

Board of Supervisors
EAST WHITELAND TOWNSHIP
Minutes
June 12, 2019

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Board Members Present: Sue Drummond, Chair; Scott Lambert, Vice-Chair; and Rich Orlow, Member.

Staff Present: John Nagel, Township Manager; William Steele, Public Works Director; Cathy Kleponis, Finance Director; Steve Brown, Zoning Officer; Zach Barner, Director of Planning; Donna Wikert, Asst. to the Township Manager; John Walko, Solicitor; Chris Yeager, Chief of Police.

Ms. Drummond called the regular meeting to order at 7:10 P.M.

Board Briefings:

- Supervisors Statement on Route 352 & King Road Project. Written public comment can be provided via email to kingsproulrd@eastwhiteland.org
Each member of the Board thanked everyone for their questions, concerns and attendance at the June 5th, 2019 meeting and tonight's meeting. Each Board Member gave a brief comment on their position on the 352 and King Road project and agreed that they are not in favor of the roundabout option. They need additional information and answers from PennDOT before any recommendation can be made
Several residents stated that the issue is the safety of turning left from 352 onto King. All agreed that they need to find the simplest, most cost-effective way with safety first.
- Presentation of Delaware Valley Regional Planning Commission Feasibility Study for an East Whiteland Township Train Station. Natasha Manbeck, Project Manager for McMahon and Associates, presented the final feasibility study. This presentation is on the East Whiteland website <https://www.eastwhiteland.org/368/Train-Station-Feasibility-Study>

Board Motions & Resolutions:

- **Accept Comprehensive Annual Financial Report for Fiscal Year Ended December 31, 2018:**
Ms. Kleponis briefed the Board on the Comprehensive Annual Financial Report completed by Maillie Certified Public Accountants, LLP, the township auditors. The township received a clean report. This report is available on our website.
<https://www.eastwhiteland.org/321/Financial-Documents>
Mr. Orlow made a motion to accept the 2018 CAFR report. Mr. Lambert seconded the motion; the motion was approved 3-0.
- **Discuss Proposed Memorandum of Understanding for the VFSA Treatment Plant Expansion Unallocated Capacity:**

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Mr. Steele explained that this MOU developed from an expansion at the treatment plant several years ago, for which East Whiteland paid the largest share. The project resulted in some excess capacity which other townships would like to purchase from East Whiteland. However, the price suggested by this MOU is not satisfactory to East Whiteland. On June 24th, 2019, Mr. Nagel and Mr. Steele will attend a joint Board meeting to discuss the issue with the other townships and Valley Forge Sewer Authority. Mr. Steele said no action needs to be taken at this time.

Consider Motion to Award or Reject:

- Award 2019 Street Improvement Project to Innovative Construction Services for \$422,097.25. Mr. Lambert made a motion to accept the 2019 Street Paving Project. Mr. Orlow seconded the motion; the motion was approved 3-0.
- Reject & Re-advertise Valley Creek Park Tennis Court Resurfacing Project, Down East Park Basketball Court resurfacing, and resurfacing the roads around the park house in Valley Creek Park. No bids received for the tennis and basketball courts resurfacing. One bid from Gessler Construction for \$87,450 received for park roads, which Mr. Steele considers to be too high. Mr. Orlow made a motion to reject and re-advertise. Mr. Lambert seconded the motion; the motion was approved 3-0.
- Ratify Emergency Repairs to Pump Station Project at Great Valley Corporate Center (3 bids) (Workspace, 25-27 Great Valley Parkway) to PSI Pumping Solutions, Inc. \$322,000
Mr. Lambert made a motion to ratify. Mr. Orlow seconded the motion; the motion was approved 3-0.

Consider Sending Township Solicitor to Zoning Hearing Board to Support / Oppose:

- Rooftop Antenna – 1 Morehall Road
No need to send the Solicitor to the Zoning Hearing Board

Public Hearings:

2019-07-CU for Frame Avenue Apartment – Conditional Use application to convert and expand two existing office buildings into fifteen multifamily residential dwelling units. Continued from May meeting. Mr. Walko, East Whiteland Townships solicitor, closed the public meeting and opened Public Hearing. Mr. Walsh, resident who was opposed, sent an email to Mr. Barner stating due to work related emergency he was unable to attend, and requested continuance. The Board granted the continuance to June 17, 2019 at 6:30p.m.

Full details of the hearing are contained with the transcript prepared by a court reporter. The transcript is available to view at the Township Building.

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2019-10-CU for 400 Three Tun Road – Conditional Use application to allow stormwater management facilities, roads, and parking lots within areas of steep and very steep slopes. The applicant requested a continuance to complete the required tree survey. The Board granted the continuance to June 17, 2019 at 6:30p.m.

Mr. Walko, East Whiteland Townships solicitor, closed the public meeting and opened Public Hearing. Full details of the hearing are contained with the transcript prepared by a court reporter. The transcript is available to view at the Township Building.

Zoning Ordinance Amendments:

Mr. Walko read each exhibit into the hearing. Let the record show the board would like to review the definition of “In-Law Suite with Special Provisions and Performance Standards” before approving.

