

APPROVED

**WALLACE TOWNSHIP BOARD OF SUPERVISORS
DECEMBER 21, 2005**

The Chairman called the Meeting of the Wallace Township Board of Supervisors to order on Wednesday, December 21, 2005, at 8:10 AM in the Municipal Building.

Supervisors present: Louis T. Schneider, Chairman
Robert V. Bock, Vice Chairman
Jane M. Shields, Member

PUBLIC COMMENT

None.

CORRESPONDENCE

1. Guy Donatelli, Esq. to Andy Rau, Esq., dated 11/23/05, re: waiver request for DASD
2. CCCD to DASD, dated, 12/7/05, re: review of E&S plan for proposed elementary school
3. NLT to BOS, dated 12/8/05, re: review of revised preliminary plan for the Hamilton subdivision
4. SC Engineers to WTMA, dated, 12/9/05, re: review of water and sewer lines for the Hamilton subdivision
5. Castle Valley Consultants to Twp. Planning Commission, dated 12/12/05, re: review of revised preliminary plan for the Hamilton subdivision
6. CCPC to Upper Uwchlan Twp., dated 12/13/05, re: comments on planning modules for the Popjoy subdivision
7. Castle Valley Consultants to Twp. Planning Commission, dated 12/13/05, re: review of revised preliminary/final plan for the Wallace Elementary School
8. CCPC to Twp. Secretary, dated 12/14/05, re: review of preliminary plan for Cornerstone Communities
9. SC Engineers to Nave Newell, dated 12/14/05, re: status of review for the proposed elementary school
10. Twp. Planning Commission to BOS, dated 12/15/05, re: recommendation for conditional approval of the Wallace Elementary School
11. Glenmoore Fire Company to Twp. Planning Commission, dated 12/17/05, re: emergency access at the proposed elementary school
12. Stan Stubbe to BOS, dated 12/20/05, re: approval of lighting proposed at the Wallace Elementary School

ROAD REPORT

Road report for the month of November: 866.3 miles driven, 28.6 hours on the equipment meters, and 242 man-hours logged.

DECEMBER 21, 2005

PAGE 2

Monday morning road inspections. Installed markers along Chalfant Road. Cleaned Devereux Road bridge and Park Lane bridge. Completed patch work on Marshall Road. Cut all grass at the parks for the final time this year. Winterized the snack shack at Wagenseller Park. Cleaned all the gutters at the pavilion and at the township building. Serviced all of the mowers for the winter. Performed routine maintenance on all other equipment. Helped set up and prepare for the Christmas tree lighting.

PLANNING COMMISSION

Skip McGrew reported that at the last Planning Commission meeting a number of subdivisions were discussed.

School district land development plan, a number of items remain to be resolved, some are minor plan revisions. Since the meeting it appears that some of the issues have already been resolved. The Planning Commission has provided the Board with a letter of recommendation for conditional plan approval. Greg Newell, Gil Lappano and Doug Olsen were present representing the school district. Mr. Newell stated that there have been some minor changes to the plan since the Board last saw it during the conditional use hearings. These changes were prompted by meetings with the Historical Commission, Planning Commission, Trails Board and Park Board. Mr. Schneider asked if the district has had a chance to see the recommendation from the Planning Commission and if they are in agreement with all of them. Mr. Lappano stated that they have had a chance to see the letter and that they agree with all of the conditions as set forth. Ms. Shields moved to grant approval of the Downingtown Area School District Land Development Plan with conditions as set forth in the Planning Commission's letter dated December 15, 2005. Mr. Bock seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

A revised plan has been submitted for the Harlan subdivision. Trail route has been removed. Currently under review.

A revised plan has been submitted for the Coltsfoot subdivision. Currently under review.

The planning module for the Hamilton subdivision was discussed and the Planning Commission would like to ask the Board that if they decide to release the plans to DEP that the cover letter clearly stated that the Bog Turtle Management Plan is incomplete and ask for guidance.

Old Orchard request for extension of time. The Planning Commission has no recommendation on this matter.

Mr. McGrew stated that the comments he made at the last meeting regarding the Diament plan were incorrect. The Planning Commission did review a sketch plan but never discussed moving the "R" boundary. This was discussed briefly at the last PC meeting and the Commission does feel that it would not be good planning to move zoning boundaries for one individual.

DECEMBER 21, 2005

PAGE 3

The Popjoy subdivision plan has been on hold until a determination was made by Upper Uwchlan regarding placement of lots. It does appear that Upper Uwchlan will be rejecting the plan showing all lots in that township. If this does happen, review will begin on this plan.

The Planning Commission will be holding one more work session to discuss proposed revisions to the SALDO. Are hopeful, that after that meeting, they township engineer will be able to prepare a draft to be forwarded to the Board for review.

VILLAGE TASK FORCE

John Miller reported that the Task Force will be holding its public meeting with Jane Davidson on January 10th to discuss the creation of a historic district.

