

EAST WHITELAND TOWNSHIP  
REGULAR MEETING  
January 13, 2010

Chair, William Holmes called the meeting to order at 7:03 p.m. Virginia McMichael, Vice Chair, John Mott, Member, William Lincke, Township Solicitor, Terry Woodman, Township Manager, Eugene Dooley, Police Chief, William Steele, Public Works Director, and Mary Lou Knight, Assistant Township Secretary, were present. There were approximately fourteen (14) people in the audience at the onset of the meeting.

Everyone recited the pledge of allegiance.

Mr. Mott made corrections to the January 4, 2010 Organizational Meeting as follows: page 1, heading should read “2010 Organizational ...”; page 2, third paragraph, last sentence should read ...”Mr. Mott seconded”. Ms. McMichael made a motion to approve the Minutes of the Regular Board Meeting of December 9, 2009 and the Minutes of the 2010 Organizational Meeting of January 4, 2010, as amended. Mr. Mott seconded and the vote was unanimous.

ANNOUNCEMENTS

Mr. Holmes announced the following:

- The Township Building will be closed on Monday, January 18th in recognition of Martin Luther King, Jr. Day
- A Special meeting will be held on February 3, 2010 to review the Space needs for a new municipal building.

PUBLIC COMMENT

There was considerable public comment in regard to site selection for the new fire station planned by the Fire Department. Input was received from residents Paul Evers, Chris Nawn, Michael Robbins, Christopher McKenna and Frank Rotere. Objections to the Route 401 site included the topography of the site (steep slope), viability of property in regard to space needs, re-zoning of open space property, added noise due to cutting of trees on the property, possible environmental issues (wetlands), and egress from the site during fire and ambulance emergencies causing possible traffic congestion. They questioned why this open space site was chosen over a more developed location. Mr. Robbins suggested it was because it was donated property. He felt that if that is the case, it should have been brought to the citizens. Ms. McMichael pointed out that, historically, the fire company does not receive a lot of volunteer contributions. Mr. Mott stated that 24 years ago the fire company purchased property across from the Philadelphia Memorial Park and were unable to raise monies for the loan repayment. They subsequently had to sell the land to the Township. He went on to say that even though the proposed site is not perfect, the monetary issues can't be ignored. The residents felt left out of the site selection process and felt that the Rt. 401 site had already been chosen. In response to the question of why

the trees were being cut, Ms. Woodman explained that this makes it easier to get clean fill for the site. Excess fill will be deposited from the Chester Valley Trail project. Mr. Mott pointed out that the project fell under the aegis of the Fire Company. Ms. Woodman stated The Friends of the East Whiteland Volunteer Fire Company, representatives of the fire company, and the architectural and engineering firms involved in design will make a formal request to rezone the property at a public hearing scheduled for February 13, 2010 after the Regular Meeting of the Board. Residents will be able to ask questions at that time. She pointed out that this is the first step in the process. The next step involves going through the engineer's land development plan. Secondly, the Township Engineer reviews and approves the plan. The Pennsylvania Department of Environmental Protection then has to review and approve the plan. It next goes to the Chester County Conservation District for review and approval. All of these steps are necessary before the applicant comes to the Township to apply for a building permit. When asked who to contact when questions arise, Ms. Woodman suggested this be brought up at the public hearing as consultants are charging an hourly fee to the applicant. Mr. Holmes stated that this plan was in the very early stages and many decisions remain to be made. He pointed out that residents will have ample opportunity to voice their concerns.

#### REPORTS AND COMMUNICATIONS FROM BOARDS, COMMISSIONS AND TOWNSHIP OFFICIALS

Ms. Woodman indicated that she had received the Fire Company's monthly report and their 2009 summary report. She will distribute copies to the Supervisors.

Mr. Holmes stated that he had considerable good feedback on the quality of snow removal done by Mr. Steele's department.

Ms. McMichael commented on letters received from two residents praising the work of the Police Department.

Mr. Mott questioned Mr. Steele about the remediation of a sink hole and Mr. Steele responded that it was taken care of.

#### ACCEPTANCE OF THE TREASURER'S REPORT

Ms. Woodman summarized the Treasurer's Report. Mr. Mott made a motion to accept the Treasurer's Report dated December 31, 2009. Mr. McMichael seconded and the vote was unanimous. In response to a suggestion by Mr. Holmes, it was determined that Treasurer's Report balance totals would be listed in the Meeting Minutes. As of December 31, 2009, they are:

General Fund	\$ 3,808,852.70
Street Light Fund	4,967.94
Sewer Fund	3,207,423.23
Sewer Fund Reserve	7,598,518.36
Sewer Construction Fund	76.86
Park Development Fund	352,951.25

Capital Improvement Fund	2,388,814.46
Dare Fund	9,345.53
State Fund	9.60

### APPROVAL OF THE PAYMENT OF BILLS AND PAYROLL

Mr. Mott made a motion for approval of General Fund Voucher No. 2010-1G, Sewer Fund Voucher No. 2010-1S, and Payroll Fund Voucher Nos. 2009-26 and 2010-1. Ms. McMichael seconded and the vote was unanimous.

### OLD BUSINESS

- a. Open Fire Pit Burning Legislation Review – This topic is deferred to the March meeting of the Board.
- b. New Name for Township Newsletter – Mr. Holmes read through the suggestions received from residents regarding a new name for the Newsletter. After discussion, there appeared to be a consensus that the new name would be “In Step with East Whiteland”.

