

APPROVED

**WALLACE TOWNSHIP BOARD OF SUPERVISORS
JANUARY 3, 2005**

The Organization Meeting of the Wallace Township Board of Supervisors was called to order on Monday, January 3, 2005, at 7:40 PM in the Municipal Building by Lou Schneider.

Supervisors present: Louis T. Schneider
Jane M. Shields
Robert V. Bock

REORGANIZATION

Mr. Schneider moved to appoint Jane M. Shields as temporary Chairman to preside over the organization meeting. Mr. Bock seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

Mr. Schneider moved to appoint Kimberly A. Milane-Sauro as temporary Secretary. Mr. Bock seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

Mr. Bock nominated Louis T. Schneider to serve as Chairman of the Board of Supervisors. Ms. Shields seconded the nomination. There being no further discussion or public comment, Mr. Schneider was unanimously elected Chairman for 2005.

Mr. Schneider nominated Robert V. Bock to serve as Vice Chairman of the Board of Supervisors. Ms. Shields seconded the nomination. There being no further discussion or public comment, Mr. Bock was unanimously elected Vice Chairman for 2005.

Mr. Bock moved to reappoint Kimberly A. Milane-Sauro as Secretary. Mr. Schneider seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

Mr. Schneider moved to reappoint Gabriella Taraschi-DiSantis as Treasurer. Mr. Bock seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

Mr. Schneider moved to reappoint Tim Wloczewski, as Township Zoning Officer/Building Inspector, Sewage Enforcement Officer (SEO) and Building Code Official. Mr. Bock seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

Mr. Bock moved to appoint Andrew D.H. Rau of Unruh, Turner, Burke, and Frees as Township Solicitor. Mr. Schneider seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

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Mr. Bock moved to reappoint Castle Valley Consultants as Township Engineer. Mr. Schneider seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

Mr. Bock moved to appoint Charles Zeiders as the Vacancy Board member. Mr. Schneider seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

Supervisory duties for 2005 are as follows: Road Department Liaison – Robert V. Bock; Police Liaison and reappointment to the Brandywine Regional Police Commission as a representative for Wallace Township – Jane M. Shields; and Buildings & Grounds – Louis T. Schneider.

Ms. Schneider moved to reappoint the following volunteers to new terms as follows:

Park & Recreation Board (5 year terms) –

Municipal Authority (5 year terms) – Michael Jorgenson

Planning Commission (5 year terms) – Skip McGrew and Steve Green

Zoning Hearing Board (5 year terms) –

Historical Commission (5 year terms) –

Special Fire Police (annual) – Rich Hlavacek, Bob Klinger, Steve Sheller and Tim
Cunningham

Mr. Bock seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

DARC representative for 2005 – position open

Mr. Bock moved to appoint DNB First, First Financial Bank, and PLGIT (PA Local Government Investment Trust) as depositories. Mr. Schneider seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

Mr. Bock moved to set the rate of compensation for the Board of Auditors at \$10.00/hour. Mr. Schneider seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

Mr. Bock moved to set the amount of the Treasurer's Bond limit at \$500,000. Mr. Schneider seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

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Mr. Bock moved to established the meeting schedule for 2004 as follows:

Board of Supervisors	1 st Wednesday @ 7:30 PM
	3 rd Wednesday @ 8:00 AM
Planning Commission	2 nd Wednesday @ 7:30 PM
(Workshops to be held on the 4 th Wednesday @ 7:30 PM, as needed)	
Municipal Authority	2 nd Monday @ 7:00 PM
Park Board	3 rd Monday @ 7:30 PM
Historical Commission	4 th Monday @ 7:00 PM
(Meeting to be held at the old township building – 451 Fairview Road)	
Village Task Force	1 st Thursday @ 7:30 PM
(Meeting to be held at the old township building – 451 Fairview Road)	
Trails Preservation Board	2 nd Monday @ 7:00 PM
Zoning Hearing Board	Meets upon application

