

EAST WHITELAND TOWNSHIP
REGULAR MEETING
October 13, 2010

Chair, William Holmes called the meeting to order at 7:05 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 five (5) people in the audience at the onset of the meeting.

Everyone recited the pledge of allegiance.

Ms. McMichael made a motion to approve the Minutes of the Regular Board Meeting of September 8, 2010. Mr. Mott seconded and the vote was unanimous.

ANNOUNCEMENTS

Mr. Holmes announced the following:

- The Board of Supervisors will hold a Town Hall Meeting on Wednesday, November 3rd at 7 p.m. in the Township Building.
- Budget meetings will be held on November 8th and November 22nd at 6:30 p.m. in the Township Building. The first meeting will be for Department Heads.

PUBLIC COMMENT

There was no public comment.

REPORTS AND COMMUNICATIONS FROM BOARDS, COMMISSIONS AND
TOWNSHIP OFFICIALS

East Whiteland Volunteer Fire Association – Chief Hurley gave the Fire Company report. He reported that Matt Funk and Brian Hughes received thank you notes from the Great Valley School District and students for their participation in the Community Helper Day at Charlestown Elementary School. Between the Fire Association's two recent fund raisers, \$7,000 was raised for the building fund. Ms. McMichael urged residents to donate to the Association's annual fundraiser. Chief Hurley informed the Board their old rescue truck was recently sold, and they will sell one of their EMS units as well.

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 September 30, 2010. Ms. McMichael seconded and the vote was unanimous. Ms. McMichael indicated that budgeted income and expenditures are at 74.5% at the end of the third quarter, and she congratulated Township employees for this result. The Treasurer's Report balance totals as of September 30, 2010 are as follows:

General Fund	\$ 3,751,464.03
Street Light Fund	9,995.62
Sewer Fund	3,300,426.53
Sewer Fund Reserve	6,223,258.70
Sewer Construction Fund	76.95
Park Development Fund	345,543.99
Capital Improvement Fund	2,400,796.98
Dare Fund	7,945.03
State Fund	19,375.44

APPROVAL OF THE PAYMENT OF BILLS AND PAYROLL

Ms. McMichael made a motion for approval of General Fund Voucher No. 2010-10, Sewer Fund Voucher No. 2010-10, and Payroll Fund Voucher Nos. 2010-19 and 2010-20. Mr. Mott seconded and the vote was unanimous.

OLD BUSINESS

a. Adoption of Two New Ordinances

- 1) Ordinance amending the 2009 version of the International Fire Code
- 2) Ordinance amending the Township Code to add a new section regulating outdoor and open burning.

Mr. Lincke indicated that both ordinances were advertised on October 1, 2010. Ms. McMichael was of the opinion that not all residents will be in favor of the ordinances as adopted but pointed out that both could be revisited at any time. Discussion ensued. Mr. Lincke outlined one Ordinance as "An amendment to an Ordinance of East Whiteland Township, Chester County, Pennsylvania, concerning additions, insertions and changes to the International Fire Code as codified in Chapter 90 of the Code of the Township of East Whiteland, for the purpose of updating and amending the Code by adopting the 2009 version of the International Fire Code". Mr. Mott made a motion to adopt the Ordinance as outlined above. Ms. McMichael seconded and the vote was unanimous. Mr. Lincke outlined the second Ordinance as "An amendment to an Ordinance of East Whiteland Township, Chester County, Pennsylvania, as codified in Chapter 90 of the Code of the Township of East Whiteland

for the purpose of adding a new section 90-4 to regulate outdoor and open burning”. Ms. McMichael made a motion to adopt the second Ordinance as outlined above. Mr. Mott seconded and the vote was unanimous.

NEW BUSINESS

- a. Advertise Public Hearing - Ms. Woodman indicated that State law requires earned income taxes to be collected at the County level, and the Chester County Tax Committee has enacted a countywide collection in 2011. In order to bring the Township’s earned income tax ordinance in line with the County it will require deletion of the current ordinance and adoption of a new ordinance. Mr. Mott made a motion to authorize advertisement of a public hearing to be held on November 10, 2010 to consider an ordinance bringing the Township’s Earned Income Tax regulations in line with the Local Tax enabling Act. 53 P.S. §6924.101*et seq.* Ms. McMichael seconded and the vote was unanimous.
- b. Advertise Public Hearing – Ms. McMichael made a motion to authorize the advertisement of a public hearing to be held on November 10, 2010 to consider an ordinance repealing the existing Local Services Tax and replacing it with a new ordinance imposing a Local Services Tax. Mr. Mott seconded. The vote was unanimous.
- c. Franchise Agreement with Comcast of Pennsylvania, LLC – Ms. Woodman indicated that the new agreement will maintain the Township’s reimbursement rate at 5% for a term of 15 years. These funds represent monies collected from residents by Comcast and reimbursed to the Township. The contract includes a paragraph which states that if negotiations with another franchise results in a lower rate than 5%, Comcast will meet that rate. Discussion ensued regarding the possibility of the School District televising the Township’s Board meetings on their channel. Ms. Woodman is in negotiations with the School District on this matter. Ms. McMichael made a motion authorizing the Township Manager to enter into an agreement with Comcast of Pennsylvania, LLC. Mr. Mott seconded and the vote was unanimous.
- d. Extension of Time - Glasgow, Inc. (S. Paone, Inc.) - Susan Boswell was present representing the applicant. Ms. Boswell summarized the request for an extension of time. Discussion ensued. Ms. McMichael made a motion to grant an Extension of Time to Glasgow, Inc. (S. Paone, Inc.) through July 1, 2013 for recording the final subdivision/land development plan, acknowledgment of the five-year MPC protective period, and posting of financial security for 23 single family lots at the intersection of Flat and Wilburdale Roads (Plan approved May 14, 2008). Mr. Mott seconded. The vote was unanimous.
- e. Land Development Plan – Immaculata University - Bob Plucenik, P.E. and Kerry Jones were present representing the applicant. Mr. Plucenik presented the plan for a new 7,500 sq. ft. building to house Admissions and Financial Aid staff. He presented a rendering of the building and referenced parking and storm water needs. Discussion ensued.

Mr. Mott made a motion to approve Immaculata University Land Development Plan for a new 7,500 sq ft building to house Admissions and Financial Aid staff adjacent to Gillet Drive on the campus located north of King Road and west of Frazer Road in an INS - Institutional Zoning District subject to any remaining open issues in Mr. Kohli's October 6, 2010 letter. Ms. McMichael seconded and the vote was unanimous.

- f. Preliminary/Final Plan – Shelderfer Property – Mr. Holmes summarized the plan. Chris Shelderfer described the subdivision and planned use of the property which lies in both Willistown and East Whiteland Townships. Discussion ensued. Mr. Mott made a motion to approve the Shelderfer Property Preliminary/Final Plan creating two lots at 857 King Road one of which is partially in Willistown Township with the portion in East Whiteland being in an R-2 Residential Zoning District subject to any remaining open issues in Mr. Kohli's August 27, 2010 letter and granting of waiver on SLDO 175-41.C(4) percentage of trees to be removed, resolved by the applicant planting six trees. Ms. McMichael seconded and the vote was unanimous. Ms. Woodman clarified with Mr. Shelderfer that the gas line removed a greater number of trees than was anticipated by the Township.

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 7:50 p.m.

Respectfully submitted,

Mary Lou Knight
Assistant Township Secretary