

WALLACE TOWNSHIP BOARD OF SUPERVISORS
FEBRUARY 7, 2008

A Regular Meeting of the Wallace Township Board of Supervisors was called to order on Thursday, February 7, 2008 at 7:35 PM in the Township Building by Chairman Bryan McDonough.

Supervisors present: Bryan W. McDonough
Robert D. Jones

Solicitor: Michael G. Crotty, Esquire

Pledge of Allegiance

The Supervisors began the meeting by leading everyone in the Pledge of Allegiance.

Executive Sessions

An executive session was held on February 7, 2008, in order to discuss personnel issues and potential liability issues pertaining to building security.

Township Building and Facilities Report

Chairman McDonough discussed that the Township consider using the utility room in the Township building for storage of Township files.

Minutes

The minutes from December were tabled until Supervisor Bock returns from vacation.

Correspondence

A list of the correspondence as well as the individual pieces of correspondence is available for public inspection.

Treasurer's Report

Chairman McDonough presented the Treasurer's report. Upon motion, the Supervisors approved the payment of the invoice to the Brandywine Regional Police Department in the amount of \$58,316.00. The remainder of the invoices were tabled. Chairman McDonough also noted that the Township was considering obtaining a Tax Anticipation Note, which would be discussed under New Business.

Brandywine Regional Police Report

Chief Kocsi presented the BRPD report for the month of January. A monthly activity report was presented to the Township and is available for public inspection. Chief Kocsi also noted that the Pennsylvania Governor's Center for Local Government Services has just released

their report, entitled "A Management Review of the Brandywine Regional Police Department." The report is available on the Township website at www.wallace.org, or BRPD website at www.brandywineregional.org. Chief Kocsi noted that the Brandywine Regional Police Commission has moved its meeting date to the 4th Wednesday of each month at 8:00 a.m. at the Brandywine Regional Police Department, 1212 Horseshoe Pike. Lastly, Chief Kocsi noted that the two of the four phone lines in the substation would be disconnected, and, per the request by the Supervisors and the public, the Chief would look into maintaining one phone line as an active 9-1-1 line at the Township building.

Historical Commission

Jennifer Harkins of the Historical Commission noted that the HC is still pursuing designation of the old school house on the list of the 11 most endangered historic places in the country. Additionally, the HC has re-ordered additional copies of the "Born in Controversy" books, which are available for purchase from the Township at a price of \$8.00.

Park & Recreation Board

No report. The next Park & Rec. Board meeting will be held on February 15, 2008, at 8:15 PM.

Environmental Advisory Committee

No report.

Planning Commission

No report. It was noted that the Upper Uwchlan Township Planning Commission granted preliminary approval to the Popjoy/Marshlea preliminary subdivision and land development plan application. The application is still under review by the Township.

Old Business

A. Hearing on Ordinance to Repeal the Wallace Township Stormwater Management Ordinance, the Wallace Township Subdivision and Land Development Ordinance, and the Wallace Township Zoning Ordinance Amendments, all of which were enacted on October 3, 2007. Chairman McDonough noted that this hearing was being held in order to consider an Ordinance to recognize the repeal of the ordinances enacted on October 3, 2007. Solicitor Crotty noted that notice of the hearing was advertised in the Daily Local Newspaper on January 31, 2008, with a full copy of the proposed Ordinance being provided to the Daily Local and available at the Township for public review. Solicitor Crotty noted that the October 3, 2007 Ordinances were being amended because of certain procedural defects in the enactment thereof. The Township would endeavor to review the substantive challenges and would move to review the re-enactment of the October 3, 2007 Ordinances in due course. Solicitor Crotty noted that the procedural deficiencies would render the October 3, 2007 Ordinances void from the outset, but that the Ordinance before the Board today was necessary to document the repeal of those prior ordinances in the official records of the Township. The Supervisors had previously passed a Resolution to indicate their intent to enact the instant repealer Ordinance. After public

discussion, Supervisor Jones made a motion to adopt the Ordinance in the form before the Board, to repeal the Ordinances enacted on October 3, 2007. Chairman McDonough seconded the Motion, which carried unanimously. Solicitor Jones further noted that, in moving the substantive review of the ordinances forward, he would like recommendations from the EAC, the Woodlands Taskforce, the Planning Commission, and the Brandywine Conservancy as to representatives from their agencies who would participate in providing comment.

