

EAST WHITELAND TOWNSHIP
REGULAR MEETING
March 11, 2009

Chair, Virginia McMichael called the meeting to order at 7:05 p.m. William Holmes, Vice Chair, John Mott, Member, Bereth Graeff, Township Solicitor, Terry Woodman, Township Manager, William Steele, Public Works Director, Eugene Dooley, Police Chief, and Mary Lou Knight, Assistant Township Secretary, were present. There were approximately eleven (11) people in the audience at the onset of the meeting.

Everyone recited the pledge of allegiance.

Mr. Holmes made a motion to approve the Minutes of the Organizational Meeting of January 5, 2009 and the Regular Board Meeting of February 11, 2009. Mr. Mott seconded and the vote was unanimous.

ANNOUNCEMENTS

The Chair announced the following:

- A representative of the Central Tax Bureau will be in the Township Building on Monday, April 6, 2009 between 9:30 a.m. and 1:00 p.m. to assist residents with questions about their 2008 Earned Income Tax final tax returns
- The East Whiteland Township Spring 2009 Bulk Trash Pick-up will collect curbside at residents' homes on April 29th, April 30th and May 1st. Residents may drop off items at the Public Works Garage, 158 Planebrook Road, between 7:00 a.m. and 2:00 p.m. on May 2nd. Information on the pick-up is contained on the Township web site. Residents are asked to keep items not scheduled for pick-up well away from the curb.
- Mr. Holmes indicated that a Town Hall Meeting for residents be organized to discuss any issues they may have. It will be held on the first Wednesday of the month, beginning on May 6th, at 7:00 p.m. in the Township Municipal Building. The meetings will be on a trial basis through July 1st. At least one of the Supervisors will be in attendance.

PUBLIC COMMENT

Bruce Chambers, 17 James Thomas Road, spoke on behalf of the Great Valley Community Organization. They are seeking to use a portion of the School District's land located off Bacton Hill Road to build a community center. Mr. Chambers outlined their work and said that he thought the Township should fund this organization, not the School District. The Board is familiar with the organization and Ms. Woodman expanded on the services they provide.

Discussion ensued regarding needed funding and other locations they might pursue for their center. Ms. McMichael thanked Mr. Chambers for bringing this to the Board's attention and suggested this might be a topic for a future Town Hall meeting. It was suggested that Keith Walsh be in contact with Ms. Woodman to further discuss the issue.

REPORTS AND COMMUNICATIONS FROM BOARDS, COMMISSIONS AND TOWNSHIP OFFICIALS

Environmental Advisory Council

Chris Roe was unable to be in attendance. He reported by e-mail to the Board and indicated that the Foote Mineral site clean-up is currently on hold. Ms. McMichael asked Ms. Woodman to follow up with the principals of Frazer/Exton Development to get an update on the situation.

East Whiteland Fire Company

Ken Hurley gave the Fire Company report. He said he had received a letter from Mrs. Woodman calling attention to the fact that the truck wash water was carrying soap into the local storm sewer inlet. Mr. Hurley indicated that the Fire Company will begin using an environmentally safe cleaning solution. He informed the Board that the Fire Company will be receiving a Non-Profit of the Year Award from the Great Valley Chamber of Commerce. The Board congratulated the Fire Company on this honor

ACCEPTANCE OF THE TREASURER'S REPORT

Ms. Woodman reported on the budget and indicated that revenues are currently in advance of expenditures. She summarized the Treasurers Report. Mr. Mott made a motion to accept the Treasurer's Report dated February 28, 2009. Mr. Holmes seconded and the vote was unanimous.

APPROVAL OF THE PAYMENT OF BILLS AND PAYROLL

Mr. Holmes made a motion for approval of General Fund Voucher No. 2009-3G, Sewer Fund Voucher No. 2009-3S, and Payroll Fund Voucher Nos. 2009-4 and 5. Mr. Mott seconded. The vote was unanimous.

NEW BUSINESS

- a. Discussion of Pfizer's acquisition of Wyeth Pharmaceuticals – Mr. Holmes pointed out that if Pfizer acquires Wyeth, over 5,000 employees in and around Chester County are at risk, with well over 1,000 being employed in the Wyeth Malvern facility. He pointed out that the Phoenixville Borough Council is urging the Senate to hold a hearing, if it is found that TARP funds are being used in this acquisition. Mr. Holmes recommended that the Board make a similar request. Discussion ensued. Ms. McMichael made a

motion to send a letter to Senator Casey and other legislators in accordance with the draft letter dated March 12, 2009. Mr. Mott seconded and the vote was unanimous.

