey also presented the Board with an estimate for the potential costs and supplies for the Halloween event. After discussion, Supervisor Moore moved that the Township authorize the Park and Recreation Board to expend up to \$700.00 for the Halloween event. Supervisor Jones seconded the motion, which carried unanimously. Ms. Hervey also presented the Board with the 2010 budget for the Park and Recreation Board.

### **Historical Commission**

A report was provided by Jane Davidson, a written copy of which is available at the Township. The HC held its monthly meeting on September 28, 2009. The HC expressed their thanks to the BOS for the efforts at replacing the deteriorating roof on the Indiantown Schoolhouse. Ms. Davidson noted that the HC is continuing to work on its proposed ordinance revisions to Article X in the Zoning Ordinance. It will continue to work with the Planning Commission on the draft amendment. The HC is in the process of obtaining an estimate for work to stabilize the Lamb Tavern Springhouse, and is also continuing to work with PennDOT

regarding the HC's document requests concerning the Springton Road Bridge. Ms. Davidson further noted that obituaries were donated to the HC for Masano Lang and Catherine McBride. Next, Ms. Davidson noted the HC's preference to conduct annual inspections of various endangered historic resources within the Township. Permission from the applicable landowner would be required and the matter would have to be overseen by the Zoning Officer. The HC will create a list of threatened structures that it would like the Township to inspect. Next, Ms. Davidson noted that Elaine McGrew has submitted her resignation from the HC, which she has served on for almost thirty (30) years. Lastly, the HC will be submitting its 2010 budget to the Township Secretary shortly. In this regard, the HC is requesting that \$1,000 be set aside for the services of a professional historical consultant. Supervisor Jones noted that the ultimate determination of hiring the professional would be a decision of the Board of Supervisors. Supervisor Moore further noted that the HC should forward their comments on Article X to the Planning Commission in short order so that the language can be reviewed and discussed. The Planning Commission is looking to forward the full ordinance revision packet to the Supervisors by the end of this calendar year.

### **Trails Preservation Board**

No report.

### **Wallace Trust**

No report. .

### **Municipal Authority**

No report.

### **Planning Commission**

Supervisor Moore noted that the Planning Commission's last work session was cancelled. The Planning Commission is continuing to work on the revised ordinances. Additionally, Supervisor Moore noted that Seibert has submitted a ninety (90) extension request for her pending subdivision. Supervisor Moore noted that Seibert and others are delinquent on payment of the required professional consultant fees. After discussion, it was determined that she and other applicants are delinquent, and the Solicitor's office will prepare and transmit letters to direct the applicants to remit the appropriate payments. Solicitor Crotty also noted that Seibert has just obtained its required DEP approvals, and that the project should move forward toward completion in the near future. After discussion, Supervisor Moore moved that the Seibert subdivision application extension be granted for a period of 90 days, until January 29, 2010. Supervisor Jones seconded the motion, which carried unanimously.

### **Old Business**

a. Fall Bulk Trash Day: Supervisor Jones announced that Fall Bulk Trash day would take place on Saturday, October 3, 2009, from 9:00 a.m. until noon.

b. Halloween Party: Supervisor Jones again announced that the Halloween Party and parade will be held from 4:00 p.m. to 6:00 p.m. at Wagenseller Park. Resident Scott Juenger inquired as to whether the appropriate fire and police entities were notified. Supervisor Moore noted that they were and that this issue was addressed at the last BOS meeting. The Township Secretary confirmed that the police, fire companies and PennDOT were informed of the event. Two fire police will be in attendance and the fire company is looking for additional volunteers.

