

APPROVED

**WALLACE TOWNSHIP BOARD OF SUPERVISORS
MAY 5, 2004**

The Chairman called the Meeting of the Wallace Township Board of Supervisors to order on Wednesday, May 5, 2004, at 7:35 PM in the Municipal Building.

Supervisors present: Louis T. Schneider, Chairman
Robert V. Bock, Member

PUBLIC COMMENT

Bryan McDonough inquired into the status of a dumpster at the fire hall. The secretary stated that the office has been looking into getting some pricing. Mr. McGrew stated that a dumpster is available at the behind the East Brandywine Township

MINUTES

Mr. Bock mentioned one change to the April 7th minutes – Pg. 5, \$500 needs to be changed to \$5,000. Mr. Bock moved to approve the minutes of the April meetings as amended. Mr. Schneider 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 April totaled \$187,390.07.

35 bills payable from the General Fund were not approved due to a difference in amounts listed on the agenda and the check summary report. This matter will be addressed at our next meeting.

Mr. Schneider moved to approve one (01) bills, payable from the State Fund, for the month totaling \$680.00. Mr. Bock seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

CORRESPONDENCE

1. DEP to Steepleview, dated 4/9/04, re: Earth disturbance report
2. Nave Newell to Tim Wloczewski, dated 4/13/04, re: Road Occupancy Permit for Hide-A-Way Farms
3. Castle Valley Consultants to Twp. Secretary, dated 4/19/04, re: Chalfant/St. Giles escrow agreement
4. Downingtown CTC to Twp. office, dated 4/20/04, re: school resource officer program
5. Uwchlan Ambulance to Jeff Seese, Fire Chief, dated 4/22/04, re: request for copy of current EOP for Wallace
6. Castle Valley Consultants to Twp. Secretary, dated 4/22/04, re: E&S Control measures for the Steepleview subdivision

7. Andrew Rau to Martin Weis, Esq., dated 4/23/04, re: Chalfant/St. Giles escrow agreement
8. Tim Wloczewski to Andrew Rau, dated 4/26/04, re: update on work to be completed in the Chalfant/St. Giles subdivision per escrow agreement
9. Dan Shoemaker to Evans Mill Environmental, dated 4/26/04, re: Rorke/Wadsworth treatment plant
10. Wallace Township Planning Commission to Board of Supervisors, dated 4/26/04, re: review of the Regional Open Space Priorities Report
11. Wallace Township Planning Commission to Board of Supervisors, dated 4/26/04, re: review of the plans submitted by PennDOT for the replacement of one of the Springton Road bridges
12. Chester County Conservation District to Twp. office, dated 4/27/04, re: Dirt and Gravel Road Grant Program
13. Wallace Township Planning Commission to Board of Supervisors, dated 4/26/04, re: recommendation letter for the Edgemoor Run subdivision (Bernard property)
14. Castle Valley Consultants to Anderson Homes, dated 4/30/04, re: roadside swales within the Steepleview subdivision
15. PECO to Twp. office, dated 4/30/04, re: updates on service within Wallace Township
16. Karla Harlan to Wallace Township Planning Commission, dated 5/3/05, re: waiver requests from the applicant for Old Orchard Estates

ZONING REPORT

Tim Wloczewski reported that seven (7) new building permits were approved last month as follows:

- #04-15 – 80 Indiantown Road (Shed)
- #04-16 – 21 Wycombe Drive (House)
- #04-17 – 30 Keldon Court (In-ground Pool)
- #04-19 – 1191 N. Manor Road (Fence)
- #04-20 – 211 Barneston Road (Home Occupation)
- #04-23 – 15 Styer Road (Fence)
- #04-24 – 71 Longview Drive (In-ground Pool)

An enforcement notice was issued to Mr. and Mrs. Roberts, owners of 120 Lovell Lane, requiring compliance with Township ordinances regarding passive agricultural use regulations. The homeowners currently have an abundance of farm animals still existing on their property. They were previously sent a notice of compliance in April and to date have not complied.

There has been no activity within the Chalfant development. A notice to release escrow funds was sent to the bank.

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New UCC code books have been purchased and should arrive shortly. A copy will be available in the township office for review.

Mr. Bock inquire as to the status of the water issue on Barneston Road. Mr. Wloczewski stated that he has spoken to the homeowner and some work was done but it is still not correct. An enforcement notice will be sent once the original 60 days to comply has expired.

The sewage issue on Keldon Court is also nearing its 60 day expiration. A PA one call has been received for coil testing on the site but to date no work has been done.

POLICE REPORT

Chief Kocsi reported that for the month of April the activity report is as follows: 100 investigations; 74 traffic citations; 20 traffic warnings; 7 traffic accidents; 2 criminal arrests and 3 summary arrests.

Chief Kocsi stated that he is aware of a meeting scheduled to take place next Monday and he would like it known that there have been numerous safety issues regarding Devereux. The expansion of the facility will create a quality of life issue for the Wallace residents. Craig Kologie, Twp. Engineer stated that this meeting was for stormwater issues only.

HISTORICAL COMMISSION

Jaci Nicely reported that the Historical Commission has received the impact study for the Old Orchard Estates development as well as two letters regarding the Bernard property and they will be reviewing both. The commission will also be looking into the purchase of an additional fire proof file cabinet.

Jane Davidson will be looking into the reconstruction of the Springton Road Bridge. She will also try to determine where funds are coming from for the work. If funds are being provided by federal government then there could be more leverage regarding the historical significance of the bridge.

PARK BOARD

Jill Givler reported that the Park Board is currently looking for some new members. They are compiling the data received from the on-line survey as well as the survey sent out in the newsletter. GGS would like to have the water tested at the snack shack. They say it is brown. Mr. Schneider inquired as to whether a park board member would be interested in attending any meetings regarding the new park and Ray Park. Ms. Givler stated that they would like to be involved and to contact Greg Newell. He will be the point of contact regarding park construction.