Mr. Schneider seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

Mr. Schneider moved to renew the present Holiday Schedule for all employees to include New Year's Day, Martin Luther King Day, President's Day, Easter Monday, Memorial Day, Independence Day, Labor Day, Columbus Day, Veteran's Day, Thanksgiving Day, and Christmas Day. Mr. Bock seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

Mr. Schneider moved to certify all three Supervisors, Township Secretary and Township Treasurer be appointed as delegates to the annual State Convention in Hershey, PA, on April 17-20, 2005. Mr. Bock seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

Mr. Schneider moved to adopt Resolution #05-1, establishing a fee schedule related to the filing of applications for building permits in 2005. Mr. Bock seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

Mr. Schneider moved to adopt Resolution #05-2, establishing a fee schedule related to the filing of subdivision and land development applications in 2005. Mr. Bock seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

Mr. Schneider moved to adopt Resolution #05-3, establishing escrow fees related to the review of subdivision and land development plans in 2005. Mr. Bock seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

mr. Schneider moved to adopt Resolution #05-4 establishing boundaries for emergency services providers in Wallace Township, including the four lots located in the Upper Uwchlan Township portion of the Chalfant/St. Giles Subdivision. This Resolution allows the Fire Chief to establish service boundaries for Advanced Life Support (ALS), Basic Life Support (BLS) and helicopter

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service. Mr. Bock seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

Mr. Bock moved to adopt Resolution #05-5, establishing a fee schedule related to the filing of conditional use applications, and zoning hearing applications in 2005. Mr. Schneider seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

Mr. Schneider moved to approve the Fire Company's calendar of fundraising activities for coverage under the worker's compensation insurance as follows: Chicken BBQ on June 25. Mr. Bock seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

Mr. Schneider moved to approve the 2005 bill to be sent to Devereux for fee-in-lieu of taxes. Mr. Bock seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

Mr. Schneider moved to adjourn the reorganization meeting at 8:05 PM. Mr. Bock seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

BUSINESS MEETING

The Chairman called the Business Meeting of the Wallace Township Board of Supervisors to order on Monday, January 3, 2005, at 8:05 PM in the Municipal Building.

PUBLIC COMMENT

None

MINUTES

Ms. Shields moved to approve the minutes of the December meetings. Mr. Bock 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 December totaled \$91,009.37.

Mr. Schneider moved to approve twenty-eight (28) bills, payable from the General Fund, for the month totaling \$102,522.22. Ms. Shields seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

Mr. Schneider moved to approve twelve (12) bills, payable from the General Fund, paid mid-December totaling \$12,501.05. Mr. Bock seconded the motion. Bill Moore questioned the payment to American Rock Salt from the General Fund. Township Secretary advised him that she will discuss with the Township Treasurer and provide an answer at the next meeting. If payment was to be made from the State Fund, we will make the adjustment between accounts. There being no further discussion or public comment, the motion was unanimously approved.

Mr. Schneider moved to approve two (2) bills, payable from the State Fund, for the month totaling \$1,831.44. Mr. Bock seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

CORRESPONDENCE

1. PA Turnpike Commission to Chester County Conservation District, dated 11/23/04, re: application for E&S Plan review
2. Castle Valley Consultants to Tracy Eberly at Wachovia Bank, dated 12/13/04, re: default of subdivision escrow agreement for Marshall Pond
3. Tim Wloczewski to BOS, dated 12/14/04, re: release of escrow funds for building permit
4. PA Historical & Museum Commission to Kristin Camp, Esq., dated 12/15/04, re: artifacts located on the Bernard tract
5. Dan Shoemaker to Boucher & James, Inc., dated 12/15/04, re: Wheeler tract pump station exemption request
6. John Fiorillo, Esq. to Anthony Tabasso, Esq., dated 12/16/04, re: Wachovia Bank settlement
7. Dan Shoemaker to Boucher & James, Inc., dated 12/16/04, re: Wheeler tract DEP planning module application
8. WTMA to Nave Newell, dated 12/17/04, re: Devereux Foundation's conditional use application and sewage capacity
9. DEP to municipal office, dated 12/20/04, re: Information Update
10. Brandywine Valley Association to BOS, dated 12/22/04, re: thank you for yearly contribution
11. John Fiorillo, Esq. to Anthony Tabasso, Esq., dated 12/22/04, re: Wachovia Bank settlement
12. DEP to Evans Mill Environmental, dated 12/23/04, re: application for planning modules for Harlan subdivision
13. Kristin Camp, Esq. to Twp. Secretary, dated 12/30/04, re: continuation of work on the Bernard tract

