

EAST WHITELAND TOWNSHIP
REGULAR MEETING
November 10, 2010

Chair, William Holmes called the meeting to order at 7:00 p.m. Virginia McMichael, Vice Chair, John Mott, Member, Bareth Graeff, 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 two (2) 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 October 13, 2010, Mr. Mott seconded and the vote was unanimous. Mr. Mott made a motion to approve the Minutes of the Town Hall Meeting of November 3, 2010. Ms. McMichael seconded and the vote was in the majority. Mr. Holmes abstained from the vote as he was not in attendance at the meeting.

ANNOUNCEMENTS

Mr. Holmes announced that the budget meeting scheduled for November 22nd has been changed to November 29th at 6:30 p.m. in the Township Building.

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 a second ambulance will be sold and a new ambulance is being ordered. Hydrant locators were discussed. Ms. Woodman mentioned that a resident had requested markers to be installed to locate the hydrants on a private street. She stated that Aqua PA owns the hydrants and they should install the markers behind the hydrants. Mr. Steele indicated that his department installs markers on Township owned roads to facilitate snow removal. Discussion continued.

Ms. Woodman informed the Board that the AFSCME contract carries a clause that says that any holiday that falls on Saturday or Sunday shall be recognized on the subsequent Monday. This season both Christmas and New Year occur on a Saturday; thus in accordance with the contract, the Township would be closed on the following Mondays. She spoke with representatives of the local AFSCME unit and instead of closing on the designated Mondays,

they have agreed to allow the Township to close on the Fridays before the holidays. Mr. Mott suggested that when a new contract is negotiated, this matter be addressed.

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 October 31, 2010. Ms. McMichael seconded and the vote was unanimous. The Treasurer's Report balance totals as of October 31, 2010 are as follows:

General Fund	\$ 3,333,430.83
Street Light Fund	9,997.29
Sewer Fund	3,173,530.30
Sewer Fund Reserve	6,210,563.21
Sewer Construction Fund	76.96
Park Development Fund	337,253.30
Capital Improvement Fund	2,351,201.60
Dare Fund	7,846.40
State Fund	19,378.73

APPROVAL OF THE PAYMENT OF BILLS AND PAYROLL

Mr. Holmes asked what GASB 45 (Government Accounting Standards Bureau) represented. Mr. Lokken replied that this requires the Township to report the Township's liability for retirement benefits. It states that an actuarial study must be done every three years. McMichael made a motion for approval of General Fund Voucher No. 2010-11G, Sewer Fund Voucher No. 2010-11S, and Payroll Fund Voucher Nos. 2010-21, 22 and 23. Mr. Mott seconded and the vote was unanimous.

PLANS

Walter M. Haly et al – Mr. Holmes summarized the minor subdivision of 133 & 135 Sproul Road, with new lot line to allow transfer of ownership of either side of an existing twin house. The property is in an R-2 Residence Zoning District. Since no one was present to present this plan the discussion of this item has been postponed.

OLD BUSINESS

Discussion of Responses to Engineer RFQ – Mr. Holmes indicated that nineteen responses had been received. Ms. Woodman and Messrs. Steele and Battin have reviewed the replies and brought the list down to five. They will try to bring it down to three or four before this discussion comes before the Board.

