

Monthly Meeting  
Board of Supervisors  
Township of West Caln  
Monday May 9<sup>th</sup>, 2011  
*Updated*

The regular monthly meeting of the West Caln Township Board of Supervisors was held on Monday May 9<sup>th</sup>, 2011 at 7:00 PM in the Township Municipal Building. In attendance were Chairman Pfitzenmeyer, Vice-Chairman Price, Supervisor Martz, Police Chief Martinez, Road Foreman Touchton, Solicitor Moskovitz and Assistant Manager Vaughn. There were 21 citizens present.

Chairman Pfitzenmeyer opened the meeting at 7:00 PM by leading the pledge of allegiance and the following business was then conducted:

1. Citizen Comments

- a. Dan Rodgers of 643 Old Wilmington Road raised a concern regarding the keeping of animals sections within the Zoning Ordinance. Mr. Rodgers stated that his neighbors own approximately 2.2 acres and lease the rest of the needed land by ordinance from a neighbor. Mr. Rodgers stated that the animals are kept entirely on the 2.2 acre tract and not on the leased land. Solicitor Moskovitz stated that he and Zoning Officer Vaughn have looked into this problem, there is a lease in place and on file with the Township. Mr. Moskovitz stated that Mr. Vaughn and he will revisit this to see if there is anything additional that the Township can do.
- b. Bill Sharp of Oak Lane reported a sink hole on Oak Lane. Road Foreman Touchton reported that the materials for this repair are on order and when everything has been received the job will be completed.
- c. Bob Stewart of West Kings Highway questioned whether the rumors of downsizing the police force were true. All three supervisors stated they have no intentions of downsizing the police force. A discussion ensued about the appropriate funding needed to increase the police coverage within the Township.

2. Treasures Report for April 2011

- a. Assistant Manager Vaughn presented the April 2011 Treasurer's report prepared by Township Treasurer Johnson. A motion was moved by Supervisor Martz to approve the report as presented with a second by Vice-Chairman Price. Vice-Chairman Price asked Treasurer Johnson if the earned income tax is still down. Treasurer Johnson reported it is about \$70,000 down but she expects that number to catch up after the first quarter returns are reconciled which will be approximately the middle of May. The motion carried 3-0.

3. Supervisors Meeting Minutes Approval

- a. A motion was moved by Supervisor Martz to approve the April 11<sup>th</sup> and April 25<sup>th</sup>, 2011 Supervisors meeting minutes with a second by Vice-Chairman Price. Chairman Pfitzenmeyer stated that the pricing on the tennis camp approval was incorrect from the April 25<sup>th</sup> minutes. This \$100 is a flat fee, not a per week fee. Chairman Pfitzenmeyer moved to make this change, with a second by Vice-Chairman Price. Patricia Johnson asked what would happen if someone who paid for a tennis court key would like to use the tennis courts during this time. Chairman Pfitzenmeyer stated there would be signs posted to communicate this time commitment on the courts. Both motions carried 3-0.

4. Planning Commission Report from May 2011

- a. No meeting was held.

5. Police Report for April 2011

- a. Police Chief Martinez reported that the West Caln Police Department worked 1,262 hours; traveled 9,117 miles; handled 1,105 complaints; investigated 6 accidents; and made 123 arrests for the month of April. Chief Martinez also reported that he received a \$1,000 grant from buckle-up PA for traffic enforcement.
- b. Chief Martinez also read various thank you letters for services rendered.

6. Managers Report for April 2011

- a. No Report

7. Fire and EMS Reports for April 2011

- a. Deputy Fire Chief Gerald Patton of the Wagontown Fire Company reported that the fire company responded to 19 emergencies during the month; 10 in West Caln, 1 in West Brandywine and 8 in other municipalities.
- b. Fire Chief Dan Metzler from the Martins Corner Fire Company reported that the fire company responded to 15 emergencies during the month; 8 in West Caln, 1 in West Brandywine and 6 in other municipalities.
- c. Fire Chief Dan Metzler from the Martins Corner Ambulance Service reported that the ambulance service responded to 97 emergencies during the month; 39 in West Caln, 39 in West Brandywine and 17 in other municipalities.

8. Code Enforcement & Fire Marshal Report for April 2011

- a. Code Enforcement Officer Vaughn reported that there were 10 building permits, 7 use & occupancy permits, and 1 zoning permit issued for the month. There were 4 violation notices given and 24 inspections completed as well.
- b. Fire Marshal Peters issued 23 burn permits for the month of April.

9. Road Department Report for April 2011

- a. Road Foreman Allen Touchton reported that the road crew completed road sweeping through-out the Township; put winter equipment away; installed a new storm-water pipe on Telegraph Road; repaired wash out and sink hole on Neal Road; graded Neal, Lilly & Martins Corner Roads; on-going mowing of roadways; repaired wash out on North Sandy Hill Road.

