

EAST WHITELAND TOWNSHIP
REGULAR MEETING
June 10, 2009

Chair, Virginia McMichael called the meeting to order at 7:05 p.m. William Holmes, Vice Chair, John Mott, Member, William Lincke, Township Solicitor, Terry Woodman, Township Manager, Eugene Dooley, Police Chief, George Lokken, Assistant Township Treasurer, and Mary Lou Knight, Assistant Township Secretary, were present. There were approximately twenty (20) people in the audience at the onset of the meeting.

Everyone recited the pledge of allegiance.

Ms. McMichael noted a change in the order of items in the meeting agenda. Old Business, item a. Fieldbrook Homeowners Association will be heard before Public Comment.

Mr. Mott made a motion to approve the Minutes of the Regular Board Meeting of May 13, 2009, Mr. Holmes seconded the motion and the vote was unanimous. Mr. Holmes made a motion to approve the Minutes of the June 3, 2009 Town Hall Meeting. Mr. Mott seconded and the vote was unanimous.

ANNOUNCEMENTS

The Chair announced the following:

- The East Whiteland Volunteer Fire Association will be holding their annual Fair June 23rd thru June 27th on Rt. 30 between Rt. 401 and Malin Road.
- The Board of Supervisors will be holding a Town Hall Meeting on July 1, 2009 at 7:00 p.m. in the Township Building. The meetings will be on a trial basis through July 1st and are intended to provide residents with a forum to discuss topics of interest.
- The Valley Creek Coalition is holding a stream clean-up in Valley Creek Park on Saturday, June 13th from 8:30 a.m. until 12:30 p.m. Where to Meet: Valley Creek Park Upper Parking Lot, Route 29 (Morehall Road) Malvern, PA 19355 What to Bring: Wear appropriate clothing that will protect you from bugs and plants. Long pants and long sleeve shirts are recommended. Boots always make stream cleanup easier. Be sure to bring gloves. Also you may want to have sunburn and insect protection. A hat is also a good idea.
- Summer Concert Series – Valley Creek Park Amphitheatre
 - Thursday, June 18th –Chatterband- (Wide variety from the 50's through today)
 - Saturday, June 27th- Jazz Guise-(Contemporary Jazz)
 - Thursday, July 9th-Hanks Cadillac – (Country Jukebox favorites)

- Saturday, July 18th-Matt Santry-(Singer/Songwriter-Today's modern rock)
- Saturday, August 8th- Makin' Music – (Children's Interactive music)
- Thursday, August 13th- John Clark Big Band- (40's Big Band style)

This program is put together by the East Whiteland Township Park and Recreation Board. The concerts are free and start at 7:00 p.m.

Mr. Mott spoke of the Wounded Warriors Project and their mission which provides programs for wounded servicemen. He indicated that a walk is being sponsored in support of the Project. It will begin in Philadelphia and will pass through East Whiteland on June 22nd or June 23rd. Information on this activity will be included on the Township web site.

PUBLIC RECOGNITION – WYETH PHARMACEUTICALS

Chief Dooley introduced members of Wyeth Pharmaceuticals and thanked them for once again holding their DARE Jam fundraiser in honor of the Township's DARE Program. Debbie Lutz presented the Township with a check in the amount of \$5,300.00. Officer Keri De La Cruz gave Ms. Lutz a plaque recognizing Wyeth for their support. Ms. Woodman indicated that Wyeth donated two new laptop computers to the DARE Program. The Board thanked Wyeth for their generosity.

Old Business (item a.)

Request from the Fieldbrooke Homeowners Association for developer to complete all improvements shown on the approved plans, and dedication of roads.

Linda Furey and John Rizzi were present representing the Fieldbrooke Homeowners Association (HOA). Ms. Furey summarized progress to date on the concerns expressed by the residents. Work to be completed has been outlined, together with a suggested timeline. The HOA is asking that the funds held in escrow by the Township not be released until the project is satisfactorily completed. Mr. Lincke spoke to this issue. Considerable discussion ensued. Mr. Mott was of the opinion that the timeline on items to be completed appeared not to take into consideration delays over which the contractor has no control. Mr. Rizzi indicated that one of the residents' main concerns is completion of the storm water basins as originally outlined in the permit. Bo Erixson, Benson Companies, stressed that the Conservation District has final jurisdiction on how the basins are completed. Discussion ensued. Mr. Mott stated that the Township would make an exception and accept dedication of roads when they are completed. Ms. Woodman suggested that replacement of trees be delayed until September/October. The HOA is agreeable to this. Ms. McMichael indicated that this item will appear on the agenda of the Board's July meeting in order to assess progress.

The Chair called a break in the meeting at 7:40 p.m. The meeting resumes at 7:43 p.m.