ZONING REPORT

Tim Wloczewski reported that six (6) new building permits were approved last month as follows:

- #03-95 - 1241 Little Conestoga Road (Garage)
- #03-97 – 441 Fairview Road (Fence)
- #03-98 – 28 Walnut Bank Road (House)
- #03-99 – 424 Indian Run Road (Addition)
- #03-100 – Lot #2, Steepleview Drive (Deck)
- #03-101 – 440 Highspire Road (House)

A notice of violation was sent to the property owner of 761 Marshall Road to comply with current building and zoning ordinances for an additional dwelling unit being constructed above an existing accessory structure. During an inspection it was noted that an unauthorized connection to an existing cesspool existed as well as completed framing and dry walling of a kitchen, bedroom, and living areas.

A notice of violation was sent to the Devereux Foundation to properly secure a Class I historic resource, known as the Croft Building, located on the Devereux Beneto Center property. During an inspection, it was noted that the building is suffering from neglect and open to the elements and portions of the existing roof and shingles are missing. 90-days was given to secure the building to prevent further damage and to comply with all state and local ordinances.

POLICE REPORT

None.

HISTORICAL COMMISSION

None.

PARK BOARD

None.

PLANNING COMMISSION

Skip McGrew reported that the Planning Commission walked the Harlan property located on Seminary Road. Nothing major stood out during the walk. One issue that again surfaced was how to handle conservation easements on small pieces of land. This tract is located directly across the street from the Grassi property and adjacent to the Old Orchard subdivision with a possible connection to the proposed Popjoy subdivision that could potentially lead into Marsh Creek State Park. The Trust has so far declined holding easements of small pieces of land but

with possible connections to larger pieces, they may be willing to reconsider. Mr. McGrew will attend the Trust meeting and discuss this issue with them further.

Ms. Shields moved to appoint Ken Nicely as a new member to the Planning Commission. Mr. Schneider seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

VILLAGE TASK FORCE

Bryan McDonough reported that all of the flyers have been sent regarding the upcoming public meeting. Enclosed with the flyer was a brief history to the property owner regarding their respective house. No further report.

SUBDIVISIONS

1. #04-1 – Old Orchard Estates
2. #03-4 – Brandywine Hill (Wheeler)

OLD BUSINESS

Ms. Shields moved to renew the contract with Castle Valley Consultants for the 2005 engineering services. The only change to the contract was the removal of the Liability and Professional Liability sections of the contract. Mr. Bock seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

Ms. Shields made the following motion – The Board of Supervisors of Supervisors of Wallace Township approves the settlement of the Chester County Court of Common Pleas action, Wallace Township v. Wachovia Bank, in accordance with the terms of a Settlement Agreement ("Agreement") attached hereto and incorporated herein by reference, and authorizes execution of the Agreement as well as any other action necessary to effectuate the Agreement. Mr. Bock seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

NEW BUSINESS

Ms. Shields moved to approve the rate increase for mileage reimbursement from 37.5 to 40.5 cents per mile, as proposed by the Internal Revenue Service (IRS). Mr. Bock seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

Ms. Shields moved to increase the Township petty cash fund from \$50 to \$100. Mr. Schneider seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

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PUBLIC COMMENT

None.

ADJOURNMENT

Meeting adjourned at 8:45 PM. Next meeting is Wednesday, January 19, at 8:00 AM.

Respectfully submitted,

Kimberly A. Milane-Sauro
Secretary