

EAST WHITELAND TOWNSHIP  
REGULAR MEETING  
July 13, 2011

Chair, William Holmes called the meeting to order at 7:05 p.m. Virginia McMichael, Vice Chair, John Mott, Member, Vicki Kushto, 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 three (3) 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 Meeting of June 8, 2011. Mr. Mott seconded and the vote was unanimous.

ANNOUNCEMENTS

Mr. Holmes announced the following:

- a. The Township's Parks and Recreation Board will be presenting two free summer concerts:
  - o Thursday, July 21<sup>st</sup> – **Center on Central** (an interactive singing program for children and adults featuring music from everywhere for everyone.)
  - o Thursday, August 18 – **Lisa Wolfe's Build a Band** (Featuring young, local talent from Lisa's workshops.)Both performances are at the Valley Creek Park Amphitheater and begin at 7 p.m.
- b. Pennsylvania Civil War Road Show - an innovative traveling exhibition created by the State to commemorate the sesquicentennial of the Civil War arrives in East Whiteland Township July 28 – 31st and will be located at Penn State - Great Valley. The exhibit is housed on an expandable 53-foot trailer, and features hands-on activities and interactive exhibits about the impact of the Civil War on Pennsylvania's men, women, children and communities. It will visit all 67 counties in Pennsylvania over the next four years. A number of Chester County's wonderful historical organizations will offer programs and activities throughout the weekend.

PUBLIC RECOGNITION

Recognition of Pfizer Pharmaceuticals contribution to the DARE Program has been postponed to the August meeting of the Board.

PUBLIC COMMENT

There was no public comment.

REPORTS AND COMMUNICATIONS FROM BOARDS, COMMISSIONS  
AND TOWNSHIP OFFICIALS

Township Engineer Reports

Ms. Woodman stated that the Engineer's report was part of the packet given to the Board.

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 June 30, 2011. Ms. McMichael seconded and the vote was unanimous. Ms. McMichael referenced the June budget report. Discussion ensued. Ms. Woodman stated that receipts from the new collection agency were very slow, however, in May they started to catch up. Township fees from electrical/plumbing etc. applications are down due to the slowdown of the commercial construction industry. Ms. Woodman has been in contact with primary owners of commercial real estate in the Township to determine their interest in holding a roundtable with the Board and Planning Commission, the goal being to determine a master plan for the Route 29 corridor taking into account the ramifications of the upcoming Turnpike slip ramp and a shift to spaces where retail, office and recreation blend. Ms. McMichael noted that it was almost ten years since the Township's Comprehensive Plan was drawn.

The Treasurer's Report balance totals as of May 31, 2011 are as follows:

General Fund	\$ 3,559,233.28
Street Light Fund	15,731.52
Sewer Fund	4,011,210.30
Sewer Fund Reserve	5,152,356.42
Sewer Construction Fund	77.04
Park Development Fund	337,613.18
Capital Improvement Fund	2,358,665.85
Dare Fund	3,344.81
State Fund	100,321.29

APPROVAL OF THE PAYMENT OF BILLS AND PAYROLL

Ms. McMichael made a motion for approval of and to include the first and second check runs of General Fund Voucher No. 2011-7G, Sewer Fund Voucher No. 2011-S, and Payroll Fund Voucher Nos. 2011-13 & 14. Mr. Mott seconded and the vote was unanimous

## OLD BUSINESS

Status of Sink Hole in Phoenixville Pike by Great Valley High School - Mr. Steele pointed out that the sink hole has been repaired; only requiring blacktop work by the Township. He stated that there were no big surprises as the work was done on the sink hole. At the August meeting of the Board, Mr. Steele will bring the Board up to date on the Lee Boulevard sink holes.

## NEW BUSINESS

- a. Advertise Public Hearing – Ms. Woodman indicated that the Township’s Stormwater Management Ordinance is required to be in line with the current County stormwater requirements. Discussion ensued. Mr. Mott made a motion to advertise a public hearing to be held on Wednesday, August 10, 2011 to consider amendments to the Township’s Stormwater Management Ordinance, Ms. McMichael seconded and the vote was unanimous.
- b. Change to Job Position/Description Title – Ms. Woodman indicated that Mr. Lokken’s scope of activities warrants a change in his job position/description title. Ms. McMichael made a motion to approve the change in job title for Mr. Lokken from Financial Administrator/Assistant Treasurer to Finance Director/Assistant Treasurer. Mr. Mott seconded and the vote was unanimous. On behalf of the Board, Mr. Holmes thanked Mr. Lokken for his service.
- c. Award Contract for the Operation of the Malvern Hunt Wastewater Treatment Plant – Mr. Steele received five proposals for the contract in question. He outlined the scope of work and delineated the differences in charges between the two lowest qualified bidders. Discussion ensued. Mr. Mott made a motion to enter into a Professional Services Agreement with ARRO Engineering for the operation of the Malvern Hunt wastewater treatment plant for a one year term beginning August 1, 2011; Mr. Steele’s memo dated July 13, 2011 to be included with the Minutes of this meeting. Ms. McMichael seconded and the vote was unanimous.
- d. Contract Negotiations with the Firefighter’s Union – Ms. McMichael made a motion authorizing the Township Manager to enter into contract negotiations with the Firefighter’s Union. Mr. Mott seconded. The vote was unanimous.
- e. Barbacane Thornton Audit Reports for 2010 – Ms. Woodman brought the Board up to date on Township responses to Barbacane Thornton’s suggestions for the Township’s fiscal policies. Discussion ensued.
- f. Appointments to Park and Recreation Board – Mr. Mott made a motion to appoint Jason Dempsey and Barbara Ann Thav to the Park and Recreation Board for a term of five years. Ms. McMichael seconded and the vote was unanimous.