- b. Rescind Resolution 9-2009 and Resolution 10-2009 – Ms. Woodman explained that at the January meeting of the Board, O’Neill Properties asked the Township to be an applicant on two State grants they were seeking for infrastructure improvements. Part of the grant monies would be used for grant administration with the Economic Development Council serving as the administrators. Ms. Woodman had a meeting with members of the Council and O’Neill Properties, and she discovered that the applicant would have to take ownership of the road and water system improvements. She also discovered that the grant administration fee frequently exceeds the 3% which is set aside in the grant monies. As the applicant, the Township would be responsible for the overage. At the conclusion of the meeting, the Economic Development Council agreed to become the applicant. As a result of this change, it is necessary to rescind the Resolutions pertaining to this matter. Mr. Holmes made a motion to rescind Resolution 9-2009 and Resolution 10-2009 requesting infrastructure development grants from the PA department of Community and Economic Development. Mr. Mott seconded and the vote was unanimous.
- c. Discussion of an Efficient Growth for Growing Suburbs Grant Application – Woody Van Sciver, President of Malvern Borough Council addressed the issue of Malvern’s application for a Pennsylvania Community Transportation Initiative grant for an extension of Malin Road to connect to Pennsylvania Avenue in Malvern Borough as close as possible to the Amtrak right-of-way. The grant application went forward, was received by PaDOT and referred to analysis. The status of the application is unknown at this time. Another possible grant for a project of this kind, known as the Efficient Growth for Growing Suburbs (EGGS), has come to Malvern’s attention. EGGS is oriented towards growing suburbs. Malvern is not viewed as such, but East Whiteland is. Therefore, should the grant application in the amount of \$100,000 go forward, East Whiteland must be the primary applicant, with Malvern as a co-applicant. The grant requires the applicant to shoulder 20% of the grant award; in this case \$20,000 with the sum split between the two communities. Discussion ensued regarding topography and traffic considerations. Mr. Mott asked if Malvern would be willing to reimburse the Township for their \$10,000 out-of-pocket cost as applicant for this grant. Mr. Mott made a motion to apply for an Efficient Growth for Growing Suburbs grant in conjunction with Malvern Borough for the Malin Road extension study conditioned upon Malvern Borough’s acceptance of East Whiteland’s proposal that Malvern make East Whiteland Township whole on out-of-pocket costs incurred with the grant. Mr. Holmes seconded and the vote was unanimous.
- d. Uptown Worthington, Amendment to a previously approved Land Development Plan – Lou Colagreco was present representing the applicant. Ms. Woodman stated that the Township Engineer has reviewed the revised plan. The amendment encompasses phase lines which have been added to the plan. Escrow amounts have been agreed upon for the particular phases. Mr. Colagreco indicated that Phase I allows site work to be done and this phase is almost complete. Phase IIA includes all of the Town Center. The amended

plan has a sheet which defines the phases and the work to be done in each. The Township Solicitor indicated that there is no action necessary on the part of the board.

- e. Mr. Holmes made a motion to advertise Town Hall Meetings to be held on the first Wednesday of the months of May, June and July at 7:00 p.m. in the Municipal Building. Mr. Mott seconded and the vote was unanimous.
- f. Ms. McMichael indicated that during the Work Session a discussion was held on a pending Zoning Hearing Board matter that may or may not be appealed to the Court of Common Pleas involving the parking of buses at the People's Light and Theater parking lot. Discussion ensued. Ms. McMichael made a motion that in the event such an appeal is filed, the Township would enter an appearance through the Township Solicitor intervening in that appeal and stating that no parking is allowed other than accessory use parking. Mr. Mott seconded. The vote was unanimous.
- g. Mr. Holmes received an e-mail from the Great Valley School District indicating that farming to raise produce to be used in the School District's cafeteria will begin on the District's recently acquired Bacton Hill Road property. Transportation is needed for compost which is available from Tredyffrin Township. Discussion ensued. Ms. McMichael made a motion authorizing Staff to further investigate the scope of this request, proceed as warranted, and return to the Board, if further guidance is needed. Mr. Holmes seconded. The vote was unanimous.
- h. Mr. Mott brought to the Board's attention the fact that numerous hearings are held before the Zoning Hearing Board regarding signage. Ms. Woodman pointed to some of the issues associated with signs. She will get input from Mr. Reed and come back to the Board on this subject. Mr. Mott suggested that something might be needed in Township regulations to address accessory structures on properties.
- i. Gary Sheridan has submitted his application for service on the Environmental Advisory Council, and Mr. Mott gave background on his qualifications. Mr. Mott made a motion to appoint Gary Sheridan to the Environmental Advisory Council for a one year term ending January 4, 2010. Ms. McMichael seconded and the vote was unanimous.

OLD BUSINESS

- a. Use of floor drains and their connection to the sanitary sewer system. – Lou Colagreco was present representing O'Neill Properties. Ms. McMichael gave background on this issue which arose as a result of the number of floor drains requested by tenants at the Worthington project. Presently the Township code prohibits the use of floor drains unless absolute necessary. Discussion ensued regarding establishing clear guidelines. Ms. Woodman suggested that staff draft a proposal with the input of Ken Battin and Lou Colagreco and revisit this subject at the April meeting of the Board.

- b. Status update of 10 Summit Road demolition. – Eric Reed reported that demolition is underway. In response to Mr. Corrigan’s request, Ms. Woodman has advised him of progress on this undertaking.

The meeting was recessed at 8:25 p.m.

PUBLIC HEARINGS

A court reporter reported all testimony.

- a. Consideration of amendment to transfer a liquor license.

At 8:28 p.m. the public hearing was opened and, at the conclusion of testimony, the hearing was closed at 9:40 p.m. The public meeting was reconvened and a motion was made by Bill Holmes, seconded by John Mott and carried unanimously to approve Wegman’s request to transfer a liquor license.

- b. Consideration of amendment to change fines for parking in a handicap space and for parking on roads during a snow event

The public hearing opened at 9:40 p.m. Testimony was taken and the hearing closed at 9:43 p.m. The public meeting was reconvened and a motion was made by John Mott, seconded by Bill Holmes and carried unanimously to approve the amendment to the Traffic Ordinance.

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 9:45 p.m.

Respectfully submitted,

Mary Lou Knight
Assistant Township Secretary