PUBLIC COMMENT

Ed Alexander suggested that the Township look at the blocked railroad tunnel adjacent to General Warren Village with the idea of opening it to one way traffic traveling to Lincoln Highway. He suggested that this is a less expensive alternative to erecting a traffic signal on Old Lincoln Highway to handle traffic backup. Discussion ensued regarding size of the tunnel in relation to vehicular traffic. Ms. McMichael told Mr. Alexander that the tunnel was being looked at for use in extending the Chester Valley Trail. Ms. Woodman indicated that the tunnel exits onto the payroll company's parking lot. The Chair will ask Mr. Steele to look at the feasibility of Mr. Alexander's idea. Walter Lynn, a General Warren Village resident disagreed with the idea as he felt this would create additional traffic in the Village.

Joan Alexander brought to the Board's attention the fact that the volume of the band music at Mattie's on Friday and Saturday nights has increased significantly causing her to keep her windows closed and interrupting her sleep. Discussion ensued. Chief Dooley suggested that when this occurs, Ms. Alexander should call 911 and an officer will be dispatched to the establishment. She is uncomfortable doing this, but Ms. McMichael encouraged her to do so. In the interim, the Chief will make a call on the new management to make them aware of the situation.

REPORTS AND COMMUNICATIONS FROM BOARDS, COMMISSIONS AND TOWNSHIP OFFICIALS

There was no report from the East Whiteland Volunteer Fire Company.

Mr. Holmes indicated that he had an opportunity to talk with the Fieldbrook residents during the recent Town Hall Meeting and encouraged residents to attend the meetings to express their concerns.

ACCEPTANCE OF THE TREASURER'S REPORT

Ms. Woodman summarized the Treasurers Report. Mr. Holmes made a motion to accept the Treasurer's Report dated May 31, 2009. Mr. Mott seconded and the vote was unanimous.

APPROVAL OF THE PAYMENT OF BILLS AND PAYROLL

Mr. Mott made a motion for approval of General Fund Voucher No. 2009-5G, Sewer Fund Voucher No. 2009-5S, and Payroll Fund Voucher Nos. 2009-11 and 12. Mr. Holmes seconded. The vote was unanimous.

PLANS

McCoy Cockerham - Minor Subdivision Plan - Mr. Cockerham summarized the request for a lot-line revision in order to shift the lot line between two parcels. Discussion ensued. Mr. Kohli has approved the plan. Mr. Mott made a motion to approve McCoy Cockerham Minor Subdivision Plan for a lot-line revision between two lots at 148/150/152 Planebrook Road divided by VMX – Village Mixed Use and RM – Medium Density Residential Zoning Districts. Mr. Holmes seconded and the vote was unanimous.

Whiteland Village- Revised Final Land Development Plan – Ms. Woodman summarized the need for the revision which adds phasing lines to the development plan. Nothing else on the plan has been changed. Messrs. Kohli and Lincke have given their approval. Mr. Holmes made a motion to approve Whiteland Village Revised Final Land Development Plan showing project phasing lines. Mr. Mott seconded. The vote was unanimous.

NEW BUSINESS

- a. Award bids for the sale of vehicles and equipment – Ms. McMichael outlined the items up for bid and indicated the highest bidder as follows:

1. 1996 Ford F-800 dump truck with snow plow and salt spreader – Wallace Township, 1250 Creek Road, Glenmoore, PA 19343 - \$8,100.00
2. 1988 Asplundh drum type brush chipper – Frederick W. Adams, 1228 Yellow Springs Road, Chester Springs, PA 19425 - \$2,520.00
3. 1998 Ford Expedition - Christopher McKenna, 1 Valley Creek Road, Malvern, PA 19355 - \$2,350.00
4. 2002 Chevrolet Tahoe – Regina Bannon, 234 Holmes Road, Holmes, PA 19043 - \$6,650.00

Mr. Mott made a motion to award the items outlined above to the highest bidder with the provision that if the highest bidder drops out, the item can then go to the second highest bidder. Mr. Holmes seconded and the vote was unanimous.

- b. Sanitary Sewer Agreement - Aqua Pennsylvania, Inc. – Discussion ensued. Ms. Woodman informed the Board that this easement was given to the Township at no charge. Ms. McMichael made a motion to enter into a Sanitary Sewer Agreement across land on Church Road owned by Aqua Pennsylvania, Inc. Mr. Holmes seconded. The vote was unanimous.
- c. Sanitary Sewer Easement Agreement – Scott Herzog and Lisa Lowe – Ms. Woodman indicated that as compensation for granting of the easement, the Township has entered into a Memorandum of Understanding which outlines the Township’s responsibility to

the owner. She summarized the particulars. Discussion ensued. Ms. McMichael made a motion to enter into a Sanitary Sewer Easement Agreement across land on Church Road owned by Scott Herzog and Lisa Lowe. Mr. Mott seconded and the vote was unanimous.

