

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF SUPERVISORS  
SCHUYLKILL TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA  
HELD ON July 1, 2020  
SCHUYLKILL TOWNSHIP BUILDING, 111 VALLEY PARK ROAD, PHOENIXVILLE, PA 19460**  
*Duly advertised in The Pottstown Mercury and posted on www.schuylkilltwp.com*

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*The June monthly meeting was duly advertised and held electronically  
through the GoTo Webinar application via telephone and the internet*

**IN ATTENDANCE**

Board of Supervisors

Martha Majewski – Chair, Susan Guerette – Member, Bob Cooney – Member, Mark Donovan – Member  
Supervisor Fred Parry was absent from this meeting.

Township Administration

William Brennan, Esq. – Township Solicitor, Russell Benner, PE – Township Engineer, Madeline  
Harbison – Township Secretary, E.J. Mentry – Township Manager/Treasurer.

**CALL TO ORDER**

The virtual monthly public business meeting was called to order at 7:55 p.m. with the Pledge of  
Allegiance. The meeting was chaired by Supervisor Majewski.

Supervisor Majewski announced that an executive session was held this evening, July 1, 2020, to  
discuss litigation matters.

Mr. Mentry gave a brief overview of the virtual meeting protocols and reminded attendees that  
question and comments could be submitted at any time during the meeting via the question submittal  
box on the webinar dashboard. The submittals would be read aloud at the appropriate time in the  
meeting.

**CONSENT AGENDA**

1. Approval and acceptance of the Minutes of the June 3, 2020 Board of Supervisor business  
meeting and the June 18, 2020 work session meeting.
2. Acceptance of all departmental, committee, commission, and council reports as posted and  
received by the Board of Supervisors for the month of June 2020.

Upon **motion** by Supervisor Majewski seconded by Supervisor Guerette, and unanimously passed, the  
Board of Supervisors of Schuylkill Township approved and accepted the Consent Agenda.

**TREASURER'S REPORT AND PAYMENT OF BILLS**

Mr. Mentry, Treasurer, advised the Board that because the business meeting was the first of the  
month, the June figures on the Treasurer's report before the Board are through June 28<sup>th</sup>. Mr.  
Mentry reported to the Board that as of June 28, 2020, the Township's general fund shows a balance  
of \$4,381,507. All other Township funds increased or were unchanged for the month of June with  
the exception of the Capital Roads Fund due to curbing work done in June. The Township is at  
about 52% of budgeted revenue for the year. 94% of real estate tax revenues have been realized. EIT  
collections are down about \$107,000 from last year. Expenditures are at 31% of budget. Mr. Mentry  
advised the Board that he has reviewed the bills to be paid for July and recommended payment of  
those bills.

Upon **motion** by Supervisor Majewski, seconded by Supervisor Guerette, and unanimously passed, the  
Board of Supervisors of Schuylkill Township approved and accepted the Treasurer's Report for the  
period ending June 28, 2020 and authorized payment of Township bills for the period ending June 30,  
2020.

## **TWO-MINUTE REPORTS**

Supervisor Guerette commended the Township's Environmental Advisory Council for their weed cleanup in the Pickering Preserve and expressed the Board's appreciation for their stewardship of this Township park.

Supervisor Donovan reported that the group Ready for 100, an advocacy group ([readyfor100.org/delcopa](http://readyfor100.org/delcopa)) which is part of a national, grassroots movement of people working to inspire local leaders and municipalities to fight climate change and embrace a vision of healthier communities powered with 100% clean, renewable energy, gave a presentation to the Phoenixville Regional Planning Committee. Supervisor Donovan said he would go into more detail at the Board's work session.

Supervisor Cooney advised the Board that the Historical Commission has had successful communications with the new owner of the Anderson Farm barn as well as the owners of the historic building on Oakwood Lane. The HC continues to monitor the historic Rossiter House on South Whitehorse. The on-going restoration of the stone building in Valley Park Municipal Park is proceeding on schedule.

Supervisor Majewski reported that some amenities have been installed in Valley Park and more will be put in place after the holiday. The trolley rail exhibit is going forward.

The Township Manager reported on various matters:

- The EAC's energy audit for the Township is in progress; authorization has been provided for access to the Township's PECO records.
- 1422 Tullamore Lane – as a follow up to the Board's discussion at the June workshop, LTL's report on the project was provided to the Board and the required grading permit is under review by the Township Engineer
- The Township office is closed on Friday, July 3, in observance of the Independence Day holiday
- A traffic calming request was received by the Township on June 30<sup>th</sup>; residents on Moorehall Drive are concerned about the road being used as a cut-through. The request is under review by the Township Manager, Roadmaster and Police Chief.
- 2020 Paving and Curb Repair Program have been completed; the paving was completed \$250,000 under budget. Mr. Mentry commended the Roadmaster and the Roads Department for an outstanding job.
- The submission deadline for the next newsletter is August 5<sup>th</sup>. The newsletter will be mailed to residents at the end of September.
- The tax refund overpayment policy under consideration by the Board is still under review with the Township's CPA and Solicitor.
- Suburban Archers has requested permission to hunt Pickering Preserve for the 2020/2021 bow hunting season and has offered to walk the property with the EAC to assist in identifying any issues. This will be before the Board at the August meeting.