- Updated Definition of Family, Group Home, and Housekeeping Unit
- New Maximum Height of Signs in the FC (Frontage Commercial) District (currently unspecified)
- New Definition of In-Law Suite with Special Provisions and Performance Standards
- New Definitions of Brewpub & Brewery – add Brewpub (not Brewery) as a permitted use in the FC District
- Footnote Clarification related to Drive-In Facilities in Mixed Use Districts
- Updated Definition of Assisted Living Facility – add as a permitted use in the FC District
- Expiration of Zoning Hearing Board Decisions

Mr. Orlow made a motion to approve the amendments read by the solicitor except for the New Definition of In-Law Suite with Special Provisions and Performance Standards. Mr. Lambert seconded the motion; the motion was approved 3-0.

Planning & Development:

2019-05-CU for Rock Gym at 57 Lancaster Avenue

Mr. Lambert made a motion to grant the conditional use application requested with the following conditions: the applicant must substantially comply with the testimony and exhibits of the applicant at the public hearing before the Board of Supervisors. The applicant shall comply with all provisions of the statutes, laws, regulations, rules, codes, and ordinances of the United States, Commonwealth of Pennsylvania, East Whiteland Township and any other municipal entity having jurisdiction over this matter. Mr. Orlow seconded the motion; the motion was approved 3-0.

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Consider Approval of the following Subdivision & Land Development Applications:

[2018-10-SD](#) for HP Flanagan / Bacton Way – Preliminary Subdivision

Mr. Orlow made a motion to approve resolution 38-2019 for land development plan. Mr. Lambert seconded the motion; the motion was approved 3-0.

[2019-09-SD](#) for 400 Three Tun Road – Preliminary / Final Subdivision

Mr. Lambert made a motion to approve application for Preliminary / Final Subdivision. Mr. Orlow seconded the motion; the motion was approved 3-0.

Consider of Extensions of Time for the following Subdivision & Land Development Applications:

458 & 476 Lancaster Avenue - extension of review period for land development to August 31, 2019.

Mr. Orlow made a motion to approve. Mr. Lambert seconded the motion; the motion was approved 3-0.

Traffic Signal Permit (TE-160) Modification Authorization for Frazer Lanes Redevelopment.

Modification to signal permit by GMH apartment building required as they will be extending a turn lane and adding some striping.

Mr. Lambert made a motion to approve. Mr. Orlow seconded the motion; the motion was approved 3-0.

Public Comment for items not listed on the Agenda:

Barbra Ann Thav, resident, mentioned Summer Stage in Valley Creek Park started tonight. She mentioned to Mr. Brown the Importer on Route 30 needs to maintain their lawn and the house next to Brogans on Route 30 has several trucks parked on the lawn. Mr. Brown assured her that someone would look into these issues. Ms. Thav thanked the Board for the donation to the Malvern public library. Ms. Thav also wanted to ask if someone from Uptown Worthington could come and give a brief overview of what's happening at that site.

Tim Caban, resident, commented on how important it is to push back on PennDOT and not allow this roundabout. Mr. Caban also wanted to talk about the communication failure or lack of communication by the township concerning King and 352.

Joan Smallwood, resident, asked if there is any news on the consultant proposal for Bishop Tube. Ms. Drummond said that EAS will make a recommendation at the July Board meeting. Ms. Smallwood has concerns on the impartiality of advanced GEO Services.

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Consent Agenda:

Approve Meeting Minutes from April 4th and May 8th

Acceptance of the Treasurer's Report: As of April 30, 2019

Ratify Payment of Bills: \$907,989.26 (May 2019)

Approve 2019 Appropriation of \$46,700 to Malvern Library

Approve Sidley Road/Mill Lane Trail Connector Congestion Mitigation and Air Quality Improvement (CMAQ) Program Application Submittal

Approve Memorandum of Understanding for Chester County Law Enforcement Firing Range

Ratify Offer of Part Time Employment to Police Consultant (Six Month Term, 16 Weekly Hours)

Ratify Proposal from The Strategy Group

Ratify East Whiteland Township Portion of Chester County Transportation Improvement Inventory for 2019

Ratify Collective Bargaining Agreement between AFSCME and East Whiteland Township from 2019 through 2022.

Approve Bank of Montreal ePurchasing Solutions Corporate Master Card Program Member Account Agreement.

Approve Resolution Authorizing Issuance of Individual Procurement Cards.

Naming PLGIT as Depository for Township Funds (Resolution 42-2019)

Approve One Year Extension to Constellation (an Exelon Company, our Deregulated Energy Supplier)

Ratify Agreement for 1 CVR Parking License between Workspace, Friends of Summer Stage and East Whiteland Township for Parking for Summer Concert Series

Approval of Revised Sanitary Sewer and Pump Station Access Agreement - Townes of Malvern Section 1

Approval of Bill of Sale for Dedication of sanitary sewer facilities – Townes of Malvern Section 1

Mr. Lambert made a motion to approve the Consent Agenda as read by Chair. Mr. Orlow seconded the motion; the motion was approved 3-0.

Announcements:

Executive Sessions were held on May 21st at 4pm and on June 12 at 5pm to discuss personnel, real estate and legal matters.

Meeting Adjournment: 9:35P.M.

Donna Wikert

Board Secretary