B. Greenfield/Valhalla – Attorney Debra Shulski was in attendance on behalf of Greenfield and Valhalla Brandywine. She presented a letter to the Board of Supervisors. In the letter, Greenfield noted that the substantive and procedural validity challenges to the October 3, 2007 ordinances would be withdrawn in light of the Board's enactment of the Ordinance today. Greenfield also requested that the Board form a subcommittee to discuss planning considerations of a sketch plan for the proposed project. Further, Valhalla Brandywine requested that the Board authorize its consultants (i.e., the Solicitor and Township Engineer) to meet with Valhalla Brandywine's consultants and representatives to review the proposal and provide their comments. There was discussion and question from members of the public as to how the subcommittee would function. The Supervisors noted that the subcommittee would consist of members from the Planning Commission, one Supervisor, the Township Solicitor and the Township Engineer, and would provide a sketch plan review and discuss general conceptual matters related to the Valhalla Brandywine development. The subcommittee would not eliminate the need for the applicant to proceed before the Planning Commission and the Board of Supervisors in pursuing a subdivision and land development plan application. Chairman McDonough moved that the subcommittee be comprised of Planning Commission members Bill Moore, Skip McGrew, himself, the Township Solicitor, and the Township Engineer, and that the subcommittee be authorized to meet with representatives from Valhalla Brandywine to discuss general sketch plan considerations for the proposed Valhalla country club development, subject to Mr. Greenfield's offer to pay the above Township Consultants' fees during the process. Pursuant to the Motion, the various members of the subcommittee would be tasked with providing periodic updates, no less than once per month, to the public as to the status of the discussions. Supervisor Jones seconded the motion, and, after public comment, the motion carried.

C. Newsletter – John Miller noted that he is working on the Township newsletter. He requested that all chairpersons of the Township committees should provide their articles and reports to him immediately. The members of the audience also discussed the possibility of having an advertisement page in the newsletter as an effort to defray the printing and mailing costs.

D. Website- Supervisor Jones noted that the Township is endeavoring to continuously update the Township website with any meeting notices.

E. Stop Signs – PennDOT has installed multi-way stop signs today at the intersection of Little Conestoga, Marshall and Chalfont Roads. PennDOT has indicated that the intersections of Route 282 and Marshall Road and Route 282 and Fairview Road will be completed shortly.

F. Resolution 11-2008: Tax Anticipation Note - Chairman McDonough noted that the Township was considering a Tax Anticipation Note in order to ensure the soundness of the Township finances. The Township's accounting consultant has reviewed the files and

recommends that the Township seek a TAN in the amount of \$140,000. A proposal has been received from DNB First Bank, dated January 30, 2008, for a TAN in that amount. A draft Resolution, numbered Resolution 11-2008, was presented to the Board for consideration. Pursuant to the Resolution, the Supervisors would authorize the issuance of a Tax and Revenue Anticipation Note in the amount of \$140,000, as well as to take all necessary and appropriate steps to effectuate the same. Chairman McDonough moved that Resolution 11-2008 be adopted and that the Township consultants be advised to move forward to obtain the TAN. After public comment, Supervisor Jones seconded the motion, which carried.

New Business

A. Proposal to repair trees at Wagenseller Park – The roadmaster noted that he obtained pricing from Martin Tree Service and C.M. Jones, Inc., to repair certain trees at Wagenseller Park caused by the latest storms. The Supervisors noted that they would take the matter under advisement.

B. GIS Data – Chairman McDonough announced that the Township Zoning Officer, LTL Consultants, has sent in a request to purchase the County's GIS Data for a cost of approximately \$170. The Township Secretary would check with the Township Engineer to determine whether it had already purchased the GIS Data. The Supervisors tabled any decision on this matter until Supervisor Bock returns.

C. Faith Alliance Easter Egg Hunt: Chairman McDonough announced that the Faith Alliance Easter Egg Hunt will be held at Wagenseller Park on Saturday, March 15, 2008, with a rain date of March 22, 2008.

Public Comment

Don Titus, a member of the public, noted that he would like to form an independent group to review policing options for the Township. He felt that the Township may be paying too much money for police service that may be more than what is needed for the Township. There was a concern noted as to the rising costs of police protection. Several other members of the public indicated to Mr. Titus that they would like to participate in his group. Supervisor Jones noted that the group would not be an officially sanctioned committee or task force of the Township, although, the Township would accept any comment or recommendations that the group would make as with any other recommendations or requests from the public.

Adjournment

Meeting adjourned.

Respectfully submitted,

Betty Randzin
Secretary