## **BOARD DISCUSSION ITEMS**

### **OLD BUSINESS**

Introduction of new Township Engineer. The Board welcomed Mr. Russell G. Benner, Jr., PE of T and M Associates. Mr. Benner thanked the Board for the appointment and said he looks forward to working with the Township and its residents.

Township Response to COVID-19/Reopening Plan and Procedures Update.- Mr. Mentry advised the Board that the July 6<sup>th</sup> soft reopening of the Township office has been postponed. Several protocols for safeguarding the health and safety of residents and staff are still in progress. Staff is still working full-time in a remote capacity with minimal staff present in the office each day. Supervisor Majewski advised the Township Manager to take the time needed to ensure all safety precautions and protocols are in place prior to reopening.

#### **NEW BUSINESS**

Valley Park Municipal Park Improvements Project - Consideration of Approval of Payment Application No. 5 (Final) in the amount of \$39,605.50 to James R. Kenney Excavating & Paving, Inc.

Upon **motion** by Supervisor Majewski, seconded by Supervisor Donovan, and passed, the Board of Supervisors of Schuylkill Township approved and authorized Payment Application No. 5 (Final) to James R. Kenney Excavating & Paving, Inc. for the amount of thirty-nine thousand, six hundred five dollars and fifty cents (\$39,605.00) per the June 26, 2020 Gilmore & Associates, Inc. recommendation letter (File No. 18-11029T). Approval is conditioned upon the receipt by the Township of the required Maintenance Bond, Contractor's Affidavit, Contractor's Release of Liens, and Consent of Surety to Final Payment documents.

Discussion – Valley Park Municipal Park (the “Park”) Grants Update

Mr. Mentry advised the Board that there are two open grants for the Park, both for \$100,000. The Pennsylvania Department of Conservation & Natural Resources (“DCNR”) grant is ready to be closed; the Township is waiting for the final site inspection, scheduled for July 7<sup>th</sup>, to be completed. If the inspection is satisfactory, a reimbursement request will be submitted. The second grant, a Chester County Municipal Grant Program award, final reimbursement submission has been delayed by a Chester County Conservation District finding on the Park's infiltration basin. Once a corrective action plan is in place, final reimbursement will be pursued. Discussion ensued regarding the recommended corrective action.

Discussion: Next Steps for the Park and Future Phases

Mr. Mentry said that once the corrective action plan mentioned previously has been implemented, the Park's NPDES (National Pollutant Discharge Elimination System) permit may be closed. He further explained that when the Park concept plan was designed, there were two phases to its development. The first phase has been completed; the second potential phase would involve the installation of additional parking, an extension of the driveway – all additional impervious coverage. If the Board wishes to consider the implementation of this second phase, it would be more cost-effective to delay the closing of the NPDES permit. Supervisor Majewski gave a brief summary of the reasons behind the second phase concept, stating that it was mainly to address parking overflow issues should they arise. She stated that parking does not appear to be a problem and polled the Board for opinions on whether to move forward with the second phase. The Board concurred that the second phase was not necessary at this time.

#### **RESOLUTIONS / ORDINANCES**

Ordinance 2020-02 Amending the Township Code by Creating a new Chapter 98, Article III – Nuisances Created by Animals

Upon **motion** by Supervisor Majewski, seconded by Supervisor Donovan, and passed, the Board of Supervisors of Schuylkill Township approved the advertisement of Ordinance 2020-02 Amending the Township Code by Creating a new Chapter 98, Article III – Nuisances Created by Animals.

Ordinance 2020-03 Amending Chapter 340 Traffic and Parking

Upon **motion** by Supervisor Majewski, seconded by Supervisor Donovan, and passed, the Board of Supervisors of Schuylkill Township does hereby adopt and enact Ordinance 2020-03 Amending Chapter 340 Traffic and Parking of the Township Code.

Ordinance 2020-04 Adopting Regulations for the Use of Township-Owned Parks and Open Space

Upon **motion** by Supervisor Majewski, seconded by Supervisor Donovan, and passed, the Board of Supervisors of Schuylkill Township does hereby adopt and enact Ordinance 2020-04 Regulations for the Use of Township-Owned Parks and Open Space.