- d. Public Hearing Dates – Lou Colagreco was present representing Uptown Worthington. Discussion ensued. Ms. McMichael made a motion to schedule two public hearings on July 8, 2009 to consider the transfer of two liquor licenses to the Uptown Worthington Development Mr. Holmes seconded. The vote was unanimous.
- e. Extension of Time – TC Atwater Land, L.P. – Lou Colagreco was present representing the applicant. He summarized the request. Mr. Holmes made a motion to grant an extension of time through June 30, 2010 for the filing of financial security and recording of plans for TC Atwater Land, L.P. (Plan originally approved May 28, 2001). Mr. Mott seconded and the vote was unanimous.
- f. Resolution No. 15-2009 - Act 32 – Ms. McMichael indicated that in accordance with Act 32, Consolidation of Earned Income Tax Collections, the Township must appoint delegates to the Chester County Tax Collection Committee (TCC). Discussion ensued regarding Township representation. Mr. Mott made a motion to adopt Resolution 15-2009 appointing Terry Woodman as the primary voting delegate, George Lokken as the first alternate voting delegate, and William Holmes as the second alternate voting delegate to the Tax Collection Committee (TCC). Mr. Holmes seconded the motion and the vote was unanimous.
- g. Addendum to the Whiteland Village Financial Security Agreement – Ms. Woodman gave a brief summary of the addendum to the Financial Security Agreement which allows for the phasing in of financial security. Discussion ensued. Mr. Mott made a motion to approve an Addendum to the Whiteland Village Financial Security Agreement. Mr. Holmes seconded. The vote was unanimous.
- h. Discussion of Senate Bill No. 695 – Ms. Woodman summarized the Bill which suspends application of the Pennsylvania Prevailing Wage Act for the period June 30, 2009 and before July 1, 2012. The act relates to paying a prevailing wage on public works contracts. Ms. Woodman indicated that the bill was meant to address road repair costs for townships that might not be able to pay prevailing wage in a depressed economy. She asked if the Board was in support of the Bill and, if so, would they be in favor of sending a letter in this regard. Discussion ensued. Mr. Holmes felt uncomfortable with Bill No. 695 as he felt it was not sufficiently specific. Mr. Mott and Ms. McMichael had no objection to supporting the Bill, and Ms. Woodman will write a letter to this effect.
- i. Space Needs Assessment and Site Analysis Contract – Ms. McMichael indicated that six architectural firms responded to the Township's request for proposal. Discussion ensued. It was decided that the three lowest bidders will be invited to meet with the Board. Ms. Woodman will schedule these meetings.

- j. Resolution No. 14-2009 – Ms. Woodman summarized the Resolution stating that the Township will follow a schedule and procedure for disposition of records as set forth in the Municipal Records Manual approved on December 16, 2008. Discussion ensued. Mr. Holmes made a motion to adopt Resolution No. 14-2009. Mr. Mott seconded and the vote was unanimous.
- k. PA Hero Walk – The Chair summarized the event. Mr. Mott made a motion to express the Township’s support of the PA Hero Walk to benefit the Wounded Warrior Project and all its programs. The walk will be coming through the Township on June 22nd or June 23rd. Mr. Holmes seconded. The vote was unanimous.
- l. General Warren Village – Mr. Holmes initiated discussion regarding vehicular speed issues on Village Way, Faunstock, and Spring Road. Various solutions were put forward, but questions arose as to whether any of them can be utilized. It was determined that McMahan and Associates will look at the streets and make recommendations on this issue. Also discussed were ongoing drainage issues. Walter Lynn described the problem. It was determined that Mr. Kohli would examine the situation to determine if there is a long term solution. If a solution is possible, cost to ameliorate the problem will be calculated.

OLD BUSINESS

- a. Use of floor drains and their connection to the sanitary sewer system. – Ms. Woodman indicated that this discussion will be postponed to the July Board meeting.
- b. Status of Zoning Ordinance Revisions Regarding Sign Regulation and Alternative Energy Generators – Ms. Woodman indicated that the Planning Commission recommended both Ordinance amendments. The amendments are currently with the Chester County Planning Commission for review. Ms. Woodman informed the Board that this matter should come before the Board at their August meeting for scheduling of a hearing date. Ms. Woodman was responsible for drafting the alternative energy generator ordinance. She outlined its contents and will give a copy to the Board.

There being no further business, Ms. McMichael made a motion to adjourn the meeting. Mr. Holmes seconded. The vote was unanimous and the meeting adjourned at 9:05 p.m.

Respectfully submitted,

Mary Lou Knight
Assistant Township Secretary