### **New Business**

a. Highspire Road: Solicitor Crotty noted that the Township Engineer has submitted the Highspire Road bid spec package for advertisement. The bid spec packet has been approved by PennDOT, and comments were provided by the Township Solicitor's office. After discussion, Supervisor Moore moved that the Township advertise the Highspire Road bid spec package, with bids to be submitted on or before November 4, 2009, at 4:00 p.m. to the Township office, and with the bids to be opened on November 5, 2009, at 7:30 p.m. Supervisor Jones seconded the motion, which carried unanimously.

b. Goodwin Property: Mr. and Mrs. Douglas Goodwin were in attendance to request that the Board of Supervisors take action in having their property declared as a nonconforming use for purposes of the number of horses on the property. The realtor for the Goodwins, Shelly Henry Carter, was also in attendance and noted that the Goodwins are looking to sell the property but wanted to confirm that the buyer will have the ongoing right to keep five (5) horses on the property. Approximately five (5) acres of the property is provided as pasture land. After discussion, Supervisor Moore noted that the Goodwins should follow up with the Zoning Officer in order for him to issue a determination, and should forward to him a written statement or declaration signed by them that sets out the facts supporting their claim. The Supervisors do not have the authority to make the determination. Additionally, the Supervisors noted that they would follow up with the Zoning Officer as to the resolution of this issue.

c. Devereux Wagon Donation: The Township Secretary announced that, by letter from Devereux, it is formally donating the wagon to the Township. The Township has maintained the wagon for the past year. The Township Secretary noted that the road foreman is in the process of painting and securing the wagon.

d. PennDOT Creek Road Speed Limit: The Township Secretary announced that PennDOT has written the Township to confirm that it has completed a speed study of Creek Road, between its intersections with Fairview and Springton Roads. Based on the study, PennDOT has authorized the speed limit to be lowered to 30 miles per hour. Supervisor Moore moved that the Road Foreman be directed and authorized to secure and erect any necessary signage to lower the speed limit on the portion of Creek Road (between Fairview and Springton Roads) to 30 mph. Supervisor Jones seconded the motion, which carried unanimously.

e. Municibid Items: Supervisor Jones inquired as to the status of the two Ford Expeditions and the Ford F-150 truck that were put to bid on Municibid. The Township Secretary noted that she left another message for the purchaser of the Ford F-150 and is awaiting a response. Solicitor Crotty noted that the Solicitor's office sent a letter to Howard Stone, the successful bidder for the two (2) Ford Expeditions, to notify him that he is in default and, that if

payment is not received within seven (7) days, the Township would consider the agreement to purchase void. The seven (7) day period has expired and Mr. Stone has not paid for the vehicles. Solicitor Crotty noted that, based on the Township's complaint, Municibid has deactivated Mr. Stone's account. Supervisor Jones noted that he would follow up with Elverson EMS as to whether it would like one of the vehicles as either an offset to the Township's contribution amount or as a charitable deduction. Supervisor Moore requested that the Solicitor forward the successful purchaser a letter similar to that provided to Mr. Stone.

f. PennDOT Announcement: The Township Secretary announced that PennDOT has opened the bridge on Route 82.

g. H1N1 Notice: The Township Secretary noted that the Pennsylvania Department of Health has created a website that sets out the precautions that people should take in order to avoid getting the H1N1 virus.

h. Chester County Day: The Township Secretary announced that Saturday, October 3, 2009, is Chester County Day, which involves various events around the County to raise money for the Chester County Hospital. For the historic tour, the Heim property has been selected by the County.

### **Public Comment**

a. Resident Bob Schiemann, 10 Andrews Lane, was present to request a status update on his complaints about the condition of his neighbor's property. Supervisor Jones noted that the Zoning Officer has sent in a written update, which was read aloud. The property owner is in the process of putting up the siding so that the open building permit can be closed out. The Zoning Officer did not find there to be any other zoning or code violations on the property. Mr. Schiemann disagrees with the Zoning Officer and believes that the burning activity, the piles of rubbish and deer carcass on the property are in violation. The Supervisors noted that they would request the Zoning Officer to respond directly to Mr. Schiemann's prior correspondence as to whether other violations exist. If Mr. Schiemann is not satisfied with the response, he can take an appeal to the Zoning Hearing Board.

### **Adjournment**

Supervisor Moore moved that the meeting be adjourned. The motion was seconded by Supervisor Jones, which carried unanimously. Meeting adjourned at 9:35 PM.

Respectfully submitted,

Betty Randzin  
Township Secretary