Resolution 2020-21 Amending the Schuylkill Township 2020 Fee Schedule

Resolved, upon **motion** by Supervisor Majewski, seconded by Supervisor Guerette, and passed, the Board of Supervisors of Schuylkill Township does adopt Resolution 2020-21 Amending Resolution 2020-03, 2020 Schuylkill Township Fee Schedule with the Inclusion of the Rates and Charges of T & M Associates.

Resolution 2020-23 Establishment of a Transportation Impact Fee Advisory Committee (“TIFAC”)

Resolved, upon **motion** by Supervisor Majewski, seconded by Supervisor Guerette, and passed, the Board of Supervisors of Schuylkill Township does Resolution 2020-23 Establishing a Transportation Impact Fee Advisory Committee and Authorizing the Preparation and Public Advertisement of the Schuylkill Township Notice of Intention to Adopt a Transportation Fee Ordinance Pursuant to Act 209 of 1996.

**SUBDIVISION / LAND DEVELOPMENT**

Valley Forge Greene Townhomes Development Stormwater Management. Resolution 2020-22 Stormwater Management Plan Modification

Resolved, upon **motion** by Supervisor Majewski, seconded by Supervisor Donovan, and passed, the Board of Supervisors of Schuylkill Township does adopt Resolution 2020-22 Approving the “Drainage & Stormwater Management Report and Erosion Control Narrative Valley Forge Green Townhomes 32-Unit Townhouse Development” dated February 7, 2020 prepared by Wilkinson & Associates, Inc. and the plans titled “Final Land Development Plan” consisting of Sheet 1, Improvements Plan and Sheet 2, Post-Construction Stormwater Management Details, prepared by Wilkinson & Associates, Inc., dated February 12, 2020 and last revised June 18, 2020, with the following conditions: (1) The total allowed additional impervious coverage of 7,200 sq. ft. shall not be exceeded; and (2) “The Declaration of Valley Forge Greene, A Planned Community” document, as yet unrecorded, shall be in conformance with this Resolution prior to its signing and / or recordation; and (3) The Amendment to Stormwater Best Management Practices (BMPs) and Conveyances Operations and Maintenance Agreement in the form attached hereto as Exhibit “A” shall be executed and recorded.

Mr. Mentry read into the record a question submitted via email on June 30, 2020 by resident Heidi Connor, 120 Ferry Lane. Ms. Connor asked “with the addition of the new town-homes of Valley [Gorge] Greene located at Pawlings Rd and Ferry Lane, will there be a flashing light, 4 way stop sign or a traffic light installed at that intersection? Also, when are the OLD power poles going to be taken out since the new ones were installed on Ferry Lane?”

Mr. Mentry advised the Board that the intersection would be governed by a 4-way stop. Regarding the old power poles, they are owed by PECO and the developer must wait for the utility to remove them. Tentatively, the removal will happen in mid-July.

**ADDITIONAL BUSINESS**

July 16, 2020 Board of Supervisors Work Session. Mr. Mentry requested that the July work session be cancelled. The Board concurred.

Tree Ordinance. Supervisor Guerette stated that the tree ordinance has been reviewed by the EAC and asked what the next step in the process should be to move it forward. Supervisor Majewski requested the ordinance be on the July Planning Commission agenda. Mr. Mentry said he would also send it to the Township Engineer and Township Solicitor for review and comment.

**ANNOUNCEMENTS**

Supervisor Donovan informed the Board that there is a new order from the Secretary of Health putting mandating mask wearing in public.

Supervisor Majewski reiterated that the due date for newsletter content submission is August 5<sup>th</sup>.

**PUBLIC PARTICIPATION**

Mr. Mentry read into the record a question submitted via email on July 1<sup>st</sup> from John Finley III, 950 Valley Forge Road, King of Prussia. Mr. Finley asked “I am interested in any up date on the zoning decision for Wawa Markets on the north end of the township?” Mr. Mentry advised the Board that the zoning decision rendered on this development by the Township Zoning Hearing Board (the “ZHB”) denying certain variance requests was appealed by the developer but the appeal was withdrawn making the ZHB decision final. Mr. Brennan added that recently one of the three lots slated for the Wawa development was sold. The historic Rossiter House is on the lot which was sold. Easements were reserved on this lot. There is on-going litigation between the property owner and the development company but there is no new information available to the Township.

**ADJOURNMENT**

There being no further business before the Board, the meeting was adjourned at 9:05 p.m. upon **motion** of Supervisor Majewski, seconded by Supervisor Cooney and passed by the Board of Supervisors of Schuylkill Township.

**NEXT BOARD OF SUPERVISORS’ MEETING**

Board of Supervisors July Virtual Work Session.....Cancelled

Board of Supervisors Virtual Business Meeting.....Wednesday, August 5, 2020 at 7:30 p.m.

Respectfully submitted,

Madeline Harbison  
Township Secretary