SUBDIVISIONS

1. #04-1 – Old Orchard Estates
2. #05-3 – Harlan
3. #05-4 - Hankin
4. #05-5 - Popjoy
5. #05-6 – Kolb/Coltsfoot
6. #05-7 – DASD – Wallace Elementary
7. #05-8 – Cornerstone Communities

OLD BUSINESS

Ms. Shields moved to place GenTerra Corporation on notice that the Board will accept the current extension, for the Old Orchard Estates subdivision plan, for no more that 60 days and if revised plans are not submitted within that time frame no further extension will be granted and the plan will be denied. Mr. Bock seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

Rick Guarini of the Hankin Group was present to request that the planning modules for the Hamilton subdivision be forwarded to DEP. Ms. Shields has recused herself from all discussions in this matter as her law firm represents the Hankin Group in other matters. Mr. Guarinin stated that the Bog Turtle Plan has been submitted and they feel it is complete. Have received input from the Municipal Authority regarding the sewer agreement and a revised draft agreement is being sent to the Municipal Authority's solicitor for final review. Township engineer's recommendation would be to wait until everything is complete. All technical aspects of the modules may be complete but it is the township's responsibility to make sure that they are administratively complete. Also there appears to be no rush for DEP to begin review, since an email from DEP states that no permits will be issued until a Bog Turtle Management Plan is

DECEMBER 21, 2005

PAGE 4

completed. The township engineer further stated that review letters from the Municipal Authority engineer and their other consultants were just received this morning. The Township Engineer did feel that a conditional release of the modules would be acceptable.

Mr. Schneider moved to approve the submission of the planning modules to DEP conditioned upon the recommendations of the December 20, 2005 letter from Warmkessel Geo-Environmental, inclusion of the most recent version of the sewer agreement with the Municipal Authority and a detailed cover letter addressing the incomplete Bog Turtle Management Plan. Mr. Bock seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

Mr. Bock moved to draw upon the Chalfant St. Giles escrow in order to effectuate completion of the public improvements. Mr. Schneider seconded the motion. Ms. Shields recused herself from this matter. There being no further discussion or public comment, the motion was unanimously approved.

Ms. Shields moved to approve Resolution No. 05-15, approving the 2006 proposed budget as read at the last meeting. Mr. Bock seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

Ms. Shields moved to approve Resolution No. 05-16 establishing the tax milage at 1.2 mills for calendar year 2006. 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 contract between the County and Wallace Township for a Vision Partnership Grant. This grant was received through the efforts of the Environmental Advisory Committee and Robert Lonsdorf of the Brandywine Conservancy, who prepared the grant application. This funding will be used to amend and make additions to our zoning ordinance to further protect our natural resources. Mr. Bock seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

Ms. Shields moved to approve the engineering services agreement from Castle Valley Consultants for 2006, with the liability clause omitted. Mr. Bock seconded the motion. Bryan McDonough asked why this was being done now instead of at the first meeting in January. He was advised that this must be in place before the start of the new year. There being no further discussion or public comment, the motion was unanimously approved.

Ms. Shields moved to approve the Chester County SPCA contract for the calendar year 2006. Mr. Bock seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

DECEMBER 21, 2005
PAGE 5

Ms. Shields moved to approve escrow release no. 1 for the Highspire Estates project based on the recommendations of the township engineer. Mr. Schneider recused himself from this matter. Mr. Bock seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

Ms. Shields moved to approve Resolution No. 05-17 authorizing the township solicitor, chairman and township secretary to proceed with placing conservations easements for passive and active recreation and open space on township property located within the Highspire Estates project and a portion of Alice Park. Mr. Schneider recused himself from this matter. Mr. Bock seconded the motion. There being no further discussion or public comment, the motion was unanimously approved.

Mr. Schneider moved to advertise an ordinance for the creation of a township manager position. Mr. Bock seconded the motion. Concerns from the audience included funding in the township budget and criteria for hiring a manager. There being no further discussion or public comment, the motion was unanimously approved.

Mr. Schneider read a Resolution adopted by the Municipal Authority acknowledging the service of two of their members. The Board has asked that a letter of thanks be sent to both members.

Executive session was held on December 21, 2005 to discuss matters of pending litigation.

PUBLIC COMMENT

Polly Slonaker stated that she was concerned about the amount of decisions being made at the morning meetings and that not many residents could attend at that time. She was advised that the meetings were originally changed to one evening and one morning at the request of resident who could not attend evening meetings.

Tim Wloczewski, Codes Enforcement Officer, thanked the Board and the township staff for all of their hard work in securing the Chalfant escrow funds.

ADJOURNMENT

Meeting adjourned at 9:45 AM. Next meeting is Tuesday, January 3, 2006 at 7:30 PM.

Respectfully submitted,

Kimberly A. Milane-Sauro
Secretary