PLANNING COMMISSION

Skip McGrew reported that the Planning Commission met on April 28th to discuss the Bernard subdivision. The Planning Commission has supplied the Board with a letter recommending approval of this plan. One change is recommended to the note section on the plans and that is to include that the Historical Commission be notified of any disturbance on the entire site and not be limited to Lot #8. Craig Kologie, Township Engineer, stated that he has reviewed the plan and is in concurrence with the Planning Commission's recommendations. Dave Beideman, engineer for the applicant, stated that he will be adding an additional note to the plan stating that no building permit will be issued until NPDES permits have been approved. Mr. Bock moved to approve the Bernard subdivision conditioned upon all requirements stated in the Planning Commission's letter of April 28, 2004, and the above mentioned note changes to the plan are met prior to release of the plans to the applicant for recording. Mr. Schneider seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

Mr. McGrew stated that he attended a meeting with Mr. Cooke and Mr. Eschbacher regarding the Wheeler subdivision. These two residents are neighbors to the Wheeler property and have some concerns regarding the placement of homes being close to theirs. This issue was not resolved and they will be attending the next Planning Commission meeting.

SUBDIVISIONS

1. #04-1 – Old Orchard Estates
2. #04-2 – Edgemoor Run (Bernard) – Reaffirmation of plan approval

VILLAGE TASK FORCE

Bryan McDonough reported that they did not have a meeting last month. He stated that the PA Historical Commission will be out on May 28th to reevaluate the boundaries within the Glenmoore Village.

OLD BUSINESS

Mr. Schneider moved to approve Resolution No. 04-9, Supporting The Upper East Branch, Brandywine Creek Watershed Conservation Plan And Listing The Upper East Branch, Brandywine Creek Watershed And Its Tributaries On The Pennsylvania Rivers Registry. Mr. Bock seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

NEW BUSINESS

Bid openings for road materials. Two bids were received. The breakdown is as follows:

Highway Materials	ID-2 Binder	27.70
	ID-2 Wearing	30.70
	¼" Anti-Skid	No bid
	Rip-Rap	No bid
	PA #2-A Modified	No bid
	PA #2-B	No bid
Martin Limestone	ID-2 Binder	No bid
	ID-2 Wearing	No bid
	¼" Anti-Skid	10.14
	Rip-Rap	14.00
	PA #2-A Modified	8.30
	PA #2-B	10.15

Mr. Bock moved to have Ed Smith review the bids and approve. Mr. Schneider seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

Mr. Bock read a motion as presented by the township solicitor as follows:

Pursuant to the Subdivision Escrow Agreement dated November 19, 2003, and the notice to Chalfant St. Giles, Inc. dated February 23, 2004 herein authorized, the Wallace Township Board of Supervisors hereby authorizes the Township solicitor to demand and draw from the Madison Bank escrow account the following sums relating to the Chalfant St. Giles subdivision:

1.	Roof Work on Lot 13:	\$ 17,157
2.	Roof-Related Water Damage, Lot 13 Interior:	\$ 960
3.	Basement Repair to Lot 13	\$ 750
4.	Engineering and Legal Services as of 4/16/04	\$ 9,672.93
	TOTAL:	\$ 28,539.93

The Township reserves the right to issue additional notices and make additional withdrawals from the Escrow Account pursuant to the Escrow Agreement.

Mr. Bock moved to approve the above motion. Mr. Schneider seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

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Mr. Bock read a motion as presented by the township solicitor as follows:

Pursuant to the Subdivision Escrow Agreement dated November 19, 2003, the Wallace Township Board of Supervisors hereby authorizes the Township solicitor to provide 60 notice to the Chalfant St. Giles, Inc. of the Township's intent to draw from the Madison Bank Escrow Account to complete or fund the completion of all items enumerated in Paragraph 9(f)(ii) of the Escrow Agreement. The April 19, 2004 letter of Castle Valley Consultants, Inc., indicating the developer's failure to complete the items by April 1, 2004 as required by the Escrow Agreement, is incorporated herein by reference.

The Township reserves the right to issue additional notices and make additional withdrawals from the Escrow Account pursuant to the Escrow Agreement.

Mr. Bock moved to approve the above motion. Mr. Schneider seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

PUBLIC COMMENT

Mr. Wloczewski stated that he has been receiving correspondence regarding the illegal timbering that took place in West Brandywine. DEP is continuing to monitor this situation.

The Wallace Trust was present to discuss maintenance of the Lamb Tavern Wildlife Preserve. Members present: Bitten Krentel, Susan Chady, Dan Wessels, and John Benson. Neighbors and interested parties present: Jenn Kupp – Creek Rd., Jeff Camp – Little Conestoga Rd., Steve Green – W. Whitetail Ridge, Phil Sears – E. Whitetail Ridge, Sandra Sewell – Lamb Tavern Dr., Don Cook – Fairview Rd., Jaci & Ken Nicely – Devereux Rd., Bill Moore – Barneston Rd., and Bryan McDonough – McConnell Dr.

Mrs. Krentel provided a brief summary regarding the acquisition of the land and the transfer of title to the Township. She explained that although the township owns the property the Trust would be responsible for maintenance. She further stated that she would like to make this a community effort and would like any help that any resident would be willing to provide. Mrs. Krentel further explained the maintenance requirements for the property as outlined in the maintenance program established by Herpetological Associates. Copies of this program booklet are available at the township building for review.

ADJOURNMENT

Meeting adjourned at 9:50 PM. Next meeting is Wednesday, May 19, at 8:00 AM.

Respectfully submitted,

Kimberly A. Milane-Sauro
Secretary