10. Historical Commission Report for April 2011

- a. Susan Gritz-Miller reported that the Historical Commission would be meeting on May 10<sup>th</sup>. Ms. Gritz-Miller requested a cleaning of the Ferguson House, help moving book cases and who owned the fire tower on Telegraph Road.

11. Parks and Recreation Report for April 2011

- a. Gerald Patton reported that all park activates and maintenance are on-going.

12. Correspondence

- a. None

13. Old Business

a. Zoning Ordinance Amendment

- i. Solicitor Moskowitz presented a Zoning Ordinance Amendment to the RR District, Conventional Sub-Division Section, Side Yard set-back requirements. The proposed change would change this to 25 feet. Supervisor Martz moved to accept the amendment with Vice-Chairman Price seconding the motion. With there being no comments, the motion passed 3-0.

b. Act 537 Plan

- i. Solicitor Moskowitz reported that the plan has passed the 30 day citizen comment timeframe, and now it is into the additional 30 day comment timeframe for the Chester County Health Department, Chester County Planning Commission and the West Caln Township Planning Commission.

- c. Bill Sharp requested a status update on a water problem that is reportedly occurring on Oak Lane. Solicitor Moskowitz stated that an ordinance was located that can be enforced upon. Once the problem is witnessed occurring by a Township staff member, enforcement proceedings can begin if needed. Mr. Sharp asked why it cannot start now, and Mr. Moskowitz explained it would hold up better legally if it isn't months old as that was the last time the problem was witnessed occurring. Mr. Sharp was instructed to contact Codes Officer Vaughn as soon as the problem occurs and Mr. Vaughn can take pictures of the reported problem.

#### 14. New Business

##### a. Emergency Operations Plan

- i. Chairman Pfitzenmeyer reported that the Emergency Operations Plan has been updated for the Township and that he requested David Stein to be appointed as Deputy Emergency Management Coordinator. Supervisor Martz presented a motion denoting such. Vice-Chairman seconded the motion. Chief Metzler of the Martins Corner Fire Company asked if the Fire Company and Police Department would be forwarded a copy of this plan. Chairman Pfitzenmeyer stated that both organizations would receive such. The motion passed 2-0 with Chairman Pfitzenmeyer abstaining.

##### b. Committee Re-Appointments

- i. Chairman Pfitzenmeyer moved to re-appoint Dave O'Leary to the Parks & Recreation Committee. Supervisor Martz seconded the motion. With there being no comments, the motion passed 3-0.
- ii. Chairman Pfitzenmeyer moved to re-appoint Barbara Goodman to the Historical Commission. Supervisor Martz seconded the motion. With there being no comments, the motion passed 3-0.

- c. Chairman Pfitzenmeyer announced numerous dates on when they are trying to set up a joint meeting with West Brandywine Township regarding Emergency Services. Once a date is set, it will be properly advertised. Police Chief Martinez asked if this involved the Police Department and Chairman Pfitzenmeyer stated it was a joint meeting to discuss Fire and Ambulance service and this is a regular meeting the two municipalities have.

#### 15. Solicitors Report

##### a. Solicitor Moskowitz gave an update on the following Calnshire issues:

- i. Monies Owed – Mr. Moskowitz reported that Mr. Toadvine reported the balance of the money owed to the Township will be paid by week's end.

- ii. Financial Securities Agreement – Mr. Moskowitz reported that the escrow amount has been reviewed by the Township Engineer with the rising oil prices and he suggested an increase of \$11,915. Americorp Homes reported that they have done improvements totaling that amount but has not taken it from the escrow at this point. All parties feel it is sufficient that Americorp will not take the monies from the escrow and the escrow will not have to be increased.
  - iii. Roadway Dedication – Mr. Moskowitz reported that a contract should be signed within the next week or so regarding the paving of the roadways. He also reported that Mr. Toadvine reported that if the paving is not completed by the end of July, they would suspend all rights from applying to building permits.
- b. Patricia Johnson asked about the status of the Lilly Woods and Toby Road past invoices as well as the John Cerimele open escrow. Mr. Moskowitz reported he has not sent anything out regarding Lilly Woods and Toby Road due to the amount that is owed. Chairman Pfitzenmeyer stated Manager Dunlap has contacted Mr. Cerimele but Mr. Cerimele has failed to respond.

#### 16. Sub-Division Approval & New Sub-Divisions

- a. None

Rose Dmytryk reported to Codes Officer Vaughn that the tree possibly causing the wall to crumble at 220 Old Wilmington Road has been removed. Road Foreman Touchton reported that the wall appears to have been re-mortared.

Vice-Chairman Price asked Police Chief Martinez if there has been progress about the guard rail located on South Sandy Hill Road. Mr. Martinez reported he is in the process of setting up a meeting with the property owner, Penn Dot and himself.

A motion was moved by Supervisor Martz for adjournment, with a second by Vice-Chairman Price. The motion carried 3-0 and the meeting was adjourned at 7:42 PM.

Respectfully Submitted,



Neil D. Vaughn  
Assistant Township Manager

APPROVED: 6-13-11