### NEW BUSINESS

- a. Award Bid for Gasoline – The request for bids was advertised in the *Daily Local News* on December 21 and December 28, 2009. Mr. Steele explained that the bid is based on the wholesale rack price on January 6, 2010 plus the bidder’s markup. Ms. McMichael made a motion to award the bid for unleaded gasoline to Reilly and Sons, Inc. in accordance with Mr. Steele’s memo dated January 11, 2010 which shall be attached to the Minutes of this meeting. Mr. Mott seconded and the vote was unanimous.
- b. Award Bids for Surplus Vehicles and Equipment – A bid notice was advertised in the *Daily Local News* on December 10 and December 17, 2009. Mr. Steele summarized the bidding process and outlined the winning bids as follows:
 

▪ 1988 Asplundh Brush Chipper	David Marchiewski, Jr., Cheswick, PA	\$1,500.00
▪ 2002 Chevrolet Tahoe	Joseph L. Ahearn, Jr., Aston, PA	4,000.25
▪ 2002 Chevrolet Impala	Daniel E. Wilson, Coatesville, PA	1,100.00
▪ 2003 Ford Crown Victoria	Ronald Winkelvoss, Collingdale, PA	2,852.02

Mr. Mott made a motion to award the bids in accordance with Mr. Steele’s memo dated January 7, 2010 which shall be attached to the Minutes of this meeting and noted that if the winning bid is not completed, the item will be awarded to the second highest bidder. Ms. McMichael seconded the motion. The vote was unanimous.

- c. Contract with the Chester County SPCA for Stray Boarding and Animal Protective Services – Ms. Woodman summarized the services provided by the SPCA. Mr. Holmes noted that the cost to the Township is \$2,197.50. Discussion ensued. Mr. Mott made a

motion to enter into a contract with the Chester County SPCA for Stray Boarding and Animal Protective Services. Ms. McMichael seconded and the vote was unanimous.

- d. Extension of Time – Ms. Woodman summarized the extension request. Ms. McMichael made a motion to grant an Extension of Time through June 30, 2011 to Richard Peterson for the filing of financial security and recording of the plan for a small office building on the south side of Rt. 30 east of Old Lincoln Highway. (Plan approved on 4/8/09.) Mr. Mott seconded and the vote was unanimous.
- e. Extension of Time – Lou Colagreco was present representing the applicant. Mr. Mott made a motion to grant an Extension of Time through January 31, 2011 to Main Line Executive Campus for the filing of financial security and recording of the plans for Buildings B & C. (Plan approved on 8/13/08 and one prior extension granted.) Ms. McMichael seconded the motion. The vote was unanimous.
- f. Extension of Time – Lou Colagreco was present representing the applicant. Ms. McMichael made a motion to grant an Extension of Time through January 31, 2011 to Poplar Land Development for the filing of financial security and recording of the plan for a new 86,400 sq. ft. office building on the corner of Old Lincoln Hwy and Route 30. (Plan approved 8/13/08 and one prior extension granted.) Mr. Mott seconded. The vote was unanimous.
- g. Discussion of Bureau for Historic Preservation’s Request for Direction on Ownership of Artifacts – Peter Spengeman stated that the Township has been asked to take custody of artifacts that were uncovered when the Ecology Park was built. They have been held by Milner Associates, Inc. Mr. Spengeman encouraged the Township to take ownership of the artifacts and any other historical items that may be found on Township property. Discussion ensued. The Board agreed with Mr. Spengeman.
- h. Resolution 9-2010 – Ms. Woodman summarized the resolution. Mr. Mott made a motion to adopt Resolution 9-2010 authorizing the reimbursement of prior expenditures of the Township relating to the expansion of the public sanitary sewer system from the proceeds of bonds to be issued. Ms. McMichael seconded and the vote was unanimous.
- i. Affirmation of Declaration of Disaster Emergency issued by the Board of Supervisors on December 18, 2009 – The Township Manager recapped the discussion held with the Supervisors on December 18, 2009 regarding the need for a Declaration of Disaster Emergency. Ms. McMichael made a motion to affirm the Declaration of Disaster Emergency that was approved by the Board of Supervisors on December 18, 2009. Mr. Mott seconded and the vote was unanimous.

Mr. Holmes called a break in the meeting at 8:20 p.m.

#### PUBLIC HEARING

Court reporter, Elaine Parrish, recorded all testimony. The Hearings opened at 8:25 p.m.

- a. Consideration of an amendment to the Township's 2001 Comprehensive Plan to incorporate the Patriot's Path Plan

At the conclusion of the testimony, the hearing was closed at 8:45 p.m. and the Board announced their intent to make a decision at their February meeting.

- b. Consideration of amendments to the Police Pension Plan Ordinance removing Section 32-7 which defines death benefits

This hearing was postponed indefinitely.

- c. A continued public hearing to consider amendments to the Zoning Ordinance to amend regulations regarding signs; add a new section addressing the processing and storage of materials, and modifying the Tables of Permitted Uses in the Mixed Use, Industrial, and Residential Zoning Districts

The hearing opened at 8:48 p.m. Testimony was taken and the hearing closed at 8:53 p.m. The public meeting was reconvened and the Board voted unanimously to adopt the Zoning Ordinance Amendment as drafted.

There being no further business, Mr. Holmes made a motion to adjourn the meeting. Ms. McMichael seconded. The vote was unanimous and the meeting adjourned at 8:55 p.m.

Respectfully submitted,

Mary Lou Knight  
Assistant Township Secretary