- g. 2010 Automated Red light Enforcement (ARLE) Grants – Ms. Woodman indicated that eight ARLE Grants have been received in the amount of \$183,106. They are earmarked for five intersections in the Township. Discussion ensued. Ms. McMichael made a motion authorizing the Township Manager to sign for the PennDOT ARLE Grants. Mr. Mott seconded. The vote was unanimous.

### PLANS

Covenant Presbyterian Church - Final Land Development Plan – The plan includes a 4,848 sq. ft. addition to the existing church, a new 23,675 sq ft. sanctuary/teen center/music room building, and a connecting bridge to the existing sanctuary. A new 1,600 sq. ft. deacon's pantry is also proposed for the rear of the property along with 155 additional parking spaces. The church is located in the INS – Institutional Zoning District on the south side of Lancaster Ave. opposite Church Rd. Discussion of this plan is postponed.

Informational Remarks - O'Neill Properties Bishop Tube Site – Lou Colagreco was present representing O'Neill Properties. He stated that Steve Forrester of O'Neill Properties came across a loan program funded by the U.S. Department of Agriculture that offers low interest funds to assist in the redevelopment of Brownfield sites. He outlined the criteria necessary to qualify for the funds; namely designating that the area is rural in character and must be in the vicinity of a population of 50,000 or more. East Whiteland Township meets this test. He stated that the request for consideration has to come from the Township and delineated the process this request will take. Discussion ensued. Mr. Mott made a motion to authorize the Township Manager to work with the Township Solicitor and Mr. Colagreco to review the request for and assist in the application designating that the Bishop Tube site is rural in character, said application being subject to the Solicitor's satisfaction. Mr. Holmes seconded and the vote was unanimous.

Mr. Holmes suspended the meeting at 8:05 p.m.

### PUBLIC HEARINGS

Court reporter, Elaine Parrish, recorded all testimony.

- a. Continued public hearing to consider an amendment to the ROC/R Zoning District filed by O'Neill Properties to eliminate the cap on the number of apartment rentals. The hearing opened at 8:10 p.m. with two Supervisors present. Mr. Mott announced that he would not be voting in favor of the requested amendment and would not second a motion to call for a vote. Mr. Holmes asked Ms. McMichael, who was in the back of the room, to join the other Supervisors at the table. She did and she announced that during this past winter her husband had been selected as counsel for O'Neill properties in litigation involving the Worthington project. As a result, she has recused herself from all meetings, conferences, and decisions relative to the Worthington project. Ms. McMichael said that she sought an opinion from the Township's Solicitor, William Lincke, on this situation and he responded by letter dated March 3, 2011 in which he advised her that under

Pennsylvania law, in the event the other two Board members cannot agree on a matter involving the project, she will be required to vote regardless of her decision to recuse herself. At the conclusion of testimony the hearing was closed at 8:35 p.m. and the Public Meeting was reconvened. A motion was made by Mr. Holmes to approve the Zoning Ordinance amendment to the ROC/A Zoning District filed by O'Neill Properties to eliminate the cap on the number of apartment rentals, seconded by Ms. McMichael and approved. Mr. Mott voted in opposition to the Motion.

- b. Continued public hearing to consider a Conditional Use Application filed by the Chester County Fund, Inc. to allow 10.5% of the required parking spaces for two new buildings on lot #1 to be held in reserve – The hearing was opened at 8:40 p.m. and closed at 8:44 p.m. The Public Meeting was reconvened. A motion was made by John Mott, seconded by Virginia McMichael to approve the reduced number of parking spaces in accordance with the testimony presented during the hearing. The motion was approved unanimously.
- c. Consideration of an amendment to both the Township Zoning Ordinance and Zoning Map filed by Trammell Crow Company. The hearing opened at 8:46 p.m. Following testimony, at 9:40 p.m. the hearing was continued to the August 10, 2011 Board of Supervisors meeting.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Mary Lou Knight  
Assistant Township Secretary