NEW BUSINESS

- a. Resolution No. 17 -2010- Ms. Woodman indicated that Covenant Presbyterian Church plans to build an addition to their sanctuary and additional waste water would be generated by the additional square footage. The Resolution must be adopted before application is made to the PaDEP. Mr. Mott made a motion to adopt Resolution No. 17-2010 to file a Sewage Facilities Planning Module on behalf of Covenant Presbyterian Church to allow a proposed addition and other renovations to connect to the Township's Public Sewer System.
- b. Advertisement of Bid – Mr. Steele indicated that this is a yearly bid for road materials and equipment rentals. Ms. McMichael made a motion to advertise for the receipt of bids for road materials and equipment rentals. Mr. Mott seconded and the vote was unanimous.
- c. Advertise the Board's intent to appoint a certified or competent public accountant or firm to conduct the 2010 year-end audit – Ms. Woodman outlined the need to advertise for an accountant to perform this work. Mr. Mott made a motion to advertise the Board's intent to appoint a certified or competent public accountant or firm to conduct the 2010 year-end audit. Ms. McMichael seconded and the vote was unanimous.
- d. Resolution No. 18 -2010 – Plan Revision – Tredyffrin Township is the owner of the Valley Creek trunk line which collects waste water from the Townships of East Whiteland, Charlestown, Willistown, Easttown, Tredyffrin and Malvern Borough. The trunk line is forty years old and needs major repairs and expansion of its branches. Before that takes place Tredyffrin must go through a planning process and submit the plan to the Pennsylvania Department of Environmental Protection. East Whiteland flows through the portion of the trunk line designated "LV". Over the years this section of the pipe that runs under Rt. 202 has settled to the point that the slope of the pipe has changed and, therefore, it cannot handle the capacity which was promised in the original contract between EWT and Tredyffrin. She indicated that this was not an emergency situation for EWT. Ms. Woodman has conveyed to Tredyffrin that EWT is not in agreement with their opinion that East Whiteland share in the cost of repair work. It is her contention that the owner should bear responsibility for any repairs. Ms. Woodman recommends that the Board not adopt the Resolution in support of the Plan because as written, the Plan contains a table that assigns a cost of \$916,000 to EW for sewer repair. Discussion ensued regarding the contract. Ms. Woodman recommends continuing conversation with Tredyffrin, suggesting to them that the Plan Revision go forward without the section pertaining to Trunk LV: increase capacity of one run (Route 202 crossing) by installing parallel sewer to supplement capacity of existing sewer. Mr. Holmes asked for a motion to adopt Resolution No. 18-2010 and submit to the Pennsylvania Department of Environmental Protection an "Act 537 Plan Revision for Valley Creek Trunk Sewer." There was no motion. Mr. Mott made a motion to not adopt Resolution No. 18-2010 and not submit to the Pennsylvania Department of

Environmental Protection an “Act 537 Plan Revision for Valley Creek Trunk Sewer” on the basis that Table 14C allocating municipal shares of cost is included in the Plan. Ms. McMichael seconded and the vote was unanimous.

- e. Resolution No. 19 -2010 – The State requires the Chester Tax Collection Committee (TCC) to appoint a tax collector to collect all EIT taxes in the Chester Tax Collection District. The Township Manager was of the opinion that it would be easier for employers to also submit the local services tax (LST) to the TCC. Discussion ensued. Ms. McMichael made a motion to adopt Resolution No. 19-2010 authorizing the Chester Tax Collection Committee to contract for the collection of East Whiteland Township local services tax. Mr. Mott seconded. The vote was unanimous. .
- f. Advertise Public Hearing – Mr. Mott made a motion to advertise a public hearing to be held on December 8, 2010 to consider an amendment to the Township’s Sewer Ordinance. Ms. McMichael seconded and the vote was unanimous.
- g. Authorize the Township Manager to sign applications for grants – Ms. Woodman indicated that PennDOT has a new grant program. They are looking to award smaller grants for projects that would improve traffic flow. Ms. McMichael made a motion to authorize the Township Manager to sign applications for grants through the Automated Red Light Enforcement Transportation Enhancement Grants Program. Mr. Mott seconded. The vote was unanimous.

Mr. Holmes called a break in the meeting at 7:35 p.m.

PUBLIC HEARINGS

- a. Consideration of an Ordinance levying a tax on earned income and net profits; requiring tax returns; requiring employers to withhold and remit tax; and related provisions.
- b. Consideration of an Ordinance levying a Local Services Tax; requiring tax returns; requiring employers to withhold and remit tax and related provisions.

Notes of Testimony were taken by Ann Calligan, Court Reporter. At the Solicitor’s recommendation, the two public hearings were combined into one and the hearing opened at 7:40 p.m. At the conclusion of testimony, the Hearing was closed at 7:45 p.m.

The Board reconvened the Board meeting at 7:47 p.m. and a Motion was made by John Mott to adopt the Ordinance levying a tax on earned income and net profits. The motion was seconded by Virginia McMichael and approved unanimously. A second Motion was made by Virginia McMichael to adopt the Ordinance levying a Local Services Tax; requiring tax returns; requiring employers to withhold and remit tax and related provisions. The Motion was seconded by John Mott and approved unanimously.

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